

## WOLVERHAMPTON CHRONICLE 1850 to 1859

### 1 16 January 1850

#### SMETHWICK

RAILWAY CHAIR STEALING On Wednesday, police officer Critchlow apprehended, in Wharf Street, Birmingham, a man named **Henry Parkes**, a boatman, who the same morning between five and six o'clock was observed, with another man not yet in custody, loading a boat with some railway chairs from a large pile which had been deposited on the canal side near the newly erected railway bridge, the property of Mr Pickering, contractor for this portion of the Stour Valley Railway. Information was given to Mr Pickering, who immediately sent one of his foremen in pursuit of the boat and the men. Near to Monument Lane Bridge they were overtaken ; but finding or expecting they were watched, the two men decamped. The value of the chairs is £12, and they were 94 in number. It appears that Parkes and his companion stole away the boat from its anchorage near Tindal Bridge, and took it to Smethwick for the purpose of the robbery.

### 2 27 February 1850

WOLVERHAMPTON POLICE OFFICE, FRIDAY **William Millington**, a boatman on the Birmingham Canal at Wolverhampton, was fined 10s and costs for wasting water in the canal.

SATURDAY **Henry Roden**, a boatman, was charged with stealing a quantity of tea from a boat lying at Mr Shipton's wharf some weeks since. Mr H Underhill appeared for the prosecution. Several of the witnesses, who are boatmen, not being in attendance, the prisoner was remanded for a week to afford time for collecting the necessary evidence. Daniel Fulward and William Sharratt, who had been taken into custody on suspicion of receiving a portion of the tea knowing it to have been stolen, were discharged, it being stated that they would be called as witnesses for the prosecution.

ASSAULTS Clara Smith was summoned by **William Trow**, the captain of a boat, for assaulting him. The Magistrates, considering that the charge was not proved and that the conduct of the complainant towards the defendant had been improper, dismissed the case.

### 3 6 March 1850

#### WOLVERHAMPTON POLICE OFFICE, WEDNESDAY

**Thomas Tinley**, boatman, was fined 10s and costs for obstructing a lock on the Birmingham Canal at Wolverhampton.

SATURDAY **Henry Roden**, a boatman, who had been several times remanded, was brought up on the charge of stealing a quantity of tea from a boat lying at Mr Shipton's wharf some weeks since. Joseph Madeley, a beer shop keeper and bricklayer at Gnosall, was also charged with receiving the tea, knowing it to have been stolen. Mr H Underhill appeared for the prosecution, and Mr Fleetwood for the prisoner Madeley. The Magistrates, after hearing the evidence, thought there was no evidence against Madeley and not sufficient evidence against Roden to justify a committal. Mr Underhill applied for a further remand, but the Bench considered that as Roden had been already a long time in custody they would not be warranted in detaining him any longer. It appeared that another man (not in custody) had sold the tea, but there was no evidence before the Magistrates to connect Roden with the sale.

### 4 13 March 1850

#### WOLVERHAMPTON POLICE OFFICE, SATURDAY MARCH 9

HIGHWAY ROBBERY **Robert Arundale** and **William Smith**, boatmen, were charged with robbing **Mr William Bishton**, canal carrier of the Cannock Road, on the night of the 4<sup>th</sup> of March 1849. Mr Bishton stated that about twelve o'clock on the night mentioned he was attacked on the canal side, near the second lock, by three men, and robbed of about £13 or £14 in gold and silver. One of the men, the prisoner Arundale, presented a brace of pistols, one in each hand, at his head. Mr Bishton identified the prisoners as two of the men by whom he was attacked ; Smith and the

other man stood by while Arundale, holding one of the pistols to his head in one hand, received the money, still holding the second pistol in the other hand. Smith, it appeared, was taken into custody on the following day for a burglary, and sentenced at the last March assizes to twelve months imprisonment, which expired on the 9<sup>th</sup> instant when he was apprehended on the present charge. Arundale was taken on the 2<sup>nd</sup> instant at Leicester, having been only a few days out of prison, to which he had been committed under another name. The prisoners had, about three years ago, worked for Mr Bishton. They were both committed to the assizes.

**BOAT ROBBERY** **Thomas Smith**, boatman, and Joseph Madeley of Gnosall, were committed for trial at the assizes, charged with stealing four chests of tea, the property of the Trustees of the Duke of Bridgewater. This was the fifth examination which had taken place respecting this robbery, the prisoners on their former examinations being discharged. The tea was stolen from a boat on the canal on the 27<sup>th</sup> of January last, the empty boxes being found on the following morning at the back of some houses in Canal Street. The particulars of the case were given at the time.

## 5 20 March 1850

### STAFFORDSHIRE LENT ASSIZES

**HIGHWAY ROBBERY** **Robert Arundale** and **William Smith** were charged with feloniously assaulting and robbing **William Bishton** on the night of Sunday the 4<sup>th</sup> of March 1849. Arundale pleaded guilty.

Mr Lee, who appeared for the prosecution, called Mr Bishton, who stated that he was a contractor residing at Wolverhampton. On the night of Sunday the 4<sup>th</sup> of March 1849, he came from Chester by the train due at 24 minutes past 12 o'clock at Wolverhampton. He went down the road from the station at Wolverhampton and crossed the foot of the bridge at the bottom of Canal Street, in order to go home. He saw the prisoners and another man on the bridge ; it was a remarkably light night, and he saw their faces. He knew them before. Smith had worked for him in the course of five or six years perhaps twenty times. He went along the towing-path, and the three men followed him. Arundale presented a brace of pistols at him. Smith and the other man were two or three yards off. He was quite sure Smith was one of the men and should know the third man. He had about £13 with him. Arundale said, "Give us your money or I'll blow your brains out". He gave him some money. Arundale said, swearing, "You've got some more ; turn it out ; I won't wait half a minute". He gave him more ; he gave him about £13 10s. He gave information to the police, and named the names of the prisoners. He saw Smith next morning on the towing-path.

**Charles Gosling**, toll collector at the lock house, Wolverhampton, said that on the night of Sunday the 4<sup>th</sup> March 1849, he saw the prisoners on the towing-path about eight o'clock. Another person was with them.

**John Bicker**, boatman living at Wolverhampton, said that on Sunday evening, the 4<sup>th</sup> of March 1849, he saw the prisoners together about seven o'clock. Smith had a brace of pistols. He saw them on the canal bridge at the bottom of Canal Street. He never saw them until they were in custody.

Thomas Butler, inspector of police, said that Mr Bishton gave him information of his having been robbed, and named Arundale and Smith. The other party named was now in Warwick Gaol. He took the prisoner Arundale in custody from a Leicester officer on the 24<sup>th</sup> of the month (March). Smith he took into custody on Saturday last at Stafford Gaol. He charged him with the robbery, and he said, "I know nothing about it". He afterwards said, "I've been thinking of it ; I believe it was on a Sunday. At twelve o'clock, I left the Black Horse, and was on the canal bridge". He (Butler) took the prisoner Smith into custody on the day of the robbery, for a burglary. He was convicted and was sentenced to twelve months imprisonment.

The prisoner Smith, on being asked what he had to say to the charge, said he had been taken up and put with Arundale, who told him that he was with two other men who threatened to blow his brains out if he did not commit the robbery. If he (Arundale) would speak the truth, he would say that he (Smith) was as innocent as a child. He begged that Arundale might be called.

His Lordship remarked that it was an odd thing to examine one prisoner in favour of another. After referring to several Acts of Parliament, his Lordship decided that Arundale might be examined.

Arundale then said he had not in his recollection seen Smith for four years before he saw him in custody. He did not see Smith at all on the day the robbery was committed. He (Smith) was not there.

The jury found the prisoner Smith guilty.

A previous conviction for felony against Smith was then put in and proved.

His Lordship, in passing sentence, told Arundale that he had in no degree improved his position by the testimony he had given in favour of Smith. No one could believe it. As to Smith, he had been four times in gaol, and twice convicted of felony. It was necessary to pass a severe sentence, and that sentence was that each of the prisoners be transported for fifteen years.

## **6 10 April 1850**

DUDLEY

LARCENY BY A SERVANT On Wednesday, before J Roberts Esq, a boatman named **William Sparrow** was charged with stealing £4 8s, the money of his employer, **Mr William Mullett** of Brierley Hill, under the following circumstances :- It appeared from the prosecutor's statement that on the 15<sup>th</sup> of December last, he engaged the prisoner to take a boat load of fire bricks to London ; that he gave him £5 for his own wages, and at the same time gave him a separate sum, amounting to £4 8s to pay the tonnage dues ; that the prisoner took the boat from the Nine Locks in the parish of Kingswinford to Tipton, a distance about four miles, and there left it. The boat remained there about three weeks before he (Mullett) knew about it, and he had not seen the prisoner since till Tuesday, when he was taken into custody by Police constable John Hall. Police constable John Hall stated that on charging the prisoner with the offence, he said, "I was detained at Tipton, and I spent the money there ; I was unable to go on to London, so I unloaded the bricks and went into my own country". The prisoner was committed for trial.

## **7 17 April 1850**

Yesterday (Tuesday) at the Borough Police Court, **William Weston**, a boatman, was charged before Mr Dimmack, as a County Magistrate, with stealing a sovereign from a pair of trousers, the property of his master, **William Meek**, on board a boat at the Sandholes, Bilston. The prisoner was taken into custody in a hovel by the canal side near the Wolverhampton Locks, when he admitted having taken the sovereign, and that he bought a pair of boots with the money. He was committed for trial at the last assizes.

## **8 5 June 1850**

DUDLEY

ALLEGED FELONY On Monday, **William Martin**, a boatman, was charged before J Roberts Esq with the mal-appropriation of £2 10s, the money of **Mr William Mullett** of Brierley Hill. On the 23<sup>rd</sup> of March last, the prosecutor deposed to giving the prisoner on the day in question a £5 note to take a boat of firebricks to Oldham, Lancashire. The money was given to the prisoner for his wages, £2 10s, and the balance £2 10s to pay tonnage dues. The prisoner went to Huddersfield instead of Oldham, with the bricks, and was absent about four or five weeks. The tonnage dues would amount to £2 8s. On prosecutor asking him how it was that he went to Huddersfield, the prisoner replied, "Nicholls told him to go to Huddersfield". The prisoner, however, on finding out his mistake, took the bricks to Oldham, and the money given for tonnage dues had been expended in going to Huddersfield. The Bench inquired whether Nicholls, who was stated to be in the prosecutor's service, was in court, and was informed that he was. He, however, on being called, was *non eat inventus*, on which Mr Broughton, solicitor, who attended for the accused, called a witness to prove that Nicholls had directed the prisoner to go to Huddersfield with the bricks, on which the accused was liberated.

## **9 10 July 1850**

STAFFORDSHIRE MIDSUMMER SESSIONS **Thomas Evans**, 35, was indicted for stealing three

smock frocks, two waistcoats, one pair of stockings, two handkerchiefs, and one pair of trousers, the property of **James Wakin** of Burslem. The prisoner was in the employ of the prosecutor, who is a boatman. Verdict, guilty. A former conviction at Shrewsbury for stealing a quantity of wearing apparel was proved by an officer from Shrewsbury gaol. The prisoner was then sentenced to be transported for seven years.

**10 24 July 1850**

WOLVERHAMPTON POLICE OFFICE, THURSDAY JULY 18 **Edward Wilcox**, a boatman, was charged with stealing a boy's jacket, a pair of trousers and a waistcoat, the property of **Henry Wood**, a boatman living at Tipton. The accused had formerly worked for the prosecutor, and was seen about the premises, which had been locked up whilst the inmates were on a voyage on Sunday evening last. Some time during the night, the house was robbed, and early on Monday morning the prisoner sold a jacket &c to Mr Cohen of Bilston Street in this town, for 10s. The prisoner was remanded till Saturday, when he was committed for trial.

**11 21 August 1850**

CAUTION TO BOATMEN A boatman named **Peter Cawley** was fined 1s and expenses by the Borough Magistrates on Monday last for getting over the wall of the Shrewsbury and Birmingham Company's premises in Railway Street, late on Saturday night, he having been taken into custody by William Sherwood (one of the company's porters) under the idea that he was about to commit some depredation. It appearing that he merely got over the wall to join his boat instead of going round to the entrance of the canal wharf in the Wednesfield Road, the case was not pressed.

**12 28 August 1850**

WOLVERHAMPTON POLICE OFFICE, WEDNESDAY AUGUST 21 **Thomas Cracker**, boatman, was ordered to find a surety and be bound over to keep the peace towards **William Whitehouse**, a lock-keeper, whose brains he had threatened to knock out with a windlass, because he endeavoured to prevent him wasting the water. In default he was ordered to be committed for two months. **William Wood**, the master of Cracker, was summoned for wasting the water on the occasion above named. The lock-keeper said the masters of the boats were answerable for the conduct of their men, but as he also stated that Wood did all he could to prevent his man wasting the water, the Bench were indisposed to convict, and recommended Wood to pay 5s expenses and deduct it from the wages of Cracker.

**13 11 September 1850**

WOLVERHAMPTON POLICE COURT, FRIDAY SEPTEMBER 6 **George Commander**, a boatman, was charged with stealing on Thursday at Coven Heath a quantity of hay, the property of Thomas Johnson, labourer, who stated that he keeps a stable there for the use of boatmen's horses on the canal – that about ten o'clock on the previous night the prisoner came with a boat and went away ; that he (prosecutor) was then in bed, but soon afterwards hearing a dog bark he got up and went out, when he saw the prisoner running away from his rick with a quantity of hay ; that he followed him into a field, but there stopped, being afraid of the prisoner's dog, and then went and waited at his boat until he came there about three quarters of an hour after, when he had no hay with him. Joseph Duddall, police officer of Bushbury parish, deposed that from information received from the witness Johnson, he apprehended the prisoner on his boat on the canal ; that he had previously found a bundle of hay, but on comparing a garter with which it was tied up with one the prisoner wore on one leg, they appeared quite similar, and on the other leg was no garter. The prisoner was committed for trial at the sessions, but afterwards bailed.

**14 23 October 1850**

STAFFORDSHIRE OCTOBER SESSIONS **William (?Sinden)** and **Charles Carter** were indicted for stealing a ton and a half weight of iron at West Bromwich, the property of Philip

Williams and others. The prisoners, who appeared to be boatmen, had actually stolen a boat to convey their booty, which consisted of about a ton of cast iron and half a ton of scrap iron, to Birmingham, where they arrived early on the morning of the 1<sup>st</sup> of August. Police-constable William Spear, being on duty, found the prisoners busily engaged at Worcester Wharf, Birmingham, in unloading their cargo into a cart. They accounted for their possession of the iron by stating that they had purchased it in small quantities from several parties, some of it from the prosecutors. An agent to the prosecutors identified portions of the iron as the property of his employers, and stated that they had not sold the prisoners any portion of the iron ; neither was it their custom to sell such, but to work it up again. The jury found the prisoners guilty, and the Court ordered them to be imprisoned six months each to hard labour. The charge of stealing the boat was not gone into.

**BREAKING INTO A WAREHOUSE AT BILSTON, AND STEALING TWENTY FIVE BAGS OF CORN, &c** William Atkins was indicted for breaking and entering the warehouse of Isaac Higgins, and stealing 140 bushels of oats and 110 bushels of peas, his property.

Mr Meteyard conducted the prosecution and Mr Kettle the defence. Mr Meteyard, having opened the case, proceeded to call the following evidence :-

Joseph Nicholls stated that he was a warehouseman in the service of Mr Joseph Spencer, an iron and brass founder of Bilston. Mr Spencer had a warehouse near the canal wharf, in which Mr Higgins was in the habit of storing his corn. On the 19<sup>th</sup> of August, the prosecutor had from fifty to a hundred bags of oats and peas in the upper storey of the warehouse. Early on the morning of the 21<sup>st</sup> of August, he (the witness) was awoke and informed that the warehouse had been broken into, and on going there, found police officers Denny and Howe on the premises. He found two bags of oats lying between the warehouse and the wharf, and another fifty three bags had been carried from the upper to the lower storey. There was an empty boat called the "*Butterfly*" lying at the wharf, and on going on board of it, he discovered a number of empty bags, and also an old hat on which there was crape, hanging on a beam. A hole had been bored above the bolt of the warehouse door, and there were marks of a chisel and crowbar on it.

**Thomas Lomkin** stated that he was a boat builder at Birmingham. On the 19<sup>th</sup> of August, the prisoner, with another man, came to his father's yard, the prisoner saying he wanted to hire a boat for three days to go to Shrewsbury to fetch some grain. A boat called the "*Butterfly*" was ultimately hired by him, for which he paid 12s.

John Clay, a blacksmith living at Catchem's Corner near Bilston, deposed that on the afternoon of the 20<sup>th</sup> of August, the prisoner, whom he had known for several years, came in his shop with a piece of bar iron, which he requested him to make into a crowbar, at the same time giving him directions as to the shape. The prisoner said he had bought an open boat at West Bromwich and wanted the crowbar to break it up. The prisoner waited whilst he made the crowbar, and took it away with him. The crowbar produced was the one he made.

**William Cox**, a boatman in the employ of Mr Riley of Mill Fields, near Bilston, said that on the 30<sup>th</sup> of August he had a boat lying at Mr Spencer's wharf. The prisoner came to him between five and six in the evening and told him he must turn out of the wharf, as he had a boat coming in. He had on an old shag hat which had crape round it.

Samuel Carver, an engineer at the Mill Fields furnaces, which are directly opposite to Mr Spencer's warehouse, stated that he recollected the night of the 30<sup>th</sup> of August. He was at work at the furnaces, and betwixt twelve and one o'clock was on top of the furnace with John Hand and Thomas Mason. The light from the furnaces was sufficient to show the objects all around. He saw two men coming out of Mr Spencer's warehouse door ; one of them was dragging and the other pushing at a bag, which they brought close to the wharf side. One of them returned into the warehouse and shut the door, and he noticed one of them had no hat on. He then went round over the bridge and found the warehouse door open, and afterwards gave information to Rowe, a police officer. When he returned in about half an hour he saw the prisoner on the wharf. One of the men had a dark sleeve waistcoat on, and he afterwards saw the prisoner with a sleeve waistcoat on, and he then said he believed he was one of the men he saw.

Thomas Mason was with the last witness on the top of the furnaces, and stated that he saw two men bringing a bag out of the warehouse, one of whom he believed to be the prisoner. He afterwards saw him go towards his house. The man had no hat on.

John Hand, a watchman at the Mill Field works, was with the last witnesses, and deposed to seeing a man in a dark sleeve waistcoat, whom he believed to be the prisoner, but he could not swear positively to him. When he (witness) was standing in the warehouse yard shortly afterwards, the prisoner came to him and asked what was the matter. Witness told him there was not much the matter, only the boat (pointing to the *Butterfly*) (..... ..) cargo. He said he believed the prisoner to be one of the men he had seen at the warehouse.

Richard Rowe, a police-constable at Bilston, went to the warehouse on receiving information of the robbery, and afterwards searched the prisoner's house and found six bags, marked in a similar manner to another of the bags discovered in the "*Butterfly*" boat. The prisoner was a dealer in hay and corn.

Edward Thompson, inspector of police at Bilston, spoke to searching the prisoner's house on the 31<sup>st</sup> of August, and produced a large nail passer (gimlet), which corresponded with a hole in the warehouse door through which a piece of string had been put and fastened to the bolt, so as to enable anyone to pull it up.

John Denny, a police-constable, also described the prisoner's home, and found the crowbar and chisel produced, which he stated positively corresponded with marks on the warehouse door.

This being the case for the prosecution, Mr Kettle addressed the jury, contending that the identity of the prisoner was by no means so clearly established as to warrant them in returning an adverse verdict.

The Chairman having summed up, the Jury, after two or three minutes deliberation, returned a verdict of guilty.

The Chairman told the prisoner that he had had a long and very impartial trial, and had been most ably defended. The jury, however, had found him guilty, and with that verdict the Court fully concurred. The robbery was one of a wholesale character, and from the number of circumstances disclosed, had clearly been planned with great skill. The Court felt called upon to remove such a wholesale depredator as he was proved to be from the country, and the sentence he was directed to pass was that he be transported for the term of seven years.

## **15 13 November 1850**

**WOLVERHAMPTON POLICE OFFICE** Henry Bretton, a blacksmith, was charged with stealing a bag containing about a bushel of bean meal, the property of John Morris, and **Henry Coleman**, a boatman, was charged with receiving the same, knowing it to have been stolen. The bag had been left last night, at about seven o'clock, near the door of the Squirrel public house in Railway Street, by Mr Morris's carter, while he loaded his cart with grains. He afterwards missed it ; and at about eight o'clock Bretton gave it to Coleman at a public house in Canal Street. Coleman was met by police officer Williams with the bag on his shoulder, and not giving a satisfactory account how it came into his possession, was taken into custody. Both prisoners were committed for trial.

## **16 20 November 1850**

**WOLVERHAMPTON POLICE OFFICE, WEDNESDAY NOVEMBER 13**

**A BIRTHDAY SUPPER AND ITS APPENDAGE** **Thomas Hawkins** of Brewood was charged with assaulting Ellen Holmes. Mr Hawkins, who is a retired carrier or boatman, and living upon his means, determined, although past his grand climacteric, owing to a spice of juvenility in his composition, to celebrate his birthday by a social supper at the Lion Inn, Brewood, on the evening of Wednesday last. To this supper, Mr Holmes, who is a master butcher, was invited and accepted the invitation. He went. How the supper went off, or who else were of the party, was not stated ; but a tolerable quantity of wine – at least sufficient to make Mr Holmes and Mr Hawkins completely drunk – disappeared. Now, as everyone knows, the imbibitious process renders most men unconscious of the swift flight of time ; and every one also knows that nothing is more irksome

to wives than sitting up late at night awaiting the return of their husbands, especially from pleasure parties. In these positions, from the force of circumstances, Mr and Mrs Holmes became respectively placed. He joyous, jolly and jocular ; she solitary, sad and sleepy. There would have been, we may suspect, in a very short time, an end to the patience of any woman. However, two o'clock in the morning came, and then, and not until then, Mrs Holmes determined to go in search of her absent spouse. Directing her steps to the Lion, she reached its hospitable portal, and going in, then and there found her husband a prostrate votary of Bacchus – in simple language, lying drunk in the passage. She seized him by his smockfrock, and was about to drag off, or assist off, the prize upon which she had so prematurely lighted, when Mr Hawkins came into the entry. He too, as Mrs Holmes alleged, was thoroughly drunk. Something like a contest for the possession of the person of the insensible Holmes seems to have arisen. Hawkins, not liking, seemingly, such a rude separation from his friend, interfered to prevent his departure. Mrs Holmes stood upon her right to take him away. A kind of fight, as over the dead body of Patroclus, ensued, and in the course of it, Mr Hawkins, “wanting to know who the devil was interfering with his friend”, bestowed upon Mrs Holmes two blows on the back of the head, and a third somewhere else, the effects of which she said she felt at the present time. The evidence of Mrs Holmes and two other witnesses established the facts narrated. For the defendant a witness named Fanny Thomas was called, who said she saw no blows struck but by Mrs Holmes ; that she knocked her husband down, and took off her shoe and struck him about the head with it ; threatening to serve Hawkins the same. The Bench ordered Hawkins to pay a fine of 20s and expenses, and 2s 6d to each of the witnesses against him in addition, amounting in the whole to £2 1s, a charge which Mr Hawkins manifestly thought a most unpleasant appendage to his birthnight supper.

THURSDAY NOVEMBER 14 Thomas Daniells, charged with stealing 15s or 16s from **John Price**, was committed for trial. The prosecutor, a boatman, had treated the prisoner with some drink at the house of Mr Bowater, Canal Street, a kindness which, according to the testimony given, he repaid by picking his entertainer's pocket.

FRIDAY NOVEMBER 15

FLAGRANT CASE OF INGRATITUDE **Thomas Walward alias Butler**, a boatman, was charged with stealing £5 19s belonging to **Daniel Compton**, captain of a boat, who stated that about three years and eleven months ago, when navigating his boat between Leamington and the Moira Collieries, near Ashby-de-la-Zouch, he met with the prisoner at a place called Stretton Stop, near Hillmorton ; he was fishing in the canal. Prisoner represented to him (witness) that he had had nothing to eat for two days, when out of compassion he (witness) took him into his cabin and gave him something to eat and drink, and at last agreed to give him 4s a week and his victuals to assist in navigating the boat. Accordingly the prisoner proceeded with him to Leamington, and back to the Moira Collieries, which occupied about nine days. When at the latter place, he (witness) had in his inside waistcoat pocket, in a purse, a £5 bank note, one sovereign and 19s in silver, which on the following night he, as usual, placed under his head when he went to bed with his little boy. The prisoner slept on a bench in the cabin, refusing a bed, as he had not, he said, slept in one for fifteen years. He (witness) awoke the next morning, missed his money, and found that the prisoner had absconded. He made enquiries after him, but could not find him. On Wednesday morning last, however, he met with him at a lock near Wolverhampton, accused him of the robbery, and took him to the station. The prosecutor's boy corroborated his master's statement, and identified the prisoner, who was committed for trial at Leicester, the felony having been committed in that county.

**17 25 December 1850**

WOLVERHAMPTON POLICE COURT, WEDNESDAY DECEMBER 18 **George Molineux**, who stated himself to be a boatman, charged with being found early this morning in a barn belonging to Mr Lovatt at Standeford, with intent to commit a felony, was committed for three months to the treadmill. The premises of Mr Lovatt had been robbed of some poultry a short time since, and the policeman thinking Mr Lovatt's geese still in danger, secreted himself in the barn. About two o'clock in the morning, the prisoner and another man came to the place and went to a

spot where the geese (which were removed) had been kept. The prisoner who was (?????), said his companion induced him to go into the barn to sleep there.

**SATURDAY DECEMBER 21 William Smith**, a boatman, was charged by **Henry Evans**, another of the same class, with violently assaulting him on the head with a windlass. It appeared that (.....) the two men were going (.....) the lock (.....) near Wolverhampton, when a dispute arose between them as to which should pass through the lock first. Evans stated that Smith struck him with a windlass on the back of his head, and that he was stunned by the blow. For the defence, a woman living near the lock was called. She was an entire stranger to both parties, and swore positively that Evans struck Smith first with his windlass, and that he attempted to throw the woman belonging to Smith's boat into the canal with a rope. She was quite sure that Evans struck first. There having been cross warrants obtained in this case, the complaint made by Evans was dismissed, the Magistrates believing that he had struck the first blow. He was fined 1s and costs. Evans exclaimed on hearing the decision, "Well, her, I've got five shillings if that will do". He was informed, however, by Mr Wills, deputy magistrates' clerk, that the fine and costs amounted to 17s 6d, including half a crown allowed to a surgeon who had been called in by the police to dress the wound on his head. Mr Henry Walker asked Mr Wills if he was quite correct in his calculation of the expenses, as the amount appeared to be very large. Mr Wills having enumerated the items of the sum named, the Magistrates directed the costs to be reduced to 7s 6d, and that 2s 6d should be paid to the surgeon, making altogether 10s.

### **18 25 December 1850**

At the County Petty Sessions, held in the large room at the Magistrates' Clerk's Office, Bilston Street, in this town, on Monday last, before Henry Hill and Joseph Tarratt Esqs, **William Nixon**, a boatman, was fined 20s for wilfully misspending and wasting the water at the locks on the Staffordshire and Worcestershire Canal at Wombourn on the 10<sup>th</sup> of November last. **Charles Nixon** was also fined 20s for the like offence on the 13<sup>th</sup> of November, at the same locks.

### **19 1 January 1851**

KINVER

**DEATH FROM THE ACCIDENTAL DISCHARGE OF A GUN** An inquest was held on Tuesday at the Anchor Inn, Whittington, in the parish of Kinver, before T M Williams Esq, coroner, on the body of **Isaac Starling**, about twenty two years of age, a boatman, who on the previous Saturday was killed by the discharge of a gun whilst steering a boat along the Worcestershire and Staffordshire Canal near Whittington Horse Bridge. It appeared from the evidence that the young man had been shooting at rooks as he passed along the canal, and that suddenly the man who was driving the ass which was drawing the boat heard the report of a gun, and on looking back towards the boat saw the deceased's hat fall over the boat into the water. The man who was driving made an alarm, and on going aboard the boat, he and another boatman found the deceased lying on the floor of the cabin with a double barrel gun under him. They then discovered that Starling had received a dreadful fracture on the left side of the skull, and that he was quite dead. The driver stated in his evidence that there were two steps from the spot on which the deceased stood to shoot and steer down into the cabin, where the deceased put the gun after shooting, and he (witness) believed that the hammer of one of the locks must have struck against one of the steps whilst the deceased was in the act of going down into the cabin with the butt end of it downwards, and accidentally discharged it. It appearing also from the evidence that Starling was a happy, contented minded man, the jury returned a verdict of "Accidental death".

### **20 8 January 1851**

STAFFORDSHIRE QUARTER SESSIONS

**CHARGE OF STEALING FROM THE PERSON AT WOLVERHAMPTON Thomas Daniels** was indicted for stealing 17s in silver from the person of **John Price** at Wolverhampton. The prosecutor is the captain of a boat, and on the 13<sup>th</sup> of November was at Bowater's public house in

Canal Street, Wolverhampton. The prisoner, who had been in the prosecutor's employ, came in shortly afterwards and seated himself by his side. In the course of the evening, what with the potency of the liquor and the lulling strains of a "hurdy gurdy", the prosecutor fell asleep, and on awaking found that his money (about 17s) was gone, and the prisoner fled. A female witness was called, who spoke to seeing the prisoner's hand in the prosecutor's trousers pocket when he was asleep, but she did not see him take any money out. The prisoner was apprehended the same night at another public house with 4s 6d in his pocket. The prisoner, who denied the charge, was acquitted, much to the apparent astonishment of many parties in court.

TRANSPORTATION OF A GANG OF THIEVES FROM BILSTON William Peat, Joseph Devey, Thomas Riley and Joseph Dean were indicted for stealing a pig's cheek, one pair of gloves, 20 lbs of beef and other articles, the property of **Charles Wood** ; also a silk handkerchief and other articles, the property of **Thomas Cartwright**, at Sedgley. Peat, Devey and Riley pleaded guilty. Mr Thomas prosecuted. It appears that the prisoners entered a boat in a gang, at the time one of the prosecutors was in bed in the cabin, and having lighted a candle, told him "they were come for something, and something they would have". Resistance being in vain, the prisoners carried away the articles mentioned in the indictment. Dean was distinctly spoken to as one of the men who entered the cabin ; and it was also proved that on the night of the robbery they had sallied forth in a gang from their lodgings and returned altogether the following morning with a cargo of booty, part of which was produced and identified. The jury found Dean guilty. There were two other indictments against Peat, Devey and Riley which the Court did not think it requisite to inquire into. From a record read by the Chairman, it was shown that Peat had been convicted of felony once, and summarily convicted eight times, Devey four times and Thomas Riley once for felony. These three prisoners, who conducted themselves in the most reckless manner in the dock, were sentenced to ten years transportation each. Dean, who was not so well known, was significantly cautioned and ordered to be imprisoned six months. [It is said that another of the gang has been transported this week in a neighbouring county].

## 21 15 January 1851

### DUDLEY

CAUTION TO BOATMEN The same day, Monday, before Captain Bennitt and I Badger Esqs, a boatman named **Isaac Millward** was summoned, but did not appear, for obstructing the free navigation of the canal at the Nine Locks in the parish of Kingswinford on the 2<sup>nd</sup> instant. It appeared, from the statement of **W Plant**, lock-keeper, that the defendant remained in one of the locks half an hour longer than was necessary. The Bench convicted the defendant in the penalty of 10s and costs, and in default of the money being paid or realised by distress, to be imprisoned one month.

ASSAULTING A POLICE OFFICER On Monday last, **William Taylor**, a boatman from Banbury, was fined 5s and costs, or one month in the house of correction, for assaulting police sergeant Phillips, while in the execution of his duty, on the morning of the 11<sup>th</sup> instant. It appeared the defendant was sleeping on the doorstep of Mr Badley's residence, and on being aroused by the officer, the defendant struck him.

## 22 19 February 1851

WOLVERHAMPTON POLICE COURT, WEDNESDAY FEBRUARY 12 **George Commander**, a boatman, was charged with stealing a quantity of cast iron, the property of W Mathew and Co of Corbyn's Hall ironworks. **Thomas Piddock** said he lived at Pensnett, and was engaged to take twenty tons of iron by canal from Corbyn's Hall to Messrs Thomas Davies and Son of Cookhay, near West Bromwich. The iron, it appeared, was seen safe in the boat on the 7<sup>th</sup> instant. When it was delivered, it weighed only nineteen tons eighteen cwt. The iron deficient was found in the prisoner's boat, which had been lying near that of Piddock, covered with straw. The prisoner, who was committed, said he had raked the iron out of the canal, but the pigs produced had no vestige of canal mud about them.

FRIDAY FEBRUARY 14

**ROBBERY BY A BOATMAN** **George Commander**, a boatman, who had been committed on Wednesday charged with stealing iron, was today again brought up on a charge of stealing a quantity of pig iron, the property of William Bennett Esq. It appeared that about twenty tons of pig iron were sent on the 7<sup>th</sup> instant from Mr Bennett's works at Oldbury, and delivered safe at Messrs Davis's wharf at Crook Hay. On the iron being afterwards weighed, it was discovered that there was a deficiency of nine cwt. A quantity of iron, some of which was identified by certain marks as the prosecutor's property, was afterwards found in the prisoner's boat at Cole's Farm. A boy in the employ of the prisoner now stated that, on asking his master how the pigs of iron got into the boat, he replied that it was no business of his, but he afterwards said that he and two more had put them there. It also appeared that the prisoner, when charged by Sub inspector Baxter with stealing iron, replied (before the search took place) that he had two pigs and a half in the boat. The prisoner was committed for trial at the adjourned sessions.

**23 5 March 1851**

**DUDLEY** The same day (Monday), a boatman named **Lakin** was committed for obtaining £1 2s from Amelia Saunders under false pretences. The prisoner told Mrs Saunders her husband had sent him for the money to pay for some goods which he (her husband) had purchased. The tale was completely false.

**24 12 March 1851**

**STAFFORDSHIRE ADJOURNED SESSIONS** **William Stevens, Samuel Stevens, Mark Fulford** and **Joseph Underhill** were indicted for stealing fifty four pounds weight of loaf sugar and two boat lines, the property of Edward Lockley at Dudley. The prisoners pleaded guilty. Edward Lockley, clerk to **Mr Waldron**, wharfinger at Dudley, deposed that on the night of the 25<sup>th</sup> of February last, a boat was unloaded at his employer's wharf, and the cargo lodged in the warehouse. The prisoners Samuel Stevens and Mark Fulford assisted in unloading the boat. On the following morning he missed two loaves of sugar, which had been consigned to Mr W Beddard of Dudley, and also two boat lines, an entrance having been effected into the warehouse through the window. The whole of the prisoners were boatmen, and upon search being made, the two lines were found between the sacking and the bed in the cabin of the boat worked by the prisoners Stevens, and the sugar was discovered concealed amongst some corn in a chest in Underhill's boat. The prisoners were taken into custody by Edward Wolliscroft, a policeman ; Underhill being at the time in bed, and giving the officer liberty to search his boat. Fulford subsequently stated before the committing magistrate that he had effected the robbery. The evidence on the part of the prosecution having been concluded, Mr Scotland submitted that the indictment was invalid, the articles being laid as the property of Edward Lockley, clerk to Mr Waldron, instead of Mr Waldron himself. The court held the objection to be fatal, and directed a verdict of acquittal. The prisoners were ordered to be tried again upon an amended indictment. Judgement was deferred against Fulford.

**George Commander**, charged with stealing 2 cwt of pig iron, the property of William Matthews, at West Bromwich, was sentenced to be imprisoned six months. The prisoner was a boatman, and from the evidence of a boy named **Johnson**, who was employed by him to help in working the boat, it appeared that the iron had been removed from the prosecutor's boat and placed in the prisoner's, where it was found and identified. No evidence was offered on a second indictment, charging the prisoner with stealing 9 cwt of pig iron, the property of William Bennett of West Bromwich.

**William Stevens, Samuel Stevens, Mark Fulford** and **Joseph Underhill**, who were acquitted on Tuesday, in consequence of an error in the indictment, were again arraigned upon a charge of stealing 54 lbs of sugar and two boat lines, the property of George Waldron, at Dudley ; and also for receiving the same, knowing it to have been stolen. The evidence of the several witnesses were read over to them by the Chairman, after which the jury returned a verdict of guilty - Samuel and

William Stevens for stealing and Joseph Underhill for receiving. The three prisoners, with Fulford, who had pleaded guilty, were sentenced to three calendar months imprisonment.

**25 19 March 1851**

STAFFORDSHIRE LENT ASSIZES – CROWN COURT **John Gratten**, a boatman, was indicted for stealing a loaf of bread and a quantity of mutton from the boat of **John William Wynne**, on the canal at Wolverhampton on the 26<sup>th</sup> of February last. Mr Powell conducted the prosecution. The prisoner was found guilty. It was also proved by Mr Chidley that he had been previously convicted of felony at the January sessions in 1844 ; but it was stated that his conduct in gaol since his committal, and also after his conviction in 1844, had been very good. The learned Judge told him that but for this circumstance, and the fact that his previous offence was a slight one, and also that it had been committed several years ago, he should certainly have transported him. The sentence of the Court was that he be imprisoned and kept to hard labour for eighteen months. The prisoner pleaded for mercy on account of his wife and children. His Lordship said that he and other persons should recollect their wives and children before they committed such offences.

**26 26 March 1851**

ACCIDENT AT THE SHRUBBERY WORKS On Tuesday afternoon, a boy named **William Griffiths** of Churchbridge near Cannock, about seven years of age, son of a boatman, was at the Shrubbery Works in this borough, when his attention was directed to a new roller, which was being removed by two horses, to be fixed in its intended position in the works. The boy ran after and caught hold of it, and was thrust down near to the roller, which passed over his right thigh and left leg, causing a comminuted fracture of the former and extensive laceration of the skin and muscles of the latter. The boy continues in a precarious state.

**27 26 March 1851**

ACCIDENT TO A BOATMAN A few days ago, **William Lester**, a boatman 62 years of age, when in the act of opening or shutting one of the top gates of a lock on the canal at the Bratch, about seven miles from this town, had his foot caught between the sway pole and some brickwork, which had escaped his notice, and sustained a compound fracture of one of his legs. There is, it appears, a very small space between the brickwork and the sway pole as the latter passes the spot in question, and in consequence of the rush of the water at the lock, the sway pole could not be stopped before the accident occurred.

**28 26 March 1851**

ACCIDENT AT THE SWAN GARDEN WORKS On Saturday last, **John Aldridge**, about 17 years of age, who assists his father in working a boat belonging to the Duke of Bridgewater's Trustees, was engaged with a man in loading the boat with boiler plates at the Swan Garden Works in this borough, and when in the act of assisting to carry one of the plates from a heap into the boat, the weight being too heavy for the boy he slipped down, by which the plate fell on the lower part of his left thigh and the upper part of his leg, producing an extensive wound in the thigh and penetrating one of the bones in the leg.

**29 23 April 1851**

DUDLEY

STEALING FROM A STABLE On Monday last, before T and I Badger Esqs, two miners named James Shott and Abraham Harris were committed for trial at the next Worcester sessions on a charge of stealing a horse collar and bridle on the previous Thursday night, the property of a boatman named **Joseph Chadwick**. The collar and bridle, which were stolen from Mr Whitehouse's stable at Tipton, were produced in court by Police-constable Cook, who apprehended the prisoners in consequence of information received from John Pool, the chief witness for the prosecution, to whom it appeared the prisoners had offered the articles for sale for half a crown, on

the afternoon of the following day (Friday) at a beershop in this town. The property was identified.

### **30 21 May 1851**

**CHARGE OF MURDERING A WIFE TWENTY YEARS AGO** The accused, Thomas Threlfall, has of late kept a beershop at the Old Woods Station, near Baschurch, Salop, where he was apprehended by a police officer from Ormskirk, whither he was conveyed for examination before the Magistrates. The following is from *Gore's Advertiser* (Liverpool paper) :-

“This case, which had been adjourned from Tuesday week, came again before the Magistrates on Friday, at Ormskirk. The evidence went to show that Threlfall formerly resided at Search Hill, a village near Ormskirk. He joined the Liverpool police force in January 1836. Previously to becoming a police officer, it is said he was an assistant on a small farm held by his parents. He had been married to the deceased woman, Elizabeth Threlfall, with whose murder he is charged, some six or eight years before entering the police force. He and his wife lived apart, she having entered into the service of Mr Thomas Woolfall, landlord of the Black Bull Inn in Warbreck Moor. Notwithstanding this severance from his wife, Threlfall was in the frequent habit of calling to see her at Mr Woolfall's, and they often walked out together. On the night of the 14<sup>th</sup> of October 1832, he visited at the house, and he and his wife took a walk. On the following day, she was found drowned in the Leeds and Liverpool Canal, near to Halsall Hill, about three miles and a half from Ormskirk. An inquest was held upon the body, and Threlfall himself was the principal evidence on the occasion. He then deposed that he had not seen his wife for upwards of a month previously ; and strange to say, this statement went uncontradicted, and a verdict of “Found drowned” was returned. Before leaving the police force, Threlfall again got married, and he has by his second wife two children, as well as a son by his deceased wife. About a fortnight ago, **Richard Shaw**, formerly a boatman on the Leeds and Liverpool Canal, made certain statements, while on his deathbed, to the effect that the prisoner had murdered his wife ; that he had, in fact, seen him throw her into the canal. The magistrates, deeming the evidence sufficient to warrant a committal on the charge of murder, ordered the prisoner to Kirkdale gaol, to await his trial at the next assizes.

### **31 18 June 1851**

**THE LATE MURDER IN WOLVERHAMPTON** In our last paper we gave such particulars as had then transpired of the tragedy which had taken place on the previous Monday evening in a yard at the back of Berry Street in this town, and stated that the unfortunate woman whose throat had been cut by the young man James Sones was lying in the South Staffordshire Hospital in a precarious state. She subsequently, it appears, somewhat rallied, and hopes were entertained of her recovery, as she seemed to be going on very well until about eight o'clock on Thursday evening when, after partaking of tea and expressing her gratitude for the great kindness which she had received at the hospital, unfavourable symptoms presented themselves. Information of the change was conveyed to the house surgeon, Mr Pope, who immediately proceeded to the ward in which she lay, and found her suffering from congestion of the brain. He forthwith applied leeches to her head and used other remedies, but she very soon sank into a state of insensibility. Mr Edwardes, who had been sent for, shortly afterwards arrived at the Hospital, and was followed by Mr Gatis, but all efforts to save her life proved unavailing, and she expired about eleven o'clock in the forenoon.

It appears from statements made by the unfortunate woman that she was about twenty five years of age ; that she left her home in Wales after her mother's death about nine years ago, and that her father subsequently went to America, where it is supposed he is at present ; that she had one sister, but she did not know where she was. The deceased also admitted that she had had four children, one of them by Sones, with whom she had lived for four years, and she expressed regret for her course of life for several years past. She did not make many references to Sones during the time she was at the hospital ; indeed, conversation with her was discouraged as much as possible ; but she told Mr Pope that she forgave Sones for what he had done. It is reported that whilst Sones and the deceased were living together at Ipswich, their illegitimate child was burnt to death, that an inquest was held on its body, and a verdict of accidental death returned, but that since this event Sones and

she had not lived very happily together.

Immediately after the death of the unfortunate woman, the Chief Constable proceeded to the county gaol at Stafford, to which Sones had been sent by his own wish on Wednesday by Mr Leigh, and he was brought back to Wolverhampton on Thursday afternoon. On Friday, he was brought up at the Town Hall before Joseph Walker Esq, the Mayor, and W Warner, jun, Esq, on the charge of murdering Catherine Morris.

The prisoner, who is a labourer, appears to be about thirty years of age ; he is tall and of a fair complexion ; the only remarkable peculiarity in his features being that his eyes are somewhat deeply sunk. The expression of his countenance is rather intelligent, and in no degree betokens a man likely to foster a strong spirit of revenge. His demeanour, while under examination, was calm and respectful, but at certain portions of the evidence he became flushed in the face and perspired considerably. He frequently put up his hand to his eyes as if to prevent himself from crying.

Mr Hayes and Mr Bartlett conducted the prosecution. No professional man appeared for the defence.

**John Lawson** deposed that he was a boatman, and lived in a house in Slade's Yard at the back of the Brown Bear, Lichfield Street. On Monday night last, he (witness) was in the kitchen at the Brown Bear when the deceased, who was known by the name of "Welsh Kit" was sitting alongside him. It was about half past seven o'clock in the evening. The prisoner came in and asked deceased for his things. She took off a handkerchief she was wearing and placed it on the table, saying, "Here's your handkerchief. Now go down into the house, and Sally will give you the remainder of the things belonging to you". The prisoner replied, "No, I shall not go down to the house and ask her for them ; you come and go along with me". Deceased then got up and went with him ; the prisoner had his hand in his right jacket pocket, and made a bit of a jingle. They left the kitchen together, and went into the back yard which leads into Berry Street. He (witness) followed in about half a minute, and saw the prisoner with his right arm round deceased's neck, as though he was going to kiss her ; his hand was on her forehead and he pressed her backwards ; he then drew his left arm sharply across her neck ; deceased screamed once and partly fell, but recovered herself and ran after the prisoner. The prisoner walked out at the bottom of the yard into Berry Street. Witness went across the street to him, and collared him, and said, "You've done the job now, haven't you James?" He replied, "Yes, I have". He (witness) said, "She's dead", when the prisoner remarked, "And I don't mind since I'm dead afterwards". He (witness) took him to the police station ; he came willingly and made no resistance. He returned to the spot and searched for the knife. He found the one produced ( a large clasp knife) in the (...?) hole. It was on the left of the spot where the prisoner and deceased had stood ; the knife was open ; saw the prisoner eating his dinner with the knife on Sunday morning ; the prisoner was at work on the canal. He delivered the knife to one of the police. He had several times seen the prisoner and deceased together at the Brown Bear during the nine days the prisoner had been in Wolverhampton, and also in the house where they lodged. He (witness) also lodged in the same house. They did not appear to live as man and wife. On the Saturday before the occurrence, the deceased told the prisoner several times she wished him to go away from her ; she told him she did not wish to have anything more to do with him, but also added she would not see him want a meal or victuals as long as he was in the town. They seemed to be at variance with each other, and the prisoner told her, "If she did not mind her Ps and Qs he'd make a public show in Wolverhampton before he went out of it". There were three men, including himself and prisoner, and four women, including deceased, lodging in the same house in Slade's Yard. The landlord was Matthew Whitehouse. Deceased, as well as two other women in the house, was in the habit of sleeping with men who came in. He never heard the prisoner say to her in any way that he was jealous of her attentions to others, and all he heard her say was that she did not want him. The prisoner seemed quite collected when he came into the Brown Bear on Monday evening, but deceased was about three parts muddled, as if she had been drunk the night before. She had also been drinking that day. (The prisoner was asked if he wished to put any questions to the witness, and he faintly answered, "No.")

Joseph Smith deposed that he was a cabinet locksmith living in Berry Street, and knew the

deceased. The prisoner was a stranger to him. He saw the prisoner and deceased in Berry Street about a quarter past five o'clock on Monday afternoon. The prisoner was asking her for something, and the deceased said, "You know where they are ; go and fetch them yourself", when he replied, "You're carrying on a nice game, aint you ; if you don't mind what you're doing, I'll be the death of you". Deceased turned and smiled. They went down the street, and witness said to the deceased, "Mind what you're doing of". She replied, "Oh, he's only joking". He (witness) was passing along Berry Street again about half past seven the same evening, and saw the deceased tumble out of the entry bleeding. He saw the prisoner walk across the street, and the first witness laid hold of him. He (witness) assisted to carry the woman to the Black Horse.

The prisoner, on being asked if he had any question to put to the witness, replied that he had sworn what was false, but he immediately withdrew the latter word, and said that the witness must be mistaken, as he did not leave his work until half past five o'clock.

**William Carter**, boatman, deposed that he was standing by the end of the entry at the time of the occurrence when, hearing a scuffle, he turned his head and saw the deceased bleeding ; the prisoner was across the road in custody of Lawson. Deceased said to him (witness), "Seize that man, he's cut my throat". He assisted to convey the prisoner to the station, and on the road he said to him, "You've cut that woman's throat until she's dead", and prisoner replied that it did not matter – he was dead.

Col Hogg, chief constable, deposed that on charging the prisoner at the station on Monday night with having cut the throat of a woman in Berry Street, he said, "I did it, and I'd like to cut my own throat too". Col Hogg produced the dying declaration of the deceased, as taken by Mr Neve, one of the borough magistrates. The statement was read as evidence, and added to the depositions. Colonel Hogg stated that Catherine Morris appeared to be quite sensible when she made the declaration in the presence and hearing of the prisoner. Soon afterwards the deceased requested the prisoner to stoop down and kiss her, which he did, and cried bitterly, but said nothing. The deceased said to the prisoner immediately after the deposition was read to her, "Jim, I hope you'll die as well as me ; Lord have mercy on your soul". He heard her say several times that she believed herself to be in a dying state. A little after twelve o'clock the same night he showed the prisoner at the police station the knife now produced. He said, "Do you know this knife?" Prisoner looked at it for a moment or so, and then said, "Yes, that's the knife ; it belongs to me". Yesterday afternoon he again saw the prisoner at Stafford gaol, and said to him, "I now charge you with the wilful murder of Catherine Morris". He made no reply, but wept bitterly. He then brought him with an escort to Wolverhampton. Prisoner afterwards entreated him several times to allow him to see the body of the deceased, and he took him with an escort to the dead room at the Hospital on Thursday evening. Prisoner kissed the body of the deceased, and then turned away, but did not say a word.

Mr Gatis, surgeon of Wolverhampton, deposed that on Monday evening he was accidentally passing the Black Horse when Catherine Morris was being taken into the house. He went in, and the woman was laid on a table in the kitchen. He found that she had an incised wound extending from beneath the right ear, across the throat to the left side of the windpipe, which was slightly cut. The wound was seven inches and a half in length and about half an inch in depth. The haemorrhage was very great, and her clothes were saturated with blood. By making a pressure on the wound he stopped the bleeding, and was afterwards assisted by several medical men. At the time she made the declaration she was perfectly sensible, and she expressed her belief that she was in a dying state. He had not the slightest doubt that the wound in her throat was the cause of death.

The depositions of the witnesses having been read over, the prisoner, in reply to the usual question, declined to say anything.

He was then committed for trial at the next assizes on the charge of Wilful Murder.

**THE CORONER'S INQUEST** At three o'clock on Friday afternoon, Mr T M Phillips Esq, coroner, held an inquest on the body of the deceased at the Newmarket Inn, Cleveland Road.

The jury having viewed the body at the hospital, returned to the inn, when the investigation was proceeded with. The first witness called was

Joseph Smith, whose evidence was similar to that which he gave before the Magistrates, with the

exception of an important addition to the threat which he had stated he had heard uttered by the prisoner at a quarter past five on Monday afternoon. He now said that the threat was this, "You're carrying on a nice game, aint you ; I'll be the death of you, if you don't mind, *before this night's out*". The words in italics were not given by him in his evidence before the Magistrates. The witness admitted that he thought the prisoner was jesting when he uttered the words. He also stated that he believed the deceased was about twenty nine years of age.

**John Lawson** repeated the evidence which he gave before the Magistrates and made the following additions. He stated that Sones slept at the house of Whitehouse about four nights. Deceased slept upstairs the night before the fatal occurrence ; no one slept with her that he knew of that night ; Sones slept downstairs on the sofa. He (witness) never heard any quarrelling between the prisoner and the deceased at the house ; they appeared to be very good friends. On Monday afternoon about three o'clock, he heard the deceased ask Sones to give her a pint of ale at the Brown Bear. He replied that he would. They both went to that public house together about two minutes afterwards. He followed them and found them sitting together near the fire. She drank with Sones, and they had no quarrel, but after remaining in the house about a quarter of an hour, she went out. Sones went out a short time afterwards. Deceased returned in the course of half an hour by herself. Sones came in again alone in about a quarter of an hour or rather better. Deceased was at that time sitting up in the far corner. He (witness) was sitting on one side of her, and another young man was on her side called "Steve", who was in the habit of cohabiting with her. There was no quarrelling between Sones and the deceased on this occasion. He remained there as much as ten minutes or a quarter of an hour before he demanded his clothes. She was drinking with "Steve". He (witness) went out of the house in about half a minute after deceased and Sones left, as he suspected that Sones was going to do her some injury ; something jingled in prisoner's pocket, and he thought he would go out after him. The witness here described the position in which he found Sones when he went into the yard, and whilst this description was being given, the prisoner appeared to be very much affected. Witness added that on Sunday morning Sones pulled his knife out of his pocket and said to him, "Johnny, this is a rare knife". Sones also said, "It would do anything if I'd let it". He (witness) did not see anything in Sones's hand when he drew it across the woman's throat, and did not know at the time that Sones had cut her throat. He (witness) went down to the bottom of the entry after Sones ; deceased came down the entry after them, and hooted across to him, "Take that man ; He's murdered me".

Several questions were put to this witness by members of the jury. In reply to Mr Gittos, witness said that deceased fell down twice. In answer to Mr E Morris, witness said there was not sufficient time for Sones and deceased to have had a quarrel in the yard between the time of their going out of the house and his following them. At the time Sones came into the public house to ask for his things, deceased was not sitting on Steve's knee. In reply to Mr Robert (?Shoolhead?), witness said that the prisoner was not tipsy at the time. In answer to Mr Shinton, witness first said that he did not lose sight of Sones from the time he walked away from deceased until he was in custody, but afterwards said he did lose sight of him, as there were two or three doors in the yard leading into the street. In answer to Mr Jackson, witness said that Sones followed deceased to different places between three in the afternoon and half past seven. She appeared to be shunning him. The Coroner here observed that this was contrary to what witness had previously stated – that she asked Sones to give her a pint of ale. [The prisoner, at this period of the inquiry, cried bitterly, leaning forward and resting his elbows on his knees]. The witness was further questioned on the point by Mr Cope, and he ultimately said that it was after they had drunk the pint of ale together that deceased appeared to be shunning Sones. In reply to Mr E Morris, witness said he supposed that she wanted to go with "Steve", and that prisoner wanted her to go with him.

William Carter repeated the evidence he had given before the Magistrates.

Inspector Butler deposed that on Sones being brought to the station on Monday night, he found blood on the wrist of his coat and also on the front of his right boot. Whilst he was searching him, some persons called out something about a knife, and Sones replied, "I throwed it in the yard". He (witness) called out to the Chief Constable that he had heard that the woman was dead, and Sones

said, "I wish I was dead too".

Colonel Hogg, Chief Constable, and Mr Gatis, surgeon, gave similar evidence to that which they gave before the Magistrates.

The prisoner, in reply to the usual question, declined saying anything in answer to the charges.

After some conversation between the Coroner and the jury, the inquiry was adjourned until Tuesday evening next, to afford time for the production of evidence as to the *post mortem* examination of the body of the deceased, and the preparation of the inquisition.

The prisoner was then removed in custody to the police station, from which he was subsequently taken to the county gaol at Stafford, upon the Magistrates' commitment on the charge of Wilful Murder.

### 32 3 September 1851

#### KINGSWINFORD

**PETTY SESSIONS** **William Cooper**, boatman, was charged with wilfully obstructing the navigation of the Birmingham Canal at the Nine Locks, Brierley Hill, on the 22<sup>nd</sup> ult. The offence was proved by **W Plant**, the lock-keeper, and **John Harris**, a boatman in the employ of the South Staffordshire Railway Company, and whose boat (which was a "fly boat" and claimed precedence by one of the sections of the Canal Company's Act in passing through the locks, if within one hundred yards of approaching any lock) was obstructed for nearly an hour by the defendant's boat. The Bench offered Cooper the alternative to pay the expenses, including 5s to the witness Harris, or to be fined 10s and costs, and in default 14 days imprisonment. **William Coley**, a boatman, was summoned for a similar offence, committed the same day, and through which, it appeared, Harris's boat was delayed several hours. The Bench fined him 10s and 13s costs, and in default of payment to be committed to prison for one month. Coley was then charged with having threatened bodily injury to the lock-keeper (Plant) on the occasion referred to. After hearing the evidence, the Bench called upon him to find two sureties in £10 each, and to enter into his own recognisance in £20 to keep the peace for six months ; in default to be further imprisoned one month. The costs in each case to include 5s to the complainant for loss of time.

### 33 3 September 1851

#### PERRY BARR

**FATAL ACCIDENT AT THE THIRTEEN LOCKS** On Tuesday an inquest was held by G Hinchliffe Esq at Mr Cooper's, Boar's Head Inn, Perry Barr, on the body of **Joseph Bradburn**, one of the men employed at the New Engine Station erected by the Birmingham Canal Company at the Thirteen Locks, Perry Barr. From the evidence brought before the jury, it appeared that a "bolt" - a mass of gunpowder - had been laid for the purpose of blowing up the earth in one of the roofs of a shaft. To the bolt, a fusee, about two feet long, was attached, and Bradburn, and two men with him, retired as usual to a safe distance. The explosion not taking place quite so soon as reckoned upon, the deceased, although strongly persuaded to the contrary, would go near to see how the fusee was burning, when the bolt exploded, carrying off poor Bradburn's head from his shoulders. His death was instantaneous. A verdict of "Accidental death" was returned, and much commiseration was expressed, the sufferer leaving a wife and five children at Walsall, the place of his residence.

### 34 26 November 1851

#### WOLVERHAMPTON POLICE COURT, WEDNESDAY NOVEMBER 19

**BOAT ROBBERY** **William Jones**, a boatman, was charged with stealing a whip, value 6d, and a horse cloth, value 9s, the property of **William Dixon**, another boatman. The articles were stolen from the cabin of the prosecutor's boat on the night of the 9<sup>th</sup> instant, and sold by the prisoner to two other boatmen - the whip for 6d and the horse cloth for 2s - on the day following the robbery. The prisoner, when apprehended on the 14<sup>th</sup> instant by police officer Cordon, said he had not sold either the whip or the horse cloth. He now admitted the sale, saying that the horse cloth had been given him by a relative. The prisoner was committed to the sessions.

### 35 24 December 1851

ALLEGED ILL TREATMENT OF AN INSANE PAUPER AT THE UNION WORKHOUSE On Thursday last an inquiry was commenced before T M Phillips, coroner, at the Newmarket Hotel, Bilston Street, in this town, in reference to the death of Thomas Day, an insane pauper, who died at the Union Workhouse on Thursday the 27<sup>th</sup> of November last. In consequence of rumours which had been afloat that deceased's death had been accelerated by his having been repeatedly strapped down whilst in the workhouse, the coroner directed the body, which had been interred at the Cemetery, to be exhumed, which was accordingly done on Thursday morning last, prior to the holding of the inquest. Mr Cooper, the surgeon of the workhouse, had expressed a desire that an inquiry should take place on the subject.

It appeared from the preliminary evidence adduced that on Monday the 17<sup>th</sup> of November, the deceased was removed to the Union Workhouse in this borough from his house at Portobello by Mr John Smith, relieving officer for Willenhall, in consequence of the representations of deceased's wife that she felt herself in danger from him, as he talked wildly ; and that shortly after his arrival at the workhouse, he was placed in the insane ward by the directions of Mr Bywater, the governor, and Mr Cooper, the surgeon.

Mr Bywater, the governor, deposed that on the Wednesday after Day came into the house he became decidedly worse, but was in no way violent beyond throwing about his arms and legs. He was subsequently supplied with rice, sago, &c, in consequence of his sinking health. Discolouration of his limbs was first discovered on Monday the 24<sup>th</sup>, and he immediately sent for the medical man, who attended. The wardsman had strapped Day without consulting him (witness) or Mr Cooper. At the time he was strapped, he called the attention of Mr Foster, one of the guardians, in his apparent desire to pull his hair off his head and to give it to them to burn. He was never violent after Friday evening, nor was he again strapped. In his opinion, he was in such a state that it was proper to restrain him, as the straps did not produce any pain, the nurse being very careful and humane ; she always put some wool between the straps and his legs.

Ann Day, widow of the deceased, stated that on seeing her husband at the workhouse on Wednesday the 26<sup>th</sup> of November, she asked him what had caused the scars on his forehead, and he said they had leathered him with a stick. She did not think that the scars upon his forehead could have been produced by mere scratches.

Mary Ann Sharratt, a paid nurse, produced the leather straps by which the deceased's legs had been fastened to the bed. The witness stated that Day was quite melancholy when he was brought into the house. He seemed to be dangerous to himself. On one occasion, he asked her for a pair of scissors, saying that he could turn his eyes. He pulled his eyes and tore his hair. When she asked him on the second morning after he came into the house how he was, he tried to kick her. He pulled the hair off his head in a dreadful manner on the first and second days after he was admitted. He would kick and bite at her or anyone unless he was fastened. The deceased did not complain of the straps having injured his arm, but on the Monday after he was admitted, he complained at his right arm being swollen. Mr Cooper saw him the same evening, and ordered it to be poulticed. He also prescribed pills for him. Mr Cooper or Mr Smith saw him daily. She believed he scratched himself on his forehead in pulling hair off his head.

Joseph Kent, a wardsman in the insane ward, deposed that when he took Day to the insane ward, he appeared to be very much deranged ; he began to tear his clothes, and struck and kicked at him several times when he attempted to undress him. During the night he got out of bed several times and ran about the room. On the following day, he picked a piece of coal up and attempted to throw it at Roberts, his assistant, who was an insane pauper, but it fell out of his hands. On the third day, he attempted to escape, but he followed him downstairs and took him back to the insane ward. He then reported his conduct to the governor, who said he did not know what to do with him, and that he must try to keep him as quiet as he could. He returned to the insane ward, and with the help of Roberts (who held deceased's arms), he put a strap round Day's body and fastened him to the screen. He was not fastened very tight, he was able to sit down, and he was sure he did not hurt himself. When he was quiet, he took the strap from him, and when he was not quiet he strapped him again to

the screen. He did not recollect that either Mr Cooper or Mr Smith saw the deceased strapped to the screen. On the Thursday after the deceased was admitted, he strapped him to the bed during the night, by placing a strap across his chest and fastening it to the iron bedstead. The strap was not next to his skin but over his bedclothes. On the following morning (Friday), in consequence of his being mischievous, he got Harwood and Roberts, two paupers in the ward, to help him. Harwood held his legs and Roberts his hands, whilst he put the leathers produced round his wrists, and round his legs above his ankle. They first threw the deceased upon the bed and then fastened the straps on. They put two pieces of blanket between the straps and the deceased's legs. The governor saw him strapped down but did not desire him to release him. He (witness) did release him about nine o'clock, but put the straps on his legs and feet about eight o'clock that night and strapped him in the same way as before. About nine o'clock, Mr Cooper removed the straps and gave Day some medicine. It was not found necessary to strap him again. The deceased did not struggle or attempt to throw his legs or arms about while he was strapped to the bed, nor did he hurt either of his arms to the best of his knowledge. The deceased's hands were not strapped to the bed ; they were only strapped together.

Samuel (?.....?), a pauper, deposed that on Friday evening three weeks, he was desired by Mr Cooper to take charge of the insane ward, and Mr Cooper added, "Don't you put any strap (or something to that effect) upon Day without my knowledge". Day was perfectly quiet during the night. On the two following nights, Day was very restless, but did not injure himself. In the course of Monday, Day complained of feeling pain in his right arm. Mr Cooper ordered it to be poulticed, and saw the deceased daily from that time to his death.

Mr G T Cooper, surgeon to the Union Workhouse, deposed that on seeing Day in the hall of the workhouse on the afternoon of the 17<sup>th</sup> of November, he ordered him to the insane ward, where he subsequently examined him and found him in an imbecile state. He saw him again the next day and examined him. In consequence of indisposition, he did not attend the workhouse again before Friday evening when, in consequence of having been informed that Day had been strapped, he went to the insane ward and found that his legs were strapped to the bottom of the bed, and that his hands were strapped round the waist. He unstrapped him. Day was then perfectly quiet. He shortly afterwards gave him a draught composed of tincture of opium, which Day took. He saw him again on the following morning, about a quarter before ten. He was then incoherent, just as when he first saw him. He saw him again on the following day (the 23<sup>rd</sup>) and found him about the same as usual. On Monday the 24<sup>th</sup>, in the afternoon, he observed that his arm was injured. There was an old scab on the point of his elbow with an inflamed base. Day was rambling as usual. He was conscious of the injury but did not point it out to him. It was not a green wound. He (witness) could not account for the injury. It might have been caused by throwing himself about, but not while he was in bed. He gave him two (?opening) pills on the day in question. On Tuesday he found the arm worse, being more inflamed. On Wednesday he gave him camphor and opium ; Day complained then of being thirsty. He saw him twice on the 26<sup>th</sup>. He was then suffering from erysipelatous inflammation of the arm of a gangrenous nature, which extended to his finger ends. He seemed to be in a sinking state. His opinion was that he died from exhaustion consequent upon the before described appearances and connected with a debilitated state of the nervous system. In reply to questions from the jury, Mr Cooper said he considered that the deceased had proper and sufficient nourishment during the time he was in the workhouse ; he always ate his proper food until about the Tuesday before his death. The wound on his arm was a trivial one. In the workhouse Medical Relief Book, the nature of Day's disease was stated to be "Insane ; abscess of the arm, &c".

At the conclusion of Mr Cooper's evidence, the inquiry was adjourned until Tuesday morning.

The inquiry was resumed yesterday, when

Ann Day, wife of the deceased, was recalled, and stated that when she saw the deceased on the 19<sup>th</sup> of November, one of the paupers (Thomas Roberts) called the deceased "A nasty old s---".

Mr G S Smith, surgeon of Wolverhampton, deposed that on Wednesday the 19<sup>th</sup> November last, Mr Cooper requested him to attend his patients at the Union Workhouse, and he went there in the course of the evening of that day. He saw Day both on that and the following day. He was talking

incoherently and was evidently insane. His pulse was in a natural state. On the following day (Friday) he saw him again between eleven and twelve o'clock, when he was strapped by his legs near the ankles on the bed. He was trying to get up, was making a great noise, and was throwing himself about. He was labouring under paroxysms of madness. He prescribed a purgative for him. He did not give directions for the removal of the straps, considering that he would injure his person if they were taken off. In reply to questions from the jury, witness said he did not notice that Day was strapped on Thursday. The straps were not so tight as to prevent the circulation of the blood. He examined them at the wrists and found that they were not tight. He did not notice any flannel between the straps and the skin. He was of opinion, from the evidence adduced and from his own observations, that Day had every proper care whilst in the workhouse. If he had found mortification of the arm, he should have ordered stimulants and nutritious food.

Mr Bywater, on being recalled, stated that he had a confused recollection of having been present in the room when Day was unstrapped by Mr Cooper, but did not believe he held the candle. If Mr Cooper had not come that evening, he believed that he would have remained strapped all night. He should not have felt justified in removing the straps after Mr Smith, the surgeon, had approved of their being on. He called at Mr Cooper's house about six o'clock, Mr Cooper was out, but he left word with Mrs Cooper that he should be very much obliged to Mr Cooper if he would call at the house to see Day, as he wished him particularly to see him. He did say to Kent that he could hardly tell him what to do with Day, but he must do the best he could to keep him quiet, and in the meantime he (witness) went to Mr Cooper. Day was left in charge of Kent, but he was also under the care of the nurse. He did not think that Day was a weakly emaciated man when he first came into the house. He gave him two ounces of wine on his own responsibility, which was afterwards sanctioned by Mr Cooper. There had been no turnips given to any patient during the time he had been in the house, but there were Swede turnips in the garden which were put in the broth. They were cut in slices and boiled in the broth. The man never complained to him of any ill treatment, and his wife thanked him after his death for the kindness her husband had received whilst in the house. He had made an entry in his journal that Thomas Day was restrained with straps on his hands and feet, with the sanction of Mr Smith, surgeon, on the behalf of Mr Cooper. That was open to the inspection of the Guardians every Friday. He had previously called the attention of the Guardians at twelve o'clock that day to the fact of the man being strapped. He first called the attention of Mr Foster to the circumstance. Day was then attempting to pull some of the hair off his head, and offered it to Mr Foster. On November 24 he made an entry that Mr Cooper said that Day was in an unfit state to remain in the house, and that his immediate removal was necessary. He had not told Mr Smith, relieving officer at Willenhall, that Day died from injuries caused by strapping.

Mr John Smith was recalled, and stated that he was at the workhouse after the death of Day, on Friday the 28<sup>th</sup> of last month, when Mr Bywater, referring to Day's death, said he was sorry to say that Day's death was caused from bruises to the arm, that he thought (?.....?) had taken place, and he hoped that he (witness) would keep it to himself for his own credit's sake, as he thought the charge of that man's death lay upon him for not removing him to the Asylum in due time. He told Mr Foster what Mr Bywater had said.

Dr Mannix, one of the Guardians of the Union Workhouse, deposed that on Friday the 21<sup>st</sup> of November last, he attended a Board meeting at the Union Workhouse and, accompanied by Mr Wallon, visited some of the wards of the workhouse as a Visiting Committee. On approaching the door of the lunatic ward, he perceived it was fastened on the outside. He remarked to the Governor on the impropriety of the wardsmen being absent and fastening the lunatics in. The Governor said that Roberts was in charge of them. This man Roberts was classed as a lunatic. The door was opened, and he (witness) heard a man moaning, and perceived Thomas Day lying on his back in bed with his hands strapped together. The wardsmen Kent then made his appearance. He (witness) then turned up the bedclothes, and discovered that Day's legs were strapped together and fastened to the bedstead. He inquired of the Governor who it was that had given directions for him to be strapped. He replied, "No one", and that he did not know he had been strapped. Kent, the wardsmen, then said that he had strapped him down hands and feet on the previous Wednesday, but had not reported

it to the medical man who, however, he said, saw his hands strapped but not his feet. He inquired how he was able to strap him down, and asked him to describe the way in which he had done so. Kent said he first threw his body on the bed and then strapped him down. He (witness) and Mr Wallon reported to the board what they had seen, and returned again in a few minutes to the ward, accompanied by Mr Foster and the Governor. Day was then unstrapped, and sitting by the fire dressed in his shirt only. This was about ten o'clock. He asked the Governor why he was unstrapped. He said in consequence of his (Dr Mannix's) remonstrances with Kent, or words to that effect. He inquired of Day whether he wanted anything. Day replied, "Something to eat". He then examined his tongue and pulse, and remarked that he was ill.

Richard Morris, porter at the Union Workhouse, then narrated the daily attendances of Mr Cooper and Mr Smith during the time the deceased was in the house.

The foreman of the jury intimated that they were quite satisfied, from the evidence, that Mr Cooper or Mr Smith had been in daily attendance at the Union.

Mr George Edwardes, surgeon, who had made a *post mortem* examination of the body of the deceased on Friday last, described the external and internal appearances which presented themselves on that examination. He stated that he found the body emaciated and decomposed, with erysipelatous inflammation on the right arm. The vessels of the brain were excessively congested. Upon opening the stomach, he found it contained a dark coloured fluid with a large quantity of what appeared to be cabbage and half cooked lumps of turnips. His opinion was that deceased died of congestion of the brain (similar to a person of low typhoid fever), that erysipelas supervening upon an exhausted condition of vital energy would tend to hasten his death, but there existed no evidence to show where erysipelas commenced in the arm. He was of opinion that an emaciated person would be more likely to suffer from the character of erysipelas which the deceased was labouring under than a healthy person. There was no injury on the left hand or arm that he could detect. Mr Pope, surgeon, assisted him in the *post mortem* examination. From the evidence he had heard that day, and from the *post mortem* examination, he was of opinion that the deceased was constitutionally disposed to erysipelas. He did not find any mortification on the right arm.

At the conclusion of the evidence, one of the jury (Mr W Underhill) inquired at whose instigation the inquest had been held.

The Coroner replied from information he had received of Colonel Hogg, as the Chief Constable of this borough. He had been told in another place that he had no right to hold an inquest upon information received from a police officer, but he differed from that opinion. He thought he was as much bound to hold such an inquiry at the request of a freeholder as on the information of a police officer. The Coroner concluded by making a few remarks on the nature of the evidence adduced.

The jury having communed together for some time, the foreman handed in the following verdict :- "That the death of Thomas Day was caused by congestion of the brain arising from erysipelas". Appended to the verdict was the following :- "The jury cannot separate without condemning in strong terms the fact of the lunatic having been strapped down at the discretion of the wardsman, who is a pauper, and exceedingly unfit to exercise such a power".

The Coroner remarked that he thought everyone who might read the evidence would concur in the observation made by the jury.

The inquiry did not terminate until half past three in the afternoon.

### **36 24 December 1851**

DUDLEY PETTY SESSIONS **George Moore**, a boatman, was fined 10s and costs for obstructing the free navigation on the Birmingham Canal, on the 17<sup>th</sup> instant with his boat at Tipton, in default of payment, for which a week was allowed, to be imprisoned two months.

### **37 31 December 1851**

WOLVERHAMPTON POLICE COURT, WEDNESDAY DECEMBER 24

BOAT ROBBERY **George Fitzpatrick**, seemingly about twenty years of age, was charged with stealing £19 or £20 under the following circumstances :- **Joseph Hughes** stated that he was a

boatman in the employ of Mr William Bedford of Orford, Worcestershire, and left on the 20<sup>th</sup> of October last between £19 and £20 in gold and silver belonging to his master in a bag on a shelf in the cabin of his boat. His boat was then at Hay Wharf, near this town. He went away in the morning for about ten minutes, leaving the prisoner, who was employed by him, in the boat ; when he returned, the prisoner was gone, and the money had been taken away. A boy who was employed on the boat at the time stated that the prisoner asked him to join in stealing the money, which he refused to do. A police officer belonging to Worcester proved that he apprehended the prisoner at the house of his father, in that city, on Sunday last. When he saw him (the police officer), he jumped out of a window to get away. The prisoner, who denied taking the money, was committed to the sessions.

### **38 14 January 1852**

#### STAFFORDSHIRE QUARTER SESSIONS

ROBBERY FROM A BOAT AT WOLVERHAMPTON **George Fitzpatrick**, aged 17, was indicted for stealing £19 in gold and silver, the moneys of William Bedford, at Wolverhampton. **Joseph Hughes**, boat manager for the prosecutor, a coal dealer residing at Hawford near Worcester, deposed that on the 21<sup>st</sup> of December, his boat was lying in the basin of the canal at Wolverhampton, and that he placed between £19 and £20 on a shelf in the boat, about eight o'clock in the morning. He had occasion shortly afterwards to leave the boat in the care of the prisoner, who was employed as boatman, and upon his return, after an absence of ten minutes, he missed both the prisoner and the money. Nothing further was heard of him until the 24<sup>th</sup>, when Police-sergeant Bateman of Worcester apprehended him at his father's house in Dove Street in that city, after the prisoner had jumped out of a bedroom window in a fruitless endeavour to escape. When taken into custody and charged with the robbery, he denied that he had taken the money. The prisoner, who was undefended, denied the charge, but acknowledged that he had run away from Wolverhampton. The jury returned a verdict of guilty, after which a previous conviction for burglary, at Worcester, was proved by Mr William Griffiths, the Governor of the Worcester county gaol, and the prisoner was sentenced to be transported for fifteen years. On hearing the sentence, the prisoner impudently thanked the Chairman, and was removed from the dock laughing and bowing to several persons in the court.

### **39 21 January 1852**

DUDLEY PETTY SESSIONS **William Bradshaw**, a boatman, was fined under the Bye Laws of the Birmingham Canal Navigation, in the penalty of 10s and costs, for having wilfully permitted his boat to strike against the gates of the top lock at Tipton on the 31<sup>st</sup> ultimo. The maximum penalty for this offence is £5.

### **40 4 February 1852**

#### WEDNESBURY

CHARGE OF OBTAINING MONEY UNDER FALSE PRETENCES At the Town Hall on Tuesday, before James Bagnall and John Williams Esqs, a young fellow named **John Chancellor** was brought up charged with an offence of this description. It appeared, from the evidence adduced, that the prisoner was employed by a boatman named **John Male**, residing in a distant part of the country, but who trades in hay and straw with several persons in this locality, and deputed the prisoner occasionally to receive money for goods supplied. Male had supplied hay and straw to Messrs Price and Harrison of this place, to the amount of £3 12s, and a few days ago the prisoner made application for payment of the amount. Mr Price happened to be absent from home, but before going, he had directed his wife to pay an account of £4 12s for hay and straw supplied by another dealer, if called for. When the prisoner came, Mrs Price showed him this account, inquiring if that was what was due to his master ; to which the prisoner replied that it was, and having received the money, settled the bill in the usual manner. He had only paid over £3 12s to his master, and retained the remaining sovereign in his own possession. This formed the ground of the charge ;

but the Magistrates did not consider that any false pretence had been employed by the prisoner in obtaining the money, and accordingly discharged him with a severe reprimand.

**41 3 March 1852**

**BILSTON PETTY SESSIONS** On Tuesday, before John Leigh Esq, a man named **John Chancellor** was charged with cutting and wounding a boatman named **Thomas Jones**. It appeared they had quarrelled over some trifling matter, and in the course of a fight which ensued, Chancellor was being worsted, when he took a clasp knife from his pocket and inflicted an ugly gash over the left eye of his opponent. He was committed to take his trial at the ensuing assizes.

**42 3 March 1852**

**PENKRIDGE PETTY SESSIONS** On Tuesday at the Petty Sessions, before the Rev W B Collins and Thomas Entwistle Esq, a boatman named **Alfred Shuter** was charged with being upon the premises of John Wall, near Penkridge, on the previous day, for an unlawful purpose. The prisoner, who was observed cutting the lead of the pantry window with a knife, for the purpose, it is supposed, of effecting an entrance into the premises, was apprehended by Wall's wife, whom he endeavoured to cut with the knife, but missing his aim, ran away. He was, however, captured by a man shortly afterwards, and subsequently placed in custody. The prisoner was convicted as a rogue and a vagabond, and committed to the House of Correction for two months to hard labour.

**43 14 April 1852**

**BILSTON PETTY SESSIONS** **William Marsden**, boatman, was committed for trial at the next quarter sessions for stealing a few boltens of straw on the 2<sup>nd</sup> instant, the property of James Bachellor of Mill Fields.

**44 26 May 1852**

**KINGSWINFORD**

**BOATMAN DROWNED** On Monday last, an inquest was held before T M Phillips Esq, coroner, at the sign of the Bottle and Glass, Moore Lane, on the body of **Samuel Cundliffe**, a boatman, about 49 years of age. It appeared that the deceased, who had come with a boat load of Froghall stone from Cheshire for Mr Firmstone, to the Stourbridge Canal, went on Saturday night to the Samson and Lion public house at Bughole with his sons, and remained there until about twelve o'clock at night. He left with one of his sons to go to his boat, but when they had arrived at Harris's Bridge, he desired him to return and fetch his brother. He did so, and was absent some time. When he returned, he found that his father had gone away from the place where he left him, and concluded that he had gone to his boat. He had not done so, and on search being made next morning the deceased, who was a little tipsy, was found drowned in the canal. Verdict accordingly.

**45 7 July 1852**

**WORCESTERSHIRE MIDSUMMER SESSIONS** **George Corbett**, boatman, was found guilty of stealing, at Kidderminster on the 7<sup>th</sup> of May, four pounds of yarn, the property of Messrs Crowley and Co, carriers. Three months imprisonment.

**46 29 September 1852**

**BILSTON**

**DESPERATE CONFLICT BETWEEN IRISHMEN AND BOATMEN** Last week, two Irishmen named Roney and Crossbee were brought before William Baldwin Esq on the charge of committing a most savage assault on a Gloucestershire boatman named **William Hook**. The complainant was in attendance, but his evidence was given with great difficulty from the serious nature of the injuries he had received. From what he said, however, and from the testimony of Superintendent McCrea, it appeared that on Saturday night the prisoners, with others of their countrymen, were drinking in the

kitchen of the Blue Boar public house, where also the complainant was similarly engaged with some other boatmen. Without any provocation, the prisoner Crosbee struck Hook, and a general disturbance then commenced, in the course of which doors and windows were broken and the gas pipes pulled down. Hook was dragged by the hair outside the house, and here he was jumped upon and maltreated in a manner of which his appearance in court gave some idea, as his head, arms and body were nearly covered in cuts and bruises ; in fact, Superintendent McCrea, who happened to come up at the time, thought it a matter of impossibility that the unfortunate man could survive, but prompt surgical aid was secured, and the consequences of greater loss of blood averted. The two prisoners were apprehended by Superintendent McCrea and his officers, concealed in the back yard. The Bench deemed it prudent to have the recovery of Hook placed beyond doubt before dealing with the case, and therefore remanded the prisoners.

#### **47 1 December 1852**

WOLVERHAMPTON POLICE COURT, THURSDAY NOVEMBER 25

ROBBERY ON THE SHREWSBURY AND BIRMINGHAM RAILWAY **William Wood, Edward Coley and John Nixon**, boatmen, who had been twice remanded, were charged with stealing two boxes of almonds, the property of the Shrewsbury and Birmingham Railway Company.

Mr T Walker conducted the prosecution ; Mr Whitehouse appeared for the prisoners.

Mr Walker, after having stated the circumstances of the case, said there was no evidence against Coley and Nixon ; and Mr Whitehouse suggested they should at once be discharged, but the Bench was of opinion that it would be better to hear the evidence before they were liberated.

Frederick Swain said he was a warehouseman in the employ of Mr Stone, fruit merchant, at Liverpool. He sent some goods on the 13<sup>th</sup> of November by **Shipton and Co**, carriers, to Mr Cole, Stourbridge ; they consisted of two boxes of almonds, two drums of figs and some grapes. The box of almonds produced was one of the boxes, and the piece of wood produced formed part of the other box. The matting produced was the same kind as that in which they were enclosed, and the piece of calico produced, marked "A C No 7" was attached to the matting. He had examined the almonds on the table ; they had been wet ; there was a sort of dampness about them that was not natural.

Samuel Bailey, a loader to the Shrewsbury and Birmingham Railway Company at Birkenhead, proved that he handled the goods mentioned in an invoice produced – the goods in question – with five barrels of oil, on the 15<sup>th</sup> of November, on a truck numbered 468. He loaded two boxes covered with matting, and two other boxes. He saw the train leave.

John Turner, check clerk at the railway at Birkenhead, proved that the list of goods in truck 468 was in his handwriting. He saw the goods go away. The truck was directed to Mr Bancock, Victoria Basin, Wolverhampton.

David Marsden said he was in the employ of the Shrewsbury and Birmingham Railway Company at Wolverhampton. He recollected the arrival of the goods train with the truck 468 on the night of the 15<sup>th</sup> of November. He went next morning, about half past seven o'clock, to look for the goods. He had a list, and found that, according to the invoice, two boxes of almonds and a box of figs were missing. Cross-examined : One of the men named William Jones remarked that two boxes had been found in the basin ; Jones said that the lock-keeper told him that Wood had said he had found two boxes in the basin.

Police Inspector Bennett said he received information respecting the robbery on the 16<sup>th</sup> about 9 am. He went to Wood, who told him that he had found a box of almonds, and part of another box, floating in the canal, also some matting. He said the things were on his boat at Crowley's wharf. He went to the boat, and Wood gave him the box of almonds, some pieces of the other box and some matting ; the matting then had on the (?.....?) mark. Wood repeated that he had found the box floating on the canal. He (Bennett) observed to him that the box had never been in the water ; Wood said he found it about four o'clock ; the state of the almonds was much the same then as now. He (Bennett) obtained a warrant and searched Wood's house ; he found some of the pieces of wood produced among the coal in the cellar. He then went after Wood's boat to Stourbridge, and on

searching it found two other of the pieces of wood produced in a locker. He said, "Hulloa, what's this? These are the two ends of the almond box". He asked Wood why he had not given them to him before ; he said they were under other things, and he could not get at them. He also found some almonds in a tea pot in the cabin – which he now produced. He then charged Wood and the other two prisoners, who were with him in the boat, with the robbery, and took them into custody. He did not find anything on the other prisoners. The box had been kept in Colonel Hogg's room ; there was a fire in the room every day.

Thomas Hall said he was a carpenter and joiner at Wolverhampton. He had examined the pieces of wood and the box ; they had not, in his opinion, been in water ; the box would sink, he should say ; the pieces made exactly another box.

Mr Whitehouse said the prisoner Wood was a man of good character, and had been in the service of Messrs Crowley and Co for many years. He should prove, by evidence that he had mentioned finding the box to a witness that he (Mr Whitehouse) should call – the lock-keeper – and that he left word with him where it might be found ; this was about four o'clock in the morning, several hours before the discovery of the robbery. Was this like the conduct of a guilty man? He should also show that the boxes had been in the canal, before they were found by the prisoner. As to the state of the almonds, he could undertake to say it was very different from what it was when they were first produced ; they were then so saturated with wet that he bent an almond together ; now they broke and were almost crisp. Could they possibly be in the same state after being nine or ten days in a dry room with a fire?

**Henry Gorst** said he was a boatman in the employ of Crowley and Co. On the 15<sup>th</sup> of November, he was coming up the locks near Wolverhampton at about half past three o'clock in the morning, hardly as much. When he was at the lock near the basin belonging to the Shrewsbury Company, the second from the top, he saw something in the water which he believed to be the box, behind one of the gates ; it was the box floating ; at last by working the gate it came from behind. He then went across to the other gate, and there was another box. He broke it with the (?.....?) of the gate. He did not take the trouble to see what it was. When he drew the paddle, it (the box) went down into the basin. If it had not done so, his boat would have been (?.....?) He did not see Wood. The witness was cross-examined by Mr Walker as to the state of the light and the water. He did not see the box until he had drawn the water.

Mr Neve observed that he did not believe anything the witness said ; he did not believe that the box would float.

Mr Whitehouse said that after such an assumption by the Bench, without evidence, he certainly should not call any other witness.

Mr Walker observed that they were quite willing to submit a box to the test.

Wood was then committed for trial, but was allowed to remain at the station in order to give bail, himself in £100 and two sureties in £30 each.

After considerable discussion, Coley and Nixon were discharged upon entering into their own recognisances without costs - (Mr Whitehouse objecting to any payment) – to answer any charge respecting the stolen goods, upon receiving seven days notice, at the sessions.

#### **48 15 December 1852**

**DUDLEY PETTY SESSIONS** **Henry Arnold**, a boatman, was committed to take his trial on a charge of stealing a quantity of grocery valued at 2s 3d. The articles, which were wrapped up as a parcel, were the property of Joseph Robinson of the Dock, and were stolen on the previous Saturday night from under a table in the kitchen of the Miner's Arms. The evidence was conclusive, the prisoner being seen to take away the parcel and walk off with it. A man named King followed him and took him into custody with the parcel in his possession.

#### **49 5 January 1853**

**THE SUPPOSED CASE OF MURDER AND SUICIDE** The adjourned inquests on the bodies of Harriet Perry and Patrick McGlyn, found dead in the canal in the early part of last month, were held

on Thursday last at the Union Inn, Canal Street, in this town, before T M Phillips Esq, coroner. No further evidence was given in the case of Harriet Perry, and Mr Dehane, surgeon, having previously stated that from the appearances presented on the *post mortem* examination of the body, and its having been found in the canal, he was of opinion that the death of the deceased was caused by drowning, the jury returned a verdict of "Found drowned, but by what means deceased got into the water, sufficient evidence did not appear". It appeared from the evidence taken in the case of Patrick McGlyn that Harriet Perry was married to John Hurniman, a labourer now living at the back of Mr Baggott's in the Dudley Road, at St Paul's church on Easter Monday last. She was then in the family way, and was confined in her husband's house, in the Dog and Partridge Yard, Canal Street, two days afterwards. In the course of a fortnight, the deceased left her husband's house, without saying where she was going or for what reason she was leaving. She took her infant child with her, and her husband never saw her again. Hurniman now stated at the inquest that he did not know, and had never, to the best of his knowledge, seen Patrick McGlyn. He (witness) was at Mr Samuel Baggott's public house, the King's Arms, on the evening of the 11<sup>th</sup> of December, from five till ten o'clock, when he went to his lodgings with a fellow lodger, and did not leave there again that night. Hurniman admitted that he was married to Elizabeth Farthing in Bristol in 1831, but stated that she left him about four years since, and he never saw her again. He believed she was alive when he married Elizabeth Perry. He had since heard that she was now dead. Had never said that he wished Patrick McGlyn was in the water with the deceased, or words to that effect. William Henry Harding, a moulder of Montrose Street, stated that he saw Hurniman at the Acorn public house in John Street on Saturday the 11<sup>th</sup> of December about a quarter before twelve o'clock, but he did not see Harriet Perry or Glyn there. Charles Felton, however, deposed that he was drinking with Hurniman at Mr Baggott's house on Saturday night the 11<sup>th</sup> of December. Hurniman left a little before he did (he should say about ten o'clock), and when he got to his lodgings he found Hurniman in bed. He slept with him, and was sure he did not leave the house that night. **George Machin**, a boatman, deposed that about one o'clock in the morning of the 12<sup>th</sup> of December, he met a man running along the side of the canal near Messrs Norton's mill, about 300 yards from the Rotten Row Bridge. He spoke to him, but he continued running and did not answer. He did not hear any noise or scream on the night in question. The man he met was something like the man present (Hurniman), but not quite so tall. He could not swear that he was the same man he met. Mr Dehane, surgeon, deposed that from the appearances of the body of Glyn, when he examined it on Friday the 17<sup>th</sup> of December, he was inclined to think that the body had been in the water several days, and that death was caused by drowning, but he did not say that his death was so caused. The jury returned a verdict to the effect that deceased was found dead, but by what means he came to his death, sufficient evidence did not appear.

## **50** 12 January 1853

POLICE INTELLIGENCE, FRIDAY JANUARY 7

ATTEMPTING SELF DESTRUCTION **Sarah Maddox**, the wife of a boatman, was charged with attempting self destruction by throwing herself into the canal in the parish of Wolverhampton. It appeared that the prisoner had been in the canal twice on Tuesday. The defence now was that she had fallen in accidentally, and that her husband had ill-used her. There being some reason to believe that she was labouring under insanity, she was ordered to be sent to the Union Workhouse to be examined by a medical man.

## **51** 30 March 1853

ROBBERY BY BOATMEN At the Town Hall on Saturday last, before Henry Walker and Joseph Underhill Esqs, **Thomas Slater, Edward Liddell, John Harris** and **Henry Foster** were charged with stealing 3 lbs of tobacco, the property of the Shrewsbury and Birmingham Railway Company. Mr H Underhill conducted the prosecution and Mr Whitehouse the defence. It appeared that a hogshead of tobacco was sent by Mr Wright, a tobacco manufacturer at Birmingham, to Mr Moore of Wellington on the 23<sup>rd</sup> of March, and was delivered to the company's warehouse at

Wolverhampton and weighed, previously to being shipped per boat for Wolverhampton. The same evening, it was delivered to the four prisoners, who had charge of the boat, Harris being the captain. On the following morning, it was placed in one of the company's trucks at Wolverhampton and sent to Wellington. When taken off the truck at Wellington, it was again weighed and found to be of less weight than that mentioned in the invoice. This induced the station master at Wellington to examine the hogshead, and he then found that one end had been broken in. He immediately gave information of the circumstance to the manager at Wolverhampton, when inspector Butler made inquiries and found that the prisoner Slater had, on Thursday morning, sold 3 lbs of tobacco to Mr Clackerty, innkeeper of Horseley Fields. Liddell, it appeared, was seen standing near the door at the time of the sale. The tobacco sold to the innkeeper was now sworn to by Mr Wright's man as being of the same quality as that contained in the cask. The Magistrates expressed an opinion that the evidence was insufficient to connect Harris and Foster with the larceny, but they were satisfied that the case was strong enough as against Slater and Liddell, and committed these two prisoners for trial.

### 52 30 March 1853

DUDLEY PETTY SESSIONS John Day was committed to take his trial on a charge of stealing a horse early on the morning of the 17<sup>th</sup> of January last, the property of **William Walton**, boatman of Stratford-upon-Avon. The horse was missed from a stable at the Crown Inn, Broad Street, Birmingham. The prosecutor next saw the horse in the possession of Thomas Perry, carter of Rowley, on the 2<sup>nd</sup> January (when he owned him), and to whom it appeared the prisoner sold him for 16s the same day as the robbery.

### 53 6 April 1853

WOLVERHAMPTON POLICE COURT, THURSDAY MARCH 31

THEFT OF SIXTY SOVEREIGNS **Elizabeth Foster**, a middle aged woman with a very hard featured countenance, was charged with stealing sixty sovereigns, the property of **William Foster**, her husband's brother. The case had been partially heard on Monday last, and the prisoner had been remanded. It appeared that William Foster is a boatman, and employed his brother, giving him 15s a week in wages. William Foster and his wife, who lived in Little's Lane, had, as Mrs Foster said, been ten years getting this "bit of money", which was all in gold, and kept in a little calico bag in a box or trunk by the side of their bed. The prisoner frequently came to the house to receive her husband's wages while he and his brother were away with the boat, and, owing to their relationship, seemed to be on excellent terms with Mrs Foster. On Sunday the 6<sup>th</sup> of February, Mrs Foster unlocked the box containing the money to get her children's bonnets out, that they might go to church, and left the keys in it until Monday morning ; the box, though the lid was down, was not locked until the Thursday following. The prisoner slept with Mrs Foster on Sunday and on Monday nights, getting up each succeeding morning about half an hour after Mrs Foster. On Tuesday morning, after going out, she returned and told Mrs Foster she had met a woman on the Cannock Road with a letter inquiring for Elizabeth Thomas (her maiden name). She told the woman, she said, she was the person, and the woman gave her a letter and twenty golden sovereigns tied up in a rag. The money, she added, was from her father and uncle, Joseph Nightingale. Mrs Foster, to whom a letter was shown, but who could not read, innocently congratulated her relative on her good fortune, and accompanied her to several shops in the town to buy articles of household furniture and dress. On Wednesday, the prisoner came again to the house, and said, "I've done the devil again ; they've sent me a letter with £5 more" ; she added that the letter was sealed with black, and that her uncle was dead. On Thursday, Mrs Foster found that her money was gone. It seemed that Mrs Foster and the prisoner had been out making purchases. On their return, the prisoner, looking to a bunch of keys left in a drawer downstairs, said, "Oh, Mary Anne, you haven't left your keys in the drawer while we were out ; you had better look if your money is all right". She looked in the drawer, and found the money, which was there for present use, all right. The prisoner then said, "Been you all right upstairs?" She went up and found that the money had been taken away. A

female named Fanny Crump had washed for Mrs Foster, and the prisoner insinuated that Crump had taken the money, and the house she lived in was searched, but no money found. Many of the sovereigns were dull from having been long laid by. Joseph Nightingale of West Bromwich, the person alleged by the prisoner to be her uncle, and said by her to be dead, proved the falsity of part of her tale by his personal appearance, and said he had never sent her any money whatsoever ; and James Jones, late a coal master of West Bromwich, to whom the prisoner's claim of relationship also applied, gave evidence to the same effect. Richard Langford of Summer's Lane proved that the prisoner brought him a letter to read ; but she appeared so well acquainted with its contents that he told her it was no use for him to do so, as she seemed to know its contents already. She asked him to write "twenty pounds" in words or figures in it, but he declined doing so. Two lines now in the letter produced were not in it when he saw it ; they were "Sent from Joseph Nightingale 20 pounds to Elizabeth Thomas". The letter itself was an application to Joseph Nightingale for money for Elizabeth Thomas, and directed, "Joseph Nightingale, Hill Top, near Wednesbury". Mrs Langford, wife of Joseph Langford, proved that the prisoner showed her twenty or thirty sovereigns, and that many of them looked dull, as if they had been laid by. Inspector Butler proved searching the prisoner's house and finding the letter referred to. Nearly the whole of the furniture and the wearing apparel of the prisoner and her husband were new. The prisoner was committed for trial, and the furniture &c, ordered to remain in the possession of the police, in order, as no doubt existed that it had been bought with the stolen money that, in the event of the prisoner's conviction, it might be delivered over to Foster and his wife.

#### 54 13 April 1853

##### STAFFORDSHIRE QUARTER SESSIONS

STEALING A HORSE AT BIRMINGHAM John Day, 50 years of age, was indicted for stealing a horse, bridle and head collar, the property of **William Walton**, at Rowley Regis. Mr Kynnersley conducted the prosecution, and called William Walton, a boatman, who stated that on the evening of the 18<sup>th</sup> of January, he had a horse in a stable in Broad Street, Birmingham, which was stolen during the night. On the 22<sup>nd</sup> of the same month, he found the horse in the possession of Thomas Perry at Rowley Regis. Perry, an old man, was then called, and said that he bought old horses, both alive and dead. On the morning of January 17<sup>th</sup>, the prisoner came to his house and offered to sell him a horse for 30s which he ultimately purchased for 16s, leaving the bridle and head collar, valued at 5s, in the bargain. The bridle and head collar were produced and identified by the prosecutor as his property. The prisoner, in his defence, merely stated that Perry's testimony should be received with caution, having himself been transported. The witness Perry was recalled and, in reply to questions from the learned Chairman, acknowledged the allegations to be correct, but stated that it was forty years since it occurred. The jury returned a verdict of guilty, but recommended him to mercy. A former conviction for felony in 1851 was then proved by Mr Elliott, clerk at the county prison ; and the prisoner, who also pleaded guilty to a charge of obtaining twenty one bags by false pretences, was sentenced to seven years transportation.

EXTENSIVE ROBBERY OF MONEY AT WOLVERHAMPTON **Elizabeth Foster** was indicted for stealing £60, the moneys of **William Foster**, at Wolverhampton.

Mr Scotland, in opening the case, said it was one of some consequence, not only in relation to the amount of money taken, but also by reason of the deep stratagem by which the prisoner obtained possession of it. William Foster, the prosecutor, was a boatman living at Little's Lane, Wolverhampton. The prisoner was the wife of **Benjamin Foster**, also a boatman, and brother to the prosecutor, who employed him. Mrs William Foster had in her possession £60 in gold, the amount of some savings she and her husband had amassed, and which she kept in a trunk in her bedroom. On Friday the 5<sup>th</sup> of February, the two brothers, William and Benjamin, left home with their boat , and on the following Sunday Mrs William Foster went to fetch something out of the trunk in which she kept her money, and left it unlocked, as it remained until the Thursday afterwards. On Sunday the prisoner, who lived near, went to the prosecutor's house and asked her sister-in-law, Mrs

William Foster, with whom she was on intimate terms, to allow her to sleep there, stating as a reason for her request that her mother had gone out, and she did not like to remain in her own house alone. She accordingly remained, and slept with her sister-in-law in the room where the box containing the money was. In the morning, Mrs William Foster got up first and went downstairs. In about an hour afterwards the prisoner came down, declined to stay breakfast, and went away. She came in the evening and slept with her sister-in-law again. On the following day, or the day after, she came again to the prosecutor's, and told her sister-in-law that she had met a woman in the Cannock Road, who had presented her with twenty sovereigns which she said she had brought from her uncle, Mr Joseph Nightingale of Hill Top, and her father, with a letter, which she gave to her sister-in-law, who took it to a neighbour to read. She afterwards said she had received £5 more, and her uncle was dead, and gave Mrs William Foster the 25 sovereigns to count. From that time down to the 25<sup>th</sup> of the same month of February, Mrs William Foster went out from time to time with the prisoner, who spent a considerable amount of money in new clothes and furniture, paying for what she bought in gold. During all this time, Mrs William Foster had no suspicion she had been robbed ; but on the 23<sup>rd</sup> of February the prisoner came into her house, and noticing some keys in a chest of drawers, said she hoped she (prosecutor's wife) had not lost something in consequence of leaving her keys about, as she was often out of the house. Mrs Foster thereupon examined the drawers, found she had not lost anything, and said she had not, "But", said the prisoner, "be ye all right upstairs?" Mrs Foster then went upstairs, examined the trunk, and found, to her dismay, that every farthing of her £60 was gone. The prisoner said that a neighbour named Crump, who had been in the house in the absence of Mrs Foster, must have taken it, and her house was accordingly searched, but no money was found. Suspicion then attached to the prisoner, and on inquiry it turned out that neither Mr Nightingale nor her reputed father, a Mr Jones, had sent her any money. A good many witnesses were called to prove the circumstances detailed by Mr Scotland. Mr Kettle having addressed the jury on behalf of the prisoner, the learned Chairman summed up. The prisoner was found guilty, and sentenced to twelve months imprisonment.

**Thomas Slater** and **Edward Lyddell** were indicted for stealing 3 lbs of tobacco, the property of the Shrewsbury and Birmingham Railway Company. It appeared that a cask of tobacco was consigned by Mr Wright, tobacco manufacturer, Birmingham, to a Mr Moore of Wellington. It was forwarded on the 24<sup>th</sup> of March by canal from Birmingham to Wolverhampton, in a boat of which a man named **Harris** was captain, and employed with which were the prisoners ; and by railway from Wolverhampton to Wellington. On its arrival at the latter place, it was found to have been opened, and weighed 2 lb lighter than when it started, the tobacco being damp at the end of the cask that had been opened. On the day after the cask was sent from Birmingham, Slater sold 3 lb of tobacco in a public house in Wolverhampton for 7s 6d, Lyddell being seen near the house at the time. The jury acquitted Lyddell but found Slater guilty, and the Chairman sentenced him to six months imprisonment.

### **55**      **27 July 1853**

WOLVERHAMPTON POLICE COURT, THURSDAY JULY 21

SELLING CYDER WITHOUT A LICENCE    **Samuel Sankey**, a boatman, was charged with this offence. Isaac Wotton said that on the 13<sup>th</sup> last, Sankey sold to him a quart of cyder for 3d, from a barrel in a boat which was in the canal near Messrs Thorneycroft's works, and asked him to get more customers. The defendant was fined 20s and costs.

### **56**      **10 August 1853**

WOLVERHAMPTON POLICE COURT, FRIDAY AUGUST 5

ROBBERY ON THE CANAL    Joseph Morris was charged with stealing four sovereigns and ten shillings, the money of **George Drinkwater**, a boatman in the employ of **Mr Henry Weaver** of Gloucester, boat owner. The prosecutor stated that he and **Daniel Groves** arrived at Wolverhampton with their master's boat on the previous day. When they went to sleep about half

past ten o'clock at night, he (prosecutor) had in his right hand trousers pocket the money in question, which he had received about half an hour before from his employer. Between eleven and twelve o'clock, they were disturbed by the prisoner coming into the cabin and asking if he could sleep there. He told him there was no room. Prisoner went away, but came again in half an hour, and without speaking lay down on the side bed. He (witness) awoke about two o'clock, when he found that the prisoner had left, and on examining his pocket he discovered that his money was gone. Daniel Groves confirmed the statement of Drinkwater, and stated that they were both sober when they went to bed. Police-constable Southwell deposed that from information received he apprehended the prisoner in a brothel in the Hare Yard, Berry Street, about seven o'clock that morning. On charging him with stealing money from a boat on the canal, prisoner said he knew nothing of it, and had never been at the boat. He (witness) found no money on him. The prisoner was committed for trial at the next sessions.

#### SATURDAY AUGUST 6

THE ROBBERY ON THE CANAL Mary Broom, the keeper of a house of ill fame, was charged with receiving four sovereigns and ten shillings from Joseph Morris (the man committed for trial on Friday), knowing the money to have been stolen. Catherine Williams deposed that on the previous day the prisoner showed her four sovereigns and some silver, which she said she had had from Joseph Morris. Rebecca Waller stated that prisoner told her on Friday night that the man who had been committed had given her something, under £4 10s, when near the Black Boy. Catherine Williams was recalled and stated that after the prisoner (Morris) was apprehended at the house of the prisoner, the latter took four sovereigns and some silver from the bed, carried the money downstairs and hid it in the pantry. She (witness) told the other girls of it before the prisoner charged her with stealing some money from her. Elizabeth Hodges confirmed this statement. The prisoner was remanded until Saturday next. *(see article above)*

#### 57 17 August 1853

##### TIPTON

ANOTHER DEATH FROM FALLING DOWN AN UNPROTECTED PIT An inquest was held on Thursday last at the Burton Inn in this parish, before G H Hinchliffe Esq, coroner, on the body of **John Foster** aged fourteen years. The deceased was the son of a boatman living at Wolverhampton, and on the previous Tuesday, he accompanied his father and another man in the boat to Tipton. Between five and six o'clock, his father desired him to look after the horse and, as the animal was grazing on the bank near the canal, deceased left the boat for the purpose. In about half an hour afterwards, **Thomas Jones**, the boatman, went to look for him, but could not see him. The horse was on a piece of land near the canal, and Jones found the cap of the deceased on the ground a few yards from an old coalpit shaft, and upon looking down saw some person lying at the bottom. Assistance was procured, and a man named Fisher offered to go down. Upon a rope being procured, he was lowered to the bottom, a distance of more than thirty yards, where he found deceased in some water. He placed him on his lap and brought him up. He was not dead but insensible, and had a severe fracture over the eye. He died the same evening. It appeared in evidence that two old coalpit shafts were on the land, one without any protection over or round it, and the other close to the side of a footpath, and only a few iron bars placed across, but not sufficient to prevent any person falling down. The land upon which these old pits were is near the public road, and within a few yards of some dwelling houses. The land and pits belong to Mr Dixon of Dudley. In the absence of any evidence showing how deceased got into the pit, the jury returned a verdict to the effect that deceased was found there severely injured and soon afterwards died, but how he got into the pit no evidence appeared. The coroner and jury strongly condemned the practice of leaving old pit shafts uncovered, more especially in such a neighbourhood as that in which these were, and at the request of the jury, Mr Flinching promised to address a letter to Mr Dixon, the proprietor, on the subject.

**58 24 August 1853**

DUDLEY

UTTERING COUNTERFEIT COIN Two men named **Thomas Smith** and John Kendall were brought up on Wednesday, on a charge of having, on the 12<sup>th</sup> instant, attempted to utter two counterfeit half crowns, and also having three others in their possession. Smith is a boatman, and on the night of the 12<sup>th</sup> met with the other prisoner, as he was coming from Tipton. Smith requested him (as they seemed to be well known to each other) to return with him to Dudley, as he had some business there, and he (Smith) would treat him. Kendall accordingly returned with Smith, and they both went to the house of Mr Benjamin Cole, Traveller's Rest, Hall Street, where they called for two glasses of gin and water, in payment for which Smith tendered a half crown. Mrs Cole having examined the coin, took it to her husband, who pronounced it to be counterfeit. She then returned it to the prisoner Smith, when Kendall gave her sixpence to pay for the gin and water. Before returning it, however, Mr Cole marked the half crown. After leaving the Traveller's Rest, the two prisoners went to the Mountain Ash in Birmingham Street, which is kept by Mrs Harriet Wright. Mr Cole followed them, and on questioning Mrs Wright respecting the money she had received from the prisoners, discovered that the same half crown which he marked had been paid to her by the prisoner Smith. The two men, evidently knowing the object of Mr Cole in being there, succeeded in effecting their escape. Information was then given to the police, with a description of the prisoners, who were eventually apprehended at the house of Mrs Payne, the Marquis of Granby, New Street. After some difficulty, the superintendent succeeded in searching Smith, on whom he found three other spurious half crowns and 28s in good money. Smith said nothing in his defence, but entirely exonerated his companion, Kendall. The Mint authorities, having been communicated with, determined to prosecute, but thought there was not sufficient evidence to criminate Kendall ; Smith was therefore committed to the sessions, and Kendall was discharged.

**59 28 September 1853**

SUPPOSED DEATH BY DROWNING An inquest was held on Monday last at the Swan Inn, Pelsall, before W H Phillips Esq, Deputy Coroner, on the body of **Philip Frost**, aged eight years (son of a boatman), who had been found drowned in the Wyrley and Easington Canal at Pelsall wharf, having a short time before been left in charge of his father's boat. There being no evidence to show how the boy got into the water, the jury returned a verdict to the effect that the deceased was found dead in the water, but by what means he got there, no evidence appeared.

**60 5 October 1853**

WEDNESBURY PETTY SESSIONS **William Williams**, a boatman, was charged with stealing several bars of soap, the property of the South Staffordshire Railway Company. Mr Dere, a clerk in the company's service, observed the prisoner carrying a bundle across the yard at the goods department, and questioned him as to the contents. Receiving an evasive reply, he caused the bundle to be searched, when the property was discovered and, subsequently in the prisoner's boat, a further quantity of soap was found. The prisoner was committed for trial.

**61 26 October 1853**

WORCESTERSHIRE QUARTER SESSIONS **Thomas Smith**, aged 40, boatman, pleaded guilty to uttering counterfeit half crowns at Dudley on the 12<sup>th</sup> of August. Six months imprisonment.

**62 2 November 1853**

WOLVERHAMPTON POLICE OFFICE, SATURDAY OCTOBER 29

CHARGE OF STEALING PIGEONS William Beddow, Thomas Wallett, aged 13, and Francis Smith, aged 10, were charged with stealing pigeons, the property of Edward Cotton of Bilston Street. **John Simpson**, a boatman employed by Cotton, said that having been told by the servant that a boy had just gone from the brew house where the pigeons were kept, he went to the gate, where he saw Wallett and Smith, and after having made some inquiries of them, was told by Smith

where a pigeon was put which had been taken from the pen, and was informed by Walleth that another had been previously stolen. He saw nothing of Beddow. The two prisoners said they had sold them to Mr Broomhall of Bilston Street for 1s 4d, which was proved by Mrs Broomhall. After an application to the Magistrates by Mr Shipman on behalf of Beddow, the Magistrates discharged that prisoner, as there was no evidence tending to implicate him in the theft. It was then stated by police-constable Horsley that the boy Walleth had no home to go to, as his father had turned him out of doors. He was committed for fourteen days, and to be whipped ; Smith was ordered to be discharged after receiving a whipping at the police station.

### **63 30 November 1853**

**SERIOUS ASSAULT** At the Town Hall on Monday last, before the Mayor (J Neve Esq) and J Warner Esq, John Boswell, landlord of the Navigation Inn in this town appeared to answer a charge of assaulting **Joseph Kelly**, a boatman. Mr Hayes appeared to defend Boswell. It appeared that Boswell(*sic*) went into the house of defendant, where he was knocked down by a blow which bursted one of his eyes, and deprived it of sight. The plaintiff could not see the person who struck him ; and the only reason he had for believing that that person was the defendant was that he had been told so by a third party. Witnesses were called for the defence, who swore that the plaintiff had not been struck by the defendant. The Magistrates suspended the warrant until an endeavour should have been made to produce certain parties who were present at the disturbance.

### **64 28 December 1853**

**DEATH FROM DROWNING** T M Phillips Esq, coroner, held an inquest on Monday last at the Talbot Inn, Little's Lane, in this town, on the body of **Thomas Bayley**, son of a boatman, about ten years of age, who fell into the water at the Top Lock in this borough on Friday morning last, in the temporary absence of his father, and was drowned. The jury returned a verdict of "Accidental death".

### **65 11 January 1854**

**STAFFORDSHIRE QUARTER SESSIONS**

**CHARGE OF STEALING HAY AT TIPTON** **John Cartwright**, a boatman, was indicted for stealing five trusses of hay at Tipton, the property of **Mark Fischer**.

The prosecutor stated that the seven trusses of hay were taken from his boat on the night of the 15<sup>th</sup> of December. The next morning he and a policeman traced footmarks from near the boat to a stable belonging to Mr Finn, who keeps a public house. There was some hay lying near the footmarks. Witness found two trusses and a portion of another in the stable. One of the trusses had been wet, and witness identified it as one which had twice fallen into the canal, and which he had tied up in a particular manner. Witness saw the prisoner in the stable when he found the hay. In answer to Mr Motteram, witness said that he had heard a girl at Finn's house say she saw a man taking a truss of hay towards the stable between seven and eight o'clock. Baxter, a police-constable, said he went to the prisoner's house, but he was not aware that anything was found there. John Stephenson, police officer, said the prisoner claimed half a truss of hay lying under the other. Jesse Baxter, his inspector, usually conducted cases, but he was not there that day. Joseph Finn stated that he kept a beerhouse at Tipton, which was much used by boatmen. The prisoner kept his horse in witness's stable, and had the key on the night of the 15<sup>th</sup> of December, and did not give it up until it had been twice sent for the next morning. Boatmen frequently kept their horses in witness's stable, and had the key exactly as Cartwright had ; if they wished to leave early, they concealed the key near the door.

Mr Motteram addressed the jury at considerable length for the defence, strongly animadverting on the conduct of the prosecution in neglecting to call Baxter, who had searched the house and examined the footmarks, and who was a remarkably shrewd officer ; and of the girl who had seen a man carrying a truss of hay to the stable. As no effort had been made to show that the footmarks corresponded to the prisoner's boots, it was fair to infer it could not be proved ; and in the same

way, as the girl had not been called, it was a reasonable inference that the man she saw carrying the truss of hay was not Cartwright. With respect to the key, it had been shown that some ten or a dozen had had the key precisely as the prisoner had ; and the girl who was sent for it was not produced, that the jury might know what the prisoner said when she went for it. It might have been that, on her first going, the prisoner was out, and on the second application he might have said the key was where it was usually placed. The prisoner's conduct, too, was like that of an innocent man ; he at once said that the half truss and the cloth were his.

John Hampton and Henry Made spoke to the character of the prisoner, from an acquaintance of many years ; he was an honest man, who had always borne a good character.

The jury acquitted the prisoner.

**Stephen Gardener** was indicted for stealing 120 lbs of coal, the property of Messrs Davies and Son, at West Bromwich. The prisoner is a boatman, and on the 23<sup>rd</sup> of December last was employed by the prosecutors to carry a boat load of coal to the works at Crookhay, and when near that place was observed by George Griffin to throw two pieces of coal on the canal bank, and having left his boat at the wharf, returned to the coal and picked up one of the pieces, which he was proceeding to carry away when Griffin went up and asked who authorised him to take the coal, when he offered to take it back if he would say nothing about it. Griffin, who was employed by the prosecutors to watch the boatmen, took the prisoner to the office at the works, and he was given into custody. The Jury found the prisoner guilty, and he was sentenced to two months imprisonment with hard labour.

**66 8 February 1854**

**KINGSWINFORD**

**STEALING COAL** At the Police Court on Thursday last, before W H Cope and J Leigh Esqs, a young fellow, a boatman named **Thomas Gough**, was charged with stealing 50 lbs of coal from the ironworks of Messrs John and William Wheeley, Brookmoor, on the 1<sup>st</sup> inst. Mr John Gould, the manager of the works, stated that considerable quantities of coal had been pilfered from the works, and in consequence he requested the police to watch them. The prisoner was apprehended on the same night with the coal in his possession. He was committed for trial to the Staffordshire adjourned sessions.

**67 8 February 1854**

**DUDLEY** On Thursday at the Public Office, before T Fereday Esq, a boatman named **Stephen Smitheman jun**, was charged with stealing, on the 20th ult, 300 lbs of coal, the property of his employers, Messrs Michael and William Grassbrook, iron and coal masters, having works at Park Head. He was committed to the sessions.

**68 22 February 1854**

**GREAT BRIDGE** On Friday evening last at the Eagle Inn, Great Bridge, G H Hinchliffe Esq, coroner, held an inquest on the body of **John Lunn**. It appeared that the deceased, who had been ailing for some time, had acted for the past three months as assistant to a boatman. He appeared in his usual state of health up to Tuesday, when he complained of being very ill, and laid down in the boat. The next morning about five o'clock, the boatman was called up by the lock-keeper and directed to take his boat out of the lock. The boatman called to the deceased several times, but receiving no answer, went to him and found him dead. Mr Brown, surgeon, West Bromwich, by the direction of the coroner, made a *post mortem* examination of the body ; and found it in a very emaciated condition. The lungs and liver were greatly diseased. He considered death to have resulted from exhaustion, the natural consequences of the diseases under which the deceased laboured. Verdict in accordance with the medical testimony.

**69 1 March 1854**

**WEST BROMWICH - STEALING COAL** At the petty sessions on Saturday last, before the sitting

magistrates, **Richard Hale sen** and **Richard Hale jun** were charged with stealing coal, the property of Mr Walter Williams. Mr Hinchliffe appeared for the prosecution and Mr Dalby for the defence. The prisoners were employed by Mr Harrison of Brownhills to convey a boat load of coal from his colliery to the works of the prosecutor, and while the boat was lying near to the house of the elder prisoner, they were seen to convey a quantity of coal from the boat to the elder prisoner's premises. About a ton of coal was deficient from the boat. The prisoners were committed to trial, but admitted to bail.

**CHARGE OF MALICIOUSLY SHOOTING** On Tuesday, Mr Charles Cooper, son of Mr Isaac Cooper, farmer of Walsall Wood, was examined before W E Jones Esq, county magistrate, on the charge of shooting **Henry Watson**, a boatman, on Saturday night. Chief Superintendent Bergen had the case in hand, and Mr Moore appeared for the accused. The hearing of the case occupied a considerable length of time, but the short facts are as follows :- It appeared that several attempts had been recently made to break into Cooper's house at Walsall Wood, and that at about eleven o'clock on the night in question, the family were alarmed by the barking of the dog and a noise at the door. Mr Cooper challenged the person several times, and receiving no reply, fired a pistol loaded with small shot, and wounded him in the right side, but not severely. Mr Moore contended that, having repeatedly challenged the complainant who, there was every reason to believe, was about to commit a burglary, and receiving no answer, Mr Cooper was perfectly authorised in acting as he had done. The magistrates dismissed the case, but recommended the defendant to exercise greater caution in the use of fire arms and likewise to make complainant some recompense. Mr Moore, on the part of his client, positively declined agreeing to the latter portion of the advice, as it would be a virtual acknowledgement of the defendant's impropriety of conduct.

#### **70 1 March 1854**

##### **DUDLEY COUNTY COURT**

**CORNFIELD v WHITEHOUSE** To recover the sum of £1 11s 10d, the balance of an account. Mr Whitehouse was retained for the plaintiff and Mr Boddington for the defendant. In June 1852, the plaintiff sold the defendant (who is an ironfounder) a boat, which was at the time lying partially beneath the water in the canal, for £7, on condition that the latter was satisfied with the bargain when the boat was taken out, the plaintiff consenting to be paid either in money or castings. The defendant directed several of his men to get the boat out of the canal, and afterwards to take it to a dock yard to be repaired. When examined, it was found, according to the evidence of the defendant's witness, to be worth not more than a fifth of the sum which he originally agreed to pay, the consequence of which was that it was sent back to the plaintiff's wharf. The plaintiff, in the meantime, obtaining castings to the amount of £5 8s 2d from the defendant which, when subtracted from the £7, the price of the boat, left the balance sought to be recovered. Witnesses were brought by the plaintiff, whose evidence went to show that the boat was well worth £7 when taken out of the water, and that after £7 more expended in repairing, it would be worth £20 ; and also that the defendant had used the boat, and had not returned it for three months after it was taken out of the water. This evidence was rebutted by the defendant producing other witnesses, who said that just the opposite was the case. In answer to an inquiry from the Judge, Mr Boddington said that he should not plead the £5 8s 2d as a set off, but refused to take the boat on any terms, and should sue the plaintiff for that amount, and also for the expense the defendant incurred in raising the boat from the water. His Honour said he should then defer his decision until the defendant's action was decided. The case was therefore deferred.

#### **71 15 March 1854**

**STAFFORDSHIRE ADJOURNED SESSIONS** **Thomas Gough**, 22, boatman, was convicted of stealing a quantity of coal, the property of John and William Wheeley at Kingswinford, and was sentenced to be imprisoned two months.

**72 22 March 1854**

GRAND JURY ROOM **Edward Crowshaw**, a boatman, 28, was charged with stealing an iron chain at Rowley Regis, the property of Mr Daniel George Round and others, in February last.

Mr Skinner conducted the prosecution ; Mr Scotland defended the prisoner.

Samuel Pugh, a police-constable, stated that he found the chain produced, with another, in a cabin, which was Mr Eadens's office, and took them to Rowley Regis, where he showed them to a man named Turney and a blacksmith named Butler.

John Smallbone, another police officer, deposed to apprehending the prisoner, and stated that on charging him with stealing the chain, he said he brought the two chains from Rowley Regis, and had bought them from a person he did not know.

Thomas Eadens, the brother of Mr Eadens, in whose employ the prisoner was, deposed to receiving the chains from the prisoner and putting them in the cabin. In cross-examination by Mr Scotland, the witness said he asked the prisoner to buy a second hand chain if he saw one, before he started on his journey. On his return from Rowley Regis, he brought two chains, one of which was produced. By the Judge : Never gave the prisoner such a commission before.

Joseph Turner, a workman at the wharf at Rowley Regis, from which the chain was stolen, identified the chain as the property of his master, which he missed when he was informed that one had been found.

John Butler, a blacksmith, also identified the chain.

Mr Scotland addressed the jury on behalf of the prisoner, and called several witnesses who spoke to the prisoner's good character.

The jury found the prisoner guilty. There was another indictment against him for stealing a similar chain, which was not proceeded with. The court sentenced the prisoner to nine months imprisonment.

**73 19 April 1854**

WOLVERHAMPTON POLICE COURT, SATURDAY APRIL 15 **Richard Walters**, a boatman, was brought before the Bench to answer the following charge, preferred against him by Mr Bowater, licensed victualler, of this town :- The prisoner went into the house of the complainant (who resides on the canal side) about twelve o'clock on the night of the 31<sup>st</sup> of March, and called for some ale. Being somewhat overcome with liquor and the hour being late, the landlord very properly refused to fill any ale, upon which the prisoner became exceedingly abusive. Mr Bowater then told him that if he did not leave his house, he should put him out. He, however, did not take notice of this warning, and the complainant took hold of him to put him out. In the struggle, the prisoner fell down, the complainant by some means falling over him ; the defendant thereupon caught hold of the prosecutor's hand, and bit one of his fingers so severely that it was for some time afterwards considered a matter of doubt whether it would not be necessary to resort to amputation. It is not even now certain whether or not one joint will have to be cut off. The prisoner was apprehended by police officer Hickson on Saturday, on the canal side, having just returned from a voyage. The Bench inflicted a fine of 60s and costs, which was paid.

**74 26 April 1854**

HARBORNE

BREAKING INTO THE PARISH CHURCH On Saturday last, **William (?Barnett?)** a boatman from Birmingham, was charged at the West Bromwich Police Court, before Sir F E Scott and J Williams Esq, with breaking into St Peter's Church on the morning of Tuesday. Police officer Davis said that as he was going his round on Tuesday morning, about half past three o'clock, his attention was attracted by a light burning in the parish church. On going up and looking through a window, he saw the prisoner looking into one of the prayer books in the gallery near the chancel. He then went round to the east end of the edifice, and saw that one of the windows had been opened. At this moment, two men started from one of the buttresses ; he struck at them, but they escaped. He then got through the window and took the prisoner into custody. On examining the church, he found that

the cupboard in the vestry had been forced open, and that an attempt had been made to open an iron chest. Two carved oaken bowls, used for making collections, had been removed from the closet and placed on the table, preparatory to being carried off. The prisoner, on being asked by the constable when taken into custody what brought him in the church, replied that he came for the pulpit. The bars defending the window by which the sacrilegious intruders had obtained admission were forced away, and were found beneath the window. A small common poker was also found in the vestry, with which the cupboard had been forced. A bottle three parts filled with wine had also been removed out of the cupboard. The wine had been drunk by the depredators, and the empty bottle was found on the vestry table. The prisoner was committed for trial at the next Stafford Assizes. Three years ago, the same church was broken into and, from the fact that on this as on the previous occasion a nuisance was committed in the same edifice, it is supposed by the same person. This makes the fourth time within the last twenty years that the church has been broken into. On each occasion, an unsuccessful attempt was made to open the iron chest, which contains only the parish register and not the communion plate, which seems to be believed by the thieves.

**75 3 May 1854**

**DUDLEY**

**ROBBERY FROM THE PERSON** Isaac Henshall was brought before the sitting magistrates, T Badger Esq, Captain Bennitt, E C Molineux, C Cartwright and L Badger Esqs, at the Petty Sessions on Monday last, to answer a charge of stealing a knife and sixteen shillings in money from the pocket of **James Jackson**, a boatman of the Five Ways. The prosecutor and the prisoner had been drinking together on Friday night last, at the "Three Crowns", and the prosecutor had previously changed, in the prisoner's presence, a sovereign, which he placed in the inside pocket of his waistcoat. At about seven o'clock in the evening, the prosecutor fell asleep in the kitchen of the public house, the prisoner being then in his company, and on afterwards waking he found the money and knife to be missing, and the prisoner had left the house. The prosecutor had previously caught the prisoner in the act of feeling his pocket. Henshall was apprehended and searched by a police officer, who found five half crowns in his pocket. A witness named Pocock stated that the prisoner gave him the knife produced (which the prosecutor identified as his property) on the night of the robbery. The prisoner was committed for trial.

**76 10 May 1854**

**BILSTON** At the Petty Sessions on Friday, before F C Perry and J N Bagnall Esqs, **James Stanley** was charged with stealing 100 lbs of iron, the property of Mr Spencer of Coseley. The prisoner was a boatman, and had been seen to take the iron and place it in his boat. The prosecutor not being in attendance to press the charge against the prisoner, and his employer giving him an excellent character, he was liberated on his own recognisances to appear at the sessions and answer the charge, on receiving seven days notice to that effect.

**77 17 May 1854**

**BILSTON PETTY SESSIONS** At the Police Office on Friday, before F C Perry Esq, Samuel Bailey was charged with stealing a handkerchief, the property of **Thomas Mann**. It appeared that on the 5<sup>th</sup> of February, the complainant, a boatman, was leaving a public house in Temple Street to go to his boat, when he was followed by the defendant and some other men, who assaulted and robbed him of the handkerchief and some other articles, and 1s 6d in money. On the following day the prisoner sold the handkerchief to a man named Powis. The prisoner's defence was that he had bought the handkerchief. He was committed for trial.

**78 17 May 1854**

**STAFFORDSHIRE ADJOURNED QUARTER SESSIONS** **John Parker**, 21, boatman, pleaded guilty to having stolen one cock fowl and one hen fowl, the property of Isaac Williams the younger, at Sedgley, and was sentenced to four months imprisonment.

## 79 24 May 1854

STAFFORDSHIRE ADJOURNED QUARTER SESSIONS The following prisoners were found guilty during the day, and were sentenced :- Henry Traviss, 35, for stealing five pieces of rope, a bag, two bushels of oats and a bushel of beans from the boat of **Thomas Parkes** at Kingswinford, six months imprisonment.

Leonard Tams (on bail) and **Benjamin Franklin** were indicted for stealing 1 cwt 7 lbs of hay and 24 lbs weight of corn, the property of James Lock and others, at Penkrige. Mr Scotland appeared for the prosecution ; Mr Kettle defended the prisoners. It appeared from the evidence of **Henry Martin** that he was a boatman working with Franklin, who was a captain of a boat. On the 17<sup>th</sup> of April they stopped their boat for the night and went to the Rose and Crown, Penkrige, where Franklin and Tams had ale together ; and he (witness) heard Franklin and Tams in conversation, when he heard Franklin ask Tams how it would be for a little hay and corn. Tams said he would make it right for a bit. The witness then left the prisoners in the boat late at night, and went to sleep at a house near ; and when he got up the next morning the boat was on its way, and on coming up to it, he heard a man named Cockrill, whom he heard ask Franklin to give him one truss of hay back, but Franklin refused to do so as it was daylight. John Cockrill stated that he was in the employ of the Bridgewater Trustees. On the 16<sup>th</sup> of April six trusses of hay were brought to the Bridgewater stables for the use of the horses belonging to the company. Early the next morning, he heard a horse going out of the stables, and he got up, when he found it was Franklin going away with his boat. He afterwards missed three trusses of hay. He followed him, and saw two trusses of hay in his boat. He charged him with taking them from the stables, when he said Tams promised him a truss last night ; but he did not know whether he had taken it, so he took another. Tams slept in a room near where the corn was kept, and he (witness) also missed about half a strike of oats. He did not give Franklin a tin full of corn, neither did he give him any hay. Inspector Pike deposed to the witness Cockrill coming to him on the morning of the 18<sup>th</sup> April, and in consequence of what he told him, he (witness) followed the prisoner Franklin's boat, which he overtook, and saw two trusses of hay in it. He took him into custody, and having secured him in the lock up, he returned to the boat and found some corn in the cabin. Tams, on being apprehended, said he had not stolen the oats, but he had lent a man a few. The oats corresponded with those missing from the prosecutor. The learned Chairman here observed that there did not seem to be any evidence against Tams upon which the jury could convict him, and they accordingly returned a verdict of "Not Guilty" with respect to him. The Chairman then summed up the case, and the jury returned a verdict of "Guilty" against Franklin, who was sentenced to be imprisoned and kept to hard labour for six months.

The following prisoners were found guilty during the day, and were sentenced as follows :- **William Firkins** for stealing one hundredweight of coal from his boat at Tipton, the property of his employers, Thomas Badger and another, fourteen days imprisonment.

## 80 12 July 1854

WOLVERHAMPTON POLICE COURT, WEDNESDAY JULY 5 **Thomas Humphries**, about five and twenty years of age, a perfect specimen of the class employed on navigable canals, short, stout, dark complexioned, weather beaten, of lowering aspect and with a profusion of black matted hair, was charged by **Abraham Harris**, also a boatman, with stealing two loaves of bread, some cheese and five shillings from his boat while it was in the top lock of the Birmingham Canal. Harris stated that he was in bed with his wife in the cabin of the boat, at about half past one o'clock last night, when the prisoner came in. There was another man with him. He and his wife jumped up, and his wife laid hold of the prisoner, but he got away. He wished to follow the men, but he was urged not to do so, as he might be ill-used. The prisoner was taken about eight o'clock in the morning, and he was sure he was the man, as he had known him for fourteen years. **Richard Briggs**, who also slept in the cabin, and identified the prisoner, gave similar evidence. The prisoner was committed for trial.

**81 2 August 1854**

WOLVERHAMPTON POLICE COURT, SATURDAY JULY 29

CHARGE OF EMBEZZLEMENT **Henry Martin**, a boatman in the employ of Mr Thomas Shelley, coal dealer, was charged with embezzling two sums of money, the property of his master. Mr Thomas Walker appeared for the prosecution. It appeared that on Monday last the prosecutor gave 10s to the prisoner, to pay tonnage from Pothouse Bridge to Moxley. The prisoner returned the same night and the prosecutor asked him if he had got the ticket. He replied that he had not, but would bring it next day, upon which day he gave his master a ticket for 7s 6d, telling him that he had spent the difference and he must deduct it from his wages. The prosecutor afterwards discovered that the prisoner had paid no money for tonnage. On the Wednesday morning subsequently, the prosecutor gave the prisoner £1 7s to pay the tonnage for Hammerwich, and to bring a load of coal from Pelsall. The prisoner returned and told him the boat was stopped at Easington for non payment of tonnage, adding that he had left the boat in charge of a man, and had himself gone to sleep and was robbed of his money. From the evidence of Mr Westwood, clerk at Bradley Locks, it was shown that last Monday the prisoner had brought to him a declaration for some timber from Pothouse Bridge. He made out a ticket and left blanks in it. The prisoner paid nothing for tonnage, but came to him next morning and asked him for a copy of the ticket, stating that he had lost the other, and wanted to take it to his master, or he would not pay the tonnage. He made out a ticket for 7s 4d. The evidence being insufficient to constitute a charge of embezzlement, the case forming merely a breach of trust, the Magistrates cautioned the prisoner and dismissed the case.

**82 9 August 1854**

STAFFORDSHIRE ASSIZES, CROWN COURT **Thomas Westwood**, 42, boatman, was arraigned on an indictment for stealing, on the 24<sup>th</sup> of May last, three tarpaulings, the property of Benjamin Gibbons, at the parish of Tipton. His Lordship, having looked over the depositions, intimated that he thought the evidence insufficient to support the charge, and Mr Spooner, who appeared on behalf of the prosecution, entirely concurring in the opinion of the learned Judge, the prisoner was discharged with an appropriate admonition from his Lordship.

ROBBING A CHURCH **William Bartlett**, 18, boatman, was indicted for breaking into the parish church at Harborne on the 18<sup>th</sup> of April 1854, and stealing several boxes, the property of the churchwardens, and some books, the property of David Jones. Edward Davies, a police-constable, deposed that about three o'clock on the morning in question, his attention was attracted by a light in the church, and on drawing near he saw the prisoner in a pew in one of the galleries, packing up some books. When he approached the church, two persons ran away from behind one of the buttresses. He then entered the church by a window which had been forced open, and captured the prisoner. He examined the church and vestry, and found that the cupboard in the latter had been opened, and the things which it contained were in a state of great confusion. In the pew where he saw the prisoner, he found the collecting boxes produced, a bottle of wine, a number of books and other articles. The pew was Mr Jones's. Mr Samuel Dugmore, the parish clerk, deposed that on the preceding evening, he left the church quite safe. The boxes produced were then in a cupboard in the vestry. The cupboard was not locked, the doors were merely closed. His Lordship summed up at considerable length, but his remarks were quite inaudible in the reporters' box. The Jury found the prisoner guilty, and he was sentenced to six months imprisonment.

IRON STEALING **David Fulford**, 23, **Samuel Foskins**, 18, **George Hughes**, 30, **Thomas Wood**, 19, boatmen, **Benjamin Shakespeare**, 26, shoemaker, **Joseph Pearson**, 23, sawyer, and **Joseph Vallance**, 21, shoemaker, were arraigned on an indictment for stealing, on the 16<sup>th</sup> of July 1854, at the parish of Kingswinford, 784 lbs weight of iron, the property of William Mathews. A second count on the indictment charged the prisoners with receiving the iron, knowing it to have been stolen.

Mr Huddleston prosecuted ; the prisoners were defended by Mr Ings.

Mr Huddleston said this was a case of some importance to the public in general, because for some time past a series of depredations had been committed on the canals in different parts of this county, somewhat in the following manner :- Some person would avail themselves of an opportunity when a boat on a journey was moored for the night to come upon the boat and remove a part of the cargo ; but instead of carrying it away would throw it into the canal and, subsequently, some other persons, ignorant, of course, of such felonious submersion, would come and “find” the goods in the canal, and on the principle that “findings is takings” carry them away and appropriate them to their own purpose. This was a state of things fraught with great loss to parties whose goods were conveyed by canal, and of course could not be permitted. In this case, Mr Mathews, an ironmaster, owner of a large ironworks in the parish of Kingswinford, was sending by one of his boats a quantity of iron to Messrs Perry of Bilston. The boat was loaded at the ironworks at Kingswinford, and had gone upon its journey as far as a place called the Nine Locks. While there, the boatman left the boat, but one of the men seeing three of the prisoners, Fulford, Hughes and Foskins, somewhere near the boat at twelve o'clock at night, watched them, and saw Fulford get upon the boat and push into the water a quantity of iron off the boat. He watched them carefully, and had no doubt that the prisoner Fulford was the person who so removed the iron, and if the Jury should be of opinion, as after hearing the evidence he was certain they must be, that the other two prisoners, Hughes and Foskins, were acting in concert with him, they must find them all guilty of a larceny of the iron. The case was also strengthened against Hughes by the fact of his selling a portion of that iron on the following day to a man named Baker in Kingswinford, and he was accompanied by the prisoner Wood. Now finding Hughes in possession of a portion of this iron on the second day after its removal from the boat, was another strong piece of evidence to connect with him the larceny. As against Wood, the case would be, in his (the learned counsel's) opinion, sufficiently made out by proving him to have been in company with two of the men concerned in the removal of the iron from the boat, aiding and abetting him in disposing of it. Now on the 17<sup>th</sup>, the police having been informed of the disposition of the iron in the canal, felt it to be their duty to watch in order to see who came to remove it ; because it became very important when property was thrown into water to see who were the persons who came to take it away, and whether they had simply found it by accident, or came and removed it in the manner of persons acquainted with the fact and place of its concealment. The prisoner Shakespeare was the occupier of a garden and shop adjoining the canal opposite the place where the iron was thrown into the water, and on the following day, the three prisoners, Pearson, Vallance and Shakespeare, came to the spot where the iron was deposited, there being no indication in the water that there was any iron there. One of them got into the water and handed out some of the iron to the other two, who remained on the bank, and they carried it across the towing path and threw it over into Shakespeare's garden. The iron in the boat on arriving at Messrs Perry's was weighed and found to be deficient in weight about seven cwt, and they would find that the iron sold by Hughes and Wood, with that deposited in Shakespeare's garden, and a small quantity afterwards taken from the canal, amounted to seven cwt or nearly so. The learned counsel concluded his address by observing that, in cases of this description, it was very important to the ironmasters generally that the guilty persons should be brought to justice.

Thomas Piddock, foreman to Mr Mathews at Corbyns Hall Ironworks, **Oliver Lowe**, steerer of the boat in which the iron was sent, Daniel Baker, marine store dealer at Kingswinford, John Fowler and Thomas Parry, police officers, and Joseph Bate, stock taker at Messrs Perry's, were examined in support of the case on the part of the prosecution, and their evidence confirmed the material portions of Mr Huddleston's statement. Baker, the person who bought two cwt of the iron from Hughes and Wood for 3s, stated that they told him that they had found the iron whilst bathing in the canal, and two pieces of the iron so purchased, and of a peculiar quality, were identified by Bate as a part of the cargo sent to Messrs Perry.

Mr Ings, in a lengthy address to the jury, argued that the evidence of Lowe, the boatman, of the identity of Fulford as the man who removed the iron from the boat, and against Hughes and Foskins as being present at the time, was insufficient ; that the account given by Hughes and Wood of the

manner they became possessed of the iron sold to Baker was perfectly consistent with their innocence ; and that as regarded Pearson, Vallance and Shakespeare, the evidence of the prosecution tended directly to show that they found the iron by accident, and had not any felonious knowledge or intent in removing it to Shakespeare's garden at one o'clock in the day.

The learned Judge, before summing up, noticed an objection previously mooted by Mr Ings, as to the propriety of the indictment in alleging the iron to be the property of Mr Mathews, and after inquiring from the witnesses Lowe and Bate as to the terms of Lowe's contract for conveyance of the iron, amended the indictment by inserting, in the place of Mr Mathews, the name of the witness Lowe as the owner of the property which had been stolen, he being responsible for the safe delivery of the iron to Messrs Perry.

His Lordship then went carefully over the evidence, pointing out to the jury the different bearings of the case against each particular prisoner, and indicating the considerations that must guide them in coming to a decision. The questions for them to decide were whether the prisoners Fulford, Foskins and Hughes were guilty of stealing the iron from the boat, whether the prisoner Wood, at the time he assisted Hughes in disposing of the iron to Baker, knew it to have been stolen ; and whether the other prisoners also knew that the iron they removed from the canal to Shakespeare's garden had been stolen.

The jury found the first named three prisoners guilty of stealing, and the other four of criminally receiving.

The learned Judge said the prisoners had been convicted of a very serious offence. It was a matter of great importance in this extensive trading county that property in course of transit from one place to another should be protected from outrages of this description. He then sentenced Fulford, Foskins and Hughes to nine, and the other four prisoners to six months imprisonment each.

### **83 23 August 1854**

#### **SMETHWICK**

**BRUTALITY TO A DONKEY** On Saturday last, at the West Bromwich Petty Sessions, before A Kenrick and J T Chance Esqs, **Thomas Meek**, a boatman, was charged at the instance of Mr Yewens, Secretary to the Animals' Friend Society, with cruelty to an ass, by beating it cruelly with a windlass at Smethwick Locks on Tuesday. The case having been fully proved by Mr Bickerstaff, an officer of the Animals' Friend Society, the defendant was fined 10s, including costs, or in default to suffer fourteen days imprisonment.

### **84 23 August 1854**

#### **DUDLEY**

**OBSTRUCTING CANAL NAVIGATION** On Wednesday, at the Public Office before T Fereday Esq, **John Corbett** and **James Latham** were charged by John Duffield with placing, on the 15<sup>th</sup> instant, a boat of which they were in charge in a part of the Birmingham Canal Navigation, at the Tipton end of the Dudley tunnel, so as to obstruct the navigation of the same, and also with refusing to move the same on being duly requested to do so, against the form of the statute in that case made and provided. They were fined 10s and costs, and in default fourteen days imprisonment.

### **85 23 August 1854**

#### **WOLVERHAMPTON POLICE COURT, SATURDAY AUGUST 19**

**VIOLENT ASSAULT BY A BOATMAN** **Edward Evans**, a boatman lately in the employ of **Mr Bishton**, was charged with having committed a murderous assault upon John Hickson, a clerk in Mr Bishton's employ. The particulars of the case were these :- The defendant had been discharged from Mr Bishton's employ for ill-treating a horse, and when a man was discharged, it was Mr Bishton's custom to send a clerk to take possession of the things in the boat, so that they might be invoiced and handed over to the person who next took charge of the boat. The complainant was sent to do this. The defendant had made the remark that he would serve Hickson out, and had used other words, which intimated that he would take the first favourable opportunity of doing him some

injury. On Saturday night last, Hickson was requested by Mr Bishton to go and pass some boats at the lock, and as he was passing under one of the canal bridges, the defendant seized him by the shirt collar and instantly threw him on his back, and whilst he was on the ground, said, "I will now give you searching boats". The defendant then jumped on him and treated him in the most scandalous manner. The complainant produced a medical certificate from Messrs Bell and Edwardes as to the nature of the injuries he had received. The Magistrates thought the assault a brutal and aggravated one, and inflicted a fine of £5 and costs ; in default, two months imprisonment.

**86 6 September 1854**

At the County Petty Sessions on Monday last, **Charles Meredith**, a boatman, charged with wilfully wasting canal water at the Bratch Locks, was fined 5s and expenses.

**87 6 September 1854**

DEATH FROM DROWNING An inquest was held on Friday last at the Mermaid Inn, Wightwick, before T M Phillips Esq, coroner, on the body of **Ambrose Sadler**, son of **John Sadler**, a boatman, employed in boating on the Staffordshire and Worcestershire canal. It appeared that on the morning previous to the inquest, the deceased started from Compton Bridge for the purpose of drawing the paddles at Wightwick mill lock. His father followed him, and on arriving at the lock found two of the paddles up and two of them not drawn up. He called out for his son but he did not answer. Subsequently, however, he saw his son's cap floating on the top of the water in the lock, and having raised an alarm and obtained assistance, the lock was dragged and the dead body of the boy was found and taken out of the water. No evidence having been produced tending to show that the deceased came to his death otherwise than by falling accidentally into the water, the jury returned a verdict of "Accidental death".

**88 4 October 1854**

WEST BROMWICH

SERIOUS CHARGE **George Lightfoot**, a boatman, was charged on Saturday last with having severely injured **Jane Blunt**, wife of **George Blunt**, another boatman. The two boats were passing each other on the canal when, it was alleged, the accused threw his boat rope with such force around the injured woman as to knock her against a bridge, breaking several of her ribs. She lay in a serious state, and the accused was remanded to await the result of her illness.

**89 1 November 1854**

WOLVERHAMPTON POLICE COURT, WEDNESDAY OCTOBER 25 **James Williams**, a boatman, was charged by Police officer Price of Trysull with stealing a quantity of turnips from the field of D Banton Esq of Seisden. The field, it appears, is situate near to the canal at Diminsdale, and a large quantity of turnips has been stolen from it. Committed for 21 days.

**90 15 November 1854**

DEATH FROM A BRUTAL ASSAULT IN CANAL STREET, WOLVERHAMPTON Another of those brutal and almost inhuman assaults with which Stafford Street, of late years, has abounded, was perpetrated at about half past ten o'clock on Saturday night last, and resulted in the death of an unfortunate man named **Robert Leverett**, a boatman who, in company with his wife and two other men similarly employed to himself, was walking up Canal Street, when they were insulted, and the deceased afterwards abused in so violent a manner as to cause his immediate death. The three men who attacked the deceased are Irishmen, are well known in the town, and their names are Samuel Moran, David Flinn and Anthony Denaney, alias "Lank". Directly after the occurrence, the three men made their escape, and although a number of police officers have been very actively engaged endeavouring to apprehend the fellows, their efforts have, up to the present time, been unsuccessful. There is every reason to hope, however, that the object will eventually be accomplished, the men being well known. It appears that the unfortunate deceased was twice attacked and assaulted by the

men. On the second occasion he was knocked down, and whilst on the ground was kicked by the three men. When seen by the police officers he was in a state of insensibility, and never recovered consciousness. He was taken into the Admiral Vernon public house, opposite to which the occurrence took place. Mr Dehane, surgeon, was sent for, but on his arrival the poor man was quite dead. An inquest upon the body was commenced yesterday (Tuesday) before T M Phillips Esq, coroner, and a respectable jury, at the Admiral Vernon, Canal Street, when the following evidence was adduced :-

**Thomas Ashley**, a boatman of Oxford, stated that he had known the deceased for many years. On Saturday night last between seven and eight o'clock, he met the deceased at the Union Inn, Canal Street, where they had three pints of ale, the deceased's wife and a man named Thomas Hooper assisting them to drink it. They then left the public house together and proceeded up Canal Street towards the Market Place, and when they reached the Admiral Vernon, three Irishmen, who were standing on the left hand side of the street, crossed over to them (the witness and his companions). One of the Irishmen exclaimed, "There go the ---- boatmen and their ----". The deceased asked them to whom they alluded, when the three Irishmen ran to the deceased, and one of them knocked him down by a blow in the chest. The three men then commenced kicking him as he was lying on the ground. He (witness) called out, "Don't kill the poor chap", upon which another Irishman exclaimed, "Sure enough, I'll serve you the same", (meaning the witness). He (witness) prevented, as much as he could, the men kicking his companion. Hooper then ran up the street to fetch a police officer, and shortly afterwards three officers came down to the spot. He (witness) was told by the officers to leave the street, which he accordingly did. Charles Blakemore, a lodger at a house near to the Admiral Vernon public house, stated that he was standing at the bottom of Foster's entry, and saw three Irishmen, who were tipsy, and who had been previously drinking with him at the Railway Tavern, assaulting the deceased. (The witness here gave the names of three men). They had quarrelled with a man in the Railway Tavern and, in consequence, the landlord refused to fill them any ale. The deceased was no sooner knocked down by the Irishmen than they began to kick him. The deceased's wife, who was with him, said, "Don't kill me ; you have killed him", (meaning her husband). The man did not strike the woman. He (witness) thought the deceased was dead. The three Irishmen then ran away. Leverett did not use any violence, neither did he insult or strike the Irishmen. Moran and Denaney struck the deceased on the jaw, and the other man struck him on the side. Moran struck the deceased first. **Thomas Hooper**, a boatman of Chalford, Gloucestershire, stated that he knew the deceased, and had been drinking with him and his wife and the other man at Bowater's public house. They afterwards left the house and went up Canal Street, on the right hand side of the road. When near to the Admiral Vernon, he heard some Irishmen say, "There go the ---- boatmen and their ----". One of them began to "square" off at Ashley, upon which he (witness) ran up the street to fetch a policeman. He met two policemen at the Black Horse corner, and told them two of his "butties" were being "pitched into". When he and the policemen got to the spot where he had left his companions, Ashley said to the policemen, "If you will see fair play, I will fight this fellow", (meaning one of the Irishmen). The deceased was at that time standing near the Admiral Vernon door. The police officers prevented the fight taking place. He (witness) and Ashley then went down the street, according to the request of the policemen, leaving the deceased against the Admiral Vernon door. He (witness) did not see the deceased abused. Elizabeth Spittle, living with her father-in-law opposite the Admiral Vernon, deposed that hearing a woman scream, about half past ten on Saturday night, she went to the door, and saw the deceased attacked and beaten twice by three Irishmen, one of whom was Samuel Moran. The deceased was knocked down near to the door and kicked by the three men. Moran was the first man she saw kick the deceased. They kicked him most about the legs and hips. When the police were coming the three Irishmen ran away. The deceased did not speak to them whilst they were assaulting him. Police Officer Warren stated that on Saturday night last, about twenty minutes to eleven o'clock, he was standing at the top of Canal Street when two boatmen came to him and stated that they, and another man and his wife, were coming up Canal Street, and when they got opposite the Admiral Vernon door several Irishmen assaulted one of their companions. He (witness) and Police Officer

Grey, accompanied by the two men, went down to the door and found the man whom they said had been assaulted to be gone. There were two men standing by the door at the time. The two boatmen then went down the street in search of their companion, and he (witness) and the other police officer went up the street again. In a few minutes afterwards, Leverett (now deceased) and his wife came to them, and the man said he had been assaulted in Canal Street by some Irishmen who were standing in the street. He did not seem to be injured. He (witness) said he had just been down Canal Street, hearing from two men that someone had been assaulted, and had found the men to be gone. The man said, "Yes, those are two of my mates". He (witness) told him they were gone down Canal Street in search of him. The man and his wife then went down Canal Street, and shortly afterwards he (witness) saw what he thought to be a scuffle opposite the Admiral Vernon door, and heard a woman scream, "Murder!" He immediately went down, and found the deceased lying on the footpath in a state of insensibility. His wife had her husband's head in her arms. He (witness) sent for some water, and sprinkled the deceased's face, thinking he was in a fainting state. The deceased's wife then fainted. He then ordered the deceased to be removed to the Admiral Vernon, and subsequently found that life was extinct. Two surgeons were sent for, but they did not come. Mr Dehane was also sent for, and he arrived. He could obtain no information for about a quarter of an hour as to who had committed the assault. He (witness) believed that life was quite extinct before the deceased was removed to the Admiral Vernon. The Coroner then adjourned the inquest till Friday the 24<sup>th</sup> instant for further evidence, previous to which day a *post mortem* examination of the body of the deceased will be made by Mr E F Dehane, surgeon.

#### **91 22 November 1854**

TWO FATAL CASES OF CHOLERA On Monday week, **Henry Kimberley**, a boatman residing in the Cannock Road, in the employ of **Mr Bishton**, timber merchant, left Wolverhampton in perfect health with his boat ; but on his arrival at Gnosall, was seized with violent purging and vomiting. He went on to Norbury Junction, where he became much worse, and a medical man was sent for ; but he declined to come, and sent a powder. The man then returned to Wolverhampton, and was seen by Mr Bunch, surgeon and assistant to Mr E H Coleman ; but in spite of medical aid Kimberley died on Wednesday. On that day, his wife **Rebecca** was taken ill with cholera, and died on Sunday last. Their daughter was also seized, but is now rapidly recovering under medical treatment. Considerable excitement has prevailed in the neighbourhood on the subject, and a report has gone forth that the cholera is epidemic there. This, as will be seen from the above statement, is untrue ; and that the cases were imported. We also understand that the deceased had been drinking deeply the Sunday previous to the attack, which brought on a violent attack of diarrhoea, ending fatally as above stated.

#### **92 22 November 1854**

WOLVERHAMPTON POLICE COURT, FRIDAY NOVEMBER 17 **Priscilla Jukes**, a girl about ten years of age, charged with stealing turnips from a field belonging to Mr Joseph Bickford of Bushbury, was ordered to pay a fine of 10s and costs, or to be imprisoned one month. The girl, whose father is a boatman, had been sent by her mother from the boat to get the turnips. Her mother, who was in the court, was reprimanded, and informed that she was liable to punishment. The fine was paid.

#### **93 22 November 1854**

MAN DROWNED On Tuesday morning last, as a boatman named **John Godby**, a native of Derbyshire, was engaged in pulling a boat along the lock of the canal at Park Head, Dudley, he suddenly fell into the water and was drowned. He was taken out as quickly as possible by **Andrew Harris**, a lock-keeper, but was found to be quite dead.

#### 94 22 November 1854

THE LATE BRUTAL ASSAULT IN CANAL STREET – VERDICT OF WILFUL MURDER  
Yesterday (Friday) the adjourned inquest on the body of **Robert Leverett**, the boatman, whose death we recently announced from injuries inflicted upon him in Canal Street on Saturday night the 11<sup>th</sup> instant, was held at the Admiral Vernon in that street before T M Phillips Esq, coroner. Mr Dehane, surgeon, described the appearances which presented themselves on his making a *post mortem* examination of the body of the deceased. He stated that he found several external marks of violence, namely, a contused wound, two inches long, on the right lower jaw, a slight abrasion of the skin on the nose and forehead, a severe bruise near the crown of the head, and one at the root of the right ear. There were bruises also on both hips and groins, and three more in the middle of the back near the spine. On opening the skull and removing the upper part, some effused blood escaped from that part, corresponding with the bruise on the crown of the head ; and under the *dura mater*, extending to the base of the brain, there was a large quantity more, probably about an ounce and a half. There was also a similar quantity of serum. The membranes of the brain were highly congested. The lungs and heart were healthy. He (Mr Dehane) had heard the evidence taken upon that inquest, and was of opinion that the blows, kicks and bruises inflicted upon the deceased produced the appearances presented at the *post mortem* examination of the body, and caused death. The jury, after hearing the whole of the evidence read over, and the remarks of the coroner upon it, returned a verdict of WILFUL MURDER against Samuel Moran, Anthony Devaney and David Flinn, the three men charged with the infliction of the injuries which caused the death of the deceased. The coroner has issued his warrant for their apprehension, and it has been announced by the Chief Constable, who has received an official communication on the subject, that a reward of £50 will be paid by Her Majesty's Government for the apprehension of each of the above named persons, making altogether £150 for the three.

#### 95 29 November 1854

##### THE MURDER IN CANAL STREET

APPREHENSION OF ONE OF THE MURDERERS On Friday, the adjourned inquest on the body of **Robert Leverett**, the boatman whose death we recently announced from injuries inflicted upon him in Canal Street on Saturday night the 11<sup>th</sup> instant, was held at the Admiral Vernon, in that street, before T M Phillips Esq, coroner. Mr Dehane, surgeon, described the appearances which presented themselves on his making a *post mortem* examination of the body of the deceased. He stated that he found several external marks of violence, namely, a contused wound, two inches long, on the right lower jaw, a slight abrasion of the skin on the nose and forehead, a severe bruise near the crown of the head and one at the root of the right ear. There were bruises also on both hips and groins, and three more in the middle of the back, near the spine. On opening the skull and removing the upper part, some effused blood escaped from that part, corresponding with the bruise on the crown of the head ; and under the *dura mater*, extending to the base of the brain, there was a large quantity more, probably about an ounce and a half. There was also a similar quantity of serum. The membranes of the brain were highly congested. The lungs and heart were healthy. He (Mr Dehane) had heard the evidence taken upon that inquest, and was of opinion that the blows, kicks and bruises inflicted upon the deceased produced the appearances presented at the *post mortem* examination of the body, and caused death. The jury, after hearing the whole of the evidence taken upon that inquest read over, and the remarks of the coroner upon it, returned a verdict of WILFUL MURDER against Samuel Moran, Anthony Devaney and David Flinn, the three men charged with the infliction of the injuries which caused the death of the deceased. The coroner then issued his warrant for their apprehension, and it was announced by the Chief Constable, who had received an official communication on the subject, that a reward of £50 would be paid by her Majesty's Government for the apprehension of each of the above named persons, making altogether £150 for the three.

These vigorous measures have already led to the capture of one of the accused – David Flinn, who was apprehended on Monday last, at Willenhall, under the following circumstances :-

It appears that the father of a girl with whom Flinn cohabited worked for Mr Charles Starkey, a locksmith at Willenhall. On Friday Flinn called to see this man at the workshop, and was then and there seen by Mr Starkey, who after reading the result of the Coroner's investigation, and the handbills describing the persons charged with the murder, offering a reward for their apprehension, asked his workman if the party who had called on him on Friday was not David Flinn. The man replied in the affirmative, and said that Flinn would call there again in a few days. He called on Monday, about one o'clock in the afternoon. Having entered the workshop, where three workmen were then employed, Mr Starkey, who was in at the time, directed the men to detain him while he went to the police station. To make his detention more sure, Mr Starkey in going out locked the shop door behind him and placed the key in his pocket. On reaching the police station, Mr Starkey, finding all the constables absent, took down a pair of handcuffs, and returning with them to his workshop, placed them himself on the hands of Flinn, who offered no resistance. Flinn was then taken down to the station house, locked up, and a messenger sent off to Colonel Hogg, the Chief Constable, at Wolverhampton. Colonel Hogg immediately proceeded to Willenhall and saw Flinn, who at once admitted that he had been present at the assault on the murdered man, but denied that he inflicted any injuries upon him ; and charged the guilt of Leverett's death upon his two companions in crime, Samuel Moran and Anthony Devaney, whom, he asserted, he had not seen since the night of the fatal occurrence. He further stated that he had during the last six nights, been sleeping in a house inhabited by some of his countrymen, at Walsall, where he had changed his dress.

To this house, Inspector Bennett was dispatched on Monday evening by Colonel Hogg to recover the clothes which Flinn wore at the time he assisted to assault Leverett. For some time the residents of the house denied that Flinn had left anything behind him ; but, being reminded by the Inspector of the serious position in which they had placed themselves by harbouring Flinn, the clothes were produced from under the bed in which Flinn had slept.

## **96 29 November 1854**

### **STAFFORDSHIRE ADJOURNED QUARTER SESSIONS**

**STEALING A PAIR OF SHOES AT TIPTON** **Joseph Edwards**, boatman, was indicted for stealing, on the 27<sup>th</sup> of October at Tipton, a pair of shoes, the property of John Morris. Mr Hill, in the absence of Mr Spooner, prosecuted. The prisoner was seen to take the shoes off the rack at the door of the prosecutor's shop, and walk away. When apprehended by the prosecutor, who had been informed of the robbery, the boots produced were found upon him. When charged with the offence, the prisoner said he had not stolen the boots, but knew a person who had. The prisoner, in his defence, said he bought the boots, and that he told the police officer where the man could be found from whom he had bought them. The jury found the prisoner guilty, and he was sentenced by the learned Chairman to two months imprisonment. As the prisoner was being removed from the dock, he was heard to threaten one of the witnesses. He was brought back, and ordered to find sureties at the expiration of the sentence, for four months, in default to be kept in custody.

## **97 9 December 1854**

### **WOLVERHAMPTON POLICE COURT, THURSDAY DECEMBER 7**

**A GANG OF PICKPOCKETS** Samuel Baggot, George Igo, George Jones and **Francis Compton** were charged with attempting to pick pockets in different parts of the town. No less than eight witnesses were called to prove the charge, namely, Mrs Mary Pool, Mrs Sarah Ann Fletcher, William Marsden, Mrs Sarah Pearson of King Street, Charles Cartwright, Edward Wellings, Thomas Short, and Inspector Butler. It appeared that two or three of the prisoners were seen at a sale in Mrs Hunt's shop, Bilston Street, on Monday and Wednesday, aiding and abetting each other in attempting to pick the pockets of persons present. On the latter day, Mrs Pool had her pocket picked of a purse containing a sovereign and upwards of ten shillings in silver, in the shop in question. One of the prisoners was seen to pass something to one of his companions, and they then left the shop, going off in different directions. Three of the prisoners were also seen in the Market

Hall in the course of the forenoon, trying, or “tapping” several ladies pockets. They had also been seen pushing against a lady near Mr Bosworth's and Mr Gibb's shops, and some of the prisoners had been seen attempting to pick pockets in Dudley Street. They were followed down New Street to the Railway Station by Inspector Butler and two men, when one of them jumped over a wall ; he was pursued and apprehended when near Wednesfield. The prisoners now, in answer to the charge, denied being acquainted with each other, and one or two of them declared that they did not know where Mrs Hunt's shop was. Jones said he was a brassfounder and worked for his brother at Bilston; Igo said he had not seen his father or mother since he was a boy, that he was in the habit of selling stockings, and was on his way to Yorkshire ; Ward said he worked for Mrs Kenrick at Birmingham, and Compton that he was a boatman and worked for the Shropshire Union Company. It was stated by the police, however, that Compton was a companion of prostitutes. The Magistrates told the prisoners there was not the slightest doubt that they were a gang of pickpockets, and therefore they should put a stop to their proceedings for three months. They would be each committed for three months to hard labour.

William Randle and Catherine Boycott of Blakenhall were charged with fighting at the “Lord John Russell” in Dudley Street on Wednesday night. Police-constable Brooks stated that the defendants were two of he should say at least thirteen persons who were fighting in the house. He never saw such a shameful fight in his life. It was with great difficulty that he got Mrs Boycott out of the house. She said that if he was a “Rooshian” she could fight half a dozen of them! John Williams, who assisted the policeman, stated that he was struck with a jug, and that Mrs Boycott had a jug in her hand and was striking people with it. In answer to the charge, Mrs Boycott declared that she had not a jug in her hand. She called a witness who declared it was not Mrs Boycott's party who began the row. She did not see a jug in Mrs Boycott's hand, and Mrs B was “middling civil”. The defendants were fined 1s each and costs.

#### **98 20 December 1854**

##### DUDLEY

**SUDDEN DEATH** On Friday evening last, an inquest was held at the Crown Inn, Queen's Cross, before W Robinson Esq, coroner, on the body of **James Bridget**, a navigator who, on Wednesday morning last, was found dead in bed at a lodging house in Spring's Mire, on the previous Wednesday. The jury returned a verdict that deceased died from the visitation of God.

#### **99 20 December 1854**

##### DUDLEY

**EMBEZZLEMENT** **Thomas Rhodes**, a boatman in the employ of **Mr Bishton**, canal carrier of Netherton, was charged, before Captain Bennitt and Phillip Williams and W Haden Esqs, at the Public Office on Monday last, with embezzling the sum of £1 5s 0d, the property of his master, in the month of March last. It appeared that on the 5<sup>th</sup> of March, the prisoner entered the service of the prosecutor, and that three days afterwards the latter gave the prisoner a £5 note to pay an account of £3 19s 0d to H B Whitehouse Esq of Priestfields. He did so, but never returned to his master with the change. He was apprehended on Friday evening last at Tipton, by James Cox. The prisoner said if his master would allow him, he would work and repay the amount by instalments. He was committed to trial at the sessions.

#### **100 20 December 1854**

##### DUDLEY

**STEALING HAY** At the petty sessions on Friday last, before T Fereday, C E Molineux and W Haden Esqs, **John Sharratt** was charged with stealing hay, the property of the Bridgewater Trustees. It appeared that the prisoner was in the employ of the Trustees, and was allowed a certain quantity of hay per week for his horses. On Wednesday the 22<sup>nd</sup> of November, he had completed his engagement, and asked a man named Aldridge, also in the employ of the Trustees, to put two trusses

of hay in his boat for him (prisoner) as it was his allowance. Aldridge did so, and afterwards informed the manager for the Trustees at Tipton of the fact. The prisoner was apprehended, and committed for trial at the sessions.

**101 27 December 1854**

POLICE INTELLIGENCE, THURSDAY DECEMBER 28

CHARGE OF NEGLECT OF WORK AGAINST A BOATMAN **Alfred Hughes** was summoned that he, being a boatman in the employ of James Loch and Co, did leave a boat under his command at Pendeford Lock, and thereby neglected his duty. The defendant did not appear, and in consequence of a point of law being raised upon the question by Mr Owen, the assistant Magistrates' Clerk, the Magistrates did not consider that, without further inquiry, he was justified in granting a warrant for the apprehension of the defendant.

**102 10 January 1855**

STAFFORDSHIRE QUARTER SESSIONS **Daniel Street** and **John Greenway**, both on bail, were charged with stealing a ton and a half of iron at Rowley Regis, the property of Benjamin Gibbons. Street pleaded guilty. Mr Kettle prosecuted ; Greenway was defended by Mr Kenealy. The evidence was to the effect that 15 tons of iron were put into a boat at the Ketley Works on the 23<sup>rd</sup> of November last, and that on its arrival four days later, the quantity found was only 13 1/2 tons. William Griffiths deposed to seeing the boat at Tividale, when he saw Street and another man taking iron out of the boat and hiding it in the sand. He spoke to Street, but was unable to swear that Greenway was the other man. John Joynson, subinspector of police, deposed to having apprehended Street and Greenway. In the course of a most severe and long cross-examination by Mr Kenealy, the witness stated that when he charged Street with stealing the iron, he said he would not tell a lie about it if he had twenty years for it. He stated the particulars of the robbery, and on witness asking him if he would say the same in Greenway's presence, he said, "What should all me". The witness said the conversation between the two prisoners took place in a yard attached to the police station at Wordsley. Other persons were in the yard, but he could not say whether they heard any of this conversation or not. Street, the prisoner who had pleaded guilty, was then examined, and denied any inducement was held out to him to make any confession or accuse Greenway. Mr Kenealy then addressed the jury at considerable length and in a very energetic manner on behalf of the prisoner, endeavouring to show that the evidence of Joynson, the subinspector of police, as well as that of Street, was unworthy of credit ; denouncing both those witnesses in the strongest terms, and speaking of them as "two such abandoned and perjured wretches". At the conclusion of his address, he called Ince, a foreman at a brickyard, who said that he had known the prisoner for eight years, during which time there had not been the least imputation on his character for honesty and industry. The Chairman carefully summed up the evidence, and the jury, after considerable deliberation, acquitted the prisoner. Daniel Street was then placed in the dock, and sentenced to two months imprisonment.

**Thomas Rhodes**, 40, a boatman, pleaded guilty to the charge of stealing one pound five shillings, the property of William Bishton, at Sedgley, and was sentenced to twelve months imprisonment.

**John Goodwin**, a boatman (on bail) was indicted for stealing a piece of coal, the property of Mr Gregory, at West Bromwich. Mr Kenealy, who defended the prisoner, argued that in taking the coal he had no felonious intent, and the jury acquitted him.

**Henry Coombs** (on bail) and **Abraham Bradwin**, 26, boatmen, were found guilty of stealing a ton of pig iron, the property of Mr Benjamin Gibbons, at the Ketley Ironworks, Wolverhampton, and the Chairman sentenced them to three months imprisonment.

**103 17 January 1855**

BILSTON On Friday last at the Petty Sessions, **Joseph Sadler**, a boatman in the employ of Mr Bust, Parkgate, charged with neglecting his service on the 24<sup>th</sup> of July, was ordered to pay the expenses and return to his employ.

**104 7 March 1855**

POLICE INTELLIGENCE, THURSDAY MARCH 1

DISTURBANCE WITH BOATMEN **Mr William Bishton**, carrier and timber merchant, and Mr Joseph Lane, his manager, were charged with assaulting **Moses Goodwin**, a boatman employed by Mr Bishton. Goodwin was also charged on a cross summons with assaulting Mr Lane. Mr Kettle, barrister, appeared for Mr Bishton and Mr Lane, the latter of whom, however, was not present, being engaged in getting some boats onward through the ice in the canal, from Chester to Wolverhampton. The case occupied a considerable time in hearing, owing to the cross-examination of the witnesses, but the facts were of a remarkably simple character. Owing to the stoppage of the canals by the frost, Mr Bishton had informed the boatmen that they might have money advanced on account. In consequence of this, they assembled in considerable numbers at the "machine room" or counting house. An order had been given that the boatmen were not allowed to come into the room. Notwithstanding this, on Friday, many of them found their way in. The man in charge of the room went to fetch Mr Lane, in order that he might put the men out. He came, and according to Goodwin's account, struck him as soon as he entered. On the part of Mr Lane, it was stated that he endeavoured to put another man out, and that Goodwin put out his leg to throw Mr Lane down, and this led to the alleged blow. Goodwin, in about half an hour afterwards, met Mr Lane in the yard ; he then struck him several violent blows in the face, in consequence of which his lips became swollen and he bled a good deal. These proceedings were communicated to Mr Bishton who, on going next day to the counting house, found the steps crowded with boatmen. He pulled Goodwin down from among them, and as Goodwin said, threw him down and kicked him. The defence, on the part of Mr Bishton and Mr Lane, was that the men had entered into places where they well knew they had no right to be, that they interrupted access to places of business, that they would not withdraw, and that only justifiable violence had been used ; and further that Goodwin, if injured, by his subsequent assault on Mr Lane, had taken the law into his own hands. The whole of the summonses were dismissed.

**105 14 March 1855**

STAFFORDSHIRE ADJOURNED QUARTER SESSIONS **Joseph Embury**, 38, a boatman, was indicted for stealing 50 cwt of iron, the property of Messrs Gibbons and Roberts, at Tipton ; John Williams (on bail), publican and marine store dealer, was indicted for receiving the same, knowing it to be stolen. Mr McMahan defended the prisoner Williams. David Davis, stock keeper for the prosecutors, having deposed to the loading of a boat at his masters' works with 20 tons of iron on Monday the 22<sup>nd</sup> of January, **Thomas Hacker** stated that he was a boatman in the employ of the prosecutors, and that on Tuesday the 23<sup>rd</sup> of January, he started from their works with a boat load of iron, weighing 20 tons, to Messrs Page of West Bromwich. When he arrived there, the wharf was full of iron, and they ordered him to take his boat into a basin near, and let it remain until Friday, which he did. He went there again on the Friday morning, when his boat was gone ; but he afterwards found it about half a mile from where he left it ; the boat had been lightened of its weight, and the iron was (?refused?). On a person coming to see the iron weighed, it was only 16 tons 10 cwt in weight. He had a ticket of its weight when he started, and that represented that the iron was 20 tons. The following day, he (witness) was at Birmingham, when he observed a cart in New Street which the prisoner Williams was driving. He followed it to Mr Smith's foundry in Green Street, Birmingham, where it was unloaded. He had perceived iron in the cart, which he suspected was some missing from his boat, and he gave information to his master. Henry Willings, police-constable, stated that on the 29<sup>th</sup> day of January he went to Mr Smith's foundry, and in consequence of what Mr Smith told him, he went to Williams's house, the Windmill Tavern,

Smethwick, and told him that he had apprehended a man whom his wife had pointed out. He then told Williams that he must go with him to Birmingham, as Mr Smith said he should not give up the iron without his leave. Williams said his wife had bought the iron from three boatmen, whom he did not know, but he should know them if he was to see them again. A paper was produced, which witness said was given him by Mrs Williams, and purported to be a receipt for the iron, which the prisoner Embury admitted, on being taken into custody, was his writing. After some further evidence, Mr Motteram delivered an energetic address to the jury on behalf of the prisoner Williams, and afterwards called Mr Charles Allen, a manager of some large works, who had known the prisoner Williams nine years, and he gave him an excellent character. Inspector Hulme, who was also called to give Williams a character, saying that he and his wife had been instrumental in bringing parties to justice through information they had given to the police, and that recently the magistrates granted him a public house licence on his first application. Several other respectable parties also gave him a character. The jury returned a verdict of guilty against Embury and acquitted Williams. Embury was sentenced to be imprisoned for eight months. (This trial lasted from half past one in the afternoon until half past nine o'clock at night).

#### **106 4 April 1855**

POLICE INTELLIGENCE, THURSDAY MARCH 29 **John Turner**, a boatman, was charged with threatening to do some bodily harm to Mr John Turner, carrier, and with wilfully damaging a horse collar. The parties, though named alike, were not related. Mr Turner stated that he lived at the Osier Bed Colliery ; and during the late frost he advanced £37 among the men belonging to seven of the boats. On Monday night, the defendant came to his house and wanted more money, and on its being refused cursed him and threatened to give him enough. He likewise took his coat off and challenged him to fight. It was with considerable trouble and difficulty that he was put out of the house. The horse collar was cut through, he believed maliciously, and the defendant said he had done it, and would do it again. The defendant now said he cut the collar to ease the horse, because it had sore shoulders, but the horse was proved to be quite free from any sore. The defendant was ordered to pay 5s for the damage to the collar, and costs, and to enter into his own recognisance to keep the peace.

#### **107 18 April 1855**

DUDLEY

CHARGE OF STEALING MONEY AND A WATCH On Monday last, before Thomas Fereday and W Haden Esqs, **William Langford**, apparently a boatman, was brought up to answer a charge of stealing from his mother ten sovereigns and a £5 note, which she had received for some hay which she had sold, at Great Bridge or Dudley Port. Since the robbery, the mother of the prisoner had been attacked by paralysis, and was unable to articulate anything to be understood, and therefore a remand for a week was asked for. Police-constable Richardson of Worcester, deposed to having received information that a watch had been stolen from a boat at Great Bridge or Dudley Port. He had found the watch in a boat at Great Bridge, and apprehended the prisoner at Worcester on suspicion of the robbery. The prisoner, in answer to the charge of stealing his mother's money, said he had stolen the purse, but had returned some of the money to his father and sister. The prisoner was remanded till Monday next.

#### **108 25 April 1855**

POLICE INTELLIGENCE, THURSDAY APRIL 19 William Perry, Joseph Lord and Stephen Bratt (remanded from yesterday) were again brought up, charged with stealing coal, the property of Mr H B Whitehouse, William Evans stated that on Tuesday he was standing on the canal bridge at the top of the Wolverhampton locks, when he saw Perry take some coal off a boat and place it in another boat. It was about three quarters of a hundredweight. He told Perry he had better put it back again, but Perry abused him shamefully. He afterwards saw Lord and Bratt take some coal out of the same boat, about a hundredweight, and throw it on the lock side ; it was then placed against a

wall, under some straw. He told them he would tell Mr Whitehouse. Bratt lived near the canal, and his wife took the coal to his house, at three times. The man who had charge of the boat had gone into the canal office when the coal was taken. He (Evans) told him the prisoners had stolen some coal. He said, "It's no use ; I cannot help it ; they will do it". John Dudley said he saw Perry and Bratt take coal ; he did not see Lord take any, but he assisted in moving it from the side of the lock to the wall. Mr Shipman, who appeared for the prisoners, urged that there was no proof that any robbery had been committed ; there was no proof that the coal belonged to Mr Whitehouse, and the boatman might have given permission to the prisoners to take it. The boatman, it was stated, had been directed to attend to give evidence, but did not appear. Mr Shipman said his clients having been remanded, the prosecutor ought to have been fully prepared to prove the charge, and argued that the prisoners were entitled to their discharge. It was stated, in reply, that the boatman had promised to attend, and that his attendance tomorrow could be ensured. The Bench consequently again remanded the prisoners.

FRIDAY APRIL 20 Three men named Bratt, Lord and Perry were brought up on remand from Thursday, charged with stealing coal from a boat. **William Bennett** having sworn that he never gave the prisoners leave to take the coal from the boat, they were committed to the sessions to take their trial on the charge, but were admitted to bail.

### **109 16 May 1855**

BILSTON PETTY SESSIONS **Peter Powell**, a boatman, was committed for trial on the charge of being concerned in stealing nearly ninety two tons of pig iron from the wharf of Mr Fifold, Ettingshall, the iron being the property of Messrs Spencer and Co. The prisoner and another man were navigating a boat in the canal, and on Saturday morning were observed near the wharf. Shortly afterwards the iron was missed from the wharf, and Police-constable Mansfield followed the boat to Wolverhampton. He found the prisoner in the craft, and also the property. The other man, **Brain**, had absconded. To the officer, when accused of the robbery, the prisoner replied that he had not stolen the iron, but had only thrown it into the boat as he went along. When before the Magistrates, he altered the story, and said that he went to the boat to sleep, and knew nothing of the iron being placed on board.

### **110 16 May 1855**

#### WEST BROMWICH

STEALING IRON On Saturday last at the Petty Sessions, before the sitting magistrates, **Joseph Birch** was committed for trial for stealing iron, the property of the Midland Coal and Ironstone Company. The prisoner was in the employ of Mr George Smith of Birmingham, and was sent with a boat to the wharf of the prosecutors at West Bromwich. On Monday last, the prisoner was seen to take up a piece of iron, which was lying upon the wharf, put it under his smock, place it into his boat and cover it over. The iron produced was found in the boat after its arrival at Birmingham by detective officers Kelly and Spokes, and upon the prisoner being charged with stealing it, he said he found it in the slack. In answer to the charge, the prisoner now said a labourer named Walton (one of the witnesses) gave him one piece of iron and that he did not know how the others came in the boat.

### **111 23 May 1855**

#### POLICE INTELLIGENCE, SATURDAY MAY 19

ROBBING A BOATMAN John Hughes was committed for trial on a charge of having stolen eight shillings and a number of trifling articles, the property of **Charles Padwick**, a boatman. The evidence went to show that while prosecutor was asleep, early on Friday morning, in the cabin of his boat, the prisoner entered and cleaned out prosecutor's trousers pockets.

### **112 30 May 1855**

EMBEZZLEMENT On Monday last at the Borough Police Court, before J Underhill Esq, a

respectable looking individual named Peter Stevenson, employed under the Bridgewater Trustees at Wolverhampton as a storekeeper, and **Thomas Williams**, a boatman in the same employ, were charged with embezzling corn, the property of the Bridgewater Trustees. Mr J Underhill appeared to prosecute, and Mr Hayes watched the case on behalf of the prisoners. From the evidence of Mr Bantock, agent to James Lock and others, trustees of the Duke of Bridgewater, and other witnesses, the following facts appeared :- The prisoner Stevenson, who had been in the employ about twelve months, and with whom good testimonials were received, was employed at the stables at Wolverhampton, as storekeeper and measurer out of all horse corn, and it was his duty to enter in a book the quantities of corn given out per diem for each horse, and at the same time to insert the like quantity in a sheet, called a "provender sheet" which he handed over to the boatman who took the corn for the boat horse. On the 14<sup>th</sup> of April Stevenson entered in the book four days supply of corn for the prisoner Williams, consisting of 84 lbs of hay, 40 lbs of oats and 28 lbs of beans. The provender sheet showed only three days supply, consisting of 64 lbs of hay, 30 lbs of oats and 21 lbs of beans, to have been given to Williams on that day ; and consequently, the surplus corn given to Williams by Stevenson would be a loss to the trustees. On the 24<sup>th</sup> of May, Stevenson's book showed that 84 lbs of hay, 40 lbs of oats, and 28 lbs of beans had been given to Williams ; whereas the provender sheet set forth the supply to be only 63 lbs of hay, 30 lbs of oats and 21 lbs of beans. On the 25<sup>th</sup> of May, Stevenson's book showed that 84 lbs of hay, 40 lbs of oats and 28 lbs of beans had been handed to Williams ; but the provender sheet showed that the quantity supplied to him was only 42 lbs of hay, 20 lbs of oats and 14 lbs of beans. This state of things having been discovered, information was given to Inspector Butler who, on the 25<sup>th</sup> of May, found the prisoner Williams in a public house, and took him to his boat, in which was found in the whole 459 lbs of hay, oats, beans and chaff, instead of the proper quantity, 152 lbs. Williams was then charged with stealing one part of the provender, when he said he had had part of it from the stores of the trustees at Preston Brook; but, on its being compared, the prisoner Stevenson himself exclaimed that it was not Preston Brook corn. The prisoner Stevenson was subsequently charged, when he said he was sure he had not defrauded the trustees ; if anything was wrong, it was a mistake. The prisoners were committed for trial. Other charges against Stevenson were then proceeded with, and the evidence was to the following effect :- On the 10<sup>th</sup> of April, there was an entry in the prisoner's book of three days provender, namely 63 lbs of hay, 30 lbs of oats and 21 lbs of beans, being given to a boatman named **Foster**. On the provender bill given to Foster being produced, it appeared that only one days provender had been given, namely 21 lbs hay, 10 lbs of oats and 7 lbs of beans. On the 14<sup>th</sup> of April, the prisoner Stevenson's book showed that 126 lbs of hay, 60 lbs of oats and 42 lbs of beans had been given to Foster ; whereas the bill showed that only half that quantity had been given. On the 16<sup>th</sup> of April, similar representations were made by Stevenson's book, which differed from the provender bill. Mr Bantock and another witness said they had, up to the present time, believed the prisoner to be an honest man. The prisoner was committed for trial on these charges also, but admitted to bail. The Magistrates also consented to take bail for the prisoner Williams.

### **113 6 June 1855**

**WALSALL** On Sunday afternoon, some sparks from the chimney fell on the thatch of a cottage belonging to a boatman named **Fox** at Walsall Wood, in which he himself resided. A quantity of furniture was burned, and the loss is altogether about £50, the owner not being at all insured.

### **114 11 July 1855**

#### **STAFFORDSHIRE MIDSUMMER QUARTER SESSIONS**

**DEFRAUDING THE BRIDGEWATER TRUSTEES AT WOLVERHAMPTON** Peter Stevenson (on bail) a respectable looking man, and **Thomas Williams**, 23, boatman, were charged with stealing a quantity of hay, oats and beans, the property of the Bridgewater Trustees, at Wolverhampton. Mr Wade conducted the case for the prosecution ; the prisoner Stevenson was defended by Mr Kettle ; the other prisoner had not the benefit of counsel.

Mr Wade, in opening the case, said that the prisoner Stevenson was provender keeper to the

Bridgewater Trustees at Wolverhampton, and it was his duty to take the charge of hay, oats and beans for the use of the horses of the Trustees. The provender was delivered out to him, and he would have to account for it. He kept a book in which he entered the provender given out to each boatman for a certain number of days, there being a regular allowance of 21 lbs of hay, 10 lbs of oats and 7 lbs of beans per day. It was also his duty to make a similar entry on the provision sheet of each boatman, and when the number of days for which a boatman had been supplied had expired, by producing the provision sheet he was entitled to a further supply. The book kept by the provender keeper enabled the superintendent to check the consumption of provender as given out to the former. On the 4<sup>th</sup> of April the prisoner Stevenson entered into the book four days supply as being furnished to the prisoner Williams, while in Williams's sheet for the same day, which ought to contain the same amount, the entry was for three days supply. That would entitle Williams to get another supply at the next station he went to in three days, so that he would be able to have one day's supply beyond the proper quantity. On the 24<sup>th</sup> of May, four days supply was again entered in Stevenson's book as given to Williams, while only three days supply appeared in Williams's sheet. On the following day, four days supply was again entered by Stevenson as given to Williams, and only two days supply entered on Williams's sheet. On suspicion being excited, Williams's boat was searched on the 25<sup>th</sup>, and a large quantity of cut hay, oats and beans were found at the bottom of it, amounting to 549 lbs in all.

Mr Kettle submitted to the Court that, even if everything Mr Wade had stated should be proved, there was no foundation for a charge of larceny, as the uttermost that was alleged was that Stevenson had afforded Williams the means of perpetrating a fraud, but there were no allegations of any actual larceny.

After some discussion, which was afterwards renewed by Mr Kettle, on the first witness stating that any surplus corn ought properly to be accounted for to the company, which, he contended, distinctly proved that the corn had never ceased to be in the company's possession.

The Chairman said the facts had better be gone into, as it would be very undesirable to stifle so important a case, except on the strongest grounds, and it might be desirable to submit the point raised to a higher court.

Mr Bastock, superintendent for the Trustees at Wolverhampton, gave evidence similar in effect to the opening statement of Mr Wade as to the duties of the provender keeper. The witness underwent a severe cross-examination by Mr Kettle, but nothing material was elicited.

Mr Butler, inspector of police at Wolverhampton, deposed to searching Williams's boat and finding a quantity of provender in it, partly concealed, consisting of hay, oats and beans, and weighing altogether 549 lbs.

Mr Kettle addressed the jury in a clever and energetic speech on behalf of the prisoner Stevenson, dwelling on his previous good character, and endeavouring to make it appear that in calling in the notice without first giving Stevenson an opportunity of explaining the discrepancies discovered, Mr Bastock had shown a want of that regard which Stevenson's previous good character deserved. He further endeavoured to make it appear that the mode of making the entries was very complicated.

The Chairman summed up the evidence at considerable length, but his remarks were almost entirely inaudible in the reporters' box.

The jury, after a short consultation, returned a verdict of "not guilty" to the cases of both prisoners, on the announcement of which many persons in the back of the court clapped their hands. This demonstration was immediately silenced, the Chairman remarking that there were many more indictments against the prisoners, and they had better not whistle before they were out of the wood.

**Edward Cartwright**, on bail, was indicted for stealing four tons of iron ore, the property of George Harry Grey, Earl of Stamford and Warrington, at Kingswinford on the 18<sup>th</sup> of May. About nine o'clock on the evening of the 18<sup>th</sup> of May, **William Plant**, lock-keeper on the Birmingham Canal, and his brother, saw the prisoner and two of his brothers hauling a boat towards Lord Stamford's wharf. On arriving there, they removed a boat lying at the wharf, and took from a stack of iron ore and placed in their own boat a quantity of ironstone. They then went and told Mr Harper, Lord

Stamford's agent, who watched the boat, and about four o'clock the following morning, the two brothers of the prisoner began to haul the boat away, the prisoner being at a distance on the wharf. Mr Neale made a most humorous and eloquent speech on behalf of his client. Two witnesses gave the prisoner a good character. He was acquitted.

**Thomas Coombe** (31), boatman, indicted for stealing a bushel and a half of wheat and a bag, the property of Samuel Jones at Bilston, was found guilty and sentenced to six months imprisonment.

## 115 25 July 1855

### STAFFORDSHIRE ASSIZES

ROBBERY FROM THE PERSON AT TIPTON **William Fisher**, 23, boatman, was indicted for stealing, on the 7<sup>th</sup> of July, a purse containing 8s, the property of William Dimmack. The prosecution was conducted by Mr Talfourd ; the prisoner was undefended. The prosecutor was drinking in a public house between twelve and one o'clock on the morning of the robbery, and hearing a row outside, went into the street and found that a fight was going on, and went between the combatants for the purpose of parting them. He was immediately laid hold of by the prisoner, who put his hand into his (prosecutor's) pocket, stole the money and ran away. On being apprised of what had taken place, the prosecutor followed and overtook the prisoner, and collared him, upon which the latter said, "Here's your money and purse : for God's sake say nothing about it". The money was in the prisoner's hand. The jury returned a verdict of Guilty, and the prisoner was sentenced to eighteen months imprisonment, exclaiming, as he left the dock, "Thank you, my Lord".

THE MURDER OF A BOATMAN AT WOLVERHAMPTON David Flinn, 19, labourer, was charged upon the indictment and also upon the coroner's inquisition, with the wilful murder of **Robert Leverett** on the 11<sup>th</sup> of November 1854 at the borough of Wolverhampton. The case had been traversed from the Spring Assizes 1855. The prisoner pleaded not guilty.

The counsel for the prosecution were Mr McMahan and Mr Hill ; the prisoner was defended by Mr Motteram.

Mr McMahan briefly stated the circumstances of the case to the jury. The following witnesses were then called :-

Mr Henry, borough engineer of Wolverhampton, produced a plan of Canal Street, which also represented the position of the Admiral Vernon public house.

His Lordship observed that he thought a pen and ink sketch would have answered the same purpose as the plans. In civil cases, a recent Act of Parliament enacted that plans of larger dimensions than twelve inches square should not be received.

**Thomas Evans**, a boatman, deposed that he went into a public house on the night of Saturday the 11<sup>th</sup> of November, and met Leverett and his wife there. After having some refreshment, they left the house together, and proceeded up Canal Street, taking the right hand side. When they reached the Admiral Vernon public house, they saw several men standing near the house. One of them said, "There goes the ---- boatmen and their ---- w—e". Leverett asked what the man meant who called his wife by that appellation. Three or four of them came across the street, attacked the deceased, and knocked him down. He (witness) said, "Don't kill the poor chap". The police soon came up. Leverett went up the street, and he (witness) and one of his companions went down the street. He (witness) did not see Leverett again alive.

Cross-examined : He challenged the man who knocked him down to fight, and asked the police to see fair play. There was a great noise and disturbance in the street.

Re-examined : The man who struck me threatened to serve me the same when I said don't kill the man (meaning Leverett).

**Thomas Cooper**, a boatman, knew the deceased. He was on the night in question drinking with deceased. They left about 11 o'clock. They went up Canal Street, on the right hand side. He corroborated the evidence of the last witness, adding that he fetched two policemen and took them

to the place. He and Astley then went down to the boat, according to the order of the police. Charles Blakemore, a locksmith, remembered being in the Railway Tavern on the night named, and saw Moran and Gavenny there. They stopped and had some ale. They then left, and he afterwards went out. He subsequently heard Moran say, "There go the ---- boatmen and their ---- w---e". Leverett replied, as the other witnesses had said, and Moran added, "If you don't go on, I'll upset you (meaning Leverett) into the street". He did upset him. The men then ran down the street. He saw Flinn coming down the street when Leverett was being kicked. He did not see Flinn about at the first assault. He saw Moran knock Leverett down near the Admiral Vernon, and Gavenny kick him. The prisoner was also at him ; but the only one he saw kick him was Gavenny. The deceased's wife said, "Don't go to strike me ; you've quite killed him". Flinn was "crushing" about when Leverett was down. When Moran knocked Leverett down, Flinn was about ten yards off, coming down the street on his way home.

By his Lordship : He did not see Flinn do any more than the rest of the crowd.

Mr McMahan drew his Lordship's attention to the evidence of the witness as given before the Magistrates, between which and what he now said there was a discrepancy.

His Lordship said that it was quite right the prisoner should be asked in the most direct terms whether Flinn was with Moran when the latter struck Leverett.

By the desire of Mr Motteram, his Lordship put the question, and the witness replied in the negative. In reply to further questions, the witness said he saw Flinn strike Leverett when he was on the ground. He hardly knew what he said before the Magistrates.

His Lordship directed the attention of the jury to the discrepancy in the witness's evidence.

**Amelia Leverett**, wife of the deceased, deposed that her husband was first attacked near the Admiral Vernon. The witness described the particulars of the first assault ; their subsequent progress up the street, and afterwards their going down Canal Street again. When near the Admiral Vernon, a man seized her husband and knocked him down. Another man, whom she did not know, then kicked him. A third man struck him on the ground. The second kicked him, and the third struck him on the head. A mob of persons assembled. She never saw any of the men before. The second blow killed her husband, and it was the third man who dealt it.

Cross-examined : Five minutes elapsed between the first and second attack.

Elizabeth Spittle, living with her father opposite the Admiral Vernon, knew Moran. Remembered the night in question, and heard a woman's screams between ten and eleven o'clock. Went to the door. Saw Moran and Leverett under their window. Two or three men were with Moran, but they did nothing in the first assault. Leverett went away, and in five minutes came down the street again, and the men ran at him and got him down near the Admiral Vernon. One of the men she saw commit the second assault was Moran. The witness then described the assault, and added that the man died on the spot.

William Watkins, a borough policeman in November last, was on duty on the night in question, and was asked by two men to go to the Admiral Vernon. Saw two men standing outside. Hearing the cry of, "Murder", he went down and found Leverett, the man he had seen at the top of the street, with his wife on the floor. A crowd had assembled. He did not see deceased move ; his wife was supporting the body.

Mr E F Dehane, surgeon, made a *post mortem* examination of the body, and found a great number of recent bruises on it, among which was a contusion of the head, produced by a kick. He described the various wounds, and stated the appearances which presented themselves on opening the skull and body. His opinion was that death was caused by the blows.

Cross-examined : Should hardly think that the wound on the back of the head could be produced by a fist. A man stooping down to give a blow could not strike so hard as if he gave the blow standing.

Mr Stringer, locksmith of Willenhall : On the 27<sup>th</sup> of November, prisoner came to his shop and inquired for John Parkes. He recognised the prisoner, and said, "Come into the house, I want you," and when he went in, he added, "You are my prisoner. You are one of the persons who murdered the boatman at Wolverhampton". He replied, "I admit being there, but I have got to suffer for the other two".

Cross-examined : He had received no reward. He knew a reward had been offered.

Inspector Bennett deposed to going to the house of a man named Ford at Walsall Street, and there getting some clothes. The prisoner afterwards said "they were his. They were the clothes he had on on the night of the murder". Blackmore identified the prisoner.

The case for the prosecution having been closed, Mr Motteram, in an impressive speech, addressed the jury on behalf of the prisoner at the bar. The learned counsel, after dwelling upon the observations of Mr McMahon in opening the case for the prosecution, that the jury would look upon the case with sympathy, said they must not be actuated by feelings of that kind, but they must try the question fairly between the parties – they must not consider the case with prejudiced minds because the prisoner happened to be a native of Ireland, but with the same feelings of justice that suggested themselves were it an Englishman who was now upon his trial. The crime for the committal of which the prisoner stood at the bar to undergo his trial was not one of murder – it was simply one of manslaughter. His learned friend had told them, in opening the case, that a feud existed between the Irishmen living in the town and the boatmen, and he would have them suppose from that that animosity to an extraordinary extent existed – that the present affair was a determined one on the part of the Irishmen to abuse or murder the boatman – and thus to show a motive for the crime. He thought his learned friend should have hesitated to have stated that, when he could not offer the slightest evidence upon the subject. He was, therefore, entitled to ask them to believe that no such feud did exist. Now, in cases of murder, the ingredient – the principal ingredient – was malice prepense, and he thought that his learned friend should not, in the present case, have opened the case and made the observations about the feud which existed, without having attempted by some evidence to prove it. It was impossible for them, he (the learned counsel) said, to find the prisoner guilty of the murder of the deceased man, who was a stranger to the parties engaged in the affair ; they never saw or heard of him before, and there could not have been the slightest motive on their part to attack a man under such circumstances. What malice could there possibly be in the minds of the Irishmen – what malice could exist in their minds to induce them to attack and murder a man who had not given them any offence, whom they had never seen, and consequently against whom they had no grudge? The learned counsel proceeded to contend that it had not been proved that any illegal instrument had been used in the commission of the offence ; that with the exception of Blakemore's there was no testimony that the prisoner had either kicked or struck the deceased, and that what had been said by Blakemore was drawn out by his (Mr Motteram's) learned friend. He then commenced upon the statement of the prisoner when taken into custody, remarking that was not the statement a guilty man would have made, and inquired whether the clothes presented any appearances of the prisoner's having been engaged in an affair of that sort ; there was not a single rent about them, neither did they bear stains of blood. In conclusion, he submitted to the jury that there was no evidence to warrant them in convicting the prisoner even of manslaughter, and asked them to ponder over and weigh well the evidence, and to give their verdict according to that evidence. Had the case been tried yesterday, as he expected and hoped, he could have called the prisoner's master to have spoken to his character, but he was not present now.

The learned Judge summed up, but his Lordship's observations were almost inaudible where the reporters sat. He said it would be for the jury to inquire whether the crime had actually been committed, and if so, whether the prisoner was the person or one of the persons who had committed it. If they thought the crime of wilful murder could not be established, they had liberty to find a verdict of guilty of the lesser offence – manslaughter. If the deceased's death was caused by accident and without blame to anybody, then it would be homicide ; if death were caused by malice prepense, it would be murder ; but if it were caused by an unlawful act, and without such malice prepense, then it would be manslaughter. If he (his Lordship) were upon the jury, he should say that Moran and Gavannah were guilty of the murder, supposing it to be established that there had been an ill feeling in the minds of the Irishmen against the boatmen. If those men were subsequently brought to trial it would be for the jury to consider if their guilt was equal to a degree of murder, but upon the question whether Flinn was a party to it, the evidence did not appear to him to make it out. Assuming the testimony of Blakemore credible, he thought the case would amount to the guilt of

manslaughter rather than murder. The witnesses, with the exception of Blakemore, were unable to say whether the prisoner took any part in the affair, and to that point his Lordship directed the attention of the jury. Some confirmation of the evidence of Blakemore was made by the statement of the prisoner when taken into custody. His Lordship concluded, after reading through the evidence, by observing that the prosecution had been conducted in a way, in which he hoped all prosecutions would be conducted, with a desire to bring out the whole truth.

The jury turned round in their box to consult, and in a few minutes returned a verdict of Manslaughter.

His Lordship then told the prisoner that he had stood in the peril of his life, and he said it because, looking at the depositions, he knew what the case was before the Magistrates, and if the evidence had been the same before the jury, he was of opinion that his life would, properly, have been in great danger, because nobody could hear the account of that lamentable case – of people walking along one of the streets of Wolverhampton and being set upon by a ferocious band of strangers on purpose to gratify some fanciful caprice and murder men by way of sport to themselves – no man could hear of such a case without feeling that a signal example was wanted to impress upon him, and all like him, that he could not do it with impunity. The evidence adduced before the jury was very different to that given before the Magistrates, and in the verdict the jury had come to, he (his Lordship) fully concurred. The jury had also recommended to mercy. The case was made still more painful by the fact of the prisoner being a man of good character and held in respect. He should make known the sentence against the prisoner on the following morning, and should give such a decision as he thought would fulfil the ends of justice and upon facts of the case warranted. The prisoner was then removed.

### **116 5 September 1855**

IN THE COUNTY COURT OF STAFFORDSHIRE

HOLDEN AT WOLVERHAMPTON

10<sup>th</sup> day of August 1855

Whereas a petition of **JOHN SOUTHALL**, now and for these nine months past living in Shropshire Row in the parish of Bilston in the county of Stafford, working as a Boatman ; and for five years previous thereto residing in Toll End in the parish of Tipton, in the said county, and carrying on business as a Grocer and Provision Dealer ; and during part of that time carrying on business as a Beerseller ; and formerly of Horseley Fields in the borough of Wolverhampton, in the said county, working as a Boatman, an Insolvent Debtor, having been filed in the County Court of Staffordshire at Wolverhampton, and an Interim order for Protection from Process having been given to the said John Southall, under the provision of the statutes in that case made and provided, the said John Southall is hereby required to appear in Court before the Judge acting in the matter of the said petition on the 29<sup>th</sup> day of September 1855 at nine o'clock in the forenoon precisely, at the Court House, Queen Street, Wolverhampton aforesaid, for his FIRST EXAMINATION touching his debts, estate and effects, and to be further dealt with according to the provisions of the said statutes ; and notice is hereby given that the choice of Assignees is to take place at the time so appointed.

All persons indebted to the said John Southall, or who have any of his effects, are not to pay or deliver the same but to Mr CHARLES GALLIMORE BROWN, Official Assignee, acting in the matter of the said petition, at his office in Queen Street, Wolverhampton aforesaid.

J B Smith, Attorney, Horsley Heath

### **117 12 September 1855**

STAFFORDSHIRE ADJOURNED QUARTER SESSIONS

TRIAL OF PRISONERS, TUESDAY The following were tried, found guilty and sentenced as follows :-

**Thomas Johnson**, 24, and **Benjamin Smith**, 24, boatmen, for stealing five cwt of coal, the property of Samuel Grocutt and Sons, at Sedgley ; two months imprisonment.

WEDNESDAY **John Perkins**, 45, boatman, **Samuel King**, 18, boatman, and John Jones, 30, miller, were indicted for stealing four bushels of wheat and a sack, the property of the Union Mill Company at Wolverhampton. Mr Kettle conducted the prosecution ; Mr Cooke Evans defended Perkins and King. Jones had no counsel. Jones and Perkins were found guilty. King, who was not with the boat at the time the bag of corn was placed in it, was acquitted. Jones was sentenced to nine and Perkins to six months imprisonment.

THURSDAY **Edward Price** and **John Scott**, boatmen, were indicted for stealing a boat rudder, the property of Mr Hickman, ironmaster, at Bilston. The rudder was seen safe with the boat at Mr Hickman's wharf on the 1<sup>st</sup> of August, and on the 22<sup>nd</sup> was found in a boat belonging to Mr Scott, of which the prisoners had charge. One of the prisoners, on being apprehended, said they had found the rudder in the canal. Mr Kettle, who defended the prisoners, contended in his address to the jury that the account given by the prisoners was correct, it being very probable that the rudder had been lost from Mr Hickman's boat whilst travelling along the canal. The jury returned a verdict of not guilty.

### 118 26 September 1855

TAMWORTH On Tuesday last, an inquest was held at the Three Tuns Inn, Fazeley, in this parish, before G H Hinchliffe Esq, coroner, on the body of **Thomas Shutt**. It appeared from the evidence that the deceased was a boatman, about 21 years of age, and on the previous Saturday was going with his boat along the canal, sitting on the top of the cabin. After he had sat there some time, a boy who was with him went in the cabin to put some coal on the fire, and hearing something fall in the water, came out and saw deceased in the middle of the canal. He immediately made an alarm, and a man who was at work in a field nearby came to the spot and got the deceased out of the water. He was quite dead, having been immersed more than ten minutes. The canal was only four feet in depth, but deceased's wife stated that he had been subject to fits for some time, and when so attacked became insensible. It was supposed he had been seized with a fit and fell from the cabin of the boat. Verdict, "Accidentally drowned". Deceased had been married only fourteen months.

### 119 26 September 1855

TIPTON

SACRILEGE AT OCKER HILL The parish church at Ocker Hill was on Tuesday night sacrilegiously broken into by thieves, to the number of five or six, but fortunately there was no property stolen, as the delinquents were, it seems, prematurely disturbed in their proceedings. At half past ten o'clock on the night referred to, several persons who had been at the house of Mr Samuel Noaks, the Bricklayer's Arms, attending a friendly society, were leaving, and as the house is situated near to the church, one of the company observed a man standing in the graveyard. Presuming that he could not be there for any lawful purpose, a cry of "Thieves in the church" was raised, and presently four or five men, with the one who had been acting as sentinel, emerged from the gloom, and made a hasty retreat. The persons alluded to followed and succeeded in apprehending one of the company, at a distance of about one hundred yards from the church. It has been ascertained that his name is **William Turner**, that he is a boatman, and that he resides at Oldbury. He denied being one of the persons who had been in the church. On the premises being examined by Inspector Baxter, on the same night, it was found that the back door of the church had been wrenched open by means of a jemmy, the lock being also broken. Nothing however had been disturbed within the church. Up to within the last few weeks, the communion plate had been kept in the sacred edifice, but this had fortunately been removed. The prisoner was taken before the Rev W Ker on Wednesday, and was remanded.

### 120 26 September 1855

WOLVERHAMPTON POLICE COURT, WEDNESDAY SEPTEMBER 19

EXTENSIVE ROBBERY OF IRON **Richard Hall** was brought up on remand, charged with

having stolen a ton and five hundredweight of pig iron, the property of the Lilleshall Company. Mr Hayes appeared in support of the charge. The prisoner was employed as an assistant by boatmen engaged on the Company's wharf at the Victoria Basin in this town. Three or four days previous to the 4<sup>th</sup> instant, Mr Bagnall, the foreman there, ordered twenty tons of iron to be weighed and sent to Mr Astbury of Smethwick. After it had been sent away, it was found that above one ton of the iron had been abstracted from the boat ; and a search being instituted, it was subsequently discovered on the wharf of Mr Dent at the Bilston Street Bridge. After being loaded, **James Payne**, the boatman, "legged" the boat at eight o'clock on the evening of the 4<sup>th</sup> instant, and on going to take the boat off at four o'clock the next morning, found that it had been removed, and afterwards discovered it near Mr Shelton's timber wharf at the bottom of Canal Street. Thomas Shorter, a watchman in the employ of the Great Western Railway, spoke to having seen a man "legging" a boat loaded with iron from the Victoria Station towards Bilston Street Bridge, about two o'clock that morning, but would not say the prisoner was the man. **Jesse Wilkins**, a boatman, proved that the prisoner was there at the time, but according to his evidence, he was simply for a short time with a boat which was in the care of his father. John Bishton, in the employ of Mr Dent, said that he found the stolen iron on Mr Dent's wharf on the morning of the 5<sup>th</sup>. It was not there on the previous evening, and no person had any right or instructions to place it there. There not being sufficient evidence to connect the prisoner with the robbery, he was discharged.

### **121 3 October 1855**

INSOLVENTS The following passed their first examination :-  
**John Southall**, boatman, Bilston, supported by Mr J B Smith.

### **122 10 October 1855**

A DANGEROUS HORSE On Saturday last, as a boatman named **Edward Burden** was cleaning his horse in the stable attached to Mr George Ward's ironworks at Priestfield, the animal knocked him down and jumped upon him, breaking one of his legs in two places. The man was taken to the South Staffordshire Hospital.

### **123 17 October 1855**

BANKRUPTS – FINAL ORDERS

TO BE MADE AT WOLVERHAMPTON : **John Southall**, Bilston, boatman  
AT OLDBURY ; **Henry Holloway**, West Bromwich, boatman

### **124 17 October 1855**

OLDBURY

SUSPECTED BURGLAR On Tuesday at Halesowen, before W Mathews and Edward Gem Esqs, a boatman living at Dudley Port named **John Hindley** was charged with being within an inclosed yard, the premises of Messrs Chambers and Marsh, timber merchants of Oldbury, for an unlawful purpose, at twelve o'clock on Saturday night last. The watchman, John Newey, observed the prisoner walking through the yard, and inquiring where he was going, the prisoner replied, "To the Independent Chapel", which is in a different direction. During the last few months, there have been several robberies at the prosecutors', who also not long ago had part of their premises set on fire. The prisoner was sentenced to hard labour for three months.

### **125 24 October 1855**

WEDNESBURY

ROBBERY OF IRON BY A BOATMAN **John Wilcock**, a boatman, was on Thursday charged at the Public Office with stealing 133 lbs of pig iron belonging to Messrs Woodall and Smith of Windmill End, Rowley Regis. The prosecutors had sent a boat load of iron, marked "F E C B" to Bloomfield Ironworks. The man in charge, **Foster**, made fast the boat near his own house. A boy named Thomas Case met the prisoner in Foster's entry, and saw him drop the iron produced, which

was identified by Mr Solomon Woodall. The value of the iron was about 6s ; and the prisoner having pleaded guilty, was committed to hard labour for three months.

**126 19 December 1855**

**DEATH BY DROWNING** On Wednesday evening, a boatman named **Thomas Bate** of Tipton arrived about half past six o'clock with his boat at the Calf Heath Bridge near Penkridge, leaving his wife, an infant child about eleven months old and a daughter three years old, on board. He got out of the boat to put up the horse, and while going to a neighbouring house for a lantern, heard a splash in the canal. Turning round, he saw his wife struggling in the water and with some difficulty rescued her. She exclaimed, "Oh, my baby", and after searching for ten minutes the infant was got out of the water, but was quite dead. The unfortunate mother said she was pushing the tiller up when it came out, and she, with her child in her arms, was precipitated into the water head foremost. An inquest was held on the body of the child on Friday, before T M Phillips Esq, coroner and a verdict was returned in accordance with the evidence.

**127 20 February 1856**

**OLDBURY**

**INSOLVENTS** At the County Court on Saturday last, before Mr Sergeant Clarke, Judge, the following insolvents came up for hearing :-

**Joseph Holloway**, boatman, Hatley Heath, West Bromwich, came up for his final order, supported by Mr Watson and opposed by Mr Sill and Mr Smith. The granting of the final order was adjourned till the next court, his Honour directing that the insolvent's petition should in the meantime be amended.

**128 27 February 1856**

**WOLVERHAMPTON POLICE COURT, WEDNESDAY FEBRUARY 20**

**CHARGE OF STEALING COPPER TILES** **William Ward**, a boatman, was charged on suspicion of having stolen four tiles of copper belonging to the Great Western Railway Company. The prisoner was a boatman in the employ of **William Willington**, captain of a boat belonging to the Great Western Railway Company. On the 6<sup>th</sup> of December, Willington and the prisoner were sent with a boat load of deals to Birmingham. Having discharged the deals, they called on their way back at French Walls, belonging to the firm of Muntz and Co, where the boat was loaded with 9 tons 2 qtrs 5 lbs of copper tiles. The captain then left the prisoner in charge of the boat for a time ; and on unloading the boat at Wolverhampton, four of the tiles were found to be missing. Information of the loss was given to **William Hobson**, superintendent of the company's boats. He suspected that the tiles had been thrown into the canal, to be afterwards recovered by the thief, and communicated his suspicions to Inspector Dew at Handsworth, the canal was dragged, and the four plates were found in the water near Raybone's Bridge. Soon after the search after the plates was instituted, prisoner absconded. He denied the charge, but was committed for trial.

**129 26 March 1856**

**SUDDEN DEATH** On Monday last, at the Worley Inn, Horseley Fields, in this town, an inquest was held on the body of **Ann Dolman**, aged three months. The father of the child is a boatman in the employ of Messrs Thorneycroft and Co. He came into the town on Thursday last, and his wife found the child dead by her side the following morning. It appeared from the evidence that the child had been subject to fits from its birth and had, in all probability, died in a fit unobserved by its parents, during the night. There being no reason to believe that deceased had met its death from other than natural causes, the jury returned a verdict accordingly.

**130 26 March 1856**

**ILLEGAL SPORTING AT COVEN** At the County Petty Sessions on Monday last, **James Perry**, a boatman from Tipton, was charged with killing game, without being duly qualified to do so, and

doing so out of season. It appeared that while passing along the canal at Coven with his boat, the prisoner took his gun, and shot at and killed a partridge from the bank. He was fined 20s and costs, which he paid.

### **131 16 April 1856**

**BOATMAN ROBBING BOATMAN** At the Town Hall on Monday last, before J Hartley and J Leigh Esqs, **Richard Hall**, a boatman, was charged with stealing £13, the property of **James Southall**, a boatman in the employ of Messrs Smith and Sons at Horninglow. On the previous Wednesday, prosecutor and prisoner were together at a merrymaking in Derby ; and after prisoner left him, prosecutor found himself minus the cash in question. Prisoner had been apprehended at Wolverhampton, rigged out in entire new clothes and much money in his possession. He was remanded for a week for the production of evidence of his dishonesty.

### **132 23 April 1856**

**DARING ROBBERY OF MONEY BY A BOATMAN AT DERBY** On Saturday last, and by adjournment on Monday, at the Town Hall, before J Hartley and J Underhill Esqs, a tall young man , a boatman, named **Richard Hall** who, we understand, belongs to Wolverhampton, was charged with having, on the 11<sup>th</sup> instant at Derby, stolen from another boatman named **James Southall** eight sovereigns, one £5 note of the National and Provincial Bank, and one or two shillings in silver. It appeared from the evidence adduced that Southall is a boatman in the employment of Messrs Smith and Sons, whose place of business is near to Burton on Trent. On the 8<sup>th</sup> of April, he arrived at Derby with his boat, which he unloaded. He remained there on Wednesday the 9<sup>th</sup>, his boat being in the canal abreast of another boat. The line of canal at that point was connected with one coming to Wolverhampton. On Wednesday afternoon, the prosecutor went to the Castlefield Inn at Derby, where the prisoner went to him. The prisoner complained that he had no money, and showed to the company then assembled in the room where they were, two pence, which he said was all he had. The prisoner was then treated by the prosecutor, who left the inn in the company of some friends to go to his boat at eleven at night. His friends accompanied him to his boat, and at that time they saw his money safe in his possession, for they had asked him to entrust them with the care of it until morning, a request, however, with which he unfortunately declined to comply. Southall then betook himself to his boat and went to bed, having the money safe in one of his pockets. He awoke about three o'clock in the morning, and then found that his money was gone, of which he immediately gave information to the police. The evidence by which it is sought to bring home the offence to the prisoner is of a circumstantial nature. About two o'clock in the morning of the robbery, the prisoner was seen going in the direction of, and not far from, the boat of the prosecutor. A boatman who had been drinking with the prisoner the previous afternoon at Derby, and who the same afternoon left Derby on his way to Staffordshire with his boat, was surprised to find that the prisoner was following him between four and five o'clock on the morning of the robbery, and at a distance of about six miles on this side of Derby. The prisoner said to the boatman that he was obliged to leave, or he should have had a summons that morning. The prisoner at that time was in possession of money, offered to treat the boatman, and told him that he was going to Wolverhampton to have a "sweat". On the day of the robbery, Hall bought a new suit of clothes at Dudley, in payment of which he gave the clothier who supplied them three sovereigns. He also purchased and paid for four handkerchiefs and other articles at Dudley. On the 10<sup>th</sup> he was in Wolverhampton, where he paid for some ale at a beerhouse, and was seen in possession of a silver watch and sovereign. On Friday the 11<sup>th</sup>, the prisoner was taken into custody by Inspector Butler. He then wore a suit of clothes which was identified as that which he had purchased at Dudley. Mr Ward, who appeared for Hall, cross-examined the witnesses at considerable length, but failed in the attempt to elicit anything in favour of the innocence of the prisoner, who was committed, under a recent Act of Parliament, to take his trial at the next Stafford Sessions. An application was made for the prisoner to be admitted to bail. The application was granted on condition that two satisfactory sureties, each in the sum of £40, were found.

## WOLVERHAMPTON POLICE COURT

CHARGE OF STEALING £4 – SURPRISING CREDULITY James Smith, a lad fifteen years of age, was placed in the dock to answer a charge of stealing £4 0s 3d, preferred against him by **Elizabeth Fulford**, wife of **John Fulford**, a boatman. Mt Bartlett appeared for the prisoner. From the evidence of the prosecutrix, it appeared that on Saturday night last, her husband, in a state of helpless intoxication, was assisted to his boat, which was lying near the Bilston Street Bridge, by her mother, and that it was about twelve o'clock when they arrived there. Salomi Smith, the prisoner's mother, was in the cabin at the time, and assisted her to put her husband to bed. Salomi threw the trousers on to a bench near the bed, but she (Fulford), knowing that the pocket contained some money, put them under the bed, on which her husband lay in a state of stupefaction. The prisoner heard her say that the pocket of the trousers contained money. Having taken this precaution, she went away to purchase some bread, and the errand occupied her about ten minutes. She subsequently called at the house of Salomi Smith (who, it appears, is a companion of hers and with whom, it turned out, she is in the habit of drinking) and they both went to the Eagle public house to have some ale ; but when they got there it was closing time, so that they were only able to have a small quantity. However, they brought a quart away with them, which was taken to Smith's house. On Mrs Fulford's return to the boat, she found the trousers lying on the floor turned inside out, and the money (with the exception of a sixpence, which she found on the ground) gone. On making Mrs Smith acquainted with what had occurred, she suggested that her (Mrs Fulford's) mother had taken it, and she (Fulford) went to her mother's house, which is not far distant, and charged her parent with the robbery. She denied it. In consequence she (Fulford) accompanied by Salomi, went “to that woman who could tell them about it”, who lives in Oxford Street, and that journey cost her 5s 6d. She subsequently explained that she did not give the money to the fortune teller, as she would not admit them into her house, but they spent it at a public house among her brothers, Mrs Smith getting drunk and falling asleep. The Mayor (speaking to the witness) said, “Then you did not spend the money in fortune telling, but in drink?” The prosecutor replied, “No, they would not have it”. The Mayor : “But you would have been fools enough to have given it, if they would have taken it?” Mrs Fulford : “Yes, for I never was among such people before”. (Laughter) Mr Walker : “You, certainly, was no conjurer yourself”. Mr Bartlett suggested that they were not the wise virgins, but the foolish. In cross-examination by Mr Bartlett, the witness said she had a half sovereign of her own money, out of which she paid for the drink. She did not tell Salomi that she had watched her mother away from the boat, and that led her to suspect her. Sergeant Brooks deposed to apprehending the prisoner, and to his stating that he knew nothing about the charge. In reply to a question, as to how he came by the money which he had been spending, the prisoner replied that he had only spent 5s which he had won, on the Monday previous, in gambling. Brooks applied for a remand in the case, stating that he had no doubt that he could bring further evidence than he should be able to give now, that the prisoner had been spending money freely in brothels and other places. Mr Bartlett objected to a remand, stating that he had direct evidence to show that the prisoner was in bed at home at the time of the robbery. Charles Lippitt deposed to being with the prisoner in the “Smoke Shop”, Lichfield Street, on Monday night last, and to seeing him with three half crowns in his possession. Mr Bartlett remarked that on Saturday night Smith received his wages, 12s. Mr Walker said it was not probable he would spend his hard earned money in gin shops. Mr Bartlett : But many people work hard for their money, and spend it freely. Mr Walker said there was evidence quite sufficient to warrant the Magistrates in remanding the prisoner. For example, the prisoner told Brooks he had won 5s on the Monday, and at night he was seen with 7s 6d. Mr Bartlett, after observing that there was nothing extraordinary in a boy who earned 12s per week being seen with 7s 6d, requested the Magistrates to hear the evidence on behalf of the prisoner. The request was complied with, and Mr Bartlett then called the mother of the prisoner, who stated that when Betsy (the prosecutrix) called at her house to ask her to go to the Eagle, her son was taking off his shoes and stockings to go to bed. He had not been out of the house during her absence in purchasing bread. When she and Betsey came back from the Eagle, her

son was in bed. In answer to Mr Walker, she said her son gave her his wages – twelve shillings – on Saturday night, and she gave him 1s 4d for pocket money. He saved his money. He had money on Saturday ; on that day she also bought him a cap. He borrowed 4d of her to enable him to pay for it. Mr Walker : And yet you said he had money. Mrs Smith : Yes, sir, he always saves his money. By Mr Bartlett : The boat lies between 300 and 400 yards from our house. John Smith, father of the prisoner, said that during his mother's absence with Mrs Fulford, his son ran out. He told him to go to Morris's to see if his mother was there. He was hardly a minute away. He was not away time enough to go to the boat, which was 400 yards from Morris's. (It was said that the distance was hardly 100 yards). His (witness's) attention was not particularly directed to the time his son was away. When he went, he said, "I will go and see if my mother is coming", and when he returned, he said he had been to Morris's. Mrs Fulford was recalled and stated that she did not frequent Morris's house. The magistrates remanded the case till Saturday, remarking that the witnesses for the defence had given their evidence honestly ; they thought that if the boy had time to go to Morris's, he had time to go to the boat. The prisoner was brought up on Saturday before H Walker, W Warner and J Underhill Esqs. Other witnesses deposed to seeing the prisoner with money on Monday night, to his spending money freely in drink, &c, and to his visiting a house of ill fame in the Cat Yard. Stephen Morris, who keeps a public house in Bilston Street, was called for the defence, and stated that on Saturday night the prisoner did come to his house to ask for his mother. He ran away from the house as if he was going home. The prisoner was sentenced to three months imprisonment.

### **134 30 April 1856**

**ILLEGAL ANGLING** At the County Petty Sessions on Monday, before H Hill, W Tarratt and R F Butler Esqs, a charge of illegal angling, at Tettenhall in the Birmingham and Liverpool Canal Navigation, against **Nathan Dancer**, late of Brewood, boatman, was heard. The defendant was fined 5s and costs, or to be committed for three weeks in default of payment.

### **135 11 June 1856**

**DUDLEY**

**ROBBERY FROM THE SOUTH STAFFORDSHIRE RAILWAY COMPANY'S PREMISES** On Monday last at the Petty Sessions, before C Cartwright Esq and Captain Bennett, **Jacob Thomas**, apparently a boatman from Hemel Hempsted, Hertfordshire, was charged with stealing a board, the property of the South Staffordshire Railway Company. Mr Mooney, station master at the South Staffordshire Railway Station at Dudley, stated that great annoyance was occasioned by persons breaking down the fence belonging to the company along the Tipton Road. He then called witnesses, who proved that the prisoner went upon the company's premises this morning and came away with the piece of wood, evidently part of a fence, in his possession, and after knocking out of it some nails, took it with him in the direction of Tipton. Information was given at the Railway Station, and a man was sent after the prisoner and apprehended him. He charged him with stealing the board ; the prisoner did not deny stealing it, but said he hoped the company would look over the offence – he did not think he had done any harm in taking the board. The prisoner pleaded guilty, and was sentenced to twenty one days imprisonment.

### **136 18 June 1856**

**POACHING** At the County Magistrates Office on Monday, before H Hill, W Tarratt and T Evans Esqs, John Spencer appeared in answer to a summons issued against him at the instance of a gamekeeper in the employment of T W Giffard Esq, for fishing with a net in the canal at Brewood. He was caught in the act of taking fish. Fined £1 and expenses, which were paid. **Robert Smith**, a boatman of Wolverhampton was fined in a mitigated penalty of 1s and expenses, which were paid, for taking fish from the above mentioned canal.

**137 25 June 1856**

DUDLEY

**SHOCKING CRUELTY TO A MARE** **Thomas Maxfield**, a boatman, was brought before the Magistrates at the Town Hall on Monday last, charged with having cruelly ill-treated a mare, the property of Mr Foster of Tipton. Mr Boddington appeared for the prosecution, and having stated that this was one of the most cruel cases that could have occurred under the Act of Parliament relating to these offences, applied that the prisoner might be dealt with as severely as the law allowed. It appeared that the prisoner was employed by Mr Foster, and had had notice given to him to leave at the end of a voyage into Lancashire. On the 4<sup>th</sup> of June he started on a voyage from Tipton to Preston Brook with the mare in question, which was in good condition and worth £13, and which, shortly after he started on the voyage, he said he would “make so that no one else should use her”. Two days afterwards, the prisoner began to beat the mare with a whip, and to throw stones and bricks at it, which cut pieces of flesh from its body. Shortly after the prisoner had started on his return journey, the horse fell lame in consequence of the prisoner's ill-treatment. She became very weak and fell into the canal, and whilst in the water, the prisoner kicked her about the head and ribs. The prisoner arrived at Tipton on Sunday week, when the mare was in a shocking condition. Mr Huntriss, veterinary surgeon, was called in, and found her exceedingly weak and in an exhausted state. Several parts of her body were very much injured from ill usage. When apprehended, the prisoner said, “I have “cut” the mare a time or two ; I did not think of doing it ; I could not get her along”. The prisoner now said that he could not get the mare along, and that she received some of the injuries in the stable. The Magistrates inflicted the most severe punishment allowed by law – three months imprisonment.

**138 16 July 1856**

**SUDDEN DEATH OF A BOATMAN** An inquest was held on Monday at the Railway Colliery Hotel, Pelsall, before T M Phillips Esq, on the body of **Joseph Smith**, a boatman, 45 years of age, who lived at Birmingham. On the previous Friday morning about seven o'clock, the deceased arrived at High Bridge with his boat loaded with coal, from the direction of Birmingham ; he stopped at High Bridge wharf, when he appeared to be in good health, and gave orders to a man named **Frederick Whitby**, a boat loader, to load an empty boat which he had brought with him. Shortly after this, the deceased fell down into the empty boat, and lay at the bottom upon his back. Assistance was speedily on the spot, and the head of the deceased was raised, but he gasped twice and then expired. Mr McBride, surgeon, Ogley Hay, gave it as his opinion that the deceased's death was occasioned by the rupture of a vessel upon the brain, and that such rupture was produced by natural causes. A verdict in accordance with the medical evidence was returned.

**139 16 July 1856**

COALPORT

**AERIAL FLIGHT OF A BOATLOAD OF COAL** Coalport boasts an “incline plane”, connecting, by a double set of iron railways, two branches of the well known Shropshire Canal. Its construction at the time, by the late William Reynolds of Ketley, was deemed a considerable piece of engineering skill. Its extreme length is 1050 feet, the descent being 207, or about one in five. At a short distance from the canal was the Severn, crossed by the Coalport Ferry. On Monday at noon, a boat load of coal was descending, as usual, upon the truck, with a boy standing on the boat, when the chain (a very strong one) snapped almost immediately that the load, about twelve tons altogether, had left the top. The whole descending mass thus set free, assisted by the steep gradient of the rails, speedily attained a fearful velocity ; so much so that upon meeting the water in the canal at the bottom, the boat, with its five tons of coal, started from its fastenings, and leaving the carriage, bounded from the water like an arrow, at a considerable angle, into the air. In its flight it carved, as with a knife, a piece of wood from an empty boat which, with others alongside, it cleared, together with the bank and tow-path and a considerable piece of rough ground intervening between it and the river, falling at last, like a spent rocket, in mid channel ; or rather, like a shell, for the coals fled

from the hold, crushing in the cabin of the ferry, and striking down the boatman, who for a moment imagined himself about to take a passage with grim Charon across a less welcome and familiar stream. He escaped, however, as also did the boy, who jumped off when he found what was the matter, with bruises and scratches only. An idea of the vast momentum acquired in the 200 foot ascent may be imagined by the distance traversed by the boat of coals in mid air, which was some 280 feet. The sight, described by those who saw it, together with the splash and foam accompanying it, was exceedingly novel. A broad sheet of water which it had driven out of the canal first preceded, then shrouded, and finally followed the track of the boat to where it fell. The wife of the boatman, who witnessed the occurrence from the opposite shore, uttered a scream and, as may be imagined, felt a fearful pang as the huge black bolt shot along in the direction of the Jolly Waterman in whose welfare she felt an interest. The chain, it is said, has been in use thirteen years, and a man named Davies pointed out the link in it that broke as faulty some time since.

#### **140 30 July 1856**

WOLVERHAMPTON POLICE COURT, FRIDAY JULY 26

BOAT ROBBERY Richard Bristoe and Elias Johnson, charged with stealing two pairs of stockings and a flannel jacket from a boat on the canal, were remanded to Monday. Police-constable Sunderland stated that he apprehended the prisoners yesterday, but the boatman to whom the articles named and other property stolen belonged had gone to Worcester. The stockings were found on the prisoners' feet, and Bristow had sent the jacket to be pawned. Two skeleton keys, such as would open the cabin doors of canal boats, were found upon Bristow.

#### **141 6 August 1856**

STEALING PIG IRON, THE PROPERTY OF LORD WARD **Joseph Wood**, a boatman, was brought up on remand before Mr Rose at the Fenton Police Court on Friday last, charged with stealing, on the 27<sup>th</sup> of April last at the parish of Burslem, 25 cwt of pig iron, the property of Lord Ward. The prisoner is an occasional servant to Messrs Price and Sons, carriers of Brierley Hill, being employed by them as steerer or captain of a boat. On the 23<sup>rd</sup> April, according to the evidence, he received instructions to convey a boat load of pig iron from Lord Ward's ironworks at Brierley Hill to the Bradford Ironworks near Manchester. At starting, the boat contained 20 tons 5 cwt of iron, the odd cwts being allowed for loss in weight which the iron might suffer in the transit, through friction &c. On the morning of Sunday the 27<sup>th</sup> April, the prisoner ran his loaded boat abreast of another at the Grange Bridge Wharf, between Burslem and the Etruria Wharf. He was seen to lift a number of "pigs" from his boat on to the other, which was loading with marl. From thence, the iron was removed by two Irishmen, who carried it some thirty or forty yards, and secreted it in a dungheap. The prisoner then went away with his boat in the direction of Manchester. When he arrived at his destination, the load of pigs was found to weigh 19 tons 12 1/2 cwt. Being told by the man who weighed the iron at the Bradford Works that there was a deficiency in the weight, the prisoner said, "You must make it right". Wood was committed to take his trial at the next general quarter sessions, substantial bail for his appearance being taken. Mr W Ward appeared on his behalf.

#### **142 13 August 1856**

DEATH FROM DROWNING Yesterday (Tuesday) T M Phillips Esq, coroner, held an inquest at the Talbot Inn, Little's Lane, in this town, on the body of **Catherine Griffiths**, a girl about four years old, daughter of a boatman. On Saturday last, the deceased was walking along the side of the Birmingham canal near to the boat which her father was working. She stayed behind to look at a boy bathing, and shortly afterwards was missed by her father. He and his wife went back, and not finding their daughter, the canal was dragged and the deceased brought out of the water quite dead. The jury returned a verdict of "Accidental death".

### 143 27 August 1856

#### WEDNESBURY

WHOLESALE IRON STEALING At a Magisterial Sessions held at the Public Office on Tuesday, **James Lockey**, a boatman, was charged before J Bagnall and J Solley Esqs with stealing a number of pigs of iron, the property of Messrs Blackwell, ironmasters at Tipton. Mr Sill (from the office of Duignan and Hemment) conducted the prosecution, and after the examination of several witnesses, whose testimony follows, asked for a remand for the introduction of further evidence. **Edward Mark** said he was a boatbuilder at Tipton. On the night of the 12<sup>th</sup> Instant he saw two boats near the Grand Junction Company's warehouses, one of them belonging to the prosecutors, and the other to Mr Wall. He saw the prisoner shafting one of them along the canal. He asked him where he was going to take it. He said to Mr Haines's. He then threw several pigs of iron into the canal. He could not say to whom they belonged, but he suspected they had been taken out of Mr Blackwell's boat. The iron produced was the same as he saw the prisoner throw overboard. William Wood saw the pigs taken out of the canal and taken and secured in Mr Monk's dockyard. Thomas Leek said they were made at the Oak Farm, and he was at the making of them. The evidence having been adduced, the Bench acceded to Mr Sill's application for a remand. (*Name is Lockley in article 145*)

### 144 3 September 1856

THE FORCE OF HABIT An inquest was held on the 23<sup>rd</sup> ult at Stoke, before Mr Harding, coroner, on the body of **Thomas Woolliscroft**, an old boatman aged 75 years, who had died in the cabin of a boat on the previous day. The deceased, who refused to accept of the comforts of the workhouse, preferred and had occupied the cabin of an old boat moored on the canal for some years past, notwithstanding he had no bed to lie upon, and only an old pair of trousers for his pillow. For several days prior to his death, he was unwell, and had received various kind attentions from a Mrs Cartwright, who also sent for his daughter to come and see him ; but she refused, saying that he had "better be taken to the bastille". The old man being much worse on Friday, a surgeon was sent for, but he died before his arrival. Mrs Cartwright stated that she was satisfied the old man had not the common necessaries of life ; that he had a loaf of bread and 1s 6d per week from the parish ; that the boat cabin was in a very filthy state ; that his daughter had very much neglected him. The jury, in giving a verdict of "Died from natural causes", referred to the kind and humane conduct of Mrs Cartwright, but censured the unkind and inattentive conduct of the daughter.

### 145 3 September 1856

#### WEDNESBURY

THE LATE IRON STEALING CASE **James Lockley**, a boatman, was again brought up on Tuesday, charged with stealing four pigs of iron, the property of Messrs Blackwell and Co, ironmasters &c at Tipton Green. About a fortnight ago, the prisoner was seen by one of the witnesses, Monk, shafting a boat along the canal near to the Grand Junction Wharf, it being supposed to be an empty boat ; witness was about six or seven yards off, when he saw the prisoner throw three pigs of iron in the canal. He was engaged in conversation with him about ten minutes, and could identify him. He could not, however, say the prisoner was the man who had thrown over the iron. **George Robinson** examined : He was a boatman at Tipton. The prisoner lodged at his house. He did not know he was charged with stealing iron. He was with him on the night of the felony in a public house. He went to bed about half past ten o'clock. Prisoner was obliged to pass through his room to go to bed, and he could swear he did not leave his room until late in the morning ; and he was persuaded that the prisoner had not been away from his house. The witness had not been away from home from the time he went to bed till all the doors were locked. **Ellen Robinson** said she was the wife of the last witness. On Tuesday night fortnight, the prisoner went home about half past ten o'clock, and did not remain downstairs more than about ten minutes before he went to bed, and it would have been impossible for him to go out without her knowledge. Mr Bailey made an able defence for the prisoner, and on his being committed for trial, applied for bail.

**146 22 October 1856**

WEST BROMWICH At the Petty Sessions on Saturday, **James Osmond**, a boatman of middle age, was sentenced to two months imprisonment at Stafford, for stealing 130 lbs weight of iron on the 17<sup>th</sup> inst at West Bromwich, the property of Mr Hartland. The prisoner pleaded guilty, and begged for mercy on account of his wife and children.

**147 29 October 1856**

CORRESPONDENCE

WATER TRANSIT OF MERCHANDISE

*To the Editor of the Wolverhampton Chronicle*

SIR – Believing that your columns are open for any information which is calculated to benefit our town and its inhabitants, I take the liberty of addressing you upon a subject well worthy of the consideration of commercial men and particularly the canal companies of the neighbourhood, I allude to the transit of our merchandise &c by water, which if proper means were adopted might be vastly increased. To meet the growing requirements of the town and district, every accommodation should be given to develop our trade by increased facilities in the transit of what we require and have to dispose of. It is well known that to get up or down from Wolverhampton by canal, in consequence of the great number of locks, generally takes one fourth of the time that is occupied in going or coming from Runcorn. Now this is a serious drawback in a distance like this, then how much more so for shorter distances. The cost to the company to keep these locks in repair and supply them with water must be very considerable, and if we consider the six hours loss of time to upwards of two hundred men and their horses every day – the quick depreciation of the value of the horses which have to stand out exposed to the inclemency of the weather, frequently nine to twelve hours, and lastly, if we consider, as we ought to do, the immoral tendency this clustering together of boats has on a body of men and women who, with their families, are swearing and railing at each other for not doing what is now an impossibility – get out of each other's way – when a plan may be adopted by which a boat may be taken out of the top lock and floated in the bottom lock, and vice versa, in fifteen minutes, and at a very moderate charge to the boatman or owner, and would bring the company in a large income for the outlay, the necessity for adopting the proposed remedy is apparent.

Such being the case, I am sure I need not further occupy your valuable space by endeavouring to show to your readers the incalculable advantages, commercially, morally and humanely, that would rise from the destruction of these abominable locks.

Yours respectfully, G C

Wolverhampton, October 27 1856

**148 5 November 1856**

WEDNESBURY

ROBBERY FROM THE SOUTH STAFFORDSHIRE RAILWAY **Samuel Ashley** and Solomon Millett, the former of whom was lately a servant in the employment of the South Staffordshire Railway Company, and the latter a scrap dealer, were on Tuesday charged, Ashley with having stolen four bundles of hoop iron, the property of Messrs Dawes of the Bromford Ironworks, West Bromwich, from the premises of the railway company at Great Bridge, on the 20<sup>th</sup> of October, and Millett with having feloniously received the same property. Mr Sill, from the office of Messrs Duignan and Hemmant, appeared in support of the prosecution ; Mt Burbury on the part of Ashley, and Mr Smith for Millett. Mr Sill having in vain attempted to procure an adjournment of the case in order to obtain further important evidence, Mr Burbury strongly opposing the application, proceeded to call the following witnesses :- Richard Sandell, stock taker at Messrs Dawes, deposed to having on the 17<sup>th</sup> instant loaded 100 bundles of hoop iron into a boat belonging to the South Staffordshire Railway Company for removal to their wharf at Great Bridge. The iron was remarkable from its being cut into lengths for brewery purposes. He had since seen four of those bundles, in the keeping of Police-constable Dutton, one of which was now produced. The lengths

were marked "Dawes, Bromford". These words were rolled on the hoops and bands, and there was the letter "M" marked in white paint on each bundle. **William James**, a boatman living at Great Bridge, deposed to having, about half past five o'clock on the 20<sup>th</sup> instant, seen a man named **George Lee**, a boatman who was formerly in the service of the railway company, going from their wharf with a bundle of matched hoops on his shoulder of the same kind as those produced by Constable Dutton. The prisoner Dutton was walking about five or six yards behind Lee. Suspecting that the iron had not been honestly come by, he watched the men and saw them take the iron into a yard where Millett lived. Millett had a blacksmith's shop in the yard, and deals also in scrap iron. **Joseph Bevan**, a boatman in the employment of **Thomas James** of Toll End, also deposed to having, about twenty minutes to six on the morning of the 20<sup>th</sup>, seen Lee and Ashley take the iron into Millett's yard. In cross-examination by Mr Burbury, he admitted there had been some disagreement between himself and the prisoner Ashley as to a clock, but he considered that had nothing to do with the case. **Thomas Jones**, a steerer living at Toll End, deposed to having given information to the police. Constable Dutton of Great Bridge, stated that on the 20<sup>th</sup> of October about half past six in the morning, he went to the house of the prisoner Millett, and asked him if he had not had some iron brought him that morning. He said no. He (Dutton) told him that he had had either one or four bundles of hoop or round iron brought him that morning, and the prisoner then said he had found some iron at the corner of his yard. He then fetched his keys, took the constable into a shed, opened an inner door into his blacksmith's shop, and produced the four bundles of iron now identified by Sandell as the property of Messrs Dawes. Sandell was recalled, and stated that the iron was not of a kind likely to be used or purchased by a blacksmith. William Chidd, who has charge of the railway wharf at Great Bridge, deposed to having, on the morning of the 20<sup>th</sup> of October, counted the iron which had been brought from Messrs Dawes, and found there were four bundles short of the quantity named in the way bill. Mr Burbury addressed the Bench, submitting that there was no evidence to prove Ashley guilty of felony, and that he had hitherto borne a good character. Mr Smith declined to make any observations, and both prisoners were committed for trial.

#### **149 26 November 1856**

WOLVERHAMPTON POLICE COURT, THURSDAY NOVEMBER 20 **Francis Woodhouse**, boatman, was charged with an assault on **George Hill**, another boatman. It appeared from the evidence that some bad feeling had existed between the parties, and between seven and eight on the evening of the 18<sup>th</sup>, the defendant ran his boat wilfully against the prosecutor's boat, which was moored at its proper place in the canal, and broke the chain, seven yards of which had been consequently lost. The defendant, accompanied by other boatmen, jumped on board the prosecutor's boat and tried to throw him into the water, and when they went away they took his hat with them. Fined 10s and costs, or imprisonment for 21 days.

#### **150 3 December 1856**

STAFFORDSHIRE ADJOURNED QUARTER SESSIONS

CHARGE OF STEALING PEARL SHELL AT WOLVERHAMPTON In this case, in which Luke Brannan and Bernard Salmon were indicted for stealing pearl shell at Wolverhampton, the property of some person or persons unknown, an application was made by Mr Davis for the postponement of the trial, in consequence of the absence of an important witness. An affidavit was produced, deposing that although eight witnesses were subpoenaed on the previous day, it was now discovered that it was necessary to obtain the testimony of a boatman named **Shirley**, and as his evidence was considered of great importance, the learned counsel urged the necessity of an adjournment of the trial until the next sessions.

Mr Scotland opposed the application, contending that it would be an act of injustice to keep the prisoners in custody, one of whom, at least, was in a position which would prevent him from obtaining bail.

Mr Davis replied : and after a short consultation, the Court decided upon granting the application

and postponing the trial.

**STEALING IRON FROM A BOAT** **Samuel Ashley**, a boatman, was indicted for stealing four bundles of hoop iron, the property of John Robinson McClean, the lessee of the South Staffordshire Railway &c at Tipton, and Solomon Millett was charged with receiving the same knowing it to have been stolen.

Mr Kettle conducted the prosecution ; Mr Kenealy and Mr Smith defended the prisoners.

Several witnesses were called to prove the charge, the prisoner Ashley in company with another man having been seen to remove the iron from a boat whilst lying in the canal at Great Bridge, from whence they conveyed it to the yard of the prisoner Millett.

Mr Kenealy, in a lengthy address, contended that there was no proof of guilt against Millett.

The Jury returned a verdict of guilty against both prisoners, and Ashley was sentenced to nine, and Millett to twelve, calendar months imprisonment to hard labour.

### **151 10 December 1856**

#### **STAFFORDSHIRE WINTER ASSIZES**

**BURGLARY AT WALSALL** William Jebson, aged 29, a labourer, was indicted for burglariously entering the dwelling house of John Fisher of Walsall, on the 29<sup>th</sup> of August, and stealing two silver watches, his property.

Mr Kettle prosecuted ; the prisoner was undefended.

The prosecutor is a watchmaker residing in Park Street, Walsall. On the night of the 29<sup>th</sup> of August, his shop was fastened up in the usual way, and on the following morning he discovered that the shutters had been forced out of place, a square of glass broken, and two silver watches and some other articles taken out of the window. Between twelve and one o'clock the same night, police-constable Babb was on duty in Park Street, Walsall, and saw the prisoner and two other men about fifty yards from Mr Fisher's shop. He pursued his beat, and returned near to the same place about one o'clock. He then heard a smash, which might have been occasioned by the breaking of a shop window. Rather more than an hour afterwards, three men, one of them the prisoner, were seen by a boatman in Wolverhampton Lane, Walsall, and one of them was heard to say that they should have had "a draw of 100 if it had not been for the bobbies". A day or two afterwards, a person named John Clark saw the prisoner in Wharf Street, Birmingham, and heard him ask several men if either of them wished to buy a watch. On the 30<sup>th</sup> of August the prisoner pledged a watch at the shop of Mr Butler, pawnbroker of Birmingham. The watch was found to be one of those stolen from the prosecutor's ; and from the pawnbroker's description of the person who pledged it, the prisoner was taken into custody. Two witnesses deposed that they were in the gaol at Stafford when Jebson was brought in, and that he acknowledged in their presence having committed the burglary.

Whilst under cross-examination by the prisoner, the boatman named **Smith** fainted away. He was removed from the court ; and shortly afterwards Mr McBride, surgeon, stated that the man was suffering from a severe affection of the heart, and that the excitement of being again brought into court might prove fatal to him.

The prisoner, who exhibited much readiness and ingenuity in questioning some of the witnesses, intimated that Smith could himself furnish information as to the robbery, and such as would exculpate himself, Jebson.

A previous conviction was recorded against the prisoner, who was found guilty and sentenced to nine months imprisonment.

### **152 14 January 1857**

#### **WEST BROMWICH**

**PETTY SESSIONS** **William Robinson** and **Henry Combs**, boatmen, were charged with stealing from a boat 50 cwt of pig iron, the property of Mr William Dawes ; and William Timmins was charged with receiving the same, knowing it to have been stolen. Mr Plunkett attended to prosecute, and applied for a week's remand. Mr Bartlett of Wolverhampton defended the prisoner

Timmins, who was admitted to bail, himself in £100 and two sureties of £50 each, till next Saturday, when the case will be gone into.

**153 21 January 1857**

WEST BROMWICH

PETTY SESSIONS At these sessions, on Saturday last, William Timmins, beerhouse keeper, was charged with receiving a quantity of pig iron stolen from a boat belonging to Mr William H Dawes, and **Henry Combe** with stealing it. William Heath, parish constable, went to Timmins's house and found about three tons of pig iron, puddle bars and scrap faggots. As he was going into the cellar, Timmins said, "Say nothing about it, or I am a ruined man". A boatman named **Cartwright** saw Combe, with another man not in custody, remove the iron from the boat and take it to Timmins's house. Mr Richard Turnley, manager to the Messrs Dawes, and other witnesses, identified a portion of the pig iron, and the prisoners were committed for trial at the sessions. The Magistrates intimated their willingness to accept bail in £100, and two sureties in £50 each.

**154 21 January 1857**

BRIERLEY HILL

CHARGE OF STEALING TWENTY FIVE POUNDS On Thursday at Brierley Hill, before John Leigh Esq and the Rev F J Clarke, a man named **James Read** was charged with stealing five £5 notes, the property of a master boat loader named **Edward Vernon**, on the night of the previous Saturday. The prisoner worked for the prosecutor, and the latter was in the service of Messrs Mulrose and Hussey at their extensive boiler and chain works at Tividale. On Saturday the proprietors gave their workmen a supper, and the prosecutor and the prisoner were there. About nine o'clock at night the two started to go to Birmingham, and when half a mile on the road the prosecutor missed his money, which he had seen safe about three hours previously. He told the prisoner that he had lost his money, when the prisoner rejoined, "Oh that be ----, come on". The prisoner accordingly went on, and the prosecutor returned to Tividale, where he gave information to Police-constable Brown, who apprehended the prisoner at Birmingham. He denied the charge. A piece of cord was found upon him, which the prosecutor identified as having been in his own possession in the pocket that contained the money, when the latter was safe. The accused bore a bad character. He was remanded.

**155 28 January 1857**

WALSALL

DEATH FROM DROWNING An inquest was held on Wednesday at the Bull's Head, Green Lane, before A A Fletcher Esq, Coroner, on the body of **Joseph Fletcher**, eleven years of age, whose death was occasioned by drowning. It appeared from the evidence that the deceased, and a person with whom he was employed at Short Acre, were proceeding along the Eastington Canal in an empty boat when, near Bloxwich, deceased unfortunately slipped from the boat into the water. His companion was at the time endeavouring to open the gate of the lock, at which the boat had arrived, and did not perceive the accident. In a few minutes, however, he missed the deceased, and endeavoured to extricate him from the canal. He succeeded after much difficulty in doing so, but life was then extinct. The water in the canal was six feet deep. Deceased had been practically acquainted with boating for some time previously. Verdict, "Accidental death".

**156 28 January 1857**

WEST BROMWICH

THE IMPORTANT IRON STEALING AND RECEIVING CASE We gave last week the facts, as far as they transpired, of a case which for its important nature has not been exceeded recently in the iron district. At the Public Office last week, the whole matter was fully gone into, terminating in the committal of two of the thieves and the receiver of the stolen iron. On the 2<sup>nd</sup> of January, a boat load of iron, the property of Mr W H Dawes of Bromford Lane Works (West Bromwich), was near

the Tipton end of Dudley Tunnel (canal) in charge of a man named **Brading** (one of the accused not yet in custody). The prisoner before the Court, **George Coombes**, a boatman, came to this boat and said to Brading, "Are you going to work any shadows (stealing iron) today?" The answer was, "Yes, if you like", and from the direct testimony of a boy helping to work the vessel, these two, Coombes and Brading, took several pigs of iron from the boat, which they carried to the premises of Mr Timmings, keeper of the Jolly Colliers retail brewery in Tipton (by the canal side). When the iron was then deposited, Cartwright saw 5s 6d, which he was told was what it had sold for, and 1s was offered to him, which he refused. It may be necessary to state here that a man named William Robinson (the secured thief) was then referred to by Brading and Coombes, and it was said, "Don't you go and tell Junctioner (Robinson)". W Heath, parish constable of Tipton, stated that he went to search the prisoner Timmings's premises, and in a cellar he found about three tons of iron, 2 1/2 tons of which was pig iron. The landlord, Timmings, then said, "Heath, I should not wish you to say anything : if you do, I am a ruined man". Next came the important testimony of Mr Dawes's manager at his Withymore Blast Furnaces. Mr R Turnley, the manager, stated that on the day when Brading's boat was loaded at Withymore, he saw in the pig bed a piece of iron which was not as the pigs (pieces) usually are, of equal shape and thickness from end to end. This, from want of metal in the pig mould, was run almost taper at one end, and Mr Turnley called the attention of the iron weigher (stock taker), Mr E Edwards, to the fact, asking how it came there. Evidence was also adduced to show that this "waste" pig was put on board the boat referred to, of which Brading had the charge, when the prisoner Coombes came to him, as before stated, at Tipton, and such piece of iron was found at the prisoner Timmings's. Mr Plunkett, who ably conducted the prosecution on behalf of Mr Dawes, called many other witnesses, and traced their particular boat from Withymore to Bromford. Mr Bartlett (of Wolverhampton), retained for the prisoner Timmings, subjected the whole of the witnesses to a very close cross-examination, but the learned gentleman, at the end of the case, said that in the face of such a body of evidence, he should advise Timmings not to say anything now, but reserve his defence. After hearing Mr Plunkett, Coombes and Timmings were committed for trial, but subsequently admitted to bail. A second charge as to this robbery was then gone into, **William Robinson** being charged with stealing and William Coombes with receiving, knowing the same to have been stolen, a quantity of pig iron, the property of Mr Dawes. Mr Plunkett prosecuted, and Mr Bartlett defended both the prisoners. In its general features the evidence was similar to the foregoing testimony. It appeared that on the 5<sup>th</sup> of January, Brading and the prisoner Robinson were in charge of a boat laden with iron, sent from the Withymore Blast Furnaces, in their charge, and **Thomas Thacker**, a boat captain under whom the two men acted, stated that when the vessel was in the Dudley Tunnel Pound (Tipton side) on the day named he, being hidden from their sight, saw Brading throw off from the boat some iron pigs, which in part were taken to Timmings's premises. Robinson held the vessel on whilst Brading threw off the pigs, and witness showing himself, said, "What are you about ; put the iron back again", and some of the pigs on the canal boat were returned to the boat. Brading proposed to put the metal into the water, and Robinson said, "I've had nothing to do with it". Part of the iron found at Timmings's corresponded in its general appearance with the boat's cargo, but the ends, which had Mr Dawes's mark, had been broken off. It will be borne in mind that the prisoner Robinson was referred to by Brading and Coombes in the first case as "Junctioner", and Thacker added to his testimony that when the iron was thrown off from the boat by Brading, the prisoner said to him, "D--- your eyes, don't throw any more off : we shall be shorter this time than we were last". Mr Bartlett said he felt it to be his duty to remark upon this charge, and he was of opinion that there was not sufficient evidence to warrant the Bench in sending these men for trial in this case. To him it seemed clear that Robinson was considered to be more honest than the two others, Coombes and Brading, or why was their robbery to be kept from his knowledge? As to Timmings, the identity of the alleged stolen metal was not proved, except upon the general appearance. Mr Plunkett, in the course of his reply, quoted cases to show that general appearance, in some instances, was sufficient evidence of identity as to stolen property, and the Court decided that there were good grounds upon which to send both the accused for trial, as thief and receiver, and they were accordingly committed on the charge. Bail

was, however, accepted.

**157 11 February 1857**

**ROBBERY BY A SERVANT** At the Borough Police Court on Monday last, **William Allen** was committed to gaol for four months on the charge of stealing a quantity of wearing apparel and a number of articles, the property of **William Fulford** of Bilston Street. The prosecutor is a boatman, and the prisoner was employed by him at 5s per week, with board, lodging, &c. On Saturday night last, the prosecutor was awoke from his sleep, and on going downstairs, found the prisoner about to leave the house with a quantity of property which he had packed up. Another man had gone away, taking with him a number of articles. A police officer was fetched and the prisoner given into custody. He pleaded guilty.

**158 18 March 1857**

**WOLVERHAMPTON POLICE COURT, WEDNESDAY MARCH 11**

**CAUTION TO PARENTS** **Elizabeth Foster**, the wife of a boatman and the mother of a family, was charged with stealing a shawl, the property of Mrs Woodhead, under the following circumstances. The shawl in question was in pledge at Mr Langman's in Dudley Street, and Mrs Woodhead purchased the ticket of it from a woman named Ratcliffe. On Monday night, Mrs Woodhead sent her daughter, a child about eight years old, to redeem the shawl, and when the girl arrived at the shop the prisoner was there. After the child had got possession of the article and had started on her way home, the prisoner accosted her and enticed her into the Old Churchyard, where she induced the little girl to give the shawl up to her, saying that she was Mrs Radcliffe's sister, and that she was going to take the shawl to her. In a few minutes afterwards, the prisoner pledged the shawl for 3s at Mr Williams's in Stafford Street. Police officer Tomlinson, having heard of the case, went to the prisoner's house and she, upon seeing him, said, "I suppose you are come about that pawn broking job ; I am always getting into something through doing people a good turn", adding that a woman, whom she did not know, had asked her to pawn the shawl. A handful of pawn tickets was found upon her. She was committed to prison for one month, and Mrs Woodhead was remonstrated with for sending her daughter upon such an errand at so late an hour in the evening.

**159 18 March 1857**

**STAFFORDSHIRE LENT ASSIZES**

**CROWN COURT, TUESDAY** **Joseph Edwards**, 38, boatman, and **Joseph Embury**, 40, boatman, were indicted for stealing, on the 21<sup>st</sup> of February at Tipton, a ton of iron, the property of Benjamin Gibbons at Wolverhampton. Edwards was acquitted. Embury was found guilty, and a previous conviction for felony having been found against him, he was sentenced to four years penal servitude.

**160 1 April 1857**

**WALSALL**

**A ROMAN CATHOLIC CLERGYMAN DROWNED** An inquest was held on the 23<sup>rd</sup> ult at the house of Mr Dixon, Little Bloxwich, before A A Fletcher Esq, coroner, on the body of the Rev William Illesley, aged 54 years, a Roman Catholic clergyman, who was found drowned in the Birmingham Canal at Little Bloxwich on the previous Saturday morning. The first witness called was **Josiah Elton**, a resident in Bloxwich, who stated that he was a canal boatman. On Saturday morning about ten minutes before six o'clock, witness was dragging a boat along the Birmingham Canal at Little Bloxwich, when his attention was directed to something on top of the water, which upon closer inspection he found to be a man dressed. He called out to a young man who was with witness for assistance. Some Irishmen were coming along then, and they helped to get the body out. There was a mark over the deceased's right eye. The mark was quite a slight one. When the deceased was taken out of the canal, witness went and brought a policeman, by whom the body was carried to where it now lay. Supposed the water in the canal at the place where the deceased was

found was not above three feet deep on Saturday morning. There was nothing about the deceased's appearance to induce witness to believe that he had met with any violence before getting into the water. Deceased was quite dead when witness found him. Edward Lester, awl blade maker, Bloxwich, deposed that he knew Mr Illesley and last saw him alive on Friday night about a quarter after ten o'clock. He was on the Bloxwich Road, near the Black Horse, lying down on a heap of stones. He asked witness to help him up several times. Another lad, William Wooten, who was with witness, got deceased up with considerable difficulty. He staggered at first, but after a little, walked quietly away towards Walsall. He was all over mud at the time. A juror remarked that the deceased should have been more carefully watched. The Rev Mr Lovi of St Mary's, Walsall, said that the deceased lodged with a friend in Walsall, went out on Friday night, and was supposed to have gone to chapel. He had evidently been suffering on that day from a paroxysm of a cerebral disease under which he had long been labouring, and he was very irritable when he thought people were taking care of him. The Coroner remarked that the deceased had been under medical advice, and his medical advisor would have ordered restraint if he had thought it necessary. Police-constable Simpson was next examined. He spoke to the removal of the body from the canal bank. Searched the deceased, found in his trousers pocket a purse containing eight sovereigns, with fourpence in copper loose in the pockets, and watch, comb, &c. In his inside coat pocket was a £5 Bank of England note, and six oranges and a pair of gloves in his outside coat pocket. The Coroner read a note from Dr Birt Davies of Birmingham, who certified that the deceased was suffering under severe neuralgic affection, probably proceeding from structural change in the brain, which disease might have caused sudden insensibility. The Coroner then addressed the Jury, showing that the deceased was in such a state of health as would render him liable to sudden fits of giddiness, and that there was no evidence that he had committed suicide. The Jury, after a short deliberation, returned an open verdict, "Found drowned".

#### **161 1 April 1857**

**IRON STEALING FROM BUSHBURY** At the Dudley Petty Sessions on Wednesday, before Captain Bennitt and C Cartwright Esq, **Joseph Edwards**, a boatman, having no home, was charged with stealing seven or eight hundredweight of cast iron, the property of William Tarratt Esq, a magistrate residing at Bushbury near Wolverhampton. At the last Staffordshire assizes, a man named **Joseph Emery** was convicted of stealing a quantity of cast iron, the property of Benjamin Gibbons Esq of Corbyns Hall, near Dudley. He (Emery) was then sentenced to four years penal servitude. The prisoner Edwards was charged at the same time with Emery, but was acquitted. However, as soon as Edwards was liberated, he was again taken into custody on the present charge. The evidence on Wednesday established the following facts. On the 5<sup>th</sup> of March instant, a labourer named Joseph Downes, in the service of Mr John Sidney, who holds a wharf under W Tarratt Esq at Bushbury, observed that seven cast iron plates had been removed from near the canal. On the 21<sup>st</sup> of February, parish constables Davies and Baxter saw the prisoner and Emery together at Dudley Port, wheeling a barrow alternately. The prisoner and his companion took the barrow to the warehouse of Mr Thomas Finch, a marine store dealer of that place, and upon being asked what it contained, Emery said, "It was only a bit of rope". On overturning the barrow, the constables found it contained the iron in question. The iron was subsequently compared with the sleepers from which the plates were taken, at Bushbury, and they were found to correspond. Emery's boat was searched, and other pieces of iron were found which, on being placed together, formed six of the missing plates. The seventh was found in the canal at Bushbury, close to the wharf. The prisoner declared that he was innocent of the charge, and that having assisted Emery to "leg" his boat through the tunnel, he was going with him to get paid. A witness proved that the two men were together in the boat at Tipton. He was committed to the Stafford Sessions.

#### **162 8 April 1857**

**CHARGE OF STEALING IRON** Yesterday (Tuesday) at the Borough Police Court, **William Bateman** and **Benjamin Preston**, boatmen, were charged with stealing a quantity of iron, supposed

to be the property of Mr Riley of Millfields. Police officer Horsley found about ten cwt of iron on the floor in a house, and suspecting more would be brought there, he waited some time, and eventually the prisoners came with a quantity of the metal. In the prisoners' boat were found five cwt of iron. Preston said he was acting under the orders of Bateman, his master. The prisoners were remanded.

**163 15 April 1897**

WOLVERHAMPTON POLICE COURT, SATURDAY APRIL 11

THE CHARGE OF STEALING IRON **William Bateman alias Beyman**, otherwise **Beaumont**, and **Benjamin Preston** were again brought up on remand from Thursday, charged with stealing a quantity of pig iron belonging to Messrs Riley and Son of Millfields. The evidence of W T Riley and another witness, the stock taker at Bentley Works, having been taken in addition to that previously adduced, both prisoners were fully committed for trial at the adjourned sessions. On the application of Mr Ward, the Magistrates agreed to accept bail.

**164 15 April 1857**

STAFFORDSHIRE QUARTER SESSIONS **Joseph Edwards**, boatman, an old offender, and one of a gang of canal boat robbers, was charged with stealing six cast iron wharf plates, the property of John Sidney, at Bushbury. A previous conviction was proved against the prisoner, who was sentenced to four years penal servitude.

**165 22 April 1857**

DISCOVERY OF THE BODY OF A MAN IN THE CANAL On Monday last, by adjournment from Wednesday, an inquest was held at the house of Mr Hughes, the Talbot Inn, Little's Lane, before W H Phillips Esq, deputy coroner, on the body of Henry Taylor, 62 years of age, tallow chandler and retail brewer of Falkland Street, who was found dead near the second lock of the Birmingham Canal between one and two o'clock on Wednesday morning. From the evidence adduced on the opening of the enquiry, it appeared that the body was found by a boatman named **George Pritchard**, who was navigating a boat along the canal from this town to Nantwich. When Pritchard arrived at the second lock from Little's Lane Bridge, his boy informed him that he could not open the gates, and Pritchard himself went and fetched the lock-keeper. The body was subsequently found jammed in the paddle gate hole, and having been got out and placed on the deck of Pritchard's boat, a wound was observed on the right temple and blood was coming from it. The body was conveyed to the Talbot Inn, where it remained some time without being identified. The lock-keeper was of opinion that the deceased fell into the water while in a state of intoxication, as the towing-path was sufficiently wide to render it perfectly safe for foot passengers. By the direction of the Coroner, a *post mortem* examination of the body was made by Mr Dehane, surgeon, and the adjourned inquest was held for the purpose of hearing evidence as to the cause of death and other testimony. Mr Dehane stated that he found the body healthy in every part with the exception of an ulcer of long standing on the left leg. Death had been occasioned by drowning, the wound on the temple being only a slight one. From the evidence of Robert Billingsby, a brother of the deceased's wife, Sarah Price, servant at Mr Taylor's house, and Mrs Taylor herself, it seemed that on the previous Monday night the deceased was intoxicated, had words with his wife, struck her twice, and also the servant, who endeavoured to separate them. He went to bed about eleven o'clock, and remained there until Tuesday night about seven, when he went out, but did not return. The deceased and his wife occasionally quarrelled. He was, as they said, a drunken man, and had once threatened to destroy himself. Debts had lately pressed the deceased, and he had said he would never meet trouble. When the deceased was missed, it was thought he had followed a Mr Moffat, a person who had stayed at his house on Monday night, to Birmingham. Deceased had done but little work for the last two years, but, as the servant girl swore, neither eatables nor drinkables were locked up from him. Mrs Taylor said her late husband was a man who never fretted at anything, and the servant girl said Mrs Taylor was an industrious woman. Mr and Mrs Astle of Stafford Street, who

knew the deceased well and had been acquainted with him for some time, stated that on Monday night, about seven o'clock, he came to their house and stopped till nearly eight. He was perfectly sober, but full of trouble. He said his wife and servant had set about him ; that the servant fetched his wife's sister, Mrs Ray, who laid hold of him by the nose and pulled him about, and he thought his head must have gone through the screen. He had repeatedly said that his life was miserable ; that he had no work, and that for the past fortnight his wife was threatening to let the house. The deceased was a man of sober habits, and during the many years they had known him they never saw him drunk. The jury, after consulting together for some time, returned the following verdict :- "That Henry Taylor died from drowning in the Birmingham Canal, but how or by what means he came there, sufficient evidence did not appear". The deceased, we hear, was generally considered a sober and quiet man.

**166 3 June 1857**

WOLVERHAMPTON POLICE COURT, FRIDAY MAY 29

CAUTION AGAINST DRUNKENNESS **Joseph Hixon** and **William Hixon**, boatmen, were charged with being drunk and disorderly, with assaulting a parish constable in the execution of his duty, and with stealing a truss of hay, the property of Mr Keeling. Mr Pursell, of the Three Tuns Inn on the Stafford Road, stated that yesterday he saw the defendants, who were very drunk, moving a ladder that was reared against a part of his premises. He spoke to them, and they abused him dreadfully ; they afterwards ran after a waggon and tried to get into it, but could not do so ; they then took a truss of hay from behind it, and flung the hay under a hedge. The constable, Joseph Vaughan, was sent for, and Joseph Hixon kicked him over ; William Hixon also assaulted him. He (Mr Pursell) thought they were acting as they did through a drunken frolic ; he did not think they meant to steal the hay. Joseph Vaughan, the constable, spoke to the conduct of the defendants in assaulting him, adding that they had offered to compensate him. Joseph Hixon was fined 40s and costs ; William Hixon 30s and costs ; in default two months imprisonment.

STEALING A WATCH **Joseph Bate**, a boatman, pleaded guilty to a charge of stealing a watch, the property of **James Goring**, from a canal boat, when in the canal wharf, in this town. The watch was stolen from the cabin in the night of the 15<sup>th</sup> of May 1856, and offered for sale by the prisoner at Worcester on the 20<sup>th</sup> of the same month. He was charged with stealing it, but struggled with and got away from the constable, and had not been heard of until taken into custody in Wolverhampton yesterday. He was sentenced to four months imprisonment with hard labour.

**167 17 June 1857**

WEST BROMWICH PETTY SESSIONS On Saturday last, before A Kenrick and T Boddington Esqs, **Benjamin Hughes**, boatman in the employ of **Mr Bishton**, was committed for trial at the sessions for stealing from the wharf at Dudley Wood, on the 1<sup>st</sup> instant, 280 fire bricks, the property of Messrs J and J Fisher. The prisoner was in charge of a boat laden with bricks to be delivered to Messrs Hipkins of Greet's Green, West Bromwich. The proper quantity of bricks was delivered, but in addition the prisoner offered 280 for sale to Messrs Hipkins, who refused to buy them unless entered to Messrs Fisher's account, which the prisoner declined. Information was then given to the police, who arrested him, and on the boat being searched, about 16 cwt of iron was found in it, which was proved to have been stolen from a boat belonging to Messrs Deeley and Mottram of Tipton. This theft will form a second charge against the prisoner.

**168 24 June 1857**

CHARGE OF STEALING A "PIG" At the Borough Police Court on Monday last, before J Wynn and J Walker Esqs, **John Allen**, captain of a boat, the property of Mr Riley, was charged with stealing a bar of pig iron, the property of some person unknown. It appeared that on Saturday night about nine o'clock, Allen was seen in the canal near to Messrs Thorneycroft's works ; he found a bar of iron which he, with the assistance of three other men, got out. It was afterwards placed in a boat

and covered with a plank. A watchman to Messrs Thorneycroft was fetched, and in reply to his question, the prisoner told him the "pig" was in the boat, but Allen and another boatman refused to let him have it, and held him and threatened him whilst it was thrown into the water. The pig was afterwards got out, but could not be identified. **Turner**, the prisoner's master, said he believed Allen got into the water to find something belonging to himself which had fallen into the water, and when the "pig" was found, he (Allen) said he would act upon a recommendation given him by Turner and take to Messrs Thorneycroft's office. The witness added that there were plenty of persons present when the iron was recovered, and that the prisoner did not attempt to conceal it. The Magistrates said the prisoner's behaviour was suspicious, looking at his conduct towards the watchman, but there was not sufficient evidence to warrant a commitment. He was discharged on paying costs. Mr Ward appeared for the prisoner.

### **169 1 July 1857**

#### STAFFORDSHIRE QUARTER SESSIONS

ROBBERY OF BRICKS **Benjamin Hughes**, 20, boatman, a steerer in the employ of Messrs James and John Fisher at West Bromwich, was indicted for stealing 280 bricks, the property of his masters.

Mr Motteram conducted the prosecution and Mr Claydon the defence of the prisoner, who was acquitted.

The prisoner was then charged with stealing 17 cwt of pig iron, the property of Messrs Motteram and Deeley at West Bromwich, and on this charge also he was acquitted.

### **170 8 July 1857**

#### STAFFORDSHIRE QUARTER SESSIONS

##### WEDNESDAY

STEALING MALT AT WEST BROMWICH **William Whitehouse**, 40, boatman, was indicted for stealing forty bushels of malt, the property of William Downing of West Bromwich. Mr Downing's malthouse was broken open on the night of the 25<sup>th</sup> of May, and about forty bushels of malt were stolen. Grains of malt were found sprinkled over the ground in the direction of the prisoner's house ; and upon a stable in his possession, situated a short distance from the malthouse, being broken open, forty bushels of malt were found in one of the stalls, and this was subsequently identified by the prosecutor as his property. The key of the stable was found on the windowsill of the prisoner's house, where he had directed the police to look for it. The house of a man named Bowler was searched : a pair of boots containing several grains of malt were found there, and Bowler had absconded since the robbery. In the prisoner's stable, an old patched-up place, were found two other pairs of boots, neither of which belonged to the prisoner. Mr Kenealy, for the prisoner, contended that the man Bowler was the real thief, and that on the assumption that more than one person was concerned in the robbery, the fact of two pairs of shoes not belonging to the prisoner having been found in his stable would be sufficient to relieve him of suspicion, on the ground that it could not reasonably be assumed that more than three persons were engaged in the robbery. The Jury found the prisoner guilty, and he was sentenced to (?one?) years imprisonment. After the delivery of the sentence, Mr Motteram mentioned the fact that Mr Downing had been robbed of malt to the amount of £200 or £300 a year.

STEALING MONEY FROM THE PERSON AT TIPTON **Andrew Young**, 26, no occupation, and **Thomas Davis**, 24, boatman, were indicted for stealing one pound, the moneys of William Draycott at Tipton. The prosecutor, in a state of intoxication, went to a beerhouse at Tipton in company with the prisoners. After he had been there a short time, the landlord saw the prisoner put his hand into Draycott's pocket. Seeing that Draycott had a quantity of loose silver and gold in his pocket, he told Young that if he did that again he would call a policeman. Shortly afterwards, another person in the house saw Young again put his hand in Draycott's pocket and take out a sovereign and drop it, when Davis picked it up and left the house. The landlord then locked Young in and sent for the parish

constable, who found Davis in an adjoining stable, and on charging him with the robbery, he was seen to drop a sovereign into the straw. The Jury found the prisoners guilty. A previous conviction was proved against Young, and he was sentenced to six years penal servitude ; Davis was sentenced to six months imprisonment.

THURSDAY Job Cole, 45, brickmaker, and **Thomas Oakden**, 27, boatman, were indicted for stealing 24 tons weight of iron, the property of George Haden Hickman and another, at Tipton. The servants of the prosecutors had, on the night of the 29<sup>th</sup> of May, moored in the basin at Tipton a boat laden with about 24 tons of iron. On the morning of the 30<sup>th</sup> of May, the boat was missed from the basin, and was subsequently found at the junction about half a mile off, in the direction of Ryder's Green Lock. The boat was found to have been lightened by about two tons, and this quantity was subsequently discovered concealed in a mud boat belonging to the prisoners, who were identified by two of Messrs Hickman's workmen. The prisoners made one or two unsuccessful attempts to pass the boat at Ryder's Green Locks by false declarations. They were found guilty. A previous conviction was proved against Oakden, and he was sentenced to four years penal servitude. Cole was sentenced to twelve months imprisonment.

**171 29 July 1857**

STAFFORDSHIRE SUMMER ASSIZES **James Simpson**, 27, boatman, was indicted for stealing from a field on the 16<sup>th</sup> of July instant, a sleeve waistcoat, the property of William Powell, at Penkridge. He was convicted by the Jury and sentence to one months imprisonment to hard labour.

**172 12 August 1857**

WEST BROMWICH PETTY SESSIONS **William Venables**, a boatman, was charged with being concerned, with a man not yet in custody, in stealing 16 cwt of iron, the property of Messrs Pearson and Kendrick of Wolverhampton, ironmasters, on the 24<sup>th</sup> of July last. The prisoner on that night was seen with a man named Jones, who escaped, taking iron from a loaded boat and placing it in another, which he was going to haul off from Roberts's wharf at Swan Village, when he was caught in the act and pursued. The prisoner jumped into the canal and got across, as did Jones, who has absconded. Police-constable Clark apprehended the prisoner at his house at an early hour on the following morning, and found a suit of clothes dripping wet in the house. He asked him how he accounted for them being so wet, when the prisoner said his wife had put them in soak previous to washing. The prisoner was identified as the party seen taking the iron, and was committed to take his trial.

**173 19 August 1857**

OLDBURY

INSOLVENTS **John Thompson**, retail brewer and boatman of Smethwick, passed his first examination, supported by Mr Dalby and opposed by Mr Claydon, barrister, and Mr Wright. Opposition reserved.

**174 2 September 1857**

DUDLEY

EXTENSIVE ROBBERY OF GUNPOWDER On Wednesday at the Public Office, before A B Cochrane and J E Swindell Esqs, Thomas Gennoe and Thomas Perry were charged with stealing about a ton of gunpowder, the property of Messrs Fisher Brothers, oil merchants &c, of Dudley and Netherton. Superintendent Burton having been informed of the robbery, made inquiries, and from information he acquired met with the two prisoners between nine and ten o'clock on Tuesday night near the turnpike gate at Dudley Port. They then had a horse and cart with them, and were coming towards Dudley. The cart contained about a ton of gunpowder in a number of bags and barrels, bearing the marks "C F" and "T M", the same as those borne by the property stolen. The prisoners told the superintendent that they had not stolen the powder. The powder magazine of the

prosecutors was locked up about eleven o'clock on Monday morning. The whole of the powder was then in casks and bags only. Between ten and eleven o'clock on Tuesday morning, it was found that the magazine door had been burst open, and the gate also had been broken, and about one ton of powder was taken. The casks at the police station were precisely similar to those stolen. The prisoner Gennoe told the Bench that he had been a carter for about fourteen years in the service of Mr Dixon, and that a man named Pratt asked him to draw the powder ; and Perry said that he knew nothing about it, as Gennoe was his master, and ordered him to draw the cart. The prisoners were remanded till Monday, when they were brought up before Captain Bennitt and T Fereday Esq. In addition to the prisoners Gennoe and Perry, there were three others, named Edward Pratt, saddler of Dudley Port ; **Samuel Thompson**, a boatman ; and a woman, Hannah Perks. Mr T Harding of Birmingham appeared for Gennoe ; Mr Warmington for Thompson and the woman Perks. On the application of Superintendent Burton, the prisoner Perry was discharged, there being no evidence against him. After hearing the evidence, the Bench decided upon sending the whole of the other prisoners for trial at the ensuing Worcester Sessions. They agreed to take bail of two sureties in £50 and their own recognisance of £100 for each of the male prisoners, and two of £20 and her own in £40 for the appearance of the female prisoner.

### **175 2 September 1857**

#### WALSALL

**GIRL DROWNED** On Monday last, a girl ten years of age, named **Jane Perry**, the daughter of a boatman belonging to Pelsall, accidentally fell from her father's boat into the Netherton Canal near Bloxwich, and was drowned. The body was taken to a public house hard by, and information of the casualty given to one of the police, with the view of the coroner being informed of it. The policeman, however, forgot all about it, and the body lay at the Inn until the matter on Thursday casually reached the ears of the coroner's summoning officer, Mr Griffin. An inquest was immediately summoned for the following day, at which a verdict of "Accidental death" was returned.

### **176 9 September 1857**

**DISTRESSING ACCIDENT IN A CANAL BOAT NEAR TUNSTALL** On Friday night, a distressing accident occurred on board a canal boat lying in the neighbourhood of Tunstall, by which two children, a boy and a girl of the respective ages of four and two years, have lost their lives by burning, whilst the father, the captain of the boat, had also been injured from the same cause. The mother of the unfortunate children, in her evidence at the inquest held before W Harding Esq, coroner, stated that her husband, **Joseph Osborne**, was a boatman from Warwick. On Friday night, having loaded the boat with ironstone, she made the bed between the far compartment of the ironstone, placing a flock mattress and the bedclothes there. Her husband and son and daughter went to bed there between ten and eleven, but she remained to dry some clothes in the cabin where, being tired, she fell asleep. Between twelve and one o'clock, she was alarmed, and found the fore part of the boat was on fire. She went to her husband and children, and found the latter were "burnt all to pieces", her husband's face and right hand being also badly burnt. With assistance they were all three got out of the boat and taken to the Infirmary. She helped her husband to load his boat, and noticed that it was warm, but did not think there was danger. Her husband was sober, and did not smoke. She believed the hot ironstone had set fire to the boat. It appeared that the boy died in about half an hour after he arrived at the Infirmary, and the girl in little more than an hour. The father was not dangerously burnt, and is going on well. Verdicts of "Accidental death" were returned.

### **177 28 October 1857**

#### STAFFORDSHIRE QUARTER SESSIONS

**STEALING PIG IRON AT TIPTON** **George Hughes, John Twigg** and **Joseph Twigg**, boatmen, were indicted for stealing 18 cwt of iron, the property of Henry Hoffman, at Tipton.

Mr Scotland appeared for the prosecution, from which it appeared that the prisoners had been engaged unloading boats for the prosecutor at the Phoenix Works, and after it was dark they removed one of the boats, containing the iron and four tons of slack belonging to a Mr Hickman, about half a mile up the canal, where they were apprehended.

The defence set up was that Mr Russell, the agent, had given them directions to remove the boat as it was from the wharf. This, however, was denied by Mr Russell.

The jury returned a verdict of guilty. Joseph Twigg, who had been previously convicted, was sentenced to four years penal servitude, and Hughes and John Twigg to six months imprisonment each.

**STEALING A SILVER WATCH AND CHAIN AT WOLVERHAMPTON** Thomas Maloney, 20, an Irishman, was indicted for stealing a silver watch and guard chain, the property of **George Turner**, at Wolverhampton. The prosecutor, a boatman, stated that on the evening of the 1<sup>st</sup> of August between eight and nine o'clock, he went to the Roebuck Inn, Wolverhampton. Whilst there he and others were engaged in an upstairs room playing at cards, and the prisoner, who was standing behind his chair, leaned over his shoulder and afterwards left the room. As soon as he was gone the watch was missed ; the door was locked, a police officer sent for, and all present searched, but without finding the watch. The next witness, William Purcell, deposed that about half past eight he saw the prisoner at the Whale public house ; after which he left, and returned again about half past nine o'clock, with a watch in his hand and the chain twisted round his finger. The prisoner was subsequently apprehended, but the watch was not found. The prisoner, in his defence, merely gave a broad denial to the charge. The Jury returned a verdict of guilty, and he was sentenced to four months imprisonment to hard labour.

**EXTENSIVE ROBBERY ON THE NORTH STAFFORDSHIRE RAILWAY** William Lane, 28, beerhouse keeper at Crewe, and formerly an engine driver in the employ of the North Staffordshire Railway Company ; Thomas Bentley, 29, fireman in the employ of the company ; Samuel Parker alias John Lee, 42, greengrocer at Macclesfield ; Samuel Bloore, writing clerk at Macclesfield ; and **John Bentley**, boatman, were indicted for stealing 500 pounds weight of cotton lace thread, the property of the North Staffordshire Railway Company, Thomas Bentley then being a servant of the company. A second count charged the prisoners with receiving the thread with a guilty knowledge ; and a third count charged Parker with having been previously convicted.

Mr Scotland, with whom was Mr Browne, conducted the prosecution ; Mr McMahon appeared for Lane ; Mr Kettle for Thomas Bentley ; Mr Hill for Parker ; Mr Kenealy for Bloore ; and Mr Motteram for John Bentley.

The peculiar circumstances of the case, together with the value of the property stolen – between £200 and £300 – rendered it the most important of those tried at these sessions. Nearly fifty witnesses were examined, and their evidence may be thus summarised :-

On the 4<sup>th</sup> of August last, a quantity of cotton lace thread, enclosed in five boxes, was consigned to the care of the North Staffordshire Railway Company at the Macclesfield station, from the works of Mr George Swindells and Messrs Oliver and Son at Bollington, Cheshire, for conveyance to Bristol via Birmingham. These boxes were placed in a luggage van (No 3041), one of the number constructed especially for the conveyance of goods of value, the door of which fastened by a spring upon its being shut, and could not be reopened except with a key usually kept in the goods office. The train of which this van formed a part left Macclesfield at 50 minutes past seven in the evening of that day, and arrived at Stoke at half past nine. The train arrived safely at Stoke, and was at once run into the goods station, which lies to the side of the passenger station. There the train was broken up and reformed, the carriages for Birmingham and all the other places, via Norton Bridge, being formed into a separate train. The reformed train was comprised of 28 vans of which No 3041 was the 22<sup>nd</sup> down. The 4<sup>th</sup> of August was one of the days of Stoke wakes and races, and several excursion trains ran from Stoke on that day. Of the reformed train a man named Bell was the driver and Thomas Bentley the fireman, and Bentley suggested that he should ask Mr Snape, the foreman

of the goods station, whether they might take the train from the yard on the main line, ready to start for Norton Bridge. A conditional permission was given, and the train was run on to the main line opposite to Messrs Dimmack's timber yard, where it stood for about an hour, in consequence of a passenger train occupying, at the passenger platform, the line before it. While it remained there, Thomas Bentley had charge of the train, and Bell went to the box of one of the pointsmen. At this spot it was that the robbery was committed, some time before half past two on the following morning, at which time the train left Stoke for Norton Bridge, arriving at Birmingham some time during the day. The van No 3041 was then examined, and it was discovered that the five boxes in question were missing. To connect the prisoners severally with the robbery, the following facts would be deposed to :- On the 4<sup>th</sup> of August, Thomas Bentley had several times been seen by **James Holland** and several other persons in the company of Lane, and at twelve o'clock that night Lane met Holland, who had charge of a boat lying at Lee's bottom lock, not far from Stoke railway station. He asked Holland to let him put some "stuff" in his boat, but Holland refused. He accompanied him, however, for some distance along the towing-path to help him to find a boat, and then left him. As Holland was returning to his own boat, he found the boat of a man named **Gould** adrift in the canal, and he moored her near the boat dock, close to the timber yard. While he was tying up the boat Lane joined him, and showed him, lying under the wall of the timber yard, two or three square boxes. At this time Lane was in the company of another man whom Holland, however, could not identify. Lane on the following day told Holland that he wanted him to go to the Puss in Boots Bridge at Macclesfield, and tell Parker to bring the cart for the "stuff", and also some money. Holland went and delivered the message, and was paid by Lane for his trouble. On the 5<sup>th</sup> of August, Gould went with his boat, in the company of Lane, on his way to Macclesfield. When they got to Harecastle Tunnel, Lane showed Gould the "stuff" in several parcels. Lane told him that he must not split, as there were several of them in it, and that he had got the key that unlocked the van. The "stuff" was then put into three bags, and the boat proceeded along the canal until it reached Knowsley Bridge, where Lane and Gould were met by Parker and Bloore with a cart. The boat was steered by John Bentley from the Tunnel to Knowsley Bridge. Holland, Gould and all the prisoners, with the exception of Thomas Bentley, who was not there, assisted in removing the "stuff" from the boat into Parker's cart. The men all had drink together, and then Parker drove away the cart. Bloore, when the cart was loaded, gave Holland £6, which he gave to Lane. The money was returned by Lane to Holland, with the remark that it was for him and Gould, if it would satisfy them. On the fact of the robbery having been committed becoming known, Gould's boat was searched, and a part of a broken box and a piece of wood were found in it. A bag, containing a box with 295 bobbins of the missing lace thread, was found floating in the canal half a mile from Knowsley Bridge. The weight of this evidence rested chiefly upon the credibility of Holland and Gould, who were themselves in custody as accomplices, but nearly twenty disinterested persons would be called to depose to the fact of the prisoners severally concerned being together at Stoke, between Stoke and Knowsley Bridge, on the road between Knowsley Bridge and Macclesfield, and at Bloore's house in Macclesfield, where the cart was unloaded at half past ten on the night of the 5<sup>th</sup> of August. The statements of the prisoners when apprehended and charged with the robbery were as follows :- Parker said that he was at home, ill, on the whole of Wednesday the 4<sup>th</sup> of August, but was at Hall Green, near Knowsley Bridge, on the following day, with his horse and cart and four empty hampers. When the police went to Macclesfield to apprehend Bloore, he made his escape at the back of the house, but was captured after a short chase. He simply denied the charge, and said that he was never at Hall Green in his life. At the police station at Stoke, Lane was charged with the robbery in the presence of Gould, who said that he was the man who helped him to put the thread in the bags when going through the tunnel. Lane denied the charge, and said that he had never seen Gould before. When Thomas Bentley was apprehended, he said that he had not been with Lane on the 4<sup>th</sup> August, and that he knew nothing of the robbery. He admitted being in a boat supposed to be Gould's at Knowsley Bridge, but denied that he had taken any share in unloading it. The evidence of about twenty of the witnesses, including that of the approvers Gould and Holland, who were very severely cross-examined by the counsel for the defence, was got through on Friday,

and the case for the prosecution closed at half past six on Saturday evening.

Several of the learned Counsel engaged for the defence recommended an adjournment at that time, as it was obviously impossible to conclude the case that night, but the Chairman being averse to subjecting the jury to the inconvenience of remaining in charge all day on Sunday, said he thought they had better go on as long as they could in any case, and finish if possible ; he was ready to sit until twelve o'clock.

Witnesses were then called to character.

Mr McMahon on behalf of Lane, in addition to two witnesses examined on the previous night, called Mr George Fowler, cooper of Stoke, who said he had known Lane four or five years, and he had during that time borne a good character.

Mr Kenealy, on behalf of Bloore, called Mr George Frost, silk throwster, and Mr Joseph Jackson, both of Macclesfield, who stated that they had known Bloore for many years. Up to the time he went to Australia and since his return he had borne a good character.

Mr Motteram, for John Bentley, called Mr William Lear, a clerk in the office of the Macclesfield Canal Company ; Mr George Fryer, an engineer in the employ of Mr Heathcote at Harding's Wood ; and Mr Thomas Condliffe, and Mr James Lowe of Red Bull, and Mr Rigby of Hall Green, all of whom said Bentley had always borne an unexceptionable character.

Mr Kettle did not call witnesses to the character of Thomas Bentley ; the fact of his client being in the service of the company was a sufficient guarantee for his character.

Mr Hill : And my client is the agent of the Conservative party. (A laugh).

The Chairman : Do you call any of the party?

Mr Hill : No.

Mr Kettle then addressed the Jury on behalf of his client, Thomas Bentley. He said his position during the whole of that inquiry had been a very peculiar one ; he had been sitting there hour after hour listening to examinations of witnesses, and trying to pick out any single grain of evidence by which the client whom he defended was in the slightest degree interested. He had been experiencing sensations analogous to those of a passenger on a line of railway who had got into a slow train. They had been going along the main line, stopping at every station, occasionally getting shunted into a siding, and after remaining a while wondering where they had got to, found they were going along the main line again. If they attended at all to the opening speech of Mr Scotland, they would perceive at once that there was not the slightest case against Thomas Bentley. In a case of this sort, his learned friend of course was obliged to be very precise, he had merely to play "Serjeant Ramrod" to the end of his speech, and then call witnesses, hoping to get on to something a little more lively. The case against Thomas Bentley, even if made out to the full extent of the learned counsel's opening, amounted only to his having improperly – improperly as was stated – brought out the train from the goods station on to the main line, where it was robbed, and that he had been seen in the company of Lane at the races on the Tuesday previous. Was this sufficient to justify their conviction for felony of a man who had been in the service of the company as fireman more than two years, and was therefore a man of good character? But on cross-examination, it had come out that he had the authority of the person under whose immediate orders he was for removing the train ; the night was very dark, and the truck which was robbed was 100 yards from the engine which he had charge of ; therefore the fact of the train being robbed whilst under his care could not militate against him. Then, the circumstance of his being seen in company with Lane at the races amounted to very little ; it was at the Wakes, the great annual holiday of the Potteries, when everybody went to the races ; and though he was no doubt in the same group of people as Lane, it was not shown that he spoke to or had any conversation with him. Again, a good deal had been attempted to be made of an alleged denial that he was at the races with Lane, but it amounted to nothing ; though at one time in the company of Lane he was not in companionship with him, and would therefore, when asked if he had been at the races with Lane, naturally say, "No". The learned counsel contended, with his usual ability, that under these circumstances they could not find his client guilty.

Mr McMahon next addressed the jury on behalf of Lane. He contended that there was no evidence

against his client except that of the approvers Gould and Holland ; that their evidence, uncorroborated, was entirely unworthy of credit ; and that notwithstanding the great number of witnesses who had been examined, the amount of corroboration established was not of that material character which the law required, or the interests of justice demanded, or sufficient to justify the jury in giving credence to the statements of those worthless men. The learned counsel went minutely into the circumstances of the case, and contended that all the corroborative testimony adduced, although confirmative of the statements of Gould and Holland against themselves, was insufficient to prove that the prisoners were at all implicated in the robbery.

Mr Kenealy followed on behalf of Bloore. He delivered a most able and eloquent address, which commenced at twenty minutes to ten and concluded at twelve o'clock, when the Court adjourned. He took the evidence of the various witnesses for the prosecution verbatim, analysing and commenting upon it as he proceeded. He contended that it was quite possible for any person unconnected with the railway company to have committed the robbery, and urged that the probabilities of the case were that the real thieves were Gould and Holland who, in order to screen themselves from the consequences of their crime, had falsely accused the other prisoners.

The Jury, of course, remained in charge of the officers of the Court all day on Sunday. They were accommodated with apartments at the Judge's house, and went out for an airing on Sunday.

MONDAY This morning the hearing of the case was resumed, when Mr Hill and Mr Motteram addressed the Court on behalf of their respective clients, following nearly the same line of defence as that pursued by Mr McMahan and Mr Kenealy.

The summing up of the evidence occupied the learned Chairman nearly two hours, after which the Jury acquitted John Bentley and Thomas Bentley, and returned a verdict of guilty against the other three. Parker and Bloore were then each sentenced to four years penal servitude, and William Lane to two years imprisonment with hard labour.

### **178 28 October 1857**

**SHOCKING ACCIDENT** On Thursday an inquest was held on the body of a boatman named **Samuel Taylor** of Little's Lane, who was employed at the Victoria Basin, near the goods siding of the Great Western Railway. The deceased was crossing in front of some trucks that were in motion, when one of the buffers caught him, carried him forward, and he was killed between the trucks in motion and some against which they were driven. A verdict of "Accidental death" was returned.

### **179 28 October 1857**

**ASSAULTING THE POLICE** On Monday at the Borough Police Court, before J Hartley and J Wynn Esqs, **Benjamin Wood**, a boatman, was charged with being disorderly and assaulting Police Sergeant Thomas in Canal Street, between twelve and one o'clock on Sunday morning. Thomas stated that at the time named there was a row in Canal Street, and on going to ascertain the cause, he found it was created by about a dozen boatmen, of whom the defendant was one. He told them to go away or else they would be taken into custody. They then ran away, some of them calling out that they would see whether they would be taken into custody or not. In a short time the disturbance was renewed, and on again going towards the place, he was met by a man who warned him not to do so, as the men were all armed. He, however, obtained assistance, and went to the place, where he found six or seven of the boatmen, all of whom were armed with iron bars or heavy sticks. On the approach of the officers they again ran away. He pursued the defendant, who turned round and struck at him with a piece of iron. He avoided the blow, closed with the defendant, and after a hard struggle, in which his thumb was severely lacerated and his leg hurt, succeeded, with assistance, in capturing him. Mr Bartlett, who appeared for the defendant, submitted that he was justified in resisting his arrest, as it was not shown that he had done anything to justify the officer in apprehending him. The Magistrates, under those circumstances, decided on giving the defendant an opportunity of appealing to the decision of a jury upon that question, and committed him for trial at the Sessions. He was admitted to bail – himself in £100, and one surety in the same amount. He was said to be a man possessed of property.

**180 18 November 1857**

**CHARGE OF STEALING COAL** On Monday at the Borough Police Court, **Francis Cope**, a boatman, was charged with stealing 13 lbs of coal belonging to Messrs W H Sparrow and Co. The coal was in a boat in the canal, opposite the Horseley Fields Ironworks, and the prisoner was seen to lean over from his own boat and take the coal out of the prosecutor's boat. He did not deny taking the coal, but said one of the prosecutors' boys gave him permission to do so ; and he pleaded in extenuation of the offence that he was intoxicated at the time. The Magistrates considered the charge proved, but thinking it inexpedient to send the prisoner to gaol, discharged him on his agreeing to pay costs, £1 10s.

**181 25 November 1857**

WOLVERHAMPTON POLICE COURT, THURSDAY NOVEMBER 19

**CHARGE OF ATTEMPTING TO STEAL PIGS** **George Dallow**, a boatman, was brought up in custody accused of attempting to steal two pigs, the property of Edward Baddeley. He was found in the pigsty on the prosecutor's premises at two o'clock on Thursday morning, and taken into custody by one of the county police, patrolling, according to the directions of Major McKnight, within the limits of the borough, until he should meet and communicate with the borough officers. These orders have been issued in consequence of the great number of robberies recently committed on the confines of the borough, near the limits of the beats of the borough and county officers. Being unable to give a better account of himself than that he was drunk and did not know what he was about, the prisoner was committed to hard labour as a rogue and a vagabond. He said he came from Warwickshire, and had been working for Messrs Riley and Sons but, in common with many others of their men, was now out of employment.

**182 2 December 1857**

**SERIOUS ASSAULT UPON A JEW** An intelligent Jew named Barnett, whose face and nose were discoloured, preferred a charge of assault against an athletic boatman named **Cotterill** before the Magistrates at the Borough Police Court on Monday last. The complainant is living at the Bird in Hand public house in New Street, and on Saturday the defendant and some companions were drinking there. One of them grossly insulted him by repeatedly calling him disagreeable names, and afterwards put himself in a fighting attitude and threatened him. Barnett had a fire shovel in his hand, and lifted it up in his own defence, but at the sight of the weapon the man ran away, and was pursued a short distance by Barnett. Hearing a noise, the defendant came out of the tap room, rushed at the complainant, took the shovel from him, threw him down, struck, kicked and (Barnett said) nearly strangled him, and knocked out two of his teeth. When a police officer was about to apprehend the prisoner, he took hold of him by the whiskers and struck at him, but afterwards walked quietly to the station. Mr Claydon, who appeared for the defendant, contended that when the defendant saw the complainant pursuing his (Cotterill's) companion with a murderous instrument, as a fire shovel was, he was justified in taking it from him ; and said that whatever injuries the complainant had sustained were received in the wrestle. Mr Claydon also said the defendant was a respectable and trustworthy man, as was evidenced by the fact of his master's entrusting him with £25, which sum was found upon him. The wife of the defendant's brother was called, and described the affair as stated by Mr Claydon. She denied that she saw the defendant strike the complainant or Cotterill's companion lift up his fists in a fighting attitude. The Bench fined the defendant 20s and costs for the assault on the Jew, and 5s and costs for assaulting the police.

**183 16 December 1857**

WOLVERHAMPTON POLICE COURT, FRIDAY DECEMBER 11

**CHARGE OF STEALING A CANAL BOAT** **Henry Willday**, a boatman, was charged with stealing a canal boat, the property of **Messrs Shipton and Co.** It appeared that on the 26<sup>th</sup> of October last, the prisoner was sent with a boat load of iron to Horninglow, near Burton. The boat

belonged to Messrs Shipton and Co, but the horse that drew it was the property of the prisoner. He delivered the iron in due time, but nothing was heard subsequently either of him or of the boat until a few days since, when the prisoner and the boat were discovered to be at Stoke. He was served with a summons charging him with stealing the boat, but as he did not appear, a warrant was issued, and he was now brought up in custody. The name of Messrs Shipton and Co was on the boat when it was recovered. The prisoner said that he was unable to return the boat because his horse had died; he had, he said, lost three horses in seven days. The Bench did not think that the evidence would sustain a charge of felony. Mr Bartlett, who appeared for Messrs Shipton and Co, subsequently charged the prisoner with neglect of work. William Johnson said that he was in the employ of Messrs Shipton and Co, and that on the 26<sup>th</sup> of October the prisoner took possession of a canal boat, with which he was to take a load of iron to Horninglow, with his own horse. To go to Horninglow and to return would take about five days. The prisoner was to be paid £2 5s, and he had £2 on account ; this was his first journey, and he did not return. The hire of a canal boat was about 10s per week. James Kent, a police-constable, said he brought the prisoner, last night, from Stoke ; he found him in custody at the police station on the charge of stealing the boat. The prisoner and his wife explained that after delivering the iron they had to wait at Horninglow ; their horse died ; and they afterwards used the boat, and with the money paid for freight bought two other horses, which died also. They were willing to pay for the hire of the boat. Mr Leigh observed that, no doubt, the defendant had done very wrong, but he did not think he was a hired servant ; he seemed to have entered into a contract to deliver the iron for a certain price, using his own horse and Messrs Shipton's boat. After some conversation, it was settled that the case should stand over, in order that the defendant might make some arrangement with Messrs Shipton.

**ROBBERY OF THE GREAT WESTERN RAILWAY** **William Robson**, captain of a canal boat belonging to the Great Western Railway Company, and Thomas Jones and Samuel Bellingham, porters at the Victoria Basin, in this town, belonging to the same company, were charged with having stolen rum from a cask in course of transit along the company's line, belonging to their employers. Mr Bartlett appeared for the prosecution, and Mr Claydon appeared for Jones. It appears that a cask of rum arrived at the Victoria Basin, Wolverhampton, on Thursday night, on a truck, and that after the three prisoners came to work on the following morning, two strings of the tarpaulin with which it was covered were found to have been untied. On an examination being made, it was discovered that the cask had been recently plugged, some rum being found on the bottom of the truck. About half past seven in the morning, **William Robson**, superintendent of boats at the Victoria Basin observed that Robson was under the influence of liquor, and accused him whilst in his boat of being tipsy. At half past ten he went to the boat again, and saw Bellingham lying on his face along the cabin floor very much intoxicated. He asked Robson what Bellingham had been drinking, and he replied, "Ale". "No such thing", said Mr Robson, "for I smell rum". Robson made no reply. In answer to a question from Mr Robson, Robson denied that there was any rum in the cabin, excepting, he added, that which was in Bellingham's belly. Mr Robson, however, on searching the cabin, found a basin full of rum. Inspector Corden apprehended the prisoners – Jones at his own house, helplessly drunk on the house floor, and the other men at the Victoria Wharf. He charged them, on their becoming sober, with stealing rum from a cask belonging to their employers. Robson said he knew nothing about it ; Jones replied that what rum he had Robson gave to him, and Bellingham responded that he had a drop of rum, but he did not see anything of the truck where it came from. Mr Bartlett asked for a remand, in order to produce evidence to show that the quality of rum in the cabin and in the cask were the same, and the weight of the cask before being dispatched on its journey, and its weight after the robbery was discovered. Mr Claydon objected on the part of his client, contending that there was not sufficient evidence to warrant the Bench in so doing. The Magistrates, however, remanded the prisoners to Thursday next (tomorrow), and refused to liberate them on bail until that time.

**184 30 December 1857**

DUDLEY

SERIOUS ASSAULT AND ROBBERY At the Public Office on Monday last, before Captain Bennitt and T Fereday Esq, Thomas Houlton and John Fellows, two men of repulsive appearance, and Hannah Lember were charged with having assaulted and robbed **John Hargill**, a boatman. The case had been remanded to today in consequence of the prosecutor being unable to attend, through the severity of his injuries, on the previous Monday. Fellows, it appeared, is the keeper of a disreputable house in Brandy Row, where the female prisoner lodges. On Saturday night week, the prosecutor went there and paid for some ale. He then signified his intention to leave, but the woman said he should not do so, and took his cap off his head. Hargill used coarse language, and persisted in saying he should leave, when the woman said she would throw some fire in his face, and Fellows urged her to do it. She accordingly took some fire out of the grate with the shovel and did as she had threatened to do. The prosecutor was much burnt about the face, and nearly blinded by this act, and shouted murder, and two men heard his cries. Just as they reached the spot, the male prisoners were putting him out of the house and kicking him, and the men saved him from falling. Hargill soon found that he had been robbed of eight or nine shillings. He was conveyed to the Police Station, and subsequently to Mr W E Johnson's surgery, where his wounds were dressed. Mr Johnson found three cuts on the left cheek ; several severe burns on the face ; the eyelashes and eyebrows burnt off ; and the hair on top of the forehead burned. It appeared that some of the fire had fallen down the prosecutor's back and burnt his handkerchief. The prosecutor was subsequently attacked by erysipelas. In answer to Houlton, the prosecutor admitted that the prisoner was not in the house when the disturbance commenced. The prisoners, who had money in their possession when apprehended, said nothing in defence, and were admitted for trial at the Assizes.

**185 6 January 1858**

WOLVERHAMPTON POLICE COURT, SATURDAY JANUARY 2 Susan Harrington was brought up on suspicion of stealing 12s 6d from the person of **Henry Evans**. The prosecutor, a boatman, said he was looking for a man in his employ late last night when he met the prisoner, who said she could take him to a place where the person he wanted was. She led him into her house where she robbed him of 12s 6d. The woman pleaded guilty, and was sentenced to two months imprisonment.

**186 13 January 1858**

STAFFORDSHIRE QUARTER SESSIONS **James Pettifer**, boatman, and **Thomas Smith**, boatman, were indicted for an attempt at burglary, at the house of the Misses Anderton at Moseley Wake Green, on the 17<sup>th</sup> of December. A verdict of "Guilty" was returned ; and in summing up, the Chairman said there was no doubt that the prisoners formed part of a gang who had left Birmingham for the purpose of committing a gross outrage. That was prevented by the vigilance and good conduct of the police, who deserved the greatest amount of credit for the manner in which they had performed their duty. The Court thought it a good policy always to reward such meritorious services, and he would therefore direct that a reward of £5 should be presented to Police-constable Hawkes, and £2 to Police-constable Lane ; whilst the conduct of Superintendent Humphries could not be passed over without an expression of approbation. The prisoners were then sentenced to two years hard labour each.

**187 13 January 1858**

WOLVERHAMPTON POLICE COURT, WEDNESDAY JANUARY 6

ROBBERY FROM A BOAT **Jesse Court**, a boatman, pleaded guilty to a charge of stealing a cap and a pair of stockings, the property of **John Kimberley**, from a boat lying at Horseley Fields bridge, in this town, on a Sunday night seven weeks ago, and was sentenced to a month's imprisonment with hard labour.

CHARGE OF STEALING A CANAL BOAT **James Bingham** was charged with stealing on the

25<sup>th</sup> of June last, a canal boat, the property of Mr Henry Harper of Netherton. It appeared that the boat was hired to a man named **Andrews**, who was shortly afterwards committed to prison, and Bingham took possession of the boat. It was not until recently that the proprietor of the boat had been able to trace it to the possession of Bingham, and it was stated to be now sunk in the canal. Bingham alleged that he took possession of the boat under an agreement with Andrews, and the latter admitted that he had received from Bingham a sovereign on account of the lease of the boat. Under these circumstances, the Magistrates thought the charge of felony could not be sustained ; Mr Harper's remedy must be by civil process.

**188 20 January 1858**

WOLVERHAMPTON POLICE COURT, FRIDAY JANUARY 15

POULTRY STEALING **Richard Meredith**, a boatman, pleaded guilty to a charge of stealing a turkey, value 10s 6d, the property of Mr Jonathan Aston Green at Seisdon, and was sentenced to six months imprisonment with hard labour. It appeared that at about half past one o'clock this morning, police officer Price heard a noise among Mr Green's poultry. He went upon the premises and two men ran away. In an instant afterwards, the prisoner threw down the turkey from a tree, and then jumped down himself and was taken into custody.

**189 20 January 1858**

BRIERLEY HILL PETTY SESSIONS **John Featherstone**, a boatman, was charged before J Leigh Esq on Thursday with stealing a pony, the property of Mr Firmstone, ironmaster. The prisoner was a boatman in the employ of the prosecutor, and having been sent upon a voyage with the pony in question, had neglected to return it according to orders, and had been subsequently apprehended at Worcester. It appeared upon cross-examination that the prisoner had made a part payment of five pounds on account of the pony, and that it was intended that he should pay the remainder of the purchase money by instalments. He had accordingly considered the pony as his own property, and now contended, through his attorney Mr Burbury, that having acted under a claim of right, he had committed no felony. Mr Leigh thought upon the facts disclosed the offence did not amount in law to a larceny, the prosecutor having so dealt with the prisoner in respect to the pony, as to leave it at least doubtful whether the prisoner might not have acted under the belief that his employer had parted with his property in the pony. Mr Homfray, for the prosecution, contended that the property of the pony remained in the prosecutor, and that the possession of the pony had only been entrusted to the prisoner for a special purpose. He contended also that as money had been paid to prisoner on account of the voyage, a part of which only had been expended by the prisoner in his employer's service, he was amenable also on another charge in respect of the surplus money not returned. Mr Burbury, for the prisoner, contended that there had been no surplus. Mr Leigh said he still doubted if, as regarded the pony, the prisoner had committed an indictable offence, but he was willing not to decide the point hastily, and suggested remanding the prisoner to Wolverhampton on the following day, that he might take time to consider both points, and then finally decide. Mr Homfray alleged that it would be inconvenient for the witnesses to attend at Wolverhampton, and asked that the case might go before the Magistrates at Stourbridge on the following day. Mr Leigh had no objection to the case being brought before another Bench of Magistrates if Mr Homfray desired it, and it was accordingly arranged that the case should be heard at Stourbridge.

**190 3 March 1858**

FEARFUL BOILER EXPLOSION – FOUR LIVES LOST On Saturday afternoon last, a fearful boiler explosion took place at the ironworks of Messrs Whitehead and Haines, at Tividale near Dudley, which unfortunately has resulted in the death of four persons, and serious injury to five or six others, some of whom are not expected to survive. The names of the deceased are :- Thomas Riles, engineer, aged about twenty two and unmarried ; Thomas Worley, engineer, who leaves a wife and two children ; Joseph Caddick, a youth, and Thomas Hamer, a ball furnace man, who

leaves a widow and seven children. The injured persons are :- Simon Homer, aged thirteen, son of the deceased Thomas Homer ; James Attwood, aged about sixty, who has a compound fracture of the arm ; **James Powell**, a boatman in the service of Messrs Bagnall and Jesson, whose works are opposite to those of Messrs Whitehead and Haines ; Thomas Taylor, a boy, a puddler named Deeley, and several others. The works were carried on formerly by Messrs Hickman and Stone, whom Messrs Whitehead and Haines succeeded some years ago. There were three boilers used to drive the rolls &c, and they were all connected by pipes, and in this way drove two engines, which were placed under the control of the two engineers, Riles and Worley. About three o'clock in the afternoon of Saturday, from some cause or other – some say to get up the steam to a greater pressure than it had been working at – the engines were stopped, and remained stationary about five minutes, both engineers standing near the boiler fires. It was while the works were thus at a standstill that the explosion occurred. The middle boiler was thrown into the air and rent into three pieces, the first of these, weighing four or five tons, being carried into an adjoining field a hundred and fifty yards away ; the second, a piece about thirty hundredweight, dropping near to the office of Messrs Gilbert and Sons' brickworks ; and the third piece, which weighs about fifteen hundredweight, being carried in an opposite direction, and dropping in a field a hundred yards away. In its course, the first piece seems to have passed through a comparatively small space between the two stacks adjoining the boilers, with but little damage ; the second piece fell with great force against Messrs Gilbert's office, one corner of the plates penetrating through its side, and another finding its way through one of the buttresses, and raising the floor some six or eight inches. The third mass of plate, in its course, seems to have been also unattended with any damage. One of the adjoining boilers was thrown into the canal, a distance of a few yards only, and the other was elevated some eight or twelve inches, but otherwise not displaced. Neither of these boilers seems to have sustained damage. A large iron tank which was near to the boilers and used for supplying them with water was divided into several parts, and also thrown into the canal, which it and the other boiler entirely blocked up. Two or three of the puddling furnaces were destroyed, as well as the greater part of the roof covering the works. A portion of the steam pipes seems to have caught the top of the larger stack and carried it away to the extent of six or eight feet, the stack being also fractured six or eight additional feet downwards. The other smaller stack also had a portion of its top carried away. The engineers, as already stated, were at the time standing near the front of the boiler. They were both blown across the canal into a field. Their bodies were scalded in a frightful manner, and both had sustained injuries on the head and other parts. The head of Riles was frightfully cut, and a portion of his brains protruded. He was a fine young fellow, and it appears had been in the works only a few months, he having previously been engaged in a steam ship. The boy Caddick was unconnected with the works, and he at the time of the accident was standing with a horse on the wharf belonging to Messrs Jesson and Bagnall, opposite the works. He it seems was struck upon the head by some of the flying bricks or iron, and was killed on the spot ; the horse with which he was engaged was also struck upon the head and killed. A woman named Hales was, it is said, standing near the lad and horse at the time, but further than being almost suffocated she escaped unhurt. The man, Thomas Homer, was at the time engaged at his furnace, and he was there buried beneath the bricks and other debris. The lad, Simon Homer, was at work with his father, and fortunately escaped with only a comparatively slight injury on his head and back. James Attwood was not employed at the works, but went to take Homer's dinner. James Powell, the boatman, appears to have been on one of the wharves, and was struck in his side, where he has sustained a severe wound. A puddler named Deeley, who was in the works, was much scalded ; and the lad Taylor, who has an injury in the leg, was passing along the turnpike road with a pony. The burst boiler was a high pressure one. It was of cylindrical shape, thirty six feet in length and four feet in diameter. It is said to have been at work several years, but during the late turn out of puddlers it and the others were examined and repaired. It is said to have been amply supplied with water. The men had nearly completed their day's work, and some of them had left. If the works had been in full operation and all hands present, the loss of life must have been much more serious. The works themselves present a complete wreck, every part of them having sustained some damage by the

flying bricks and ironwork, and the occurrence will necessitate a stoppage of some weeks. The damage to property is estimated at between £200 and £300. A subscription has been originated on behalf of the widows and orphans, and a handsome sum has been collected.

### **191 10 March 1858**

#### STAFFORDSHIRE ADJOURNED QUARTER SESSIONS

ROBBERY IN A BROTHEL **William Slaney**, 25, boatman, was convicted of stealing 7s 6d at a brothel in the Cat Yard, Wolverhampton, the moneys of John Egan. A previous conviction was proved against the prisoner, and he was sentenced to six months imprisonment. The prisoner stated that he served as an artilleryman through the Crimean War.

STEALING MALT AT BURTON UPON TRENT Robert Hutchison, James Warrington, Thomas Flack and James Rutter, on bail, were indicted for stealing 63 bushels of malt, the property of Charles Tooth, at Burton upon Trent on the 3<sup>rd</sup> of February 1858.

The principal evidence against the prisoners was that of **William Smith**, a boatman, in whose possession the malt was found, and who pleaded guilty to an indictment for receiving the malt knowing it to have been stolen.

Mr Kenealy, who defended the prisoners, in an able and lengthy address to the jury, contended that the evidence of Smith was not corroborated to the material extent required, and that therefore they would not be justified in convicting upon it.

The learned Chairman, in summing up, stated that in his opinion the evidence bore more strongly against Flack and Warrington, who were servants to the prosecutor, than against the other prisoners.

The Jury acquitted all the prisoners.

Smith, the approver, was then placed at the bar, and sentenced to be imprisoned one day, which was of course a virtual order for his immediate discharge.

### **192 10 March 1858**

WORCESTERSHIRE SPRING ASSIZES Thomas Woolley and Thomas Newman were indicted for an assault and robbery at Dudley on the 30<sup>th</sup> of November last. A boatman named **Hingley** left Dudley about eleven o'clock at night, and was proceeding in the direction of Netherton, when Woolley came up to him and asked for alms. Hingley gave him a shilling, begging that he would allow him to proceed on his way. Woolley, however, seized him by the throat, and Newman running to the spot felled him to the ground by a blow on the head, which rendered him insensible. Both prisoners were found guilty and sentenced to ten years penal servitude.

### **193 17 March 1858**

#### STAFFORDSHIRE LENT ASSIZES

CHARGE OF MANSLAUGHTER AT TIPTON **Samuel Handley**, 22, boatman, against whom the Grand Jury had ignored the bill charging him with the manslaughter of William Tinley at Tipton, was arraigned on the coroner's inquisition.

Mr Kettle, on behalf of the prosecution, said he should offer no evidence, and the prisoner was consequently discharged.

CUTTING AND WOUNDING AT TIPTON **Joseph Green**, boatman, was charged with feloniously cutting and wounding **Isaac Bird** on the 26<sup>th</sup> of December 1857 at Tipton, with intent to do him grievous bodily harm.

Mr Staveley Hill conducted the prosecution and Mr Cook Evans the defence.

Bird deposed that he was a boatman living at Tipton. On the night of the 26<sup>th</sup> of December at a little before twelve o'clock, he met the prisoner and another man named John Wilson, both of whom he knew, at the corner of High Street, Tipton. They asked him to go and have some drink with them, but he refused. He went home and subsequently went down High Street again, and met Green and Wilson near the Bee Hive public house. They wanted him to go into the inn, but it was past twelve

o'clock – too late to obtain liquor. A few words ensued, and the prisoner Green then struck him in the throat with something which appeared to be a knife. Prosecutor struck at Green in return, and the two men ran away in different directions. He followed Green towards Park Lane, hooting, “Stop him!” as he proceeded, and the prisoner was accordingly stopped.

Cross-examined : After the wound had been inflicted, witness heard Green complain to some parties that someone had attempted to rob him. When before the Magistrates at Wednesbury, the prisoner said he was knocked down on the night in question by some person. Witness told Mr Underhill, surgeon, that he did not know whether the wound in his neck had been inflicted with a knife or a tobacco pipe.

Thomas Dovey corroborated the prosecutor's statement in most particulars, and added that he saw Green wipe what he believed to be a knife on his trousers. Wilson took the knife from Green, but the latter said, “You had better not have it ; you will either kill or shoot yourself with it”. Witness saw Wilson's cap on the ground. Green said he had had the knife in the ----. The two prisoners were drunk.

William Heath, a night watchman, said he took Green and Wilson into custody. He found a knife and a short pipe on the latter.

Mr William Lees Underhill, surgeon of Tipton, said he saw the prosecutor at nine o'clock on Sunday morning. He found him suffering from an incised wound on the left hand side of the neck, about an inch and a half in length, and in depth extending to the cartilage of the windpipe. He thought the wound had been inflicted with a dull instrument ; it had not been done with a tobacco pipe.

This was the whole of the evidence for the prosecution.

Mr Evans then addressed the Jury for the prisoner, contending that an attempt at robbery had been made on the persons of Green and Wilson on the night in question ; that there was no evidence to bring home the charge to the prisoner ; that the evidence showed that Wilson was the man in possession of the knife ; and that even if Green was the man who inflicted the wound there was nothing whatever to prove that it was done with a felonious intention. The learned counsel called Underwood Johnson, a tailor of Leicester, who gave the prisoner the character of an honest and peaceable man.

His Lordship, in summing up, explained to the Jury that if they considered the evidence not strong enough to warrant them in finding the prisoners guilty of wounding with intent to do grievous bodily harm, they might, if they believed that Green used the knife upon the prosecutor, convict him of unlawfully wounding.

The Jury found him guilty of the minor offence.

The learned Judge said the use of the knife must be put down. It was clear that the prisoner – a man of good character – had brought himself into the position he now occupied by the degrading practice of drunkenness. The sentence of the Court was that he be imprisoned and kept to hard labour for nine calendar months.

#### NISI PRIUS COURT – ACTION FOR RUNNING DOWN A BOAT

**McCLEAN v COOPER** In this case Mr Serjeant Pigott and Mr Scotland appeared for the plaintiff, and Mr Kettle for the defendant.

The action was brought to recover damages from the defendant for having sunk a boat belonging to the plaintiff and damaged the cargo.

Mr McClean, the plaintiff, is the lessee of the South Staffordshire Railway, and also the owner of boats plying on the canal. On the 7<sup>th</sup> of November, one of his boats, laden with soda, soda ash and iron, was passing through Toll End Bridge on a branch of the Birmingham Canal between Wednesbury and Great Bridge, when it came in contact with one of the boats of the defendant, laden with bricks, and was sunk by the force of the collision, the soda ash which formed part of the cargo being damaged to the extent of £72 7s 4d. On the part of the plaintiff it was contended that the accident arose entirely in consequence of the default of the defendant's servants, whose duty it was said to be, when they saw the plaintiff's boat enter the bridge, to “hold up” and “hold out” their boat in order to let the plaintiff's pass through the bridge before theirs entered it ; which precautions, it

was alleged, they neglected, and in consequence of that neglect their boat fouled and sunk the plaintiff's.

The defence was that the canal was so shallow at that particular part on the side to which the defendant's boat must have diverged in order to avoid the plaintiff's that the steerer was unable to get it out of the way ; and that the plaintiff's servants did not themselves adopt the precautionary measures they should have done. Moreover, it was sworn by the witnesses for the defendant, in contradiction of those of plaintiff, that the pony drawing the boat of the defendant came under the bridge before the plaintiff's, and that therefore the conductor of the plaintiff's boat ought to have waited while the defendant's boat passed through the bridge first. They also said that before the collision the defendant's boat grounded, and remained aground four yards from the bridge until the plaintiff's boat struck it.

The Jury returned a verdict for the defendant.

#### **194 7 April 1858**

WOLVERHAMPTON POLICE COURT, THURSDAY APRIL 1 **Thomas Milward**, a boatman, was charged with a violent assault on a child, between two and three years of age, by throwing it upon the fire. It appeared that the prisoner had been drinking with the parents of the child at a house in Commercial Road. The Bench did not believe that the prisoner had any intention of injuring the child ; they therefore dismissed the charge of assault, and fined the prisoner 5s and costs for being drunk.

#### **195 7 April 1858**

DUDLEY

CRUELTY TO A HORSE On Wednesday, before A B Cochrane and J E Swindell Esqs, Stephen Fleet, a lad about 15, son of a furnace manager named William Fleet of Dudley Port, was charged with cruelly torturing a horse belonging to **Charles Williams** of Tipton Green, boatman, on the 14<sup>th</sup> March. The lad was shown to have struck the animal while in the stable with a large fork, and to have inflicted a large wound. Mr Fleet and several members of his family were called in to prove an alibi, but the Bench, after expressing an opinion that all the witnesses examined for the defence had perjured themselves, fined the defendant £5 and costs.

#### **196 21 April 1858**

TICKET OF LEAVE REVOKED At the Staffordshire Sessions in 1852, **William Jones**, a boatman of this city, was sentenced to seven years transportation for a robbery. In the course of the year 1855, being liberated upon a ticket-of-leave, he returned here, and soon after married. He seems to have taken to work and kept out of further trouble until the autumn of last year, when a fracas occurring between himself and wife, both being at the time in drink, he so violently beat and ill-treated her that her life was considered in peril for some time, and for which he was ordered to undergo six months imprisonment in our city gaol. Whatever laxity there may have formerly been in administering the ticket-of-leave system, no such complaint can be attached to it now. It is strictly required of all gaolers to apprise the Home Secretary of the fact of any ticket-of-leave men coming into their custody and circumstances. This of course was done in Jones's case, and in consequence, on Saturday last, the day on which his sentence for the assault on his wife terminated and he was anticipating enlargement, an officer arrived from London, armed with a warrant cancelling his ticket-of-leave and for his conveyance back to the hulks, where he will have to remain until January next, when his term of seven years transportation will have ended.

*Worcester Herald*

#### **197 5 May 1858**

WOLVERHAMPTON POLICE COURT, THURSDAY APRIL 20

ILLEGAL PAWNING Susannah Harrington was charged with unlawfully pawning a smock frock and a pair of trousers, the property of **John Higson**, a boatman. The prosecutor deposed that he left

the clothes safe in the boat on Sunday, and on his return on the following day, he missed them. The prisoner had for the last month been living with him as his wife. The prisoner acknowledged taking the articles, but stated in defence that the complainant had offered to redeem her own clothes from pawn, but not having sufficient money, he had given her permission to raise the necessary funds at the sacrifice of a portion of his wardrobe. There being no direct evidence to criminate the prisoner, the case was dismissed.

**198 2 June 1858**

SUDDEN DEATH IN A BOAT **James Smith**, a boatman, died suddenly between two and three o'clock on Thursday morning in the cabin of his boat, lying on the canal near Tunstall, his wife being in bed with him at the time. The deceased, who belonged to Oldbury, was upwards of 50 years of age, and it is said was so far in his usual state of health as to eat a hearty supper before he went to bed.

**199 30 June 1858**

CROWN COURT, TUESDAY (*Before H Hill Esq, Assistant Chairman*)

STEALING A SILVER WATCH AT KINFARE **Joseph Morris**, 30, boatman, indicted for stealing a silver watch and other articles, the property of Thomas Walton of Kinfare, was sentenced to eight years penal servitude.

STEALING WEARING APPAREL AT LAPLEY **George Williams**, 21, **Edwin Smith**, 25, **William Brown** and **John Roberts**, 18, boatmen, were indicted for stealing two pairs of trousers, two pairs of stockings and other articles, the property of John Evison, at Lapley. They were found guilty and sentenced – Williams and Brown to four years penal servitude each, and Smith and Roberts to one years hard labour.

**200 7 July 1858**

FATAL ACCIDENT BY THE FALLING OF A WALL On Thursday last at the Harp Inn, Walsall Street, in this town, T M Phillips Esq held an inquest on the body of William Thorneycroft, a child two years and a half old, son of George Thorneycroft, watchman at the Shrubbery Ironworks, whose death had been caused by the falling of a wall, under the following circumstances :- On Tuesday night, several children, and among them a girl much older than the rest, were sitting astride on a wall dividing Dr Mannix's vitriol works from a private road leading to Worrall's Dock, and trying to shake it. Suddenly the wall fell towards the road, injuring several children and burying two, one of whom was the deceased, in the debris. They were recovered by a man named **Richard Bristow**, a boatman, but the little fellow Thorneycroft was quite dead, his face being flattened. A crack had previously been observed in the wall, and Bristow had remarked to another man that he thought it was in a dangerous state. Mr W Mannix attended the inquest, and stated that he had given instructions to a mason to take down the wall and rebuild it, with a view to make it higher and a better fence. He (Mr Mannix) did not consider the wall in a dangerous state, neither had he received notice that it was considered so. The Coroner suggested that the inquest might be adjourned to ascertain if the repairing of the wall had been so far neglected as to render its proprietor, or anyone else, amenable to the law. The Jury, however, did not consider that course necessary, and returned an open verdict.

**201 14 July 1858**

WOLVERHAMPTON POLICE COURT, WEDNESDAY JULY 7

MALICIOUS DAMAGE **William Underton**, apparently a boatman, was charged with breaking a pane of glass in the window of Mr Edward Mason, of the Squirrel Inn, Railway Street, on the previous night. It seemed that the prisoner, with four other men, entered the complainant's house about eleven o'clock, and had a quart of ale. They called for a second, which was supplied, but they refused to pay for it, and it was taken away. The prisoner armed himself with a large stone, and swore he would break the windows. The men soon afterwards left the house together, and

immediately two stones were thrown through the window, breaking glass to the value of 2s 6d. The prisoner was taken into custody, and offered to pay for the damage done. He was fined 5s and costs, amounting in the whole to 10s, in default of payment, three weeks imprisonment.

SATURDAY JULY 10 Today was a maiden sessions, there being not a single case of any kind, although the previous night was the eve of the fair. According to usual custom on such occasions, Joseph Walker Esq, who was the only Magistrate present, was presented with a pair of white kid gloves.

## 202 21 July 1858

### WEST BROMWICH

DEATH FROM DROWNING An inquest was held on Thursday, before Edwin Hooper Esq, deputy coroner, at Bromford Lane, on the body of John Robert Rumford, eleven years of age. On the preceding day, deceased, with other boys, had gone to bathe in the canal, and getting in too deep water for him in his endeavour to cross to the opposite side, he called out loudly for help, and began to sink. At this moment, and within a very few yards of the spot, a tall fellow named **Bayliss** was in charge of a boat, and although applied to and besought to render aid, he in a most callous manner turned a deaf ear and merely told the lads to pull him out. This they were not able to do, and after being in the water twenty minutes, a man named Skidmore, accidentally passing, jumped in and recovered the lifeless body. The jury requested the coroner to send for Bayliss, who was in the employ of Mr Dawes, Bromford Lane Works. The coroner at once complied with this request, and Bayliss having been shown into the inquest room, Mr Hooper reprovved the boatman for his inhuman conduct. The jury returned a verdict of "Accidental death".

## 203 28 July 1858

### STAFFORDSHIRE MIDSUMMER ASSIZES

EMBEZZLEMENT AT BILSTON **William Barnes**, 46, boatman, was indicted for feloniously embezzling at Bilston the sum of £10 10s, the moneys of Thomas Darke, his employer.

Mr Kenealy was counsel for the prosecution ; the prisoner was undefended.

The prosecutor, a hay and coal dealer at Conderton, Worcestershire, stated that the prisoner was in his employ in October last, and on the 16<sup>th</sup> of that month he took a boat load of hay to Bilston, which he was to offer to a Mr Slater. He was to charge £3 17s 6d per ton, and the boat contained 7 tons 4 cwt. On the 24<sup>th</sup> October he received a communication from Mr Slater, in consequence of which he went to Bilston and asked the prisoner for the money for the hay. The prisoner, who was in liquor, at first said he would make it right when he got home, but subsequently gave him £3. On being pressed for the remainder, the prisoner ran away, and was not seen again until June last, when he was arrested by a police officer at Tewkesbury. A woman named **Newry**, who accompanied the prisoner with the boat to Bilston, also gave evidence of having seen him receive several sums of money from various persons for hay sold to them.

The prisoner, who made no defence, was convicted by the jury and sentenced to one months imprisonment with hard labour.

## 204 4 August 1858

ROBBERY BY A BOATMAN At the Public Office, West Bromwich, on Saturday last, a boat lad named **William Ward** was brought up under the following circumstances :- **Maria Dallow**, the wife of a boatman, had come along the canal at the same time as the prisoner with the captain of his boat. While on shore at Tipton Locks, and all together, Mrs Dallow lost a sovereign from her pocket. Information being given to the police, it was found that the prisoner all at once was flush in cash, and had been drinking with and treating to ale some other boat lads. Taking him into custody, he soon after admitted having had the prosecutrix's sovereign. 10s 6d of the money was found upon him. He was committed to gaol for six months.

## 205 25 August 1858

### DISASTROUS AND FATAL RAILWAY ACCIDENT NEAR DUDLEY

TWELVE PERSONS KILLED AND SIXTY SEVERELY INJURED We have this week the melancholy duty of recording the most frightful railway collision which has ever occurred in this district. It took place on Monday evening last on the Oxford, Worcester and Wolverhampton line between Round Oak and Brettel Lane stations, a few miles beyond Dudley, and near to Brierley Hill. Eleven men and women were killed on the spot, the death of one of the sufferers took place a few hours afterwards, and it is expected that two or three more will not recover from the fearful injuries they have received. Sixty other persons were also seriously injured.

It appears that a special train was announced to leave Wolverhampton for Worcester at a quarter past nine on Monday morning "calling at all stations for the express purpose of conveying the teachers and children of the various schools to Worcester and back". The fare from Wolverhampton and Stourbridge and all the intermediate stations to Worcester and back was 1s for adults and 6d for children ; from Hagley, Churchill and Kidderminster, it was 8d for adults and 4d for children ; and from Droitwich and Fearnal Heath, 6d for adults and 3d for children. The extraordinary low rate of charges naturally attracted a large number of passengers, and by the time the train arrived at its destination it had been augmented to forty five carriages, computed to contain nearly 2,000 passengers. The return train was announced to leave Worcester at 6.15 pm. Those having charge of the arrangements determined to divide the train, and instead of having one monster train propelled by two engines, to have two trains, each drawn by one engine. Accordingly, about twenty five minutes after six o'clock, the first train left Worcester station. It consisted of twenty nine carriages, closely packed with passengers ; and was followed in a quarter of an hour by the second train, consisting of sixteen carriages. Each train called at all stations, and all went well with the first until its arrival at Round Oak, which took place about 8.5. There, either just before the train arrived at the station, which is situated on a steep incline, or when it was put in motion to leave the station, twelve or thirteen of the last carriages became detached from the former part of the train by the breaking of the couplings of two of the carriages, and rolled back down the incline towards Brettel Lane with ever increasing velocity. The guard who occupied the van at the extremity of the train applied his brake with all the force of which it was capable, but its power was insufficient to check the retrograde motion of the carriages, which soon attained a very high rate of speed. On arriving at the Bug Hole, a little more than halfway to Brettel Lane, they dashed into the second excursion train which, as before stated, was dispatched from Worcester only fifteen minutes after the first, and being a lighter train, naturally gained upon it during the journey. The driver of the second train, perceiving the carriages running back upon him down the incline, nearly succeeded in bringing his train to a stand at the time of the collision, thus considerably mitigating the severity of the crash. But as it was, the consequences were fearful. The guard's van and the carriage next to it were split into matchwood, and the second carriage escaped little better. The guard jumped out just before the collision occurred, and escaped without injury ; but the effect upon the passengers crowded in the two small carriages was fearful. The scene that ensued it is impossible to describe. Fragments of the crushed and broken carriages, mutilated human forms, some still in death, some writhing in their last agonies, others seriously but not fatally hurt, shrieking with pain and terror, were commingled in a general melee, hardly distinguishable amid the darkness and the dust occasioned by the collision. The terrified passengers who escaped without serious injury ran hither and thither in bewilderment, and for a time none knew what to do. A few of the more self possessed, however, speedily bestirred themselves to render all possible assistance to the unfortunate sufferers and remove them from the wreck that strewed the line, and messengers were dispatched for medical and other aid. It was soon apparent that the loss of life was lamentably great. Eleven lifeless forms were discovered among the rubbish, in addition to many frightfully mangled and disfigured. As speedily as possible the latter were conveyed on stretchers, furnished by the shivered coaches, to the various hotels in the neighbourhood ; and the next duty attended to was the removal of the dead in like manner. Many of those only slightly injured proceeded onwards by the train, and it is probable that a complete list of the casualties resulting from this sad affair will never be obtained. The

removal of the wounded was effected under the superintendence of Mr Wall, assistant to Mr Norris, the company's surgeon at Brierley Hill, who was first upon the ground ; but other medical men soon arrived, and took charge of cases at the inns to which the sufferers were conveyed. Amongst these were Dr Walker, Brierley Hill, and his assistant ; Mr W E Johnson, surgeon of Dudley, and Mr Horton, his assistant ; Mr Osbourne and Mr Harding of Stourbridge ; Mr Tomlinson from Mr Freer's; Mr Evans from Mr Giles's of Stourbridge, &c, &c. Information of the occurrence was instantly telegraphed to Worcester, and about half past nine o'clock Mr Sherriff, the general manager, with Mr Adcock and Mr W Carden, and Mr Everett, surgeons to the company, arrived by special train from that city. The two former gentlemen immediately directed their attention to the clearing of the line and preparing it for the resumption of traffic, and the two latter visited the wounded located in the neighbourhood. There is a feature in this case which is not presented by railway accidents generally. The train to which the accident happened being a special one from a particular district, all the persons injured and it is believed all those killed also, resided within a limited area, instead of being distributed over the whole country as in the case of an ordinary train conveying passengers to and from various localities. The bodies of some of the dead are fearfully mangled, and their identification, except for their dress, will in some cases be difficult. The features of one poor woman, whose body lies with four others at the Swan Inn, Moor Lane, are wholly indistinguishable, her head being crushed into a shapeless mass. The legs of a man lying at the same place are fearfully crushed, and his head and face shockingly contused. This gentleman even in death has the air of a person who has accustomed to move in superior society. Most of the others appear to have belonged to the working classes. We may mention that the particular spot at which the collision occurred is a short distance beyond the junction of the Kingswinford Branch Railway, in course of formation, with the main line, and that the line was cleared for traffic by twelve o'clock, but little damage being done to the permanent way. From the list appended, it will be perceived that all the serious casualties were sustained by persons resident at Prince's End, Coseley, Tipton, Dudley and the immediate vicinity of those places ; and with one exception all are adult persons. Elizabeth Hyde, a girl ten or twelve years of age, slightly injured ; Charles Turner of Bloomfield, Tipton, suffering from injury to the chest, a large scalp wound, and many cuts about the head, fractured ribs on the left side, and perforation and protrusion of the left lung, recovery doubtful ; Thomas Brett of Daisy Bank, fractured shoulder, injuries to the head and thigh, a serious but not fatal case ; and Edward Jones of Dudley Port, slight injury to leg ; all are accommodated in the Crown Inn.

Sarah Fisher of Coseley, slight injury to chest, is staying at the Royal Exchange.

Luke Stokes, slight injury to leg ; William Skelding, Prince's End, injury to tongue and nose ; Eliza Lones, Prince's End, a girl suffering from general concussion, a slight scalp wound, and general contusion of knee ; Thomas Lones, father of the last named, slightly injured ; and Mary Lones, mother of Eliza and wife of Thomas Lones, sustained a fracture of the collar bone and injuries of a very serious nature to the chest and abdomen. All these are accommodated at the Whimsey at Brettel Lane, where three dead lie.

Lydia Cox Bloomfield, very extensive scalp wound ; Samuel Clark, concussion of the brain and extensive injury to the knee joint, very serious case ; and Henry James, Coseley, slightly injured in the back ; these lie at the Cock Inn, Moor Lane, where are also three dead, two men and a woman.

Joseph Webb, compound fracture of the left leg and the right toe, very serious case, but expected to recover ; William Kendrick, Prince's End, fracture of right thigh and left leg and injuries to the head, dangerous case, but hope of recovery ; William Harley, tailor, Dudley, general concussion, not dangerous ; and Richard Welsh, scalp wound and internal injuries of a very serious character, no hope of recovery ; lying at the Swan Inn, Moor Lane, where there are five dead – three men and two women.

Sarah Ann Whitehouse of Prince's End, injury to the arm and leg, not of a very serious character ; accommodated at a house next door to the Swan.

Helen Smith, Coseley, comminuted fracture of the arm and injury to the back ; Sarah Bevan, Coseley Street, Bilston, toe cut off and otherwise injured ; Mrs Wycherley, sister of Miss Bevan,

injury to left leg ; and Benjamin Sheldon, injury to ankles necessitating amputation of both legs, dangerous case ; these lie at Moor Lane House, kept by Mr James Naden.

In addition to the above, there were a great number of persons injured who were conveyed to a distance by their friends. Others proceeded to Dudley by rail, and were forwarded to their homes from thence.

Mr Johnson of Coseley, who arrived at Dudley station, appeared so much injured that his recovery was considered doubtful.

#### LATEST PARTICULARS – THE KILLED

The following is a list of the killed, whose bodies have been identified at the respective houses mentioned :-

*At the Swan Inn* – Edward Matthews, who had died near the Toy House, Coseley. The deceased had a severe wound over the left eye, his left leg was dreadfully mangled and the bone shattered, that must have produced haemorrhage, and the left leg broken near the ankle.

Joseph Baker, Prince's End, puddler, shocking injuries to the head and other parts of the body.

The third dead body here is supposed to be that of a man named Mills, of Bloomfield. He is a man of stout build, prominent well formed features, and an abundance of black hair and whiskers. His feet have been cut off, and his head injured.

Mrs Skeldon, whose brother and son are also dead. The head of this poor woman was frightfully crushed and her legs were much cut ; she was also far advanced in pregnancy. She comes from Prince's End.

Mrs Hildrick, with her head in a yet more mutilated state than that of Skeldon.

*Moor Lane Hall Beerhouse* – The man Skeldon, from Prince's End, died at about 8 on Tuesday morning after his legs had been amputated – the amputation being concurred in by three surgeons on the spot as affording the only means of giving the man a chance of life.

*The Cock Inn* – Mrs Harley, Stafford Street, Dudley, dreadfully crushed, and the youth Skeldon before referred to. His skull was forced in from the direction of the forehead.

The third man (dead) who lies by the side of these is as yet unidentified.

At this house there also lies Samuel Clarke, 18, Caponfields, who has been so much injured that little hopes are entertained of his recovery. The Rev R C Perry, who had taken 200 children in the train with him on Monday, and gave most appropriate advice to the young man , who during the previous day had carried a school banner from the works of Messrs Bagnall, ironmasters, to which works Mr Perry, who was most useful on the previous night, is attached as a work's chaplain.

*Whimsey Inn* – **Henry Marshall**, boatman, from Worcester, leaving wife and family. Injured on body and legs.

Francis Mills, mill furnaceman, married and a family. A cut across the head, as if from an axe.

*The Crown* – Richard Moore of Prince's End, aged about thirty, a slender intelligent looking man, whose heart and lungs were torn out by a splinter of one of the carriages. Decomposition in regard to this body had far advanced yesterday afternoon.

It is a fact of serious import that when the train was going towards Worcester in the morning, the coupling chain broke upon two several occasions – on one of which, if the train had not been descending an incline instead of ascending it, a similar accident to that which happened at night would have occurred in the morning, for when the first breakage happened there was a train behind on the same rails, and within a few hundred yards of the part of the train that became detached.

At Caponfield, the station master and a number of workmen proceeded to the spot, and having examined and prescribed for the wounded, returned to the station at Dudley about two o'clock in the morning.

#### **206 1 September 1858**

THE DREADFUL RAILWAY ACCIDENT NEAR DUDLEY We are happy to state that, contrary to expectation, only one further death has occurred in consequence of this dreadful accident, but some of the sufferers are not yet out of danger. The additional victim is Samuel Clarke, who expired yesterday (Tuesday) morning. Charles Turner, respecting whom the most serious

apprehensions were entertained, is progressing favourably, notwithstanding his very serious injuries (the lungs protruding). He is under the care of Doctors Carden and Everall of Worcester, Mr Morris, Brierley Hill, and Mr Hardinge, Stourbridge, and now lies at the Crown Inn, Brettel Lane. Thomas Brett of Daisy Bank, who remains at the same house and is suffering from severe injuries, is also doing well under the hands of Mr Osbourne, Stourbridge. Hopes are entertained in the case of Richard Wassall, whose ribs are fractured, and who is labouring under the effects of concussion of the brain ; and Miss Beaden (injury to face, head, back and leg, with amputation of toe), and Mrs Wycherley (fracture of right leg and other injuries) are improving. The other patients also appear to be progressing favourably.

All the sufferers located in the vicinity of the accident continue to receive every possible attention from the medical men employed by the company, and it is hoped that the whole may recover. There are 69 patients under the care of Mr Everett of Worcester, surgeon to the company, and 30 more are under the care of Mr Johnson, the local surgeon of the company. Immediately after the adjournment of the inquest on Wednesday, the friends of the deceased took possession of their bodies under the authority of the Coroner, who issued warrants for the interment of the dead, and in the course of the evening they were all removed to their late homes. The railway authorities and the friends of the parties injured are busily engaged in looking up evidence to lay before the coroner and jury at the adjourned inquest to be held this day (Wednesday) and some interesting discoveries are expected. The police also are actively engaged for the same purpose.

It will be observed from the proceedings at the inquest that the broken shackle and chains were produced by Stationmaster Phillips and examined by the coroner and Jury ; but they are not in the report described so fully as the nature of the accident demands. The centre coupling is denominated a "shackle", and is that bar or monster screw upon which revolves the iron ball that railway travellers so often watch porters revolve with a rapidity proportionate with the time at their command. This operation of ball twirling completed, the carriages on either end of the "shackle" are close enough to each other to keep them steady. As an extra security, the "side-chains" are then hung on from one carriage to the other, and the coupling is complete. If the "shackle" should go, the coupling chains, which before "swagged" in the middle because of their length, now become tightened, and in railway theory the train is safe. The shackle produced had broken at about six inches from the end. It was an inch and a quarter in diameter to the edge of the worm of the screw, and an inch and an eighth to the bottom of the worm. The coupling chain, the hook of which was perfect, had been pulled out of the buffer plank. The nut and the washer which fastened the pin of the chain to the other side of the buffer plank were also produced. This had been picked up about fifty or sixty yards on the Worcester side of the Round Oak station. The washer-plate was also shown. This had been picked up upon the line by a porter. The half of the hook of the other chain had been picked up by a third person. Contrary to all cases in which such hooks are made of excellent iron, this hook had broken "cold short". In most cases of the breakage of good hooks, if they are made of the iron adapted for such a purpose, if they break at all they only break half through the fibre in the iron, keeping the fractured parts together. The pin of the one chain was about an inch in diameter, apparently much too weak for the strength of the hook on the other end of the chain. On Wednesday evening the senior surgeon of the Westminster Hospital came to Brierley Hill on behalf of the Railway Accident Assurance Company, but so far as he could learn, there were no passengers assured.

**THE INQUEST** On Wednesday, the inquest was opened before T M Phillips Esq, coroner, at the Whimsey Inn, Chapel Hill, Brettel Lane.

The following jury were sworn :- Rev J Bailey, Baptist minister, Brierley Hill (foreman) ; Mr James Wheeler, wine and spirit merchant, High Street, Brierley Hill ; Mr John Steward, chemist and druggist, of the same place ; Mr George Ford, newspaper proprietor, ditto ; Mr Edward Elcock, baker, ditto ; Mr Edward Samuel Heynes, clerk, Brierley Hill ; Mr Thomas Fletcher Rooker, chemist and druggist, Brierley Hill ; Mr Joseph Jackson, shoemaker, Brierley Hill ; Mr Benjamin Hammersley, pawnbroker, Brierley Hill ; Mr George Wassell, publican, Brettel Lane ; Mr Joseph Done, publican, ditto ; Mr James Salmon, tailor, Brettel Lane ; Mr George Chapman, chemist and

druggist, Brierley Hill ; Mr William Holcroft, coalmaster, Brierley Hill ; Mr Thomas Major Dunn, schoolmaster, Brierley Hill.

The names of the deceased on whom the inquest was held are :- Francis Mills, a furnaceman at the Bloomfield Iron Works ; Joseph Baker of Prince's End, ironworker, thirty five years of age, single ; Edward Matthews of Coseley, puddler ; Benjamin Skelding of Prince's End, baker and provision dealer, Harriet, his wife and John, his son, a young man of seventeen ; Mrs Hildrick, wife of Mr Hildrick, sawyer of Park Lane, Tipton ; Mrs Harley, wife of William Harley, tailor, Dudley ; Henry Weston, labourer, Prince's End, aged thirty three, single ; Richard Moore, aged thirty, Prince's End ; **Henry Marshall**, aged thirty six, boatman, Worcester ; and Benjamin Pitt, hay and straw dealer.

Mr King of the firm of Messrs Collis, Bernard and King, solicitors of Stourbridge, was present to watch the case on behalf of the company, who were also represented by Mr Sherriff, general manager, Mr Adcock, secretary, and Mr Wilson, engineer. Mr Burbury, solicitor, Brierley Hill, attended on behalf of the friends of Mills and Marshall, two of the deceased ; and Mr Round, solicitor of Tipton, on behalf of Matthews and the three Skeldings.

The Coroner, before swearing the jury, asked if any one of them was at all connected with or interested in the Oxford, Worcester and Wolverhampton Railway, and, having been answered in the negative, proceeded to swear them. The inquest was then adjourned to the Bell Inn, owing to the room at the Whimsey Inn being too small for the accommodation of the several parties concerned in the case ; and the jury, accompanied by the coroner, made a visit to the inns whereat the dead bodies lay, in order to view them. They were absent about an hour, and on their return the inquiry was adjourned for a brief period. At the recommencement of the proceedings, the first witness examined was -

John Ball, furnaceman living at Prince's End, who deposed to the identity of the body of Henry Weston, who was a labourer living at Prince's End, and was 36 years of age. He also spoke to the identity of Richard Moore, who was a puddler living at Prince's End.

Charles Armstrong was next examined. He said he was a cooper living at Birmingham, and Mrs Harley was his sister. Her Christian name was Anne, and she was the wife of William Harley, a tailor living in Stafford Street, Dudley. She was 55 years of age.

John Pitt, a forgerman, identified the body of Joseph Baker, who was about 29 years of age and lived at Prince's End ; and a man named Matthews, a puddler living at Waldron, identified the body of the deceased Matthews, who was 33 years of age, and was a puddler at Waldron.

Isaac Baldwin deposed : I am waggoner to Mr Hyde and live at Prince's End. The accident occurred on Monday last. On that day I went with an excursion train from Prince's End station, on the Oxford, Worcester and Wolverhampton Railway, to Worcester. The train left Prince's End about ten o'clock in the morning ; it should have left at half past nine. The deceased, Pitt and Moore, and other persons were in the same carriage with me. There was a guard to the train, but I do not know his name. There were two engines to the train from Prince's End, both of them fronting the train. There were second and third class carriages to the train. We went direct to Worcester, and arrived there exactly at half past twelve o'clock. On three occasions in our journey from Prince's End to Worcester, there were three very bad shocks, which threw me forward in the carriage and made one young woman's nose bleed. I cannot say what was the cause of the shocks. I asked to get out of the train, but was not allowed to do so ; I also asked what was the matter. These shocks occurred between Prince's End and Droitwich. The first occurred before we got to Dudley station. A man named Walker then put his head out of the window and inquired what was the matter. I did not hear any reply made. The third shock occurred at Brettel Lane Station, as I believe, whilst the train was standing still. I heard that the brakes were down. The third shock occurred near Churchill station, as I believe. I don't know if the train stopped there. There was such a noise when the shock occurred that I do not know what was said. I was reading the newspaper most of the way. I did not inquire at all either on the journey or at Worcester station as to the cause of the shocks. The train left Worcester to return home about half past six o'clock. The train was divided at Worcester on its return journey. There were two distinct trains. I started by the second train from Worcester, about ten minutes or perhaps more from the first train starting. Each train was provided with an engine.

The train went steadily on until it came to between Brettel Lane station and the Round Oak station. I was in the carriage next to the engine. Just as we had passed the former station, I should think about half a mile beyond, I felt a sudden and violent shock, and the carriage I was in went up against the engine, and was thrown off the rails. I got out of the carriage, and the first thing I saw was some of the carriages of the first train smashed up against the engine. The carriages were smashed to pieces, and I saw several people lying about. I saw Mr Hildrick get up. Did not see the guard or engine driver then or afterwards. I assisted Mrs Hildrick, who was almost close to the engine, to get up, and also young Skelding. Mrs Hildrick was lying beside the rails, near to the engine of the second train. She was much damaged about the head, and her face was covered with blood, which was flowing from her mouth, nose and ears. She was dead then. Her husband was much hurt. I went up to the Bell public house to get some "convenience" but could not do so, and Mr Hildrick was afterwards carried away. I went to other public houses, and returned in about half an hour. I then saw two or three other persons lying near where the accident occurred, and several persons who were injured. Afterwards I assisted in removing one of the dead persons to the Cock public house.

The Coroner : What do you believe was the cause of this collision?

Witness : I think it was neglect. I think the guards did not do their duty. I think if the guard had exerted himself properly and used his brake when the coupling chain broke, he might have stopped the train. I do not know that any coupling chain broke except from what I have heard. Mr Hildrick, who asked me to get out his wife, is very ill now.

By Mr Burbury : I don't know who said the coupling chains were broke. I was told as I went to Worcester that the brakes were down. Skelding rode with the brakesman in his van going to Worcester, he being a passenger. When the collision took place I was hurt on the knee and on the leg. I was thrown over the seat. I did not see how the collision occurred. I remained on the spot till the last train went to Prince's End about two or three hours afterwards, and then went home by that train. I got home about a quarter past twelve. My house is about half a mile from the station.

By the Foreman of the Jury : As we were going to Worcester, one of the doors of the carriages was locked, the doors on the side we got into the train. The doors were locked at starting. The guard and porters prevented our getting out of the train.

William Skelding, an iron plate roller living at Prince's End, deposed : I started from Prince's End by the excursion train, which left that station about twenty minutes before ten o'clock. The guard was then in the brake. I did not know his name, but know him by sight. I got into the guard's van, and rode all the way to Worcester in it. About half an hour after we started, the guard asked if anyone had got matches or was smoking. I gave him some matches and tobacco, and he smoked while my brother John and another young man took charge of the brake. He had nothing to drink. My brother John was seventeen years of age. The guard told my brother how to work the brake, and said he ought to do something for his bread if he got his cheese for nothing, or words to that effect. He then appeared quite sober. That conversation took place before we got to Stourbridge, between Dudley and Stourbridge. John Skelding, with the assistance of some other people in the van, worked the brake to Worcester. The guard was smoking his pipe most of the time. Before we got to Brettel Lane station we felt a severe check, which threw us off our seats against the front of the brake van. When we got to Brettel Lane station, he got out of the van to see what was the matter, and he afterwards came and asked for a strong chain. He said one of the coupling chains had broke, and he wanted one. We kept our seats in the van. We started from Brettel Lane almost immediately. Soon afterwards there was another check on the train, and at the next station the guard got out, and then told us that another coupling chain had broke. The guard then took another chain out, but did not use it, as he said he could do without. He replaced the second chain in the van. Nothing of any consequence afterwards occurred until we got to Worcester, where we arrived, I believe, about twenty minutes past twelve. There were about 45 carriages to Worcester, including those that were attached at the intermediate stations between Prince's End and the Worcester station. I should say there were more than 2,000 persons in the train. The carriages were all crowded, and many of the passengers were standing up. In some of the carriages, the people were so thick they

could not stir. There were a good many women and children. When we got to Worcester I did not hear any complaints made, nor did I make any myself against the guard. The train was divided in returning from Worcester, but I did not hear any cause assigned by any person for that. The first train left Worcester about twenty minutes past six, and the second train about a quarter of an hour afterwards. I returned by the second train. The guard of the first train was the same as rode with the train to Worcester. He wished me to ride with him again in his van, but I declined doing so. He appeared sober. It was not the same van we had come in. The train went on steadily and properly until it arrived between Brettel Lane and Round Oak stations, when I was thrown violently forward and much shaken. I was in a second class carriage, and was thrown against the opposite side to that where I was sitting. My nose and tongue were cut very much, and I had two black eyes. My head has been very painful ever since. As soon as possible after the shock occurred, I got out. The funnel of the engine of the last train was lying across the rails in front of the engine, and the buffers were knocked entirely off. I asked the engine driver what was the matter. He was walking by the side of the engine, which was stopped, and the steam turned off. The engine driver, in reply to me, said, "What the ---- do you want here? Go back to your carriage ; there is nothing serious the matter, and we shall go on again in a few minutes". Several persons had got out of the carriages. Another young man named Benjamin Lord accompanied me up to the engine of the train I was in. I saw two or three of the carriages of the first train that left Worcester entirely smashed up, and one was overturned. The engine of the first train was gone on with the other carriages. The engine of the second train appeared to me to have run into the hind carriages of the first train. I then met the guard I had gone by with the train from Prince's End. I don't think he was hurt at all. I did not speak to him then, nor ask him how the accident occurred, being fearful of injury to my father, brother and mother, knowing they were in the compartment next to the brake van. I went to look for them. I looked for three hours until I discovered my father, and my mother and brother I have never seen since ; my father was not killed on the spot. He was taken to Mr Noden's beershop, where the bodies now lie. He was very severely injured ; his legs were amputated, and afterwards he died. He seemed sensible when I saw him. His legs were broken and both feet were cut off. He inquired for my mother, saying she was under the carriage and must have been struck dead. He said he should never see her any more. His legs were taken off just down below the knees, and he died in about twenty minutes afterwards. I went back and looked for my mother and brother, but could not find them, and I first heard they were dead yesterday (Tuesday) morning after I got home. I have not seen them since.

By the Jury : There was no light in the carriage I sat in, nor in any of them that I am aware of. I got out of the carriage at Brettel Lane on the left hand side, that nearest the station.

By Mr Burbury : My brother was never so far on a railway before in his life, and had never worked on a railway. He was not known to the guard at all. I and my brother were in the guard's van when the train reached Worcester, and got out there. It was quite daylight when I got out, and the officials, had there been any about, might have seen me get out. Did not hear any complaint made there of persons riding in the guard's van. On the return home, at the Worcester station, I saw several persons, ten or twelve, get into the guard's van, and he asked me to get in. I refused in the hearing of any persons who might be there. After the first train had started, no time was lost in the second train being dispatched. Not more than ten minutes elapsed after the departure of the first train before the second started. It was sent off as soon as the passengers could be got in, and many of them remarked that they should soon catch the first train, that one being so much lighter. There are about seven or eight stations between Worcester and Brettel Lane. I cannot say at how many of these stations our train stopped – three or four. It stopped at Stourbridge and Brettel Lane stations. It remained about five minutes at the Brettel Lane station.

By Mr King : The train was advertised to take school children, of whom there was a great many, and the bill stated that only school teachers and children would be conveyed by that train. My brother was a scholar.

By the Coroner : They denied no party going by the train. All had tickets who went for them.

Francis Etheridge, a collier living at Moor Lane, Brierley Hill, said : About twenty minutes past 8

o'clock I was returning home from Wordsley, and when near the Vine Inn, in Moor Lane, I saw about twelve or thirteen railway carriages coming down the incline from the Round Oak station. I saw no engine with the carriages, but I saw they were filled with passengers. I was then standing on the railway bridge. I heard a slam, and then went down to see what was the matter. I saw no light with the train. Saw another train meet them from the direction of Brettel Lane. When I first saw them there was a distance of between 300 and 400 yards between them. There was awful screaming and crying out. I immediately went down to the train, and found seven or eight dead bodies lying under the wheels of the first three carriages that I had observed coming down from the Round Oak station. Some man had a light there. The engine was set in motion, and the train was pushed back towards Worcester. Did not know who it was had the light, nor should I know him if I saw him again. I saw other dead bodies on the line, and assisted in getting them all out and conveying them to the different public houses in the town. I also assisted in removing many of the wounded. I did not see the guard there that I know of, but saw some person in a guard's dress, who was assisting to remove the dead and injured persons.

Adonizedek Gordon, a watchman at a colliery situated close to where the accident took place, deposed : On Monday evening last about eight o'clock, I was near the railway bridge, when I saw a train pass towards Round Oak, at its usual speed. In about a quarter of an hour afterwards I saw the train come back again without an engine. Almost immediately I heard a whistle from a train approaching from Stourbridge, and as I looked I saw both trains meet with a fearful crash. Two or three of the first carriages were smashed. I went down immediately, and saw broken hats, caps, as well as several persons, lying about the line. I saw a man carrying a lamp, endeavouring to get the dead out. I did not inquire anything about the occurrence, as I felt frightened.

The Coroner here remarked that it was extraordinary no person seemed to have inquired about how the collision happened.

By Mr King : I saw the carriages coming round the curve near Mr Westwood's works before I saw the train from Stourbridge. I did not see any sparks flying from the wheels of the carriages coming from Round Oak. So soon as I heard the whistle, the collision took place.

By Mr Burbury : The train seemed to go up the incline at the usual speed.

The Rev Edward Cresswell Perry, living at Sedgley : On Monday morning last I left Bilston station at half past nine o'clock, I think in a second class carriage. I had a party of 100 school children, and a number of teachers and friends, altogether numbering about 200, under my principal supervision. I should think there were about 50 carriages when we first started, but I did not count them. They were principally second and third class carriages. There were two engines to the train from Wolverhampton to Worcester, but I cannot tell if there were two engineers. I believe there were two guards. I did not hear any complaints made before we left Bilston station as to either there being too many passengers or too little engine power. The first circumstance that occurred to give us alarm was the separation of a portion of the train near the Brettel Lane station. The latter part of the train then separated from the fore part and, as near as I could observe, the separation was of about one third. I could not understand the extra shake that we received, and putting my head out of the window I saw a number of the carriages running back, and several men with short pieces of wood endeavouring to stop them. I saw a man go underneath, and from that I inferred that he had gone in to fasten the carriages again with the chain. The carriages then proceeded. The next thing of any importance that occurred was another separation on a curve near Kidderminster, just before we arrived at that station. I and my wife were in the first carriage of the last portion of the detached portion. I jumped out and ran for at least fifty yards, holding by the carriages until we came up to the first portion with the engine attached. We had gained upon them in going down the incline. Whilst running by the side of the carriage I observed that some chains were broken. I cannot say whether under the carriages, in the centre, or at the sides. The coupling chain was not broken, and the only thing the guard had to do was to fasten the middle chain. I observed that the centre chain – a very strong one – was not broken.

Coroner : Then how do you make out that the carriages were separated?

Witness : I think that one or both of the side chains must have been fastened ; therefore the middle

chain was not broken, and it was that which the guard hooked on. He did not bring a fresh chain. I had a conversation with the guard, and said I hope the engineers are not playing us any tricks ; I don't know whether they are drunk, but I hope they are not, so early in the morning, but certainly the jerks we have had would lead to that supposition. He said they were not playing us any tricks, nor were they drunk, for that one of them was a teetotaler. We after proceeded on properly to Worcester. I left Worcester about half past six o'clock, accompanied by my school children. I don't know why the train was divided at Worcester. The first train from Worcester was composed of twenty nine carriages, and had one engine in front, and a guard. There was an average of between fifty and sixty passengers in each carriage of the first part of the train, or 1,550 in all. The train went on safely, and in the neighbourhood of Kidderminster was joined by the second engine. It went on very steadily to the Round Oak station, where it stopped. The chains broke just before we got to that station, and the latter part of the train became detached from the former and ran down the incline. I was in the former part of the train. The hinder part of the train ran back towards Stourbridge. After staying at the Round Oak station we were pushed back at a slow rate by the engine for the distance perhaps of about half a mile, where it stopped, and very soon afterwards it was pushed on to about 150 yards from the scene of the accident. During the retrograde movement, it was reported to us by a porter at the station, who had a lamp in his hand, that there had been an accident, and that several persons were killed. There was a general rush, and the first sight that met my view was the carrying away of several bodies upon stretchers. I did not see the guard who had been with us that morning, nor any guard at all there. It was dark at the time, and he might have been there ; there was not sufficient light to distinguish features.

By the Jury : I did not see any lights in the carriages. The train had been announced as one for school teachers and children, but it turned out to be a general excursion train. I made no objection at Worcester to the number of passengers on the train.

John Phillips, station master at Round Oak : I was at the station on the Monday morning when the excursion train came up. There were two engines at the front of the train ; don't know their power. There were two engine drivers, but I don't know either of their names, and also two guards. The guard in the front portion of the train was a stranger to me ; the one behind was named Cooke. There were upwards of forty carriages. No complaint was made to me either by the guard or engine driver. If any complaint has to be made, it is usually made to the nearest station master. We keep couplings and side-chains at the station in case any should be broken. There were none asked for by the guard on Monday morning. I was not at the Round Oak station when the train returned. Had left the station in the care of my assistant, Mr Bolton. There is no signal whatever, beyond the station signal, for trains whether going up or down the incline. I first heard of the collision when I was standing on the platform at Dudley station, about nine o'clock on Monday evening. I returned immediately to the scene of the accident, and did all in my power to assist the sufferers. I don't know whether the company allow of passengers travelling in the guard's van by excursion trains. It is not permitted by ordinary trains. No application whatever was made that day for chains. [The broken chain was here produced and examined]. The chains now produced were given me on Monday night by Robert Deaden, about a quarter to twelve, and are in precisely the same state as when I received them. The nut and broken chain now produced I found myself near the Round Oak station yesterday (Tuesday) morning. They were about sixty yards from the station. The centre chain is fastened with a screw. The screw was broken through the centre. That chain was sufficient to have borne the weight of 1500 adult people, and I cannot tell how the screw became broken. I did not examine the carriage from which the chain was broken. The screw is composed of 1 3/4 in of solid iron.

By Mr King : The end of the pin which was affixed to the buffer plank was broken and pulled through the nut. It is my opinion that the shackle and side-chains were all fastened at the time of the breakage.

By Mr Burbury : At certain stations on the line, there is a signal showing whether a line is blocked or open, but there is no such signal between Brettel Lane and Round Oak. The telegraph shows if there is any stoppage on the line between stations. The telegraph was not used on Monday night

until after the collision. Don't see the necessity of signals, because of the telegraph. The shackle link is sufficiently strong to hold the carriages. I am master of the goods and passenger department. At this stage of the inquiry, it being past six o'clock, the Coroner decided on an adjournment, and it was resolved that further proceedings should be deferred until Wednesday (this day) at one o'clock.

LATEST PARTICULARS Yesterday (Tuesday) morning, the poor fellow, Samuel Clarke, expired. Deceased was 18 years of age, and was employed by Messrs John Bagnall and Co at their Caponfield Works at Bilston, where he had been exemplary for his steadiness and sedateness. This was the young man who on the day of the accident was banner bearer in the procession of children belonging to Messrs Bagnall's schools, and whose almost melancholy tone and feeling during the day, whilst it was a strong contrast to the merriment of the rest, almost foreboded coming sorrows. Deceased had only a few nights before presented himself for admission into Messrs Bagnall's night school. By the accident he sustained severe injuries to the spine and scalp ; and from the time that the extent of these injuries first became known, only few reasonable hopes were entertained of his recovery. Occasionally, however, he slightly rallied. By inquiry on the spot at noon yesterday, we learned that Joseph Webb of Coseley and William Kendrick of Prince's End had both passed a comfortable night, and were progressing as favourably as could be reasonably expected. Richard Wassall, whose case was of so serious a nature as to leave little ground for expecting his recovery, is better, and hopes are entertained that he may yet survive. Richard Harley, tailor of Dudley, was sufficiently recovered to be removed on Monday night to his home. Just before he arrived at his house, the body of his wife, who was among the killed, was taken out to be interred in the Dudley Cemetery. Henry Augustus James, son of the postmaster at Coseley, has now been removed home ; as also has Mrs Jones of Prince's End. Miss Corser still remains at the Cock Inn, but is improving. Miss Bevan and her sister, Mrs Wycherley, both of Bilston, are progressing favourably. Mrs Hannah Fisher of Prince's End is making rapid progress. Thomas Brett and Charles Turner, whose cases had assumed a very serious aspect, are progressing to the satisfaction of their medical attendants, Messrs Harding and Norris. Edward Jones of Dudley Port still remains at the Crown, but is expected to be so far recovered as to permit of his removal home in a short time. Elizabeth Hyde of Dudley has been taken home.

In addition to a valuable watch that the police are in possession of, one Robert Drake has an unclaimed watch in his keeping. Of property of less value found on the line after the accident, the police have a store. Private parties possessing unclaimed property should hand it in to the police authorities.

The Rev E C Perry, the clergyman who was in the train at the time of the accident, with 200 children in his charge, in the special sermon which he preached on Sunday evening last, and which drew a congregation for which sufficient accommodation could not be afforded in the sacred edifice, said, "Whether I shall ever travel by another excursion train I know not. It is certain that as long as I am in my senses I shall not do so under similar circumstances. Still less is it likely that, for the sake of a few pence, I would ever again incur the risk of having children under my especial supervision unconsciously removed by death from this world to another, without a moment's notice ; or mutilated and crushed so dreadfully as to preclude the possibility of their ever following their earthly employment. With regard to the management of the train by the company's servants, it cannot be doubted that there was a great lack of precaution and want of foresight, which were absolutely necessary to run such a long train with safety to the lives of the passengers. The error originated beyond all question in admitting persons who were neither teachers nor scholars in any school whatever. Had the company's servants steadfastly refused the sale of tickets to all who were not teachers or scholars of schools in the district, the train which became unmanageable would have been entirely under their control. In relying upon the veracity of the company that the train was simply for teachers and children we were disappointed ; *experientia docet* is true generally, but it would be difficult even for the most charitable persons to see that the servants along the line were taught anything by the experience of the journey to Worcester. It is known that the line is inclined towards Kidderminster, and would therefore require only about one fourth the power to take a train in that direction to that which would be required to drive it the opposite way (the incline on which

the final separation which caused the accident took place being 1 in 75) and yet, even in going, the chains which connect the carriages together broke away on two separate occasions. That there were breakages was not communicated to Mr Adcock, the secretary of the line, until I informed him after the accident. This shows how very little we were cared for by the company's servants.”

## **207 8 September 1858**

### **THE LATE FATAL RAILWAY CATASTROPHE NEAR DUDLEY**

**THE ADJOURNED INQUEST** Yesterday (Tuesday) the adjourned inquiry into the circumstances attending the above melancholy event was resumed at the Bell Hotel, Brierley Hill, before T M Phillips Esq, coroner. This inquiry had reference only to the death of thirteen of the sufferers. An inquest has been opened at Tipton on the body of Mrs Rogers, whose death occurred since our last publication ; but it has been adjourned until the termination of the present inquiry. Mr King was present to watch the case on behalf of the Oxford, Worcester and Wolverhampton Railway Company ; Mr Nelson (of the firm of Southall and Nelson) of Birmingham attended on behalf of Luke Noakes of Bloomfield, one of the injured parties ; Mr Ebsworth, of the firm of Duignan and Ebsworth of Walsall, represented the relatives of Joel Hildick of Prince's End, one of the deceased ; Mr Homer of Brierley Hill attended on behalf of Mr Harley, tailor of Dudley, whose wife was killed by the accident ; and Mr Mowbray, solicitor, appeared for the families of Henry Marshall of Worcester and a man named Mills, of Bloomfield. Mr Sherriff, the manager of the line, and Mr Wilson, the company's engineer, were also present.

The first witness called was

George Cording, one of the under guards of the Oxford, Worcester and Wolverhampton Railway, residing at Worcester. His evidence was as follows :- I accompanied an excursion train from Wolverhampton to Worcester on the 23<sup>rd</sup> of last month. Frederick Cook was the head guard. I heard no complaints of any defect in the train or engine before leaving Wolverhampton. There were 29 carriages taken into Worcester ; I cannot say how many left Wolverhampton. I do not know how many passengers there were. We attached additional carriages at Dudley ; I don't know how many. There was one engine attached to the train when it started from Wolverhampton ; another engine was put on at Dudley. I went in the front van next the engine. At Tipton, five or six persons got into the van with me. They got on because there was not room on the train. I do not know their names. Nothing occurred between Wolverhampton and Dudley. After we passed Brettel Lane station, the first breakage took place. If anything had occurred before that I should have known. Other additional carriages were put on at Stourbridge. We did not stay at Brettel Lane station many minutes, only to give time to take up passengers and repair the chains and shackles. Jonas Slackwood was the engine driver. I got the signal from Cook, the head guard, and I gave it to the engine driver. Thomas Benson was the driver of the other engine. The train was just starting from the station when the chain broke. The breakage took place about fifteen carriages back towards the rear of the train from the engine. I cannot tell the cause of the chain breaking. When it broke I went back, and then the head guard was there. A large goods chain was taken from the van by Cook to replace the broken one. We then proceeded on as before. Another breakage took place at Hagley, just beyond the station. We did not take any additional passengers at Hagley. A shackle was taken from the next carriage to replace it. I am not aware that any other breakage occurred between Hagley and Worcester. It is the head guard's duty to make any report. Mr Charles Harris, the assistant superintendent, went with the train from Dudley to Worcester. I do not know whether any report was made. I left Worcester with the train in the evening. The chains had then been all repaired by a blacksmith. I do not know if the same chains were used again, but they were all safe. We left Worcester about 6.30. The train was then divided. There were about 29 or 30 carriages in the first portion of the train. I and Cook went with the first portion of the train from Worcester. John Burt was the engine driver. Another engine was added at Stourbridge. That engine was put on in front on account of the incline from that place to Dudley. Robert McGhee was the driver of the second engine. Just before reaching Round Oak station, I noticed that the lights at the lower end of the train were all right. The first thing I remember is that the train had divided. John Burt, the

engine driver, told me. I was not aware that anything was amiss until I was told, because I was in the front van next to the engine. I put my brake on just before reaching the station, before the train divided. I heard no noise of the breakage. Burt said to me, "The train has broken apart and run back". I then looked out and found that the lights on the last portion of the train were gone. I got off and examined the broken shackle. The portion produced was found by me at Wolverhampton the next morning. The side-chains on that carriage were not broken. The side-chains attached to the next carriage were broken. I walked down the line nearly as far as the spot where the collision occurred. I saw the carriages were broken, but I cannot tell the number. Eighteen carriages ran back. Twelve carriages and a van remained attached to the engine. I then returned to my train and again went back to attach the missing portion of the train, and conveyed some of the injured parties on to Dudley, by direction of Mr Ivatts of Dudley. My brake was in good working order. Cook used it that morning when going to Worcester, and at night I used the brake which had in the morning been worked by Cook. I saw Cook at the place where the accident occurred. He was quite sober, and made no complaints of any irregularity or neglect. I have been employed by the Oxford, Worcester and Wolverhampton line for some time. There are no inclines except that between Brettel Lane and Round Oak. I have been employed as an assistant guard on this line rather better than twelve months. I do not think the train could have been stopped by the guard after separating from the first portion in time to stop the accident. The night was wet and foggy, and the rails would consequently be greasy. I could not ascertain whether the brake had been applied or not, because the wheels of the brake van were buried in ruins. I cannot say within what distance, under the circumstances described, the train could have been stopped. When I left Worcester I knew that another portion of the train was to follow, but I did not know what time it would start.

In answer to an inquiry by the Foreman, the witness said : I perceived no unusual jerking when going to Worcester in the morning. I did not hear any person ask to be let out.

By a Juror : Have any of the railway officials asked you any questions as to what you were going to say before you came here? - Yes : I have twice been questioned by Mr King.

By the Foreman : Are you aware whether any telegraphic message was sent to Brettel Lane immediately after the train broke? - I heard that a message was sent to block the rail. There are second class passenger carriages with brakes attached to them. Those carriages are open to the public. The brake is in a separate compartment. At the Round Oak station I saw a young man with a lamp, who I believe was the booking clerk. I have been employed on the GWR as well as the O W and W, but never on any other narrow gauge line. I cannot speak as to any particular number of brake vans used to a particular number of carriages on any other line of railway. The head guard keeps a book in which it is his duty to note down the time at which he stops at each station.

In answer to a question by Mr Ebsworth, the witness said : Before I was promoted to be an assistant guard, I was employed as a porter at 18s a week. The ordinary wages of a porter on this line are 16s a week. I never acted as assistant guard to any other railway company. It is against the rule of the company to allow passengers to ride in the guard's van. When we got to Brettel Lane, one of the officials directed me to take other parties into the van. I was dressed in a porter's dress. On my return journey to Worcester I had two persons in the van. I cannot say whether Cook had anyone in his van. I did not look to see.

In reply to Mr King, the company's solicitor, the witness said : I do not know the number of the carriage to which the broken chains were attached. Immediately after the accident the first portion of the train was brought back, and the two carriages which had previously parted were coupled together. I proceeded to Wolverhampton with these two carriages and others, and pointed those two carriages out to Drinkwater, the inspector of carriages. On the next day I took the carriage number 114 to Worcester, and showed it to Gransbourn, the inspector of carriages at that station, and also to Brown, the platform inspector.

By a Juror : When Mr King spoke to you before, who was present? Witness : Mr Grundy.

**Joseph Williams**, a boatman living in King Street, Worcester, deposed : I was going by the train from Dudley to Worcester on the day the accident occurred. I started from Dudley about ten o'clock in the morning. I did not perceive any shock in the carriages between that place and Worcester. I

did not know that any chains had broken. I left Worcester in the evening, and rode in the van along with Cook, the guard, and **Henry Marshall**. Marshall was killed. The carriages were all full as we were starting, and that was the reason why I got into the van. Cook did not ask me to get in. There were other persons in the van, but I did not know who they were. There might have been half a dozen besides Cook, Marshall and myself. I perceived no shock from Worcester until we arrived at Brettel Lane, where the carriages run into the other train. I did not know the train had separated until the guard told me. He said, "Jump, lads, jump ; there will be an accident". Cook was then applying his brake, and when he found that would not stop the train he began to whistle. I did not jump out, and cannot say whether any of the others jumped out. I was too frightened to notice what occurred. I don't know whether Cook jumped out or not. I did not see any other persons use the brake except Cook, the guard. He used the brake before he told us to jump out. At the time he was using the brake, I did not perceive any alteration in the speed of the carriage. I was quite sober. Shortly after he told us to jump out the shock took place. I was thrown out of the van and rendered insensible. I was not able to render any assistance to the injured persons. I did not see any persons lying about.

By a Juryman : I had been to Worcester to my master to tell him about a load of hay. It was dark in the van. I have been attended by a doctor since the accident. I do not know Cook, the guard. I have received money from the company in consequence of the injuries I have received. I have received £5 and the expenses of my doctor's bill.

By Mr Ebsworth : At the time the guard told us to jump out he had his hands upon the brake. I think he was turning the brake before he spoke those words, but I cannot say how long. Cook had not been smoking or drinking.

By Mr Nelson : We stopped at different stations before we got to Brierley Hill, but I cannot say whether any persons left the carriages.

By Mr Homer : I was instructed by letter to attend here. I have not yet been paid my expenses. I had received my £5 before I was asked to come here as a witness.

Mr King objected to such questions being put to the witness, saying that the company had produced every witness who they deemed might be able to elucidate in the matter.

Frederick Cook was next examined. He said : I am a guard in the service of the Oxford, Worcester and Wolverhampton Railway Company. I was head guard of the excursion train to Worcester on the 23<sup>rd</sup> ult. I live at Worcester.

The Coroner here cautioned the witness not to say anything that might criminate himself.

Cook said he would answer any questions that might be put to him, and deposed as follows : John Cording was under guard. Jonas Lockwood was the engine driver. There was one engine when starting from Wolverhampton, 24 carriages and two vans. I did not hear any complaints made of any deficiency in the engine or carriages until there was a breakage at Brettel Lane. Eight additional carriages and another engine were attached at Dudley. At Brettel Lane a shackle and two side-chains broke. It was in starting the train from the station that the breakage occurred. I should say it was about 14 carriages from the one I was in. I was out of the van at the time. I fetched four big links from the last van. I put a spragg in the wheel and coupled them tight. I cannot say whether the station master was aware of the breakage. The train proceeded onwards, and at Stourbridge five more carriages were attached. At Hagley another shackle and two side-chains broke. The train was just starting from the station at the time. I went and examined the shackle, and saw a porter put on another. I proceeded with the train to Worcester, and at Droitwich I found there was another shackle gone. I cannot say how it had broken ; I could not find the shackle, it was lost, and the carriages were attached by the side-chains only. There was no other breakage between there and Worcester. I did not take any persons in my own van from Wolverhampton, but at Prince's End I allowed several persons to get in, because there was no room in the coaches. I am aware that it is contrary to the company's rules to allow persons to ride in the van. I told one man to take the brake off at Netherton and Round Oak, but I cannot say who he was. There was smoking in the van. Nobody but myself used my brake to Worcester. I made no complaints at any of the stations, because Mr Harris, our superior officer, was in the train. I got to Worcester at 12.32. The train was

divided on coming back, the first part, in which I was, consisting of 29 carriages, two brake vans and one engine. Another engine was put on at Stourbridge to assist us up the bank. All went on well until we got to Round Oak. There were 6 or 7 people in my van coming from Worcester. I told some persons to get in, because the coaches were all full. We left Brettel Lane at 8.3 and arrived at Round Oak at about 8.10. On going to Brettel Lane I found the train was coming back, and I put my brake on to stop it, but it was to no effect. I put my brake on before the train parted. It is a usual thing to put the brake on before we reach the station. I put my brake off when I thought the train had stopped, and then I discovered the train was coming back, and I again applied the brake. When I put on the brake after the train had parted, it seemed to draw them up a bit, but they got a head afterwards. The brake was a good one and acted very well, but the weight was too much for it. We generally start about ten minutes from each other. I called out to the passengers and told them to jump out, saying, "Please to jump for your lives". I jumped out about ten yards from the spot where the collision took place. I saw the other train coming up, and put out my hand lamp, which is a red light, and waved it above the van ; I also sounded my whistle. When I jumped out I left the brake on. I then ran up to Round Oak and told them to block the roads. I then returned to the scene of the accident and assisted to remove the wounded passengers. I have experimented with a brake on the same spot since the occurrence of the accident. I have been a guard on this line upwards of eight years, and when going down the bank always apply the brake. I had not found any difficulty in stopping a train at that spot, unless when the rails were wet and greasy. My brake acted very well on that occasion, and I thought when I left Worcester that the two brakes were sufficient to check the speed of the train. A third brake was attached to the eighteen carriages and consisted of an ordinary second class carriage with a separate compartment containing the brake. Mr Harris superintended the train starting from Worcester. I did not ask for another person to attend to the third brake before the train stopped. I am now speaking of a second class carriage with a brake compartment. John Cording, the under guard, was in charge of the first brake van. These second class brake carriages are generally occupied by passengers. On this occasion it was placed there as a carriage for anyone to enter.

By a Juryman : The carriages had not gone more than five or six yards before I discovered that the train had separated. There was no means of communication between me and the driver. I believe an experiment has lately been tried with a signal. If the brakes were to be left on at the time a train is being set in motion, the coupling chains would be very likely to snap. I was not thrown down when I jumped out. The carriages were then travelling at the rate of about ten miles an hour.

By Mr Ebsworth : The second class carriage brake was some distance off my van. Any of the passengers could have tampered with the brake without me knowing it. I am not aware that there was any person there to take charge of it. I did not ascertain whether Mr Harris made any report at Worcester of the breaking of the coupling chains. I left it to him as my superior officer. My wages as guard are 24s a week.

By a Juror : I did not couple the chains together after the separation of the train, nor did I see them fastened. If there had been a guard in this second class brake van I could have signalled him to apply his brake, but he might have been looking out of the opposite side of the train. I have been in the employ of the company eight years, but been a passenger guard only during the summer. I never told any person on the night after the accident that my brake was out of order. There is no one at Brettel Lane to inspect the brake van as well as the couplings. If there is any defect it is my duty to complain to the station master. I was not present when the experiments were made by Mr Craig, the company's engineer.

Examination resumed : The experiment at which I was present took place on the Saturday after the accident. I made no minutes of the result. I accompanied them. John Prickett used the brake, and John Cordon was also with them. The experiment was made with seventeen carriages and a van, the same number as broke away on the night of the accident. The carriages were loaded with iron. I think that the experimental train was much lighter than the one to which the accident occurred.

By a Juror : I still consider myself in the employ of the company. I have not been discharged. I was ordered to go to work, but I felt so ill I did not go.

Mr Sherriff : We never discharge a servant pending an inquiry of this kind.

Examination resumed : At the time I applied the brake, when the carriages first started back, we were going at the rate of about four miles an hour. I illustrated the speed to the Government Inspector, and the train was then stopped within a distance of about a hundred yards. At the second experiment on the same day, the train was stopped within 37 chains 58 feet, nearly half a mile. The train was again started at increased speed from the same point, viz, that at which the accident occurred, and it went on nearly to Brettel Lane before it could be brought up.

A number of other questions were put to this witness respecting these experiments, but his answers were very unsatisfactory.

Mr King here interposed and said that he was prepared with the evidence of scientific gentlemen, including the Government Inspector, Mr Craig, to give a statistical account of the result of these experiments.

The Coroner remarked that there was no other available evidence which could then be taken, unless Mr Craig were examined.

Mr King suggested that he was prepared with other witnesses as to the main facts of the accident.

The Coroner said that the evidence already taken on that point was quite sufficient, the only witness now required would be those gentlemen who had surveyed the line and had experimented upon it.

The Foreman suggested that evidence of that character would delay the inquiry until a very late hour.

It being six o'clock, it was ultimately decided to adjourn the inquiry until Tuesday next, at eleven o'clock.

## 208 6 October 1858

### WEST BROMWICH

ROBBERY OF IRON AT GREET'S GREEN At the Public Office on Saturday last, a boatman named **William Wimblett**, in the employ of Messrs B Richards and Sons, ironmasters, Greet's Green, was charged with stealing a quantity of pig iron, the property of his employers. Edward York stated that on the 27<sup>th</sup> of September, being on the premises of a person named Dallaway, a general dealer, he saw Wimblett, who had a lad with him, carry some pigs of iron from his boat towards Dallaway's yard. Suspecting that all was not right, he gave information to Police-constable Fenner, who subsequently took the prisoner into custody. When spoken to, Wimblett said, "I found the iron near Tividale, in the boat, and I was going to sell it to Dallaway's." The whole quantity found in the prisoner's boat was worth at least £3. Mr Richards jun and the witness York clearly identified a portion of the stolen pigs as the property of the prosecutors. The boatman pleaded guilty to the charge, and he was sentenced to six months imprisonment.

## 209 13 October 1858

PENKRIDGE PETTY SESSIONS **Reuben Harris**, boatman, was fined £1 including costs, and **John Smith**, boatman, was fined £2 including costs, for wasting the water in the Staffordshire and Worcestershire Canal.

## 210 13 October 1858

### WOLVERHAMPTON POLICE COURT, SATURDAY OCTOBER 9

ROBBERY BY A BOATMAN **William Heath**, a boatman, was charged with stealing three planks, the property of Mr William Walford, timber merchant of this town. Mr Thurstans appeared for the prosecution. It appeared that the prisoner was in the habit of bringing lime from Stoke-upon-Trent, and on his return voyage carrying timber for the prosecutor and others. In September last he had two lots, one for a party near Stafford, and one for another at Stoke. Of the Stafford lot, it appeared he retained three planks, although, as they were not counted by the receiver, he got his return note duly signed, and these planks he endeavoured to dispose of to a neighbour of Mr Walford. The prisoner's defence was that when he lost any wood he had to pay for it, and he seemed to think inversely that when he had a surplus, and had his receipts all right, he had a right to retain it. He

denied that he had committed a felony, and declined to plead guilty. The Bench committed him for trial.

### **211 27 October 1858**

STAFFORDSHIRE MICHAELMAS SESSIONS **William Heath**, a boatman, was indicted for stealing three planks of timber, the property of William Walford, at Wolverhampton. The prisoner, who had been previously convicted, was found guilty and sentenced to twelve calendar months imprisonment to hard labour.

STEALING A WATCH AT BILSTON **William Wood**, 20, and **John Onions**, 18, boatmen, were indicted for stealing a silver watch, the property of Frederick Lees, at Bilston. The prosecutor and his wife, who reside at Millfields, stated that the prisoners and a youth who pleaded guilty before the justices and was summarily convicted, were engaged on the 30<sup>th</sup> of August to get a load of coal. Between two and three o'clock the prosecutor's wife locked the back door, leaving the house door unfastened, and went to Bilston market. On returning between five and six o'clock, she found that the house had been entered and a watch and other valuables stolen. During her absence, it appeared that the prisoners and the other boy asked the prosecutor for some beer, and the key having been left with him, he opened the yard gate and went into the cellar, and it is supposed that whilst there the boy who had pleaded guilty to the theft went upstairs and stole the watch. Both prisoners were proved to have been in the company of the other boy when he pledged the watch at a shop in Wolverhampton. Both prisoners were convicted and sentenced to three months imprisonment with hard labour.

STEALING HAM AND BACON AT HARECASTLE IN 1856 **Charles Bentley**, 40, a boatman, was indicted for stealing eight hams, two sides bacon and four chawls, the property of the North Staffordshire Railway Company. Another count laid the hams &c as the property of Henry Ackroyd; and he was also indicted for receiving them knowing them to have been stolen. It appeared from the evidence that on the 15<sup>th</sup> of March 1856 Mr Ackroyd of Dorrington Hall, Cheshire, sent a hamper containing the articles named in the indictment to Macclesfield, to be smoked. On the 22<sup>nd</sup> of that month, they were repacked and sent to the railway station, where the hamper was placed in a truck which left Macclesfield the same evening. At the Harecastle Junction, the train was shunted to a siding, where it remained several hours, and on its being unloaded on the morning of the 24<sup>th</sup> at Crewe, the hamper was empty. Two men named Thomas Humphries and David Haywood were apprehended at the time, but the prisoner, who was seen in their company with some of the stolen property, absconded, and was not taken until July last, when he was apprehended at Bugsworth in Derbyshire. On the trial of Humphries and Haywood, the former was convicted and sentenced to twelve months imprisonment to hard labour, but Haywood was acquitted. The jury returned a verdict of guilty, and the prisoner was sentenced to twelve months imprisonment to hard labour.

### **212 10 November 1858**

WOLVERHAMPTON POLICE COURT, WEDNESDAY NOVEMBER 3

STEALING CABBAGES **Daniel Street**, a canal boatman, was charged with stealing three cabbages, the property of Mr Joseph Bickford, farmer of Bushbury. Henry Turner, who caught the prisoner in the act, proved the theft. One of the police stated that the field from which the vegetables were taken borders the canal, and that Mr Bickford had been repeatedly plundered by the canal boatmen. The prisoner was ordered to pay 1s and costs, or go to gaol, with hard labour, for twenty one days.

### **213 17 November 1858**

At the County Petty Sessions on Monday last, **Robert Draper**, a boatman, was charged with stealing some growing turnips belonging to Mr Joseph Bickford, from a field at Bushbury. The

prisoner was seen to take the turnips by Police-constable Crutchley, who followed him and took him into custody. He was fined 1d, the value of the turnips, and 6d for the offence, with costs, amounting altogether to 9s 7d.

#### **214 24 November 1858**

##### **STOURBRIDGE**

**STEALING A PAIR OF TROUSERS** On Wednesday at the New Town Hall, before J E Swindell and William Haden Esqs, **Joseph Gibson**, a boatman, was brought up on remand on a charge of stealing a pair of trousers, the property of William Dance. The prisoner was apprehended on the previous Saturday morning at two o'clock in High Street by Police-constable Tyler, for having in his possession a bundle of new clothes, for which he could not satisfactorily account. Amongst the articles was a pair of new breeches, which Mr Dance identified as his property, and which, it appeared, had been taken from his premises. The prisoner alleged that the breeches were given to him by a man for whom he had been working. He was committed for trial.

#### **215 1 December 1858**

##### **STOURBRIDGE**

**A BOY DROWNED** On Wednesday morning, a lad, nine years old, named **John Crutchley**, was drowned near the wharf of the canal at the bottom of High Street. He had come with his father (a boatman) from Gloucester, and was last seen alive about seven o'clock in the morning. A short time after, he could not be found, and it being feared that he had fallen into the water, a search was made for him, which resulted in his father finding his lifeless body near the side of the boat. The boat being covered with hoar frost, he must have slipped into the water, and thus lost his life.

#### **216 1 December 1858**

**FELONIOUS ASSAULT AT BURTON** **Francis Kilburne**, 46, boatman, and Thomas Smith alias Dill, were indicted for having feloniously assaulted Edward Finch on the night of August at Burslem, put him in bodily fear, and robbed him of 6s 9d.

Mr Scotland prosecuted ; Mr Motteram appeared for Smith ; Kilburne was not defended by counsel. The prisoners were found guilty, and Kilburne, being a returned convict, was sentenced to penal servitude for 20 years ; Smith was sentenced to three months imprisonment with hard labour.

#### **217 15 December 1858**

**A MARINE STORE DEALER IN TROUBLE** At the County Petty Sessions on Monday last (before H Hill Esq, W Tarratt Esq and Captain Thorneycroft), **Matthew Pilsbury**, a boatman, was charged with stealing from a canal boat 60 lbs of iron, the property of Messrs Jones and Murcott of Spring Vale Colliery. John Smith, a marine store dealer living at Wednesfield, was also charged with receiving the property, knowing it to have been stolen. A man named George Bradley stated that on the afternoon of Friday the 3<sup>rd</sup> inst, he saw the prisoner Pilsbury bring his boat to the side of the canal, and take from it something heavy, which he carried in his arms to Smith's house. He gave information to Police-constable Thomas Cooper, and on the following Wednesday afternoon, he again saw Pilsbury convey something heavy to Smith's house. On Wednesday night, the prisoner Pilsbury came to him in the market place in Wolverhampton, and said he was sorry for what he had done. William Bratt, iron merchant living at Willenhall, proved the purchasing of a quantity of iron from Smith. Police-constable Bradshaw gave evidence that on Monday the 6<sup>th</sup> inst, he went to the premises of the last witness and found the iron produced, which Mr Bratt said he had purchased from the prisoner Smith. On the following day, Pilsbury acknowledged to him that he had stolen the iron, and said he had sold it to Smith. He also said that Smith had asked him to bring larger bars. Police-constable Cooper proved finding the iron in Smith's house. The latter at first stoutly denied having had any dealings with the other prisoner. The iron was identified as the property of Messrs Jones and Murcott. Pilsbury pleaded guilty and was sentenced to two months imprisonment. Smith was committed for trial.

**218 29 December 1858**

WOLVERHAMPTON POLICE COURT, WEDNESDAY DECEMBER 22

ASSAULTING A WATCHMAN A boatman named **William Hooke** was charged with assaulting William Poole, a watchman in the service of **Mr Bishton**, Cannock Road, and obstructing him in the execution of his duty. Poole, the complainant, stated that on the previous evening he found a boat moored alongside Mr Bishton's wharf, and this being contrary to the regulations, he unfastened the boat and set it adrift. He went his rounds, and on returning to the place he a second time found the boat fastened to the wharf and again turned it off ; a third time he went and found the boat in the same position and was in the act of unfastening it, when the prisoner came up and threatened if he touched the boat he would knock his head off. Witness still endeavoured to unfasten the boat, when the prisoner took up a bludgeon and struck at him. Witness anticipated the blow by stepping aside, otherwise, from the formidable nature of the weapon, the consequences must have been serious. He then followed the prisoner to the end of his boat to arrest him, when he again menaced him with a tiller. The assistance of a police-constable was procured, and the prisoner was afterwards taken into custody. He was fined 10s and costs, and in default one months imprisonment.

**219 5 January 1859**

WOLVERHAMPTON POLICE COURT, THURSDAY DECEMBER 30

A DISHONEST SERVANT **Samuel Walker**, a boatman in the employ of **Mr Bishton** of the Cannock Road, was charged with stealing 46 lbs of horse corn, the property of his master. From the evidence of William Poole, a watchman, it appeared that the prisoner was supplied with a certain quantity of corn for each journey, and it was his duty, on his return, if he had not used the whole of it, to return what was left. It was suspected that the prisoner had been acting dishonestly, and on the previous Monday his house was searched, and a quantity of mixed corn was found, which the prisoner admitted belonged to the prosecutor. He was remanded until Monday, when he was again brought up, and was committed for 21 days with hard labour.

**220 12 January 1859**

STAFFORDSHIRE QUARTER SESSIONS

UTTERING COUNTERFEIT COIN AT FAZELEY **Edward Poulton**, 22, boatman, and **Charles Cutler**, 22, boatman, were indicted for uttering a counterfeit half crown at Fazeley, well knowing the same to be false and counterfeit. On the 4<sup>th</sup> of December, Poulton went to the shop of a provision dealer named Fidler, living at Fazeley, and gave Mrs Fidler a half crown piece in payment for some tobacco which he had purchased. She discovered that it was bad, and returned it to him. He then left the shop, and went immediately to the George public house and there ordered a glass of ale, in payment of which he produced the same half crown, which was again returned to him, and he was allowed to leave the place. An officer was sent in pursuit and found Poulton in the Red Lion Inn, in the same place, and took him into custody. The prisoners worked a boat between them, and this boat was at the time of the apprehension of Poulton lying about a hundred yards from the Red Lion. An officer was dispatched to the boat, and there he found the other prisoner. On being questioned, he said that his companion was feeding their horse at the Red Lion. He denied that he (Cutler) had at that time any money on his person, but upon his being searched not only the half crown which Poulton had endeavoured to pass was found upon him, but also three florins, three shillings and seven half crowns, all of which were counterfeit. The defence made by the prisoners was that Poulton found all the money in a bag, and that neither of them knew it was counterfeit. The jury found both prisoners guilty, and they were each sentenced to twelve months imprisonment with hard labour.

STEALING IRON AT SEDGLEY **Henry Keen**, **John Randle** and **Thomas Beck** were indicted for stealing four cwt of iron, the property of Samuel Grocutt and Sons, at Sedgley. It appeared that on the 15<sup>th</sup> of December, about five o'clock in the afternoon, the prisoners were managing a dredging boat on the Birmingham Canal Navigation, when they were met by the prosecutor's boat,

which was loaded with pig iron, and was under the management of **Abraham New**. As alleged by him, instead of throwing the towing rope to clear the boat, the prisoners purposely caused a collision, and in the check and bustle that ensued, Keen was observed to drag two pigs of iron from the prosecutor's boat to the dredging boat. He was afterwards asked to return the pigs, but refused to do so, and they were subsequently taken from the prisoners' boat. On the part of Keen, it was contended by Mr Kenealy that no felonious intention had been shown, and that the iron fell off from one boat to the other in consequence of the collision. The Jury returned a verdict of guilty. Keen, who had been previously convicted, was sentenced to nine calendar months imprisonment, and Randle and Beck to four months each.

**ROBBERY FROM A MACHINE HOUSE AT SNEYD GREEN** **James Hulme**, 37, wharfinger, and James Lockett, 40, labourer, were indicted for stealing three boxes of candles, a jacket, a key and other articles, the property of Messrs Stanier, Heath and Co, at Burslem. It appeared from the evidence of the witnesses examined that in November last the machine house at the Sneyd Green Colliery, belonging to the Silverdale Company, was broken open and three boxes of pit candles stolen. The machine house was entered by the door being broken open with a crowbar, and the office desk was opened by means of a jemmy. On the 23rd of November, it was proved that Hulme went to a small grocer, named Larkin, at Burslem, and stated that he had received some candles in part payment of a debt, which he wished to sell. On the following day, both prisoners called, and brought with them twelve dozen of candles, of which Larkin bought four dozen at 5d per lb. The same day Police-sergeant Parr went to the house of Hulme and found 13 lbs of candles in the pantry, and in the kitchen he also found 10 skeleton keys, a jemmy, a mallet and a broken tea chest similar to the tea chest in which the candles were kept at the prosecutor's premises. At the wharf where Hulme worked, 37 lbs of candles were found in a sewer. On being apprehended, Lockett said that the candles were found near the canal. Some of the candles were produced, and identified. The Jury returned a verdict of guilty, and Hulme, against whom there were two other charges on which no evidence was offered, was sentenced to twelve calendar months imprisonment to hard labour, and Lockett to nine months imprisonment to hard labour.

**CHARGE OF RECEIVING STOLEN IRON AT WEDNESFIELD** John Smith (on bail) was indicted for feloniously receiving 60 lbs of cast iron, the property of John Jones and John Murcott, at Wednesfield, knowing it to have been stolen. It appeared that the prisoner, who is a marine store dealer, resides on the canal side at Wednesfield, between the Spring Vale and the Birchill Works of the prosecutors, who convey iron manufactured at the former place to the Birchill works by canal. The evidence against the prisoner rested chiefly on the testimony of an approver named **Pilsbury**, who appeared in the witness box in the prison garb, having been convicted of stealing the iron. It was alleged by him that he took small quantities of iron from the prosecutors' boats, of which he had charge, to the prisoner's house on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> of December, for which he received payment. To corroborate this testimony, a witness named Bradley was called, who stated that he saw Pilsbury stop his boat of the 3<sup>rd</sup> and 4<sup>th</sup> of December, and take something bulky from the boat to the prisoner's house. It was elicited, however, on cross-examination, that the prisoner was not at home on the 3<sup>rd</sup> of December when the iron was left; and as that and other circumstances appeared to favour the belief that the prisoner had no guilty knowledge of receiving the iron as stolen property, having paid the full price for what he bought, the Jury returned a verdict of not guilty, and he was discharged.

## **221 26 January 1859**

**WOLVERHAMPTON POLICE COURT, FRIDAY JANUARY 21**

**ROBBERY AT "THE FOUNTAIN", BERRY STREET** Jane Low, Mary Ann Martin, Letitia Lee and Elizabeth Gallimore, the landlady of the Fountain, were also remanded to Monday, charged with stealing £2 15s from a boatman named **Thomas Musson**, who had gone into the house to have some ale. The landlord of the house, who was charged with assaulting Musson by "bundling him

out of the house” when he complained of the robbery, was bound over, with sureties, to appear on the same day.

### **222 26 January 1859**

**ROBBERY IN A HOUSE OF ILL FAME** At the Borough Police Court on Monday last, Sarah Lee and Mary Ann Billingsley, two of the lower class of “unfortunates”, were charged with stealing £2 3s 6d from the person of a boatman named **Thomas Gale**. From the evidence of the prosecutor, it appeared that at four o'clock on the previous Wednesday morning, he went to a brothel in Lichfield Street, kept by the prisoner Billingsley. Both the prisoners were there, and after some conversation he went upstairs with the prisoner Lee. Lee asked him what he was going to give her, and he said he should not give her anything until morning. She then called the other prisoner upstairs, and she said she dare say it would be all right. He said he would rather sleep by himself, but Billingsley, the landlady, said we don't do it in that way. Lee was in bed at the time. Before getting into bed, he counted his money and put it in a purse in his trousers pocket, which he placed under the pillow. When he awoke he missed the prisoner Lee, and on making closer inspection he missed, what was still more important, his purse. He called the landlady upstairs, when she endeavoured to persuade him that he had brought a strange woman to the house on the previous night, and that she had gone off with the money. He had not seen the prisoner Lee since then, until she was apprehended by the police. A young man named Philip Pearson deposed that he also slept at the house, downstairs, on the night in question. Some time after the prosecutor had been in bed, the prisoner Lee came downstairs with her clothes in one hand and a money bag in the other. She put her hand in the bag and counted out 18s 6d in silver and a sovereign. She then dressed herself and left the house, saying that she was for a b---- spree tomorrow. Witness remained in the house until between seven and eight o'clock, but did not see the prosecutor before he came away. He gave information of the robbery to the police during the morning. By the advice of Mr Langman, who had been engaged for the defence, the prisoners pleaded guilty and were sentenced, Lee to six months, and Billingsley for four months imprisonment with hard labour.

### **223 23 February 1859**

**WOLVERHAMPTON POLICE COURT, WEDNESDAY FEBRUARY 16**

**ASSAULTING THE POLICE** **James Hall**, a boatman, a strong built powerful fellow, was charged with a violent assault upon Police-constables Stockley and Hennely at Swindon on the previous night. From the evidence, it appeared that the defendant and a number of others came from Gornal and had been drinking and rioting through the district. The constables followed them with a view of preventing mischief ; but Stockley was knocked down by the prisoner with a brick, and Hennely was unceremoniously pitched into the canal. The Bench inflicted a fine of 40s and costs in each case.

### **224 16 March 1859**

**BILSTON**

**ROBBERY FROM THE PERSON** Phoebe Pearce was brought up at the Petty Sessions on Friday, charged with stealing £1 7s 6d from **John Stretch**, a boatman living at Wolverhampton, on Wednesday last. It appeared from the evidence of the prosecutor that he had been drinking with the prisoner at different public houses, and being a stranger in that neighbourhood, she volunteered to put him in the right road, but on the way she managed to ease him of his purse, which the prosecutor had incautiously displayed. The prisoner pleaded guilty and was committed for two months with hard labour.

### **225 16 March 1859**

**STAFFORDSHIRE SUMMER ASSIZES**

**SHOOTING A MAN AT BASWICH** **Thomas Walton**, aged 19, boatman, was arraigned for shooting at **Edward Heatley** on the 4<sup>th</sup> of November at Baswich.

Mr Davis prosecuted, and Mr Hill defended the prisoner.

On the day named, it was shown that Heatley was engaged in unloading lime from a boat. The prisoner was also there. A boy (the prisoner's brother) annoyed Heatley, who threw two handfuls of lime at him. The prisoner became irritated, and after a few words, ran down into the cabin of his boat and brought up a pistol. When within six or seven yards of Heatley, he discharged it at him point blank. The weapon was loaded with powder and shot. Three or four of the shots entered the latter's side, and several also wounded his horse in the flank. The prisoner was soon afterwards taken into custody. After an ingenious defence by Mr Hill, the prisoner was found guilty and sentenced to three months imprisonment.

**226 16 March 1859**

NISI PRIUS, FRIDAY

**PARKER v LANE** This was an action brought to recover damages for wilful damage, and for assault.

Mr Huddleston QC, with whom was Mr Gray, appeared for the plaintiff ; the defendant was represented by Mr Scotland, with whom was Mr Macnamara.

The declaration set forth that the defendant entered certain lands and broke down a wall, the property of the plaintiff, and also assaulted him. The defendant pleaded not guilty, and also that the land and wall were not the plaintiff's ; that Thomas Spencer was possessed of a dwelling house adjoining the wall, in which house there were ancient windows ; that the plaintiff built his wall so as to darken the ancient windows ; and that Spencer knocked down the wall.

The plaintiff, who is a boatman of Daisy Bank, Sedgley, purchased a piece of land in 1848 from Lord Ward, and then proceeded to build a wall to separate his land from that adjoining, which belonged to the defendant, and which he had purchased in 1836. Upon this land, the defendant had built two cottages, which were separated by a gully about four feet broad from the land purchased by plaintiff, and the lower windows of which were darkened by the boundary wall. The defendant made no complaint at the time of the erection of the wall and last year the plaintiff, being desirous of building a brewhouse and a privy on his land, raised the boundary wall some 4 feet. The defendant complained that the wall then interfered with his light, to which he had a right. The plaintiff said that the defendant had not complained of the wall when it was first built, and proceeded with the building, upon which defendant took the law into his own hands and on Good Friday, in the company of his son, he commenced knocking down the wall with a crowbar. The plaintiff told him to desist, upon which he (defendant) struck him with the crowbar and knocked him down. On two or three subsequent occasions he repeated his battery upon the buildings, doing altogether damage to the amount of £6. The case having proceeded to this point, it transpired that although the defendant could not establish a claim to all the light which the plaintiff had excluded, it was probable that he might to a portion. His Lordship, therefore, suggested that as it was impossible to say how many times five or six pounds would be paid before the Court of Exchequer settled this question of the light, it was desirable to refer the matter to an arbitrator. After a consultation between the learned gentlemen concerned, it was agreed to take a verdict for the plaintiff subject to a reference, the arbitrator having power to decide the rights of each party, and the amount of damage done, and also to direct the purchase if he thought proper.

**227 16 March 1859**

BILSTON

**ROBBERY FROM THE PERSON** Phoebe Pearce was brought up at the Petty Sessions on Friday, charged with stealing £1 7s 6d from **John Stretch**, a boatman living at Wolverhampton, on Wednesday last. It appeared from the evidence of the prosecutor that he had been drinking with the prisoner at different public houses, and being a stranger in that neighbourhood she volunteered to put him in the right road, but on the way she managed to ease him of his purse, which the prosecutor had incautiously displayed. The prisoner pleaded guilty and was committed for two months with hard labour.

**228 16 March 1859**

STAFFORDSHIRE ADJOURNED SESSIONS **Joseph Wolfe**, 26, boatman, was indicted for stealing a horse, the property of Henry Fisher, at Wolverhampton. The prisoner had had the horse given to him in charge by the prosecutor, to convey from Great Bridge to Wolverhampton. He got drunk, and foolishly sold the horse for about £3. He was found guilty and sentenced to six months imprisonment.

CHARGE OF ROBBERY IN A PUBLIC HOUSE AT WOLVERHAMPTON Selina Smith, Samuel Gallimore and Elizabeth Gallimore (on bail) were indicted for stealing £2 12s, the moneys of **Thomas Musson** at Wolverhampton. The prosecution was conducted by Mr Brown, the prisoners were defended by Mr Kenealy. The prosecutor, an elderly man and a boatman, deposed that he was at the Fountain Inn, Berry Street, kept by the prisoner Gallimore, on the afternoon of the 20<sup>th</sup> of January. Whilst there, he had a glass or two of ale, and whilst sitting in the taproom the prisoner Smith, a prostitute, placed her arm around him and took from his pocket two sovereigns and 12s in silver. He charged her with the robbery, when Samuel Gallimore struck him with his fist in the mouth, and turned him out of the house. Cross-examined : He was not drunk, although he had been drinking. He had charged two other girls, Lowe and Martin, with robbing him, and they had been committed for three months to gaol. He did not attend before the magistrates until the case had been adjourned three times, and Police-sergeant Thomas took him then. Henry Badger, a shoemaker, said that he was in the Brewers' Arms on the afternoon of the 20<sup>th</sup> of January, when he heard a noise in the street, and saw the prosecutor, who had been turned out of the Fountain. Immediately afterwards, Smith came into the Brewers' Arms, and she was asked by a girl what was the matter, to which she replied, "We have slugged him out of £2 10s" ; the girl then asked Smith who had slugged him, and she answered, "Lowe did it, and then gave it to the mistress of the Fountain". He then went to the Fountain, and saw the prisoner Elizabeth Gallimore give Smith, Lowe and Martin, three girls of the town, 3s each. Smith then said, "There were two quids (meaning sovereigns) in his hand, and we will not be done by a woman". This witness was severely cross-examined with reference to his own moral character and consequent credibility as a witness, but his testimony was unshaken. Police-sergeant Thomas proved that he apprehended the prisoners, and found on Gallimore a sovereign, and on his wife was found a sovereign and some silver. For the defence, Mr Kenealy called a witness named David Bridgwood, who stated that the prosecutor was very drunk at the time referred to, that he had charged Lowe and Martin with robbing him, and that he was absent from the Fountain with Lowe for half an hour before he accused Smith of the robbery. Mr Brown replied on the whole case, and after a very clear summing up by the Chairman, the jury returned a verdict of not guilty.

**229 30 March 1859**

WOLVERHAMPTON POLICE COURT, WEDNESDAY MARCH 23

STEALING TURNIP TOPS **Frederick Lowe**, a boatman, and **Keziah Hodgkiss**, a woman with whom he cohabits, were charged with stealing turnip tops belonging to Mr Lowe, from a field at Trysull. Police-constable Price stated that on Monday afternoon he saw the two prisoners gathering the tops ; they had at that time more than a cart load. Lowe was sentenced to one months imprisonment with hard labour, and Hodgkiss was fined 5s, in default to be committed for 21 days. The woman Hodgkiss had been nine times before the Magistrates on similar charges.

**230 13 April 1859**

STAFFORDSHIRE QUARTER SESSIONS **James Ball**, boatman, was convicted of an indecent assault upon Frances Deaken at Rugeley, and sentenced to three calendar months imprisonment to hard labour.

**231 4 May 1859**

At the County Petty Sessions on Monday last, **Joseph Pountney**, a boatman, was fined 20s and

costs for wilfully wasting water in the canal at Wombourn, the property of the Staffordshire and Worcestershire Canal Company.

**232 18 May 1859**

INSOLVENCY CASES At the Insolvency Court, Worcester, on Wednesday, **Benjamin Mullett**, late of Bromley Lane, Kingswinford, boatman, in custody at the suit of Mr John Yardley, Brierley Hill, applied for his discharge, supported by Mr Kiers, barrister of the Midland circuit, instructed by Mr W Corles. Mr Motteram, barrister of the Oxford circuit, opposed on behalf of Mr Mark Silvers, clerk of Hart's Hill near Dudley, creditor for £25, for money advanced for Mr Enoch Lovatt, auctioneer, Pensnett, to whom also the insolvent was indebted £25 ; Mr Thomas Jones, bricklayer, Brierley Hill, another creditor for a similar amount ; and for Mr Samuel Hipkins, auctioneer, Dudley, a creditor for £20. Mr J Homfray and Mr R T Rea also opposed on behalf of other creditors. Insolvent's debts were stated to amount to £101 2s 5d and his assets to £7. He had jointly with William Batham, another insolvent, and several other persons, succeeded in obtaining loans from money societies in the neighbourhood of Dudley without, as it appeared, any intention to repay them, and his arrest was obtained at the suit of a friendly creditor, to whom it was doubtful whether money was owing. His petition was consequently dismissed.

**233 29 June 1859**

WOLVERHAMPTON POLICE COURT, FRIDAY JUNE 24

ANOTHER ASSAULT ON A WIFE **Joseph Truss**, a boatman, charged with assaulting his wife, was committed for 14 days with hard labour.

**234 6 July 1859**

STAFFORDSHIRE MIDSUMMER SESSIONS

BREAKING INTO A COUNTING HOUSE George Allen, 26, engine driver and **Thomas Freeth**, 20, boatman, who were found guilty of breaking into the counting house of Mr James Grice at West Bromwich, on the 8<sup>th</sup> of June, and stealing an inkstand and other articles, were each sentenced to four years penal servitude.

George Allen (mentioned in the last case) and **Richard Keen alias Peter Waterhouse**, 26, boatman, were indicted for breaking into the railway station of the London and North Western Railway Company at Oldbury, on the night of the 10<sup>th</sup> of June, and stealing therefrom a brush and other articles. The prisoners were both found guilty. A previous conviction having been proved against Keen, he was sentenced to six years penal servitude. Allen was sentenced to an additional four years. Allen, Freeth and Keen were members of a notorious gang of burglars, and Inspector Phair, a detective officer, had been specially engaged in their detection and apprehension.

**235 20 July 1859**

ROBBERY FROM A BOAT Some time during Monday night last, some thieves broke open the cabin of a boat lying at the Grand Junction Wharf, and stole a silver watch, a pair of trousers and a waistcoat, the property of **Noah Elwell**, the boatman.

**236 27 July 1859**

STAFFORDSHIRE SUMMER ASSIZES

FELONIOUS ASSAULTS UPON CHILDREN **William Condliffe**, 25, boatman, was indicted for feloniously assaulting Ann Elizabeth Poole, a child under the age of ten years, on the 2<sup>nd</sup> of March last at Burslem. Mr Brown conducted the prosecution ; the prisoner was undefended. The offence was clearly proved from the evidence of the little girl, an intelligent child only eight years old, and also by the testimony of the surgeon and the child's mother, both of whom proved that the prisoner had communicated a loathsome disease. The prisoner was sentenced to five years penal servitude.

ROBBERY BY A BOATMAN **John Baxter**, 57, boatman, was indicted for stealing 18s 6d, the

moneys of **John Banks**, at Wolstanton on the 9<sup>th</sup> of July.

Mr Hill appeared for the prosecution.

John Banks, the prosecutor, deposed that on the afternoon of the 9<sup>th</sup> of July he was sleeping in his boat at Hardingwood. At that time he had 18s 6d in his trousers pocket. The prisoner was in the cabin at the time. When witness awoke at four o'clock he missed his money. The purse was lying by his side, but empty. The prisoner was also gone. The prisoner was apprehended, and on the road to the police station offered to give the prosecutor 7s 6d at that time and 11s another time.

Police-constable John Limer charged the prisoner with stealing the money from Banks. He said he had not got it. He afterwards offered to give up the money if the prosecutor would not appear against him.

The Jury convicted the prisoner, and he was sentenced to three months imprisonment.

## NISI PRIUS COURT

### ACTION TO RECOVER POSSESSION OF A BOAT

THOMPSON AND OTHERS v THOMAS Mr Huddleston QC and Mr Scotland appeared for the plaintiffs, Messrs Thompson and Co, proprietors of the Crookhay Ironworks near Wolverhampton ; and Mr Kettle for the defendant, Mr Thomas, proprietor of the Wall End Colliery, Bloxwich.

This case was of a peculiar character from the nature of the defence and some complications introduced into it. It was an action of trover to recover possession of an iron canal boat valued by the plaintiffs at £90 or £100, which it was alleged the defendant took away from the plaintiffs' possession on the 1<sup>st</sup> of April last, and there was a claim of £4 16s for the hire of another boat in lieu of the one said to have been taken by the defendant. The defendant pleaded that the boat was his own property.

The plaintiffs' case was that Mr Thompson, in 1857, wanting two boats, applied to Messrs Woodall and Smith to build them, and at their suggestion took two shares in a boat building society, for which they built the boats. Messrs Woodall and Smith bought two shares for him which were took up by auction, and paid the premiums. The two boats were delivered – the one in August and the other in September. The former, which was the subject of the present action, was marked by the builders “68” in white paint, that being, Mr Woodall said, the number of boats of their make up to that time. It also bore on it an iron plate inscribed “BIBS No 17”, the former being the initials of the Bush Iron Boat-building Society, and that being the 17<sup>th</sup> boat made for that society. Mr Woodall produced his delivery book, where there was an entry stating that on August 3<sup>rd</sup> an iron boat built for the Bush Society, No 68, in white paint, was delivered to **John Derby**, a boatman, for Mr Thompson.

John Woodhouse, clerk to the plaintiffs, John Davies and Mr Woodall gave evidence that the boat was the plaintiffs'.

The defence was that the boat claimed by the plaintiff had been obtained by the defendant from Woodall and Smith in December 1857 in part satisfaction of a debt of £170 for minerals. Mr Woodall acknowledged, after some pressing, that he understood that an iron boat was passed over to the defendant by his partner, Mr Smith, in part satisfaction for this debt, and he also acknowledged that in April 1858, this boat was taken away from the defendant's premises by men belonging to witness's firm to their own works. That boat, he said, was numbered 76 in the books of his firm and was built for the Bilston Iron Boats Society, being No 18 in that society, and having the same initials as the other society through which the plaintiffs got their boat, but there were two projections on the plates of the Bilston Society to distinguish them. He further acknowledged that after the boat was fetched from the defendant's premises, the plate was taken off so as to destroy the identity of the boat, so that the defendant should not be able to discover it again. He said this boat was now at Mr Pell's works. There was an agreement that the defendant should have an iron boiler, and he supposed that the boat was given instead. His firm was at that time in difficulties, but his partner, Mr Smith, would be better able to speak to the transaction respecting the boat. Mr Thompson's boat had 68 upon it at one and inside.

The defendant, Mr Thomas, spoke to receiving an iron boat from Mr Smith, the partner of Mr

Woodall, in December 1857, valued at £70, in part satisfaction of a debt of £170. It was marked 68 inside, in four places, with white paint ; but he could not say what marks or letters there were upon the plates. The boat was taken away in April 1858, and hearing of it he had it fetched on 1<sup>st</sup> April last. He had made no entry at the time of receiving the boat in December as to its number or other facts. There was then no 76 upon it, nor any mark of A11 with white paint.

George Thomas, defendant's son, spoke to the boat coming into his father's possession in December 1857, and to its having 68 on it in four places. He did not know what number was on the plate. Shortly after it came into his father's possession, he got James Cooper, the blacksmith, to mark the boat with a "C" punch, and also by cutting a piece out with a straight chisel, in the stern or thimble of the boat. These marks were made a week or two after the boat went to his father's wharf, in consequence of its being said that Woodall and Smith were intending to fetch it away. He did not tell his father that he had had the boat marked.

In reply to Mr Huddleston, the witness said that the blacksmith said he made a memorandum in his book when the boat was marked ; but if he did he had forgotten the circumstance, and could not find any such memorandum.

**William Holloway**, boatman, now in the employ of Messrs Thorneycroft and Co : He first worked the boat as boatman for Messrs Woodall and Smith, and afterwards he worked the boat for the defendant. He saw her lying at Tividale on the last day of March, and knew her by a dent in the stern plate, and the next day fetched her away for Mr Thomas, the defendant. He could not read. That was the same boat as the one plaintiff now claimed.

**Alfred Holloway**, son of the last witness, who had worked with him, deposed that that was the boat which Mr Thomas had from Woodall and Smith in December 1857. It was marked with "68" in four places, but had no number "A11" on then.

James Cooper, blacksmith in the employ of the defendant, spoke to marking the boat with a "C" punch, and also with a straight chisel. This was done he thought early in 1858.

William Clarke, a striker, was also called, and spoke to seeing Cooper mark the boat, but he could not say exactly when it was.

The boat had been brought to Stafford by the defendant, and was viewed by the Jury on Thursday evening. It was stated that it had the number "68" painted on it four times inside ; that it had A11 upon it, and a plate marked, "BIBS 17" similar to that described by Mr Woodall.

Mr Kettle, in addressing the Jury at the conclusion of the defendant's case, expressed his satisfaction that they had been able to see the boat and to examine its marks. With respect to the evidence advanced for the plaintiff, the learned counsel noticed that whilst in the books of Messrs Woodall and Smith, the boat was put down as being delivered on the 3<sup>rd</sup> of August to John Derby, whose receipt book also bore the same date. It did not appear in the plaintiff's books until August 30<sup>th</sup>, when an inventory was taken, and the only entry was "Iron Boat 11", but it was not until September 16<sup>th</sup> that it reached the plaintiff's premises ; and he asked what it was doing for those six weeks? It was not for him to explain that, but it cast a doubt as to the proof advanced by the plaintiffs to prove the identity of the boat. With regard to the defence, he reminded the Jury that the marking of the boat was a matter on which the witnesses could not be mistaken, and if they had stated what was untrue it must have been done wilfully. If they believed the evidence of the witnesses for the defence, the case was at an end, and they must give a verdict for the defendant. He pointed to the evidence of Mr Thomas jun, Cooper and Clarke, as proofs that this was not a fabricated tale ; and he asked the Jury to apply their judgement to the appearance of the marks on the boat, sworn to by the defendant's witnesses as made in or about December 1857, whether they were old or recent, and also as to whether the mark A11 was anything like so old as the figures 68, which it would have been nearly had this been the boat of the plaintiffs.

Mr Huddleston then addressed the Jury for the plaintiffs, and he said he agreed with the learned counsel for the defendant that this had now become a serious case, for either the witnesses for the defendant had made a very great mistake or they had attempted to get up a great fraud. If the marks made by the punch and the chisel were plainly recognisable on the boat, he maintained that they were made after the defendant seized the boat in April last. He appealed to the books of Messrs

Woodall and Smith, which proved that the boat sent to the plaintiff, Mr Thompson, was No 68 of their make, and to the evidence that this mark was recognised by the steerer, by the clerk and the boat gauger as having appeared in the boat which was marked A11 by Lloyd for the plaintiffs, and which was used from day to day down to the end of March last, and was carried away by the defendant's servants on the 1<sup>st</sup> of April. With respect to the defendant's case, he maintained that no sufficient reason for marking the boat was shown, pointed to the absence of the memorandum made by the defendant's son, and to the fact that the witness Clarke, when it was seriously put to him whether he would swear that the marks were made by Cooper, the blacksmith, in 1857 or 1858, shrinking from doing so, and to Mr Thomas, the defendant, not having been told of the marking, as calculated to cast doubts on the case set up by the defendant. He asked them to do justice, and was persuaded that if they did their verdict would be for the plaintiff.

His Lordship, in summing up the evidence to the Jury, said that he should almost think that they, having seen the boat, would have made up their minds as to the dispute. In going over the evidence the learned Judge remarked that Mr Woodall did not cut a very respectable figure in this case, and in weighing his evidence they could not help remembering that he took away a boat from the defendant unfairly, unjustly, and he would not hesitate to say from his own statement, dishonestly. The plaintiff's case appeared very clear until the defendant's was heard. After pointing out the main features of the evidence, he left the question to the Jury, who retired to consider their verdict.

They remained in consultation for three hours, when they returned into Court and gave a verdict for the defendant.

#### WORRALL v MAUGHAN JUN

This action was brought by **James Worrall**, boatbuilder, to recover from **William Alfred Maughan**, formerly of Penn Fields, Wolverhampton, boatowner, but now of Millwall, London, ironmaster, £80 due for a boat.

Mr Kettle and Mr Young were for the plaintiff ; Mr Serjeant Pigott and Mr Hill for the defence.

The facts in the case, in which both sides were agreed, were that in 1857 the plaintiff occupied premises under Messrs W Riley and Sons, at that time carrying on the business of ironmasters at Millfields Works, Bilston where, in August of that year, he completed a new canal boat. The boat was bought by the defendant, who directed her to be named the "*Mayflower*", had his name painted upon her, paid 10s for the "christening money", and took possession of her and worked her (under the management of his brother Henry Maughan) until about four months ago, when he sold her. The price agreed upon was £110, and an old boat of the defendant named the "*Caroline*" was to be taken at £30 in part payment of the purchase money. On all other material points the parties were at issue.

The case for the plaintiff, supported by his own evidence and that of several witnesses, was that the boat was first offered to Messrs Riley, and on their refusal the defendant bought her from the plaintiff ; that a Mr Field, then in the employ of Messrs Riley and Son, fixed the price ; that the plaintiff had the "*Caroline*" direct from the defendant ; and that there was a subsequent arrangement that the defendant should pay for the "*Mayflower*" after a sale of a number of his boats at the wharf of the plaintiff in December last. It transpired that the sale took place ; but the "*Mayflower*", though advertised, was not brought to be sold, and the defendant did not then nor since pay the plaintiff for the boat.

For the defence, the first witness was Mr William Tomkinson Riley, who deposed that the plaintiff proposed to build a boat in liquidation of a large balance which he had overdrawn in his account with them ; and that they supplied the greatest part of the timber for her. When the boat was nearly finished, he (witness) agreed with the defendant for the sale of the boat to him. He consulted the plaintiff as to what amount should be allowed for the "*Caroline*". Plaintiff said £30. Witness replied that he did not think she was worth £30 ; and if he took her for that sum plaintiff must take her off his hands at the same price. Worrall agreed to that, and had the old boat accordingly. Defendant paid witness the £80 and took the receipt produced. Witness at the time entered the receipt of this sum in the cash book, also produced. Plaintiff afterwards complained that he had had

a bad bargain in the old boat, and witness agreed to allow him £10. In December 1858, after Riley and Sons had suspended payment, and whilst their books were in the hands of an accountant, plaintiff was called into the office and witness, in his presence, posted his account in the ledger produced – calling his particular attention to the items “New Boat £80”, “Decking *Caroline*, extra, as agreed, £10”. Witness gave plaintiff a copy of that account. The account when made up showed a balance of £30 due from the plaintiff.

The plaintiff had in cross-examination denied, point blank, the whole of the statements afterwards made by this witness. He swore that he never was present when any account was gone into between them ; and that he had never been applied to by the official assignees of Riley and Sons for any balance alleged to be owing to their estate by him.

The defendant was next examined, and he said he was in partnership with his brother at the ironworks at Millwall. He corroborated the evidence of the last witness as to the purchase of the “*Mayflower*”, and said that compassion for the wife of her then steerer induced him to keep this boat out of the sale. Henry Maughan produced a bill from the plaintiff for repairs done to other boats of his brother preparatory to the sale, in which no mention was made of the “*Mayflower*”. This bill was paid in December last. Plaintiff had never sent in any bill, nor made any claim on account of this boat until the action was brought in March 1858. In December last witness took a friend with him, and in his presence asked plaintiff whether he had any claim against him (witness) or any of his family. Plaintiff answered, No.

After an effective reply on the whole case by Mr Kettle,

The learned Judge summed up rather favourably for the defence, telling the Jury, at the close, that they could not avoid the conclusion that one or the other of the parties was telling what they knew to be false, and that it was entirely a matter for them (the Jury) to say which side they believed.

After a very short consultation, the foreman announced a verdict for the plaintiff, damages £90.

### **237 17 August 1859**

#### **WALSALL**

**BURSTING OF THE CANAL** Early on Tuesday morning, the inhabitants of Bridgman Street, Marsh Lane and the neighbourhood were aroused by the rushing of water, which descended from the canal with great violence, flooding streets, cellars and gardens, and creating much alarm for the safety of life and property. It was then ascertained that the embankment of that portion of the arm of the canal which lies between the Gas Works and Marsh Lane had given way. The precise spot at which the bank gave way is close to a worked out shaft, which very speedily swallowed up a vast quantity of the water. The earth, too, fell in all around the shaft, so that it presented the appearance of a yawning gulph whose mouth got wider and wider every minute. The arm of the canal was soon drained, and the main canal too, for a considerable distance, was deprived of much water, while the numerous boats were overturned and stranded, and the usual wharf work was brought to a standstill. Means were taken as soon as possible to drain off the water, and by nine o'clock the ordinary traffic went on as usual. Great crowds of persons assembled during the day, and the assistance of the police was necessary to prevent them approaching too near the places where the earth has given way. It is supposed that the cause of the accident was the extensive undermining which has been carried on near the spot, by which the support was taken away from the shaft and the embankment of the canal arm. A gratifying circumstance is that there has not been any loss of life. Superintendent Cater and the constables under him rendered considerable assistance during the day.

### **238 17 August 1859**

**MELANCHOLY DEATH OF A LUNATIC** An inquest was held at the Golden Eagle, Winson Green, on Thursday last, on the body of **John Smith**, a boatman aged 56, residing in Heath Mill Lane, Birmingham. The deceased, it appeared, was committed to gaol on the 20<sup>th</sup> ult (in default of paying a fine) for riding in a carriage on the Great Western line without a ticket. He remained in the Borough Gaol for three days, his friends being unable to raise the 18s 6d required to set him free. Ultimately, however, the money was obtained, and when he returned home he was in a very low

state of mind. He had been in two Lunatic Asylums, and on the Wednesday after his liberation, he was seized with another fit of insanity. His mother and sister waited upon the relieving officer of the Aston Union (Mr Lumby) and asked him for a doctor's note, but that officer would have nothing to do with the case. He referred them to the Guardians, who also refused their request, on the grounds that they had borrowed money to get the deceased out of gaol merely to throw him upon the parish. Smith meanwhile became a raving maniac. His sister made another application to Mr Lumby, but in vain, and then she applied to the magistrates, who referred her back to the relieving officer. At length she found the office of Mr Pearson, Clerk to the Guardians, and on Saturday evening a medical note was given to her. Mr Jordan, surgeon, saw the deceased, and ordered his removal to the Asylum, but although this was duly represented in the proper quarter, another day was allowed to elapse before Smith was removed, and then he was in a hopelessly debilitated condition. The unfortunate man died within a few hours of his admission into the Asylum. At the inquest, Mr Bracey, surgeon, said that death had arisen from exhaustion, produced by want of nutrition, the deceased having taken no food since the Thursday prior to his removal to the Asylum. The jury returned a verdict of "Died by the visitation of God", and added an expression of their censure of the conduct of the receiving officer and Board of Guardians for refusing the medical order when first applied to for it.

### **239 24 August 1859**

WOLVERHAMPTON POLICE COURT, SATURDAY AUGUST 30

ROBBING THE GREAT WESTERN RAILWAY COMPANY **Edward James**, a boatman, was charged with stealing a pig of lead, value from 30s to £2, the property of the Great Western Railway Company. About two o'clock on Friday morning, the prisoner was seen in a truck which contained thirty six pigs of lead, at the Victoria Basin, and observed to carry away the lead in question. He was followed, but succeeded in escaping. On Saturday morning, police officer Nightingale apprehended him and charged him with stealing the lead. He replied, "If you will let me go, I will tell you where the lead is". The officer asked him where it was, and he replied in the canal. The canal was searched and the lead found. James at first pleaded not guilty, but afterwards withdrew his plea, saying that he was guilty of the charge. The Magistrates sentenced him to three months imprisonment.

### **240 31 August 1859**

LICENSING MEETING At the annual licensing meeting held on Friday last, there were twenty eight applications for new licenses, of which number nine were granted. The following was a successful candidate : **Joseph Hingley**, boatman and beerseller, Woodside.

### **241 14 September 1859**

BILSTON

PETTY OFFENCES **Peter Venables**, a boatman, for beating his wife, was committed for seven days.

### **242 12 October 1859**

SINGULAR BUT FATAL ACCIDENT TO A BOY An inquest was held yesterday at the Horse and Jockey public house, Bilston Road, on the body of a boy, five years of age, named **John Cotton**, the son of a boatman, who had died in the hospital on Saturday last, in consequence of injuries received under the following circumstances. It appeared that on Friday last the boy was attempting to get on his father's boat, when he slipped and fell between the boat and the towing-path. Another boat came up at the time and, fouling the first boat, the deceased was fearfully crushed between that boat and the embankment of the canal. He was conveyed to Stafford, and afterwards removed to the hospital in this town, but he had sustained such severe internal injuries that he died on Saturday evening. The inquiry was adjourned until Thursday for a *post mortem* examination.

## 243 26 October 1859

### STAFFORDSHIRE QUARTER SESSIONS

**William Slaney**, 24, boatman, was charged with stealing a pig of lead, weighing 164 lbs and of the value of 30s, the property of the Great Western Railway Company, at Wolverhampton. George Ellis, one of the company's policemen, said that about two o'clock on the morning of Friday the 19<sup>th</sup> August, he saw the prisoner and another man take the lead out of a truck or waggon on the Victoria Wharf, Wolverhampton, and, carrying it a little way, throw it into the canal. Police-constable Nightingale confirmed this statement. Both policemen followed them, but the thieves having a good start got off. Nightingale apprehended the prisoner on the Monday night following at a low beershop in Berry Street. The prisoner said he was in bed at the time, and called for a witness to prove the fact, but no one appeared. A previous conviction having been proved against the prisoner, he was sentenced to three years penal servitude.

**STEALING CORN AT TIPTON** **James Green**, 30, boatman, and **George Hughes**, 23, a boatman in Green's employ, were indicted for having stolen one bag of beans and two bags of malt, the property of Joseph Nock and another, at Tipton. The prisoner on Wednesday evening, October 5<sup>th</sup>, took a number of bags of corn in a boat to the prosecutor's malthouse at Oldbury. On the following morning, Mr J Nock received information that a quantity of malt and beans had been taken away, and followed the boat along the canal. On overtaking it, he spoke to the prisoners, and saw three bags of corn in the boat. Green, when spoken to, walked away, but was followed and given into custody. When Mr Nock returned to the boat, Hughes was still with it, but had been seen to throw two of the bags into the canal, and when asked why he had done so, he replied, "It's two bags of malt, say nothing about it, and I'll make it all right". For the defence it was suggested that it was doubtful that the malt and beans found in the boat could be identified. The Jury, however, returned a verdict of Guilty, and each prisoner was sentenced to nine months imprisonment.

## 244 7 December 1859

### STAFFORDSHIRE WINTER ASSIZES

**HIGHWAY ROBBERY AT WOLVERHAMPTON** **George Roberts**, 32, boatman, and Thomas Garratty, 24, locksmith, were arraigned on an indictment charging them with having assaulted Joseph Dorricott, a millwright living at California, Wolverhampton, and stolen 19s 9d and a knife from his person.

Mr Young prosecuted and Mr Claydon appeared for the prisoner Garratty.

The prosecutor deposed that on the night of the 27<sup>th</sup> of September he went to the Black Horse public house in Stafford Street and had three pennyworth of rum and water, and putting down a sovereign and receiving 19s 9d in change. He afterwards went on his way home, and shortly after leaving the Dudley Road for California, he heard men following him. One came behind him and caught hold of him by the head, stopping his mouth with his hands ; a second drew his arms behind him, and the prisoner Roberts robbed him of his money and a knife. One of the other men was the prisoner Garratty. In the course of the robbery, witness received a blow on the back of the head.

In answer to Mr Claydon, the prosecutor denied that he was in the company of bad women on the night of the robbery.

Police sergeant Hughes stated that on the night named he saw the prosecutor walking in the street in the company of Roberts, followed by two other men, one of whom he believed to be Garratty. He afterwards heard a cry of "Murder", and went in the direction from which the cry proceeded. He found the prosecutor in a lane leading to California, his face being besmeared with blood. He complained of having been robbed of 19s 9d and a knife.

Police officer Niblett stated that he was on duty on Snowhill on the night of Tuesday September 27<sup>th</sup>, and saw Roberts walking towards the Dudley Road in company with another man.

Police officer Nathaniel Kimberlin said he was on duty in Peel Street on the same night, and saw Roberts and another person together. This was about a quarter past twelve o'clock.

Thomas Cooper, a police officer, deposed that he apprehended Roberts on Wednesday September

29<sup>th</sup> , and charged him with the robbery. He said he knew nothing about it.

Thomas Marlow, police officer, said that on the 3<sup>rd</sup> of October he went to apprehend Garratty. The prisoner ran away, but witness followed and apprehended him, and charged him with the robbery, which he denied.

Mr Claydon, for Garratty, contended that there was not sufficient evidence to convict him, and pointed out one particular in which the evidence of the prosecutor did not agree with that of Hughes.

Roberts told the jury that he found the prosecutor lying down at the top of the Cat Yard, and lifted him up and placed him against the wall. He (Roberts) afterwards went into the Odd Fellow's Arms Inn, and was followed by the prosecutor, who was very drunk. Dorricott paid for nine pints of porter, and some girls who were in his company helped him to drink it. He wanted more, but had no money to pay for it. Roberts further alleged that the witnesses had spoken falsely, and that Hughes entertained animosity against him in consequence of his having threatened twelve months ago to prefer a charge of assault against him, but which Hughes compromised by paying him a "trifle" and occasionally treating him with drink.

The Jury found Roberts guilty and Garratty not guilty. A previous conviction for stealing poultry was proved against Roberts, who was sentenced to penal servitude for ten years.

#### **245 7 December 1859**

WOLVERHAMPTON POLICE COURT, THURSDAY DECEMBER 1

FRAUDULENTLY REMOVING GOODS **William Clutton**, a boatman, was convicted of having removed his goods from a house in Herbert Street, the property of Mr Hurlstone, butcher, there being at the time 9s due for rent. Mr John Whitehouse appeared for the complainant, and stated that the main object of the prosecution was to prevent offences of this kind. The defendant was fined 20s, double the value of the goods removed, but was allowed time to pay.

#### **246 28 December 1859**

WOLVERHAMPTON POLICE COURT, THURSDAY DECEMBER 22

THEFT FROM A CANAL BOAT John Collins, 17, and Elizabeth Butler, 14, the latter a married woman, were charged with having stolen a quantity of wearing apparel, the property of **John Ferris**, a boatman. Ferris stated that his boat was lying at the wharf in this town on Saturday last, and when he left it, he locked the cabin door. On his return, he found it had been broken open and the articles produced by the police, consisting of shirts, waistcoats, &c had been stolen. Mary Groves proved seeing the female prisoner pledge the stolen property at Mr Mitchell's, pawnbroker, on Saturday night, and Mrs Mitchell deposed to receiving them. Police-constable Bealey said that from information received from the prosecutor, he went round to the pawnbrokers on Monday and found the things produced at Mr Mitchell's. From the description given of the person who had pledged them, he apprehended the female prisoner. She said she knew nothing about them, and had never pledged them. Mr W Ward, who appeared for the girl Butler, admitted that she had pledged the things, and said that when apprehended by the police officer, she was so excited she did not know what she was saying. He explained that the boy Collins lodged with the girl's mother, and he met Butler in the street and asked her to take the articles produced and pledge them for him. She did so and gave him the money, not knowing but that they were his own property. Inspector Shackleton said the girl's mother was a steady, honest woman. In answer to a question from the Bench respecting her age, she said she was fourteen on the 6<sup>th</sup> of last July, and had been married within the past few weeks. Collins told a very improbable story about having found the bundle of clothes under one of the canal bridges. The Magistrates thought that Butler might have acted without a guilty knowledge, and discharged her. Collins was sentenced to two months imprisonment with hard labour.

#### **247 28 December 1859**

SUSPECTED CHILD MURDER AT GORSEBROOK Yesterday (Tuesday), W H Phillips Esq,

deputy coroner, held an adjourned inquest on the body of an exceedingly fine newly born female child that had been found on the Friday previous in the fourteenth pound of the Birmingham Canal, near Gorsebrook. The body was discovered floating on the surface of the water about ten o'clock in the morning by **Thomas Jones**, a lock-keeper. It was in a perfectly nude state, and had evidently been placed in the water soon after its birth. There were marks of violence upon the head. Mr Whitgreave, surgeon, made a *post mortem* examination of the body, and at the inquest stated as the result that the child was born alive ; that, judging from appearances, the injuries had been inflicted during life, and that the cause of death was drowning. The Jury returned a verdict in accordance with the medical evidence. There is hardly any doubt but that the child was murdered, and the police have made inquiries and examined the neighbourhood with the view to find some clue that might lead to the detection of the mother, but without effect. They are of opinion that the child was born in the cabin of a boat, whilst passing along the canal, and that it was immediately afterwards thrown into the water. Further inquiries will, of course, be made, and it is hoped that their result will be the apprehension of the cruel and guilty mother.

#### **248 28 December 1859**

INSOLVENCY CASES At the Shire Hall, Stafford, on Tuesday and Thursday last, before the County Court Judge, the following insolvency cases were disposed of.

**Peter Fisher**, wharfinger and commission agent, formerly of Tipton, applied for his discharge. Mr Jackson supported the insolvent, and Mr C B Passman appeared on behalf of several creditors. It appeared that the insolvent had a capital in his business in 1853 of £255, invested principally in boats and horses, but that in 1854 he first found himself in insolvent circumstances. In the six years prior to the present year, his profits had been about £900, while his expenditure amounted to £1080. On the 12<sup>th</sup> of September last he had consequently sold out his remaining stock and effects, realising about £170 by the sale, which was handed over to his creditors, after deducting legal expenses. Previous to the sale, however, a relation of the insolvent's named **Richard Hale**, a boatman, who had lived with him, was represented to have advanced loans to him from time to time upon the understanding that the insolvent would hand over to him two of his boats, if he found himself unable to repay him. This was accordingly done shortly before the sale, and in one of the boats, freighted with a cargo of 11 cwt, a quantity of furniture was also stowed and conveyed away. The man Hale also had two of the insolvent's horses, professedly in compensation for boat hire. His schedule represented the insolvent besides to have suffered three considerable robberies, of which he could give no satisfactory explanation. His Honour said there had evidently been a fraudulent making away with some of the goods, and he felt bound to remand the case for six months.