

WOLVERHAMPTON CHRONICLE 1860 to 1869

1 4 January 1860

STAFFORDSHIRE QUARTER SESSIONS

STEALING IRON AT SEDGLEY **George Hughes**, boatman, indicted for stealing 56 lbs of iron, the property of the London and North Western Railway Company, at Sedgley, was found guilty and sentenced to twelve months imprisonment.

2 18 January 1860

TIPTON

DISTRESSING OCCURRENCE On Tuesday, an inquest was held at Swan Village on the body of **Joseph Timmins**, a boatman 20 years of age. On the preceding Saturday morning, deceased, in company with a man named **William Smith**, was on the canal with an empty boat, going to Tipton. When past Dudley Port, and near the canal bridge there, they came to a turn in the course of the canal and, meeting with another boat, a collision ensued between the two. Deceased, who stood up in the end of his own boat, fell into the water, and being able to swim, kept himself afloat until his companion, Smith, had nearly reached the side where he was, but at this moment he sank to the bottom of the canal, overcome, it is supposed, by the effects of the cold. Smith at once got out the body of deceased, and calling for help, a man named **Griffiths**, in the employ of the Canal Company, came up, and seeing that deceased was insensible, merely blew down his throat. This producing no apparent effect, he said, "I don't see that there's any life in him, and I'll take him to Tipton". This course was pursued, and after taking the deceased to an office by the canal side, where he was laid still breathing, poor Timmins was conveyed to a public house in Tipton, a distance from this office of more than 300 yards. Mr Underhill, surgeon, and his assistant, were sent for, but succour came too late, and Timmins died about the middle of the day. The Coroner remarked on the great neglect exhibited by Smith and Griffiths, after which the jury returned a verdict of "Accidental death". Mr Hinchliffe informed the Jury that the mother of the deceased young man was so frightened and agitated at the sight of the dead body of her son being brought into the house that she herself died in about an hour afterwards. She was 50 years of age, and had previously been in her usual health. The deceased's father is in a state of deep distress at his loss, his son having been a religious and exemplary young man.

3 22 February 1860

CHARGE OF BURGLARY On Monday last, at the County Petty Sessions in this town, before H Hill, W Tarratt, R F Butler and J Wynne Esqs, **George Groucott**, boatman, George Woods, Matthew Whitehouse, labourer, Joseph Lewis, blast furnaceman, James McNaugh, servant and Mary Fowkes, a woman of immoral character, were brought up charged with having broken into the boot shop of Thomas Edwards at Tipton on the 16th instant, and stolen therefrom a number of pairs of boots and shoes. Police-constable Bealey stated that he took Fowkes into custody on Saturday, and charged her with stealing or receiving, knowing to be stolen, four pairs of boots, which were the property of the prosecutor, but had been pledged by her at different pawnshops. She said that two men, whom she did not know, gave them to her in the Brown Bear beerhouse to pawn for them. He also apprehended Lewis, who told him he had given one pair of boots to Fowkes to pledge. Witness found a pawn ticket upon him. He arrested McNaugh in a brothel in Lichfield Street, and found him wearing a pair of boots answering the description of those stolen from Edwards's, but which he said he had bought at Warrington. Police officer Steel of Tipton deposed to the robbery having been committed at Edwards's, and to having apprehended Whitehouse, who said he could prove his innocence. The boots produced were identified by the prosecutor as his property. The Bench discharged Whitehouse and McNaugh, there being no evidence to inculpate them, but remanded the other prisoners for a week.

4 29 February 1860

PROMPT DETECTION OF A BURGLARY On Monday at the County Petty Sessions in this town, before H Hill and W Tarratt Esqs, four prisoners named Mary Fowkes, Joseph Lewis, **George Grocutt** and George Wood were brought up on remand from Stafford, charged with having burglariously broken into the shop of Thomas Edwards at Tipton on the night of the 16th instant, and stolen a quantity of boots, his property. Mr W Ward appeared for the prosecution. Elizabeth Edwards proved that on the night of the robbery the premises were securely fastened. Early on the following morning she was aroused by the watchman, and on coming downstairs she found that the shop had been broken open, and nine pairs of boots had been stolen. Jesse Stean, a police-constable stationed at Tipton, said that he received information of the robbery on Thursday morning, and in consequence he came to Wolverhampton. At Mr Aron's, pawnbroker, he found the boots produced, which had been pledged by the prisoner Mary Fowkes. Detective officer Cadman said that he received information of the robbery, and on Sunday morning, the 19th instant, he saw the two prisoners Grocutt and Wood together. He apprehended them and charged them with breaking into the house of the prosecutor. They denied it, but after they were in custody, witness took from their feet the two pairs of boots produced, which were identified by the prosecutor. Police-constable Bealey produced the remainder of the stolen property, which had been obtained from different pawnbrokers in Wolverhampton, all of which had been pledged by the woman Fowkes. He also apprehended Fowkes and Lewis, and charged them with the robbery. Lewis said he was not there ; he said he slept that night with the prisoner Fowkes. On the way to the station he tried to throw away a number of pawn tickets referring to the boots, but witness prevented him. Fowkes said she received the pawn tickets from a man in the Brown Bear public house. Witnesses were called to prove the pledging of the boots at the shops of Mr Hyam, Mr Aron and Mr Langman, pawnbrokers. The whole of the property was identified by Mr Edwards. William Heath, watchman and constable living at Tipton, deposed that on the morning of the robbery, he was on duty when he heard a noise of glass breaking, and saw three men close to the prosecutor's shop. He ran to the spot and caught hold of one of them, but he ran away and got off with the others. Witness identified Wood as one of the three men. In their flight, the thieves dropped six pairs of galoshes which witness gave to Mrs Edwards. **Richard Shaw**, a master boatman living at Tipton, said the prisoner Grocutt had worked for him. On the night of the robbery and a night or two previous, he saw them lurking about the prosecutor's house. The Magistrates considered there was no evidence against Lewis, and accordingly he was discharged from custody. On being formally charged, the woman Fowkes said she received the boots from George Wood. The other two prisoners declined to make any statement. They were committed to the assizes.

5 14 March 1860

STAFFORDSHIRE ADJOURNED SESSIONS **Joseph Bell**, a boatman, was convicted of stealing 22 cwt of pig iron, the property of Messrs Blackwell, at West Bromwich, and was sentenced to six calendar months imprisonment with hard labour.

6 21 March 1860

ROBBERY BY A BOATMAN On Monday at the Borough Police Court, before the Mayor and J Wynn Esq, **Henry Williams alias Redman**, a boatman, was charged with having stolen 4s 6d and a silk handkerchief from the person of **Elijah Johnson**. It appeared that Johnson, who is also a boatman, went to sleep in the cabin of his boat on Sunday afternoon, during which time the money was taken from his waistcoat pocket. The prisoner afterwards admitted that he had taken the money, and gave up 2s of it, but was heard to say he would have it back again before morning. Johnson slept in the cabin of his boat that night, and in the morning he missed the 2s and a silk handkerchief as well. He then obtained a warrant against the prisoner. Police-constable Bealey went to Bishton's Wharf to execute the warrant, but as soon as the prisoner saw the officer he took to his heels, and the two had a cross country chase for about two miles, which ended in the prisoner being run down and conveyed to the station. The handkerchief had not been found, and the prisoner

was remanded for a day to admit of inquiries being made. Yesterday he was again brought up and remanded to tomorrow.

7 21 March 1860

STAFFORDSHIRE SPRING ASSIZES

BURGLARY AT TIPTON George Wood, puddler, **George Grocott**, 23, boatman, and Mary Fowkes, 30, no occupation, were all charged with burglariously breaking and entering the dwelling house of Thomas Edwards, on the 16th of February 1860 at Tipton, and stealing 20 pairs of boots and shoes.

Mr Claydon conducted the prosecution ; the prisoners were undefended.

The evidence showed that on the evening in question a watchman named Heath was on duty near to the shop of the prosecutor, who keeps a boot and shoe shop, and perceived that a burglary was being perpetrated. Several men had forced open the shutters and cut one of the panes of glass when he came up. They became alarmed, and Wood and two other men ran away, carrying some boots with them and dropping others. Two pairs of the boots stolen were found upon Grocott, and two other pairs had been pawned in Wolverhampton by the female prisoner. All the prisoners were arrested in Wolverhampton. It was shown that the two male prisoners were working on board a boat on the day before the robbery, and that the boat was lying in the canal at Tipton. When arrested, Wood said that he had come from London, and knew nothing of the robbery ; Grocott said he bought the two pairs of boots found upon him from Wood, and the woman said she had been asked to pawn the boots by a man she met at the Brown Bear, Wolverhampton.

The jury convicted the prisoners, Wood of the burglary, and the other two of receiving the property, knowing it to have been stolen.

A previous conviction was proved against Wood, at a Quarter Sessions at Stafford, and it was shown – though not in the form that the law required – that he had been confined two years in the gaol at Worcester.

His Lordship sentenced Wood to eight years penal servitude, less punishment the Judge said than he should have ordered if the conviction at Worcester had been established according to the rules of the court ; and Grocott and the woman each to six months imprisonment with hard labour.

8 28 March 1860

FEARFUL BOAT ACCIDENT *Four Lives Lost.* At Worcester on Friday, a coal boat, the *Lady Wood*, was coming down the river when she struck against the piling of the Worcester and Hereford Railway Bridge and instantly capsized. There were in the boat at the time the captain (**Whitehouse**), his wife and three children, a sister of Whitehouse's wife, and a boatman named **Carson**. The three children and Mrs Whitehouse's sister were in the cabin, and were drowned. Carson swam ashore, and the captain contrived to get on to the piling, and seized his wife by the hair of her head as the boat sank under her. He managed to retain his hold until a boat put out and rescued them.

9 16 May 1860

BRUTAL MURDER OF A WOMAN IN WOLVERHAMPTON A shocking murder, arising out of the ungoverned exercise of brutal passion, was perpetrated on the Cannock Road in this town, on Saturday night last. The name of the deceased is **Elizabeth Evans**, and that of her murderer **Edward Humphreys**. The latter is a boatman in the employ of **Mr Bishton**. Humphreys and his victim were both young persons, in the prime of life, and up to the time of the fearful occurrence, and for nine years past, had cohabited together as man and wife, the woman travelling with him in his boat. They had no children, but deceased was far advanced in pregnancy at the time of her death. It seems they were both together at the Flowing Fountain public house in the early part of the evening, where Humphreys drank very freely. Deceased left him there, and went away with one of her neighbours, telling the landlady not to fill him any more drink. After a lapse of little more than an hour, Humphreys encountered his victim on Cannock Road bridge, and without the slightest

provocation, struck her two severe blows on the head. He then kicked her savagely in the side, which caused her to utter a piercing shriek and sink to the ground senseless. She never rallied, and died in about twenty minutes afterwards at the Flowing Fountain public house, whither she was removed. Humphreys was apprehended the same night. He manifested the greatest indifference, and even when the poor woman was dying walked away without offering to render any assistance. An inquest was opened on Monday before T M Phillips Esq, Coroner, at the Elephant and Castle, Cannock Road, when the following evidence was taken :-

Harriet Davis, a married woman, wife of Walter Davis, a labourer employed at the Great Western Railway Station, residing in Southampton Street in this town, deposed as follows :-

I knew the deceased, Elizabeth Evans. She lived with a man named Edward Humphreys. The first time I saw the deceased on Saturday was at the Flowing Fountain, about seven o'clock in the evening. Humphreys and deceased's brother and sister and other persons were with her. They were all drinking together. Deceased appeared to be sober and in good health. No quarrel took place between her and Humphreys while there. Deceased left with me and her sister in law, **Mary Ann Evans**, about six o'clock. Humphreys followed us, and walked with us as far as my house door, and then went on towards the Talbot public house, near the top lock of the Birmingham Canal. In a few minutes afterwards, I went there with the deceased, and found Humphreys sitting in the kitchen with a jug of drink before him. He appeared to be very drunk. We did not drink with him there. No quarrel took place then. We remained about ten minutes, and deceased came away with me, leaving Humphreys there. She went to Humphreys's boat in Shelton's Yard to put her shawl on, and then went to her brother's (**Henry Evans's**) boat, by Griffin and Morris's works. Deceased stayed there about five minutes, and then rejoined me on the bridge. This was between nine and ten o'clock at night. We were then coming up into the town along the Cannock Road, and met Jane Ward, who asked us to go and have share of a pint of ale with her at the Flowing Fountain. I turned around on the bridge and saw Humphreys coming. I said to the deceased, "Here's your Ned coming", and she said, "We'll stand here till he comes then". Deceased did not appear to me to be intoxicated. Humphreys was very drunk, and said to the deceased, "I've a good mind to give you my fist". Deceased said, "What for, I've done nothing amiss". He rejoined, "You don't care for me so that you can serve your own turn", and with that, he struck her twice on the right side of the head. From the second blow, deceased reeled against the rails, but got up again and put her hand to her head. After this blow, Humphreys kicked her in the side, and she dropped on her knees and screamed. Humphreys stood beside her and kicked her. He did not take a running kick at her. Humphreys remained on the spot about ten minutes after this, but did not touch the deceased again. He walked away by himself. Deceased never spoke after this. She was carried to the Flowing Fountain public house, and died about twenty minutes afterwards. She was insensible from the time she received the kick until she died. My belief is that she died from the effects of the kick. I have known Humphreys and the deceased upwards of five years, but never knew them quarrel before. They cohabited together as man and wife. About a fortnight ago, deceased told me she thought she was in the family way. When they left the Talbot, deceased told Mrs Hughes not to fill Humphreys any more drink.

By the Foreman : During the whole time I was with the deceased, she had nothing to drink. Humphreys asked her to drink at the Talbot, but she would not.

Jane Ward, wife of **Joseph Ward**, one of **Mr Bishton's** boatmen, said :- I knew the deceased Elizabeth Evans, and have known her from a little girl. I also know Edward Humphreys. Deceased and he have cohabited together about nine years. They had occasional quarrels, and it is not long since she had a pair of black eyes from him. In a general way, they did not live happily and comfortably together. About five minutes before the occurrence took place on Saturday night, I met with the deceased. This was a few minutes before ten o'clock. I met Mrs Davis and the deceased together on the Cannock Road bridge, and asked them to go with me to the Fountain and have some ale. As we were going, I turned my head and saw Humphreys coming over the bridge. We waited until he came up, but being deaf I could not just hear what he said. He stood for a minute, and appeared as though he was going to strike the deceased. I held him back by the waistcoat to prevent

him, but he flew out of my grasp and struck the deceased twice with his fists somewhere on the back of the head. Deceased reeled towards the post she stood against. After this, Humphreys kicked her upon the body, and she fell down from the kick. She “shrieked” out very heavy, and I did not hear her speak afterwards. She appeared to be in a dying state. Humphreys did not render any assistance. He stood for a minute or two and then left. I did not see him again. I was not present when deceased was taken to the Fountain, nor did I see her again. In my belief, it was the kick that caused her death. Deceased did not give Humphreys any provocation in my hearing.

George Simms, a pointsman on the Oxford, Worcester and Wolverhampton Railway, stationed at the main line junction at the low level station, in this town, deposed as follows :- About twenty minutes before ten o'clock on Saturday night last, I was returning home from market. On reaching the Cannock Road bridge, about ten yards from where the fatal occurrence took place, I heard a dreadful shriek, which appeared to proceed from a female. I walked sharply on, and found a woman lying stretched across the footway. There was a man standing at her feet, and two other women close by. I heard the man say to the woman who was lying down, “If you don't get up, I'll kick your b---- guts in”. The woman appeared to be motionless. I should know the man again if I were to see him. When I first went up, I asked what was the matter, and the man said, “If you interfere, I'll serve you the same”. I then heard one of the women say to the man, “Ned, you have killed her”, and he said, “If she is not dead, I will kill her and pay her out when she gets to the boat”. I then said, “If that is what you mean, I will see about someone to take care of you”. I left the spot, and went and informed Police-sergeant Thomas, and returned with an officer to the Flowing Fountain. I then saw the woman lying there, and know her to be the deceased, Elizabeth Evans, the subject of this inquiry. She was then dead, lying upon a table.

At this point, the Coroner adjourned the inquiry until ten o'clock on Thursday morning, and directed a *post mortem* examination to be made.

On the same day, Humphreys was brought up at the Borough Police Court, before M Ironmonger and G L Underhill Esqs, and Harriet Davis having repeated her evidence, he was remanded to Thursday on the charge of wilful murder.

10 23 May 1860

THE RECENT MURDER IN WOLVERHAMPTON

COMMITTAL OF THE ACCUSED Last week we gave full particulars of the murder of a woman named **Elizabeth Evans** by **Edward Humphreys**, a boatman with whom she had been cohabiting, and reported at length the proceedings taken before the coroner at the preliminary inquiry held on the previous Monday. The inquest, which had been adjourned for the purpose of a *post mortem* examination, was resumed at the Elephant and Castle Inn on Thursday morning last, before T M Phillips Esq, coroner. Humphreys was present in custody. Since the occurrence, he has been in a desponding state, so much so that during his detention in the cell at the police station, it was considered expedient to take away his neckerchief and braces, and keep a frequent watch on him. He now seemed very dejected, and wept bitterly during the proceedings. Mr H Langman, who had been retained by a brother of the deceased woman, appeared for the accused.

Mr E F Dehane, surgeon, deposed that he had on the previous Monday made a *post mortem* examination of the body of the deceased, in conjunction with his assistant, Mr Shedd. He said the body was well formed and fat, and the abdomen protuberant. Some frothy mucus was oozing from the mouth. There were three contusions on the scalp – two on the right side a little above and behind the ear, and the other about the same situation above the left ear. There was also a contusion on the right arm a little above the elbow joint. There were no other external marks of violence. On opening the skull, there was found a large quantity of extravasated blood, about three or four ounces, slightly congealed, a good deal of which escaped and ran upon the table immediately upon removing the upper half of the skull. The viscera of the chest and abdomen were all healthy. The stomach contained about half a pint of liquid, in appearance resembling gruel. He further said – I am of opinion that death arose from the extravasated blood upon the brain, which I consider was caused by the above named contusions. I have heard the evidence taken upon this inquiry read over

and, coupling it with the appearance upon the *post mortem* examination, I am of opinion that the extravasation of blood upon the brain was the result of the bruises found upon the skull. A fall against rails will produce contusions, but I do not think that the contusions upon the body of the deceased were produced by a fall. On the contrary, I believe they were caused by the blows said to have been given by Humphreys. The deceased was not pregnant. Before the Magistrates, Mr Dehane added that it was on the right side of the head that he found the extravasated blood where the two contusions were. He did not see any extravasated blood on the left side.

The witness Simms was recalled, and identified the prisoner as the man he saw at the feet of the deceased, and whom he heard say that "he would kill her if she was not already dead".

Mrs Davis and Mrs Ward were also recalled and cross-examined by Mr Langman, but nothing fresh of importance was elicited.

The room was then cleared and the jury, after deliberating for about half an hour, returned a verdict of wilful murder against Edward Humphreys, who was thereupon committed to take his trial on that charge under a coroner's warrant.

At the Borough Police Court, the same morning, the prisoner was taken before H Walker, E Perry and H Ironmonger Esqs, having been remanded from the previous Monday upon the charge of killing and slaying Elizabeth Evans.

Mr Bartlett conducted the prosecution, and Mr Langman the defence. The same witnesses whose evidence was taken before the coroner were again examined, and deposed to the facts as before.

William Wright, a pointsman on the Oxford, Worcester and Wolverhampton Railway, was called to corroborate the witness Simms. He stated that on the night in question he was passing along the Cannock Road, where he lives, and came to the crowd which had assembled round the deceased after she fell. He assisted a man named Farmer to rear her against the rails. He then heard one of the bystanders ask what was the matter, and the prisoner replied, "I'll kick her b---- guts in, and I'll serve you the same". When Farmer reared the deceased up, he said she was either dead or dying, and the prisoner rejoined, "If she is not dead, I'll kill her".

Police-sergeant Thomas deposed to receiving information of the murder on the Saturday night, and to finding the dead body of the woman at the Flowing Fountain just afterwards.

Police-constable Nightingale spoke to receiving the prisoner in custody from two boatmen, on the same night, about two hours after the murder.

It was stated, but not sworn to in evidence as an important fact, that these men found the prisoner sleeping comfortably in his boat, overcome by what he had drunk. They told him what he had done, and advised him to go with them to the police station, and he at once accompanied them.

Upon the above evidence, the Magistrates committed the prisoner for trial on the charge of wilful murder.

11 23 May 1860

STEALING A WATCH Yesterday at the Borough Police Court, Wolverhampton, Aaron Lane was charged with stealing a silver watch and chain belonging to **John Rice**, a boatman. Rice did not appear. It was reported at the police station by the prosecutor that on the 12th instant he had been robbed of his watch and chain between Bilston and Moxley. Last Friday morning, Police-constable Bealey, one of the borough officers, traced the watch to Mr Lee's, pawnbroker, Railway Street, Wolverhampton, and instructed Mr Lee how to act if it should be applied for. On Monday, the prisoner, who it appears pledged the watch, went to obtain some more money upon it, and Mr Lee then detained him, sent for an officer, and he was apprehended. His answer to the charge was that he found the watch in the street. He was remanded until Friday for the attendance of the prosecutor.

12 20 June 1860

BRIERLEY HILL

CHILD FOUND DEAD IN THE CANAL On Saturday morning last, about eleven o'clock, **Thomas Simkiss**, a boatman, found the body of a male infant, about four months old, in a branch of the Stourbridge and Birmingham Canal at Hart's Hill. There was scarcely any clothing on the body,

and several severe bruises were discovered.

13 25 July 1860

STAFFORDSHIRE SUMMER ASSIZES

THE ALLEGED MURDER BY A BOATMAN AT WOLVERHAMPTON **Edward Humphries**, 28, boatman, who had been committed for the wilful murder of **Elizabeth Evans** on the 12th May at Wolverhampton, but against whom the Grand Jury had only returned a bill of manslaughter, was placed at the bar charged with the latter offence. The prisoner pleaded not guilty.

Mr Scotland prosecuted, and Mr Brown defended the prisoner.

Mr Scotland, in opening the case for the prosecution, said : The prisoner, Edward Humphries, is charged with the manslaughter of a person of the name of Elizabeth Evans. The consideration of the circumstances out of which this case arises will not occupy you long as they are included in a short compass of time. It appears that the prisoner was a boatman in the employ of -

Mr Brown, who appeared for the prisoner, here rose and said the prisoner withdrew the plea of not guilty, and pleaded guilty of manslaughter.

The Clerk of the Arraignment then, addressing Humphries, asked : Do you say you are guilty or not guilty?

The prisoner, in a faint voice, guilty.

The Clerk then said the prisoner was further charged, on the Coroner's inquisition, with the murder of Elizabeth Evans.

The Judge observed that as there was no evidence of murder, the Jury would therefore say the prisoner was not guilty. The Jury returned a verdict accordingly.

Mr Brown proceeded to call the following witnesses to character :-

John Perry : I know the prisoner at the bar. I know his character to be that of a reasonable kind of man. He has long borne a very good character.

Mr Poole : I am in the employ of Mr W Bishton as watchman. I have known the prisoner four or five years, and never knew anything wrong of the man.

Henry Evans : I am brother to the deceased woman. I have known the prisoner for twenty years. I have known him since he and my sister have been together – eight or nine years. I have been with the prisoner a month at a time, and we have always been when together very good friends.

Mr Whittle was called, but did not answer.

The Judge, addressing the prisoner, said : It is my painful duty to pass sentence upon you for the crime of manslaughter, of which you have been convicted. Manslaughter in some cases approaches very near to murder, but in other cases it is little more than an aggravated assault. I am sorry to say the crime in your case is of the former description. The deceased lived with you – though not married, for a period of between eight and nine years – and I am bound to say, not only from the evidence of her brother, but also upon the depositions, it appeared you treated her with kindness and affection, and when sober never used a threat against her, but always showed you were animated by a kind and affectionate feeling towards her ; that I am bound to say. But when under the influence of drink, I regret to find that you manifested ill feeling towards her, and on the 12th of May – the evening when this sad event took place – you were drinking, and so was she. You became intoxicated with the drink you took, and it resulted in the unprovoked assault upon the deceased, and you accompanied the blows you struck with severe and cruel threats. When you had knocked her down, and kicked her with violence, according to the deposition of one of the witnesses, it appears someone said, “She is dead”, and you replied, “If she is not, I will kill her”, showing that you were under the influence of ungovernable passion at the time. The difficulty I have in the case is this – whether I shall pass any sentence on you short of penal servitude for life. I have been thinking over it seriously, and I will hope I am not failing in duty by passing a lighter sentence than that, that you may be a warning to others that if they use strong drinks, and if they give way to ungovernable passion, and carry that passion to the extent you did, the law will surely come down upon them. If you had used any weapon other than your feet against this woman, your life would surely have been forfeited ; as it is I shall sentence you severely – to penal servitude for eight years.

14 15 August 1860

BILSTON

CHARGE OF STEALING HAY Yesterday, before J Leigh Esq, **John Hutchinson**, a boatman from Derbyshire, was charged with having received, with guilty knowledge, two trusses of hay, the property of Thomas Walleys, publican of Deepfields. It was stated that a man in the employ of the prisoner, but who has absconded, went to the premises of the prosecutor, took away the hay, and conveyed it to a boat where Hutchinson was. The prisoner was remanded for a fortnight.

15 29 August 1860

WILLENHALL

STEALING A BOAT SHAFT At the Petty Sessions on Monday last, John Riley, a collier and **Samuel Collins**, a boatman, both from Walsall, were charged with having stolen a boat shaft, the property of a man named Hughes. On the previous day, the prisoners were employed in dragging an empty boat from one arm of the canal to another, and as they passed, appropriated the shaft, which was lying upon the wharf at Bentley. Some men who saw them take it and knew to whom it belonged, demanded it to be given up, and the prisoners then pushed their boat off, got on to the opposite side of the canal and started off, leaving the shaft in the boat. They were followed a long distance, but managed to elude their pursuers. The same afternoon, they were apprehended at their lodgings at the Birchills at Walsall. They were committed for six months imprisonment with hard labour.

16 5 September 1850

CHILD FOUND DEAD IN THE CANAL On Sunday afternoon at about five o'clock, **William Clarke**, aged about four years, the son of **Edward Clarke**, boatman, was found dead in a feeder of the Shropshire Union Canal at Atherley Bridge, Bushbury. It is supposed that the child left the boat and fell into the water, whilst playing on the bank the same afternoon. Mr Thomas, surgeon, was called in on the child being found, but he did not see the deceased alive.

17 12 September 1860

A WOMAN FOUND DROWNED On Sunday afternoon last, the body of **Mary Evans**, wife of **Edward Evans**, boatman, was found in the canal at Gorsebrook, near this town. One of the arms was broken and there were several bruises on the body. It appears that Evans and his wife worked separate boats, and that the deceased arrived in this town on Saturday, her husband being some miles behind her. She was last seen alive on Saturday night by her daughter or daughter in law in Stafford Street, when they parted company. On Sunday morning her husband, who had come to Wolverhampton to see his wife on business, applied to the officer on reserve at the police station for information respecting her, but receiving none he expressed a fear that she had by some means fallen into the canal. Shortly afterwards, Police officer Smith took some drags and dragged the canal, and found the body near Gorsebrook, not a very long distance from where her boat was moored. He found the body injured as described, but the fracture and bruises it is thought were caused by boats passing up and down the canal. Her husband describes the deceased as a sober woman, and how she got into the water is not known.

18 12 September 1860

WOLVERHAMPTON POLICE COURT, FRIDAY SEPTEMBER 7 **George Dixon**, a boatman, charged with stealing a plank, the property of the Staffordshire and Worcestershire Canal Company, was ordered to be committed for seven days ; but on his representation that he had no one to take care of his boat, and the recommendation of Mr Markham, who appeared for the company, he was discharged on entering into his own recognisance to appear, upon notice, at the quarter sessions, and payment of expenses.

19 19 September 1860

Yesterday at the Borough Police Court, Mary Ann Phillips, charged with having on the 22nd of June last, robbed **Charles Cartwright**, a boatman, of a sovereign and a pair of trousers in a house of ill fame, was remanded till tomorrow (Thursday). The prisoner had been absent from Wolverhampton since the robbery, and was apprehended at Walsall on Monday by detective officer Cadman.

20 19 September 1860

TIPTON

ROBBING MESSRS HICKMAN'S TOMMY SHOP Early on Sunday morning last, Inspector Adams and police-constable Langdon met with two men who had in their possession a quantity of tea and other articles. From the account they gave, the inspector was induced to go to the works of Messrs Hickman, and at the tommy shop found a number of the men formerly employed in the works. They were in the act of helping themselves to what the store contained. The reason for such a proceeding is said to be that wages are due to the men. One of the men was captured. His name is **William Whitehouse**, a boatman in the employ of the Messrs Hickman, and he says that he took the tea and sugar for his wages, having been out with his boat for several weeks. Others of the men have, it is said, received a quantity of scrap iron from the works under similar circumstances. The prisoner was brought before the Magistrates at Wednesbury yesterday, charged with felony, but he was discharged on his own recognisances to appear on Tuesday next and answer the charge. Proceedings were ordered to be taken against the other men.

21 26 September 1860

TIPTON

THE CASE OF ROBBING THE "TOMMY SHOP" At the Wednesbury Police Court on Monday, before Thomas Jesson and Thomas Davies Esqs, **William Whitehouse**, formerly boatman in the service of the Messrs Hickman, appeared to answer the charge of robbing the stores of his employers. It will be remembered that the case was gone into last week, but was remanded for the production of further evidence. The facts were then stated, when for the defence it was contended that Whitehouse and others were told to take the goods in payment of wages due. A further remand was ordered, on the application of Mr Bodill, who appeared for the official assignee, till Tuesday next.

22 26 September 1860

DUDLEY

EXTRAORDINARY CASE On Wednesday at the Police Court, before Captain Bennitt and C E Molyneux Esq, John Fletcher, labourer in the employ of Messrs Hingley and Sons, was charged with having assaulted **Ann Commander**, the wife of a boatman, with intent to commit a rape. Prosecutrix stated that she lived at Windmill End, and that on Saturday she had some words with her husband, and he went out about eight o'clock in the evening and did not return until three or four on the following morning. He made a noise at the door, and witness went down and opened it, but did not see anybody with him. Leaving her husband downstairs, prosecutrix went to bed, and in about five minutes time, someone, who witness thought was her husband, got into bed with her. Prosecutrix subsequently heard someone moving about the room, and asked her husband whether he had not brought someone upstairs with him. Prosecutrix then fetched a light, and found that it was the prisoner and not her husband who had been in bed with her, and discovered her husband under the bed, laughing. Prisoner had taken no liberties with her, but when she attempted to run after him her husband caught hold of her, knocked her down, and rendered her insensible. Prosecutrix called out murder, and a neighbour came to her assistance. The husband of the prosecutrix did not appear. The Bench sentenced the prisoner to two months imprisonment with hard labour.

23 10 October 1860

BRIERLEY HILL

INQUEST AT ROUND OAK On Monday last, an inquest, adjourned from the 1st instant, was held at the Britannia Inn, Round Oak, before W H Phillips Esq, touching the death of **Hannah Blick**, aged 40, who died on Saturday the 29th ult under the following circumstances :- The deceased was the wife of **John Blick**, a boatman, and on the day in question she fell from the stern of a boat into the canal, near the Round Oak works. She had been sitting on the stern of the boat with her child in her arms. Her husband was going along the canal bank towards her, and saw her fall overboard, and went promptly to her assistance, and in a short time she was got out of the water in a state of insensibility. She was taken to the Britannia where, in about fifteen minutes, she expired. The deceased was intoxicated when she fell into the water. The Jury returned a verdict of "Accidental death".

24 17 October 1860

WOLVERHAMPTON POLICE COURT, SATURDAY OCTOBER 13

THEFT BY A BOATMAN **John Wilden** alias "Wingey", a one armed man, was charged with stealing 5 cwt of straw, value 3s 6d, the property of Thomas Ward, Walsall Street. Prisoner had been employed in loading a boat, and several trusses of straw having been missed, traces were tracked along the towing-path and Walsall Street to the prisoner's lodgings in Piper Street. He had sold two bundles to Mr Joseph Clarke, the landlord of the Old Bush, Piper's Row. He pleaded guilty, and was sentenced to three months imprisonment.

25 21 November 1860

STEALING TURNIPS AND ASSAULTING A POLICE-CONSTABLE At the Petty Sessions on Monday, before W Trow and Frank Evers Esqs, **Andrew Mason**, a boatman, was charged with stealing turnips from a field, the property of Mr Webb, farmer at Wordsley. The defendant was also charged with assaulting Police-constable Wood, who had been set to watch the turnip field, whilst he was in discharge of his duty. The charge of turnip stealing was not pressed, but the Bench fined the defendant 10s and costs for the assault.

26 12 December 1860

WEST BROMWICH

EXTENSIVE ROBBERY AT THE STAFFORDSHIRE IRONWORKS On Saturday last, at the Public Office, before Lord Calthorpe, Sir F E Scott, Bart, and A Kenrick Esq, John Havens, a bailiff of the Bankruptcy Court, John Gilbert, **Thomas Whitehouse**, a boatman, and Edward Withers, a labourer, were charged with having stolen, and Edwin and James Steventon, marine store dealers of Swan Village, were accused of having received with a guilty knowledge, a large quantity of iron from Greet's Green Ironworks, late the property of Messrs Cross, Son and Co. Mr F Badham, messenger of the Bankruptcy Court, attended to prosecute, and, instructed by Mr Owen of Wolverhampton to conduct the case, Mr John Smith of Birmingham was retained for the prisoner Havens ; Mr Edward Powell of Birmingham appeared for the two Steventons ; and Mr Bayley of Wednesbury, instructed by Mr Hall of Bilston, for Gilbert and Whitehouse. The other man, Walters, had no legal assistance. John Downes of Greet's Green, a mill roller, stated that on the evening of November 30th, he was near Messrs Cross's works, in company with a man named Parkinson. They saw Havens come off a bridge near, and whistle. Directly after, on going upon the bridge and looking into the canal, they saw three men loading a boat with pigs of iron. They watched for nearly two hours, and finally saw the prisoner Whitehouse pushing the laden vessel along the canal in the direction of Steventon's premises. A man named Seager was also with witness, and Parkinson and he said to Whitehouse, referring to the iron in the boat, "You've done a pretty thing for yourself", but Whitehouse only laughed. They followed the vessel to Steventon's premises. Here they saw Havens and Gilbert, and witness laying hold of the former and referring to what he had witnessed as to the iron, said to Havens, "You ought to give me £100". Havens then slipped a

sovereign into the hands of witness, and gave another to Seager. They all then went into an old public house near, kept by Mr Quilt, and had some drink. The prisoner Edwin Steventon came in soon after, and said to witness, "You're a ---- fool, for I could have placed a pound or two a week in your pocket". With reference also to this, Havens, with an oath, said, "It's all Seager's fault". He sent for Parkinson. When they left the public house, they went to the laden boat in Steventon's yard. Here they found Whitehouse and James Steventon unloading the stolen iron. At this time, the other man, Edwin Steventon, came up with a gun in his hand, and said to witness, "If you touch the boat, I'll blow your brains out". Witness's answer was, "Blow away ; you can only blow one at a time". The iron was unloaded from the boat and a cart, drawn by a mule, was in readiness to receive the pigs of iron. Upon the premises of Steventon, there was a cupola for melting iron, but it was not then at work. Directly after this, witness went for the police, and Sergeant Lester came first, whilst they were unloading the boat, followed by Inspector Holland, and the whole of the prisoners were taken into custody. Walters had only been engaged about an hour to help to unload the boat. Parkinson and Seager confirmed, so far as they were concerned, the evidence of Downes ; and in the course of Parkinson's examination, it was shown that Gilbert was cognisant of the money which had been given by Havens to the witnesses. Richard Haynes, who stated that he had been employed to weigh up the iron belonging to the firm of Cross and Son, for sale by auction, stated that on the night of the robbery, the prisoner Havens met him, and said to him, "I want you to assist in putting a little iron into a boat". He and Havens, assisted by Gilbert, James Steventon and Whitehouse, went with the boat up the arm of the canal, and took the iron in question from off the different stacks in and near the forge. At that time, he (witness) did not suspect that there was anything wrong. At the time the money was given to the witness Downes and others, he heard Havens say, "There's a quid for you". Havens was on the bridge near the boat all the time they were putting the iron into the vessel. Havens at the last gave witness a sovereign, and advised him to go home and go to bed. Inspector Holland proved that when he apprehended Havens, he found in a pocket book in his possession a sum of £17. Gilbert denied that he had been concerned in the matter. Mr Holland, who produced a portion of the stolen iron pigs, stated that as regarded the brands upon them, four in number, they exactly corresponded with the iron left upon Messrs Cross's premises. Sergeant Lester apprehended Whitehouse, who said, "I only helped to unload the boat with the iron". Walters said that he was merely engaged to help to unload the iron, which would make four or five shillings. The Magistrates committed the whole of the prisoners to the next sessions for trial ; but admitted Walters to bail.

27 2 January 1861

WORDSLEY

CONVICTION FOR SELLING ALE WITHOUT A LICENCE At the Petty Sessions on Monday, before F Smith and F Evers Esqs, **George Jones**, a boatman residing at Brierley Hill, was charged by Superintendent Mills with selling ale in violation of the Act, he having no licence for the same. The charge was abundantly proved, and it was shown that the defendant was an old and well known offender, and the Bench inflicted a fine of £4 and costs, amounting in the aggregate to £6 18s. There were three separate charges against the defendant's wife, but they were withdrawn on payment of expenses.

28 9 January 1861

INSOLVENT DEBTOR, in the Gaol of Stafford, to be heard before the Judge of the County Court of Staffordshire at Stafford, at the Shire Hall at Stafford, on the 22nd day of January 1861, at the hour of ten in the morning precisely.

JOHN SOUTHALL, heretofore of Caponfield in the parish of Sedgley in the county of Stafford, carrying on the business of a Beerseller and Dealer in Tobacco, at a house called or known as the Britannia Tavern, and at the same time being employed as a Labourer and Boatman ; afterwards of High Street, Bilston, in the county of Stafford, carrying on the business of a Beerseller and Dealer in Tobacco, at a house called or known as the Britannia Tavern ; since of Highfields, Bilston, in the

county aforesaid, being employed as a Labourer and Boatman only ; and late of the Duke of York Tavern, Ettingshall Lane, Bilston Road, Bilston, in the county aforesaid, carrying on the business of a Licensed Victualler and Dealer in Ale and Tobacco, and being also employed as a Labourer and Boatman.

Hugh Barber, Stafford, Attorney for the Insolvent.

29 16 January 1861

WOLVERHAMPTON POLICE COURT, THURSDAY JANUARY 10 **Henry Gough**, a deserter from the 76th Regiment, was ordered to be committed to Stafford to await orders from the War Office respecting him. It appeared that the desertion took place in 1858, and in the meantime the defendant had worked as a boatman, but being out of employ since the commencement of the frost, he had given himself up on the preceding night at the police station, almost in a state of starvation.

30 27 February 1861

WOMAN DROWNED NEAR KINGSWINFORD On Friday last, Mr Phillips, coroner, held an inquest at the Rose and Crown Inn, Bromley, near Kingswinford, on the body of **Eliza Hawkins**, a married woman aged 45 years, which had been found in the canal near the Leg's Bridge with a severe bruise on the right side of the forehead. The husband of the deceased is a boatman, and his boat was lying near the bridge, and it is supposed that the deceased accidentally fell into the water as she was endeavouring to reach the boat, on the previous Monday evening. She was in the habit of taking drink. The jury returned a verdict to the effect that the deceased was found in the water, but by what means she got there, there was no evidence to show.

31 13 March 1861

STAFFORDSHIRE ADJOURNED SESSIONS

THURSDAY The following prisoners were also tried during the day :- **Joseph Lockley**, boatman, for stealing a silver watch, the property of John Bridgewater of Kinfare, after a previous conviction, was sentenced to ten years penal servitude.

32 3 April 1861

WOLVERHAMPTON POLICE COURT, THURSDAY MARCH 28

ALLEGED INTENT TO COMMIT A FELONY **Thomas Johnson**, a boatman, who said he had for many years been in the employ of the Bridgewater Trustees, was charged with having, on the morning of Tuesday, been on the premises of the Great Western Railway Company at the Victoria Basin, with intent to commit a felony. It seemed that the prisoner and another man not in custody were found on the premises between three and four o'clock in the morning, and that the doors of a waggon standing near to the place where the prisoner was apprehended were open. The waggon contained goods, and a short time previous the doors were seen fastened. The prisoner was unable to give a satisfactory account of himself. He had been remanded from Tuesday, when he was first brought up, till today, to give him an opportunity of producing some person on behalf of his late employers to give him a character, but no such witness appeared. The Magistrates committed him to prison for two months.

33 10 April 1861

WOLVERHAMPTON POLICE COURT, THURSDAY APRIL 4

A SUSPECTED THIEF A boatman named John **Vickerstaff** was charged with having been on the premises of Mr Moore of Priestfield for an unlawful purpose. Mr Moore had a hay stack near the mill at Dunstall, and he and some of his neighbours having lately lost a quantity of hay, it was determined that the rick named, and others in the vicinity, should be watched. On the night previous, the prisoner was found at the prosecutor's rick, but he had not meddled with any of the hay. Mr Cale of Aldersley had a short time before suffered similar depredations, and when the prisoner was taken into custody, it was observed that his boots corresponded with foot prints leading

to the canal from Mr Cales's stack. Remanded.

34 17 April 1861

MURDER OF A BOATMAN NEAR COSELEY In our last, we stated that an old man named **Walter Piper**, a boatman, was violently assaulted and robbed on the night of the 25th ult by two men, as he was returning from Bilston to his lodgings in the Darkhouse Lane, in the parish of Sedgley. We have now to record the death of the unfortunate man, which took place on the 9th instant, from the effects of the injuries he had received. On Wednesday, an inquest on the body was opened at the Bull's Head, Darkhouse Lane, before W H Phillips Esq, deputy coroner, when the following witnesses were examined :-

George Wootten stated that he was a shoemaker, living in the Darkhouse Lane. The deceased, who was a single man about sixty years of age, lodged with him. On the morning of the 25th of March last, he left his home in the morning, saying that he was going to take a boat to Birchills for his employer, **Mr Samuel Willcox**, of Darkhouse Lane. He used to go to Ladymoor every night to feed his horse, and on every Monday night it was his custom to go to Bilston market. At about nine o'clock on the evening of that day, witness heard that the deceased was injured, and lay in the house of Thomas Jones, a neighbour. He went thither, and found him suffering from a frightful blow in the forehead, the skull being driven in between the two eyes. When the deceased slightly recovered, witness took him to his house and sent for Mr Smith, surgeon, but he did not come. The next morning, Mr Best of Bilston was sent for, and his assistant came, and the deceased continued to receive medical attendance until his death. On Sunday, after he had been insensible, he said that he was coming through the Blue Button Leasow in Ladymoor when two men sprang out of the hedge close by the pathway, one of whom clutched him by the throat, and the other dragged him out of the footpath and under a hedge, where they rifled his pockets of a brass tobacco box containing 3s 6d, and a bag containing 1 lb of bacon, 1 lb of cheese, two small loaves of bread, some meat, an empty basin and a plate. He was a very quiet man, and witness never knew him to quarrel with anyone. His friends lived at Hagley, and his employer was a very distant relative. He had no property but what was in his (witness's) house, and he was in the Bilston New Church Club.

Thomas Jones deposed that he was a miner, living in the Darkhouse Lane. He had known the deceased well for many years. A fortnight last Monday, about nine o'clock at night, he was returning from Bilston along the footpath through the Blue Button Leasow, and about twenty yards from the stumps or stile at the entrance, a man ran past him on his left side at a great speed, in the direction for Bilston. He had something under his arm. About forty yards further on, witness met another man, wearing a round jacket and light trousers who, on coming up to him, said, "Where is he? Where is he? Oh, I see him", and then ran in the same direction as the other man had taken. The night was very dark, and no man could see another far off. The only light that existed proceeded from some furnaces about 300 yards distant. Forty yards further on, witness found the deceased lying with his face to the grass, and moving his hand about on the ground, but he could not speak. His hat was off and lay on the grass near him. When witness picked up his hat and saw his face, he knew who it was, and asked him "if those men had been doing something to him". He did not speak until witness had lifted him up, when he became conscious, and said he had been robbed of his marketings. He was bleeding from a wound in his forehead. Witness had seen him three quarters of an hour before near Mr Higgins's in High Street, Bilston, with his bag, and going in the direction of home. He was quite sober. The spot where he was found was the first secluded spot on the road to his house. When witness had picked him up, he seemed very anxious to keep the matter quiet, and said, "Don't make a bother about it – keep the matter quiet", He also insisted on going to the water to wash the blood from his face. Witness went with him, and if he had not held him, he would have fallen into the canal. He took him to his (witness's) own house, and with his wife attempted to stop the bleeding, but could not. They also sent for deceased's landlord, who came, and the deceased was removed to his lodgings.

Mr H M McCrea, superintendent of police at Bilston, stated that he saw the deceased for the first time after the occurrence on Friday the 28th ult. On that day, Mr Bowen, Magistrates' Clerk at

Bilston, took the deceased's deposition at his lodgings, in the presence of the Rev H S Fletcher, a Magistrate. He said he thought he should die. Witness was present, and now produced the deposition. It was to the effect that as he was turning across the meadow, a man suddenly knocked him down with a blow between the eyes with some instrument, and not the fist ; that a second man then attempted to throttle him, and afterwards robbed him, dragging him from the footpath into the field. He did not see the men until they sprang upon him.

It was stated that the tobacco box had a railway carriage on it, and was indented at the bottom.

The Deputy Coroner then adjourned the inquest till Tuesday the 23rd inst, in order that further evidence, including that of the surgeon, might be produced.

35 24 April 1861

WOLVERHAMPTON POLICE COURT, FRIDAY APRIL 19

ROBBERY BY BOATMEN **John Yates** and **Edward Evans**, two boatmen, were brought up on remand from Wednesday, charged with having stolen a pair of trousers, a pair of boots and a silver watch, the property of another boatman named **Thomas Wise**, brother in law of the prisoner Evans. The robbery was committed some days ago at ?Calley?, the property having been abstracted from the cabin of a boat on which the prosecutor was employed. The prisoners were apprehended in Wolverhampton with the property in their possession ; Evans was offering the watch in pawn at the shop of Mr Lee, in Bilston Street ; the boots were found on Yates, and the trousers at his lodgings. The prisoners were transferred to Penkridge.

36 1 May 1861

BIRMINGHAM

SINGULAR AND FATAL CASE OF SOMNAMBULISM Last week an inquest was held at Budbrooke, near Warwick, touching the death of a young woman named **Caroline Dudfield**, who was found in the Warwick and Birmingham Canal. The deceased was the wife of a boatman, and slept with her husband in the cabin of his boat on the canal on Sunday night. Early the next morning, she was missed from the cabin, and shortly afterwards found by the lock-keeper in the canal, quite dead. The deceased had been in a low desponding state, having lately had a tumour removed from her neck ; and there were no marks of violence about the body. Dr Tibbitts of Warwick, who made a *post mortem* examination of the body, stated that death was the result of drowning, and that the deceased probably left the cabin in a state of somnambulism, to which she was liable, and thus had fallen into the canal. The jury returned a verdict of "Found drowned".

37 22 May 1861

DUDLEY

EMBEZZLEMENT BY A BOATMAN **Henry Ford**, a boatman, was on Monday last committed for trial by W Haden Esq on a charge of having misappropriated £4 10s, the money of his employer, Richard Edwards, coal dealer of Worcester. The money was sent to the prisoner to pay tonnage with, but he spent it in Birmingham.

38 29 May 1861

STEALING HAY *Conviction of the Thief and the Receiver.* Yesterday at the Borough Police Court, before C Clark Esq (Mayor) and M Ironmonger Esq, **Thomas Herrick**, a boatman, and **Joseph Millward**, a youth, were charged, Millward with having stolen two trusses of hay, the property of Mr Rice of Tewkesbury, and Herrick with being an accessory after the fact. A boat load of even meadow hay, consigned to different parties in this town, was on Monday brought to Wolverhampton, under the charge of **William Hook**. Of this four tons were delivered to the Union Mill Company, Millward assisting in the unloading. The remainder was left safe in the boat on Monday night, but on the following morning two trusses were missing. These were found in Herrick's boat, which was lying about ten yards from Hook's. On being asked by Hook where he had the hay from, Herrick said he had purchased it, but declined to say from whom. Millward and a

boy named **Preece** were, it seemed, left in Hook's boat about two hours while Hook was absent, and it is supposed that Millward removed the hay when Preece was asleep. Herrick told Police-constable Smith that he bought the hay with three other trusses, and that his horse had eaten all but two. After once refusing to say where he bought the hay, he said the prosecutor's boy (Millward) sold it to him. When before the Magistrates, Herrick said Millward represented that he was son of the captain of the boat ; that the hay was overplus and belonged to the captain ; Millward put it into his (prisoner's) boat, and asked 3s 6d for it, which Herrick gave, Millward denied that he sold the hay to Herrick. Both prisoners elected to be tried by the magistrates, and they were sentenced each to one months imprisonment. Herrick received a good character from the Bridgewater Trustees (his employers), and from a person who was in court.

39 5 June 1861

WORDSLEY

COMMITTAL OF A HORSE STEALER At the Public Office on Monday, Charles Sidaway was charged with stealing a horse, the property of **Abraham Jimmins**, a boatman of Oldbury. Prosecutor stated that on the night of the 26th of May he saw the horse in question safe in a field in Oldbury ; he, however, missed it on the 27th. On the 28th, he had the horse returned to him by Mr Mills, Superintendent of Police. He could swear to the horse by certain marks upon it. **Edward Williams**, a boatman living at Moor Lane, deposed to prisoner having offered him the horse for sale on the 27th of May. He wanted £5 10s for it at first, but eventually offered it for £1. This excited his suspicion, and upon questioning him he said that his name was Bishop, and that he came from Old Hill, but he could not give any explanation of how he came by it ; he gave him into the custody of the police. Police-constable Clark deposed to receiving the prisoner into his custody from the last witness. He took the man and horse to Brierley Hill, and handed them over to Superintendent Mills. Upon charging him with stealing the horse, he said, "I may as well tell the truth ; I stole it from a field at Oldbury." Edward Harley, a saddler of Brierley Hill, deposed to having sold the prisoner the halter produced on the morning of the 27th. He was committed for trial at the Sessions. He has been previously convicted for a similar offence.

40 19 June 1861

STOURBRIDGE

FATAL ACCIDENT On Saturday last a man named **James John Turner** was accidentally killed under the following circumstances :- Deceased was a boatman, eighteen years of age, and on the day in question was engaged in loading some iron at the wharf of Messrs Lloyds Fosters. A piece of iron was being wound up by a crane and turned into the boat when, from some cause at present unexplained, the iron fell, striking deceased on the neck and instantaneously killing him. An inquest will be held on the body this day.

41 3 July 1861

ACCIDENT IN THE MARKET PLACE About 6 o'clock on Thursday night, during the time A Staveley Hill Esq was addressing a number of persons in the Market Place, a woman named **Mary Shaw**, wife of a boatman residing in Herbert Street, was attempting to cross the cart road, when she was knocked down and trod upon by a horse that is supposed to have taken fright at the crowd. The woman's left foot was crushed in so severe a manner that she was at once removed to the General Hospital, where her case was promptly attended to by the House Surgeon, and we are glad to say she is now progressing very favourably.

42 10 July 1861

EXTRAORDINARY CHARGES AGAINST A COLLIERY CLERK AT WORDSLEY

COMMITTAL OF THE ACCUSED At the Wordsley Police Court on Monday, before H St John Mathews and Frank Evers Esqs, Enoch Brown Beardsmore, lately a colliery clerk in the employ of his brother-in-law, Mr Samuel Spruce, colliery proprietor of the Lay Colliery, Kingswinford was

charged with stealing 140 tons of coal, the property of his late employer. He was also charged upon several counts with embezzlement and robbery to the amount of £300. Dr Kenealy of the Oxford Circuit, instructed by Mr Walker of Stourbridge, prosecuted, and Mr J Walker of Wolverhampton defended. Dr Kenealy, in opening the case, said he had been instructed to prefer several charges of felony against the prisoner, committed between the months of January and March 1861, in conjunction with a man named **Samuel Harrison**, who was unfortunately not in custody. He must beg the magistrates to give their patient attention to the case, as Mr Spruce, the prosecutor, was a loser to the amount of about £300. Mr Spruce resided at Tamworth, and was proprietor of the Lay Colliery in Kingswinford. Some time ago, the prisoner entered his employ as colliery clerk, his duties being to effect sales of coal, receive monies paid at the colliery, pay wages, and to interest himself generally in the business. In the month of March last, the prosecutor discovered that several tons of coal had been sent away from the colliery, and not accounted for in the books. Circumstances led Mr Spruce to accuse the prisoner of being concerned in the transaction. He at first denied any knowledge of the matter, but in the course of the conversation he admitted that coal had been sent away and not accounted for. Being a relative, Mr Spruce did not dismiss him, but discharged him from his situation as colliery clerk, and placed him on the wharf as boat catcher at a salary of £1 a week instead of 30s, which he had previously received, prisoner giving him his note of hand for £100 as security for his future good behaviour, and he was then placed under the orders of Mr Dodson, the new clerk. On the 16th of May Mr Spruce became aware of certain robberies, and he at once discharged the prisoner and Harrison from his service, and eventually took the present proceedings against the former, his accomplice Harrison having escaped. The learned counsel then proceeded to state the *modus operandi* upon which the prisoner and Harrison had proceeded. It appeared that the man Harrison had been in the habit of soliciting orders for coal whilst engaged as a boatman, and that under the name of Harrison and Co he and the prisoner sold coal to the amount of £64 10s to Messrs Knight and Co of Cookley, and under the name of Barney and Co they sold coal to the value of £40 to Messrs Westwood and Moore of Brettel Lane. Harrison received cheques from three firms, and they were endorsed by the prisoner. No account with either of these firms appeared in Mr Spruce's books, and on inquiry he discovered he had been shamefully robbed. Mr Kenealy then proceeded to call the following witnesses :-

Mr Spruce said : I am a coalmaster and live at Tamworth, and am proprietor of the Lays Colliery at Kingswinford. The prisoner entered my employ as colliery clerk in February 1861. His duty was to make sales of coal, gauge boats, keep ticket books and ledgers, receive ready money paid at the colliery, keep workmen's accounts, and pay wages with money supplied by me. He was also to give me an account of the cash received and paid every fortnight, and an account of sales every month. Some time in March 1861, I received information of sundry loads of coal having been taken from the mine by Beardmore, and not accounted for. I charged Beardmore with it, and he said he had not been cognisant of it, but he afterwards admitted, at the same interview, that he had sent away eight or ten tons to Barney. Barney was a neighbour of his, and lived near his house. There is a firm in Stourbridge known as Theophilus Barney and Co, but they are not in the coal trade. After hearing his statement, I ordered him to make up his accounts. He made them up to the 27th of March, and claimed a balance of £8 19s, which I paid him. I then dismissed him from the office of colliery clerk, and engaged a Mr Dodson to succeed him in the office. I, however, consented to allow the prisoner to act for me in the capacity of boat catcher, reducing his salary from 30s to £1 per week, and he was from that day to act under the orders of Mr Dodson. He was to look after the labourers employed by me, as well as catch boats, but he was not to receive or pay moneys for me, that being part of Mr Dodson's duty. I gave the prisoner directions that he was not to receive or pay money. He offered me security for his future good behaviour, in a note of hand for £100, which he afterwards gave me. At this time I had no knowledge of prisoner's transactions with Knight and Co, or Westwood and Moore, or of the defalcations I subsequently discovered with Hampton, Walker, Smith and Evans. I first received information on the 10th of May 1861 of a quantity of coal having been taken away, through a person named Isaac Hampton. Before I charged the prisoner, I made inquiries of Hampton of the coal that had been taken away. On the 11th of May, I charged the

prisoner with having sent the coal to Mr Hampton's, and he said whoever had told me so had told me a lie. The value of the coal sent to Hampton amounted to a total of £125 12s 2d. There is nothing in my book to account for this sum, and I can undertake to swear that I have not been paid one sixpence upon that amount. I did have dealings to the amount of £35 with Hampton during the time that Beardmore was in my service, but there are items in the books on that account. I at once dismissed the prisoner from my service. I had during the prisoner's time a person named Harrison in my employ, as a boat steerer and labourer. On the 14th of May I met Harrison near Dudley and charged him with various robberies in conjunction with the prisoner, in respect of Westwood and Moore. Harrison ran away and I have not seen him since. The coal taken away was thick coal. Cross-examined by Mr Walker : This is not the first time I have had the prisoner before the Magistrates. I had him up at Stourbridge on the 12th of June, and the charge was dismissed. I knew at that time of these charges, but by the advice of my solicitor I did not bring them on. I charged him then with sending coals away without accounting for them. I did not find the name of Barney in my books. When I asked him about the matter, I told him that a quantity of coals had gone to Hampton's which had not been accounted for. The coal I charged him with stealing was sent to Knight and Co of Cookley, and there is no entry in the books of that firm. I do not know of my own knowledge how the coals got conveyed to Knight and Co. On referring to my books, I find the names of Shinton, Evans and Smith. I won't undertake to swear that the coals entered to Shinton did not go to Knight and Co. I know **Evans** is boatman and coal dealer at Worcester. I pay royalty to Messrs Firmstone, and they have a check clerk at the colliery. Their check corresponds with the chartermaster's account, and Beardmore's account corresponds exactly. The Canal Company also keep an account, but I have no opportunity of checking their accounts. Messrs Westwood and Moore have had four boat loads of coal, of which I find no account.

Alfred Weston : I am a canal clerk under the Stourbridge Canal Company. I keep the sixteen locks at Brockmore ; they are close to Mr Spruce's colliery. I know **Paul Harrison**, and remember him passing the locks with coal for Cookley. He came with the boats and paid the tonnage for Cookley. The father of Harrison paid the tonnage once. I know **George Crowhorn**, and saw him come through with one boat load with Paul Harrison, We make the tickets out from declarations in writing with the parties who have credit, but those who pay tonnage we do not keep an account of. I produce four tickets, made out from the declaration made by Harrison. The declarations I produce were delivered by Harrison. The declarations are made upon a printed form of which Mr Spruce has a supply. I believe the declarations I received from Harrison are in Beardsmore's writing. It is usual to insert in the declarations the name of the steerer. The name of Crowhorn is on two of the declarations as steerer, but he only steered once. We do not take much notice of the declaration when they pay the tonnage. The tonnage was paid in all four cases. The tickets in my book correspond with the declarations produced. Witness then proceeded to give a statement of the quantity of coal contained in each boat which passed through the locks, making up the amount prisoner was charged with stealing.

George Harrison, a labourer living at Chapel Hill, said he was in the employ of Mr Spruce at different times from January to March, when he left his employ. Remembered going twice to Cookley. He believed it was some time in February. He took the coal to Cookley by direction of Mr Beardmore. He was not paid any money on Mr Spruce's account on either occasion. He remembered taking about four boat loads of coal from Mr Spruce's to Westwood and Moore's. This would be since Christmas, and the last load he took would be about the beginning of April. Paul Harrison was his son, and went with him on one occasion to take the coal to Westwood and Moore's. There is no lock between Spruce's collieries and Westwood and Moore's, where it is necessary to leave a declaration. He took the coal to Westwood and Moore's by the direction of the prisoner. He never received any money from Westwood and Moore on account of Mr Spruce. Cross-examined : All the boats he took were gauged by the lock-keeper. Mr Dodson saw two boats go to Westwood and Moore. My son was never in the coal trade, and no coals were ever bought by me. We have no place of business.

Thomas Harrison, aged 12, son of the last witness, said : He had accompanied his brother Samuel

twice to Cookley with coals. The coals came from Mr Spruce's colliery. He saw Beardsmore before the coals started, he said they were to make haste there and make haste back. Upon one occasion, he saw **Benjamin Mullett** at Spruce's wharf, before they left. He told Benjamin Gill, the engineer, that they were going to Cookley. His brother never scolded him for telling Gill where they were going.

William Brookes, a colliery boy at Bromley, said : He had been employed at Mr Spruce's colliery. He knew Samuel Harrison, the boat catcher. He remembered Samuel Harrison asking him to go to Cookley with him with a boat load of coal. He went with Harrison and the last witness, but could not say whether Mr Dodson had come to the colliery when the boat started. Could not say what month it was in, but the weather was cold.

Benjamin Mullett, a boat loader in the employ of Mr Spruce, said it was his duty to superintend the loading of the boats, and Beardsmore gauged. He ought to have been paid for all the boats that were loaded, and he had several times complained to Beardsmore of not being paid for all of them. He remembered one morning Samuel Harrison came and took away a boat load of coal in Hampton's boat. He remembered Mr Dodson coming and taking the place of Beardsmore. Three months before that time, Beardsmore ordered him to load several boats for Westwood and Moore. He was sent by Beardsmore on one occasion to fetch a boat from Westwood and Moore's, that was one of the boats he had loaded at Mr Spruce's colliery. It was one of Hampton's boats. Cross-examined : Had never seen any money paid for boat hire and had never witnessed a man named Husley pay for boat hire but once. He had never signed any documents, as he could not write. He had once been informed that a loaded boat went to Cookley, and he saw the boat leave the wharf. When he complained to Beardsmore that there were boats loaded which he had not been paid for, the latter said that if there was one short he would put it in the next fortnight. He was paid by the ton for what he loaded.

George Boyd, a man in the employ of Messrs Knight and Co of Cookley, said it was his duty to take tickets from boatmen for coals received for his employers. He had received tickets from Samuel Harrison, which he handed to Mr Walford. The tickets produced were those given him by Harrison. He repeatedly asked Harrison where the coal came from, but he never told him.

Thomas James Walford, a clerk in the employ of Messrs Knight and Company, said he remembered Messrs Knight having dealings with Messrs Harrison and Co. He remembered a young man who steered the boat coming on the 13th of March with a load of coal, and then presented an account, and he (witness) gave him a cheque for £26 8s, and Harrison gave him a receipt ready stamped, and signed "Samuel Harrison and Co". Upon the 19th of April he paid a second cheque for £35 2s 10d, and received a similar receipt.

Mr William Penny, manager of the Kidderminster Bank, stated that Messrs Knight and Co kept an account at their bank. He produced two cheques drawn in favour of "Samuel Harrison and Co", or order, and signed by Messrs Knight. The first was dated the 13th of March and was for £26 8s, and the second on the 9th of April, for £35 2s 10d. Both cheques were endorsed by the prisoner.

Edward Windmill, manager at Messrs Westwood and Moore's works at Brierley Hill, said it was part of his duty to order coals. He knew Harrison, and had given him orders. The tickets produced represented the amount of coal bought of Harrison. (Five tickets were here handed in, purporting to be for "Barney and Co", all in the handwriting of the prisoner). Harrison had called for the money. Delivery tickets were generally printed, but these were written. He produced two accounts and receipts for coals supplied by Barney and Co ; the first, on the 15th of January, amounted to £30 2s 6d ; and another, on the 1st of March, for £24 7s 6d. Harrison told him that "Barney and Co" were a company at Bromley.

Mr Spruce, recalled, stated that he had no account in Beardsmore's handwriting corresponding with the entries at the canal locks. The seven delivery notes to Messrs Knight and Co, and the delivery notes to Messrs Westwood were in the handwriting of Beardsmore, and also the endorsement on the cheques. There were no entries in his books relating to Barney and Co, Harrison and Co, Knight and Co or Westwood and Moore. This concluded the case for the prosecution.

Mr Walker, for the prisoner, made an able defence, in the course of which he contended that the

witnesses for the prosecution had failed to make out the offence of stealing. Supposing that a fraud had been committed by the prisoner; every fraud was not a crime. Even admitting that the coal had been sold in the name of "Harrison and Co" or "Barney and Co" by the prisoner, that did not show that every ton of coal that had been raised was not accounted for and entered by the prisoner. The prisoner knew that Mr Spruce would not boat away coal, but Harrison did not see any reason why he should not sell the coal if he could make a profit to himself of 1d, 2d or 3d per ton. He knew that Mr Spruce would object to boating coal, and he had, therefore, adopted the plan of using the names of "Harrison and Co" and "Barney and Co". It was certainly indiscreet to do so, but he could not see how such a proceeding could constitute a felony. Mr Walker having decided not to call witnesses, the Bench announced their intention to commit the prisoner for trial at the Assizes.

The prisoner, who by the advice of his solicitor, declined to say anything, was then charged with having embezzled various sums, the moneys of his late employer, Mr Spruce. A Mr Walker, a coal dealer of (?Colburnbrooke?), deposed to having paid the prisoner £12 16s 6d on Mr Spruce's account on the 15th of June, and Mr Spruce deposed that the prisoner only accounted for £9 7s 3d, leaving a deficit of £3 9s 3d. On the 20th of June, Mr Walker paid prisoner £10 18s 9d, and he only accounted to Mr Spruce for £8 19s 3d, leaving a deficiency allowing for discount of £1 19s 6d. Mr Walker again paid, on the 11th of September and 3rd of October, sums amounting to £24, only £21 10s of which prisoner paid over to Mr Spruce, leaving a deficit of £2 10s. The prisoner was then committed for trial on both charges, bail being refused.

There are three other charges of embezzlement and one of robbery against the prisoner, and it was arranged that they should be taken on Wednesday at the Stourbridge Police Court. The hearing of the case occupied upwards of six hours, and the court was crowded during the whole time.

43 17 July 1861

WORCESTERSHIRE ASSIZES

ROBBERY OF LEATHER FROM THE LONDON AND NORTH WESTERN RAILWAY
William Aston, 38, and **Edward Lloyd**, 20, boatmen, were indicted for stealing 230 lbs of leather, the property of the London and North Western Railway. Mr Motteram prosecuted. Prisoners were undefended. The details of the case have already appeared. The leather consisted of kip butts, enamelled horse hides and calf skins, and were consigned by Messrs Stokes and Co, carriers of Walsall, to Mr Beaman of Stourport. They were packed up and sent by luggage train on the 27th of April last by the South Staffordshire and West Midland lines. When the train arrived at Dudley, and the particular truck was unloaded, Mr Beaman's parcel of leather was missing. Subsequently it was found that the prisoners had sold a portion of the missing leather to two shoemakers, and Superintendent Burton, with Police-sergeant Davis, apprehended the prisoners with a portion of the stolen property in their possession, together with the property not yet identified. With reference to the witness Sidway, who bought some of the leather at 2s per pound, although it was worth 8s, his Lordship remarked it was well he did not stand in the dock. He left the court with a character lost. The prisoners offered no defence, and they were each sentenced to nine months hard labour.

44 7 August 1861

Joseph Normond, boatman, and his son, were accidentally drowned in the Lancaster and Preston Canal a few days since.

45 21 August 1861

WEST BROMWICH

AN UNGRATEFUL THIEF At the Public Office on Saturday last, before Thomas Bagnall and W Sharp Esqs, a boatman named **Henry Clarke**, 18 years of age, was charged with stealing a quantity of wearing apparel, the property of Isaac Hale of Swan Village. Inspector Jennings, Birmingham, stated that he apprehended the prisoner on Tuesday, and found that he had upon him some clothes stolen from Mr Hale. Mrs Hale stated that early in June last her husband met with the prisoner, who was in a destitute state, took him into his house and set him to work. The return he made was, that

after staying in the house a fortnight, he got up early one morning and made off with wearing apparel worth 50s. Prisoner pleaded guilty, and the Magistrates sent him to gaol with hard labour for three months.

46 21 August 1861

BORROWING A HORSE AND THE RESULT THEREOF At the County Court yesterday, before A M Skinner Esq (judge), a boatman named **George Brown** sued a man in the same position of life named William Jones, both of Moxley, to recover the sum of £5, which he laid as the amount of damages alleged to have been done to a horse, his property, by the defendant. Mr Whitehouse supported plaintiff and Mr Claydon, barrister, defended. It appeared that some time last month, defendant borrowed a horse of plaintiff for three days, for the purpose of assisting to load some clover. The horse was returned into plaintiff's possession each day, and on the last day when it was brought back, plaintiff found that it had sustained two or three serious injuries, having a deep wound and a large swelling on one knee, a cut on the other, and a wound upon its nose. Plaintiff swore that the animal had been in his possession for a long period and had never sustained any injury, and he ascribed the wounds upon its knees and nose to a stumble while in the possession of defendant. He also called the veterinary surgeon, who attended the horse after it was brought back, and he also swore that the wounds on the knees were recent ones. On the other hand, Mr Claydon called witnesses who proved that the wound on the off knee was an old one, and that when they saw the horse in defendant's possession, this old sore was discharging matter to a considerable extent, but no blood was to be seen about, which would have been the case if the wound was a fresh one. His Honour was of opinion that this was a case which ought to go before a jury, and the opinion of a scientific man obtained on behalf of the defendant. This suggestion being assented to by the legal gentlemen on each side, the case was adjourned.

47 28 August 1861

ACTION FOR INJURIES SUSTAINED TO A HORSE (Jury Case) On Monday last, a case was heard in the County Court, in which damages were sought to be recovered for injuries sustained to a horse that had been lent to a greengrocer named William Jones at Moxley ; the plaintiff was **George Brown**, a boatman living at the same place. The case, it may be remembered, was reported in our last impression, but owing to the conflicting character of the evidence, the Judge suggested that the matter should be retried before a jury. Mr T M Whitehouse appeared for the plaintiff, and Mr J Walker for the defendant. The plaintiff's case was that in July last he lent a horse to the defendant, and when it was returned its knees were seriously damaged, its nose injured, and its condition generally bad, as though it had been overworked and ill fed. Its most serious injuries were to the knees, and in order to prove that they were not previously broken, a number of witnesses were called on the part of the plaintiff. They swore to the soundness of the animal up to the time it was given into the charge of the defendant, that its knees had never been damaged, and that when the defendant returned it, he plaistered the injured parts with grease, in order to hide the bruises. In defence it was contended that the injury to the horse was first discovered by the defendant while working it in a clover field. His attention was drawn to it by seeing pus run from an old sore on the right knee, and on examining the other knee he discovered another old sore. It was suggested that the injuries were sustained in the first instance in the course of a month or so that the horse had been allowed to run over the pit banks and cinder heaps near plaintiff's house, for plaintiff had had little or no work for him, and then, when put to work, the wound had been reopened. These facts were proved by a great number of witnesses, and the case ended in a verdict for the defendant.

48 11 September 1861

COUNTY PETTY SESSIONS **Edward Evans**, boatman, Wombourn, was fined in a mitigated penalty of 10s for wasting water in the Bratch Lock of the Staffordshire and Worcestershire Canal at Wombourn. The defendant had improperly opened the upper clough of the lock, and allowed water to waste.

49 6 November 1861

STEALING COAL AND IRON Two boatman named **John Aldridge** and **William Johnson** were charged before W Partridge Esq yesterday with having stolen some small pieces of coal and iron from the wharf of Messrs S Groucutt and Co, Bilston, The prisoners worked a boat on the canal, and while it was lying in Messrs Groucutt's basin on Monday last, they were observed to commit the offence. Mr Waterhouse appeared in defence. A witness gave both prisoners a good character, and they were discharged with a caution, on payment of costs.

50 20 November 1861

THE LONDON GAZETTE The following are selected from the list of Bankrupts in the Gazette of the above date :- **Joseph Holloway**, West Bromwich, boatman.

51 1 January 1862

FOWL STEALERS CAUGHT At the Petty Sessions on Friday, before J N Bagnall and H Ward Esqs, two suspicious looking characters named John McCall and John Fletcher were charged with stealing fowls, the property of **John Griffiths**, boatman and beerhouse keeper, Millfield. It appears that Police-constable Fieldhouse was passing by prosecutor's stable at an early hour on Wednesday morning, when his attention was arrested by a noise as of some person inside the premises. He procured assistance, and then went into the stable and caught the prisoner McCall with a number of fowls in his possession. At the same moment, two other men rushed out of the stable and jumped over an adjoining wall, but they were immediately pursued, and one of them (the prisoner Fletcher) secured. The other man escaped. The prisoners had nothing to say in their defence, and they were fully committed to take their trial at the Sessions.

52 8 January 1862

THE MURDER OF MR BAGOTT AT BILSTON

EXECUTION OF BRANDRICK AND RESPITE OF MADDOCKS AND JONES In a second edition of our *Saturday Express*, we gave a full account of the circumstances attending the execution of Brandrick, and the respite of the sentence of death passed upon the two other culprits, Jones and Maddocks, but as the demand for that edition throughout this district was far greater than we were able to supply, and as our country subscribers especially had not the opportunity of seeing the account alluded to, we here reprint for extended perusal a large portion of the report, together with the confession made by Brandrick and the statements of the two other convicts.

The respite of Jones and Maddocks was received on Friday morning ; the official communication from the Home Secretary, Sir George Grey, stating that the sentence of death passed upon these prisoners was respited "until the further signification of her Majesty's pleasure". To anyone who has watched the case, this respite, at any rate so far as Jones is concerned, must have been a matter of considerable surprise, and especially so when one considers Jones's statements and admissions. With regard to Maddocks, the case was much weaker, and from his representations to the Chaplain (the Rev W P Vincent) and the statements of the other men, we are assured that there is no reason for supposing he had any hand in the murder whatever. A reprieve as far as he was concerned was therefore not so improbable. He was no doubt the first to plan the burglary, and to the burglary he confined himself, and so conscious has he been of his innocence, that since his conviction he has expressed the most sanguine hopes of a commutation of his sentence. After his committal by the Magistrates, he showed every inclination to tell all her knew, but it was not till his conviction that any formal statement was accepted from him. His representations seemed so consistent with truth that the Chaplain had the strongest convictions of his innocence, and this belief, with a short outline of the man's statement, was forwarded by Mr Vincent to Maddocks's solicitor, Mr H Barber. Mr Barber at once placed himself in communication with the Home Secretary and Mr Baron Martin, the judge before whom the case was heard. Prior to this, in fact before his Lordship left Stafford, Baron Martin had received the following statements of Maddocks and Jones at the hands of the governor of the gaol, Major Fulford, so on receipt of the letter from Mr Barber, his Lordship

intimated his intention to lay the case before the Home Secretary. The following are the statements just alluded to :-

THE STATEMENT OF JONES

A little after twelve on Sunday morning, September 29th, we came out of the public house, and I found from Brandrick that he and Maddocks were going to rob a shop near Brandrick's house. We all started to walk to Brandrick's house, to obtain the tools. Our road lay by Bagott's house. Maddocks made water by the gable end of the house, and he says, "This is the place where there's some money – it's no use a going all that way if we can get in here". Brandrick said, "We'll have a try". They tried the back door, which was fast. One of them said there was an ashpit window a little above. With that we goes up to the little trap door. Brandrick pulled it open and got in ; we followed. We lay down in the gig house, and remained some time till it was time to begin to work. Brandrick went to the brewhouse door, which was fast. He got through the window and opened the door. We burst through the doors and cellar grating, and got into the cellar. Brandrick cut away the cellar bolt, got through, and let us in. He peeped into the parlour. He said, "Hush, he's not wakened yet". We all went upstairs, and I turned all the rooms over, but found no money. We went down again. Brandrick says, "He's got the money on him : I'll take my shoes off and go in and search him". With that, he took off his shoes, leaves them outside the parlour door, goes in and searched his pockets. This woke Bagott, who started up. Brandrick caught hold of him with his arm around his throat, and called to us to search him. I went and searched him. I said, "He's not got no money on him". Brandrick says, "It's in the shop ; look sharp, and search the shop". Maddocks all this time was looking about the room, in the cupboards &c. Maddocks and I then went into the shop and searched it, but we found no money. Brandrick called out, "I'll let him go, if you don't come and hold him while I look for the money". Maddocks said, "The police will be here before long, and I mean to get away at once". So we took some clothes, opened the door, and called to Brandrick to come on, as we were going. Brandrick then followed to the entry. He, however, had left his shoes behind, and we all went back for them. On entering the house, he said, "You're sure you found no money?" We said, "No". He said, "Then I won't leave the house until I do find it". He lit a piece of calico, took the iron hammer with him, and went upstairs. He soon shouts down, "I've got it". Maddocks and I then went up. Brandrick broke open the drawer in which was the cash box, pulled it out and burst it open. There seemed to be £100 in gold, and some silver, and a few coppers. Brandrick put all in his pocket. We came down again. Brandrick went into the parlour and put the gas low. We all left the house and went to the entry. I never had any of the money. Maddocks plotted the robbery just before we committed it. I never blacked the man's face, nor do I know how my hands got blackened. They were not really black – only dirty, from going through the ashpit and cellar. The knife in the cellar was not mine ; it belonged to Maddocks or Brandrick. I never heard Maddocks tell him to *loose him*. I never heard Maddocks say, "*let him die*".

THE STATEMENT OF MADDOCKS

I went to the King's Arms on Saturday night between nine and ten, where I met Brandrick and Jones. I sat drinking with Webb for some time. I left the King's Arms about 11.15, and went down the Old Road, and seeing no one there I returned and went to the Berry Yard, and remained standing there for a short time. I came out to go home, and met with Brndrick and Jones near the Fox Inn. We walked, and they asked me to go back with them up the street, as they were going in a place up there. I went with them. When we got up to the trapdoor over the ashpit, Brandrick pulled it open and we all got through. Jones and I went into the gighthouse while Brandrick pulled down the shutter of the brewhouse, and broke open the way as far as the cellar. He came back to us, and we remained there some time. I went on to Bills's at the Berry, and got part of a candle from him, and then went back. We all then started and got into the cellar ; Brandrick drew his knife to cut the door, to get the bolt back. The door was then pulled from the bottom, so that Brandrick could get through. He looked into the sitting room and then opened the door, saying, "Come on ; he sits at the table asleep". He rushed at Mr Bagott, and collars him round the throat with his arm. Jones and I started upstairs, and searched everything where we thought there would be any money. We found

nothing, and so came downstairs again. Brandrick was still holding Bagott by the throat. We said we could find nothing. He said, "Come on and hold him ; I know where the money is". Jones went in to help him, and I remained at the door. I do not know what Jones did, except from what Brandrick told me afterwards. He told me that if Jones had not come to help, Bagott would have got the better of him. He remained in the room four or five minutes. I during that time opened the side door. Jones came out again, and left Brandrick still holding the man in the same way. Jones and I went into the shop and searched for money, but found none. We took a lot of clothes and other articles, and called to Brandrick, "We are going". He then loosed the man, and followed us out through the side door to the entry where the clothes were found. When we got there, Brandrick found he had not brought his boots, as he thought we had them. He said, "They will find me out by my boots". So we went to the house again. Bagott was lying on the floor quiet. Brandrick took the iron axe with him and went upstairs, saying he knew where the money was. We went up too, and found one of the drawers locked. He struck the lock with the axe, and thrust the drawer open and pulls out a cash box. He said, "I knowed where it was", and began to brag about it. He put it on the foot of the bed, and knocked it open with the axe. There was gold, silver and copper in it, but how much I could not tell. There seemed to be about £100 in sovereigns and half sovereigns. He put all in his pocket, and leaves the cash box on the bed. We returned downstairs again. Brandrick went into the sitting room, turned the gas low down, and said, "He lies there, quiet enough". We returned to the entry, and stood there a short time, until we heard a door rattle at the bottom of the entry. We ran away down Stafford Street along Market Street by Spencer's Foundry, through Banks's Field, up to Cinder Bridge, where I overtook Brandrick and Jones. We then walked fast by Banks's Machine, meeting the watchman, and went on towards Daisy Bank. (The rest of his statement is the same as made before the Magistrates).

After these documents and the letter of Mr Barber had been transmitted to London, it came to the knowledge of the Home Secretary that the third prisoner, Brandrick, had also made a statement to the Chaplain, under the promise though, that it should not be made public till after his death. The Home Secretary thereupon communicated with the governor of the gaol, asking him to obtain the permission of Brandrick to have this statement transmitted to the Home Office. Brandrick inquired whether there was any intention to publish it, and being told there was not, he consented to the Governor's desire, and the statement was forwarded to London. It was as follows :-

BRANDRICK'S CONFESSION

Maddocks, Jones and I left the Berry Yard at about a quarter to one on Sunday morning, the 29th of September, and started to walk to my house to fetch the "tools" to commit a burglary in Wolverhampton. We went up Stafford Street. Maddocks went up to the side door of Mr Bagott's house, and tried it. He said, "This is the place ; this is the place". I says, "No it aint ; come on". We went on to the ashpit door. I says, "Well, go at it". So we pulls it open, and all gets through. We saw them cleaning at the next house ; so we goes into the shed. Jones and Maddocks lay down in the trap. I searched about the place, and watched when they went to bed next door. When all was quiet, I pulled the boards off the brewhouse window, and got through. I then unbarred the door for them. We burst open the two next doors. Maddocks went to Bill's to get a candle, and while he was off I took off the cellar grating. He came back with the candle, and we all got into the cellar, where we found an axe. I went through first. I cut through the cellar bolt with my knife, which I left on the cellar steps. They pulled the door for me to pass through. The parlour door was open, and I saw Mr Bagott asleep. I undid the other bolt, and "loosed" the other two men in. I took off my shoes. There was a candle on the stairs, which we took and went upstairs, and turned over all the rooms and, as we thought, drawers too ; but we missed one drawer. We found no money. We then went to the parlour to search Bagott's pockets. This wakened him. He jumped up quite wild, but did not speak. Jones struck him, and they began fighting. I went round to his back, and threw my arm around his throat. Jones struck him with his fist on the belly, and also kicked him on the belly directly after. I held him a short time, and then said, "Now then, come and hold him, he's dying, and let me go and find the money. I know where it is". Maddocks said, "Hold him still. Let

him die then". I loosed him a little to let him get breath. I held him again for a short time, and once more said to Maddocks that he was dying. He said, "Let him die". I told them to search the shop. They went, but found no money. I had loosed Bagott again to let him get breath, and he struggled very hard, and was getting the better of me, when I called for one of them to come and help me. Jones came, and got the shovel and struck him with it, and put it over his throat. I threw Bagott down and got on top of him. Jones placed his foot on Bagott's face. I put a piece of a dirty bag which was lying close by over his mouth for about a minute. He still struggled very hard, so I picked him up, and called for the poker. Maddocks said, "Give him the poker". Jones gave it me. I got Bagott sitting on the floor, and the poker across his throat against my knee. I held him like that for a short time. Maddocks and Jones came out of the shop, and Maddocks said, "Loose him now, we're going". I says, "I won't go till I got the money". He says, "Come on". They opened the door and went out. I followed, and when near Beard's house I said, "Have you got my shoes?" They says, "No". I began cursing and crying. Maddocks said, "They'll know him by his shoes". They threw down the clothes in the entry, and we all went back for them. I said, "Be ye sure you got no money? I know you got it". They said they had not. I says, "I won't leave the house till I find it". They stood in the passage while I went upstairs. I found a drawer locked, which we had overlooked. I called out, "I've found it". They both came running up. I told Jones to fetch my knife from the cellar steps, or the axe. He brought the axe. With it I broke open the drawer. There was a cash box in it, which I burst open, and as it opened a piece of paper fell out. I said, "Look at that paper, it's a note"; but they took no notice, only watching me taking the money out of the cash box, which I put in my pockets. There was about £30 in gold, mostly half sovereigns, £3 or £4 in silver, and some copper. We went downstairs. I entered the parlour and lifted up Bagott's head. Maddocks said, "Oh, he's quiet enough for an hour or two". I did not know he was dead, but I was "frightened" he was. I turned the gas low, and we started to the entry. Maddocks says, "Never mind the clothes, we can do without them". I said, "Let's take some of them". I said, "I shall run away after this ; we are sure to be found out". Jones says, "I'll go with you". Maddocks said he should go home and go to bed, and not stir an inch. We heard a door handle move up the entry, and we all ran away. We went towards my father's house. We passed the old watchman. Jones said, "It's only my old granddad". When Harrison came towards us, he called out, "Let's see what you've got". We ran away, Jones towards Bilston, and Maddocks and me towards Coseley. I had a dark coat on ; I have never worn a flannel jacket. Maddocks and me went to Philip Williams's colliery and shared the money. I gave him £10 and 3s ; I kept Jones's share. We went to my father's house, and I saw Mrs Withers. Then we went to Birmingham, as Maddocks has stated. On Monday evening, we determined to let ourselves be taken. We went home that night. I got home about five in the morning, and remained there until I was taken. The knife found in the cellar was mine, and had never been in Jones's possession. Maddocks never had a pistol at all that evening. I never was with five others, as Matthews states. Jukes, Bills, Webb and Lilley know nothing of the burglary. It was not planned till Maddocks spoke about it. Maddocks never laid hands on Bagott, but he stood by and said, "Let him die". Jones helped me. I do not know how the black got on Mr Bagott's face, unless it was from the bag. There was a lot of cloth left in Beard's entry which was not produced at the trial. The neck handkerchief that was produced and not identified was stolen from a house near the cemetery, the night before the burglary, by Jones, Maddocks and myself.

A few days after his conviction, Jones was called on by some of his friends, and having attended a Roman Catholic place of worship in his youth, they suggested to him the propriety of having a priest now that his end was in all probability approaching. One of them even went so far as to tell him that he had been a source of trouble to them all his lifetime, and he might at any rate gratify them for once before he died. Jones, though, stoutly refused this, but next morning he asked the Chaplain whether he should be offended if he asked for a priest. Mr Vincent told him he should not, and Jones desiring to be visited by one, the Rev M O'Sullivan was immediately introduced to him. Mr O'Sullivan was in attendance on Jones daily, and in the course of these visits Jones repeated the statement he had made to the Governor of the gaol. There was, however, one very material

difference, which was that while Brandrick was in the sitting room with Mr Bagott, he (Jones) was with him and even struck Bagott as he lay on the floor ; he dealt him a blow with the fire shovel, and kicked him on the head. This addition to Jones's statement was transmitted by Mr O'Sullivan to the Home Office, so that the authorities were now in possession of every statement made by the prisoners, together with the communication of Mr Barber setting forth the inconclusive nature of the evidence against the prisoner Maddocks. On Friday morning Mr Barber received a communication from the Home Department informing him that "after full consideration of all the circumstances of the case, and communication with the learned Judge before whom the trial took place, Sir George Grey has felt warranted in advising her Majesty to commute the capital sentence passed upon the prisoner (Maddocks) to one of penal servitude for life". The same post also brought the following despatch to Major Fulford :-

Whitehall, January 2, 1862

SIR – I am directed to signify to you the Queen's commands that the execution of the sentence of death passed upon William Jones and William Maddocks, now in Stafford Gaol, be respited until the further signification of her Majesty's pleasure.

I am, your obedient servant,
G GREY

To the High Sheriff of the County of Stafford,
and all others whom it may concern.

Accompanying this statement is a note from the chief clerk in the Home Department, stating it to be the wish of Sir George Grey that in consideration of Brandrick's feelings the respite to his companions should not be communicated to him until the following morning. Acting on this injunction, the Governor went only to the cells of Jones and Maddocks. When told of his fate Jones wept with joy. He had given up all hope of a respite, and was resignedly preparing himself for death ; such a result was consequently totally unexpected to him. Maddocks, though hopeful of the same consequence, was not less demonstrative of his feeling. Brandrick, it seems, was anxiously waiting for the result of the several communications with the Home Office, and on Friday morning he pointedly put the question to the Chaplain, what was to become of his companions? Mr Vincent could not evade such a direct inquiry, and he broke to him the result as favourably as he could. Brandrick, however, was in the greatest agony and, for a time, he was even passionate that he had been unjustly dealt with. Jones, he said, was equally guilty as himself, and he thought the selection the Government had made in choosing him for execution was owing to the suspicion entertained that he was the murderer of a boatman named **Piper** who, it will be remembered, was killed in a coalfield near Bilston in March last. Of this crime he solemnly declared his entire innocence, and as he listened to the instruction of his Chaplain, and was always ready to converse on his past life, his denial – notwithstanding the strong circumstantial evidence the police can bring to bear against him – may be looked at as possessing some degree of truth. In the course of these conversations, Brandrick alluded to a number of crimes for which he had not been brought to justice. Among them was a robbery of plate and plated goods from the house of a clergyman in Bilston, which took place only a very few days before the murder of Mr Bagott. In that offence he also implicated Jones. He has also several times expressed his contrition to the Chaplain for telling the court that he was not guilty ; this he did, it will be remembered, immediately after he was sentenced.

Brandrick took a final leave of his friends on Thursday last, when he was visited by his father, his mother and six or seven of his brothers. He sustained himself with considerable fortitude, but not so with the father and some of the younger members of the family. The father, in fact, fainted. After he had left the room the son asked if he had gone, and the old man returned to him. Brandrick then presented him with a tobacco box, as a last token of remembrance. Maddocks and Jones were visited by their friends in the earlier part of the week.

The feeling and passion that Brandrick exhibited on hearing his fate shortly subsided into penitent remorse. He evinced great anxiety to pray and direct his thoughts to his approaching end ; and with

this view he desired the attendance of Mr Vincent as often as possible. During the night before his execution, Mr Vincent and the Rev W Eastman visited him hourly, visits which the culprit hailed with evident pleasure. He did not retire to rest, but slept at intervals, and between 5 and 6 o'clock he took a light breakfast. He acceded to the exhortations of the clergymen, and at 6 o'clock took the sacrament in the Chaplain's room. In the course of the night, he expressed contrition, and admitted the justice of his sentence. About seven o'clock he took a little refreshment, and remained alone in his cell till the hour approached for his execution.

THE EXECUTION The execution took place at 8 o'clock in front of the entrance to the gaol. The multitude was, it was said, larger than that which was present on the occasion of the execution of Palmer – numbering not less than from 20,000 to 25,000. From midnight the streets were filled with one continuous inundation of pedestrians. There seemed to be a complete exodus from Bilston and the “Black Country”, to aid in which every imaginable contrivance that horse power could propel was brought into requisition. Old age was even there on crutches, men and youths in the heyday and freshness of life, and women too, whose presence only gave additional disgrace to the spectacle. The sight of such morbid anxiety was almost more revolting than the spectacle of the execution itself ; and more shocking still were the ejaculations of disappointment, that so many had walked so far to find two of the culprits had been respited. When the cross beam was put up at a little after seven o'clock, and the crowd observed by the single rope that only one person was to be hanged, the hum of disappointment was general, and many even declared their wish they had never left home. Till the appearance of the culprit on the gallows, the crowd indulged in those hootings and yellings which seem the only innocent amusement of an English mob ; yells which almost penetrated to the cell in which the wretched culprit was confined. The crowd, however, committed no breach of the peace and were prevented crushing too near the gallows by barriers, in which were placed a large body of the county police under the command of Col Hogg, Major McKnight, and several superintendents.

The cell in which Brandrick was confined was “D1” on the ground floor of the new prison. At ten minutes to eight o'clock Jones and Maddocks were taken to bid the culprit goodbye. No words were exchanged ; Brandrick was moved to tears, and he simply gave them a mechanical shake of the hand. Smith, the hangman, who had stayed in the prisoner all night, then went into the cell, and in a few minutes Brandrick was pinioned. Precisely at eight o'clock, Mr Hand, the under Sheriff, arrived, and he, with Major Fulford, headed the procession. The prisoner was accompanied by the Chaplain, and the assistant Chaplain, one reading and the other responding ; the prisoner also joined in one or two of the responses, and likewise in the Lord's Prayer. As he ascended the steps to the scaffold the noise of the crowd suddenly ceased, and little could be heard save a suppressed murmur and the clanging of the chapel bell. Just before he reached the platform, he turned to one of the turnkeys, and observed that he had forgotten what the chaplain told him, meaning the responses. Having placed himself under the fatal beam, the executioner took off the culprit's neckerchief, for he was not in his prison dress, and adjusted the noose. As Smith put on the white cap, Brandrick uttered the prayer, “Lord Jesus save my soul”, which were the last words he used. Smith then withdrew the bolt, and the victim was launched into eternity. He fell heavily, and exhibited great vitality, for though he did not struggle hard the body was severely convulsed for five or seven minutes after the bolt had been withdrawn, and Smith had to seize the man by the legs to prevent him kicking and turning round. About an hour afterwards the body was cut down, placed in a deal coffin, and interred in the prison burial ground, his grave being between those of Moore, the Ash Flats murderer, and Palmer, the Rugeley poisoner. In his walk from the cell to the scaffold, Brandrick exhibited great calmness, amounting even to firmness, and beyond his death like paleness he did not seem to display the slightest emotion.

53 22 January 1862

DUDLEY

THE LATE SUSPECTED MURDER AT NETHERTON On Monday last, Edward Parkes and Peter Shaw (the landlord of a beerhouse) were brought up on remand charged with having been

concerned in the death of Charles Montgomery, a ballad singer, on the 26th ult. The particulars of the case have already appeared, but it may be mentioned that the coroner's jury found that Montgomery died from exposure to cold. On Monday, Mr Warmington appeared for Parkes, and Mr Prince (for Mr Maltby) for Shaw. The first additional witness called was a young man named Joseph Doyle, who deposed to having been drinking in Shaw's shop on the night in question ; that he saw deceased drinking there ; and that he played at cards with him for ale. He was there from six o'clock till eleven, when he left to go home. Deceased had left ten minutes earlier. The latter was quite drunk when he went away, and staggered about. He (deceased) had had nothing to eat during the evening. **John Faulkner**, a boatman, deposed to seeing deceased lying dead in a field at twenty minutes to five on the following morning. The Bench intimated their opinion that there was no necessity for making any remarks, as they considered there was not sufficient evidence to justify a committal. Mr Haden said that although the prisoners were discharged, the Bench could not help expressing their great astonishment at the brutality exhibited by Shaw in turning deceased, while in a drunken state, out of his house without a coat or hat. Such conduct was a serious reflection upon Shaw's character, and exhibited great cruelty. Although the Bench could not commit, there was guilt enough upon Shaw's conscience to make him regret the act as long as he lived. In all human probability, the death of the man lay at Shaw's door. Mr Barrs also said that there was evidently some awful guilt somewhere ; but they were not justified in committing. The prisoners then left the court.

54 **29 January 1862**

SHAMEFUL TREATMENT OF A WOMAN At the Borough Police Court on Monday last, a boatman named **Hand** was charged with having committed a serious assault on his wife. The poor woman, who seemed much distressed in stating the charge, said that she and her husband and four children worked two boats along the canal. On Tuesday night, the defendant was beating her son, who was an unruly disobedient boy, and she interfered, saying that he had punished him sufficiently. He replied that he would serve her the same if she interfered ; nevertheless, she again told him to desist. Upon this, he commenced beating her with a rope, and so numerous and so severe were his blows that her flesh was bruised in different parts of her body. She exhibited to the Bench one of her arms, which was greatly discoloured from the elbow to the shoulder. She added that he repeated the assault that (Monday) morning, and although she was most unwilling to bring him before the magistrates, she was obliged to do so for her own protection. She had been married to the defendant 35 years, and had borne him sixteen children. In reply to questions as to whether he had been in the habit of ill-treating her, she said he had not beaten her for twenty years before Sunday. He was a sober man but, nevertheless, she had been up four out of the last five nights in consequence of his threats. The poor woman pleaded that he might not be sent to prison. The defence was that the complainant had neglected the horses, and he did not like to see dumb animals ill-treated. The magistrates commented on the inhumanity of the prisoner, but said that in consequence of the plea of his wife, they would fine him instead of sending him to prison without giving him the option to pay a fine. The penalty would be 20s and costs, and in default of payment he would be sent to prison for two months.

55 **19 February 1862**

WOLVERHAMPTON POLICE COURT, WEDNESDAY FEBRUARY 12

A PUGILISTIC "COMMERCIAL TRAVELLER" EXPRESSING HIS OPINION A strong burly looking boatman named **Edward Turner**, living in Mill Street, was charged with having assaulted William Riley Langley, who described himself as a commercial traveller and a dealer in pills. Mr Langman appeared for the complainant and Mr J E Underhill for the defendant. Langley stated that he was a stranger to the town, and on Tuesday he went to the Squirrel Inn, Railway Street. He saw the defendant there, and tossed with him for some ale, and the tossing ended in an argument about defendant's honesty. Defendant got from words to blows, and striking the complainant, knocked him down. Mr Partridge : Was the first argument he adduced a knock down blow? Defendant

replied that the argument resulted in a knock down blow. When complainant fell, his head came in contact with the table, and while he was down the defendant kicked him. Complainant had had drink, but he was sober ; he was "*compos mentis*, like". Cross-examined by Mr Underhill : Complainant took off his coat, but he did not strike the defendant. He, perhaps, took off his coat to cool himself, for he was somewhat excited. A witness named William Summerfield proved going into the Squirrel Inn on the evening in question. As he entered the room in which the complainant and defendant were seated, he heard the complainant say, "But you'll allow every Englishman to express his opinion", and while saying this he took off his coat and walked into the middle of the room. Defendant said, "If that's it, here goes", and pulling his jacket off, he "set about him". Witness did not see the complainant strike Turner, nor did he see Turner kick the complainant. In the earlier part of the day, the complainant had been talking very largely about duelling. Caroline Hopping, who happened to be going past the house at the time the assault was committed, saw the defendant kick the complainant very violently ; the blood flowed profusely. Dr Hancox, who attended the complainant shortly after he was assaulted, proved the nature of his bruises – mostly bruises on the head and face. In defence, Mr Underhill relied on the statement of complainant's own witness, Summerfield, who had alone told the real facts of the case. Samuel Balmer, who was in the public house when the disturbance arose, proved that the complainant was quarrelsome, worse for liquor, and desirous of tossing everybody in the place. Before pulling his coat off, complainant said, "I'm John Bull ; come on, and I'll show you a bit of "twistianity" work". He then squared himself before Turner ; but Turner did not knock the man against the table – he fell down ; neither did witness see Turner kick the complainant while he was down. Mr Partridge thought the justice of the case would be met if he ordered the defendant to pay the expenses.

56 26 February 1862

WOLVERHAMPTON POLICE COURT, WEDNESDAY FEBRUARY 19

ROBBERY FROM PENDEFORD FARM **John Vickerstaff**, a boatman, was charged with having stolen a quantity of potatoes, the property of Mr Robert Hanbury Masfen of Pendeford Farm. Mr Masfen stated that on Monday morning, about seven o'clock, he found that a potato "bury" on his premises had been opened, and four or five bushels of potatoes, value about £1, stolen. The bury had been opened in the course of the night. He observed footmarks and the impression of the knee of a man who wore corduroy trousers on the top of the bury. The prisoner's boots corresponded with the footmarks, and he wore corduroy trousers. **John Bromley**, a boatman, deposed that he had known the prisoner several years, and saw him at Autherley Canal Junction on Monday morning. He was doing nothing. Witness said to him, "Halloa!", and he replied, "Halloa, don't speak". Police-constable Critchlow of Bushbury said he had traced footmarks corresponding with the prisoner's boots from the bury in the direction of Autherley Junction, which was about half a mile distant from Pendeford. He apprehended the prisoner at Wolverhampton locks, about eight o'clock on Monday night, and charged him with having stolen potatoes belonging to Mr Masfen. He said he had not handled any potatoes. This was the whole of the evidence, and Inspector Bradley having stated that there was no probability of obtaining additional testimony, the Magistrate said he should discharge the prisoner, as there was not sufficient evidence to justify his committal for trial.

57 2 April 1862

SINGULAR CHARGES OF CONSPIRACY At the Birmingham Public Office on Monday, before Mr Kynnersley, Mr Izod, iron merchant, Mr W S Hill, Mr James Sutton and J Poole, described as clerks, and **Thomas Leighton**, a boatman, were summoned at the instance of Messrs E B Thorneycroft and Sons of the Staffordshire Ironworks, West Bromwich, on a charge of conspiracy together, and obtaining a quantity of iron from that firm. Mr Staveley Hill, barrister of the Oxford circuit (instructed by Mr Beaton of Dudley) appeared for the defendants. The precise nature of the case did not transpire, an arrangement being made between the learned Stipendiary and the counsel on both sides that it should come on for hearing on Saturday. We believe the matter involved is one of much interest, and that the hearing will occupy the court for a considerable time. Some short

while after the foregoing arrangements for postponement took place, Mr Kenealy applied to the court for summonses to procure the attendance of Mr Samuel Griffiths (Mr E B Thorneycroft's partner) and of his clerk, Mr Whitehead, on Saturday, to answer a cross charge of conspiracy.

Birmingham Daily Post

58 16 April 1862

DUDLEY

RAILWAY ROBBERY At the Police Court on Monday, **Edward Lloyd**, boatman, was charged with being concerned, with another man since dead, in stealing on the 27th of June last, a quantity of leather and quilled silk, the property of the West Midland Railway Company. Superintendent Burton, in applying for a remand, stated that on the day named, he was in company with Police-sergeant Davis at Holly Hall, when they saw the prisoner Lloyd and another man named Aston. They had two bags with them, which contained together about seventy yards of quilled silk and forty eight sides of kip. At the ensuing assizes, Lloyd and Aston were convicted on another charge of robbery from the London and North Western Railway, but they were not convicted on the present charge on account of the difficulty experienced in finding out the owners of the stolen property. Since then Aston had died in prison, and on Lloyd's release last Saturday, Police-sergeant Davis took him into custody. Mr Burton applied for a remand, in order to allow Police-sergeant Davis to visit Rotherham, where the owner of the leather resides, and Bradford, where the owner of the silk lives. The remand was granted.

59 23 April 1862

ALLEGED CONSPIRACY IN THE IRON TRADE

GRIFFITHS v IZOD AND OTHERS

PROCEEDINGS AT BIRMINGHAM YESTERDAY At the Birmingham Police Court yesterday afternoon, the charge of E B Thorneycroft and Co against Mr Izod and others again came on for hearing before Mr Kynnersley, Stipendiary Magistrate. The complainants were Mr Edward Bagnall Thorneycroft and another (Mr S Griffiths), trading under the name of E B Thorneycroft and Co, and the defendants were Mr William Izod, iron merchant, Stafford Street, Birmingham ; Mr Frederick Hill, clerk to Mr Izod ; Jacob Poole, Wolverhampton, clerk to Mr S Griffiths ; James Sutton, Wolverhampton, also clerk to Mr S Griffiths ; and **Thomas Leighton**, a boatman living at West Bromwich. These defendants were severally charged with having "on the 3rd of February, and on divers other days and times, being evilly disposed persons, and wickedly devising and intending to defraud and prejudice Edward Bagnall Thorneycroft and another, did amongst themselves unlawfully conspire, combine, confederate and agree together, falsely and fraudulently to cheat and defraud the said Edward Bagnall Thorneycroft and another of certain large quantities of iron, the property of the said Edward Bagnall Thorneycroft and another, and that they afterwards, to wit, on the days and times aforesaid, in pursuance and by means of the said conspiracy did falsely and fraudulently obtain from the said Edward Bagnall Thorneycroft and another divers large quantities of iron, the property of the said Edward Bagnall Thorneycroft and another, against &c"

Mr A S Hill appeared for the complainants, Mr Motteram for Mr Izod, and Mr Kenealy for the other defendants.

Mr A S Hill, in opening the proceedings, stated the circumstances of the case at considerable length. He said that the complainants were Mr E B Thorneycroft and Mr S Griffiths, banker, Wolverhampton, who were in partnership at the Staffordshire Great Bridge and Britannia Iron Works. In real truth, he said, Mr Griffiths was almost the complete owner of these works, but Mr Thorneycroft was part possessor to a certain extent, which rendered it necessary to use his name as being a person partly deprived of these goods. In addition to the furnaces named, Mr Griffiths held others ; he held three on his own account at Windmill End, Bilston Brook and Heyford in Northamptonshire. Of the defendants he might say the principal of the conspiracy was Mr William Izod, a gentleman carrying on the business of an iron merchant in Stafford Street, Birmingham. Frederick Hill was his clerk, and one of his most active agents in this transaction ; Sutton and Poole

were two of Mr Griffiths's clerks, whom Mr Izod and Hill persuaded into their service ; and Leighton was a boatman of Mr Griffiths. After a vast number of business transactions, Mr Griffiths – not as one of the firm of E B Thorneycroft and Co, but in his capacity as Mr Griffiths – and Mr Izod, on the 26th of December last, entered into an agreement, whereby Mr Griffiths contracted to supply 3,000 tons of iron at the rate of £2 5s 6d per ton. The price would at once strike the eye of the Court as being extremely low, but it was accounted for in this way – the iron was partially paid for beforehand, inasmuch as on the day after the contract was completed, Mr Izod gave to Mr Griffiths a cheque for £1000 and two bills, each for £1000, one at six and the other at four months. Now no time was specified in the contract as to when Mr Griffiths should supply the iron, and very shortly after the contract had been entered into, Mr Izod began to doubt Mr Griffiths's capability to perform it. Up to the 21st of January, however, Mr Griffiths supplied Mr Izod with £450 worth of iron, but for some reason or other, Mr Izod was dissatisfied, his confidence in Mr Griffiths was shaken, and he at once sought to lay his hands on whatever iron he could upon which Mr Griffiths had the slightest ownership, and to defraud Mr Griffiths to the utmost possible extent. He first wrote a letter trying to bribe Mr Chapman, Mr Griffiths's manager at the Oldbury Works, to send all the iron he possibly could to Birmingham, but in this he failed. This was in the beginning of February. On the 3rd of that month, the defendant Hill called on Mr Chapman for a similar purpose, but he likewise failed, and he equally failed to get back Mr Izod's letter. On the same day Mr Izod saw a Mr Merriman, one of the clerks or managers at Mr Griffiths's furnaces, Windmill End, and offered him a bribe of £50, telling him he could easily send iron to Birmingham without Mr Griffiths knowing, but Merriman, like Chapman, remained staunch and refused to prove false to his employer. Finding, therefore, that he was not able to seduce the principal people in the employ of Mr Griffiths, Mr Izod came to Wolverhampton, and there with Poole and Sutton conspired to obtain a quantity of iron lying at the Staffordshire works and consigned to another person. He (Mr Hill) should prove that he gave each of these defendants a cheque of £10, and they, with Mr Izod and his clerk, Hill, proceeded with the conspiracy, and tried to enlist into their cause another clerk of Mr Griffiths, named Jenkins. Poole induced Jenkins to meet him at his house in Goldthorn Hill on the morning of Tuesday the 4th of February ; he there told Mr Jenkins Mr Izod wanted to make him his confidante. He also said Mr Izod had given him (Poole) a cheque, and told him there would be plenty of money coming if he would go over to Izod's side and assist them in robbing, for robbing it was, Mr Griffiths. He likewise told him Mr Izod would not mind standing the expense of six weeks or a couple of months at Paris. In the course of that conversation he gave Mr Jenkins a letter, but as Mr Jenkins declined to have anything to do with the transaction, this letter was subsequently obtained from him by the defendant Hill, who was no doubt fully aware of its importance. Mr Jenkins, however, remembered sufficient of it to give very satisfactory secondary evidence as to its contents. The interview, therefore, at Goldthorn Hill was anything but favourable to Izod's case ; negotiations were renewed with Jenkins a day or two afterwards at the Peacock Inn, Wolverhampton, where Mr Izod, Mr Hill, Mr Sutton and Mr Poole all met.

At this part of the proceedings, Mr Kenealy desired that all witnesses should be ordered out of court. Mr Hill argued there was no necessity to order Mr Griffiths out, inasmuch as he was one of the complainants and had a right to remain with his counsel. Mr Kenealy said that did not apply to criminal proceedings, and ultimately Mr Kynnersley expressed a similar opinion. Mr Hill then said that, notwithstanding the decision was against him, he should not order Mr Griffiths out of court, but would decline calling him to give evidence, and consequently his friend would have to forego the opportunity of cross-examining him.

Mr Hill then continued, saying that on the Tuesday named the two defendants, Mr Izod and Mr Hill, with Poole and Sutton, left Birmingham at half past five o'clock, and called at several places on their way to Wolverhampton. The first person whom they honoured with their presence was the defendant Leighton, but what took place in their interview with him he should not be able to prove, and the Court would be guided by Leighton's subsequent transactions. They next called on another of Mr Griffiths's boatmen, named **Sylvester**, at Bilston, and in the course of their conversation with him, he was led to believe they were transacting some business or other for Mr Griffiths ; he

accompanied them to Wolverhampton, and later on in the evening they returned to Bilston ; at midnight they reached Leighton's, where Sylvester was discharged, they no doubt thinking he could not be trusted and that he was not sufficiently up to their mark of morality. From Leighton's they returned to Birmingham, where they arrived at one o'clock on the Wednesday morning. Mr Hill then proceeded to state how the result of all these interviews of Mr Izod and his clerk with Mr Griffiths's servants ended in the removal of three boat loads of iron from the Staffordshire works to the wharf of Mr Izod at Birmingham. This iron was conveyed at night time and on different days in the beginning of February ; he therefore thought it was a sufficiently strong case on which to ask for the committal of the defendants on the charge brought against them.

In the course of a lengthy discussion which followed, with a view to stay the further progress of the case, it was stated that Mr Izod had taken proceedings in the Court of Common Pleas against Mr Griffiths, for neglecting to supply this iron according to contract.

Mr Kynnersley thought that under such circumstances it was not desirable two issues should be on at the same time.

Mr Motteram strongly expressed a similar opinion, and asked whether or not the case was not one of the weakest ever brought into a court of justice ; his client had actually paid for the iron, and yet because Mr Griffiths failed to supply him and he tried to compel him, Mr Griffiths turned round and brought the present proceedings.

Mr Hill did not know that "iron snatching" could form any portion of the contract, and besides the contract was with Mr Griffiths, whereas the iron was the property of E B Thorneycroft and Co.

The counsel on each side, and Mr Griffiths and Mr Izod, privately consulted with a view to adopt the suggestion thrown out by Mr Kynnersley, but failed to do so, and the case was consequently proceeded with.

William Henry Danks : I am manager to the Messrs E B Thorneycroft and Co at the Staffordshire Ironworks, West Bromwich. I remember seeing a boat laden with nail sheets lying at the wharf on the 4th of February ; it contained about 27 tons. They were consigned to Messrs C and J Shaw of Birmingham ; **Dingley** was the steerer of that boat. About the 8th or 9th of the same month I saw two other boats there, one laden with 25 tons of rounds, and the other with about 18 tons of puddled bars. The iron was the property of Messrs Thorneycroft and Co.

Cross-examined by Mr Motteram : I am not aware that Mr E B Thorneycroft had no interest in those works ; on the contrary, he was master there. None of the contract books are here. I am not aware that there was a second contract between Messrs Izod and our firm for puddled bars and sheet iron. On the 26th December we had 50 tons of cinder pigs in stock. I cannot tell whether we had more than that. I cannot tell whether there were any pigs at the Bilston Brook furnaces at that time. The consignment note of these nail sheets was given to the boatman.

Cross-examined by Mr Kenealy : There were four or five other boats at the wharf on the dates I have named, but I cannot tell to whom they were consigned. On the Thursday one of the clerks told me this iron had been taken to the wrong place, and it was then that my memory was refreshed respecting it. On the 8th February there were about six boats at the wharf. Mr Griffiths has not, to the best of my knowledge, spoken to me about those boats. Mr Thorneycroft spoke to me about them.

Mr Kenealy : Then there is such a man as Thorneycroft ; he is not an imaginary person!

Witness : Yes ; I saw him last this morning.

John Chapman : I was manager at the Britannia Works at Oldbury. Messrs E B Thorneycroft and Co were my employers. I was in their service on the 1st of February. On the 3rd of February I received a letter dated the 1st ; it is as follows :-

Ironwarehouse, Stafford Street, Birmingham, Feb 1 1862

To Mr Chapman, manager of Mr Samuel Griffiths's Works at Oldbury – Sir – If you can forward us on Monday any sizes of the iron on order there, we will allow you 10s a ton above the ordinary price. We are standing for it, and beg you will at once load and forward it here. Yours truly, IZOD AND SON.

P.S. To make a load you may add any other iron you have in stock, so that you will execute at once.

Mr Kenealy : That is what my friend calls a bribe!

Witness continued : On the afternoon of the same day on which I got the letter, Mr Hill, clerk to Mr Izod, called on me, and asked whether the letter had been received. I replied that it had. He then asked whether any of Mr Izod's order had been completed ; I replied that it had not, the iron I was making was of a different size and was for another party. I had nearly two boat loads of this iron on the wharf, and Hill said, "That will do, send it to us. If you will let me have that iron, I will let you have 10s a ton extra to the price agreed with Mr Griffiths, and it shall be as a perquisite for yourself". This was all finished iron. I asked what he could think by making such an offer. I should not load a boat, or a pound of iron, unless I had orders from the head office at Wolverhampton. I next asked him what he could take me to be? To this he replied, "I will give you a note, signed by a magistrate, which will indemnify you from all responsibility". When he saw that he could do nothing, he asked for the note that had come by post that morning. I refused to give it up, and he said, "I will see Mr Griffiths" ; he then turned round to me and begged of me not to say anything either to Mr Thorneycroft or Mr Griffiths.

Cross-examined by Mr Kenealy : I named this circumstance to Mr Griffiths, but he paid little attention to it. I told him of the offer of 10s, but he would not so much as look at the letter. He simply said, "I'll give you orders what to do". Subsequently I told Mr Thorneycroft. I gave the letter up at the time the "blow" came out, and when the question arose as to the stealing of the iron. I gave the letter up three weeks ago.

Re-examined by Mr Hill : When I told Mr Griffiths, he treated it with indifference. I told Mr Thorneycroft because I heard the same course had been adopted at the other works.

William Merriman : I am in the employment of Mr S Griffiths at the Wind Mill End furnaces. On the 1st of February, I was at the Wolverhampton railway station. I saw Mr Izod there ; he said he had bought some pigs of Mr Griffiths, and asked me if I had any orders to deliver them. I replied that I had not. He then observed that I might deliver some iron unknown to Mr Griffiths if I thought proper. I told him I could not deliver any whatever without I had orders from Mr Griffiths. He then said that if I would send him some pigs he should not be particular to a pound or two ; he would make it all right with me. I replied that I could not do anything of the sort without orders. He said that if I liked to send him some pigs he would give me £50. He did not show any money, but indicated he had got some by rattling his pockets. About three or four days afterwards I saw the defendant Hill at Dudley. He asked me if I intended sending any iron to Birmingham, alluding to Mr Izod. I told him I could do nothing in the matter. About a week afterwards, he came to the furnaces in reply to a letter from the manager, Mr Oaks. Mr Hill told Oaks he would send boats, and some boats came. [The letter was not put in.]

Cross-examined by Mr Motteram : Mr Oaks is the furnace manager. I don't know what post I held, but I suppose I was clerk. I am not aware that I was anything else. The Windmill End furnaces are not now at work, but I am employed there sending out iron. The greatest number of furnaces Mr Griffiths ever had in blast in Staffordshire was six ; they are all out of blast now except the two at Bilston Brook. The Windmill End furnaces were out of blast three weeks ago. I did not inform Mr Griffiths of the attempt to bribe me with a £50 note ; I won't swear that I did not tell Mr Oaks. I mentioned the circumstance to Mr Griffiths about a fortnight ago.

Cross-examined by Mr Kenealy : I was not offered the £50 note ; I should have taken it if I had been offered it ; but I did not keep it from Mr Griffiths from the hope of getting it. If I had got the £50 I'd have cheated Izod – I should not have sent him the iron. (Laughter.) I did not know Mr Izod had paid £3,000 for this iron. When Mr Izod attempted to bribe me he told me he had advanced Mr Griffiths £3,000.

Mr Kenealy : Then you did hear of it.

Witness : Yes, but I didn't believe it. (Renewed laughter.)

Re-examined by Mr Hill : Preparations are being made for the Windmill End furnaces going into blast.

David Walter Jenkins : I am an accountant and live at Sedgley. On the 4th of February I was a ledger clerk to Mr Griffiths, at his offices, Darlington Street, Wolverhampton. At that time the two defendants, Poole and Sutton, were in his employment. Poole was a messenger and Sutton was a clerk. On the 4th of February I met Poole a short distance from his house at Goldthorn Hill. I knew that on the previous evening Poole had been inquiring for me, and when I met him I asked him what he wanted. He replied, "I have been to Mr Izod ; I saw him yesterday ; he wants to make a confidante of you ; will you assist him?" I asked in what way. He replied, "He has had counsel's opinion about Mr Griffiths's affair". I said, "Well, what's right I'll do". He then produced a letter from Mr Izod, but I have not got it ; I gave it to Hill, Izod's clerk, that evening. The letter began – "Dear Sir, I have had counsel's opinion relative to Griffiths's matter, and I will give you £100 if you will procure for me bills and cash to the amount of £3,000 ; I will indemnify you, and you will be quite justified," signed with the name of William Izod, and was addressed to D W Jenkins. In the course of my conversation with Poole he told me he had got a cheque in his pocket, and that they had removed a boat of sheets. He also told me that Mr Izod would pay expenses for six weeks or a couple of months at Paris till the storm blew over. I saw Mr Hill the same night at the office in Darlington Street. We adjourned to Mr Peplow's hotel, and while we were there, he said, "I have come from Mr Izod ; he has taken a second thought, and I want you to give me that letter back again. It will not affect you having the £100 ; in fact you can have £50 more, and I will stake it on my word as an honourable man". I replied, "The fact is you must go quietly to work about getting your iron from Mr Griffiths ; he is not a man to be forced. I should wish Mr Izod to have his iron, and he had better see Mr Griffiths. I will do the best I can for Mr Izod, and I will telegraph to him when he can see Mr Griffiths". Hill then left me. On the following day I telegraphed to Mr Izod, telling him he might meet Mr Griffiths at the Queen's Hotel. I received an answer stating that Mr Izod had been to the Queen's five times and that Mr Griffiths could not be seen, he was gone. I telegraphed back, "Come here at once, Mr Griffiths is at the office". Mr Izod came over to Wolverhampton, and I believe that Hill was with him. I recommended him to go quietly into the bank, and he did so. Shortly afterwards he returned and told me Mr Griffiths would not see him. Mr Sargent, he added, came out of Mr Griffiths's private office and said, "Izod, Mr Griffiths can't see you, you have sent him a writ, and what more do you want". Mr Izod seemed quite distressed, and said, "Jenkins, I must see you, where can I see you?" I directed him to meet me at the Peacock Hotel, and he went away, accompanied by Mr Sutton. I followed them in the course of about half an hour, Poole being with me. Izod told me it was a bad matter. I observed that I was not aware that he had sent Mr Griffiths a writ, and told him he had gone the wrong way to work altogether. "Your contract," I added, " was with Mr Griffiths for pig iron, and you have seized Thorneycroft and Co's sheets intended for Mr Shaw. He asked what he could do. I replied that it was too late, the thing was done. He then said, "Well, you must be the general, Jenkins – (Laughter) – You must go with them (Poole and Sutton)." I asked where they were going ; and Poole and Sutton, joining in conversation, said they were going to Bilston to see what was "loose". They meant they were going to get what iron they could ; there were then quantities of iron at Bilston, at the Staffordshire Works, and at Great Bridge. Poole told me they intended to take this iron to Mr Izod. It was then between ten and eleven o'clock ; and Izod said, "It's getting on, you must be doing ; and Jenkins, of course, you'll go with them". I replied that I should not, not if they even gave me all Mr Griffiths's works, and I left them. On the first opportunity, I told Mr Griffiths about it. Just before leaving the Peacock I told Poole and Sutton to send **Silvester**, the boatman, to me, and I would do my part tomorrow, intending to send him with the iron to -

Mr Kenealy : Never mind that ; we don't care about your intentions.

Witness continued : Poole had some sovereigns on this Wednesday at the Peacock. I also heard Mr Izod say he had been forced to give Leighton, the boatman, a cheque for £5.

Cross-examined by Mr Kenealy : I did not know that last December Mr Griffiths was pressed for money. After considerable equivocation witness said : I did not know that he was pressed for payments in December. I had nothing to do with his payments or with the bills that came back. Mr Toy was the clerk who had to do with that. Mr Toy is here.

Mr Hill : I can assure you, though, I shall not call him. You can call him if you like.

Witness continued : I did not hear Mr Griffiths was in difficulties till after I left his employment seven or eight weeks ago. I have heard something about the Cinderford bills. I don't know that they amounted to between £30,000 and £40,000.

Mr Hill wondered what this had to do with Mr Izod.

Mr Kenealy : I am told it represented iron.

Witness continued : I heard of the Cinderford bills in January, and that they were for a large amount. It was common report ; mere hearsay. I don't know that Mr Izod had repeatedly sent for the iron. I never knew that Mr Griffiths had kicked Mr Izod out of the office. Mr Izod was pushed out of the office when he called on Mr Griffiths on Saturday, the 1st February. I don't know that two men dragged him out ; I heard a scuffle.

Mr Kenealy : How much did you want for this affair? - I didn't want anything. - Why, would you not have taken £150? - Certainly not ; no amount of money would bribe me.

Mr Hill : They say that every man has his price. (Laughter.)

Witness continued : I heard Mr Griffiths giving directions on the 3rd of February at the Windmill End furnaces, that no iron should go away till Mr Izod had had his pigs. I was proud to hear Mr Griffiths say this, and I did not show him the letter given to me by Poole, for fear it should make any disturbance. I first heard of the writ when Mr Sargent mentioned it.

Cross-examined by Mr Motteram : I heard a buzzing about the writ before that Wednesday.

Re-examined by Mr Hill : Mr Izod was pushed out of Mr Griffiths's office on the Saturday before the Wednesday on which I telegraphed to Mr Izod. I heard of Mr Izod having told Mr Griffiths he was a rogue – he robbed the fatherless and the widow – quite a sufficient reason for turning him out of the office.

The case was then adjourned till today at nine o'clock.

If the case be proceeded with, and it is afterwards decided to take the counter charge against Mr S Griffiths and Mr W Whitehead, the hearing will last several days.

60 23 April 1862

DUDLEY

ROBBERY FROM THE WEST MIDLAND RAILWAY At the Police Court on Monday, before F W G Barrs Esq, **Edward Lloyd**, previously convicted, was charged with being concerned in a robbery of silk and leather from the West Midland Railway Company. The case had been remanded for the purpose of obtaining the attendance of necessary witnesses ; but Superintendent Burton said that some of the witnesses refused to attend unless they were summoned, and therefore he must apply for another remand. He also stated that there were twenty four witnesses in the case, and that the value of the property was £37. The remand was granted.

61 30 April 1862

DUDLEY

ROBBERY FROM THE WEST MIDLAND RAILWAY On Monday last at the Police Court, **Edward Lloyd**, a boatman, was again brought up on remand, charged with having been concerned in a robbery of leather and silk, to the value of £37, the property of the West Midland Railway Company. The facts of the case have been already given. Mr Bentley of Worcester appeared for the prosecution, and Mr Warmington for the defence. James Carter, residing at Rotherham and carrying on business as a leather merchant, in partnership with William McCallam, said that on the 25th of June 1861, he selected two dozen of kip butts for a customer named Fieldhouse of Wolverhampton. The goods were given to a servant named Thomas Harrison to pack up. The leather produced by Superintendent Burton and Police-sergeant Davis he could swear to as being his property, as it bore his private mark. It weighed 86 lbs. Thomas Harrison deposed to having packed up the leather in question in the canvas bag produced by Police-sergeant Davis, and to delivering it to Messrs Pickford and Co's carter, named Simpson. Simpson was called to prove the delivery of the goods to the railway station, and several other witnesses were examined to prove the transit of the goods

from one place to another, previous to their arrival at Dudley station, where it was alleged the robbery took place. Superintendent Burton then deposed to having, in company with Police-sergeant Davis, found the prisoner and another man (since dead) at Holly Hall, between five and six o'clock on the morning of the 27th of June last. They had a bag each, containing something bulky. Witness apprehended the prisoner, and in his bag found the three pieces of stuff and twelve pieces of leather produced. At the police station, he charged the prisoner with having stolen the property found upon him from the West Midland Railway Company. Witness did not ascertain all the facts connected with this case until the prisoner and his companion, a man named Aston, had been convicted of another robbery from the London and North Western Railway. For that offence, they were both sentenced to nine months imprisonment. Aston died in gaol, and prisoner was apprehended on this charge, on witness's application, immediately after his release from imprisonment for the first offence. Police-sergeant Davis corroborated Superintendent Burton's evidence, and went on to say that he looked into the bag which Aston had, and found it to contain the leather produced. The prisoner reserved his defence and, being unable to satisfactorily account for his possession of the stolen property, was committed for trial at the next quarter sessions to be holden at Worcester. There was a second charge against the prisoner of being concerned in stealing silk or alpaca cloth, consigned at the same time as the leather, and the evidence being materially the same as in the last case, the prisoner Lloyd was committed for trial on this charge also. Bail was agreed to be accepted, prisoner in £200 and two sureties in £100 each ; but, not being forthcoming, prisoner was locked up.

62 14 May 1862

THE CHARGE OF CONSPIRACY IN THE IRON TRADE

E B THORNEYCROFT AND CO v IZOD AND OTHERS

“SCENES” IN COURT The hearing of this case was resumed at the Birmingham Police Court on Thursday last, before T C S Kynnersley Esq. Mr A Staveley Hill of the Oxford Circuit (instructed by Mr North, firm of Hooper and North, West Bromwich) appeared as before for Mr Griffiths (E B Thorneycroft and Co) ; Mr Motteram of the Oxford Circuit (instructed by Mr Beaton) for Mr Izod ; and Mr Kenealy of the Oxford Circuit (instructed by Mr Beaton) for the other defendants.

Mr Hill stated that in the absence of other witnesses he should call those who would speak to the attempt by Izod to get hold of a load of iron in charge of one Cope, on the 10th of February.

Edward Cope, one of Mr Griffiths's boatmen, proved that as he was conducting a load of bars consigned to Mr Yates through the Thirteen Locks at Birmingham, the defendant Hill told him he had seen “the governor”, it was all right, and he was to take the iron to Johnson's wharf for Mr Izod. Witness refused to do so ; Hill then offered him £5 to take it, but he still refused. When witness passed Johnson's wharf Hill was there with five or six men, whom he wanted to forcibly seize the boat ; they, however, refused to do so.

Thomas Watton, labourer, Bow Street, Birmingham, proved that on the night of Sunday the 9th of February, Mr Izod desired witness to use his influence to induce Cope to leave Yates's iron at Johnson's wharf. Mr Izod promised him a sovereign if he were successful.

Joseph Dodd, Gold's Green, went with **Isaac Hale** of West Bromwich and the defendant **Leighton** to the Staffordshire Works on the night of Sunday the 9th of February. Leighton unfastened a boat of finished iron, and Hale untied a boat of puddled bars. They then started with the boats and reached Sherwin's wharf, Birmingham, at about half past one o'clock in the morning. Witness then went down to Johnson's wharf to get some men to unload them, but they were all gone. They left the boat there and went to bed. On the following morning he saw the boats blowing about at Thirteen Locks.

Henry King, Suffolk Street, Birmingham, stated that on the night of Sunday the 9th of February, a man named Blunt came down from Crowley's wharf and asked him to get two other men and go and unload two boats at Crowley's. He got the two Wattons, and went at two o'clock in the morning. The witness then went on to corroborate the evidence of the witness, Thomas Watton.

John Watton also gave corroborative evidence.

Thomas Allen, foreman to Messrs Crowley and Co, proved receiving a letter from "Izod and Co", dated the 8th of February, asking them to receive four loads of iron at their wharf and cart them to Izod's warehouse as early as possible.

Titus Harley, who was a boatman for Mr Griffiths in February, proved receiving a letter from Mr Izod asking witness to convey what iron he could to Johnson's wharf unknown to Mr Griffiths.

Douglas Dann, late one of the managing clerks at the Windmill End furnaces, proved that on the 4th of February the defendant Poole asked him why he did not send all his iron to Izod. Witness told him he had none of Izod's quality on the wharf, and that if he had he dare not send any "without Mr Griffiths's distinguished autograph".

William Merriman, recalled : Saw Mr Izod at the Bilston Brook furnaces between the 20th and 26th December last. He was inquiring as to how much the furnaces would make in a week, and how many tons of pig were in stock.

William Whitehead : In December last witness was a clerk in the employ of Mr Griffiths. On the 26th of December there was a conversation in Mr Izod's office, Birmingham, between Izod and witness about the settlement of the October contract for pig iron. After that contract was settled, Mr Izod asked witness whether Mr Griffiths was prepared to enter into another contract, and witness consulted Mr Griffiths. On the evening of the same day, Mr Griffiths, Mr Izod and witness met together at the Queen's Hotel. The contract was closed on the same terms as the previous contract, within sixpence, witness believed. The contract was to begin as soon as Mr Griffiths was prepared to make melting iron at the Bilston Brook furnaces. As to the delivery – witness understood the iron was to be delivered as soon as Mr Griffiths was ready to deliver. Mr Izod said, "What about the payment, you can have it any way you like". Mr Izod pressed Mr Griffiths to take money then, and offered a number of notes and promiscuous paper. Mr Griffiths said, "We must not press Mr Izod for the money, and I don't want to do business in that way", for he did not want the money. Witness suggested that it should be on the same terms as the October contract. It was ultimately decided that Mr Izod should give a cheque for £1000, with an acceptance of £1000 at 6 months, and another acceptance for a like sum at 4 months. Witness went to Birmingham to settle the contract next morning.

Mr Kenealy, in reply to an observation from Mr Hill, said he should produce the memorandum of the contract, for which he had received notice, when the proper time came.

Witness continued, saying that three or four days after the contract was entered into. Mr Izod asked him to request Mr Griffiths not to present the cheque, if it had not been already presented ; it would save him a deal of trouble. Mr Izod had several times asked witness when Mr Griffiths would be ready to begin the delivery of the iron.

Mr Toy was called to prove that the contract was lost.

Cross-examined by Mr Kenealy : Are you the manager of the thing you call a bank?

Mr Hill : No, no ; really I do not think that is a proper way to put the question.

Mr Griffiths (in a loud tone of voice) : Don't answer him.

Mr Kenealy : Are you the manager of the thing you call a bank?

Mr Kynnersley : Well, well ; call it a bank.

Mr Kenealy : Yes, Sir ; but it is absurd, using these terms here – it is not a bank.

Mr Hill : Well, but Mr Griffiths has a banker's licence.

Mr Kenealy : Oh, I dare say ; a way of obtaining money by false pretences.

Mr Griffiths : It is false, Sir ; how dare you say that, Sir?

Mr Kenealy : Now, Mr Toy ; are you the manager of the thing you call a bank?

Witness : Yes.

Mr Hill : Now that is not fair.

Mr Kenealy : He has answered the question.

The Clerk : Are you the manager of Mr Griffiths's bank at Wolverhampton?

Witness : Yes.

The cross-examination was then proceeded with, the result being that Mr Kynnersley thought the loss of the contract was not proved.

Mr Griffiths was then called by Mr Hill for this purpose. He said that he recollected the contract of the 27th of December. He handed it to one of his clerks named Whale. He had not seen it since. When Whale's house was searched by a police officer on a criminal charge, witness found a copy of the October contract in Whale's house. Witness believed that Whale stole the December contract.

Mr Kenealy remarked that the only person who could prove the loss of the contract was the person Whale ; till Whale appeared, the Court, he submitted, could not take secondary evidence.

Mr Kynnersley, however, thought the secondary evidence might be taken.

Mr Kenealy intimated that, if secondary evidence were taken from Mr Griffiths, he should have to cross-examine him at great length ; but added that he should allow it to stand over for the present.

Mr Griffiths : I am quite ready.

Mr Kenealy : So am I.

Mr Griffiths : I shall only be too glad.

Mr Kenealy : I shall be equally happy to afford you that pleasure ; you shall be fully gratified, I can assure you, Mr Griffiths.

Mr Griffiths : Only remember that some people live in glass houses. I have met you before, you know.

Mr Kenealy : I shall have you presently ; we know all about that.

Mr Hill : Well, as that is the case, I will get the terms of the contract from Mr Griffiths.

Mr Griffiths continued : The contract was in the spirit and the letter similar to the October contract. It was for 3,000 tons of Bilston Brook melting cinder pig iron ; £3,000 to be paid down in bills, one (£1,000) at four months, another at six months, and a cheque for another £1,000. The rate per ton was, I believe, £2 5s 6d. The delivery was to be made at Birmingham, but if Mr Izod sent his own boats an allowance was to be made by me. I at first objected to this course, because I did not want Mr Izod to sell the iron in the neighbourhood, but on Mr Izod's promise not to sell in the district, I agreed to it. The delivery per week was, to the best of my belief, from 150 to 200 tons. When the October contract was made, £1,000 were paid down, the quantity being 1,000 tons, and this contract was at the same rate, 3,000 tons, £3,000 paid down. Nothing was said as to the time of the commencement of the delivery ; if anything was said in the contract on this subject, it would be on the same terms as the October contract, under which I commenced delivery two months after the contract was entered into. This mode of prepayment is not my usual mode of doing business. When persons are determined to buy at a low price they prepay. The price of this iron on a bill of six months would have been £2 11s per ton. On the 26th of December I had an interview with Mr Izod at the Queen's Hotel, Birmingham ; Mr Bradley, metal broker, was present. He wished to give me a cheque for the money that was owing on the October contract, but when I did not take it, telling him Whitehead would settle the matter, Mr Izod said he never saw such a man as me in his life, for I did not seem to want money. (Laughter.) Mr Whitehead then joined us, and I left Whitehead and Mr Izod to talk the matter over. When we were in the coffee room, Mr Izod promised to pay cash or cheques, and it was under this promise that I entered into so large a transaction. I was certainly not anxious about it at first, for the price of pigs was then on the increase. After the signing of the contract, I often met Mr Izod. It was a most remarkable thing, but whenever I went into the Queen's Hotel, there was Mr Izod ; he was always there to drop on me. He used to telegraph to my clerks to know where I was, and they telegraphed to tell him. One night I did not go to the Queen's but to the Chickens, and sure enough, there came Izod. (Laughter.) On one occasion, in the latter part of January, he asked if I had begun to work for him, I told him I had not but soon should. At that time, there were £4,000 in bills running on both contracts. On the 26th of December I was not in any money difficulties. I was not short of money ; I had money to meet my necessities, and I had a great deal owing me. In that month I paid away £40,000.

Mr Kenealy : In bills?

Mr Griffiths : No, not bills, in hard cash. In November I paid away £35,000, and in January I paid £40,000. A few days after the contract was signed, Whitehead told me of Izod's request not to present the cheque. Mr Izod wrote to me on the subject.

Mr Kenealy : Well, where's the letter?

Mr Griffiths : O, your people got it ; they got all my papers, contract and everything else. [In reply to Mr Hill] As soon as I heard of Mr Izod's request, I became alarmed that he had got into a difficulty with his bankers, and I sent the cheque off immediately. It was duly paid. I told Mr Izod in February that I had a quantity of cinder-covered with a large heap of Churnet mine, and I should have to see the Churnet mine before I could make the melting pigs. After a previous suspicion I discovered to demonstration on the 1st of February that Izod was tampering with my clerks. That was the day on which he was kicked out of my office, I beg pardon, put out of my office.

Mr Kenealy : "Kicked" out you said, sir.

Mr Griffiths : Yes, but I learned that word from you, you have used it so often. (Laughter.) I beg pardon, I mean when he was put out of the office. On that 1st of February he asked me to give him £1,000 back again as he was short of money, but I demurred and referred him to the contract. I also told him on that occasion that all the cinders were covered with the Churnet ironstone, and through Mr Foster falling short in the supply of Froghall ironstone, I was sorry to say that we could not get on with his melting iron. The moment we could get on with it, he should have it. Mr Izod said he should be greatly inconvenienced. He said he had had a deal of unpleasantness with his bankers and was rather short of money, and he should feel obliged if I could let him have my note for £1,000. Believing his statement, I gave him a note at either 14 or 21 days, payable in London. He was perfectly satisfied and repeatedly thanked me ; he then went away. Almost immediately afterwards I saw him in close conversation with my clerk, Whale. He came again to my office late in the evening ; when I first observed him he was talking to Whale in the passage, and when they saw me, they went into the street. Mr Izod then said he should feel obliged if he would let him have a few hundreds in ready cash. I refused to give it to him, telling him he had greatly occupied my time in the morning. I had already given him my note for £1,000 and I could do no more for him. I then had occasion to leave my office, and when I returned Mr Izod and Whale were talking together. He saluted me by telling me I did not intend to send the iron, and he also called me a thief. He was about to push his umbrella at me, and my clerk Mr Webb put him out of the office. He returned through my private door, and I told him as he had made a blackguard of himself he must go out, and one of my clerks "helped" him out. (Laughter.) A short time after this I caught Whale robbing me, and he was convicted. Mr Kenealy defended him, and he was very well defended too. Notwithstanding this treatment of Mr Izod I told the manager of the Windmill End Furnaces to assist in completing this contract. On the 5th or 6th of February I heard of the iron having been taken from the Staffordshire Works. This was the primary cause why I delivered no more iron : another cause was when I discovered Izod's weak point with his bankers. I should, however, have completed the delivery if Mr Izod had returned the iron he had taken. In addition to that, I should have expected Mr Izod to give me cash for £2,000 worth of bills ; this was because of his weak point with his bankers. As soon as I found Izod would not return the iron, I gave instructions to my solicitor to proceed against him. Mr Izod has had about £1,000 worth of iron since the 26th of December, that includes both pigs and the iron he has stolen. The iron stolen is worth £400 or £500. The cross-examination of Mr Griffiths was deferred till the next sitting.

The cross-examination of Mr Whitehead was also deferred.

Mr Richard Bradley, Handsworth, was at the Queen's Hotel on the 26th of December, when he saw Mr Izod, Mr Griffiths and Whitehead. Witness spoke to several conversations he had with Mr Izod, which resulted in this contract. He also spoke to a portion of the conversation that transpired between Mr Griffiths and Mr Izod at the Queen's Hotel, as already detailed by Mr Griffiths.

The case was then adjourned till Saturday.

The hearing was again resumed on Saturday, the same counsel appearing as before.

Thomas Toy, recalled : After stating that during the month of December Mr Griffiths's financial position was good, and that every payment was met with the greatest regularity, the witness proceeded to say that he met the defendant Poole at the Star and Garter Hotel, Wolverhampton, last week, when Poole volunteered the following statement :- "I have written to Mr Izod a sharp letter about his conduct. After he has bought me over and dragged me into this business he won't settle."

Cross-examined by Mr Kenealy : In virtue of his office as cashier, all the bills came to witness, and he kept them in his hands till they were paid away. The two bills and cheques of Mr Izod for £3,000 reached witness about the 27th or 28th of December. He could not say positively how long he held them ; perhaps about a week or a fortnight. When witness spoke of Mr Griffiths's financial position in December, he only did so from what he saw in the books. Witness knew nothing about the Cinderford bills. On being further pressed he said he had a recollection of the transaction. The amount they represented was under £30,000. He was not aware they were accommodation bills. Witness could not say that there was no mention in the books of transactions with the Cinderford Company.

Mr W Whitehead, recalled for cross-examination by Mr Kenealy : He was Mr Griffiths's traveller. He remembered the circumstances under which he met Mr Izod with reference to the December transactions. He might have sent a telegram requesting Mr Izod to dine with him and Mr Griffiths at the Queen's Hotel on the 26th December. In the earlier part of the day, witness had seen Mr Izod, and the latter had asked him whether he was ready for another "go", as he (Mr Izod) could take £1,000, £2,000 or £3,000 worth. Witness mentioned this offer to Mr Griffiths, and when they met at the Queen's, witness told Mr Izod that Mr Griffiths could furnish him with another lot as soon as the furnaces were turned. Mr Griffiths added that he should be prepared to begin delivering in the course of a fortnight or three weeks. Mr Griffiths did not make witness a present of twelve guineas for getting this order from Mr Izod. A few days after the cheque and bills had been paid, Mr Izod asked witness to request Mr Griffiths to withhold the cheque for two or three days, as he had had an unpleasantness with his bankers, and he was about to change them. There was a difference between the business of "Griffiths" and that of "E B Thorneycroft and Co". Mr Griffiths and witness sold iron previously for both, and the blended account would be separated at the office. It was an understanding with Mr Izod that iron coming from Thorneycroft and Co should be considered as coming from Mr Griffiths. Witness would not swear that that was agreed. On the 14th or 15th of January. Mr Izod complained that he was not getting his pigs. This complaint was made to witness and Mr Griffiths when they were at Birmingham. By the direction of Mr Griffiths witness wrote out a telegram at the Exchange and sent it to the office by a porter ; this telegram was addressed to Holland at the Bilston Brook furnaces, and was a request that he would turn the furnaces and make melting pigs instead of forge iron. Witness did not know that Holland said he never received that telegram. Witness remembered the Cinderford bills ; there were about £23,000 or £24,000 worth of them. Witness took two or three to Mr Izod – endorsed by Mr Griffiths or Mr Thorneycroft – and asked for £1,500 on them. He did not remember asking Mr Izod to take them without an endorsement. He might have told Mr Izod that Mr Griffiths had a great many of these bills out with his own endorsement, and he did not want to send out any more. Witness did not think that he told Mr Izod that the banks with which Mr Griffiths had transactions were full of them. Witness might have told Mr Izod that if he would advance the money Mr Griffiths would turn over to him the furnaces at Bilston Brook and Windmill End. At that time, there was an injunction against Mr Griffiths respecting the South Staffordshire works, and Mr Griffiths was ordered to pay £2,000 into court. When Mr Izod declined to discount the bills, he said he should advance no more money till he got his iron.

[During the cross-examination of this witness, an uproarious demonstration took place on the top of the landing outside the door of the court room. Mr Griffiths had seized a slim Inoffensive looking young man who, he said, had been threatening his witnesses, and was vainly trying to pitch him over the banisters into the vestibule below. Mr Griffiths's antagonist clung wildly to the railings till the arrival of Inspector Tandy, when the "war of muscular power became a skirmish of lingual sharpshooting". Hard words were used, to repeat which would probably be libellous, but our readers may imagine that they were well suited to the occasion.]

Mr S Griffiths was then called up for cross-examination by Mr Kenealy, and made his appearance in court amidst a general buzz of excitement.

Mr Kenealy : How long have you been a banker, Mr Griffiths?

Mr Griffiths (scornfully) : A banker, sir! (assuming a calm appearance) I wish to make a statement

before I am examined, sir. I wish to say that a conspiracy has been going on against me from the beginning, in which a wicked person of the name of Hughes is concerned. The day I came here to appear in this case, I was arrested on a writ, this man having sworn I was about to leave the country. And after I had left here on Thursday, I was very much fatigued and very ill and was obliged to call in my medical man, Mr Cartwright. But working out this counter conspiracy I was dragged out yesterday again in the same way, but those with whom Izod -

Mr Kenealy : Really, if these slanders are to be made against Mr Izod, I -

Mr Griffiths : "*Honi soit qui mal y pense*", sir, you know all -

Mr Kenealy : I must protest against -

Mr Griffiths : I was taken into custody for the purpose of -

Mr Kynnersley : But what have we to do with -

Mr Griffiths : For the purpose of preventing my attendance here today. This man (it did not appear which man) carries a revolver in his pocket – (laughter) – to worry me into settling this business. His object is to prevent me going on with the case, and -

Mr Kynnersley : But here you are.

Mr Motteram : Mr Griffiths, I am sure, will not forget himself.

Mr Griffiths : Mr Motteram, you are a respectable man – very different from this thing here (pointing to Mr Kenealy).

Mr Kenealy (quietly) : How long have you been a banker? - About two or three years. And how long have you been a bankrupt? - About five or six weeks. O, no, I shall not say that. I have not been a bankrupt for years. - After some difficulty as to how the answer should be recorded on the deposition, witness continued : I did not commence business in a "very" small way ; it was a "middling" way, as a chemist and druggist. Soon after I began I had the misfortune to have a fire on my premises. I was insured in the Royal Exchange, but, 'pon my word, I cannot say for how much. - Did you not make your claim for £1,500 and settle it for £100? - I will explain to the court. They did not object to my claim, for the policy was there ; but they refused to pay the money because the company said there had been a stove put in the premises afterwards which had vitiated the policy. I went down to Stafford with my action, being sure that if it was in law it was good in morality and the virtue of the case. I was advised by Mr Sergeant Talfourd and Mr Bolton, a respectable solicitor, to settle it for £100 and costs, and I did so. - On your oath, did they not allege that you put the fire in the stove? - (With the greatest excitement) ; Wretch! If they did that, they are not half as bad as you. You have been convicted of a criminal offence, and I know of it. Wretch! You have trod the mill ; you have been "on the step" as they call it. What do you ask me such a question as that for, sir? I will answer you nothing. (Confusion).

Mr Kynnersley : Mr Griffiths, Mr Griffiths.

Mr Kenealy : Upon your oath, did they not allege that you put that fire there?

Mr Griffiths (vehemently) : Wretch! If they did they retracted it, wretch. How dare you, a wretch like you, allege it against me? You have been convicted of a criminality, sir, you have.

Mr Kenealy : Will you swear they did not allege that you caused the fire?

Mr Griffiths (with great indignation) : You! You wretch! You have been convicted ; you have been on the mill – you have been on the "stepper" as they call it.

Mr Kenealy : Will you swear, sir, that you did not put that fire in?

Mr Griffiths (contemptuously) : I have nothing to say to you, sir.

Mr Kenealy : Didn't they allege it?

Mr Griffiths : If they did, they retracted it.

Mr Hill : Are we really to have this line of cross-examination continued?

Mr Griffiths : Oh he is wretch enough for anything. I don't think because he is a barrister he should bully me in this kind of way – a man who has been convicted himself and had his hair shaved at the expense of the country. (Laughter and hisses).

Mr Kenealy : These are lies, as everybody in this court knows.

Cross-examination resumed : I was a bankrupt in 1846. -What did your unfortunate creditors get? I didn't distribute the money, and I can't tell you. - Will you swear it was 14d in the pound? I won't

swear anything about it. - In 1849, didn't you file a petition under the Private Arrangement Clauses, having failed for £40, 947? You may take it at that ; I don't say it's right. I suppose you know what your client did, and his father before him ; he isn't going scot free, I can tell you.

Mr Kynnersley : Really, Mr Griffiths, the proceedings must be conducted with something like order. Cross-examination continued : And was there anything divided amongst your creditors – was there a farthing in the pound? I don't know anything about it. - And after all these failures, you commenced business again, under very flourishing circumstances, didn't you? (Loudly) No I did not, sir. - In 1857, didn't you again become bankrupt for £150,000? I don't know. - Not so large? No. That is in 1857 ; I lost £175,000. I received from the Commissioner a first class certificate, and he pronounced me blameless. - Wasn't the dividend 3 3/4d in the pound? The Commissioner said I was blameless ; therefore I shall not answer the question.

Mr Kynnersley : Do you know what the dividend was?

Mr Griffiths : No, sir ; it is a very painful thing for me, and I do not keep such things in my mind. I do not know whether there was one or two dividends paid ; there was one for a small amount, and I think there was another paid.

Cross-examination continued : You cannot say on your oath what it was? No. I won't. - And then there is No 4, which took place this year? What is No 4. - Why, the deed, or the arrangement, or whatever you like to call it? Yes. Now you are getting more civil, and I can do with you. (Laughter).

Mr Kenealy : Not a bit.

Mr Hill : He denies the imputation. (Laughter)

Cross-examination continued : Weren't the liabilities very large? They were. - Now in December last, had you any very large liabilities? Yes. - What was the amount in December? Well, my liabilities are always very large. I could not tell you. - I know they are. (Laughter) Were they £60,000 or £70,000? O, more, more! - More than £100,000? Yes. - More than £200,000? I cannot tell you exactly, £500,000 or more perhaps. - I believe you received large sums on accommodation bills at the time? - After some quibbling as to the meaning of an accommodation bill, Mr Kenealy put the question in another shape : Did you receive £10,000 worth of bills for which you gave no consideration? (Loudly). No, I didn't.

Mr Motteram : You will hurt your throat, Mr Griffiths. (Laughter).

Cross-examination continued : What did you give for Allaway's bill? It's nothing to do with you. - O yes it is ; and I will have an answer.

Mr Griffiths (to Mr Kynnersley) : Well, then, I have to submit that I am a banker, and that I did business with a firm certainly worth a million of money. It was a privileged business, and therefore I think this might ought not to drag my client before this Court and the world.

Mr Kynnersley suggested that general questions should be asked on these bills.

Mr Kenealy : That will not do for me. I must have these Cinderford bills out. (To the witness) Who was your client? I can scarcely stand to look at a fellow like you. - Who was he? I shan't tell you.

Mr Kenealy to Mr Kynnersley : Then, sir, I must ask you to exercise your undoubted right.

Mr Kynnersley : I don't think I can.

Mr Kenealy : Don't think you can, sir? I can't have justice unless I have this transaction out.

Mr Griffiths : Leave it to the court, Mr Kenealy. The Court knows more about justice than you do.

Mr Kynnersley suggested that the question should be raised on the subsequent trial.

In reply to further questions, the witness said a report had been raised that Mr Allaway had committed suicide. He had heard it from Allaway's brother-in-law, but it was untrue.

Mr Hill : Does Mr Kenealy mean to say that a man in Mr Allaway's position could have cut his throat last week without its getting into the papers, or being authenticated in some way? Impossible!

Mr Griffiths : It's a lie, sir, a lie.

Mr Kenealy : Did you not hear it, sir?

Mr Griffiths : Suppose I did?

Mr Kenealy asked that it should be endorsed on the depositions.

Mr Kynnersley : In what shape do you want it down?

Mr Kenealy : I cannot get it yet.

Mr Kynnersley : It is only to credit, and proves nothing.

Mr Kenealy : I am surprised you do not see it, sir. It clearly shows that the Cinderford bills were worthless, and that the unfortunate man's difficulties were so great that he has destroyed himself.

Mr Kynnersley : What you have asked yet does not show it.

Mr Kenealy : It shows it clearly and conclusively to the mind of any man.

Mr Kynnersley : He has heard a rumour that somebody has committed suicide, and he does not believe it.

Mr Griffiths continued : Any bills that he had from the Cinderford Company went to his (Mr Griffiths's) bankers in the usual way, and he discounted some from time to time. There never was a single bill of Mr Allaway's or the Cinderford Company that was not paid every shilling. He met Izod and told him that if he felt at all uncomfortable he (witness) would let him have some of these promiscuous bills if he liked ; and he might have said he had a great many of them, and did not want his own name on the bills. He might have told Whitehead that Izod should have a couple of thousand pounds on these bills, but did not remember doing so. He denied *in toto* that he ever authorised Whitehead to tell Izod that if he would accommodate him with the £2,000 he would let Izod have the works. Knowing Izod could not discount those bills, the proposal he (Mr Griffiths) made was that Izod should take £2,000 of the bills, and he would draw upon him at six months. That was not discounting, but advancing paper on them. He did not remember dining with Whitehead and Izod at the Queen's on the 26th December ; but he might have done so. The witness, in a tedious cross-examination, detailed further matters respecting the contract. At the time referred to, he had 200 tons of pigs at Bilston Brook – not the same sort of pigs he sold Izod ; and probably 25 or 30 tons of the same kind as Izod bought. At that time they were not making melting cinder iron ; they were making about 300 tons of forge iron a week. He was not clear whether they were making just then cinder iron or forge iron.

In the course of the cross-examination, Mr Kenealy handed a paper to the witness, but Mr Griffiths declined to look at it. He said he would not look at anything out of Mr Kenealy's hands unless there was a witness. He knew enough of Mr Kenealy at Stafford, where he handed him a paper which he looked at, and Mr Kenealy had the audacity, in his speech to the jury, to say it contained something which it did not contain.

Mr Kynnersley could not compel the witness to look at the paper.

Mr Kenealy asked that Mr Griffiths should be committed.

Mr Kynnersley : I shall certainly not do that.

After some further discussion, the witness looked at the paper, and the examination was proceeded with. He said the first transaction with Izod was for 100 tons of sheet iron, and it was unsatisfactory. The clerks were then instructed that there were to be no more taken without a contract. His clerk had written the letter produced (dated 19th February) without knowing anything of the contract. Though he had read the letter, he (Mr Griffiths) believed he did not sell Mr Izod any sheet iron after the 27th December, nor would he have any unless there was some iron coming to him. Major McKnight did not come to him and say the whole of the missing iron could be stopped, nor did he (witness) reply, "It's no matter ; it's all settled between us". On the 19th February, he (Mr Griffiths) went to Windmill End ; he saw Oakes there, and might have authorised him to write the letter, and say he would put one of the furnaces in to make iron for Mr Izod.

Mr Kenealy said he should contend that was a condonation of the whole matter.

Mr Hill : I do not see how that affects the case. Mr Griffiths contracts to supply a certain quantity of iron and, in spite of Izod having entered into a conspiracy, he goes on to fulfil it faithfully.

Mr Motteram said, although they had been engaged in one of the most painful inquiries for three or four days, they did not seem any nearer to it than they were before. What did it amount to? The question was whether Mr Izod had really obtained this iron with intent to defraud. It was proved that Mr Griffiths had had Mr Izod's £3,000 – that he had cashed his cheque the first moment – had cashed his acceptances, one of which had been paid ; but because Mr Izod by an irregular mode –

and he (Mr Motteram) did not attempt to justify the means – had endeavoured to recover that which to him was a serious sum – for it was a little fortune – Mr Griffiths came there and preferred a charge against a man who was known to be one of the most respectable merchants in the town of conspiracy to defraud him of about £500 worth of iron, having at the same time this £3,000 in his pocket – (applause, which was speedily suppressed). And notwithstanding that on the 19th of February they had this letter – when all this was known, when Griffiths had obtained his protection by a deed – he came there and said he was not in difficulties, and never was. All he did was to put the money and property into his own possession and keeping, and then by a deed he bound his creditors, both present and absent, not to call upon him for a single shilling for twelve months. Then he came there and preferred a charge of conspiracy. There was not the slightest means of touching Griffiths, and he complained that these proceedings should be taken when an action was now pending against Griffiths for breach of contract.

Mr Hill said it came with a very bad grace from Mr Motteram, when it was remembered that the other side commenced it by taking out a *tu quoque* summons, and thus bringing criminal as well as civil proceedings. The learned counsel went on to argue that this was a charge which could not be wiped out by a verdict in any civil action. They said that Izod had bribed those young men with £5 and £10 notes and the price of a trip to Paris, to turn against their master. Izod had been tempted, by this thirst for iron, into those proceedings against Griffiths, and by his own acts he must be bound. At the same time he might say that from the first they had been willing to arrange these cases upon equal terms. That showed that Mr Griffiths had no desire to press unduly upon Mr Izod for an act which placed him under the criminal law.

Mr Motteram remarked how utterly absurd it was that proceedings of this kind should be taken where offers had been made over and over again to arrange the matter civilly. It was monstrous even if the case could be tortured into anything like conspiracy. Notwithstanding all the ability his learned friend had displayed – notwithstanding all the ingenuity Mr Griffiths had shown – there was no jury in the world who would not (?scout?) such a scandalous charge, and no Judge who would not regret that the prosecutor was not in the dock.

Mr Kynnersley : I do not know hardly what line I am to take. I confess that before the letter was read I did not see how I could avoid committing the defendants for trial, although I thought they would only be sentenced to a nominal punishment, a fine of sixpence or something like that. I think Izod has acted very foolishly in the affair. He has taken means to help himself with a view to making the best of a bad bargain, and he must take the consequences. He had no right to take the iron, and taking the evidence altogether as true I considered it would oblige me to commit them for trial. But after that letter, I think it is very certain that no Jury would ever convict. But if it goes on, I do not see what I can do but commit them all.

Mr Kenealy : After your opinion that no Jury, after that letter, would convict -

Mr Motteram : The Magistrates often take into consideration all the circumstances of the case, and judge of what they will do by considering what a Jury would do.

Mr Kynnersley : Well, I should say let both summonses be withdrawn.

Mr Kenealy : I shall undertake to do nothing of the kind. Mr Izod's is a distinct case from this, and I shall not withdraw it.

A private consultation then took place between Mr Kynnersley, Mr Motteram, Mr Hill and the Magistrates' Clerk.

Mr Kenealy : I do not know what is going on then in respect to the case.

Mr Kynnersley : What I propose is that all further proceedings in both cases shall be adjourned until the civil cases are tried. Mr Kynnersley afterwards observed that he would not go on with the case.

Mr Kenealy : You ought, sir, to have said originally you would not do so ; you have allowed these men to be maligned, and reports to go forth in the newspapers, and now say you won't -

Mr Kynnersley : I have expressed my opinion upon the case, and I say I will not hear any more of it.

Mr Kenealy : I am addressing you upon the matter, sir, as I am entitled to do. I am surprised to hear that you should think of adopting such an inequitable proceeding, and as far as I know you have no

evidence before you that there is any action pending.

Mr Kynnersley : You have referred to it yourself.

Mr Kenealy : I have cautiously abstained from doing so all through.

Mr Kynnersley : You referred to the declaration.

Mr Kenealy : But whenever the actions have been mentioned, I have purposely abstained from saying anything about them. Now, sir, you have no authority from me, nor from any person authorised in this matter, to say that that action will be tried. We can have a *nole prosequi* entered, and the case adjourned.

The witness was then subjected to a brief cross-examination by Mr Motteram, in the course of which he stated that he first contemplated his deed of arrangement about the 11th or 12th of February, and it was completed on the 22nd ; when he gave the directions to Oakes to send iron to Mr Izod on the 19th, he did not know that the arrangement could not be carried out.

Re-examined by Mr Hill : The first transaction I had with Izod was selling him fifty or a hundred tons of nail sheets. I believe Whitehead was present at that transaction. I acted as agent for the Cinderford Iron Company in these bills. Izod was not the man to discount bills, and if any of them got to him it was a matter of accident. I never made any proposal to turn over the works to Izod ; but I might have said in a joke that he might have the works if he liked. It is the practice of the trade for an ironmaster to sell at quarter day all the iron he might make during the ensuing quarter. The contract referred to iron to be made. After the unpleasantness with Izod on Saturday at Wolverhampton, I saw Oakes at Windmill End. I did not give him instructions to write that letter, but I did give him authority to make the iron ; but after he had heard of Izod taking the boat loads of iron he refused to send it, after writing that letter on his own responsibility.

The case was then adjourned until Monday morning.

On the resumption of the case on Monday, the first witness was :-

William Oakes, Mr Griffiths's head manager at the Windmill End, Bilston Brook and Heyford furnaces. He stated that he sent the letter of the 19th of February to Mr Izod :- "I am instructed by Mr Griffiths to put one of the furnaces to work to make iron for you, so please send boats, I will load them as I make the iron. We shall make about 200 tons a week". A fortnight after we received instructions.

Mr Hill : Had you heard (January) that iron was ordered to be prepared for Mr Izod?

Mr Kenealy : I must protest against these questions, sir ; they are only asked in anticipation of the next case to prejudice your mind, which certainly seems prejudiced enough against Mr Izod at present.

Mr Kynnersley : This is an observation you have no right to make.

Mr Kenealy : It is an observation I do make.

Mr Kynnersley : It is one you ought not to make and which you have no right to make.

Mr Kenealy : It is an observation I adhere to ; and having made it I do not mean to retract one word I have said. I say it is wrong for you to allow this evidence to be given in anticipation of that charge. (Some hisses).

Mr Hill : I can only say I am ashamed of hearing a man belonging to the profession who would make such a remark. (Applause).

Mr Kynnersley : I am sorry you made the observation, for your own sake, and that it is not retracted.

Mr Motteram : I hope my friend will see it well to retract what he has said.

Mr Hill : Retract! It is made after the reflection of a Sunday.

Mr Kenealy : I will bring it down upon you yet. There is a fatal spectre in your memory, and I will surely bring it down upon you – you know what I mean (in a low threatening tone).

Mr Hill (hissing out the words) : Know what you mean, indeed!

Mr Kynnersley : Well, go on.

Mr Hill (to the witness) : Had you heard that iron was to be prepared for Mr Izod?

Mr Kenealy : I object.

Mr Kynnersley : Then I overrule your objection.

Mr Kenealy : Then that's enough.

Cross-examined by Mr Motteram : It was impossible, between the 25th of December and the 1st of January to make Bilston Brook cinder melting iron. Did not believe it was possible to make it earlier than the 19th of February. Did not know whether Mr Griffiths had on the 27th of December, at any of the furnaces, a single boat load of cinder melting pigs.

Mr Griffiths was then recalled to explain a portion of the evidence given by the witness Whitehead.

Mr Kenealy (to Mr Griffiths) : Was it not expressly stated in the deed that, by those "presents" there should be no partnership between yourself and Mr Thorneycroft?

Witness : Whatever the deed says must be so.

Mr Kenealy : Was it not agreed that the deed should not make a partnership?

Witness : I will swear it is as the deed says it is, but I do not know the technical meaning of all of it. I will swear that he was a partner to all intents and purposes.

Mr Kenealy : Was it not said in the agreement that nothing therein contained was to constitute a partnership?

Witness : It is so ; but he was a partner before the world ; he received a share of the profits.

Mr Kenealy : Was it not agreed that he should neither have the rights or be under the liabilities of a partner?

Witness : I cannot remember all that is in the deed.

Mr Kenealy : Was not that part of the deed?

Witness : I cannot swear to it.

Mr Kenealy : Refresh your memory by looking at this copy of the deed. (Handing a paper to Mr Griffiths, who examined it closely)

Mr Hill (to Mr Griffiths) : See that it is a copy of the deed.

Mr Motteram : I believe it is furnished from the office under a Judge's order ; but first let me see it, for unless I see it myself, I will not originate any statement about it.

Mr Griffiths (after looking at the deed) : This is quite right, and Mr Thorneycroft receives a share of the profits over £1,000.

Mr Kenealy : And it says distinctly that Mr Thorneycroft, under the deed, acquires none of the rights and subjects himself to none of the liabilities of partnership.

Witness : I don't doubt but that it is so in the deed, but he was in law a partner for all that. He did all the acts of partnership – signed cheques and gave bills of exchange.

Mr Kenealy : Was it not agreed that the deed should not constitute partnership?

Witness : The deed is there, and that is the arrangement.

Mr Motteram : This is the deed of arrangement, in which the deed of partnership is recited.

Mr Hill : It is so, and by the deed no partnership was to exist between them ; but Thorneycroft was to receive a share of the profits over £1,000.

Mr Griffiths (to Mr Hill) : It was not the usual practice of Mr Thorneycroft to draw cheques and sign bills of exchange, but he has done it.

Mr Kynnersley, after examining the clause in the deed in which the share of profits was to be given to Mr Thorneycroft, said he could not make any sense of it.

Mr Griffiths said the copy was not correct ; and Mr Motteram said it was an office copy, and not their own. If it were not correct they were not responsible ; but he believed that it was correct.

Mr Griffiths : This is not correct, and I swear distinctly that there is a clause in the deed giving Thorneycroft a share in the profit after the first one or two thousand pounds.

Mr Motteram commencing his address on behalf of Mr Izod, said that this was in many respects a remarkable case. But, then, the prosecutor was also a remarkable man – a very remarkable man. Adopting the language – if Mr Griffiths would pardon him for saying so – of a man greater than himself, Mr Griffiths might fairly say :

“---- I have ventured,
Like little wanton boys that swim on bladders,
This many summers in a sea of glory :

But far beyond my depth". (Laughter)

The truth was, he said, that there were some persons who possessed an ever present desire to become notorious, and those, too, who did not care what means they adopted to achieve that object. If not, where was the necessity that Mr Hill should parade before the public the fact – which almost everybody knew, and some to their cost – that Mr Griffiths was a banker carrying on business in Wolverhampton ; that he had ironworks, not only in the southern part of the county of Staffordshire, but probably in the north ; that his reputation was not only local, but almost European ; and finally that he had some furnaces in Northamptonshire, which had nothing whatever to do with the case before the Court. Even whilst his friend Mr Hill was heralding his client forth in the manner described, he fancied he saw a smile of sadness suffused over his countenance – a smile that seemed to say, he thought, for Mr Griffiths in this strain :-

“----- Nay, then farewell!

I have touched the highest point of all my greatness :

And from the full meridian of all my glory,

I haste now to my setting”.

And then the sadness came over Mr Hill's face, as he seemed to say, still speaking for his client :-

“----- I shall fall

Like a bright exhalation in the evening,

And no man see me more”.

Really it could not be that Mr Griffiths's only object in bringing the case there was the simple desire to come before the Court and ask it to give its serious attention to a statement of facts, with a view to putting the criminal law in force. It could not be so, for there was not a fact in the case to justify him. If his object had been to make himself more notorious than he already was, by a four or five day's inquiry, surely he had accomplished that object now. If, again, his object had been to enter into a contest with his learned friend Mr Kenealy – in a manner, he might say, which he deeply regretted, regretted for Mr Griffiths's own sake ; for Mr Griffiths should not forget himself and others, and deal in language not becoming a gentleman or a public court ; for though Mr Kenealy might have become incensed and excited, he was nevertheless a scholar and a gentleman, and ought not to have been insulted in the way in which Mr Griffiths had attempted to do it – if his object had been, he repeated, to enter into a gladiatorial contest with his learned friend Mr Kenealy, he had had that opportunity, and had been permitted to do it to his heart's content, and to the content of any other person who had any ill feeling or enmity towards that learned gentleman. If again his object was to destroy the reputation of Mr Izod, to attempt to damage his credit and to blacken the character of his father, who was now dead and slept in an honourable grave, he had had the opportunity given him to do this. Now Mr Griffiths began with putting falsely the charge in the information. Mr Izod, and these respectable young men present in the court, were charged with conspiracy to defraud Edward Bagnall Thorneycroft and another. Why! This was a lie on the very face of it. Reluctantly Mr Griffiths had been compelled to admit that Thorneycroft had no more interest in the iron than Mr Izod had. And yet Mr Griffiths had not, like a man who felt he was injured, come forward and said, “You have endeavoured to defraud me of iron which you ought not for a moment have thought of taking”. Defrauded him! Why, Mr Griffiths had, by pretences that would be shown later, obtained from his client a sum that had he been what Mr Griffiths had dared to say he believed him to be, and would have them believe him to be, the loss of which would have sent him into the *Gazette*, and his family helpless on the wide world. Referring to the deed of arrangement, Mr Motteram said he could feel for a man like Mr Griffiths, engaged in large commercial transactions, and being suddenly cast down. He could admire an honest man struggling against difficulties and striving to overcome them. But no language was strong enough to express the feelings of abhorrence and contempt he felt for the man who, not in difficulties, not pressed for money – as he had admitted in cross-examination – resorted to such means as Mr Griffiths had resorted to, the result of which might be ruin to all with whom he had come in contact. By a law, if it was a law, the most ridiculous ever invented in a commercial country, and without being in difficulties, Mr Griffiths had actually put himself in the position that creditors could not call upon

him for a single penny for the long period of twelve months, and then could only get their money by instalments of 2s 6d in the pound. He continued, saying that there was a material difference between Mr Griffiths and Mr Izod, that while Mr Izod had to defend himself with his own money, Mr Griffiths was prosecuting Mr Izod with money improperly taken from him – (loud applause, which was soon silenced, in the body of the court). He was using their money to prosecute them, and they were obliged to use their own to defend themselves, He laid great stress upon this, and asked the Court, if it held that Mr Izod had in some slight measure transgressed against the law, to confirm the decision already come to by everyone who knew anything of the case, and refuse to convict him, while Mr Griffiths, whose place ought to be in the dock, was in the witness box. After referring to other points in the case, and arguing that in law there had been no conspiracy to defraud, Mr Motteram concluded by saying he hoped that his Honour would not be the instrument further to oppress those men who were already so deeply injured, and that he would let other instruments be found to do the wicked work of those who preferred the charge. He begged and entreated that Mr Kynnersley would not be their instrument – (applause, which was speedily silenced).

Mr Kenealy then addressed the Court for the rest of the defendants. He characterised the prosecution as nothing else but an attempt to extort money, and added that, if the Magistrate who tried it should be so weak as to lend himself to such an attempt, he would be merely allowing himself to be the instrument for carrying out a most flagitious object, and -

Mr Kynnersley : I do not think yours a very correct expression.

Mr Kenealy said he did not know what Mr Kynnersley did call a correct expression ; but repeated that it was a flagitious object, and added that anyone who heard Mr Hill's offer on Saturday to compromise the matter must have been satisfied that it was not a *bona fide* prosecution. He contended that the Court could not recognise Mr Griffiths as the “another”, and that it therefore could not proceed with the case.

Mr Kynnersley ruled that inasmuch as the form adopted was that always adopted in the case of partners laying informations, the objection was not a fatal one, nor one even of sufficient importance to make it necessary to amend the summons by the addition of Mr Griffiths's name, which he said might be done in an extreme case.

Mr Kenealy contended that these goods were taken under a fair, or at least an imaginary claim of right. The letter Mr Izod had sent to Jenkins, asking Jenkins to get hold of £3,000 worth of bills for him, and saying that he had taken counsel's opinion on the matter and would indemnify Jenkins, showed that he was acting *bona fide*, conceiving that he had right on his side.

Mr Kynnersley, far from expressing his assent to this view, called Mr Kenealy's attention to the cheques given by Mr Izod to Griffiths's clerks.

Mr Kenealy maintained that those cheques were given for boat freight. But there was another point, and that was the entire condonation of the offence. Mr Hill had said that there could be no condonation of a criminal offence.

Mr Hill : I have not said so ; it is a lie. (Hisses) I am very sorry to be obliged to say so.

Mr Motteram : Really, can such things be said in a Court of Justice – such a word as that, too.

Mr Hill : Well, I never used, thought, nor uttered such a thing as Mr Kenealy has attributed to me ; and, moreover, such a thing has never been said in Court.

Mr Motteram : But surely there are other ways of saying so.

Mr Hill (addressing Mr Kynnersley) : I am very sorry for having said it before you, sir.

Mr Kenealy : It is only part of this case, sir. Mr Hill and Mr Griffiths are worthy associates. I was upon the law of the question, sir, but I am driven from that point to another on which I did not intend to touch – the insulting language that has been used towards me, and which I am sorry to say you did not repress.

Mr Kynnersley : What particular part are you referring to?

Mr Motteram : To the observations made by Mr Griffiths yesterday I presume, sir.

Mr Kenealy : I certainly think you ought to have interfered. But I would not ask you to interfere, because I disdained to do so as much as I disdained the charge. These charges could do me no

injury ; I flung them off as

“The dewdrop falls from the lion's mane”.

I say what I have said with great respect, but sorely as I was tempted, I still treated you with that respect in which I always held you.

Mr Kynnersley : I wish you had appealed to me.

Mr Kenealy : I thought, sir, it would not have been necessary.

Mr Kynnersley : You see you took the matter into your own hands. You said it was a lie, and that everybody knew it was a lie, and I thought as you had done so, it was not for me to interfere. I should have done but for that.

Mr Kenealy : I think, sir, that for your own sake, as a member of an honourable profession, and for the dignity of her Majesty's Court, you ought to have interfered.

Mr Kynnersley : But you took the matter into your own hands.

Mr Kenealy : I am sorry to hear you say that. There was respect to be paid to the Queen and to the Court, but it was not shown, and your Court has turned into a bear garden. I felt that you did not treat me well in that respect, but I never lost my forbearance.

Mr Kynnersley ; Well, Mr Kenealy, if you think yourself ill treated, I am very sorry for it.

Mr Kenealy then continued with his defence, and in conclusion said he believed the Bench would only be carrying out the opinions of every leading gentleman in the locality if they at once proclaimed that though Mr Izod had been foolish, he had not been criminal.

Mr Hill briefly replied on the law of the case, first apologising to Mr Motteram for using such language as he had been, in his momentary excitement, led into in his presence, though he could not apologise to the person whose remarks had called it forth. He contended that not only was what Mr Izod had done unlawful, but it had been effected by unlawful means, for they charged Mr Izod with having got a number of their clerks to conspire with him to obtain certain iron.

Mr Kynnersley said this was an important case, and one which, as there was much new evidence, required careful consideration. Rather than make up his mind to either discharge or commit the defendant at present, he would take time to consider. The other case might be gone on with at once.

Mr Hill : Then we had better begin now.

The defendants each entered into his own recognisances in £30 to come up on Monday next, when Mr Kynnersley will give his judgement.

THE COUNTER CHARGE AGAINST MR GRIFFITHS AND HIS CLERK The summonses against Mr Griffiths and his clerk, William Whitehead, Garrick Street, Wolverhampton, charging them with having on the 27th of December last, at Birmingham, unlawfully conspired to obtain, by false pretences, from William Izod and another, one banker's cheque for £1,000 and two bills of exchange for £1,000 each, with intent to defraud, were then heard. Mr Kenealy, instructed by Mr Beaton, appeared for the prosecution, and Mr A S Hill, instructed by Mr North, for the defence.

Mr Kenealy then opened the case, alleging that the £3,000 was parted with on the representation of Mr Griffiths that the iron was *in esse*. Considerable amusement was created by the production of one or two very affectionate letters that had passed between Whitehead and Mr Izod. Mr Kenealy characterised the whole proceeding as a wilful misrepresentation of facts to obtain Mr Izod's £3,000, and, coupling it with the deed and the letters, procuring Mr Izod's forbearance until it was executed, said that it was a misrepresentation to defraud.

Mr Hill called attention to the contract itself, which had been put in, and submitting that that was the only legal evidence, said it did not show that the iron was *in esse*, or that it was to be delivered at any specified time.

Mr Kynnersley said the same difficulty had struck him, and he intimated that he thought there would be some difficulty in proving the case.

After some conversation it was found that the point could not be settled until Mr Izod had been examined, and as it was now five o'clock, his examination was adjourned till next Monday at eleven o'clock.

63 21 May 1862

WOLVERHAMPTON POLICE COURT, FRIDAY MAY 16

A VIOLENT HUSBAND *Painful case of Wife Beating.* **Thomas Vaughan**, a boatman, was charged with wife beating. Vaughan, it seems, was drinking on the previous evening, and because his wife refused a servile consultation about her lord's desire as to the feeding of their old towing horse, he found fault with her, threatened her, and ultimately struck her. When her father and sister interfered, he likewise assaulted them. It transpired that the woman had often suffered great privations in consequence of her husband's treatment, and on one occasion, she had to live by means too dishonourable to mention. On being questioned on this point by the Magistrate, the woman said that she went to the workhouse, but with what result did not transpire. The defendant, who had only been apprehended a few minutes before the sitting of the court, and who appeared to be under the influence of drink, denied the charge in toto, and avowed a lasting affection for his wife, which seemed somewhat to surprise the woman. In default of finding sureties to keep the peace for two months, the Magistrate said he would be committed to prison for that period.

64 21 May 1862

HOSPITALITY ILL REQUITED On Monday last at the Borough Police Court, before the Mayor, B Hicklin and M Ironmonger Esqs, **Susannah Foster**, a girl aged 18, was charged with having stolen a man's jacket, a silver chain, and other articles, the property of a person named Shakespeare. Mrs Shakespeare stated that she and the prisoner were school fellows, and that on Thursday night week, having gone into a spirit vaults with her father, she met with the prisoner, who said she could not get in her home that night, and asked her to let her sleep with her. The prosecutor being out, she consented, and found her breakfast, dinner and tea on the following day, and various meals at subsequent periods. On Monday, witness was washing in the brewhouse, and the prisoner was in the house alone, and after she left, witness missed the articles enumerated, with others not mentioned. Police-constable Martin said he apprehended the prisoner and found the jacket and an umbrella belonging to the prosecutor pledged at Mr Whittaker's. The prisoner admitted having taken the coat, but said the umbrella had been lent to her, and denied all knowledge of the chain. She now pleaded guilty to the charge, and said the chain was in the hands of a brothel keeper. She added that her father was a boatman, and it appeared that she had recently been leading a disreputable life. The Mayor said the case was one of base ingratitude on the part of the prisoner, and the decision of the Bench was that she be imprisoned for three months.

65 18 June 1862

WOLVERHAMPTON POLICE COURT, WEDNESDAY JUNE 11

ILLEGAL FISHING IN THE CANAL AT BREWOOD A boatman named **John Meredith** was fined 40s and costs for illegally fishing in the Birmingham Canal near Brewood, the right of fishing in the said canal being reserved to Walter Gifford Esq. The defendant pleaded guilty. He had been caught with a net attached to the side of his boat as it passed along the canal. The gamekeeper (Edgar Tomkinson) did not observe that the defendant had caught any fish.

66 2 July 1862

STAFFORDSHIRE QUARTER SESSIONS

ROBBERY AT DAW END **John Thomas Rhind** (31), boatman, was sentenced to one months imprisonment for having stolen a pair of boots, the property of William Wooten, at Daw End.

PLEADED GUILTY **Reuben Price**, boatman, stealing articles, the property of William Higgins at Willenhall, six years penal servitude.

67 2 July 1862

WEST BROMWICH

ROBBERY OF HORSE CORN **John Bate**, boatman, and Samuel Fairclough, a horse fettler, were charged at the Police Court on Saturday last with stealing horse corn from the Bromford Colliery.

The evidence of a watchman named Thomas Felton went to show that at an early hour on the previous Monday morning, he saw the prisoner Fairclough bring away a bag of corn from the stables, and throw it into Bate's cabin boat on the adjoining canal. A quantity of hay was also found in the same boat belonging to the same prosecutors. The prisoners were committed for trial at the Sessions, Fairclough for stealing and Bate for receiving the corn.

68 2 July 1862

ROBBERY FROM A BOAT **William Moore**, boatman of Springfields, was brought up before the Mayor and B Hicklin Esq at the Borough Police Court on Monday, charged with having stolen some bread, meat, bacon and other articles, the property of a boatman named **Soloman Davis**. It appeared that the prosecutor had reported at the police station that his boat had been robbed whilst lying in the Birmingham Canal at this town, and that Police-constable Bealey found a loaf of bread and a windlass on a screen in the prisoner's house, and the other articles in a yard where he lived. The prisoner said the things were put into the brewhouse by three men. He was in bed, and they threw stones at his bedroom window, and he went down and fetched the loaf and windlass out of the brewhouse through a broken pane of glass. As the prosecutor was absent from Wolverhampton on his business, the case was adjourned to Thursday.

69 9 July 1862

WORCESTERSHIRE QUARTER SESSIONS **Edward Lloyd**, 31, boatman, pleaded guilty to a charge of having stolen 86 lbs of leather, 83 yards of alpaca, and other articles, the property of the West Midland Railway at Dudley. He was sentenced to eight months imprisonment.

70 9 July 1862

WOLVERHAMPTON POLICE COURT, THURSDAY JULY 3
CHARGE OF RECEIVING FOOD AND WEARING APPAREL KNOWING IT TO HAVE BEEN STOLEN A boatman named **Moore**, living at Springfields, was brought up on remand, charged with receiving a quantity of provisions and wearing apparel, knowing them to be stolen from a boat on the canal, belonging to **John Davis**, on the previous Friday night. Mrs Hannah Hadley stated that she lived neighbour to the prisoner, and at about 3 o'clock on Saturday morning, she saw three boatmen go into their yard and throw a quantity of wearing apparel, some bread, and other articles through the brewhouse window. They then awakened the prisoner, who was in bed, and pointing to the brewhouse, went away. When the prisoner got up, he went to the brewhouse, and passing his arm through a window, pulled out a windlass – (an iron handle) – and a bread loaf. In reply to the Magistrates, the prisoner denied that he knew the property was stolen ; he said, also, that he was acquainted with the men who took it to the brewhouse, whereupon the Magistrates remarked that probably the ends of justice would more likely be met if the prisoner was discharged.

71 16 July 1862

THE CHILD MURDER AT WEDNESFIELD HEATH

COMMITTAL OF THE SUPPOSED MURDERESS FOR TRIAL On Monday last, Mary Ann Stringer, a young woman of healthy appearance, from Wednesfield Heath, was brought before H Hill and S Cartwright Esqs and Captain R F Butler, at the County Police Court in this town, having been remanded from the Monday previous on the charge of having murdered an infant male child which was found in the canal at Wednesfield Heath in the month of June last, and of which child she is supposed to be the mother. Mr Travis of West Bromwich appeared for the prosecution, and Mr Cresswell for the prisoner. Major McKnight, the deputy chief constable of the county, was present during the hearing of the case.

The first witness called was **Moses Goodwin**, who said he was a boatman on the canal. On Saturday the 14th of June, he was navigating a boat along the canal from Messrs Solly's works at Willenhall to the Potteries, and when he arrived at one of the locks near Wednesfield Heath, his boy told him there was a bundle in the lock. In drawing the water out of the lock, the force of the water

drove the bundle into the pound, and he took it out as soon as he could. In doing so, the outside cloth tore, and he saw that the bundle contained the body of a child. He sent for Police officer Cooper, who opened the bundle in his presence ; it contained a stone as well as the child. By the Bench : The lock was being emptied at the time the bundle was first seen, otherwise the bundle would not have floated.

Lucy Bostock stated she was the wife of Thomas Bostock, a licensed hawker, living in Railway Street in this town. Since November last the prisoner had been with her, learning the millinery business. She did not sleep in the house, but came to work in the morning at nine o'clock, and left at eight at night. After dinner on Friday the 6th of June, the prisoner complained to her of a pain in her bowels, and frequently went to the water closet. The evening was wet, and as the prisoner was unwell and had been wet repeatedly, witness told her she had better stay at her house all night if her mother was not likely to be alarmed at her absence. She consented to stay, and went to bed about eleven o'clock, sleeping with Mary Millington, the servant girl, and an apprentice named Emma Bowers. About five o'clock the next morning, witness went into the room to call the girls up, and asked the prisoner how she had passed the night. She replied "middling" but that she was better than she was on the preceding day. Witness suggested that as she might have been disturbed by the girls, she should remain in bed a short time longer, and she stayed till seven o'clock. After breakfast she complained of being worse, and went to the water closet. Witness told her to go home, but she did not go until about twelve o'clock. On the following Monday, she came to work at nine o'clock in the morning, and then walked lame. Witness asked her how she got home and she said "middling", adding that in going down the steps at the railway station she slipped and hurt her knee very badly. She left witness's service on the 1st of July, having remained one month more than was agreed on, in consequence of a month having been lost through scarcity of work. Some old sheets belonging to witness were, while the prisoner was with her, cut up for "dusters", and the cloths produced (in one of which the child was wrapped, the other belonging to the witness) resembled the material of which the sheets were composed. Cross-examined : She had no complaint to make of the conduct of the prisoner while she was with her. She did not know until a week before the expiration of her service that the prisoner had any male acquaintance. She thought from what the prisoner told her that her illness arose from diarrhoea, and she had no reason to alter her opinion. The only difference that she noticed in the prisoner's appearance on Monday was that she appeared paler. She had no such idea as that she had been delivered of a child, nor had she suspected her of being pregnant. Re-examined : She never gave any of the dusters to the prisoner ; she could not tell how many were made.

Mary Millington, an intelligent young woman, servant to the last witness, deposed to the prisoner and Emma Bowers having slept with her on the 6th of June. Witness slept soundly. On the following morning, the prisoner told her that there were a great many people standing about in the night. Witness asked her how she knew that, and she said she had seen them. Witness spoke to having made some dusters out of two old sheets given her by Mrs Bostock, and said the two rags produced exhibited sewing done by her. In cross-examination, she swore positively that the work in question was her own work, and explained the circumstances under which she was able to identify it.

William Done, parish constable of Wednesfield, stated that on the 7th of June he saw the prisoner pass by his house about nine o'clock in the evening. He and his wife noticed that she was walking in a stooping posture, and groaning ; she seemed to be suffering from pain. She presented the appearance of a woman in labour or suffering from recent confinement. Cross-examined : He and Police officer Cooper had talked about the reward of £50 offered by Government for the discovery of the murderer, and if a reward were paid, he should expect a share of it. The papers offering a reward were certainly out before he told what he had seen, but at first he had no suspicion of the prisoner.

Elizabeth Cooper said she was a single woman residing at Portobello. On Monday last, she was in custody at the Police Station in this town, and was placed with another woman and a child in a cell where the prisoner was. On Tuesday morning, she saw the prisoner strip her shoulders to wash

herself and noticed some plaisters, apparently of pitch, on her breasts, and said to her, "Mary Ann, what have you got those plaisters on your breasts for?" and she replied, "To "assuage" the milk away". She had previously told witness that she had had no child, and she asked how it was that she wanted to "assuage" away the milk if she had had no child. The prisoner then said, "I have had one, and it's as good to own the truth as to keep it to myself". Cross-examined : Witness's companion asked the prisoner what she was in custody for, and she replied, "Murder". Prisoner told her that a reward was offered. Witness did not mention the conversation till Thursday, when a police-constable asked her if the prisoner said anything while they were in the cell together. Police-constable Cooper's evidence as taken last week and reported in our last, was read over. In cross-examination, he said that before he took the prisoner in custody he had suspected two other persons of the murder.

Mr Bunch, the surgeon who had examined the prisoner and made a *post mortem* examination of the body of the child, and who gave evidence last week, was unable to attend today, or it was proposed to examine him further as to the results of the *post mortem* examination.

Mr Cresswell said he wished to ask Mr Bunch some questions as to his examination of the prisoner, and as he was not present, he suggested that the case should stand over for his appearance.

The Bench, however, said that if the medical evidence were struck out altogether there was sufficient to warrant them in committing the prisoner for trial, and they should accordingly commit her.

Mr Cresswell, therefore, made no defence, but advised his client to plead not guilty, which she did. The prisoner seemed unaffected by the proceedings till the Bench gave their decision, when she shed a few tears.

A large crowd had assembled outside the court to see her on her removal to the Police Station.

[Note : Ultimately, Mary Ann Stringer was found guilty of concealment of birth.](#)

72 **23 July 1862**

ROBBING A BOAT Yesterday at the Borough Police Court, Ebenezer Harrison was charged with stealing a flannel jacket, the property of **John Stokes**, a boatman. The prosecutor stated that the jacket, which was produced, was his property. It was worth 10s. He missed it from the cabin of his boat, which was lying at Page's coal wharf in Railway Street. The prisoner was in his company yesterday. A witness said she saw the prisoner go into the cabin and bring out the jacket. She and her husband followed him, and he said he was going to pawn it for a quart of ale. The prisoner : We were all drinking together ; it was all done in a drunken fit ; but I own I fetched it out of the cabin. The second witness, being asked whether the prisoner was intoxicated or not, said he was about "half and half". He was sentenced to fourteen days imprisonment.

73 **30 July 1862**

STAFFORDSHIRE SUMMER ASSIZES, CROWN COURT

BURGLARY BY AN OLD OFFENDER AT SMETHWICK James Baraclough, 25, a stout built respectable looking fellow, was charged with burglariously breaking into the dwelling house of **Mr Robert Thomas**, clerk to the proprietors of the Birmingham Canal Navigation Company, at Galton House, Smethwick, on the 24th of February 1859. Mr Mathews appeared for the prosecution, and Mr Motteram on behalf of the prisoner. On the night of the 24th of February the prosecutor's house was broken into, and plate and other articles to the extent of £60 or £70 were stolen. A portion of the property was found at the house of a man named Griffiths in Birmingham, and Griffiths was now what is termed "Queen's evidence" against the man. After hearing the witnesses for the prosecution, the Judge said that the case rested entirely on the testimony of Griffiths, and it was the rule that no person should be convicted on the unconfirmed evidence of an accomplice. On this direction, the Jury returned a verdict of not guilty, and the prisoner was discharged. He was afterwards apprehended on a charge of burglary in Liverpool. Though only 26 years of age, the prisoner has been three times transported, once for ten years and twice for fifteen years ; and of those forty years we are informed that he has not served more than six or seven years. He is well

known in the principal towns as a “cracksman” and one of the most accomplished thieves in the kingdom.

74 6 August 1862

STAFFORDSHIRE SUMMER ASSIZES

SENTENCES **George Smith** (23), boatman, pleaded guilty to stealing, on the 8th of July at the parish of Tipton, a chain and one iron beam, the property of William Springthorpe ; two months imprisonment with hard labour.

75 6 August 1862

NISI PRIUS, WEDNESDAY

ALLEGED IMPROPER CONVERSION OF A BANKRUPT'S PROPERTY

FIRMSTONE AND ANOTHER v ROLLASON AND ANOTHER In this action William Henry Firmstone and John Eyre, trade assignees under the bankruptcy of Edward Thomas of Walsall, and Frederick Whitmore, official assignee, were the plaintiffs, and David Rollason and Edward Rollason the defendants. The defendants were charged with having converted and wrongfully deprived the plaintiffs of a quantity of pig iron belonging to the estate of the bankrupt. The defendants had put in several pleas disputing the plaintiffs' title as assignees, alleging that the iron was the property of the bankrupt at the time, and not of the assignees, and that they had the bankrupt's consent for what they did.

Mr Phipson QC, with whom was Mr Motteram, instructed by Mr Stubbs of Birmingham, appeared for the plaintiffs, and Mr Serjeant Pigott, with Mr Mathews, instructed by Messrs Barnett and Co of Walsall, for the defendants.

Mr Phipson, in stating the case for the plaintiffs, said the bankrupt Thomas formerly carried on business at the Pleck Ironworks near Walsall, and the defendants were iron wire manufacturers at Bradley near Bilston. Thomas, the bankrupt, made iron from pigs. He had no furnaces, and could not manufacture the pig iron, but he obtained his pigs from the defendants Rollason. In November 1860, Thomas fell into difficulties, and from the 19th to the 26th his works were at a stand. At that time there was stock valued at between £700 and £800 upon the bankrupt's works, but during the week the whole of this property disappeared ; indeed, the creditors seemed to have been struggling to help themselves as best they could, knowing that the bankrupt could not last long. The bankrupt instructed a man named **Jones** to load his boat as quickly as he could with broken pigs which were lying at the Pleck Works, and take it to the old arm of the canal, and then wait for further orders. Jones took the iron as directed, but as no one came he went to Thomas and Thompson's works, where the bankrupt had first given him instructions. He there saw Mr Thompson, and told him he had brought the iron along the canal and wanted to know what he was to do with it. Thompson seemed very angry, and would not have anything to do with it. Jones then went back to his boat, and he there found Mr Rollason and another person named Hipkiss disputing as to who should have possession of the iron. After some disputing they agreed to divide it, and Rollason took ten tons and Hipkiss the remainder. It was for these ten tons of iron in the first place that the action was brought, and the assignees maintained that this was part of the bankrupt's estate, and ought to have gone to the creditors. Then there was a further claim which arose out of a different boat load of iron which the defendants obtained possession of from Messrs Shipton's wharf at Wolverhampton on the following Monday. This boat contained from 24 to 25 tons of pig iron. The defendants were creditors of the bankrupt, and they pleaded that they had leave and licence to take this iron, and this would be the question for the Jury to consider. The facts stated by the learned counsel were established by the evidence of witnesses - John Heath Stubbs, Birmingham ; John Brayford, coal master, Bloxwich ; **Thomas Jones**, boat steerer, Bradley ; **Frank Shipton**, wharfinger's clerk, Wolverhampton, and **William Freeman**, a boatman.

Mr Serjeant Pigott then opened the defence. He said the bankrupt had had large dealings with Messrs Rollason, and they, learning that he was about to petition the Bankruptcy Court, pressed him for payment. They could not obtain any money, and they said that if the bankrupt could not pay

them in cash he must pay them with iron. They met the bankrupt by appointment with Thomas and Thompson's, and he then gave the defendants an authority to receive the 25 tons of iron from Shipton's wharf. Hipkiss came in at that interview, and it was also arranged that a boat load of iron that was coming from the Pleck should be divided between him and the defendants.

Mr David Rollason, one of the defendants, said that some time before November 1860, the firm of which he was a member had dealings with the bankrupt Williams. On the 22nd November, witness saw him at Walsall and, as he did not pay his account, he threatened legal proceedings. On Friday witness saw the bankrupt by appointment at Messrs Thomas and Thompson's, and told him he had called for his account. Williams professed his inability to pay, and asked him to take the iron in part payment. Hipkiss was to have part of that at the Pleck, but the whole of the 24 tons 10 cwt at Wolverhampton witness was to have. He was to give him the market price for the metal.

In his cross-examination, Mr Motteram called his attention to the evidence he had given in the Birmingham Bankruptcy Court, on the occasion of Williams's petition being heard. There appeared some remarkable variations in his statements, and at the close of his examination the learned Judge put some questions to him on the subject. It appeared that defendant had said he brought away only ten tons of iron from the bankrupt's premises ; and although he explained this as referring to a particular period, anterior to the time he now spoke of, his Lordship appeared by no means satisfied with the explanation.

Mr James Thompson, a partner in the firm of Thomas and Thompson, said he was present when the bankrupt and the last witness were at his works in November 1860, and gave confirmatory evidence. (This witness was also examined at length upon his evidence given at Birmingham).

Serjeant Pigott addressed the Jury, and

Mr Phipson replied upon the whole case, especially referring to the apparent want of veracity which the witnesses for the defence had exhibited.

The learned Judge, in summing up, said he did not think the evidence presented any ground for considering the bankrupt guilty of fraudulent preference, as the counsel for the plaintiffs seemed to wish to make out. As to the question whether the transaction between the bankrupt and the defendants in relation to the documentary authority was a valid one, supposing the evidence upon that point trustworthy, they must remember the pressure brought to bear on him by the defendants, by means of the summons and the demand in bankruptcy, as well as the writ of *capias*, which was probably already in the hands of the Sheriff. If the bankrupt did, say, take the iron under the threat of legal proceedings, it was a valid transaction. There were some serious objections to make in reference to the testimony of both the principal witnesses called for the defence ; but, before he came to them, he had this remark to make, that the transaction at Wolverhampton was totally independent of their evidence. With respect to the first of the witnesses, particularly the defendant Rollason, there was a very serious imputation to be made upon his testimony. When before the Bankruptcy Court he would certainly be subjected to considerable torture. He would be examined alone, and though he might have his attorney with him, what he said would be taken down in writing, not by a very favouring but he (the learned Judge) hoped by an impartial hand. He was examined by a learned counsel, and he gave a history of the iron taken from the Pleck, saying, "I believe we had nothing but the ten tons of iron", when he knew perfectly well at the time that they had twenty five tons from Wolverhampton. It would form a very material question for the Jury to consider whether a sufficient amount of credibility could be attached to the evidence of this witness to let it form the chief support of the defendants' case.

The Jury retired about noon, and at half past one returned with a verdict for the defendants.

76 1 October 1862

WALSALL

STEALING IRON On Monday, **Charles Boot**, a boatman, was charged at the Guildhall, before J B Anderson, J W Newman and P Potter, Esqs, with having, on the 30th of August last, stolen a quantity of iron, value £1, the property of Messrs Jones, Birchills. Mr Matthews, who appeared for the prosecution, called evidence from which it appeared that on the night in question the prisoner

was with his employer's boat at the Birchills. About eight o'clock that evening, **Mrs Oakley**, wife of the owner of the boat, had occasion to go into the cabin of the boat, and there saw the iron secreted in a bed. On coming out of the cabin, she locked the door. On the following morning, she returned, and found the lock broken and the iron taken away. A witness named Henry Spencer deposed to seeing the prisoner hide the iron in a wood yard belonging to Mr Henry Boys, where it was found by Police-constable Pugh. The prisoner, who pleaded not guilty, was committed to take his trial at the next quarter sessions for the borough.

77 8 October 1862

SMETHWICK

DARING BURGLARY *A courageous witness.* A boatman named **Edward Thompson** was on Saturday last placed before the West Bromwich Magistrates on a charge of being concerned, with another man not in custody, in a daring burglary at the residence of Mr John Stones, master roller. Mr Travis conducted the prosecution. Mr Emmanuel Palfrey Stones, son of the prosecutor, stated that he resided near the French Walls, and at about ten o'clock on the morning of the 23rd ult, he was awakened by a noise in the lower part of the house, and on groping through the pantry, his hand came in contact with a man, whom he instantly seized by the throat. While struggling with him, another man, who to the best of witness's belief, was the prisoner, came from the front part of the house, and seized him by the throat with one hand and stopped his mouth with the other. As soon as witness was able to speak, he cried out that if they would loose him he would let them go. They released their holds on him, and the man whom he first encountered made his escape through the back door. Witness then seized the other and dragged him to the foot of the stairs, but after a struggle he also got away. Witness's father and two brothers were in the house at the time, but they were in bed and asleep. Witness could not swear positively to the identity of the accused, but he was about the same size as the second burglar with whom he had the struggle. In the pantry, he found some wearing apparel placed on a shawl, ready to be tied up for removal. He also found the cap produced and a shoe. Entrance had been obtained through a broken pane of glass of large dimensions. Sergeant Passey said that on the previous Wednesday he went to Stoke-on-Trent, and found the accused in custody there. Witness charged him with being concerned in the burglary at Mr Stones's house, and he replied, "It's all right ; I did it". Witness inquired if he had left a cap behind him on the occasion, and he answered in the affirmative, and at once admitted that the cap produced was his. The prisoner, who said he would reserve his defence, was committed for trial at the assizes.

78 22 October 1862

WOLVERHAMPTON POLICE COURT, THURSDAY OCTOBER 15

ROBBERY FROM A BOAT ON THE CANAL A boatman named **James Skarratt** was brought up charged with having stolen 12s worth of wearing apparel from the boat of **William Dance** at Barlaston, near Stone, on the 3rd inst. The prisoner was assistant to the prosecutor, and in the temporary absence of his master, he plundered the boat and ran away. When the prosecutor reached Wolverhampton, he gave information to the police, and on Wednesday morning, Sergeant Brooks took the prisoner into custody. He pleaded guilty, and the Magistrates committed him for three months imprisonment.

79 19 November 1862

CHARGE OF FELONY AGAINST A BEERHOUSE KEEPER A middle aged female named Bridget Hunt, wife of a beerhouse keeper in Temple Street, Bilston, was charged with having stolen the sum of 8s from the person of a boatman named **John Williams**. The prosecutor's statement was to the effect that on the previous night he was coming from Brierley Hill to Bilston, and on the road he overtook the prisoner and another female, and he entered into conversation with them. They all three walked on the road together, and when they arrived at Bilston, he accompanied the two women to the house of the prisoner, where he paid for something to drink for them. He had £4 10s

in gold and 2s in silver when he entered the house, and whilst he was in the house he changed half a sovereign. He remembered drinking in the house until 11 o'clock at night, when he wanted to be going, but the prisoner, who had fastened the house up for the night, refused to allow him to leave. He then laid down on the settle in the kitchen and pretended to go to sleep. Whilst in that position, he felt a hand in his jacket pocket, and, on opening his eyes, saw the prisoner leaning over him. He did not say anything to her, but on getting up and examining his money, he missed 8s, having only the four sovereigns in a bag in one pocket. He then made his way out of the house and told a policeman, whom he met in the street, that he had been robbed, and the prisoner was then taken into custody. In cross-examination by Mr Bowen, who appeared for the defence, prosecutor admitted that it was he who first accosted the prisoner and her companion, and that he invited them, on arriving in Bilston, to go with him and have some drink. The prisoner did not make any overture to him, and whilst he was in the house he paid for some seven or eight quarts of beer and some rum, which he principally drunk. The policeman who took the prisoner into custody said that when he charged her with the robbery she alleged that the prisoner gave her the money, and the latter, who was standing by at the time, did not deny it. The Stipendiary did not consider that there was sufficient evidence on which to commit the prisoner for trial, and she was therefore discharged.

80 10 December 1862

STAFFORDSHIRE WINTER ASSIZE

THE ALLEGED MURDER AT COSELEY Jesse Watts (28), stock taker, William Henshaw (68), miner, Hannah Simms (19), brickmaker, and Mary Downing (19), brickmaker, were indicted for the wilful murder of Henry Henshaw on the 4th of November at the parish of Sedgley. All the prisoners pleaded not guilty. Mr Boughey, with Mr Motteram, prosecuted ; and the prisoner Henshaw was defended by Mr Brindley. Mr Kenealy, as the prisoners Watts, Simms and Downing had no counsel, at the request of his Lordship, undertook their defence.

Mr Boughey opened the evidence for the prosecution, and then called the following evidence, the first witness being

Mr John Beddoe, surveyor, Bradley, who produced a plan, and proved the several distances marked upon it.

Isaac Kelsey, examined by Mr Motteram, stated : I am a puddler, living at the Deepfields near Sedgley. I knew the deceased for about ten years. On the evening of the 4th of November I saw him in the street in Deepfields. It was the time of the wakes. I went with the deceased into the Anchor public house near the Three Horse Shoes. We had some drink there, and stayed until half past nine o'clock, when we went into a booth attached to the public house. I knew the prisoners by sight, and three or four minutes after I and the deceased went into the booth they came in and began to dance. The deceased asked the girls to drink with him. We then left the booth together, having been there about half an hour. We left the prisoners there, but they shortly afterwards followed us to the Three Horse Shoes public house, where myself and deceased went. This was directly after ten o'clock, and we had two quarts of ale, which the deceased called for, and we all drank. To pay for the ale, deceased pulled out of his pocket about 14s in silver. The prisoners were by the side of him at the time, and did and could see it. We all remained there until about eleven o'clock, when the deceased went out with the prisoner Hannah Simms, and the other prisoners followed them out directly after. The deceased said he was going with the prisoner Hannah Simms to Blue Button Bridge. In about ten minutes afterwards I left the house, and when within ten yards of the bridge I saw the deceased lying on his back, and the prisoner Downing by the side of him, and Watts also close by. The prisoners Henshaw and Simms were some ten yards from him. The two latter ran away towards Bilston when they saw me. The prisoner Watts called after them, and said, "What have you got to run for? Come back ; let's throw the b--- into the cut". They kept running on, however. When I got up to the deceased I found his jacket and waistcoat by the side of him, and he was hooting, "Police!" As soon as he got up I saw that he was badly hurt about the throat, blood also running from his mouth. I picked him up, and also his jacket and waistcoat, and helped him on with them. The deceased then said, "Her that's been with me has robbed me of betwixt 14s and 15s". He also

said, "I will have my money before I leave you", and then Watts immediately struck the deceased on the mouth, and knocked him over the rails into the field on his back. The deceased got up again, and the prisoner Watts being about to get over to him I laid hold of him round the waist, and begged him not to hit deceased again. I did not see deceased strike anyone. The prisoners Watts and Downing then went on in the direction of Bilston, in the same direction as the other prisoners had gone. Deceased said he would follow them and have his money that night, but I asked him to go home, but he would not, and I went back to the Three Horse Shoes. On the Saturday I was taken to the deceased by his request by Police-constable Costello. Cross-examined by Mr Kenealy : All the time the prisoners were in the Three Horse Shoes they seemed very friendly with one another. The two women went out of the Three Horse Shoes first with the deceased, and the men followed. When deceased went to follow the prisoner Watts, it was then that he struck him. The deceased, when he refused to go home with me, was very violent and excited. On the following morning, the deceased came to our house and left a message with my mother and brother for me to say nothing about what had taken place. Cross-examined by Mr Brindley : Henshaw was standing not more than twenty yards from the deceased.

Ann Skidmore stated : I am the wife of John Skidmore, landlord of the Three Horse Shoes at Sedgley. I remember the deceased coming to the house about eleven o'clock on the Tuesday night in company with the prisoners and the last witness. They had two quarts of ale in the club room, and they left in about twenty minutes. The deceased went downstairs first and Downing followed. She then came back and gave the others a "nod", and they all left the room. I did not see the last witness afterwards in the room. Cross-examined by Mr Kenealy : I believe I saw the last witness go out with them, but I cannot be sure.

John Skidmore, landlord of the Three Horse Shoes, Ladymoor, gave evidence to the same effect as the last witness as to the prisoner, the last witness and the deceased going into the club room together, and leaving the house. Cross-examined by Mr Kenealy : I cannot swear it was not five persons who went out at the door, but they all went together. I am sure the four prisoners went out.

William Lees stated : I reside at Bilston, and was at the Three Horse Shoes on the 4th of November, when the deceased came in about eleven o'clock, in company with the four prisoners and another person whom I had never seen before. I saw them all leave together. I left about half past eleven o'clock, and met the prisoner Mary Downing in High Street. I asked her if she was only just going home. She replied, "Yes", and I then said, "Which way did you come?" and she said, "Along the side of the canal, and we have had a good fight. You saw that tall fellow in the club room? He said that the other girl he gave some money to had robbed him, and wanted his money back, and I gave him two or three "hot ones". We had to run, as he went for a policeman". The prisoner and myself then went down the street, and met the prisoners Henshaw and Simms immediately afterwards. I then crossed the road, and they followed me on the opposite side until we got to the Market Place. I there heard a whistle, and the prisoner Downing said, "Come on, it's all right. That's Jesse". Watts and another person then came up.

George Cullis : I am a boatman, living in Worcester. My boat was moored in the Birmingham Canal, near the Blue Button Bridge, on the night of the fourth of November. I was in the boat and in bed, and some time in the night I heard a noise of persons quarrelling, and I then pulled aside the slide at the top of the cabin, and I heard a man's voice, and he said, "I could not half hit him, as my arm's bad". I then looked on the towing path, and I heard a woman say, "I have not picked him up of a farthing", and I then saw two men opposite the boat, and a woman walking some seven or eight yards further on, going towards the bridge. I did not hear "murder" or "police" cried. I then drew the slide and went to bed again.

Richard Gordon said : I am a sheet roller at the Stone Field Works, and about twelve o'clock on the night of the 4th of November, the deceased came to me whilst I was working in the mill. He was spitting blood, and appeared to have received a blow on the chin. He was in great pain, and was holding his side. The deceased then went into the works, and stayed until half past one o'clock, when he left.

Thomas Watkins, a puddler living at Deepfields, said : About nine o'clock on the evening of the 4th

of November, I was at the Anchor Inn, and saw the deceased and all the prisoners there drinking together. The deceased was taking liberties with the girls, and the others appeared to be angry with him, and Simms said, "We will smash his head just now".

Police-sergeant Costello said : On the 5th of November, from information I received, I went to the deceased's house about six o'clock in the evening. The deceased was in bed. I had a conversation with him during the time I was there at which the prisoners were not present. The deceased then asked me to send for the witness Kelsey, and I did so and he went into the room. Kelsey made a statement to me, and in consequence of it I apprehended the prisoners. The statement the witness made was in the hearing of the deceased. I apprehended the prisoner James Watts first, and charged him with assaulting and robbing the deceased on Tuesday night. Whilst handcuffing him, he requested me not to do so, as he had hurt his right arm. He said, "Don't handcuff me ; I will tell all about the ---- lot ; when I get to the station send for little Polly to me, she knows the names and will tell you". I then apprehended the prisoner Henshaw at his own house, and the prisoner Simms, who was there. The prisoner Henshaw said, "I was never near the place that night", and on charging the prisoner Simms, she said, "I was never near the Deepfields that night". I took them to the station, and the prisoner Mary Downing was brought there, and on charging her she said, "I know nothing about it". Immediately afterwards I took the two male prisoners to the deceased's house into his bedroom. Deceased pointed to Watts with his finger, and I then asked him if he was the man who struck him, and he said, "Yes, he's the man". I then pointed to Henshaw, and asked him if he knew him, and he said, "That's the other man". By his Lordship : Neither of the prisoners said anything to this, and I did nothing to prevent them asking him anything. Cross-examined by Mr Kenealy : Shortly before I left the house, in answer to a question from me, the deceased said he hoped he should recover. By Mr Brindley : The prisoner Henshaw did not say he wanted to speak to deceased.

Mr Superintendent McCann : I am stationed in Bilston, and had the prisoners in my custody, and on the Monday night on which deceased died, I charged them with his murder. The prisoner Henshaw said, "I was not near to them when they were fighting, and he wanted to fight me". The prisoner Watts said, "He wanted to fight the old man, and "hot" me two or three times, and I hit him and he fell over the palings. We then had a round on the canal side, and the deceased then asked Kelsey for his clothes, put them on, and went half a mile with me in the direction of Bilston. He then went into some ironworks, and I saw nothing more of him ; he was quite well when he left me". Simms said, "I left him when the old man left him". Downing said, "The deceased struck Watts two or three times before he fought". She further said, "I should not have gone near if Simms had not cried, "Murder"".

Phoebe Griffiths, sworn, said : I am a widow living at Coseley. I knew the deceased and was at his house, in his bedroom, on the 5th of November. I had some conversation with the deceased, who was very ill in bed, and he said, "I think what I have got is come for my end. I cannot live". I am sure he said this, and he also said, "Lord have mercy upon me", and he further said he should die. He (the deceased) said some men had set about him on a bridge. They had struck him, and he put out his arm and showed me that it was done with a gutta-percha stick with a knob on the end. He said they hit him on the jaws, and tried to throttle and rob him. They then ran away towards Bilston. I asked him if he knew who the men were, and after the two prisoners had left the room, he said that they were the men who served him so. Cross-examined by Mr Kenealy : I asked the deceased if he was sure they were the men, and he said he was. I am not quite sure whether this was before or after the prisoners had been brought in the room and after he said he was dying. I think it was before. After this cross-examination of the witness, his Lordship said he thought the witness's recollection was too indistinct as to what took place to allow the deceased's statement to be admissible as evidence against the prisoners. Mr Motteram agreed with his Lordship, and then called

Mr F J Griffiths, sworn, stated : I am a surgeon, practising at Bilston. I was called in to see the deceased on the 5th of November. I found him suffering from severe pain in his jaws, and he told me he had been violently assaulted and robbed. I found bruises on the left side of his face and the

lower jaw, and his lip was swollen. He had some difficulty in articulating. I ordered leeches to his throat. On the Sunday morning he appeared much worse, and I gave him no hopes of his recovery at all. He died on the Monday morning at three o'clock. I afterwards made a *post mortem* examination of the body. On the left side of the lower jaw I found a bruise ; also on the left side of the face, and on the ear. Likewise a bruise on the right lower jaw, and several bruises about the throat and neck, near the chin. I also found a fracture of the right side of the jaw. There was a fracture of the bone at the top of the throat. Death ensued from inflammation of the brain, caused by the injuries described.

At this point, the prisoner Henshaw suddenly fell down in the dock in a fainting fit, and on his recovery appeared much affected and was, with the female prisoners, accommodated with a seat.

The last witness then continued his evidence : I am of opinion that the injuries to the jaw could not have been done with the fists, but might have been done with some blunt instrument. The deceased died from congestion of the brain and lungs. Cross-examined by Mr Kenealy : An habitual drunkard might die from congestion of the brain and lungs – still there would be other appearances. A blow of the fist might break a man's jaw, or a fall upon some sharp instrument, but the deceased was a strong man, with a strong jaw. Had I attended deceased immediately after the fracture of the jaw I do not think it probable that I could have saved his life. Re-examined : The deceased's death was not from natural causes, as he was a man in good health. The inflammation was the effect of the injuries, and not of cold. This being the last witness for the prosecution,

Mr Kenealy addressed the jury on behalf of the prisoners Simms, Watts and Downing, and in doing so said that it was not a case of murder, but rather, in fact, a case of manslaughter arising out of a drunken squabble. On the night it occurred, the prisoners and the deceased were, according to the evidence, all friendly together, and there was nothing to show that any malice or ill feeling towards the deceased was exhibited by the prisoners, or a desire to decoy him to the spot for the purpose of robbing him, but the prisoner, Mary Downing, went with him to the bridge at his solicitation. Believing Kelsey's evidence that when he came up to the bridge he found the deceased stripped, and there had evidently been a fight over the prisoner Downing, the deceased having wished her to return to him the money he gave her. The deceased, being a strong man, endeavoured to force the money from her, and she calling out, the other prisoners came up and a fight at once ensued, and the deceased got the worst of it. He (Mr Kenealy) considered the deceased's own conduct the next day in wishing that the witness Kelsey would say nothing about the matter showed that he had been in a disgraceful squabble, and in a stand up fight had got the worst of it. If the deceased had thought it was otherwise he would at once have complained to the police, and not have waited until he was on his dying bed. Mr Kenealy asked the Jury to look with great care to the dying statement made by the deceased, and which the prosecution had artfully introduced into the evidence against the prisoners, and concluded by stating that they could not from the evidence come to a verdict of wilful murder, but say it was one of those unfortunate homicides, the result of a drunken squabble arising out of one of those disgraceful and demoralising wakes which were held in that part of the country.

Mr Brindley then proceeded to address the Jury on behalf of the prisoner William Henshaw, and contended that at the time of the unfortunate occurrence his client was not near the deceased ; he received the blows in a stand up fight. There was also nothing to show that his client took an active part in the affray, although he might have been standing near the spot ; and even if they found the other prisoners guilty of manslaughter they must find his client not guilty.

His Lordship then proceeded to sum up the evidence. He said there appeared to him no evidence to show that either of the prisoners had in their possession a instrument, a blow from which would have caused the death of the deceased. The evidence of the witness Kelsey was very important, as it evidently showed that the prisoner Watts had used very great violence towards the deceased, and also that there had been a quarrel amongst the parties. He also referred to the evidence of the boatman as carrying out this idea, inasmuch as he heard a man say that he should have hit the deceased a hard blow but he had hurt his arm, and this was shown to be so by the fact that when the prisoner Jesse Watts was taken into custody, his right arm was hurt so that the constable could not

put on the handcuffs. In referring to the dying statements made by the deceased, he had come to the conclusion, from the vague evidence upon the point, whether the deceased did believe himself to be in a dying state at the time he made them, that they were not evidence against the prisoners. Still the deceased went so far as to point out the two prisoners, Henshaw and Watts, as persons who had struck him. In conclusion, his Lordship said that if the Jury were of opinion that the injuries which caused the deceased's death were inflicted by the prisoners in the prosecution of a felony, and it had been committed, they must return a verdict of wilful murder. He, however, hoped they would not arrive at that conclusion rashly. If they were of opinion that no felony had been contemplated, and that a disgraceful quarrel arose between the parties in the usual way, the verdict would be that of manslaughter only. He asked them to consider the evidence carefully and impartially.

The Jury then retired, and after being absent about half an hour, returned into court with a verdict of manslaughter against all the prisoners.

His Lordship deferred passing sentence.

THE ALLEGED MURDER AT COSELEY The prisoners Jesse Watts (28), stocktaker, William Henshaw (68), miner, Hannah Simms (19), brickmaker and Mary Downing (19), brickmaker, who were found guilty on the previous day of the manslaughter of Henry Swinnerton (*sic*) on the 4th of November at Sedgley, were brought up for sentence. His Lordship said he considered the prisoner Jesse Watts was the principal in the assault committed upon the deceased, and which caused his death. He should sentence him to ten years penal servitude. The sentence of the court upon the other prisoners was :- William Henshaw, fifteen calendar months imprisonment with hard labour ; and the female prisoners, Hannah Simms and Mary Downing, each to six years penal servitude. The female prisoners burst into tears after sentence was passed, and the prisoner Henshaw also appeared much affected.

81 17 December 1862

WORCESTERSHIRE WINTER ASSIZE

HIGHWAY ROBBERY AT OLDBURY **Samuel White**, 19, boatman was charged with having on the 18th of October, in company with another person not in custody, feloniously assaulted and stabbed Charles Cooke at Oldbury, and stolen from him eight shillings in money. On the evening in question, the prosecutor was within two hundred yards of his own dwelling at Tat Bank, when two men, one of whom, he said, was the prisoner, rushed out from behind a hedge and attacked him, beat him, stabbed him with a knife, and then cut away the pockets which contained his money, amounting altogether to eight shillings. For the defence, an alibi was set up, and seven witnesses were examined, their evidence tending to show that at the time the assault was alleged to have taken place, the prisoner was driving a boat five miles away. The Jury returned a verdict of Guilty. The prisoner was proved to have been previously convicted, and was now sentenced to twelve months imprisonment.

82 14 January 1863

CANNOCK

DEATH OF A FARMER UNDER EXTRAORDINARY CIRCUMSTANCES An adjourned inquest was held by John Collis Esq at Cannock, on the 5th inst, on the body of Mr David Allen, a farmer, who resided at Kingswood in the parish of Cannock, and who was found dead in the Norton and Cannock branch of the Birmingham Canal near his own residence on the previous Thursday. It appeared from the evidence that he left his home about half past one in the afternoon of Wednesday to go to Hednesford to pay his tithes. That he paid them appeared from the receipts found in his pocket. He left Hednesford and went to the Royal Oak Inn, where he arrived on a pony, between eleven and twelve o'clock the same night. He left between two and three o'clock on Thursday morning, on his pony, not appearing the worse for liquor, and was seen going in the direction of his home. About half past seven o'clock, as one of the deceased's labourers was going to his work, he saw Mr Allen's pony standing on the towing-path by the side of the canal, without either bridle or saddle on it. He took charge of the pony, and on taking it towards Mr Allen's house, he discovered

deceased's body in the canal. He got a stick, drew the body to the side, and pulled it out. Life was extinct, and the body stiff. A bruise was discovered on the deceased's forehead. A *post mortem* examination of the deceased was made by Mr Wheatcroft, surgeon of Cannock, from whose evidence it appeared that death was not the result of any violence, but that the deceased was seized with an epileptic fit, and whilst in the fit had probably fallen into the water and was drowned. **Elijah Stackhouse** of Daw End, Rushall, stated that, as he was driving a horse drawing a boat on the canal in question on the morning of the 1st inst, he saw a pony on the towing-path near where the deceased was found, with a bridle and saddle on, and the bridle rein was broken. There was another boat following his. The police immediately made inquiries, and found the bridle and saddle belonging to the deceased in the cottage of the boatman of the second boat, but the man has up to the present eluded the vigilance of the police.

83 21 January 1863

WOMBOURNE

CHILD BURNT On Friday afternoon, **John Handly**, aged three years and five months, son of a boatman, was burnt in his father's house, owing to his clothes taking fire in the temporary absence of his mother. Mr Ireland, surgeon, attended the sufferer, but he died on Sunday. At an inquest held at the Old Bush on Monday last, before T M Philips Esq, a verdict of "Accidental death" was returned by the Jury.

84 11 March 1863

TIPTON

CHARGE OF PUNDERING A GOODS TRAIN At the West Bromwich Police Court on Saturday, William Spittle, a marine store dealer, and **Thomas Robinson**, a boatman, were charged with being concerned in stealing a number of hats from a goods truck on the West Midland Railway. There was a further charge of having stolen a quantity of iron belonging to the Earl of Dudley. Inspector Phair stated that he had gone over to Leicester, and had the property identified, but he must ask for a remand, as the goods had passed over three separate railways, and it would be necessary to examine a large number of witnesses. The Magistrates remanded the prisoners for a week, but agreed to liberate, on bail, the man Spittle, who looked dreadfully ill.

85 25 March 1863

TIPTON

THE ROBBERY FROM THE WEST MIDLANDS RAILWAY COMPANY At the Petty Sessions, West Bromwich, on Saturday, before W Sharp and T Kenrick Esqs, **Thomas Robinson**, boatman, was charged with stealing, on the 16th of February, a quantity of men's caps, the property of Messrs Morgan and Sons, Leicester, who had consigned them to Mr Grainger, draper, Kidderminster, per the above named company. They arrived safely at Dudley on the 15th, where they had to remain a night. The box was abstracted from the truck, and some of the caps were traced to the possession of the prisoner. Mr Bentley of Worcester, solicitor to the company, conducted the prosecution. Thomas Jordan, general dealer, Tipton, deposed that he knew the prisoner, who lived near him, and on the 17th of February he asked him "if he could do with a couple of dozen of "billycocks" or "if he could do with a few for the children", but he declined to have anything to do with them. William Spittle, marine store dealer, deposed that on the 18th of February the prisoner asked him if he would buy some "billycocks" which he had in a bundle under his arm. He asked him how he came by them, when the prisoner said, "I purchased them cheap off a man in the Dudley New Road, and if you'll take the lot you shall have them at one shilling each". He agreed to take them, and the bargain was struck. The caps were sent by the last witness to an uncle of his who kept a small tobacconist's shop at Tipton, who ticketed them at 1s 10d and sold two, when the police seized the remainder. Inspector Phair, with Police-constable Swift, arrested the prisoner on the charge. The prisoner denied all knowledge of the caps, but when confronted with Spittle, he owned to having sold him some which he bought off a man, a stranger to him, for a shilling apiece. The prisoner was

committed to take his trial at the sessions.

86 25 March 1863

STEALING CORN FROM A BOAT At the County Police Office on Monday, before H Hill and B Hicklin Esqs, a boatman named **Edward Basswell** was brought before the Bench, charged with stealing a bag of corn from a boat belonging to the New British Iron Company. It would appear that the prisoner, who is in the employ of **Mr Joseph Whitehouse** of West Bromwich, was, that morning, passing along the canal in his master's boat, through the parish of Penkridge, and when near a place called Galley he espied another boat belonging to the above company, lying moored to the side of the towing-path. Seeing no person about, the prisoner went on board the boat and removed from it to his own boat a bag of corn. The robbery was soon afterwards discovered, and information given to Police-constable Crichlow, who traced the prisoner to Bushbury, and found the corn in question lying at the bottom of the boat. The Bench sentenced him to one months imprisonment.

87 1 April 1863

A RUNAWAY TENANT A boatman named **John Smart**, residing in Bilston, was charged at the Petty Sessions yesterday, with having fraudulently removed certain articles of household furniture from a house he occupied of the complainant, Mrs Rhoda Maybury, with intent to defraud her out of certain arrears of rent, amounting to 7s 6d. The offence was clearly proved, but the defendant's wife pleaded in extenuation that the goods had been removed and sold for want. The Magistrates, however, had no alternative but to make an order for payment of double the arrears due, or six months imprisonment.

88 8 April 1863

WOLVERHAMPTON POLICE COURT, WEDNESDAY APRIL 1

ROBBERY IN THE CAT YARD **Robert Golding**, a boatman, was charged with having stolen money, the property of **George Venables**, also a boatman, on the previous night. The prosecutor and four other persons, including the prisoner, went to a house of ill fame in the Cat Yard, where Venables and two of his companions fell asleep. On awaking, Venables missed about £2 14s in money from his pocket, and the other two men found they had been robbed of their tobacco boxes. The prisoner gave one of the tobacco boxes to Richard Cope, a labourer, and the other was found upon him. Pleading guilty, he was sentenced to three months imprisonment.

89 22 April 1863

TIPTON

COAL STEALING At the West Bromwich Police Court on Saturday, **Joseph Darby**, a boatman, was charged with stealing 138 lbs of coal. Edward Jukes, a watchman in the service of the London and North Western Railway Company, said that he was on duty on the previous night, and saw the prisoner pass through a lock with his boat. A boat laden with coal had broken adrift from the company's wharf and got into the canal, and he observed the prisoner board the latter and heave the coal into his own craft. Witness followed the accused and charged him with the offence, which he denied. He then handed him over to a policeman. The prisoner was sentenced to hard labour for 21 days.

90 29 April 1863

STEALING COAL FROM A BOAT At the Police Court yesterday, before the Rev W Lewis and H B Whitehouse, a boatman named **Edward Law** and a little boy named **James Law** were placed in the dock charged with having stolen a lump of coal from a boat belonging to the Earl of Dudley, whilst lying moored in the Fox Yard Basin on Wednesday last. Mr Jackson of Horseley Heath appeared to prosecute, and Mr Lowe of Dudley defended the prisoners. The prisoners, it appears, were taking their own boat along the towing-path at the above place, when the elder prisoner

purposely slackened speed and the lad, by his directions, jumped from their own boat on to one belonging to his Lordship, and took a lump of coal, being watched all the time by one of the Earl of Dudley's private watchmen. The defence set up on behalf of the elder prisoner was that he took no part in the robbery ; but the Bench considered him the worse of the two, and sentenced him to one months imprisonment. The lad was ordered to be kept in the lock up for one day.

91 6 May 1863

BILSTON

ALLEGED ROBBERY OF MONEY At the Police Court yesterday, before I Spooner Esq, Mary Hart and Mary Bills were charged with having stolen £6 12s 6d from the person of **Isaac Baker**, a boatman. The prisoners are woman of immoral character, Bills being the keeper of a house of ill fame. On Saturday night, the prosecutor went into Bills's house with the other prisoner, and remained there in her company all the night. When he went in, he had the money in his possession, but in the course of his stay he lost it, and the two prisoners afterwards went out together, previously, however, giving the prosecutor the purse which had contained his money. It further appeared that on the night of the robbery, the prosecutor had been drinking, and that he had in time past occasionally lived with Hart and, moreover, his account of the alleged robbery not being very clear, the Magistrate, taking all things into consideration, discharged the prisoners, little doubting, however, personally, that the prosecutor had lost the money which they were charged with stealing.

92 17 June 1863

LICHFIELD

SUDDEN DEATH An inquest was held at the Swan Inn, Whittington, by Mr Collis, coroner, on Wednesday, on view of the body of **Michael Greenway**, a boatman, who was found dead in bed in his boat on the Coventry Canal, near the Swan Inn, Whittington, about two o'clock in the morning of the 9th instant. The deceased was taken with a swelling in his ankle about a week before his death, which he thought was rheumatic gout, and disabled him from going about his work as well as usual. He went to bed in the cabin of his boat on Monday night the 8th inst, about half past eight, as well as usual, with the exception of his ankle, and his wife, after attending to his horse and boat, retired to the cabin, when her husband had some bread and butter. She then went to bed, and about two o'clock she was awoke by her husband saying, "Now, Sally". She did not get up immediately, but shortly after she got a light, and found that he was dead, and immediately got assistance. She stated that the deceased was a good husband, a kind father and a steady man. He has left three children. The jury returned a verdict of "Died by the visitation of God".

93 1 July 1863

CHARGE OF FRAUD AGAINST A BOATMAN At the Borough Police Court on Monday last, before G L Underhill Esq, **John Atkinson**, a boatman and carter, formerly in the employment of Mr J C Major, manufacturing chemist of Monmore Green, was charged that, being the bailee of 10s entrusted to him by his master in the course of his business, he converted the same to his own use, and stole it. Mr H Underhill appeared for the prosecution, and stated that the prisoner had been apprehended on a warrant, but the charge mentioned in the warrant, and which had been read to the prisoner, was only one of two charges which would be preferred against him. The circumstances of the first case were as follows :- It was the duty of the prisoner to go with a boat on various voyages, sometimes in the direction of Worcester and Gloucester, and at others in the direction of Northamptonshire. It was the custom immediately before his departure on a voyage for him to receive such a sum of money as it was supposed would cover or nearly cover his disbursements during his absence, and on his return he would present his account of expenses and be paid, or pay, the balance. Now, on the 14th or 15th of March, the prisoner was about to proceed to Worcester with his boat and, in accordance with the usual custom, Mr Bowater, Mr Major's cashier, paid him a sum of money. He returned from Worcester about the 23rd of that month, and on the 28th handed to Mr Bowater an account amounting to £2 16s 4 1/2d for expenses. Among the items comprised in it was

one of "mixed corn", for which 16s 10d were charged, and a receipted bill from Mr R S Skinner of Worcester was given as proof that the amount had been paid. The £2 16s 4 1/2d were paid to the prisoner, but it had since been discovered that the correct amount of Mr Skinner's bill was only 6s 10d, and that a figure of one had been inserted in a clumsy manner before the six, thus making the amount 16s. In the second case, Mr Underhill said the prisoner had represented that he had paid 5s 9d for horse corn to a Mr J Sadler of Fazeley, whereas the Chief of Police of that town said he could find no such person. Mr Underhill then called Mr Bowater, who proved the payment of the money to the prisoner in March, and also the receipt of Mr Skinner's account from the same source. A remand was then asked for by Mr Underhill, to enable him to secure the attendance of Mr Skinner, to complete the first case, and to bring forward evidence from a distance in support of the second charge. The prisoner asked the Bench to deal with the charges at once, but there being no power of summarily disposing of such cases, he was remanded for a week to Stafford Gaol.

[Note : Name shown as Hankinson in article 97]

94 8 July 1863

WOLVERHAMPTON POLICE COURT, SATURDAY JULY 4

STEALING WEARING APPAREL FROM A BOAT Three men named Kelley, Fisher and Cockerell, and a woman named York, who cohabited with Kelley, were charged with stealing some articles of wearing apparel, the property of **George Cash**, a boatman. Cash had gone on with his boat, but previous to leaving the town had given information to the police that he had caught some men robbing the cabin of his boat. From his description of one of them, whom he stated he had punished by knocking some of his teeth out, the police had no difficulty in recognising Kelley as the man. When taken into custody, Kelley was in company with Fisher, who was in possession at the time of a pair of blucher boots, which he said Kelley had given him, and which seemed to answer the description Cash had given of a pair he had lost. The other prisoners were their companions, and numerous articles were found in their possession, for which they did not satisfactorily account. They were therefore remanded by the Bench until Thursday.

95 15 July 1863

WOLVERHAMPTON POLICE COURT, THURSDAY JULY 9

THE CASE OF ROBBING BOATS William Kelly (returned convict), Eutyclus Fisher, Martin Cockerill and a woman named Ann York were charged on remand with stealing three pairs of boots, a waistcoat and a number of other articles, the property of **George Cash** and **George George**, boatmen. There being no evidence against the woman, she was discharged. It appeared that during the night of Saturday week, the boats of the prosecutors, then lying in the locks at Wolverhampton, were broken into and robbed of various articles of clothing. Information was given at the Police Station, and Inspector Thomas and Police-constable Bealey finally succeeded in discovering part of the stolen property at a second hand clothes shop in Berry Street, kept by a Jew called Gouldston, where they had been sold at different times by Cockerill and Fisher. Other of the stolen property was found in the possession of the prisoners. They were all committed for trial at the Assizes.

96 22 July 1863

SUSPICIOUS At the Borough Police Court yesterday, a boatman named **William Seymour** was placed in the dock on suspicion of having stolen a pair of boots. It appeared that the prisoner had been apprehended the previous night because he was offering the boots for sale at a price much below their value, and could not give a satisfactory account as to how he became possessed of them. No owner had, however, been found for the boots, and as the prisoner asserted that he had purchased them for half a crown, the Bench discharged him with a caution.

97 29 July 1863

STAFFORDSHIRE SUMMER ASSIZES

ROBBERY FROM A BOAT Eutyclus Fisher, 19, William Kelly, 26 and Martin Corcoran, 18,

were charged with having, at Wolverhampton on the 28th of June, stolen a quantity of wearing apparel, the property of **George George**. Mr Young prosecuted. The prosecutor said he was a boatman living at Bilston, and that on the day in question he had his boat at Wolverhampton. He went to bed about midnight, and when he rose at daybreak on the following morning, he discovered that his boat had been plundered during the night of the property now produced. He had seen Fisher lurking about the place where the boat was moored at 8 o'clock on the evening before the robbery was committed. Gladstone, a dealer in second hand clothes in Wolverhampton, proved having purchased a portion of the stolen property from Fisher and Corcoran, and Inspector Thomas found Kelly wearing a waistcoat belonging to the prosecutor when he took him into custody. The Jury convicted the prisoners ; and the Judge, referring to Kelly's antecedents, sentenced him to four years penal servitude, Fisher to six, and the other prisoner to three months hard labour.

FRAUD BY A BAILEE **John Hankinson**, 41, boatman, was indicted for fraudulently converting to his own use at Wolverhampton, on the 28th of March, ten shillings, the moneys of John Clarkson Major. Mr Underhill prosecuted. Mr Joseph Bowater, cashier to the prosecutor, a manufacturing chemist at Wolverhampton, said that on the 14th of March he paid the prisoner, who was in the employment of Mr Major, and about to start on a voyage, the sum of £2 to pay expenses. On the return of the accused on the 28th of the same month, he presented an account of his expenditure, in which there was an item of 16s 10d alleged to have been paid for hay to a Mr Skinner of Worcester, and for this item a receipt was produced. Mr Skinner proved that the actual amount had been 6s 10d, and that the figures had been altered so as to represent the sum as 16s 10d. The prisoner was sentenced to hard labour for six months.

[Note : Name shown as Atkinson in article 93]

98 9 September 1863

WOLVERHAMPTON POLICE COURT, WEDNESDAY SEPTEMBER 2

FELONY BY A BOATMAN **James Court**, a boatman, was charged with having stolen the sum of £6 17s 6d, the moneys of **Mrs Ann Postings** of Broad Lanes near Bilston. Prosecutrix said : The prisoner was in my employ as a boatman. On Saturday night last, he and I took a boat up to Millfield Bridge. About 8 o'clock, I put into the side cupboard of the cabin a sum of £6 17s 6d. He saw me put it in, and I also told him what I had done. I locked the door and gave my son the key. I left the boat then, and went home, leaving the prisoner in care of it. The next morning (Sunday) my son came and told me something, in consequence of which I went back to the boat, and found that the cupboard had been broken open, and the money stolen. The prisoner was not there, and I gave information to the police. My son had the key of the cupboard ; but he left the boat when I did, and was not with the prisoner on Saturday night. **William Postings** gave corroborative evidence. Police-constable Tyler said he received information of the robbery on Sunday afternoon last, and on Tuesday received the prisoner into custody at Shrewsbury. When charged with stealing the money, and cautioned, he said, "I took the old lady's money. I wish you had apprehended me when you met me on Saturday night, when I had all the money upon me". He afterwards said, "I took another boatman named **Finebone** with me to Shiffnal, and we stopped drinking there until three o'clock in the afternoon. I was fresh, and lay upon the Green near the door. The other man who was with me, robbed me, and took four or five pounds from me. I afterwards followed him and found him in Shiffnal, and he gave me two pounds back". The prisoner pleaded guilty, and the Magistrates sentenced him to six months imprisonment with hard labour.

99 9 September 1863

VIOLENT ASSAULT AT WEDNESFIELD **Thomas Evans**, a boatman, was charged at the County Police Court on Monday last with having committed a violent assault upon John Evans at Wednesfield, on Saturday week. It appeared that the complainant was going to Wednesfield along the canal side, when he saw two boys wrestling over a halfpenny. One was bigger than the other, and seeing that the bigger was getting the advantage of his opponent, John Evans parted them. The

bigger boy, it seemed, was connected with the defendant, who asked the complainant what he had to do with the dispute which was pending between the boys, at the same time threatening violence. The complainant made a reply which irritated the defendant, who then struck him violently in the face, knocking him down, and whilst on the ground he kicked him. The complainant's face was still much discoloured. The defendant alleged that the complainant knocked the boy's head against the ground, which John Evans denied. The Magistrates fined the defendant 2s 6d with costs.

100 23 September 1863

ALLEGED CASE OF "SHOCKING MURDER" AT WILLENHALL

INQUEST ON THE BODY On Monday afternoon, an inquest was held at the Black Lion, Monmore Lane, Willenhall, before T M Phillips Esq, coroner, on the body of a married woman, aged 23, named Harriet Wright, the wife of a locksmith named Benjamin Wright, who was found dead in the canal near to Messrs Solly's furnaces on the previous Saturday. Although there is every reason to believe that the death of the unfortunate woman is the simple result of her having accidentally fallen into the water whilst walking too near to the edge of the canal in the darkness of night, yet the inhabitants of Willenhall and neighbourhood were, on Monday, thrown into a state of consternation and alarm by the announcement in one of our daily contemporaries that "another of those fearful tragedies for which the Black Country is becoming so painfully notorious has just been disclosed at Willenhall". The simple facts on which the above article founded what we doubt not will prove an erroneous conclusion, were as follows :- The husband of the deceased had recently been away at Burton, and the deceased having received a letter from a brother-in-law at Linton, instructing her to meet her husband at the Walsall railway station last Wednesday night, went to Walsall, and was seen at the railway station there as late as nine o'clock at night. So far as the evidence at present is adduced, it does not appear that she was ever afterwards seen alive, at all events she did not return home, nor was she heard of by the neighbours. The next day the husband of the deceased (who had been detained a day later than he expected) came home, and stated that he did not meet his wife at Walsall, nor had he seen her at all. Inquiries were afterwards instituted in every direction, but no clue of her whereabouts was gained. On Friday afternoon, however, a boatman named **Henry Thomas**, residing in Tipton, called at a pawnshop in Willenhall kept by Mrs Williams, and asked for some clothing which appears to have been pledged by the deceased, and belonged to her husband. Mrs Williams being suspicious that all was not right, and believing that the applicant might know something about the deceased, gave information to Inspector Thompson, who immediately sent an officer to inquire into the circumstances of the case. When asked to account for the possession of the ticket produced by him for the clothing, he stated that he had been in company with a number of boatmen at Wolverhampton and purchased it, with others, for the sum of 2s 6d from a man and woman residing there, that afternoon. An officer was then sent with him to Wolverhampton. The man from whom he bought the ticket was found, and the man's statement as to the finding of the tickets in the canal near Willenhall was confirmed by his wife and child. Acting upon this information, the place described by Wells where the tickets were found was dragged next morning, and the body found. No marks of violence were visible upon any part of the body, and as at the spot where it was found the masonry of the bank is partly destroyed, it is not at all unlikely that, in going along the towing-path, she was so confused by the dazzling glare from Messrs Solly's furnaces and the smoke from some coke heaps in front, that she missed her footing and fell into the water. At the inquest, held on Monday, there were present Major McKnight (deputy chief constable), Mr Superintendent McCrea and Inspector Thompson. The Jury having been sworn,

Harriet Evans, wife of William Evans, residing in Monmore Lane, Little London, was the first witness called. She said : The deceased and her husband have lodged at my house about twenty months. They always lived together quite happily. On Sunday last, the husband, being out of work, went away into Derbyshire to visit his mother, who resides somewhere there. She is separated from his father, who lives here at Willenhall. The deceased went with her husband to Walsall to see him off by the train. On the following Wednesday morning, the deceased received a letter from her

husband, informing her that he would return home the same evening, and desiring her to meet him at Walsall Railway Station. In consequence of receiving that letter the deceased left my house on Wednesday afternoon for the purpose of walking to Walsall to meet him. Before going, she told me her husband would arrive at Walsall either at forty minutes past six or twenty minutes to eight. I never saw her again. Her husband returned home by himself on Thursday night about eleven o'clock. He knew then that his wife was missing, and in answer to my question he said that he had not been able to hear anything of her. He had returned home some time previous on that day when I was absent, and he had then been told that his wife was missing. He slept at my house that night, and went away again the following morning to look for his wife. I did not see him again until the same night about eleven o'clock. He said they had been to Wolverhampton with a man who had some pawn tickets, which it was said had been taken from the deceased, but he said they had not been able to find anything of her. I believe the deceased was in the habit sometimes of pawning her husband's clothes, but with his consent. She pawned some just before he went to Derbyshire. Her body was brought to my house on Saturday. I saw and examined the body after it was brought home, but could not find any marks of violence or bruises upon it. The deceased was in the habit of going along the road by the side of the new canal from Willenhall to Walsall three or four times a week in company with myself, and knew it well.

Emanuel Evans, a key stamper living in Clothier Street, Little London, deposed : On Wednesday night last, I and a young woman named Wootton started for a walk to Walsall. We left here about twenty minutes to seven, and got there about twenty minutes to eight. We returned by train, and went to the Walsall station for that purpose about half past eight. Whilst there we noticed a girl skipping about the platform, and a woman, whom I now believe to be the deceased, made the remark that the girl was skipping about like some crazy fool. I was on a form by the side of the woman when she made this remark, and I asked her if she was going by the Willenhall train. She said she was waiting there for her husband coming by train from Derby. I and my companion left Walsall by the train which arrives here about ten o'clock, and we left the woman I have spoken of sitting in the same place as when I first saw her. I saw the body of the deceased after she was brought to Mrs Evans on Saturday, and I recognised her as being the same woman I had seen at Walsall.

Jacob Evans, son of Hannah Evans said : On Wednesday afternoon last, about 5 o'clock, my sister Ann called to me and said, "Jacob, Harriet (meaning the deceased) is going to Walsall by the "cut side", you had better go with her". The reason she said this was because Mrs Wright (the deceased) was so timid that she never liked to go out at night, without someone was with her. My sister told me I should find her going along the "cut side". I ran after her, and overtook the deceased near to Tipper's mill, and asked if I should go with her, but she said, "No, as it would be dark at night before she came back". She has been to Walsall before. She went there on Sunday night with her husband. She always, when going there, took the road by the side of the canal, but my mother or someone else generally went with her, because she was so timid.

Thomas Rowley, a locksmith residing at Little London, said he knew the deceased well, and was present when her body was taken out of the new canal, between Tipper's works and Messrs Solly's furnaces, on Saturday night last. I recognised her at once.

Moses Wells, a boatman, said he was taking his boat along the new canal about six o'clock on Thursday morning, on the way from Wednesfield Lock to Moxley, and when he got near to what is called the Wednesfield lock, near Willenhall, he saw floating on the water a small portmonnaie. I got it out of the water, and on opening it I found it to contain the wedding ring produced by police-constable Hampton, and six pawn tickets. I afterwards sold them on the towing-path at Wolverhampton, on Friday morning last, to a boatman whose name I did not know, for half a crown. I had not heard then that the woman was missing. The same night I was taken into custody by police-constable Hampton for having sold these things. He took me to the boatman to whom I had sold them. I then found out that the man's name was Thomas, and he lived in Tipton. The place where I found the purse was in that part of the canal near to Messrs Solly's furnaces.

James Jones, employed at Messrs Solly's furnaces, stated that he assisted in taking the body of

deceased out of the water on Saturday afternoon last. Did not notice any bruises about it.

Police-constable Hampton, stationed at Willenhall, said : I was present on Saturday afternoon when the body of the deceased was being removed from the canal side to the house of Mrs Evans. I saw the letter and handkerchief produced taken from the pocket of deceased's dress.

In reply to the Coroner, Inspector Thompson said he knew no one present, nor did he know of any person who could speak as to how the poor woman had got into the water. The only other witness he had was Mr Taylor (assistant to the firm of Harthill, Thornhill and Harthill, surgeons), who had seen the body.

Mr Taylor, on being questioned by the Coroner, said that from the outward appearance of the body he should consider that death had been caused merely by drowning. He could not find the slightest appearance of violence, or any bruise whatever, either upon the neck, head, face, or any other part of the body.

Several of the jury expressed their surprise as to how the purse which Wells, the boatman, found floating on the water could have got out of the deceased's pocket, but it was suggested that the purse might have been placed by the deceased in her bosom, instead of her dress pocket, and if so it would easily float out.

The Coroner said that as yet there was no satisfactory evidence upon which to act. It was not positively certain that the woman had come to her death from drowning alone, or she might have been thrown in. Because she was found in the water was no reason which could lead to a satisfactory conclusion respecting the cause of death. He thought, therefore, that the inquest should be adjourned for a *post mortem* examination. The Jury concurred, and the inquiry was adjourned until Thursday morning at ten o'clock. Mr Taylor was instructed to make a *post mortem* examination of the body in the meanwhile.

It is a singular fact that many years since, the dead body of a man was found in the canal at a spot not far distant from that in which Mrs Wright's body has been discovered. In that case an inquest was held, and a verdict of "Found drowned" was returned. Seven or eight years afterwards, however, a boy made a statement which led to the conclusion that the man had been murdered, and one of his supposed murderers was taken up and tried upon the charge, but we believe, however, that he was acquitted.

101 28 October 1863

KINGSWINFORD

DEATH OF A BOATMAN FROM VIOLENCE On Thursday last an inquest was held at the Bell Inn, The Delph, before T M Phillips Esq, coroner, on the body of **William Nibbs**, a boatman, who is supposed to have died from violence. Mr Travis of West Bromwich attended the inquiry. From the evidence, it appeared that Nibbs was sitting on the tail end of the lock gate at the Delph on Saturday evening, when **David Allport**, another boatman, sent a lad down to fill the lock. Nibbs would not let the boy do this, and on Allport becoming aware of it, he ran towards Nibbs asking him why he would not let the boy fill the lock. Allport then seized hold of Nibbs by the legs and tumbled him over into the lock. The distance Nibbs fell was 15 feet, and he appeared to have struck his head in falling against some part of the brickwork. Allport at once made efforts to get the man out of the water, and this was at length effected. Nibbs was then in a very weak condition, and expired on Monday morning. The deceased had been suffering from a complication of disease, and the inquest was adjourned to allow a *post mortem* examination of the body to be made. The adjourned inquest was held on Monday last, when Mr John Ireland, surgeon, Kingswinford, said he had made an examination of the deceased's body. A lacerated scalp wound was the only external injury he saw. There was no fracture of the skull, nor was there any effusion of blood corresponding with the scalp wound. The brain was congested. The lungs were very greatly engorged with blood, and the liver was also congested. He was of opinion that congestion of the lungs was the cause of death, and that the congestion was caused by the deceased having been immersed in water. Allport, who was present during the enquiry, made a statement to the Coroner, the purport of which was that the deceased was thrown into the lock by him (Allport) pulling the lock gate open. He immediately ran

for a line, and got the deceased out as soon as possible. The jury returned as their verdict that the deceased had been feloniously killed by being thrown into the canal by David Allport. Allport was then committed for trial for manslaughter. He was subsequently brought before the sitting magistrates at Burslem, and by them also committed to the Assizes on the same charge.

102 4 November 1863

WOLVERHAMPTON POLICE COURT, WEDNESDAY OCTOBER 28

CHARGE OF STEALING A BAG OF HORSE CORN A middle aged man named **Joseph Watson**, by occupation a boatman, and also a beerhouse keeper, residing in the Potteries, was placed in the dock on remand from the previous day, charged with having stolen a bag of oats from a boat belonging to **Walter Pemble** whilst it was lying in one of the Wolverhampton locks. It appears that the prisoner was seen to take the bag and its contents from the boat on Monday evening by a lad named **Abraham Egerton** who, after seeing him convey the oats to his (prisoner's) own boat, went and gave information to Pemble's boatman. The latter then sought the services of a policeman, by whom the prisoner was shortly afterwards apprehended with the stolen oats in his possession. He was then very drunk and totally unable to render any account either of himself or the manner in which he became possessed of Pemble's property. When brought before the Bench on Tuesday, neither the prosecutor nor the witness of the robbery were forthcoming. Summonses were therefore granted to compel their attendance on the following day, and the prisoner was remanded on bail. In the course of Tuesday afternoon, the officer in the case served summonses upon the prosecutor and the witness Egerton, and they promised to be in attendance. The latter, a lad about eleven years of age, was found by the officer leaning against a boat in a state of drunken stupidity. He accordingly made him "safe" by locking him up on a charge of drunkenness, and now having been discharged from the dock with a reprimand, he entered the witness box, and stated how on Monday he saw Watson go on to Pemble's boat, shoulder a bag of oats and convey them to his own boat. The prosecutor, however, had treated the summons with contempt, and did not appear. Mr Spooner said that from certain information that had been given to him, he believed there was something behind the scenes that kept the prosecutor back. He should, therefore, again remand the prisoner until Friday, but said he would take bail for his appearance, himself in £40 and two sureties in £10 each.

103 18 November 1863

WOLVERHAMPTON POLICE COURT, FRIDAY NOVEMBER 13

ROBBERY IN A HOUSE OF ILL FAME A woman of bad repute named Mary Jones was charged with having robbed a boatman named **Richard Whitehouse** of three sovereigns, three half crowns and some other silver. The prosecutor, it appeared, was suffering from the effects of a paralytic stroke, and was unable to give anything like a connected account of the manner in which the robbery had been effected, but according to what he said, he had met the prisoner the previous night in Berry Street, and he being intoxicated at the time, was prevailed upon to accompany her to a brothel, where he remained all night, and during the time he was in the house, the amount of money was taken from him. The prisoner was remanded till Wednesday for further inquiries.

104 23 December 1863

WOLVERHAMPTON POLICE COURT, SATURDAY DECEMBER 18

STEALING SCRAP IRON A lad about eleven years of age named **Frederick Musson** was charged with having stolen three pieces of scrap iron, the property of Mr I Jenks, Horseley Fields. A workman in Mr Jenks's employ stated that the lad was the son of a boatman, who occasionally came to the warehouse with goods. At an early hour that morning, witness caught the prisoner inside the works picking up pieces of scrap iron. When he saw witness coming towards him, he commenced kicking a piece of iron towards the door with his foot. He was then given into custody, and the iron produced was found upon him. The lad admitted that he took the iron, but not with any intention to sell it, as he meant to bring it back again. The Bench administered to him a suitable

reprimand, and ordered that he be kept in custody for three days.

105 6 January 1864

CRUEL WORKING OF A BOAT HORSE At the County Police Court on Monday last, before H Hill and R Briscoe Esqs, a boatman named **John Whitehouse**, in the employ of H B Whitehouse and Co of Deepfields, was summoned for cruelty to a horse. Police-constable Satchwell stated that from a complaint that was made to him, he proceeded to the canal side in Wolverhampton, and there saw a horse in the care of a lad, drawing a boat load of iron. On examining the horse, he found it in a most shocking condition, and certainly unfit for work, various parts of its body being covered with warts and sores, from which blood was streaming, in some places very profusely. In reply to his questions, the lad said the horse belonged to the defendant, who was not then present, and that he compelled him to bring it out, although he (the lad) was quite ashamed of it. The defendant admitted the horse had warts on its back, but said it was quite a young one, and it had been and still was under the care of the surgeon, and the horse should not be worked again for the present. Under these circumstances, he was fined only 10s and costs, which was immediately paid. The Bench ordered Mr Bache to hand the 10s over to the South Staffordshire Hospital.

106 13 January 1864

TIPTON

SUDDEN DEATH An inquest was opened on Friday last, at the White Lion Inn, Summer Hill, on the body of **Minnie Smart**, a girl of twelve years of age. **Mary Smart**, the wife of a boatman, said that she was the mother of the deceased. The deceased left home on Christmas Day to go to keep her holiday with her sister, and she was then in good health. On the following Monday, her father went to visit her, and on his return home said that the rest of the children had got the measles, and that the deceased would have the disease. On the Monday after Christmas, the deceased was brought home by her sister. Witness gave the deceased some "surfert?" water, which her married daughter had purchased at Dudley. Witness sent for Mr Underhill, surgeon, and when his assistant came at two o'clock, the child was dead. The married sister referred to, Tabitha Cambridge, said that when the deceased came to her house, she was perfectly well, but on Sunday night was taken ill. Witness gave her two teaspoonsful of rum in her tea. The deceased was then violently purged, and complained of a severe pain in her head. Witness gave the deceased a halfpenny, but did not know how she had expended it. The inquiry was then adjourned for a week, for a *post mortem* examination of the body.

107 13 January 1864

TIPTON

SINGULAR AND FATAL ACCIDENT TO A BOATMAN Mr E Hooper, coroner, on Friday opened an inquiry into the circumstances attending the death of **Richard Churm**, a man 65 years of age, at the house of Mr Joseph Sheldon, the Old Crown Inn, Toll End. Mr Fellows, solicitor, attended the inquest on behalf of the friends of the deceased. **William Drakeford**, a boatman, stated that the deceased was a boatman in the employ of **Mr Joshua Fellows**. On Wednesday last, deceased and two other men had just started a boat laden with iron from Toll End Works for Wednesbury. The deceased was on the towing path, and the others were on the opposite side of the water. Witness threw a line to the deceased, and just at that moment a horse belonging to another boat started off at a gallop. Deceased had the rope in his hand, and when the horse had got to the full tether of the rope, the line caught deceased by his legs, drew him up about six feet, the rope then broke, and deceased then fell on his head. The blood ran out of both his ears and his nose, and he never spoke afterwards. Mr Underhill, surgeon, attended him almost immediately. Witness had since learned that the horse was young and given to running away. The jury found a verdict of "Accidental death".

108 13 January 1864

WALSALL

QUARTER SESSIONS In the case of **Robert Smith**, 35, boatman, charged with having stolen on the 7th day of November 1863 half a ton weight of pig iron, value £2, the property of Henry Lancaster, the bill was ignored.

109 27 January 1864

At the Borough Police Court, yesterday, **Thomas Brockley** was charged with having stolen a pair of boots, the property of a boatman named **Edward Green**. The prisoner had been employed by the prosecutor to assist him with his boat, and on Sunday evening they slept together in the boat cabin, near the Albion Wharf in this town. When prosecutor awoke the next morning, he found that the prisoner had gone, and he also missed his own boots. The prisoner did not return, but was apprehended by a policeman in Berry Street, with the boots in his possession. He admitted his guilt, and was sentenced to 21 days imprisonment.

110 2 March 1864

WOLVERHAMPTON POLICE COURT, SATURDAY FEBRUARY 27

ROBBERY BY A BOATMAN A boatman named **John Spencer** was charged with stealing some timber and ropes, the property of his employer, **Mr Bishton**. From the evidence it appears that the prisoner had charge of a boat belonging to Mr Bishton. On Friday morning, when another boatman went to the boat, the articles in question were missing. He then went and told Mr Poole, manager for Mr Bishton, who went to the house of the prisoner and there found the timber and ropes produced. Mr Poole identified the ropes and timber as belonging to his master. Mr Bishton not wishing to press the charge, the prisoner having been in his employ eleven years, and the Magistrates taking into consideration that he had a wife and six young children, cautioned him as to his future conduct, and sentenced him to an imprisonment of only 21 days.

111 2 March 1864

THE ACCIDENT CASES AT THE SOUTH STAFFORDSHIRE HOSPITAL We have been requested by the authorities of the South Staffordshire General Hospital to publish the following list of accidents admitted into the Institution, the same being in continuation of Mr Hartley's letter of the 19th of January last :-

No 16 : January 19th 1864 – Edward Humphries, run over by a cab.

No 17 : January 21 – Edward Kinsey, fractured arm in consequence of a tree falling upon him whilst at work in the woods at Hilton.

No 18 : January 23 – Henry Bolton, crushed between two carriages at the Willenhall station.

No 19 : January 23 – William Morris, cut head, a clod falling upon him whilst at work in a coal pit ; only in the Hospital two days.

No 20 : January 23 - William Morris, compound fracture of arm, in consequence of a piece of rock falling upon him whilst at work in a coal pit.

No 21 : January 24 – William Jordan, knocked down by a startled horse at Wombourne.

No 22 : January 27 – Elijah Young, burnt in a coal pit, causing death in two days.

No 23 : January 27 – Joseph Dollway, fractured leg in a public house row.

No 24 : January 28 – Helen Foxall, burnt, her clothes taking fire.

No 25 : January 28 – Margaret Burns, severe burns, her clothes igniting whilst sleeping before the fire.

No 26 : February 2 – Joseph Whitehouse, burns received whilst at work at an iron foundry ; only in the Hospital three days.

No 27 : February 2 – Catherine Jane Nicklin, a child, burnt by playing with fire.

No 28 : February 4 – William Phillips, taken in from out-patients' room.

No 29 : February 7 – Thomas Moran, stabbed in the street by a knife.

No 30 : February 8 – Thomas Phasey, a child, burnt by clothes taking fire.

- No 31 : February 9 – William Jenks, injuries received in a coal pit.
- No 32 : February 13 – Benjamin Shelley, injuries to hand, received whilst at work in a factory.
- No 33: February 13 – Thomas Howells, severe laceration of hand, done whilst cutting turnips at Easington.
- No 34 : February 13 – John McDonald, injuries received on the West Midland Railway
- No 35 : February 13 – Benjamin Best, taken in for operation from out-patients' room.
- No 36 : February 14 – Mary Ann Pyatt, inflammation of hand and arm, caused by a fork running into it.
- No 37 : February 16 – **Thomas Musson**, cut knee, received whilst at work for the Grand Junction Canal Company ; was drunk at the time.
- No 38 : February 16 – John Turner, knocked down by a cart.
- No 39 : February 17 – Emma Beddows, fractured leg, brought in drunk by police officer.
- No 40 : February 18 – Mary Ann Tart, a child, burnt by clothes taking fire.
- No 41 : February 22 – William Cox, injuries from a fall whilst at work at Bilston Old Furnaces.
- No 42 : February 22 – Joseph Jones, readmitted with injury to leg.
- No 43 : February 24 – Mary Ann Jones, burns, clothes having been ignited by a spark from the fire.
- No 44 : February 24 – Sarah Ann Smith, a child, burnt whilst playing with fire.
- No 45 : February 24 – Sarah Ann Bentley, found on fire in her house, brought to the Hospital in a dying state.
- No 46 : February 25 – John Bentley, fractured leg, a waggoner from the country ; drunk and run over by a waggon.
- No 47 : February 27 – Henry Wilday, injury received by falling down a flight of steps.
- No 48 : February 29 – **Thomas Turner**, boatman, injury to the back in consequence of falling from a plank into a boat.

112 9 March 1854

COUNTY PETTY SESSIONS At the County Petty Sessions, held in this town on Monday last, before H Hill and S Cartwright Esqs, **Richard Davis**, a boatman, was fined 5s and costs for having committed an unprovoked assault upon Edward Babbs, on the towing-path of the Staffordshire and Worcestershire Canal near Wombourne. The assault consisted of a heavy blow with the defendant's fist on the eye and nose of the complainant, who is a much older and less powerful man than his assailant. Davis's only defence was that the complainant had said on a previous occasion "that he would leather him".

113 16 March 1864

STAFFORDSHIRE SPRING ASSIZES

MANSLAUGHTER BY A BOATMAN AT KINGSWINFORD **David Allport** (on bail), a boatman, was indicted for the manslaughter of **William Knibbs**, also a boatman, on the 17th of October last, at Kingswinford.

The defence was that the deceased was knocked into the water by the prisoner accidentally running up against him.

The jury found the prisoner Guilty, with a recommendation to mercy, and he was sentenced to six months imprisonment.

114 6 April 1854

STAFFORDSHIRE QUARTER SESSIONS **James Doran**, 25, boatman, was charged with stealing four sacks, the property of Enoch Southall, at Tipton ; sentence seven years penal servitude, the prisoner being an old offender.

115 20 April 1864

WOLVERHAMPTON POLICE COURT, THURSDAY APRIL 14

STEALING WEARING APPAREL A young girl named Ann Roth, about sixteen years of age, was

charged with having stolen a pair of black cloth trousers and vest, the property of **William Yardley**, who said he was a boatman residing with his father in Walsall Street. She was also charged with having stolen a jacket, the property of his brother. Prosecutor, a young man about seventeen years of age, stated that the prisoner was "taken in by his father, out of charity" a few weeks ago, she having previously been in gaol for felony, and since then she had lived at their house, occupying the same bed as his sister. The clothes produced and also the prisoner were missed at the same time on Saturday morning last. Information was given to the police, and the clothes were found pledged at the shop of Mr Lees in Bilston Street for ten shillings, in the name of Ann Bough, but the assistant who took them in could not remember whether or not the prisoner was the person who brought them. He admitted also that he did not ask the person who did bring them whether the goods were her own property, and instead of the articles being set down upon the pledge ticket as a suit of clothes, they were very inappropriately styled "a dress". In reply to the Bench, witness said that was the usual way in which they described articles of that description. Mr Perry (to witness) : What time on Saturday morning were these articles brought to your shop? Witness : Soon after the shop was opened. Mr Perry : And do you mean to tell us that you can't remember, so recently as Saturday last, what description of person brought them? Witness : I cannot. Mr Perry : Well, all that I can say is that you conduct your business very loosely. Inspector Livesey here informed the Bench that when the police called at Mr Lees's on Saturday to know whether such articles as those produced had been received in pledge, the reply was in the negative. Mr Perry : I should think they were not very likely to know when they describe a pair of trousers, jacket and vest, as a dress. Mr Simkins : It is a very discreditable way of doing business. From the evidence of additional constable Glancy, it appeared that, a day or two after the robbery, the prisoner came herself to the police station and gave up the ticket of the articles, showing that they were pledged at Mr Lees's ; she was then taken into custody. She had nothing to say in answer to the charge and, as several previous convictions were recorded against her, the Bench committed her for trial at the sessions.

116 1 June 1864

SUDDEN DEATH An inquest was held yesterday morning at the house of Mr Wood, the New Inn, Horseley Fields, before W H Phillips Esq, deputy coroner, on the body of a man named **Richard Hall**, aged 28, who was found dead in bed on the previous (Monday) morning. The deceased was by trade a boatman, and cohabited with a woman at a lodging house in Old Mill Street. He was a man of somewhat intemperate habits, but up to the time of his death was always considered to be in good health. The evidence showed that on Sunday last, the deceased was drinking the greater part of the day, and retired to rest at night much the worse for liquor, but otherwise in his usual good health. Between six and seven o'clock the following morning, the woman with whom deceased cohabited, and who had slept with him during the night, discovered him lying by her side quite dead, the body being partly on the bed and partly hanging down on the floor, face downwards. As there was no evidence as to what was the cause of death, the inquiry was adjourned until tomorrow (Thursday) morning, to permit of a *post mortem* examination being made.

117 8 June 1864

A WOLVERHAMPTON BOATMAN IN LONDON At the Clerkenwell Police Court on Tuesday, **John Massen**, who was described as a boatman residing at Wolverhampton, was charged before Mr Barker, on remand, with intimidating and threatening several workmen on the Grand Junction Canal, and also with committing an assault on **Arthur Heritage**, a boatman in the employ of the Grand Junction Canal Company. Mr Wontner, solicitor of Bucklersbury, attended for the prosecution, and said that it would be in the recollection of the Magistrate that last week a strike took place amongst the assistant boatmen in the employ of the Grand Junction Canal Company. The men on strike, not content with throwing themselves out of work, combined together, and with intimidation and violence endeavoured to prevent those who were willing to pursue their usual avocations and quietly to navigate their craft to their distant destinations from going on with their work, and in consequence the present defendant and another man were sent to the House of

Correction for one calendar month, whilst the defendant was remanded for the attendance of the man who had been assaulted. Since he had been in custody, the defendant had written the following letter to the chairman of the company :- "House of Detention, May 27. - Sir - I am extremely sorry that I should have joined in the strike, but I was led into it by the others. I knew nothing about it until the Sunday morning, when the captain gave us 14s 6d, and told us when that was gone they would give us more. As to striking the man, I am entirely innocent of so doing, and I hope you will look over my folly. I am, sir, your obedient servant, JOHN MASSEN". He (Mr Wontner) might say that had it not been for that letter, and the fact that three of the captains of the boats had given money to encourage the discord, it was his intention to have asked the Magistrate to send the case for trial, under the provisions of the 24th and 25th Vic, chap 100, by which he was liable to two years imprisonment with hard labour. At the same time, such conduct as the defendant had been guilty of could not be altogether overlooked, and he had to ask that such punishment might be inflicted as would be a warning and a terror to his companions. Mr Baker said these strikes were a great loss to the working men, and entailed on them great misery and suffering, and all for the benefit of one or two who were disaffected among them. Taking into consideration all the circumstances of the case, and also the recommendation the defendant had received from the chairman of the company that he should be dealt with mercifully, he should only double the sentence he passed last week, and should direct that the defendant should be imprisoned and kept to hard labour in the House of Correction for two calendar months. The defendant, who seemed surprised at the decision, was then removed in custody.

118 13 July 1864

WOLVERHAMPTON POLICE COURT, FRIDAY JULY 8

UNGRATEFUL CONDUCT A lad about fourteen years of age named **John Twigg** was placed in the dock, charged with having stolen a pair of boots, the property of a boatman named **Samuel Pugh**. It seems the prosecutor kindly gave the prisoner a job, early that morning, to assist in steering his boat, but on arriving near Wolverhampton, after having enjoyed a good breakfast, the young scamp watched his opportunity to jump off the boat and run away, taking with him the boots in question. About an hour or two afterwards, the prosecutor met the lad again, coming up the canal in another boat, and he then seized hold of him and handed him over to the custody of a policeman. As the prisoner had managed to dispose of the stolen boots in the period which elapsed between the theft and his capture, and they had not yet been found, he was remanded until Wednesday, this day.

119 10 August 1854

COSELEY

ALLEGED MURDER OF A CHILD BY ITS FATHER On Wednesday afternoon, an inquest was held at Mr White's, the Spread Eagle Inn, Coseley, before W H Phillips Esq (deputy coroner) and a respectable Jury, on the body of a female child, five or six years of age, daughter of a man named Richard Hale, which had been found the previous day in the Gravel Field at Coseley.

Esther Richards, wife of William Richards of Yew Tree Lane, deposed : I know the deceased Eliza Sillito. She was my niece, and was the daughter of Mary Sillito before she was married to my brother, Richard Hale. Mary Sillito had the deceased child when her and my brother were cohabiting together before marriage. Since the death of its mother twelve months ago, Mrs Johnson of Legge Lane has had the care of it, and its father lived there also. A fortnight ago, last Saturday, Richard Hale quarrelled with Mrs Johnson, and they both left. He then went and cohabited with a young woman named Ellen Baker, the woman he was then paying his addresses to. His mother took the child to her home, and she remained there for three days, and I saw her daily, as I live next door to her. Deceased knew all the district round, and was capable of finding her way as far as Bilston, to which place she took meals. She was missed a fortnight ago. It was between one and two o'clock this day fortnight that I last saw her, and she then had in her hand a piece of bread and butter. She afterwards went in the opposite direction, towards the church. I believe her father put her clothes on before she went out. I have not seen the deceased since until today, when I saw her

dead body and her clothes, which are the same she wore when I saw her last. I have never heard anyone threaten her. Her father was a very rash man. I mean a wicked man when drunk.

Edward Clark, a boatman, deposed : Yesterday about two o'clock, I went down the side of the hedge of the gravel field, close to this spot. I went there on necessity, and had a little dog with me. The dog by barking enticed me to follow him, which I did, and I found the dead body of the child lying on the ground on her back, in the midst of some wheat that was growing. Her arms were outstretched, and her bonnet was lying on the right hand side of her head and shoulders. Her shoes lay near her feet, with the stockings inside. She was in an awful state, and vermin were eating her. There appeared to have been a road made to the place where she lay, the corn being trodden down as if twenty persons had been that way. The road in the wheat did not go further than the body, and that lay about fifty feet from the regular road. I first informed my wife, and immediately gave information to Police-sergeant Tubman, and when I took that officer to the place, the body had not been disturbed.

Henry Green, a puddler of Coseley, deposed : I have known the deceased for three years. This day fortnight I heard Richard Hale, the father, inquiring if anyone had seen the deceased, and at about five o'clock in the afternoon of that day he came from his home towards me, and said, after asking me if I had seen the deceased, "I beat her last night for going to my last lodgings, and if she is gone there again, I will kick every bone in her hide", and added some foul language. Hearing yesterday that the child was discovered, I went to the gravel field, and found a dark silk handkerchief not far from where the child was found. I knew it, as I have seen Hale wear it many times. There was considerable blood on it, and I could not open it, as it stuck together. It seemed to be "jelly" blood ; I thought it was blood before speaking to anyone about it. I am sure it is the handkerchief now produced. [The handkerchief was crushed up and matted as if it had been soaked in blood.]

Mary Johnson stated that the deceased and her father lived with her as lodgers up to seventeen days ago, and they then left. The child was very intelligent and capable of taking care of herself. Had frequently seen the child ill-used by its father, Hale, and heard him say, "I had as leave be hung for that b--- (meaning the child) as anyone else".

Ann Dudley deposed to hearing Hale say that if his daughter went to Johnson's again, "I will certainly make her as she shall never go again".

Samuel Johnson stated that he had heard Hale say, "I should be all right if I could only get rid of that b----". Hall was then speaking of his child, the deceased. Witness had also heard him utter some fearful threats against the child.

Dr John Smith said he was on the spot directly after the deceased was found. As he knew her, he easily recognised her. Hale afterwards came and identified it, and said, "Oh, my child!" Witness described the very shocking condition in which the body was, being eaten away by vermin. His opinion was that it had died by violence and in great agony. There was blood on the clothes, and her limbs were bare. Did not think death could possibly occur naturally.

The inquest was then adjourned until Thursday next for a post mortem examination to be made.

A woman named Eliza Baker, with whom the prisoner Hale has been cohabiting, has also been arrested upon suspicion.

120 21 September 1854

STABBING AT WOMBOURNE On Monday last at the County Police Court in this town, before H Hill and B Hicklin Esqs, Richard Edwards of Wombourne was charged with cutting and wounding **John Poole**, a boatman of Jiggity Lane in that village, on Saturday night. Mr W Ward appeared for the prosecution and Mr Langman for the prisoner. It appeared that the prosecutor was at his lodgings between twelve and one o'clock in the night of Sunday, when he heard a row on the bridge, and he and a companion called Thomas Biggs went out to see what was the matter. They saw a number of men fighting and throwing stones at each other, and the prosecutor, apparently without being asked his opinion, told the prisoner, who was one of the number, he was too drunk to fight and that he had better go home. The prisoner immediately raised his fist and knocked him down, and then drew his knife and struck at his face, scratching his cheek. A second time he struck

him with the knife, cutting him in the hand. Prosecutor then procured a hedge stake, and struck the prisoner three blows with it, insisting at the same time upon the prisoner's giving up the knife. Being at last hard pressed by the prosecutor, he jumped into the canal and shouted, "Murder". Poole said he would help him out if he would give up the knife, and the prisoner then threw it into the water, upon which the prosecutor took hold of his hand and helped him out, following him home in order to obtain his name, which he refused to give. The prosecutor added that he lost a considerable quantity of blood – probably a quart – from the wound, which was about an inch and a half in length, and in depth extended to the bone. On the following morning, he gave information to Police-constable Dobson, who apprehended the prisoner. In answer to Mr Langman, Poole denied that he excited the prisoner by endeavouring to take a coat from him ; but in reply to the question – did he tell George and Thomas Thomason that if Edwards had not fetched a policeman about a key, he should not have fetched one about the stabbing – he said that such was the case. (It seemed that on Saturday night, the key of the door of the house where the prisoner lodges was missed, and the prosecutor was suspected of having taken it, but the latter altogether denied having seen it). On being charged with the offence, the prisoner said he was sorry for what he had done, and it was no use the officer looking for the knife, as he had thrown it into the canal. He afterwards pointed out the place where he threw it away. He afterwards contradicted this admission, but said that the Thomasons came to him on the Sunday morning, before he went to the policeman and wanted to make the case up, and he told them to send the prisoner up to him and "they would have no more bother about it". For the defence, Mr Langman alleged that his client used the knife merely in self defence, as the prosecutor and others attempted to take a coat from him, and not only so but assaulted him and pushed him into the canal. He urged the Magistrates to deal with the case summarily, saying that they had power, if they thought the prisoner was in fault, to inflict as much punishment on him as the case merited. Mr Langman was about to call witnesses, when Mr Hill said the Bench were in the habit of sending assault cases, in which a knife had been used, for trial in another court, and they considered it their duty to commit the prisoner for trial. They should send him to the next Quarter Sessions for the County on the charge of unlawfully wounding, but they would admit him to bail. Sureties were found, and the prisoner was liberated.

121 26 October 1864

PENKRIDGE

CHARGE OF WASTING WATER At the Police Court on Tuesday, before Lord Hatherton and Captain Thompson, a boatman named **William Sims** was charged with having, on the 16th of September last, wasted a quantity of water, the property of the Staffordshire and Worcestershire Canal Company. **Thomas Worth**, a servant in the employ of the company, stated that on the day in question, defendant, while passing through the lock, ordered his son to draw up one of the cloughs belonging to the lower gate before he had shut the top gate. The son obeyed his father's orders, and a great quantity of water was thus wasted. Defendant, who did not appear, was fined £1 and 15s 6d costs.

122 26 October 1864

ROBBERY FROM A BOAT On Monday at the Borough Police Court, before B Hicklin and M Ironmonger Esqs, a convicted thief named John Smith, a man about 35 years of age, was charged with having stolen the sum of 7s from the person of **John Davies**. Mr W Ward prosecuted. Davies is a boatman, and on Saturday night last, he was in the cabin of his boat at the Victoria Basin, near the Great Western Railway. He fell asleep about twelve o'clock, in bed in his cabin, and at that time he had 7s in silver in one of his pockets and 3s 6d in another. When he awoke at six o'clock the following morning, he found that the 7s was not in his pocket. He then went and gave information to the police. A watchman in the employ of the Great Western Railway stated that he was on duty near the Victoria Basin of the canal, about one o'clock on Sunday morning, when he saw the prisoner go into the cabin of prosecutor's boat, and shut himself in. He had, it appeared, no business in the boat. Prosecutor afterwards accompanied Police-constable Wood, and apprehended the

prisoner at the back of the Raven and Bell public house. After some hesitation, he admitted having got the prosecutor's money, and said he would "give it him back, and then it would be all right". The prisoner now pleaded guilty, and was sentenced to three months imprisonment with hard labour.

123 23 November 1864

BRIERLEY HILL

ASSAULT ON A WOMAN At the Petty Sessions on Thursday, before I Spooner Esq, Mark Gough, a collier, was charged with unlawfully and maliciously wounding **Mary Hand**, the wife of a boatman living at Brickkiln Street. The circumstances were as follows :- On the night of the 3rd instant, the prosecutrix was going to supper up her husband's horse, and she carried in her hand a tin nose bag. When near the stable door, a stone from the direction of the prisoner's house struck the nose bag. She called out, "Who's that throwing?" and the prisoner said he had thrown the stone, and at the same time he asked her to come to him. She went towards the prisoner's residence, and saw him standing at the wall which encloses his premises. He asked her if she was **Elijah Hand's** mother, and she said she was. The prisoner using an oath, immediately threw a brick at her. The brick struck her on the forehead with such violence that she was knocked down and became insensible. The prosecutrix was attended by Mr O'Dowd, assistant to Doctor Walker. The wound in itself was not dangerous, but its infliction gave a severe blow to the nervous system of the prosecutrix, and its consequences might have been serious. A sister of the prisoner was called to give evidence on his behalf. She said she was standing with her brother at the wall which encloses his premises, about nine o'clock on the night of the 3rd inst. She saw the prosecutrix under the wall, and her brother told the prosecutrix to send his wife home, and not harbour her for her son. Prosecutrix then challenged the prisoner to come over the wall, and her son would do for him. Witness prevented her brother from going over. She did not know how prosecutrix came by the wound on her forehead, but supposed that some loose bricks must have been pushed over upon her. The prosecutrix was recalled, and stated that she had no such conversation with the prisoner. The prisoner was then committed to take his trial at the next Stafford Assizes.

124 7 December 1864

THE BANKRUPTCY ACT 1861

IN THE COUNTY COURT OF STAFFORDSHIRE, HOLDEN AT WOLVERHAMPTON

Thomas Jones of Bradley in the township of Bilston, in the county of Stafford, Boatman, having been adjudged bankrupt in Wolverhampton on the 3rd day of December 1864, is hereby required to surrender himself to CHARLES GALLIMORE BROWN, Esq, a Registrar of the County Court of Staffordshire, holden at Wolverhampton, at the FIRST MEETING of Creditors to be held on the 19th day of December 1864, at Twelve o'clock precisely, at the COURT HOUSE, QUEEN STREET, WOLVERHAMPTON.

Mr J E Underhill, Wolverhampton is the Solicitor acting in the bankruptcy.

At the meeting, the Registrar will receive the proofs of the debts of the Creditors, and the Creditors may choose an Assignee or Assignees of the bankrupt's estate and effects.

All persons having in their possession any of the effects of the said bankrupt must deliver them to the Registrar, and all debts due to the bankrupt must be paid to the Registrar.

CLINTON N CURTIS, High Bailiff

125 7 December 1864

PENKRIDGE At the Penkridge Petty Sessions held on Friday last, before the Rev J A Fell, **Thomas Bolton**, a boatman, was charged with stealing five turnips of the value of 3d from a field belonging to T S Hellier Esq. He was fined 10s and costs above the value of the turnips, or 21 days imprisonment in default. He was removed in custody. The necessity of making an example of the defendant was shown by the fact that nearly £5 worth of turnips have been stolen from the field in

the course of the year.

126 4 January 1865

BANKRUPTS

NOTICE OF SITTINGS FOR LAST EXAMINATION

January 10. **T Jones**, Bilston, boatman

127 11 January 1865

BANKRUPTS Yesterday at the County Court in this town, before A M Skinner, Esq QC, Judge, the usual bankruptcy cases were disposed of. Orders of discharge granted : **Thomas Jones**, boatman of Bradley, Bilston, supported by Mr J E Underhill.

128 25 January 1865

CHARGE OF CARELESSNESS AGAINST A BOATMAN At the County Police Court on Monday last, before H Hill and S Cartwright Esqs, **Henry Hodson**, a boatman, was charged that while navigating a boat along the Staffordshire and Worcestershire Canal at Compton, he was guilty of carelessness, whereby he damaged the gates of the lock. It seemed from the evidence of **Mrs Filkin**, keeper of the lock at Compton, that on the 22nd of November the defendant and another man were in charge of a boat, and in consequence of not waiting till the lock was empty, but pushing on their horse, the boat came with great violence against the lock gates, thereby damaging them, though not to a serious extent. Mrs Filkin remonstrated with them, and they were very abusive. Another servant of the company was called to prove the damage ; he said it was confined to loosening a few plates. For the defence, Mr Dallow said the injury was not malicious ; it arose from ordinary wear and tear, and the defendant could not help it. He contended there was no evidence of malicious damage. The Magistrates' Clerk said it was not necessary that damage should be proved ; under the Canal Company's Act, what the defendant had done was an offence. Mr Dallow replied that the charge was of having committed damage, and it was not supported by evidence. The Bench dismissed the case.

129 25 January 1865

CAUTION TO BOATMEN AGAINST WASTING WATER On Monday last at the County Police Court in this town, **William Kendall**, a boatman, was charged with having wasted water, the property of the Staffordshire and Worcestershire Canal Company, by drawing the paddles of the Compton lock, on the company's canal, before he ought to have drawn them. **Mrs Filkin** of the Compton lock stated that on the 27th of November, the defendant was navigating his boat along the canal. Before his boat was near the lock, he drew up the paddles, thereby causing a great waste of water at a time when it was very scarce. The defendant denied the charge, but was fined 40s and costs, the Bench recommending the company, to whom the fine goes, to mitigate it to 5s.

130 22 February 1865

WOLVERHAMPTON POLICE COURT, THURSDAY FEBRUARY 16

STEALING GUNPOWDER **Edward Payne**, a boatman, was charged on suspicion of stealing two casks of gunpowder. Police-constable Evans stated that between eleven and twelve o'clock the previous night, he was on duty in Waterloo Street, when he met the prisoner with a bag over his shoulder containing something bulky. Witness inquired what the bag contained, but the man refused to tell him. The officer then examined the bag and found it to contain two casks of gunpowder. He asked the prisoner where he got them from, and he replied that he had found them in the street. Witness told him he could not believe his story, and took him into custody. The prisoner now stated to the Bench that he had a boat load of gunpowder entrusted to him, and after delivering the number of casks specified in the order bill, he found that he had two casks over. He was remanded until Monday, in order that the police might make inquiries as to who were the owners of the powder.

131 29 March 1865

SHROPSHIRE ASSIZES

ARSON AT WELLINGTON **John Hodgkiss alias Richard Tims**, 19, boatman, was charged with setting fire to a stack of hay on the 11th of August 1864, at the parish of Wellington, the property of R Richards. Mr Motteram prosecuted.

Richard Williams deposed that he was a servant in the employment of the late R Richards. On the evening of the 11th of August he saw the stack quite safe, and at two o'clock in the morning he saw it burning. Elizabeth Tudor said that on the 11th of August she saw the prisoner getting over a gate into the field where the hay was. Sergeant Christie said he was stationed at Wellington. He received word of the fire about half past eleven o'clock on the night of the 11th of August. He went to the churchyard at half past one o'clock ; found the prisoner there. Witness charged him with setting fire to the stack, and he said, "What could he do? It was very cold, and if he went to a farmer's house, they would set the dogs at him". Witness asked prisoner if he had any matches, and he said he had, but that he chucked them away when he saw the people going to the fire. He pointed out where he threw the matches, and witness went and found them where he indicated. Prisoner also stated that he had been in gaol for two years in Scotland for a similar offence. The jury returned a verdict of Guilty. Sentence ten years penal servitude.

132 12 April 1865

PENKRIDGE

WASTING CANAL COMPANY'S WATER A boatman named **Charles Warrell** was convicted of having, on the 13th of March, occasioned a great waste of water belonging to the Staffordshire and Worcestershire Canal Company, by drawing up the top paddles of a "lock" at Galley, through which he was navigating a boat, before closing the bottom gates. Defendant was fined 30s and 11s 6d costs, or in default of payment, one months hard labour.

133 26 April 1865

WOLVERHAMPTON POLICE COURT, FRIDAY APRIL 21

BRUTAL CONDUCT TO A FEMALE Thomas Richards, a brewer, and **John Roberts**, a boatman, were both charged with having committed a criminal assault upon a young female named Sarah Cowhorn, seventeen years of age, who resides with her parents at Wordsley. The assault was committed on the evening of the 7th inst, whilst prosecutrix was going from her father's house to the Swan Inn at Wordsley. The details were of a very shocking character, and showed that an amount of violence had been used that was perfectly revolting ; the medical evidence fully corroborated prosecutrix's statement, although it appeared that her brutal assailants failed to effect the purpose for which they ill-treated her. Both defendants denied the charge, but Mr Spooner committed them to take their trial at the Assizes, and refused to accept bail for their appearance.

134 10 May 1865

WOLVERHAMPTON POLICE COURT, SATURDAY MAY 6

UNPROVOKED ASSAULTS **Joseph Taylor**, having the appearance of a boatman, was charged with having violently assaulted two young men named Ebenezer Hunter and Edward Richards. It appeared that about one o'clock that morning, there was a disturbance in Southampton Street, caused by a number of boatmen and women quarrelling. The complainants were going along the street at the time, when the defendant, who was one of the contending parties, came up, and without the slightest provocation, struck first one and then the other in the face, and knocked them both into the gutter. Hunter was severely wounded on his head, and bled very much. Richards called out for assistance, and Police-constable King, who had been engaged in quelling the disturbance, came and took the defendant into custody. The defendant admitted striking Richards, but said he was provoked to do it by the latter insulting him. The Bench considered the charge proved in each case, and fined the defendant, for the assault on Hunter 20s and costs, and for the assault on Richards 10s and costs, or fourteen days imprisonment each.

135 28 June 1865

SINGULAR AND FATAL ACCIDENT On Thursday last, as **William Mason**, a boatman, and his brother **George**, a boy between fourteen and fifteen years old, were navigating a boat along the Birmingham Canal near the seventeenth lock in the borough, the boy, whilst in the act of taking out the windlass preparatory to getting off the boat to draw the paddles of the lock, slipped and fell into the water at the forepart of the boat, and as it was in motion it passed over him before he could stop it. He was got out as soon as possible, but life was extinct. He had fallen into the water several times previously, but had got out though he could not swim. An inquest was held on Thursday when a verdict in accordance with the circumstances was returned.

136 27 September 1865

TIPTON

SINGULAR CASE OF MISTAKEN IDENTITY At the West Bromwich Police Court on Saturday, before S Hanbury and J Solly Esqs, a boatman named **Charles Lyes** was charged with stealing a horse, the property of Joseph Ashley, at Tipton on the 26th of June. Mr Travis prosecuted and Mr J T Bayley defended. The case proved to be one of mistaken identity, though two witnesses on the part of the prosecution deposed to the fact of seeing Lyes with the animal on the night it was missed. Mr Bayley, for the defence, called Mr Painter of 8 Green Street, Paddington, London, who said that the prisoner had been in his employment as a boatman from February 20th to August 20th, and had not been absent from his labour during the whole of that period. **Henry Dixon** was also called, a fellow boatman, who gave confirmatory testimony, and said the prisoner had been taken ill on the 29th of June, and sent to St Mary's Hospital. In support of this, the ticket from that institution was produced, which proved the accused had really been in the Hospital. The Bench, under these circumstances, discharged the prisoner.

137 4 October 1865

WOLVERHAMPTON POLICE COURT, WEDNESDAY SEPTEMBER 27

FELONY BY A BOATMAN **John Wood** was charged with stealing a pair of trousers and braces from a fellow boatman named **John Swift**. On Sunday afternoon, the 2nd instant, the prisoner was on board the prosecutor's boat. Prosecutor and his wife retired to rest in the cabin about eleven o'clock in the evening, and the trousers and braces were then lying on the cabin. When prosecutor awoke the next morning, he found that they had been stolen. He at once came into Wolverhampton and gave information to the police, and at some of the pawnshops, and in about an hour afterwards the trousers were offered in pledge, at Mr Langman's in Dudley Street, by a young girl. The girl was at once detained, and a policeman sent for, to whom she stated that she had the trousers given to her to pledge by the prisoner's brother, who it appeared had received them from the prisoner with a request to pledge them. The prisoner was then taken into custody. He pleaded guilty to the charge, and was sentenced to three weeks imprisonment.

138 4 October 1865

WOLVERHAMPTON POLICE COURT, SATURDAY SEPTEMBER 30

AN AUCTIONEER FINED FOR OVERCHARGING John Derry, an auctioneer and appraiser, residing at Darlaston, was charged on the information of **John Downes**, a boatman residing in Cross Street, Monmore Green, with having illegally demanded and taken the sum of £1 3s more than he was entitled to for levying a distress. Mr James Walker appeared in support of this information. It appeared that complainant is a tenant under the representatives of the late Philip Williams, and being in arrears with his rent to the amount of £5 17s 6d, the defendant, as instructed, went to the house on Wednesday last, and levied an execution on defendant's goods for the amount ; as the money was not immediately forthcoming, he left two men in possession. The amount due was, however, tendered to him within three hours afterwards, and he then made a charge for his expenses in distraining of £1 8s 6d, which together with the arrears, £5 17s 6d, was duly paid. As Mr Walker showed all that defendant was legally entitled to charge was 5s 6d, viz, for levelling

distrain 3s, and for one man in possession (two not being necessary) 2s 6d, so that he had made an overcharge of £1 3s. It seems that defendant, either from having acted in ignorance and subsequently discovering his error, or from some compunctions of conscience at having taken from a poor man so much in excess of his claim, afterwards wrote a letter to the complainant, apologising for having overcharged him to the extent of 13s 6d, which amount he returned. The complainant was not satisfied, and took the present proceedings. The defendant treated the matter very lightly, said it was merely a mistake on his part owing to his ignorance of the law, for which he was very sorry, and produced a pocket edition entitled "Landlord and Tenant, or Every Man his own Lawyer", attempting to prove from it that he was perfectly right in the reduced charge he had made, but Mr Harris (the deputy clerk) soon showed him that his calculations were quite erroneous. He then begged of the Magistrates to be as lenient as possible with him, as he was "very short of money just now". Mr Simkiss said he considered the offence a very serious one, inasmuch as, owing to their ignorance of the law, poor people were completely at the mercy of persons who were empowered with authority like the defendant. He was then ordered to pay to the complainant three times the amount of the overcharge, namely £3 9s and costs.

139 18 October 1865

A BOATMAN DROWNED AT COMPTON On Thursday last, T M Phillips Esq, Coroner, held an inquest at the Oddfellows' Inn, Compton, on the body of **John Salt**, a boatman aged about fifty five years, who is supposed to have died from drowning on the previous morning. The deceased lived in Dale Street, Wolverhampton, and was a married man. On Tuesday night he left home, being then under the influence of drink, for the purpose of going to Wightwick to help **John Eabury** (Embury?) with his boat. They left Wightwick about one o'clock, the deceased driving the horse, and on arriving near the Compton lock, the deceased left the horse to go and draw up the paddles. Eabury was on the boat, and finding the paddles not drawn up in the course of a few minutes, he went to the lock and missed his companion. Thinking he must have fallen into the water, he searched the lock with his boat hook, and in about a quarter of an hour found the body, which he took out of the water and used remedies to restore animation, but without effect. Eabury expressed an opinion that Salt must have fallen into the water accidentally. The deceased's wife and Police-constable Smith stated that there were no marks of violence on the body, and the Jury returned a verdict of "Accidental death".

140 25 October 1865

STAFFORDSHIRE QUARTER SESSIONS

BILLS IGNORED **William Knight**, 48, boatman, charged with having obtained by false pretences from Edward (.....rris) at Tipton on the 19th September, 3s, with intent to defraud him of the same.

141 1 November 1865

STOURBRIDGE

BIGAMY At the Police Court on Friday, **Abel Jones**, boatman, was charged with intermarrying with Sarah Jasper, his wife being then alive. Mr Addison prosecuted. Sarah Jasper stated that she lived at Quarry Bank with her father and mother. She was married to the prisoner at Netherton Church on the 25th of July 1864. James Mackie proved the marriage at Netherton Church, and produced a copy of the entry in the register of that church. George Henry Merchant and Ann Merchant stated that they were present at the marriage of the prisoner to Ann Jones, at St Thomas's Church, Dudley. Sergeant Booth said he charged the prisoner with marrying two wives, and he admitted that he had done so. He produced a copy of the entry of the marriage in St Thomas's Church, Dudley. The prisoner was committed for trial at the Assizes.

142 27 December 1865

WOLVERHAMPTON POLICE COURT, THURSDAY DECEMBER 21

STEALING AN INFANT Mary Ann Dyke, a young woman, was brought up and remanded for a

week, on a charge of stealing the clothes of the infant son of Edward Lewis of Roughhills. The fact was that the prisoner stole the child itself. She is a not uninteresting looking girl of 20 years of age, and about two years ago was in domestic service at Wednesfield, where she committed an act which brought her under the notice of the magistrates. The Rev W Stephens, the vicar of Wednesfield, interested himself in her behalf, and claimed assistance for her from several gentlemen, but their kindness seems to have been thrown away, for she became the concubine of a boatman named **Green**, whom she robbed, and then absconded. A warrant was issued for her apprehension, but she eluded the pursuit of the police. It now appears that she was in Liverpool for some time, and then came back to Wolverhampton, and followed the occupation of a bank's girl. About a month ago, she went to lodge next door to Lewis at Roughhills, and once or twice went in and saw the baby, about two months old. On Saturday night week, the baby was missing from the house, and soon after, the prisoner from her lodging. The police made inquiries, and learnt that the prisoner had taken the child and, after keeping it all night in a watch box, hired herself to a boatman, and drove the horse drawing the boat along the canal, the wife of the boatman meantime attending in the boat to the child, which she supposed belonged to the girl. At Chester the police lost all trace of the girl and the child. The matter was put in the "*Hue and Cry*", and it was learnt from the Liverpool police that such a child had been found almost naked, and deserted, in the streets of Liverpool, and had been taken to the Workhouse. A girl answering the description of the prisoner had also been arrested with the child's clothes, by the police. Inspector Tomlinson of the Wolverhampton borough police, went at once to Liverpool, and the girl and the child were identified and given up – the one to the police and the other to its mother. The girl, in answer to the Bench, said she never intended to leave the child, and bought and prepared milk and sugar for it the first night.

143 24 January 1866

WOLVERHAMPTON POLICE COURT, THURSDAY JANUARY 18

THEFT BY A BOATMAN A middle aged man named **James Clarke** was charged with having stolen a bar of rod iron, of the value of 9s, the property of Messrs Bayliss and Co, chain and hurdle makers, Monmore Green. The prisoner was employed, on Tuesday evening, to unload a boat, which was in the canal near to prosecutor's works. The boat was moored at Messrs Bayliss's wharf during the night, and between six or seven o'clock the following morning, a man named Barratt, in the prosecutor's employ, saw the prisoner come into the works and take away a bundle of rod iron, which he placed in the bottom of his boat. On witness going up to him and asking what he was going to do with the iron, the prisoner very coolly said he was not aware how the iron was there, but he supposed "some lads must have put it in for a lark", and he asked witness to help him get it out again. This the latter refused, telling the prisoner he had seen him steal it. Clarke then put the iron out of the boat himself, and walked away, but the police were communicated with and he was apprehended at his house in Monmore Green. Prisoner, by the advice of his solicitor, Mr Dallow, pleaded guilty to the charge and, as he had hitherto borne a good character, the Bench passed upon him the lenient sentence of three months hard labour.

144 7 February 1866

WOLVERHAMPTON POLICE COURT, FRIDAY FEBRUARY 2 **George Arnett**, a boatman from Buckinghamshire, was charged, under a recent Act, with having refused to leave the Wheel public house in Cornhill, when desired to do so by the landlord ; also with having assaulted the landlord ; and thirdly he was charged with an assault upon a police officer who had been called in to assist the landlord. On the three charges combined he was fined 40s and costs, or 21 days imprisonment.

145 14 March 1866

WOLVERHAMPTON POLICE COURT, THURSDAY MARCH 8

HOUSE ROBBERY **James Underhill**, a boatman, was charged with having stolen a coat, value £1, the property of J Boswell of the Old Navigation Inn, Commercial Road. The prisoner was

drinking in the house on Wednesday, and in the evening a neighbour of the prosecutor saw him come out of the entry of the Navigation Inn, and go past her house with a coat on his arm. The neighbour gave information of what she had seen, and Police officer Horobin was told of the occurrence. The latter charged the prisoner with stealing the coat, and he denied the accusation, but Horobin found the article in the prisoner's boat, and it contained a book in which were written the names of the prosecutor and his daughter. The prisoner now pleaded guilty, but said it had happened because he had had drink. He was sentenced to three months imprisonment.

146 14 March 1866

STAFFORDSHIRE SPRING ASSIZES

ALLEGED ROBBERY FROM THE PERSON AT STOKE **William Bullock**, 40, boatman, was indicted for having feloniously assaulted James Wagg at Bucknall, in the parish of Stoke-upon-Trent, and stolen from his person one silver watch guard. Mr Rose prosecuted.

The prisoner was acquitted.

ALLEGED COKE STEALING AT TIPTON Edward Steventon of Tipton, coke and iron dealer, surrendered to his bail, and was tried on an indictment charging him with having, on the 17th of February at Tipton, stolen four tons weight of cokes, the property of the London and North Western Railway Company.

Mr Motteram was for the prosecution ; and Mr Kenealy, with Mr Griffith, was for the defence.

The coke charged as the property of the railway company was transmitted by Mr Wells of Northampton to their agent Mr Dobson at Tipton, whence it was transferred in many instances from the trucks to boats at the canal basin. The four tons of coke in question lay in a boat in the basin on the day named, and the case for the prosecution was that at night, Edward Jukes, a watchman in the employ of the London and North Western Railway, saw two men named **Gusey** and **Clarke** take the boat out of the basin and up the canal to a part opposite the prisoner's wharf. The police were communicated with, and on the following Thursday Inspector Phair went to the house of Steventon who denied, in answer to the questions the inspector put, that he had bought any coke on Saturday, Sunday or Monday night. The constable cautioned him, and told him he knew better, and then he said he had purchased some from a person named Singleton, and produced a memorandum in the book of a card which recorded, among other things, that the price of the coke was £1 1s a ton.

Mr Motteram contended that this memorandum so found was a most suspicious circumstance against the prisoner. Upon his statement, Singleton was taken into custody, but when confronted with him Singleton denied positively that he had sold any coke to prisoner, and ultimately Singleton was admitted as a witness against him. The case for the defence was solely worked out from the prosecutor's witnesses, for it was taken as a proof of the weakness of the charge that Clarke and Gusey, who took the boat of coke to opposite prisoner's wharf, were not called, and that **Mullett**, the keeper of Rider's Green Lock on the canal, to whom they showed a ticket duly setting forth the open conveyance of it to Steventon, was and produced the ticket. Inspector Phair, too, admitted in cross-examination that Singleton had said in his presence that he was authorised to sell coke, and though Singleton denied that he had ever said so, or that he met Steventon for that purpose at Jubber's public house on the night preceding the robbery, Mr Neville, a general dealer, proved that he found them together there ; and the argument that all this and other matters showed that the prisoner had innocently purchased the coke of Singleton whether he was entitled to sell it or not, so far prevailed with the Jury that they returned a verdict of not guilty.

147 21 March 1866

STAFFORDSHIRE LENT ASSIZES

CHARGE OF NIGHT POACHING AT SEDGLEY Thomas Edwards, 25, locksmith (on bail), George Edwards, 35, labourer, Thomas Talbot, 27, labourer (on bail) and **William Reece**, 32, boatman, were indicted for having unlawfully entered certain enclosed lands on the estate of the Earl of Dudley at Sedgley, by night, on the 19th of December 1865, to the number of five, armed

with a gun, for the purpose of taking and destroying game. They all pleaded not guilty.

Mr Motteram appeared for the prosecution and Mr Kenealy for the defence.

Thomas Harthill, gamekeeper in the employ of the Earl of Dudley, stated : On Tuesday morning, December 19th, I was on duty in the parish of Sedgley, and saw five men in an enclosed field of land in the occupation of Sarah Brown, belonging to Lord Dudley. There is a footpath in the field leading to Baggridge Wood, where game is preserved. The five men were the prisoners and Richard Weaver, against whom a warrant has been obtained. The prisoners were several yards from the footpath. I went up to the prisoners with another gamekeeper, named Powell. Talbot cried out, "Out with your knives, lads", and four of the prisoners drew their knives. I heard the click. The prisoners were then about fifty or sixty yards from a stile which divides the field from the wood. They turned round and ran away to the stile. We followed them. The five men got over the stile into another field and turned round. The game leave the wood for the fields. Edwards had a gun ; the others had bags over their shoulders. Edwards said that if we followed another yard he would blow our brains out. The others said, "Shoot, shoot", but he did not do so, and all ran away towards Gospel End. We followed, but did not overtake them. I saw them drop four bags as they were running along. We picked them up. They contained four hares, six rabbits and two long nets (about 160 yards). This was about four o'clock in the morning. I had seen Edwards and the other men many times before. It was a fine starlight night for the time of the year. By Mr Kenealy : There is a public footpath through the field in which the prisoners were, and nothing to separate the footpath from the field. We did not carry a large mastiff with me – it walked. The dog is taught to run at men – not to fly at their throats. I have tried it at men but it would not rise so high as the throat ; it is trained to knock a man down as quick as it can, but it does not aim at the throat. The mastiff did not attack Talbot in the arm ; it was held in hand. I had a six barrel revolver with me ; it was loaded with small shot that would not half kill a man. I fired the pistol once, not at the men but at their dogs. It was not after the firing of the pistol that the order was given to draw the knives. The pistol did not miss fire once, and I did not say that if it had gone off it would have marked one of the men. George Powell, also a gamekeeper in the Earl of Dudley's employ, corroborated Harthill's evidence in chief, adding that Edwards put the gun to his shoulder, and pointed it to the faces of witnesses and his companions. Witness identified the prisoners at different times at the Police Station, Wolverhampton. In answer to Mr Kenealy, he said some allowance was made for convicting a poacher, but he considered it amounted to nothing after the expenses were paid ; it was a sovereign. This was the whole of the evidence offered for the prosecution.

Mr Kenealy, for the defence, condemned the practice of remunerating gamekeepers for convicting poachers, and went on to contend that the Jury could not rely upon the statement of the witnesses for the prosecution, unsupported as it was by the bags, nets or game which, it was alleged, were left on the ground by the prisoners. In conclusion, he denied that the identification was satisfactory, and said it would be dangerous to convict upon such evidence, the gamekeepers having a material interest in gaining a conviction.

His Lordship, in summing up, expressed an opinion that remunerating gamekeepers for conviction of poachers was a bad mode of payment, as it laid them open to such remarks as had fallen from the learned Counsel for the defence.

After consulting a considerable time the Jury, to the surprise of those who had attended to the evidence, returned a verdict of "Not Guilty".

148 11 April 1866

SHOCKING ACCIDENT AT THE BILSTON MILL AT ETTINGSHALL Yesterday an inquest was concluded in the Grand Jury Room in this borough, before T M Phillips Esq, coroner, on the body of **Joseph Squires**, aged about 61 years, a boatman of Kidsgrove, Cheshire, in the employ of the Bridgewater Trustees, and who died under the following circumstances :- On the 26th ult, Squires arrived at the Bilston Mill with a load of corn in bags, and shortly afterwards began unloading. This was done by fastening a chain with a hook round the top of the bags, which were drawn up one by one by steam power to the third storey of the mill, through three openings in the

floors, the third of which was smaller than the others. While he was engaged in fastening the chain round one of the bags, his hands became entangled therein, and he was drawn up with the bag a distance of about fourteen yards, when he fell into the boat, dislocating his shoulder and fracturing several of his ribs. He was immediately sent by the proprietors of the mill to the South Staffordshire Hospital, where he was attended by Mr Kough, surgeon, and Mr Hughes, house surgeon, but he died from his injuries on the 5th instant. It appeared that it was not unusual for signals to be given when the chain was lowered or drawn up, and that about two minutes were allowed for fastening the chain round each bag. He shouted when he was being drawn up, but it was supposed that the man on the top floor did not hear him, otherwise the machinery might have been stopped, as provision exists for this purpose. The deceased had had experience in the work. He was sensible almost to the time of his death, but said he could not tell how the accident happened, and he did not blame anyone in respect to it. A verdict in accordance with the evidence was returned by the jury.

149 9 May 1866

ACCIDENT TO A BOATMAN Yesterday morning, a man named **William Lowe** was engaged doing something on the side of a boat, near to the works of Messrs Griffin and Morris, when he accidentally slipped and fell into the water. Just at that time the boat moved on a little and, striking the unfortunate man on the shoulder, threw him under the keel. He was got out as soon as possible, and although not dead, was in a very bad state from his immersion. He was at once taken to the South Staffordshire Hospital, where he received every attention, and although still alive yesterday evening, scarcely any hope was entertained of his recovery.

150 16 May 1866

THE BANKRUPTCY ACT 1861
IN THE COUNTY COURT OF STAFFORDSHIRE
HOLDEN AT WOLVERHAMPTON

Thomas Thacker of Wednesfield Heath in the parish of Wolverhampton in the county of Stafford, Dealer in Grocery and Huckstery Goods, Cowkeeper, and occasionally employed as a Boatman and Carter for hire, in lodgings ; previously of Toll End in the parish of Tipton, in the county aforesaid, Licensed Dealer in Ale and Tobacco and Dealer in Hay and Straw, having been adjudged bankrupt in Wolverhampton on the 12th day of May 1866, is hereby required to surrender himself to **CHARLES GALLIMORE BROWN Esq**, a Registrar of the County Court of Staffordshire, holden at Wolverhampton, at the **FIRST MEETING of CREDITORS**, to be held on the 21st day of June 1866 at twelve o'clock at noon precisely, at the **COURT HOUSE, QUEEN STREET, WOLVERHAMPTON**.

Mr J K Underhill is the Solicitor acting in the bankruptcy.

At the meeting the Registrar will receive the proofs of the debts of the Creditors, and the Creditors may choose an Assignee or Assignees of the bankrupt's estate and effects.

All persons having in their possession any of the effects of the said bankrupt must deliver them to the Registrar ; and all debts due to the bankrupt must be paid to the Registrar.

CLIFTON N CURTIS, High Bailiff

151 20 May 1866

WOLVERHAMPTON POLICE COURT, WEDNESDAY MAY 23

ROBBERY BY A BOATMAN **Samuel Williams**, a boatman about nineteen years of age, was charged by a fellow boatman of about the same age, named **John Lee**, with stealing £4 12s 6d. Both men worked with the same boat, and on the previous (Tuesday) morning had arrived at the Canal Street basin with a cargo of hay. During the morning, Lee sold a portion of the hay, and placed the money that he received for it in a cupboard in the cabin, and the prisoner was also aware that the money was placed there. In the evening, prosecutor went away from the boat for a few hours, and during the interval met with the prisoner at the Raven and Bell public house, and to his

surprise saw that the prisoner was spending money very freely. Lee returned to the boat about eleven o'clock at night, and on looking in the cupboard to see whether the money was all right, he discovered that it had been taken away. He then went back to the Raven and Bell, and charged the prisoner with having taken the money, but he denied all knowledge of it. The assistance of Police-constable Hobbins was obtained, and the prisoner was given into custody. From a communication then made by the prisoner to the officer, the latter went to a house in Canal Street, and received from the woman who lived there the sum of £3 19s, which the prisoner had given her to take care of for him. Prisoner pleaded guilty to the charge. Mr Spooner, addressing him, said he did not think he was a confirmed thief, or he would not have so readily let the prosecutor have a portion of his money back. Under these circumstances, he should deal very leniently with him by sentencing him to three months imprisonment with hard labour.

152 6 June 1866

WOLVERHAMPTON POLICE COURT, SATURDAY JUNE 2

FELONY BY A BOATMAN **George Smith**, a boat hauler, was charged with having a horse cloth, horse collar, two spoons and other articles, the property of a boatman named **Edward Griffiths**. Prosecutor stated that he was in the employ of the Shropshire Union Canal Company, and the prisoner worked for him as an assistant. On Thursday last, prosecutor, whilst the boat was lying in the Canal Street docks, bought a horse collar and gave it to the prisoner to take to the boat. He afterwards went to the boat himself, but the prisoner was not there, nor did he return. He looked about for the horse collar, but could not find it, and he afterwards missed the horse cloth and two spoons. Suspecting that the prisoner had stolen them, he gave information to the police, together with a description of the things. Police-constable Wild said he apprehended the prisoner on Friday night and charged him with the robbery. Prisoner pulled the two spoons out of his pocket, and admitted that he stole them from the boat. He also stated that he stole, at the same time, a horse collar and cloth. The Bench remanded the prisoner until Saturday next for further inquiries.

153 20 June 1866

COUNTY POLICE COURT At this Court on Monday, before H Hill and S Cartwright Esqs, **Thomas Daniel**, a boatman, was summoned for wilfully damaging the fastening of a canal lock. It appeared that the defendant went at midnight, on Sunday the 3rd inst, and wanted the lock-keeper at Tettenhall to permit his boat to go through the lock, and on the lock-keeper refusing, he deliberately broke off the fastening. He admitted the offence, saying he was in a passion at the time. He was ordered to pay 2s 6d for the damage, and a fine of 1s and costs.

154 20 June 1866

WILLENHALL

ROBBERY WITH VIOLENCE William Dodd, a labouring man, was charged at the Police Court on Monday with having assaulted **John Newman**, a boatman, and stolen from him the sum of £7 10s. It appeared that on the night of Tuesday the 12th inst, the prosecutor was at the Crown and Anchor public house, Pool Hays, and there saw the prisoner and two other men in the kitchen. A conversation then took place about the sale of a dog, and the prosecutor, in a boastful spirit, said, "I'm not short of a pound or two", at the same time foolishly holding up to the gaze of all present his purse, which contained £7 10s in gold and silver. He had some words with the prisoner after that, and then left the house to go to his boat. When he had got a short distance on the towing-path, he found he was being followed by the prisoner and two other men. On coming up with him, one of the men named Cureton said, "Now then, you b----", and at the same time struck him a violent blow on the mouth, which knocked him over the hedge. The prisoner then knelt upon his neck, and thrusting his hand into prosecutor's trousers pocket, took out his purse and then ran away. The other two men had also disappeared. The prisoner was afterwards apprehended by Police-constable Pepper. The Bench decided to remand the prisoner to afford the police time to apprehend his confederates.

155 20 June 1866

DEATH BY DROWNING Yesterday, T M Phillips Esq, borough coroner, held an inquest at the Harp Inn, Walsall Street, on the body of a man named Francis Finch, a breeze washer employed by the Chillington Company, and living on the Willenhall Road. It appeared that on Sunday morning, a boatman named **Richard Farrington** discovered a dead body in the canal near to Walsall Street, and it was subsequently identified as that of Finch. He had of late been addicted to drinking, and left the Grand Turk Inn, Horseley Fields, the worse for liquor, at a few minutes before twelve o'clock, after which time he was not seen alive. The jury returned a verdict of "Found drowned".

156 4 July 1866

WILLENHALL

MAGISTERIAL Owing to the important county business which occupied the attention of the Court of Quarter Sessions at Stafford on Monday last, and necessitating the attendance of the Magistrates, the Petty Sessions here were held, by adjournment, yesterday. The Magistrates on the bench were the Rev G H Fishe and R D Gough Esq. **John Newman**, a boatman, was brought up on remand, and committed for trial, on the charge of assaulting and robbing **William Dodd**, also a boatman, residing in Gloucestershire.

157 11 July 1866

WORCESTERSHIRE SESSIONS

TRIALS OF PRISONERS The following were among the prisoners tried :- **John Twigg**, boatman, was indicted for stealing £15 13s from the person of **William Inett** of Oldbury. The prisoner and a man named **Lloyd** went to assist the prosecutor at one of his boats. They all fell asleep, and when prosecutor awoke he missed his money, of which £10 were found under some coverings. Two months hard labour.

158 25 July 1866

NISI PRIUS COURT, MONDAY

ACTION TO RECOVER PROPERTY AT PENN – EVANS v SOUTHALL

Mr Gray QC and Mr Young were counsel for the plaintiff, and Mr Matthews appeared for the defence. The action was brought by **Thomas Evans**, a boatman living at Sedgley, to recover possession of three closes of adjoining land, situate at Lower Penn, from George H Southall, a butcher and market gardener, residing at the village. The facts were of no interest except to the parties concerned. The plaintiff entirely failed to make out his case. His Lordship told Mr Gray he was beaten at all points. Mr Gray : I think I am, my lord. A verdict for the plaintiff (*sic*) was recorded.

159 1 August 1866

STAFFORDSHIRE SUMMER ASSIZES

ALLEGED HIGHWAY ROBBERY AT WILLENHALL Josiah Dodd was indicted for robbery and assault at Willenhall. Mr Harrington prosecuted ; Mr Griffiths defended.

John Newman stated that he was a boatman, living at Maisemore, Gloucestershire, but on the 11th June last had his boat at a place called Pool Hayes. On the evening of that day, he was proceeding from West Bromwich to his boat along the towing-path of the canal, the prisoner and two other men, whom he had seen in a public house, following him. He was knocked down, and the prisoner knelt on his neck and pulled his purse from his pocket, which contained about £5. As soon as he had got the prosecutor's purse he ran away.

John Bullock, miner, living at Willenhall, deposed to hearing cries of murder, and to finding prosecutor on the ground, who complained of having been robbed by two men.

The Counsel for the prisoner called Mary Clebberley, daughter of the landlady of the Crown and Anchor Inn, who said she turned the prosecutor out of the house for being drunk and quarrelsome, on the 12th of June. Her mother heard cries of "Murder" that night, and told her of it, but at that

time the prisoner was in the house, nor had he been out previously that evening. Other witnesses were called to substantiate the alibi, and the Jury acquitted the prisoner.

160 5 September 1866

ROWLEY REGIS

CHILD BURNED TO DEATH An inquest was held on Tuesday at the British Oak Inn, Garratt's Lane, Old Hill, before Mr E Hooper, coroner, touching the death of a child named **Elizabeth Wall**, aged one year and eight months. **Sarah Wall**, mother of the deceased, stated that her husband was a boatman, living in Garratt's Lane. On Wednesday the 8th inst, she gave permission to a girl ten years of age to take her child out for a walk, merely telling her to take care of her. Shortly afterwards, she heard an outcry, and on running into the road saw her in flames, which were put out by a woman standing by. A surgeon was immediately sent for, and every possible means were taken to ensure her recovery, but after a few days suffering, she died. John Rock, ten years of age, was next called. He said he assisted in making a fire in a meadow near Garratt's Lane, but that had nothing to do with setting the child on fire. The Coroner observed that no reliance could be placed on the last witness's statements, and Police-sergeant Powner stated that witness's mother had refused any information or assistance whatever in getting up the case. He also stated that there were several boys in the village who were in the habit of lighting these fires, and the Coroner said that the practice must be put a stop to, and gave orders to the police to take all persons into custody who were found near them. Another boy who was mixed up in the affair, named Thomas Shakespeare, was also called, but although he admitted he was present when the catastrophe, which resulted in the death of the deceased, occurred, he denied either that he set fire to the deceased or saw anyone else do so. The Jury returned a verdict to the effect that the child died from the scorching and burning, but how it happened there was no direct evidence to show.

161 17 October 1866

STAFFORDSHIRE QUARTER SESSIONS

PLEADED GUILTY **Benjamin Blower**, 27, boatman, pleaded guilty to an indictment charging him with having stolen the sum of £2, at West Bromwich on the 3rd of February last, the property of Thomas Jones, and was sentenced to three months imprisonment.

John Hordern, 24, boatman, for embezzling of his master, William Bowers of Kingsley, the sum of £3, on the 23rd of February, was sentenced to one months imprisonment.

162 24 October 1866

A MAN FOUND IN THE CANAL On Saturday afternoon, a boatman named **Charles James** observed the body of a man floating in the canal near to the Gas Works. The body was immediately got out of the water and conveyed to the Elephant and Castle public house, where it was identified as that of Patrick Martin, a blind fiddler, who had left his residence in Short Acre to go to Bilston, and it is thought that on his way home he had fallen into the canal, which at the point where he was found is unfenced. Several parties within the last few years have been drowned at the same place.

163 31 October 1866

THE LONDON GAZETTE, FRIDAY OCTOBER 26

The following are selected from the lists of bankrupts in the *Gazette* of the above date :-

T Simmons, Bloxwich, Staffordshire, boatman, November 7 at Walsall.

164 14 November 1866

TIVIDALE

A MOTHER AND CHILD DROWNED *Suspicious Case.* On Saturday last, Mr Hooper, coroner, held an inquest at the Red Lion Inn, New Road, respecting the deaths of Jemima Boylin, aged twenty three, and Henry Boylin, aged two years, mother and son, who were found drowned in the canal near Messrs Bagnall's pits, under the following circumstances :- Job Pearson stated that he

was a miner, residing at Union Street, Tipton. On the previous day, he was going to his work, in company with several others. When near to the Old Smoky Pits belonging to Messrs Bagnall, he saw two boats pass each other on the canal. A child rose to the surface between them. One of the men in charge of the boat seized the child and laid it on the towing-path. From its appearance, witness thought it must have been in the water eight or nine days. **Samuel Taylor**, a boatman residing at West Bromwich, said that on the previous day he had command of a boat bound for the Saltwells colliery. When near Messrs Bagnall's colliery, witness and his boy saw the deceased woman floating upright in the water. The deceased had no bonnet or shawl on. The eyes were much swelled. John Boylin, a puddler living at Hill Top, the husband of the deceased, stated that on the 17th October he was thrown out of work at Messrs Solly's, and in consequence asked his wife to go into the West Bromwich Workhouse whilst he sought employment. She consented, and remained in the house a week, after which she left. Witness obtained work in the Potteries, where he remained a fortnight. He then removed to Hill Top, where he had since resided. Had not heard of his wife and child until the previous day, when he heard from the police that they had been discovered in the canal. In answer to the Jury, the witness stated that his wife was a sober woman. He was under the impression that his wife had destroyed herself. Richard Boylin, a miner residing at Heath, deposed that he was the uncle of the last witness. On the 29th of October, the deceased came to his house and asked for her husband. Witness said he did not know. She returned again and repeated the question, after which she left. By the Jury : Did not ask her in, nor offer her anything to eat and drink. They were not good friends, in consequence of an ill feeling which had previously existed. The deceased was "fresh" at the time she called. She had lived with her husband at his house. Never heard them quarrel. Police-constable Taylor stated that upon hearing of the discovery of the bodies, he proceeded at once to the spot. There were several bruises on the head and face of the woman, and the child was injured in a similar manner. He had made inquiries and could not learn anything of a suspicious nature. There being no other evidence, the Jury returned a verdict of "Found drowned".

165 21 November 1866

PENKRIDGE

DEATH BY DROWNING An inquest was held on Tuesday, before Mr Morgan, coroner, touching the death of a boy whose name and parentage are unknown. **George Sparrow**, a boatman, said the boy had been in his employ about five weeks. He did not know his name, but he was called "Froghall Tom", and was sixteen years of age. On Saturday night last, he was going home with an empty boat and had arrived at Park Gate Lock, when deceased ran from the horse to shut the lock gate. Witness then heard a scream, ran to the lock, and found the inside gate had been shut ; but the boy was missing, and he (witness) could nowhere discover him. He got a light, and provided himself with a shaft and the lock-keeper's rake, and then, with the assistance of the lock-keeper, found him in the course of a quarter of an hour. The boy was alive when they pulled him up, but his clothes gave way, and he fell in again. They had now a search of ten minutes longer, after which, with great difficulty, they drew him out quite dead. The jury returned a verdict of "Accidentally drowned".

166 26 December 1866

A BATCH OF BRUTES Among the cases disposed of by Mr Justice Smith, at the Liverpool Assizes, were two atrocious outrages on women, and we are sorry to notice that in dealing with the worst of them, the judge accepted drunkenness as an extenuating circumstance. In this case, a young boatman named **Wilkinson** was convicted of applying a red hot poker to an abandoned woman on board a barge during a drunken revel, and was sentenced to five years penal servitude, the judge remarking that the penal servitude would have been for a period little less than life if he had thought the prisoner knew what he was doing.

Liverpool Courier

167 26 December 1866

DEATH BY DROWNING On Friday an inquest was held, before T M Phillips Esq, coroner, on the body of a little girl, twelve years of age, who was drowned in the canal on Tuesday night. The deceased was the daughter of a boatman named **William Williams**, whose boat was that evening in the Walsall Street Wharf. She was seen safe in the boat at about eight o'clock, but two hours afterwards her dead body was found in the canal, and it is therefore supposed that she accidentally fell from the boat into the water. The Jury returned a verdict of "Accidental death".

168 8 January 1868

BRIERLEY HILL

FOUND DROWNED An inquest was held on Friday before Mr W H Phillips, Deputy Coroner, at the Falcon public house, Mill Street, on the body of Joseph Thornton, aged 39, who was found dead in the canal on New Year's Day. The body was discovered by a boatman named **Sparrow**, having been brought to the surface by the tow line of his boat. The last time deceased was seen alive was on Friday night between eleven and twelve o'clock, at the Dog and Partridge public house, where he had one pint of ale. He was intoxicated, and when he left the house he said he was going to his home at the Salt Wells. There were no marks of violence on the body, and 21s was found in his pockets. The Jury returned a verdict to the effect that the deceased was found dead in the canal, but how he came there, there was no evidence to show.

169 15 January 1868

MOXLEY

FOUND DROWNED On Tuesday, Mr E Hooper, coroner, held an inquest at the George Inn, on the body of Joseph Offler, aged fifty, a gun barrel roller. It appeared from the evidence of deceased's brother and other persons that the deceased had been "wild" for several years and had led an irregular life. On the night of Sunday week, he entered the George Inn, somewhat the worse for liquor, and after drinking a pint of ale, left again at half past nine. Nothing more was seen of him until the morning of Monday last, when a canal boatman named **Law**, as he was guiding his boat from the works of Messrs Rose and Skidmore at Moxley, raised the body of the deceased to the surface of the water, but failed to retain it there. Lewis's companion was not more successful, and accordingly Police-constable Pointon was fetched, got the body out and took it to the George Inn. One of the Jurors remarked that those who knew the deceased had for some time expected that he would come to his death in some such way. There was no suspicion of foul play, and the belief was that the deceased accidentally fell into the canal, but in the absence of evidence on this point, an open verdict was returned.

170 15 January 1868

WASTING CANAL WATER At the County Police Court on Monday last, before B Hicklin and R H Briscoe Esqs, **Thomas Toy**, a boatman in the employ of Messrs Crowley and Co, was summoned for having wilfully wasted a quantity of water at the Bratch locks near Wombourne, on the Staffordshire and Worcestershire Canal. The offence was committed on the 27th December, and in defiance of a warning given to him by **William Henry Newman**, one of the company's servants, and he not only wasted water, but placed a boat which was in the lock in danger of sinking. The Magistrates fined him 1s and costs.

171 15 January 1868

WOLVERHAMPTON POLICE COURT, SATURDAY JANUARY 11

ROBBERY FROM A DWELLING HOUSE Henry Evans, a married man living in Stafford Street, was charged with stealing a shawl and dress, the property of **Jonas Green**, a boatman living at Springfields. Mr Turner prosecuted and Mr Ward appeared on behalf of the prisoner. **Harriett Green**, the wife of the prosecutor, stated that on Christmas Eve she left her house in the care of a lodger while she went to the Potteries ; and on her return the following Friday, she missed the shawl

and dress now produced, with a number of other articles of wearing apparel, and gave information to the police. Police-constable Dallow stated that at about three o'clock on the morning of Wednesday, he was on duty in Stafford Street, and his attention was called to a disturbance that was taking place in the prisoner's house. On going to the place, he heard the prisoner's daughter remark in her father's presence, "I have borne the disgrace of committing that robbery that you and David did in Springfields, you b---- ; but I won't bear it any longer. The things are upstairs, and I'll fetch them down". The prisoner made no reply to this, and after his daughter had brought the shawl and the dress now produced down, witness asked Evans how he had come into possession of them. He replied he knew nothing whatever about them ; but subsequently contradicted this, and said his wife had purchased the garments from another man for half a crown. The prisoner was remanded, and as more articles had been lost by the prosecutor than had yet been found, a warrant was issued by the Magistrates to search the prisoner's house.

172 29 January 1868

TIPTON

THE CASE OF STEALING PIG IRON FROM THE CANAL At the Police Court on Monday, before the Rev W Ker and R Bagnall Esq, three men named **James Garrett, Joseph Hampton** and **William Allen alias Redman** were charged with stealing a quantity of pig iron, the property of Mr W Foster of the Factory, Bloomfield. Mr Travis appeared to prosecute on behalf of the Society for the Prosecution of Felons. Police-sergeant Swift stated that about five o'clock on Saturday last he was on duty with Police-constable Crichlow, near Factory Bridge, when he saw the prisoner Garrett walking from the direction of the bridge to a marine store dealer's shop. He was carrying a pig of iron upon his shoulder, and this he pushed through a railing into Skidmore's (the dealer's) yard. Witness inquired what he was doing, upon which the prisoner replied that he could show the officer where there was a ton or two more. He said he saw two "chaps" heave it from a boat on the previous night. Swift went with the prisoner towards the canal, where they met another man, resembling Hampton, carrying a "pig". Upon sight of the officer, this man dropped the material and bolted. The two policemen and Garrett then passed to the bridge, and the latter evaded the questions put to him as to the whereabouts of the iron. Witness told him he was determined to lock him up on suspicion, upon which the prisoner said he "didn't care". When the officers arrived at the spot where the "pig" had been dropped by the second person, they could discover no trace of it. Witness then searched Skidmore's garden, and found Hampton, like the redoubtable Irish patriot, among the cabbages, with a "pig" lying under him. In answer to the officer's questions as to his reason for lying there, Hampton said he had only just arrived, and that he found the iron. Both prisoners were then conveyed to the station. On the way the party met Allen with part of a "pig" on his shoulder. Police-constable Crichlow asked if there was any more coming and Allen said, "Yes". Shortly afterwards a person named Turner came up, and asked Redman why he was staying so long. Allen said it was because the officers had "collared" him. Turner was not taken into custody as he had no iron upon him. Mr Foster stated that he had a boat load (25 tons) of pig iron from the Millfields Furnaces. On Saturday morning, before he heard of the robbery, he noticed that some iron was missing. The boat was weighed, and a deficiency of half a ton was discovered. The iron produced corresponded with the iron in the boat. John Miklewright, stocktaker at the Millfields, deposed to the fact that twenty five tons had been put into a boat for Messrs Foster. The iron produced was Millfields make. At the conclusion of the case the prisoners severally pleaded guilty. Garrett and Allen was sentenced to three months imprisonment each. Hampton (against whom there was a previous conviction) was sentenced to six months imprisonment.

173 29 January 1868

WEST BROMWICH

STEALING IRON At the Police Court on Saturday, before C Ratcliff, W Williams and J A Kenrick Esqs, John Green, a marine store dealer of Virgin's End, and **Joseph Williams**, a boatman of Hill Top, were charged with stealing two cwt of iron valued at 10s, the property of Messrs

Johnson, proprietors of Hall End Iron Works, West Bromwich. Police-constable Gibbs deposed that on Wednesday afternoon, the 22nd instant, he was on duty in Ten Score Street, and saw the prisoner Green with a donkey and cart, which appeared to be heavily laden. Prisoner, in answer to witness, said the cart contained rags and bones, but witness found there was also a considerable quantity of iron in the cart, and as prisoner could not satisfactorily account for the possession of it, he was taken into custody. He afterwards stated that he had bought it from the other prisoner (Williams). Williams was then apprehended, and on being taken into the presence of Green, the latter identified him as the man from whom he bought the iron. The iron was then, through the inquiries of the police, found to belong to the prosecutors. Williams said he got it out of the canal, and the iron bore marks of having been in the water, but it was proved to have been taken in the first instance from the wharf of the prosecutors. The accused were both committed to take their trial at the next Sessions.

174 12 February 1868

WOLVERHAMPTON POLICE COURT, THURSDAY FEBRUARY 6

THE CASE OF ROBBING A BOATMAN A man named Henry Marshall was charged with being concerned, with two other men named Hayward and Seymour, with robbing **James Webberley**, a boatman, of £4, in the month of December last. The other men were convicted of the robbery at the last Borough Sessions, but the prisoner had kept out of the way until that (Thursday) morning, when Police-detective Bealey succeeded in apprehending him at a house in Old Mill Street. Prisoner admitted he was in company with the men, but he denied taking any part in the robbery or being present when it was committed. He was remanded for a week.

[Note : for James Webberley read Abraham Webberley, see next article)

175 19 February 1868

WOLVERHAMPTON POLICE COURT, THURSDAY FEBRUARY 13

ROBBERY FROM THE PERSON Henry Marshall was again brought up and committed for trial charged with stealing £4 from the person of **Abraham Webberley**, a boatman. The boatman met prisoner and two other men, named Hayward and Seymour, and adjourned with them to a brothel in Warwick Street. There, while lying on a sofa, Webberley was eased of his cash by Seymour, prisoner keeping guard.

176 26 February 1868

THE BANKRUPTCY ACT 1861

IN THE COUNTY COURT OF STAFFORDSHIRE

HOLDEN AT WOLVERHAMPTON

John Griffiths, now and for about six weeks last past of No 105 Walsall Street, Wolverhampton, in the county of Stafford, in lodgings and out of business ; previously of the Shrubbery Tavern, Walsall Street, Wolverhampton aforesaid, Licensed Victualler, Boatman and Haulier, having been adjudged bankrupt on the 20th day of January 1868, a Public Sitting for the said Bankrupt to pass his LAST EXAMINATION and make applications for his discharge will be held at the said Court, at Queen Street, Wolverhampton, on the 20th day of March 1868, at Twelve o'clock noon precisely, the day last aforesaid being the day limited for the said Bankrupt to surrender.

The Registrar of the Court is the Official Assignee, and C Barrow Esq of Wolverhampton is the solicitor acting in the bankruptcy.

CLIFTON N CURTIS, High Bailiff

177 25 March 1868

STEALING BOOTS A young fellow named **George Wilkinson**, who said he was a boatman from Kidderminster, was charged with having stolen a pair of boots, the property of James O'Toole. The prosecutor stated that he was a second hand clothes dealer residing in Princes' Street. On Saturday last the prisoner came into his shop and said he wanted to buy a black coat to attend the funeral of

his mother. Prosecutor showed him several coats, but he had great difficulty in finding a coat of the fashion to suit him. He went into the back kitchen to try to find some others, leaving the prisoner himself in the shop ; when he came back, he noticed the prisoner had a second hand pair of boots under his arm. He asked him what he had got there, and he replied, "It's a pair of boots I bought at the shop opposite". Prosecutor asked to be allowed to look at them, and on doing so, he at once recognised them as his own property. He charged the prisoner with having stolen them, upon which the latter made an attempt to escape, but prosecutor followed and caught him. The prisoner pleaded guilty, and was sentenced to fourteen days imprisonment.

178 1 April 1868

SERIOUS ACCIDENT TO THREE MEN Late on Friday evening last, a serious accident occurred at the wharf of Messrs Picton and Sons, carriers, on the Bilston Road. Adjoining the wharf is a large crane fastened into the wall – a double brick one – of a stable, used for raising and lowering heavy goods. On Friday evening about nine o'clock, some men were engaged raising an iron girder, weighing about 24 cwt, when all of a sudden a crack was heard, and the next moment the crane fell to the ground, dragging with it the roof and the wall of the stable. Three men were working the crane at the time, and were severely injured by the falling bricks and slates. **Thomas Postles**, a boatman of Union Street, had four of the fingers of his left hand cut off, and was badly bruised about the face and back. **Richard Hillman** of Lower Stafford Street had his thigh broken, and William Glover, who lives at the wharf, was cut on the head in two places. Hillman was removed to the hospital, where he now lies in a dangerous condition. The crane was understood to be capable of lifting about two men ; but when the girder was being raised it swung against the wall, which is thought caused the latter to bulge in – hence the accident.

179 11 April 1868

BILSTON

FELONY IN A PUBLIC HOUSE At the Police Court yesterday, a man named **John Beach**, boatman, Bilston, was charged with stealing two pairs of boots, value 7s 6d, belonging to Phoebe Carpenter of Lane's Field, Sedgley. On Saturday the 18th instant, the prosecutor went to the Balloon public house in High Street, Bilston, to regale herself, and while there she put two pairs of boots upon the table. They were afterwards missed, and from information received, the prisoner was taken into custody by additional Constable Dunstan on the charge of stealing them. The Magistrates committed the prisoner to take his trial at the Sessions.

180 27 May 1868

WOLVERHAMPTON BOROUGH QUARTER SESSIONS

STEALING COAL **John Weldon**, 41, boatman, was found guilty of stealing 16 cwt of coal from a wharf at Wolverhampton on the 25th of April, the property of Daniel Smith, and sentenced to twelve months imprisonment.

Mr Underhill prosecuted ; the prisoner was undefended.

BILLS IGNORED **William Smith**, 23, boatman, stealing a purse containing £2 5s, the property of Elijah Ellis.

RETURNING HOME FROM STAFFORD GAOL Ulick Welch, 21, striker, **George Williams**, 23, boatman, and Edward Madden, 21, striker, were indicted for having stolen a cheese, the property of Thomas Rowley and Co, Horseley Fields, Wolverhampton.

Mr Londale Warren appeared for the prosecution.

The robbery was committed on Saturday the 4th of April last. On that morning, the three prisoners were discharged from Stafford Gaol, and started in company to walk home to Wolverhampton. When they had arrived near to the Ball Inn at Coven, they overtook the prosecutor's waggon, which was partially loaded with cheeses, the waggoner, George Stone, being seated in front. Welch got on

the back of the waggon, and asked Stone to let him have a ride, but the waggoner refused. After following the waggon a short distance, the prisoner Madden lifted the prisoner Welch up the hind part of the waggon, and he took from thence a cheese which, on getting down again, he handed over to the prisoner Williams. They were seen by a young man named Careless, who – after informing the waggoner of what he had seen – went with his father in pursuit. They overtook the three men near the Bridge Inn, and after some difficulty they succeeded in apprehending Welch and Williams, the latter having the cheese in his possession, but the third man, Madden, got away and was not apprehended till afterwards.

The Jury found the three prisoners guilty, and the Recorder sentenced Welch and Williams – who had both been several times previously convicted – to seven years penal servitude each, and Madden to twelve months imprisonment with hard labour.

181 1 July 1868

STAFFORDSHIRE QUARTER SESSIONS

HIGHWAY ROBBERY AT PELSALL **Reuben Shirley**, 38, boatman, and **Thomas Arnold**, 38, boatman, were indicted for stealing £6 from the person of Thomas Hall at Pelsall on the 29th of May. Mr Underhill prosecuted and Mr Motteram defended Shirley. The Jury found the prisoners guilty. Shirley, who has before served a term of penal servitude, was sentenced to ten years penal servitude. Arnold was sentenced to six months imprisonment.

182 5 August 1868

THROWING A MAN INTO THE CANAL Yesterday at the Borough Police Court, before M Ironmonger, C B Mander and S Loveridge Esqs, **Robert Jones**, a tall robust man, a boatman, was charged with having assaulted **Richard Cope**, an elderly man, also a boatman, on Monday week. Cope stated that about five o'clock in the evening of the day in question, he was on a bridge over an arm of the canal near Canal Street Bridge, when the prisoner said he would throw him into the canal, and without further ado caught hold of him by the legs, dragged him along the bridge, and threw him straight into the water. He had not quarrelled with the prisoner. Jones had had drink, and witness was also intoxicated. A man named Sadler got him out of the water, the defendant standing by and not assisting. Arthur Nightingale, who was upon Mr Shelton's wharf on the other side of the canal when the event happened, corroborated the above evidence, adding that Cope narrowly escaped being cut to pieces by a passing boat. Witness informed Police-constable Wyman in Queen Street of the occurrence and desired him to go down and apprehend the prisoner, but he declined, on the ground that he was not on duty. The Bench sent for Wyman, who said Nightingale told him he should not think the man was in the canal at that time, and he therefore told him that he had better go and report the matter at the Police Station. The Magistrates said they considered the conduct of Wyman highly censurable. Here was the life of a man in danger, and a stranger could come up to the town to get the services of a policeman, and yet a police officer refused to go. Even supposing his journey had been in vain, of what consequence would it have been compared with the possibility of saving a person's life? The prisoner said he and Cope quarrelled and wrestled, and Cope fell into the water, and as soon as possible he (prisoner) pulled him out. The Bench sentenced him to two months hard labour, regretting that under the statute they could not punish him more severely.

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A CHILD DROWNED IN THE CANAL On Saturday evening, an inquest was held at the George Inn, Spring Bank, before W H Phillips Esq, deputy coroner, touching the death of **Mary Ann Bedless**, a girl about ten years of age, who was drowned in the canal on the previous day. The deceased was the daughter of a boatman, and on the morning of that day she fell from a boat into the water and was drowned. The Jury returned a verdict of "Accidental death".