

## WARRINGTON GUARDIAN

### 1 15 January 1859

OVER POLICE COURT, TUESDAY

WILFUL DAMAGE John Barber of Wharton, labourer, **Job Hulse** of the same place, boatman, and Joseph Cousins, labourer, were charged by John Bostock with having broken sixteen squares of glass in his window on the 28<sup>th</sup> ult. After a deal of hard swearing by several persons trying to prove an alibi on behalf of Hulse and Cousins, the Mayor adjourned the case until the 18<sup>th</sup> inst, for the production of further evidence.

### 2 22 January 1859

OVER POLICE COURT, TUESDAY

WILFUL DAMAGE John Bostock of Over, labourer, charged John Baker of Wharton, labourer, **Job Hulse** of the same place, boatman, and Joseph Cousins with breaking his window on the 28<sup>th</sup> ult. The case was adjourned from the 11<sup>th</sup> inst for the production of further evidence, Hulse and Cousins having tried to prove an alibi. John Bostock, the complainant, said on the night of the 28<sup>th</sup> December last about eleven o'clock, several persons attempted to come into his house, but he locked the door and prevented them, and immediately afterwards sixteen squares of glass in his window were broken ; he could swear to the accused being amongst the party near his door. Joseph Cousins said on the night of the 29<sup>th</sup> December he saw Job Hulse, who stated he had been in a row at Over on the previous night and had smashed a window. After hearing the evidence, the Mayor dismissed the case against Baker and Cousins, and ordered Hulse to pay damage and costs £1 15s 2d, and in default of payment to be committed for 21 days with hard labour.

[Note : Name is shown as Barber in the previous article]

### 3 19 February 1859

RUNCORN POLICE COURT, MONDAY

Before J Johnson Esq

**George Gleaves**, boatman, who is also a ticket-of-leave man, and Charles Abrams, were apprehended on a charge of stealing a horse, the property of Mr William Taylor of Runcorn. Gleaves was committed to the Liverpool assizes. The evidence being insufficient against Abrams, he was acquitted.

### 4 2 April 1859

DEATHS

CARR – March 26, aged 10 months, son of **John Carr**, boatman.

### 5 2 April 1859

RUNCORN

CHILD DROWNED On Wednesday last, an inquest was held before P Hanmer Esq, deputy coroner, at the house of Mr James Dearden, Top lock, on view of the body of James Harrison, aged about five years, son of **James Harrison**, boatman, who was drowned on the Monday previous. It appeared from the evidence of Robert Stowell and another witness that the deceased had been left on board a boat along with some other children whilst witness went ashore. After witness had left, deceased and some of the children went on shore to play. Deceased was seen to go towards the lock gates and shortly after he was lost sight of. The canal was then dragged, and the body was found in the canal basin. Verdict accordingly.

### 6 21 May 1859

EXPOSURE OF THE PERSON **Abraham Moleneux**, flatman of Barnton, was brought before J H Harper and L P Townshend Esqs, and committed to one month's hard labour for indecently exposing himself to Betsy Stockton, aged 13 years.

**7 11 June 1859**

**NORTHWICH COUNTY COURT**

**OAKS v CLARE** The plaintiff was a publican at Middlewich and the defendant a boatman residing at Newton. The claim was for a sum of £1 2s 6d, which the defendant had received on account of the plaintiff from the North Staffordshire Railway Company. The defendant stated that Mr Oaks had no claim against him for more than £1 1s 6d. Verdict for the plaintiff for the full amount.

**8 25 June 1859**

**OAKMERE PETTY SESSIONS Samuel Beaman**, flatman of Witton, was summoned by **Thomas Barrow**, lock tender of Hunt's Lock, for having on the 3<sup>rd</sup> inst allowed his flat to be moored within 200 yards of the above lock. Fined 20s and costs.

**9 9 July 1859**

**WELSH JURIES** At the Cardiff Assizes a few days ago, **John Ryan**, a boatman, was indicted for having, at Merthyr, stolen a quantity of wrought iron, the property of John Williams. It was proved that the prisoner had been seen near the prosecutor's shop shortly before the property was missed. The iron was traced to his possession, and identified by the owner. The foreman of the jury informed the court that they found the prisoner guilty, but they considered it to be their duty to recommend him strongly to mercy, on account of his being undefended. This novel reason caused some tittering in court. The Chairman expressed his surprise that the Jury should have founded their recommendation on such grounds. Were the court to recognise such a recommendation, it would be equal to inflicting a penalty upon prisoners who were defended. The prisoner was sentenced to one month's imprisonment with hard labour.

At the same assizes, **William Morris**, boatman, was indicted for having, at Merthyr, stolen a coat, the property of John Edwards, a collier. This case was an illustration of the habits and feelings of a section of the labouring population of that locality. On the night in question, the prosecutor fell out with a fellow workman outside a public house. He alleged that he was subjected to the indignity of being struck by his associate. The prosecutor was encouraged by his mother to resent the insult, and she stood by like a Roman matron to see the combat. She preferred seeing her son borne home on his shield (shutter) rather than that he should return ingloriously. The son, on commencing the fray, threw his garment to his mother. In the excitement of the moment, the latter relinquished it, and the prisoner obtained possession. He ran away with the prize. He was pursued by a butcher named Thomas. When prisoner found that he was closely pressed, he threw the coat over a hedge. He was given into custody. He pleaded in extenuation of the theft that he had lost his hat and, to make up for that, he seized upon the coat. The jury found the prisoner guilty, but they seemed determined in this instance to try the efficacy of a new foreman, as the last had been unfortunate in his recommendation. This new foreman addressed the chairman in a bold and clear tone, informing him that the jury were desirous of strongly recommending the prisoner to mercy. The Chairman put the same question as before to the new foreman, who explained that his brethren recommended the prisoner to mercy owing to the trivial nature of the offence, inasmuch as it had taken place during a fray. (Laughter). The Chairman (to the foreman) : Oh, I am to understand that you consider that a person is extremely likely to steal something during a fight? The Foreman : Precisely so. The Chairman, in passing sentence, regretted that he could not, as was usually the case, agree with the jury's recommendation to mercy. There was no reason that a man should be more disposed to commit a theft during the progress of a fight, in which he sustained no personal injury, than at any other time. Sentenced to two months' imprisonment with hard labour.

**10 16 July 1859**

**KECKWICK**

**DUCK STEALING** On Monday last at Warrington, before T Lyon Esq, **Samuel Walker**, a boatman, was charged with having stolen a duck, the property of Mr Peter Tickle, farmer,

Keckwick. John Antrobus stated that he was a servant to Mr Tickle. On Sunday morning the 11<sup>th</sup> inst, he observed the prisoner, who was on board a narrow boat passing along the canal, throw a stone at his master's ducks. One of them fluttered in the water, and the prisoner then jumped off the boat into the adjoining field ; he ran to the duck, took it out of the water, and threw it into his boat. The boat then went off. Witness then saw him throw at another duck ; the stone hit it on the head. He then went to inform Mr Tickle. The duck he took had seven young ones with her in the canal. The other duck which he struck on the head had twelve young ones. The prisoner was committed for trial at the next Knutsford sessions.

**11 27 August 1859**

SANDBACH PETTY SESSION, MONDAY

DRUNKENNESS **George Simms**, boatman, Wheelock, was summoned for being drunk and disorderly at Middlewich on the 4<sup>th</sup> of July last. Defendant was fined 5s and 6s 6d costs.

**12 27 August 1859**

Elizabeth Henley, the paramour of a boatman named **Shaw**, has met with her death in this neighbourhood under very suspicious circumstances. On Tuesday last, her lifeless body was found in the canal near the Park Lock, and from the ascertained fact of her having been beaten and kicked by Shaw early the same morning, and other circumstances, it is feared she may be the victim of foul play. An inquest was opened the same day, and adjourned, and Shaw, who was present, was bound over to appear at the resumption of the inquiry.

**13 17 September 1859**

MARRIAGES

PEACOCK – STRINGER September 15<sup>th</sup> at St Paul's Church, by the Rev John Robinson, curate, **Benjamin Peacock**, waterman, to Miss Martha Stringer, both of this town.

**14 22 October 1859**

NORTHWICH PETTY SESSIONS

DRUNK AND DISORDERLY **Samuel Weedale**, flatman, was summoned for the above offence, and fined 5s.

**15 29 October 1859**

NORTHWICH COUNTY COURT

**YOUNG v HARRISON** Mr Green, who appeared for the defendant in this case – a publican at Northwich – said it was a claim for 30s for alleged damage done to a horse belonging to the plaintiff, who is a boatman living at Asley Green, by pulling a few hairs out of its tail. The horse itself was worth no more than a couple of pounds. (Laughter). The plaintiff did not appear, and the case was therefore struck out. Mr Green applied for and obtained the costs of the defendant and his witnesses, including a veterinary surgeon, who attended to prove the value of the horse.

**16 26 November 1859**

ASSAULT ON A WOMAN At the Police Court on Saturday, **Samuel Leather** junr, flatman, was brought up by warrant charging him with an assault on Elizabeth Maddox, by gripping her by the throat. Ordered to find bail, himself in £10 and two sureties in £5 each.

**17 10 December 1859**

DEATHS

HINDE - November 30<sup>th</sup>, aged 64 years, **Sarah**, wife of **Mr James Hinde**, waterman, at Wharton.

**18 7 January 1865**

WARRINGTON BOROUGH COURT **John Leigh**, flatman, Latchford, was charged with having committed a violent assault upon his wife. He was sent to Knutsford for 21 days.

**19 14 January 1865**

SANDBACH PETTY SESSIONS

WASTING CANAL WATER **Charles Church**, captain of a flat belonging to Mr Whitehouse of West Bromwich, was summoned for wasting water belonging to the Trent and Mersey Canal Company by drawing the centre paddle of the lock outside Lawton Yard before closing the top lock. The water was very short at the time, and defendant (who did not appear in answer to the summons) when spoken to by **Thomas Richardson**, inspector on the canal, was very abusive. He was fined 40s including costs.

**20 4 February 1865**

RUNCORN POLICE COURT

BRUTAL ASSAULT **Thomas Fleetwood**, a boatman, was brought up in custody charged with brutally assaulting **James Cook**, a flatman in the employ of the Bridgewater Trustees. Inspector Blake deposed that late at night on the previous Thursday, a number of drunken boatmen came out of the Bridgewater Arms and attacked several flatmen who were near. He went to them and found the prisoner and another man abusing Fleetwood, who was on the ground screaming for help. He floored one of them and then turned to the other, the prisoner, who seized him by the forefinger of his left hand with his teeth, and then managed to escape, as also did his companion. He apprehended the prisoner the morning after about two o'clock, on board a narrow boat lying at the Top Locks. The man Fleetwood was under the care of Dr Mouritz, and lying in a state of insensibility ; and he (the Inspector) had therefore to ask for a remand. The prisoner was then remanded until Saturday the 4<sup>th</sup> February.

**21 25 February 1865**

INQUEST ON A MASTER MARINER AT RUNCORN On Tuesday last, an inquest was held at the house of Mr Dearden, the Mariners' Hotel, Top Locks, Runcorn, before H B White Esq, deputy coroner, on the body of John Milne, late master of the schooner "*The Hope*", which was found in the "Old Dock" the previous day. Mr Williams deposed that he was landlord of the Nag's Head beer house in Percival's Lane, Runcorn, and that on the evening of Saturday the 12<sup>th</sup> instant, the deceased came into his house about six o'clock and remained there until half past nine, during which time he had four glasses of bitter ale. When he left he was not drunk, and went through the gateway and along the side of the locks, in the direction of the place where his vessel was lying. He accompanied him to the gateway and then turned back. On Tuesday the 14<sup>th</sup> instant, the mate of the schooner "*The Hope*" came to his house and inquired for the deceased, who he said had not been on board since half past five on the previous Sunday evening. **Samuel Ellis**, a boatman, deposed that on the previous night the "Old Dock" was let off, and he saw the hand of a man projecting through the ice. He got a boat hook, removed the ice and found the body of the deceased, which with assistance he got out. In answer to the Coroner, this witness said there was no protection along the dock where the body was found. Mr White said he asked this question because he received a letter from Mr Fereday Smith, respecting a presentation made by the jury at a late inquest, to the effect that the Bridgewater Trustees had not made sufficient provision along their wharves and quays for the protection of the lives of the men engaged on the vessels using their docks. Mr Smith thought that presentation was very indefinite, and that the trustees had done all that they could be reasonably expected to do. He also said that nearly all those who got drowned at the locks and docks in Runcorn were in drink at the time. He (Mr White) had replied to Mr Smith's letter, and pointed out to him the protection at the lower end of the graving dock was worse than none at all, being more likely to throw a man into the dock than keep him out. He had also said that the men belonging to the vessels being unfortunately in the habit of imbibing too much liquor, was an additional reason

for making greater provision for the protection of life along the wharves and quays. To that letter he had received no answer. William Walker junr, cashier to Mr Hayes, ship broker, deposed that the body the jury had seen was that of John Milne, master of "*The Hope*" schooner, trading between Leith, Liverpool and Runcorn. It was the first voyage of the deceased to Runcorn, and he (witness) had on Saturday the 11<sup>th</sup> instant advanced him £4 on account of freight, as he said he wished to sail on the following day. The coroner briefly summed up, and in doing so stated that there was no evidence of foul play, and that when the body was searched by PC Eyes, there was found on it £2 10s in gold, 9s in silver and 2d in copper. The jury returned a verdict of "Found dead".

## 22 4 March 1865

MAN DROWNED On Tuesday last, Mr H B White, deputy coroner, held an inquest at the Stag public house, Lower Walton, on the body of a man, name unknown, who had been found drowned in the Old Quay Canal. **John Bate**, a waterman living at High Leigh, stated that about ten minutes to four on Monday afternoon, he was walking by the Old Quay Canal and saw a man's head above the surface of the water ; he drew the body to the side by means of a boat hook, and then sent for a police-constable. Mr Isaac Andrews, hairdresser, Sankey Street, Warrington, deposed that five weeks since last Monday, about nine o'clock in the morning, he was taking a walk along the Old Quay Canal. It was very foggy. He saw something in the water which he at first took to be a dog ; on approaching it, however, he distinctly saw it was the head of a man, with the face upwards. He had heard no noise previously. He called out, but the man (who was breathing) did not seem to hear. He was about the middle of the canal, beyond reach. He (Mr Andrews) ran to Walton Bridge for assistance. After crossing the bridge he met a young man, with whom he returned, and other assistance was got, but on reaching the spot the man had disappeared ; his cap was floating on the water. Witness could not identify the body which the jury had seen. The man appeared to be about 30 years of age. Verdict : Found drowned.

## 23 18 March 1865

ROBBERY BY A BOATMAN On Wednesday the 8<sup>th</sup> instant, **William Jones**, a boatman on the canal, was committed to take his trial at Knutsford Quarter Sessions by Major Harper at Lymm. The prisoner was captured by PC Eastwood who, from information received, followed him along the canal bank, and apprehended him at Lymm, charging him with stealing a purse and 5s 4 1/2d from Edwin Goodwin at Stockton Heath, ten days before.

## 24 18 March 1865

DEATH BY DROWNING NEAR BROADHEATH On Friday last, W E Dunstan Esq held an inquest at Mrs Wright's "Bay Malton" in Dunham Massey, concerning the death of **John Holt**, a boatman belonging to Broadheath.

The following evidence was given.

**Thomas Royle Cheetham** said the deceased, John Holt, was the horse driver for the canal boats *Elizabeth* and *Sarah*, which were coupled together, steered by me, and drawn by two horses. On Wednesday afternoon we were proceeding from Broadheath to Runcorn, and about two o'clock had arrived at Seamon's Moss Bridge, about a mile from Broadheath. Going under the bridge, the deceased was holding the second horse, a young one, by the head, and was walking between the horse and the canal. He gave the horse he was leading a check with the bridle, and the horse turned round a bit, and one of its hind legs slipped into the water. In trying to recover itself, the horse fell into the canal, and pulled the leading horse in also, and the deceased under the first horse. He never rose. The horses went under the boat, but after a quarter of an hour's exertions they were got out, the colt being cut, though not much injured. I took the colt home, and the captain, William Royle, stopped to find the body of the deceased. A young man from a brick croft was assisting William Royle when I left. Royle, who is my uncle, was in the cabin lighting a fire when the accident happened.

**William Royle** said the last witness shouted out, "All three are in the cut", meaning the deceased

and the horses. I ran out of the cabin and along the plank to the stern of the boat *Sarah*, and saw the deceased's head in the canal. The horses were struggling, and then the deceased and the horses sank under the boat, which had not stopped. I then loosed the boats, and a horse's head appeared on each side of the boat *Sarah*, their bodies being under the boat. I shouted for help. Jacob Holt, a young man from a brickfield on the other side of the canal, came. I got a knife and cut the belly band of a horse by putting my arm down in the water. One of the horses walked out of the other side of the canal, the other was fighting in the water. The one which was out, the colt, came to the water side, and the old horse walked out to him. After grappling, the body of the deceased was found lying about a yard and a half from the field side, where the horses had walked out, and about 20 yards from the bridge where they fell into the canal. The deceased had been carried under the horses and his body was much injured. The deceased was 32 years of age on the 21<sup>st</sup> of March last year.

Joseph Pickford, Police-constable, Dunham Massey, said : After the body of the deceased was recovered, it was placed in an outhouse at the "Bay Malton". I examined it, and found the right arm broken, the right breast and shoulder severely bruised, and other parts much swollen and injured, showing appearances of an internal rupture having taken place.

This was the whole of the evidence. Verdict : "Accidentally drowned".

## 25 1 April 1865

RUNCORN POLICE COURT, THURSDAY

DOING WILFUL DAMAGE **Thomas Brannan**, a young man, a boatman residing on Mill Brow, was brought up in custody, charged with wilfully breaking two squares of glass in the office window of Mr John Parker at the Bottom Locks, about two o'clock in the afternoon of the previous day. He pleaded guilty, and was ordered to pay the amount of the damage and the costs or, in default, to go to Knutsford for 14 days hard labour.

DRUNK & C **James Johnson**, boatman of Manchester, was brought up in custody charged by PC Skaife with being drunk and riotous in High Street at ten o'clock the previous night. He pleaded guilty, and was fined 5s and 1s 6d costs or, in default, 7 days hard labour.

## 26 1 April 1865

MAN DROWNED AT RUNCORN On Friday last, an inquest was held at the "Old Bridgewater Arms", Runcorn, before H B White Esq, deputy coroner, on the body of **James Banks**. On the previous Wednesday afternoon the deceased, who is a driver on the canal, was taken to the drivers' kitchen in a helpless state of intoxication. He lay down to sleep, and at eleven o'clock woke up, apparently "all right". He went out accompanied by William Deakin, under ostler at the Duke's stables, as far as Messrs Hazlehurst's soapery ; there they parted, the deceased being left in company with the captain of a flat. From the evidence of Mr Ditchfield of the Royal Hotel, it appeared that the deceased was at his house about half past ten on the night in question ; he was under the influence of drink ; he said his horses had gone round the "green turn" and he was going after them. He was with a man named Barlow ; they left shortly afterwards, and the deceased returned about half past eleven quite drunk. Two flatmen were with him. He called for a glass of rum, but witness declined to serve him. He left soon afterwards. Inspector Blake said that in consequence of certain footprints having been pointed out to him, he had the canal searched at Delf Bridge, where the body of the deceased was found. It bore no marks of violence, and there was nothing in the pockets but a shilling. Verdict : Found drowned.

## 27 1 April 1865

WARRINGTON BOROUGH COURT

MAINTENANCE OF RELATIVES Four persons named Thomas, John, Nathan and **James Hatton** were summoned at the instance of the guardians of the poor to show cause why they should not contribute to the maintenance of their mother, who has become chargeable to the parish. Nathan Hatton, who keeps a beerhouse at Runcorn Gap, was ordered to pay 2s a week, and John, who is a boatman, 6d. The others were excused.

## 28 22 April 1865

### RUNCORN POLICE COURT

**DRUNK AND REFUSING TO LEAVE A BEERHOUSE** **William Toplass**, boatman, a young man 21 years old, was brought up in custody charged with being drunk and disorderly on the previous evening, and refusing to quit the house of Mr Williams when requested to do so. Inspector Blake said the information was laid under the "Refreshment House and Wine Licences Act", as Mr Williams was not only a beerhouse keeper but also had a licence to sell wine. The prisoner refused to quit the house when required by the landlord, and also by PC Brayley. In answer to the charge, the prisoner said he did not know anything of the matter, for he was very drunk. He had not had any drink before for two months. Mr Whiteway : Oh, then you were making up for lost time, were you? William Williams deposed that he kept the Nag's Head Beerhouse in Percival's Lane at the Top Locks, and had also a licence to sell wines. On the previous evening, the prisoner came into his house quite drunk, and asked for some liquor, which was refused him by his daughter. He then became noisy, and he (witness) went to him and told him to go out. He refused to do so, and said if he would not let him have some drink, he would go into the cellar and draw some for himself. He again asked him to go out, and as he would not, he called in one of the police officers. PC Brayley deposed that the defendant, on being turned out, became very violent, refused to go home, and got a great many people round. He tried to take him away, but could not, as he lay down in the sludge and refused to go. He had to handcuff him, and also to get some assistance. In reply to Mr Whiteway, Inspector Blake said the prisoner was committed on the 2<sup>nd</sup> January last for seven days, for drunken and riotous conduct. The prisoner said he hoped the magistrate would not send him again. He would rather pay a fine than go to prison. He was ordered to pay a fine of 10s and 7s costs, or in default to go to prison for fourteen days' hard labour. The money was paid.

## 29 6 May 1865

### RUNCORN POLICE COURT

**ASSAULT CASE** **Henry Webster**, a boatman and beerhouse keeper at Westleigh, was brought up under warrant charged with having that morning violently assaulted **Ann North**, a boatwoman. He pleaded not guilty. The complainant deposed that a few days previously one of her children found a bottle floating in the canal, and amongst its contents was the note produced, which had the appearance of being a banknote for £30. She had that morning shown the note to the landlord of the Bee Hive beerhouse, who said it was a "flash note" as there was not any manager's name to it. The prisoner was in the Bee Hive at the time, and offered to get it cashed for her if it was a good one. He went to the post office and also to Mr Potter's office with it, and was told at both places that it was of no value without the name of one of the managers of the bank to it. In the latter place, she again got possession of the note, and the prisoner tried to take it from her. She resisted him, whereupon he threw her down, knocked one of her teeth out, bruised her elbows, tore her clothes and knelt upon her chest while she was on the floor. The magistrates, considering the charge proved, inflicted a fine of 10s and 12s 6d costs, or in default 21 days' imprisonment with hard labour.

## 30 20 May 1865

### KNUTSFORD ADJOURNED SESSIONS

**CHARGE OF STEALING A ROPE AT RUNCORN** **Joseph Taylor**, a boatman 20 years of age, was indicted for stealing 22 yards of rope, the property of Messrs Verdin, at Runcorn on May 5<sup>th</sup>. He pleaded not guilty. Mr Foulkes prosecuted, Mr Brandt defended the prisoner. **George Leicester**, the master of two narrow boats belonging to Messrs Verdin, gave evidence that at three o'clock on the morning of May 5<sup>th</sup> he went to lie down in the cabin of one of the boats in the Duke's Dock at Runcorn, leaving the rope in question on board of the other. He got up again at a quarter past five, and found the rope gone. He saw the prisoner about seven o'clock in another boat in the tide dock. On the 11<sup>th</sup> of May, he was at Sale, near White's Bridge, at five o'clock in the afternoon, and saw the prisoner with his boat, which had a rope in it which he identified as the one stolen from

his boat. The prisoner said that his master had bought the rope, and afterwards said that he had bought it himself. Both ends had been cut off the rope, which was about seven yards shorter than when he lost it. Mr Brandt, for the prisoner, ridiculed the idea of identifying such a rope. The jury acquitted the prisoner.

**ROBBERY FROM THE PERSON AT BROADHEATH** **Margaret Baxter**, a boatwoman, pleaded not guilty to stealing 7s 6d from the person of Ralph Taylor at Broadheath on April 5<sup>th</sup>. The prosecutor on the day named had gone into Mr Dale's beerhouse at Broadheath, with 7s 6d in his left trowsers pocket. The prisoner, as well as others, was present ; and when Taylor and a man who was with him fell asleep, Samuel Wright of Ashton-on-Mersey, who was reading a newspaper, saw the prisoner put her hand into Taylor's pocket and take out some money. As he thought that she was Taylor's wife, he did not interfere, but told the landlord. PC Eastwood apprehended the prisoner who, on her way to Sale police station, offered to send the prosecutor a post office order for 7s 6d if allowed to go. She was found guilty. Sentence, one month's imprisonment with hard labour, the bench taking into account that she had already been five weeks in prison.

### **31 27 May 1865**

**SHOCKING ACCIDENT AT PRESTON BROOK** On Tuesday last, an inquest was held at the Red Lion, Preston Brook, before H B White Esq, deputy coroner, on the body of a man named **Peter Cawley**, whose death resulted in the manner described in the following evidence. The North Staffordshire Railway Company was represented by Mr Keary, of the firm of Keary and Shepherd, Stoke-upon-Trent.

George Wainwright said : I am a bricklayer's labourer, and work for the North Staffordshire Railway Co in sinking shafts from the surface into Preston Brook tunnel. The body the jury have seen is that of Peter Cawley. I have known him about two years. On Saturday morning between 11 and 12 o'clock, deceased and I had orders from Mr Billington, one of the Company's foremen, to go into the tunnel and bore up to one of the shafts which had got stopped. We went in the ice boat ; this was at the end of five or six boats which were about to be taken through by a small tug boat employed for the purpose. The work we had to do was at the second shaft, not quite half way through the tunnel. We loosed from the boat before us some distance before getting to the shaft ; when there, Cawley was with me and all was right. He was steadying the boat on the side farthest from me, and I had commenced boring, when a quantity of smoke from the direction of the tug boat came upon me and made me insensible ; I fell back into the boat's bottom. I did not see Cawley, but just as I became insensible I heard a splash in the water. I did not come to myself until some time after I had been taken out of the tunnel. Four air shafts are being constructed. One at each end is made through – the middle ones are not. The tug boat could not have been more than 100 yards before us when the smoke came back which made me insensible. I had been in the tunnel before, but felt no ill effects. Deceased was standing in the bottom of the boat when he was steadying it. We had a light, but it went out just as the smoke came down. If I had fallen into the water when I became insensible, I could not have helped myself. We were told not to stay more than half an hour in the tunnel. On the previous Thursday it took us only a quarter of an hour to do what we required. Mr Carruthers, surgeon, Halton, deposed that he was sent for on Saturday afternoon to see the deceased and two other men, one of whom, he believed, was the last witness. He found two of them in the ice boat. They were evidently suffering from the effects of smoke or some suffocating vapour, but were naturally recovering. He afterwards went to see the deceased, who was lying on the floor in his own cottage. He was quite dead and appeared to have been so about two hours. He could not possibly tell whether he had been rendered insensible before being drowned, nor did he think that fact could be ascertained on a *post mortem* examination. He believed deceased was alive when he fell into the water, and was then drowned.

**Joseph Newton**, who is employed in working the tug boat, said he was in the habit of going through the tunnel on an average about eighteen times a day. About half past ten on Saturday morning, he started from the north end with a train of boats. Before entering the tunnel, he saw the deceased on the canal bank ; he held up his hand as a signal that he wanted to go through. Witness



slacked for him, but could not see for the smoke whether he came on or not. After reaching the south end – which was in about 25 minutes – he did not see the deceased, and thought he had not started. He had no notice from anyone that a boat was going through which was not to come out at the other end. He waited about 35 minutes at the south end before returning with another train of boats. There was no rule as to the time of returning. They usually waited for a train of boats, and until the tunnel seemed free from smoke. After running some 500 or 600 yards with the return train up the tunnel, he came to a sudden stop with a shock. He did not at first know what had caused the stoppage ; but afterwards took a lamp and saw that there was a boat in the way, and that it was the ice boat that Cawley had motioned him to stop for. He could not hear or see anyone, and thought the boat must have broken loose and got into the tunnel. He set to work to put the fire out and let the steam off ; and when he had done this he found that the men in the train of boats behind had “legged” out of the tunnel and left him and the steerer of the tug boat. He then tried to get back to the shaft hole for air, but in doing so was overpowered by the smoke, and did not recollect any more until he “came to” and found himself out of the tunnel. He had been “giddy” several times before when in the tunnel. He was about ten minutes at work at the fire before he attempted to get back. About three weeks ago he was two days laid up from the effects of smoke and vapour. If all the four shaft holes had been open, he did not think there would have been any smoke of consequence. These shaft holes were only begun about a month since.

**Peter Cawley**, nephew of the deceased and steerer of the tug boat, gave corroborative evidence. It appeared that he also was overpowered by the smoke and became insensible.

James Billington said he was a mason, and had been in the employ of the North Staffordshire Company about 30 years, and at Preston Brook about a month. He came to superintend the sinking of air shafts into the tunnel. It was occasionally necessary for men to go into the tunnel to bore up the shafts to let off the water, and to clear the holes already bored from above. This was first done on the Thursday before the accident, when he, with the deceased and two others, went into the tunnel for that purpose. He had no instructions from the company or any of their servants as to how this was to be effected. They were in the tunnel about three quarters of an hour, going, working and returning, and suffered no inconvenience. Before entering, he did not inform the engine driver that a boat was going through which would not pass out at the other end. On Saturday morning last, it became necessary to repeat the operation ; he told the deceased and George Wainwright to go in and do what was wanted, if they had time, but if they had not, to retreat to the north end as soon as they heard the tug boat enter the tunnel. He told them to go in the ice boat at the end of a train of boats then entering, but did not say anything to the engine driver about it. He waited for deceased and Wainwright, and after an hour was surprised that they had not returned. He listened at the tunnel end but could hear nothing ; then sent to **William Davies**, the tunnel keeper, and asked him to wait at the north end and listen whilst he (witness) went to the other end to see if anything had happened. On his way, he met a boatman, who said there had been a “jamb” (meaning a collision) in the tunnel; witness then returned to the north end, got some men together and entered in a boat, taking lights &c. When rather more than half way through, they heard the steamer “fizzing”, then one of the men who was holding a light over the side said, “There's a cap” ; on examination, they found it was a man's head above the water. The body (that of the deceased) was taken into the boat ; it showed no signs of life. They went a little further and found the ice boat and tug boat “jammed” together ; George Wainwright was in the former, moaning and insensible. They got him into their own boat, and loosed the ice boat and tug. Witness returned with some of the men and Cawley's body and Wainwright to the north end of the tunnel, leaving several men with the ice boat to render what assistance was necessary. A doctor was sent for. He had passed through the tunnel a dozen times and felt no inconvenience but once, when was rather giddy from the smoke. The whole of the air shafts would be open in about a fortnight. In his opinion, the two most useful shafts were now open. He had instructions to open the end shafts first ; they were considerably smaller than the middle ones. The middle shafts were deeper than the others, and would take a much longer time to complete. The hole bored in the shaft could have been cleared from above, but not with so little trouble as from below. The shafts were being sunk by contract, and it would have interfered with

the contractor if they had gone to the top. Two of the men who went in on Thursday had gone away, and deceased and Wainwright said they could do the work easily. He had no apprehension of any danger. If the men had been sensible, they could have heard the tug enter and got out without difficulty. The deceased was accustomed to the tunnel, having been a legger for many years.

William Davies, tunnel keeper at the north end, stated that the tunnel was about three quarters of a mile long. Up to the last five months, it was customary for the boatmen to leg themselves through. At each end of the tunnel, a notice was posted stating that boatmen having fires on board were liable to a 40s penalty. No one had ever been fined to his knowledge. About five months since, the North Staffordshire Railway Company started a tug boat to go through the tunnel. It was only three months since one of the drivers and a stoker were brought out at the south end in a fainting state. He reported this to Mr Johnson, the company's inspector. He was not consulted about Mr Billington going into the tunnel on Thursday to clear the holes in the shaft. On Saturday, he knew that Wainwright and the deceased went in and (????).

Mr Forbes, resident engineer of the Trent and Mersey Canal, was called and examined by Mr Keary. He said that until recently boats had been "legged" through the tunnel – there being no towing path – but as this was attended with delay and inconvenience, the company, about five months since, under the powers of a special Act of Parliament, commenced running a tug boat. The experiment was tried about a month last autumn, when he went through the tunnel himself on many occasions. There was no inconvenience, except on still days, when one suffered from the sulphur arising from the coal in the engine. No one was rendered insensible during the time the experiment was being tried. About the 22<sup>nd</sup> of April last, he heard that one of the engine drivers and the steerer had suffered very much in their heads from the sulphur. He sent orders for the driver to be exchanged for one from Barnton tunnel, and also took steps for having two air shafts sunk. He afterwards arranged for two others – one near each end – which were commenced at once. From the commencement of the running of the tug boat, the engine drivers had orders to get a good clean fire and a good chest of steam before entering the tunnel, and to discontinue tugging if there was any danger. He told the driver Newton on Friday last to discontinue until the shafts were completed if he saw any danger. When they were all completed, all danger would be at an end.

The Coroner having summed up,

The Jury returned a verdict of "Accidentally drowned", and recommended the North Staffordshire Railway Company to discontinue the use of the tug boat until the four air shafts were entirely completed, and that arrangements should be made for enabling the engine driver to be aware of the number of boats he was taking through the tunnel, that he may know whether he brings them all safely out at the other end.

### **32 24 June 1865**

RUNCORN POLICE COURT, SATURDAY

REMANDED CASE OF AIDING AND ABETTING AN ASSAULT Robert Radcliffe and Jonathan Garside surrendered to their bail, in the charge of aiding and abetting Charles Dobson in unlawfully assaulting William Dunbobin. Mr Day, who appeared for the complainant, said the case had been adjourned in the hope that the police would be able to apprehend Charles Dobson, who was the chief actor in the assault, but he was sorry to say that he was still at large. The prisoners were charged with aiding and abetting the assault, and that was an indictable offence. Parties aiding and abetting were, by the Act 24 and 25 of Vict chap 100, treated in the same manner as principals. All therefore that he had to do was to prove that the prisoners were aiding and abetting Charles Dobson in the assault he committed on the complainant on the 6<sup>th</sup> of June, and to apply to their worships to commit them for trial. The facts of the case were these, on the 6<sup>th</sup> of June, the complainant was following his avocation as a brickmaker in a clayhole, when a man of the name of Charles Dobson came to him, struck him in the face, knocked him down and made him insensible. He should call witnesses who would prove that they saw the prisoners in the field at the time the assault was committed, and heard them make use of certain expressions. If he made out a *prima facie* case against the prisoners, he should apply for their committal, and he should, he thought, be

able to do so, for he should prove that a fortnight before the assault was committed, the complainant was threatened by one of them.

Mr Johnson said he knew nothing of the facts of the case until he came into court, and he wished to know whether the prisoners were then charged with aiding and abetting an assault, the principal actor in which was still at large.

Mr Roberts of Manchester, who appeared for the prisoners, said such was the case, and he was glad that Mr Johnson had asked that question, as it had anticipated a remark he was about to make. The law was – and common sense said that it was right – that they could not convict an aider and abettor unless they had previously convicted the principal. In the present case, the principal had not been convicted ; they could not convict him in his absence, and until he was convicted, they could not convict anyone as aiders and abettors. An assault, too, was a case that could be compromised, and it could also be sued for in the County Court, at the option of the person assaulted.

The magistrates having intimated their wish to hear the evidence against the prisoners, Mr Day called :-

William Dunbobin, the complainant, who deposed that he resided in Shaw Street, Runcorn, and was employed as a brickmaker's temperer by Mr Thomas White, builder. On the 6<sup>th</sup> of June, about noon, he was at work in a field at the Holloway, in a clay hole about two yards deep. There were in the hole with him his son and another little boy. Charles Dobson came into the hole, and as he was coming over the clay, he said, "Tim Bobbin, you must come out of that hole". He replied that he was about to come out to his dinner. Whilst he was lading some water, Dobson came to him and struck him a blow on the face, which "laid his nose open" and made it bleed freely. He could not say whether Dobson had anything in his hand, and he kept striking him about the head and breast. A man, whose name he did not know, came into the hole, got hold of him round the middle, and carried him aside. He went to wash his face at a house close by, and saw the two prisoners near the brickfield of Mr Thomas White. He had seen them about all morning, but could not say that he had seen them with Dobson. As he was coming out of the hole after the assault, he saw them standing on the edge of it, and heard them hallooing and shouting, but could not tell what they said. About a fortnight before the assault, the prisoner Radcliffe, as he was one morning passing the clayhole, said he wanted him, to which he replied if he did he must come there. He then said, "Thou'lt get thy nut sow'd for working there". He then went away, and the same night as he was returning, he said, "You have no right there, as you are only fit to use a pick". He (complainant) was not a member of the Brickmakers' Society.

Cross-examined by Mr Roberts : There was a public house, "The Railway Inn", near to the clay hole, but he had not beer in there. The prisoners when shouting were in the field, about ten yards from the public house. He left Dobson in the hole. Could not say which of the prisoners shouted. They were both shouting, and were about 20 or 30 yards from him. He went to the police station and gave information of the assault, but could not say whose name he mentioned, as he did not then know the names of the men, but learned them afterwards. He went to work the same afternoon, and also the next day, and the day after, and had been working ever since, except on Sundays.

Mr Roberts : Of course you don't work on a Sunday. (Laughter).

Witness continued : The morning after the assault, he thought he went to work before he saw the police. (Laughter). He could not say what time he went to work. He thought it was before nine o'clock, but he could not say when. (Laughter). His habit was to go when he thought proper and to stay as long as he liked, as he worked by the piece. The day after the assault, he worked more than two hours before dinner, but he could not say how long he worked. He worked some after dinner, and had been working since in the usual way. He knew the prisoners before, but did not know their names. He knew Dobson well, having worked along with him last summer. He went out of the pit about four minutes after Dobson came in.

Mr Day then called William Houghton, who deposed that he was a labourer residing in Shaw Street, Runcorn, and on the 6<sup>th</sup> of June heard a noise which caused him to go out of his own house, which adjoins the brickfield of Thomas White. He heard a boy cry out, "They are killing my father", and he went into the brickfield and there saw Dobson in the clay hole, ill using Dunbobin. While he

was there, the prisoners Garside and Radcliff came out of an opening by the public house. He saw them on the field while Dobson was assaulting Dunbobin, and heard Garside say, "Give it him", "Smother him". Radcliffe said he would fight any man in the hole. While complainant was leaving the field, the same words were repeated.

Cross-examined by Mr Roberts : On the same day, he told complainant what he had seen and heard. The men, at the time they said what they did, were about 25 yards from Dobson. The police came to him the same afternoon, and asked him what he knew.

Mr Day then called **Sarah Santley**, who deposed that she was the wife of **John Santley**, waterman, Shaw Street, and on the 6<sup>th</sup> of June about twelve o'clock at noon, saw the prisoner Radcliffe on Mr White's brickfield, attempting to go after the complainant, and his wife was holding him back. She did not see the other prisoner there.

**Mary Edwards** deposed that she was the wife of **James Edwards**, waterman of Shaw Street, and at noon on the 6<sup>th</sup> of June, while in her own house, heard some children scream and went out. She heard Dunbobin's little boy say, "Oh, take him off my father, or he'll kill him". She saw the two prisoners in the brickfield, but did not hear them say anything to the complainant. She saw Radcliffe attempt to go after Dunbobin when he came out of the hole, but his wife held him back.

Cross-examined by Mr Roberts : She did not hear the prisoner say anything, nor did she see Radcliffe do anything to Dunbobin. She was looking at the man who was ill using Dunbobin in the clay hole.

Mr Day having stated that the examination of last witness closed his case,

Mr Roberts rose, and said he would not trouble their worships with many remarks, but he wished to call their attention to the remark he made at first, that it was necessary, as a matter of law and also of common sense, that before the prisoners could be put on their trial as aiders and abettors, the assault must be proved. Such had not been done, and it might, after all, turn out that no assault had been committed, or if it had there might be a legal justification of it from a variety of circumstances of which they knew nothing, and of which they had not a chance of hearing a word, or of the answer that could be made to the charge, Dobson not having been on his trial. If he had been, it was possible he might have been acquitted, and they could not punish his clients as accessories to an act for the doing of which the principal might be justified. According to Mr Day, the prisoners might be convicted and Dobson, the principal, afterwards acquitted. This difficulty had been felt by his learned friend, who he must say had conducted the case very fairly. As far, however, as his own experience and knowledge of the law went, there must be a conviction of the person committing the assault before another for aiding and abetting could be punished. Lately, there had been a case similar to the present one under Jervis's Act, under discussion in the Queen's Bench, and the decision thereon was that there must first be a conviction of the principal before the seconds could be proceeded against.

Mr Chorlton, magistrates' clerk, here pointed out that according to the working of the act, aiders and abettors could be proceeded against either before or after the conviction of the principal.

Mr Roberts continued : Well, taking his argument on that point for what it was worth, let them see what the case really was. He had evidence which, if their worships deemed it necessary, he could lay before them ; and when they heard it, they would see that the witnesses for the prosecution were under a mistake in associating his clients in any way with the assault. They had shown no disposition whatever to evade the case. They were there a week ago, and since then, through the kindness and mercy of Mr Brundrit, the magistrate who then heard the case, they had been at large, following their employment, and they appeared there that day for the full investigation of the circumstances of the case. It had been said that they were members of a trade society, but as such societies were originally established as sick and burial societies, he hoped that would not be against them. The complainant had that day appeared in court, a tall stalwart man, and he had told them that he worked the same day after the murderous assault which he complained had been committed. He talked very "gingerly" when under cross-examination, as though he were weighing every word, but he was forced to admit that he had worked every day since the assault. Indeed the fact was that he had been, for all purposes where strength and freedom from injury were required, as good a man

as he was before. Of the prisoners he could say nothing, except that he heard them shouting, and that might be to the man in the clay hole. The witness Houghton was a very dangerous one to cross-examine, inasmuch as he had been in the company of the police (laughter) – a body of men who, not having any very heavy mental duty to perform, generally managed to do their work well. (Laughter). Take, however, his exposition of the case, and what he said about the complainant and Dobson rolling together in the hole, and it would be seen that the shouting of the prisoners, and what they said, were more like the ordinary expressions used at a fight than encouraging one man to unlawfully assault another. There was nothing in the case inconsistent with the supposition that the men used the expressions in the belief that the complainant and Dobson were fighting, and not in encouraging the unlawful attack of one man upon another, and there had been nothing shown of any antagonism or animosity existing between the complainant and the prisoners. Radcliffe had said that he would fight any man in the hole, but that would apply equally to Dobson as to the complainant. The two other witnesses had said nothing except that they saw Radcliffe attempting to follow the complainant. Looking, therefore, at the matter in the worst possible light for his clients, he thought the case was so trivial that the smallest summary judgement would fully meet it.

Mr Johnson said the bench would not call on Mr Roberts to produce any witnesses. Some of the remarks he had made were worthy of consideration, but they were advised to differ with him in his assertion that accessories could not be dealt with until the principal had been convicted. On that point the law was against him, but common sense was in his favour, and had Dobson been apprehended, the disposition of the case would have been more easy. Suppose the principal in a case died, no one, he thought, would say that the seconds could not be dealt with. They, however, agreed with Mr Roberts that the present case was too weak to be strongly gone into, and they should therefore dismiss it.

Mr Roberts thanked their worships, and said the men lived and worked in the town, and could be got at any time they might be wanted.

The case was then dismissed.

#### RUNCORN POLICE COURT, MONDAY EVENING

**ASSAULT CASE** **Joseph Jones**, a boatman, was brought up in custody under a warrant charging him with having unlawfully assaulted **Daniel Thacker**, a boatman, on the 14<sup>th</sup> of June. He denied the charge. It appeared from the evidence of the complainant that on the day in question the prisoner used abusive language to him, and threw a stone at him, for which he took out a summons against him. No sooner was the prisoner aware that he had done so, than he threw him down and struck and kicked him. The complainant's wife having corroborated his evidence, Inspector Buckley deposed that the complainant was perfectly sober, and that his face was bleeding from the cut by the stone when he applied for the warrant. The Bench, considering the assault proved, inflicted on the prisoner a fine of 10s and £1 11s 0d costs, or in default one month's hard labour. The money was paid.

### **33**     **1 July 1865**

#### **MAN DROWNED AT PENKETH**

**ALLEGED ROBBERY FROM THE DECEASED** On Thursday last at Fidler's Ferry, an inquest was held before C E Driffield Esq on the body of a man named Daniel Rock, who was found drowned the previous Tuesday in the Sankey Canal. The deceased appeared to be a stone mason in the employ of a sub-contractor on the railway, and as it was not clearly shown how he got into the water, an open verdict was returned. He had, when taken out, a sum of money in his pockets, and yesterday (Friday) morning, **Thomas Atherton**, a boatman, was brought before G Artingstall Esq on a charge of having stolen a portion of this. George Forster, plumber of Mersey Street, Warrington, said on Tuesday he was walking along the towing-path at Penketh, when his attention was called to a body (subsequently ascertained to be that of Daniel Rock) floating in the water. The prisoner, who was in a boat close by, came to him and he got in. They drew the body towards Fidler's Ferry. The prisoner said, "Let us feel if the old ---- has any money in his pockets". They

got the body out of the water and laid it upon the canal bank ; as it lay there, the prisoner began to search it. First he took out a two foot rule, which he replaced, then from the left hand trousers pocket he took a sovereign and three half crowns. He afterwards put his hand into the same pocket and took a pocket knife and some silver, but witness could not say how much, as he (the prisoner) at once transferred it to his own pocket. From the right hand trousers pocket of the deceased, the prisoner took a quantity of copper coins, of which he also retained possession. The corpse was taken to a public house, and the prisoner went away. In a few minutes he returned, and asked a person who stood by to take charge of the money, but he declined. The prisoner then laid upon a form a sovereign, a half crown, a shilling and eleven pence in copper and a knife ; he put them back in his pocket and again went away. In a few minutes PC Jones arrived, and shortly after him the prisoner, who handed to the constable a sovereign, a half crown, 1s 11d and a knife, saying that was all he had. The prisoner went away, and he (witness) told the constable that a greater amount of money had been taken from the deceased than the prisoner had given up. James Ford, station master at Fidler's Ferry, deposed that on Tuesday his attention was called to some men bringing a dead body down the canal. There was the last witness in a boat with the prisoner. He went up after they had landed the body, and found that the prisoner had unbuttoned the trousers of the deceased, and was searching the left hand pocket. He took from it a sovereign and three half crowns, which he placed in his own jacket pocket. He again put his hand into the deceased's pocket, but witness could not see what he took. Out of the right hand trousers pocket he took some copper coins. After the corpse had been placed in a shed, the prisoner went away for a time, and on his return wished him (witness) to take charge of the money ; this he refused to do. The prisoner said he wished he had had nothing to do with it, and counted the money out upon a form. There was one sovereign, a half crown, 1s 11d in copper, and a knife. He then said, "As no one will take charge of it, I will". He put the money in his pocket, and afterwards gave up to PC Jones a sovereign, half crown, 1s 11d in copper and a knife. PC Jones deposed to receiving this amount from the prisoner, and said he apprehended him on Wednesday on the charge of stealing two half crowns from the dead man. In reply to the charge, he said, "All the money I took off him I gave you". The prisoner was remanded.

### **34 8 July 1865**

**SUSPECTED CHILD MURDER NEAR ALTRINCHAM** On Saturday last, an inquest was opened at the Vine Tavern, Dunham Woodhouses, before W R Dunstan Esq and a jury, on view of the body of a male infant, name unknown, which was found in the canal on the previous Thursday evening. The following evidence will explain the circumstances of the case :-

**Joseph Hamnett**, boatman, Broadheath, said : On Thursday afternoon about three o'clock, I was unloading a coal boat at Dunham under bridge. I saw something in the canal but did not know what it was. I pushed it betwixt the boat and the canal bank. About six o'clock, Clarke, the owner of the brick yard near, came up. I was having my tea in the boat then. He shouted out, "Joe, what is this here in the canal?" I answered that it was a dog or something of the kind. He said, "It looks like a child". He then got his rake and turned it over two or three times, then pulled it out on the bank, and found that it was a child's body, much decomposed, and tied up in a piece of calico like a bundle handkerchief, tied up at the four corners. Two girls were passing, and I told them to fetch a police-constable from Dunham town. PC Pickford afterwards came and took away the body just as it was. PC Pickford said that from information received from two girls about seven o'clock on the evening of June 29<sup>th</sup>, he went to the under bridge, where Clarke showed him a body laid on the bank, tied up in a piece of calico. He removed it to the Vine Tavern, kept by James Allen, where the jury had now viewed it. Detective Inspector Britnor, stationed at Altrincham, said : On Friday morning last, in consequence of information received, I came to this house with Sergeant Aston, and examined the body which the jury have now seen. It was the body of a male child, apparently from two to three months old. It was in a very decomposed state, the inside of the head being completely gone. It would be impossible to have a *post mortem* examination of a satisfactory kind from the brain being gone and the body being so much decomposed. From reasons known to Sergeant Aston

and myself, I think an adjournment of this enquiry would be advisable. The Coroner agreed to the request for an adjournment, and gave an order for the immediate burial of the body.

The adjourned inquest was reopened on Wednesday morning at the Vine Tavern, Dunham Woodhouses, before W R Dunstan Esq. Inspector Britnor said that he had no further evidence to offer, as the clue which the police thought they had got had led to nothing. The Coroner said that he was sadly afraid that a crime had been committed by someone, and that the deceased child had met with its death through foul play, but they had no evidence whatever as to the cause of death. They could therefore only return an open verdict of found dead. He regretted to find that this was the second time within six months that the body of a child had been found within a short distance of that place. It was much to be regretted that they could not discover those who were guilty ; if they had done so in the former case, it might perhaps have prevented this. Verdict : "That the deceased was found dead in the canal, but there was no evidence to show the cause of death".

### **35 8 July 1865**

**INQUEST AT BARNTON** An inquest was held on Monday last at the house of Levi Capper, Barnton, before W R Dunstan Esq, on the body of **Rachel Woodcock**, aged 5 years, whose mother is the wife of **John Plumb**, waterman, Barnton. Mrs Plumb, mother of the child, and Mrs Kirkham were called to give evidence, who proved that the deceased had been subject to fits from infancy, and that she died on Sunday morning after a very severe attack of the usual complaint. Verdict : Died suddenly by the visitation of God.

### **36 8 July 1865**

**DEATH THROUGH VIOLENCE AT ANDERTON** In last week's Guardian, we noticed the sad case of a young man meeting with a violent death at Anderton on the Wednesday night previous. The circumstances connected with the death are of a very painful character, inasmuch as the deceased young man, Lovatt, as we are informed, was, in his general character, steady and industrious, and his parents are very respectable in their sphere, and old residents in Northwich. The inquest on the body of the deceased, **William Lovatt**, was opened at Mr Johnson's, the Stanley Arms, Anderton, on Friday June 30<sup>th</sup>, and the evidence given was as follows :-

**John Hickson** of Barnton, waterman, stated that he knew the deceased, William Lovatt. He was a waterman and resided at Northwich. Saw him at about half past eight on Wednesday night, the 28<sup>th</sup> of June, at the Red Lion Inn in Barnton. George Hindley, Ashton Bowyer and George Wakefield were with him. They arrived there in a trap ; the deceased was the driver. They stayed at the Red Lion only ten minutes. The deceased had had a little drink, but seemed to know what he was doing. They drove off in the trap up the village. They returned in less than 20 minutes to the Red Lion. The deceased went into the Red Lion, and Wakefield, instead of following him, drove off. The deceased, finding that the trap had gone, went back into the house and remained with Bowyer and Hindley a short time drinking. Witness could not say what they had. He was at his own door, close to. About nine o'clock, he saw the deceased go in the direction of Anderton, in company with Bowyer, Bowyer's sister, Ruth Houghton and Mary Maria Barlow. In half an hour Ruth Houghton came back to his (witness's) house ; her fingers were bloody. In consequence of what she said, he went to the Stanley Arms in Anderton and, in the stable in the yard there, he saw the dead body of the deceased. There were wounds upon the head ; they were bleeding. Ruth Houghton and the police-constable, Roberts, arrived shortly after. Roberts and witness went in search of a lad named Richard Wood. They met the prisoner, John Wood, the father of Richard Wood, about 300 yards from the Stanley Arms. They returned with the prisoner and left him by his boats, and went again in search of Richard Wood. As soon as they met the prisoner, John Wood, he said, "My lad did it". Ruth Houghton of Barnton said on Wednesday night last, about eight o'clock, the deceased, Mary Maria Barlow, Sarah Williams, Ashton Bowyer and herself walked from the Red Lion in Barnton to the Soot Hill Bridge in Anderton, where they bid the deceased, Ashton Bowyer and Sarah Williams, "Good night". The deceased was not drunk. When they had left them a few yards, Mrs Williams screamed out. Bowyer, Lovatt and Sarah Williams were running up the hill. Witness ran after

them; there were some boys running also. Lovatt was running after them. When witness got to them, the prisoner John Wood was holding the deceased down ; the prisoner had his arms round the deceased's neck and his legs over him. Richard Wood was kicking the deceased over the head and in the ribs ; he kicked him savagely for about five minutes. Witness pushed Richard Wood away twice. He said he would give her as much. When Richard Wood ceased to kick, she got hold of the deceased's head and raised it : she said, "He's dead". The prisoner said, "The b---- 's only drunk". He had then got off the deceased. Whilst Richard Wood was kicking the deceased, the prisoner, John Wood, called out, "Give it the b-----". The deceased could not call out and he could not defend himself, as the prisoner held him down. When she raised the deceased, the prisoner and Richard Wood went towards Anderton. A barrow was obtained, and the body of deceased was placed in it and removed to the stable at the Stanley Arms ; she went with it. She heard no quarrelling before she saw the deceased and the others running. When she got to them, she saw Bowyer and the deceased in a fighting position. Did not see the deceased strike the prisoner. The old man (the prisoner) was under the deceased with his arms round his neck, and his legs twisted round the deceased's. The deceased's face was upon the prisoner's, that is, he was lying upon the prisoner as if he had fallen upon him. Bowyer was fighting other men ; there were several about. Witness knew the prisoner and his son Richard well ; they were the parties who were ill-treating the deceased. Witness did not see the commencement.

Sarah Williams, wife of Thomas Williams of Barnton, said on Wednesday night about nine o'clock, at the foot of Soot Hill, just after Ruth Houghton had left them, she heard Richard Wood, who was standing upon the canal bridge, say something to her brother, Ashton Bowyer, who ran towards Wood and the lads that were with him. Wood said something more, and her brother hit Richard Wood over the eye. Some more words ensued, and her brother hit him again. She begged Richard Wood to go on, as her brother was quite tipsy. Richard Wood refused to go on first, but then ran towards Anderton village. Her brother, Lovatt and she followed ; when they passed the Stanley Arms they met Richard Wood and his father, the prisoner, and three others whose names she did not know. She begged the men not to use any violence. One of the men spoke, but she did not know what they said ; but she distinctly heard, "Give it the b--- now that you have him". She did not see the prisoner kick the deceased, but he kicked her brother. Her brother and deceased were very drunk ; they were very savage kicks. Richard Wood and his father had boots on, heavy nailed boots such as the boatmen wear. She never saw the prisoner under the deceased. The prisoner's son (Richard) and the three men with him left deceased, who, she believed, was dead, after a minute or two, and were beginning to ill use her brother, whom they threw against the hedge after kicking him once, when she screamed out. The prisoner, his son and the three men went away. Mr John Johnson had then come over the hedge ; the deceased was quite dead. Mr Johnson said to the men before they went, "There, I believe you have finished him". The body was taken into Mr Johnson's father's yard. The deceased was insensible after he was kicked the first time. Never saw the prisoner attack the deceased ; what he did was against her brother.

Mary Maria Barlow of Barnton said on Wednesday night, June 27<sup>th</sup>, she was with Ruth Houghton when she left Mrs Williams, Bowyer and deceased at Soot Hill Bridge. On hearing Mrs Williams scream, they turned round and went up the hill to the cottages near the Stanley Arms. Witness found the old man, the prisoner, under the deceased, who was on the ground, and Richard Wood was kicking him. She got hold of Richard, who threatened to serve her the same if she did not go away. The prisoner said, "Give it to the b---, give it him". She did not then see Mrs Williams, nor Bowyer, nor three boatmen. The deceased was dead or insensible when Richard Wood ceased kicking him.

John Johnson of Anderton said he was in his father's house, the Stanley Arms, on Wednesday night. He heard a row in the lane, and he went to it. Saw the deceased and the prisoner John Wood on the ground ; the deceased was lying across the prisoner, they were struggling together. Witness got over the hedge to them. Richard Wood went to them and kicked the deceased three times over the head. Never heard the deceased call out ; he slipped on one side, and was then off the old man. Did not notice what the two Woods did after they left deceased. Witness raised him up ; he showed no



signs of life ; he was then certainly dead. Saw no other boatmen there with Richard Wood and prisoner John Wood. When Ruth Houghton and Mary M Barlow came up, Mrs Williams and Bowyer, her brother, were close to where Lovatt was upon the ground. It was quite possible that Houghton and Barlow might not observe Mrs Williams or Bowyer. Did not hear the old man encourage his son ; the row had begun before he got there. Did not see Lovatt knocked down ; he was upon the ground, and Richard Wood was kicking him when he first saw him. When Mrs Williams came, he had Lovatt in his arms. The prisoner and Richard Wood had left Lovatt then.

Martha Wilde of Anderton said on Wednesday night she was fetching water, about nine o'clock, from a well near the Soot Lane Bridge. Saw Richard Wood running towards the Stanley Arms. He said, "Look at my eye". His right eye was swollen. Asked him who did it, and he replied, "One of the young men down there". He then ran on, but before he did so she told him to go home and make the person pay for it. He said no he would not, he would fetch someone "who would fettle him for it". Two men, Ashton Bowyer, who was very tipsy, and the deceased, ran past her after Richard Wood. Mrs Williams was trying to prevent Bowyer from going after Wood. Witness caught hold of Bowyer's sleeve and asked him to go back, but he refused. Tried to stop the deceased, but he also got away from her. Deceased said he would go back if Bowyer would, but the latter refused. They both fell down as the deceased got hold of Bowyer, who was very tipsy ; the fall was a light and accidental one. They went on, and witness passed them when they had met Richard Wood, the prisoner John Wood and William Hulme. She saw them meet by Boardman's cottage, where the row began. She hastened past and did not stop. She heard the prisoner John Wood say, "Is it not a shame for two men like you to strike a boy like this in the face ; see how you have knocked his eye up". She did not hear any answer ; but after she had reached home and left the water, she returned to the row. She heard blows and Mrs Williams screaming, but when she got to the place the row was over. Saw the deceased dead upon the ground. Saw John Johnson jump over the hedge and raise the body into a sitting position, Richard Wood, the prisoner and William Hulme were standing near ; Mrs Williams, Ashton Bowyer and Ruth Houghton were also there. The blows she heard were heavy, but whether blows with the fist or kicks with the feet she could not tell.

Upon the application of Sergeant Morris, the further inquiry was adjourned until Thursday, July 6<sup>th</sup>, at the same place. Richard Wood had not then been taken into custody, having got out of the way.

The inquiry was resumed on Thursday morning, when two other men were brought up in custody in addition to John Wood, namely his son, Richard Wood, and William Hulme. Mr Bent appeared on behalf of the prisoners, and the following witnesses were called :-

Thomas Morris, sergeant of police, deposed that on the night of Wednesday the 28<sup>th</sup> of June, having heard of something taking place, he went to the Stanley Arms. He there saw the elder prisoner, John Wood. From what was told him by Johnson, he ordered the prisoner John Wood to be taken into custody. Johnson said he saw the younger Wood kick the deceased, and saw the older one under him. Wood said, "He ran and struck at me ; I fell, and he fell atop of me". Witness then directed the prisoner to be taken to the lock-up at Great Budworth, and on the following morning sent in search of Richard Wood. The deceased was, he believed, 24 years of age.

Peter Roberts, police-constable, Barnton, proved taking the prisoner Richard Wood into custody at Litherlands near Liverpool.

William Savage, police-constable, Great Budworth, proved taking the prisoner Hulme into custody on account of what transpired at the inquest on Friday last.

Mr T Moreton, surgeon, Northwich, said he saw the body of the deceased about half past 10 at night on Wednesday the 28<sup>th</sup> of June, in the stable of the Stanley Arms. There were three contused wounds on the scalp. On the 29<sup>th</sup> in the afternoon, he made a *post mortem* examination of the body. He found three contused wounds on the scalp, an abrasion on the right side of the nose and several on the forehead. The largest of the three wounds was situated about three inches above the left ear, and the direction was from behind over the top of the ear, an inch and a half in length, and extended down to the covering of the bone. The next wound was on the top of the head, parallel to the former and in the same direction, the same depth, one inch long. The third wound was over the

right ear in a similar position to the first, not quite so deep, did not extend to the bone, half an inch in length. There were no other external marks of violence on the body. On removing the scalp, underneath the covering of the bone there was a clot of blood 1 inch square, corresponding to Nos 1 and 2 wounds, fixed by the covering of the bone. On removing the skull cap, all the vessels connected with the brain were enormously congested with blood. On cutting the external one a large clot of blood escaped, and about a pint of fluid blood also. The brain was quite healthy ; the heart was large ; the left ventricle thickened, and this would constitute disease of the heart. All the other organs were perfectly healthy, except that the left lung was gorged. The cause of death was effusion of blood upon the brain and its consequent pressure. This would entirely prevent the action of the brain. The wounds on the head would produce extravasation of blood, and the boot shown would be calculated to produce such wounds. The state of the heart and the excitement caused by drink would further the effect of the violence. If the deceased had had neither, he might not have died. The deceased was a remarkably fine powerful young man about six feet high, apparently under 30 years of age.

The Coroner then remarked that the present inquiry involved a question of the greatest magnitude. A fellow creature had lost his life by violence, and the question was, had it been at the hands of a fellow creature. The evidence of Mr Moreton, who had made a *post mortem* examination of the body, showed clearly the cause of death, and it would probably devolve upon the jury to decide between a question of manslaughter or the still higher crime. The Coroner then explained the legal distinction between murder and manslaughter, and having recapitulated the principal points as detailed in the evidence, enjoined upon the jury to decide in the case of the two Woods as to this distinction, and also reminding them that even a verdict of wilful murder by them was not to be considered as passing sentence, but only as an indictment against the prisoners. In the case of Hulme, it would be for the jury to decide whether or not he should be included with the other two prisoners, as the evidence was not very strong against him.

The jury were then left to themselves, and in about half an hour returned a verdict of manslaughter against John and Richard Wood, who were accordingly committed on the Coroner's warrant.

### 37 15 July 1865

#### RUNCORN POLICE COURT

**A YOUNG HOPEFUL STEALING A HORSE** John Houghton, a lad 13 years old, was brought up on remand charged with stealing a horse, the property of **William Goodier**, from a field in Higher Runcorn, on the 9<sup>th</sup> of July. William Goodier, boatman of Gilbert Street, Runcorn, deposed that on Friday morning last, he sent by his cousin, George Goodier, a brown mare to a field in Higher Runcorn belonging to Mr Swinton. From what he heard on Sunday night, he went to the field to see if the horse was there, and he found it was not. The horse was his own property, and he had not given anyone permission to take it away. Hannah Goodier deposed that she was sister-in-law to the prosecutor, and on Sunday night met the prisoner riding on the prosecutor's horse, between 8 and 10 o'clock in Cawley's Lane. He was lying down on the back of the horse with his face in his hands. Her husband was with her at the time, and he asked the prisoner where he was going to with the horse, and he replied that he was taking it home. Her husband told him he thought he had got the wrong horse, and the prisoner then galloped off with it. She and her husband went home, and informed the prosecutor of what they had seen. The prisoner was then committed for trial.

### 38 5 August 1865

**FATAL ACCIDENT TO A LEFTWICH YOUNG MAN** A young man, who was engaged on the river, was brought home on Friday night seriously injured from a fall, and died a few hours after.

An inquest was held before W R Dunstan Esq on Monday afternoon, at the house of Mrs Verdin (the deceased's mother), the Railway Inn, Leftwich, on the body of the deceased, **William Verdin**.

**John Verdin** stated that William Verdin, the deceased, was his brother. He was a waterman, and the hand on board the flat *Lawton*, of which witness was captain. On Friday afternoon the 29<sup>th</sup> July, they were in the basin at Weston Point, being on their way from Northwich to Liverpool with a

cargo of salt. At half past two o'clock, the deceased went up the mast to put the vane on the top. In a few minutes, witness heard a noise and turned round ; he then saw the deceased lying insensible on the hatches. He had fallen from the mast, apparently upon his head, as the back part of the skull was fractured and his chin was cut. He was seen by a surgeon that witness sent for, but the surgeon said he could do no good and went away directly. Witness brought the deceased home in a light flat which was returning to Northwich, and put him into bed at his mother's, Mrs Verdin of the Railway Inn, Leftwich. He was sixteen years old last September. Deceased used to have fits some years ago, but his health had been very good lately, especially during the last fortnight.

**Richard Verdin** of the same place, waterman, another brother of the deceased, said the deceased was brought home at eleven o'clock on Friday night. He was insensible ; his skull was fractured ; he never rallied from unconsciousness. Mr Moreton and Mr Williams, surgeons, saw him after he arrived. They said it was out of the power of any man to do him good. Deceased lay in the same insensible state until his death, which took place in witness's presence about at half past one o'clock on Saturday morning, July 29<sup>th</sup>, in his mother's house.

Verdict : "Died from the mortal injuries received through the accidental fall".

### **39 12 August 1865**

#### RUNCORN PETTY SESSIONS

ASSAULT CASE – DISGRACEFUL CONDUCT OF A POLICE-CONSTABLE Thomas Williamson, an officer in the Chester County Constabulary force, stationed at Runcorn, appeared to a summons charging him with having, on the 10<sup>th</sup> of July, unlawfully assaulted **Ann Bostock**, a married woman. He pleaded not guilty. Mr Day, who appeared for the complainant, said the charge of assault was made against one of the officers of the police force. The complainant and the defendant lived near to each other ; they each had a family ; there were frequent disputes between them, and it was under these circumstances that the assault complained of occurred. He had gone very carefully into the evidence, and he thought, when their worships heard it, and took into consideration the respectability of the persons giving it, they would come to the conclusion that the officer had exceeded his duty, and that it was as impudent a thing as could possibly be done, for him to do as he had afterwards done, take out summonses against the complainant and her husband. He should prove not only the charge of assault and the exceeding of his duty by the defendant, but also that his behaviour on the occasion was most gross and indecent. He then called the complainant, Ann Bostock, who deposed that she was the wife of **James Bostock**, waterman, resident in Shaw Street, Runcorn ; and the defendant, who was an officer of the police force stationed at Runcorn, resided the next door but one to her at the time of the assault. She had six children and the defendant had four, and there were often disputes between them. On the day in question, the defendant's boy threw a stone at her boy, which missed him and hit her on the head. She was busy washing that day, and at the time the stone was thrown she had gone to take the baby from the boy to give it the breast, and was sitting on the grass. The wife of the defendant came out, and when she complained to her of the conduct of her boy, she called her bad names, and she (witness) went up the yard and took her boy in. Shortly afterwards her husband came home, and in a little time the defendant came to her house, and said that if she stirred one yard from her door, he would lock her up. She said he durst not, and she went out a little distance. The defendant then seized her, threw her down, put his knee upon her breast to put the handcuffs on her, which he pulled out of his pocket. Mr Whiteway : Did he put the handcuffs on you? Defendant (*sic*) : Yes, sir, he put one on my left hand. She then continued, her husband came out of the house and said something, but she did not know what it was. The defendant then pulled her along and took her into the street, where he pushed her down again. He then took her to the police station from her own house without bonnet and shawl. PC Burgess also pushed her when opposite to Mr Collier's shop. At the station, the defendant took down her age and name, and then put her under a measure and took her height. When she was being taken to the station, a neighbour brought her child, which was only five months old, to her, and the defendant pushed it back from her, and in doing so he scratched its face, and it bled. No statement was made at the police office that she was drunk. She had been washing

all day and was quite sober. Inspector Buckley came into the police office and allowed her to go home. The next day she was very ill with pains across her breast, and went to Dr Mouritz, under whose care she was for a little time from the effects of injuries she had received. Cross-examined by the defendant : He did not say to her that her conduct had been so bad that he should have to summon her before the magistrates. She told him he durst not lock her up, but did not shake her fist at him, nor spit in his face. He did not say he would summon her. She did not say he might go to h---. Did not throw herself down, and he did not ask her to go quietly. Her husband did not ask him if he was determined to lock her up, and he did not wait ten minutes for her shawl and bonnet to be fetched for her. She did not fall twice through being drunk ; did not ask him to pardon her, and did not say if he would let her go he should have no reason to complain against her again. Mr Day then called James Bostock, who deposed that he was the husband of the complainant and captain of the steamer *Bridgewater*. On the 10<sup>th</sup> of July, just after he had got home, the defendant came up to his house and used bad language. He (witness) told him not to be too fast, and defendant then said he would have his revenge if it cost him £20. He (witness) told him that he was very foolish to take up women's quarrels. He heard his wife say to the defendant that he durst not lock her up, and he then saw him throw her down. Mr Whiteway : Did you see him throw her down? Witness : Yes, I did. He continued ; he then went to his wife (the complainant) who was on the ground ; she seized hold of his legs, and defendant said if he did not go away he would lock him up. He saw the defendant take out the handcuffs and put one on the complainant, but it was too large and slipped off. When he spoke to the defendant on his conduct, he swore he would lock him up too. He saw PC Burgess push the complainant forward, and she had a narrow escape of a fall. Mr Whiteway : Did she fall down? Witness : No, sir, she did not go down. The complainant was sober at the time, and she was a sober person. Cross-examined by the defendant : When taken into custody, the complainant was just outside her door, and did not throw herself down. Defendant swore he would lock him up. Defendant promised to wait while he (witness) fetched the complainant her shawl and bonnet, but he did not do so. He did not wait ten minutes, for he (witness) was not in the house more than two minutes, and when he came defendant had got the complainant in the other street down on the floor. The complainant did not fall twice before she got to Doctor's Bridge. Mr Day then called John Cheshire, who deposed that on the 10<sup>th</sup> of July he saw the defendant go into the back yard of the complainant, and heard him use abusive language and say he would have his revenge if it cost him £20, and if the complainant came a yard from her door he would lock her up. The complainant then went out, and the defendant threw her down, and put his knee on her breast to put on the handcuffs. He (witness) went to him, and asked him to let her get up for decency's sake, as she was a married woman, and her clothes were up to her knees. He (witness) then pulled her clothes down for decency's sake, and the defendant said he would put him one in for that. He saw him put the handcuffs on the complainant. At this stage of the proceedings, the defendant said he had never had a pair of handcuffs in his possession since he came into Runcorn. Mr Day informed the Bench that there was a member of the press sitting near him who was prepared to swear that he had seen the defendant use a pair of handcuffs on a certain day not long since, and he would put him in the witness box. Mr Marsh, the magistrates' clerk : There is no need to do so and, besides, the proceeding would be irregular. Mr Day then called Joseph Horton, who deposed that on the day in question he saw the defendant throw the complainant down and put a pair of handcuffs on her. Cross-examined by the defendant : He was at the hedge near the yard wall at the time, and not many yards distant. Mr Day then called **Sarah Booth**, wife of **Joseph Booth**, waterman, who deposed that on the 10<sup>th</sup> of July she took the complainant's baby (which was only five months old) to her as she was being taken to the police station, as she thought it would want the breast. The defendant said the complainant should not have it, and took it out of her arms, and she (witness) received it again from him with a scratch on its cheek. Cross-examined by the defendant : He took the child from the mother, and she (witness) took it from him. Re-examined by Mr Day : The complainant was sober at the time. Mr Whiteway here interfered, and said the bench had heard enough of that sort of evidence. The inspector was at the station when the complainant was brought there, and he wished to know from him if she was sober. This interference on the part of the bench was

subsequently withdrawn, and Mr Day allowed to proceed with the case. He then called Hannah Clarke, who deposed that, as the defendant was taking the complainant to the police station, she saw the witness Booth take the complainant's baby to her and give it into her arms. The defendant took it from the complainant and gave it back to Mrs Booth. She (witness) had been at complainant's house several times during the day, the last time being about ten minutes before the disturbance took place, and she was quite sober and had been washing all the day. This being the case for the prosecution, the defendant said about five o'clock in the afternoon of the 10<sup>th</sup> of July, he went to Higher Runcorn to serve a summons. On the way there he saw a woman, who said to him Mrs Bostock was making a disturbance as usual. He went and served the summons at the farm of Mr Hignett on one of his men, and returned home. He there found that Mrs Bostock had been making a great disturbance, and one of the neighbours had had to lock her door for fear of her. He went to Mrs Bostock and told her that he would have to summon her for bad behaviour, which he had often overlooked, but could not do so any longer. She then came out to him, shook her fist in his face, and spat in his face, and he then took her into custody. She threw herself down, and said he should not take her. Her husband came and interfered, and he told him he should have to lock him up if he did so. The husband of the complainant asked him to wait while he fetched her shawl and bonnet, and he said he would. PC Burgess then came to his assistance, and the complainant fell twice in the street. He and his brother officer had to get her up. The defendant having made this statement, called Hannah Woodward, who deposed that on the day in question she had her door locked when the defendant came home, and she said to him he had just come in time, as she was quite ill, for Mrs Bostock had been using very very violent language. She asked him to go and speak to her, and he did ; but what passed between them she did not know, only she heard him say he would lock her up if she came two yards from her door. She saw the complainant come out of her house and shake her fist in defendant's face. She dared him very very much. She (witness) saw defendant take something bright out of his pocket, but she did not know what it was, as she never saw a pair of handcuffs. Mr Johnson : How did the complainant get on the floor? Witness : She threw herself down when the defendant put something bright on her wrist. Cross-examined by Mr Day : She saw the defendant put his hands on the complainant before she fell on the floor. She rather thought he put his hands on her shoulders. The defendant then called Rosanna Crompton, who deposed that she saw the complainant spit in the face of the defendant and shake her fist in his face. She also heard her tell him that he robbed men when they were drunk, to put finery on his wife. (Laughter). PC Burgess deposed that on the 10<sup>th</sup> of July from information he received, he went to Shaw Street, and saw the defendant and complainant together. The complainant was drunk at the time, and fell. He had hold of her to steady her, and when near Doctor's Bridge, she fell again. Cross-examined by Mr Day : He (witness) did not push the complainant. In Shaw Street, the defendant had hold of her by the arm to keep her up. Mr Day : If he had, how then did she fall? (Laughter). Witness : She was put to walk between us. She was drunk, and not much excited. Inspector Buckley deposed that on the 10<sup>th</sup> of July, he was not in the office when the defendant brought in the complainant, but came in immediately afterwards, and heard her say to defendant, "Let me go, and I will behave better in future". She then spoke to him (witness) and, pointing to a child in the street, said she had six of them at home. He then let her go, having got her name, for the purpose of summoning her before the bench. She was under the influence of drink, but was not beastly drunk. Cross-examined by Mr Day : Would swear that it was not excitement. He could smell that she had had some drink. This concluded the case, but their worships deferred their decision until they had heard the charges preferred by Williamson against the complainant and her husband. Ann Bostock, the complainant in the previous case, and her husband James Bostock were then charged, on the information of PC Williamson, the defendant in the previous case, the former with being drunk and riotous on the 10<sup>th</sup> of July, and the latter with interfering with him (Williamson) in the discharge of his duty as a police officer. They both pleaded not guilty. PC Williamson then gave the same evidence as he had done in his defence to the charge brought against him, adding thereto that the female defendant got drunk nearly every day, and he had been called out of bed to her at least a score of times. Cross-examined by Mr Day : Had never had a pair of handcuffs in his possession since he came to Runcorn ; what

he used was a pair of snaps. Mr Day, addressing the Bench, said the witness was prevaricating in his evidence in such a manner as in his opinion was little short of gross perjury. He would not ask him any more questions, for a man who could thus deliberately insult a bench of magistrates was utterly unfit to give evidence in a court of justice. Mr Johnson, addressing Williamson, said he was fencing with the question in a most unbecoming and improper manner. PC Burgess was then sworn, and gave the same evidence as in the previous case. Mr Day then addressed the Bench, and said the evidence he had laid before them in the first case had, he thought, fully proved the complaint his client made ; and if it had not done so, he thought the conduct of the officer Williamson in the witness box had. If the Inspector knew that the officer was fencing, he ought to have interfered, and as he had not done so he should therefore make no defence. With regard to the charge of the female defendant being in drink, they had it in evidence that she was a sober woman and had been washing all day, having also an infant sucking at her breast. It was usual for females under such circumstances to take a glass of ale or porter and if, therefore, she had only had one glass, the Inspector, not having tested, would be able to smell the drink when she spoke to him. Mr Whiteway, addressing officer Williamson, said : Thomas Williamson, you stand charged with having unlawfully assaulted Ann Bostock, and we think that the evidence which has been laid before us has, to a certain extent, proved the charge. We are afraid that you allowed yourself to be carried away by excitement under a little provocation and having, perhaps, had a little more drink than you should have had, you mixed up your private quarrels with your public duty, and we think you threatened her improperly. We shall therefore fine you 10s for the assault, and 18s 6d costs, or in default, commit you to Knutsford for seven days' hard labour. As to the next case, the charges against Ann Bostock and James Bostock we dismiss, and we do it because there was a sort of prevarication in your evidence between handcuffs and snaps. There was a slight manifestation of approbation in court at this decision, but it was soon suppressed.

#### **40      19 August 1865**

##### **RUNCORN POLICE COURT, WEDNESDAY**

**NIGHT POACHING    George Hindley**, flatman of Barnton, was brought up in custody charged with night poaching on lands at Aston, in the occupation of Mr Robinson, the previous night. William Bean, gamekeeper for R Dalglish Esq of Aston Hall, deposed that during the previous night he and six assistants were out to watch over the land in the occupation of Mr Robinson, and when near to Aston Hall he saw a man come out of the cover about ten minutes to two o'clock, go into the field and beat his hands on his side to drive the game into the cover. He (witness) watched him and three others for a little time, and when he saw which way they were making for, he went with his assistants and gave them meeting. Two of them got clean away, but the prisoner and another stood their ground ; and showed fight. He knocked the prisoner down, and set the dog on the other man, but in the scuffle which ensued in securing the prisoner, the dog got confused and the man made his escape. Mr Johnson : Aye, some of these fellows will be getting worried some day. Witness continued : He took the prisoner, and about 114 yards of netting, and ten couples of rabbits which the poachers had left behind them, to the Hall, and there he gave him in charge to the police. In reply to Mr Whiteway, witness said the prisoner was very violent, and struck about him with a large bludgeon (produced), but missed his aim and hurt no one. John Taylor, assistant keeper, having corroborated the evidence of the previous witness, PC Salkeld deposed that having heard of some poaching having been committed, he went to Aston Hall and there found the prisoner, who was handed over to him by William Bean on the charge of poaching. The prisoner, in reply to the Bench, said he had no questions to ask, nor any defence to make. Mr Whiteway said he thought the best thing he could do was to make a clean breast of it, and tell the keeper who his companions were. This suggestion not being adopted by the prisoner, Mr Whiteway, again addressing him, said there was no doubt he was an old poacher, though but a young man, and he was sorry that he had chosen such a bad course, which went on from bad to worse ; first rabbits were taken, then anything that came in the way, then a sheep was stolen, and at last housebreaking came in at the end of it. It was the duty of the bench to protect gentlemen and see that they were not annoyed by such persons.

They should, therefore, commit him to Knutsford for two calendar months' hard labour, and at the expiration of that time call upon him to find two sureties to be bound with him in £5 each, and himself in £10, to be of good behaviour for one year ; and failing to do so, be imprisoned for six months longer. That, he hoped, would be a lesson to him for the future. The prisoner said it was his first offence, and he hoped it would be his last. At the expiration of the two months, he would not be able to find sureties.

#### **41 26 August 1865**

##### **RUNCORN POLICE COURT**

**ASSAULTING THE POLICE** **Joseph Lydiate**, boatman, was brought up in custody charged with having assaulted PC Eyes while in the execution of his duty at Top Locks at twelve o'clock the previous Saturday night. On the prisoner being placed in the dock, we observed that he had a wound on the upper part of the right side of his head, and his hair was clotted with blood, while the officer whom he was charged with assaulting had not a scar upon him. Samuel Partington deposed that he was going home on Sunday night about eleven o'clock, and met a person named Hewitt, with whom he entered into conversation, and while so engaged, the prisoner and his brother came up. The prisoner's brother said he would kill him (witness), and the prisoner said he would kick his guts out. The Bench asked the prisoner if he had any questions to ask the witness, and he replied that he had not, as he was drunk at the time and could not recollect anything. PC Eyes deposed that the previous night, a little before twelve o'clock, he was called on by the previous witness, who said that the prisoner and his brother Samuel had been using abusive language to him. He (witness) ordered the prisoner and his brother away, and they went down along the canal. They continued to use abusive language, and threatened what they would do. He (witness) followed them, and they got on a boat. The prisoner jumped ashore with a mop handle and hit him, and he (witness) then knocked him down with his stick and took him into custody. The prisoner, after that, threatened what he would do when he got clear of that matter "either by night or by day". In reply to the Bench, the prisoner said he was sorry for what he had done, but he was so drunk at the time that he did not know either what he had said or done. Mr Johnson, addressing the prisoner, said his conduct was evidently very gross and very bad, as he had not been provoked either by the constable or the previous witness. The Bench would, therefore, fine him 40s and costs, and in default commit him to prison for one month with hard labour. They should also call upon him at the expiration of that time to find two sureties to be bound with him in £5 each, and himself in £10, to keep the peace for six months, and failing to do so, to be kept in prison for that period. Mr Johnson continued : Everybody knows you, and for my own part I don't think there is a worse man in Runcorn. You are a pest to society. The prisoner, not being able to pay the money, was removed from the dock, and subsequently conveyed to Knutsford.

#### **42 16 September 1865**

##### **INQUEST AT RUNCORN**

**A VERDICT OF MANSLAUGHTER** On Saturday afternoon last, an inquest was held before H B White Esq, deputy coroner, at the house of Mr Crosley, the Navigation Inn, Runcorn, on view of the body of Mary Shingler, a married woman who had died the previous evening as a result of injuries she had received about a month ago, at the hands of another woman. Mr Day, solicitor, appeared to watch the case for Mary Hayes, as also did Mr Wood, solicitor.

John Shingler, wheelwright, deposed that deceased was his wife, that she was 47 years old, and died the previous evening at half past six o'clock. On Wednesday the 9<sup>th</sup> of August last, she and Mary Hayes had been appearing in a case in the County Court, and between five and six o'clock in the evening, Mary Hayes and her sister, Julia Preston, and another woman, a boatman's wife, came to his house door and called the deceased out. She went out to them, and locked the door after her. In about five or six minutes afterwards, he heard a noise, and on looking through the window saw the deceased down on the hedge, and the boatman's wife taking Mary Hayes off her. They went away, and the deceased unlocked the door, came into the house, and complained of her back being hurt.

She went about her housework for several following days, but complained of her back. On Sunday the 27<sup>th</sup> of August she took to her bed, and a few days afterwards he sent for Dr Mouritz, and he came to see her. She had always enjoyed good health up to that time. By Mr Collier : She never complained of her back before the 9<sup>th</sup> of August. By Mr Day : Mary Hayes sued the deceased, and the case was given against her. He (witness) was sober that day, but he was not always so. Deceased had no weapon in her hand when she went out. By the Coroner : When he looked through the window, both Julia Preston and Mary Hayes were on the deceased. By Mr Collier : Deceased had not, to his knowledge, quarrelled or fought with any other person since. He had given her 26s a week while she was unwell, and had Sarah Barrow in the house to look after her. By Mr King : Had had three pints of ale when the disturbance occurred. By the Coroner : He knew a Mrs Cheshire, she was his next door neighbour. He saw her on the 9<sup>th</sup> of August. He did not go out of his house. He had the beer during the afternoon. By Mr Rowles : He was at home that day through the County Court Case. By the Coroner : He had not been in the habit of striking the deceased.

Susan Roberts (who was called at the instance of Mr Day) deposed that she was the wife of James Roberts, labourer, and resided about twenty yards from the deceased. On the 9<sup>th</sup> of August about two o'clock in the afternoon, she saw John Shingler, the last witness, come out of his house with a poker, and heard him say he would split Mary Hayes's skull open. The deceased took the poker from him, and threw it at Mary Hayes's legs. John Shingler then fetched the fire shovel out, which deceased took from him ; locked the door, and said she would go for a policeman. As she was passing Mary Hayes, she struck her twice in the face, and seized her by the hair of her head. They both closed and scuffled together, and fell against the bush, in which there was the stump of an elder tree, Mary Hayes being undermost. Julia Preston took off Mrs Shingler, and she took up Mrs Hayes. They each then went to their own home. By Mr Rowles : Saw the poker thrown by Shingler, but did not see what was done with it afterwards. She saw the shovel thrown into the house again. By Mr Collier : Mary Hayes lives near to Shingler's, and had that day been to a neighbour's house to have a dress tried on. By the Coroner : She (witness) lived with Mary Hayes, and had done so for about six months.

Sarah Hancock, who Inspector Buckley said he had some difficulty in getting to appear in consequence of the threats of the neighbours, deposed that she was the wife of John Hancock, stone getter, and resided a few yards from the house of the deceased. On the last County Court day, between four and five o'clock in the afternoon, she heard a noise in the street, and went out and found the deceased and Mary Hayes quarrelling. The deceased said she owed Mary Hayes 12s 8d, which she would pay her and no more, and Mary Hayes said the deceased had forsworn herself. They then shook their fists in each other's face, and got to high words. John Shingler came out with the fire poker, and said he would lay Mary Hayes for a coffin. Deceased pushed him into the house and locked the door. As she was turning round, Mary Hayes struck her in the face with her fist. Deceased said she would not stand it, but would go and fetch a policeman. She went into the house for her bonnet, and John Shingler came out with the poker and the shovel, and said what he would do for Mary Hayes. Deceased got her clothes, and pushed her husband into the house and locked him in again. She then went for the police, and Mary Hayes, as she passed her, lifted her fist and kicked her behind, saying at the same time that she would give her a kick on the backside to go with. The deceased then put her hands on the breast of Mrs Hayes and pushed her aside. As she was going back, Mrs Hayes pushed her over a rail against the elder tree stump, fell upon her, and mauled her as women do. The previous witness, Susan Roberts, and Julia Preston then went to Mrs Hayes, and it took two of them to pull her off the deceased, who got up and said she would make Mrs Hayes pay for it. Mrs Cheshire came out and bundled Mrs Hayes off towards home. Deceased then unlocked her house door, and she and her husband went up the street together to fetch a summons. By Mr Rowles : Did not see the poker or fire shovel used. By Mr Collier : Did not see the deceased strike Mrs Hayes.

Eliza Moore, wife of **Joseph Moore**, porter for the Bridgewater Trustees, deposed that she lived opposite the deceased, and last Wednesday four weeks between four and five in the afternoon, she



was in the street looking for one of her children, and saw Mary Hayes come out of the house of Mrs Cheshire and meet the deceased, who lived next door. They used hard words to each other, and Mary Hayes struck the deceased in the face. John Shingler then came out, and the deceased pushed him in the house. Mary Hayes and the deceased had words again, and Mary Hayes threw her down on a rail, held her with one hand and beat her with the other. When Mary Hayes was taken off the deceased, she said she would warn her, as she never begun a thing but she went on to win it, and she would be always on the winning side. She did not see the deceased strike Mary Hayes. She saw her put her hands up, as she thought in self defence.

Robert Hannan Mouritz deposed that he was an authorised practitioner at Runcorn, and was called in on the 24<sup>th</sup> of August to see the deceased. He found her seated on a sofa, with both her hands supporting her head. She complained of great numbness of the right arm, and had no power in it from the armpit to the elbow. She was also suffering from partial paralysis of the lower extremities, co-existing with extreme tenderness of the spinal column between the shoulder blades. He applied the usual remedies in such cases, and for a few days she seemed to improve. After that, complete paralysis set in, and she gradually sank until the previous evening, when she died. He had that morning made a *post mortem* examination, and had found no marks of violence on the body, but on cutting down deeply to where she complained, he gave exit to a quantity of matter. He removed a portion of the upper part of the spine, and found the lamina of the second dorsal vertebrae fractured, which he produced. That and the quantity of matter was sufficient to account for death. He should say the injury had been received some three weeks before, as the matter was fully formed. He had seen the stump spoken of, and knew nothing more likely to have inflicted the injury, though any kind of a mechanical blow would have done it.

Elizabeth Jackson, who was called at the instance of Mr Day and Mr Woods, deposed that she was the wife of William Jackson, labourer, and resided about 30 yards from the deceased. On the 9<sup>th</sup> of August about three o'clock in the afternoon, while standing at her door, she heard a noise at the door of the deceased, and went there. She saw the deceased with a poker in her hand which she threw at Mrs Hayes's feet. John Shingler afterwards came out with a fire shovel, and stood all the time at the door threatening what he would do. She saw the deceased and Mrs Hayes standing together, and they both went against the bush, but neither of them fell. The deceased struck the first blow. By the Coroner : She was not there when the row began. She lodged with Thomas Hayes, the son of Mary Hayes, and had done so for about 14 months.

Sarah Jane Cheshire, called by the solicitors for Mary Hayes, deposed that she was a single woman, a dressmaker, and lived next door to the deceased. On the 9<sup>th</sup> of August between three and four o'clock in the afternoon, Mrs Hayes came to her house to try on a dress. Whilst she was there, John Shingler stood at his door and talked about parish pay, which he said he would have stopped. He used very bad language, and was tipsy. The husband of Mary Hayes has parish relief, and she said to her, "Do you hear what he says?" and got up to go to him. She (witness) asked her to take no notice of him. In a little time she got up to go, and stood at the door a few minutes. John Shingler came to his door again, and he began to talk as before. Some words passed between them, and he fetched out the poker. The deceased took it and also the shovel from him, and pushed him into the house. She then came out and shook her fist in Mary Hayes's face. By the Coroner : John Shingler had frequently abused his wife, and turned her out during the night into the street. She had heard them scuffling in the house, and heard her scream. She heard her complain sometimes (.....) of a pain in her back. Had heard her since the 9<sup>th</sup> of August challenge a woman named Worthington. She last week heard Shingler cursing the deceased about two o'clock in the morning.

Elizabeth Worthington, called by the solicitors of Mary Hayes, deposed that she was a married woman and lived near the deceased. She had heard her complain many times of her back, and also of her belly and legs swelling. By the Coroner : She never gave any reason for it. By Mr Collier : Mrs Hayes was her aunt.

The Coroner then addressed the jury, and said he had caused fourteen to be summoned as he usually did in such cases, so that in case of an adjournment any of them might be unwell, there would still be the requisite twelve to hear the case out and give the verdict. They had had two classes of

witnesses before them, and the evidence had been rather conflicting. A certain number of witnesses they would have heard, even if Mary Hayes had no one appearing on her behalf, and the others had been called to give the case the best colour they could in her favour. The evidence of John Shingler, he thought, they might dismiss altogether as totally unfit to be credited, and the evidence of Sarah Roberts had been so highly coloured and conflicting as to throw great doubt upon it, though in some respects it confirmed the evidence of the others. He thought they might, therefore, confine themselves to the consideration of the evidence of Dr Mouritz, Mrs Moore and Mrs Hancock. He then reviewed the evidence of these three witnesses, and said that Dr Mouritz had distinctly told them the cause of death, and although there was nothing in his evidence to prove exactly when those injuries were received, there was ample evidence to prove that on the 9<sup>th</sup> of August something did take place likely to produce those injuries, and there was no proof of anything likely to produce them having occurred at any other time. He might say that since Dr Mouritz had given his evidence, he had stated to him that he considered it was remarkable that a woman could go about the house after such injuries as the deceased had received, that the piece of the spine which he had produced he intended to preserve in spirits, and keep as a memento of the event. He then explained to the jury the law of manslaughter, and said that if they were of opinion that the deceased came to her death through the act of Mary Hayes, and that act was an unlawful one, they had no other course but to return a verdict of manslaughter. On the other hand, if they thought the deceased began the quarrel, and that Mary Hayes did nothing more than was necessary for self defence and was not to blame in the matter, their verdict must be one of accidental death.

The jury then consulted together for a little time, when two of them said they were of opinion that the deceased did not die from injuries received on the 9<sup>th</sup> of August. They were then ordered to withdraw as the other twelve held a contrary opinion.

The remaining twelve jurors, after a brief consideration, said that the deceased died from injuries received on the 9<sup>th</sup> of August, that those injuries were inflicted by Mary Hayes in an unlawful manner, and that she was guilty of manslaughter.

The Coroner then made out his warrant committing Mary Hayes for trial on the charge of manslaughter, at the next Assizes at Chester. He afterwards admitted her to bail, herself in £50 and two sureties in £25 each.

### **43 16 September 1865**

**EXTRAORDINARY OUTRAGE ON A WOMAN** At the Nottingham Police Court, **Henry Gillott**, a boatman, was charged with assaulting a woman of low character named Skinner, and also with throwing her into the Nottingham Canal. It appeared that Skinner was on the canal bank about 10 o'clock at night, when the prisoner and two other men seized her and attempted to take liberties with her, one of them offering her sixpence. She escaped from them, but they again saw her under the bridge near the Great Northern Station, and the prisoner taking hold of her round the waist, threw her into the canal. A porter who was leaving the station saw three men running over the bridge and laughing, and hearing screams and cries of "Murder" come from below, he went to the water side and found the woman struggling in the water, with nothing but her head and arms visible. She was got out and taken home in an exhausted state, severe bruises being found on her body. The prisoner was sworn to by several witnesses, and an attempt to get up an alibi was unsuccessful. He was sentenced to six months' hard labour.

### **44 23 September 1865**

**INQUEST ON A CHILD AT SALE** On Monday last, an inquest was held at the Police Office, Sale, before W R Dunstan Esq, in respect of the death of **John Thomas Woodward**, an infant who died on board a boat on the canal on Saturday morning last. The following evidence will explain the circumstances of the case.

Sergeant Beardsworth said that on Saturday morning last, **Rachel Woodward** and Miss Sarah Parkinson, the wife of a shopkeeper living close to the Police Station, called on him at seven o'clock. They informed him that the baby of Rachel Woodward's stepdaughter, Alice, had been

found dead by Alice in the cabin of her father's boat, which was then in the canal nearby. He went to the boat, and found the deceased lying dead in the cabin. He removed the body to Parkinson's house, where he examined it and found it free from marks of violence. The fingers were gripped ; the thumbs inside. The knees were a little drawn up. The deceased appeared to have been a pretty and stout fine child.

**Alice Woodward**, a respectable looking young woman, who cried a good deal in giving her evidence, said that she was a single woman and the daughter of **Thomas Woodward**, a boatman on the Duke of Bridgewater's canal. The deceased was her illegitimate child. He was born in the boat, close to the Police Station at Sale, three months and a fortnight before, and Mrs Parkinson attended her then. The child had been rather poorly for a fortnight, and cried a good deal. She got more infant's preservative from Mr Whittle, a chemist at Leigh, one pennyworth, which she gave to the child half a teaspoonful at a time in a little water. She did not give it more than three or four times altogether, and none on the day before the child died. They were returning to Northwich with a cargo of coal in their boat, and on Friday night last about half past nine o'clock, made fast at Sale for the night, close to the Police Station. She went to bed at ten o'clock with the baby. She awoke at midnight and suckled him. He fed heartily and fell asleep on her right arm with his face turned towards her, but not close. Two of her stepmother's children slept in the same cabin. When she awoke in the morning, the child lay in the same position. Her father aroused her at half past five, and when she got dressed, she went to loose the boat from the side. She then returned to take the baby up, and thought that he was dead. She screamed out, "Father, stop the boat, the baby is in a fit, the baby is dead". Her stepmother took the baby and put it in a warm bath, and also rubbed it, but life was gone. They both screamed out, and Mrs Parkinson, who lived opposite where the boat was, heard them and came out. Mrs Parkinson and her stepmother then went to the Police Station close by, and gave information to Sergeant Beardsworth. The deceased was not entered in any club. She "fathered" him at Leigh on July 3<sup>rd</sup>, and obtained an order for 2s 6d a week and £2 15s costs.

The Coroner said that in this case there was not the slightest suspicion of anything wrong. The child appeared to have been well attended to, and the people in the boat had themselves at once given information of the death. The child might have died from a convulsive fit, or it might have been suffocated sleeping in a small cabin on a sultry night, and close to the bad smell coming from the canal. It was somewhat remarkable that the child belonging to a boat, constantly travelling, should die at the very same spot where it had been born a little more than three months before. Verdict : "Found dead in bed, having died, as the jury believed, from natural causes".

#### **45 23 September 1865**

RUNCORN POLICE COURT, MONDAY

REMANDED ASSAULT CASE **Joseph Shawcross**, boatman, was brought up in custody, on remand, charged with having on the 7<sup>th</sup> inst unlawfully assaulted William Burke, by striking him on the head with the tiller of a boat. Sergeant Buckley applied for a remand until Thursday morning, and produced a certificate from Dr Robinson, stating that Burke was still unable to attend. The remand was granted.

#### **46 14 October 1865**

IMPORTANT INQUEST AT KNUTSFORD

MANSLAUGHTER BY A CANAL CAPTAIN On Thursday, the adjourned inquest on the poor boatboy, **John Parker**, was held at the Knutsford Workhouse before W R Dunstan Esq. **Richard Hammond** was present in custody, and Mr Whitlow watched the case on his behalf.

The jury having answered to their names, the following evidence was given :-

Eliza Walker, hospital nurse at the workhouse, said that she attended the deceased from the time of his admission on September 24<sup>th</sup> until his death on October 6<sup>th</sup>. When received into the hospital, his body was bruised from the bottom of the ribs to the haunch bone. She asked him the cause of that, and he replied that his master and another man had been "skylarking" when he laughed at them, and Dick (his master) turned round and whipped him. That took place a week before he was brought

there. He also said that he had been lying in the cabin since. He made no other statement to her. He was rather delirious, and mostly at night. He repeated the statement several times but never varied it. He was visited by Mr Earle, the surgeon, several times a day. He complained of great pain all over his back, arms, legs and side. The right arm and leg were very much swollen and inflamed. He complained of his loins. He did not say how he had been whipped, but complained of his back. He had the appearance of being healthy when he came in, but was rather feverish. He had no boils or ulcers. He did not say what occupation he had been before, nor that he had been bathing in the canal. He named Bunkers Hill as the place where he had been beaten.

Mr Andrews, superintendent of police for the Hundred of Bucklow, said that it was reported to him about noon on Sunday September 24<sup>th</sup> that a boy was lying in a very dangerous state in a cottage in Lymm. He went there in company with Dr Bennett, and found the deceased, John Parker. Dr Bennett examined the boy's person. The back was very much inflamed and in a shocking condition. The boy told him his name, that he was 13 years of age, and that for three months he had travelled with a boat, of which the prisoner, Richard Hammond, was captain ; that the injuries to his person had been done by Hammond on Saturday September 16<sup>th</sup>, near Bunkers Hill, with a whip, the lash of which was doubled. By the order of the surgeon, the boy was then handed over to the relieving officer, who conveyed him to the workhouse. The boy said that he had been badly used during three months. He thought he was of a delicate constitution. He had seen many prisoners flogged, but never saw one in such a condition as the deceased was.

Dr Charles Frederick Bennett of Lymm said that he went with the last witness to see the deceased at the cottage of Richard Holt, and found him laid on a couch in great pain. He had the boy stripped, and found extensive inflammation in the lumber and lower part of the dorsal region. There was also great pain complained of in the region of the spine in its whole length. The boy could scarcely bear a touch of the fingers anywhere on the back. He also found him suffering from great pain and swelling of the right wrist and arm ; in fact, he seemed full of pain if any part of the body was touched. The deceased was sent to the workhouse by his orders, after getting some refreshment but without other treatment, as he considered it a case wanting careful nursing, which he could only get in a hospital. He was present when the boy stated that the injuries were received from his master with a whip, the lash of which was doubled. The boy seemed healthy and fresh looking. A few bruises would cause much pain. He did not notice any boils on the deceased, but considered that he was suffering from rheumatism. The wales from a whipping might, after a week, if not large, be obliterated by inflammation. The inflammation was of a bluish purple colour, about the size of a small dinner plate. Rheumatism might be brought on from lying a week in the cabin on a board.

**James Aspinall**, boatman of West Leigh, said that on Sunday September 24<sup>th</sup>, he was with his boats on the way to Preston Brook. He was on the bank driving the horse. When at Agden Bridge, they met the prisoner's boat going towards Manchester. The deceased was then laid on his face on top of the cabin, another boy steering, and Hammond sat on the boat. As he was passing, the deceased lifted up his head and said, "Master, will you let me ride with you to Preston Brook ; I want to go to the workhouse there". He told the boy he could go with him. The deceased appeared to be ill, and was crying. He scrambled into his boat, and his wife got him into the cabin. He took him to Lymm, and gave information to the police. The boy told him that the prisoner had beaten him a week before with the double of his whip. He did not know either of them before. Hammond made no objection to the boy going into his boat.

Eliabeth Hammond (*sic – this should be Aspinall*), wife of the last witness, assisted the boy into the cabin. She had to lift him down. She laid him down and put something under his head. She asked what was the matter with him, and he said that he had been licked with the double of the whip. She asked what he had been doing to get that, and he said that the prisoner had been talking to a man, when he (the deceased) laughed, and then his master came and laid on to him with the double of the whip. He also said that the prisoner was a bad 'un, that he had ill used him shameful, and that a fortnight before he ran away into a cornfield from the boat, when Hammond's wife found him and brought him back by the hair of the head. He begged that they would not turn him out of the boat as he could not walk, but she told him they would see him right before they left him. His back was

very much inflamed, but she saw no marks of the whip. She said to him they should have left him at Preston Brook, but he replied, "Mistress, he durst not leave me there".

Sergeant Dutton of Lymm said that about noon on Sunday September 24<sup>th</sup>, he went to Aspinall's boat in consequence of what he had heard, and saw the deceased laid down in the cabin. In answer to various questions, the boy told him that he had been licked by the captain the Saturday but one before, near Bunker's Hill, because he had laughed at him when Hammond was talking to a boy on a bridge. He had the boy removed to a cottage and stripped. His back was in a bad state ; something like the size of a small plate just in the small of the back being dark coloured and inflamed. He saw the boy again in the hospital on Monday October 2<sup>nd</sup>, and was recognised by him. He obtained a warrant against the prisoner that day, and on Thursday the 5<sup>th</sup> instant, apprehended him at New Martin in Shropshire. He charged the prisoner with ill-using a lad named Parker that he had in his employ about three months, and causing his death. The prisoner said, "Does he say that I licked him?" and he replied, "Yes, he does ; he says you licked him near Bunker's Hill on the 16<sup>th</sup> of September". The prisoner then said, "I never hit that lad but once in my life, when we were near Bunker's Hill, and he laughed at me when I was talking with a lad on the bridge". The prisoner was before Sir Harry Mainwaring on Saturday, and remanded until that day.

Mr Earle, medical officer of the Knutsford Workhouse, saw the boy soon after his admission, and examined him, finding from the lowermost ribs to the haunch bone the skin swollen, dark red, and very much inflamed. The witness gave a description at some length of the boy's condition, which corroborated the evidence of Dr Bennett. He visited the boy several times a day. At first he was in a very high state of fever, but on the Saturday after admission he was a good deal better. He was delirious every night but one. On the Monday he complained of his head, became insensible towards night, and remained so until he died on Wednesday afternoon. On Friday, he (witness) made a *post mortem* examination of the body. In external appearances, the body had a fair degree of development, but was much emaciated, yet not more so than could be accounted for by the severity of the illness. The left leg was swollen from the ankle to above the knee. On making an incision along the calf, a little watery effusion was found under the integuments. He particularly inspected the small of the back which, for about the size of the palm of the hand, had the skin of darker colour, and two or three pustules. On opening the head, the membranes of the brain were healthy, but its surface inflamed and covered with swollen blood vessels. The substance of the brain was unusually solid in texture and studded with numerous bloody points, the evidence of congestion. There was no watery substance in the cavities of the interior, but about one ounce at the base of the brain. The lungs were both affected with early symptoms of consumption. There was a large abscess in the right cavity of the chest, between the lungs and the ribs. It contained about a pint of matter. There were no traces of disease in the heart, kidneys, stomach or abdomen ; the liver was somewhat enlarged, but healthy. The immediate cause of death was the acute abscess in connection with the lungs ; the congestion of the brain was the secondary cause. The abscess might have caused death by natural causes, but the beating and exposure might have accelerated death in the diseased state of the lungs.

The Coroner read over the whole of the evidence and commented on it at some length. He pointed out that the statement of the boy to various witnesses had never varied, that he had received a beating from the prisoner with a whip lash doubled. It was not necessary for them to be satisfied that the death resulted wholly from the beating given by the prisoner ; but if they believed that the death of the boy was accelerated even one hour, then they must find Richard Hammond guilty of manslaughter. He thought that such beating as they had heard of, with the subsequent exposure and want of treatment for a week, must have accelerated death.

The jury gave a verdict that death resulted from an abscess and congestion of the brain, accelerated by the treatment the deceased had received at the hands of Richard Hammond. The Coroner therefore committed the prisoner to take his trial at Chester Assizes for manslaughter.

The prisoner was subsequently taken before Lord Egerton and Edward Joynson Esq, but as he was already committed for trial, no further steps were taken.

**47 21 October 1865**

**MAN KILLED AT MIDDLEWICH** On Tuesday evening after the cattle show, Joseph Beach, waggoner to Mr Balmer of Nun House, Wharton, lost his life under circumstances as shown in the evidence below.

**Joseph Hough** of Newton, boatman, said on Tuesday last, a little after five o'clock in the afternoon, he was in the street opposite the Talbot Inn in Kinderton with his wife. He saw a cart drawn by one horse ; there were two pigs in the cart. The deceased was holding the horse's head. The horse was galloping, and the deceased trying to hold him and stop him. He was not able to stop the horse, and fell to the ground. He was run over by the near side wheel, which went over his chest. Witness ran to him and raised him up. He was dead ; could not say whether he was tipsy or not. The body was carried into the Talbot Inn.

William Leah, sergeant of police, said on Tuesday last there was an agricultural show at Kinderton, Middlewich. He was at the Talbot directly after the accident, and saw the body of deceased. Mr Martin was present ; he said death had been instantaneous. Witness searched the deceased's clothes, and found a five shilling piece, tobacco box and key, which he now produced. The deceased was Joseph Beach, waggoner to Mr Balmer of Nun House, Wharton. He had been to the show, and was returning home with the pigs in his master's cart when the accident occurred. Witness had ascertained that deceased was tipsy. The horse was a spirited and powerful grey mare. Deceased was 18 years old last May. Verdict, "Accidentally killed".

**48 18 November 1865**

**DEAFNESS** **Mr James Bowden**, waterman, Winsford, Cheshire, says :- "After a fortnight's treatment, I could hear the lessons read in church last Sunday, which I have not done for a long time, and the noises in my head are nearly gone". Mr Rackham, aurist, Norwich, may be consulted daily in Liverpool at 100 Islington.

**49 9 December 1865**

**CHESHIRE WINTER ASSIZES** **Moses Gough**, 30, boatman, Runcorn, charged with assaulting Edward Bower, and stealing from his person 30s, at Runcorn on September 19<sup>th</sup>, was acquitted.

**50 16 December 1865**

**RUNCORN POLICE COURT**

**ASSAULTING A POLICE OFFICER** **John Boston**, a boatman, was brought up in custody charged with assaulting PC Wood whilst in the execution of his duty. The officer deposed that on Sunday morning a little after twelve o'clock, he found the prisoner lying asleep about a yard and a half from the canal side opposite the Bridgewater Arms at the Top Locks. He aroused him, and offered to take him to his home, or to the boat, if he would tell him to which and where. He would not give any information of himself, but struck the officer on the breast and became very abusive with his tongue. He also kicked at him. Sergeant Buckley came up, and they took the prisoner into custody. He was abusive all the way to the police station. The prisoner was fined 10s and 2s 3d costs.

**ROBBERY FROM A BOAT** **William Hodgkinson**, a boatman about twenty years of age, was brought up in custody, charged with stealing an overcoat, a new boat rope and a line from the boat *Berkshire*. **James Hollinshead** deposed that he was master of the boat *Berkshire*, belonging to the Bridgewater Trustees, lying in the basin No 6 at Runcorn, and on the previous Friday engaged the prisoner at Long Pool in Staffordshire as a hand in the boat, and they came in her to Runcorn. On Saturday afternoon witness left the boat, leaving the prisoner and a boy on board. The coat produced was his property, and the boat rope and line were the property of the Bridgewater Trustees. He left them safe on board on Saturday, and when he returned on Monday morning, both they and the prisoner were missing. He gave information on the same day at noon to the police. Sergeant Buckley deposed that about a quarter past one on Monday, he received from the previous

witness information of the robbery and a description of the prisoner. From a ploy which he made, he found that the prisoner had gone along the canal side in the direction of Preston Brook. He got a conveyance, and in company with the previous witness, went in pursuit of the prisoner to London Bridge at Appleton, where he expected to find him. When he got there, he found that the prisoner had passed on along the canal bank. He followed along the road in the conveyance to Stanhill Lunt Bridge, where he saw the prisoner a little ahead on the canal bank, with the coat on and the boat rope round his neck and shoulders. He alighted and went after him, and when he overtook him he asked him where he was taking the rope, and he said, "To the boat, to Fellow's boat". He then charged him with stealing it, and also the coat he had on, from the boat *Berkshire* at Runcorn that morning. He said he had not stolen them. He then took him into custody and brought him back to Runcorn. On the way, he asked him if he had any statement to make respecting the line that was missing. He said he had not taken it, but on being asked when nearer to Runcorn, he said he had sold it to a man who was going to Runcorn with two narrow boats. Witness afterwards received the line produced from **Samuel Catterall**, captain of the boats *Milo* and *Mildo*. The prisoner was then committed for trial. There is much credit due to Sergeant Buckley for his prompt apprehension of the prisoner, which was effected some eight miles from Runcorn in less than an hour and a half after information of the robbery was given to him.

ALLEGED THREAT **John Perry**, boatman of Barnton, was charged with having threatened to throw Mary Ann Perry, the wife of Thomas Perry, into the canal, thereby causing her to be in bodily fear. He pleaded not guilty. The Bench, after hearing the evidence of the complainant and the statement of the defendant, dismissed the case as nothing more than a family quarrel.

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#### 51 4 January 1873

##### KNUTSFORD QUARTER SESSIONS

TRIAL OF PRISONERS **Samuel Cunliffe**, 29, boatman, charged with maliciously wounding John Ray at Preston Brook on the 6<sup>th</sup> December was acquitted. Mr Parkins prosecuted and Mr Brandt defended.

**John Jones**, 21, boatman, was indicted for entering a dwelling house and stealing therein £21, the monies of William Clutton, his father-in-law, at Newton-by-Middlewich on the 23<sup>rd</sup> December. He was found guilty, and sentenced to eight months' hard labour. Mr Wood prosecuted.

#### 52 8 February 1873

##### NOTICE

I, **GEORGE GREEN**, flatman of Surrey Street, Runcorn, will not be answerable for any debt or debts my wife **ELIZABETH GREEN**, may contract after this date.

(Signed) **GEORGE GREEN**

Runcorn, February 8<sup>th</sup> 1873

#### 53 8 February 1873

BOY DROWNED AT WINNINGTON On Saturday at the Traveller's Rest Inn, Barnton, Mr Dunstan held an inquest touching the death of **William Robinson**, 13 years old, son of **Thomas Robinson** of Barnton, engineer on a steam flat. **George Hatton** of Barnton, captain of the flat *Clare*, said : I was with my vessel about five o'clock on Friday morning near the Anderton Basin, it being very dark at the time. Deceased was engaged to drive the horse which was to haul the *Clare* up to Winsford. As he was not to his time, I met him riding the horse at Winnington Lock, a quarter of a mile from the basin, and spoke to him about being late, but he made no reply. He went across the Winnington Bridge to the towing-path on the Winnington side, and I went back along the Anderton side of the river. When I got to the flat, I heard a great splash, as if the horse had fallen into the river, and then the deceased called out twice, "George, make sharp". I put off with the boat,

but although I called out several times there was no answer. After searching about, I went to **John Aspell**, the owner of the horse and employer of the deceased, and told him that the horse and deceased were, I believed, drowned. A search with grapples was made, and the deceased's body was found about half past six in the river opposite Anderton basin. There were no marks of violence upon the body. The body of the horse was afterwards found in the river at Winnington Bridge. There was a travelling crane by the towing-path near where the horse must have fallen in, and it narrowed the path. A verdict of "Accidentally drowned" was recorded.

**54 15 February 1873**

RUNCORN PETTY SESSIONS

CRUELTY TO HORSES **James Marsh** was charged with cruelly ill-treating a horse at Dutton on the 5<sup>th</sup> of February, by working it when it was unfit to work. PC Smithson said he met the defendant driving a horse which was hauling a flat on the Weaver. He examined it, and found on the left shoulder three wounds, each of which was about the size of a shilling, and on the right shoulder there were two wounds the same size. They were old wounds, quite raw, and the collar was working on them. The Bench inflicted a fine of 10s and 15s 6d costs.

**William Wrench** and **Samuel Rogerson** were charged with cruelly ill-treating a horse at Dutton on the 5<sup>th</sup> of February, the former by working it and the latter by causing it to work when it was unfit to do so. PC Smithson said he met the defendant Wrench near to Pickering's Lock, driving a horse which was hauling a flat on the Weaver, and on examining it he found two large wounds on the left shoulder, and one on the chine. They were all old wounds, and were quite raw. He asked him if his master knew the condition the horse was in, and he said he did, for before he left home he told him that the horse was not fit for the journey, and he said it was not so bad but that he might take it, and must do so. The Bench ordered Wrench to pay a fine of 20s and 15s 6d costs, and Sir Richard Brooks said it would serve the defendant Rogerson quite right to fine him the full penalty of £5, as he had previously been fined for a like offence. They would not, however, this time get to the full length of the law, but order him to pay a fine of £2 10s and 15s 6d costs, and in default of payment to be imprisoned for two months. The money was paid at once.

**55 15 February 1873**

INQUEST AT MIDDLEWICH On Wednesday, Mr Dunstan held an inquest at the Boar's Head, Middlewich, touching the death of the infant son of **John Keen**, master of the canal boat *Flora*. The child was born on the 5<sup>th</sup> inst, and died on Tuesday last of convulsions. Verdict accordingly. The mother, although only seven days had elapsed since her confinement, was (.....) in the Middlewich Parish Church on Wednesday, and proceeded from there to give evidence at the inquest. She intimated that she was going on with the boat on the following day.

**56 15 February 1873**

SUDDEN DEATH AT WIDNES An inquest was held on Saturday last, before C K Driffield Esq, county coroner, at the house of Mr Thomas Gerrard, the Commercial Inn, Widnes, on view of the body of **Ralph Johnson**, aged 54 years, a flatman in charge of one of Messrs Crosfield and Sons' boats, who fell down dead on board his boat on the previous Wednesday evening. More than usual interest was excited in the case in consequence of some relative of the deceased having caused the body to be removed from the building used as a dead house on Mr Gerrard's premises, in which, on the Wednesday night, it was placed by the police, but on the next day was taken therefrom without either their knowledge or that of Mr Gerrard. It appeared from the evidence of the wife of the deceased that he had been in a bad state of health for some years past, and frequently complained that something seemed to be pushing his breast bone out of place. He could not work when he was hurried, and she could hear his heart palpitating. On the previous Saturday, he was at home with her and their two children at St Helens, and complained very much. Ralph Johnson said he was the eldest son of the deceased, and was eleven years old. On Wednesday night he was on board the flat with his brother, who was nine years old, and the deceased who, after shafting the boat into the



dock, handed the shaft to him, saying, "Here, Ralph, thee shaft a bit now ; I'm about done". The deceased then went to the tiller and almost immediately fell on his face on the deck, and he (witness) and his brother called out for help. **Thomas Hulse** said he was a flatman, and heard a cry for help on board the deceased's flat. He went on board and found the deceased lying on his face, quite dead. The Coroner summed up the evidence, and said no persons ought under any circumstances to remove a body from the premises of an innkeeper, or other place where it might be placed, without the sanction of the police who had charge of it, and an innkeeper should not allow a body to be removed from his premises without an order from the police. However appropriate as a dead house a place might be for the reception of a body, it was natural for the relatives of the deceased to wish to have charge of it, and he had not doubt that in this case the police would have given permission for the body to be removed had it been asked for, and the landlord would certainly not have offered any opposition to such a procedure. The Jury returned a verdict of "Death from natural causes".

### **57 1 March 1873**

#### RUNCORN PETTY SESSIONS

**CRUELTY TO A HORSE** **Samuel Leach** was charged with cruelly ill-treating a horse on the 18<sup>th</sup> of February by working it when it was unfit to work. PC Whittaker said he met the defendant driving a pair of horses which were hauling a flat along the canal, and on examining the foremost, he found a wound on its right shoulder about the size of the palm of his hand, and on the left one another wound not quite so large. The Bench inflicted a fine of 10s and 9s 6d costs.

**POACHING CASE** **Thomas Haddock**, boatman of Barnton, and his sons **Alfred** and **John**, were charged with trespassing on the 8<sup>th</sup> of February, in the daytime, in search of game on land at Dutton, in the occupation of Ann Lightfoot. They denied the charge. **John Tatton** said he was a boatman, and saw a dog belonging to the defendant, Thomas Haddock, worry a hare. The Company's man said he had better walk up to the dog, and he did so, and the defendant Thomas Haddock came and claimed the dog. He saw him set the dog on, and the defendant John Haddock said he would throw a stone at him (witness) if he did not let the dog go. The defendants afterwards went to his horse, and pulled it into the canal. The hare which was killed was carried on board the defendant's boat. By Mr Bankes : The dog was a yellow lurcher dog. The defendant Alfred was in the boat, but the two other defendants were on the land. By Mr Haddock : He was the man who claimed the dog. He saw it come off the boat and go under the culvert. By John Haddock : He (witness) did not kill the hare. The dog killed it. In defence, Thomas Haddock said he was not the owner of the dog, did not set it on any hare, and was not on the land. He called Arthur Haddock, who said he was gathering some sticks, and saw the witness Tatton go to a hare and knock its neck out. He saw no dog there. The man Tatton said this witness was not there at all. Superintendent Aston said he had heard of the hare being cooked by the defendant Thomas Haddock's wife at Barnton, and she said it was very good. The Bench dismissed the charge against Alfred Haddock, and fined Thomas Haddock 10s and £1 11s 6d costs, and John Haddock 5s and £1 11s 6d costs. They paid the money.

### **58 15 March 1873**

#### WARRINGTON BOROUGH COURT

**POOR RELATIONS** **William Griffith**, master of a flat, was summoned to show cause why he should not contribute to the support of his two grandchildren, aged 7 and 10 years respectively, who had been chargeable to the union since the 2<sup>nd</sup> of November. It was stated that he was in receipt of 23s a week, and had no one to support but himself. Defendant said he was upwards of 63 years of age and frequently unwell, and he could not pay 3s a week, which the Guardians had ordered. Order made for 1s 6d a week with costs.

## 59 12 April 1873

### KNUTSFORD QUARTER SESSIONS

EXTRAORDINARY ROBBERY OF BEER AND SPIRITS Andrew Whallan, John Meakin, John Doyle (labourers) and High Tunna, custom house officer, were indicted for stealing 21 quart bottles of Guinness stout, six bottles of gin, 45 bottles of whisky and 30 bottles of brandy at Birkenhead on the 2<sup>nd</sup> inst. From the evidence given, it appeared that on the 1<sup>st</sup> inst a vessel called the *Muriel* was being unloaded in the docks at Birkenhead. A large portion of her cargo consisted of spirits in cases and bottled beer. A number of men were employed on the night of the 1<sup>st</sup> inst discharging the cargo. They went to their supper at half past ten and returned at half past eleven quite sober. At one in the morning, the stevedore discovered that a number of the men were under the influence of drink, and on looking about, he felt convinced that some of the cases had been broken open and their contents drunk. He at first thought that all would be right in the hold, where Tunna, one of the prisoners, a custom house officer, was in charge, but at three in the morning he heard a corkscrew being used in the hold, and looking down he found Whallan was drawing the cork of a brandy bottle and was handing it to Tunna, who stood beside him. The other two prisoners were afterwards found helplessly drunk, and one of them so ill he had to be sent to the hospital. The value of the stuff taken in all was more than £15. Whallan and Tunna were found guilty of stealing and Meakin and Doyle of receiving the stuff knowing it to have been stolen. Meakin and Doyle were sentenced to three months, Whallan to six months and Tunna to nine months' imprisonment.

STEALING A WATCH **John Swales**, a dull looking youth, was charged with stealing a watch from a boat on the canal at Wardle on the 10<sup>th</sup> of November 1871. **John Beech**, boatman, said he engaged the prisoner on the 9<sup>th</sup> of November 1871 ; his boat was then at Barbridge. About eight o'clock at night, he and his wife left the boat in charge of the prisoner. His watch was hanging in the cupboard. They returned in half an hour, but could see no one. He thought at first the prisoner was "drowned", until he missed his watch, and then he knew what had got him. On the 20<sup>th</sup> of February last he met the prisoner by the (.....) at Minshull ; asked him "what time it was". He said, "Hello, John, is that you?" On being further questioned, he said he sold the watch for 15s at Anderton. It was made known that the prisoner had been repeatedly sent to a reformatory, from which he had absconded. Sentenced to six months' hard labour.

## 60 26 April 1873

BARBAROUS TREATMENT OF A LUNATIC At the Runcorn Petty Sessions on Monday, Superintendent Aston said that on Saturday evening, from information received, Inspector Buckley went with **Mr Farrall**, the agent of the Bridgewater Navigation Company, to a cellar in English Row, and there found an aged, harmless and helpless lunatic named **Ellen Green** in a most destitute condition. On Sunday evening, he (Superintendent Aston), Inspector Buckley and Dr McDougall visited the place, and found it in a filthy state, and the old woman in a most deplorable condition. He had taken steps against the daughter of the old woman, as he was able to prove by evidence that she had assaulted her, and he thought that after their worships had heard what Dr McDougall had to say, they would order the old woman be removed to the Workhouse. Elizabeth White, a widow, was then charged with assaulting and beating her mother, Ellen Green, on the 7<sup>th</sup> of March. She pleaded not guilty. Margaret Royle said that on the 7<sup>th</sup> of March the prisoner was charring at Mrs Ravenscroft's, and a person went to tell her that her mother was on the floor with nothing on her. The prisoner came, and said to the old woman, "You are always on the floor and making some mess when I am out". She then struck the old woman, and also hit her with a window roller, and a person named Sarah Abrams went in between them, and would not let the prisoner hit the old woman. On Thursday last, the old woman was on the floor a long time, and was eating the straw on which she was lying, and some of the neighbours, seeing that, took her some meat. The old woman had lost her reason, but was as harmless as a child, and when she (witness) went into the house to her, she said, "Don't let Elizabeth (meaning the prisoner) beat me". The prisoner came in, and struck the old woman in the face, and she (witness) said if she did that again she would knock her down. The old

woman was frequently locked up alone in the house from seven o'clock in the morning until midnight. By the prisoner : On the 7<sup>th</sup> of March, saw her hit her mother with the window roller. The old woman had pulled the roller down, and she took it from her and hit her with it. Sarah Abrams and Ellen Unsworth said they saw the prisoner, on the 7<sup>th</sup> of March, strike her mother with a roller. Finlay McDougall said he was a medical man practising in Runcorn, and on Sunday evening went with Superintendent Aston and Inspector Buckley to a cellar, or rather a hovel unfit for habitation, in English Row, and found in it an aged female lunatic. The place was badly lighted, and still worse ventilated, and the stench was so great that a person would not like to remain long in it. He examined the old woman, and found scars and bruises all over her body. There was a large puffy swelling on the left eye, and underneath it a certain amount of discolouration. He could not swear whether the injuries were a result of a fall or a blow, but over the left shoulder blade there was a mark which, in his opinion, was the result of a blow with a round instrument. Both the place and the old woman were in a very filthy condition. She was lying on some chaff and straw, without any bedtick, and had only a few rags about her, and the bed, such as it was, had all the appearance of not having been made for some time. He believed the case had previously been brought under the notice of the sanitary authorities, who sent a "batten" of straw and some disinfectants, but did nothing more, evidently thinking this was all they were required to do. He had now to ask their worships to make an order for the removal of the old woman to the workhouse as, she being quite harmless, there was no need to send her to an asylum. Inspector Buckley, in reply to the bench, said the husband of the old woman was a waterman, in receipt of 18s a week as wages, and he told him and Mr Farrall, the agent of the Bridgewater Navigation Company, that he gave the prisoner the whole of his wages to look after the old woman, to support her and make her comfortable. Sir R Brooke said it was a very sad tale which they had heard, and the conduct of the prisoner to the old woman had been most disgraceful, especially as that of a daughter to her mother. They had power to send her to prison for six months, but they would deal leniently with her, and only commit her for one month with hard labour. Their worships also ordered the old woman, Ellen Green, to be removed to the workhouse.

## **61      17 May 1873**

**OPENING OF A NEW BOAT BUILDING YARD AT RUNCORN** For some time past, an extensive plot of land and premises at Mill Brow, Runcorn, on the bank of the Bridgewater Canal, formerly used as a slate works, have been untenanted, lying idle and unremunerative ; but a few weeks ago were negotiated for and taken possession of by Messrs Lovett and Co, coal and salt merchants of Runcorn and Northwich, and operations were at once commenced to adapt the place for the building and repairing of narrow boats, flats and barges. On Monday week, the work of boat building commenced in earnest, and the event was celebrated by a dinner given to the workmen and a few friends at Wilson's Hotel on Saturday last.

Mr George Lovett, the principal of the firm, occupied the chair, and Mr George Marshall the vice-chair. There were about 20 of the workmen present, and the following invited guests :- Messrs R Roberts, William Fisher, C Gerrard, Samuel Taylor and J Hughes. Several other gentlemen who had been invited were unable to attend, some in consequence of domestic affliction, and others through previous engagements. The repast was a most substantial and excellent one, got up and served in the style for which Mr Wilson is famed throughout the country.

After the cloth had been removed,

The Chairman gave the toasts of "The Queen" and "The Prince and Princess of Wales", and the rest of the Royal Family, which were right loyally received and honoured. The Chairman said he had much pleasure in proposing the next toast. He was not a churchman himself, and never had been, but he might be some day, and he was glad to say that he was intimately acquainted with some parties who were good church folks, to whom he was indebted for many acts of kindness and some good sound advice. He might also say that he was not a Dissenter, and though he might, if asked, vote for the disestablishment of the church, he should do so because he believed it would be for the good of the church. (Applause). He belonged to the Wesleyan body, and the Wesleyans as a body

were not Dissenters. As far as Methodism was concerned they stood by the church, were not opposed to it, but were its staunch friends and supporters. (Applause). He had a great respect for the Vicar of Runcorn, who was an able and useful man, whom they all esteemed, and of whom they were all proud. He was glad to say there were able and good ministers in connection with the various Christian Churches in the town, for whom he had a great respect, and he had much pleasure in giving the toast of "The Bishop and Clergy of the Diocese, and the Ministers of all Denominations". (Applause). The toast having been duly honoured,

The Vice-chairman said he had great pleasure in meeting them on that occasion at the invitation of the Chairman. There was no gentleman in the town with whom he was so intimately acquainted, or in whom he placed so much confidence and respected so much as the Chairman. Next to his own private interest, if there was anyone he wished most to succeed both spiritually and temporarily, it was the gentleman who occupied the chair. (Applause). So far as he had known him, and he thought no one in Runcorn knew him better, he had found that he would not betray the confidence of any person who trusted in him. (Applause). He was most scrupulous as to keeping his word, and since he had known him he had acted on the highest principle. While he was in business with him, he admired his sound judgement of business affairs and scrupulousness of conduct in the management thereof, and as a friend he was everything that he could desire. His wish and prayer for him was that he might go on as he had begun – prosperously – and come to hold one of the chief positions in the town. (Applause). He was glad to say he was now one of the Runcorn Improvement Commissioners, a member of the Board of Guardians, one of the overseers of the township, and the holder of an office in connection with one of the Christian churches in the town. He was glad that the Chairman had opened a new boat yard, which he hoped would be a source of prosperity to him and the men in his employ, who he felt sure as time went on would be glad to be under such a master. He hoped he would prosper in all his undertakings, and in time be elevated to a seat on the Bench. (Applause). He had now great pleasure in proposing as a toast, "Prosperity and success to the firm of Lovett and Co in their operations as boat builders and salt and coal merchants". (Applause).

The Chairman was much obliged to them for the manner in which they had received the toast, and the flattering terms in which his friend Mr Marshall had spoken of him. He started to fight his way in life at a much earlier age than many of those present, and when he was 20 years of age he was in the receipt of 12s a week as wages, and he was earning the like sum as a ship carpenter when his first child was born. (Applause). When he was 14 years old he wanted to be a draper, but his father told him that he would have to work at a trade as he had done, and when he grew up to be a man, if he could do without it well and good – he would be none the worse off for it, and if he could not he would be able to work and get a living, which many who had come down in the world could not do, as they were not able to work. For nine years he worked as a ship carpenter, and when he came to Runcorn he was on strike. He there got a little better paid, but not much, and what he got was scarcely sufficient to meet the extra expenses to which he was put. He afterwards went into business with a bold spirit, and what he took in hand he was determined to carry out and fight to the last. If his life was to be a struggle, he would struggle to the last ; and if ever they heard tell of him giving in, it would be because he could struggle no longer. (Applause). As far as the boat yard was concerned, he had so far no complaint to make of the men ; and a boatman who was passing the yard that morning remarked to another that they had built a boat in a week. (Applause). He had much pleasure in proposing the health of the workmen and the captains in the employ of the firm, a pleasure which was increased by the fact that he was a workman himself. (Applause).

The toast having been appropriately responded to by Mr Abbott, the foreman of the yard, Mr Samuel Houghton, one of the workmen, and Captain Platt, all of whom spoke in eulogistic terms of the conduct of the firm towards them, and expressed their determination to do their duty in return.

The Chairman gave "The Town and Trade of Runcorn". He said he was sure the yard they had opened would pay if those present would make it pay, by which, he meant that if the firm and those in its employ worked together, it would succeed and pay well. They were all interested in the trade of the town, and in every new business that was commenced in it, for if their business succeeded the

rates would be reduced, or at all events they would be in a better position to pay them. It should be their policy to bring as much trade as possible to the town, as in so doing they would be benefiting themselves and promoting the good of others. (Applause).

Mr J Hughes responded. He said he came to reside in Runcorn 45 years ago, being then only 17 years old. He remembered Liverpool when St George's Dock was the furthest north and Queen's Dock the furthest south, and the bank of the river from Eastham to Rock Ferry was all beach. Runcorn was then a very small place, and there was only the basin at the end of the old line of locks, and the one at the end of the new line of locks going into the Mersey. There were not any steamers then, and all the flats went to and from Liverpool and Runcorn with masts and sails, and the dockage sheds and wharfage now at Runcorn was 100 per cent more than it was then. At that time, what was now Church Street was fields on both sides, right and left, with the exception of a few houses at the east end, and the populous district of Newtown was then nothing but fields, and the rates of the town were very small. During the twelve years the town had improved very much, and the money which had been expended in the erection of the Market Hall and other public works would in a few years be paid off. The work had been well done, and would not need to be done over again. The town had for some time past been increasing, and in 25 years more it would be a very different place to what it was at present. They had now got railways as well as canals running into the town, and in the next 40 years the trade of the place would increase three or four times as much as it had done during the past. He then entered into a detailed account of the origin and progress of the different ship carpenters' firms in the town, and expressed the hope that the one now commenced by Messrs Lovett and Co would be a success, that it would do well for both the employers and the employed, and that both masters and men would work together to promote each other's interest. He said the Bridgewater Navigation Company would do a great deal of good to the town before long, there was now twice the work in their Runcorn yard than there was a short time since, and in a little time there would be much more, and the working men would be benefited by it. (Applause).

The Vice-chairman then gave "The health of Mr and Mrs Lovett and family", to which The Chairman responded, and gave "The Invited Guests".

Mr Richard Roberts acknowledged the compliment, expressed the pleasure it had given him to be present, and the hope that the new building yard would prosper, and said he agreed with Mr Hughes that the Bridgewater Navigation Company would do a great deal of good to Runcorn. (Applause).

The Chairman gave "The Health of Mr and Mrs Wilson", and expressed the pleasure of the company with the excellent repast they had provided.

The Vice-chairman, in highly eulogistic terms, proposed "The Press", which was supported by Mr Hughes, who said he thought that each year the retiring Commissioners ought to present Mr Gerrard with a testimonial, for improving their speeches and making them readable for the ratepayers (Laughter and applause). He really meant what he said, for if the speeches of the Commissioners were printed just as they delivered them, none of them would read as well as they now did in the *Guardian*, and some of them would look rather black, and read very oddly. (Laughter and applause).

Mr Gerrard of the *Guardian* responded, and gave the toast "Our next merry meeting, and may it be soon".

During the evening songs were sung and recitations given, and the proceedings throughout were very pleasant.

## **62** 17 May 1873

### NANTWICH PETTY SESSIONS

TOO MUCH NECTAR **John Murray**, a boatman, for being drunk and incapable in Nantwich on the previous night, was fined, on the evidence of PC Worrall, 2s 6d and costs or 14 days.

**63 24 May 1873**

CHESHIRE INTERMEDIATE SESSIONS

FELONY AT RUNCORN **John Foxley**, a young boatman, was indicted for stealing one coat, two shirts, three jumpers, three pairs of stockings, two handkerchiefs, one loaf of bread, one pound of sugar and two ounces of coffee, the property of **John Marsden**, his master, at Walton. Mr Wood prosecuted, and the prisoner was undefended. He was employed on the canal boat *Morning Star*, trading from West Leigh Colliery to Northwich. On the way they stopped all night, and when the captain was absent in the morning, getting the horse, the prisoner decamped with his clothing &c, as above. This occurred on the 26<sup>th</sup> of November last, and the prisoner was not found until the 21<sup>st</sup> of April, when Inspector Buckley received him into custody. Found guilty, and sentenced to two months' hard labour.

**64 31 May 1873**

INQUEST AT RUNCORN An inquest was held before T J Ridgway Esq (coroner) on Friday, at the Boat House Inn, Runcorn, touching the death of **Sarah Worthington**. It appeared that the deceased was 48 years of age and was the wife of a waterman, with whom she was at Liverpool on board his flat on the previous Monday, in the North Carriers Lock. She went on shore about half past three o'clock the same afternoon to purchase a loaf, and returned in about ten minutes. A ladder was reared against the pier wall for her to descend, and when she was on the second spill, it canted and precipitated her head foremost, a distance of 15 feet, into the water, which at that point was 13 feet deep. Her husband got her on board with a boat hook, and she walked without assistance to the cabin, when he helped her to undress and rubbed her dry with a towel. She was sick twice, and he gave her some warm tea and a little brandy. She remained on board all night, and at five o'clock the next morning set sail in the flat for Runcorn, where she arrived about eight o'clock. A woman named Mary Owen was then sent for and took the deceased to her cottage, about half a mile distant. Although the distance was so short, the deceased had to rest nine times, and told Mrs Owen that she had nearly lost her life. The same afternoon Mr Robinson, surgeon, was called in and prescribed her medicine, which she took, and he saw her again the same evening. On Wednesday night about half past eleven o'clock, the deceased became slightly delirious ; Mr Robinson was again sent for, but before he arrived she died. He gave a certificate of her death "Accidental drowning, duration of disease 56 hours". The authorities refused the certificate, and the inquest in question was held. The jury returned a verdict that the deceased died of a shock to the nervous system caused by her accidentally falling into the water at Liverpool.

**65 7 June 1873**

DEATH FROM A FALL AT WITTON On Thursday afternoon an inquest was held before Mr Dunstan at the Druids' Arms Inn, Leicester Street, on the body of **William Wilkinson**. John Winstanley, foreman at Mr Worthington's, Witton Salt Works, said the deceased, William Wilkinson, was a waterman, but lately employed as a labourer at the works named. On Tuesday last about three o'clock in the afternoon, deceased was lowering bags of salt from the hoist to a flat lying below in the arm of the river Weaver. Witness was close to him, and had cautioned him to take care of the windlass, which he was afraid might catch deceased and break his arm. Shortly after, deceased got hold of the handle instead of the break. The handle began to revolve and turned him round, and he fell down a distance of about 25 feet to the bow of the flat, striking it with great violence with his right side, back, arm and head. He rolled from that to a boat lying about two feet lower than the flat, and thence into the water. He was taken out of the water in less than a minute. He was then insensible, but recovered consciousness when he was at his house in Leicester Street, to which he had been carried, when he spoke to witness and others, and recognised them. Mr Joynson and Mr Moreton, surgeon, attended him. Witness saw him at midnight, but was not present when he died. James Barton of Leicester Street, labourer, said deceased was his son-in-law, and lived with him. He was brought home on Tuesday afternoon, having been injured. His right eye and ear had to be stitched, but the principal pain was in his back and side. He died at half past three

the next morning, in the presence of witness. He never gave any account how he came to fall. He was 72 years of age. Verdict : "Died from the shock and injuries through the effects of a fall".

**66 14 June 1873**

DEATH BY DROWNING Mr T J Ridgway, coroner, held an inquest at the Egerton Arms, Runcorn, on Monday, on the body of **John Leech**. Samuel Armstrong, stonemason, Runcorn, said the deceased was captain of the flat *Ellen* of Liverpool, and was 30 years of age. Police-Inspector Buckley deposed to finding the body of the deceased in the Old Quay, Runcorn. An open verdict was returned.

**67 14 June 1873**

SUPPOSED INFANTICIDE On Thursday last, the body of a newly born female child was found in the canal near Oughtrington by a boatman named **Rigby**. It appeared to have been in the water some time. A *post mortem* examination was made by Dr Brabazon, and he is of opinion that the child was born alive, but died from want of proper attention at its birth. An inquest on the body was held at the Dog Inn, Oughtrington, yesterday (Friday) afternoon by T J Ridgway Esq, at which an open verdict of "Found drowned in the canal" was returned.

**68 21 June 1873**

MIDDLEWICH PETTY SESSIONS

DRUNKENNESS **Thomas Hill** was summoned for being drunk and riotous at the Red Lion Inn, Winsford. Mr J H Cook appeared for the defendant. PC Bradley said on the 5<sup>th</sup> of May about half past twelve o'clock at noon, he saw the defendant come out of the Red Lion drunk. He went in again, and came out about half past two so drunk that he stumbled and fell. Thomas Hill, the defendant, said he was a boatman and plied from Edge Green Colliery to Mr Evan's salt works – the distance is 72 miles. They had to work at night because they could not in the daytime for fear of the "bobbies" who fined them for their horses having sore shoulders. (Laughter). He was tired and sleepy when he went to Hickson's about seven o'clock. He had three glasses of rum and new milk during the morning. He returned to the boat, and then went back to Hickson's at dinner time and had two glasses of ginger beer. He had had his thigh and hip broken which made him walk lame. Mr Hickson, the landlord, was called, and corroborated the defendant as to the quantity of drink he had been supplied with. He said Hill was not drunk, and left in about the same state he came – many men would take half a dozen glasses and be no worse for it. The officer persevered in his original statement, and Mr Cook's theory of defence was that the defendant was dull and sleepy and also lame from his accident, which was shown to have occurred 14 years ago, and this gave the impression that he was drunk. The Bench dismissed the case.

**69 28 June 1873**

RUNCORN PETTY SESSIONS

USING OBSCENE LANGUAGE **George Brown**, a boatman, was charged with using obscene language in Nelson Street on the 15<sup>th</sup> of June. PC Turner proved the case, and the Bench inflicted a penalty of 10s and 9s 6d costs, with the alternative of 14 days imprisonment.

**70 5 July 1873**

RUNCORN PETTY SESSIONS

ASSAULT CASE **George Beddowes** was charged with assaulting **Edward Minshull** at Sutton on the 23<sup>rd</sup> June. Complainant said he was engaged by the orders of his employers in removing some goods from the boat of which the defendant had been captain, but from which he had been discharged, and while so doing the defendant came up, used abusive language, and struck him. The Bench inflicted a penalty of 10s and 11s 6d costs.

USING OBSCENE LANGUAGE **John Santley**, a boatman, was charged with using obscene

language in Regent Street on the 23<sup>rd</sup> June, and was fined 10s and 9s 6d costs.

A CASE OF HARD SWEARING **Samuel Cook**, a boatman, was summoned for being drunk in Nelson Street on the 25<sup>th</sup> of June. He denied the charge. Sergeant Bebbington said a little after seven o'clock the previous Thursday evening, he was in High Street, opposite St Paul's Chapel, in company with three or four other police officers, and saw the defendant coming down the street staggering on the footway, so much so that they had to give way for him to pass. He saw him go down the street and turn up Nelson Street. Police-constables Turner, Whittaker and Fryer gave corroborative evidence. In defence, defendant said he was not drunk, but was working the same night until half past seven o'clock. He then called **Edward Webster**, who said he was captain of the flat *Camden*, and the defendant was the hand of the same flat. On the previous Thursday, the defendant was working with him at the flat from half past one o'clock at noon until half past seven at night, and was quite sober. After that, they were a quarter of an hour straightening the flat, and then went together to Doctor's Bridge, where the defendant left him and went to purchase a loaf. He returned in about five minutes, and they went on board the flat together, and at a quarter past ten went down the locks with the flat again. Albert Notzing said he was a driver residing in Mill Street, and on the night in question met the last witness and the defendant at five minutes past nine o'clock at Doctor's Bridge, and the defendant was quite sober. Thomas Greaves said he was a labourer at the works of Messrs Haslehurst, and saw the defendant at work at half past seven at night, quite sober. The Bench dismissed the case.

#### 71 19 July 1873

OBTAINING MONEY BY FALSE PRETENCES &c Thomas Smith was brought up at the office of Messrs Nicholson, White and Nicholson on Thursday, before B Pierpoint Esq, charged with obtaining 1s from Mrs Ann Clare, shopkeeper, Latchford, on Monday last. Prosecutrix said she was in the habit of lending money to her customers when they needed it. On Monday the prisoner came to her shop and stated that **Richard Lewis**, a regular customer of hers, had sent him to ask her to lend him 5s. She, however, not knowing prisoner, refused to lend him that amount, but after a great deal of conversation between herself and prisoner, she lent him 1s, after which he left the shop. Richard Lewis, a boatman in the employ of the Navigation Company, now denied ever having commissioned prisoner to borrow money from the prosecutrix, and stated that whenever he required money from her he always went himself. Sergeant Wood, having deposed to apprehending the prisoner, said when he charged him with the offence, prisoner said Lewis had sent him for the money. Prisoner was committed for trial. Prisoner was further charged with stealing a pair of trousers, a shirt and a handkerchief, the property of Richard Lewis and **James Whalley**, on the 15<sup>th</sup> inst, from the boatmen's cabin at Latchford. Prosecutors having stated the facts of the case, prisoner was committed for trial.

#### 72 19 July 1873

##### RUNCORN PETTY SESSIONS

GAME TRESPASS **David Jones** was charged with trespassing on the 10<sup>th</sup> July, on land at Halton in the occupation of John Smith, in search of game. George Rigby said about seven o'clock in the evening there was a steamer going up the canal with two flats in tow, from off one of which the defendant jumped, turned a bridge which was across the canal, and sent a dog to hunt on the land. By the defendant : He did not go on the land himself, but sent the dog on it. William Edwardson said he saw the defendant get off the flat, and set the dog on to hunt the land by waving his hand to it. Defendant said he jumped ashore, in obedience to the order of his captain, to turn the bridge, and neither went on the land adjoining nor set a dog on it. There was a dog there which was not his, but belonged to a person who was on the steamboat. **James Hayes** said he was captain of the flat on which the defendant was a hand, and he ordered him to get ashore and open the bridge, and he did so, but he neither set the dog on the land or waved his hand to it. The dog was on the land before the defendant got to the bridge, and it belonged to a young man from Warrington who was on the



steamer. **George Dickenson** said he was on board the other flat, and did not see the defendant wave his hand to the dog. It came past him (witness), and at every bridge came to the side as if to see whether it was to come on board or not, but the defendant did not know anything about the dog. Mr Brundrit said he believed the statement of the two witnesses for the prosecution that the defendant waved his hand to the dog to send it on the land, which he had no right to do. He had done wrong in so doing, and must therefore pay a fine of 10s and 18s 6d costs, and in default be imprisoned for a month.

**STEALING COALS** **Isaac Cundliffe** and **Thomas Williams**, boatmen, were brought up on remand charged with stealing on the 8<sup>th</sup> of July two cwt of coals of the value of 2s, the property of Joseph Davies, merchant of Runcorn. Mr Day prosecuted, and after stating the facts of the case, called William Haddock, who said he was foreman to Mr Joseph Davies, coal and salt merchant. A little after eight o'clock on Tuesday morning the 8<sup>th</sup> of July, he was going over Waterloo Bridge, and saw the prisoner Williams by the side of two narrow boats, the *Maude* and *Elizabeth*, of which he was the "hand" and the prisoner Isaac Cundliffe the master. Williams was taking coals out of the boats and putting them into a wheelbarrow which was alongside the boats on the canal bank. He watched him, and drew the attention of another of the steerers, **William Barton**, to what he was doing. He (witness) then went over the bridge as if he was going to the office of Mr Joseph Davies, the owner of the boats, but seeing Williams wheel the barrow towards Waterloo Bridge, he turned back and followed him. He wheeled the coals along Waterloo Road and Rutland Street to the shop of Mr Lockett, and there lifted up the grid, and began to discharge the coals into the cellar out of the barrow with his hands. He went up to him and said, "What are you doing with those coals?" He made no reply. Mr Lockett came out, and he asked him if he was buying the coals from the man. He made no reply, but Williams said, "No, he is not buying them. Do you not allow us coals to burn?" He (witness) replied, "Yes, but not to sell or give away, and I shall draw the attention of Mr Davies to the matter, and let you know that the coals are not yours". The men on the boats were allowed coals to burn for their own use in the cabin, but were not allowed to take any away from the boats. The barrow which Williams had was full, and had about 3 cwt of coals in it. He did not lose sight of prisoner while he was wheeling the coals except for a moment when he turned round the corner of the street. William Barton gave corroborative evidence. William Lockett, provisions dealer, Runcorn, said on the previous Tuesday the prisoner Cundliffe, who lived in one of his cottages, called in to pay him his rent. They went together to the Waterloo Hotel and had a glass of ale each, and Cundliffe said that he was going to leave the house and the boat, and go to Manchester to live. He said he had part of a barrow of coals which he might as well have as anyone else. He asked him if they were his own, and he replied, "Yes, or I would not give them to you". The landlord of the public house was present, and said he would not mind having some on the same condition. Cundliffe then asked him to lend him a barrow, and he consented to do so, and Cundliffe asked Williams, who was there, to fetch the barrow and take the coals to his (witness's) house. The coals were brought to his house by Williams and put in his cellar. By Cundliffe : Did not remember hearing him say the coals were on board the boats. Inspector Buckley said he apprehended Williams on Wednesday afternoon at Marston, and charged him with stealing 3 cwt of coals from the boats belonging to Mr Josh Davies at Runcorn, and selling them to Mr Lockett, Rutland Street. He replied, "That will have to be proved whether they were sold or not". On the following Friday, he received the prisoner Cundliffe from the Manchester police, and made the same charge to him he did to the other prisoner. He replied, "I went to Lockett to pay him some rent which I owed him, and we then went to a public house together. While I was there, Williams asked me what I was going to do with the coals in the boat, and I told him I would have nothing to do with them, and he could do with them what he liked. I neither gave nor sold them to Lockett". On Wednesday, he (witness) went to Lockett's house with Mr Haddock, and received the coals produced, which were in the cellar, and identified by Haddock as those which had been taken from the boat. Sir R Brooks said there was no doubt that the prisoners took the coals from the boat, and in so doing did wrong. They, however, did it in a very open way, which looked as though they thought they were not

committing a felonious act. The Bench would therefore pass upon them a light sentence, and commit them for 14 days' hard labour. Mr Day said, although the amount of the coals taken by the prisoners was small, Mr Davies, during the year, lost a large sum by such practices, and he was compelled, for his own protection, to take proceedings against those who were caught. Sir R Brooks : We do not wish to send men to prison, but when they are brought before us on such charges, and they are proved, we have no help for it.

### 73 26 July 1873

RUNCORN POLICE CASES **Ellen Bridge**, boatwoman, was charged with being drunk on the 17<sup>th</sup> inst, in the High Street, at half past eleven at night. She had a baby 14 days old in her arms, and some of the people who were there said she had put its heels instead of its head to her breast to suckle it. She hugged it in her arms and turned it about as a child would a kitten. She had previously been imprisoned for twelve months for starving an infant child to death through her drinking habits. She was fined 5s and 8s costs for the present offence.

### 74 26 July 1873

RUNCORN PETTY SESSIONS

WORKING HORSES WITH SORE SHOULDERS **Thomas Haddock** was charged with cruelly ill-treating a horse at Weston on the 17<sup>th</sup> July, by working it when it was unfit to work. PC Holmes said the defendant was driving a horse which was hauling a loaded flat along the Weaver Canal. He stopped the horse and examined it, and found two sores on one shoulder and three on the other, each of which was about the size of a shilling. The defendant was in the employ of **Samuel Rogerson** of Northwich, and he said his master did not know anything of the condition of the horse. Inspector Buckley said he did not know whether it was the masters or the drivers who were determined to break the law, but one thing was certain, that it was an understood thing between them that the men, when caught, should say that their masters did not know anything of the matter. Mr Brundrit said this was the third time this defendant had been brought up within a few weeks, and he must pay a fine of 40s and 9s 6d costs, and in default be imprisoned for two months. He paid the money.

**John Haddock** was charged with cruelly ill-treating a horse at Weston on the 17<sup>th</sup> July, by working it when it was unfit to work. PC Robson said the defendant was driving a horse which was hauling a loaded flat along the Weaver Canal. He examined the horse and found on the left shoulder two raw wounds, one of which was about the size of a shilling and the other one of a half crown piece. They might be a day or two old. The defendant worked for **Mr Aspull** of Barnton, and he said his master did not know anything of the condition of the horse, as it was well when it left home. He was fined 10s and 7s 6d costs.

### 75 2 August 1873

NORTHWICH POLICE COURT On Tuesday, before Major Fox, **James Barger**, a lad 13 years of age, was charged with having fraudulently converted to his own use a pair of trousers, waistcoat, shirt and a pair of stockings and a cap, the property of **William Carter**, a boatman on the Trent and Mersey Canal. On the 6<sup>th</sup> July, the prosecutor's boat was moored at Anderton, and the prisoner, who was employed by him, went to play. It came on to rain, and he returned thoroughly drenched. Prosecutor lent him the articles named above whilst his own were drying, and he soon after disappeared with them. On the 27<sup>th</sup>, prosecutor saw him at Rudheath wearing some of the articles, and gave him into the custody of PC Blythen of Barnton. Committed for trial at the next Knutsford sessions.

### 76 2 August 1873

RUNCORN POLICE CASES At the Runcorn Police Court on Tuesday, before R M Brooke Esq, **Henry Williams**, a flatman, was charged with stealing at Birkenhead, at one o'clock on Saturday morning last, 2,000 yards of calico of the value of £20 16s 8d, the property of the London and North Western Railway Company. Inspector Buckley said he received information of the robbery

from Inspector Thompson, who was in the employ of the London and North Western Railway Company at Liverpool, and about twelve o'clock the previous night went to the prisoner's house in company with Sergeant Bebbington and PC Turner to apprehend him. They knocked at the door for fifteen or twenty minutes, and being unable to burst it open, and on going upstairs, before he got to the top, he saw someone move towards the room window. He rushed to the window and caught hold of one of the legs of the prisoner, who had got his body and other leg through the window and had hold of the spout with his hands. Sergeant Bebbington and PC Turner, who were in the yard, upset a water tub and got upon it, and when the prisoner saw that there was no chance to escape, he relinquished his hold of the spout, and was taken into custody. He was remanded to Birkenhead to be dealt with by the authorities there.

## 77      2 August 1873

**EXTRAORDINARY AND FATAL ACCIDENT ON THE CANAL** A melancholy and remarkable accident occurred on the Bridgewater Canal, between Brooklands and Timperley, on Tuesday afternoon, whereby a Mrs Downing from Manchester and her daughter-in-law received serious injuries. They were passengers in a packet boat on the canal, and the towing rope of a flat coming in the opposite direction got foul of the packet, swept over it, struck those women, who were not in the cabin where they would have been safe, but outside enjoying the air. The elder woman was killed on the spot, some say by strangulation, some say by her head being brought in contact with the woodwork beside her. As no medical evidence was taken, the real cause of death was not positively proved, but there was what appeared to be a fracture of the skull. The younger female received severe lacerations of the face and hand. She was conveyed to the Altrincham hospital, where she received every attention, and is now progressing favourably. The inquest on the deceased was held on Wednesday evening before W R Dunstan Esq, at the Navigation Inn, Broadheath. Mr Hayward, solicitor, appeared to watch the case on behalf of the Bridgewater Canal Navigation Company. Mr Noble, the secretary, and Mr Boddington, the traffic manager, were also present. The following evidence was given :-

Paul Downing of 24 Milton Street, Chorlton-on-Medlock, said as follows : The deceased, Eliza Downing of Manchester, was the widow of Richard Downing and was my mother. She was about 60 years of age. On Tuesday my sister-in-law, Jane Downing, with her three children, my brother James and I, came from Manchester in a boat belonging to the Bridgewater Navigation Company, used as a passenger boat from Knott Hill. We were going to Timperley. When passing Brooklands and near the bridge, we were sitting on the deck near the cabin. I saw a horse drawing a boat meeting us. The horse was galloping. The driver was urging it on, and our boatman called out to him to drop the line. Both boats were going at a good rate. The line from the boat meeting us, passed over our line and swept everything before it. Immediately I saw the line, I dropped down into the hole leading to the cabin. I cried out to mother. I saw her tongue out of her mouth. The rope had passed under her chin and then over her face, which was cut in several places. She was quite dead when I got to her. My sister-in-law and others were injured. The boat was stopped, and the body removed from it to the bank, but afterwards put again in the boat and conveyed to Broadheath, where it was placed in an outbuilding connected with that house.

**William Speed** of Stockton Heath said : I am captain of the passenger packet *Countess Grosvenor*, plying on the Bridgewater Canal from Knott Mill to Stockton Quay. The deceased was a passenger on Tuesday. She was sitting on the cheese plank, which is on a level with the outside planking. When about half way between Brooklands and Timperley, I saw a boat coming in the other direction. I was steering. It was a large flat called the *Cadiz* drawn by two horses that met us. He stopped his horses for mine to go over his line, then he walked his line up again, but it did not drop time enough to let my boat go over. His line swept our deck, pulled our mast down, our middle beam and all. It went right along till it caught the woman. I did not see how it caught the deceased. I called to the women to get below as far as they could get, but they had not time to do so. The result was she was killed. We stopped the boat as soon as we could, and when we found the state of the deceased, we came to Broadheath as fast as we could and sent for a doctor. Mr T T Blease came

whilst the deceased was still in the boat. My horse was going four miles an hour when the accident happened. The driver of the flat was walking, not trotting. It is the duty of such boats to stop for us. The regular packet has gone to be repaired, and the Countess Grosvenor is one we had in the place. In answer to a Juror : The regular packet has a safeguard to prevent a rope from sweeping the deck. There were some boxes on the cheese plank, and he thought the deceased sat on them. He told them to get off there and go and sit in the cabin, where there were seats for them. The driver of the flat ought only to have drawn up the slack of line, not to draw it up tight as he did. To Mr Hayward : After we slacken a rope for a horse to go over, if it was not tightened a little, it would be drawn under the barge it belongs to.

Mr Hayward here stated that the packet had been detained at the adjoining wharf for the jury to inspect if they liked.

The jury went out and inspected the packet accordingly.

**John Woolnar** of Runcorn, after being cautioned by the Coroner, said : On Tuesday afternoon, I was driving two horses drawing the flat *Cadiz*, loaded with cotton, going to Manchester. About four in the afternoon, when between Timperley and Brooklands, I met the packet and dropped my line for the horse to go over, which it did. I then walked my first horse up about four yards and stopped it. The other horse was a bit behind, but followed up and came abreast. When I saw the line had fouled, then I unhooked the line from the first horse and ran to the other to unhook it, but was not in time before the line became tight. My horse did not gallop when I took up the line, but walked. We drop the line to let another horse go over, and then draw it up a bit. I stopped and helped to get deceased out of the packet, then after she was put in again, put my two horses to the packet and got it to Broadheath as quick as I could. The rope caught the deceased by the neck or mouth, and forced her against the stand or piece of wood that supports the planks to run down. I did all I could to unloose the line and prevent anything happening, but it was the second horse that was the cause of it. We have not had these horses long.

Mr Hayward said there were several witnesses there from the company to answer any questions if wished for.

The Coroner said that the first evidence given seemed to bear rather strongly against the driver of the *Cadiz*, because it was stated that he was galloping, but that had been contradicted by the other evidence. He had attended the inquest and submitted to be examined, after being duly cautioned. His evidence had simplified the matter very much. The Coroner here read the evidence as to the man walking his first horse just four yards, and it walking up itself and causing the mischief. The jury would have to consider whether there was negligence on the part of the driver, and if so, whether that was of so gross and culpable a nature as to warrant them in giving a verdict of manslaughter. It seemed to him that they could not do that, and he could not but observe that the man had behaved very well after the accident. They might further consider whether there was any blame to the captain of the packet, or to those who substituted this for the other boat.

The room having been cleared of all but the jury, they remained for some time in consultation. On our re-admission, the foreman, Mr James Fletcher, said : We find a verdict of accidental death, but think the driver of the *Cadiz* should have a reprimand, for not having more command of his horses ; and as a recommendation to the company, we wish to suggest that when the regular packet is under repair, the boat used should have some kind of a safeguard. Further, we think that in the case of boats passing these packets, they should never pull up for tightening.

## **78      18 October 1873**

### **CHESHIRE QUARTER SESSIONS**

**EXTRAORDINARY CHARGE AGAINST THE BAILEE OF A HORSE** James Grimshaw was indicted for that he, being the bailee of a certain horse, the property of Robert Dutton, did fraudulently convert the same to his own use at Grappenhall on the 25<sup>th</sup> August. Mr Ffoulkes prosecuted and Mr Brandt defended. Robert Dutton, the prosecutor, said he was a marine store dealer living at Broadheath. He bought a horse from the prisoner on the 22<sup>nd</sup> August, for which he gave £5. Prisoner came to him on the following day, and said, "Dutton, I can't get a horse

anywhere. Will you lend me one?" He lent him a grey pony to go to Runcorn on condition that he returned it on Wednesday following. He never mentioned a "swopping" or "selling" to him. In consequence of the non appearance of the prisoner on the Wednesday, he made inquiries, and on Sunday went to the London Bridge near Warrington, where he ascertained that the horse was at Thelwell. On the Monday he obtained a warrant and, accompanied by PC Moorhouse, proceeded in search of the prisoner, whom they found in the waiting room at Warrington railway station. Witness said, "Hallo! Jim ; you are just the man we are looking for", to which he replied, "I was just coming down to settle with you. I have swopped your pony and brought you £5 and another pony". Witness said, "I want my own pony. I did not tell you either to swop or to sell". The pony was valued at £10. Cross-examined by Mr Brandt : I always do my own business. - Has anyone ever sold any horses for you? - Witness (after some prevarication) : Yes, in a fair. Thomas Williams, a marine store dealer residing at Winwick Street, Warrington, said the prisoner came to him on the 25<sup>th</sup> August with a man named Thomas Hart. The latter said that the prisoner had got a pony and would take £5 and another pony for it, if he could get it. Witness said he would have a look at the pony, and if it suited him he would make the exchange he wanted. Prisoner told him that Robert Dutton had given him permission to sell the horse if he could get for it £5 and another pony, or he might sell it out and out for £10. Witness gave the prisoner his own pony and £5 10s for the grey pony, the 10s being for himself. On the same day witness took the pony out, and it "backed" him and his little girl into a ditch – laughter – and he consequently sold it. Cross-examined by Mr Brandt : Dutton told me that the constable had persuaded him to go on with the case. He said he had let him (prisoner) have the horse on these terms – that if he brought back £5 and another pony, he would be satisfied. Re-examined : Prisoner was out on bail. I saw him on Monday and Tuesday, and came in the train with him. PC Moorhouse said he was stationed at Broadheath. He received a warrant for the apprehension of the prisoner on the 1<sup>st</sup> September. He went in search of him with Robert Dutton. He apprehended the prisoner in the waiting room of the Warrington railway station. He said to Dutton, "Oh, Bobby, I heard you were at London Bridge making a bother about that horse you lent me. I was coming down to your house now to settle with you for it". He further said, "I have sent a pony for you by the road, and I was coming down to settle with you for the remainder". Dutton denied having told him to part with the pony. Witness, on searching the prisoner, found in his possession £1 4s 4d. Mr Brandt : Were you reported for anything on that occasion, or about that time? Witness : Not to my knowledge, sir. Mr Brandt : It is, of course, perfectly untrue that you have pressed Dutton to carry out this matter? Witness : It is quite untrue as regards having pressed him. Mr Brandt, having addressed the jury, contending that his client had no felonious intention in disposing of the horse, proceeded to examine witnesses.

**Thomas Gough**, boatman, said that on the 1<sup>st</sup> of September he heard Bobby Dutton say to **Frederick Smalley**, to whom he was selling a horse, "No, I shall let no more horses go on that condition, for I have lent James Bramhall one to haul him to Runcorn, and gave him the privilege to sell it or swop it, if so be that he would bring me back some money". Mr Brandt : Who is James Bramhall? Witness : The prisoner ; that is his nickname. William Jones was also present. By Mr Ffoulkes : He (Dutton) said he was going to fetch James Bramhall a warrant for not turning up to his time. The Foreman of the jury at this juncture rose and said that the jury were quite convinced that there was no charge of stealing this horse made out as against the prisoner, and it would only be a waste of time to proceed further with the case. The Chairman said the jury had a perfect right to interpose if they thought proper. In a moment or two, one of the jurors rose and said : We are not all agreed. A portion of us have not given our voice to that verdict. The Chairman : The case must go on then. **William Jones** and Frederick Smalley, both boatmen, corroborated Gough's statement. William Blinston, iron broker, Warrington, said : I saw Dutton on the day on which he took out the warrant. He said he lent Grimshaw a pony, about 13 hands, to go to Runcorn, but he told him that if he could get £5 and another old horse or a pony for it he might do so ; but as he did not turn up according to time, he thought he would take a warrant out against him. He further said that he would not have fetched the warrant if it had not been for the persuasion of the police officer. In cross-examination by Mr Ffoulkes, this witness said he was at the police court when the prisoner

was examined before the magistrates, but as he was not a witness, he was ordered out of court. Part of Dutton's evidence was given while he was present, but he could not say that he heard it. Mr Ffoulkes : Do you mean to say, on your oath, that all those who were not witnesses were ordered out of court by the magistrates? Witness : I mean to say that I was ordered out of court. Mr Ffoulkes : Will you answer my question? Witness : I mean to say that I was ordered out by the police-constable, not by Mr (?Stone).

The Chairman, in putting the case to the jury, said the point they would have to debate was whether the prisoner had the (..... ..) which was alleged by the prosecutor. The Foreman : We should like to know what had become of the money which the prisoner received for the horse. Mr Ffoulkes : We should be very glad to know that. Mr Brandt : If you wish to know, you shall know ; the wife has got it. The Foreman : Has the prosecutor sustained any loss? The Chairman : That has nothing to do with the case. You have simply to say whether or not the prisoner disposed of the horse with the intention of stealing the proceeds. The jury then retired to consider their verdict, and during their absence, Mr Superintendent Steen, in reply to Mr Ffoulkes, said that the witness Bliston was not ordered out of the police court, as he alleged. He was not aware that any complaint had been laid against PC Moorhouse. In half an hour, the jury returned with a verdict of "Not Guilty".

## **79      25 October 1873**

**MELANCHOLY CASE OF DROWNING AT RUNCORN** On Wednesday last, an inquest was held at the house of Mr William Roberts, the London and North Western Hotel, before T J Ridgway Esq, coroner, touching the death of Thomas Dickens, who fell into the Bridgewater Canal at Runcorn the previous Monday night. Ann Scott said she was the wife of James Scott, labourer, and the body the jury had viewed was that of Thomas Dickens. He was 25 years old, had been employed at the quarry of Messrs J L Wright and Son, and lodged with Catherine Ackerley at Weston. The last time she saw him alive was on Monday 4<sup>th</sup> August, when he walked in the Good Templar procession at Runcorn. She knew him well, for he lodged with her for nearly seven years. He used to be teetotal for three or four months, and would then break down and be on the spree for a week or two. John Withington said he was a shipwright, and on Monday night was going to his residence in Greenway Road, across Doctor's Bridge, and heard some respectable young women whom he knew say that there was a man in the canal. He ran to a boat, got a boat hook, and with it drew the deceased, who was in the Bridgewater Canal face downwards, to the side, and a boatman and a young man assisted him to get him out. He sent for a police officer, and afterwards assisted to remove the body to where it then lay. When the deceased was got out of the canal, they laid him on his side and did what they could to bring him round. He moaned when they were getting him out of the canal, which they were some ten minutes in doing, as at that point there was a wall some six or seven feet above the level of the water. He believed that if there had been a receiving house near, the deceased could have been restored. Inspector Buckley said he was going up High Street on Monday night a little before twelve o'clock, and was told that a body had just been taken out of the canal, and that as the man was heard to moan when being taken out, they could not tell whether he was living or dead. He ran and knocked at the door of Mr McDougall, surgeon, and that gentleman at once answered it, and went with him to where the deceased lay on the canal bank, as described by the previous witnesses. He and others carried the body to the London and North Western Hotel, and were there a considerable time before the door was opened. During the time they were at the door, Mr McDougall did all he could to restore animation, but when a light was brought he pronounced the man to be quite dead. He had not doubt that had there been a receiving house close at hand, and a supply of hot water and brandy, the life of the deceased would have been spared. The jury returned a verdict of "Found drowned", and appended thereto a presentiment that the road from Doctor's Bridge to the Old Soapery was very unsafe, and they recommended that the Runcorn Soap and Alkali Company, to whom the road belongs, should fence the same off from the Bridgewater Canal, either by a fixed or moveable fence of iron stanchions and chains. A conversation also took place amongst the jurors as to the desirability of having a receiving house for bodies found in the water, there being few places where more persons are discovered than in Runcorn, and none with

worse accommodation for such cases. Mr Dobson, one of the jurors, who is one of the Runcorn Improvement Commissioners and member of the Sanitary Committee, was requested to bring the matter before that body, and to urge upon them the desirability of joining with the Bridgewater Navigation Company in providing a receiving house.

Since the inquest was held, it has come to the knowledge of the police that at 20 minutes past eleven o'clock on Monday night, a gentleman found the deceased lying in Greenway Road near the Primitive Methodist Chapel, and raised him up and set him on his way to Weston ; and the supposition is that he must afterwards have got confused, returned down the road towards Runcorn, and walked into the canal.

## **80 8 November 1873**

### NOTICE

I, **WILLIAM SEDDON**, waterman of Mill Brow, Heath Road, Runcorn, will not be answerable for any debt or debts my wife **MARGARET SEDDON** may contract after this date.

Runcorn, November 6<sup>th</sup> 1873

(Signed) **WILLIAM SEDDON**

## **81 20 December 1873**

### RUNCORN PETTY SESSIONS

**ALLEGED REFUSAL TO SUPPORT A PARENT** **George Bettley**, a flatman, was charged with refusing and neglecting to contribute to the support of his mother, who was chargeable to the common fund of the Runcorn Union. Mr Fitten, collector for the Runcorn Board of Guardians, said the case was heard on the preceding Monday, and as the defendant stated that he had ill health, and that the flat with which he went when he was able, and which was alleged to be his property, was not so, but belonged to a lady near Liverpool, it was adjourned to enable him (witness) to make further inquiries. The same afternoon he went to Bootle, and there saw Miss Martha Carter, who was a maiden lady of some means and the aunt of defendant's wife, and she said that she bought the flat and gave it to him for a living. In defence, defendant said the flat belonged to Miss Carter, and handed to the Bench a note from her stating that the flat was bought by her for the defendant, as his health was such that he could not work for anyone ; that he and his wife had lived with her for six months at a time, when he was not able for weeks to do any work in consequence of ill health, and that she maintained them ; and that of what little she got from the flat, she gave him the half back again or he would starve. The defendant also handed to the Bench a certificate from Mr McDougall, surgeon, stating that he suffered from chronic rheumatism in the head. Mr Fitton said some party had been to see Miss Carter before he saw her, as she was very unwilling to say anything, and when the defendant was unable to work he had pay from his clubs, and had the doctor free. Defendant said he was unable to pay anything towards the support of his mother, and called Evan Evans, who said he had worked "three spells" with the defendant, whose health was very bad, and he had to get men to help him to load as the defendant could not do so. He had known him to be paid up ill for six months ; and when he was at work, he was liable at times to fall overboard, and had to be taken into the cabin. Defendant said he was laid up from January to July in the present year. The Bench dismissed the case.

**ALLEGED BREACH OF THE MASTERS AND SERVANTS' ACT** **Thomas Williamson**, a boatman, was charged with that he being the master of the flat *Phoenix*, and a servant in the employ of the "Traders' North Staffordshire Carrying Company" did, on the 6<sup>th</sup> of December, disobey the orders of his employers, whereby they sustained damage or loss for which they claimed £5 as compensation. He pleaded not guilty, and was defended by Mr Bishton, from the office of Mr Fletcher of Northwich. Mr Day prosecuted, and said the summons was taken out under the Master and Servants' Act. The defendant was a servant in the employ of the Traders' North Staffordshire Carrying Company, and on the 6<sup>th</sup> of December disobeyed their orders at Weston Point, whereby they had suffered considerable loss. He then stated the case for the complainant, and called William Robinson, who said he was general manager and secretary of the Traders' North Staffordshire

Carrying Company. The defendant was their servant as master of the flat *Phoenix*, and they paid him his wages fortnightly. The flat was hired by agreement from Mr Okell of Northwich. Some 12 or 18 months ago, some of the men in the employ of the Company asked for an advance of wages, and said that if their request was not granted they would strike. The defendant was one of them, and in consequence of that demand, an agreement was entered into by which he got more wages than he had previously had, the agreement with Mr Okell and the company being only in respect to the hire of the flat. By Mr Bishton : The defendant was a servant of the company, and was paid his wages by them. Was not aware that it was the custom, at all events as far as the company was concerned, that the owner of a flat engaged the captain, and that if any damage occurred, the owner and not the captain was liable. The agreements produced were cancelled. The one now shown him was with Mr Okell for the hire of the flat, which with the crew, they took from him on the understanding that the men should be under the company, and be paid by them, and be subject to dismissal by them. By Mr Clarke : The defendant had not been specially hired by the company, but he received his wages from them, and had also had them advanced. By Mr Bishton : The claim of £5 was for loss of time, labour of the flat, and the cost of getting up steam, which was useless through the defendant's refusal to obey orders to take shipment goods to Liverpool. He believed the night was a fit one for the voyage. The letter produced was written by Mr Okell, in consequence of the defendant saying that he had ordered him not to go out with the flat in stormy weather, and the reply he got from Mr Okell was that he gave him no such orders, as he was fully protected against loss by his agreement with the company. The flat was able to carry 100 tons, whereas, on the night in question, she had not more than 45 tons on board, and other flats went down the river on the same tide. **Thomas Oxworth** said he was master of the steamtug belonging to the complainants, and was at Weston Point with the steamer at midnight on the 5<sup>th</sup> of December. The defendant was there in his flat, and at 12.45 he asked him if he was going down to Liverpool. He said he was not, as the weather was not fit, and he (witness) then told him that Mr Robinson had given him orders that if the Duke's steamers went, they must go also. The Duke's steamers, with flats in tow, did go that tide. The weather began to go calmer, and he again asked him if he was going, and he said he was not. The defendant's flat was laden with crates and the usual way, and there would have been no danger in her going to Liverpool. The steamtug remained at Weston Point until the next midday tide, and then took the defendant's flat to Liverpool. By Mr Bishton : He told the defendant he would put him in a place of safety at Liverpool if he would go, but he would not. The Duke's had a harbour of refuge at Liverpool, and so also had the complainants, in the Prince's Dock. Did not tell the defendant that he would leave him at New Ferry. Mr Bishton then addressed the Court for the defence, and contended that the defendant had been at work 25 hours ; that the night was not fit for a voyage to Liverpool with a top heavy cargo of crates such as he had ; and that if he had done any wrong, the complainants had their remedy, not against him, but against Mr Okell. He then called the defendant, who said he had been at work with very little intermission for nearly 25 hours and, when he returned from Anderton to Weston Point with a load of crates, it was blowing a gale. The Duke's had a harbour at Liverpool, but the complainants had not, and some captains who came up from Liverpool said it was very rough there. He would have gone to Liverpool had there been a harbour to have gone into, but if he must have (...) in the river, there would have been a great risk of his life and the cargo also. He could have got into a dock by paying a fee, but the last time he did so he had to bear the loss of it. **Richard Clarke** said he was harbour master at Weston Point, and on the night in question, from eleven o'clock until half past twelve, it was blowing an ordinary gale, and it would not have been prudent to have got out in it with a top load. He saw the Duke's steamers and flats go out, and after high water the wind moderated, and he said to his deputy, **John Penny**, that the defendant might go as the crates were wanted. The steamtug was tied up, in an illegal berth, and had to be removed. By Mr Day : It was unusual for a steamtug to come in the dock if she was going down to Liverpool but, if she was in, it was not unreasonable to tie up when she was in. He did not see Oxworth at all after twelve o'clock, and he did not believe that he was on board after tying her up a little before twelve. The Bench recalled Oxworth, and he said it was not true that he left the steamer before 12 o'clock. He was there a long time afterwards, nearly two



hours, and when he got to Runcorn the clock struck three as he was entering his house. John Penny said he was deputy harbour master at Weston Point, and on the 5<sup>th</sup> December the complainant's steamer came into the dock about twelve o'clock and tied up on the West side. About half past twelve o'clock, he saw the captain of the steamer on the pier, about 200 yards from her, and going in the direction of Runcorn. By Mr Day : He might have returned and he not have seen him. It was not fit at the time to go down the river. He had been 29 years on the place at Weston Point, and before that was captain of a flat for several years. It was fit to go a little before high tide, which was at ten minutes to one o'clock, and after that it was quite safe to go. At the request of Mr Day, the Bench called Sergeant Bebbington, who said he met Oxworth on the Pier at ten minutes to one o'clock, going in the direction of the defendant's flat. It was high water at ten minutes to one, and with the turn of the tide the wind dropped very much. William Okell said he was the owner of the flat *Phoenix*, and the defendant was appointed master of her by him. He would not allow any hirer to put a captain on board any of his vessels. The defendant was a very good servant, and he did not think that he could find a better. John Molyneux said he was a pier hand man at Weston Point, and on the 6<sup>th</sup> December at 12.20 in the morning, it would have been dangerous for the defendant to have gone down the river, but after half past one he could have gone. Mr Brundrit said the whole case hung on whether it was fit for the defendant to go down the river with his flat when he was asked to do so, or was it not? And did he, in refusing to do so, disobey a reasonable command? The evidence showed that the weather was unfit for him to turn out with his cargo, and the Bench were of opinion that he properly and prudently refused to go, and did not in so doing disobey a reasonable command, and they therefore dismissed the case on that ground, and on that ground only. Mr Bishton appealed for the costs of attorney, but the Bench refused the application.

### **82 20 December 1873**

FATAL ACCIDENT AT WINSFORD **John Powell** of Barnton, master of the flat *Lark*, lying at Winsford, on returning on board his vessel about nine o'clock on Tuesday night, fell off the towing path on to the deck. He was not seen until next morning, when he was found lying insensible. Medical advice was obtained, and he was taken home to Barnton, where he died about noon on Wednesday.

### **83 27 December 1873**

THE SUSPECTED CASE OF ARSON AT RUNCORN At the Runcorn Police Court on Friday, before John Brundrit and S B Chadwick Esqs, David Robinson, aged 17 years, was brought up on remand from the previous Wednesday, on suspicion of having, on the 16<sup>th</sup> of December, unlawfully, maliciously and feloniously set fire to the shop of his brother, William Robinson, sailors' outfitter and clothier, Gilbert Street, Runcorn, with intent to defraud the Norwich Union Insurance Company. He was again defended by Mr Day. William Marsh said he was a licensed victualler, and kept the Bridgewater Arms Hotel in Gilbert Street, Runcorn. On Tuesday evening he was standing at his door at 25 minutes to nine o'clock, and saw the prisoner come to the door of his brother's shop, and he (witness) went into his house, which was next door. In about three or four minutes afterwards, a woman ran into his house and called out, "Fire at the next shop". He ran outside to the shop, looked through a nick in the shutters, and found that it was in flames. He ran into his house and gave an alarm there, and afterwards sent a man named Phillips to the police station to get the fire bell rung. He had known the prisoner for 18 months, and he attended to the shop regularly. It would be about three or four minutes after he had seen the prisoner at the door of the shop to the time when he saw the shop in flames. At the time, he (witness) was standing at his door, he heard a knock at the counter, and on going inside he served a person with a pint of ale, and stayed to receive the money for it, and while doing so, the alarm was given. By Mr Day : Was standing at the door about five minutes, and had been standing there about three minutes when the prisoner came to the door of the shop. It was about three minutes after he returned into the house when he heard the alarm given. It could not have been five minutes, and when he came to the outside the smoke and sparks were coming through the chimney. Had no means of judging of the time, except from his own thoughts.

**Thomas Phillips** said he was a boatman, and was in the house of the last witness, and from what was said to him, he ran outside and saw the shop next door was in flames. They were coming through the lower window, and he ran to the police station and gave an alarm for the fire bell to be rung. On his way to the police station, he passed Robinson's other shop in High Street, about 250 yards from the one which was on fire, and there saw the prisoner standing on the doorstep. He said, "Bill, Bill, your shop's on fire", to which he replied, "I have not left it above a minute", and he then ran off in the direction of the fire. By Mr Day : After giving an alarm at the police station, he returned and helped at the fire, and there saw the prisoner doing his best to put it out, both inside and out, and running for water. When he saw him standing at the doorstep of the shop in High Street, he went close up to him, but did not perceive anything peculiar about him. Thomas Roberts said he was mate of the schooner *Priscilla*, and about half past eight o'clock on Tuesday night the 16<sup>th</sup> inst, was in the Bridgewater Arms Hotel. From what he heard, he went outside, and saw smoke coming out of the shop at the next door. He saw a light through the shutters, which he at once commenced to take down, and found that the shop was in flames. They immediately came through the window, the glass of which was broken, but did not know whether he broke it, or whether it was broken by the fire. He assisted in carrying water to put it out. The fire was put out in about a quarter of an hour. **James Molyneux** said he was a waterman, and resided in Duke Street, Runcorn. Between eight and nine o'clock on Tuesday night he was in his own house, and from what he heard, he ran to Robinson's shop at the Top Locks, and when he got there they had just taken down the shutters, and the flames were coming through the window. He assisted in putting out the fire ; the men handed the water to him, and he threw it on the fire. They succeeded in getting the flames down, and then went inside the shop and brought the counter out. When the fire engine came, they passed the hose through the window to him. The fire was then partly extinguished, but the top of the shop and the back place were on fire. In the back place, he saw from five to seven beds stuffed with straw on fire, and he noticed the communication between the back place and the shop. There was a door and a window, both of which were open, the window being nearly burned out. The beds were on the right hand side in the back place, almost opposite the window. The goods were burning all around the front shop. The counter was burning when he and others took it out. By Mr Day : The beds in the back place were sufficiently near to the window for the sparks and flames to catch them. The top ones were on fire, but the under ones very little. The top ones were of a red heat. Did not see the prisoner, but there were scores of people there. Sergeant Bebbington said he apprehended the prisoner about half past ten o'clock on Tuesday night, and charged him with wilfully setting fire to the shop of William Robinson, clothier and outfitter, about half past eight o'clock the same night. He replied, "I know nothing about any fire, I put all the gases out before I came away". He then asked him if they had had any fire in the grate that day, and he replied, "I cannot tell how long it is since there was a fire in. I think some children must have thrown something in among the boxes that were there, and it must have taken fire after I left". Ann Jane Scarlett Joule said she was a widow, and was agent in Runcorn for the Norwich Union Insurance Company, and Mr William Robinson, the brother of the prisoner, insured the contents of his shop in Gilbert Street with that company in June 1870 for £250. She had received no notion of the fire. By Mr Day : She saw Mr Robinson on Wednesday evening, and they spoke about the fire, and she told him she had written to the head office. Mr Day contended that there was not the least evidence of the prisoner having set the shop on fire. The Bench took the same view of the case, and discharged the prisoner.

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