

OXFORD TIMES

1 18 October 1862

CHRIST'S HOSPITAL At a meeting of the Masters and Governors of Christ's Hospital, held on Tuesday last. **Robert Castle**, boatman, was elected to an alms house in St Helen's Churchyard.

2 19 December 1863

Official Notices

JOHN COLES, DECEASED Pursuant to an Act of Parliament of the 22nd and 23rd Vic c 35 sec 29, entitled "An Act to further amend the law of property and to relieve Trustees", NOTICE IS HEREBY GIVEN that all persons being Creditors of, or otherwise having any claims upon or against the estate of John Coles, late of Kirtlington, in the County of Oxford, baker and coal dealer, deceased, who died on the 16th day of September 1862, intestate, and Letters of Administration of whose personal estate and effects were on the 8th day of October 1862, granted by the District Court of Probate at Oxford, to **William Coles**, of Kirtlington aforesaid, boatman, are requested on or before the 20th day of January 1864, to send to Mr George William Stone of Bicester in the County of Oxford, the solicitor of the said administrator, the particulars of their claims upon or against the said estate. And at the expiration of such time, the administrator will distribute the whole of the assets of the said intestate among the parties entitled thereto, having regard to the claims of which he shall then have notice. Dated this 10th day of December 1863,

G W STONE

County Court Office, Bicester, Oxon

Solicitor for the Administrator

3 12 March 1864

Borough Police

ANOTHER ASSAULT **Edward Hodin**, boatman, was charged with assaulting Richard Peake, a shoemaker.

Richard Peake, examined, said : I live in Windsor Terrace, Cherwell. On 28th of February last, a few minutes past midnight, I was returning home, having just left the Old George Inn, and was proceeding through the Crown Yard. When I was passing a house kept by a woman named Tysoe, there was some people standing about outside, one only of which I knew, a young man named Cox. I did not speak to anyone, but was just passing the door when a man rushed out and struck me a violent blow on the face. I should not have known that it was Hodin who did it, had not the woman called out his name to come in. I bled very much at the time, and lost two days work.

Cross-examined by Hodin : Did not try to burst open the door, or put my hand upon it.

Frederick French examined : Am a shoemaker, and live in the Catherine Wheel Yard. I was sitting in Tysoe's house, with Hodin and Mrs Tysoe, no one else. Someone came with a key, and tried to open the door, and afterwards kicked it. A young man named Cox came into the house, tried to kick up a row, and knocked the table over. I was sitting down at the time. Peake then came to the door and forced his way in. Mrs Tysoe tried to push him out. I saw Peake strike the woman once or twice, she then came back. Hodin jumped up and said don't strike her any more. Either Peake or someone else then struck Hodin. I got up and left the house and saw no more.

This witness was cross-examined by Peake, but nothing of any importance was illicit.

In answer to the Mayor, Peake emphatically stated that he did not know anyone in the Crown Yard, and that was his nearest way home. He was alone going home.

The prisoner was fined 10s and 11s costs, or 19 days imprisonment. Locked up in default.

4 May 21 1864

County Magistrates Chamber, May 16

THE ALLEGED ASSAULT AT THE LATE BOAT RACES Mr Thomas Randall of Grandpoint House, Alderman and late Mayor of Oxford, **Charles Cook** of Oxford, boatman, and Mr Edward Brockliss of Oxford, were summoned for having, on the 12th inst, assaulted **James Edwards**, bargeman of Abingdon.

Mr Randall conducted his own case ; and Mr Brunner of Oxford appeared for the two other

defendants.

Mr Randall's was a separate summons, and as he was ready with his witnesses before those in the case of the other defendants had all arrived, he applied to have his case gone into at once, as he said he could clearly and quickly answer the charge ; Mr Randall also requested to be informed whether the charge on which the summons against him was grounded had been made upon oath. He thought when proceedings of this kind were taken against people who held a position in life, that course was sometimes adopted, and not for a mere vague statement of a constable to be taken.

Mr Dodson said he was surprised at the question, and should have thought Mr Randall had known that it was not at all usual to take it on oath ; at any rate, it had not been done in his case.

Mr Challenor, the clerk, said he understood the case against the three defendants was all one.

The Superintendent of Police (Mr Hedger) – The whole case must be gone into in order to get the facts relative to Mr Randall out.

Mr Dodson : I consider his is for aiding and abetting.

Mr Brunner : I shall require to call Mr Randall as a principal witness on behalf of my clients, and if he is included in the summons against them, I cannot do so.

Mr Dodson : No, Mr Randall will not be called as a witness. It is all one case. I have not heard much of the case, but *from what I have heard*, I think it will be a grave question whether if it is gone into, we shall not have to send for an indictment to riot to be preferred.

Mr Randall : I am prepared to prove I was not on the scene of the affray at all ; that I was in my house all the time, and only came out for the purpose of giving the complainant Edwards into custody for doing what was dangerous to the public safety.

Mr Dodson said if that were so, and he could prove it, he would make out his case, and the charge against him would fail.

Mr Hedger, police officer – From what I have heard, Mr Randall was within fifteen yards, and in his shrubbery.

Mr Randall : What was I doing?

Mr Hedger : Urging the people on, and telling them to “kill him” and “throw him into the water”.

Mr Randall : (with an indignant and derisive laugh) Then let the whole case be gone into.

James Edwards, examined : I live in Back Street, Abingdon, and am a bargeman. On the 12th of May, between seven and eight o'clock in the evening, I was with my boat near Folly Bridge, Oxford. I had been waiting there about an hour for the boat races to finish. The racing had been over about twenty minutes, and the gentlemen had got out of their boats. I started my horse over the bridge. It is a towing-path bridge, and no people had any business there by right, except those belonging to the water. It is a way the people go down the river side. I had got two or three yards before I was first stopped. In answer to a question framed by the Chairman, witness said, I did not either by myself or my horse knock anyone down, nor did the horse step on anyone, except it might when they began knocking it about. I did not strike anyone from first to last. I was stopped, and they rushed in upon me. Cook used a punt pole. He punched me on the breast with it several times. He was in a punt. The path was crowded then. A gentleman struck me with an umbrella several times. It was Mr Brockliss. He struck at the horse, and he tried to poke me in the face. Then they caught hold of me.

Mr Dodson : Who?

Complainant : I cannot tell. I cannot say it was either of the defendants. I was covered with blood, and do not know. I was taken back to Oxford by a City policeman. I do not know why they took me in charge. They did not tell me for what they apprehended me. I was very sore all round the ribs. Mr Randall gave me in charge. I think my ribs were bad from their trying to push me over the rails. Mr Randall called to them to throw me over the bridge. I heard him say, “Throw him in the river and drown him”. He was over on his grass plat about fifteen yards off. I am sure it was Mr Randall. Cook said several times he would kill me with the punt pole.

Cross-examined by Mr Brunner : Had only a pot of beer between four of us while stopping at the Bridge. When I started with my horse, I had hold of his head, and on the water side of it. There were women and children on the bridge coming in different directions from me. (It was here stated

that the bridge was four feet six inches in width}. There was room for people to meet and pass if they came properly. A man cautioned me not to go over, and took hold of the horse. I told him to let go. I did go on amongst a throng of people. When I got on the crown of the bridge, Mr Brockliss tried to stop the horse, and I prevented him and pushed on.

Mr Brunner to the Bench : Do you think after this it is a case to go on with?

Mr Dodson (who seemed to have throughout a settled opinion of the case) : I do indeed. It seems to me a gross insult.

Cross-examination continued : I did not see a lady with Mr Brockliss. I went on over the bridge amongst the people after I had been stopped and warned. Mr Brockliss tried to poke my eye out with his umbrella.

I could see Mr Randall at that time.

Mr Brunner : I warn you that you may have to answer for these statements at another time.

Cross-examination continued : There was another man with Cook in the punt, but my eyes were so blinded with blood I could not see who it was. The pole did not come through the rails for the purpose of stopping the horse, but over them to strike me. I said he would kill me. Did not see Mr Randall at his window. When I first saw him, he was on his grass plat. He hollowed (*sic*) out several times I was to be taken into custody. I am not aware whether someone did not get my head under his arm and pummel me with his fist, and caused these marks in my face.

Mr Brunner : Don't you think your life was in danger?

Complainant : Yes, I know it was.

Mr Brunner : So do I. [A laugh]

Cross-examination continued : It took about a quarter of an hour. Did not hear anyone say at the police office that I was brought to save me from being hurt.

Mr Brunner : I must ask you seriously and solemnly at what part of the affray was it you first saw | Mr Randall?

Complainant : It was at the latter end, not at the beginning.

Mr Randall : What was transpiring when you first saw me?

Complainant : They were trying to throw me over the bridge, and you called out as I have said.

By the Bench : The Berks police refused to take me into custody ; they said they did not see what they had to take me in for. Did not know Mr Randall before.

Mr Randall remarked that he gave him into custody thinking and fearing something fatal would happen.

Stephen Edwards, the father of the complainant, examined, gave corroborative evidence. Heard Mr Randall call out from his garden, "Duck him ; drown the scoundrel".

Cross-examined by Mr Randall : There was not a great crowd on the bridge, at least there would not have been if the horse had not been stopped. Did not recollect the horse being stopped before going on the bridge and being warned not to kill people. My son persisted in going on.

By Mr Randall : I was on the bridge when I saw you. I did not see you before the fight with my son and a man. I saw you when they were trying to put him over the bridge, and you told them to do it.

By the Bench : Did not see my son give any blows. Must have seen it if he had.

Thomas Kinch : I am of the Berks Constabulary. I was present on the evening of the 12th inst at the boat races. I saw complainant on the bridge. A lot of people were going over the bridge towards Oxford. I heard several persons crying out, "Give him the punt pole". Saw Cook's pole raised up and go down again as if striking someone. Complainant had hold of the horse, and his arm was round the rail of the bridge. I saw Mr Brockliss beating the man and horse with his umbrella, and I said if he had done wrong, he had no business to beat him like that, and he stopped. I asked complainant his name and he told me. Mr Randall called out to take him into custody. Mr Randall was standing in his garden. I heard him say, "He is a scoundrel, if they had killed him, it would have served him right". Before I got there, I heard him crying out, "Give it him; duck him". Whilst I was asking him his name, Soanes, one of the City Police, came up. Mr Randall said, "Take him, and I will be responsible". I did not know what he was taken for.

Cross-examined by Mr Brunner : There were hundreds of people there going towards Oxford over

the bridge. I thought the horse could not go over the bridge with so many people on it without danger.

Mr Randall : Where was I when I said, as you state, "Duck him and throw him in the water".

Witness : You were in the garden, about fifteen yards from the bridge. There were hundreds crying out at the same time, "Duck him".

Mr Randall here remarked that he should prosecute Kinch for perjury.

Mr Randall : You say you saw me when you saw the punt pole.

Witness : No, I do not. I said I saw you when I got up to where Mr Brockliss was using the umbrella.

Mr Randall : You say you heard me when the complainant was being thrown over the bridge.

The witness repeated that it was when the complainant was being beaten with the umbrella.

Mr Randall : Could people have been thicker on the bridge than they were?

Witness : They all rushed on to the bridge. The horse was pressing onto the people one way, and the people pushing on behind him. Did not hear Mr Randall before I saw him. Did not see Mr Randall in his house. Heard Mr Randall say, "Duck him", before he ordered him into custody. He said if they had killed him, it would have served him right.

Sergeant Tanner of the Berks police, deposed to Kinch having told him when he (witness) got up to the affray, that Mr Randall had ordered him to take complainant into custody, and it was two or three minutes after that Soanes took him. Did not see there was any reason for taking him into custody.

James Blay, trunk and box maker, Oxford. Examined – was at the boat race and close to the foot of the bridge. Heard someone say, "This man (meaning complainant) will kill somebody". I saw Cook poking the man with a punt pole, Saw a gentleman strike him over the face with an umbrella. I cautioned him and said, "You will kill the man ; look at his face". The gentleman said, "Serve him right". Mr Randall said from his garden he deserved all he got. There were a great number of people on the bridge, and great danger, I should say, for horses to go over them. The horse turned round once or twice on the bridge. There were females and children. Whatever the complainant did, I never saw a man served so brutally. He was down once, and when he got up again, Mr Brockliss struck him across the head and face once or twice with his umbrella. I told him so, and he said, "Suppose he had hurt my wife and children".

By Mr Randall : I did not hear you incite the people on to him. I heard you say it served him right.

Mr Randall : I perfectly acknowledge I did.

Richard Harvey, a labourer of Oxford : I saw Mr Brockliss punch the complainant with his umbrella. He "jobbed" him in the face, and you could not see his face for blood. Mrs Brockliss wanted to turn him back and complainant said he would go over. Did not think it was dangerous the horse going over if the people had made way for it. Cook "jobbed" at the complainant several times with the punt pole, and if he had not avoided it, he would have had his jaw put out. He hit him in the breast.

By Mr Randall : I did not hear you excite the mob.

Frederick Lodwell, gardener of New Hinksey. Examined : Saw Cook strike his pole at either the man or the horse, but did not see him hit either. Saw Mr Brockliss hit the horse with his umbrella. Heard Mr Randall speak to the rural police, who objected to interfere, and then the city policeman took the complainant. If the horse had been a restive one, there would have been a serious job.

Cross-examined by Mr Brunner : I expected there would be something serious arise out of the horse going over, and so I followed it to see. Thought there was danger because there were so many people. Did not caution complainant.

In the course of this witness's examination, Mr Brunner expressed a regret to the effect that the Chairman had taken a course in the case, rather like that of an advocate for the complainant.

This was the case for the complainant.

Mr Brunner, for his two clients, said, this was an untoward affair arising out of the defendants and others acting in the interests of the public safety. There was no premeditated act on the part of either, while on the other side there was stupidity, to say the least of it, amounting perhaps to

culpability on the part of Edwards. It must be palpable that when an individual foolishly attempted by force to go against a crowd, an affray is, and must necessarily be, the result, and it was not denied that Edwards, in spite of remonstrances, pushed his way over the bridge, determined *nolens volens* to get over. He could almost have wished the complainant had had the advantage of legal assistance, but he was quite sure he could not have had greater attention paid to his case than that given to it by the Chairman. Mr Brunner went on to say that, this being the last of the series of evenings racing, a larger concourse of persons than usual was present, and therefore a longer time consumed in their getting from the towing-path, and the 20 minutes said to have elapsed after the racing was nothing for 5 or 6 thousand people to pass over a bridge not capable of taking more than two abreast, and great danger was manifestly involved in a horse being forced over it with a spreader, as it appeared, behind him nearly as wide as the bridge itself, and in this state of things, the complainant admitted he did persevere, and that too in the face of warnings. He should show the defendant Brockliss was only protecting his wife and children ; and that woman and children were knocked down, and that therefore Edwards was not in a position to come to this court as a complainant, but rather was himself the outrager, having stepped beyond the pale of protection. He (Mr Brunner) thought it did richly deserve him right, and few placed in the position and case of the defendants Brockliss and Cook, but would have done the same as they had done. They did not seek the affray. Brockliss with his wife and children was going over the bridge when this horse was urged over, imperilling their lives. He (Brockliss) was partly over. Could he turn back? No. He had no other course than to lay hold of the horse, doing nothing more in the naturally excited state of his feelings, than anyone would do to one who had so far forgotten himself as madly to jeopardise life. As to Cook, he only thrust his pole through the rails of the bridge to stop the horse, and if he did perhaps strike the man (which he should try to show he did not) it could not under the circumstances be the foundation of a charge against him. Mr Brunner in conclusion briefly referred to, and dismissed, the idea thrown out by the Chairman that this was a possible case for sending before a jury.

Mr Randall next addressed the Bench. He said it was impossible he could have made use of words imputed to him when the affray was going on at the bridge, as he was in his house till after the affray was over, which he would prove. He had seen the complainant get a good pummelling in a fair stand up fight, and going across his grounds, remarked to his gardener that he had richly deserved it if he had been half killed. He (Mr Randall) insisted on his being taken into custody :- first, his reason was that it was the only means of assuaging the indignation of the people at the outrage, for not 5 out of 500 sided with the complainant, and he (Mr Randall) thought it his duty to get him away. But another reason was that it was impossible for him or any other spectator of the scene to know how many lives were actually lost, how many limbs broken in the crush over the bridge ; and he was justified in stating this from the fact that when returning from the City after going up to the Police Station to ascertain the complainant's name, he was told a leg and an arm had been broken, and a child killed.

Mr Randall was allowed to call his witnesses first.

Dr Martin examined : and deposed to the fact that it was impossible Mr Randall could have made use of the inciting words spoken to without his hearing them, if uttered, as he was in his house looking at the Races, and witnessed the whole affray. There was a general feeling of satisfaction at the treatment the complainant met with, and personally, witness would have liked to see him well ducked for his brutality.

Mr Frank Spiers gave even more conclusive evidence. He was in the company of Mr Randall from beginning to end, both in the house and when he went out for the only and sole purpose of giving the complainant into custody and getting him away, and he most distinctly denied the assertions of the witnesses as to the inciting words alleged to have been used by Mr Randall, and therefore those who had made the assertions had perjured themselves.

Mr Brunner then called the following witnesses, who he said were volunteers of a hundred who would come up.

George Benjamin Hill, decorator and plumber of Oxford, spoke to the vast number of people on the

bridge. Cautioned complainant that he would kill somebody. He persisted and began flogging his horse ; and fearing he should be trodden down, he (witness) got over the rails of the bridge. Two females by his side, also in fear, actually got over the bridge and held to the top rail. Cried out for someone to cut the rope, and it was cut directly, Saw a little boy, 10 or 11 years old, with his neck bleeding from being caught by the rope. Mr Randall gave complainant into custody, and everyone seemed to think very wisely so.

Richard Tue, commission agent, was going over the bridge with his three children. Told complainant he would kill someone, and begged him for heaven's sake not to go over. Got off as soon as he could, but lost one of the children, and did not find it for an hour. Never saw such a thing before. There were a thousand people waiting to go over the bridge. Took hold of complainant's horse, and if he had not had his children with him to take care of, complainant would never have got his horse over the bridge. Witness's sister got over the rails of the bridge, and was much frightened.

Mr Charles Moor, clerk to the Registrar of the Oxford County Court, who was being ferried across by the defendant Cook and was on the punt with him at the time of the punt pole business, deposed that the use of it by Cook was merely for the purpose of opposing a barrier to the horse going over the bridge, he shouting, "Go back, go back".

Mr James Browning, son of Mr Alderman Browning, deposed to seeing, from the meadow side of the river, a bargeman making preparation for going over the bridge in question, and that fearing something would occur, he watched him. Saw someone apparently warn him not to go on. When he got to the middle of the bridge, saw and heard a man with a punt pole attempt to stop the horse by letting the poles drop on the rails of the bridge in front of the horse.

Mrs Ludlow deposed to being knocked down herself and a child in arms during the confusion occasioned by the occurrence.

Henry Harris volunteered some evidence, but it was not material.

This was Mr Brunner's case.

The Rev Chairman and Mr Morland, without clearing the court, then conferred as to their judgement, *sotto voce*.

The Chairman apparently was for a conviction all round.

At length, Mr Morland (having evidently stuck out against the chairman's more severe views) said, I am not satisfied with the evidence as to Mr Randall, with the exception of his expression "served him right", and that I think it likely he, or any other spectators would use, as undoubtedly they did, plenty of them. Two of the witnesses say they never saw Mr Randall before and in the confusion which prevailed. I cannot go upon the testimony of the Constable Kinch alone, opposed by such clear testimony as Mr Randall's two witnesses.

Mr Dodson said that in the face then of the conflicting evidence, he was prepared to dismiss the summons against Mr Randall.

Mr Morland said he was for the smallest fine in the case of the other defendants, as he considered it one of great provocation.

Mr Dodson, giving judgement, said, as far then Mr Randall, as you are concerned, the case is dismissed. With respect to the other two men, we think the assault was proved. I find the expenses are £1 18s 6d, and my brother magistrate does not think it should be visited with much more than that ; the fine will be 30s each, and at the same time I must say to you, do not have recourse again to such a proceeding. The whole business turns upon this, that it was imprudent of the complainant to venture to move so soon after the races ; but it must not be forgotten that he had been detained more than an hour, yet he was running the risk of doing much injury, and if his assailants had used no violence, so far from censuring I must have complimented them, but they must not take the law into their own hands, for punishment must be inflicted in a legal manner, and it is a great blessing that the man that used that heavy punt pole did not accomplish that by a blow which would have put him on his trial for murder, and as to the other defendant jobbing the umbrella into the complainant's face till it was covered in blood -

The defendant Brockliss and Mr Brunner warmly interposed that that was unfounded ; the marks

and bleeding on the face were from his fighting with the man.

Mr Dodson : I do not think that fighting was proved satisfactorily. Several spoke of it who might not have intended to make false statements. I must say that ever since I have sat in a Court of Justice, I have never inflicted such a light penalty as today, and that is only owing to the kind feelings of my brother magistrate. You are fined 30s each, including costs, and in default one months imprisonment ; and let the case be a warning to all.

Mr Randall applied to have copies of the magistrates' notes of the evidence, as he said he certainly should proceed against Kinch for perjury ; a hundred witnesses could support him.

Mr Hedger recriminated that he could get a hundred witnesses the other way.

The parties then left the court, the case having lasted five hours.

[We are informed that no one was in Mr Randall's garden during the whole time of the affray, until he entered it from his house after it was over to give the offender in charge to protect the public peace. Ed OT]

5 17 September 1864

A SAD OCCURRENCE An inquest was held on Monday evening, at the Town Hall, Cardiff, on the body of a boatman named **Thomas Evans**, twenty five years of age, who met his death under the following extraordinary circumstances. A little before twelve o'clock on Saturday night, deceased was in conversation with a young woman, to whom he would have been married in the course of a fortnight, was sitting on the parapet of a bridge that crosses the canal. It is said that he had been drinking, and his future spouse had just previously induced him to leave a tavern. Whilst in the act of kissing and bidding her "good night", deceased's head suddenly fell back, and his overpoised body fell into the canal, his head striking an abutment of the bridge. Horrified at the sight of the body in the water, the young woman roused the neighbourhood by her screams, as she ran round to the landing steps and resolutely jumped in to rescue her betrothed, but from the shock she had sustained, she was powerless to bring the body ashore. Assistance came, and medical testimony certified that death had been occasioned by a fractured skull, causing contusion of the brain. Verdict, "Accidental death".

6 29 October 1864 Borough Police

WHIFFLING DICK **Richard Pearman**, a boatman from Kirtlington, was charged with being drunk in Bridge Street on Tuesday.

Superintendent Thompson stated that on Tuesday afternoon, the prisoner went into the Reindeer Inn, toasted a bloater, called for half a pint of beer, and refused to pay for it. He also visited the Crown, the Catherine Wheel, the Windmill and the Fleur le Lys inns, and at each of the above named places succeeded in obtaining beer and tobacco without paying for it. At last he got drunk, and was taken into custody.

When brought to the station house, and asked what his name was, he said it was "Whiffling Dick". The Superintendent also stated that he knew him to be an old offender.

The Mayor said it was a disgraceful case, and fined prisoner 5s and 6s costs, or seven days hard labour. Locked up in default.

7 21 January 1865 Borough Police

LARKING IN THE TAP ROOM Jonas Stanton, ostler at the White Hart, was charged with having committed an assault on John Burchell, January 12.

Complainant said he was in the tap room at the White Hart on Thursday evening, about half past six, on business. He was sitting down when defendant knocked his hat over his eyes and "bonnetted" him, and then burnt his hat. He went and got a new one, which was served in the same manner, so that he was now compelled to get another. He was particularly sober at the time. Someone blacked his face with gas tar.

William Cross was called to corroborate this statement, but failed to do so, as he said when he went in, it was a little after eight ; he saw the man's face was blacked, but did not see it done.

PC Halliday said he was sent for about half past seven on Saturday evening to Matthew's beer house, in Mill Lane. Defendant was standing outside using all sorts of bad language, caused a great crowd to assemble, and was challenging the landlord to fight, he afterwards challenged witness, who then took him in charge. Defendant slipped down and began to cry out in a pitiful manner that he had broken his left leg. Witness procured a cart, and conveyed him to the station, thinking that such was the case, but when they got him inside, he walked about all right, and when witness asked about his broken leg, he said, "It was his right leg he had broken, and afterwards his left". In fact he had forgotten which it was. It was subsequently discovered that neither leg was broken. Fined 5s and 6s costs, or ten days hard labour.

11 13 January 1866 Fenny Stratford

INQUEST ON THE BODY OF MISS MORRIS We last week announced the finding of the body of Miss Morris, daughter to Mr Morris, station master, Fenny Stratford, in the canal near Simpson, under very suspicious circumstances. On Tuesday the 26th December, an inquest on view of the remains was held before J Worsley Esq, at the New Inn, Simpson, when the following evidence was taken :-

James Morris, station master, Fenny Stratford, deposed : The deceased, Sarah Morris, was my daughter. She was eighteen years of age last birthday. She left home on Sunday the 3rd of December, about two o'clock, and promised to return in the evening at six. She never returned, and I never saw her afterwards alive. I was present when the body was taken out of the canal on Sunday the 24th, and knew it to be my daughter by the boots she wore. When she left home, she seemed in good spirits. He had no reason to believe that she committed suicide.

Daniel Bates, a boatman, stated that he was passing along the bank of the canal on the previous Sunday, and saw something floating in the water, which he found to be a human body.

PC Greenacre said that he took the body out of the water. It was completely naked except the stockings and boots, and one glove ; dragged the canal and found parts of all her clothing except the bonnet, muff and mantle. The clothes which he found were all within forty yards of the body, and were identified as those deceased wore.

Sarah Rogers, wife of Robert Rogers, baker, Wought-on-the-Green said : She knew the deceased, Sarah Morris, and had known her for two years. Deceased came to our house on Sunday the 3rd of December, about four o'clock in the afternoon, and took tea. Their conversation was general. At six o'clock, she told the deceased that she was going to chapel, and asked if she would go. Deceased asked what time they came out. She was informed a quarter past seven. She said she would go. She appeared very cheerful, and witness noticed her singing at the chapel. She left the chapel with the deceased, and walked with her about sixty yards to the witness's house. Witness asked deceased if she liked to go by herself at that time of night. She replied that she was often out later than that. This witness was the last person who saw deceased alive.

Mr James Hughes, surgeon, said he examined the body of Sarah Morris ; found one hand completely cut off, and also the head, excepting the under jaw, with other injuries that might have been done by the screw steamers on the canal. Assisted in making a *post mortem* examination of the body. Found that the deceased was six months advanced in pregnancy. Was surprised to find so little water in the body when he opened it. The lungs were free from water. Could not say whether or not the deceased was dead when she entered the water.

Mr Frederick Deynes, surgeon, said he assisted at the *post mortem* examination, and agrees with Mr Hochee's (*sic*) evidence. The medical evidence could throw very little light on the cause of death.

Mary Ann Shepherd said she knew the deceased, and had known her for the last two years. She came to her house on Sunday the 3rd December, about three o'clock, and went away about four. Was alone with her about half the time. Had been to her house also, about Michaelmas, and consulted her as to her state, but did not say she was in the family way. Told the deceased she had caught cold, and prescribed for her on that occasion. The deceased had lent a book to witness, and witness lent the deceased a book, which she returned on her last visit. Neither of the books, the witness admitted, were proper books to be in the hands of a young female.

John Glanfield said he was apprentice to Mr Arthur Green, bootmaker, Fenny Stratford, and that he worked in the room with deceased. Had frequently seen her crying. Mr Green had seen her crying, but never heard him ask what she was crying about. Had seen a young man, named Moat, frequently come in and talk to her. Mr Green was a married man. His wife lived at Great Brockhill, and he worked at Fenny Stratford, where he had a shop and workshop.

Mary Ann Morris said the deceased was her daughter. She had worked at Mr Green's since last Easter, until Saturday the 2nd December. The deceased was in good spirits when she left on Sunday the 3rd December. Never knew that she had any young man. Never saw her walking with one. Had no reason to believe she committed suicide.

The Jury remarked that the evidence left the case in a very unsatisfactory state, in which the coroner agreed. They ultimately agreed to the following verdict : "That the deceased, Sarah Morris, was found dead in the canal".

The case is still involved in great mystery, and public opinion is much divided as to the cause of death.

12 19 May 1866 The Bankruptcy Act 1861

In the County Court of Oxfordshire, holden at Banbury.

In the matter of **Thomas Knight** of Neithrop, in the County of Oxford, boatman, adjudged bankrupt on the 18th day of December 1863.

Meeting of the creditors of the above bankrupts will be held before the Registrar at the County Court Office, High Street, Banbury, on Thursday the 31st day of May 1866 at ten o'clock in the forenoon, for the purpose of declaring a dividend, and also whether any allowance shall be made to the bankrupts. Proof of debts will be received, and creditors who have not yet proved, and do not them prove, will be excluded the benefit of the dividend.

13 26 May 1866 Borough Police

ASSAULT CASES **James Hone**, boatman, Banbury, was charged by Henry McStay of Spittlefield, London, with assaulting him, but as plaintiff did not appear, the case was adjourned to Monday next.

14 21 July 1866 Borough Police

A DRUNKEN DISTURBANCE **John Bush**, boatman, was charged with being drunk and fighting, and with assaulting the Superintendent of Police in the execution of his duty on Monday night, the 16th inst, in Castle Street East. The Superintendent of Police deposed that at half past twelve o'clock on Monday night, he heard a noise, and found John Bush and several others making a disturbance. John Bush was fighting another man in white. He tried to separate them, and the prisoner then struck at him and broke his hat. Prisoner was fined for the first offence 5s and 18s costs, or to be sent to the House of Correction for seven days ; and for the second offence 10s and 7s costs, or a like term in the same place. The prisoner was locked up.

15 11 August 1866

DEATHS Hughes August 3 at Fish Street, Banbury, **Thomas Hughes**, boatman aged 66 years.

16 11 August 1866 Borough Police

STEALING BOOTS WHOLESALE Sarah Rowbottom, aged 11 years next month, was charged with stealing one pair of boots from Mr Holland's shop, Market Place, and another pair of boots from W J Dumbleton's shop.

Ann Lovell deposed that she lived in Mill Lane and knew the prisoner by sight, and saw her last Wednesday, but could not say what time. Caroline Penn called her to take the shoes. She saw the prisoner pull the pair of shoes off her feet, and afterwards she asked her to take them to pawn. She took them to Mr Malsbury, who gave her 2s. She gave prisoner the money, and the prisoner gave her 1 1/2d.

John Malsbury deposed that on Wednesday last, the prisoner came to his shop in the morning, and offered a pair of boots. She had the boots in her hand, wrapped up. He did not take them as there had been several inquiries made about her. She did not unwrap them. She told him her name. Lovell came into his shop, he thought between one and two o'clock, and brought the boots in the name of Morby and asked to pawn them. He lent her 2s on them. Could not tell they were the same as prisoner brought, and the boots were had out again in half an hour afterwards. They brought back the money and the ticket. The same girl came to fetch them out the same afternoon as stood before him then. She was quite a young girl. He did not know the young woman. He did not ask any questions, as the money and ticket were all he required. Could swear to the boots by a mark he noticed on them.

Eliza Garrett deposed that she was living at Mrs Callecote's, and on Wednesday last, Mrs Callecote sent her to Malmesbury with a pawn ticket and 2s. She went there by her directions. Mr Malsbury gave her the boots that were then before her, which she gave to Mrs Callecote.

Mary Callecote deposed that she lived at Neithrop, and her husband was a boatman. On Wednesday, about half past four o'clock, Emma Spencer asked if she would buy a pawn ticket. She said you don't know Ann Morby. She asked what she wanted for the shoes. She said she wanted 2s and a drop of beer. The shoes were too large for her, and she would pawn them and buy a second hand pair. She called Eliza Garrett and gave her the money. She said, I shall not give her the money until I know it is all right. Gave her 2s 1d and she brought a 1/2d back. She had never pawned anything in her life, and Emma instructed her what to say. Eliza Garrett brought her the boots in the presence of the girl. She gave her 2s 1d and a half pint of ale. This was on the same night that the policeman Pole came, to whom she gave the boots.

PC Thomas Pole deposed : He went to the house of the last witness on Wednesday night, and the boots now produced were the ones witness gave to him.

William Joseph Dumbleton deposed : That the boots produced were his property. Did not miss them at all until it was mentioned to him by the boy who found them gone. Would not have known of it if nothing had been mentioned. On Thursday morning, he examined his stock and found one pair of boots were gone. The boots could not have been sold, for every pair sold, they entered into the books, and no boots were sold to prisoner last week. Could swear to the pair of boots now produced.

W Butcher deposed that he is the manager of H Holland's business, Market Place. Some boots were left at the shop to be repaired, and on Monday they were repaired, and on Tuesday, they were brought in and set upon the counter. On the Wednesday, he was from home, and on the Saturday morning, the boots were sent for, but they were gone. On the Wednesday evening, he was having his tea, and saw someone glide into the shop very steadily, he then saw it was the prisoner. He spoke to her, and she asked him where a public house was. At seven o'clock, he was finishing his letters, and persons outside the shop could not see him. The prisoner came in again, and asked where Mr Harlock lived. He called his man, and asked him if he knew who she was, and he said she had been accused of stealing. Her mother came to his shop and said she thought her daughter had stole a pair of shoes and had pawned them. The prisoner was apprehended the same evening. He went with PC Pole to her mother's house and the prisoner was there. She then had the boots on her feet. Pole asked her to take them off. He had never missed any boots before.

The prisoner pleaded guilty to both charges.

After some little consultation, The Mayor said the Magistrates had considered the case, and sentenced the prisoner to three calendar months imprisonment and hard labour for stealing a pair of boots from Mr Dumbleton's shop, and one day's imprisonment for stealing the other pair of boots from Mr Butcher's shop. The case was one which the Magistrates were extremely sorry to have brought before them, and severely censured Mrs Rowbottom for not having taken better care of her daughter in preventing her from her wicked courses.

17 6 October 1866

THE MISSING BOATMAN FOUND An inquest was held at the King's Arms Inn, Wet Sandford,

Leicestershire. It seemed from the evidence of Jos Beauchamp of Oxford and Jos Rye of Culham, Berks, deceased's and prisoner's seconders, that on Wednesday night Brain and a man named Wm Butlin, a collier, differed and fought together, and agreed to finally settle the matter on the following morning. On Thursday morning, deceased called upon Butlin, stating that he was ready. Butlin said he did not want to fight, and began to cry. Deceased replied that he could kill the prisoner if he came out, and then stripped. Deceased and the prisoner, together with 12 or 14 others, went into an old brick field, where the prisoner also stripped, and the two fought two rounds and fell, deceased being underneath, his head coming in contact with a brick. They were lifted up, and in the course of the third round, during which both received two blows on the chest &c, deceased fell to the ground, saying, "I have done, the back of my head is so bad." He never spoke again, and after being removed into the shade, died in the course of a very few minutes. Dr C Wall spoke to deceased's skull having been fractured, and there being an extravasation of blood on deceased's brain, the result of violence, and in all probability arising from the effects of the fall on the back of the head during the second round. The jury returned a verdict of manslaughter against Butlin, who was committed for trial by the coroner to the next assizes, on a charge of manslaughter.

22 10 October 1868

AT THE CITY COURT on Tuesday last, **Henry Taylor**, boatman of Abingdon, was brought up charged with stealing a ten pound bank note from S Hawks. In February last, a man named Moulday, of Culham, employed Hawks to get some bricks, and gave him £18 to pay for the same. Hawks got drunk and lost the whole of the money. Since the money was missed, the police had traced the note, which was first paid into the bank at Newbury by the prisoner Taylor, who accompanied Hawks in the barge when going after the bricks. The prisoner was committed for trial. Mr Brunner appeared for the prosecution.

[Note : Name is given as Hanks in the following article]

23 17 October 1868 Oxford City Sessions

STEALING A £10 BANK OF ENGLAND NOTE **Henry Taylor** (49), boatman, was charged with stealing a £10 Bank of England note from the person of **Stephen Hanks**, on the 19th of February last, the money of Isaac Mouldey.

Mr Brunner prosecuted and Mr G Mallam defended the prisoner.

Mr Mouldey of Culham proved that on the 8th of Feb, he engaged Hanks and Taylor, the prisoners, to fetch a barge of coal from the Moira Colliery, and that he gave Hanks £18, £10 of which was a Bank of England note, to pay for the same, and the expenses of the voyage. He received the note only the day before from a Mr Winter, and retained its number. On the same day, the 18th of Feb, Hanks and Taylor came as far as Oxford, and slept there during the night, and it was on this night that Hanks lost the whole of the money.

Stephen Hanks was next called, and confirmed the evidence given by the preceding witness, and further stated that when they arrived with the barge at Oxford, he, with Taylor, went to Mr Howkins, "The Running Horses", and before he left to go back to the barge, "he was drunk nigh enough". He had the money in his pocket before he left the barge, and he had it when he returned to it, and for the purpose of security, he slept in his trousers, the money being in the pocket. He left the public house two hours before Taylor did. The next morning, when he woke up, although he looked everywhere, he could find no money in his pocket, all had painfully disappeared. There were amongst the company "Captain Dabb", John Frood and Robert Hill and others, with many whom he tossed, and he also changed a sovereign. He never suspected that Taylor took the money, who was his father-in-law.

James Wareham, a clothier of Newbury, said he remembered the prisoner in the company of a woman, coming to his shop in August last, and for some clothes he had, he handed to him a £10 Bank of England note, No 84759, which was transmitted to London.

George Jarrett, clerk in the London and County Bank at Newbury, stated that on the 18th of August, he received a £10 Bank of England note, No 84759, which was transmitted to London.

Richard A Bailey, representative from the Bank of England, proved the receipt of the note from the London and County Bank. London.

PC Soanes spoke to apprehending the prisoner, when he said, "I never stole the note, but picked it up on the platform at the Reading station".

Mr Mallam having made a long speech on behalf of the prisoner, the Recorder summed up by just asking that the case in his mind was clear ; after which he very carefully went through the evidence, completely destroying any force, if ever it had any, of the suggestion made by Mr Mallam that the Bank of England note might have been dropped on the platform at Reading by a person who, finding it was no use, was anxious that it should be restored to its owner. Even if such were the case, but he (the Recorder) never heard a more unlikely story in his life, whoever the person was who found it, should have at once given it up to the station master. By retaining it, he committed a crime. The Jury returned a verdict of Guilty, and the prisoner was sentenced to six calendar months imprisonment.

24 24 October 1868

Oxford County Court

Esther Eller, livery stable keeper, St Aldate's v **Benjamin Sherwood**, boatman, in the employ of Mr Slatter. Claim £3 12s for the joint hire of horse and trap and damage done to the same. Mrs Eller stated that she let a young man, under age, named Ward servant of Christ Church, have a pony and trap, which was a turn out "fit for any nobleman in the land" to go to Abingdon races, and he was accompanied against the defendant. Considerable damage was done to the vehicle and the damage done made up the present claim. In reply to his honour, the plaintiff admitted that she had not made good the damage done to the conveyance, and it had since been used. Ward in his statement of the affair, admitted his liability to pay half of the claim and contended that the defendant should be made to pay the other half. He left with him in the trap from Oxford, and rode to the races and back to Abingdon in the evening.

On the defendant being sworn, he said that on the 3rd of September, Ward called him and asked him to go to Abingdon races. As he had not been to Abingdon before, he was glad of the opportunity, and accepted the offer. Soon after 1 o'clock, he, with Ward, started off, the latter coming to his shop with the vehicle, but saying nothing about present payment for the hire of it. After the races were over, he returned to Abingdon, and there a dispute arose between him and some of the ariel rowing club, who had only a week previously rowed on the river at Oxford. From words, they unfortunately came to blows, the police interfered, and he was taken and locked up all night, but discharged before the magistrates the following day, by paying 5s. He then went to the second day's races with Ward and a person named Fowler, and intended to walk home at night. On his way home, however, he was caught up by Ward, who asked him to ride, and he did so as far as Hincksey, where he lived. This was about half past 9 o'clock. At this time, he did not notice that the trap was damaged, and it had not been in his knowledge. His Honour ruled that the damage to the trap had not been proved. With regard to the hire of the conveyance, the defendant, in his opinion, was jointly liable for payment, and he should give a verdict accordingly. A compromise was ultimately effected, by Mrs Eller reducing her original claim to two guineas, of which the defendant was ordered to pay half, and Ward the other half.

25 28 November 1868

City Court

RIDING WITHOUT A TICKET ON THE GREAT WESTERN RAILWAY Joseph Watson., a boatman, was charged by Inspector Bath with riding on the Great Western Railway without a ticket. The defendant pleaded guilty to riding without a ticket, but gave as his reason for doing so, that he had no time to procure one, but intended to pay at the end of his journey, at which time he was apprehended. Inspector Bath said that if only two of his witnesses were allowed to give evidence, a different complexion would be put on the case. Although the defendant was the worse for liquor, he knew very well what he was about. Mr Ward, in whose employ the prisoner was, said, whilst not wishing that the offence should be passed over, expressed a hope, as the defendant's wife was expecting to be confined, that he may be dealt leniently with. He was fined 5s and costs, making

13s 9d in all. The Mayor said he had made himself liable to a fine of 40s and costs. Mr Ward paid the money for the defendant.

26 13 February 1869

A BOY DROWNED IN A FIT On Tuesday last, an inquest was held before W Brunner Esq (coroner), at the dwelling house of **Samuel Tolley**, boatman, the Upper Fisher Row, St Thomas, on the body of his son, **George Tolley**, aged 13 years. James Beesley, net maker, lived in Upper Fisher Row, and having heard a boy was missing, about 12 o'clock on Saturday morning he searched the river between the front of the house and the road. About 30 yards below, he found the lifeless body of the deceased boy. He was dressed but had no hat or cap on. Beesley did not notice any marks of injury on the body. It was brought to that house. **Emily**, the wife of Samuel Tolley, said the deceased was their child, and 13 years old. He had been subject to fits for the last 12 months, and was seized suddenly and staggered and fell when the fit came on. He had a great many such fits, and one a fortnight since. She saw him near the door of their house about half past 7 o'clock on Saturday morning. He was in the habit of going about like other boys. They missed him when his father came to breakfast, and she went to look for him, and sent another of her children to try and find him, but he could not. She believed he must have fallen into the water in a fit. Verdict "Accidentally drowned".

27 24 July 1869

NARROW ESCAPE FROM DROWNING A very narrow escape from drowning occurred on Tuesday last at the Canal Coal Wharf. It appears that a lad named Busby, living in Castle Street, about 10 years of age, was fishing in the canal when he attempted to walk along a narrow ledge between a stack of coal and the water. In doing this, his foot slipped and he was precipitated into the canal. His disappearance was not at first noticed, but after having sunk, his cries for help attracted the notice of **James Wilkins**, a boatman, who immediately seizing a pole and hastening to the rescue of the unfortunate lad. Assisted by a coalheaver named Coombes, Wilkins succeeded in placing the pole in the drowning boy's grasp, when he was drawn to land, and at once conveyed to his friends.

28 11 June 1870

Oxford City Court

WHITSUNTIDE AMUSEMENT – SERIOUS ASSAULT ON THE POLICE **Wm Butlin**, boatman, Fisher Row, St Thomas's, was charged with assaulting PC Partridge and Sergeant Adams on the 4th inst. Wm Dawson, also of Fisher Row, was charged with assaulting Sergeant Adams at the same time, and **Mary Butlin**, mother of the other prisoner, was charged with attempting to rescue her son from the custody of the police. Mr R S Hawkins prosecuted, and Mr W Brunner defended the prisoners. PC Partridge said that on Saturday the 4th inst, about 10 minutes to 12, he was at Park End Street, and saw the prisoner Wm Butlin fighting with another man. He asked them to desist, and they went away. Butlin afterwards came back and wanted to recommence fighting, and witness ordered him away the second time, and on witness attempting to take him into custody, he struck him a violent blow in the face. A struggle ensued, and witness got him on the ground, where he held him for some time, but prisoner's mother came up and got her son free. Prisoner then got upon the constable and kicked him in the shin and face. After about a quarter of an hour's struggle, other constables came on the scene, and they succeeded in carrying the prisoner off to the station. Witness was knocked down by the prisoner and his mother two or three times, and the kicks was severe ones. The fight caused a crowd of 40 or 50 people. By Mr Brunner : He did not know the man who was fighting with the prisoner. When prisoner was on the ground, witness had hold of his (prisoner's) necktie, but not so as to hurt him. The mother wanted to release her son from his grasp. She did not ask the prisoner to go quietly. He (witness) was perfectly sober. In answer to the Mayor, Supt Head said Partridge went on duty at 10 o'clock that night, and was then perfectly sober, and also when he brought prisoner to the station. Sergt Adams, who was called to the assistance of the constable, said there was a mob of people looking on. Partridge was bleeding

very much, and he said to the sergeant, "Take hold here for God's sake, for they have nearly killed me". Witness took hold of prisoner by the collar. Someone at the same time caught hold of witness round the waist to pull him away from Butlin. In the struggle, Butlin gave the sergeant a severe bite on the thumb. He called Dawson to assist him in taking the prisoner into custody, but he only asked how many policemen there were, and refused to assist. After they succeeded in getting the prisoner a short distance up on the New Road, someone came behind the Sergeant and kicked him in the back, and on turning round, he found it was Dawson, the female prisoner being at the same time on his (witness's) back attempting to pull him to the ground. Butlin then tried to bite him a second time, but bit his mother instead. He had been very stiff ever since from the kicks he had received from Dawson. By Mr Brunner : The prisoners were not drunk. He did not go in the cell and strike the prisoner ; all he did was to take hold of the prisoner's legs and put them on the ground, as he would not give the other man in the cell room to sit down. The prisoner did not cry out, but the mother said, "Don't hurt my son". He was still scarcely able to move one arm and one leg. Joshua Alban Smith, Gloucester Green, was at Park End Street on Saturday last. He saw the prisoner kick Partridge in the legs and face. He ran for Sergeant Adams and two other constables, who went to Partridge's assistance. There was a regular melee, and he knew one was of no use. The mother of Butlin pushed Partridge down. Henry Harvey, labourer, St Thomas's, was called as a witness for the prosecution, but his evidence was all in favour of the prisoners, for he stated that he did not see Dawson kick the Sergeant, on the contrary he saw him assisting to take the prisoner Butlin to the station. Inspector Soanes said that on receiving notice of the disturbance, he went down, and saw Mrs Butlin pulling Sergeant Adams back. He told her she had better keep out of the way, or she would get herself into trouble. He saw Dawson near Sergeant Adams, but could not see whether he kicked him or not ; he also saw Mrs Butlin and her husband throw Sergeant Clarke on the ground. By the Mayor : He did not know whether Dawson was assisting the Sergeant. There were several pretending to assist, but he thought they were giving him a "sly poke" whenever a chance presented itself. Sergeant Adams said Harvey, a former witness, had volunteered to come forward and state that he saw Dawson strike him (the Sergeant). In answer to the Mayor, Harvey said that he did not tell the Sergeant that he saw Dawson kick him, but he said he saw someone. The man was Lovegrove. Inspector Soanes said he also heard Harvey say that he saw Dawson kick the sergeant. The Mayor told the witness he was much dissatisfied with the manner in which he had given his evidence. This concluded the case for the prosecution, and Mr Brunner then addressed the Bench for the defence. He argued there was no case against Mrs Butlin, who had merely attempted to defend her son, as it was natural she would have done. He also contended that there was no evidence against Dawson, who had, in fact, assisted the police to take Butlin in custody. He could make no excuse for Butlin, who was in a drunken state, but he had previously borne a good character. He then called a boatman named **John Watts**, who said he assisted in taking the prisoner to the station, but did not see Dawson kick the Sergeant. PC Partridge was called, and in answer to the Mayor, said he had one of the prisoner's arms, and Watts was not helping. Inspector Soanes said he had hold of one arm. The room was then cleared, and on the public being readmitted, the Mayor, in addressing the prisoners, said the Magistrates after very careful consideration, had come to the conclusion that the charge against all had been proved. Butlin would be sentenced to three months imprisonment with hard labour. Taking into consideration that Mrs Butlin was the mother of the prisoner, she would be fined £1 and 10s 6d costs, or in default 14 days hard labour. With regard to Dawson, the Bench considered the charge against him was much too serious to be dealt with by a fine, and he would be sentenced to 21 days imprisonment with hard labour. In answer to one of the Magistrates, the Mayor said great complaints had been made about the disturbances which were continually taking place in that district. Superintendent Head said they had more complaints from that district than from any other.

29 17 September 1870

Ploughley Divisional Petty Sessions

Thomas Parker was charged with breaking into the dwelling house of William Monk, at Kirtlington, on the night of the 24th of August, and committing a rape on the person of Mrs Monk, and also with

stealing two hams, part of a cooked ham, and a brooch. John Eagleston, ostler to Mr Richard Coggins, proved finding the hams on his master's premises at Lower Heyford, as he was looking for hen's eggs. Louisa Read proved that the prisoner gave her the brooch in question, sworn to by Mrs Monk. Two other witnesses, who had known the prisoner for several years, proved having seen him in the neighbourhood. Prisoner, on being asked whether he had anything to say to the charge, said, "I have never been nowhere near her house, sir". PC William Leach took prisoner at the "Black Bull", Kidlington. Committed for trial at Oxford, the various witnesses being bound over to prosecute, Mr Monk in £40 and his wife £20. The same prisoner was then charged with breaking into a boat, at Cherwell Wharf, Banbury, and stealing therefrom a suit of clothes and other things, value £3 0s 0d. **William Burchell**, boatman, gave evidence that prisoner broke into his boat on the night of the 23rd August, and swore to the clothes prisoner was wearing when apprehended. Committed for trial on this charge also, Burchell being bound over to prosecute.

30 17 September 1870

Oxford City Court

THEFT BY A BANBURY BOATMAN **Jesse Ducket**, boatman of Banbury, was brought up in custody charged with stealing from a boat lying in the canal, a canvas bag containing four sovereigns and 15s in silver, on the previous Sunday morning, the property of **Robert Handley**. The prosecutor, a boatman in the employ of Mr John Clarke of Birmingham, said that on Saturday night, he was in company with the prisoner in the town, about ten o'clock. About twelve, he (prosecutor) went to the barge where he slept, which was at Hythe Bridge. The canvas bag containing the money was then in his trousers pocket, and when he went to bed, he laid the trousers on the pillow. The prisoner, who had been working with him for a week, slept in the cabin with him. When he went to bed on the above night, the prisoner had not come in. On Sunday morning, prosecutor missed the bag and the money. The prisoner had also gone, and the prosecutor had not seen him since until now. **William Underhill** deposed that for the last three months he had been working the boat with the prosecutor. Had known the prisoner for about a week. They had all three slept in the same cabin since the prisoner had been with them. At half past twelve on Saturday, witness went to bed in the cabin. The prosecutor was then asleep, and prisoner was sitting on his (prosecutor's) bed, pretending to be asleep. Witness told him to get off the bed as he wanted to get in, and the prisoner then laid down where he usually slept, and as far as witness could say, he was laying there when he went to sleep. About six o'clock on the following morning, the prosecutor awoke witness. The prisoner was not present then. Witness went to look after the horse, and when he returned, prosecutor told him he had lost his money. Prisoner cross-examined this witness, but did not shake his evidence. PC J Cripps said that about a quarter to two on Sunday morning, he was standing near Irwin's Corner, Cornmarket Street, when the prisoner came up George Street, and came across the road to witness. Addressing him, he said, "Policeman, can you tell me where I can get a conveyance to take me to Banbury?"; he further said that he had been sitting about on Saturday and missed his boat. Witness asked him what boat it was, and he said it was an Abingdon boat that had started at twelve o'clock on Saturday morning ; unless he could get to Banbury by Sunday morning, he should lose a good situation, as the foreman of the boat would put another man on. Witness went with prisoner to Mr Nelms's, George Street, who they knocked up, and who agreed to take prisoner to Banbury for a sovereign. While Mr Nelms was getting ready, the prisoner took a sovereign out of a canvas bag which he took out of his pocket, and put it on the table for Mr Nelms. Witness saw them start for Banbury. On Sunday evening, between six and seven, witness received information of the robbery from PC Miller. He had not seen the prisoner since he started with Mr Nelms until now, but he was sure he was the same man. Elias Nelms, of the "Grapes" Inn, George Street, cab and fly proprietor, said that early on Sunday morning, the prisoner came to his home and asked him if he could take him to Banbury. He should not mind what it cost, as he had better pay £1 or 25s than lose a good situation. He drove him to within about a mile of Banbury, and put him down at the top of the hill. PC Thomas Bagnell, Banbury borough force, said that in consequence of information received, he went at twelve o'clock on Monday morning in search of the prisoner, and at two o'clock, he apprehended him at the "Packet" beer house, Mill Lane,

Banbury, near the Old Wharf. Charged him with stealing five sovereigns and a canvas bag, and after cautioning him, asked him what he had to say. He said, "Who did I steal it from?", but as witness had not heard, he could not give him any answer, and prisoner then said, "I have nothing to say". Witness searched him, and found one sovereign in gold, a pound's worth of silver, and three penny pieces in a canvas bag, all of which were produced by witness, as well as a coat which prisoner had bought. The prosecutor identified the bag as his property. Prisoner pleaded guilty. In answer to the Mayor, he said that he had nothing to say. He was willing that the coat should be given up to prosecutor. The Mayor said that the case was as clear as possible against prisoner ; it had come to their knowledge that he had been in trouble before, but that being some time ago, they should not take it into consideration. The sentence was three months imprisonment with hard labour.

31 22 October 1870

ALLEGED FELONY AT LOWER HEYFORD **Thomas Dunn**, 45, boatman, and Earnest Merry, 36, labourer, were placed in the dock on a charge of stealing a sack and four bushels of wheat at Lower Heyford, on the 26th of September, the property of Richard Coggins, their master. A second count charged the prisoners with stealing the wheat, though not in their capacity of servants. There was also another count in the indictment, charging the prisoners with receiving the wheat, knowing it to have been stolen. Prisoners pleaded not guilty. Mr Druce conducted the prosecution ; the prisoners were defended by Mr Stratton. Mr Louis Coggins, son of the prosecutor, said he lived with his father, who was a corn merchant and coal dealer, at Lower Heyford. Near the canal, at Heyford, they had a warehouse ; the prisoner Merry was in his father's employ as warehouseman, and in that capacity used the keys of the warehouse. The other prisoner was a boatman in his father's service. Previous to the 26th of September, they had 66 1/2 qrs of wheat in sacks. On that day, he took 48 1/2 qrs, which was put on a boat lying in the canal. In consequence of hearing something on the above day, he went to the prisoners between one and two o'clock. They were then taking a sack out of the deck of the boat, where the 48 1/2 qrs had been put. He asked them how it came there, and they said they didn't know. He said it could not have got there without hands, as it was pulled out of the hold. He ordered the prisoner Merry to get a truck and take the sack into the warehouse, and he then tied a piece of hay round its mouth, so that he should know it. His father's clerk then came up, and witness told him to lock up the warehouse and let no one go in. He and the clerk afterwards counted the sacks, and found one deficient. The sack that was brought from the boat was his father's property and had his name on it. He examined the wheat in that sack, and it was the same sample as that which remained in the warehouse. The wheat produced was the same. Cross-examined : The prisoner Dunn had been in his father's service on and off for some years. He could tell the quantity of wheat in the warehouse as well as that taken away by the stock book, which he did not himself keep. Colcutt, their clerk, told him about the wheat ; he also received information from Caleb Brock, who had been emptying a boat of coal, near the wharf where the warehouse was. Witness was unaware that Brock was a bad character. After some hesitation, he admitted that it had come to his knowledge that he had been convicted once, for stealing brandy. Caleb Brock deposed that he was a labourer, and lived at Lower Heyford. Remembered the morning of the 26th September. About six o'clock on that morning, he was in the wharf yard unloading a boat, about 40 or 50 yards from Mr Coggins's warehouse. The prisoner Merry came down with some keys in his hand and unlocked the warehouse door. Dunn was then on a boat in the canal. Merry went into the warehouse, and Dunn pushed his boat up to the warehouse door. The warehouse had two doors opposite each other, one for discharging the cargo and the other for receiving it. It was the door farthest from the canal that witness saw Merry unlock, and the door to which Dunn took the boat was the canal warehouse door. When Dunn's boat was by the door, witness saw Dunn put a sack, which he fetched from the warehouse into the deck. Witness told a man he was working for of what he had seen, and afterwards told Mr Coggins. Cross-examined : Dunn was standing on the boat when the other prisoner went towards him with the keys in his hand. Dunn was the Captain of the boat. He had known Dunn all his life. Had never had a quarrel with

him. Did not remember having fought with Dunn. In answer to a question as to how many times he himself had been convicted, witness said, "They inside know best about that ; I shan't answer that question". Re-examined on behalf of the prosecution : Some 20 years ago, he thought he had had a quarrel with Dunn. He hadn't the least spite against the prisoners. Frank Calcutt, prosecutor's clerk, said he slept at Lower Heyford, about a quarter of a mile from the warehouse. On the morning in question, he went to the office about five o'clock, unlocked it, and took some papers down, but did not lock it up again. The keys of the warehouse were in the office. About 20 minutes past five, witness was riding towards Upper Heyford, when he saw Merry coming by a short cut across a field in the direction of Lower Heyford, where the warehouse was. Merry used to use the keys of the warehouse, but witness hadn't given him any orders about going into the warehouse on the morning in question. If he had had orders, witness should have known it. It was nearly half past six when he got back, and he saw the prisoners in the wharf about ten minutes after he came back ; he then gave them some orders with reference to the loading of the boat. About 1 o'clock, in consequence of information he received, he went to the boat where the prisoners were, and saw a sack, which he slit with his knife to see what it contained, and found that it was filled with wheat. The sack of wheat produced was the one. PC Wharton produced a sample of wheat which he had taken from the prosecutor's warehouse, on Tuesday the 27th of September, the day after the above occurrence. The sack of wheat produced had also been in his possession until the present time. (Samples of the wheat were handed to the jury for inspection). Cross-examined : He believed the wheat produced in a little sample bag was produced by the prosecutor before the Magistrates. Witness Collcutt, recalled : When witness left the boat, he told Dunn that he had got a sack of wheat in his boat, and asked him how it came there, he replied, "Is there? I would not have it in my duck for £40, let's have it out". Witness told him to wait a bit while he fetched Mr Coggins. He went to him, and returned with him as far as the weighbridge, where Mr Coggins went on and witness stopped to give a ticket to a man who was weighing coal. He then followed the prosecutor to the warehouse. The prisoner had just taken a sack of wheat into the warehouse ; the sack produced was the one, and it was the same as he had seen in the deck of the boat. About half an hour after, he with Mr Coggins counted the sacks of wheat in the warehouse and found that one was missing. The book produced was the stock book, in which he made entries of the corn which came in and went out. A long cross-examination ensued, after which PC John Wharton was called ; he stated that on the 27th of September he saw the prisoner Dunn at Lower Heyford, and charged him with stealing a sack of wheat. In reply to the charge, he said he expected that would be it. Witness afterwards apprehended him, and when charged, he said they would have to prove it. The prisoners' statements were then read. Merry's said, "All I can say is I never touched no wheat". The other prisoner's statement was to the effect that he never knew anything of the case about the wheat until between 1 and 3 o'clock, when he returned from dinner. Collcutt then said he had been to his boat, and there was a sack of wheat in it. He told him he was not aware of it. He then turned and called Merry, and in the presence of Collcutt asked him if he knew anything of it. He said he did not. He told him if he did he had better put it back, for in his possession it should not be. He had been away from the boat an hour and a half. Mr Stretton made an able address on behalf of the prisoners, and contended that there was not an atom of evidence against them, excepting that of a convicted thief, who was unwilling to let them know how many times he had been in prison. The Vice Chairman having summed up, the Jury returned a verdict of Not Guilty, as they considered the wheat in the sack did not correspond with the sample of the bulk produced. The Vice Chairman said he had endeavoured to explain to them that they might convict the prisoners of stealing the sack, if they came to the conclusion that they were not guilty of stealing the wheat, but a jurymen said they considered there was not sufficient evidence to justify conviction on this ground, and still giving a verdict of Not Guilty, the prisoners were discharged.

32 17 December 1870

Banbury Borough Police

ASSAULT John Hone, a boatman, was charged with assaulting Patience Trusty on the evening of Saturday the 3rd inst, in John Hone's beer house, Mill Lane, Banbury. Patience Trusty said : I live in

Mill Lane, and was in Hone's beer house in Mill Lane on the evening of the 3rd December. Had only been there half an hour, and only had one half pint of ale. My sister, Rose Ann Hone and John Hone, the landlord, were there. John Hone, the defendant, came in and stood before the fire. I was sitting in a chair before the fire. He began with me for keeping my door open late, and I said, "Well, John, do you pay my rent for me?" He then hit me on the eye and kicked me down on the floor. I got up and asked what he did it for. I had no sooner said so than he hit me on the side of the face with his fist and knocked me down again. My husband came in and said, "Don't, John", and he hit him and gave him a black eye. My sister stood there and said, "Don't", and he gave her two smacks in the face. He then went away, and I saw no more of him that night. By defendant : I was not drunk on the table when you came in. I did not put my fist in your face three times or strike you first. John Hone, a witness called by complainant, said he kept the "Old Wharf" Inn in Mill Lane. He remembered Mrs Trusty being in his house on the night in question. He should think she had been there about two hours. It might have been about six o'clock, he could not say for certain. Mrs Trusty and her husband were there when John Hone came in. There was some wrangling, and Mrs Trusty put her fist in Hone's face. He told her that if she did that again, he should put his in hers. Then he believed he struck her and they went at it. They were all three on the ground, her and her husband and John Hone. Rose Ann was by the table. There were none of them drunk. Thought Mrs Trusty had had about 2 1/4 pints and John Hone one. John Hone said that complainant lived next door but one to him, and he had been kept awake by the noise she made. She was drunk when he went into Hone's. He tried to persuade her to go home and not keep her house open so late. She put her fist in his face three times, and he hit her. He had three of them on him, and he was glad to fight his way out of it. The Mayor believed the defendant had received provocation, and on that account should deal more leniently with him than he otherwise should. But he had no right to strike her, and it was a cowardly act to strike a woman. If she struck him, he should not have struck her again, but have summoned her. Defendant said he should do so now. Fined 1s and 11s costs, or 10 days. Allowed a fortnight.