

BERROWS WORCESTER JOURNAL
1845 to 1849

1 January 2 1845

WORCESTER EPIPHANY SESSIONS **William Fidoe**, 19, boatman, and Thomas Williams, 21, labourer, were placed at the bar on a charge of stealing a quantity of coal, the property of Francis Needham, from a boat moored in Lowesmoor basin on the night of the 10th of November last. Mr Hill appeared for the prosecution ; the prisoners were undefended. **Henry Lowe**, watchman at Lowesmoor Wharf, deposed that on the night in question he observed two men in Mr Needham's boat, and giving chase to them, they escaped only by jumping into the water. Prisoner Williams was apprehended by police constable Grubb at his father's house, and also Fidoe ; both reside near the wharf. The evidence was very clearly substantiated against the prisoners, and a verdict of guilty was returned. A previous conviction was proved against Fidoe, and he was sentenced to seven years' transportation ; Williams three months' imprisonment, the first and last month in solitary confinement.

2 January 9 1845

At the County Police Office yesterday, before the Rev J Foley, Capt Hastings and J Williams, T G Curtler and J G Watkins Esqs, **William Davis**, a boatman of this city in the employ of Grissell and Peto, appeared to answer a complaint preferred against him by **John Wood**, a boatman belonging to the city of Gloucester, with having intentionally run his boat against the boat of the latter, thereby breaking the mast and doing other injury, at Kempsey on the 23rd December last. Dismissed, the complainant paying the expenses.

3 January 9 1845

HEREFORD SESSIONS **Henry Mayall**, aged 26, and **William Aston**, aged 36, boatmen working on the Hereford and Gloucester Canal, were charged on suspicion with stealing, during the night of the 22nd of November last, a bag, a quantity of potatoes, wood ashes &c, the property of Mr Samuel Wintle of Hazle Mill near Ledbury, from a drink house in his occupation within about seven yards of the canal. Mr Skinner conducted the prosecution ; prisoners were undefended. The jury acquitted Aston and found Mayall guilty. Mayall was sentenced to six months' imprisonment.

4 January 30 1845

At the Stourport Petty Sessions yesterday, before J Worthington and A Skey Esqs, **Henry Wilmot** of Stourport, boatman, was summoned by the surveyors of the highways for arrears of rates ; ordered to pay the amount and expenses.

Job Bayley, boatman, was summoned by **John Burton** of Stourport for wages. The case was proved satisfactorily, and he was ordered to pay Burton his wages, £1 2s 6d.

5 January 30 1845

AN OLD POACHER "IN TROUBLE" One of the most notorious poachers who claim this city as their abiding place, named James Downes, a man who had long been "wanted" by the County Police, together with **John Butler**, waterman, was brought before J H Allen and M G Benson Esqs at Upton on Thursday, charged with having been found, before sunrise that morning, upon lands belonging to Earl Beauchamp at Powick, in search and pursuit of game. The charge was preferred by Samuel King, gamekeeper to the noble Earl ; and was proved by Samuel Stanton and Henry Baylis, assistant keepers or watchers on his Lordship's estate. Stanton stated that about half past five o'clock on Thursday morning, he heard a gun fired in the New Coppice, one of Earl Beauchamp's preserves in the parish of Powick. He at once hastened thither, accompanied by Hughes. When close by the coppice, he met the two prisoners who had just emerged from the cover. He followed them a short distance, when Downes asked what they were following him for.

Stanton and Hughes then took both prisoners into custody, neither of whom offered any resistance. Downes had a gun barrel in his pocket, and the stock in another. He had likewise a hen pheasant in his possession ; the bird was quite warm. Upon Butler, Hughes found a cock pheasant ; and both prisoners were conveyed to the Upton Police Station, where Superintendent Petford found a quantity of powder and shot upon Butler. Stanton was fully corroborated by Hughes ; and in cross-examination by Downes, both witnesses admitted they did not see the prisoners in the coppice ; they had got out before the watchers arrived on the spot. The prisoners were informed by Mr Benson that they had to thank Earl Beauchamp that they were not sent to the Assizes for trial, as the present was the fifth time Downes had been caught poaching upon the Earl's estate. His Lordship, however, was anxious that the Magistrates should deal with the offenders summarily, to afford them one more chance of reforming their habits. But it would be trifling with justice to inflict less than the full penalty the law imposed in a summary adjudication ; and they were consequently sentenced to three months' imprisonment to hard labour ; and at the expiration of that term, they would be required to find two sureties to refrain from poaching for twelve months, otherwise to suffer an additional six months' imprisonment.

6 February 6 1845

On Saturday last, an inquest was held at the Town Hall, Tewkesbury, on the body of **William Stephens**, labourer, whose death was reported to have been caused by injuries received from **Morrison Hodges**, a bargeman and beerhouse keeper in Tewkesbury, and in whose service Stephens was engaged. It appears from present information that deceased, on the Thursday week prior to his death, was drinking in company with Hodges and others at a public house in Birmingham ; that they had exchanged some angry words, which terminated in fighting in the house and also at the wharf where the boat was lying. In the scuffle Stephens received some injuries in the abdomen, and on the day following, experiencing severe pain, he was induced to leave his employer's boat and proceed to Tewkesbury as carefully as his painful situation would permit. He arrived home on the Saturday, was attended by a medical gentleman, and lingered till the Saturday morning following, when he expired. He was however previously attended by N Chandler Esq (one of the borough magistrates), T G Prior Esq, and we believe one or two other gentlemen, in whose presence he voluntarily asserted that the injuries he then exhibited were caused by Hodges ; and from this and other circumstances, the authorities deemed it prudent to enforce a searching enquiry as to his death. The jury, in the absence of sufficient evidence, adjourned the case till Monday, when Hodges entered the jury room, and the evidence of two witnesses was accordingly taken. One of the witnesses was a deaf and dumb man, but was able to answer questions put to him in writing and motions with tolerably good effect, and the other gave corresponding evidence as to the quarrel and the probable cause of death. The gist of the evidence was that Hodges and deceased fought ; that Hodges caught hold of deceased by the neckerchief and kicked him in the lower part of his body. From the declaration of the dying man, the evidence of the witnesses, and the probability of further information being elicited from another person, who was present at the affray but not then in Tewkesbury, the Coroner and jury deemed it prudent to adjourn the inquest till Wednesday (today), the Coroner, G Tate Esq, at the same time informing Hodges that, although he had voluntarily appeared, he felt justified in detaining him until the inquest terminated, and he was consequently conveyed to the borough gaol. Much excitement prevailed in the vicinity.

7 February 20 1845

CITY MAGISTRATES' OFFICE An order of 2s a week, with 10s 6d costs, was made upon **John Rodburn**, a waterman of Newport Street, towards the support of the child of Mary Ann Jones of St Clement's. Rodburn protested that he knew nothing of the girl other than as a neighbour, and rather than pay any money to her, he would "lie in a gaol till the soles of his feet rotted off".

8 February 20 1845

DEATHS At Bridgnorth in his 89th year, **Mr R Power**, a veteran of former days, and last remnant

of the extinct race of old watermen of the river Severn.

9 February 27 1845

STRAY NOTES ON WORCESTER CHURCHES AND CHURCH GOERS BY A RAMBLER
THE WATERMEN'S CHURCH

'Twas Sabbath morn! The summer sun in cloudless splendour shone,
And ting'd with gold each curling wave, as soft it rippled on ;
I walked along the winding shore, bespread with pebbles rare,
For thus I hoped ere noon to reach the distant house of prayer.

I came where by the river's bank some stately vessels lay,
And many seamen sought the beach, in sabbath raiment gay ;
I mark'd not, as they passed along, their staid and thoughtful air,
But sighed and wished they'd turn with me, and seek the house of prayer.

At length a streamer fair and broad my fix'd attention drew,
For in its folds it gave the dove and olive branch to view ;
The seamen climb'd the vessel's side which did that banner bear ;
I followed, and with joy beheld a floating house of prayer.

Above, beneath, each steadfast eye upon the preacher hung,
And sweet and holy was the strain the sons of ocean sung ;
No vacant look, no wandering glance, no drowsy nod was there,
Nor did one restless form disturb the seamen's house of prayer.

I listened to the gospel's sound, amidst a scene so new,
And saw at times the trickling tear a manly cheek bedew,
I pray'd that He, who loves his own, might make that ark His care,
And many souls be born within the seamen's house of prayer.

The rippling wave, the winding shore, no longer meet my gaze,
No more the snow white Bethel flag my pensive footstep stays ;
But oft, amidst the sacred calm of sabbath morning fair,
My thoughts with new delight recall the seamen's house of prayer.

HUIC

READER! Will you accompany me to the Floating Chapel? I have already led you to Gothic piles, and described to you many a relic of antiquity, with the sculptured pageantry of death, and the moral of the "storied urn". Let us now, nothing despising, together enter this humble structure, and seek what edification we may among the lowly worshippers who here hold communion with their Maker. No fretted roof nor long drawn aisle nor elaborate chiselling here arrests the eye, not florid eloquence the ear, nor brilliant equipage the admiration, of the visitor, but what of that?

"What constitutes a church?
Not Roman basilic or Gothic pile,
With fretted roof, tall spire, and long drawn aisle :
These only mock thy search ;
Fantastic sepulchres, when all is said -
Seek not the living among the dead."

A brief history of the "Episcopal Floating Chapel" would perhaps not be unacceptable previously to the sketch of my visit ; and indeed, while describing the ecclesiastical buildings and associations

belonging to Worcester and its vicinity, it seems desirable not to omit a place of worship set apart for a body of men whose demoralised habits are unhappily notorious throughout the land. The case of this too long neglected class has lately attracted a degree of public attention, and efforts have been made in some parts of the kingdom to promote their moral and religious culture, and that with encouraging success. About three years ago, principally through the philanthropic and Christian exertions of the Rev J Davis, Rector of St Clement's, who has been instrumental in befriending the boatmen on various navigations, aided by other excellent individuals, a Committee was formed in this city for promoting the religious instruction of the bargemen and boatmen of the Severn and also of the Worcester and Birmingham Canal. The Lord Bishop having given his hearty sanction and a donation of £25, to which £30 was added by the venerable Society for Promoting Christian Knowledge, and other benevolent individuals having also given liberally, the work was commenced. The *Albion* (a vessel noted and described among the watermen as being "remarkable for luck in her voyages) was purchased and fitted up, at an expense of nearly £400, and was soon afloat. I have taken some pains to ascertain the effects that have been produced by the exertions of the above named Rev gentleman and of the zealous clergymen who have officiated as Chaplains at this place of worship ; and the particulars I have accumulated are certainly most interesting, though by far too numerous and lengthened for my confined space. It has however been abundantly proved that this rough class of men are not only susceptible of kindness, but that they appreciate, and in the main make good use of, the efforts made by their superiors. Many of them, as well as their wives and families, have become steady and respectable in their calling, and there are not wanting instances of swearing and drunkenness being abandoned. That the boys and young watermen in general should receive instruction before their vicious habits become hopelessly deep rooted is perhaps, if possible, even of more importance than the reformation of the elder branches – viewed as a preventative of future demoralisation. It may also be recollected by some of my readers that a police officer, who was called to give evidence before the Constabulary Commissioners, stated that "he had known instances of boat boys of 12 or 14 years of age connected with robberies, from whom it was quite as difficult to gain information as from the oldest thieves in the trade". But very encouraging instances have occurred of improvement among the younger boatmen – for instance, I am told that not long ago, the prize for *best behaviour* was awarded to the son of a waterman at an examination of one of the parochial schools of this city.

On the whole, it is evident that the attempt to benefit the men employed in the navigations connected with this city has been attended with a success very encouraging to those benevolent individuals who have contributed to the funds. It should be remarked that the Chaplain is paid by the Church Pastoral Aid Society ; yet it is obvious that benefactions will be necessary from time to time to keep the vessel in repair, and for other contingencies. While on the subject, I may state, as the result of inquiries, that places of worship have been provided for this class at Oxford, Preston Brook, Runcorn, Manchester, Liverpool and the banks of the river Weaver, as well as on the Staffordshire line, yet a lamentable deficiency still exists on almost all the navigations throughout the kingdom. At Birmingham there is no episcopal place of worship for the boatmen ; but what has excited the greatest surprise is that at Gloucester, where so many seamen and bargemen congregate, no religious instruction is provided for them (and it is well known they have insuperable objections, on account of their dress &c, to enter any of the regular churches), but a dissenting minister occasionally assembles a few under a canopy of tarpauling, raised on board one of the vessels.

The clamorous little bell of "Noah's Ark" (now anchored near Worcester Bridge) caught my ear on a Sunday afternoon, as I was trudging by the Severn Terrace, and seemed so pertinaciously to insist that all who were within sound should come and answer to its summons, that I could not resist, and accordingly bent my steps in that direction. The day was fine, and dozens of the poorer classes, as well as boatmen, were coming from all the cardinal points and wending their way down the Quay steps towards the chapel, whilst groups of idle spectators on the bridge were adjusting their elbows or chins on the railing, and knots of two or three were dangling about street corners and other "vantage ground" - some in listless vacuity, others passing coarse comment or clownish jokes on

each member of the increasing congregation as they severally passed by. One of these street corner groups I had to pass, and was not disappointed in my expectation that a spectacled old gentleman, with a large Prayer Book under his arm, would be an excellent butt for such *cognoscenti*.

“Why, Jem, there's to be a new passon this afternoon, don't ya see?” observed a roughish looking customer wearing an enormous round dog's hair cap and a smock frock, or rather “cuttie-sark” that had evidently seen some service.

“Yes”, said I, “and if you like to accompany me, we'll both go and hear him”.

“Oh, naw, thank'ee : I'm intendin' to ha' a pint of ale, jist now”.

“Well”, I replied, “but if you'll come with me, I have no objection to give you the price of the ale afterwards”.

The boatman stared at me, then turning to his companion, as he removed his three inches of pipe from his mouth, exclaimed, “What's think of that, Jem – wilt come along?”

The individual thus addressed was a little stunted specimen of the amphibious genus which forms the subject of the “Rambler's” present chapter ; his body was encased in a “sleeved waistcoat”, his throat with a red and yellow cloth, and the greater part of his head buried in an article known, I believe, by the appellation of “a Jim Crow” - in shape, something between Mambrino's helmet and a shaving basin, and so constructed as that while the crown fits closely to the caput, the brim may be either turned up all round in hot weather to harbour the cool breeze, or in a rainy season turned down, *a la Chinois*, as a sort of conductor or shoot for the wet. “Jem” was seated on the stone sill of a window, with his hands and a great part of his arms thrust into his trouser pockets and his eyes turned in the direction of the sky, as he whistled the detached fragments of a melody to me unknown. It would be rash to hazard a speculation as to the nature of the mental process which Jem was than working out – whether making calculations of meteorological phenomena, or solving some nautical problem ; but no sooner had his companion made the abovementioned appeal to him with regard to the ale, then hastily quitting his abstractions, he briefly announced his acquiescence, with, “I ant no objections”, and confirmed it with a leap from the sill to the pavement, on which his two feet descended with the emphasis of a brace of sledge hammers.

Having conveyed my two new friends to the water's edge, we descended to the chapel. The sexton and his wife were ensconced in the little cabin, erected as a habitation for them at the one end ; the former individual, with his coat and waistcoat off, appearing in a sweltering perspiration with his lusty efforts at the bell rope. The little edifice was now rapidly filling, and I with some difficulty obtained sittings for myself and two satellites. Although highly gratified to witness so large an attendance of boatmen and their families, I could not help thinking that the broadcloth I saw here and there, and the sprinkling of velvet and silk bonnets and shawls, had the effect of displacing coarser materials. The attendance here of the superior classes should be discouraged – they have churches of their own, and ought therefore considerably to leave the boatmen to the full advantages of theirs. The chapel is neatly fitted up with backed seats, pulpit, communion table &c, and the ventilation is well provided for – so well indeed, that being unfortunately placed in a right line between two of the openings or trap doors arranged in both sides of the vessel, I have caught something in my ear which my venerable landlady says is *tic doloureux*, and my sensations by no means lead me to doubt her. The singing was well and modestly led by two or three females, and heartily joined in by the bulk of the congregation ; indeed, it was gratifying to witness the devout attention paid not only to this but to every other part of the services. Not a single instance of levity or of unbecoming conduct attracted my notice.

The sermon was drawn from the well known invitation of the Founder of our faith - “Come unto me, all ye that labour” &c. From this passage the preacher made an excellent address, contrasting the different kinds of invitation and the promises held out by Epicureans, Stoics, Pharisees and Sadducees, with those of Christ. This discourse, embracing the fundamentals of our religion, was couched in language so familiar and comprehensible to the intellect of the audience – occasionally soothing to their fears, encouraging to their hopes, and now and then seasoned with a spice of quiet but most startling representation – that no one present (and among them were several dissenters) could wonder at the success of the Rev gentleman's ministry. And let it not be supposed that these

“plain sermons” are, after all, so easily composed ; an excellent writer in a Bristol paper says – and I agree with him – that it is a most enviable and rare talent, that of being able to preach a good plain sermon ; some people think it merely consists in talking down to the comprehensions of a rude and primitive people, whereas you have really to talk up to them – you have to make clearer to them that which is clear – you have to present great truths to them in the most striking and least involved style – you have to quicken dull apprehensions, and to teach solemn things in simple lessons, so that they may leave an impression upon easy natures not always the quickest to receive, or the best to retain them.

The service ended, my two friends (who had evidently not forgotten my pecuniary arrangement with them) kept close in my rear until we had regained *terra firma*, when I put the question to him with the smock frock,

“Well, my good friend, how do you like the services?”

“Well”, said he, “I dant know how ezackly, but I likes the passon, for he talks to us jist as one of our own “butties” like. Besides he gin it kindish to the Pharisays and them other sad dissenters, which'll be sure to do n a power o' good”. (*Sadducees, I suppose he meant*).

After a little further conversation I passed on the subject of our monetary arrangement, and offered that if my friend would promise to form a nucleus for purchasing a bible and other good books, I would increase my donation to a shilling.

“Oh”, replied he, “that an't no use, for I'se no scholard, and never did anything that ere way, except scratching a +” (which figure he described with his nail on the palm of his left hand”.

“Then why not learn to read”, said I, “or, at all events, lay by your cash for old age, or to purchase clothes?”

“Well, ya see, twouldn't be zactly honest if I didn't spend your money *as you gin it me for fust* ; moresomever than that, it would be a goin to church under false colours, don't ya see?”

At this point of the discussion, observing the approach of several of the same class as he whom I was addressing, and not being particularly anxious to be recognised as a Home Missionary, I handed over my assets and walked away, while my friend detailed to his companions the particulars of his interview ; this was occasionally interrupted by a united cachinnation of the hoarsest kind, commonly called a “horse laugh”, which rang in my ears till, on turning the angle of the old St Clement's Church, the last I heard of the affair was the good natured remark of my friend, while pocketing the cash, “But the old chap paid up honest and straight forrud after all”.

10 March 6 1845

The investigation relative to the late poaching affray and murder at Croome (which has been carried on by the Magistrates within closed doors) terminated on Wednesday last, but the result arrived too late to be available for our impression of that evening. It is already known that two men named Joseph Turvey and Francis Dingley had been previously committed to take their trials at the coming Assizes for the murder of the unfortunate man Thomas Staite, who died in the County Infirmary from injuries received in the affray ; and on Wednesday, nine others of their associates were also fully committed to take their trials upon the capital charge. The names are :- Francis Dingley, aged 34, carpenter ; Joseph Turvey, 43, higgler and gardener ; Samuel Turvey, 37, labourer ; **George Brant**, 14, boatman ; Thomas Hooper, 19, labourer ; George Lippett, 35, carpenter ; John Cook, 25, labourer ; Joseph Tandy, 42, gardener ; Thomas Collins, 20, gardener ; William Cosnett, 25, labourer ; and William Bromfield, 19, labourer. The whole of the prisoners are inhabitants of Pershore and, we believe, live in close neighbourhood with each other ; most of them, too, are married and have families. It is said that the case for the prosecution will be supported by the voluntary confessions of no less than *four* of the prisoners themselves, viz, Francis Dingley, George Lippett, Joseph Tandy and William Bromfield, but as our next number will probably contain the whole trial, we refrain from any further remark. The case for the prosecution is to be conducted by Mr J Skey, solicitor of Upton-on-Severn, and the prisoners will be defended by Mr Wilson, solicitor of this city.

11 March 6 1845

CITY MAGISTRATES' OFFICE Lucy Pitman and Mary Ann Wheeler, who had been remanded on a charge of stealing a silver watch and steel chain, a sovereign, four half sovereigns and some silver from the person of **William Watts**, a bargeman of Newnham, Gloucestershire, at a house of ill fame in Birdport, were again brought up. Pitman was committed to the Assizes, but Wheeler was discharged.

12 March 6 1845

WORCESTERSHIRE SESSIONS

John Winters, 28, labourer, and **John Hyde**, 30, waterman, were charged with stealing a hard (hand?)wheel, an elm plug, a stone weight and a quantity of eels, the property of William Vincent of Offenham, on the 20th February. Vincent is a fisherman living on the banks of the Avon at Welford in Gloucestershire. The articles in question were left safe at the fishery on the 15th; four days afterwards, one Anthony Smith, a labourer of Offenham, whose father-in-law rents a fishery at Harvington Mill, observed two men, who afterwards proved to be the prisoners, passing in a boat, and as they appeared to be in great haste to get through the lock, Smith was dispatched after them to ascertain what they were doing, when the whole of the articles abovementioned were found in the boat. The defence made by the prisoners was that some unknown and anonymous friend had sent them a letter informing them where the eels &c were to be found, and placing the same at their disposal; whereupon they undertook to fetch them away, and did so. The prosecutor, on missing his property, made search, and when the prisoners were apprehended he satisfactorily identified the articles. Both prisoners had the appearance of belonging to a hardened, cunning class of criminals who will not loiter in their career until they arrive at the "suspension bridge" which generally forms the boundary of their earthly pilgrimage. Their tale of defence was miserably transparent, added to which they once or twice acted the part of prompter for each other. Guilty: Six months' imprisonment.

George Fricker, 21, waterman, and Joshua Weaver, 12, labourer, were charged with stealing 6 lbs weight of beef, the property of Daniel Cole the elder, from his dwelling house at Droitwich. Weaver pleaded guilty and was sentenced to two months' imprisonment and to be once whipped. Fricker was acquitted.

Thomas Walker, a boatman, was charged with stealing a (??) note and £4 11s, the property of Mr Joseph Hughes, at Dudley on the 18th of December. A verdict of guilty was returned as related to the £4 11s, and the prisoner was sentenced to six months' imprisonment.

13 March 13 1845

WORCESTERSHIRE LENT ASSIZES

Rosanna Taylor, single woman, was charged with stealing from the person of **Charles Normancell**, at Dudley on the 26th February, a purse and 7s, his property. The prosecutor is a boatman, and on that evening went to the Fox and Dog at Dudley and had something to drink with a companion in the kitchen, when the prisoner came and sat on the bench by him; he had occasion to take out his purse to lend his companion half a crown. Soon afterwards he went to sleep, and on awaking he had lost his purse and its contents. A witness deposed that he saw the woman extract the purse, and go off with it; and a police officer of Dudley, having secured the woman and brought her back to Mrs Hillman, the landlady, she was searched and the purse, containing the precise sum stolen, was found on her. Guilty: Three months' imprisonment.

James Danby, 26, waterman, who stood charged with stealing, at Wolverley on the 7th of July, fifty two quarries, the property of **George Nisbett**. The prosecutor keeps the canal lock at Cookley, and had the quarries, or tiles, on the banks of the canal on the 6th of July, but on the following morning he missed four dozen and four of them. Immediate search was made, and after considerable

trouble, a lot of quarries (three dozen and eleven) exactly answering the description of those lost were found below Bewdley, in a boat wherein were the prisoner and a man named **Morris**, who both absconded and succeeded in eluding for a long time the vigilance of justice, while Morris has not yet been captured and is supposed to be out of the country. Mr Selfe prosecuted, and Mr Beadon defended, the latter gentleman arguing on the imperfect identity that had been established. His Lordship agreed herein, and under his direction a verdict of not guilty was returned.

Benjamin Chambers, 20, boatman, was charged with stealing a horse collar, the property of James Boucher, at Alvechurch on the 5th instant. Not guilty. Discharged.

THE CROOME MURDER On Monday, as one of the minor trials was proceeding, Messrs Lee and Whitmore appeared at the table, and intimated that they wished to make an application to the Judge. Mr Lee then proceeded to address his Lordship, and stated that he appeared there to ask his Lordship's permission that the prisoner George Lippit should go before the Grand Jury. The Judge said he would readily give his consent if it were decidedly necessary for the ends of justice.

Mr Lee replied that it would be utterly impossible to carry on the prosecution without the testimony of some one of the parties implicated in the transaction, and that they had selected Lippit as being apparently the least culpable of the parties.

His Lordship then consented, and the order was made.

On Tuesday evening, the Grand Jury returned true bills on seven different indictments against the ten other prisoners (of course omitting Lippit) ; and subsequently the trial was arranged to take place this morning (Wednesday) at twelve o'clock, and the Courts, both inside and out, were densely crowded, many hundreds of the spectators, through the inadequate accommodation, being compelled to remain outside.

About the appointed time, the whole of the prisoners were placed at the bar :-

Joseph Turvey, 43, gardener
Francis Dingley, 34, carpenter
Samuel Turvey, 37, labourer
George Brant, 18, boatman
Thomas Hooper, 19, labourer
John Cook, 25, labourer
Joseph Tandy, 42, gardener
Thomas Collins, 20, gardener
William Cosnett, 25, labourer
William Bromfield, 19, labourer

Mr Lee and Mr Whitmore prosecuted, and Mr Godson, with whom was Mr Huddleston, defended the prisoners.

The first indictment charged the prisoners with assaulting and beating Thomas Staite, and inflicting mortal wounds of which he languished and died. To this they all pleaded not guilty.

The second indictment charged them with wounding William Compton at Severn Stoke with intent to kill and murder him ; there were other counts, varying the form of the alleged offence ; to this they also pleaded not guilty.

The third indictment charged Thomas Collins with shooting at George Baylis at Pirton, with various alleged intents, and the others with aiding and abetting. They all pleaded not guilty.

The fourth indictment charged Samuel Turvey, Thomas Hooper and Joseph Tandy with wounding Richard Compton at Severn Stoke, and George Brant, John Cook, Thomas Collins and William Cosnett with aiding and abetting ; they pleaded not guilty.

The fifth indictment charged the whole of the prisoners with shooting at John Francis at Pirton with loaded guns, with intent to kill and murder the said John Francis. To this each pleaded not guilty.

The other two indictments were not read.

The Jury panel was now called over, but considerable difficulty arose in collecting a body of

unchallenged individuals sufficient to form the Jury ; in fact the whole panel was exhausted, and only six names retained without objection on the part of the defending Counsel. His Lordship then addressed the learned Counsel for the defence, said that an application had been made to him to permit the Sherriff to return a *tales* [*author's note : to select jury from bystanders*], in order that a Jury might thus be constituted. He was not certain however that this would be the correct course. In his opinion, the representatives of the Crown had a right to demand, after the exhaustion of the panel, the cause of the challenges at the hands of the defending Counsel. A conversation ensued between the learned Judge and Mr Godson relative to similar cases at Monmouth and Carmarthen, before Judges Parke and Cresswell, after which his Lordship retired to consult his learned brother Platt, and on his return, the panel was again called over, and the following persons sworn of the Jury:-

Mr George Allcock, Foreman	
Mr George Ball	Mr John B Beck
Mr William Barrett	Mr Thomas Bills
Mr James Clements	Mr William Collins
Mr George Fowler	Mr John Clarke
Mr Joseph Yeates	Mr Herbert Viney
Mr William Arkless	

The first indictment – that of the wilful murder of Thomas Staite, as against all the prisoners – having been read over to the jury

Mr Lee proceeded in his opening speech, which briefly recapitulated the facts of the case, for which we have not space. The first witness called was

William Boulter, who deposed : I keep the Plough at Pershore. On the 19th December last, Francis Dingley and William Bromfield came to my house. I went to the passage to them, and they asked me if I had a gun I could lend them. It was between four and six o'clock. I did not lend the gun, and they left.

Thomas Kings : I am a wheelwright living at Pershore. I heard of what took place at Croome on the morning after it happened. On the previous night I was going along a street called the Newland, and saw Joseph and Samuel Turvey, William Bromfield, Francis Dingley and John Cook. There were others there that I did not know. I afterwards met four or five others – Thomas Hooper, George Brant and others. I had known those I have named for four or five years.

Cross-examined by Mr Godson : Five out of seven of them live in Newland ; the others live handy there. It was from 6 to half past 7 I met them. They were Pershore people, and I saw them in Pershore.

William Wheeler : I live at Pershore ; my father has a farm at Wick, a mile from there. I know Dingley. On the 19th December I saw him, and he asked me for my gun. I had seen him several days before, when he made the same request. On the 19th it was as I left the Plough that I saw him ; he asked me to go down the Plough Lane with him, and told me he was going out to take game that night. I had been at the White Horse, and I had been at Samuel Turvey's house, with his wife and father. I had a gun then, and left it at Turvey's. I went to Turvey's again between six and seven, and took my gun. When I left, I went with Dingley up the Newlands for the Holloway, and William Bromfield soon after passed me. I went on, and when I got to the Holloway, I saw Thomas Collins, Joseph Tandy, William Cosnett, John Cook, Thomas Hooper, Samuel Turvey, George Brant, William Bromfield and Lippit. I went up with Cook from the Newlands, where I had left Dingley, who however overtook us again. Some of these men had sticks and others had guns. I had on a smock frock ; I lent it to Lippit. There were two dogs – one was a dark coloured and the other a white one. I said I must return back home, when they called me a “flat” and a coward for not going on. I lent my gun to Cook. Dingley pulled a short smock frock over his head as he was going up the Holloway. He said he was going where there was game, and where they would have a b--- row, and they'd have life for life before they'd be taken by the keepers. I returned to Pershore, and they went the road towards Pirton. Mr Meredith, a butcher, overtook me. The next morning I went to Cook's house for my gun, between 7 and 8, and he said it was up at Dingley's. I went to Dingley's

and saw him in bed. I asked him for my gun, and he reached it to me from under the bed. It had been scratched or broken a little down the stock before, and was now more broken ; he said Cook had tumbled over a gate with it, but that he would pay for its being mended. I took it to be mended to one Champkins. About a month after, I saw Cook and said to him, you've done something to be talked of, to murder a man at Croome. He asked me if Mr Harris, the constable, had got my gun, and I said yes. He told me to "hold tight about the gun, and say nothing about how it was broken. He said that one person had come running down the ride, and said, "Here they are, my boys", and added that he (the prisoner) had turned and knocked a man down, but did not say with what.

Cross-examined : I am a farmer's son, aged 26. I have not been a poacher, as I know of. I have never been in prison till taken up on this charge. I have been before the Magistrates at Pershore once, about three months ago. It was for having got fresh in drink at Boulter's house. I had some drink on the 19th December. I had gin and cider. I might have had two or three pints. I was not tipsy. I saw Mr Meredith that night, and pretended to be drunk. I did it purposely. I only had drink at Samuel Turvey's ; I had ordered it. I did not "justly then" know they were going out. I partly knew they were going out, but I should not say I was their Captain. I only gave Turvey drink, and did not know of the others being there. I had given the Turveys drink before. I sent it to them out of curiosity. It was to Lippit I lent my smock frock, and to Cook I lent my gun. I lent them after the words I have heard mentioned today, about having "life for life". I did not persuade them against going. I had none of the game, and was not to have had it. I never had game from any of them. Will any one of them come forward and say so? I had not been out with them for a long while – it might have been more than twelve months ago that I was out for game. I was out with some of them, shooting for game. It was once only, and I can't say I have been out more than that. I had my own powder and shot on the present occasion. I did not provide powder and shot for any other party. Cook had it, after I left to return home. I could not swear as to the quantity ; there might be two or three loads. I was not first at the Holloway. It was Dingley who had asked me to go to the Holloway. I did not mean to go a poaching that night. I was at first over persuaded by Dingley to go, till I heard the expressions, and then I turned back. I have known Dingley for some years ; I have had drink with him. Mr Harris, the Superintendent, said if I did not tell him who I had lent the gun to, I should be taken up. I did not tell him. I have made two statements before the Magistrates, not any more to the best of my knowledge ; I now recollect I was three times before them. My first statement was in gaol on Thursday, a second statement was made on the Saturday I was let out ; and on the Wednesday after I made another. I did not like at first to tell all I knew. My father lives only a short distance from the Newlands, within a quarter of a mile. I get my livelihood by working on my father's farm. I have no wages, but have pocket money, and get the profit of selling and buying cows at times. I have no licence to shoot. If I have any little debt I pay for it myself. A long while ago my father put out an advertisement against me, when I left home.

Re-examined : I have since come back to live with my father. When I left my house on the 19th December, I had intended to go with them till I heard their words. I was in the Holloway long enough to know who were there. I was not drunk.

Edmund Meredith : I am a butcher living at Pershore ; on the 19th December I was returning from Chivington between seven and eight at night, and at the Stocking Road I met from thirteen to fifteen men, having guns and bludgeons. After I had passed them, I overtook Wheeler on the road to Pershore.

Cross-examined : I saw Wheeler on that night ; he had the appearance of being intoxicated. I know him ; he lives with his father and works on the farm ; his father has maintained him. I have seen him working on the farm, and I have seen him at the public houses, and intoxicated. Would not like to say whether I would believe him on his oath. I live close to him and have known him all his life.

Re-examined : He walked by the side of my horse on the night in question, and entered into conversation. I am sorry to say he is not in the habit of telling the truth, and is called a liar at all times, to tell you the truth, gentlemen. It was from half a mile to three quarters from the place where I saw the men and where I overtook Wheeler.

Julia Ann White : I live with my father at Croome, and go with my sister to Pirton school. On the

19th December I had been practising singing, and was coming home with my sister ; when at a place called Hare-pen Cover (between nine and ten o'clock), at a gate there, I saw several men and a dog or two. One of the dogs, which was held by a man, barked and frightened me. The men told us to go by and we should not be hurt. We went on, and on looking back saw the men going on, as if for Pirton pool.

Cross-examined : My younger sister was with me ; I am not yet 15. It was after nine when we started from Pirton Church, and it would take us half an hour to walk to where I saw the men.

Mary Ann White : I am sister to Julia White, and came home with her from Pirton Church about ten o'clock. We met several men standing by the road ; there were more than six ; there was a dog and he barked, when the man caught hold of him ; that was by the Hare-pen Gate.

Cross-examined : It was five minutes after ten when I got home. I think there were more than four men. I was going to scream, but my sister would not let me.

Richard Compton : I was a watcher at Croome on the 19th December, and was out that night. I started from my home in Kempsey parish, and went to the park with my two brothers, William and Thomas, Samuel Miller and Baylis. That was at half past ten. From thence to Pirton is a mile. There is a clump of trees nearly opposite the osier bed adjoining Pirton pool. We five had been at that spot a short time when George Baylis left me to fetch some others. I had previously heard a hare cry and a dog bark. When he left us, Thomas Staite, the deceased, and Charles Staite, with Samuel Reynolds and William Andrews, came up. Then we separated, and I went with the two Staite's, Andrews and Reynolds in the direction of Kempsey Common, that was from Pirton Pool. I then went off with Thomas Staite, and arranged to meet the other party again in the direction of Pirton pool. At the corner of the osier bed, there is a gate separating the osier bed from the Pool Piece. Beyond that there is another gate leading in the direction of Park Farm. We got to the appointed place before the others arrived, and got over the fence, through the gate and into the road ; we then saw 16 or 18 men there, and did not know whether they were friends or not. When about 150 yards from them, they said, "Come on my lads!" I thought they were some of our party, and went up to them. Our party had no guns, but sticks. When we got up to the men, one of them said, "D--- your eyes, I thought you were one of our own party". Neither I nor Staite replied, when one of them struck me with his gun at the back of the head. We had offered them no violence. I staggered, and fell from the lane into the Old Park. When down, I was hit and kicked, and the cut on the forehead (here exhibited) was one of the blows I received when down. There were five or six kicking me. I fell on my face and they kicked me over to the side. It was a bright moonlight night. I knew Joseph Turvey, and had known him well for ten years. I have constantly seen him at Worcester market, he being a gardener and higgler, the same as myself. When I was down, Joseph Turvey said, "D--- your eyes, what do you want coming after us? I'll take care you shan't come tomorrow". He then struck me across the bowels. After I had been beaten, I heard Staite cry out with a dreadful groan, and after that I heard a tremendous blow. I then heard two guns firing, in the direction of the clump where he was. I should think the clump was about 300 yards off. The guns were fired at about 20 or 30 yards off. I heard Joseph Turvey say his gun did not go off. One person then came and held his hand over my mouth, to see if I breathed, and Joseph Turvey drew the muzzle of the gun to and fro in my mouth as I lay on my back. One man said, "D--- their eyes, I think we have given them enough ; all we want is a water hole to throw them in". We were then near the osier bed ; Pirton pool was frozen over. At that time I heard George Baylis and Francis Dingley come towards us, from the other side of the fence. Joseph Turvey then said, "D--- their b--- eyes, blow their brains out", and two guns were fired off. Baylis and Francis Dingley spoke to the poachers, and Joseph Turner (*sic*) said, "D--- their eyes, we haven't hurt 'em, go at them again", and Turvey put his gun to his shoulder and the cap went off, but I did not hear the gun. Turvey said, "I'm afraid I shan't get my gun off any more tonight". Then he said, "Now, my lads, load these empty guns". After that he said, "Where's our bag? Let's get our tuck and be off, for they'll get forty of 'em, and come and take us". They then left, and I got up and went away, up the lane, for the Park Farm, on my way home. I met William Andrews, and went to James Parker's house, whose son came and helped me home. I was afterwards examined by a surgeon. I did not see Staite till I

saw him dead at the Infirmary.

Cross-examined : I had not been at Worcester but at Kinnersley that day, to James Turbill's. I drank about three pints of cider there, me and another man. We were putting up a load of fruit I had bought. The stick I had was not loaded. I can't say if Staite's was. I know Haines, of Kempsey. I will swear I don't know whether any of the sticks were loaded or leaded. The patch on my nose is not from the poaching affray, nor from a fight last night. I was a little confused when lying on my back. I heard Joseph Turvey say his gun would not go off – that was immediately after the firing. Joseph Turvey was the only face I knew.

Re-examined : I saw his face, and knew it. The deceased was dressed in a smock frock and a “Jim Crow” hat.

The trial was proceeding when we went to press, and it is expected that it will occupy the Court the whole of tomorrow.

14 March 20 1845

WORCESTERSHIRE LENT ASSIZES (Continued from our last)

THE CROOME MURDER Our last week's paper contained the evidence of William Wheeler and Richard Compton, given on Wednesday ; the next witness called was

William Compton : I am brother to the last witness, and went out as a watcher on the 19th December, where I separated from Richard, and I and Thomas were alone. We went towards the osier bed, and heard a band of men come down, and begin with my brother Richard ; I heard nothing before I came up with those men, except sticks, as though they were beating someone. I and Thomas ran up to the place, and I arrived first. There were about 10 men, and there were 7 guns, and the others had sticks. They said I was to stand or they would blow my brains out. I had a stick ; they told me to put it down, which I did. One of the men pointed his gun to me, but another told him not to shoot, as he thought I could satisfy him without. Another said, “Go into him”, and he struck at me, but I stopped the blow with my arm, as also the second blow ; another man caught me at the back of the head with a blow which laid me senseless, and I heard no more.

Cross-examined : The first and second blows did not hurt me much. I could not see if it was a walking stick.

William Andrews : I was employed to watch game near Pirton on the night in question ; we were by the side of the osier bed, and hearing a noise towards the Park gate, I made for it, and saw 12 or 14 men ; Richard Compton was lying down by the gate ; Thomas Staite was also laid down about 40 yards from the gate ; the poachers were round a third man I did not know ; I turned to my party, Charles Staite and Samuel Reynolds, and said, “Come on my lads”, when 8 or 10 of the poachers ran at me ; I turned to run, when they fired, but missed me ; they fired again and struck my hat ; it did not fall off, for I had tied it on ; Joseph Turvey was one of the men with the guns who ran at me, like the rest ; one of the parties said, “D--- his eyes, blow his brains out ; blow a hole through him”. I ran up towards Mr Woodward's house, and stood there until Richard Compton came to me ; he had no hat, and was bleeding in all directions ; some time afterwards, I found Staite in a ditch near a fence to Mr Woodward's farmhouse ; he was sat down, but did not speak, I assisted him to Hooper's house. Deceased was smothered in blood, and I could hardly see that he had any eyes, for his face was so much swollen.

Cross-examined : Where I found Staite was about 100 yards from the farmhouse, but I took him to Hooper's because that house was open and the farmhouse was not. From the gate to where Staite was might be 300 yards.

George Baylis : I was with the Comptons and the Staites on the night of the 19th, and went with Miller and Francis to a place called Mount Pleasant, where we heard two guns fired and we went towards the osier bed, and saw about fourteen or sixteen men in the cover ; I came within twelve yards of them, when I heard one of them say, “D--- your b--- eyes, stand, or I'll blow your brains out”. I saw their guns. Francis Dingley was there ; I turned to run away, but had not got twenty yards when two guns were fired, when the crown of my hat was blown out ; I picked it up, and saw

one of them aim at me again, but the cap went off and the gun missed fire.

Cross-examined : I was not more than twenty yards off at that time ; it was in the Pool field, but not where Staite was found ; I knew Dingley, and had no doubt about him ; I was not much frightened at the time ; I ran away to get out of it ; I had a doubt about Dingley after it was done, but I knew him when I saw him again ; it might be a minute I saw Dingley ; I had never seen him before ; I noticed his dress.

Re-examined : When I saw him I was but twelve yards from him ; he had a short, dirty smock ; a low hat, and a broad brim ; I also noticed his long black hair; I described him to Hooper afterwards, and picked out the man from a number of others after I came to Worcester ; I meant to say that it is the man when I said I doubted it was he.

Samuel Miller : I recollect being watching on the night of the 19th December, in company with Baylis and Francis ; we were on one side of the pool, when I heard a gun fired ; and we went round by the side of the pool amongst a lot of trees ; another gun was then fired, and I afterwards saw the poachers by the osier bed ; one of them said, “D--- their b--- eyes, shoot them, or I will”. One levelled his gun, but the cap went off and the gun missed ; another stepped out and fired, and shot off Baylis's hat ; I followed up my other companions ; among the present prisoners I saw Dingley there.

Cross-examined : I had watched only one night before that ; I was employed by Compton ; I am a waterman, and had never seen any of the men before ; I said I could not tell whether they were Upton or Pershore ; they speak different languages at those places ; I have been up and down the river in my lifetime, and have been in prison ; I took a plank, but I don't know whether I stole it or not ; the Jury were unkind enough to say I had stole it ; that was August twelvemonth ; I saw Dingley when he was in custody, and I fixed on him among the others. He was in my sight on the night of the 19th ; I was a little startled and made off clear of it, but I saw him step out from the ranks as I said before ; I have heard something about a £50 reward, and £100 reward before I fixed on Dingley ; on the 19th December I had not had work as a waterman for two months ; £50 would be something to me, or to anybody else as had got none.

Hannah Page : I live at Pershore, and next door to Samuel Turvey ; on the morning after the affair at Croome I had not been to bed, for I was sitting up for a lodger, and at three o'clock I saw Samuel Turvey and two others in the garden ; Turvey said, “D--- my eyes, if that aint a b--- mouse”.

Cross-examined : I don't know what that means in Upton or Pershore language ; this occurrence did not take place on a Sunday ; Turvey goes out in the morning and comes home at night, like other labourers ; I saw him perfectly, and knew him well ; the moon had not gone down.

Re-examined : It was on the Friday that I heard of the affair at Croome.

George Lippit : I have been in trouble before this, but only once, and that was for poaching ; on the 19th December I was at the White Horse, Pershore, about eleven o'clock in the day ; there were Francis Dingley, Samuel Turvey, Thomas Hooper and William Bromfield there ; Dingley and Turvey asked me to catch some hares and shoot some birds with them that night at Pirton, a distance of five or six miles ; I said yes, and we appointed to meet at the Holloway at half past six ; we left the White Horse at dinner time, and returned there at half past two, when William Wheeler was there, but none of the prisoners as I know of ; I got a gun from Charles Walters's at Pinvin, and took it to Samuel Turvey's between four and five o'clock ; at Turvey's I found Samuel Turvey and his wife ; I saw Wheeler and Francis Dingley there ; I know a place called the Newlands ; we went up there, and overtook Thomas Hooper ; we afterwards met Thomas Collins ; on that we went up the (Hesford?) road and on to the Holloway ; Thomas Hooper was with us, and Thomas Collins went into an orchard, for he saw two persons coming ; we stayed at the Holloway ten minutes, and all of them came up – John Cook, Thomas Hooper was with me, George Brant, Joseph and Samuel Turvey, Francis Dingley, Thomas Collins, William Bromfield, William Cosnett, Joseph Tandy and William Wheeler ; William Wheeler had a gun, which was lent to John Cook ; Thomas Collins had a gun ; William Cosnett a double barrellled gun, Joseph and Samuel Turvey and George Brant also had guns ; the others had sticks ; there were seven guns ; I had one ; Wheeler said he must go back, as he had to go to Worcester in the morning, and Cook took his gun, with his powder and shot ;

Wheeler had a smock frock on, which he lent to me ; after he had left, we went down the Stocking road and met Mr Meredith, who was on horseback ; I had known all the men before ; they were not dressed as usual ; I know Mr Bullock's at Burton Court ; before getting there I remember two girls passing us ; the little one screamed, and Joseph Tandy said, "Go on, girls, don't be frightened, we shan't hurt you" ; Tandy had a black and white dog and a white one ; one of the girls said, "Come on Julia, the men won't hurt we" ; after they had passed we went up the ground where were some rows of trees ; we went across the (...) Park to a ground where Francis Dingley was going to take (...) ; it was called Seed Ground ; we set some gins in the fences, and turned the dogs off : George Brant and I took three hares, and the others took three hares, at the first run ; we then took (...) the gin, and passed a farmhouse where there was a light, when we crossed the road and parted, some going down the lane and others on the top of the field ; there we set the hedge on the (...) and others set the lane side, when John Cook and I put a (...) down at a gate, anent a clump of trees ; after they had run (...) ..) we ran the seed ground and the wheat ground, where we caught another hare, and then we picked up the wires. We went to a field where were some cattle ; John Cook and I, Joseph Tandy, Thomas Hooper, George Brant, Samuel Turvey, Thomas Collins and William Cosnett were there ; Bromfield, Dingley and Joseph Turvey were at the osier bed ; after we had been there a short time, two or three persons came by ; one came close to us, and I said, "These ben't our chaps" ; one of them was getting over the rails, when Joseph Tandy took up a stick and knocked him on the back of the head, when he tumbled on the ground, into the Old Park ; at that time one said, "Don't hurt poor Dick Compton", and Samuel Turvey and Thomas Hooper struck him several times with sticks about the head. The others then got over, except Cook and I, and Compton was struck again by the same men and Tandy ; he was beat until he had done crying out. I saw a man go up to a clump of trees ; he had a smock and a "Jim Crow" on ; then I saw three men come from the clump of trees, when Cook and I were over the rails, but Collins was first towards the men, and I was second ; one man ran away, and Thomas Collins ordered the one with the jacket to throw his stick down, which he did ; Collins picked it up, and hit the man with it on the head and shoulder ; then all our party came up, and Joseph Turvey hit the man with the jacket on three or four times with the muzzle of the gun, and Hooper, Bromfield and Dingley (...) him and knocked him down ; whilst he was on the ground the man with the smock and "Jim Crow" came down and said, "Fair play, my lads, one to one" ; then Bromfield, Cooper and Dingley fell on him also, and struck him with a stick on the head, after the man had attempted to strike them ; Cook then hit him with the stock of the gun and broke it. That was the gun which Wheeler had lent to Cook ; Francis Dingley hit him then with a stick on the head and he fell from that blow ; the stick was about a yard long with a large knot on the end nearly as big as one's fist ; when on the ground Francis Dingley took his own stick off him and beat him with it on his head and about the body ; William Bromfield, Francis Dingley and Thomas Hooper beat him about the head ; the man that was struck had on a smock frock and a "Jim Crow" hat ; after they had beaten him, the man in the jacket jumped and ran twenty or thirty yards towards the corner of the osier bed, not towards where Richard Compton lay ; Francis Dingley, I, Samuel Turvey and Bromfield ran after him ; Francis Dingley hit him on the head with the knobbed stick a very violent blow, which knocked him down, and Dingley also struck him on the head several times when down ; Samuel Turvey struck him several times on the body ; the man did not cry out ; I should think Dingley struck him six or seven blows on the head ; after he was on the ground we went to the man with the smock frock on ; when we got up to the man, I took hold of Bromfield's stick and hit him across the arm once or twice ; several blows were struck after that by some of us, but don't know who ; we then went back to Compton who was still on the ground ; we shot at the men ; can't say how many barrels, but I think four as they were running away ; after the firing I saw Thomas Collins, William Cosnett, Samuel Turvey and George Brant loading their guns again ; after firing their guns, George Brant put the butt of his gun to Compton's nose to see if he breathed ; Joseph Turvey, I, Joseph Tandy and several others were by ; we then saw the man in the frock get up and run off, when we got over the gate into the osier bed ; he walked off round the tump of trees on the right (...), and he reeled as he went along ; that was in the direction of the Old Park ; when we got into the osier bed we (...) up the guns that were left ; we saw three more men

on the other side of the hedge. The poaching party all cried out, "Shoot" ; they did not shoot till the three men were got up the field 30 or 40 yards, when Joseph Turvey, George Brant, William Cosnett and Samuel Turvey shot ; we then picked up the remainder of the guns and went off home ; it was about (...) past one when we got back to Pershore ; it was about (...) yards from where Richard Compton was down to where the man in the frock was, and 20 yards from there to where the man in the jacket was knocked down.

Cross-examined by Mr Godson : Several of the keepers struck blows ; the man with the "Billy hat" struck with a stick like a constable's staff ; it was about 18 or 20 inches long ; I saw it that night, it was leaded ; the man in the smock had the stick, and there may be half a pound of lead in it ; when he said, "Fair play, one to one", he used the staff pretty stoutly ; the shooting was to frighten them ; the poachers waited until they were some distance off – about 60 yards ; the man in the smock was hurt by a stick, but I do not know whether it was his own or not : I saw the man in the smock going away towards the Park House ; I "telled" and thought it would be better, and that is what brought me here today ; I thought it would be better to tell to ease my conscience ; it was not the first night I had been out ; by so many I do not remember the number ; I had seen a reward in the paper before I "telled" ; I believe I saw in the paper that anyone was to have a free pardon if they did not strike the blow ; I hit the man in the smock once or twice on the arm, I had Bromfield's stick ; but I do not know that Bromfield said I struck the blow that killed the man ; I was at the examination in the parlour of the gaol ; I told them not to hit him any more after I had struck him as I thought he had had enough ; there were several blows struck after that ; I did not think I had killed him, for I knew he was not dead ; I have known Wheeler ever so many years, but I don't know that he ever went out poaching to my knowledge but once ; Wheeler and I had some drink from the White Horse, and he paid for it ; I don't know what was to be done with the game ; I never struck the man in the smock frock with my gun ; I never took his stick from him and gave him a blow ; when I made my statement I did not know that anyone else had made one ; I was taken up about two months after it occurred, and have been in gaol about a fortnight or three weeks ; no one made any application to me to do so ; I went into gaol on the Saturday and told on the Tuesday ; I did not see Wheeler the following morning ; I got home about half past one.

Re-examined by Mr Lee : I had not spoken to either of the prisoners from the time I went into gaol till Tuesday, when I told Mr Stables, clerk at the gaol, and Mr Curtler came and took my statement. It being then eight o'clock, at this stage of the proceedings Mr Lee, for the prosecution, said he was about to enter on a new class of evidence ; and if it was thought advisable to adjourn, now would be the most convenient time.

It was then arranged to adjourn the further hearing of the case until eight o'clock the following morning, the Jury, in the meantime, being kept in the custody of bailiffs.

THURSDAY

The Court opened at eight o'clock this morning, at which early hour the Court and avenues were again densely crowded.

Mr B L Stables, clerk at the county gaol, was first sworn : I recollect the prisoners coming to the county gaol ; they were not permitted to associate ; Tandy first applied to make a statement ; the first thing he said was, "The two men brought here last are innocent ; I can clear them" ; their names were Ferris and Freeman. They had been brought to the gaol on this charge also ; I said I had rather you would tell me nothing about it, but if you wish to make any statement you had better see a Magistrate ; I went to Mr Curtler, who is a Visiting Magistrate, and who had taken depositions in the case ; he came to the gaol ; Lippit afterwards made a statement ; I was not present when Dingley made a statement.

Cross-examined by Mr Huddleston : Joseph Turvey and Dingley were the first brought to the gaol, Turvey being first ; I was present at the examinations ; I do not recollect which of the prisoners were then present ; cannot recollect if the depositions at one examination were read over at the next.

John Silvester, turnkey : William Bromfield made an application to me on the 22nd of February, and said he wished to see the Magistrates again, and I reported it to Mr Curtler.

Thomas Gale Curtler Esq : I am a Magistrate of this county ; recollect the prisoners being brought

before me on this charge ; Mr Stables made a representation to me, after which I saw Joseph Tandy, and took down in writing what he said ; I held out no inducement to him to make a statement, but cautioned him that it might be used against him ; the paper produced is the statement ; I read it over to him afterwards, and he put his mark to it. [The paper, which extended to some length, was here handed to the officer of the Court]. Mr Curtler resumed : I afterwards saw Bromfield, who also wished to make a statement, and after particularly cautioning him, I took down his statement, to which he put his mark. [Paper handed in]. With regard to Dingley, Mr Adlington, the Chaplain, made a statement of what had passed between him and the prisoner ; I afterwards saw Dingley, and took his statement in like manner as I had the previous ones. [Paper handed in].

Cross-examined by Mr Godson : I never understood, with regard to Tandy, that any Magistrate had offered to procure a pardon ; neither that one had been offered to Dingley, though Dingley had spoken to Mr Adlington on the subject ; Dingley asked, "Is there any pardon?" ; I said, "I can make you no promise, for I have no authority to do so". Then he said, "Those other two men who are here are innocent" ; before that, I had seen a handbill containing an offer of her Majesty's pardon ; I saw it in the gaol, and ordered it to be taken away ; that was soon after the murder. A man named Panter was not in gaol then ; I cannot remember exactly when he came ; Panter was in gaol before Ferris and Freeman, but they were brought in consequence of what Panter said ; but they were discharged. I took down what Lippit said.

Rev John Adlington : I am Chaplain at the County Gaol ; some time after the prisoners were in custody I saw Dingley, who had several conversations with me ; two or three days after he came in, he asked me if I had any tracts on perjury, and I said I had ; he then expressed a wish to see a Magistrate, and I said I would send for one ; he asked if any proclamation of pardon had been issued, and I said there had ; he asked if anyone made known the circumstances it would be impossible for him to go back to Pershore ; I said, "Very likely" ; I then said I hoped he would not consider I had been encouraging him to make any statement, but that it must be his own voluntary act. All this conversation I repeated to Mr Curtler.

Cross-examined : There was no further conversation about the reward, except as connected with our conversation on the proclamation ; there was something said about the reward enabling any person, who might disclose, to go elsewhere than back to Pershore ; I had given him no spiritual advice about clearing his conscience ; I visited Tandy once, and had a conversation with him as to the seriousness of the offence with which he was charged ; I don't think he said anything about the pardon or reward ; I also conversed with Bromfield in the same manner ; Tandy and Bromfield came in after Dingley.

The various statements were about to be read, when Mr Godson interposed, and argued that with regard to Dingley, his statement was inadmissible, having evidently been made under the influence of the proclamation which contained an offer of free pardon and reward ; and quoted "The Queen v Boswell" (Russell p830), to show that an implicative statement made under the influence of offers of pardon was rejected. And with regard to the other two prisoners who had made statements, the case was not so clear, yet he thought their statements would be inadmissible, and that the caution given by the Magistrate to the prisoners, before making their statements, was not sufficiently explicit to remove the impression that a pardon would follow.

Mr Huddleston followed in the argument, and instanced cases in which Judges Cresswell and Patteson had ruled against the reception of statements made under any impression of pardon or reward.

Mr Lee replied, and proposed to treat the cases distinctly and separately. With regard to Joseph Tandy, he could not imagine any case more free from objection, for there was no kind of proof that he had received any impression of a pardon to be obtained. As to Bromfield the circumstances were similar, and the Magisterial caution was most complete, in avoiding any kind of intimation that pardon or reward would ensue. In the case of Dingley, he submitted that the statement was voluntary, and that the Chaplain, in the conversation he had with him, had held out no hope or inducement ; but conceding the influence of the offers of pardon upon the mind of Dingley, Mr Lee submitted that the confession or statement made by him had not been sufficiently shown by

evidence to have been “produced” by the influence of the proclamation ; and on referring to the case quoted by Mr Huddleston, he showed that the Learned Judge had only rejected the evidence upon the most direct and positive proof that it had been produced by such hope of pardon.

Mr Godson rejoined, insisting on the clearness of the proof of the influence on the mind of Dingley. As to the case of Tandy, he submitted that the Magistrate's caution had been thus worded :- “That the statement about to be made *would be* used against him”; the *certainty* of which expression might bias the mind of the prisoner to make an incorrect statement.

It appeared, however, that the word “*could*” was inserted in Mr Lee's copy.

His Lordship decided that although it were proved that a prisoner had knowledge of an offer of pardon, it must also be proved beyond doubt (in order to reject the evidence) that the confession had decidedly issued from that knowledge. As to the use of the word “would”, he was of opinion that, in the usual form of administering cautions, it merely had reference to the *probability*, not the *certainty*, of such evidence being used against the prisoner.

Mr Godson next argued that the statement of any prisoner should not be allowed to implicate any other, and that all allusion to other than the confessor himself should therefore be rejected ; this was supported by Mr Huddleston.

His Lordship said that such allusion would only be admissible to the extent that it was supported by other and less doubtful evidence, but that the statements must be read for the convenience of the proceedings.

Mr Curtler was here again called as to a second statement made by Dingley on the Saturday week. He had been told previously, at the suggestion of the Magistrates, that the confessions which had been made went to the extent of implicating him in the murder. He said it was quite a mistake ; he did not strike Staite ; it was William Compton he had struck, after Compton had struck him. Nothing else occurred at that time.

The following statements were then read :-

The Voluntary Information and Confession of FRANCIS DINGLEY, a prisoner confined in Worcester County Gaol on a charge of murdering Thomas Staite, taken at the said gaol this 19th day of February 1845, before me, Thomas Gale Curtler Esq, one of her Majesty's Justices of the Peace for the said county of Worcester ; who saith (in answer to questions put by the said Thomas Gale Curtler) :-

I wish to make a statement of what I know ; I have told Mr Adlington so, and desired him to send for a Magistrate. No person has made any promise or held out any inducement to me to confess anything. Mr Adlington is the only person I have said anything to ; he has not made me any promise or held out any inducement to me ; what I have said to him, and what I am about to say, is my own free and voluntary act and desire. The said Thomas Gale Curtler having read over to the said Francis Dingley the foregoing statement, informed him he was at liberty to say anything he might wish, and that it would be the said Thomas Gale Curtler's duty as a magistrate to take it down in writing, the said Francis Dingley voluntarily saith as follows :-

I was out the night that Staite was murdered at the Park Farm, near Kempsey, with several others ; we were ginning hares. Joseph Turvey, my fellow prisoner, was there ; Samuel Turvey was also there ; Joseph Tandy was also there ; Thomas Collins of Pershore, labourer, was also there ; Thomas Hooper of Pershore, labourer, was also there ; George Lippit of Pershore, carpenter, was also there ; George Brant was also there ; William Cosnett, the son of a gardener at Pershore, was also there ; William Bromfield was also there ; John Cook was also there ; William Wheeler of Pershore started with us, but he returned and was not with us on the ground ; he was the cause of our going. We all met in the evening before at Samuel Turvey's house, except Joseph Turvey. Wheeler fetched several gallons of cider to us there, a gallon at a time, and asked us to go out that night, as he wanted a few hares against Christmas, and bought some powder and shot for us, and said he could get two or three guns. He brought a gun to Samuel Turvey's, and said he would try to get another or two ; he did go and try, and came back without any gun. When he came back, Samuel Turvey,

myself and Joseph Tandy objected to go, and said we should get ourselves into a hobble. Wheeler said, "Oh, never mind ; there is no danger of getting into a hobble, for we are so many of us they daren't come nigh us". We then started ; it was between seven and eight o'clock ; some went first and some followed, and all met at the top of the bank at the Stocking. Wheeler sent Brant back after Joseph Turvey, and he came to us at the Stocking with Brant. We had seven guns amongst us and four sticks ; I had a stick, Thomas Hooper had a stick ; Joseph Tandy had a stick ; and William Bromfield had a stick ; Cook had neither gun nor stick ; all the others had a gun each. We all went on ; Wheeler went a mile or a mile and a half with us, and then stooped down to do a cheer for himself or, as he pretended to do, and gave Cook his gun to hold. We went on and saw no more of Wheeler, though he said he should catch us before we got far, but he never did. I don't remember that we met anybody in the road on foot or on horseback. We went down to what is called the Greens of the Green ; we went up Holloway from Pershore, along the road that leads for Besford and Croome, through Pirton to the Greens ; we all eleven arrived there except Wheeler. We began to put our gins in some fields below the Park Farm ; we set round the hedges of a piece of seeds and a piece of turnips, about half or three quarters of a mile from the Park Farmhouse, where Mr Woodward lives. We had two dogs which we took from Pershore ; one a white rat thing dog, kept at Joseph Tandy's, and belonging, as I think, to a rat catcher of the name of Johnson, who lives at Pershore ; the other dog was a black terrier thing, one as was found in Pershore ; Samuel Turvey brought him ; he had not had him above a day or two. We hunted the fields of seeds and turnips with these two dogs. After we had set them and caught six hares, then we left there and went on the upper side the farmhouse, very near Pirton Pool ; there was a ground of wheat there ; we planted along the top hedge of it and then hunted that. Some said it would be no good planting all ; we then hunted that ground and caught one hare there ; then we concluded amongst ourselves to go home. Cosnett said he saw three or four men stood down at the gate the road we were going ; we were all together then, all the eleven that is, in the ground ; we started to pick up the tack and go off in different directions, and to meet where Cosnett said the men stood, for some would not believe there were any men. I and Joseph Turvey and William Bromfield were then by ourselves, the other eight all went together ; it was quite light, moonlight ; I and Joseph Turvey and William Bromfield went a greater distance for part of the tack than the others did, but all in the same field. The other eight went down to the gate where Cosnett said the men stood. I and Joseph Turvey and William Bromfield were going down the hedge side to where the other men were to meet us at the gate ; but we were on the other side of the hedge, having gone through a gate into the ride, in the osier bed, which joins Pirton Pool. As we three went on we heard a man cry out, "Oh Lord!" and then Joseph Turvey said, "What must we do? We had better go and see what they are doing on". We three went up and saw Richard Compton lying with his back on the ground ; I knew Richard Compton, we went up to the gate near him, it was locked and we all three got over, that is Joseph Turvey, Bromfield and myself ; we neither of us touched Richard Compton, he was lay flat on his back with his eyes shut. I did not see him stir. Joseph Turvey said, "I think they have given that gentleman enough". When we got over the gate, we saw a tussling, about fifteen or twenty yards from the gate, between our own party and some other men ; all of our own party were there except Joseph Turvey, myself and Bromfield. I saw all the other eight of our party I have mentioned ; when we came up to them Staite lay on the ground on his face ; before we three, myself, Joseph Turvey and Bromfield, got up to where Staite was, we saw some of the keepers running away ; George Brant, Thomas Hooper and Collins were beating Staite ; Collins was beating Staite with Staite's own bludgeon. I know that because Collins said he took it out of Staite's hand ; I heard Collins say that he said to Staite that if Staite would not throw down his stick he, Collins, would knock him down with his gun ; Collins also said that Staite threw down his stick, and that he, Collins, picked it up and knocked Staite down with it ; he was beating Staite with that when I came up. Brant and Hooper were beating Staite with bludgeons ; I saw them all three strike Staite many times ; he cried out desperately and struggled much, but had no power to get up. Samuel Turvey, Joseph Tandy , George Lippit, Cosnett and Cook stood round with their guns on their arms when we three came up ; Samuel Turvey, Joseph Tandy and George Lippit all said don't hit him any more for you will

kill him, you have given him quite plenty. We all eleven then turned to go away from Staite, and William Compton came from behind a tree and ran through the middle of us ; he struck at me with his bludgeon as he passed and struck the brim of my hat. I struck him with my stick, an ash walking stick ; I caught him on the back part of the head and he tumbled down ; as he fell John Cook struck at him with his gun, missed him and broke his gun ; that was Wheeler's gun. William Compton got up again and struck at William Bromfield, but missed him, and Bromfield struck Compton immediately with an ash stick on the head, a blow which felled him to the ground again ; when William Compton was on the ground then I took his stick off him ; it was a sort of constable's staff, very heavily leaded, and I struck him with it across the arm, and then William Bromfield struck him again across the body with his stick ; then I said don't let's hit him any more for I think he has got enough ; all this time the others stood round, then we turned off and left them and went into the osier bed, all eleven of us, and went into the ride in the osier bed by the pool. As we were going out of the Parkfield over the gate into the osier bed, Joseph Turvey stood over Richard Compton, who then lay on his back as before, and in the same place, with his mouth open but both his eyes shut. Joseph Turvey said, "I think you have given this gentleman almost too much", but Turvey never touched Compton. We all eleven got over the gate into the osier bed ; then I turned round and saw William Compton get up ; he seemed to stagger ; we stood and watched him staggering for three or four minutes ; then he made his way off towards the rabbit bank, towards home. Some of our party said, "We have not given him enough, he seems to go off the ground pretty free". I said, "We have given him plenty, and the best way is for us to get off the ground as quick as we can". As we were going along the ride we saw three more keepers ; we were within about twenty or thirty yards of them ; they were in the ground adjoining the osier bed ; Brant, Hooper and Collins ordered the keepers to stand, or they would shoot them ; the others of our party said, "Don't shoot, don't kill nobody" ; the keepers did not stand, but ran off across the field ; and when they had got eighty or ninety yards off Brant and Collins both shot at them, and said, "D---'um, we'll frighten them a bit if we don't hurt them". We then all made the best of our road home. We all eleven went together ; we took our seven hares and our tack, and kept the foot road by Pirton church, and kept that road to Mr Bullock's of Besford, and then kept by the public waggon road all the way to Pershore. We stopped at the top of the Stocking Bank, and Samuel Turvey, Bromfield and myself went down Allsbro' Hill, and the others went down the Holloway into Pershore. I don't know what became of the hares ; the tack was took to Joseph Turvey's hovel in his garden ; Joseph Turvey told me so ; it was then between twelve and one o'clock, as near to one as could be. Cook said he dare not take home Wheeler's gun, and gave it to me in a broken state ; I took it to my house and put it in a corner of my bedroom and went to bed. My woman said, "In the name of God, where have you been, if you go along with those fellows again, you will get into some hobble" ; she asked me whose gun it was, and threatened to throw it out of the window. In the morning Wheeler came and asked my wife if I was at home ; he came upstairs to me and asked for his gun, and said he had been round after his gun ; and some denied it, and some said I had it. I said, "Yes, here is your gun in the corner". He said, "I dare not take it home". When he saw it broken, he said, "What, did you get in any row?" I said we did, and he asked how many keepers were there. I said I did not know, but I thought nine, ten, or eleven ; he asked how many we had leathered, and I told him I saw three, and the others all ran away ; he said, "Did you leather 'em much" ; I said I thought pretty well; he said, "D--- them, I would have cut their heads off, and put them on the posts for an example for the rest to have looked at". He took the gun away, and said he would have a new stock, and a lock put on for percussion, and it would go much better then ; he said he should tell them he broke it himself ; and should either say he did it killing a rat or hitting a cow in the fold yard ; that the expense would not be much, and all must join and put sixpence apiece, and said, "If you'll go out again tonight, I can get a double barrel and a single barrel for you" ; I told him I would never go out any more, for I was afraid there would be row enough over this ; then he went away. I saw Joseph Turvey the next day before he was taken, and he said we must be sure to keep quiet ; and before I was taken I had seen all the other nine several times, and we always told each other to keep quiet. The whole of what I have said is all the truth and certain truth.

The Voluntary Statement of JOSEPH TANDY, now in Worcester Gaol, charged with the Wilful Murder of Thomas Staite, and with others remanded on that charge until Saturday next, made at the said gaol this 20th day of February 1845, before me, Thomas Gale Curtler Esq, one of her Majesty's Justices of the Peace for the county of Worcester.

The said Joseph Tandy first being informed by the said Thomas Gale Carter, that if he the said Joseph Tandy wished to say anything, it must be his own free and voluntary act ; that no promise could be held out to him, and that what he might say could be used against him as evidence, saith as follows :-

I sent this morning to Mr Stable to come to me in my cell ; it was my own doing and wish. I wished to tell him as two men were here wrongfully ; he told me what I wished to say I had better say to a Magistrate. I told him I wished to see a Magistrate, and he promised to let you, Mr Curtler, know if he saw you today. I wished to say the truth, and nothing but the truth, about this here concern ; and I must say that William Freeman and Francis Ferris are here wrongfully. I know they had nothing to do with the murder of Staite, or the business at Croome that night ; they two men and I was at work together the day before, and came home together that night ; we were at work near Defford Common, for Mr Oldaker, though Burford was our employer ; we got home about six at night, and I saw nothing of them again until six the next morning ; that's all I can say about them. This Panter here is a false rascal, for he never saw them that night, nor none of the party was not on Allsbro' Hill that night, for the party went up Holloway, which goes from the town to the Besford road, and that's where we met Mr Meredith, as he told you before ; I remember we met him on the road. We, all the party of us, went straight off to the Greens, and there we began setting gins. The Greens joins the Park Farm in Severn Stoke parish, to the best of my knowledge ; the Greens is where the Comptons live. We set around two turnip fields and a clover field, quite small fields ; nobody came to us there, and we caught six hares in those fields ; then we took up our tack, and away we went up to the Park Farm ; then we put down our tack along the hedge going from the Park Farm to the top of the pool ; we parted at that hedge, some of us went right straight along that hedge, and the others went down the lane for the Old Park and the osier bed. I was one that went down the lane to the osier bed ; we got over the white gate into the osier bed, and there we set along the hedge, between the osier bed and the Park Farm ; we set all along there until we came to the boat house, and just beyond the boathouse some of us met again, and there we turned the dogs (two) off into the clover piece ; the dogs could find no hare in the clover piece. Then I went up towards the Park Farmhouse ; then I went into a wheat piece with another ; only two of us were there ; the dogs put up a hare there, and that was caught ; the dogs put up several more, and there was not another caught. I went up to the clump of trees in the wheat piece by myself, and there I lightened on five or six more of our companions, and I said, "It's no use stopping here, we had better take up the tack" ; three of them then went down for the pool, and the remainder of us came along the top towards the Park Farm again ; we had got better than half way there, and a butty as we left at the white gate, down by the Old Park, at the bottom of the lane, came running up, and he halloed out quite loud, and I said, "What's make that noise at?" and he said, "There are four or five men down in the Old Park". One of our men said, "You are a liar ; there is nobody there" ; the man that called out said, in reply, "Do you think I can't believe my own eyes? I stood till the men came close to me". I said, if that's it, we had better make haste and pick up our tack, for they will lighten on our other butties, and drop on 'em before we can get near ; we then made all haste, and went down the hedge side into the lane that leads into the Old Park. The man who had seen the men in the Old Park said, "They are down there now – yonder they be". One of our party said, "Thee be d---, they'll be nothing but horses or colts". We went down to the bottom next the rails joining the Old Park. One of our party said, "I tell'd thee there was nobody down here" ; the man that had seen them said, "It's a d--- lie, for I saw them here, and they were close upon me". We stood there waiting for our three companions to come along the osier bed – those three had left us at the top of the wheat field – and while we stood there, down comes Dick Compton down the lane behind us, and came close to us ; we never saw him till he was close to us ; he passed us, and was getting over

the rails, and I stepped out and said, "It's not one of ours", and I hit him as he went over the rail ; he said, "Don't hurt me, my name's Dick Compton, and I don't wish to hurt no man". One or two or three of the others of our party got over the rails where he was standing still after I hit him, and they knocked him down and struck him several times. William Compton also came down the lane with Dick, but he went to the gate ; he did not come to the rails to me, and he opened the gate and ran into the Old Park, and our butties ran after him into the Old Park ; he went towards the clump of fir trees, and our men told him to stand, and the man stood ; I picked up the bag that had got the seven hares in and carried it into the Old Park out of the lane, and I put the bag down there, and our men knocked William Compton down, and hit him several times before he fell, as he caught several blows on his arm before he fell. They hit him with sticks ; they then ran away from he to another man who was further up the bank, near the clump of trees, and the man run a bit further up the bank ; and they tell'd him to stand, and one of 'em said, "Throw your arms down", and he did throw it down ; it was a stick, and they knocked he down ; he got up again, and he ran down the Old Park, more towards the osier bed, to get away, and Dingley, as the man ran down the bank – Dingley had got a great stick in his hand, he held it in both hands and, as the man passed him, he struck him a heavy blow on the back of the head, with his stick held in both hands at the time, upon which the man's arms flew out and his legs, and he dropped on his face, and the man did not stir ; I did not see as he moved hand or foot, and then Dingley left him and came towards our other party ; and when he came to we, he said, "D--- their b--- eyes, that is the way to hit them ; it is no use half hitting them". This Bill Compton was lay down just where he was knocked down first, and he got up on his hands and knees, and was in posture as if searching after his hat, and our party was all then stood by the rails where Dick was hit, and I was standing about ten yards off with the hares. Dingley said, "Yonder, look there, d--- his b--- eyes, he hasn't got enough, and I'll go and give him a bit more", pointing to William Compton ; three or four of the party said, "Don't you go nigh him, the man has got enough", and they would not let him go. We all then went to Dick ; he was lay where he was knocked down, and Joseph Turvey said, "D--- if I don't think this man's killed, I'll stoop down and see" ; he stooped down, and said, "No, he is not dead, I can see him twinkling his eyes". Joe Turvey also said, "Where is the bag ; let's pick up the rest of our tack and be off" ; and all of us began to get over the white gate into the osier bed ; we all got over, and I threw the hares over the gate, and I turned around and looked at the man that Dingley had knocked down, and he was in the same posture. I was not over the gate when I looked at the man, but got over after ; the others went along the osier bed to pick up the tack ; there were some men came down under the hedge on the other side, and one of our men said, "D--- their eyes, there are some more come" ; and one of our men halloed out, "Shoot", and the men (that is the keepers) at once ran up the ground from we. Several of our party did shoot, but what I could see of the men they were then too far off for shot to hurt them ; there was no likelihood of killing them. Our party kept on along the ride, picking up the tack, and some more men came down ; some were keepers, and Dingley said, "D--- their eyes, there are some more come", and he also said, "Blow a hole through the b---". Them men ran away up the ground, and when they had got a good way off, two or three more guns went off from our party, but they were got too far for any shot to kill them ; it was done more to frighten them away than anything else. We went our ways up for the boathouse, and clean up round by the top end of the Fish-pool, up Mount Pleasant, down the Old Park, and through Pirton and so to Pershore. I have no more to say than the men's names there was in our party :- Francis Dingley, Joseph Turvey, Samuel Turvey, George Lippit, John Cook, Thomas Collins, William Cosnett, George Brant, William Bromfield, and myself, and that's the lot. I have to say that the three men that went down for the pool after we came from the clump of trees were Joseph Turvey, Francis Dingley and William Bromfield ; that it was William Cosnett who first saw the keepers and came and told us. It was Thomas Collins who ordered the third man to throw his arms down ; I don't know which knocked him down, there were so many of them, and the three had then come up from the osier bed, Dingley, Joseph Turvey and Bromfield. I don't know which of our party shot either time ; there were seven guns in all, and I was behind with the hares. I think all our party hit the men; they were all hitting at them. We carried the hares and the tack to Pershore ; we went from

Pirton, by the church, to the end of Perry Wood, to Besford Bridge and along the road to Pershore. I don't know where the tack or hares were taken to, for we parted at the top of Holloway, near Pershore, and somebody else took the hares, and I don't know what became of them. Some went one way and some another, to their own homes ; I think it was about one o'clock when we got home. We meant to shoot some pheasants if that business with the keepers had not occurred.

County Gaol, Worcester, February 22 1845

After the several prisoners were remanded on the charge of murdering Thomas Staite, WILLIAM BROMFIELD sent word by a turnkey that he wished to see a Magistrate, and by our order he was brought before us ; and, on his stating that he wished to tell the truth, he was duly cautioned that what he said would be taken down in writing, and might be used in evidence against him ; that no hope could be held out for him, nor must he expect that the Magistrates could make it better for him, or do anything for him, or in his favour, on account of his confession. The above was read over to Bromfield by us,

T G CURTLER

E G STONE

The said William Bromfield saith :- I should have tell'd you the truth before, only I was threatened how I should be served. The first man that asked me to go along with them was Samuel Turvey and Francis Dingley ; they saw me at the White Horse, and they asked me if I would go with them out to shoot some pheasants and catch some hares ; they said they was a d---d good lot of them, and had got nine or ten guns ; I tell'd 'em I did not know whether I should go or not, for I had something else to do than to get myself into trouble ; they said if I meant to go I must meet them at the top of the Holloway by six o'clock ; I went up there but did not think of going ; I thought of getting two or three swedes to cook, and a bit of rail to light the fire ; I found them all there, and they said, "D--- your eyes, come and go along and get half a crown as well as some of the rest, that's better than getting swedes" ; I did not want to go till they kept urging and tainting me to go ; then I thought I might as well go, as one kept pushing me and another kept pushing me ; and then Dingley came up and said, "Come on young one, there is no danger of being took, there be a good lot of us tonight", then Mr Wheeler came up and pulled his smock off, and gave it to one of the prisoners here, and gave John Cook his gun to hold, while he did a job for himself ; this was at the top of Holloway ; Wheeler gave his frock to George Lippit, and said, says he, I shall have clothes enough on, and can soon run to you if anybody comes. As soon as they all got ready to start, Wheeler said, "What time do you think us shall be back", for he said, says he, "I must be back by twelve o'clock, or I shall catch some 'ut" ; then, he says, "I shall go my ways back, you be plenty of you without me" ; and then he says, "Cook here is all the powder and shot as I have got ; you take care of that gun, I shall look to you for it" ; then Dingley says, "Ah, you b--- s---, why don't you come on, what do you deceive a lot of chaps for" ; they all started then, and going down the Stocking we met Mr Meredith on his horse, he said, "Good night, my boys, good luck to you", but nobody answered him ; we all went on to the Greens, to the place where the little girl spoke of this morning ; we all stood by the gate when she passed ; one of them screamed out dreadful, and we said, we shall not hurt you, and they went on. We went across the fields and into the Old Park ; there was myself, Samuel Turvey, Joseph Turvey, Francis Dingley, John Cook, Thomas Collins, Thomas Hooper, George Lippit, Joseph Tandy, George Brant and William Cosnett, and nobody else ; we went across the Old Park, down a steep bank, and into a turnip ground ; we wired round the turnip ground ; some of 'em told me to go into the ground with two dogs we had with us, and run them about the grounds ; I did so for about ten minutes ; then they halloed come on, and I went up to them ; and they said we have got six or seven good hares ; they were all got together again then ; then we all went up to near the Park Farmhouse, and they sent me and Joseph Tandy and William Cosnett and Francis Dingley and Joseph Turvey down one hedge side, while they went down the other ; and William Cosnett was to stop at a stile by a white gate, near the fish pool, and if anybody come he was to run up the ground to the other party, and hullo "here they be". Me and Joseph Turvey, and Francis Dingley and Joseph

Tandy went into the osier bed and along the drive, and put some wires in the hedge. Dingley and Turvey then sent me and Tandy about the grounds again, and Joseph Turvey stood at the gate with his gun. When Tandy and I had been all over the grounds, we went up and met George Lippit, George Brant, Thomas Collins, Thomas Hooper and Samuel Turvey ; then they said, "Now you chaps go and pick up your own tack, and we'll pick up ours"; there was no one went but me and Joseph Turvey and Francis Dingley ; we went into the drive again in the osier bed, by the boat house ; Joseph Turvey was then mouching about in some big trees to try to find a pheasant ; he came out and said, "Well, we might as well get and pick up this tack, and go towards that gate" ; he said this to me and Francis Dingley ; me and Dingley was picking it up, and Turvey said, "D--- your eyes, come out ; hark, there is somebody halloing out" ; then we all three stood still and hearkened, and heard somebody say, "Oh, Lord" ; we still stood still for two minutes, and then Samuel Turvey we heard hallo out, "Come on, my lads, here they be" ; we ran up to the white gate, and neither of us (Dingley, Joseph Turvey or myself) offered to get over ; Thomas Hooper, Samuel Turvey and Cosnett were at the gate, and a man lay down between them ; Hooper said to us, "D--- your b--- eyes, come on, there is one lay down here" ; then I got up to get over the gate and Samuel Turvey, Thomas Hooper and Cosnett set off and ran up the bank up to the rest of our party ; we all three jumped over the gate, that is, Dingley, Joseph Turvey and myself, when Richard Compton, the man lying on the ground flat on his back, hove up his head and looked at us. I , myself, had got a little ash stick in my hand, and I hit Compton across the bowels ; then Joseph Turvey jumped over and hit him with the barrel of the gun across the bowels. Then I went up towards the rest up the hill towards a ruck of fir trees, and they had got two men down. I don't know who they was, and they said to me, "Go back, we have give they enough"; one of the men got up and ran down among the crowd again, the crowd of our party, and George Lippit runs back and knocked him down with the gun and took his own, the man's own, stick off him, and gave him some very tremendous blows, and said, "I'll give you some of your own weapon, you b---", and said, "There I think you've got enough", and as all of us was turning down the bank, the man said, "Oh! Lord, don't hit me no more men" ; Lippit was then standing over him ; then there was two more men coming down the lane to the gate, and some of our party said, "D--- their eyes, here they comes again, put it after 'em", then two shots were fired by our party ; but I did not know them who fired them, then we all went down to Richard Compton, who then lay flat on his back where I had left him, and one said, "Where's the bag?" and I made answer and said, "Here he is" ; I was then got over the gate into the drive, they all then got over but George Brant and Joseph Turvey, and then George Brant put his hand down to Compton's mouth to see if he breathed, and said, "D--- his eyes, I think he's almost dead", and Joseph Turvey drew the gun barrel across his teeth, and said, "Ah! If I thought he wan't, he very soon should". Joseph Turvey also said, "You b---, you shan't follow we tomorrow night" ; then Cook came up, and said, "D--- that one as had got the Bill Cock on, a white hat called a Bill Cock, I could not make him feel till Dingley came", and then Dingley said, "Yes, but when I clapped this bit of a knobbed stick across his head, he soon felt that" ; Cook said, "Yes, and if the gun stock had not broke I would soon have made him felt some of that" ; Cook said, "If it had not been for looking after the other part of the stock I'd have made him have felt this barrel though". Dingley said, "I think I have gan him enough" ; one then came up and said, "Whose guns was them as fired?" ; Collins said, "Mine was one", and Cosnett said, "Mine was another" ; then we was going on straight along the ride, and somebody said, "Here they comes again, blow their b--- brains out" ; then two or three more shots was fired, and one said, "Get through the hedge and give them a d--- good hiding". Then Cosnett fired his other barrel off, and Brant and Samuel Turvey fired his'n off, Joseph Turvey hacked his'n down but the cap went off only, and the gun did not ; and Joseph Turvey said, "Now my chaps, load them guns as be empty, for we shall have some more of them here directly". The man on the other side of the hedge, before the firing, said, "God Almighty bless you men, don't shoot, we are not going to hurt you" ; and one of our men, I don't know which, said, "Stop, or else we'll blow a hole through you". Dingley stepped out of the rank, and put his stick over the hedge ; he had no gun, and said, "Stop, or else I'll shoot you". It was while Dingley was doing this that the others fired ; and Joseph Turvey hacked down his gun, and it did not go ; then we

all went on, and made the best of our roads home. When we got to the top of Holloway, Joseph Turvey took the bag, and the game, and the tack, and said, "I'll take care of this, and if I ever hears anyone mention this, I'll cut his throat, if I can get hold of him". Samuel Turvey said, "Yes, and d--- my eyes if I ever hear anyone say he was out, I'll shoot him if I can get nigh him"; and Joseph Turvey answered, and said, "I'll sell this game, and then all of you come to me and I'll give you what's coming to you". We all went home then, and I did not see any more of them till the morrow morning, when I saw Samuel Turvey and Joseph Tandy, and they said to me, "If any of us be ever took, we must know nothing about it, nor ever say who had the guns, for them as had the guns will get something". When we were at the top of Holloway, coming home, Joseph Turvey and Samuel Turvey (they were the two oldest, and made the rest do as they had a mind), and they said, "Now, if any of you be ever took, mind and say you know nothing about it, and they can't hurt us" ; and then Dingley and Tandy spoke up, and said, "Ah, we be as old as any of you. What have we done? Why can't we be masters as well as you?" and Brant said, "As they four, the two Turveys, Dingley and Tandy meant selling the game, and if any of the rest said anything about it, to kick their a---"; and one of them said, "It's poor work if we four can't scrawl over a load of b--- young fools like they". I then said, "Who was it that hit that man who lay by the gate?", meaning Richard Compton, and Tandy said, "Why, me ; he came into our company, and they thought it was one of our own men ; but I knowed it was not, and I d--- soon knocked him down though", and said, "The long one soon jumped over the rails and gave him something when he was down". Thomas Hooper is called the long one. They said they was never to mention who had the guns ; and I said, "Ah, but if I'm taken, and they say I had a gun, I shall soon let them know who had the guns" ; and one said, "D--- thy eyes, if thee does we'll give the guns if we can catch hold of thee". Samuel Turvey had a gun ; Joseph Turvey had a gun ; Thomas Collins had a gun ; George Brant had a gun ; George Lippit had a gun ; John Cook had a gun ; William Cosnett had a gun ; that's all that had guns ; one was a double barrell'd gun. Dingley had a stick ; Hooper had a stick ; Tandy had a stick ; and I had a stick. Samuel Turvey took one of the keeper's sticks (a short bludgeon, I saw it myself and had hold of it) home and burnt it ; he told me so, and said if Petford had searched his house half an hour earlier, he would have found the stick burning. Panter was very wrong indeed, for he never saw any one of us ; we were not on the Allsbro' road at all. Wheeler was with us all, and knew us all, and spoke to us at the top of Holloway.

The further Voluntary Statement of FRANCIS DINGLEY, now a prisoner in Worcester Gaol, charged with the wilful murder of Thomas Staite, made before me, Thomas Gale Curtler Esq, one of her Majesty's Justices of the Peace for the county of Worcester, this 1st day of March 1845. Which said Francis Dingley, being duly cautioned and informed that what he might say would be reduced into writing and might be used as evidence against him, voluntarily saith :-

I wish to make a further statement. What I said before was every word true, though I know more which I wish to tell about this affair. I have nothing more to say up to the time of the fighting. The time as the fighting begun, when we was near Pirton Pool and I and Bromfield and Joseph Turvey heard the man cry out, "Oh, Lord", the rest of the company was near Richard Compton and cried out, "D--- your eyes come along, here the b--- be ; D--- their eyes, blow their b--- brains out" ; then Joseph Turvey and Bromfield and I made a stop in the ride, and I said, "Hush, what a row yonder is, what had we better do" ; then Joseph Turvey said, "Why, we must run up to them and blow their b--- brains out". We did run towards them, and the rest of the party called out, "Come on, come on". Turvey answered, "We be a coming ; d--- their eyes, blow their brains out". When we got up to the gate, Richard Compton lay flat on his back. Joseph Turvey and Bromfield got over the white gate out of the ride into the Old Park, and I got over after them. Joseph Turvey kicked Compton as he passed by him. We turned and saw the scuffling with the rest 20 or 30 yards off ; we got up to them and I saw Thomas Collins, Hooper and Brant beating a man with a dark jacket on – Collins and Hooper with sticks, and Brant with a gun. I saw George Lippit poach the man with his gun with the muzzle ; then John Cook and others said, "Don't go to hit the man any more, or else you'll

kill him” ; others said, “Let him die and be d--- ; he had no business here” ; then William Compton rushed out right into the middle of us, I think from some trees ; and as he rushed through us, struck at me. I struck he and fell him to the ground. What I said about the men before is all true ; and I have nothing more to say than what I have said till we came to the ride. When we got down to Richard Compton, and Joseph Turvey had stooped down to see whether he breathed, Joseph Turvey said, “I wish there was a hole or pool near, we would chuck 'em all in and they would be out of sight”. We got over the gate into the ride, as I have before stated, and when we saw the keepers, some of our party said, “D--- their eyes, we'll blow their brains out” ; and also said what I have before stated. This is all I have got to say. Further, I remember as we was going home some of the party wanted to go into Perry Wood as we passed it. Joseph Turvey, Samuel Turvey and myself objected, as we said we had been in one row, and might get into another ; some of the others said, “Never mind a row, we'll kill all as comes before us” ; and we drew cuts whether we should go in or not. The odd man won ; we drew with bents of grass ; Joseph Turvey won and we went home. When we came to the top of Stocking we made a bargain to go to Bredon Hill the next night, and to Mr Whittaker's on the Saturday night, but we did not go there.

The evidence of the witnesses was then resumed.

Joseph Hooper : I am a keeper employed on the Earl of Coventry's estate ; I was out on the night in question, watching with the deceased and others ; it was after one o'clock I got to my house and saw Thomas Staite, insensible and almost beaten to death ; his head was cut all to pieces. Mr Pritchett, surgeon of Kempsey, was there.

Cross-examined : I am employed by Mr Temple, as one of the trustees of the infant Earl ; I was engaged by word of mouth, about last August twelvemonth ; the young Earl is about seven years old. I don't know all the prisoners ; I believe several of them are married ; I can't say if there are 53 children among them.

Mr Pritchett, surgeon : On the night of the 19th December I went to the house of the last witness, and saw Thomas Staite lying wounded ; he was severely wounded on the upper part of the head, behind the ear, and a severe blow on the right cheek ; he was talking in a rambling manner ; there was so serious a fracture of the head that I dressed the wounds and ordered him to be taken to the Infirmary.

Mr Matthew Pierpoint, surgeon : I have been upwards of twenty years in practice, and had considerable experience. In December last I was one of the surgeons to the Infirmary. On the 20th of that month, the deceased was brought there in the morning ; I saw him soon after, and found an extensive wound on the left side of the head, bleeding profusely ; there was also the mark of a blow on the forehead ; right eye swollen and closed ; severe bruise on right cheek and temple ; the wound on the left side of the head was an extensive fracture, the bone being driven downwards on the membranes of the brain. He was very restless, and it took several persons to keep him in bed ; I removed the pressing portions of bone ; he soon after became more quiet ; but after lingering till the 24th he died ; all that time he had been unable to speak. I made a *post mortem* examination ; in the head I found that the fracture I have mentioned extended across the base of the skull to the opposite side ; there was laceration of the membranes of the brain, and extravasation of blood underneath ; it would be impossible to speak positively as to the kind of instrument with which the blows had been made.

R Temple Esq, a trustee to the Earl of Coventry, deposed that Hooper was in his employ on the night in question.

On cross-examination, Mr Temple said he knew of no written appointment of Hooper as gamekeeper having been made ; it was a verbal hiring, at the same time as other keepers were appointed.

This was the case for the prosecution.

Mr Godson now rose to address the jury. He said his observations would be few, because he had observed them to pay the greatest attention to the case, and he had no doubt they had anticipated the

remarks he then felt it his duty to make. He would endeavour to show them, amidst the mass of facts which had been adduced, that it would be utterly impossible for them to say that anyone in particular of the ten prisoners before them was the man who had been guilty of the murder of Thomas Staite. His anxiety as an advocate would however be nothing compared with the anxiety of the Jury. They had the lives of ten men to weigh in the balance, and therefore arose the necessity for the greatest caution, and that mercy and forbearance, the exercise of which he trusted would bring them to a conclusion at once answering the justice due to the country and the innocence of the men. Murder was defined by the law as the killing of any person, under the King's peace, with malice previous or aforethought, either expressed or implied by law. Now, of expressed malice he thought there was no evidence in the present case ; they would therefore have to look to the facts for implied malice. That term meant, whether any wanton act had been done by striking a blow, or by other violence, prisoner's mind being in that state against men in general, and the individual in particular, which issued in the infliction of grievous harm, and the individual died. It would be for the Jury to decide whether such malice had existed ; but supposing it had, then would come the most anxious enquiry, whether there could be any malice implied by law which could affect more than one of the ten prisoners. If they should be satisfied from the evidence of the surgeons that someone had struck Staite a blow, of which he died, so as to be murder in someone, then it would be for the Jury to say which one of the ten living prisoners should be the dead one! Before the act of one prisoner, then, was made to inculpate all, there must be the most positive proof of concert, and of deliberation to resist to the death. On this subject the Jury would recollect that he had stopped his learned friend Mr Lee from detailing a conversation ; for although he could not deny Mr Lee's right to do so, yet modern practice had much modified the practice ; but he must say, that if such a conversation, with regard to having "life for life" rested only on the credit of Wheeler, he did not believe the Jury would be much prejudiced thereby against the prisoners. Wheeler's was the only direct evidence of concert ; but in confirmation of the doubts which the evidence of such a witness would be received, were the facts, that the poachers seemed astonished at the commencement of the disturbance, that they interfered to prevent its having a fatal effect, and that they allowed some of the watchers to retire some distance before they fired. If then the only evidence of concert rested on the testimony of Wheeler, what should be said of it? Wheeler was a person on a superior situation of life to the other prisoners ; he was the son of a farmer ; and he had been drinking with and had primed the prisoners before their going out ; he it was that wanted the hares for Christmas, and he had given up to them his frock, gun, powder and shot ; he was the man whose neighbours would not believe him on oath, and whose own father had advertised him. His evidence of concert therefore might go for nothing, unless supported by other and credible witnesses ; and the facts of the case showed, that so far from the prisoners having expected a disturbance, and acted in concert with relation thereto, Richard Compton had come upon them so suddenly that they mistook him for one of their own party. Now, if there was no proof of concert, the individual who struck the blow was alone responsible for it. Here the question intervened as to the resistance of the poachers to lawful authority. He denied that any "lawful authority" had been proved to have been present at the time, for a duly licensed gamekeeper would have been the lawful authority, but the watchers were not licensed, nor was the gamekeeper himself licensed, and he was therefore no gamekeeper under the Act. It appeared that the deceased, Thomas Staite, armed with a bludgeon which was heavily loaded with lead, came down amongst the poachers, striking several blows ; and nothing had been said by any of the party of watchers about their intention to apprehend the poachers, nor did any exhibition of authority take place on their part by way of compelling the poachers to surrender. The object of the watchers seemed to be simply to have a fight ; Staite himself expressly said so, for he had actually solicited what he termed "a fair fight" ; if this were so, then was the offence not murder ; and this view of the case would be confirmed by going deeper into the evidence, when it would be found that not only Staite but Compton had engaged in the fight. First, then, the Learned Counsel insisted that there was no expressed malice. Secondly, that the affair resolved itself into a fight, and that the one party being accidentally overpowered by numbers, it did not imply the malice necessary to sustain the capital charge. Thirdly, that there was

no proof of concert, if they rejected (as he judged they would) Wheeler's evidence. Well then, it would be for his Lordship to direct the Jury to abandon the charge of murder against the prisoners collectively ; and if the charge were to be confined to one individual, he would not ask them – who did it? Would they take the evidence of Lippit? If so, Dingley struck the blow. Of Bromfield? And Lippit was the man. Of Tandy? And Dingley did it. Of Dingley? And Collins struck the blow. Which would the Jury choose? One blow near the ear was said to be the cause of death ; and if someone struck that blow, he was to be answerable ; but it was impossible the Jury could pick out the man from the ten prisoners. The Learned Counsel then went into the evidence on this point, showing that the identity of the one individual was greatly involved in doubt, and that the statements of the prisoners were not to be received with confidence, inasmuch as it was often found that it was the worst one of a party who was the first to turn round and expose his fellows to escape punishment himself. With regard to the identity of the prisoners, only four of them had been proved beyond doubt to have been present, and the identity of the other six depended on a class of evidence to which he had just alluded. Lippit's was the only positive evidence with regard to the six, but he did not think the Jury would trust such a man, either with regard to others or himself. Put Lippit in one scale (said he), and those six men charged with the awful crime of murder in the other, and say which should preponderate. The Learned Counsel, having again recapitulated his arguments, went on to observe – Gentlemen of the Jury, your verdict will not only affect the lives of the prisoners at the bar, but in the event of their death nearly ten widows and upwards of fifty children will be left behind ; and the whole of this awful and important matter originated with a few hares, preserved for an infant of only a few years of age! It may be necessary that the upper orders of society should have game laws to protect their sports and to give them employment – I am not here to complain of any such laws ; but when the carrying them into execution be not attended with the legitimate object, namely, to preserve to man a healthy sport, by giving recreation to his mind and health to his body – when, on the contrary, game is preserved in such numbers as positively to tempt the poor, and to produce idle pastime rather than manly sport – when you find that no less than six hares are caught in one field, and that this was the cause of the present dreadful issue – then I say that this is done not for manly sport, but for an idle (effeminate I had almost said) indulgence in the destruction of animal life, scarcely superior to that enjoyed by the common poulterer who kills his fowls. These sentiments are not mine alone : they are in substance what fell from the First Minister of the Crown ; and I will read his own words to you, as being far better than any I can put forth. When the last inquiry was made before the House of Commons, the Prime Minister read this lesson to the country gentlemen. [Mr Lee here interfered, but his Lordship declined recommending any course of argument to Mr Godson beyond what his own discretion dictated.] Mr Godson, after replying that if he could not praise the prosecution, he would not blame them for this interruption, proceeded to read Sir Robert Peel's remarks on the Game Laws :- “He (Sir R Peel) believed that on the whole the most effectual way of dealing with the subject would be by a social and moral change, rather than by a legislative one. They who preserved game would do well to consider whether or not it was wise to do so to such an extent as prevailed in some parts. This was the way in which he anticipated a useful result. He believed that evidence might be adduced bringing home conviction that it was their duty – not to be enforced by laws but by morals – not to keep up that excessive preservation of game. He thought they had much destroyed the amusement of sporting by the extent to which game was preserved ; and they would find more pleasure in sporting after the fashion of their forefathers than by accumulating great quantities of game, holding out thereby a temptation which flesh and blood could not resist”. That (said Mr Godson) is the language of the Prime Minister to the country gentlemen. But preserve it so that flesh and blood cannot resist. Send your watchers out by night, not to apprehend offenders, but to have a “fair fight”. Will you then convict men of murder because one of your watchers was killed? Will you first of all put game on your land so thick “that flesh and blood cannot resist it”, then say – We will have men to watch – not our sheep, our horses, or cows, or to protect property – and why are there not watchers for sheep? Because the same feeling which makes this idle sport is in the breast of others ; and there is no temptation to sport greater than that which peril brings ; in this the feelings of the peasant are the

same as those of the country gentleman. But when this sport degenerates down to the preserving of pheasants in a wood not wilder than barn door fowls, it ceases to be manly to kill them, and it ceases to be proper to send out watchers to hold conflict man with man. It is all the difference between a law and no law, that you kill a keeper and call it murder, but kill a poacher and you are only taking a man doing wrong, and that for the sake of a few so-called wild animals, under the name of sport. Is it not then a fearful issue, and does it not enjoin the necessity of your narrowly watching the case, and of making yourselves thus cautious – we will be satisfied even if possible to more than demonstration – we will be compelled by reason and conscience to admit that no testimony has been omitted that could bring us to a right conclusion. Mr Godson went on to say that in the present case nobody (except Wheeler) imputed that it was intended to kill a keeper ; and that if the present indictment were consequently set aside, the lives of the prisoners would still be in jeopardy, for there were six other indictments to be tried, several of which embodied the capital charge. Yes, there were no less than seven indictments – from No 1 for murder, down to No 7, for a common assault – the prosecuting party having thus spread a much wider net for their victims than any poacher had ever laid for game. The prosecution had done their worst, and had produced every available tittle of evidence. He trusted however he had shown it to be impossible to fix on the individual who had struck the blow, and that therefore, there being no evidence of concert, they would acquit all on the capital charge ; he hoped and trusted that, whilst firmly doing their duty, if the Jury had the least doubt, the least quivering of the reason, the least glimpse into futurity that a condemnation would be wrong, they would put the matter to their consciences, and it was their privilege in that case of doubt to return a verdict of not guilty.

This closed the defence.

The Lord Chief Baron now commenced his recapitulatory address to the jury, which lasted about three hours and a half, and to the most prominent points only of his address we are compelled to confine ourselves, owing, as our readers must perceive, to a want of both time and space. His Lordship, at the outset, dissented from the propriety of Mr Godson's observations on the Game Laws. Whatever might be his or their opinion of those laws, it was no part of their duty to allow such a consideration to enter into the present question, and to induce the Jury to forget their duty as to administer a different rule of law in this case from that which would obtain in any other. If the Game Laws were such as Mr Godson described them, it behoved the Members of the Legislature to make every effort in their power to alter or amend them ; but so long as they remained a part of our code, it was his duty and theirs, under the sanction of the oaths they had taken – his, to state the laws with firmness and accuracy ; theirs, to do their duty with justice to the country and every fairness to the prisoner. His Lordship next indicated what would be the probable character of the offence, as derived from the facts detailed in the evidence. There were, he said, circumstances which, if they believed, would of necessity reduce the offence from murder to manslaughter, as to one, or more, or all of the prisoners ; but he himself saw no possibility of escape from the clearest proof of that offence – manslaughter. The Jury would probably have some difficulty in deciding between murder and manslaughter ; but whichever of the two verdicts was chosen, it must be considered that, in the event of concert being proved, all the prisoners must be participators ; for if, by reason of the uncertainty of individual identity in cases where large numbers were concerned, a murderer was to be allowed to escape with impunity, life and property would be no more safe ; but that was not the law. Where persons were proved to have been in concert, doing an unlawful act from which death resulted, it would either be murder in all, or manslaughter in all, according to the circumstances. Next they would have to enquire whether any conduct on the part of the watchers would go to modify the offence from murder to manslaughter. And here his Lordship dissented from Mr Godson's opinion as to the fact of a certificated gamekeeper being necessary to constitute the “lawful authority” for the apprehension or dispersion of poachers ; and he read the words of the Act 9 Geo 4, c 69, s 2, which enacts, that where any person shall be found on any land, committing any such offence (destroying or taking game by night) it shall be lawful for the owner, or occupier, or for any person having a right, or for the lord of the manor, and also for any gamekeeper, or *servant*, or any person *assisting*, to seize and apprehend such offenders. The “lawful authority”

having therefore been proved, it remained to enquire whether the watchers had acted properly, by commanding the poachers to surrender, or whether they had not in some measure challenged the fight, without giving such notice to surrender, and thereby had reduced the alleged crime from murder to manslaughter. The Jury, then, would have to consider – first, the proof of concert ; next the question of murder or manslaughter, as affected by the watchers' conduct ; and lastly the identity of the persons proved to have been present at the affray. His Lordship then went through nearly the whole of the voluminous evidence, and applied its points to the questions at issue in the most lucid manner, the result of which left scarcely any doubt in the minds of his Lordship's hearers – first, that the concert had been most clearly proved ; secondly, that the watchers, not having challenged a surrender, but rather courted a fight, had thereby reduced the crime from murder to manslaughter ; and thirdly, as to the identity, that Dingley, Joseph Turvey, Bromfield and Tandy had unquestionably been proved to have partaken in the affray, and that concerning the other six there was hardly the shadow of a doubt. His Lordship concluded by observing – it now remains for you, gentlemen of the Jury, to discharge your duty to your country and your consciences, and to pronounce a verdict according to proof and justice ; and to satisfy your conscientious feelings, not only as they may be today or tomorrow, but for the rest of your lives and forever.

The effect of this clear and truly impartial address was seen in the return of the Jury, after ten minutes retirement, with a verdict of NOT GUILTY OF MURDER BUT GUILTY OF MANSLAUGHTER against ALL the prisoners.

Mr Lee here instructed the Court as to Cosnett's character, saying he was instructed that this was the first occasion in which he was known to have been concerned in any offence ; he was therefore recommended to mercy.

Mr Huddleston next called,

Mr William Andrews, market gardener of Pershore, who gave Collins a good character from having known him 15 years ; of Joseph Turvey he said some gentleman had left him £100 for faithful servitude ; and of Cook he knew nothing amiss.

Mr R Dufty also gave Cosnett a good character.

The other indictments having been formally dropped by the prosecution, the Learned Judge intimated that in so serious a case he would not undertake to pass sentence that evening, but wished to have a little reflection, and therefore ordered the prisoners to be brought up for sentence at nine o'clock the next morning.

FRIDAY At the appointed hour, nine o'clock, the Learned Chief Baron took his seat on the Bench, and the prisoners were placed at the bar.

Mr Huddleston applied for leave to call witnesses who could speak to the character borne by several of the prisoners ; and his Lordship assenting, the Learned Counsel first called

Mr Hooper, who stated that he was a bootmaker residing at Pershore. He had known Joseph Turvey when quite a lad, and ever since that time he had borne the character of a quiet, peaceable man.

Mr Checketts, blacksmith, had known Joseph Turvey for twenty years, and believed he had borne a good character ; never heard anything to the contrary. He had known Collins for some years, and Cosnett ever since he was a boy, and never heard anything averse to their good character.

A fellow servant of Joseph Turvey's named Lane was next called, and stated that he had worked with him for some years, and had known his master trust him with £150 at a time, and had left him £100 at his death for good conduct.

Mr Badger had known Hooper for fifteen years ; Collins since he was a lad ; and Cosnett for twenty years, and they had always borne good characters.

Mr Kings, gardener, had known Collins since a boy ; and Joseph Turvey for forty years, and always knew him to be a quiet peaceable humane man.

Mr Pratt had known Joseph Turvey for many years and never knew a stigma on his character.

His Lordship then proceeded to address the prisoners as follows :- Francis Dingley, Samuel Turvey, Joseph Turvey, George Brant, Thomas Hooper, John Cook, Joseph Tandy, Thomas Collins, William Cosnett and William Bromfield, you stand there convicted of the crime of manslaughter, and you are to receive the judgement of the Court upon that conviction. You were originally indicted for

murder, and the offence of which you have been undoubtedly guilty has about it much of that cruelty and disregard of human life and human suffering which would accompany even the very foul crime of murder. The humane consideration of the law of England permits – where there has been any heat of passion or contention – permits the Jury to take a lenient view of the offence of killing ; and if they think that what occurred was in some degree in the heat of passion, it is in their power to acquit of the awful crime of murder, and find the offenders guilty of the inferior crime of manslaughter. But the shades of distinction between a cruel and aggravated crime of manslaughter and one of murder are very slight ; and in your case it is exceedingly difficult, after attending to all the circumstances of the case, not to perceive with reference to the conduct observed towards other parties who did not on that night lose their lives – that the conduct of many of you (and in that guilt all of you participated) was marked with cruelty and utter disregard of human life and human suffering ; and the offence of which you have been guilty borders so nearly upon the guilt of the worst and foulest murder, that it calls, in respect of some of you, for the severest punishment which the law indicts. It is not that you have invaded the rights and properties of others ; it is not because you have disregarded the law so far as it assigns to one person certain rights, and calls on all to obey that law and respect those rights – you have not to answer for the offence of poaching, of trespassing with intent to take that which was not your own ; but you are called on to answer for the daring combination to break the law and to resist its authority by force ; a combination which has lamentably ended in the cruel death of one of your fellow creatures, and in extreme suffering of others who came within your reach. Your conduct was criminal, daring and alarming in the highest degree ; and there will be no peace or safety in society, if so outrageous a violation of the law – so daring a contempt of its authority, accompanied by such an utter disregard of the lives and the safety of your fellow subjects – could be passed by without the severest penalty. It is painful to reflect – most painful that many of you are married, and may be the comfort of your wives and the support of your children, and it is peculiarly distressing to see so large a number of persons waiting to receive the judgement of the Court for an offence so daring and so violent as this. Had the Jury taken a course which was perfectly open to them on one view of the evidence, a more frightful spectacle than your situation would have presented can hardly be contemplated without the utmost solicitude, pain and anxiety. And in considering the crime of which you have been undoubtedly guilty, it is impossible not to take into consideration, that if it does stop short of the crime of murder, it is so near that it partakes of all its mischief. There are however some of you who may deserve a different consideration than the rest : William Cosnett has been recommended to mercy, and has received an excellent character ; Thomas Collins has also received an excellent character ; George Brant appears to be the youngest among you, and on that account may be entitled to some consideration ; and, as far as I can judge from the circumstances, did not originate, and did not personally or largely participate in the crimes done. Hooper, Bromfield and Cook also do not appear to have been the instigators in the more violent parts of the transaction ; but you Francis Dingley, Samuel Turvey, Joseph Turvey and John Tandy, who have attained to an advanced period of manhood, can plead no excuse for entering into this combination and taking an active part, which on the confessions of two of you, and the undoubted evidence of others, you did, in this wicked, dangerous and murderous attack.

His Lordship then sentenced them in the usual form as follows :-

Francis Dingley, Samuel Turvey, Joseph Turvey and Joseph Tandy, to be transported for the term of their natural lives.

Thomas Hooper, William Bromfield and John Cook to be transported for ten years.

George Brant to be transported for seven years ; and

Thomas Collins and William Cosnett to be imprisoned for two years and kept to hard labour.

15 April 3 1845

CITY MAGISTRATES' OFFICE Lucy Pitman, a girl of the town, against whom the Grand Jury at the last City Assizes ignored a bill preferred by **William Watts**, a bargeman residing at Newnham,

Gloucestershire, for robbing him of a silver watch and one sovereign and two half sovereigns in money on the 24th of February last, was again brought up, in company with a boatman named **William Brown**, and charged with the same offence. Since the bill was ignored, the watch has been found and traced to the possession of Brown, who lives with Pitman, and who made a “swap” with a boatman named **Craven** for another watch. Both prisoners were committed to the Sessions.

16 April 3 1845

CAUTION TO WATERMEN At the Upton-on-Severn Petty Sessions on Thursday, **Thomas Steele**, master of a boat belonging to Messrs Price and Co, Gloucester, was fined in the sum of 40s and costs for using a horse on the towing-path without first applying for a ticket ; **John Stokes**, master of a boat belonging to Mr Southan of Gloucester was fined 20s and costs for using a horse beyond the distance specified in his ticket ; and **Samuel Townley** was fined 20s and costs for a similar offence. Each conviction took place upon the information of **Mr Henry Bundy**, agent to the Worcester and Gloucester Towing-path Company.

17 April 17 1845

INQUESTS BY MR HUGHES Thursday, at the Bell Inn, Stourport, on **Josiah Kitchen**, aged about three years, the son of a waterman. Deceased was deaf and dumb. It appeared that on Wednesday he was playing with other children near the basin at Lower Mitton, and accidentally fell in. Verdict : Found drowned.

18 April 24 1845

At the Stourport Petty Sessions yesterday, Javen Cartwright of Wombourne, Staffordshire, was summoned by **James Bell** of Stourport, boatman, for an assault, and was fined 1s and costs.

19 April 24 1845

At the Droitwich Petty Sessions on Friday last, **John Randell** of Hanbury Wharf near Droitwich, wharfinger to the Worcester and Birmingham Canal Company, summoned **Walter Collins** of Droitwich, boatman, for having on the 14th inst unloaded a boat of coal within 4 feet of the water's edge, and on a different part of the wharf than required of him by the said John Randell, and against the bye laws of the said Company ; but Randell not being able to properly prove his case, it was dismissed. Mr Doogood appeared for defendant.

20 May 1 1845

At the County Magistrates' Office, Droitwich on Monday, before the Rev W Vernon and W H Ricketts Esq, two young men dressed as boatmen, and who called themselves **James Sheppard** and **Ellick Pitt**, were brought up, charged with having uttered a counterfeit sixpence, and also with having a quantity of like counterfeit coin in their possession. From the depositions, it appears the prisoner Sheppard went into a huckster's shop at Cutnall Green near Droitwich, kept by a Mrs Crump, and asked to buy a loaf of bread and some cheese, for which he tendered sixpence, but which, upon inspection, Mrs C found to be a bad one and returned it to him, whereupon he quickly made his exit from the shop. In about an hour afterwards he was apprehended about a mile from Cutnall Green by the policeman stationed there, at which time he was in company with the other prisoner Pitt. On Sheppard was found *thirty bad sixpences*, but which he said he had found ; no other money was found on him, and none at all on the prisoner Pitt. Sheppard was clearly identified by the prosecutor as being the same person that came to her shop, and he was committed to the Sessions for trial. The other prisoner was remanded till Wednesday, to admit of further evidence if possible being procured against him.

21 May 22 1845

CITY POLICE A boatman named **Edward Bishop** was committed for seven days' hard labour for breaking two panes of glass at the Workhouse last night, on being refused admission.

22 June 5 1845

Mr Hyde, city coroner, held an inquest on Saturday at the Britannia, Dolday, in this city, on the body of **Harriet Greenway**, who died the previous night. She was the wife of a boatman, and went to bed with him in his boat, lying off the Upper Quay, about ten o'clock, but on his awaking in the middle of the night he found her dead. She had been in a state of intoxication for several days previously. The Jury returned a verdict of "Died by the visitation of God, from the effects of intoxication".

23 June 12 1845

CITY MAGISTRATES' OFFICE **Thomas Jones**, a boatman, was charged with assaulting Letitia Pratt on Sunday last. The circumstance occurred in a dispute as to the proprietorship of a shovelful of manure. Mr Pullen appeared for the defence. Fined 2s 6d and 12s expenses, or a week's imprisonment.

24 June 26 1845

Yesterday afternoon, as some boatmen employed by **Mr Wall**, carrier of this city, were about to lift a steam boiler weighing nearly 13 tons from a canal boat at the Lower Quay, the chain broke, and the boiler fell into the boat, which instantly sunk, the men fortunately leaping overboard at the critical moment, or they would have been crushed to death. The bystanders were panic struck, but one of them, Mr Bowen, had sufficient presence of mind to direct some men to jump into a cock boat and pick up the men, or they might have met the fate they were endeavouring to avoid.

25 July 3 1845

WORCESTERSHIRE MIDSUMMER SESSIONS

James Sheppard, 18, boatman, pleaded guilty to a charge of unlawfully tendering and uttering a counterfeit sixpence, and with having other similar sixpences in his possession, at the parish of Elmley Lovett on the 26th April. Four months' imprisonment.

William Bullock, 19, boatman, pleaded guilty to a charge of stealing a brush, the property of William Ellery, at Kidderminster on the 11th ult, and was sentenced to six weeks' imprisonment.

Thomas Lucas, 16, boatman, was convicted of stealing a pocket knife, a chawl of bacon and other articles, the property of Benjamin Ganner, at Stoke Prior. Guilty : Two months' imprisonment.

26 July 3 1845

INQUESTS BEFORE MR HUGHES On Monday at the Anchor Inn, Upton, on the body of **Timothy Johns**, a boatman aged 68 years. The deceased was in his usual health up to Sunday evening, when he was seized with a sudden illness, and died in the course of a few hours. Mr Brooking, surgeon of Upton, deposed that death was caused by congestion of the lungs, arising from long standing disease. Verdict : Died by the visitation of God.

27 July 10 1845

At Droitwich Petty Sessions on Friday last, before W H Ricketts and Edward Bearcroft Esqs, **George Bunn**, a boatman, was brought up, charged with having on that morning at Hanbury Wharf near Droitwich, assaulted and beat **Joseph Ricketts** of that place, boatman. The assault was proved, but as there appeared to have been great provocation on the part of complainant, the defendant was convicted in a penalty of 6d only, with the costs 6s 6d or, in default of payment, seven days' imprisonment ; the money was however paid shortly after.

At Droitwich on Saturday last, before W H Ricketts Esq, a boatman named **Thomas Edwards** was brought up in the custody of police sergeant Martin, charged with having stolen a donkey and gears, with two boat lines and two shovels, the property of his late employer, a boatman named **John Brown**. It appears the donkey &c were at Hanbury Wharf, where the prosecutor was staying with

his boat, but while he was down at Droitwich the prisoner thought proper to sell the donkey &c to a man named **Doughty**, also a boatman ; and the prosecutor, on his return the following morning, finding his property missing, gave information to the policeman, who followed Doughty and found the donkey drawing his boat (the other articles were in it) between Hanbury Wharf and Worcester. Doughty brought a witness to prove that he had fairly purchased the donkey &c, and had at the same time particularly asked the prisoner if they were his property. The prisoner was committed to take his trial at the Assizes.

28 July 17 1845

CITY SESSIONS **John Sadler**, 33, waterman, appeared to his bail to answer to a charge of stealing a piece of calico, the property of Joseph Bradley, at the parish of Claines. Mr Hill prosecuted ; the prisoner was undefended. On the 13th May, the prisoner, in company with a man named Fleet and the prosecutor, were drinking together at a beerhouse. The prosecutor missed a bundle, containing the linen alleged to have been stolen, and on making enquiries of the company about it, the prisoner said he "had no need to fret about it, as it was there". He then produced the bundle from beneath his dress, saying that Fleet (who, on seeing the police, ran away) had given it to him. The jury found the prisoner not guilty, and he was discharged, after an admonition from the Court to avoid the company of Fleet, who it seems has already been in prison.

29 July 24 1845

WORCESTERSHIRE SUMMER ASSIZES

ROBBERY FROM THE PERSON AT UPTON-ON-SEVERN **William Johnson**, 23, boatman, was charged with stealing money from the person of **George Phillips**, boatman, on the 4th of July at Upton-on-Severn.

George Phillips, boatman, deposed : I arrived at Upton on the morning of the 4th of July, and went into the Trow public house, Upton, with a person named Brown. I had then in my left hand breeches pocket a purse containing one sovereign, two half sovereigns, five shillings and sixpence. While there the prisoner came in, and asked Brown to give him a passage on his boat to Birmingham. I had been up a night or two previous, and I went to sleep for an hour ; on awaking I missed my money. I gave information to Petford, the constable, and went with him to the Black Swan, where we found the prisoner. Petford searched him, and found on him a sovereign, two half crowns and some shillings. Petford took him into custody.

John Brown examined : I went into the Trow public house with last witness, and when there prisoner came in and asked where I was bound. I said to Birmingham. He asked me for a passage, but I refused. He said he had no money to spare. I offered him something to eat. I went to sleep ; but before I did so, I saw him lift up Phillips's left arm. Phillips was asleep on the settle.

Sarah Cottrill deposed : I was attending to the Severn Trow business for Mr Griffin. Brown (*sic*) came in when the two last witnesses were there. Phillips went to sleep and was snoring, when Brown lifted him up and placed him to lie on his right side. Soon after, prisoner left the house.

Cross-examined by the prisoner : There was no other person in the room.

Thomas Petford, police superintendent, went with the prosecutor, Phillips, to the Black Swan public house in the evening of the day in question. I there found the prisoner, who was selected from a number of others by Phillips. I searched him, and found a sovereign, two half crowns and other moneys. I told him the charge, and he denied it, saying that his father had given the money to him about a week previous. A sixpence was taken from his pocket, and also a half crown piece, which was identified by the prosecutor. A statement was made by the prisoner at the time of his committal, that the sixpence was paid him by a person named Faulkner at Pershore. Guilty : Twelve months' imprisonment.

DONKEY STEALING AT HANBURY **Thomas Edwards**, 21, boatman, was charged with stealing a donkey and "appendages" on the 4th day of July at Hanbury. Mr Selfe prosecuted, and Mr Huddleston defended.

The prosecutor was first called, who deposed that his animal was stationed at Hanbury Wharf, while he himself went to Droitwich. On his return he missed the donkey, and the following morning he found it drawing a boat belonging to another witness named Doughty to whom the donkey had been sold by prisoner. On finding the prisoner, he was asleep under a hedge between the Wharf and Droitwich.

Cross-examined by Mr Huddleston : There was no agreement of partnership between us ; we divided the property, but there was no partnership between us. I remember once saying in the presence of James Edwards, "The collar hurts the donkey, Tom ; *we'll* have another, the money won't be much *betwixt us*". [The witness immediately flatly contradicted this assertion. Other circumstances were brought before the witness's notice, having a tendency to show that a partnership had existed between them ; but the witness did not recollect anything about them.] The "rale fact is this", said the witness, "I found the donkey and Tom found his brother", but whether the donkey was Tom's brother or Tom's brother was a donkey, or whether witness was the greatest donkey of the trio, was a matter totally inexplicable by the witness ; he saw the thing as "plain as a pikestaff", and wondered why the Court should laugh at his endeavours to trace the pedigree of his would be called partners in navigation traffic. He had never been apprehended for "stalin ducks" ; he had been once afore a magistrate for a "hinsult" (assault we suppose). If he had been charged for stealing ducks it must have been "afore he forgot it". (Laughter).

William Doughty was next called and said : I was down on my way from the collieries at the Railway Tavern, Hanbury Wharf, and the prisoner offered to sell me the donkey and other articles, before the face of Brown. I had never a word with anyone about it before. I never bargained with **John Brown** about the donkey before ; I did so in the evening afterwards. At Hanbury I again saw the prisoner and offered 10s and a quart of ale for the donkey, and prisoner said he would sell it me, as it was as much his property as Brown's. I then bought it off him in the presence of a third person named Randall, and I also gave him 2s 6d for two shovels.

Cross-examined by Mr Huddleston : In the morning, prisoner said the property was as much his as Brown's, and Brown made no reply.

The Judge : If this be correct, it is no felony.

Mr Selfe said there was nothing of the sort in the depositions.

A verdict of Not Guilty was therefore returned.

MALICIOUS STABBING AT HANLEY CASTLE **Henry Hill**, 24, boatman, was charged with maliciously stabbing **William Jakeman** at Hanley Castle on the 28th ult.

Mr Beadon appeared for the prosecution and Mr Huddleston for the defence.

Mr Beadon detailed the case to the Jury in a few observations, from which it appeared that the prisoner had been at a bowling alley at Hanley Castle, when Lloyd asked him for some money, upon which prosecutor and another interfered and prisoner pulled out his knife and threatened to stab the first man who touched him, when Jakeman and some others attempted to take the knife from him and he received the wound.

William Jakeman : I am a waterman, and was at the Hanley Quay public house on the day in question. I was in company with a man named Johns ; the prisoner was also there. A man named Lloyd came to the prisoner and asked him for some money, which he refused to give. I said, "Why don't you pay it now you've got money in your pocket?" He said he shouldn't ; and went on bowling. He afterwards took the knife out of his pocket and opened it ; it was a clasp knife. He said, "I will put this into the first ---- as interferes", and then went out of the alley. I and others followed him, and I asked him why he would not put the knife up, and he struck me there and then above the elbow. As he struck me, Johns came up and knocked him down. I showed my arm to Mr Sheward, surgeon.

Cross-examined by Mr Huddleston : The money that was owing was for drink, but I don't know whether it was owing for bowling or what. I came to the house to be paid, and there were about 40 other workmen there. I had been engaged at the Navigation works near. I did not see anyone eating in the alley. I cannot tell that Mr Lloyd gave a dinner to the men on that day. The first thing I saw

at the bottom of the alley was the prisoner holding his knife up. He went away into a field in the direction of his home. I did run after him, but I did not lay hold of him by the shoulder ; I did try to get round him to get the knife from him, but could not ; and it was at that time he struck me on the arm.

Francis Johns, examined by Mr Beadon : I was with Jakeman and the prisoner at Lloyd's bowling alley. I heard Mr Lloyd come and ask prisoner for some money. Jakeman tried to persuade him to do so. I and Jakeman followed the prisoner down the alley. I saw him take his knife out. I did not see Jakeman do anything to him ; I saw him strike Jakeman, and on my coming up he turned round at me, but I knocked him down. I saw Jakeman bleeding.

Cross-examined by Mr Huddleston : There was no dinner for us men as I know of on that day. We told him it was a shame not to pay the money. Prisoner had his back towards me. The first thing I saw was the knife open. I did not see him open the knife ; he put his hand in his pocket.

Mr Thomas Lloyd, landlord of the Hanley Quay public house, corroborated the statements of the previous witnesses.

Cross-examined by Mr Huddleston : There was some harsh language used to prisoner about not paying me.

Mr Sheward, surgeon of Upton-on-severn : On the evening of the 28th of June I went to Jakeman. He had a cut about two inches above the left elbow, an inch and a half long, and was rather faint from loss of blood. It was a sharp wound and would be produced by a knife similar to the one produced by Superintendent Petford. The wound was a direct one.

Mr Huddleston addressed the Jury for the defence. They must be fully convinced that the act was committed with a "felonious intent", as the indictment specified. He thought the Learned Judge would consent to the withdrawal of that count specifying the intent to maim and disfigure. [His Lordship assented.] Their duty then would be to decide whether there was any intent to do grievous bodily harm, or whether the affair was anything more than a common assault. The Learned Counsel then, with great tact and ingenuity, laid the leading points of the evidence before the Jury ; and suggested that the wound might have been the result of a sudden endeavour on the part of the prisoner to evade Jakeman's grip, impressing upon them that if a reasonable doubt existed as to the intent of the prisoner they were in justice bound to return a verdict favourable to the prisoner ; he would not struggle against a conviction for a common assault, as of that offence the prisoner was undoubtedly guilty.

Two witnesses were called who gave the prisoner a most excellent character since his birth.

His Lordship, in commencing his observations upon the evidence, took the same line of argument used by the Learned Counsel for the defence ; assuring the Jury it was essentially necessary that they should be satisfied of the intent with which the wound was inflicted.

The Jury, after a few minutes' deliberation, returned a verdict of guilty of the common assault ; and his Lordship having addressed a few sentences to the prisoner in a very kind and feeling manner, sentenced him to the mitigated punishment of three months' imprisonment, with hard labour.

30 July 31 1845

CITY MAGISTRATES' OFFICE One **Morris**, a waterman, was today committed for trial at the Sessions, charged by John Lloyd, a nailer, with a robbery from the person. The parties slept in the same room at the Britannia Inn, Dolday on Saturday night, and on getting up on Sunday morning Lloyd missed 10s from his trouser pocket. He immediately taxed Morris with the robbery, who gave up 8s, and begged that Lloyd would say no more about it. An officer however was sent for, and the 2s found on him.

31 August 21 1845

INQUESTS BY MR HUGHES On Monday at the Red Lion Inn, Stourport, on William Knott, a little boy aged five years, the illegitimate child of Mary Knott of Stourport, who was drowned on Saturday by accidentally falling into the Staffordshire canal.

Mr Hughes holds two inquests tomorrow on boatmen drowned in the Severn. One at Lower Mitton

on **William Meadows** of this city who, while hauling a trow up the Severn near Stourport, yesterday, was pulled into the river by the rope and drowned before he could be extricated ; and the other on the body of a man, name unknown, which was picked up yesterday at Bushley. He appeared to have been in the water several days, and his face was much bruised.

32 August 21 1845

TO THE EDITOR OF THE WORCESTER JOURNAL

Sir – In justice to my worthy friend, Mr J W Bevington, whose decision on the race for the Severn Cup at the late regatta gave great dissatisfaction to the members of the Bewdley Club, I beg to be allowed to say a few words. His decision, as all probably know, was “that the Bewdley boat, being out of its own water in the middle arch of the bridge, bumped by the Oxford Worcestershire boat, be declared the loser”. In this decision I fully concur ; for the rule in respect to fouling stands thus :- “That in each race one half of the river shall be allotted to each boat, the captains of which shall toss for choice ; and that in case of a foul taking place, the boat out of its own water shall be declared the loser”.

Now as the Bridge Street arch is blocked up, and therefore rendered inaccessible, by the Watermen's Church, there only remain *four arches*, two of which – viz, the two on the St John's side – belonged to the Bewdley boat, and two, the middle and second arches from Bridge Street, belonged to the Oxford Worcestershire ; consequently the Bewdley, being in the middle arch, was clearly and undeniably out of its own water, and therefore was very properly and justifiably declared the loser.

Moreover there is, I think, another argument which would support the umpire's decision, which is this :- As each boat was allowed *only* half the river, the Bewdley boat or its oars (which are part and parcel of the boat) most certainly extended beyond the centre line, even supposing the Bridge Street arch to be passable ; and therefore being out of its own water, was liable to be bumped.

Again the Bewdley coxswain would never have steered for the centre arch had he not intended to take the Oxford's water, his *straight course* lying through the second arch from St John's, while the straight course of the Oxford lay through the centre arch.

I am aware, Mr Editor, that I shall be under the imputation of being partial to the Oxford boat, of which my brother was stroke, but I cannot allow the character of a gentleman, whom all that know him must respect, to be called in question, without having my say in his justification.

By inserting this perhaps too lengthy communication, you will much oblige
Your obedient servant
Worcester, August 18 1845

T W WALSH

33 August 28 1845

INQUESTS BY MR HUGHES On Thursday at Lower Mitton, on **William Meadows** of this city, who while hauling a trow up the Severn near Stourport, on Tuesday, was pulled into the river by the rope and drowned before he could be extricated. Verdict : Accidental death.

Also on **Alfred Edwards** of this city, an inquest was held at the Railway Tavern, Hanbury Wharf. Deceased, who was a boatman aged 18 or 19, was working a boat belonging to **Mr Rowlands** of this city, from Worcester to Birmingham, and in passing through Astwood lock in the parish of Hanbury about eight o'clock on Wednesday night, he fell into the water just outside the lock whilst he was shutting the lock gates, it is supposed having shut the wrong gate first. **Benjamin Jeff** of Droitwich was working the boat with him at the time, and picked the body up with a drag immediately afterwards. Jeff did not see deceased fall in, but missed him after passing through the lock, and immediately dragged for him. Verdict accordingly.

34 August 28 1845

A boatman named **William Gittins**, belonging to Worcester, died suddenly a few days ago at Tipton. It appeared that the deceased arrived at Tipton from Worcester for a load of coals, and took the boat to Messrs Haines's pits. He was engaged in the boat all day, and retired to rest in the cabin about eight o'clock in the evening, apparently well in health. Next morning however, on getting up, he began to throw up blood, and a doctor was immediately sent for, but before his arrival the

unfortunate man had breathed his last. Mr Underhill, the medical officer who attended him, made a *post mortem* examination of the body, and was of opinion that the deceased died from a rupture of a vessel in the lungs, produced by natural causes and not from any violence. An inquest was held on the body before G Hinchcliffe Esq, Coroner, at the Prince Regent, Tipton, the following day, and a verdict in accordance with the evidence was returned.

35 September 4 1845

STOURPORT PETTY SESSIONS Thomas Bourne of Dodderhill, near Droitwich, was summoned by **Allen Goode**, boatman, for non payment of wages. Goode was preparing to start with his boat up the canal, when Bourne ordered him to do some other work. Goode, instead of going to work, got a summons for the wages of the voyage he had not completed. The Magistrates dismissed the case.

Mr Thomas Bluck of Tewkesbury, corn factor and boat owner, was summoned by **Mr W Hemming**, agent to the Worcester and Bewdley Horse Towing Path Company, for evading the toll payable for a horse drawing a vessel navigating on the river Severn. The captain of the vessel appeared and denied any evasion of toll ; and after a short deliberation the Magistrates dismissed the case.

36 September 18 1845

CITY MAGISTRATES' OFFICE

FRIDAY **William Pitts**, boatman of Severn Stoke, was brought up by Sergeant Sanders, on a charge of stealing a new boat line from a boat belonging to **Mr Charles Lloyd** of Cleveload, which was moored at "The Acre" adjoining this city. The line was traced to the possession of the prisoner, who was apprehended on Wednesday at Kempsey. The prisoner was remanded till Saturday.

SATURDAY William Pitts was remanded again until Saturday the (?28th?), on account of the illness of the prosecutor, who had been violently assaulted at Powick on the previous night, by three fellows who had lain in wait for him as he was returning home to Cleveload, and who were supposed to be connected with the prisoner.

37 September 18 1845

INQUEST BY MR HYDE Yesterday, at the Lame Dog public house, Blockhouse, on the body of **Thomas Perkins**, aged 15 years, boatman. Deceased started on Friday from Gloucester in charge of a boat to Birmingham. Before his arrival at the Foundry Lock in this city, he was seized with vomiting and was obliged to remain at the Lame Dog public house. On Sunday morning, Mr Griffiths, surgeon, was called in, and he prescribed for him. He died the same evening, and Mr Griffiths gave it as his opinion that he died from the effects of cholera. Verdict : "Died from cholera".

38 October 2 1845

We understand that sermons are intended to be preached on Tuesday next in the Watermen's Church on the river Severn, by the Rev George Lea A M, Incumbent of Christ Church, Birmingham, when collections will be made on behalf of the funds connected therewith.

39 October 2 1845

INQUESTS BEFORE MR HUGHES On Monday at Dodderhill, on the body of **Armell Bradley**, a young man aged 19 years, son of the keeper of Astwood lock on the Droitwich Canal, who had been found in the lock opposite his residence by his father, about 2 o'clock on Sunday afternoon, when he had occasion to open the lock gate, but could not do so owing to the obstruction caused, as he found by means of a drag, by the body of his son. It appeared that his son had left a public house rather late the previous evening, rather fresh, and having occasion to pass over the lock gate to reach home, the assumption is that he fell into the lock while doing so. The head of deceased presented a dreadful spectacle, being completely crushed from the violence with which the gate

forced it against the wall of the lock. Verdict : “Accidentally drowned”.

40 October 2 1845

At Droitwich County Petty Sessions on Friday, before Mr Vernon and Mr Ricketts, **Thomas Coombs**, a boatman, was brought up, charged with having on the 22nd ult stolen a quantity of wearing apparel, the property of his master, **Adam Jones**, also a boatman, and was committed for trial at the next Sessions.

41 October 9 1845

WATERMEN'S CHURCH The anniversary sermons in aid of the funds for supporting this place of worship were preached on Tuesday last by the Rev George Lea, AM, Minister of Christ Church, Birmingham, when a collection was made to the amount of £19 8s 5d. The religious claims of a long neglected body of our countrymen were on this occasion ably advocated from Proverbs xxiv v11, 12, and Ephes iv.v 4, while the duty of promoting the due observation of the Sabbath was very strongly urged on *all* classes of the community. Among the congregation we noticed *nine* clergymen. It is gratifying to the friends of this undertaking to find that bargemen and boatmen from distant parts, when detained at Worcester, so often avail themselves of the privilege of being allowed to frequent this place of worship set apart more especially for a class hitherto found so reluctant to attend church. In addition to the collection, the charity box kept in the vessel was found to contain £1 4s 5d, including 109 pence, as well as a considerable number of fourpenny pieces and sixpences, showing the good will of the less opulent classes. A sovereign was also received as a donation forwarded from a lady in Calcutta to the Chaplain of the Watermen's Church, Worcester.

42 October 16 1845

WORCESTER CITY SESSIONS James Everton, 35, rope spinner, was arraigned on a charge of stealing 32 lbs weight of rope, the property of **Mr Charles Lloyd**, boat owner, on the 7th of August last. The rope had been cut from a boat belonging to prosecutor moored on the river, and the stolen piece was sold by prisoner (who resides near the Mug House, Hylton Street, and deals in ropes) to one **Pitts**, a boatman, who had applied to him for some. Pitts was originally apprehended and remanded on the charge, when Police Sergeant Sanders went to Everton on the matter, and he said that having found it he could say no more about it. Not guilty.

43 November 6 1845

CITY POLICE On Friday, before C H Hebb, R Evans and S Hooper Esqs, a charge of assault was preferred by one **Ann Williams**, wife of a waterman residing at Diglis, against policeman Bateman. The assault was alleged to have been committed while Bateman was quelling a disturbance in Fish Street on Thursday afternoon. The statement of the woman gave the charge rather a serious aspect, as from it there appeared to have been no grounds whatever for the officer's interference with her individually and that, moreover, he had pulled out a knife to her, which fortunately was knocked out of his hand by a bystander, or the consequences might have been – she didn't know what ; and he had shaken her so violently that she fell to the ground and broke her bonnet. Her statement was supported by two female witnesses, one of whom had knocked the knife out of Bateman's hand, and she stated that having considered Bateman to be in fun, she thought she might as well have a bit of fun with him, and that was her reason for knocking the knife to the ground. A witness named Darke also stated that on accompanying Williams to the station house for the purpose of reporting Bateman's violent conduct, that officer, who followed them there, said to her, “When I catch you again I'll mark you”. This was positively denied by Bateman, who accounted for the production of the knife by saying that the woman had said to him while using his stick in dispersing the children and women who were assembled, “You had better get your knife to me”, when he in a joke pulled from his trousers a small pocket knife, showed it to her, and it was immediately knocked out of his hand. The Magistrates considered that he had exceeded his duty by acting with any violence to the woman, and fined him 7s 6d with 6s 6d costs, as they did not consider it necessary to report the case

to the Watch Committee. We have long known Bateman to be a very active and meritorious officer, and we cannot but think that the charge against him must have been grossly exaggerated.

44 November 13 1845

CITY POLICE On Monday, the only case brought before the Bench was a charge against one **John Williams**, a boatman residing in Diglis Street, which was brought by policeman Grubb who, while apprehending a man in Broad Street late on Saturday night, had charged the defendant Williams and other persons who were standing by at the time, to render him some assistance, but instead of doing so, Williams told the policeman that he (Grubb) was "twice as drunk" as the man he wanted to secure, whereupon that officer took Williams to the station house, the other man having got away. The magistrates dismissed the case after reprimanding Williams for not giving his assistance when called upon.

45 December 25 1845

CITY POLICE **Charles Pennell**, boatman, residing in the Blockhouse, was brought up yesterday (Tuesday) before C Sidebottom Esq, having been remanded from Friday last, on a charge of stealing four live rabbits, the property of William Allen, who resides in the same yard with Pennell, by which means he gained access to Allen's rabbit cub, where he kept them. Information was given to Sergeant Chipp, and he traced one of the rabbits to West Bromwich near Birmingham, where it had been sold by the prisoner ; and the prisoner was further remanded till Friday next to procure evidence from West Bromwich.

46 January 8 1846

WORCESTERSHIRE EPIPHANY SESSIONS **Edward Evans**, 34, boatman, was convicted of stealing 10 cwt weight of coal, the property of William Butler Best Esq. Three months' imprisonment.

47 January 8 1846

WORCESTER CITY SESSIONS **William Jepson**, 18, boatman, and **Thomas Sabin**, 18, boatman, charged with having, on the 29th day of November last, stolen about three hundred weight of coals, the property of Henry Brookholding Jones. Guilty : One calendar month's solitary each.

48 January 15 1846

WORCESTERSHIRE EPIPHANY SESSIONS

The undermentioned prisoners were tried subsequently to the publication of our last number :-

Benjamin Chambers, 21, boatman and **William Willis**, 40, publican, were charged, the former with stealing a quantity of coal and the latter with receiving the same, the property of Joseph Eshby Fardon at Droitwich. Chambers two months' imprisonment, and Willis not guilty.

49 February 5 1846

WORCESTER EPISCOPAL FLOATING CHAPEL Lady Ford of Conway House has sent a grant of Bibles, testaments and suitable tracts for the use of the watermen frequenting this place of worship. It is gratifying to find that some of this long neglected class are becoming readers of the Holy Scriptures, and have purchased copies out of their hard earnings. A waterman's widow, some time ago, applied to a clergyman interested in this class, requesting the gift of a Bible for one of her children, and offering to *purchase* another copy for a similar purpose. Upon enquiry, it was found that the poor woman had previously bought *six* copies, having been left a widow with eight children, she was anxious to provide each with a book she highly prized herself. She received the two copies as a gift, and the poor widow returned home full of gratitude that now she had obtained for all her children a bible "to be the lamp of their feet, and the light of their path".

50 March 5 1846

WORCESTERSHIRE SPECIAL ADJOURNED SESSIONS

Daniel Fletcher, 29, boatman, was charged with stealing a sovereign, a half crown, a shilling and a penny piece, the property of James Hickman, at Stoke Prior on the 28th ult.

Mr Selfe prosecuted ; the prisoner was undefended.

The wife of the prosecutor stated that her husband kept a public house, and that she had given the monies to her mother to hold while she went upstairs on some business. Her mother placed it on the tap room table (near which the prisoner was standing alone) and then left the room for a few minutes, during which time no person had entered the tap room. On her return she missed the money, and the prisoner was charged with the theft, which he denied, and a constable having been called in, Fletcher was searched, and a sovereign, a half crown and two penny pieces found on him. Mrs Hickman identified the half crown as on which she had bitten on suspicion of its being a counterfeit one.

The prisoner made a defence, and said that his having been once convicted had caused him to be suspected. He called on the parish constable to give him a character since his liberation, but that officer thought he should be rendering Fletcher service by saying nothing at all, and begged to decline. But the prisoner persisting, the witness then informed the Court that since the prisoner's discharge, which took place about a year and a half ago, he [witness] had frequently heard of his being in different gaols, and also published in the *Hue and Cry*, and had given witness, in whose employ he had been, a great deal of trouble. The Jury returned a verdict of guilty, and a previous conviction was proved against him. Seven years' transportation.

Thomas Edwards, 21, boatman and **Thomas Dallow**, 14, boatman, pleaded guilty to a charge of stealing three sovereigns, a half sovereign and a cotton purse, the property of James Vale, at Lower Mitton on the 23rd ult. Edwards was sentenced to four months' imprisonment and Dallow to two months' imprisonment with hard labour.

Henry Hawker, 26, boatman, was discharged, no evidence being offered against him in support of a charge for stealing an iron windlass, the property of the proprietors of the Staffordshire and Worcestershire Canal Company on the 11th ult.

51 March 19 1846

WORCESTERSHIRE LENT ASSIZES

John Howell, 21, boatman, was charged with feloniously assaulting a little girl of the tender age of eight years, named Emma Kale, on the 7th of December last, at the house of her mother in Cooken Street.

Mr Huddleston prosecuted. The prisoner was undefended.

The particulars of the offence as given by the several witnesses were of the most disgusting nature, disclosing revolting details of immorality and vice. It appeared that the prisoner resided at the house of the prosecutrix's mother with a woman named Carr, at present in custody on another charge, and the child was in the habit of going into the prisoner's apartments, and remaining there for some time. From the statement made by the little girl, it seemed that the offence was committed in the presence of the woman Carr ; and Mr Hilary Hill, surgeon, was called, and said that having examined the person of Emma Kale he found her suffering from a contagious disease, under which the prisoner was also labouring. Guilty. His Lordship, in passing sentence, said he had but one duty to discharge, and one sentence to pass ; indeed had it been in his power to mitigate the sentence, he should not be inclined to do so in the prisoner's case, for a worse crime to society, committed under circumstances of such callous profligacy, had rarely, if ever, come under his notice during the whole annals of his experience. His Lordship then sentenced the prisoner to transportation for life.

Charles Darke, 22, boatman, was charged with committing an offence upon Emma Reynolds, on

the 24th ult at Defford.

Mr Hodgson prosecuted, and Mr Beadon defended.

The prosecutrix is a married woman residing at Strensham, and had known the prisoner since Michaelmas. On Tuesday fortnight she was going to Pershore, a distance of about four miles from Strensham, when the prisoner overtook her and they walked together into Pershore. On her return home prisoner again overtook her when near Hawkes's at Defford. They talked together, as witness expressed herself, no ill will existing between them. The woman felt very low, and the prisoner persuaded her to go and have some cider at a house hard by, and they stayed for about an hour. It was dark when they left, and on their road home the prisoner wished her to go with him into the fields, but she refused, saying she was a married woman. Ultimately, he threw her down in a lonely part of the road, and after considerable resistance effected his purpose. Prosecutrix stated that she told her husband of the transaction immediately she got home.

Cross-examined by Mr Beadon : The assault was committed near to a fold yard. At that time I resided at John Passey's, more's the pity. I have seen John Passey here this Assizes, but I do not choose to tell you whether I have seen him today.

Mr Beadon : Did you ever meet the prisoner at a dance at Ann Reeve's on the 19th of January?

Witness : I did go to the dance, but I was overpersuaded to go, and am sorry for it.

Mr Beadon : Did you meet the prisoner there?

Witness : I do not choose to answer it.

The Chief Baron : Mrs Reynolds, you come to complain of the misconduct of the prisoner at the bar :-

Witness : Yes, sir, my Lord, I am.

The Chief Baron : In order to judge of the truth of the charge, the Learned Counsel has a right to enquire concerning any transactions you have had with the prisoner, and you are bound to answer.

Witness : If I choose.

The Chief Baron : If you refuse to answer, the Jury will no doubt draw a conclusion unfavourable to your complaint. The Counsel might say there is an end of an examination, and the Jury might say there is an end to the prosecution.

Mr Beadon repeated his question, and the witness still refusing to answer, the Jury acquitted the prisoner.

His Lordship said he should not allow her expenses.

Nathaniel Dancer, 35, boatman, was charged with a robbery from the person of John Rock, accompanied with violence, on the 3rd of September last at Kidderminster. Mr Selfe prosecuted, and Mr Huddleston defended the prisoner. Prosecutor deposed that on the night in question he was at the Navigation Inn, Kidderminster, and left at half past eleven o'clock, having had "a sup of drink". By the side of the canal he was met by two men, prisoner being one. Prisoner collared him and told him to stand and deliver, and said he knew he had got money ; prisoner struck him twice over the face, and the other man held his hands while prisoner took five half crowns from a pocket inside witness's waistcoat. The two men then knocked him down again. Prisoner and his companion ran off in different directions, and witness returned to the Navigation Inn, called up the landlady, and told her what had happened. Had subsequently seen prisoner, and being certain of his identity, informed the constable.

Cross-examined by Mr Huddleston : It was hard upon seven o'clock when I began drinking at the Navigation. Played at cards and lost money ; that was after seven o'clock ; I might have drunk four pints of ale, and gave some away. Got 14s from Mr Guttrey at Kidderminster for some pig iron ; that was all the money I had ; I lost 2s at cards, spent 2s in drink, and had 12s 6d when I left the house. When I said I had no more than 14s I told you a lie on my oath ; I might have had 1s 6d in copper. Upon my oath, I have not been to prisoner's friends to offer to make up the matter for £5. I said something about £5. I said that if they liked to put it in another person's hands I would let him go off as easy as I could.

Re-examined : Prisoner's friends came to me to make up the matter. I never made any offer on the

subject.

Mrs Croxton, landlady of the Navigation Inn, proved that the prosecutor was in her house in the evening in question ; he was sensible enough when he left the house. Soon after he left, she heard cries of “murder” and let Rock in, who slept there. Prisoner lives near her house. On the 12th of September Rock was at her house again. Prisoner came in, and Rock said he was the man who robbed him. Had heard an offer to make the matter up for £5.

Cross-examined : Rock had as much beer as did him good.

Peters, the constable, proved the apprehension of the prisoner in consequence of information received from Rock. Prisoner said he was in bed that night by nine o'clock. When before the Magistrate, prisoner made a statement, which was put in and read, to the effect that he was not away from home after six that night, and that a young man named Clift, who lodged with him, returned home after he was in bed, and said that when he came in it was about half past ten. On cross-examination Peters said he had not tried to ascertain whether there was such a person as Clift.

This was the case for the prosecution.

Mr Huddleston addressed the Jury for the defence in a very able speech, and the Chief Baron having recapitulated the evidence, the jury acquitted the prisoner.

52 April 9 1846

WORCESTERSHIRE EASTER SESSIONS **Joseph Blakeway** surrendered to his bail to answer a charge of having on the 13th of March last stolen about 2 cwt of coal from the boat of his master, **Mr J W Johnson**. Mr Broome prosecuted, and Mr Selfe defended the prisoner. It seems the prisoner was engaged as boatman in conveying a load of coal along the canal near Kidderminster, when a boy, who was also employed on the boat, saw him remove three lumps from the boat to the towing-path. He was very drunk at the time, and it appears that although he was seen to remove the coal, no complaint was made until the boat arrived at the end of the voyage. The prisoner subsequently confessed the offence to the prosecutor, and begged forgiveness. Mr Selfe for the prisoner submitted to the Jury that the conduct of the man at the time of the transaction, and subsequently, showed that there was no felonious intention on his part, and the Jury taking this merciful view of the case, acquitted him. He was therefore discharged, the Chairman expressing a hope that this would be a warning to him to avoid drunkenness in future.

53 May 14 1846

NAVAL AND MILITARY BIBLE SOCIETY The sixty sixth anniversary of this excellent Institution was held at the Hanover Square Rooms on Thursday April 30th, the chair being occupied by General Latter in the absence of the President, who was unavoidably prevented attending. The report stated that the Society had issued during the year 16,650 Bibles, of which nearly 4000 copies had been distributed among canal boatmen, rivermen, &c, a class formerly quite overlooked. A donation of 40 Bibles and Testaments had been given to a school at Stourbridge for boatmen's children, and 150 copies sent for distribution on the canals in the neighbourhood of Birmingham. The Watermen's Church at Worcester also last year received a grant from the same source. The report concluded with an expression of regret that the income of the Society continued so limited, and glanced at the happy results which might be anticipated, if its means were adequate to the opportunities which were before it. This venerable Society will not be forgotten by the public, its object being so purely national – to spread among soldiers and sailors, and others connected with the commerce of the country, those Holy Scriptures which it is so important should be in the possession of all classes of the community.

54 May 21 1846

WORCESTER CITY SESSIONS

Thomas Williams, 22, boatman, was charged with having, on the 3rd May instant, stolen a pig at Claines, the property of Henry Perkins. Mr Hill conducted the prosecution ; the prisoner was undefended by Counsel. The evidence against the prisoner was very clear. On Sunday the 3rd May,

he was seen by an intelligent lad named Frederick Parkes (who was examined on the trial) carrying a pig with its throat cut along Lowesmoor. He hid the pig among some blackpoles, where the boy pointed it out to another witness. The carcass of the pig was not produced on the trial, and the prisoner complained that it was not produced at his examination before the Magistrates. Two of the witnesses declared that it was produced at the examination, but the prisoner persisted it was not, and called Mr Sidebottom, police Magistrate, by whom he was committed, to confirm his statement. Mr Sidebottom however said that the carcass of the pig was produced before him in a basket covered by a cloth, and that the cloth was removed. The prisoner was found guilty, and a former conviction having been proved against him, he was sentenced to seven years' transportation.

John Phillips, 18, boatman, was charged with stealing three fowls, the property of John Tustin of Lowesmoor. Mr Huddleston prosecuted ; the prisoner was undefended. It appeared from the evidence of a female named Mary Ann Garbett, late housekeeper to the prosecutor, that on the evening of the abovementioned day she heard a disturbance amongst her master's fowls, which were kept in a paddock adjoining the house. She went out and found the prisoner in the paddock, and three of her master's fowls had been killed and were thrown down near to where the prisoner was standing. She accused the prisoner of having been amongst the fowls, which he denied, and expressed his willingness to be searched. Policeman Bradford deposed that he went in search of the prisoner, but he was missing from Worcester until six weeks after the robbery. He produced portions of the carcasses of the fowls, which were identified by the prosecutor's housekeeper. The prisoner called a witness to character, but he was not forthcoming. The Jury, in finding the prisoner guilty, recommended him to mercy on account of his youth. One month's imprisonment, the first and last week solitary.

George Hunt, 23, and **Henry Walters**, 24, boatmen, were charged with having on the 24th March last stolen 16 lbs weight of lead, the property of the Dean and Chapter of Worcester. The circumstances attending the case have already been published. The prisoners, it will be recollected, were employed in March last in assisting to pull down a portion of the buildings of the Old Deanery in this city, and took the opportunity of appropriating a portion of the old lead forming part of the materials. Both prisoners were found guilty, and a previous conviction against Hunt having been proved, he was sentenced to 7 years' transportation. Walters was sentenced to 12 months' imprisonment, the first and last week solitary.

55 May 28 1846

CAUTION TO RIVER PIRATES The depredations which have for some time past been systematically carried on by boatmen on the river, and the extent of pilfering to which bulk corn in particular has been subjected, have long past been a cause of great annoyance and heavy loss to our merchants ; and we are not sorry to learn that two boatmen named **George Mills** and **William Jones** have been this week tried at the Knutsford Sessions, in Cheshire, for purloining twelve bushels of wheat, part of a cargo, in bulk, which had been entrusted to them by Mr Kimberley for delivery at Manchester. Having been duly convicted of the larceny, they have both been sentenced to seven years' transportation, the Magistrates announcing that, in consideration of the facility with which such thefts are effected, and the great difficulty of bringing about a conviction, they are determined in all cases to pass a severe sentence ; and we trust the moral example made in this instance will have its effect in deterring others from similar misdemeanours, as we understand a thorough determination has been come to by the merchants and traders to prosecute, in every case where a sufficient ground for indictment exists.

Gloucester Journal

56 June 18 1846

LAMENTABLE DEATHS BY DROWNING Two inquests were held on Monday last at Earl's Croome, on the bodies of two young men named William Jeynes, labourer, aged 27 years, and

Henry Coppice, aged 20 years, who, on Sunday morning about twelve o'clock, went to bathe in the river, when Jeynes got out of his depth, and the latter in attempting to rescue his companion got out of his depth also, and they were both drowned. The principal witness was another labourer named James Day, who was also bathing with them. Witness got a long stick which he put for Jeynes to lay hold of, but he could not. None of the men could swim. Coppice was a single man, but Jeynes has left a widow and two children. The Jury returned the following verdict in both cases : "Accidentally drowned ; but we are of opinion that owing to the late change in the river Severn, it is incumbent on the Commissioners to place boards or some other signals to caution the public against the danger of bathing in the river". The two bodies were recovered by **John Brick**, waterman of Upton, who searched for them with a hook.

57 July 2 1846

WORCESTERSHIRE MIDSUMMER SESSIONS

Thomas Wytheford, 20, and **Joseph Wytheford**, 20, boatmen, pleaded guilty to a charge of stealing a basket containing a quantity of grocery, the property of William Benson, at Alvechurch on the 28th March. Three months' imprisonment each.

John Plato, 22, boatman, was convicted of stealing a cloth cap, the property of Joseph Sheldon, at Hadlow on the 3rd of June. Three weeks' imprisonment.

58 July 2 1846

THE STEAMER SABRINA We would direct the attention of the public to an advertisement from Mr Wall, the proprietor of this steam vessel, from which it will be seen that in completing his arrangements, he has evinced a determination to meet the convenience of the public in every possible way. The vessel makes her first voyage to Gloucester on Thursday morning next, starting from the Worcester Quay at ten o'clock, arriving in Gloucester at one ; on her return she will leave Gloucester at four and arrive in Worcester about eight o'clock ; but on Saturday the *Sabrina* will leave Worcester at six in the morning, returning from Gloucester in time for the Worcester market at one o'clock. This arrangement will be continued during the following Monday, Tuesday and Wednesday, to accommodate parties wishing to attend at the races, after which she will leave at ten every morning and return from Gloucester at four, arriving at Worcester at eight in the evening ; staying to take in passengers at Kempsey, Upton and Tewkesbury. For further particulars, we refer our readers to the advertisement, which specifies that she will not be worked on Sundays, a resolution which must meet with the most cordial approbation of a majority of our fellow citizens. During the past week hundreds of our citizens have availed themselves of the opportunity of taking a "voyage", and we have only heard of one accident in connection therewith, which occurred last night about ten o'clock. It appears that a barge and a lightering boat belonging to Mr Head of Tewkesbury, both laden with iron and castings, arrived at the South Quay yesterday morning, the barge being moored by the side of a boat and the lighter taken further on for the purpose of landing a few goods, which having been accomplished the men brought her back and moored her alongside the barge, thus obstructing the bow of the second arch of the bridge. Both the barge and the boat were heavily laden, the top of the latter being level with the water's surface, without any side being made to prevent her from filling. The steamer, on her return from Kempsey last night about ten o'clock, was making for the centre arch, when it being dusk, the looker out could not see the boat, which lay with nothing but her tarpauling above the water, and the consequence was that one of the paddle boxes struck her, and the passengers rushing to the side to see what was the matter forced the box against the boat with greater violence, and she sunk. No one was on board, for had there been someone to make a signal to the vessel, the accident would not have happened, as the steamer had previously avoided the boat from a signal made by Bowen, the constable of the Quay, who immediately started in search of the men who had improperly left her, but he was not able to find them. The blame in the matter must rest with the men who incautiously moored the boat in the bow of the arch. Mr Wall has, however, offered to lend them the assistance of his boatmen and the crew

of the steamer to raise her, declining to have any responsibility of directing operations, but they refused, stating that Mr Wall should get it up himself. The captain of the steamer says that throughout the trips they have taken this week, they have been subjected to many annoyances from the carelessness (at times wilful) of bargemen, and on one or two occasions yesterday, the engines were stopped in consequence of vessels remaining in the steamer's course although repeatedly hailed.

59 July 23 1846

WORCESTER CITY SESSIONS

Thomas Brimmall, 24, boatman, was charged with having, on the 19th May last, stolen a copper tea kettle, the property of Edward Gunnell, at the parish of St Peter the Great. Mr Selfe prosecuted, and the prisoner was undefended.

The prisoner, in cross-examining one of the witnesses to whom he had sold the kettle, inadvertently admitted the fact, and the evidence of other witnesses was very conclusive of his guilt. The dilapidated kettle, minus the lid, was produced, and the prosecutor's wife was called to identify it, which she did by two particular bruises upon the spout, but as to the general appearance of the kettle it was sadly disfigured. When the witness last saw it, it was in a "state of perfection", but had been broken by the prisoner for its more ready appropriation. The prisoner harangued the Jury for some time principally upon the identity of the article in question, and contending that Mrs Gunnell was not correct. He then called several witnesses in his behalf, the first of whom stated that the prisoner was her brother-in-law, and she had frequently seen in his possession a copper kettle, but whether it was the same as that produced in Court or not she did not know ; and also that Mrs Gunnell had said she could not identify the kettle without the lid, and that portion of the article was not sold by Brimmall. This, Mr Selfe contended, more clearly substantiated the guilt of the prisoner, and the Learned Recorder having summed up, a verdict of guilty was returned ; and a previous conviction at the Midsummer Sessions of 1841 having been proved against him, he was sentenced to seven years' transportation.

STEALING LEAD Joseph Vaughan, 27, boatman, and **Francis Morris**, 19, boatman, were arraigned on two indictments, the first charging them with stealing 63 lbs weight of lead, the property of Sir Anthony Lechmere, Bart, on the 22nd day of June ; and the second with stealing 63 lbs weight of lead, the property of the Rev Thomas Littleton Wheeler, from some cottages called Hardwick Spring Cottages in the parish of St John, on the 24th day of June.

The latter charge was first entered into. Mr Huddleston prosecuted ; the prisoners were undefended. The Rev T L Wheeler was first called, and deposed that there was a quantity of lead piping affixed to the end cottage about midday on the 23rd of June, and on the following day he missed it. On the next morning, policeman Doughty brought the piping, which had been cut into three pieces, and on comparing it with the place where it had previously been affixed on the cottages, witness was perfectly satisfied that the piping was his property. Policeman Williams stated that he was on duty between two and three o'clock on the morning of the 24th, round the Henwick beat, and saw two persons going along a field in the direction of the ferry from Hardwick Cottages ; he could not see their faces but was able to distinguish their dresses, and at the time he saw the prisoners before the Magistrates they were dressed similarly. A little girl named Fudger deposed that the prisoner Morris came to Mrs Houghton's shop in Bank Street, and sold 16 1/2 lbs of lead. She called to her aunt, Mrs Houghton, for 1s 4 1/2d to pay for it, and in the meantime Vaughan came in, lit his pipe, and then left with Morris ; Vaughan shortly returned alone and received four penny pieces from Mrs Houghton, in addition to what she had given Morris for the lead, as he said it was worth 1 1/4d a lb. Mrs Houghton said she would much rather not buy it, for the last lot of lead she bought of Morris she had a bother about ; but she ultimately consented, and gave him the additional money. This lead was in three pieces, and was the same as that identified by the Rev T L Wheeler. The identity was further proved by Mr Fildes, plumber of St John's, who had manufactured the piping. Both prisoners were found guilty.

The second indictment was then proceeded with, the lead in this instance having been stolen from a cow shed on a farm situated near the Ketch public house on the Gloucester road, in the occupation of Mr James Dorrell, who spoke as to the lead having been stolen, and also to its identity. The lead was found by policeman Averill of the County force at Mr Close's, plumber and glazier, Sidbury, where the prisoners offered it for sale, saying they had bought it off a man about two miles on this side of Upton. On comparing it with the shed from whence lead had been stolen, several plugs were found to correspond, and this fact left no doubt as to its identity ; and in addition the prisoner Vaughan told policeman 14, while being conducted to the station house, that he had sold 63 lbs of lead to Mr Close, for which he had paid them 7s 10d ; but that the other man had stolen it. Both prisoners were again found guilty, and the Learned Recorder sentenced each of them to be imprisoned for six calendar months, the first fortnight in solitary confinement, for the first offence ; and for the second, to be imprisoned for three months, the last fortnight in solitary confinement.

Thomas Chellingworth, 21, boatman, was charged with stealing about 7 cwt of coal from a stack belonging to John Fleming. Mr Selfe prosecuted.

The facts of this case were given by us some few weeks ago. The prisoner impugned the statement made by policeman Grubb, and said, "He would swear any man's life away for only biting his finger nails". On being asked whether he had anything to say to the Jury, he said, "No, but I should like to turn one of 'em out". This wish was expressed too late, and he seemed much disappointed at being informed that he had allowed his only opportunity of challenging to pass by. He said he "daint understand law", and so must take his chance ; and the Learned Recorder therefore proceeded to sum up, after which the Jury returned a verdict of "Guilty", with a recommendation to mercy. Three months' imprisonment, first and last fortnight solitary confinement. The prisoner expressed his thanks to the Recorder, and said he was perfectly satisfied.

In the case of **John Allen**, boatman, charged with stealing a variety of articles of wearing apparel, the property of James Bidmead, the prosecutor did not appear ; and on the application of the solicitor for the prosecution, who stated that his client was not aware of the holding of the Sessions, the recognisances were discharged, leaving it at the option of the prosecution to prefer another bill at the next Sessions.

60 August 6 1846

CITY POLICE On Monday, a boatman named **Williams** was brought up, charged by policeman Grubb with assaulting him while in the execution of his duty in quelling a fight upon the Quay on Sunday afternoon. Policemen Grubb and Hamsheer having heard that a fight was taking place on the Quay, went to the spot, when the cry of "Police" was raised and the principals immediately made off. On Hamsheer pushing into the crowd, the defendant, according to Grubb's statement, struck at Hamsheer and tried to throw him down by putting out his feet, on seeing which Grubb seized him, and Williams struck him a violent blow upon the face, but he ultimately succeeded in removing him to the station house. Mr Pullen appeared for the defendant, and called numerous witnesses, who deposed that Grubb's conduct was most violent and unwarrantable, for Williams had not been taking any part in the affray ; John Nairn was the last witness called, and he admitted that Williams was a brother of one of the pugilists, and had "picked him up two or three times". The Magistrates decided that the assault had been proved, and fined him £1 with 3s 6d costs.

Two navigators named **Wilson** and **Cross** were fined 5s for being drunk and disorderly, the one on Saturday and the other on Sunday evenings.

61 August 20 1846

ACCIDENTAL DEATH A waterman named **John Baines** of Stourport met with an untimely end on Monday night last, by falling from the top of the main yard of the vessel he was working into the hold ; and received such injuries that he died on the spot. The vessel was coming up the Severn

between Holt and Stourport. He has left a widow and two children, and the poor woman is very near her confinement. Mr Hughes holds an inquest tomorrow evening at the Angel Inn, Lower Mitton.

62 October 1 1846

CITY POLICE, MONDAY SEPTEMBER 28

William Harris, waterman, was charged by the police with being drunk and disorderly on Sunday evening last. Police-constable 14 stated that he found the prisoner lying in the streets quite drunk and in a very helpless state, and having procured a stretcher he was conveyed to the station house. Upon the prisoner being searched, a soda water bottle filled with sherry was found upon him. The Bench asked the prisoner how he came by it, when he said that one of the men employed on a barge belonging to Messrs Pickford and Co gave it to him. Hearing this, the Bench sent for Mr Roebuck, Messrs Pickford's agent in this city, to give him information of the transaction. Mr Roebuck shortly after arrived, when the Bench stated the case to him, and having asked the prisoner a few questions as to the manner in which he came by the wine, and which of the men gave it to him, he stated that the vessel which the prisoner said he had the wine from had a quantity on board. Mr Roebuck thanked the Magistrates for their kindness in sending for him, and withdrew. The prisoner was fined 5s, which he paid and was discharged.

63 October 8 1846

WATERMAN DROWNED On Wednesday, Mr Hughes held an inquest at the Tontine Inn, Stourport, on the body of **Henry Mann**, a boatman, who was found in the Staffordshire and Worcestershire Canal on Monday morning. He came up in a boat from Tewkesbury on Saturday night, and went on shore between seven and eight o'clock on an errand for his master. He was drinking at the Bell public house, Stourport, till midnight, and then left sober, as the landlady affirms. On Sunday his cap was found floating on the water, and on Monday morning his body was hooked in, after an hour and a half's search. There were a few slight scratches on his face, but no other marks of violence. Verdict : "Found drowned". He was but 22 years of age, and has left a wife *enceinte*, but no children.

64 October 22 1846

CITY SESSIONS **William Owen**, 24, **William Jones**, 23, and **Thomas Birchenhall**, 22, boatmen, were charged with stealing one gallon of port wine on the 1st instant, from a boat called the *Thistle*, on the Worcester and Birmingham Canal, the property of Messrs Pickford and Co. Mr Huddleston and Mr Hall prosecuted, and Mr Selfe defended the prisoners. Mr Huddleston stated the case to be what is technically called "sucking the monkey", which consists of extracting a quantity of the liquor from the cask, and filling it up with water. Mr James Hobro, clerk to Messrs Pickford and Co, deposed that the boat arrived two hours and a quarter behind the proper time, and that all the men were intoxicated more or less. Two jars of port wine were found hidden in the boat, and also a can containing a portion of the same liquid. The Learned Recorder summed up, and the Jury returned a verdict of guilty against all the prisoners. Owen was sentenced to seven years' transportation, and Jones and Birchenhall three months' imprisonment, first and last three weeks solitary.

65 October 22 1846

WATERMEN'S CHURCH The handsome sum of £17 2s 10d was collected at this humble place of worship on Tuesday afternoon, after a sermon preached by the Rev C G Davies, Vicar of Tewkesbury (from Matthew xi, v28), in aid of the fund for defraying the annual expenses. It is gratifying to find that some improvement is beginning to take place among the men employed on our navigations, so long proverbial for ignorance and immorality ; but the prevalence of Sunday traffic is a grievous hindrance to the success of the efforts being made to raise this class of men in the scale of society. It is hoped that ere long something will be done towards removing an evil so

universally and so justly complained of, and which has been productive of such injurious consequences to the boatmen, both in a temporal and moral point of view. As long as any class of working men are liable to be turned out of their situations for assembling to worship their maker on the day more especially set apart for this sacred purpose, a strong barrier indeed is presented to their improvement in religion and morals. Yet such is the case with the boatmen in general, for while there are boat owners who, much to their credit, "do as they would be done by" and allow their men to have an opportunity of having the rest of the Sabbath and sharing its privileges, it is far otherwise with a large majority ; so that as relates to the bulk of the watermen throughout the kingdom, the observation made by the late Baron Gurney at the trial of three boatmen at Stafford for murder, is at the present time but too applicable - "I know of no class of men so destitute of all moral culture as boatmen ; they know no Sabbath, and are possessed of no means of religious instruction". As well wishers to all the working classes, we shall be glad to hear of measures being adopted to ameliorate the condition of such among them as may, from any cause, be exposed to privations injurious to their interests.

66 November 12 1846

DROITWICH COUNTY PETTY SESSIONS **Thomas Stonehall**, a boatman living at Stoke Prior, was brought up under a warrant for disobeying an order of affiliation made on the 15th of August 1845, but was liberated on promising to pay 3s per week till the arrears were paid up ; and on his agreeing to allow his master to deduct that amount from his weekly wages.

67 November 19 1846

CITY POLICE **Thomas Spalding**, boatman, was charged with stealing a sack, the property of Mr Thomas, beerhouse keeper, but no evidence being offered, he was discharged.

68 November 19 1846

SERMONS On Sunday last, two sermons were preached at St George's Church, in the morning by the Rev B Davies, minister of that church, and in the evening by the Rev B Williams, chaplain to the Watermen's Church, and perpetual curate of Bispham, Lancashire, when the sum of £32 was collected on behalf of the Sunday and daily schools belonging to the above church.

69 November 26 1846

CITY POLICE

ASSAULT A boatman named **Bradley** was charged with a cowardly assault upon a poor imbecile man well known about the streets of this city as "Tim", on Saturday last. Policeman Wheeler stated that Tim came running up to him with his mouth bleeding, and said a man had been ill-using him at the Falcon Inn, Broad Street ; and on making enquiries there, a man named Bradley who was sitting in the kitchen admitted the assault, and said he would serve him the same again or anyone else who took his part. The Bench determined to protect the poor fellow, who is shamefully ill-used by the boys of this city, and sentenced Bradley to a fine of 5s and 9s 6d expenses, or 7 days' imprisonment, which latter alternative he adopted.

70 November 26 1846

BEWDLEY In a recent *Journal* we inserted a paragraph saying that Mr Cresswell of this place was missing from his home. We are sorry to inform our readers that the worst conclusions which were arrived at have been realised, and that on Saturday morning last the body of this gentleman was found in the Severn about two miles below Bewdley bridge, and immediately removed to the Bridge Inn, Stourport, where an inquest was held on Monday afternoon before Mr Hughes and a respectable jury. On his person was found a purse containing one sovereign, two half crowns, four shillings, two sixpenny pieces and a gilt farthing ; also a pocket book containing some papers, likewise a pair of spectacles. **Thomas Rogers** of Shrewsbury, waterman, deposed that he was going down the river Severn on Saturday last with a barge, when he discovered the body of a man

floating on the water, and got it out, and fetched Mr Jefferys, constable of Bewdley, to view the body, who identified it as that of Mr Cresswell of Bewdley, and it was removed to the Bridge Inn, Stourport. It was about half way between Bewdley and Stourport where the body was found. Benjamin Jefferys, constable of Bewdley, deposed that the deceased had been missing since the 19th of October. Witness found papers upon him bearing his name. His trousers were turned inside outwards. He considered the deceased was of unsound mind for two or three weeks before he was missing. The day he was missed he made applications in various parts of Bewdley for lodgings, but no one would take him in. E Godfrey of the Black Boy public house, Wribbenhall, deposed that he knew the deceased, who lived at his house for four or five months before he was missing. He appeared well till within the last three weeks, when witness thought he appeared strange in his manner. Thomas Farrington of Bewdley Green deposed that he met the deceased on the 19th of October last, between Kidderminster and Bewdley ; his waistcoat and trousers were turned inside out. He saw him again about half past eight the same evening with a bundle and an umbrella in his hand ; he was not seen afterwards till his body was found as before described. The jury returned an open verdict of "Found drowned". After the inquest, the body was removed to the Black Boy Inn, Wribbenhall, at the request of J Beddoe Esq of this town, who has undertaken, out of respect to the deceased, to have him decently interred in Wribbenhall churchyard.

71 December 17 1846

MARINERS' CHAPEL AT GLOUCESTER We are glad to hear that measures are in progress for providing a place of divine worship for the use of the Severn bargemen and their families whose avocations bring them to this city. The scheme we believe has originated amongst the merchants of the port, and it is well stated in the circular letter which has been distributed for the purpose of obtaining the required funds :- "The nature of the Seaman's employment deprives him of all the ordinary privileges of religion ; and it is found that unless some place of worship, *peculiarly his own*, is provided for him on shore, his habits and feelings deter him from voluntarily attending the usual places of religious worship. For this reason it is, that in almost all the ports of any consequence in this kingdom, Seamen's Chapels, with regularly appointed ministers, are established. The improving condition of the Port of Gloucester, and the attempts which are now being made to increase its prosperity, render it the more imperative that this numerous class of our fellow men should no longer be left in their present neglected state. The Bishop of the diocese has been consulted upon the subject, and has given his cordial support to the undertaking ; and the Gloucester and Berkeley Canal Company have provided a site for the proposed chapel contiguous to the basin. The estimated cost of erecting and fitting up the building is £400, which it is proposed to (.....) by donations, and in addition the promoters desire to raise annual subscriptions to provide a stipend of £150 per annum for a faithful minister of the Church of England ; who, besides performing the regular Sunday duties, will be required to devote his whole time and energies throughout the week in visiting, and distributing Bibles and other approved books amongst the seamen on board their vessels ; and in holding schools and weekly services at suitable times ; so that the constant advantages of Christian worship and instruction may be afforded to all. The management of the chapel and the appointment of the minister are to be vested in trustees. Annual subscriptions amounting to about £70 have already been promised, and donations in aid of the building fund are slowly accumulating. We heartily wish success will attend the scheme, and therefore strongly recommend it to the attention of the Christian public.

Gloucester Chronicle

72 December 31 1846

CITY POLICE

BRUTAL ASSAULT UPON A POLICEMAN **John Bryan** and **John Prosser**, two boatmen, were charged with assaulting Policeman Haco, while in the execution of his duty, on Saturday night last. Prosecutor stated that he was called in by the landlord of the Boat Inn, Lowesmoor, about half past 12 on Sunday morning last, to clear the house. He found several persons in the house, whom he

requested to leave. They all refused to go, and Bryan using abusive language, he laid hold of him by the collar and ordered him to leave the house, whereupon he (Bryan) threw HacoX down, and kicked and beat him violently about the head and various parts of the body. The landlord coming to his assistance, he freed himself from the prisoner and followed him into the street, where he was again assailed by both the prisoners, and brutally kicked and beaten. He at length succeeded after a severe struggle in taking Bryan into custody. HacoX, who was accommodated with a chair, exhibited fearful marks of the violence he had received, and was evidently suffering severely from its effects. His hat was completely battered to pieces, and his watch smashed in his pocket from the kicks he had received. He was corroborated in his evidence by the landlord of the house and also by a boy. The only defence the prisoners made was that they were drunk at the time. The Bench sentenced Bryan to one month's imprisonment, and Prosser to 21 days.

73 January 7 1847

WORCESTERSHIRE EPIPHANY SESSIONS **George Platt**, 15, boatman, was charged with having, on the 24th of December last, stolen a wheelbarrow, the property of William Danes, at Kidderminster. The prisoner admitted that he had borrowed the barrow, but said that it was his intention to return it. Guilty : One month's imprisonment.

74 January 7 1847

CITY SESSIONS

Henry Hardwick, 22, labourer, and **John Allen**, boatman, were charged with stealing, on the 21st of December last, a fustian jacket and frock, the property of Mr Charles Parsons, clothes dealer of Mealcheapen Street. Mr Tearne prosecuted ; Mr Hodson appeared for the prisoner Hardwick ; Allen was undefended. The articles in question were hung up at prosecutor's shop door. A boy named Sayer deposed that he saw Hardwick snatch the articles named from the prosecutor's door, but on cross-examination he said that he was not sure whether it was Hardwick or Allen that took the coat. The Jury returned a verdict of not guilty against Hardwick, but guilty against Allen ; a previous conviction being put in against him, he was sentenced to three months' imprisonment, first and last month solitary confinement.

NO BILLS The bill against **Thomas Spalding**, 25, boatman, charged with stealing a sack, the property of Mr George Freeman, was ignored.

75 January 7 1847

THE LATE CASE OF DEATH FROM EXPOSURE TO COLD IN THIS CITY We stated in our last *Journal* that the Board of Guardians of the Worcester Union had passed a series of resolutions with respect to the working of the New Poor Law, and to the case of death of a child of Sarah Dovey from alleged neglect of the relieving officer (Mr William Crisp), who had been applied to for relief for the child and mother. These resolutions contained a request to the Poor Law Commissioners to institute an enquiry into the case, but it appeared that the Commissioners having seen a report of the proceedings at the inquest held on the body of the child before Mr Tymbs, deputy coroner, had already directed an assistant Poor Law Commissioner, Mr J T Graves, not Mr Greaves of the Oxford Circuit, as stated in some of the London papers, to proceed to this city for the purpose of investigating the case.

Mr Graves accordingly attended at the Board Room of the Workhouse of the Worcester Union on Thursday last for the above purpose, and the inquiry took place in the presence of Mr Crisp, the officer charged with neglect. The proceedings commenced punctually at one o'clock, and terminated about half past five the same evening. There were present during the inquiry the Rev R Serjeant (Chairman of the Board), J Williams and F E Williams Esqs, county Magistrates and, as such, *ex officio* members of the Board ; Guardians : Messrs R Allies, Spencer, Eston, Stallard, Grove, G Grainger, Stephens J Grainger, Reynolds, Beeken, Norman and Pullen. The Mayor (F T Elgie Esq) came into the room, but on being informed that it was the county magistrates only who

were *ex officio* members of the Board, he withdrew. A resolution was passed by the Board that no person unconnected with the Board (excepting the reporters for the press) should be allowed to remain in the room during the investigation. The Assistant Commissioner, in opening the proceedings, addressed himself to the reporters present, and requested that no *ex parte* statements might be published, so that if it were found necessary to adjourn, the publication of the evidence should be deferred until the completion of the case. He then proceeded to explain the manner in which he intended to conduct the proceedings. He said the present was a very different enquiry to the one before the Coroner, which he thought had been a most complete and satisfactory one. His object was not to inquire into the death of the child, but into the conduct of the officer. The Poor Law Commissioners had ordered the enquiry before they received the request from the Board ; and had he not been instructed to make the investigation, still he should have thought it his duty, from the nature of the facts which he had gleaned from public reports, to have come down. The present inquiry was his, although in the presence of the Guardians ; it was an examination into the conduct of an officer who was responsible to the Commissioners. The Board took cognisance of porters, nurses &c, but such officers as the master, matron or relieving officer were amenable to the Commissioners ; and he thought it was always best for the Board to refrain from making any examination into the conduct of those whose responsibility did not rest with them.

After having made these few remarks, he proceeded to call witnesses. Mr Crisp, who conducted his own case, being allowed to cross-examine them ; the Guardians also being at liberty to ask any questions they thought proper.

Elizabeth Scott was first called and, having been sworn, was examined by Mr Graves as follows :- I am the wife of **Benjamin Scott**, boatman. I remember Sunday December 13. Sarah Dovey is my sister ; I remember her being confined on that day. I called upon Mr Crisp, the relieving officer, on Monday the 14th ; it was about half past twelve when I went first. He was not at home, and I saw his wife, who told me I had better come down again about two or half past. I called on Mr Crisp again the same day, about a quarter past two. St Andrew's clock struck two just as I left my own house, and could not have been more than a quarter of an hour going to his house. He lives in the Shambles ; and I went from Eliza Sharples's house, where I lived, in Merryvale. I went up Bank Street, but did not pass St Andrew's church. I am sure I heard the clock strike. When I went the second time to Mr Crisp, I saw him. There was another little elderly person, whom I never saw before, standing behind the door while I was speaking to him, and she was there all the time. I told Mr Crisp I was come for relief for Sarah Dovey, and he told me to come in and tell him who that Sarah Dovey was. I went in and told him that she lay in up at the workhouse, about fifteen months ago, as near as I could guess ; and then he walked about the place a bit and said, "Oh, oh! She is a nasty strumpet" ; and then he asked me if I wasn't ashamed to go for relief for her a second time. I said, "I have not done anything to be ashamed of ; I never asked you for anything". I told him she had nothing to eat, nothing to cover her, nothing to lie on. He said, "Well, she shan't have much, I'll take care of that" ; and then he said he shouldn't come that night. I said if he did not then either she or the baby would be dead, and I must go to someone else. He then said it would serve her right. That is all that transpired between myself and Mr Crisp, and it is nothing but the truth. I would not wish to say anything else. I left him when he said it would serve her right. I was very badly off myself, my husband having been frozen up in the river. I took her a pint jug of tea, and a round of toast, on Sunday morning. I borrowed a shilling from my landlady to pay for it. I did not tell Mr Crisp what I took her, but told him she had had nothing else since her confinement but what I and the neighbours took her. He did not ask me what it was she had, and I did not tell him. He did not ask me whether she had had anything. I never asked relief for my sister before ; it was my husband's mother who applied for her last hop picking ; she had at that time a bad bosom. When I went to Mr Crisp, my sister was able to give the breast to the child, and I had fed the child myself several times. I am quite sure I told Mr Crisp she had nothing to cover her or to lie upon. He was stood just before the fire in his own house, and I was stood near to him. I am certain he heard me ; we were not above a yard apart. I am certain he said it would serve her right, and it was an answer to me when I said that either she or the baby would be dead. It was just as I was going out of the

door. It was near three when I got home, but I did not go there straight, as I called on my sister, and told her what Mr Crisp had said. When my sister was in the workhouse before, Mr Crisp called at my house and asked me if I knew that she was in the family way. I said I did not know anything beyond what I guessed, for I had asked her, and she would not tell me. I said the reason I did not call upon her at the workhouse was because she had used me very dirty. She had pledged a frame I worked with for 1s. I did not tell Mr Crisp my sister had some gruel, but told him that she had nothing but what I and the neighbours took her. I did not see Mr Crisp again till I saw him at the inquest.

By Mr Crisp : I was at your house twice, and the first time I had some conversation with your wife. She asked me what I wanted, and I told her I was come for relief for Sarah Dovey ; and she asked me what was the matter with her. I told her she had been confined on the Sunday morning between two and three o'clock. I told her she had nothing to eat, nothing to lie upon, nor anything to cover her. I might have said more, but I can't remember. I am sure I was not much more than a yard from you. I did not notice that a table was between us ; but I could not swear there was not. [Mr Crisp said he had no more questions to ask ; and denied most positively that the witness had said to him that Dovey had nothing to eat, or to lie upon, or to cover her].

By Mr Graves : When I said that either she or the baby would be dead, I was going to the door ; I said those words in a loud voice. I did not say anything else in another voice. It was when Mr Crisp said he should not come that night that I told him I must go to someone else, and that was before I told him that either my sister or the baby would be dead.

By a Guardian : I have no more clothes than those I have on, neither had I at the time or I should have sent them to her. I did not tell Mr Crisp that medical aid was required.

By Mr Graves : I told him my sister was confined.

By Mr Crisp : I said I should go to someone else, but I did not go.

Ann Poole, examined by Mr Graves : I am the wife of Benjamin Poole, cooper of All Saints' in this city. I am a midwife. I delivered Sarah Dovey on Sunday the 13th. I remember being at Sarah Dovey's house when Mr Crisp, the relieving officer, was there ; that was the Tuesday following. I did not see anyone else there but Mr Crisp, Sarah Dovey and myself, but I understand there was a fourth person there ; it was between eleven and twelve, I think, but I am not positive as to the time. I was at the door when I heard a voice, and finding it was Mr Crisp's, I walked in. The room was in Birdport, in St Andrews' parish. There was no furniture in the house, it was a void house ; there was no bed in the room or anything else ; there was a little fire there when Mr Crisp was there. That morning a chair had been brought into the room, and I found Sarah Dovey sitting upon it. I can't say whether there was any food in the room ; I walked downstairs and waited to speak to Mr Crisp. Sarah Dovey had on a very old gown, it was open behind, and ripped, and when I saw her first, her person was to be seen through it, until I took her a chemise. She had no petticoats on to the best of my knowledge, and only an old handkerchief thrown over her neck ; she had no cap on. The child was there, and dressed very comfortably, for I had purchased some clothes for it ; and if it had proper things (bed clothes, fire, &c) I should think it might have been preserved. When Mr Crisp came downstairs, I asked him if he ever saw such a case as that before ; he said it was shocking, and told me Dovey had been confined in the Union about fifteen months before ; I told him she was just in the state I had left her on the Sunday morning before. He said he would go and leave a shilling at the small shop hard by, that she might have what she chose to send for, and she must do with that until he met the gentlemen at the Board on Thursday morning.

By the Rev Chairman : This was on Tuesday.

Resumed : This is all, as far as I can recollect, that transpired. I told Mr Crisp that the woman was in that void house in the same state as I left her on Sunday morning.

By Mr Crisp : I do not know whether it was a shawl she had on or not ; it hung a little way down her shoulders ; it might have been a shawl, for there are large and small shawls.

By Mr Graves : I did not go into the room far enough to see whether Dovey was sewing ; Mr Crisp told me she was ; she was seated on the chair with her back to me.

By a Guardian : I saw Sarah Dovey between ten and eleven o'clock on Monday, when I dressed the

baby. I was there every day in the week.

Sarah Dovey, having been sworn, deposed : I was delivered of a male child on Sunday December 13th. I remember Mr Crisp coming to me on the Tuesday following. I was then sat upon a chair. I had the child on my lap, and a napkin in my hand which was given me for the child. I was sewing it. There was nothing else in the room besides the chair ; there was a fire in the grate. A girl named Mary Day came in with Mr Crisp. I had a frock on and a shawl, the same shawl I have on now. [It was a full sized shawl]. I had on a chemise and shoes. Mr Crisp, when he came in, asked me what my name was, and I told him. He asked me how long it was since I had been up there (meaning the workhouse). He told me I should have a shilling's worth of things, and that was all I should have till Board day. He called me a dirty wretch, and I told him I looked as much like a Christian as anybody else. I did not ask him for anything. Mary Day was by when he said I was a dirty wretch. I strictly remember those words. I did not say anything to him about bedding. He asked me where Boulton was. I told him he wasn't within then. He did not ask where Boulton was when I was confined ; nor did he ask me who was in the house at the time ; and I did not say anything to him about a person being upstairs.

By Mr Crisp : You did not ask me where Boulton was, neither did I tell you that he was upstairs.

By the Rev Chairman : Boulton is the father of the child. He has not earned anything for some time. I did not expect to be confined so soon, and that was the reason why I did not apply for admittance into the house. My confinement was premature nearly two months.

The Chairman here remarked that it was very essential to know whether the child was full grown or not ; and the midwife was recalled, and stated that, from her experience, she should say it was a very fine child, and that she had no reason to suppose that the confinement was premature. Witness thought that Dovey had been very neglectful not to prepare something, as she must have been aware of her situation, and there were many charitable persons in the city who would have assisted her ; in her opinion the principal mischief was done before Mr Crisp had been sent for, as the child had been born on the Sunday morning, so that the whole of the Sunday, Sunday night, and half of the day on Monday had elapsed before Mr Crisp was sent for. The child was very blue with cold about eleven o'clock on the Monday morning, before application had been made. On Monday morning, when she offered to go to Mr Crisp, she told me not to go to any unnecessary trouble.

Mary Day examined : I am a single woman, and I remember calling upon Sarah Dovey with Mr Crisp on the Tuesday after she had given birth to a child. Mr Crisp asked her what her name was, and how many children that made ; and she said the second. He then asked her if she was not ashamed, and said she was a dirty wretch ; to which she made no answer. He told her he should go and leave a shilling, and she should have very little off him. I sent a girl for some food from the shop. There was no one else in the room at the time. I am quite sure he called her a dirty wretch, and I am she made no answer. He asked her who was the father, and she told him Boulton. He asked her where Boulton was, and she said he had gone out. I do not remember her saying anything about anyone being upstairs. Nothing was said about a bed. I did not hear her ask him for anything; there was a very small fire in the grate. The child had on a nightgown and things that Mrs Poole had brought in ; it was comfortably clothed.

By Mr Crisp : I do not remember your asking who was in the house when she was confined, but you did tell her she was a dirty wretch. [Mr Crisp could not say positively whether he did so or not].

By the Board : I am not a friend of Sarah Dovey's, but have known her for some time. A girl named Mary Williams took the place. I knew Dovey was in the family way about a week before, and told her of it several times, with a view to caution her to prepare. She said she had seven weeks to go yet, and should have plenty of time. I saw the child, and believe it to be a full grown one. With that belief, I think the mother had been very neglectful in not preparing for the birth. On Monday morning I saw the child ; it had suffered from the cold during the night, and I think the mother very much to blame, and that the child died as much from her neglect as from anyone else's. I do not know when the relieving officer was sent for. About nine o'clock on Monday morning the child seemed very comfortable, and again on Tuesday, before the relieving officer was there, when it seemed about the same.

This concluded the examination of the witnesses as against the relieving officer, and he was then called upon to make any statement or call witnesses as to the facts of the case, and also to speak to his character. Mr Crisp having proposed to call his wife as a witness, Mr Graves observed that, although several legal authorities had expressed an opinion that in examinations of this kind the evidence of the wife was admissible, still he (Mr Graves) was not satisfied to receive it unless there were some overpowering circumstances rendering it necessary, and he should therefore hesitate to take the statement of Mrs Crisp unless he particularly pressed it.

Mr Crisp was anxious that the evidence of his wife should be taken, for he considered it important to contradict the statement of Scott, as to some conversation which the latter said had occurred between them on the occasion of the first visit to his house ; the whole of which his wife denied.

Mr Graves said he would take any statement which Mr Crisp chose to make himself, but he thought it was not a very material point, and the evidence of the wife might possibly excite a suspicion.

Mr Crisp thereupon consented to withdraw his wife's evidence, and made his statement as follows :- On Monday the 14th inst about three o'clock, Elizabeth Scott called at my house, and said she was come for relief for her sister. I said, "Come in, and let's know who your sister is". She came in, and told me who her sister was, and said she had been confined. I asked her who was the father, and where he was ; she said he was with her sister, and that they were very bad off. I asked what Dovey had had ; she said gruel and tea, which the neighbours had taken her. I said, "Ain't you (or she) ashamed to come a second time for relief?" She replied she was not the only one who came three or four times for it. I said, "Very well ; I shan't come tonight, but I'll come in the morning". She then replied, "They be very bad off" ; and I said, "Serve her right". She then went away ; there was also a woman in the house at that time who did not come to ask for relief, but to ask where her parish was. I told her to get the information I had required of her, and I could tell her. I do not know who that woman is, or I could have produced her ; if she had come for relief I should have had her name down ; I have made every inquiry after her, but cannot find her. I did not say anything to Elizabeth Scott about her sister being a strumpet, or anything to that effect. I do not remember her saying that if I did not go that night, Sarah Dovey or the child would have been dead, or I should have gone directly. I am positive that she did not tell me that Dovey had not anything to eat, to lie upon, or to cover her. I remember Scott saying that Dovey was confined in the house 12 or 13 months ago ; that brought to my recollection who she was, and I said, "Oh, I know who it is now then, this is too bad, for it is the second time St Andrew's has had her". I said to Scott, "I am surprised you should apply for relief for her for when she was in the House before, the worst words you could use were not bad enough for her ; and you said she robbed you". It was about eleven o'clock on the Tuesday morning when I called upon Sarah Dovey ; she was sitting by the fire with a gown and a shawl on ; and the baby at her breast ; she was making a napkin. I asked her what her name was, and she told me Sarah Dovey ; I said, "I have had you before, I think", and she said, "Yes". I asked who was the father of the child, and I think she said his name was Boulton or Boulter ; I asked her if he were father of the other child, and she said, "No". I asked whether he was in the room at the time she was confined, and she said, "No, he was upstairs". In this room there was no kind of furniture whatever, but the chair she sat on. I have witnessed a great many scenes of distress since I have been in office, but I never was in a room yet but where I saw straw, shavings, rags, or something of the sort to denote that they slept in the room, and when she told me that Boulter was upstairs, whatever they slept on I concluded was there, but I did not go up to see. She made no complaint to me of anything she wanted except relief. I was not aware that she had not on a petticoat, because she did not tell me to the contrary. It has always been the custom since I have been in office for the parties to make their complaints ; I hear them, and then judge of what I consider necessary ; when the parties are unable to make their complaints, then I get it from the bystanders, for some parties are unable to say what they do want, but Dovey appeared so well that had I not seen the baby I should have had no idea that she had been confined ; the baby was at the breast. I said, "Send down to the shop, I will pay for two or three things for you ; living in the state you are now you will have but little off me, but I will lay the case before the Board on Thursday". I then paid for the things at the shop, and they sent for them. I believe Mrs Poole said to me when I came down into the street,

“Did you ever see such a place in your life?” I replied, “It's dreadful”. She said, “She's just in the same dirty state that I left her”. I do not recollect her saying anything about the house being void ; nor did she say anything which would lead me to think there was no bed or furniture upstairs. As to the expression “Dirty wretch”, I am not aware that I used it, she was dirty enough, but if I had used it, I think I should have remembered it. I did not see anything in the appearance of the child that would lead me to think it was dying from cold ; it fact it was close up to its mother's breast, and I only saw its cap. About six o'clock on the evening of Wednesday, a woman, whose name I think was Davis, called to tell me that the child was dead ; she was a neighbour, I believe ; she then gave me every information of the distress Dovey had been in, which I had not been informed of before ; I said it was probable there would be an inquest upon it. About seven o'clock, one of the Guardians called upon me, and asked if I knew anything of a woman who was dying in St Andrew's parish, through her want of medical assistance. He said it was a woman who had been confined and the child was dead, and I then replied that I knew who it was. I said I had not been applied to for an order for medical assistance, and would take it down. I wrote an order directly, and took it down to Mr Woodward. Mrs Woodward said that Mr Stallard had sent a note to Mr Woodward, but he was out, and she had forwarded it to him. I then went to Sarah Dovey's and found he had been there. I then asked her if she had plenty of clothes upon her, and if she wanted anything. She said she did not, she had everything she wanted, and as many clothes as she could bear. I called upon her, I believe, daily up to Saturday morning, for she said Mr Woodward ordered that she should not be moved or get up. She was then lying upon some straw, with a blanket under her, in front of the fire. I then sent her down a bed, bolster and sheets ; that was on Saturday. On the Thursday, Dovey was allowed 2s 6d a week for four weeks, besides some clothing furnished yesterday, to an amount of 4s 6d.

By a Guardian : I do not think that Sarah Dovey expected me down on Monday night, and did not seem surprised that I did not go. She is living in the same place now with Boulton. She walked up here today. I offered to send a sedan for her, but she preferred walking.

Mr Crisp here observed that there was a remark made by Dovey on Wednesday night, when he called upon her after the death of the child, and which he had omitted to mention at the inquest (where, he said, he was not very well treated) that on his going into the house, she said, “I did not give the child anything”. He also said that Mr Spares, one of the Jury, had said it was not the first case of neglect he had been guilty of ; but he had not attended the Board that day to make his charge.

Mary Scott was then called by Mr Crisp, and deposed : I am cook at Mr Sidebottom's, the stipendiary magistrate of this city ; I know Mr Crisp, the relieving officer. I have been in the habit of administering relief to the poor by taking them food, money, and anything they stand in need of, from Mr and Mrs Sidebottom. I have frequently had opportunities of seeing how Mr Crisp behaves in the discharge of his official duties, and I have often met him at the residences of several poor families, and all that I have seen of his treatment to them has been very kind. I have never seen any instances of harshness or unkindness on his part. I cannot say I never heard a complaint, for they often complain of us who are so kind to them.

Mr R Hill, surgeon, said he was anxious to bear testimony to the uniform good conduct and humanity of Mr Crisp in all instances which had ever come under his notice. He had known several instances in which he had relieved parties out of his own pocket ; those were cases which could not be brought before the Board.

Mr Woodward, surgeon, who had been in waiting for some time and had also promised to give evidence in favour of his general character, was obliged to leave ; but the Commissioner remarked that the evidence given was quite satisfactory, and that the consideration of the Commissioners would have special reference to this case only ; any further complaint made by anyone else must be heard separately.

This concluded the examination, and the Board broke up.

76 January 7 1847

DEATH BY THE FALLING OF A WALL On Wednesday morning about half past eleven o'clock, Mr William Webber, proprietor of a cooperage at Blackwall Point, near Blackwall stairs, was killed by the falling of a wall ten feet high adjoining the river. The wall was erected about 60 years ago, and gave no previous indications of decay. A few days ago, upwards of 70 tons of sand were piled against the wall. Mr Webber was passing close to the wall when it suddenly fell towards the street, and Mr Webber was knocked down and buried under the bricks and rubbish. Several watermen, plying at the stairs, immediately set about clearing the materials, and the unfortunate man was soon extricated, but he was quite dead. Several watermen were standing close to the wall a few minutes previous. One of them had a very narrow escape, and was struck down by several bricks falling upon his head.

77 January 14 1847

WORCESTERSHIRE EPIPHANY SESSIONS (Continued from our last)

Alexander Cannon, 15, boatman, pleaded guilty to stealing several articles, the property of George Harris, at Dudley on the 5th November, and was sentenced to two months' imprisonment to hard labour.

William Edwards, 11, boatman, charged with stealing a watch and seal. One month's imprisonment.

78 January 28 1847

STRATFORD-ON-AVON POLICE

CAUTION TO BOATMEN **William Chattin** of Great William Street, a steerer in the employ of R **Greaves** Esq, was charged with not proceeding on his journey with a boat load of grain consigned to Birmingham, and also with spending the sum of 35s, money advanced to him to defray his expenses. Michael Bishop, foreman to Mr Greaves, deposed to finding the boat about half a mile up the canal, with the horse on the towing-path, and on going to the prisoner's house found him at home, who stated that he had been at the Warwick Tavern, tossing and drinking, and lost half a sovereign, and paid away the rest of the money, and requested a further advance, which the witness refused. The prisoner admitted the charge, and the Magistrates, in consideration of his previous good character and the wish of Mr Greaves that a slight punishment might be inflicted, sentenced him to one month's hard labour.

79 February 4 1847

At the Upton Petty Sessions on Thursday, **William Pillinger** of Gloucester, boatman, upon the complaint of **Henry Bundy**, Agent to the Gloucester and Worcester Horse Towing Path Company, was convicted in the penalty of £10 and costs, for altering the date of a ticket so as to defraud the said Company of Proprietors.

80 February 4 1847

DEATH BY DROWNING On Thursday last, an inquest was held before George Hinchcliffe Esq, Coroner, at the Old Navigation Inn, Smethwick, on the body of a boatman named **Richard George**, who was unfortunately drowned in the canal. It appears that the day before, the deceased and his wife had been to Birmingham with the boat, and returned at night as far as Smethwick Locks, where by some accident he fell into the canal opposite the Company's offices, and although Mr William Brookes, clerk to the Company, who was on the spot immediately after the occurrence, succeeded in getting the poor fellow out without loss of time, his prompt and ready aid came unfortunately too late, as the deceased was quite dead. He was immediately moved to the Navigation Inn, and medical aid obtained, but all efforts to restore animation proved ineffectual. The Jury, on hearing the evidence, returned a verdict of "Accidental death".

81 February 4 1847

At the Birmingham Public Office on Friday last, Mr **Thomas Gomm** of the Worcester Wharf underwent an examination, charged with having purchased grain on several occasions in the names of well known established firms of the highest credit, subsequently sold the lots so purchased to other parties, and ultimately appropriated the money received upon those sales and some of the goods to his own use. After a lengthened investigation, the Magistrates dismissed the case.

82 February 11 1847

PERSHORE PETTY SESSIONS

STEALING FLOUR Four watermen were brought up on a charge of stealing a sack of flour from a vessel on the Avon, in January last, the property of Mr Rice of Gloucester. Mr Goodwin of Pershore deposed that he saw one of the prisoners remove a sack apparently containing flour from the vessel, and Mr Rice proved that a sack was missing from the bulk when it arrived at Gloucester, but there was no proof of a sale. Two of the prisoners named **Chandler** and **Talboy** were committed for trial at the adjourned Sessions.

83 February 18 1847

TOWING-PATH COMPANY At the Upton Petty Sessions on Thursday last, **John Underwood** of Stroud, boatman, on the complaint of **Mr H Bundy**, agent to the Worcester Towing-path Company, was fined in the penalty of 20s and £1 5s costs, for refusing to show his ticket when asked for by one of the Company's agents. We trust this will be a warning to other parties navigating the Severn.

84 February 18 1847

CITY POLICE **John Phillips**, a boatman, who has been several times convicted of felony, was charged with stealing a smock frock from a boat lying in Lowesmoor Basin on Saturday last. Remanded till Friday.

85 March 4 1847

WORCESTERSHIRE ADJOURNED SESSIONS **John Winwood**, waterman, pleaded guilty to a charge of stealing 42 lbs of coal, the property of Messrs Pigott and Gumbly, on the 23rd February last at Salwarpe. Seven days' imprisonment.

86 March 11 1847

A new church, especially designed for the spiritual improvement of boatmen, has recently been erected at Butt Lane, in the parish of Audley, Staffordshire. The church is a neat substantial edifice of brick, in the Elizabethan or pointed style of architecture, with stone window cases, doorways, and coping with stone plinth. It is calculated to accommodate 300 persons, and the total cost will probably exceed £400. The site for the erection was given by C B Lawton Esq of Lawton Hall. The Trent and Mersey Canal Company contributed £40 towards the building fund ; and grants were obtained from the Committee of Privy Council and the Boatmen's Society, with some subscriptions from the gentry resident in the neighbourhood. The building, having been duly licensed for public worship, was formally opened for Divine service on Thursday last.

87 March 11 1847

CAUTION TO BOATMEN **John Beard**, captain of the *Eliza*, belonging to Messrs Southan and Evans, before the County Magistrates at Gloucester on Saturday last, was, on the complaint of **Mr H Bundy**, fined in the sum of £2 and costs, for neglecting to take a ticket for the Gloucester and Worcester Horse Towing-Path before using his horse on the said path. **William Pillinger** of Gloucester was committed to Worcester County Gaol for non payment of a fine inflicted on him by the Upton-on-Severn Bench of Magistrates, for defrauding the Gloucester and Worcester Towing-Path Company.

88 March 18 1847

WORCESTERSHIRE LENT ASSIZES

THE SEVERN CAUSE

HARRIS AND ANOTHER (SJ) versus GRISSELL AND ANOTHER

In the course of Friday it was arranged between the parties on each side in this important special Jury case that it should come on for hearing at nine o'clock on Monday morning. In consequence, however, of the common Jury cause "Skey v Bartholomew", which was part heard on Saturday, being resumed on the assembling of the Court this morning, it was nearly twelve o'clock before this cause was called on, when the following were sworn on the special Jury :-

R Temple, Esquire of Kempsey, foreman
John Lichfield of Yardley, Gentleman
George Crump of Kidderminster, Gentleman
George Harrison of Yardley, Gentleman
George Tomlinson of Salwarpe, Gentleman
John Anderson of Ryall, Gentleman
Henry Bate of Upper Swinford, Gentleman
J G Wilkins of Ombersley Esquire
Richard Hickman of Upper Swinford, Esquire
William Harrison of Upton, Merchant
H Talbot of Kidderminster, Merchant
Joseph Smith of Kempsey, Esquire

The Counsel retained for the plaintiff were Mr Sergeant Talfourd, Mr Alexander QC and Mr Whitmore ; attorney Mr W Brinton of Kidderminster. For the defendant, Mr Godson and Mr Selfe were retained ; attorney Mr Waters of Worcester. This was an action brought by the plaintiffs, Messrs Harris and Cumming, worsted and yarn spinners and carpet manufacturers, carrying on business at a water mill on the river Stour at Upper Mitton, near Stourport, in this county, against the defendants, Messrs Grissell and Peto, the well known contractors for public works. The action was brought against the defendants as contractors for the works for the improvement of the navigation of the Severn, under the Act passed in 1842 for recovering damages for injuries sustained by the plaintiffs in their business at Upper Mitton by the damming up of the waters of the Severn at Lincombe weir, whereby the level of the water in the lower part of the Stour was raised, and the plaintiffs were unable to work their mills for so long a period during floods or freshes upon the Severn, as previous to the erection of such weir they could do. This was the most important cause set down for hearing, and from its nature its conduct was necessarily tedious. The Court was crowded to excess during the whole of the hearing, and the number of witnesses examined on both sides was about seventy.

Mr Whitmore having stated the pleadings,

Sergeant Talfourd addressed the Jury. He had the honour, with Mr Alexander and Mr Whitmore, to represent the plaintiffs, Messrs Harris and Cumming, the occupiers of Mitton Mill, on the Stour near Stourport, about 1600 yards above its confluence with the Severn. The defendants, Messrs Grissell and Peto, were the large and wealthy contractors for public works, resident in London, but the true defendants were the Commissioners under the Act for the Improvement of the River Severn. The Learned Sergeant then proceeded to explain the precise nature of the action, as is above briefly but comprehensively stated, and traced the progress of the attempts made from the year 1837 for improving the navigation of the Severn by means of deepening and damming up to the period of the passing of the Severn Navigation Act, in the Session of 1842. By this Act, which received the Royal Assent in the month of May 1842, power was given to improve the navigation of the Severn by dredging, and by locks and weirs, from Gladder or Whitehouse Brook, near Stourport, down to the entrance of the Gloucester and Berkeley Canal. In that Act it was prescribed that no weir upon the river should be of greater height than was prescribed in the Parliamentary

section. The height of the dam or weir at Lincombe, the highest of these works, was stated in these sections to be 34 feet above the lower sill of the Gloucester and Berkeley Canal Gate, which was the datum line given in these sections. Sergeant Talfourd then pointed out to the Jury, by the help of models and maps of the works at Lincombe and elsewhere, the nature of those works, and the manner in which they had raised the ancient level of the water. Instead of the Lincombe weir being raised to a height of 34 feet above the datum line at Gloucester, it had been raised to 39 feet above that mark, by which the river had been dammed up as far as Bewdley, and also up the River Stour as far as the plaintiffs' mills. The consequence had been that whereas the plaintiffs in the usual condition of the river had had their works stopped only about three or four days in the year by a superabundance of water, now they were impeded in their machinery much more frequently, as would be shown by the evidence of numerous witnesses whom he should examine. The effect upon the plaintiffs' wheels was observed almost immediately after the completion of the works in the early part of the year 1844, and since that time, measures had been taken for improving the extent of the injury which had been inflicted upon the plaintiffs' interest. The property in question belonged to Sir William Boughton, and many other of the landowners in the neighbourhood were deeply interested in the result of the present cause. He would show that whereas the depth of the water at the mouth of the river Stour before the erection of the Lincombe weir was only 18 inches at the summer level, it was now from 7 to 8 feet deep in the same place, and when the river Severn was raised at this point to 10 feet by flood, the back water up the Stour flowed upon the sheeting of the plaintiffs' walls, and completely stopped their works. After some further remarks, the following witnesses were called for the plaintiffs' case :-

Mr Richard Clarke, surveyor, was first examined, and produced plans of the portions of the Severn and Stour to which this action relates, stating the distances between the plaintiffs' mills and the Severn and Lincombe weir. There was a mill called the Cap Mill, about half way between the plaintiffs' mill and the mouth of the Stour.

Mr William Wilcox, a waterman of Shropshire, was called to prove that he had supplied stone to the defendants for the construction of the Lincombe weir.

On cross-examination by Mr Godson, the witness said he knew Larford Rock, near Lincombe works. It served as a watermark, for when it showed above water, the watermen knew the river had attained the low summer level. He also knew Redstone Rock and the ford opposite it, called the Cloth House ford. Lincombe weir was constructed about half way down the ford.

Thomas Wilcox, carrier, proved the delivery of stone at the Lincombe works in 1843 for Grissell and Peto. He saw the Cloth House ford being dredged while the works were in progress, but not afterwards. He did not see the dredging machine at the Cloth House ford often. On re-examination, the witness said it must have been after the completion of the works that he saw dredging going on at the Cloth House ford.

Hugh Glover proved that Grissell and Peto were the contractors for the Lincombe works. He had seen Mr Grissell at the works, and also Mr Cubitt, the engineer. He had seen about five inches of water at the Cloth House ford by the mark.

Mr Thomas Hill, steward to Sir William Rouse Boughton, proved that Sir William was the trustee for the Mitton Mills property and the plaintiffs the tenants, and gave his opinion that 9 1/2 feet of water, by the mark on the watermen's post near the mouth of the Stour, would entirely stop the plaintiffs' mills. When the wheels of the Mitton Mill had been stopped by the back water of the Severn, he had observed that the depth of water at the Stour watermen's post was about 9 1/2 feet.

Mr Harris took the mill about the time when the works at Lincombe were in progress. The mill wheels had been flooded and stopped by the waters down the Stour about twice or thrice a year before, but since that time he had known the mill stopped for a week at a time, and oftener than before. This witness was examined, cross-examined and re-examined at some length, but the above are the chief points in his evidence.

Mr William Cooper of Kidderminster, an occupier of the Mitton Mills from December 1819 to the latter end of 1821, deposed that in the time of his tenancy of the mill the average number of days when the wheels were stopped by the back water of the Severn was four, or at the outside five times

in a season, generally for a day or half a day at a time ; but he recollected one flood which lasted a week.

Mr W Chapel, grocer of Leicester, and foreman at Mitton Mills in 1821, 22 and part of 1823, gave similar evidence as to the number of days a year on the average when the back water from the Severn topped the Mitton wheels. The floods which came down the Stour were controllable and easily let off by hatches constructed in the mill dam. The dam at the Cap Mill, below the plaintiffs' mill, sometimes checked the flood water of the Stour, and threw it back on the plaintiffs' mill, but it did not impede the Mitton Mill working, the dam at the Cap Mill not being high enough.

Isaac Browning, of Kidderminster and formerly of Mitton Mill, never knew the mills stopped by floods on the Stour only, but by the back water of the Severn it was sometimes stopped. In other respects he gave similar evidence to that of the preceding witnesses.

Mr Thomas Felton, now of Kidderminster but formerly employed at Mitton Mill when occupied by Mr Shirley, corroborated the testimony of former witnesses. The wages of the workmen and women were stopped when the mill was flooded, in Mr Shirley's time. Some alterations and improvements had been made at the mill, but one of the wheels, although enlarged, had been raised so as to have its lower part on the same level as before.

Mr Thomas Casswell, manager at Mitton Mill under Mr Shirley from 1832 to 1837, proved that the average stoppages of the mill at that time by flood was four or five days a year. Mr Shirley spun 14 or 15 packs of yarn a week before the increase of machinery. He should say that nine feet of water in the Severn at the Stour watermen's mark would stop the plaintiffs' mill. He thought the plaintiffs' mill must be seriously injured by the height of the Lincombe weir, but perhaps not at all times.

Mr W Dawson, employed at the mill five years under Mr Shirley ; Thomas Tipper, cottager, living on the Stour between the plaintiffs' mill and the Severn ; John Barnes, formerly in the employ of Mr Shirley at the mill ; Thomas Maund and John Rowley, fishermen, gave evidence as to the measured depth of the water at the lower part of the Stour, and the consequent frequent stoppage of the plaintiffs' mill by the back water from the Severn. Rowley proved that before the erection of Lincombe weir the depth of water on the Cloth House ford, at low summer level, was 18 to 20 inches ; whereas now he could take a vessel with a draught of 7 feet 6 inches over it. The watermen's post was marked with numbers, up to 8 feet 3 inches, and there was about 18 inches more of post above that. The feet marked on the post were about 13 1/2 inches, for the purpose of showing the depth of water at Bewdley. He surveyed the river on the 15th of November 1844, by direction of the plaintiffs, and found the top of the watermen's post at the Stour was under water, while at Bewdley the depth was 7 feet 11 inches by the mark on the wall (the regular watermen's mark), and the depth of the fall at Lincombe was 3 feet 6 inches. The witness went on to state the result of further experiments made at other times of high water, but the evidence on this point was so voluminous that it would be impossible even to give an epitome of it within the limits of a newspaper.

James Massey and **Samuel Wilcox**, watermen, and Mr John Green, superintendent of the plaintiffs' mill, gave further evidence on the same point, and on the effect of floods on the plaintiffs' mill since the erection of Lincombe weir. Isaac Window, also in the service of the plaintiffs, produced an account of the mill stoppages, and an estimate of the damage sustained by the uncertainty of the application of water in consequence of the liability to stoppage. He estimated the loss at £579 1s 10d. Plaintiffs had purchased a quantity of wool for fine spinning, but had been obliged to sell it again, at a loss, in consequence of the frequent stoppages. They were obliged to pay the men and women during those stoppages, or they would leave their employers.

Mr E Baldwin, Mr J Worthington and Mr E Curzon, all of Stourport, deposed to the excessive raising of the level of the Severn above Lincombe, in consequence of the height of the weir.

A number of engineers and surveyors were then called to prove that the height of the Lincombe weir was greater than was prescribed by the Parliamentary sections.

Mr Gravatt, civil engineer and fellow of the Royal Society, was the first of these, and was examined at very great length by Mr Alexander, and cross-examined by Mr Godson QC. The levels of the Severn from Gloucester lock to Stourport were taken under his directions, by Mr Morgan and Mr

White, and he had examined them. He then proceeded to compare these levels with the plans and sections produced from the county Clerk of the Peace's office, by Mr Helm. He found the height of the weir at Holt (the weir below Lincombe) 1 foot 9 inches higher than the height given on the Parliamentary section ; and the Lincombe weir 5 feet 4 inches higher than the Parliamentary section. This was the gist of Mr Gravatt's evidence, as far as it would be intelligible to the general reader, though he was under examination for at least an hour.

Mr William Morgan, civil engineer, made the surveys of the Severn under Mr Gravatt's instructions from Stourport to Worcester, and reported the result to him.

Mr R Clarke, who was examined in the early part of the proceedings, was recalled for the purpose of proving that he made the surveys of the Severn under Mr Gravatt's instructions, from Gloucester to Worcester. The result of these surveys went to prove that whereas the height of Lincombe weir, as marked on the Parliamentary sections, was fixed at 34 feet above the lower sill of the entrance gate to the Gloucester and Berkeley Canal, it was, in fact (as constructed), 38 feet 2 in above that datum line.

Mr Dugdale Houghton, surveyor of Birmingham, after some engineering evidence, deposed that he had seen back water on the plaintiffs' mill wheels to the depth of 17 or 18 inches, while there was a fall at Lincombe weir of 3 feet 4 inches at the same time. If the Parliamentary sections had been carried out in the construction of the weir at Lincombe, Mr Harris's mill would not have been affected at all by that flood. In his opinion the weir at Lincombe was four feet too high.

Mr Alexander Galloway, civil engineer of London, brought up the rear of this long train of witnesses, and gave evidence similar to Mr Houghton's. He was quite satisfied that if a weir had been placed in the Severn at Lincombe at a height of 34 feet above the datum line given in the Severn Act Parliamentary sections, it would have answered every purpose of the present weir with the aid of dredging.

This finished the plaintiffs' case, and the Court adjourned at eight o'clock.

TUESDAY

The Court met at nine o'clock this morning, when the hearing of this cause was resumed by Mr Godson opening the defendants' case.

Mr Godson addressed the Jury in a speech of considerable length and ingenuity of which, as well as of the whole trial, we are compelled to restrict ourselves to a mere abstract. After some introductory observations, Mr Godson observed that his Learned Friend Sergeant Talfourd had, in his address to the Jury, informed them that they would have to consider two questions. The first of these was whether the plaintiffs' works were injured by the dam or weir at Lincombe, and he admitted that if they found that the dam was constructed according to the Act of Parliament, then, to use the Learned Sergeant's own words, "the plaintiffs must suffer without redress". Now he (Mr Godson) would undertake to show them that the works at Lincombe were constructed according to the Act, and more than that, he would undertake to prove that the works at Lincombe had been a great benefit rather than injury to the plaintiffs' property, and that the works at Lincombe were not only of the greatest importance to the river as affecting its navigation, but also as facilitating the drainage of the land. Mr Godson then dwelt at some length on the properties of water and its peculiar powers as developed in recent times, its expansion, pressure and especially in the greater velocity attainable by a long continuous fall over a broken fall of the same extent. The objects to be attained in the improvement of a river like the Severn were the removal of curvatures, and the alteration of the sides and bottom to as near a proximity to the even surface of a water pipe as might be, and these had been the objects aimed at by the promoters of the Severn Improvement Bill, by the construction of locks and weirs, and by making the channel as regular in depth as the circumstances would admit of. The landowners below Diglis lock had combined against the original project of having a depth of 12 feet of water attained between that place and Gloucester, else ships might ere this have been laden at Calcutta and have discharged their cargoes on Worcester Quay, for that depth was as easily attainable as 6 feet. Referring then to the Severn Act as it applied to the construction of the Lincombe weir, the Learned Queen's Counsel quoted the 143rd and 144th sections as giving the Severn Commissioners power to construct the dam and lock in manner as to

them shall seem expedient, no such weir or dam exceeding the height marked in the Parliamentary section. On this last proviso depended the chief point in the cause, the question being whether the section to be taken was the main section or a subsidiary one. The defendants contended that the main section was the section referred to, the other – the side section – being subsidiary to it. But on this side section appeared a scale of elevations professing to have been taken from the lower sill of the entrance gate to the Gloucester and Berkeley Canal, but upon which was a palpable error, which could mislead no one who had the slightest pretensions to engineering knowledge or skill, being in fact the raising of the elevation on the scale throughout, from a certain point, to the extent of five feet. The engineers, however, in the construction of these works at Lincombe had taken their datum line from the rock near, called Larford Rock, which was the height of the low summer level, as proved in his cross-examination of the plaintiffs' witnesses, and which answered the same purpose as taking the datum line given in the Parliamentary sections. It had been said that the Cloth House ford, on a part of which the Lincombe weir was constructed, had not been dredged ; he would prove that 1700 tons of soil and gravel had been removed. Mr Godson explained to the Jury, by the aid of the models and maps, the relative situations of the various parts of the works, and remarked thereupon at some length, with the view of showing that the proper datum line was the Larford Rock. Having remarked on the first part of the question, as to whether the dam at Lincombe had been constructed according to the requirements of the Act, he next referred to the question whether, supposing the defendants had gone beyond their Act, the plaintiffs' mill had been damaged thereby, and he would undertake on that point to prove a negative, and he then reviewed the evidence adduced for the plaintiffs with that object, contending that the floods on the plaintiffs' mill from the back water of the Severn had been less frequent since the erection of Lincombe weir than before. The water thrown back from the Severn up the Stour would be thrown not upon the plaintiffs' mill but upon the dam at Cap Mill. On the subject of the drainage of land, by the effect of the weir, he would call witness after witness until they were satisfied, for the purpose of showing that since the erection of the weirs, the meadows adjacent to the Severn had been less flooded than before. The Learned Counsel then remarked on the selection of the plaintiffs' witnesses, two of whom had been brought from Leicester, and quoted the lines of the Latin poet with reference to the peasant watching the stream flow by :-

“Rusticus expectat dum defluat amnis ; at ille
Labitur et labetur in omne volubilis oevum”.

The peasant of the olden times might be contrasted with the peasant of modern days, for the latter, instead of looking at the last of the water, wondered at it flowing by him so fast, or flowing at all. In conclusion, the learned Queen's Counsel said he should show by his witnesses that the Act had been justly carried out, and that the error in the sections could never create any misapprehension in the minds of the engineers ; and he trusted that although the case had kept the Jury from their homes for two days, the result of this investigation would be valuable, as applicable not only for the purposes of developing the importance of this improvement to the river Severn, but also of value for other public measures.

A host of witnesses was then called to prove the defendants' case, the evidence of the engineers taking precedence.

Mr William Eastted, clerk of the works at the Severn Improvement, deposed that he superintended the construction of the Lincombe weir under the instructions of Mr Williams, the resident engineer, that the weir was not higher than the height specified in the longitudinal sections, and that he took for his datum line the top of Larford Rock, which was the low summer water level. The height of the weir from Larford Rock was from 8 ft 6 in to 9 ft. He constructed the weir from the working plans supplied by Mr Williams, and not from the Parliamentary section.

Mr E L Williams, resident engineer of the Severn Improvement Works, corroborated Mr Eastted's statement, and said that before the weir was reduced by a foot last summer it was not above the Parliamentary height. It had been reduced because it was found that the backing of water by the weir had caused the deepening of the channel by scouring out the bottom, and thus an additional depth was attained. It was by Mr Cubitt's order that he had lowered the weir. In constructing these

works he had used the small section, but taking the scale put upon the large or main section. He had observed, since the erection of the weir, that the river floods passed off more rapidly than before. There were high floods in 1836, but in 1846 there were also high floods, and he produced a book showing the height of the water at different points on the river as taken by lock-keepers and others.

Mr Pigott, lock-keeper at the entrance to the Worcestershire and Staffordshire Canal at Stourport ; **Samuel Tilsley**, lock-keeper at Diglis Canal lock ; and **Samuel Tilsley jun**, his assistant, verified the statements in the gauge book produced by Mr Williams.

On cross-examination, Mr E L Williams admitted that he had been an engineer for eleven years only, having been previously an ironmonger. The Parliamentary sections were prepared under his superintendence, and he was responsible for them, but they had been prepared upon the previous sections of Mr Rhodes. In reply to questions put by Mr Sergeant Talfourd, Mr Williams stated from the plans what was the height of the Severn and Holt dams, as there set down, but could not say what were the actual heights of the dams as constructed, never having measured them. He had received a letter from the plaintiff complaining that the Lincombe dam had been erected to too great a height, but he was quite satisfied with the works himself. The position of the lock at Lincombe accorded with the description in the Act of “a dam with a lock therein”.

Mr Brunel, civil engineer, gave his opinion that the works at Lincombe had been put in correctly. As to the error in the scale, it could not have misled an engineer who knew his business ; a datum line was of more consequence in a railway than on a water improvement ; in fact, by an Act of Parliament which had been passed, they were bound to establish a datum line in a railway work.

Mr F Simpson, 30 years an engineer, and who had been employed in works for improving the rivers Thames, Tees and others, considered that the error in the scale could not mislead anybody. The weir at Lincombe was well placed for carrying off the water in flood, and an oblique weir had a great advantage in this respect over a straight one, by giving an extended area.

Mr Cubitt, the chief engineer of the Severn Works was next examined ; he was one of the Commissioners for the improvement of the Shannon, which was a river of similar character to the Severn, but larger. The Severn works had been under his general supervision, but he had never attended to the details, leaving those to Mr Williams, whom he trusted very successfully in this matter. The reduction in the weir was made on the complaint of Mr Harris, who thought that the lowering of the weir one foot would relieve his mill, though witness felt at the same time that it would not, and that Mr Harris would have as much flood after the reduction as before, if not more. Witness was not responsible for the Parliamentary sections, which were prepared when he was appointed engineer in chief. He paid no attention to the datum line in the Parliamentary section in the construction of the work.

By the Judge : The weir was put up so that the flood water should hardly touch Mr Harris's mill at a period of flood, at which, before its construction, the water did touch the mill. The reduction of a foot was made to answer Mr Harris's prejudices. It entailed some expense – reducing the weir by one foot.

After the engineers, a number of witnesses were called to prove that the floods on the Stour and the stoppages at the Mitton Mill were more frequent before than after the construction of Lincombe weir. For this purpose, a number of witnesses were put in the witness box :- John Miles of Kidderminster, aged 77, formerly employed at the mill ; John Holt, aged 71 ; Samuel Holt, aged 80 ; John Fleming, aged 55 ; all of whom had worked at Mitton Mill ; Mr Blundell, an occupier of another mill higher up the Stour ; Mr E Harris, a former occupier of Mr Blundell's mill ; Mr Rastall, foreman at another mill ; and Mr Hawkeswood, a former occupier of Mitton Mill.

The next class of witnesses was called to prove that the floods from Shropshire on the Severn went off quicker and did not rise so high since the Severn Improvement as before. For this purpose, the following were examined :- Mr E Drew, boat builder, Stourport ; Mr Bird, boat builder, Stourport ; **Mr John Cook**, lock-keeper at Lincombe ; Mr Proudman, innkeeper at Hampstall, below Lincombe weir ; **John Butler**, lock-keeper at Holt ; Mr Griffin, farmer at Hartlebury ; **Mr W Fleming**, superintendent of the Severn Towing-path from Bewdley to Worcester ; Mr Gardiner, innkeeper at Holt ; John Pickerell Esq of Holt Castle ; **Mr Bradley**, lock-keeper at Diglis Lock on the Severn ;

William Hayes, ferryman at the Worcester Cathedral ferry ; Leonard Darke, fisherman of Worcester ; Mr John Hood, coal merchant, Worcester ; **Mr Bundy**, innkeeper of Upton, and superintendent of the Severn Towing-path from Worcester to Gloucester ; and **Mr Dodd, Mr Doughty and Mr Parker**, barge owners, navigating the Severn from Broseley to Worcester and Gloucester.

Mr Godson then handed in a map belonging to the Towing-path Company, and certified by the Speaker of the House of Commons, for the purpose of showing the fall upon the Cloth House ford, which after some objection was accepted as evidence in the cause. The defendants' case having been closed,

Mr Sergeant Talfourd addressed the Jury in an eloquent speech in reply. We regret that want of space prevents our doing justice to any of the speeches of the Learned Counsel in this important cause, and that we are compelled to confine our report to a mere abstract of the principal points of each. The Learned Sergeant contended that the plain matters of fact deposed to in the evidence of the plaintiffs' witnesses were worth all the display of engineering skill on the other side. He contended on the evidence that had been given in this cause, first, that the injury to the plaintiffs' mill, of which the plaintiffs complained, had been caused by the erection of the dam at Lincombe ; and secondly, that the dam at Lincombe had not been constructed according to the stipulations in the Severn Act. With reference to the question whether the works at Lincombe had been executed by the defendants, he expressed an opinion that the conduct of the Severn Commissioners, in not releasing them from the trouble and expense of proving that part of the evidence, was unworthy of a public body like the Severn Commissioners. After contrasting the character of the evidence adduced on either side – the theoretical evidence given by the defendants, with the plain practical evidence for the plaintiffs – the Learned Sergeant said he did not wish to disparage the efforts of the great engineers who had been called by the defendants. Mr Cubitt was doubtless a talented engineer, though he did make his appearance in this cause with reference to the Severn Works in a *sine* paternal character, the Severn Improvement being rather as a child of his adoption than of his creation, and he having been like some people in former times who, possessing more wit than money, sold their names for adorning the title pages of books of which they knew nothing. But the promoters of the Severn Improvement Bill, knowing the value of a great name, were, in contradistinction to the scriptural question, able, “by taking thought, to add one Cubitt to their stature”. (This sally was received with some considerable demonstration of applause in the Court and galleries). But he could have wished that they had not at the same time added a hundred cubits on the weir. (Renewed applause in Court). He (Sergeant Talfourd) had also a great respect for Mr Williams, who was his fellow townsman, both having resided at Reading, but it must be remembered that this was his first work in the character of an engineer and, as the poet Burns said, he had tried his “prentice hand” upon it, having commenced it in the very dawn of his professional career. The Learned Counsel having argued on the first point at issue, contended, with reference to the second, that engineers were bound to be guided by the datum line as specified in the Act of Parliament, but which the engineers had, according to their own admission, entirely disregarded in the construction of the works. In conclusion, he expressed a confident hope that the Jury would consider that the defendants were not justified in maintaining the weir at Lincombe to the height it had been carried, and that they would therefore give the plaintiffs a verdict for reasonable damages which they had sustained in consequence of such unauthorised raising of the weir.

The learned Judge then summed up, but confined his address to the Jury within very moderate bounds. He administered a rebuke upon the Severn Commissioners for not placing themselves at once in the position of defendants, instead of endeavouring to evade responsibility. After reviewing the evidence, the learned Judge said they would have to consider whether that evidence satisfied them that the mischief which had been alleged as resulting at the plaintiffs' mill had been caused by the dam at Lincombe. He remarked on the fact that not one of the defendants' witnesses had ever measured the Lincombe weir to see whether it had or had not been constructed of the proper Parliamentary height. If the promoters of the Severn bill had made a blunder in their sections, they must stand the consequences of it, but they were bound to respect the proviso contained in their Act

– that no weir or dam should be constructed of a greater height than prescribed by the sections. He was of opinion (and he would state it distinctly, that no mistake might be made hereafter) that in point of law the dam did exceed the height prescribed by the sections, and therefore that there was no defence to the action if the other point was proved. He would therefore leave it to the Jury to consider whether the dam had caused the injury to the plaintiffs' mill as was alleged. He would like to have the opinion of the Jury on the height of the weir as a point of fact.

The Jury, after retiring for about a quarter of an hour, found a verdict for the plaintiffs, damages £500. (Applause). On the point of fact, they found that the dam was not according to the Parliamentary sections.

The Judge observed, with reference to the manifestation of approval by the audience, that it was most disgraceful to have these marks of feeling expressed in a Court of Justice.

89 April 8 1847

WORCESTER CITY SESSIONS

Thomas Jones, 20, cordwainer, **John Phillips**, 20, boatman, and John Wedgbury, 26, leather grounder, were charged with feloniously breaking into the shop of Mr W Price in Bank Street, and stealing sundry articles and money on the night of the 18th ult. Mr Streeten prosecuted ; the prisoners were undefended by Counsel. The evidence against them was for the most part circumstantial, though there could be little if any doubt of their guilt, they having been seen in the immediate neighbourhood of Mr Price's warehouse on the night of the robbery, and some of the stolen articles and money having been found in their possession immediately afterwards. At the conclusion of the evidence, the Recorder summed up with great care, and the Jury at once found a verdict against all three of the prisoners. A previous conviction was proved against each of the prisoners, who are well known to the police. Jones was convicted of felony at the Epiphany Sessions of 1846, Phillips was convicted at the Easter Sessions last year, and Wedgbury at the very last Sessions. The Recorder sentenced all three to seven years' transportation.

90 May 27 1847

SUDDEN DEATH On Thursday a case of sudden death occurred at Emscote, near Warwick. The deceased was the wife of **Henry Gilbert**, a boatman, residing in Cleg Street, Stratford-on-Avon and, with her husband, had just come to Warwick from London with their boat. They had been purchasing provisions in the town, and she was observed to go and sit down in the yard of the public house where they were stopping, apparently very unwell, with the blood flowing copiously from her mouth. Her husband instantly went to her assistance, but she died almost immediately afterwards. The deceased and her husband are well known on the Warwick and Birmingham Canal, having been employed on it for a long time.

91 June 10 1847

Lady Ford of Charlton Kings has kindly forwarded to the Worcester Floating Chapel a second grant of Bibles, Testaments &c, for the use of the watermen employed on the river Severn and the Worcester and Birmingham Canal. It is gratifying to find that gifts of this kind are becoming more appreciated by a body of men whose moral and religious culture has been so long neglected, and who have suffered more than any other class of the community from being deprived of the privileges of the day of sacred rest, through the prevalence of Sunday traffic – a system in every point of view to be discountenanced as a violation of the Divine command, and injurious to public morals, as well as oppressive to a large number of British subjects.

92 June 17 1847

DEATHS BY DROWNING On Thursday evening last, a boy, aged between four and five years, named **Thomas Wareing**, son of a waterman living at Stourport, was missed by his parent, who searched for him in vain. He had been seen last playing in a boat on the Stour, and on dragging the river his dead body was discovered near the spot where he was last seen alive. An inquest was held

at the Angel Inn, Stourport, on Saturday, when a verdict of "Accidentally drowned" was returned. J B Hyde, Esq, coroner for this city, also holds an inquest at the Mug House, St Clement's, this evening, on the body of a man named Joseph Forty, which was picked up in the Severn on Monday.

93 June 24 1847

PERSHORE PETTY SESSIONS A little boy, nine years of age, named Williams, charged a bargeman named **Tandy** with committing an assault. On the 18th instant, the defendant thrust complainant into the Avon, and afterwards beat him unmercifully with a hauling rope. Fined 20s, or one month's imprisonment.

94 July 1 1847

WORCESTERSHIRE MIDSUMMER SESSIONS

Charles Jones, 20, boatman, pleaded guilty to the charge of breaking into a cottage at Halesowen on the 10th May last. Witnesses were called to character, and the Court sentenced the prisoner to twelve months' imprisonment, hard labour, with a month solitary.

95 July 1 1847

BIRMINGHAM DISTRICT COURT OF BANKRUPTCY

Thursday June 24

In re **John Onions** of Dudley, boatman

The insolvent passed his first hearing. Solicitor Mr Dalby. The final order meeting was fixed for the 15th July.

96 July 1 1847

MARINERS' CHAPEL AT GLOUCESTER A meeting to promote the establishment of a chapel for the seamen and watermen at the port of Gloucester was held at the Tolsay in this city yesterday, the Rev Dr Jeune, canon residentiary of Gloucester Cathedral, in the chair. The Rev Chairman, in opening the business of the meeting, made a most able and eloquent appeal to the Christian sympathies of the public on behalf of the object contemplated by the promoters of the meeting. He adverted to the large number of individuals brought to the port who were totally bereft of spiritual and moral instruction, and who from their peculiarities, would not seek that instruction in the regular places of worship, but who, nevertheless, were more in want of sympathy and Christian influences than any class in the community. He had made enquiries and found that on Sunday last there were no less than 313 men and 86 boys belonging to vessels then in the port of Gloucester, scarcely one of whom, there was reason to fear, attended a place of religious worship on that day. The chairman read an encouraging and impressive letter from the Rev John Davis, minister of the floating chapel at Worcester, and after some very striking comments on the evils of ignorance and depravity, he called upon Mr A Philpotts, who moved the first resolution, declaratory of the necessity which existed for the establishment of a mariners' chapel at the port of Gloucester, to be served by a clergyman whose entire attention would be devoted to the spiritual welfare of the sailors and boatmen frequenting the port. The resolution was seconded by the Rev W Elliott, and carried unanimously. The next resolution, namely that it was desirable to establish a day school in connection with the chapel for the benefit of the apprentices and boys on board the ships and boats frequenting the port, was moved and eloquently advocated by the Rev Francis Close. Mr William B Clegram seconded the motion, and stated that the proposed chapel was estimated to cost in the erection £400, about half of which had already been subscribed ; and that for the annual maintenance of the chapel and school, about £200 would be required, of which sum annual contributions had been promised to the extent of £84. In reference to the numbers of seamen frequenting the port, he stated that last Sunday there were about 400 here ; but there were now in Kingroad, or on their way up the canal, more than twenty large vessels, so that the whole number of seamen in the port on Sunday next (tomorrow), destitute of religious teaching, would probably be nearly 800. Capt Campbell moved and W Montague Esq seconded a resolution of thanks to Messrs

Phillipotts and Clegram for their exertions ; which having been passed, and the Chairman having addressed some further observations, the meeting was concluded, as it commenced, with prayer.

Gloucester Chronicle

97 July 22 1847

BROMSGROVE PETTY SESSIONS

DAMAGE William Wakeman, boatman, was fined £2 and 8s 6d costs for wilfully loosing a lock of water out of the Birmingham and Worcester Canal.

98 July 22 1847

WORCESTERSHIRE MIDSUMMER ASSIZES

FOWL STEALING AT STOKE PRIOR George Powell, 23, boatman, and **John Radcliffe**, 39, boatman, were arraigned at the bar on a charge of stealing two hen fowls, the property of Joseph Lacey of Stoke Prior.

Mr Lutwiche prosecuted, and Mr Huddleston defended the prisoners.

Thomas Lacey examined : My father keeps a beer shop, and on the evening of Monday he had two hen fowls and a cock. On the following morning, I heard a noise and saw Powell in the yard with a fowl in his hand, and Radcliffe with him. Followed them up to Tardebigg and saw them go on board a boat. There was another man in the boat besides Powell. Was not able to take him and went to Birmingham and waited for the boat coming in, when a man named Palmer took them into custody.

Cross-examined : Mr father's name is Joseph Lacey. The fowls were not mine, they were my father's.

William Lea deposed : I am parish constable at Stoke Prior. I went with the last witness to Birmingham and apprehended the prisoners there, and brought them to Bromsgrove, but did not hear either of them say anything about the fowls.

Enoch Palmer examined : I assisted the last witness in taking Powell to Bromsgrove. On the way, Powell said he had thrown a windlass at the fowl.

This was the case for the prosecution, and Mr Huddleston addressed the Jury for the defence. He did not deny that the prisoner was found with the fowl in his possession, but suggested that the prisoner was going along the canal side with a windlass in his hand, and in a frolic, threw it at the fowl, which he said was most likely to be the cause of its death rather than the twist of the neck, and that Radcliffe had merely gone to see what Powell was doing when they were pounced upon by Lacy. He should call witnesses who would give them an excellent character. If they could see any doubt as to the identity of Radcliffe by Lacy, they must give him the benefit of it.

Several witnesses were then called, who gave the prisoners a most excellent character.

In summing up, his Lordship said that the case turned upon whether they doubted the statement of Lacy. There was no doubt of the identity of Powell, and if they were satisfied about the evidence, they must take into account the character of the prisoners.

After a rather protracted consultation, the Jury returned a verdict of guilty against Powell, and not guilty against Radcliffe. Radcliffe was consequently discharged, and Powell sentenced to three months' imprisonment to hard labour.

99 July 22 1847

TRIALS OF THE CITY PRISONERS – SATURDAY

ASSAULT AND ROBBERY FROM THE PERSON William Mills, 22, boatman, was charged with assaulting Joseph Philpotts, and robbing him of 14s, on the 26th of June last at the Parish of St Peter the Great in this city.

Mr Streeten prosecuted ; the prisoner was undefended.

Richard Philpotts deposed : I was a ganger on the 26th of June in the employ of the New Gas Company, and it was my duty to pay the men at work under me. On the day in question, a little after seven o'clock in the evening, I went to the King William, Blockhouse, to pay the men. I paid

Joseph Philpotts first and gave him instructions to keep the door and let the men in one at a time. I recollect the prisoner coming in shortly after. I counted his money and offered it him, but he refused it three times over. A person named Henry Williams then came into the room and he also refused his money. Joseph Philpotts then took hold of the prisoner by the arm and asked him to go out of the room, upon which he turned round and struck him. They both fell down together, Philpotts was under and the prisoner on the top of him, and Williams took hold of Philpotts by the hair of his head. A man named William Taylor helped Philpotts up, and as soon as he had got up he complained that he had lost his money. A policeman was then sent for and Evans came.

Cross-examined by prisoner : When you came to me for your money, I offered you four half crowns and you refused it. Did not say before the Magistrates that I put down 14s for you.

The evidence of this witness was corroborated by his partner, William Taylor, the prosecutor Joseph Philpotts, and policeman Evans.

Prisoner in his defence said he had stood in his own defence when Philpotts knocked him down, but as for robbing him he was as innocent as a child unborn. He then called Henry Williams to give evidence on his behalf.

The Jury after a protracted consultation returned a verdict of guilty. Twelve months' imprisonment to hard labour.

100 July 22 1847

NISI PRIUS – SATURDAY

DOE DEM BIRMINGHAM CANAL COMPANY v BOLD

Mr Whateley QC, with whom was Mr Phipps, were Counsel for the plaintiff ; attorney Ingleby and Wragge ; Counsel for the defendant, Mr Sergeant Allen and Mr Gray ; attorney, Wright. This was an action of ejectment brought by the Birmingham Canal Company for the purpose of obtaining possession of a piece of land alleged to belong to the plaintiffs. The circumstances of this case were very simple. In the year 1821, the Birmingham Canal Company agreed to purchase a slip of land of the late F Smith Esq at Oldbury for the purpose of making the canal, and the property was conveyed in 1824. The canal was completed in 1824, at which time there was a small triangular slip left after the canal had been constructed. This slip of ground the then Clerk of the Company, Mr Houghton, allowed the defendant to use as a garden, and the latter had held it without dispute until the year 1831, when the plaintiffs by their servants demanded possession of it. Defendant refused to give up its possession, although demands were frequently made subsequent to that period up to the year 1845. At about that time, a portion of the small plot of land was entered upon by the plaintiffs, and let to Messrs Whitehouse and Peacock.

The defendant set up 20 years' possession as giving him a title to the property in question. He also contended by his Counsel that the plaintiffs had not proved a title in themselves, the conveyance of the land to the Company by the original owner, Mr Smith, bearing date April 1824, whereas it was admitted that the defendant had held possession from 1821, three years prior to that alleged conveyance. At the suggestion of his Lordship, the Jury was addressed by Mr Sergeant Allen on the question whether Mr Houghton, the Canal Company's servant, had authority to grant the land to the defendant.

The Judge put to the Jury two questions :- 1, Whether they were of opinion that Houghton had the authority to grant the land to the defendant at will? And 2, Whether that tenancy at will was determined by the demand made by Freeth in 1831. The Jury found that the late Mr Houghton did so grant the land to Mr Bold, under authority of the Canal Company, and that the tenancy was determined by Freeth's demand in 1831. His Lordship accordingly directed a verdict for the plaintiffs, with liberty to move to enter a nonsuit.

101 July 29 1847

DEATH BY DROWNING A fatal accident occurred at the entrance lock of the Gloucester and Berkeley Canal at Gloucester on Saturday night last. **Daniel Marsh**, a waterman employed on one of the vessels belonging to Mr Maybury of this city, was missed from his barge on Saturday night,

and is supposed to have fallen into the water unobserved, as his body was picked up yesterday in the lock, having apparently been crushed between the gates. An inquest is about to be held on the body at Gloucester. The deceased has left a wife, but no children.

102 August 5 1847

CITY POLICE

FELONY A boatman named **John Allen** was charged by **Joseph Dayus** of this city, another boatman, with robbing him of £1 15s in money. Both parties belonged to a boat plying on the canal between Worcestershire and Staffordshire, and on the 24th ult, when at Horseley Heath, the complainant left his trousers on the bed in the cabin, and the money in question was in the pockets. During his absence the prisoner was seen by Dayus to go into the cabin, and on Dayus returning he missed the money. Remanded till Friday.

DESERTION OF FAMILY **Elizabeth Allen** charged her husband, **Thomas Allen**, a boatman, with deserting her and his family of three children, thus rendering them chargeable to the parish ; and also with beating and threatening to murder her. Fourteen days' imprisonment to hard labour, and at the expiration of that term to find sureties to keep the peace.

103 August 26 1847

CITY POLICE

ASSAULTS Susan Jones, a respectable looking woman, charged a boatman named **Henry Kite** with violently assaulting her on Thursday last. The parties are neighbours, living in Lowesmoor.

104 September 2 1847

DEATH BY DROWNING An inquest was held by Mr Hyde, coroner for the city, on Friday last at the Talbot Inn, Tything, on a female named Ann Connor, who was picked up in the canal on Thursday evening about seven o'clock. It appears that as some boatmen were going along the side of the canal, near Gregory's Mill, one of them observed a scarf or shawl in the water, and a boat coming up soon after, he requested the man on board to feel with his shaft if anything was at the bottom, when a bonnet floated to the top of the water. He then went for a drag when, after a search of two hours, the body of the deceased was taken from the canal. She was a single woman aged 35 years, and was seen passing the coal wharf adjoining the canal at the above place about three o'clock in the afternoon. Verdict : "Found drowned".

105 September 2 1847

SUPPOSED CHILD MURDER On Sunday morning last, the body of a female infant aged about three months was picked up in the river Severn near Stourport by a waterman on his voyage from that town to Gloucester. The body of the child was dressed in night clothes of a very superior description, and was wrapped up in a piece of a mousseline-delaine dress, the whole being tied up in a green merino bag. There were marks of violence upon the child's head which there could be no doubt had been inflicted before the child was dead, and the whole circumstances of the case, as subsequently developed in evidence before the Coroner, lead to the conviction that a foul and unnatural murder has been committed. On the body being discovered, it was placed in the care of a constable, and information of the circumstances was conveyed to the Coroner of the district, W S P Hughes Esq, who immediately issued his warrant for holding an inquest.

Accordingly, yesterday evening the Coroner met the Jury summoned at the Cross Inn, Hartlebury, when the following were sworn to inquire into the cause of the death of the infant :-

Mr John Farmer, foreman

Mr D Biddall

Mr T Bishop

Mr J Bishop

Mr Thomas Schofield

Mr John Ryland

Mr P Jones

Mr W Smith
Mr John Partridge
Mr John Grove

Mr Samuel Milton
Mr W S Besley
Mr W Goodyear

The Jury having viewed the body of the infant, the following witnesses were sworn :-

Francis Davis of Stourport, waterman, deposed that on Sunday last he was on a voyage from Stourport to Gloucester when, on getting ashore to take in some things which his men had brought, he saw a bag in the water. On pulling it ashore a brick fell out, and then he discovered that it contained the body of an infant. Some women came up and the body was taken out of the bag, and a policeman (John Bevan) being sent for, it was delivered into his hands. There were no signs of life about the child. The child was wrapped in a piece of a dress. The water was about 18 inches deep where the bag lay, and one end of the bag was out of the water. The water was about the same depth on Sunday as it had been for the last three months. The child's head was against a large stone in the river, and the feet were upwards when he found it. The feet were upwards when he opened the bag, and he opened it in the same position as he found it.

John Bevan, Superintendent of Police at Stourport, deposed that he received the bag from the last witness, and had since made every exertion with the aid of the police to ascertain where the child came from, but without effect. The body had been sewn up in the bag, which had been opened or cut by the last witness. There were two pieces of calico round the mouth which were enclosed by the muslin quite tight. The child had on a night shirt, a night gown, and a napkin. It was dressed for the night. The night shirt was of lawn of an unusually good kind, and the night gown of fine thick cambric. The material indicated that they belonged to someone in a bettermost class of life, and were not like those used by poor or labouring people. There were no names or marks on any of the linen.

Mr Samuel Lamb, surgeon of Stourport, deposed as follows : I saw the deceased infant soon after it was found ; it was then at the Cross public house where it now lies. It was in the bag, but it had apparently been taken out before I saw it. John Bevan had the custody of it. I examined it and found it was a female child, about three months old, dressed in a common night dress and sewn up in a piece of mousseline-delaine. There were pieces of calico which had been round the child's mouth, and the whole had been put in a green bag, and a brick had been placed in it evidently for the purpose of sinking it. I did not at that time discover any marks of violence. I examined it carefully, but found nothing to account for its death. The body was of a natural colour. I considered that it had not been in the water more than six or seven hours. I have since made a *post mortem* examination. On opening the chest, I found the whole of the contents healthy excepting that the vessels of the lungs were much loaded with blood. I then opened the abdomen ; I found the stomach quite empty, not containing a particle of food of any description, but the coats perfectly healthy. The intestines were much distended with wind, but were otherwise empty ; there were no signs of food or disease. I then opened the head, when on removing the scalp, I found a bruise on the upper part of the head. There was no fracture, but the bones were much discoloured. On removing the skull, I found the blood vessels of the brain fully distended with blood, particularly on the surface, which was sufficient to account for its death. The distension of the blood vessels on the brain corresponded with the outward bruise on the head. The bruise and consequent injury was in my opinion occasioned by a severe blow or fall against some hard substance in the lifetime of the child. I think also that before the child received that injury it was partially suffocated. This opinion arises from the state of the lungs. I have no doubt the child was living when it received the blow on the head, from the bruise and the congested state of the vessels of the brain corresponding with the external bruise or injury. The whole of the vessels of the brain were congested, but more particularly under the bruise. If the child had died from suffocation, only the brain would have been congested. I am of opinion the child was brought up by hand ; and I form this opinion from the child not being so fat as usual. In my opinion, the immediate cause of death was the injury on the head. The reason I did not discover the injury on the head when I first saw it was on account of the child's hair, and there being no outward mark. There can be no doubt the injury was there when I

first saw it. The injury could not have been caused after its death.

This being the whole of the evidence produced before the Jury, the Coroner briefly addressed them on the serious character of the case, pointing out to them the course which, under the circumstances, it would be best to take.

The Jury consulted together, and returned a verdict of "Wilful murder against some person or persons unknown".

106 September 9 1847

CITY POLICE

DESERTION OF FAMILY A boatman named **William Gee** was charged by Elizabeth Goodman with neglecting to support his three children. The mother of the children died some time ago, when the complainant took charge of them, the prisoner agreeing to support them, but he had for the last eight weeks neglected to do so. Fourteen days' imprisonment.

TOSSING IN THE BLANKET An elderly widow named Elizabeth King, living in St Clement Street, charged Sarah Dovey, William Price, Eleanor Smith and Maria Wayband of the same neighbourhood with tossing her in a blanket on Tuesday the 24th ult. There were three other parties summoned, who did not appear. It was very evident that the ire of the inhabitants of the above locality had been raised by reason of complainant ill using her daughter-in-law, for which, and other things, they had resolved to "serve her out", and accordingly, on the above day, as she was going up St Clement Street, she was followed by a "concourse of persons", and Sarah Dovey commenced the affray by shaking her fist in complainant's face, and upon that another crowd came up from the other end of the street, when Price pushed some boys against her, and she was pelted with apples and potatoes. To escape these she ran into a house near the Apple Tree, from whence, in consequence of the uproar without, she was obliged to make her exit, and she was then pushed by the crowd into a counterpane, which had been spread on the ground for her reception, upon which the defendants and others tossed her several times, allowing her to alight each time upon a brick, which had been placed on the ground for that purpose. The assault being proved, the defendants were fined 12s and 6s 6d expenses each, or fourteen days' imprisonment : allowed a fortnight to pay.

107 September 23 1847

DEPLORABLE ACCIDENT On Sunday morning last about 12 o'clock, a waterman was going along the canal side near the Lock at Stourport, and saw a boy's cap on the water. He took it out, and suspecting something else was in, got a boat hook, and immediately on putting it down to the bottom near the shore, he felt some bulky substance, and on bringing it to the top of the water, discovered it to be the body of a youth named Martin Oakden, whose parents reside at Gloucester. He had been in the office of Mr B Devey, carrier of Stourport, about six weeks, and is about seventeen years of age. He was seen about ten o'clock going towards the Canal Company's yard, between which and the road there is a fence to the edge of the canal ; and it is supposed he was stepping round it when he missed his hold and fell backward against an empty boat lying near the shore, and did not rise again, in all probability his plunging would have been heard by the men in the boats close by (there being a great number of boats on the canal at that time). The sad intelligence was immediately conveyed to his afflicted parents, who came to Stourport, and the body now awaits a coroner's inquest.

108 September 30 1847

CITY POLICE

ROBBERY **Henry Dudfield**, boatman, was charged with stealing a flannel frock, the property of another boatman named **Henry Greenway**, on Saturday night. It appeared that the parties were employed on board a boat which, on the night in question, was moored at the Upper Quay, and between 6 and 7 o'clock in the evening, prosecutor came on shore, leaving the prisoner to take care

of the boat, and on prosecutor's return a few hours after, the prisoner had absconded, taking with him Greenway's frock. The prisoner not coming back to the vessel that night, on the following morning prosecutor went in search of him, and found him drinking in a public house in Quay Street where, upon being questioned about the matter by Greenway, the prisoner denied knowing anything about it, and was then given into custody. On enquiries being made at the various pawnbrokers' shops this morning, it was discovered that the prisoner had pledged it for 3s at Mr Walter's shop, Corn Market. Committed for trial at the Sessions.

109 October 21 1847

WORCESTERSHIRE MICHAELMAS SESSIONS

Joseph Pritchard, 47, boatman, was charged with stealing an iron kedger, the property of Henry Birlingham, on the 13th instant at Bengeworth, Evesham. Mr Huddleston prosecuted, the prisoner was undefended by counsel.

The prisoner was seen by a boy to take the kedger from Mr Birlingham's yard and give it to another man to put on board a barge of which he was captain. Prisoner in his defence said he found the article between two pieces of timber in the yard, and took it to the vessel thinking that it belonged to his master, and called Inspector Douglas of the Evesham Police, who gave him an excellent character. Not guilty.

William Taylor, 15, boatman, and **Charles Fereday**, 17, collier, were arraigned at the bar on a charge of stealing a pair of shoes, the property of James Bennitt, at Stoke Prior, on the 25th of September last. Fereday pleaded guilty and Taylor was then put upon his trial.

Mr Streeten prosecuted ; prisoner was undefended.

The shoes were lost from the Stoke Works, where prosecutor was employed, and subsequently sold by Taylor to a witness named Cowell.

The Jury, after a short trial, found Taylor guilty, and both prisoners were sentenced to a month's hard labour.

Henry Mazey, 32, and **John Sadler**, 34, boatmen, were arraigned at the bar on a charge of stealing from the person of Henry Thomas seven sovereigns and a half sovereign, his property, on the 1st instant, at Bumble Hole in the parish of Dudley.

Mr Whitmore prosecuted ; Mr Selfe defended the prisoner Sadler, and Mr Hodgson, Mazey.

Prosecutor, who is a timber merchant at Newent, Gloucestershire, deposed that he had been to Dudley with some timber on the day in question, which he sold to a Mr Washington, who paid him upwards of £16 for the same, after which he repaired with the prisoner Mazey to the Malt Shovel Inn, Sadler following them soon after, with his money in his pocket, where, after partaking rather freely of some ale, he fell asleep, and on waking some time after, missed from his pocket the sum of money mentioned in the indictment. Several other witnesses also deposed to seeing the prisoners one on either side of the prosecutor in the parlour at the Malt Shovel. Dorset, the police constable, stated that when he apprehended Mazey he found upon his person a purse containing £3 5s, among which was a half sovereign, which was identified by Mr Washington as part of the money he had paid to prosecutor, by a chisel mark which was upon it.

The Learned Counsel for the prisoners severally addressed the Jury in their behalf, Mr Selfe submitting that there was no evidence against Sadler beyond his being at the public house in company with Mazey, and the Chairman having carefully summed up the facts as adduced in evidence, the Jury returned a verdict of guilty against Mazey, and not guilty against Sadler, and he was therefore discharged, Mazey to be imprisoned and kept to hard labour for six months.

George Platt, 16, boatman, pleaded guilty to the charge of breaking open the cupboard in the cabin of a boat, and stealing a bank note for the payment of £5, and a sovereign, the property of **Samuel Baylis**, at Wolverhampton on the 18th August last. The prisoner also pleaded guilty to a previous conviction for felony, and was sentenced to seven years' transportation.

110 October 21 1847

WORCESTER CITY SESSIONS

Henry Dutfield, 24, boatman, charged with stealing a flannel frock, the property of **Henry Greenway**, on the 25th of September last at the parish of St Clement.

Mr Streeten prosecuted, the prisoner was undefended.

The prisoner and prosecutor, it will be remembered, were engaged on board a boat moored at the Lower Quay, and in the evening of the above day the prosecutor left prisoner in charge of the boat, but on Greenway's return he found both prisoner and his frock gone, which was afterwards found at Mr Walter's, pawnbroker, whose assistant produced it in court, which prosecutor identified as his property, but recommended the prisoner to mercy. After a summing up from the Learned Recorder, the Jury consulted together and returned a verdict of guilty, and the prisoner was sentenced to three weeks' solitary confinement.

Edward Jenkins, 26, boatman, and **George Jenkins**, 15, labourer, were next placed at the bar, charged with stealing three cwt of pig iron, the property of Messrs Partridge and Co of Gloucester, from a boat moored on the Severn at Diglis, in the parish of St Peter the Great, in this city, on the 27th of September last.

Mr Huddleston prosecuted, and Mr Gordon appeared for the prisoner George Jenkins.

The prisoners were seen at the vessel of prosecutors called the *Heart of Oak*, and Edward, who had been left in charge of the boat by the captain (**Henry Ewer**) was seen handing the iron from the vessel to George, who was in a fishing boat, and afterwards rowed up the river with it. The iron, which was identified by Mr Price, clerk to Messrs Partridge, as their property, was afterwards found at the shop of William Henry Smith, dealer in marine stores, Powick Lane, who deposed that he bought it of Edward Jenkins for 9s 3d which, according to his own statement, was considerably under its real value. The prisoner George Jenkins, when taken in custody, stated that "the Bishop", meaning the other prisoner, had given him 6d to row it up the river.

Mr Gordon briefly addressed the Jury on behalf of George Jenkins, stating that he had acted under the direction of Edward, and called witnesses who gave him a good character.

The Learned Recorder then severely interrogated the witness Smith, as to the manner in which he usually bought iron. It appeared that he is in the habit of buying iron and occasionally neglecting, as in this case, to question the parties offering it for sale as to the manner in which they came by it.

The Learned Recorder summed up, and the Jury, after a somewhat lengthy consultation, found Edward Jenkins guilty and George Jenkins not guilty, with an expression of disapprobation of the conduct of the witness Smith, who was told by the Recorder that if he had been indicted on the charge of receiving the iron knowing it to have been stolen, there was sufficient evidence to have convicted him. George Jenkins was then discharged with a caution, and Edward sentenced to three months' imprisonment, the first and last month solitary, and the intermediate one to hard labour.

111 October 21 1847

CAUTION TO WATERMEN On Wednesday last, **Thomas Withers**, master of the barge *William*, was fined 2s 6d and costs by the Gloucester Magistrates, for neglecting to pay toll due to the Severn Navigation Commissioners on the 15th ult.

112 October 28 1847

The sum of £23 18s 3d, including several donations, was collected at St Clement's Church on Tuesday evening, after a sermon preached on behalf of the Watermen's Church by the Hon and Rev Canon Forester, Rector of Broseley.

113 November 11 1847

On Sunday last, the wife of **John Thomas**, boatman of Crown Street, Shrewsbury, was delivered of a fine female child. The infant had when born three teeth, viz one front and two double ones.

114 December 2 1847

CITY POLICE – MONDAY

ALLEGED ILL TREATMENT BY A HUSBAND **Thomas Blake**, boatman, was charged by his wife, **Susan Blake**, with threatening to do her bodily harm. Defendant addressed the Bench in extenuation of the charge, and it appearing there were faults on both sides, the case was settled by Blake agreeing to allow his wife 7s a week, and paying 6s 6d costs.

Mr William Ward of St John's charged a boatman named **Benjamin Scott** with drawing a line across Worcester bridge, by which means he was thrown down, but owing to the absence of the principal witness the case was adjourned to Friday week.

115 December 2 1847

STOURPORT PETTY SESSIONS

Acton Fox of the hamlet of Lower Mitton, boatman, was summoned by Mr Thomas Wheeldon, surveyor of the highways of the said hamlet, for unlawfully releasing a certain ass out of the common pound before certain charges due thereon had been paid. Mr J Swann, vinegar maker, proved the pounding, and John Bayliss gave evidence of Fox taking the donkey out of the pound by removing the gate. Fox, in his defence, declared he had injured nothing, and said the pound ought to be made safer to prevent men in a passion (as he was at the time) from removing the gate. Fined £1 7s, costs included.

Thomas Glover of the same place, boat builder, was summoned by Superintendent Bevan for being drunk. His wife appeared for him, and admitted the fact. He was fined 5s with costs.

116 December 16 1847

CITY POLICE

THE BOAT HAULING NUISANCE Mr Town Councillor Ward laid a complaint against a boatman named **Benjamin Scott**, for an infringement of the City Act in carrying the tow line to a boat of which he was in charge over Worcester bridge instead of under it. The offence was committed on the evening of the 6th November last, and Mr Ward, who was passing over the bridge at the time, experienced two severe falls in consequence of his feet becoming entangled in the line. The case being proved, Scott was fined 5s and 10s 6d costs, and in default he was sent to gaol for seven days.

117 December 16 1847

FATAL ACCIDENT This evening about four o'clock, a little boy aged about three years, named **John Williams**, son of a boatman exercising his vocation on the Severn, was found drowned in the cellar of the Royal George Inn on the banks of the river, in Turkey Street in this city. The little fellow was missed about half an hour previously, and it is conjectured that he slipped down the cellar stairs into the water, which had flowed into the lower part of the house from the river.

118 December 30 1847

DEATH BY DROWNING Early on Friday morning last, a bargeman named **John Rowley**, a native of Stourport, and who has been in the employ of Messrs Devey, carriers of that town for a number of years, met with his death in the river near Gloucester. It appears that he had slept on board one of Messrs Devey's boats moored near Gloucester, and left the vessel in a small boat for the shore, but from some cause unknown the boat was overturned, and the poor fellow lost. We understand he leaves behind him a widow and six young children.

119 January 6 1848

WORCESTERSHIRE EPIPHANY SESSIONS

John Hurdman, 19, boatman, pleaded guilty to the charge of stealing a pair of boots, the property

of John Sale, at Stoke Prior on the 20th August last. One month's imprisonment.

Joseph Hateley was charged with stealing 30 lbs of coal, the property of Mr W W Dawes and Son, on the 15th of November last. The boat from which this coal was taken was passing through the Dudley tunnel at the time the prisoner was seen taking it, and upon being charged with the theft by a man who was set to watch, he immediately threw it on the boat again. The prisoner, in defence, alleged the custom of leaving a portion of coal at this place whenever boats passed, for the purpose of supplying the boatmen with fire in a hovel near, where they have their meals. A number of witnesses were called by the prisoner to prove the custom of taking a small quantity of coal from every boat. Mr Huddleston prosecuted, and addressed the Jury on the existence of a custom being set up in these cases. The Chairman thought the custom a very dangerous one, if it existed, and urged that the point for the Jury to consider was whether the prisoner took the coal with a felonious intent or not. The Jury found the prisoner guilty, but recommended him to mercy. The Chairman, in passing sentence, observed that the custom was believed to exist among the men employed on the canal, although not known to the masters of the boats, and suggested that the masters should give notice of the illegality of such a custom. In this case, taking into consideration the excellent character of the prisoner, the Court would not imprison him, but fine him 1s, subject to imprisonment until paid.

James Biddle, 18, boatman, charged with stealing a boat strap, the property of John Daniels, at Hadsor on the 25th ult, was found guilty and sentenced to fourteen days' imprisonment, the last week solitary.

120 January 13 1848

DEATHS BY DROWNING Mr Hughes, coroner, has held two inquests during the past week on the bodies of young men, who had accidentally met with their deaths from drowning. On Monday, the Coroner held an inquest at Dodderhill on the body of **Joseph Langford**, aged fifteen years, son of Robert Langford, plasterer, of the Blockhouse in this city. The deceased was accompanying a boat in its voyage along the Birmingham and Worcester Canal, between this city and Stoke Prior, when, while in the act of shutting one of the lock gates at Dodderhill, he accidentally slipped into the water. His companions did not succeed in extricating him until ten minutes had elapsed, by which time he was quite dead.

The second inquest was held on Saturday at the Crown Inn, Stourport, on the body of **Frederick Daniel**, aged nineteen years, son of a waterman residing at Stourport. The deceased was missed from his work on Thursday afternoon, and on Friday his body was found in the Staffordshire Canal at Stourport. It is supposed that in endeavouring to make a "short cut" to his work, he slipped into the water.

Verdict in both cases, "Accidentally drowned".

121 January 27 1848

DEATH FROM FIRE On Monday last, Mr Hyde, Coroner, held an inquest at the Infirmary, on the body of a waterman aged 38 years named **Edward Haywood**, who came to his death under the following circumstances :- The deceased was drinking on Thursday evening in company with a fellow boatman named **Grundy**, who resides at Tibberton, and both became somewhat intoxicated. The two drank some seven quarts of cider between them, and the landlord of the house at which they were drinking having refused to draw any more liquor for them, they swallowed a quart of water afterwards. They then left the beer shop and proceeded to Grundy's house, and the deceased being unwilling to go to his boat, Grundy permitted him to lie before the kitchen fire for the night. Early in the morning of Friday, Mrs Grundy was awoken by the deceased crying out, and having alarmed her husband he ran downstairs and found the deceased enveloped in flames. With some difficulty, Grundy succeeded in tearing the burning clothes from the deceased, though not without burning himself severely, and the deceased was on the same morning conveyed to the Worcester

Infirmery where he died in four hours after his arrival. Mr Cole, the house surgeon at that Institution, deposed that death had been caused by the severe burns, and the Jury accordingly returned a verdict to that effect. It is not known how the deceased's clothes caught fire ; there was but a small quantity of fire in the grate when Grundy went to bed. The deceased has left a widow and four children unprovided for. Grundy stated on the inquiry that he was unable to offer the deceased a bed, as he had only two beds for himself, wife and five children!

122 February 17 1848

DEATH BY DROWNING An inquest was held by W S P Hughes Esq at Kempsey on Saturday last, on view of the body of a young man, name unknown, who was picked up in the Severn, in the parish of Kempsey, on Friday morning, by a waterman named **Payton**, while engaged in looking after a boat which was coming down the river. The deceased, who is about twenty one years of age, is supposed to have been in the water several weeks, his clothes being completely rotten. Verdict : "Found drowned".

123 February 24 1848

ROBBERY FROM A BOAT A boatman named **John Jones** has been committed for trial on two separate charges of felony, viz, for stealing a quantity of wearing apparel, the property of **John Taylor**, from out of a boat lying in the Worcester Wharf, Birmingham, and stealing from his master, Mr Hodgetts of Pershore, some time back, a pulley block, which was found in his house. **Henry Kings**, also a boatman, was held to bail to answer the charge of receiving the stolen wearing apparel with a guilty knowledge.

124 February 24 1848

ROBBERIES FROM CANAL BOATS At the Wolverhampton Police Office the other day, **William Reece** and **Henry Barber**, boatmen employed by Messrs Crowley and Co, were charged with stealing two chests of tea. Three chests of tea formed portion of the cargo of a boatman named **Joseph Wall**, being addressed to Mr Farrington, Bewdley. Wall started for Kidderminster on the evening of the 9th instant, stopping on his journey at Wombourn, when the boat, lashed alongside one conducted by the prisoners, was left in the care of two boys, both of whom fell asleep. During this time the robbery seems to have been committed, for on nearing Kidderminster, Wall noticed that the rope and covering of his boat were cut on the side lying next to the other boat, and missed the two chests of tea. The prisoners were suspected, and their boat was searched on arriving at Kidderminster on the following morning, but no traces of the tea were visible. Subsequently, two empty tea chests were found in a garden near where the boats stopped, and also footmarks of three persons. The prisoners were then taken into custody, and their boots were found to correspond with the marks, as did another pair which were found in the cabin, and upon which several grains of black and green tea, similar to that stolen, were found by the policeman. The Bench decided upon committing the prisoners, who protested they were innocent of the robbery.

125 March 2 1848

WORCESTER CITY SESSIONS

Seth Preece, 28, boatman, charged with stealing, on the 31st day of January last at the parish of St Clements, 24 lbs of bones, the property of Samuel Bunn. Bill ignored.

John Allen, 19, boatman, charged with stealing, on the 3rd day of February last, at the parish of All Saints, one pound five shillings, the property of George Harman. Seven years' transportation.

126 March 2 1848

MARINERS' CHAPEL AND SCHOOL AT GLOUCESTER The commerce of Gloucester has gradually increased to such an extent that it is calculated that between *thirty and forty thousand* mariners, bargemen and boatmen annually visit the port, for whose pastoral instruction no provision

has been made. There are also about 300 navigators employed in forming new basins &c, in a similar state of religious destitution. A meeting on the subject was held in June last at the Tolsy, Dr Jeune, Canon of Gloucester, in the chair. The claims of a neglected class of their fellow men were strongly enforced by the chairman, the Rev Francis Close of Cheltenham, and other able advocates. A handsome amount of subscriptions and donations was announced, and two commercial gentlemen of Gloucester, Mr Phillpotts and Mr Clegram, were requested to take the necessary steps for promoting the erection of a mariners' chapel &c, and to report to the subscribers when it should appear to them desirable. Another public meeting has been recently held, the Rev R B Holmes in the chair, and a plan organised for the erection of the chapel and the appointment of a Chaplain, towards whose stipend the Pastoral Aid Society is expected to contribute. But we regret to add that the commencement of the building has been, and still is, postponed for want of funds, one of the resolutions carried at the meeting being "That the Committee be required not to enter into any contract for the erection of the building until they shall have such an amount of funds in hand as will afford reasonable security that the building may be completed without incurring debt." We shall rejoice to hear that the work has commenced, and cordially wish it success, such a provision for the religious instruction of mariners &c having been long called for. In the list of donors, we are happy to see the name of the Bishop of Gloucester and Bristol.

127 March 2 1848

WORCESTERSHIRE ADJOURNED SESSIONS

James Fleet, 21, boatman, was convicted of breaking and entering the dwelling house of James Greaves, and stealing grocery articles and bread, on the 4th of January at Hadsor. Twelve months' imprisonment.

John Jones, 22, boatman, was charged with stealing a pulley block, the property of William Hodgetts, on the 20th December at Pershore.

The prisoner was also charged with stealing a quantity of wearing apparel, the property of **John Taylor**, on the 5th ult at Pershore. Guilty : Seven years' transportation.

John Williams, 17, boatman, was charged with stealing a boat line, towel and pair of gaiters, the property of Jonas Wood, and a shirt, the property of George Green, on the 17th ult at Dudley. Guilty : Six weeks' imprisonment to hard labour.

128 March 9 1848

WORCESTERSHIRE ADJOURNED SESSIONS (Concluded from our last)

Ralph Higgins, 33, and **William White**, 35, boatmen, were charged with stealing a large quantity of Egyptian beans, the property of the Midland Railway Company. Mr Huddleston prosecuted, and Mr Selfe defended White. From the evidence it appeared that on the 5th of January last 100 bags of beans were dispatched by Mr H Fox, merchant of Gloucester, to Messrs Wakeman and Co of Oldbury, each bag weighing in the gross 2 cwt, 1 qr 14 lb. The bags were unloaded at Birmingham and transferred to a boat, of which the two prisoners had the management, to be conveyed to Oldbury by canal. They were delivered at Oldbury, but 21 of the bags were then found to be deficient in weight to the extent of 367 lbs. On searching the boat, a quantity of beans, corresponding with the bulk, were found in two other sacks under some tar sheets and horses corn. Mr Selfe urged in defence of White the impossibility of telling which of the two prisoners committed the theft – it was one which might well be done by one alone. He called several witnesses to White's character, and Higgins also called some for the same purpose. Guilty : Twelve months' imprisonment each.

William Riley, 19, boatman, was charged with stealing at Dudley a smock frock, a sleeved waistcoat and a handkerchief, the property of **James Foster**. The articles had been locked up in a boat, but in the absence of Riley the boat had been entered and the goods stolen. Subsequently the

prisoner pledged them at a pawnbrokers for 3s 1d. Guilty : Four months' imprisonment.

129 March 16 1848

WORCESTERSHIRE LENT ASSIZES

MAIMING A POLICE OFFICER AT UPTON George Baldwin, 28, labourer, was charged with maliciously cutting and wounding Thomas Petford, Superintendent of the County Police Force, on the 13th August last.

Mr Cooke appeared for the prosecution, and Mr Huddleston for the defence.

Thomas Petford deposed that he had received information from Thomas Smith to apprehend the prisoner, who had stolen half a sovereign from him. This was between eight and nine o'clock at night, near the Black Boy public house, New Street, Upton, where the prisoner with a number of other persons was making a disturbance. Petford requested them to go home, and they moved away in the direction of the bridge crossing the Severn, the prisoner turning round and pushing him. Petford followed the prisoner, who was using very coarse language, and as he threatened him, he knocked him down with his staff and succeeded in placing the handcuffs on one of his hands, but was unable to secure the other in consequence of his violent resistance. In this scuffle, he bit Petford's left hand thumb, which had since mortified from the effects of the wound, and been amputated. He also inflicted a severe cut on the same hand, which has disabled him from ever using it again. Other parties joined in assaulting the policeman by kicking him, and he likewise received a wound on the head, caused by a large stone being thrown. The injuries on the head were produced by some sharp instrument, and were incised wounds, from which Petford had been confined to his bed about six weeks. The defence of the prisoner was made principally on the allegation that Petford was inebriated at the time, and did not proceed in a proper manner or in a way becoming a police inspector to apprehend the prisoner, but had used much violence, which was the cause of Baldwin's resistance. The prosecutor and the witnesses were closely cross-examined as to the sobriety of Petford that night, and it was shown that he was sober.

His Lordship in summing up recapitulated the whole of the evidence, and then submitted to the Jury the question to decide as to whether it was the intention of the prisoner to commit the offence of which he stood charged, or merely to prevent his lawful apprehension.

The Jury found him guilty of the assault only, and he was sentenced to eighteen months' imprisonment.

Thomas Baldwin, 19, boatman, charged with assaulting the same officer in the execution of his duty the same night, at the suggestion of his Counsel withdrew his plea of not guilty, and pleaded guilty ; his defence being that on seeing his brother ill-used, he went to his assistance. Two months' imprisonment.

James Rowley, 18, boatman, to stealing a pair of boots on the 14th February last at Dudley, the property of Elisha Jervis. Three months' imprisonment.

130 March 23 1848

BEWDLEY ELECTION PROCEEDINGS

A long and complex article which implies that there was some irregularity regarding the election in Bewdley.

Joseph Bryan examined by Mr Clark : I am a waterman on the Staffordshire Canal. On Thursday before the election I was dredging on the Canal. Mr Watson and Mr Devey came to me one day while I was at work ; that was a few days before the election. Mr Devey called me on shore and canvassed me for my vote. Charles Watson was there. Shortly after, I went with Mr Devey to the Pheasant, near Kidderminster. Joseph Turner followed, and Mr Watson came with me. On the road, Mr Devey said he was going to send his barges to Bristol, and that I knew the way. The navigation is difficult. He asked me to vote for Sir Thomas, and insinuated that if I did he would give me the job. He said that some of his young captains did not know the way, and if I went that would be a "chance" for me. We went to the Pheasant, and he ordered a quart of strong ale, of which I, Turner

and Mr Watson partook. He then gave a sovereign, and ordered two gallons of ale to be sent for the company on the engine. After that he asked me to go to his house at Stourport. I went there and saw him. He was busy, and gave me a shilling to get some beer. Mr Devey wanted to see me on the morrow again. He never gave me drink before, unless I was working for him. Mr Watson never gave me a drink before.

By Mr James : Turner is not a voter. He and I walked four miles to Stourport. I said that the other party had not treated me well, and that they had owed me £10 since the previous election. I promised my vote to Mr Ireland. There were ten men on the engine who partook of the ale.

By Mr Clarke : The lock is a mile and a half distant from the Pheasant. Mr James, my master, owed me £28 for wages, and £10 paid by me to another captain on the Severn, that I might be enabled to vote. Turner understands the navigation of the canal. He was not told that he would be sent with barges to Bristol. He is not a voter.

131 April 6 1848

WORCESTERSHIRE EASTER SESSIONS

BILLS IGNORED John Scott, 24, shoemaker, and **Moses Evans**, 21, waterman, charged with stealing two lambs, the property of Thomas Hull, on the 18th March at Strensham.

132 April 27 1848

DEATHS **Mr John Stephens**, boatman, Netherton near Dudley ; an honest upright man, who had been in the employ of Mr John Hardy, Stratford-on-Avon, nearly 20 years.

133 May 25 1848

DEATH BY DROWNING On Saturday last, W S P Hughes Esq, Coroner, held an inquest at the Union Inn, Stourport, on the body of a little boy aged six years named **Reuben Rowley**, son of a waterman of that name, whose body was picked up in the River Stour. It appeared that the deceased had gone out to play, and by some mischance unknown had got into the Stour, where he was drowned. Verdict : Accidentally drowned.

134 June 8 1848

COUNTY PETTY SESSIONS

EVADING TOLL An information was laid against **Edward Doughty**, boatman, for giving a false account at Diglis Lock of the goods he was conveying down the river on the 1st of April last. Mr Waters, solicitor to the Severn Improvement Commission, appeared to conduct the case, and stated that the defendant, on the above date, passed through the Diglis Lock with about 27 tons of coal, which he stated he intended conveying to Kempsey, and took out a manifest to that effect, but instead of stopping at Kempsey he went on to Coomb Hill where he unloaded the coals, and thus avoided paying the additional toll by not taking out another manifest at Kempsey. Suspicion being aroused, Doughty was watched, but was not overtaken until his boat had passed Kempsey, and there was no proof to show that he had called there. Defendant urged that on enquiry the toll collector at Worcester said that if he did not sell his coal at Kempsey, as he seemed to wish, he must there take out a new manifest to go farther ; that he had stopped at Kempsey, and finding that he could not sell his coal, he took out another manifest, upon which the collector had written Tewkesbury in mistake for Coomb Hill. On his return he stated the mistake was rectified, although the manifest bore the appearance of being the same ticket he had taken from Diglis. It appeared, however, that the defendant, though bound by the Act of Parliament to do so, had not complied with the spirit of the provisions contained in the Act, inasmuch as he had not given any account himself, being unable to write, but had named the quantity of coal in his possession and its destination to the collector who had made out the account according to his direction. This being the case, the Magistrates considered the information had not been proved and the charge was dismissed. There was another charge against defendant, but it was not gone into, and it is expected that they will both be heard the next Session day.

135 June 29 1848

MIDSUMMER QUARTER SESSIONS

Hugh Collis, 22, and **Edmund Mew**, watermen, were convicted of stealing a jar and a quantity of linseed oil, the property of **Richard Rice**, their master, on the 25th ult, at the parish of Norton and Lenchwick. Three months' hard labour.

Elisha Higgs, 17, boatman, pleaded guilty to the charge of stealing a watch and appendages, the property of Thomas Court, at Kingsnorton, on the 14th of April last. One month's imprisonment.

136 June 29 1848

MIDSUMMER CITY SESSIONS

John Palmer, 20, and **John Landon**, 20, boatmen, were charged with stealing a shirt and black silk handkerchief, the property of **Francis Owen**, from a barge moored at the Upper Quay, on the 14th June. Palmer pleaded not guilty to the charge, and also to a former conviction, but Landon pleaded guilty, and stated that Palmer had nothing to do with the robbery. The evidence adduced went to prove that the articles were safe in the barge, of which Owen was captain, on the night previous to the robbery, but the next morning, with others, were gone, and were subsequently pawned for Palmer at Mr Gwynne's, High Street, by a witness named Wedgbury, in a fictitious name. Palmer was found guilty ; and a previous conviction being proved against him, he was sentenced to seven years' transportation, and Landon to two months' imprisonment, first and last three weeks' solitary.

137 June 29 1848

TOWING PATH CONVICTION At the Upton Petty Sessions on Thursday, **William Doughty**, boatman of Gloucester, was committed to Worcester County Gaol for a month, in default of the payment of a fine for a fraud on the Gloucester and Worcester Horse Towing-path Company.

138 July 6 1848

COUNTY PETTY SESSIONS

ASSAULT **Daniel Boaz**, a boatman, charged Joseph Morgan with assaulting him on the 13th instant at a place called Randall's Lock, Hindlip. Fined 1s and 12s 6d expenses.

139 July 6 1848

CAUTION TO BOATMEN AND OTHERS At the Upton-on-Severn Petty Sessions on Thursday, upon the complaint of **Henry Bundy**, **Cornelius Millar**, **Edward Beard** and **Francis Hewers**, all of Gloucester, were convicted in the penalty of 40s and costs, for using their horses and donkeys on the Gloucester and Worcester Horse Towing-path without first taking out a ticket.

140 July 6 1848

WORCESTERSHIRE MIDSUMMER SESSIONS

William Rutter, 66, waterman, **George Hawker**, 38, waterman, and **Edwin Pardoe**, 33, waterman, were convicted of stealing two earthenware jars from Owner **Richard Rice**, at Evesham on the 12th May. The three prisoners were in the employ of Owner Rice as boatmen, and in the cabin of the barge navigated by them the jars were found ; they were part of a parcel of goods being conveyed in another of prosecutor's vessels to Bristol. The prisoner Pardoe said he found the jars and gave them to Hawker, who gave them to Rutter who, at his request, placed them where they were found. Rutter received an excellent character and a recommendation to mercy from Owner Rice. Guilty. Sentence – One month's imprisonment ; Rutter receiving the same period as his companions on account of having been out on bail, while they were in prison from 27th May last.

141 July 20 1848

CAUTION TO BOATMEN AND OTHERS **Joseph Skidmore**, employed with a boat belonging to Mr Gould of the city of Gloucester called the *Beverley*, was, on the complaint of **Mr Henry Bundy**,

agent to the Gloucester and Worcester Horse Towing-path Company, convicted before the Upton-on-Severn Magistrates on Thursday last, in the penalty of 40s and costs, for using a horse down the towing-path without taking a ticket.

142 July 27 1848

WORCESTER COUNTY AND CITY SUMMER ASSIZES

Sampson Brotherton, 14, boatman, was charged with stealing a watering pan, the property of William Dingley the younger, on the 5th instant at Evesham. Mr Barrett prosecuted ; the prisoner was undefended.

Prosecutor has a garden adjoining the Turnpike Road at Evesham, and his father had been using the pan the day previous, and afterwards put it in the front of a hovel facing the road, and it was afterwards found by policeman Marsh in the possession of the prisoner, who had been cooking some potatoes in it, a short distance from the prosecutor's garden. The pan was identified by Dingley, by the spout being bent to fit the rose.

His Lordship, in summing up, observed that if the boy had taken the pan merely for the sake of cooking the potatoes in it, that was not stealing it ; but if the Jury thought there was evidence to prove that the prisoner intended to steal it, they must find a verdict of guilty. Not guilty.

CLOVER STEALING AT KINGSWINFORD **James Boucher**, 68, boatman, was charged with stealing half a cwt of clover, on the 7th of June at Kingswinford, the property of Sophia Twigg.

Mr Lea prosecuted, and Mr Huddleston defended the prisoner.

John Twigg deposed : I live at Kingsnorton, and am a farmer, living with my mother, who is a widow. The farm belongs to her. In the beginning of July we had some clover, which was cut, and having missed some from the field, I set Samuel Simmons to watch the field.

Samuel Simmons sworn : I am a police constable. Remember the evening of the 7th and morning of the 8th instant watching the field of Mrs Twigg, adjoining the canal ; I saw two persons come into the field ; the prisoner was one of them. The other man laid down a halter on the ground, and the prisoner was crushing the clover into it. I then took him into custody, when he said, "I hope there will be nothing the matter over it".

Mr Huddleston addressed the Jury for the defence, contending that there was a doubt as to the prisoner's identity, and called two witnesses, who gave prisoner a good character.

His Lordship having summed up, the Jury returned a verdict of guilty, with a recommendation to mercy, and the prisoner was sentenced to two months' hard labour.

143 August 3 1848

FATAL ACCIDENT An accident, attended with loss of life, occurred at Holt Bridge on the 23rd ult, to a man named **Samuel Amphlett**, a boatman in the employ of **Mr B Devey**, Severn carrier. An inquest was held on the body at the Infirmary on Monday last, before J Tymbs Esq, deputy coroner, when the following evidence was adduced :-

John Easthope, captain of the vessel, stated that on the day the accident happened they were on their voyage from Stourport to Bristol. Deceased was ordered by witness to lower the mizen mast in order to pass under Holt Bridge ; to do this he might have lowered the mast with his hands, without using the windlass. The mast was not sufficiently lowered, and on passing it came into contact with the top of the bridge. Somebody on shore called out that the mast had knocked deceased down. Witness hastened forward, and found the unfortunate man lying on the deck, bleeding from a wound in his forehead. The assistance of Mr Barnett of Ombersley was speedily procured, and this gentleman recommended his immediate removal to the Infirmary. **William Corbett** deposed that he, with part of the crew, was towing the vessel down the river. Saw the mast fall ; deceased at the time had hold of the windlass, which was forced down toward the deck, bringing the deceased with it. The (?brizzle) not being down, the handle quickly rose up again and struck deceased a violent blow on the forehead. The evidence of Mr Cole, surgeon, showed that deceased received an extensive wound on the top of the head, and fracture and depression of the skull ; he gradually got

worse, and died on Saturday from the injuries he had received. A verdict of "Accidental death" was returned.

144 August 10 1848

INTREPID CONDUCT OF A BOATMAN On Monday last, a boy fell off the quay into the river and was on the point of being drowned, when **John Reynolds**, a boatman residing in St Clements, seeing his danger, plunged into the stream, which was deep and rapid, and seizing the boy swam with him to his boat, and thus happily succeeded in rescuing him from a watery grave. This is a case which well deserves the notice of the Secretary of the Humane Society.

145 September 14 1848

MARINERS' CHAPEL A small but neat ecclesiastical edifice is in the course of construction at the Gloucester Docks, and has already made sufficient progress to satisfy the spectator that it will, when completed, be as pleasing to the eye as it will unquestionably be beneficial to the morals and religious improvement of the class for whose benefit its erection has been undertaken. The style selected is the early English, the contrast of which, with the buildings and warehouses by which it is surrounded, imparts a pleasing peculiarity to its appearance in such a spot. It is intended to accommodate the sailors, watermen and other persons which the business of the port causes to congregate in that neighbourhood, and whose religious wants require to be specially provided. The design originated in the benevolent feelings of a few individuals, whose efforts to bring the plan to a successful issue have been most honourable to them, and now promise to be crowned with the success such exertions so well merit. The edifice will cost, we understand, about £500, and is intended to accommodate over two hundred worshippers.

146 October 12 1848

A MAN DROWNED IN THE STAFFORDSHIRE AND WORCESTERSHIRE CANAL On Monday last between one and two o'clock, as a boatman named **Packwood** was engaged in heaving a boat into a lock of the above canal at Stourport, he accidentally fell into the water and was drowned. He was seen at one o'clock by the lock-keeper, and about a quarter to two was discovered in the water by **John Filkin**, another boatman. He was immediately taken out, but was found to be quite dead. He appeared to the lock-keeper and a fellow boatman at the time they saw him, which was a little before the accident, to be perfectly sober. The unfortunate man lived at Holt, and has left a wife and four or five children to deplore his untimely end. An inquest was held upon the body by W S P Hughes Esq this day (Wednesday) at the Crown Inn, Bridge Street, Stourport.

147 October 19 1848

MICHAELMAS QUARTER SESSIONS

William Rogers Jefferies and **James Ball**, boatmen, were indicted for having stolen seven ducks, the property of Mr Griffin, farmer, at Hartlebury. Mrs Griffin, wife of the prosecutor, stated that last Saturday morning she counted her poultry, which she always did when she fed them, and found them all right, but on Sunday morning found seven of them missing. They were kept in a coach house in the rick yard, near the road. On Saturday afternoon a portion of one of them was shown to her, and part of another, by the Inspector of Police. A little boy proved that at three o'clock on Sunday morning, the prisoner Ball came to his master's (Mr Weaver's) boat at Stourport, bringing with him two ducks, one of which he gave to him to cook, which he did, and eat part of it. By Ball's direction he threw the head, two wings and some feathers on the banks of the Severn. Another witness proved Ball's tying up the other duck and throwing it into the river, between six and seven on Sunday morning. Previous to his flinging the duck into the river, a policeman had enquired about the ducks. The duck was found by a little girl tied up in the handkerchief and floating down the river. It was shown to Mrs Griffin, who identified it. Policeman Baker said that at twelve o'clock on Sunday morning, he went with the Inspector to the house of the prisoner Jefferies, and saw Ann Jefferies with some giblets and five legs. There were two ducks roasting at the fire. The

policeman was cross-examined by Mr Huddleston, who appeared for Jefferies. They smelt very nice. The whole of the Jefferies were taken before the magistrates, but the rest discharged. Mrs Griffin swore to some of the feet of the ducks, by a peculiarity of the foot, they having burnt the web off it. Bevan, the Inspector, proved his going to the house of Jefferies, and produced a pair of trousers covered with feathers and dirt, belonging to the prisoner Jefferies. A little girl, cousin of the prisoner, deposed to dressing the ducks, and on cross-examination said she scalded off the web from the foot of one of the ducks, which she afterwards gave to the inspector. The landlady of the Black Star at Stourbridge proved that the two prisoners were in company up to 12 o'clock on Saturday night, at her house, with a man named Stone. The declaration of the prisoners before the magistrates was put in, by which they alleged that the ducks in question were received from Stone, who owed Jefferies 6s 6d, and who gave the ducks to him in lieu thereof. Mr Huddleston made an able defence on the part of Jefferies, commenting upon the non production of Stone by the prosecution, and cited the case of "The King v Crowhurst", in which Baron Alderson had laid down the law that where a prisoner gave the name of a known person as having received the stolen property from him, it was the duty of the prosecution to account for the non appearance of that person as a witness. The rest of his speech went to destroy the identity of the foot of the duck produced. The Chairman having summed up, the Jury found both the prisoners Guilty, and sentenced them to four months' imprisonment, with hard labour, of which one week was to be solitary confinement.

WOLVERLEY – COAL STEALING **David Boden**, 33, and **Thomas Cowarne**, 17, both boatmen, were charged with stealing a quantity of coal, the property of Mr Johnson. William Price, a little boy, deposed that on the 21st of September last, he saw the prisoner Boden, when the boat containing the coal arrived at Wolverley, take a piece of coal from the boat the men were conducting down the river. This was at Wolverley lock. Boden came to him and asked him to lend him a barrow, and eventually the piece was put outside the premises of his father. A policeman named Cooke happened to be on the bridge of the lock at the time, and Cowarne, the other prisoner, was in the act of lifting another piece when the two men discovered him, and Cowarne put the coal back. By other evidence it appeared that a woman was to come to Wolverley lock for the coal. The policeman Cooke, having marked the coal, took the prisoners into custody. When before the Magistrates, the prisoners made a declaration that Mr Dunne, a sort of overseer for Mr Johnson, had allowed them some lumps of coal, as extra coal which they might make something of, and that they met a person at Nisbitt's lock who asked them to give her a lump of coal, which they promised to do on her bringing them a sup of beer. Mr Dunne was called, and stated that he never allowed men under him to land any of the coal in that manner ; but he had known boat owners to do so. Mr Streeten defended the prisoners, and called a witness to the character of both prisoners. With regard to Boden, there were the additional facts of his having given a false name and absconded from the boat. The Jury returned a verdict of guilty against both prisoners, recommending Cowarne to the mercy of the Court. On being asked the ground of their recommendation, the Jury hesitated very much, and at length said that it was on the ground of his being under the direction of his master (meaning Boden). The Court sentenced Boden to three weeks' imprisonment, and Cowarne to one week.

148 October 19 1848

CITY POLICE

BREACH OF CONTRACT A boatman named **Lea** was charged by his employer, Mr Holland, with having been guilty of misconduct and unnecessary delay in bringing a canal boat from Hereford to Worcester. Mr Rea appeared for the prosecution. It appeared that a contract was duly entered into between the parties, and that on the 20th ult the defendant received orders to convey a boat laden with hop poles and timber from Hereford to this city. A sum of money was given to the defendant at the time, and on reaching Winnington he was to apply to a Mr Ballard, who would give him sufficient money to pay the necessary expenses until he met another man at Ledbury. It was

proved in evidence that the defendant was drinking and wasting his time previous to starting, in consequence of which they did not arrive at Winnington in time to see Mr Ballard. They remained at Winnington all night and part of next day, and then proceeded on their voyage, but the money being expended they were obliged to go to Gloucester, which was out of the way. If he had had the money they would have gone another way. Eventually, in consequence of various delays occasioned by the floods &c, the boat did not reach Worcester till Thursday last. The defendant was a weekly servant of the complainant's at 10s a week. Further evidence was given, and the case was adjourned till Monday, when the case was dismissed on the ground of the Magistrates having no jurisdiction in the matter.

BRUTAL ASSAULT Charlotte Stinton charged a boatman named **Biddle** with the following violent offence on Saturday last. About 20 minutes to 11, she was at her mother's house in Foundry Street, and hearing two loud knocks at the door, and she having opened the door, saw the defendant, who said to her, "What've you been saying about my wife?", and without giving her time to answer, struck her a violent blow upon the head, and stepping in the passage pulled her out by the hair of her head into the street, struck her again, and told his wife and wife's mother to fall on her and give her a good hiding. Witnesses who were called swore to the facts most strongly. The defendant vehemently denied the truth of the accusation ; he acknowledged that he had knocked at the door, but the woman, her father and mother, and all the lot of them came out and fell upon his wife, and a regular fight ensued ; he himself only tried to part them. The defendant is a Captain of a boat and respectably dressed. The Magistrates fined him 15s 6d, including expenses, at the same time commenting upon the disgraceful violence of the assault. After the case was over Mrs Biddle, the wife of the defendant, applied for a summons against the complainant's father, all the parties were present, and a scene of indescribable confusion occurred, but eventually Mrs Biddle deferred her application till Monday, and nothing has been heard of it since.

149 October 19 1848

We understand that the annual sermon in aid of the funds for supporting the Watermen's Church will be preached in St Clement's Church on Thursday afternoon, the 26th instant, by the Rev J Miller, Rector of St Martin's, Birmingham.

150 October 26 1848

CAUTION TO BOATMEN AND OTHERS **Cornelius Millar** of the city of Gloucester, boat owner, was, on Saturday week, committed to Worcester County Gaol for three months, for non payment of a fine for an offence against the Gloucester and Worcester Horse Towing-path Company. He has since, however, paid the fine and been discharged.

151 October 26 1848

WORCESTERSHIRE MICHAELMAS QUARTER SESSIONS

George Eades, aged 30, boatman, was convicted of stealing two smock frocks and other clothing, the property of **George Oliver** of Alvechurch, on the 8th of August. Prosecutor, a boatman, left his barge that afternoon on the canal, having made his cabin all safe. He returned in a few hours, and found the cabin had been entered and his clothes taken away. The prisoner was found on another boat further up the canal, with a bundle containing the very things which had been taken. The prisoner said they were his own clothes, and strongly protested his innocence. The Jury found him guilty, and it turned out that he had been transported from Birmingham for seven years, having only returned some three years from his involuntary exile. He said he had been "a great sufferer in his time", and therefore hoped the Court would have mercy on him. He was again ordered to be transported for seven years.

William Riley, aged 19, boatman, was charged with assaulting William Bould at Dudley on the 11th September. Nine months' imprisonment.

The following prisoner pleaded guilty :-

Thomas Jones, aged 26, boatman, to embezzling several sums of money, the property of **William Hay**, his master, at Dudley in July last. He had received them from customers of his master and not accounted for them. Six months' imprisonment.

152 November 2 1848

DROITWICH COUNTY PETTY SESSIONS

FELONY Two boatmen named **Edward Hollis** and **Thomas Smith** were committed for trial at the next Sessions, on a charge of stealing two loaves of bread, a piece of cheese, some bacon and a silk handkerchief, from the boat of **Thomas Cartwright** on the Worcester and Birmingham Canal, on the night of the 23rd instant.

153 November 2 1848

WATERMEN'S CHURCH The Annual Sermon in aid of the funds for supporting this place of worship was preached at St Clement's Church on Thursday last by the Rev John Miller MA, Rector of St Martin's, Birmingham. The rev gentleman delivered an able and eloquent discourse from Rom vi 14, "Sin shall not have dominion over you ; for ye are not under the law, but under grace". The collection amounted to £30, in addition to which £3 12s 6d was received from some benevolent individual at Malvern. It is gratifying to find that the number of watermen attending public worship has been for some time increasing, encouraging the hope that they will gradually be found rising in the scale of religion and morals. The prevalence of Sunday traffic has a very injurious effect upon this class in general, but there are some proprietors of barges and boats who, much to their honour, allow the men to rest on the Sunday, which will be found in the result to be beneficial to all parties – the masters will be more faithfully served, and the men better off, when the latter keep holy the Sabbath "and lead a sober, righteous and godly life". The poor beast which drags the vessel needs the rest of one day in seven, and even in this point of view the owner will be no loser in the end.

154 November 9 1848

EPISCOPAL FLOATING CHAPEL A meeting on behalf of the Church Missionary Society was held at this chapel on Monday evening last, which was numerously attended by the boatmen and their wives, and others belonging to the working classes. It was truly gratifying to witness the conduct of all present, and the interest they took in the proceedings of the meeting. Ninety pence, two farthings and a mite were found among the collection, which amounted in all to £2 0s 5 1/2d. Fourteen boatmen have already enrolled their names as subscribers of one penny, which will add to the annual income of the Worcester Church Missionary Association £3 ; a contribution to its funds by no means to be despised, especially as coming from a class of men who have hitherto taken little or no part in promoting such benevolent undertakings. It was evident these boatmen were "cheerful givers".

155 November 30 1848

FATAL ACCIDENT An inquest was held at Ledbury on Saturday, on the body of **John Alford**, a boatman, who on the previous night, in walking over the cabin of his boat, fell head foremost into the steerage, where he was found dead by his companions. Verdict : Died from suffocation.

156 December 14 1848

THE FLOOD – MIRACULOUS ESCAPE Owing to the continuous rain which has fallen for the last nine days, the Severn, and all its tributary streams, have overflowed their banks to a very serious extent in the neighbourhood of Bridgnorth, dozens of gardens lying near the banks of the Severn are now completely inundated, and Underhill Street is rendered impassable in consequence of the flood. On Thursday, some watermen loitering on the quays and bridge were alarmed at perceiving some planks, a mast and other portions of rigging ; and shortly afterwards a man's hat was seen floating down the stream. Several of the men proceeded up the river on each side, and

when they got to a place called the Mooring, near Coalport, it was found that a barge, the property of Messrs Ridley, corn factors of Bridgnorth, had been swamped with 45 tons of coal on board. The vessel was being worked by two men only when the accident occurred, both of whom were in the water for some time but were, ultimately, fortunate enough to reach the shore. The whole of the cargo was lost ; and it is feared that the vessel is so far injured as not to be worth getting up and repairing.

157 December 21 1848

CITY POLICE

MALICIOUS INJURY John Courts, a boatman, was summoned last Monday to appear this morning, to answer the charge of breaking a door and some windows of the Hen and Chickens Inn in the parish of All Saints, kept by John Tovey, on Saturday night week. The defendant failing to appear, the case was proceeded with *ex parte*, and it having been proved, he was fined 3s damages and 10s costs, or in default to be imprisoned one month. The man it was stated is one of the lowest and most notorious characters in the city.

158 January 4 1849

WORCESTERSHIRE EPIPHANY QUARTER SESSIONS

STEALING MONEY AT ALVECHURCH Joseph Withyford, 22, boatman, was found guilty of stealing half a crown, the property of William Lyes, on the 2nd of November last. A previous conviction having been put in, he was sentenced to eight months' imprisonment.

FOWL STEALING AT CLAINES Luke Packwood, 18, and **James Clarke**, 16, both watermen, were convicted of having stolen four ducks from the house of Mrs Miles, Claines, on the 8th of December last. Police-constable Hall spoke in very favourable terms of Packwood's character, and they were sentenced to three months' imprisonment.

Edward Hollis, 30, and **Thomas Smith**, 18, boatmen, stood charged with stealing two loaves of bread and a silk handkerchief, on the 20th of October last, at Alvechurch, the property of **Thomas Cartwright** and **John Cull**. The prosecutors and prisoners are boatmen employed on the Worcester and Birmingham Canal, but engaged in different boats, the prisoners' boat being moored near to the bridge. The prosecutors' boat was close by, and while they were sleeping in the cabin, the provisions, consisting of two 1s loaves and some cheese, were taken, and the handkerchief from off Cull's neck. A bag was afterwards found floating on the water which contained the bread, and close to the prisoners' boat. Smith met with Cull the next morning and gave him the handkerchief again. Hollis led the prosecutor to his boat, but the stolen property could not be found ; he, however, when Cartwright was stepping off the boat, forced the handkerchief into his bosom. Hollis asserted his innocence, and Smith stated that Cull was drunk the night before and gave him the handkerchief to take care of. It was a case of strong suspicion. Hollis, not guilty ; Smith, one month's hard labour.

159 January 25 1849

STOURPORT PETTY SESSIONS

ASSAULT ON THE POLICE Joseph Higgins of Stourport, boatman, was brought up in custody, charged with having committed an assault upon PC Sneyd whilst in the execution of his duty. The evidence was as follows :- On Sunday evening the 7th instant, Higgins was near the Bridge Inn, Stourport, drunk and inclined to be quarrelsome with Mr Hickman, a timber merchant, who had just arrived in a gig, when Sneyd was sent for, who advised him to go home and offered to take him, but instead of complying he struck the policeman in the face and then threw him down. A number of men and women soon congregated on the spot, and one woman (whom Sneyd could not sufficiently identify) kicked him whilst on the ground ; he, however, got Higgins a little way towards the station house, when a man named George Corker attempted to rescue the prisoner, and probably would have succeeded but for the timely assistance of Grove, another constable. Several witnesses were

examined for the defence, but availed Higgins nothing, the assault being clearly proved. The Superintendent stated that Sneyd, on his arrival at the station house, was covered with blood and his hat was broken. It also appeared that Higgins had been twice previously convicted of assaulting the police, and one other violent assault. The Bench fined him £3 10s 6d, costs included. The money was immediately paid.

George Corker of Stourport, boat builder, was next charged with assaulting Sneyd. This arose out of the last case, and was clearly proved by Sneyd and Grove, but not being so violent, he was fined in the smaller sum of £1 1s 6d, costs included.

160 February 1 1849

SUICIDE IN THE TYTHING During the last week, a melancholy occurrence took place in the Tything. A young man named Insull, about 21 years of age, a painter and glazier, who lived in a lane at the back of the Tything, destroyed himself by taking laudanum under circumstances of the greatest deliberation. It appeared that he had finished some work which he had been doing for **Mr Hill**, boatman, on Friday last, and on Saturday, after drinking at various places, he swallowed about a shilling's worth of laudanum, nearly one eighth of a pint. He had twice before attempted his life, once by throwing himself in the Severn about seven years ago, and once by means of a razor, but in both cases he was prevented from consummating the rash act. He was found dead in his bed on Sunday morning last by the people of the house with whom he lodged. He had been several times heard to say that he would put an end to himself, both when he was drunk and sober, but no one seemed to expect that he would carry his threat into execution. The only assignable reason that can be given for his having committed suicide was that he was apprehensive of distress, owing to the scantiness of employment in the winter, which it appears had frequently reduced him to a state bordering starvation.

161 February 1 1849

CITY POLICE

ASSAULT ON A LOCK-KEEPER **Mr Waldron**, the keeper of the Blockhouse lock, charged ---- **Dunn** with assaulting him this morning. Defendant came through with a boat load of hay, which he saw at once had more than was entered on the ticket ; he gauged the boat, and found he had a ton and a half too much. The lock-keeper entered this upon the ticket, and an altercation ensued, which was ended by Mr Waldron saying that as he was dissatisfied he would have the load weighed out of the boat. He was trying to chain the boat to the bank, and while he was trying to do this, Dunn pushed him down. He was fined 1s and costs, to be paid on his return from the voyage.

162 February 8 1849

DEATH BY DROWNING An inquest was held on Friday last at Francis Hyde's, beer house keeper, Clevelead in the parish of Great Malvern, on the body of a waterman named **Dance**, who was picked up in the Severn, in the parish of Powick, on Wednesday afternoon, by **John Smith**, a waterman of Upton-on-Severn. Deceased had been engaged on board a vessel plying on the Severn and, it is supposed, fell overboard while doing something to one of the lines of the boat. Verdict accordingly.

163 February 8 1849

AWFULLY SUDDEN DEATH An inquest was held at the "Weary Traveller" on Sutton Common last evening, on the body of **Elizabeth Nash**, aged 35, who died at the Falling Sands near Kidderminster on Sunday last, under the following circumstances :- Deceased was the widow of a boatman, and was residing at the time of her death with a relative. She rose on Sunday morning about the usual time, when nothing particular was noticed in her manner. She sat down to breakfast with the rest of the family, ate heartily, sat a few moments, rose up, walked towards the door, said a few words, and fell down dead. Every means was adopted for her recovery, but to no avail. Verdict : "Died by the visitation of God".

164 February 15 1849

FIRE AT STONEHOUSE Early on Thursday morning last, the county policeman on duty at Stonehouse observed fire in the top storey of the Upper Mill, belonging to Messrs Davis, Cole and Davis, clothiers. He immediately alarmed Mr Davis, whose residence is contiguous to the mills, and an express was sent off to Stroud, three miles distant, for an engine. In the meantime the workpeople assembled, and exerted themselves in removing the cloth and machinery in the lower storey, and succeeded in saving a great portion of it. Owing to the plentiful use of oil and inflammable materials in the operations of the factory, the flames spread rapidly, and the building, which was six stories high, soon became wrapped in flames. All attempts to save it were therefore useless, and it was abandoned to its fate ; while all exertions were directed to save the adjacent buildings. The Stroud engine played on the engine house attached to the mill, and adjacent buildings, and these fortunately were saved. A sad accident happened on the occasion. A waterman named **Richard Hursham**, living at Eastington, had thrown a rope over a gable end of the burning mill, to prevent it falling on an adjacent mill, when it came down before he had descended the ladder, and he was buried beneath the burning ruins. The poor fellow was promptly dug out, and was removed to the Gloucester Infirmary, suffering from severe bruises and a broken thigh. The origin of the fire is involved in mystery. The damage amounts to about £4,000.

165 February 15 1849

EXTENSIVE ROBBERY OF IRON At the Wolverhampton Public Offices on Wednesday, before John Leigh, G B Thorneycroft and Joseph Tarratt Esqs, a boatman named **Richard Thomas** was charged with stealing about 16 cwt of pig iron, the property of Mr Thorneycroft and his partner, proprietors of the Shrubbery Ironworks. A boatload of iron was lying in the wharf at the works, and early on Monday morning, Sub-inspector Maddock being on duty by the canal side, observed a boat going along in which there was a quantity of pig iron which he suspected to be stolen. He seized the prisoner, who was one of the men in charge, and it was afterwards found that the iron in question had been stolen from the boat lying at the Shrubbery Works. He was committed to take his trial at the Sessions.

166 February 15 1849

The school opened some months ago by the Earl of Ellesmere for the daily instructions of the children of the boatmen on the Bridgewater Canal has been closed, not more than a dozen having attended at any time.

167 February 22 1849

GLOUCESTER MARINER'S CHAPEL This interesting place of worship was opened for Divine Service on Sunday last. In the morning the prayers were read by the Chaplain, the Rev James Hollis, and the sermon was preached by the Rev John Davies, Honorary Chaplain to the Watermen's Church at Worcester, from the 23rd to the 31st verses of the 107th Psalm. It was a forcible and most earnest address to those for whom it was especially delivered. In the afternoon, the Rev R B Holmes of Christ Church at the Spa, read the prayers, and the Chaplain preached a most impressive service from part of the 20th verse of the 3rd chapter of Judges - "I have a message from God unto thee". We were gratified to observe that the services were attended by a considerable number of seamen and watermen ; and we sincerely and heartily wish that all the benefits expected may be realised by this undertaking, and earnestly recommend it to the support of our fellow citizens. The chapel is a most simple and appropriate structure, reflecting credit upon the architect, Mr Jacques, and the builder, Mr William Wingate, both of this city.

Gloucester Journal

168 March 1 1849

WORCESTERSHIRE ADJOURNED EPIPHANY QUARTER SESSIONS

STEALING IRON AT STOURPORT **William Insole**, about 42, a man formerly in the confidential

employment of **Mr Danks**, wharfinger, surrendered to his bail on the charge of robbing his employer of three bags of iron in the early part of February.

Mr Selfe appeared for the prosecution and Mr Huddleston for the defence.

The prosecutor stated that the iron was sent from Shropshire down the Severn to parties to whom it was consigned, he as the wharfinger having to weigh and check the amount of the weight, and see it was correct, and then forward it to its destination. In the process of the carriage, portions of the pig iron broke off, and the pieces so broken off, in three bags, were found in a vessel which was carrying some iron down the river, having been placed there by the prisoner's direction. The prisoner was the person who weighed the iron.

On cross-examination, the prosecutor admitted that the pieces of iron were sometimes sold, and the proceeds distributed among the men distinguished by their good conduct, but denied that the men were privileged to keep the pieces as their perquisite.

Other witnesses were called, among which was the boatman, who deposed to the prisoner telling him there were "three things" in the cabin of the boat ; but on cross-examination, he said that some years since, the custom existed of appropriating the pieces of iron, and himself and his father, for thirty years, believed they had that right.

Mr Huddleston, in addressing the Jury for the prisoner, raised the following points :- first, he contended that the property was not in Mr Danks ; second, that no loss accrued to that gentleman ; thirdly, that it was a perquisite ; and fourthly, that there was no proof of his committing the act charged against him. He therefore contended that upon all these points the evidence was insufficient to convict the prisoner.

In summing up the case, the Chairman first commented on the evidence of the taking, and then went minutely into the case upon the question of the intention of the prisoner, even supposing he had taken the iron.

After a short consultation, the Jury returned a verdict of not guilty.

The following prisoners pleaded guilty :- **Richard Stubbs**, 46, boatman, to stealing a cwt of coal, the property of Messrs Badger of Dudley, on the 4th of January. Fourteen days' imprisonment.

169 March 15 1849

WORCESTERSHIRE LENT ASSIZES

HOUSEBREAKING AT UPTON-ON-SEVERN John Colston, 37, baker, and **James Pumphrey**, 18, waterman, surrendered to their bail on the charge of breaking and entering the dwelling house of George and Joseph Bennett, and stealing therefrom a quantity of bacon and other articles, their property, on the 4th of February at Upton-on-Severn.

Mr Huddleston and Mr Richards prosecuted ; the prisoners were defended by Mr Cooke and Mr Selfe.

It appeared that the servants of the prosecutor went to bed on the night in question, leaving the house all safe, but upon their getting up in the morning they found some of the windows had been broken through so as to enable the thieves to effect an entrance, and it was found the articles laid in the indictment had been carried off. Suspicion fell upon the prisoners, who were apprehended, but nothing transpired to connect them sufficiently with the robbery. After a lengthened trial, they were acquitted by the direction of his Lordship.

HIGHWAY ROBBERY AT DUDLEY John Bush, 27, labourer, was charged with violently assaulting and stealing from the person of **John Kennedy**, four half crowns, on the 3rd September last.

Mr Kettle conducted the prosecution, and Mr Richards the defence.

John Kennedy deposed : I am a boatman and live at Dudley in this county. I was in the prisoner's company on the 2nd instant. On the morning of the 3rd, I was standing near a wall, when the prisoner came up to me and knocked me down. I then got away from him, when he pursued me and again threw me down. I had four half crowns in my pocket after the prisoner attacked me the second

time. He then left me for a time, and I returned for my hat. I afterwards saw the prisoner coming towards me again, and ran away, but he soon caught hold of me and struck me on the temple, which knocked me down. He then rifled my pockets, and I immediately found that my money was taken.

Cross-examined : I was at Mrs Harper's on the above date, and saw the prisoner there. There were six of us present. I know the names of two, Jackson and Foster. We were there two or three hours. I had been leaning against the wall for about a minute and a half when the prisoner came out of the house. It was about two o'clock in the morning when this occurred. I was about six yards from the door. When I went out, I left two persons in the house. I did not know at the time it was a brothel ; but I have seen some young women there. I believed it to be a respectable house. I went to speak to the son, who had spoken to me about a situation. I had some ale in the house, but it was sent for. My uncle paid me four half crowns, one shilling, a sixpence and fourpence. I had three half crowns besides that in my pocket. I never asked Jackson to lend me any money ; he asked me to lend him some, saying he had given his wife too much. I was quite sober, and had been at work that day. I have been tried for highway robbery, and was sentenced to transportation for life, but returned in 1843 after serving ten years of the time.

John Brown examined : I was in company with Kennedy and the prisoner on the night of the 2nd September. I saw Bush and Kennedy together. I saw Bush knock him down, and after he got up, he knocked him down again and kicked him. Bush went into the house, and Kennedy went back to get his hat. Bush a few minutes after followed Kennedy down the street.

Cross-examined : I was close to the prisoner and prosecutor, and saw them wrestling together. They were about twelve yards apart when Bush was following prosecutor.

James Parkes, blacksmith of Dudley, saw Bush and Kennedy wrestling together, and Kennedy struck down twice. He corroborated the whole of the evidence given by the former witness.

William Vale Lloyd, police officer of Dudley, apprehended the prisoner on the charge of robbing Kennedy. When charged, the prisoner said, "Eh! Rob him? I did knock him down, but did not rob him". He said they had been wrestling together, and proposed going to the spot to see if the money was in the road. He pointed out two places about forty yards apart, where the wrestling had taken place, and when the money could not be found, he exclaimed, "Oh d--- him, never mind if he is robbed, come along".

Isaac Prince, Magistrates' Clerk, deposed to being present at the committing Magistrates' Office, where the prisoner made a statement to the effect that the prosecutor commenced the assault, that he returned it and knocked him down, but did not touch his pockets.

Mr Richards, in defence, urged upon the Jury the not unimpeachable character of the prosecutor, and the conduct of the prisoner, when apprehended, being that of an innocent person, and then called :-

Joseph Jackson, boatman of Dudley, who averred that he was in company with the prosecutor at the Red Cow public house, and that he went with him to Mrs Harper's house, which is a brothel. Prosecutor proposed going to Mrs Harper's, and left that house with Kennedy and two other men named Foster and Sparkes. After he had left, Kennedy said he should go back again.

William Harper, miner of Dudley, knew the prisoner, who had worked for him about eighteen months, and had borne a good character.

Mr Kettle then replied for the prosecution, and

The Learned Judge summed up the evidence, stating that the principal point of consideration for the Jury was whether they could or could not rely upon the testimony of Kennedy.

The Jury, after a short deliberation, returned a verdict of guilty of the assault only.

In passing sentence, Mr Godson took into consideration the length of time the prisoner had been confined – six months – and the fact of his master keeping open his situation for him since that time. He was then sentenced to three days' imprisonment.

170 April 5 1849

WORCESTERSHIRE EASTER QUARTER SESSIONS

The following prisoners, on being arraigned, pleaded guilty.

James Pope, 17, boatman, charged with stealing a pair of shoes, the property of William Beaman, on the 21st of February at Kidderminster. Six weeks' hard labour.

171 April 12 1849

STRATFORD-ON-AVON PETTY SESSIONS, TOWN HALL, FRIDAY

IMPROPERLY EMPTYING A LOCK **Thomas Goddard**, a boatman, was charged by **James Tallis**, a lock-keeper on the Birmingham and Stratford-on-Avon Canal, with having carelessly let off the water from a lock near Stratford, and causing a considerable waste thereby, such being an infringement of the statute. Mr Greaves, who appeared for the defence, cross-examined the complainant at some length. The defendant was fined 5s and costs.

172 April 19 1849

A handsome Bible has been presented to the Captain of the *Two Brothers*, for the use of the crew of that vessel, by a Clergyman of this city in the name of the Society for Promoting Christian Knowledge, the Committee of which venerable Institution made a grant some time ago of Bibles and Testaments to the Watermen's Church. That such gifts are not despised by this class of our countrymen there are many proofs. A person visited a vessel near the Bridge some time ago, and found the Captain reading a Bible, which had been presented to him seventeen years previously, as was evident from the date of the inscription on the title page. He remarked that he had often been reading the book, when if he had not been possessed of it, he might have been spending his time in a public house.

173 May 3 1849

ROBBERY Last week the dwelling house of **Mr J Simpson** of Oldbury was entered, and a large quantity of wearing apparel stolen therefrom, besides a mahogany tea chest and a gun. The property was stolen while Simpson (who is a boatman) and his wife were on a voyage. Every inquiry has been made by the police, but without success.

174 May 17 1849

DROITWICH SALT TRADE We regret to learn most unfavourable accounts of the present state of the staple trade of the borough and the consequent number of hands out of work. And this is not the case alone of those employed in the making of salt ; so stagnant has the demand been within the last fortnight that there is little or nothing doing on the canal, which has had the effect of throwing a great number of watermen with large families out of employment, many of whom have been compelled to apply for parochial relief.

175 May 17 1849

STOURPORT PETTY SESSIONS

DRUNKENNESS AND THE STOCKS Application having been made for a summons against George Baylis, alias Purser, and Thomas Preen for being drunk and disorderly in the streets of Stourport and assaulting Police-constable Sneyd, the Chairman observed that this was a case which, perhaps, might have been taken in three different forms : viz, as a simple breach of the peace ; as an assault upon a constable ; or as drunk and disorderly conduct. He did not, however, think that the evidence would lead to conviction if they were charged with either of the two first offences ; and if the last should be proved against them, the Magistrates would find themselves in a difficult position, because the men had neither money with which to pay a fine nor goods upon which a distraint could be made ; and moreover the parish contained no stocks. The Attorney General's recent Act for improving the powers of Magistrates in cases of summary jurisdiction provided in the 22nd section that in all cases of penalties, convictions or orders, where the statute provided no remedy in default of distress, the Magistrates might commit the defendant to prison ; but the old Act of James had provided the remedy of the stocks for drunkenness, and therefore the new Act did not apply in this case. He had, in consequence of this difficulty, written to Sir J Pakington, explaining

the position of the Magistrates in respect to enforcing the penalties in cases of drunkenness, and adding that through Stourport lying at the junction of the canal with the Severn, considerable numbers of bargemen visited the town, and drunken disorders were not infrequent. This note was shown in the House by Sir J Pakington to the Attorney General who, after perusing it, said that the section in the Magistrates' Act was intended to meet such cases as the one stated in the communication, and he would look into it. He also remarked that if he found that the section did not meet the case, he would have an effective clause for that purpose inserted in a Bill which was then coming before Parliament. If the Attorney General should decide that the 22nd section gave the Magistrates power to imprison in these cases, they would know how to act, but he (Mr Lea) was afraid that the remedy provided by the old Act was a bar against that introduced by the more recent law. Mr T Baker censured the punishment of the stocks as barbarous, degrading, and totally inefficient towards producing a reformatory effect upon the person subjected to it. A number of boys would sometimes congregate together and laugh at the man who was undergoing the punishment, but the feeling most excited was sympathy, and the offender, being considered a kind of martyr, was presented with beer, victuals and money. Such a system could produce no wholesome effect whatever, and the sooner it was abolished the better. Mr Lea observed that the question of erecting stocks had been laid before the Police Committee, but they had refused to entertain it, as they were of opinion that the duty of providing them lay with the Lord of the Manor. Some further conversation took place, and eventually the summons were refused.

176 May 17 1849

ALARM OF CHOLERA IN GLOUCESTER Some excitement has been occasioned in this city during the present week by a report that the Asiatic cholera had broken out in Levi's Court in "The Island", that two persons had died, and that others had been seized with illness. The simple facts of the case, as far as we can ascertain, are these :- A woman named Eliza Hains, aged about 50, on Saturday last purchased in the market a quantity of unwholesome veal, unfit for human food, at 3d per pound, of which she ate freely. A waterman named **Evans**, with whom she was living, also, it is understood, partook of the veal ; although the woman was warned of the consequences that might ensue by a neighbour. It is also stated that they had partaken of some unwholesome mackerel. On Monday the woman was taken ill with symptoms of cholera, when Mr Johnson, one of the surgeons of the Union, was sent for. She lingered in much agony until the following day, when she expired. Her companion Evans was seized in a similar manner, and also died on Tuesday. Both were of intemperate habits, and are said to have been badly off. Some other persons in poor circumstances have since been attacked with illness, caused, it is believed, by unwholesome diet and depressing influences, but we are glad to say they are fast recovering. Yesterday morning it was currently reported that two other persons had been attacked with sporadic cholera, but we believe there is no foundation for the statement. The man and woman who died in Levi's Court were buried on Wednesday at the Poor House Farm at Longford. On Wednesday morning, immediately after the rumour had been circulated that the cholera had made its appearance in Gloucester, a meeting of the Sanitary Committee of the Town Council was held at the Tolsey, Alderman Washbourne, in the absence of the Mayor, presiding. Mr Sherwood reported that he had inspected the court in which the sick and dead people were lying ; the drainage was in a perfectly satisfactory state ; only one sewer appeared to be at all stopped, and the stoppage in that was not such as to prevent the proper and speedy discharge of the surface drainage ; and he did not believe that there was a basin full of offensive matter in the whole court. There were, however, two important subjects to which he called attention – first, that there were several cottages in the court, the inmates of which had no means of obtaining water but by getting it from the Severn, the water from which must, in that part, from causes Mr Sherwood stated, be necessarily charged with most offensive matter ; and secondly, that within a very short distance of the court was a bone store, in which animal bones were accumulated and at intervals boiled down for the purpose of extracting the unctuous matter which they contain. This process caused a most disagreeable fume to pervade throughout the whole neighbourhood. Mr Mayer, the Clerk to the Board of Guardians, was in attendance, and was

requested by Mr Washbourne to summon a meeting of the city Guardians of the poor the same evening, and also a general meeting of the Board of Guardians for the following morning. At his own suggestion, Mr Johnson was directed to call on the druggists in the neighbourhood of the sick people, and direct that medicine should be supplied to all applicants ; Mr Johnson considering that medicine was principally beneficial when applied in the premonitory stage of the disorder. On the motion of Mr Smallridge, it was resolved that Mr Ellis, the owner of the houses in Levi's Court, should be requested to direct that a supply of water should be at once furnished to the inhabitants ; and Mr Sherwood was directed to take such steps as would cause the removal of the bone store. We hear that this latter cause of complaint has since been removed.

177 May 24 1849

THE CHOLERA We are happy to state that the alarm which was raised last week by a report that the cholera had broken out in the Island has subsided. A woman named Harding, residing in Royal Oak Yard who, we stated last week, had been seized with an illness exhibiting some symptoms of cholera, has since died, and was buried on Thursday last at the Poor House Farm, the service being read by the Rev Mr Elliott who, we are informed, intends to officiate at all funerals of persons who may die in his parish and are buried at Longford. The only person at present ill in the same or neighbouring yards is a little child, who is not affected with cholera. A little child, whose parents are travelling mendicants, was buried at Longford on Saturday last. We heard, at a late hour last night, that two more fatal cases had occurred in the Island in the course of the evening. One of the deceased persons, a waterman known by the nickname of "Dumpling", is said to have been present, and to have rudely conducted himself, at the funeral of the deceased woman Harding at Longford on Thursday.

178 May 31 1849

SINGULAR AND SUDDEN DEATH About five o'clock on Thursday last, a boatman belonging to Kidderminster named **Reuben Hares** suddenly expired under the following circumstances. Accompanied by his son, who was riding upon a donkey somewhat in advance, he was proceeding along the banks of the canal from Wordsley and, in all probability feeling faint, he turned towards a spring of water below the Junction. Two Kidderminster men, who were drinking at the spring, recognised him as he approached, and called out gaily to him, "Why, here's another Kidderminster man". The poor fellow, however, made no reply, but staggered backwards and was instantly a corpse. He was removed to the Vine Inn, Wordsley, where Mr R L Freer promptly attended, but found the unfortunate man beyond all aid. The son, unaware of the cause of his father's delay, proceeded home with his donkey, and there learned with dismay that his parent had expired, information having in the meantime been conveyed there.

179 June 7 1849

RESCUE FROM DROWNING On Monday last, as a boy six years old named William Bralee, the son of poor parents residing in the Blockhouse, was playing with some other children at Lowesmoor Wharf, in stooping down to the water to draw some up in a syringe, he missed his footing and fell into the canal. He was immediately carried out into the middle of the water, and would have been lost, had not a boatman named **John Macready**, who was a witness to the accident, with a courage and promptitude that deserves the greatest praise, jumped into the water and rescued the little fellow from a watery grave.

180 June 21 1849

DEATH OF A PAUPER An inquest was held on Friday morning at the Union Workhouse, on the body of a pauper named **Humphrey Strain**, who has been an inmate there since last November, and who was found dead in his bed on Thursday morning. It being proved that he died in a fit of apoplexy, a verdict to that effect was returned. He was forty five years of age, and a waterman by trade.

181 July 5 1849

MIDSUMMER COUNTY QUARTER SESSIONS

CHARGE OF STEALING WEARING APPAREL **Edward Mann**, 24, waterman, was acquitted on the charge of having feloniously stolen, at the borough of Kidderminster on the 2nd of June last, a cotton gown, the property of Mary Payne alias Holmes.

LOWER MITTON **Joseph Jefferies**, 20, boat builder, was found guilty of fowl stealing from Mr Tyler on the night of the 4th of May last, and previous convictions having been put in, he was sentenced to seven years' transportation.

182 July 5 1849

CITY MIDSUMMER SESSIONS

The following prisoners on being arraigned pleaded guilty :-

John Kinsay, 30, boatman, charged with stealing two cwt of coal, the property of Messrs Allen and Bayliss, on the 5th of April. There was also a previous conviction at the County Summer Assizes in 1847 against the prisoner, and he was sentenced to seven years' transportation.

NO BILLS The Grand Jury ignored the bills against **Luke Packwood**, 18, and **Thomas Freeman**, 19, boatmen, for stealing some fowls, the property of Mr F H Needham, at the parish of St Martin.

183 July 12 1849

THE CHOLERA IN THIS CITY We regret to have to announce that since our last, several cases of Asiatic cholera have manifested themselves in this city, principally in St Peter's parish. The first case occurred in a close court in Diglis Street, two boys of the name of Kendall being attacked by the disease on Friday last. Both of these cases proved fatal, and all the usual symptoms of Asiatic cholera manifested themselves. On Monday morning, the father of the two children who had died was seized with premonitory symptoms, and, notwithstanding all medical aid, he died the same day. There were three other children in the house, but they have been removed by their other relations. The mother was attacked the same evening, and the greatest alarm prevailed in the neighbourhood. About half past ten, a number of the parties residing near the house assembled and burnt some tar barrels. The woman Kendall left the house and went to a house in a court in King Street, where she at present (Tuesday evening) lies not expected to survive the night. There are two other fresh cases in the immediate neighbourhood of Kendall's house. A man named Price was attacked, and also his daughter. Under the care of Mr Woodward, who treated him with calomel and opium, Price seemed to be recovering ; his daughter is not expected to live the night through. In the same neighbourhood, a boy named Pritchard, also the son of poor people, was attacked early yesterday morning. Two other cases have also been reported, that of a woman named Jenkins and a girl named Pool, the latter residing in Meadow Row, Blockhouse. The whole of the parties who have been attacked are miserably poor and lived in dirty and confined courts &c ; and from their poverty, were unable to obtain a sufficiency of substantial food. The medical officers of the Union, and the profession generally, have shown the greatest alacrity and activity in visiting the sick and prescribing for them.

Since the first case of cholera manifested itself, the Guardians have met every evening, and are taking the most active measures for the removal of nuisances, the lime washing of courts, houses, &c, and every means to prevent the spreading of the epidemic. Since our last impression, a vast number of nuisances have been reported, some of which have been already removed, and some are now in the course of removal. The Board are determined to carry out their powers most stringently and promptly to remove any nuisance injurious to the public health. They have also employed persons to wash the gutters and drains, and have been kindly furnished for that purpose with the loan of the Birmingham Brigade hose, and other apparatus necessary for that purpose. The Court in which the Kendalls died has been lime washed and the drain repaired, and the beds upon which the boys and father died, and some wearing apparel belonging to the deceased, were burnt by the order

of the Guardians this morning, in a yard at the back of Mr Chamberlain's China Manufactory, under the inspection of Mr Drake, the Inspector.

It having become necessary from the increasing number of the cases at once to remove the persons attacked from the city, and also the persons residing in the houses in which the cases have occurred, a Committee of the Guardians was formed on Saturday evening, which was divided into two divisions, the object of them being to rent or procure a piece of land upon which some booths might be erected, so as to serve as a temporary house of refuge for the persons who are obliged to leave their houses in consequence of some of the inmates being attacked ; the object of the other portion of the Committee was to obtain a smaller piece of land upon which a temporary Cholera Hospital might be erected, so as the moment a case was reported, at once to remove the persons affected from the confined courts in which they live, and thus, while facilitating the recovery of the patient, to prevent, as far as possible, the epidemic spreading within the precincts of the city.

One portion of the scheme, viz, that of procuring a piece of land upon which to erect a temporary house of refuge, has been successful, the Chairman of the Board and some of the Guardians, as will be seen below, having obtained a piece of land for that purpose just above the Turnpike in the Bath Road, and booths and other accommodations have been erected, the bedsteads being sent down from the House of Industry, and the whole being under the charge of one of the servants of the Guardians. Several parties were removed into this erection yesterday evening.

As regards the other portion of the plan, the obtaining of a piece of ground for the purpose of erecting like booths as a temporary Cholera Hospital, up to the present time the Guardians have been unsuccessful, the various parties who have been applied to having a reluctance to let out their ground for such a purpose. It is also proper to mention here that it was thought advisable that the two pieces of ground should be some distance from each other and, if possible, upon opposite sides of the Severn.

At the meeting which was held last night, Mr Bennett, the Chairman of the Board, presided, and after the minutes of the last meeting were read, he stated that, in company with the other Guardians, he had visited a large portion of the district south east of the city with a view of discovering an eligible site for a house of refuge. They were engaged from ten o'clock in the morning until two, during which period they had walked very many miles. They visited that portion of the suburbs of the city embracing the circuit of Perry Wood, and extending to the Severn on the right. They inspected many localities which from their situation would be eligible, but in many cases they had met with difficulties which prevented them from carrying out their views. At length they waited on a gentleman who had the control and management of some property in the Bath Road, and had obtained the possession of a piece of land in every way eligible for their purpose. It was situated at a considerable distance from the city, and in a healthy part. The party to whom they applied offered no opposition to them, but gave his cordial assent to the appropriation of the land for the erection of booths in which might be placed the individuals who, although healthy themselves, had yet been in immediate connection with those who had been attacked by the epidemic. Such persons would, therefore, be removed to that place so as on the one hand to preserve them from the disease, and on the other by removing as it were the food upon which it fed, to gradually allow the epidemic to burn itself out of the city from want of fuel on which to continue its progress. The gentlemen who had accompanied him had inspected the locality and, perhaps, a more healthy spot could not be found within fifty miles of the city, not excepting the Malvern hills themselves. It was therefore at once decided to erect booths for the object he had mentioned, and there would be that night, before sunset, a couple of spacious and commodious booths erected there. They had had sent down from the house – and it was fortunate that at that time of year they could spare them – sixteen bedsteads and other conveniences, so that they were able to accommodate, with comfort, from twenty to thirty persons, and he hoped and trusted that it would be the means of staying the progress of the disease in the district in which it had more particularly broken out, by allaying the fear which the poor people had of being in a neighbourhood where a contagious disease was raging, and he was sure that the medical gentlemen would bear him out that fear greatly increased the spread of epidemics ; for by predisposing the mind the body became enervated, and was rendered more susceptible to the

attacks of the disease. He should have been glad to hear as favourable a report of the proceedings of the other portion of the Committee from the other side of the water, but from what he had heard, he feared that they had not succeeded, but he hoped that they would also shortly succeed as respected that part of the scheme ; they would not be deterred by difficulties, and he hoped it would not be long before they had also a space devoted to a temporary cholera hospital.

Mr Waterman explained that up to that time they had been unsuccessful in obtaining a piece of ground for the purpose, in consequence of the reluctance of the owners to allow it to be appropriated to such a purpose.

Mr Woodward said that he believed that a judicious removal of the man Price would be the means of saving his life ; he had been treated with calomel and opium, and was better ; in the night, however, the pills being all taken, he found the patient yesterday morning in a state of relapse, but on again giving him the same description of medicine, he got materially better, and was going on well. He also had to report that the daughter of Price was attacked in the morning, and was now a subject of cholera ; she was lying in a little room over her father, and was in a state of great danger. This was the only fresh case today, but there was the case of Mary Ann Evans, who, he thought, would recover, and also a woman of the name of Jenkins, attacked with premonitory symptoms, for whom he was prescribing ; and there was also a case of a boy named Pritchard, in the neighbourhood of Diglis Street, in a state of cramp, so that in all there were six cases.

Mr Drake reported the removal of several nuisances and the whitewashing of premises and, after some other business, the meeting adjourned to seven o'clock this evening.

WEDNESDAY (THIS DAY) We regret to have to announce that this morning three fresh cases have manifested themselves in different parts of this city. The first is that of a man named Coombes, residing in the Blockhouse, who was seized with premonitory symptoms early in the morning ; the second is the case of a woman named Holloway, the daughter of a lodging house keeper in Copenhagen Street, who has also been attacked with the premonitory symptoms in the course of the night ; and the third case is that of another of Price's children, who had been removed from his residence on the father's being attacked, but who was this morning seized with all the symptoms. The woman Kendall died last night, and was buried this morning.

We understand that both Price and his daughter died today.

A number of people having inquired of the Chairman and Guardians the situation of the office of the Inspector, we are authorised to state that he is about to take an office in the centre of the city.

184 July 12 1849

MIDSUMMER QUARTER SESSIONS

PLEADED GUILTY **Elisha Hicks**, aged 20, boatman, to stealing a pair of stockings, the property of Andrew Powell, and a flannel frock, the property of John Wilson, at Stoke Prior on the 6th April. A previous conviction being proved, he was sentenced to six months' imprisonment.

185 July 19 1849

WORCESTERSHIRE SUMMER ASSIZES

ROBBING A BOAT AT UPTON William Embury, aged 35, labourer, stood charged with stealing, on the 4th July 1848, a feather bed, the property of **George Smith** of Upton-on-Severn.

Mr Chance prosecuted, and Mr Huddleston defended the prisoner.

George Taylor deposed : I was employed by George Smith as captain. On the 4th of July, the boat of which I was captain was lying just above Upton bridge. There was a feather bed in the cabin ; it was safe on the 3rd of July when I locked up the cabin. I missed the bed on the following morning ; the door was in the same state as when I left it, but the top of the cabin had been forced.

George Smith, prosecutor, deposed to having a bed in the boat of which the above witness was captain ; and Police-constable Freeman to finding the bed and another in prisoner's house. Prosecutor could not identify the bed, but his daughter, Eliza Smith, swore to it, having made the bed.

Mr Huddleston, for the defence, urged that the evidence produced was not sufficient to substantiate

the charge against the prisoner, and called several witnesses, who spoke to the good character the prisoner had generally borne.

His Lordship, in summing up, remarked as to the identification of the article by Miss Smith, and left it to the Jury to feel satisfied upon that point in the evidence.

Guilty ; six months' imprisonment.

BURGLARY AT ALVECHURCH **Thomas Witherford**, 25, boatman, was charged with breaking into the dwelling house of Henry Stibbs on the 17th June last, and stealing 37 lbs of bacon.

Mr Selfe prosecuted ; the prisoner was undefended.

Henry Stibbs : I am a farmer living at Lee End, Alvechurch. About 1 o'clock on the 17th June I was in bed, and awoke by two raps at the door with a stick. I went to the back window and saw a man, not the prisoner, who said, "For God's sake, Gaffer, get up ; there are some cows in the lane fighting and got one down". I asked how many there were, when he said, "From 14 to 20 ; one of them is like yours". "One", he said, "is a black and white one". I dressed myself and went downstairs, and unbolted the door. On opening the door, I saw the same man again, and he tried to blindfold me, but being unable to do it, two other men came up ; the prisoner was one of them. I saw the prisoner before the other tried to blindfold me ; he was about 40 yards off. I knew the prisoner then ; he had the same clothes on he wears now. The prisoner said, "Give the ---- a blow in the mouth that will settle him at once". Someone then struck me, but I could not see who it was. The blow was something like the blow of a hammer or a stick. One of the men held me while the other two went into the house. The man who was with me outside the house robbed me by taking from my pockets two £5 notes, half a crown and some silver. The same asked me, "Where is your cellar?" I told him I had not one. He then said, "You have a dairy ; where's that?" He took me by the collar and led me to the dairy, and kept me shut up in it. I could hear the other men in the house. They came downstairs and said to the man who was with me, "What have you done with the old man?" He said, "I've got the ---- in the dairy". I heard them about the house afterwards. I heard them leave. They were in the house about three quarters of an hour. As soon as they got in the house, when I was blindfolded, they took a loaded gun which I had in my house, and let it off over my shoulder. One of them said, "Blow his brains out". I missed the bacon. This was between 1 and 2 o'clock in the morning. It was light enough for me to see their faces before I was blindfolded. My ground adjoins the canal, and I have seen prisoner several times, but have not talked with him.

Thomas Horton, a boy in the service of Mr Stibbs, deposed : I was sleeping with my master, and heard the people knocking and calling for him. I saw three men, two upon my master. The prisoner was one. He was dressed the same as he is now. I went to bed again. Two of the men came up into the room where I was sleeping ; they had a light, and one of them had a stick. They covered my head over with the clothes, and I heard them breaking boxes open. I had seen the prisoner before that time.

William Manton, police-constable, apprehended the prisoner on the morning of the 17th at Tardebigg, about four miles from where the robbery took place. The prisoner's mother lives at Northfield. A person going from Birmingham to Northfield would pass within about half a mile of prosecutor's house.

The prisoner, in his defence, stated that he knew nothing of the robbery, and was quite innocent of the charge ; but admitted that he went from Birmingham to his mother's house about that time.

His Lordship briefly summed up, and the Jury found the prisoner guilty ; and a previous conviction having been proved, he was sentenced to 15 years' transportation.

STEALING COAL AT DUDLEY **John Whitehouse**, a youth about 16 or 17 years of age, was charged with stealing 140 lbs of coal, value 1s, at Dudley.

Mr Hunter prosecuted, and Mr Huddleston defended the prisoner.

Caleb Burgess examined : I am a moulder, and on Saturday evening last, I was bathing near Lord Ward's colliery, and saw the prisoner take a basket of coal off the wharf near the canal. I told him he had no business there. He went in the direction of his home with the coal. He returned, and

again filled the basket with coal. He came again with a wheelbarrow, and filled that with coal, and went in the direction of his home.

Police-constable 51 saw the prisoner carrying a basket of coal on his head. When charged, he said he had got it from the wharf ; a quantity of coal was also found in the prisoner's house, which he stated was taken from the wharf.

Mr Huddleston cross-examined the witness Burgess as to the fact of boys frequently diving down into the canal and bringing up lumps of coal, which was considered as not belonging to anyone ; and in the prisoner's defence, urged the improbability of the charge amounting to a theft, some of the coal being covered with mud, and thus proving that the coal was taken out of the canal by the prisoner in that way. He then called a witness to character.

His Lordship, in summing up, said that coal thus obtained could hardly be treated as a theft ; but it was not to be supposed that because coal happens to fall into the canal it is abandoned by the proprietor, although it may be of trifling value. Not guilty.

UNNATURAL OFFENCE AT DUDLEY **William Preston**, 33, boatman, was charged with committing an unnatural crime on the 7th May last.

Mr Best prosecuted, and Mr Huddleston defended the prisoner.

The details of the case are too disgusting to publish ; suffice it to say that the charge was clearly and fully proved against the prisoner.

Mr Huddleston made an ingenious defence for the prisoner and, his Lordship having summed up, the Jury found the prisoner guilty, and he was sentenced to transportation for life.

186 July 19 1849

DROITWICH

FATAL ACCIDENT On Thursday morning, a boatman named **James Taylor**, while shutting the gates at Causeway Meadow Locks on the Worcester and Birmingham Canal in the parish of Dodderhill, through which the boat in which he was working had just passed, fell into the water and was drowned.

187 July 26 1849

COUNTY POLICE COURT

BRUTAL ASSAULT A boatman named **William Handley**, of Stourport, preferred a charge of assault against a brother "professional", one **Frederick Banks**, for beating and kicking him at the Falling Sands Lock on the previous evening. The assault, which was not denied by the prisoner, was proved to have been of a most brutal nature, and the Magistrates fined the defendant £1 and 19s 6d expenses. In default one month's imprisonment.

188 August 2 1849

COUNTY MAGISTRATES' OFFICE, PALACE YARD, WEDNESDAY (THIS DAY)

Before J M Gutch Esq

BURGLARY AT ASTWOOD Two boatmen named **Luke Packwood** and **Henry Steed** were charged with stealing a quantity of beef and mutton, weighing 28 lbs, and three newly made skim cheeses, weighing 40 lbs, from the dairy of Mrs Frances Hope, Astwood Farm, Claines, on Monday night last. The property was safe when the parties residing in the house retired to rest, but on the following morning, the iron latticing of the dairy window was observed to be torn up, one of the iron bars wrenched out of its socket, and the property stolen. The prisoners were seen by Superintendent Humphries, soon after the discovery of the robbery, to cross over the canal at Gregory's Mill, and subsequently, on searching a boat lying in the canal, they were found in the bed place, where also the meat and cheeses were secreted. The property was identified, and the prisoners fully committed to take their trial at the next Assizes.

189 August 2 1849

SALE OF A WIFE – DISGRACEFUL SCENE One of those disgraceful affairs which, we are happy to state, are of exceedingly rare occurrence in this town – the sale of a wife – took place on Saturday last. A woman named **Jane Whitfield**, having a child three years old, residing with her husband **Richard Whitfield** at the Tench, near Wellington, employed on the canal, left him a few days ago, and came to this town to live with a labourer at the Coal Wharf, named Samuel Wood, a former lodger in Whitfield's house. The husband hearing of the circumstance, and knowing his wife's wish to be separated and her desire to be sold, wended his way hitherward, halter in pocket, to offer his spouse of nine years marriage for public sale. He first consulted the bellman of the town as to the course he should take in the matter of the sale, but did not come to terms with that functionary, and so his stentorian lungs were not called into requisition. The husband, after some enquiry, found out the “whereabouts” of the runaway wife and her paramour, but not until he had become quite intoxicated in the search. About two o'clock, an interview between the parties took place near the Grapes, Castle Foregate, and Wood expressed his willingness to give what he considered the worth of the woman – the husband at the time saying he wanted to get rid of her, and would sell her for what she would fetch. Wood then offered 1s, which Whitfield said he would accept, though no tender of the money was made. However the woman, nothing loath to leave her husband, was delivered into the care and keeping of Wood, and the husband went further down the street, followed by a large crowd of people. Cox, one of the borough police, interfered, and finding that Whitfield wanted to go home by the railway, took him to the station, where he was deemed “too drunk” to go into the carriages, and was accordingly taken to the police station. The crowds of people continuing around the woman and Wood in Castle Foregate, and both being the worse for liquor, they were also locked up in the police station. On Monday morning, the three parties made their appearance before the Mayor and Mr Watkins and Mr Gwyn, on a charge of creating a disturbance in the streets. The above facts were proved amid the laughter of the crowded Court, and some valentines, addressed to Samuel Wood, were found in Mrs Whitfield's pocket, evidently from herself, in which such verses as these occur :-

“The ring is round, the table's square ;
Remember me at Wellington fair”.

“Grinshill is very high
The meadow's very green ;
I'd rather be kissed by you,
Than by any king or queen”.

Neither of the parties seemed to think that the part they had enacted in the affair was anything wrong ; indeed, on the contrary – were evidently satisfied of the legality of the attempted sale. On the conclusion of the evidence, the Mayor adverted to the disgraceful and disgusting nature of the whole transaction, and the sentence of the Court would be that each of the defendants enter into a bond of £10 to keep the peace for one month. Not being able to procure bail, they were committed to gaol, the populace on their way giving vent to their feelings in groans and hisses.

Eddowes's Shropshire Journal

190 August 2 1849

KIDDERMINSTER, COUNTY POLICE COURT, THURSDAY JULY 26

ILLEGAL FISHING **John Clift**, a boatman in the employ of Mr James Harrison, coal merchant of this town, was charged with illegally attempting to take fish in a certain preserved part of the river Stour, running through land belonging to Sir Thomas Sebright, Bart, and in the occupation of W Trow Esq, in the parish of Wolverley. Richard Oakley, a servant of Mr Trow's, stated that between four and five o'clock on the morning of the 5th instant, he saw the defendant get over a hedge into Mr Trow's meadow, and cast a net into the Stour. He did not catch anything, and witness came up

and asked him if he was not aware that he was doing wrong. Defendant replied that he was, but that many persons did that which they ought not to do. He wanted to cast the net again, but witness would not allow him to do so, whereupon he went away down the canal side with his boat, in which he placed the net. He refused to give his name, which witness subsequently obtained from a lock-keeper. Mr Trow pressed for a conviction, on the ground of being so much annoyed by trespassers. The Magistrates reprehended the practice of boatmen having nets and guns in their boats, fostering predatory habits, and fined the defendant, by way of example, 40s and 13s 6d expenses, or in default two months' imprisonment.

191 August 9 1849

KIDDERMINSTER, BOROUGH POLICE COURT, FRIDAY AUGUST 3

SUSPICION OF FELONY Two boatmen named **Benjamin Rowley** and **David Davies** were brought up in custody of the police, on suspicion of having stolen about 3 cwt of pig iron, which had been found in the possession of a man named Browning, and which was supposed to belong to Mr Austen of Stourport. The latter was however unable to identify the iron as his property, or even to say that he had lost any, so no charge lying against the prisoners they were immediately discharged.

192 August 16 1849

TEWKESBURY

BOROUGH PETTY SESSIONS, FRIDAY AUGUST 10 **Thomas Mayall** the younger, a waterman charged with assaulting **John Chancellor**, a boy under him in drawing a vessel up the Severn, by striking him with his fist and endeavouring to horsewhip him, was fined 2s 6d and costs.

193 August 16 1849

CAUTION TO BOATMEN AND OTHERS At the Petty Sessions held in the city of Gloucester on Friday last, **Thomas Steele**, boatman, was, under the complaint of **Mr Henry Bundy**, agent to the Gloucester and Worcester Horse Towing-path Company, fined in the penalty of £2 11s 6d for using a donkey on the path without first taking a ticket.

194 August 23 1849

COUNTY PETTY SESSIONS

WILFUL DAMAGE A boatman named **Thomas Blick** was charged with wilfully damaging some grass in a field belonging to Mr Thomas Grise in the parish of Kempsey on the 20th instant. A witness named Charles Jones deposed that on the day in question, defendant, with some other men and a donkey, were hauling a boat up the Severn, and in doing so went some distance out of the towing-path, and Mr Grise coming up at the time stopped the donkey and turned it off the grass, upon which defendant again drove the animal upon complainant's land, at the same time using very abusive language. Mr Grise stated that he did not wish to press the charge, and should not have brought the case before the Bench if defendant had not been so insolent. He was accordingly fined in the mitigated penalty of 6d and 12s 6d costs.

195 August 23 1849

HIGHWAY ROBBERY WITH VIOLENCE IN THE LONDON ROAD On Sunday night last, an audacious highway robbery, accompanied by the most brutal violence, was committed between eleven and twelve o'clock in the London Road in this city. The facts of the case are shortly as follows :-

About eight o'clock in the evening, a man named John Cook, a farm labourer, went into the Lord Nelson public house, Birdport, and partook of some cider ; he also treated some Welshmen who had come from Hereford to some cider. There were, besides Cook's party in the room, four boatmen named **James Gwynne**, **Benjamin Handy**, **James Matthews** and **John Jones**, who sat and drank together. About half past eleven the Welshmen left the house and proceeded up the London Road,

and in a few minutes Cook followed them ; he did not, however, overtake them. At the time he left the house he had four half crowns and a shilling, which were placed in the watch pocket of his trousers. When he had got about half way up the road opposite the Cross Keys, the prisoner Gwynne and another overtook him, when he wished them good night, upon which they immediately turned round and struck him a violent blow in the face, cutting his lip very deeply and inflicting various other injuries upon him. Having knocked him down, they proceeded to rifle his pockets, and took from him his money, tearing away the pocket in which it was contained. At the time they first assaulted him, he was on the pathway, but they afterwards knocked him into the middle of the road, where the other two having come up, they again fell upon him and kicked and beat him most unmercifully, notwithstanding his cries of murder and solicitations to them to spare his life. Finding however that he had no more money, they eventually let him get up, when three of the miscreants ran up the hill, and Gwynne down. Cook pursued Gwynne, but he managed to pass him, and shortly afterwards all the parties came down the hill and went into Worcester. At that time the prosecutor was bleeding very much, and went down to near the Angel Inn ; there he found a policeman, to whom he related the whole of the circumstances, and gave such a description of the ruffians as led to their apprehension on Monday morning, three of them being apprehended at the Hole in the Wall, Merrivale, by Police-constables Jakeman and Doughty. Many of the inhabitants of the London Road were roused from their slumbers by the disturbance and, although the police heard the cries and immediately hastened to the spot, they did not arrive until the robbery had been completed.

The prisoners were brought up for examination before C Sidebottom and M Pierpoint Esqs. The prosecutor was very much hurt, and his head and face presented a mass of plaisters. The greatest excitement prevailed to see the prisoners, there being a perfect crowd in High Street and before the Hall.

The prisoners, who were very rough looking men, having the appearance of boatmen, having been placed at the bar, the first witness called was the prosecutor, John Cook, who stated that he went into the Lord Nelson public house on Sunday evening and called for a quart of cider. He was drinking with some Welshmen, and the prisoners were sitting in the room drinking by themselves. The prosecutor treated his companions, and took out a shilling to pay for the drink. He then had four half crowns and a shilling, which was in his watch pocket. Shortly before twelve o'clock both himself and the Welshmen left, he walking some distance behind. When he came near the Cross Keys in the London Road, he turned to go up the path on the left hand side, and the prisoner Gwynne and another passed him. He said "Good night" to them, to which no answer was returned, but one of them immediately turned round and struck him a violent blow, which knocked him against the wall. Gwynne and another then went at him again, and knocked him off the path into the road on his back. Gwynne then put his hand into his pocket and tore off the watch pocket containing the money. Benjamin Handy then went up and put his hand into his left hand pocket. While he was lying on his back, he received several severe kicks from the ruffians. He cried out, "Please don't kill me ; please to spare my life", notwithstanding which they continued to ill use him. When at length he got up, he saw four or five men around him, and Gwynne ran towards Worcester and the others the contrary way. He followed Gwynne, who dodged about, and afterwards ran up the hill to the others. They then came back altogether and ran towards Worcester, and the prosecutor lost sight of them just by the Lion, near Wyld's Lane. When they were beating him, he cried murder as loud as he could. The prosecutor said that he was very much hurt by the treatment he had received, having been obliged to have some of the wounds sewn up.

Mr Johnson, the landlord of the Lord Nelson, corroborated the prosecutor's evidence as to his drinking at his house, and leaving at about a quarter to twelve. The prisoners went out shortly after him.

PC H Evans deposed : I was last night on duty in London Road, and when about one hundred yards above the turnpike, I heard the cry of murder coming from Sidbury. I proceeded to the spot, when I met three Welshmen about two hundred yards below the gate, who told me a man had been robbed. I immediately went down Sidbury and saw John Cook bleeding, with PC Powell. In the course of

the day, another man named Pinnell was apprehended on a charge of being concerned in the robbery.

The prisoners were then remanded.

Yesterday (Tuesday) the prisoners were again brought up, when the following additional evidence was adduced :-

Eleanor Peake, living in the London Road, deposed : On Sunday night I was awoke from my sleep by some cries, which I heard several times in the road a little above my house. When I was getting up, I heard someone say, "Charles, get him under the lamp and give it him again", or "Give him another". While I remained at the window the clock struck twelve, and a few minutes afterwards I saw three or four men pass down the road. One of them was dressed in a smock frock or jacket and wore a straw hat with a ribbon round it ; he was similar in appearance to the prisoner Charles Pinnell. From the voice I heard crying out, I thought the man seemed to be exhausted.

Anne Stanford, another resident in the same locality, deposed that she lived two doors above the last witness, and that a little before twelve o'clock on Sunday night, she was awoke by cries proceeding from the road just under her window. She heard a man cry "Murder" several times, and also a noise like men struggling. When she went to the window, she saw a young man in dark clothes running up the road, saying, with an imprecation, "I'll give him another ; he's up the road under the lamp". The prisoner Gwynne bore a strong resemblance to the man she saw, and when he got to the lamp he began to run. She saw no men return, but directly afterwards a policeman went up the road.

Edward Walker, leather dresser residing in Merryvale, deposed that about half past six o'clock on Monday morning, he was on Worcester Bridge, and saw two policemen, Doughty and Jakeman, go down Newport Street. Immediately after this, he heard a signal given by a man near him on the bridge, and upon that, saw five men come from under the deck of one of Mr Stalworth's vessels, which was moored above the bridge ; they were afterwards in conversation on the Parade. He swore to Gwynne, Jones and Pinnell as being of the party, the other two he could not identify, but stated that Matthews frequently changed his dress, which was quite different to the one he now wore – a velvet jacket. About a quarter of an hour after this, he saw Jones and Gwynne and another in the custody of policemen Jakeman and Doughty.

Eleanor Bryan, servant at the Hole in the Wall public house, gave evidence to the effect that about seven o'clock on Monday morning, Gwynne, Pinnell, Jones and a man wearing a velvet jacket came there and called for a quart of ale, which Gwynne ordered and paid for, tendering her half a crown ; they also had a little tobacco, and she returned back the difference. The man in the velvet jacket said to the others when they were about entering the house, "You are afraid to come in". Doughty and Jakeman immediately followed them, and took Gwynne, Jones and Matthews (the man in the velvet jacket) into custody.

PC Doughty deposed : From information received, he and Jakeman, about twenty minutes to seven o'clock on Monday morning, saw the prisoners Gwynne, Jones and Pinnell going up the North Parade near the bridge ; they went in the direction of the Hole in the Wall public house. He followed them there and saw the same four men ; Matthews was dressed in a velvet jacket. From the description they had received, they took Gwynne, Matthews and Jones into custody, and while handcuffing the others, Gwynne appeared very nervous, and moved his hand towards his left side. Witness searched him, and found 2s 3 1/2d in his pockets.

The prosecutor deposed that his clothes were much torn, and that he lost much blood. He also described another man who is not taken, but whose whereabouts seem to be pretty well known to the police.

The prisoners were then remanded till next Tuesday, for the purpose of procuring further evidence.

196 August 30 1849

DEATH BY DROWNING An inquest was held this morning before J B Hyde Esq at the "Wherry", Quay Street, on the body of a man named **Crumpton**, a boatman, who accidentally fell off his boat into the river and was drowned on Monday evening last. Verdict accordingly.

197 August 30 1849

BEWDLEY

POLICE COURT, MONDAY AUGUST 27

DESERTING SERVICE Two watermen named **James Danby** and **Joseph Darkes** were brought before the Magistrates today, charged by their employer, Mr James Barnes, timber merchant, with deserting his service, and with breach of contract. Mr Barnes stated that on Friday last he started the defendants from Bewdley with a boat laden with poles, to the Staffordshire Potteries. On the following night (Saturday), they ought to have been at Penkrige ; but instead of this they returned to Bewdley, leaving the boat at Kidderminster, entirely unprotected. He requested Darkes to return to his work on Saturday night, but he would not do so. Before starting, he advanced to Danby £3 10s to pay for tonnage and stabling of the horse. No part of this money had been returned, and although Danby had been asked in prosecutor's presence for the money, he did not give it up. The defendants had been in his employ as servants, off and on, for a long time, and had received wages at the rate of 12s a week. Mr Burbury appeared for the defendants, and cross-examined the prosecutor at some length, who stated that £3 10s was more money than was required for the expenses of the voyage. Darkes came to him on Saturday and requested 10s more, on the ground that the sum allowed was insufficient, and he gave him an extra 5s. It was necessary to pay £2 6s at Stourport for tonnage. For the defence, it was contended that no contract had been entered into, and that the money paid by Mr Barnes was not sufficient, which had caused the defendants to delay their voyage. Edward Barnett, being called by Mr Burbury, deposed that he was an owner on the river Severn, and had several times sent boats to the Potteries, but could not tell the distance from Bewdley, never having "miled" it. For a boat, 13 or 14 tons burthen, he should say two men ought to receive £4 or £4 10s. The lowest he had ever given was £4. (This witness was unable to say what the tonnage was from Stourport to Heywood, or to Etruria). The Magistrates ordered the Court to be cleared, and after some minutes' deliberation, informed the prisoners that they considered that a contract had been entered into by them to convey their master's boat, laden with poles, to Etruria in the Staffordshire Potteries, but had been broken. By this conduct, they had rendered themselves liable to three months' imprisonment ; but in consideration of one of them having been taken ill at Stourport, and some slightly mitigating circumstances, they should order them to be committed for a fortnight to the House of Correction at Worcester.

198 August 30 1849

CITY POLICE

VIOLENT ASSAULT Edward Jarratt was charged by a woman, who described herself as the wife of Richard John Hodgetts, with violently assaulting her on Tuesday last between five and six o'clock. The complainant stated that the defendant followed her husband down Newport Street, and when he got opposite the door he commenced abusing her. From words they came to blows, and the defendant caught up a poker, which he bent about her back. He also struck her in the breast and inflicted some severe bruises. The defendant began to defend himself in a most violent manner, denying the fact of striking her, and mentioning circumstances that disclosed a most awful deficiency of morality among all the parties. Mr Pullen, who had been retained for defendant, here came into court, and took up the case. Several witnesses were called on the part of the defendant, most of them being boatmen, who alleged that the assault was on the other side, and that defendant never struck the woman at all. A witness was also called for the complainant, who flatly contradicted the assertion of the defendant's witnesses, rendering it evident that there must have been the most shocking perjury committed by some of the witnesses. After a tedious investigation, the Bench rejected the testimony of defendant's witnesses, and considering the charge proved, fined him £1 with 14s 6d costs. The money was paid.

199 September 6 1849

WATERMEN'S CHURCH Lady Ford of Cheltenham has kindly presented another donation of Bibles, testaments and tracts, for distribution among the boatmen frequenting this place of worship.

It is gratifying to find that such gifts are becoming more appreciated by this long neglected class of our countrymen.

200 September 13 1849

CITY POLICE

SHOCKING OUTRAGE Three boatmen named **Jones, Williams** and **Miller** were charged with committing a violent assault upon Mrs Hales, the landlady of the Glovers' Arms, because her husband had refused to draw them drink the previous night, they having entered the house in a state of intoxication. The assault was committed by throwing her down and brutally kicking her in the side, and so severe were the injuries that the poor woman vomited a considerable quantity of blood, and was too ill to attend. The villains were remanded till Monday, to see if Mrs Hales was sufficiently recovered to appear against them.

201 September 20 1849

CITY POLICE

ROBBERY BY A PROSTITUTE A woman named Sarah Wall, a bad character, was committed on a charge of stealing five sovereigns and two half sovereigns from a boatman named **Rowley** on Thursday night last. The prosecutor was accosted by the woman in the Shambles, who detained him in conversation and contrived to extract a canvas bag containing the money from his pocket. He however immediately discovered his loss and charged her with the theft, which she of course denied. As he pressed her closely and would not let her go, she at length reluctantly pulled off her boot and produced four sovereigns and the two half sovereigns, the other being found within a short distance of where she was standing. A policeman coming up, she was given into custody. When Rowley got his money again he wished to be excused from prosecuting, but this the Magistrates would not allow, and he was consequently bound over.

202 October 4 1849

WATERMEN'S CHURCH The Rev J Davies preached at this church, choosing as his text in the morning 2nd Chronicles, xiii, 7, "And when the Lord saw that they humbled themselves, the word of the Lord came to Shemsish saying, they have humbled themselves, therefore I will not destroy them, but I will grant them some deliverance". In the afternoon, text, Numbers xvi, 48, "And he stood between the dead and the living, and the plague was stayed". It was gratifying to see so numerous an attendance at this place of worship on this solemn occasion.

203 October 11 1849

UPTON

CAUTION TO BOATMEN At the Petty Sessions on the 4th instant, upon the complaint of **Mr Henry Bundy, Abner Smith**, boatman, was convicted in two penalties of £2 each and costs for twice using a horse upon the Gloucester Towing-path, without first taking a ticket.

204 October 11 1849

KIDDERMINSTER

THE CHOLERA We are sorry to note the appearance of this dreaded epidemic in this town. It broke out on the evening of Tuesday se'nnight in the house of a boatman named **Hawthorn**, situate in Clensmore Lane, near the canal. The wife's mother was first attacked, and on the same evening the wife was also seized. About six o'clock on the following morning, a little daughter, aged six, was taken ill. Dr Roden and Mr Thursfield professionally attended the sufferers, and were unremitting in their attentions, with success in the case of the first named patient, but despite all exertions the two latter died on Wednesday evening within twenty minutes of each other. The bodies of both were interred in the parish churchyard, in the part used for cholera interments in 1832. The Committee of Health took immediate and most judicious steps to prevent the extension of the destroying pestilence, causing the remaining three children to be removed to the House of

Refuge, and the house where the deaths occurred to be thoroughly cleansed and purified. At their meeting on Wednesday se'nnight, Mr Thurfield stated that when the cholera raged here in 1832 no second case occurred in the house of any deceased person when the inmates left it ; and he suggested that in case of deaths from the disease, the bedding of the deceased should be burnt and the houses properly cleansed, whitewashed and closed for a week. On the following day, the committee again met, and Dr Roden reported the deaths of the parties abovenamed, and also that the house had been purified as directed, the one adjoining vacated, and the bedding and clothing destroyed. The Governor of the Workhouse reported satisfactorily as to the health of the children in the House of Refuge. We must not omit to notice a circumstance which is highly creditable to the Committee. Upon the suggestion of the medical officers, the relieving officers of the Union were directed to look through their books, and state to the Board of Guardians at their ensuing weekly meeting whether any paupers now receiving weekly relief required more nourishment, as under the present circumstances a more generous diet should be given to the aged and enfeebled persons.

205 October 18 1849

MICHAELMAS QUARTER SESSIONS

PLEADED GUILTY **William Chandler**, 14, and **William Woodall**, 16, a boatman and miner, to stealing at Dudley on the 16th of August a handkerchief, the property of **Stephen Grainger Cook** of Dudley. One month's imprisonment each.

206 October 18 1849

MURDER AT GLOUCESTER A Coroner's inquest was held on Saturday to inquire into the circumstances of the death of **William Cooke**, a boatman. It appeared that the deceased and a fellow boatman named **Goodgroom** quarrelled and fought on board the boat *Sarah*, on the Severn, on the preceding day, and Cooke was seen, after struggling for some time, to sink into the water and rise no more alive. His body was subsequently found. Several witnesses deposed to his having been wilfully thrown into the water by Goodgroom, from whom he endeavoured to escape. The accused and another man named **Jones**, who was on the deck of the boat, looked on whilst the deceased was drowning with perfect unconcern. A line thrown from the boat would probably have enabled him to escape sinking. The man Jones having gone up the river to Worcester, the inquest was adjourned.

207 October 25 1849

HENLEY-IN-ARDEN

ROBBERY On Monday, **Joseph Clarke** and **William Findon**, boatmen, were brought before the Rev J Ellis, charged with having, on Friday evening last at the Swan Inn, stolen a smock frock and hat belonging to **Israel Collins**, a farm servant. It appeared in evidence that Collins had come from Paxford, in the county of Worcester, to attend the statute for the purpose of being hired ; he stopped at the Swan, and being very warm at the time, took off his smock frock and hung it on the back of a chair near to him ; and having no money to procure himself any refreshment, he stated his case to the two prisoners, who treated him with some ale. The prisoner Clarke took prosecutor's hat, and in return put a cap upon his head, and said he would go and fetch him something to eat. When Clarke and Findon were gone, he discovered that his frock was also missing. Prosecutor raised a hue and cry about it, but the prisoners were not to be found. He informed Mr Harris, constable, of the robbery, who, with his usual alertness, obtained a clue, and succeeded in apprehending Clarke in a boat at Wilncote on his way to Stratford on Saturday, and Findon at Lawson Ford, on Sunday, also in a boat. Ultimately they both admitted the charge and were committed to Warwick to take their trial ; but the Magistrate feeling disposed to admit them to bail, on Tuesday they procured sureties, and were liberated.

208 November 1 1849

WATERMEN'S CHURCH The annual sermon on behalf of this place of worship was preached

yesterday at St Clement's Church by the Rev T S Bell, Rector of St Thomas's, Birmingham, when the liberal sum of £33 was collected. The Rev Gentleman selected his text from Psalm 147, v 2.

209 November 1 1849

EMBEZZLEMENT AND SUICIDE A short time ago, a boatman named **James Lloyd**, of this city, was entrusted by Mr John Fleming of the Gloucester Road to go to the collieries with a boat load of hay, and to return with a load of coal. From information since received, it appears that he sold the hay and absconded with the money. His body has since been found drowned in the county of Cheshire ; it appeared as though it had been in the water for a fortnight.

210 November 1 1849

FATAL ACCIDENT On Friday morning last, an inquest was held by J B Hyde Esq, city Coroner, at the Britannia, Dolday, on the body of **Thomas Boothe**, a boatman in the employ of Mr Bowyear, brickmaker, Grimley. He was steering a canal boat across the Severn a little above Worcester bridge on Thursday afternoon, heaving the shaft at the same time, when he fell backwards into the river, and when got out of the water a quarter of an hour afterwards he was quite dead. He was a good deal the worse for liquor at the time, and had twice fallen down during the course of the morning ; though he does not appear to have been addicted to drinking. Verdict : "Accidentally drowned".

211 December 6 1849

COUNTY PETTY SESSIONS

ROBBERY AT BEVERE A boatman named **George Andrews** was charged with stealing about two bushels of peas, four ducks and other property of Mr Jackson of Bevere on the 29th of November. Mr Bentley appeared for the prosecution and Mr Rea for the defence. The prisoner is a son-in-law of the man named Thomas Bright, who had previously been committed for trial on the same charge. The evidence connecting Andrews with the robbery was the fact of some peas of the same description to those in Mr Jackson's possession, being found in the cabin of a boat on the Severn near Camp, belonging to Andrews. There was also marks of blood on the prisoner's trousers, and some white feathers in the pocket of a coat found in the boat. A chisel in the possession of Andrews also corresponded with some marks on the lock and jambs of the door of Mr Jackson's brewhouse from whence the property was stolen. Committed for trial.