

DERBY MERCURY
1845 to 1864

1 April 16 1845

A WOOD ON FIRE On Sunday, about ten o'clock in the forenoon, the inhabitants of Killmarsh and its vicinity were thrown into a state of great excitement, by a report being circulated that a wood called Norwood was enveloped in flames. It appears that one of the servants of J Alderson Esq of Gannow House was on his way to Harthill Church when he observed smoke ascending from betwixt the branches of some oaks. On approaching the spot, he discovered that the underwood was in flames, which were spreading on every hand. An alarm was immediately given to **Mr H Houl**t of Norwood Locks on the Chesterfield Canal ; and by him, with the assistance of a number of boatmen and the inhabitants who flocked to the spot, the fire was got under, by clearing off a considerable tract of underwood. Upwards of ten acres of splendid oak trees suffered materially from the fury of the flames. How the mischief originated is at present a mystery. Norwood is the property of the Duke of Leeds. On the previous Sunday, three well known characters were detected poaching near the spot, two of whom were captured, but one escaped. It is supposed that the fire has been caused by someone connected with the party, by way of revenge.

2 February 25 1846

DERBY AND GAINSBOROUGH RAILWAY

PUBLIC MEETING On Wednesday last a highly respectable meeting, convened by the Mayor, was held in the Guild Hall, to take into consideration the propriety of petitioning Parliament in support of the above named railway. The Mayor not being at home, was unable to preside. Mr Moss appeared as the Mayor's deputy on the occasion, and stated that he had received a note from the Mayor enclosing one from the Rev H Crewe of Breadsall, which the Mayor desired him to read to the meeting, stating that whatever decision might be arrived at, he was sure the letter would be treated with respect. It is as follows :-

Breadsall Rectory, February 17 1846

My dear Sir – I understand a requisition, numerously and respectably signed, has been presented to you, as Mayor, to call a meeting of the inhabitants of the town of Derby, to consider the propriety of petitioning Parliament in support of the Derby and Gainsborough Railway. From the great respectability of many of the requisitionists, I am sure they can have no idea of the great injury it will do to the parish of Breadsall if the proposed line is carried out.

All the grass land in the meadows, upon which the farmers and small cow keepers chiefly depend for hay and summer pasturage for their cattle, will be cut off, and many acres rendered entirely useless.

In addition to this, the intended railroad will cross the Breadsall road on a level, so that all communication with the town of Derby and meadows will be cut off, with the exception of a dangerous passage across the rails at certain times ; and at certain seasons between 70 and 80 cows pass and repass morning and evening over the Breadsall Bridge to the village. Under these circumstances, my nephew (Sir John Crewe) and myself, in conjunction with the occupiers of land in Breadsall, have determined to petition Parliament against the bill. We do this, not from any factious motive, or from any desire to oppose the interests of the inhabitants of the town of Derby, but purely in self defence. I think that if every impartial person will only take the trouble to examine the intended line, he will see that as far as Breadsall is concerned, it will be a wanton interference with private rights and interests.

The North Midland Railway now runs within a few hundred yards of the proposed new line, and in the opinion of competent judges, would afford all necessary accommodation to the Derby and Gainsborough Company.

Requesting the favour of you to lay this letter before the meeting on Wednesday.

I remain, dear Sir, very faithfully yours,

HENRY R CREWE

Mr Johnson then rose to move the adoption of a petition to the House of Commons, He then described the route of the intended line, and proceeded to point out some of the benefits which it would confer. He showed that coals have risen 20 to 25 per cent in price. The meeting must remember a few years ago a law was passed compelling all sales to be made at 112 lbs per cwt. Coals had therefore been sold at 120 lbs to the cwt. Thus the weight was reduced, and the price continuing the same, was in effect an advance of 7 ½ per cent. Recently a further rise had taken place, of which he would give some instances. Small coals and slack used for engine purposes formerly were 5s 3d per ton ; now they were advanced to 7s. A better kind which formerly was 6s to 6s 3d per ton, was now 8s. Rutland hard, which he had formerly bought at 7s 9d, was now 9s 6d to 10s. Two gentlemen carrying on a large business in Derby informed him that a particular kind of soft coal used for smiths' furnaces two years ago was 8s, and was now charged 11s 6d per ton. (Hear, hear). An agent of one of the collieries told him that they were sending 100 tons of coal daily to the metropolis, and that the company had just contracted to supply one dealer in Coventry with 500,000 tons at 20s per ton. The inhabitants of Derby would thus have to bid in competition with the increased consumption at a distance, and a further increase of price might therefore be expected. He had received a letter from a gentleman extensively connected with the coal business, in which he states his conviction that the permanent increase in the price of coals to the inhabitants of Derby would be 4s per ton if the proposed line of railway was not made. Others considered that the increase would be 3s per ton. He (Mr Johnson) had set it down at 2s, by which a yearly saving of £12,000 would be effected in the consumption of coal within the Derby Union. (Hear, hear). A gentleman connected with an extensive colliery had sent him the subjoined information, which he would read to the meeting, but perhaps had better not read the name as he had not obtained permission of the gentleman to do so. He was, however, well known to many gentlemen present. He says :-

I fear I shall not be able to add anything of importance to the information you already possess respecting the Derby and Gainsborough railroad, but in answer to the inquiries you have proposed, I would observe -

1st That I estimate the present cost of bringing coals to Derby from the collieries in this neighbourhood at 6d per ton per mile, and the maximum by railway would not exceed 1 ½ d per ton, per do.

2nd The supply of coals now sent to Derby is principally confined to the produce from three collieries in the immediate neighbourhood, but were the projected railroad made, it would open to Derby the richest portion of the South Derbyshire coal district, and provide an unlimited supply for a very lengthened period.

3rd The proposed line would bring into the market lime of very superior quality for building purposes, and also afford access to quarries of stone unequalled in excellency throughout England, as it would pass in the immediate vicinity of that stone which is now being used for the building of the new Houses of Parliament, and which has been pronounced by a government commission unrivalled for its combination of excellent qualities.

4th I consider the quantity of coals consumed in Derby to be not less than 100,000 tons per annum, but I have no data to form an estimate of the quantity sent forward for village consumption.

Allow me further to add that I have long been convinced there is no projected line of railway in connection with Derby which has such an important bearing upon its future prosperity as this, and none that will more certainly tend to raise the town to that height in the scale of commercial importance which its central position, existing railway facilities, and manufacturing advantages must ultimately entitle it to assume. I shall have much pleasure in affording you any further information on this subject which it may be in my power to supply.

Another gentleman, also engaged in the coal business, had answered a series of questions put to him

in writing, from which it was shown that at present very little coal was sent to Derby from any of the subjoined collieries except the three first named – Kilburn, Denby, Marehay, Morley Park, Hartshay, Codnor, Butterley, Swanwick, Riddings, Somercotes, Birchwood, Pinxton and Portland. Besides these, there are coal fields north of the proposed line of railway, which may be opened. Then there is the important article of lime. The Sutton-in-Ashfield lime for instance, which is similar in nature to the barrow lime, but second to it in quality, would by this railway be opened to the Derby market, and might in some measure be expected to be brought into use. Then the very important article of stone should not be lost sight of, nor the iron foundries at Morley Park, Butterley, Riddings and Codnor Park. All these were in the locality of the proposed railway. With regard to the article of stone, the Mansfield free stone is of a very superior quality, and is in great request in distant markets ; while the magnesium limestone at Mansfield Woodhouse is confessedly the most durable stone in the kingdom. The “Martyr's Memorial” at Oxford is built of it, as also part of the New Houses of Parliament. It should also be recollected that the country around Mansfield is a great sheep breeding country. There are sheep jobbers in that neighbourhood who send weekly to Manchester 500 head of sheep, and Mr Johnson contended that if the railway were formed, this district might also obtain a ready supply of sheep, which would tend to the equalisation of prices. He then proceeded to advert at considerable length, and with great ability, to the other sources of traffic – ironstone, &c, &c – which the line would open up to us, and to the manifold advantages which Derby and the whole district through which the line was intended to pass would derive from its formation. Our space, however, is so limited that we cannot follow him through all the details. He then referred to Mr Crewe's letter, and to the nature of the opposition which might be expected. They knew that some gentlemen were so far in arrears of the spirit of the age as to be opposed to railway enterprise, and he believed the rev gentleman was one of that class. He explained that the line would go along the bed of the canal, which has been conditionally purchased, deviating very slightly in one or two places. Now if an opposition was set up to a project for changing a canal and tram road into a modern railway, simply on the grounds stated by Mr Crewe, he had no hesitation in saying that such opposition would be laughed out of Committee. (Cheers). It was admitted that railways were much more to the public advantage than canals, as affording cheaper and readier transit, and he was quite sure railway trains were a much less nuisance than boatmen and boats in the neighbourhood of private residences. (Hear, hear). He understood the rev gentleman possessed many estimable qualities, and he therefore trusted that he would see the propriety of not attempting to deprive the inhabitants of Derby of a great public benefit. (Cheers). He was happy to state that the landowners along the line, and all the great interests that would be effected, were hearty and cordial in their support of the project, and he had every reason to hope that it would be successful in Parliament.

The Rev James Gawthorn spoke at some length in favour of the proposed railway.

Mr H F Gisborne begged to express his thanks to Mr Johnson for the able and detailed account he had given of the advantages likely to be derived from the formation of the proposed railway, and he also felt indebted to Mr Gawthorn for the sensible observations he had made upon the question of railways in general, and upon the one now under consideration in particular. The object of his (Mr Gisborne's) rising was to make a few remarks upon the letter of the Rev H R Crewe – a document which he (Mr G) must regard as a kind of postscript to the epistle which appeared in that day's Derby Mercury. (Laughter). He (Mr G) was not surprised at the letter. It was unfortunate for the writer that he had attained considerable notoriety as a correspondent of newspapers, and had contracted a habit of what was called the *cacoethes scribendi* and the *cacoethes loquendi*. (Laughter). But the supporters of the proposed railway had this advantage – that the means adopted by the rev gentleman in question to frustrate any particular object – however laudable in itself – invariably had the opposite effect to that intended. (Hear, hear and laughter). The great objection which Mr Crewe entertained to the proposed railway was that it would annihilate two or three small potato gardens, and do away with the nuisance of swearing, blackguard higglers who frequented the road by Breadsall. (Hear, hear). Every man's opinions, if conscientiously entertained, were entitled to respect ; but it did not follow that because a man was an author, he was therefore the best

authority on matters of public utility. (Hear, and a laugh). He (Mr G) had lately been reading a pamphlet, the writer of which seemed to possess the gift of foreknowledge. If he were to be trusted, his remarks ought to be a warning to those who have lately launched largely into railway speculation, for he states that the millennium is at hand, and that on those days the unholy and godless means of transport by railways will be put an end to. (Much laughter). Now, if these were Mr Crewe's views, they certainly could not be surprised at his letter. If Mr Crewe considered that a railway would injure his property, he (Mr G) could only state that so far from such being the case, railways had a contrary effect, and that parties who had formerly opposed them on that ground were now offering every inducement to new companies to pass through their estates. (Hear, hear). He (Mr G) did hope that notwithstanding Mr Crewe's objection, the town of Derby and the districts through which the proposed line was to pass would not be deprived of the great benefits which such a project was calculated to confer. (Applause).

Mr Kahrs said that he did not intend to speak at large upon the subject ; he would trouble the meeting with but very few and very brief observations, which would chiefly have reference to the threatened opposition to the line. It was not surprising when the earlier railways were made, and the advantages of them appeared questionable, that landowners to whom, as appearing to trespass upon private rights and cause injury to their property, they presented themselves in an unfavourable light, should very generally be opposed to them ; but it was unquestionable that such a change of feeling, as just stated by Mr Gisborne, had taken place upon the subject ; so great had the advantages of railways proved to be and so slight their anticipated inconveniences, that not only had opposition on the part of landowners almost universally ceased, but they were generally the most forward in courting their approach and endeavouring to bring them to their own estates. (Hear, hear). Some of the very landowners who had most resolutely opposed the North Midland line, for instance, which saved them a day and a half in travelling to London, were now the most earnest promoters of a more direct line between London and York, which could only save them at the most another hour or two. (Hear, hear). Having the honour of being acquainted with Mr Crewe, it was not his intention to say one word that was disrespectful to him ; if anything that could be so considered had been said during the meeting, he regretted it ; if anything at all intending to depreciate Mr Crewe had been spoken, he wished it was unspoken ; he and Sir John Crewe had an undoubted right to oppose the line in Parliament if they considered it injuriously interfering with their private rights ; though he hoped that a more favourable consideration would be given to the plan. (Hear, hear). Mr Crewe did not appear to touch upon any inconvenience to his private residence ; but to that point, he would, for one moment, advert. On the approach of railways to private residences even a great change of feeling had taken place. A strong opposition, indeed, had been got up to the conversion of the Regent's Canal into a railway, on that ground ; but let us look at the facts which have occurred in that immediate vicinity. When first the London and Birmingham Railway was opened to Euston Square, such was the jealousy felt of the approach of a railway train, such a dread of the whistle and steam of the engine, that no engine was allowed to come nearer than Campden Town ; or if, through the rope being out of repair or other accidents, an engine was obliged to come down, a penalty of £10 was laid upon it ; now an engine regularly comes down for every train ; and we have only to cast our eye along both sides of the line, from the very station up to Primrose Hill, to see that it was actually selected as the site of numbers of little villa residences, extending all the way from the station up to Primrose Hill. (Applause). The objections stated in Mr Crewe's letter seemed chiefly to have reference to the injury that would be done by the division of the lands, and to the danger of the crossings. With regard to the former, it is well known that when the interest of the landowners is properly attended to, most ample compensation is always made by Railway Companies, not only for the land actually taken by them, for any damage done by the severance of lands, cutting cattle off from water, and every other injury ; the compensation thus given forming a very considerable part of the expense of railways. On looking at the plans upon the table, however, he observed that part of the proposed railway objected to took the line of the Little Eaton Canal, which it was intended to convert into a railway ; so that here the severance was effected already, and little additional inconvenience apparently could be occasioned by the railway ;

it was at least as easy for cattle to walk over a railway as over a canal, and quite as easy to form communications across it. (Hear, hear). He had always understood too that boatmen were the worst of neighbours, that they were a nuisance wherever they set foot upon the land (Hear, hear) ; and if he recollected right, he had heard Mr Crewe himself complain of the depredations committed by the boatmen on this canal, and of the very unfavourable effect produced on the inhabitants of the village by contact with them ; so that he really thought that the conversion of the canal into a railway should be regarded as a benefit rather than otherwise. (Cheers). With regard to level crossings, that matter also was now viewed in a different light from that in which formerly it was. The earlier railway companies were put to a great deal of unnecessary expense by the obligation imposed upon them of carrying roads under or over railways ; but it was now found that level crossings – the necessary precautions being taken by the erection of gates across the road and otherwise – were perfectly safe, and unattended with any material inconvenience, except where the traffic was very considerable – certainly not the case as regards the village of Breadsall – and as such they have been allowed, contrary to the former practice, in all the Acts of Parliament of the last session, except where the large amount of traffic on the roads or some special circumstance rendered them objectionable. If the opposition to this portion of the line were persevered in and should prevail, the company had an alternative plan for quitting the Midland line about 2 ½ miles from Derby, by which the objections made would be avoided, so that the success of the project was little endangered by them ; but he trusted the company would be allowed to form their line on their own plan if, on being submitted to the legislature, it should be thought the best ; the objections made were not such as usually prevailed, and he hoped they would be extinguished. He would add a few observations with regard to the project generally. The signature of the letter read by Mr Johnson had caught his eye ; and though, as Mr Johnson had not felt himself at liberty to mention the writer's name, he could not do so ; yet he could state that he was a person practically qualified to give an opinion on the points referred to. If that letter had not done so, he (Mr Kahrs) should have adverted to the fact that the new House of Parliament, the Palace of Westminster, was building of stone brought from quarries near Mansfield ; and he thought that that fact might very appropriately be mentioned in the petition. (Hear, hear). It was found that stone was becoming a very important article of railway traffic, and that railways, contrary to what might have been anticipated, proved to be a peculiarly advantageous medium for the carriage of it. St George's Hall at Liverpool – one of the largest buildings in the country – was now being built of stone from Darley Dale ; and with the extension of railways, that material would be advantageously brought into much more general use. (Hear, hear). Mr Johnson had spoken only of the quantity of coal now brought by railway ; but he (Mr Kahrs) believed that by the projected line, coal of a very superior quality to that which now reached us by railway would be obtained, and that it would be carried, as stone would be, to Leicester, Birmingham and more distant places. (Hear, hear). It would answer better to carry coal of a superior quality for long distances than the inferior coal, because the cost of carriage had reference to the weight only, not to the value, of the coal ; so that the expense of transit bore a smaller proportion to the price paid by the consumer in the case of the better kinds of coal. The advantages of the line had previously been spoken of with reference chiefly to the town of Derby, as if they would there terminate with the line itself ; but southward and westward, as well as in other directions, they would extend much further. Mr Johnson had spoken of the sheep breeding district near Mansfield, and of the number of sheep now carried to Manchester ; would they not be carried to Birmingham also? It was a short and not very expensive line, which he thought would confer local benefits of very considerable importance, but the advantages of which would be by no means limited to the district immediately connected with it ; it had been thought of very favourably, met with strong support and, he trusted, would receive the sanction of the legislature. (Applause).

Mr Gawthorn observed that it was of the utmost importance to the town that a proper place should be selected for the building of any future railway station. (Hear, hear). The present railway station was at a very inconvenient distance from the town, and he would be under the mark in stating that it was an annual tax of £9,000. (Hear, hear, and cries, "More!")

Mr Johnson said this was a question which had been fully considered.

The resolution was then put, and carried unanimously.

Mr Bainbrigg moved the second resolution, and bore testimony to the nuisance referred to by Mr Gisborne on the road by Breadsall. He was sure the proposed railway would confer great benefit upon the town and the districts through which it would pass.

Mr Gisborne seconded the resolution, which was carried unanimously.

The remaining resolutions were moved and seconded by Mr W Turner, Mr Cartlich, Mr Kahrs and Mr John Mozley. Mr Kahrs, in seconding the resolution that the petition should lie for signature, observed that this project had the good fortune to be simultaneously petitioned for by three distinct bodies, two of which appeared to be on other points at variance with each other. Petitions in its favour had been already signed on behalf of those two bodies – the Corporation and the Burgesses ; and he trusted the present petition would be numerously signed by the inhabitants at large. (Applause).

A vote of thanks was passed to the Chairman, and the meeting separated.

3 May 6 1846

NAVAL AND MILITARY BIBLE SOCIETY Thursday, the sixty sixth anniversary meeting of the Naval and Military Bible Society was held at the Hanover Square rooms, and was very numerously attended. General Salter presided, and was supported by a number of naval and military officers, clergy and gentlemen. Colonel Le Blanc, military secretary, read the report. During the past year, 181 Bibles had been furnished to two regiments ; 463 copies to barrack and guard rooms, military hospitals and regimental schools ; and other copies had been distributed among Royal Marines and their children on various stations ; 2067 copies had been supplied for the use of seamen on board fifty of her Majesty's ships, amongst which were forty four to each of her Majesty's ships Erebus and Terror, under the command of Sir John Franklin, who left England last year on a discovery in the north west Polar regions. Various distributions have been made amongst seamen at Bombay, and to crews of steam packets and fishermen on various parts of the coast, and canal boatmen ; 9086 copies of the Scripture had, in the past year, been distributed to merchant seamen, and 3988 copies to canal boatmen and river men ; the general total of issues during the year being 16,650 copies. During the year, a bequest of £100 had been received from the executors of the late Miss Place of Manchester, and £181 9s 3d, a legacy of the late John le Brocey Esq of Jersey. The total receipts had been £2366 8s 9d and expenditure £2273 5s 6d which, with balance of last year, left in hand £168 5s 3d. Major Jacob moved, and Captain Hillier seconded, the adoption of the report, which was carried unanimously, as were also several other resolutions in support of the objects of the society.

4 October 14 1846

ROBBERY BY BOATMEN At Burton-upon-Trent Petty Sessions on Tuesday October 6th, before John Hall and Michael Thomas Bass Esqs, **Stephen Kay**, captain of the boat *Messenger*, **John Greaves**, **Thomas Wilson** and **William Pheasant**, his hands (all servants employed by Messrs Brown and Potter, carriers of Nottingham), together with John Preston, a servant to Mr Charles Limer, maltster and publican at Barton Turn, Barton-under-Needwood, were brought up in custody by **Joseph Oldham**, the indefatigable police officer employed by the Trent and Mersey Canal Company, charged with stealing on Wednesday the 23rd ult, a bag containing 6 bushels of malt, value 50s, part of a cargo of malt under Kay's care, consigned by Messrs Hole of Nottingham to Manchester. The evidence was very clear and conclusive, and proved that on the day in question Oldham (whose suspicion was excited), went to Barton Turn, accompanied by two other witnesses, Whittingham and Fowlkes, and concealed themselves there. About 5 p m, the boat *Messenger*, in company with another boat belonging to Sutton and Co, passed them in the direction of Barton Turn, they followed the boats, and observed Kay's boat pull up to Limer's malthouse door, which opens close to the side of the canal (within a yard or two) ; when about 50 yards off the boat, Oldham saw Preston (Limer's man) and another man not in custody draw the boat cloth and drag some heavy substance from the boat into the malthouse, and said to one of the men with him,

“There it goes”, “It's gone” ; he then crossed the canal bridge into Limer's yard, where he saw Kay, the captain ; Kay, on seeing Oldham, ran to the rear of the malthouse, closely followed by the officer, who went through the malthouse and outside the door. On the cabin of the boat, he found the bag of malt which had been put out of the malthouse and placed there by two or three of the men. Oldham gave the boat in charge of G Kaye, a police officer of the constabulary force, who came up at this time, and the malt in charge of Fowlkes, who assisted him ; the boatmen were taken to Fradley Junction and locked up ; a warrant was taken out, and Preston apprehended by Kaye, the policeman. Mr Bagshaw, solicitor of Uttoxeter, attended and ably conducted the case on behalf of the prosecutor, which was gone into at great length, seven witnesses being examined ; the offence was clearly proved against Kay, the captain, Wilson, Pheasant and Preston, but the evidence not being so strong against Greaves, he was discharged. Preston was defended by Mr Smelson of Ashby-de-la-Zouch, the others by Mr Cope of Loughborough. Kay, Wilson, Pheasant and Preston were then committed for trial at the next Stafford Sessions ; bail was applied for, but refused. The activity and tact displayed by Oldham in this case, and his increasing exertions on all occasions deserve the highest praise, and are doubtless suitably estimated by his employers ; he is indeed a terror to evil doers among the boatmen.

5 December 16 1846

ROBBERY OF BARLEY BY BOATMEN **John Burton** (captain of a wide boat working between Gainsborough and Burton-upon-Trent, belonging to Messrs Smith and Sons, carriers of Horninglow), with **Henry Kitchen** and **John Dakin**, two of his crew, were apprehended by **Joseph Oldham**, the indefatigable officer employed by the Trent and Mersey Canal Company, and charged with stealing eight bushels of barley, weighing upwards of 400 lbs, of the value of £2, which was abstracted from the cargo consigned to Messrs Bass and Co of Burton-upon-Trent, brewers of the celebrated East India and other ales. The evidence was to the effect that Oldham (his suspicion being excited) proceeded to Horninglow Wharf, accompanied by George Kaye, a police constable of the county force, where the boat in question had discharged its cargo of barley, and was reloaded with other goods and about to proceed on its voyage back. On going to the boat, Oldham asked for Burton, the captain, when the man he addressed immediately ran off, and was pursued by policeman Kaye who, after a short chase, brought him back. Oldham perceived a bulk near the mast covered with tarpaulin, upon removing which he discovered two sacks filled with barley. He immediately took Dakin and Kitchen into custody, and then went in search of the captain. During his absence Burton came to the boat, and was taken into custody by Kaye, who charged him with stealing the barley. The three prisoners were taken before R J Peel Esq at Burton on Saturday last, when Mr Flewker of Derby attended on their behalf, and endeavoured to show there was no evidence to prove a felony had been committed. The magistrate, however, thought differently, and committed the prisoners for trial at the ensuing sessions at Stafford. Another man who belonged to the crew, and was absent when Oldham went to the boat, absconded, and has not since been heard of. Too much praise cannot be given to Oldham for his numerous detections of these robberies, which are not only of frequent but of almost daily occurrence, and of the most barefaced description.

6 February 24 1847

THE WHIPPING TOMS Tuesday last, being Shrove Tuesday, a very large number of the lower orders of the town assembled in the Newarke for the purpose of carrying on that ancient and long accustomed sport of “The Whipping Toms”, and other games, notwithstanding the previous caution which had been given them by the magistrates of the borough to the contrary. For some weeks past, notices have been placarded in different parts of the town, as well as being published in the local papers, to the effect that, by an Act of Parliament passed on the 10th of June last, the custom or practice of Whipping Toms is declared unlawful, and in case any person should be found on any Shrove Tuesday playing at Whipping Toms, Shindy, Football or any other game in the Newarke, he should forfeit and pay for every offence not exceeding £5. About eleven o'clock on Tuesday morning a small body of the police were dispatched to the Newarke, and soon after, considerable

crowds of people began to assemble, and for some time everyone appeared peaceable and orderly, but about two o'clock a boatman named **Burley** drew from under his smock frock a football, which he threw up into the air, and which was the signal for a disturbance. The police on duty instantly proceeded to the spot, and succeeded in taking the boatman into custody. The mob then became infuriated, and immediately commenced throwing stones and brickbats at the police ; however, Burley was secured, and placed in the guard house in the magazine. The police again took their station in the midst of the crowd, who again assailed them with showers of stones, so that they were compelled to retreat to the magazine for safety. The disturbance was now assuming a very serious aspect, and a dispatch was sent to the superintendent for an extra number of police, and shortly after, Mr Charters, accompanied by the Mayor, arrived at the scene of confusion and riot with an extra number of police and about fifty special constables, who drew up into lines and formed two deep, and advanced into the centre of the Newarke, with the Mayor and Superintendent in front. The Mayor attempted to address the mob, and to advise them to disperse quietly, but all was in vain. The police then received instructions to advance upon the crowd, and in a short space of time they succeeded in clearing the Newarke, but not without being furiously assaulted with stones and brickbats. The ground having been cleared of the rabble, a body of constables were placed at each entrance, in order to prevent the admittance of any person of a suspicious character. Four of the police, we are sorry to learn, received considerable injury in the affray. During the afternoon, seventeen of the ringleaders were apprehended, and on Wednesday morning underwent an examination before a full bench of magistrates at the Town Hall.

The prisoners made a kind of rambling defence, after which the Bench retired to consult together, and in about half an hour they returned into Court, and convicted Burley in the penalty of 40s, or in default twenty one days' imprisonment, and Ratcliffe in the penalty of 20s, or fourteen days' imprisonment. Greatorex and Hall were bound over to keep the peace for two months, and the remaining thirteen prisoners were committed for trial at the next sessions.

7 **October 27 1847**

DERBYSHIRE OCTOBER QUARTER SESSIONS **Abraham Booth**, 60, charged with having on the 29th day of July 1847 at the parish of Stanton-by-Dale, feloniously stolen one ton and fifteen hundredweight of coal, the property of Benjamin Smith and another.

Mr Fowler prosecuted ; case undefended.

George Wood, agent to prosecutor, knew prisoner was a boatman in the employ of Mr Smith and another. Saw prisoner's boat at the iron wharf on the night previous to the day stated, and the boat was then swept on the bottom and clean ; and on the following morning, being aware that some coal had been piled up and concealed by prisoner, witness watched, and saw a large quantity of coal in his boat ; he had no right to have any coal there ; and on being questioned, said he took it to burn. The coals corresponded with the coals on the wharf ; and prisoner ran away, and was apprehended at Nottingham.

Thomas Chadwick, constable, searched prisoner's boat, but he was gone. Found coals in the boat, and followed prisoner to Nottingham and apprehended him, when he (prisoner) told the bystanders that he was taken up about a few coals.

Guilty : three months' imprisonment and hard labour.

8 **July 25 1849**

DERBYSHIRE ASSIZES

STEALING BOAT LINES &c William Kirkham alias William Kirkman, aged 29, charged with having on the 25th day of June last, at the parish of Long Eaton, feloniously stolen one stern rope and boat line of the goods and chattels of **Thomas Bexon**, and one iron pin of the goods and chattels of Alfred Miller Mundy Esquire. Also charged with having, on the 25th of June last, at the parish of Long Eaton, feloniously stolen two pieces of boat line of the goods and chattels of **Thomas Hooley**. Also charged with having, on the 25th day of June last at the parish of Long Eaton, feloniously stolen one stern rope of the goods and chattels of **John Locker** ; and one iron

pin, the goods and chattels of Alfred Miller Mundy Esquire. Also charged with having, on the 26th day of June last at the parish of Kirk Hallam, feloniously stolen three stern ropes, several other pieces of rope and a pair of trousers, the goods and chattels of **Thomas Winfield**.

The prisoner was only tried on the first indictment.

Thomas Bexon said he was a boatman ; on the 24th June he left his boat tied up on the canal at Long Eaton ; the cabin was locked up with a padlock ; the next morning witness went and found the cabin had been broken open ; he missed a stern rope, a cut line and pin, which were his property ; on the 30th of June he went to Mr Chadwick's, who keeps a rag and bone shop at Ilkeston ; some ropes were shown to him by the constable, one of which belonged to witness ; the pin belonged to Mr Mundy.

James Chadwick said he remembered prisoner coming to his shop with a bundle of ropes to sell ; witness gave him 3s 2d or 3s 3d for them ; could not say which ; the next morning prisoner came again with a smaller bundle of old ropes ; on the Friday gave them up to the constable ; had not observed iron or tin in the bundle ; saw Thomas Bexon on the Saturday when he examined the bundle of ropes and owned one ; had known prisoner for some time.

George Small, constable of Ilkeston, produced a stern rope and a pin, which prosecutor identified as his property ; he took prisoner into custody at Shardlow ; when on the way to Ilkeston prisoner said he should have 17 years for it. Guilty.

A former conviction for felony was proved against prisoner.

Transported for ten years.

9 October 17 1849

MURDER AT GLOUCESTER A coroner's inquest was held on Saturday at the Railway Tavern in this city, 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. 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.

10 October 31 1849

INQUESTS On Tuesday the 30th instant, at Heage, on the body of **Louisa Hardy**, aged 24 years. Deceased, who had for some time cohabited with a boatman, was taken ill suddenly at Hart Hay on Wednesday the 24th instant, in the canal boat in which she lived, and at night was carried to her mother's in Heage, where she lingered until Saturday evening, and then died. Some excitement prevailed in the neighbourhood, in consequence of an impression that deceased's illness was owing to the ill usage of the man she had lived with ; but this was proved to be erroneous from the evidence of witnesses, and from the statement of the girl shortly before she died. Mr David Evans, surgeon, proved that the immediate cause of death was inflammation of the bowels, and the jury returned a verdict accordingly.

11 March 27 1850

SAWLEY – MELANCHOLY ACCIDENT On Monday, **Thomas Poxon**, a young boatman from Castle Donington, with two others, were at the Trent Lock near Sawley in the afternoon, drinking together. About six o'clock they set off for the latter place ; and when they had passed Sawley Bridge, some fowls belonging to the toll gate keeper attracted their attention, and they determined to appropriate them to their own use. They were, however, perceived, and an alarm being given, the owner, with an assistant, pursued them on the road for Shardlow, by the Trent side. They were soon overtaken ; two of them got away, but Poxon was seized with the fowls in his possession. He said if they would leave hold of him, he would go quietly with them ; they had, however, no sooner done

so than he plunged into a piece of water called the "Hully Gully" with the intention, no doubt, of escaping ; but getting out of his depth, he was drowned, before a boat, which was near at hand, could be got to rescue him. It is not unlikely, from the position in which his hands were found, that he had been seized with a fit, to which he was subject. His body was lying near the bridge, awaiting the Coroner's inquest, on Tuesday, when several persons with "full throats" availed themselves of the opportunity to have them rubbed with a drowned man's hand.

12 August 21 1850

INQUESTS BEFORE MR MANDER On Monday at the Railway Inn near Cromford, on the body of **William Anthony**, aged 67, who died suddenly on Saturday morning. Deceased was a boatman, and had been forty years in the employ of Messrs Oakes of Riddings. He had had a fall on the day previous, and had not complained of particular injury, but on the day named he fell back in his boat, and died before medical aid could be procured. These facts being adduced, a verdict was returned of death by natural causes.

13 August 28 1850

DEATHS At Castle Donington, on the 18th instant, **Mr Robert Walker**, boatman, in his 76th year.

14 January 8 1851

DERBYSHIRE JANUARY SESSIONS

BURGLARY AT WESTON **John Siddall**, 21, charged with stealing on the 5th day of December 1850, at the parish of Weston-upon-Trent, one cloth cap, one waistcoat, one coat, one pair of trousers, two gown pieces and three handkerchiefs belonging to **Joseph Siddall**.

Mr Wilmore prosecuted, and the prisoner was undefended.

Mary Siddall, mother of prisoner, left her house at Weston-upon-Trent on the 29th November, the house being locked up and kept quite secure. Her son, now charged, was then at Nottingham. The articles named in the indictment were in the house ; they were produced and identified. Many other articles of wearing apparel besides those named were missing when witness and her husband returned.

Joseph Siddall, prisoner's father, left his house on the 29th November with another son and his wife, and on returning, found it had been entered by the pantry window, and he saw boxes on the floor upside down which had been emptied of their contents. Prosecutor identified the articles produced. Frederick Jones saw prisoner in a public house shortly after the robbery, and bought of him the cap now produced.

John Wright, pawnbroker's assistant at Nottingham, deposed that a person resembling prisoner pawned the coat produced at his master's on the 7th December.

William Pepper of Malt Hill Lane, Nottingham, said prisoner came into witness's shop in December, and asked him to buy a waistcoat, the one produced. He bought the waistcoat.

James Chamberlain produced a cap he received from Jones.

Joseph Roberts produced the plush waistcoat bought by Pepper. The cap and waistcoat were both identified as the property of prosecutor. Prisoner was immediately convicted, and Mr Wilmore, on the part of the prosecution, begged in this most unfortunate case to recommend prisoner to mercy, the father and mother having had no alternative but to prosecute. Prisoner was a boatman, as was his father and brother, and his mother occasionally went with her husband on the boats.

In passing sentence, the Chairman said there could be little hopes of a lenient sentence being of any service to a person who would break into his own father's house and rob him of as much property as he could remove.

The sentence was that he be transported for the period of seven years.

15 February 26 1851

TWO BOATMEN DROWNED About six weeks ago, a boatman named **Isaac Holden**, a native of Castle Donington, was drowned at Gainsborough, but his body could not be found until Friday last,

when it was discovered floating on the Trent. On the same night (Friday), another boatman named **William Winfield**, also of Castle Donington, was drowned within a few yards of the place where the former accident occurred. He was found within a few hours afterwards, and both bodies were conveyed on Monday last to Castle Donington for burial. The former was a single man ; the latter has left a widow and six children.

16 October 22 1851

NOTTINGHAMSHIRE MICHAELMAS SESSIONS

STEALING SOAP **George Whitby**, aged 23, a boatman, pleaded not guilty to having, on the 25th July at Basford, stolen five pounds weight of soap, the property of the Midland Railway Company. Guilty ; one calendar month to hard labour.

17 February 4 1852

INQUESTS BEFORE MR WHISTON JUN, CORONER On Thursday last at Sandiacre, on the body of **John Cooke**, a boatman from Loughborough, whose death took place in his boat at Sandiacre the night before. The deceased had been ill a short time before, and on the day in question was attended by a surgeon at Ilkeston, who did not consider that he could live long, and was on his return home when he died. Verdict : "Natural death".

18 June 2 1852

CASTLE DONINGTON On Friday last, an inquest was held at this town on the body of a child named **James Wheatley**, aged 2 years and 4 months, son of **William Wheatley**, a boatman. It appeared in evidence that the mother fetched the child downstairs on Wednesday morning about 8 o'clock, and placed him in an old fashioned rocking chair, in which he was frequently in the habit of rocking himself. She had previously filled a coffee pot with boiling water, and placed it on the bar in front of the fire. She subsequently went into a pantry, and on her return (the child having overbalanced himself) she saw the chair falling forward. The boy fell against the grate, and the top of the chair struck the coffee pot, causing the water to fall on him, scalding him about the breast and right side in so severe a manner that he expired at three o'clock on Thursday afternoon. Verdict : "Accidentally scalded".

19 August 11 1852

A SAWLEY MAN DROWNED A letter was yesterday received from Gainsborough, stating that **Richard Smith**, boatman, was thrown overboard at Gainsborough by the falling of a mast, and was drowned. He was a Sawley man, and leaves a family.

20 March 16 1853

DERBYSHIRE SPRING ASSIZES George Jones, 22, charged with having on the 20th of January last, at the parish of Alfreton, stolen one pair of boots, the property of **James Gantley**. Prisoner pleaded guilty. Jones, it appeared, had been allowed to sleep in prosecutor's cabin, and had taken advantage of such permission to steal the shoes. He had been convicted last March of a similar offence and imprisoned three months, and was now sentenced to nine months' imprisonment.

William Wells was charged with stealing a quantity of cloth, the property of the Midland Railway Company. Mr Macaulay QC, with whom was Mr Whittaker, opened the case by stating that a bale of goods had been dispatched on the 2nd February from Huddersfield to Derby, where it never arrived, and that prisoner was about ten days afterwards seen selling quantities of this cloth at Lincoln. Prisoner was undefended. James Kay Sykes, salesman to Swaine and Webb of Huddersfield. On 28th January received orders for 60 yards of black doeskin, and a quantity of steel coloured cloth, and he dispatched the goods per rail for Mansfield on February 2nd ; some cloth produced is part of it. A number of witnesses were examined through whose hands the bale or truss had passed in its transit from Huddersfield to Derby, and an officer there proved putting it into a

waggon for Mansfield. Mr Lander of the railway police proved receiving some cloth at Lincoln. Mr John Mason, superintendent of police at Lincoln, apprehended prisoner there on a charge of stealing black cloth, the property of some person or persons then unknown ; he said he had the cloth given him by a man at Stockwith, and stated the names of places and parties, where, and to whom, he had sold some of the cloth ; and witness obtained black cloth from Sarah Blackburn and a girl named Otter, who had received it from prisoner. Otter gave witness three yards, and sold Blackburn between seven and eight yards. Mr Ashton, inspector, went with Mason in search of prisoner to Castle Deighton, and there received a piece of cloth from Mrs Ball ; apprehended prisoner, and at the station he said he was sorry they had not got the other chap who had given him the cloth, and added that he and the other man came out of Derbyshire together, and that the other man had cloth with him ; the other man had given him the cloth he had as his share, but the other man (whom he called the narrow man) had two sorts of cloth with him, both of a different quality to that prisoner had in his possession ; witness received altogether about 14 yards of cloth. Mary Ann Ball, beer house keeper, said prisoner came to her house on the 18th February and had a pint of ale ; he had a bundle in a blue smock, from which he took about nine yards of black cloth, which he said he had bought in Derbyshire to attend his father's funeral in ; witness was induced to buy two and a half yards for 5s and a quart of ale. Jane Otter lodged with Sarah Blackburn, and prisoner came to her and said he had 30 yards of cloth ; he gave witness three yards of black cloth. Sarah Blackburn keeps a lodging house at Lincoln ; on a Saturday last month, Wells and another boatman came to her house, and a person there bought cloth of them. Benjamin Fountain, Midland Company's servant at Mansfield, expected a truss of goods about the 6th of February from Huddersfield, but the train which the invoice indicated contained no such truss. The expected truss was invoiced to Messrs Mawby and Richardson. Mr Sykes, recalled, said the black cloth was worth 4s per yard wholesale. Wells, on being asked for his defence, said he could not clear himself altogether. His Lordship, in summing up, remarked that the quantity of black cloth traced through prisoner's hands, amounting to about 30 yards, would be about half the quantity stolen. The jury found the prisoner guilty of stealing the cloth. Prisoner was a boatman on the Trent, and the Judge told him that had he been traced to the railway station, he would have imprisoned him two years ; as it was, he was certain of the guilty knowledge, and he should order him one year's imprisonment.

21 May 4 1853

LOUGHBOROUGH PETTY SESSIONS, APRIL 27TH **William Pepper**, boatman, charged William Pepper of Kegworth with damaging his property to the amount of 2s 6d by cutting his boat rope on the 13th inst. Defendant pleaded complainant's trespass on his ground to tie his boat to a post after being discharged. It being a disputed right, the case was dismissed.

22 May 11 1853

SINGULAR AND SHOCKING CASE OF SELF DESTRUCTION On the morning of Saturday last, a rumour obtained currency in Derby that the dead body of Mr John Swain, builder, had been found in the canal close by the Navigation Inn, near Osmaston Toll Gate on the London Road. As Mr Swain was well known from the very active part he had assumed for many years in all matters connected with the municipal government and local politics of the borough, the rumour created a widespread sensation. Investigation proved that the statement was unhappily too well founded, and also added several particulars of a painfully exciting character. It appeared that shortly after six o'clock that morning, as a boat was passing along the canal near to the bridge which carries the London Road across the canal, one of the men in charge discovered a man's hat and coat lying on the bank, the left breast, collar and sleeve of the latter being saturated with blood. No individual, however, was in sight ; nor were any marks of blood, violence or struggling anywhere visible. The hat and coat were picked up, and almost immediately put into the hands of the nearest wharf keeper, along with a statement of the very suspicious circumstances under which they had been found. The wharf keeper, having procured assistance, proceeded immediately to drag the canal, and in a very few minutes after they commenced to drag, they succeeded in finding the body, which they found to

be without hat or coat, and having landed it, they discovered that the left shirt sleeve was stained with blood, which had evidently flowed from a deep wound on the left side of the neck, immediately beneath the lower jaw. On being got out of the water, the body, which was recognised to be that of Mr Swain, was taken to the Navigation Inn, close by where it had been found, and intimation of the circumstances was immediately forwarded to the proper authorities in Derby ; a still farther search being continued along the canal bank, and in the neighbourhood, with a view to unravel the mystery in which the case was involved, but without leading to any conclusive evidence on the subject.

INQUEST ON THE BODY Shortly after one o'clock, an inquest was held upon the body, at Mr Wragg's, Navigation Inn, by Joseph Salt Esq, coroner, and a jury. After the jury had been sworn and had viewed the body, the following evidence was adduced :-

John Staples, wharf keeper at Shelton on the Derby Canal, deposed that about seven o'clock that morning, a boatman in the employment of the Bridgewater Company gave him a jacket and a hat, which he had found on the canal bank ; in one of the jacket pockets was an envelope, on which was written, "John Swain, builder, Derby" ; he found a deal of blood on the collar of the coat, and down the left arm ; witness thought that the owner of the coat must either have received violence, or have committed violence on himself ; almost immediately after receiving the coat and hat, witness went to the Navigation Bridge, near to which the hat and coat had been found ; **William Weston**, captain of one of Mr Sutton's boats, went with witness, they each took a drag with them, and began to drag the water under the bridge ; in about two minutes from the time of commencing, Weston brought up the body of deceased from the far side of the canal ; that was the body which then lay in the Club Room of the Inn ; on examination, found there was a wound on the left side of deceased's neck ; examined the towing-path for a considerable distance in both directions from the spot where the body was found, but could not discover any traces of blood, or any marks of scuffling ; looked particularly, but could find no marks of violence on any part of the body, but on the neck ; a man named John Hudson and witness carried the body into the house ; the man was quite dead when he was found ; witness, along with a man named Samuel Holt, belonging to Swarkeston, examined the pockets of deceased, and found in them one shilling in silver and three pence halfpenny in copper, and a pair of spectacles ; in the hat they found four screws and some lozenges ; he had no knife on him.

William Weston went along with the preceding witness about nine o'clock to drag the canal ; began under the bridge at Osmaston ; at the first draw witness brought up the body of a man ; he had no coat nor hat on ; he was quite dead, and the body cold ; on the left side of his throat there was a cut about two inches in length ; could see no marks of blood on the towing-path, although they searched about to see ; no marks of scuffling were perceptible ; saw no marks of violence on any part of the body except the wound in the throat ; witness did not examine the pockets and had not seen the body since ; witness looked about for a knife or other instrument, but did not find any.

Henry Francis Gisborne Esq, surgeon, Derby. Witness this morning made a *post mortem* examination of the body of John Swain, whom he knew ; his face was livid, and presented a suffocated like appearance ; the pupils of both eyes were much dilated ; there was a large wound on the left side of the neck, upwards of two inches long and extending to the upper portion of the projecting part of the windpipe ; the wound appeared to have been made at two or three separate incisions, commencing with what appeared little more than a scratch ; the instrument seemed to have been thrust deeply by the side of the windpipe, dividing some of the muscles of the neck and the small blood vessels ; the instrument had neither entered the windpipe nor the gullet ; nor had it divided, or even touched, the carotid artery or jugular vein ; the wound appeared to have been inflicted with a pointed instrument such as a pocket knife ; the cut was from left to right, and the wound was such as might have been inflicted by himself or by another ; if a man were cutting his own throat he would have cut in such a direction ; the wound was not sufficient to cause death, nor would it have caused a great deal of bleeding ; the face was not so pallid as it would have been if extensive bleeding had taken place ; witness had no doubt that death was occasioned by drowning, and from some of the appearances presented by the body, witness should think that deceased had

been labouring under the effects of intoxication ; witness had examined the coat and other clothes of the deceased ; the blood appeared to have trickled over and under the coat collar on the left side, and to have run down the inside of the left sleeve ; at the commencement of the wound it presented the appearance of three different beginnings or scratches, as if done by an unsteady hand ; there were no other marks of violence about deceased's person.

John Swain, son of the deceased, was the next witness examined ; he identified the body as that of his father, and proved that deceased had left his own house a little after four o'clock the preceding afternoon, with the intention of going, as he understood, to visit Mr Briggs at Alvaston ; deceased did not return that night, and witness never saw him alive ; on being shown a pocket book, a penknife, and two cotton handkerchiefs, the witness identified the pocket book and one of the handkerchiefs as having belonged to his father.

Other witnesses deposed to having seen deceased drinking in a public house in Derby till between seven and eight at night, when he appeared to be intoxicated, but by no means incapable of taking care of himself.

James Hardy, a labourer living at Alvaston, when proceeding to his work about twenty minutes before six o'clock that (Saturday) morning, along a footpath leading from Alvaston to Boulton, found a pocket book, two handkerchiefs and a pen knife lying under the hedge. They were in the third field distant from Alvaston, and lay a little off the footpath. The knife was bloody and it lay open ; there was blood upon the grass just in one place, and that was close beside the place where the things were found ; that was beyond Alvaston on the footpath leading from the turnpike to Mr Brigg's house. The knife, pocket book and handkerchiefs produced are those which witness found.

In the pocket book was found a letter, addressed to Mr Briggs and signed John Swain It was dated a quarter past four on Friday afternoon, and its contents were such as to leave little doubt that the deceased contemplated some rash act at the time he wrote it.

The Coroner briefly summed up the evidence, and pointed out the corroboration afforded by the testimony of some of the witnesses, and by the circumstances, to the evidence given by Mr Gisborne, that deceased had died by drowning and not by the wound on his throat.

The jury, having consulted for a short time, returned a verdict to the effect that "Deceased having previously attempted to commit suicide by cutting his throat, threw himself into the canal, where he was drowned, he not being of sound mind at the time".

23 May 18 1853

FATAL RAILWAY ACCIDENT On Tuesday, Mr Gregory, Coroner, held an inquest at the Old Angel, Loughborough, on view of the body of **William Polkey**, a boatman 31 years of age. From the evidence adduced, it appeared that two or three weeks ago, deceased got employment as a "navvie" on the Midland Railway, but at the end of the second day, not liking the kind of work he had to do, he left. On the Friday previous he went to Kegworth to receive his two days wages, and there being a loaded ballast train about to leave that place for Loughborough, he was allowed by the men in charge of the train to ride with them – although a rule of the company forbids them to permit strangers to ride with ballast trains. Deceased seated himself on the end board of the last waggon of the train with his face towards the engine, which was pushing (not drawing) the train to Loughborough. In the Normanton-on-Soar cutting, about two miles from Kegworth, the train stopped for the purpose of having some ballast thrown out. The train was then pushed about forty yards further, and again stopped in order that more ballast might be thrown out. The second time the train stopped with a jerk, which caused deceased to fall backwards over the end board upon the line between the rails. He was immediately taken up, and removed to Loughborough Dispensary, where he expired about twelve o'clock on Saturday night. Mr R Fowler, house surgeon at the Dispensary, made a *post mortem* examination of the body, and found that deceased had received a fracture of the sixth vertebra, or bone of the neck, but the more immediate cause of death was the pressure of effused blood on the spinal cord. The jury returned a verdict of "Accidental death", and strongly recommended that the rule prohibiting strangers from riding with ballast should for the future be strictly enforced.

24 August 31 1853

A very melancholy accident occurred on Thursday morning between seven and eight o'clock at Alrewas Hay, to a little boy named **Newton**, about eight years old and the son of a boatman, by falling into the canal lock and being drowned. It appears his father left him behind to get the check ticket, while he went on with the boat. After he had gone a little distance, and not seeing his son follow, he returned, but could obtain no tidings of him. Some neighbours with a drag searched the lock, and succeeded in finding the lifeless body of the poor boy who, it is supposed, fell in whilst attempting to cross the plank of wood over the lock. All attempts to restore animation were unavailing, from the length of time the body was immersed.

25 February 22 1854

PURSUANT TO THE SEVERAL ACTS FOR THE RELIEF OF INSOLVENT DEBTORS IN ENGLAND The County Court of Leicestershire, holden at Leicester the 15th day of February 1854, upon the due filing of the Schedule of **THOMAS PEACH**, late of and residing as a householder in Barrowong Street, at Castle Donington in the county of Leicester, Bricklayer's Labourer ; and next previously residing in lodgings at Castle Donington aforesaid, firstly in Clap Gun Gate and afterwards in Gidlowe's Lane, occasionally Jobbing Labourer, and occasionally out of business and employment ; and next previously residing in lodgings at No 9 Nelson Street, Derby, in the county of Derby, Bricklayer's Labourer ; and next previously of but residing in lodgings at the Barnaby (otherwise Barnetby) Junction, near Brigg in the county of Lincoln, Bricklayer's Labourer ; and formerly of, but only as an occasional lodger, in or near the Pasture, at Castle Donington aforesaid, Trent boatman, a prisoner in the gaol of the county of Leicester, at Leicester, in the county of Leicester, whose estate and effects have been vested in the Provisional Assignee by order duly made in that behalf ; and upon reference of the petition and schedule of the said prisoner for hearing made to this Court by order of the Court for Relief of Insolvent Debtors, pursuant to the said Acts. It is ordered and appointed that the said prisoner shall be brought up to be dealt with according to the provisions of the said Acts before the Judge of the said County Court, at Leicester in the said county of Leicester, on the 15th day of March next, at the hour of ten in the morning precisely ; of which all creditors and persons claiming to be creditors of the said prisoner, for the sum of five pounds or more, shall have notice by service of a copy of this order, made within such time, and in such manner, as is prescribed by the rule of Court in that behalf.

BY THE COURT

26 February 22 1854

POLICE OFFICE, WEDNESDAY FEBRUARY 13

ATTEMPTED ROBBERY – ASSAULT UPON THE POLICE Arthur O'Neile, Margaret O'Neile, James Callaghan and Michael Callaghan were charged with attempting to rob James Porter, and committing an assault upon the police.

James Porter, a man in the employ of Mr Martin, butcher, Burton Road, stated that just after twelve o'clock on the Saturday night previous he was walking down Walker Lane by himself, when he met Michael Callaghan, who asked him if he had a match in his pocket ; he gave the prisoner a match, and then was asked to go and have some drink, and was taken to a private house ; as soon as he got in he went out again, and the prisoner followed him ; James Callaghan wanted them to let him go home, but the woman and Michael Callaghan would not let him depart, and asked him to pay for some drink ; the house was full of persons and, being frightened, he gave the woman a shilling to get some ale, when Michael Callaghan tried to get his hand in his pocket ; with some difficulty he managed to get out of the house, and on getting into the street the woman, who had followed him, put her hand in his pocket ; Michael Callaghan and Arthur O'Neile then attacked him, and tried to stifle him, but he got away from them ; they again followed him, and Arthur O'Neile struck him over the temple and knocked him down ; he shouted out, "Murder", as loud as he could, and they ran away. In answer to Mr Flewker, who appeared for the prisoners, complainant said he had walked up Walker Lane from Sadler Gate, with a cousin of his who was going to Breadsall, and that

he was returning by himself when Michael Callaghan stopped him. Police-constable Goodall proved that about half past one on the morning of Sunday, he met complainant at the top of Sadler Gate, and was informed that he had been robbed and ill used ; witness went with him down Walker Lane and into Jury Street, where he found some Irishmen drinking, and complainant pointed out Arthur O'Neile as the man who had struck him ; witness took the latter into custody, when he was attacked by the other three prisoners, and greatly ill used ; he sprung his rattle, and Superintendent Hardy and a boatman of Mr Pegg's came to his assistance. In answer to Mr Flewker, witness said complainant was sober, but prisoners were drunk. Police-constable Coulson, who took Michael Callaghan into custody, corroborated the last witness, and spoke to injuries being inflicted on himself. **Thomas Hodgkinson**, a boatman, and Superintendent Hardy also gave evidence in support of the charge. Mr Flewker made no reply to the evidence, simply stating that the prisoners had lived in Derby for some time ; that they had hitherto conducted themselves with propriety, and they had committed the offence in question under the influence of drink. The Bench – remarking that the object of the prisoners was undoubtedly to get money out of complainant ; and that they had committed a most unjustifiable assault upon both the complainant and the police-constables – convicted the men in the penalty of £2 each and costs, and the woman was adjudged to pay a fine of £1 and costs.

Porter, in consequence of the loss of time, and the injuries he had received, was allowed 10s out of the poor box, and the boatman 2s 6d from the same source.

27 May 17 1854

INQUESTS BEFORE MR WHISTON JUN, CORONER On Tuesday the 9th instant at Litchurch, on the body of Edward Berry, aged 38 years, who was found drowned that morning in the canal, and on being taken out of the water, it was discovered that there was a wound in the throat. A few yards from the place where the deceased was found, and on the towing-path within about a foot from the water, there was discovered a quantity of blood, and also a small penknife. From the evidence it appeared that the deceased left his lodgings about half past eight the same morning, having the Sunday previous made some remarks about making a hole in the water, but being in a state of intoxication he was reprov'd for making such a remark, and about ten he was found in the canal quite dead. The body was discovered owing to a boat having just passed along the canal, and the boatman telling a man what he had seen. From the evidence of C Borough Esq, it also appeared the wounds in the throat were merely superficial ones, and not sufficient to cause death, and that they were such as might have been inflicted by the deceased himself by a small knife, similar to the one produced. On searching the pockets of the deceased, there was found a pocket handkerchief torn into shreds and tied together, and from this it would appear that the unfortunate man had determined upon suicide. There being no evidence to show how the deceased got into the water, a verdict of "Found drowned" was returned.

28 July 5 1854

DERBYSHIRE JUNE SESSIONS

ROBBERY AT STANTON BY DALE **Isaac Slater** was charged with stealing, on the 5th of May last, one iron pin , two pieces of boat line and various other articles, the property of John White of Stanton-by-Dale. Mr Morewood prosecuted ; prisoner was undefended. Prosecutor deposed that on the 5th May prisoner worked for him as a boatman, and on the day named the articles missing were found in a bag of Slater's, having been stolen from prosecutor. William Small searched the house where prisoner lodged, with a warrant, and in his room found the articles produced, which he said belonged to him (prisoner) and not to White. Other evidence was adduced, and prisoner was convicted and sentenced to four months' imprisonment.

29 August 9 1854

POLICE OFFICE, SATURDAY AUGUST 5

Josh Thay, a boatman, was charged as follows :- Police-constable Parkyn stated that on the

previous day he saw the prisoner dressed as he then appeared, and at night observed him with a large flannel jacket on ; knowing him to be a suspicious character, and having been informed that several jackets of the description mentioned had been stolen lately, he apprehended him. The prisoner admitted that the jacket was not his own, but said that it had been entrusted to him to convey to a fellow boatman. The charge was suspended.

30 August 16 1854

INQUESTS BEFORE MR MOZLEY, CORONER On Tuesday afternoon, two boatmen in the employ of Mr James Haywood, Derby, found the body of a man in the canal at Chaddesden. On inquiry, it proved to be the body of Robert Bower, hatter aged 54, residing in Osmaston Street. On Wednesday afternoon, an inquest was held on the body, when deceased's wife stated that about three weeks ago he lost his situation, and since that time had been depressed and he seemed to take it very much to heart. On Tuesday morning about half past nine, he got his breakfast and then went out, stating that he should return shortly. She never saw him again alive. Deceased formerly resided in Nottingham, and while there was frequently seized with cramp whilst bathing. The jury returned a verdict of "Found drowned".

31 October 4 1854

THE NAVIGATION OF THE TRENT – LONG EATON, MONDAY In consequence of the long continued drought, the navigation of the river Trent has in many places been considerably impeded. From Wednesday last up to the present time, upwards of 250 boats have been grounded upon "Thrumpton shoal", and such is the amount of gravel in one spot, and the "new weed" (*Anacharis Alsinistrum*) in another, that several boats have remained firmly embedded without the slightest chance of being got off, except by lightening of their cargoes. On Friday and Saturday, hundreds of people visited the spot to witness the manoeuvres of the "jolly watermen" who were of course using their utmost endeavours to get off and out of danger. On Saturday no less than eighty two boats were at one time entirely blocked up one with another, looking like a fleet in miniature, many of them being laden with cheese for Nottingham fair ; the lines, cables, ropes, blocks &c drawn in such intricacies as to form one complete web of hemp. The shouts of the boatmen, intermingled with those of about two hundred bystanders, the passing of horses over the river, the ducking of men and boys by the horses falling into the gravel holes in the river, and the numerous other serious as well as ludicrous incidents attending this awkward stoppage, formed such a scene as beggars description. A coal barge deeply laden received extensive damage as she lay across the river, by several other boats running into her amidships. Many succeeded in getting off on Saturday night, after trying their utmost with blocks, pulleys, anchors, cadgers, lines, and the strong pull of horses and men ; leaving about 30 or 40 of their disconsolate brother captains with their crews to "get up and try again". It is worthy of remark that during the whole of Saturday afternoon, but two boatmen were heard to make use of bad language. The river Trent was never known to contain so much weed and rubbish as at this time, there being a great amount in this part of it of the new weed which is now found so extensively in other rivers and canals.

32 November 28 1854

POLICE OFFICE, MONDAY

SUSPECTED ROBBERY **William Bakewell**, a boatman, was charged as follows :- Police-constable Goodall stated that at one o'clock on Sunday morning he met the prisoner on Nottingham Road ; at two o'clock he again saw him, having this time a long piece of rail in his possession ; on seeing witness, prisoner threw the rail down and ran away. Prisoner was remanded until Tuesday, when he was discharged.

33 December 13 1854

SUICIDE OF A BOATMAN Early on Wednesday morning last, a boatman named **John Stubbs**, 43 years of age, committed suicide by hanging himself in a stable situate in Devonshire Street,

Derby. An inquest was held before Mr B T Balguy, coroner, on Friday, when the following evidence was adduced :-

Thomas Stubbs sworn – The deceased was my brother ; he was a boatman, and was in the employ of Messrs Sutton and Co, by whom he had been engaged about three weeks ; he had been previously employed in the same capacity by Messrs Kynnersley of Harecastle, about five or six weeks ago, being then out of regular employment, and working occasionally in taking the boats through the Harecastle tunnel ; whilst so employed, and being on board there with another man employed regularly on such boat, it occurred that a third person was robbed of a considerable sum of money ; on discovering the robbery he left the boat, and caused the deceased and his companion to be apprehended and taken before the Magistrates, by whom the matter was enquired into, and the deceased and his companion were discharged ; the disgrace attending upon this business seemed much to affect him, and he declared he should never be happy again ; I have not seen my brother for the last fortnight and upwards, and I only heard of his death last night.

James Dean sworn – I am a boatman in the employ of Messrs Sutton and Co ; the deceased was my “butty” ; there were three men and a boy working the same boat, and we worked two and two ; on Tuesday morning the deceased and I brought the boat to Derby, and she lay at the wharf until four o'clock on Wednesday morning ; the deceased and I slept together in the cabin on the Tuesday night ; we had our suppers together, and I observed no alteration whatever in his conduct or behaviour since I first knew him, and that has been upwards of 15 years ; on Wednesday morning he arose between four and five o'clock, and I got up immediately after ; he went to feed the horse, and whilst doing so I hauled the boat through the lock and fastened the lock gate, and then took the key to the lock tenter ; when I returned to the boat, deceased was not there, and after waiting some time for him, and he not making his appearance, I went to look for him and found him in the stall where the horse was ; he had fastened himself in with a fork ; I broke open the door, and the first thing I saw was the deceased, directly opposite, in an erect position, and with a rope round his neck suspended to a joint of the roof ; I was much alarmed, and went in quest of a person more bold than myself, and found Mr Potts and John Wass, who returned with me to the stable, and on examining the deceased found him to be dead ; he never mentioned anything to me about the robbery with which he had been charged.

The jury returned a verdict “That the deceased had destroyed himself whilst in a state of temporary insanity”.

34 December 13 1854

COUNTY HALL, FRIDAY DECEMBER 8

DRUNKENNESS **Thomas Casseldine**, a boatman, was fined 5s and costs for being drunk at Draycott on the 20th of November last.

35 December 13 1854

POLICE OFFICE, MONDAY

STEALING A PURSE **William Bakewell**, a boatman, was charged with stealing a purse containing 6s 6d from John Riley, labourer, Breadsall. Complainant made a statement to the effect that he was in Derby on Saturday night ; as he was about to return home he met prisoner in Bridge Gate, and was induced to accompany him to his house on Nottingham Road ; there they had some ale which complainant had purchased at a public house, and after sitting a while, he fell asleep on the sofa ; about three o'clock next morning he was awoke by prisoner “cramming” him on the sofa, and felt that his purse was gone ; he charged prisoner with having robbed him, and prisoner replied, “Oh no I've not, I'm so fond of you” ; he (Riley) was frightened, and remained in the house until the following morning, when he gave information to the police. Prisoner was remanded for a week.

36 December 27 1854

DEATH FROM SUFFOCATION IN A BOAT On the 17th instant, Mr Coroner Swann held an inquest at the Canal Inn, Cropwell Bishop, touching the death of **Thomas Wood**, a boatman living

in Canal Street, Nottingham. The deceased was in the employment of **John Wilson** of Cropwell Bishop, boatman, and on Friday week he arrived at that place with Wilson after a voyage into Derbyshire. On that night, he slept in the cabin of the boat by himself, and on Wilson going to the boat on the following morning, he discovered the deceased quite dead in bed, his body being very much burnt and legs almost consumed. It is supposed that he placed a candle in a crevice of a beam in the cabin, and that after he had fallen asleep, the candle dropped down on the bed and set fire to it. The cabin was full of smoke, and the deceased was burning at the time he was discovered by Wilson. Verdict : "Accidentally suffocated and burnt in the cabin of a boat where he was sleeping".

37 December 27 1854

BOAT SUNK ON THE TRENT On Thursday morning the 14th instant, as a decked boat belonging to Mr W Cooke was being towed up the Trent, it got aground on Bull Weir near Shelford Manor House, and was not got off until the men in charge had broken all their lines. The boat drifted down the stream, stern foremost, and unfortunately came in contact with a boat belonging to Mr Thomas Rice of Gainsborough, laden with forty tons of flints and three tons of nail bagging. The helm of the decked boat drove a hole through the side of Mr Rice's boat, and caused her to sink in a few minutes. She was raised again on Friday morning.

38 July 11 1855

FATAL ACCIDENT TO A BOATMAN Last week, **George Walton**, a boatman, had his leg broken at Trent lock, in consequence of the horse moving forwards whilst the rope was momentarily wrapped round him. He was removed to the Derby Infirmary, where the fractured limb was amputated and every attention paid to him, but he died on Thursday last. An inquest has been opened before Mr Balguy, coroner, and adjourned until today (Wednesday).

39 July 11 1855

DERBYSHIRE JULY SESSIONS **Joseph Holt**, 48, boatman, charged with stealing, on the 4th June, nine bundles of pea and kidney bean sticks, the property of Alexander Fanshawe of Eckington. Four months' imprisonment.

40 July 18 1855

PASSING BAD MONEY On Monday last, **Stewart Bosworth**, a boatman, was brought up in custody by Superintendent constable Jones, and taken before Major Mosley, charged with passing a quantity of base half crowns in Draycott and the surrounding villages on Friday the 13th inst. It appears from information received by Mr Jones on Saturday, he went to Draycott, and upon enquiry at the different shops and public houses, he took into his possession several bad half crowns which had been passed by Bosworth, and taking a description of him he traced him through several places to Nottingham, where he succeeded in apprehending him in a lodging house in New Street. The prisoner was fully committed for trial at the next assizes.

41 August 1 1855

DERBYSHIRE SUMMER ASSIZES

PASSING BAD MONEY AT DRAYCOTT **Stewart Bosworth**, 42, boatman, was charged with having, on the 13th July last, uttered six counterfeit half crowns, well knowing the same to be false and counterfeit. Mr Boden prosecuted ; prisoner undefended. The prisoner passed one of the half crowns at Mr Plackett's, Bull's Head Inn, Breaston ; one at Mr Rowbottom's innkeeper, Draycott ; three at Mr Corder's, innkeeper, Draycott, and one at Mr Battell's, grocer, Draycott. He had a companion with him who has not yet been apprehended. Mr Jones, superintendent constable, said he apprehended prisoner at Nottingham ; on telling him the charge, he said he had no knowledge of the money being bad ; afterwards he said, "Can't this matter be settled without its going any further". Mr Edward Johnson, silversmith, Derby, pronounced the money to be counterfeit. The prisoner cross-examined the witnesses, and made an ingenious defence to the effect that he went to

Draycott, his native place, and was “bug” at seeing his old friends. He declared himself a great enemy to any such offence as passing bad money, and he told the jury if he had done such a thing he should indeed have been “a beautiful scamp”. (Laughter). The learned Judge thought the prisoner was connected with a gang of coiners, and he sentenced him to 18 calendar months' imprisonment on the first count, and one day each on the second and third.

RAPE AT SAWLEY **Richard Roper**, 19, boatman, was charged with assaulting and ravishing Sarah Fallows on the 26th May at Sawley. Mr Boden prosecuted ; Mr Bell defended. Prosecutrix, aged 15, said – I am the daughter of James and Margaret Wall ; my father keeps a public house at Trent Lock, Sawley ; I was at my father's house on Saturday the 26th May ; I saw the prisoner in my father's house about half past two in the afternoon of that day ; he was drinking in the bar ; I did not speak to him ; about half past four o'clock the same afternoon I left my father's house, in company with my little brother, Samuel Wall, to go to Shardlow, a distance of three miles off ; I went along the foot road leading through the fields ; when I had got some distance along the foot road, I saw the prisoner coming in the same direction ; when the prisoner got up to me, he asked me where I was going to, and I replied, “Shardlow” ; he then asked me when I should come back again, and I told him that I did not know ; I then saw a boat going along the canal some fields off, and I started towards it with the intention of riding to Shardlow, but the prisoner laid hold of me and threw me down. [Witness here described the assault, which left no doubt that the capital offence was committed]. I screamed out, “Murder”, and told my brother to fetch help ; shortly afterwards someone called to prisoner, and he got up and went over the stile ; a man named Thomas Poxon then came up to me. Mr Bell cross-examined witness, but did not shake her testimony in the least. Samuel Wall, a little boy, corroborated, and said his sister called out, “Murder”, and he went and told Poxon, who was working in a field a short distance off ; after telling him, he went forward for further help. Thomas Poxon, a lad, deposed that last witness came to him ; he had previously heard a scream of, “Murder” ; from what Wall told him he went to the field and found Sarah Fallows ; on seeing witness, Roper got up and went away ; Fallows was much disordered. John Blood, who lives at Sawley, heard the screams, and went in the direction of the field ; he met Roper, who was getting over the stile ; saw Sarah Fallows in the field ; she was crying, and appeared exhausted and hurt ; he asked prisoner what he had been doing ; there was another person with witness ; prisoner tried to strike the other man, and laid hold of witness's arm by the shirt sleeve ; the other young man seized hold of prisoner, and witness went and informed prosecutrix's parents. Mrs Wall having given evidence as to the state in which her daughter came home, Mr Bradshaw, constable, Sawley, said he apprehended prisoner on 26th May at Trent Lock ; he said he was innocent. Mr Eaton, surgeon, Shardlow, gave medical testimony. Mr Bell addressed the jury for the prisoner, and called two females, who spoke to prisoner's good character. The jury found him guilty of the capital offence. His Lordship, after alluding to the nature of the crime in a feeling address, sentenced the prisoner to transportation for life. The prisoner left the dock smiling.

42 August 22 1855

POLICE OFFICE, DERBY, SATURDAY

ASSAULT William Jeffries, a hawker, who has been several times before the magistrates for street disturbances, was charged with committing an attack upon a boatman named **John Cannam**. Complainant said that as he was coming out of the Dusty Miller public house between 11 and 12 the previous night, the prisoner struck him violently with some weapon, and cut his left ear across ; he had never seen prisoner before. Jeffries said there was a general fight going on, and he had to run away to be out of the reach of some boatmen ; he denied striking complainant. Fined 5s and costs.

43 September 26 1855

POLICE OFFICE, DERBY, SATURDAY

SLEEPING IN A BARN **John Topley**, boatman of Shardlow, and Ann Dunn and Elizabeth Hopwell – two notorious girls of the town – were charged with sleeping in a barn. Sergeant Pickin

stated that Mrs Smedley of Friar Gate had made complaints to the police of parties sleeping in a barn on Ashbourn Road, and endangering the property ; also that hay had been pulled from the stacks and used to lie down upon ; that morning, witness went to the barn and found the three prisoners sleeping there ; the lock of the barn door was broken. Topley, who appeared bewildered at his position, hoped the magistrates would forgive him, for he had been enticed there by the girls ; his boat had gone off that morning without him. The Bench liberated him, but committed the females for a week each with hard labour.

44 December 26 1855

BURTON-UPON-TRENT POLICE COURT DECEMBER 11

SHOPLIFTING **George Williams**, a boatman, supposed to be a ticket of leave convict, and a boy thirteen years of age named Charles Allen, were charged before the Magistrates at Burton-upon-Trent a few days since with stealing a pair of women's boots from the shop of Mr Whitehead in the market place, three silk handkerchiefs from Mr J C Styan's shop, and two silk handkerchiefs from the shop of Mr Weston, both of High Street. The elder prisoner was accustomed to enter a shop and ask to see some goods, and while the assistants were engaged with other customers, he contrived to pass the stolen articles to the boy unperceived. A new red cashmere muffler was found on the boy, which has not yet been identified. The prisoners were committed, on three charges of felony, to Stafford Gaol.

45 July 9 1856

DERBYSHIRE JULY SESSIONS

STEALING IRON, THE PROPERTY OF THE NORTH STAFFORDSHIRE RAILWAY COMPANY **William Fairbank**, 36, boatman, charged with stealing, on the 28th May, twelve hundredweight of iron, the property of the North Staffordshire Railway Company, at Willington. Mr Boden prosecuted ; prisoner was undefended. Richard Wheeldon, police-constable, Nottingham, produced a quantity of iron which he had received from John Daley, general dealer, Nottingham. Joseph Jones, a platelayer in the employ of the North Staffordshire Railway Company at Willington Junction, deposed that about six months ago he was putting down rails, and had occasion to cut up a 15 ft rail ; he cut off a piece 5 ft in length, which he placed among other old material. On the 19th of June he went to look for the 5 ft piece ; it was missing, and in looking for it he also missed a quantity of chairs belonging to the company. He afterwards took up the 10 ft piece and found that it corresponded with the 5 ft produced, the two ends fitting exactly. James Burroughs, also in the employ of the company, knew the shackle produced to belong to his employers ; he had previously seen it amongst the heap of things at Willington. William Bates, foreman porter at Willington Junction, kept an account of goods taken from the wharf. On the 28th of May prisoner, the captain of a boat, left the wharf with a cargo of salt for Gainsborough. He knew the shackle produced, having last seen it about the 13th of May. **William Barton** was hired in May by the prisoner to drive a boat from Gainsborough to Nottingham and Lincoln ; he went with a lot of deal to Nottingham, the prisoner being the captain ; when he had discharged the deal, he went to Willington for a cargo of salt. When he got there it was not ready, and he had to wait four or five days ; he left on the 28th of May ; the night before, the prisoner and another man were drinking at a public house ; they gave him ale, and made him so drunk that he had to be put to bed in the cabin of the boat ; early next morning he heard a noise as of something heavy being put on board, and then found that a quantity of iron had been brought which was not there on the night of the 27th. John Daley, general dealer, Nottingham, bought the iron of John Bilston, another general dealer, who said that he bought it of the prisoner on the 29th of May, from his boat, giving him £1 4s for it ; he afterwards sold it to Daley for £2 9s, having paid for the horse and cart. Guilty : Nine months' imprisonment.

46 December 3 1856

CAVENDISH BRIDGE – FOWL STEALING On Saturday night or early on Sunday morning last,

the hen roost of Mr Cubley of Cavendish Bridge was broken into, and several very fine fowls were stolen. The plunderers were two young men of Castle Donington – one a bricklayer named James Garton, and the other a boatman named **Wall** ; the latter is in custody, having been captured soon after the robbery had been effected, Garton succeeding in making his escape before the police could get hold of him. Some men who had been at work at the brewery (which is situated very near to Mr C's house) saw the two thieves with the poultry, recognised them, and immediately gave information. Out of the many petty robberies which have occurred in this neighbourhood of late, this is the only one in which detection of the guilty parties has taken place, and it is to be hoped that this will prove a sufficient guarantee against the recurrence of such crimes.

47 December 3 1856

ROBBING A HAWKER'S WAGGON On Thursday, a man named **Clayton**, a boatman, was brought up at the Town Hall, Derby, before J G Crompton Esq, charged with breaking into a travelling hawker's waggon at Shardlow at 1 o'clock on Thursday morning, and stealing a quantity of fancy articles therefrom. The case was a very clear one, and the prisoner was committed for trial at the ensuing assizes.

48 December 10 1856

CLEVER APPREHENSION OF A SHEEP STEALER About three o'clock on Saturday morning last, as Police-constable Parkin was on duty in the London Road, Derby, he saw a man near the Infirmary carrying a bundle in front of him, while a large flag basket appearing to contain something heavy hung at his back. The officer went up to him, and asked him what he had got. The man (who proved to be **Benjamin Whitaker** of Hill Street, boatman) replied, "Some meat which I have fetched from Shardlow, to take to one of the Grand Junction boats, which I work". This answer did not satisfy Parkin who, paying no attention to what Whitaker further advanced of the property being his own, seized hold of the bundle and basket, collaring also Whitaker who, after an ineffectual attempt to escape, said, "If you take me, you must carry the things". The constable then, shouldering the basket and bundle, marched his prisoner off to the police station. Here it was found that the bundle contained the head and pluck, and the basket the carcase of a sheep – a wether lamb of this year – bearing marks of having been rudely and hurriedly skinned. Upon the prisoner were also found a butcher's dressing knife and a whetstone ; his hands were covered with blood, and blood was likewise sprinkled upon his clothes. The same day, Mr Radley, the superintendent, and Parkin went over to Shardlow, ascertained that the sheep had been stolen from Mr Moore's, and brought the skin (which had been buried by the thief under some straw in the fold yard) and feet to Derby, where they were matched by Mr A Barton, butcher, and proved to correspond exactly with the carcase and parts found in the possession of the prisoner. Whitaker was taken before F Wright Esq and remanded until Monday, when he was committed by Dr Peach for trial at the assizes

49 December 31 1856

INQUESTS BEFORE MR WHISTON JUN, CORONER On Tuesday the 23rd instant at Codnor Park, on the body of John Lindley, aged 43 years, whose death took place the day previous from drowning. It appeared from the evidence that about half past five o'clock in the morning of Monday the 22nd instant, the deceased was seen by a boatman, who was on the opposite side of the canal, running along the towing-path of the canal, and on approaching one of the locks he kneeled down apparently as if he was about to drink, when he rolled himself into the lock. The deceased was seen to rise once, but although a good swimmer, never attempted to save himself. The boatman got assistance as soon as he possibly could, and the deceased on being taken out of the water was quite dead, he having been there nearly half an hour. It further appeared that during the fortnight before, the deceased had been in a low desponding way, partly on account of money matters, and from the effects of a blow he had received from a hammer whilst at his work. The jury being satisfied that the deceased drowned himself whilst labouring under temporary derangement, returned a verdict to that effect.

50 May 6 1857

INSOLVENT DEBTORS to be heard at the County Hall, Derby, on SATURDAY the Twenty third day of May 1857, before J Cantrell Esq, Judge of the County Court of Derbyshire, holden at Derby, at Twelve o'clock at Noon precisely.

ELIJAH PACEY, late of No 122 Friar Gate, in the parish of St Werburgh, in the borough of Derby, out of business ; previously in lodgings at the Five Bells Public House, Gosberton, in the county of Lincoln, Carrot and Potato Dealer ; previously of 122 Friar Gate, in the borough of Derby aforesaid, Fruiterer and Potato Dealer ; and formerly of Witham Marsh, in the Borough of Boston, in the County of Lincoln, Boatman, Coal, Hay, Potato and Carrot Dealer.

WM BOROUGH

Attorney for the said Elijah Pacey.

51 May 27 1857

COUNTY COURT, DERBY, TUESDAY

IN RE **ELIJAH PACEY** The insolvent, late of 122 Friar Gate, Derby, and previously of Gosberton in the county of Lincoln, fruiterer, potato and carrot dealer, and formerly of Boston, Lincolnshire, boatman, coal, hay, potato and carrot dealer, a prisoner, came up for hearing. He was opposed by Mr A Percival of Spalding, on behalf of several creditors. After a lengthened examination of the insolvent by Mr Percival, his Honour said he did not think there was sufficient ground for a remand ; he should, therefore, order the insolvent to be discharged forthwith. Order accordingly.

Upon the application of Mr Percival, his Honour appointed Mr William Rogers of Boston, butcher, and Mr Matthew Lea Winter of Boston, farmer, assignees of the insolvent's estate and effects. Insolvent's attorney, Mr Borough.

52 June 17 1857

POLICE OFFICE, DERBY, WEDNESDAY JUNE 10

CHARGE OF STEALING A PLANK **Thomas Bull** and **David Ornam**, two boatmen, were charged with stealing a plank, the property of John Capewell. The prosecutor stated that the plank was stolen in open day, and taken without any concealment from his boat by prisoners and placed on a boat of Mr Street's, for whom they worked. He had lost at least £10 this year in barrows and planks being stolen, and he felt called upon to bring the present case before the magistrates. Ornam said the plank belonged to his master, adding that he had had one stolen himself lately. The Mayor : But your being robbed does not justify you in robbing another man. Ornam repeated the statement that the plank was his master's, but his companion observed that he was mistaken in the identity of the article. The prisoners then promised to restore the plank, and Capewell saying he should be satisfied if he got his property back, the case was so disposed of.

53 August 5 1857

INQUESTS BEFORE MR W WHISTON, CORONER On Wednesday the 29th ult at West Hallam, on the body of **Eliza Smith**, aged two years, daughter of **William Smith**, boatman. It appeared that the deceased had been taken by her parents in their boat to the West Hallam wharf adjoining the canal, when after a short time, the child being missed, a search was made in different places without success, but on pushing the boat from the side of the wharf, the child was found in the canal quite dead. The jury being satisfied that the deceased had been accidentally drowned returned a verdict to that effect.

54 August 12 1857

DROWNING AT MOIRA On Monday, John Gregory Esq held an inquest at Moira, on the body of **Isaac Masters**, seven years of age, the son of **John Masters**, boatman. It appeared that as the boat was proceeding slowly, the boy fell overboard into the water. His father perceived him after they had left him about a boat's length, but not being able to swim, and the water being very deep, the

poor boy sank before assistance could be rendered.

55 October 28 1857

DERBYSHIRE OCTOBER SESSIONS

BURGLARY AT SHARDLOW **John Topley**, 20, boatman, pleaded guilty to breaking into the dwelling house of William Atkins at Shardlow on the 11th of October inst, and stealing a pair of boots, shirt, knife and other articles. One year's imprisonment.

56 December 16 1857

ROBBERY FROM A BOAT On Thursday evening, **Joseph Roper**, boatman to Messrs Wheatcroft and Son, tied his boat to Sims' wharf, Whatstandwell Bridge, near Cromford, and was absent from about five o'clock to nine o'clock when, on returning, he found some thief or thieves had been on board, and stole his own and his wife's clothing, provisions and other articles, to the value of £7 at least. Three suspected places in the neighbourhood have been searched unavailingly.

57 December 16 1857

DERBYSHIRE WINTER ASSIZES

STEALING A HORSE **Henry Martin**, 27, boatman, was charged with stealing, on the 30th June 1857, a horse of the value of £10, the property of William Harrison, at Osmaston. Mr Mansell prosecuted ; prisoner was undefended. Prosecutor deposed that he was a cattle dealer living at Derby. In February last he turned a horse pony into a field at Osmaston, near Derby, and saw it there on Sunday the 28th of June. On Tuesday the 30th, it was missing. He saw it again in the police officer's possession at Burton-upon-Trent the following Friday ; he was quite sure it was the same. James Harrison, son of last witness, used the pony on the 29th of June, and turned it at nine o'clock at night into the field at Osmaston ; at six o'clock next morning it was missing. John Green, butcher and dealer, at Alrewas, Staffordshire, remembered being sent for on Tuesday, the 30th of June, to look at a pony, and went to a place by the canal side at Alrewas. Prisoner was in charge of the pony. He (witness) said, "What do you ask for him?" Prisoner replied, "£6". To which he answered, "I shall not give £6, but I'll give £4". Prisoner said, "Will you give £5?" He replied no, and afterwards they made a bargain at £4, which sum witness paid at his own house. Nothing was said as to where prisoner had the pony from then, but on going to have a glass of ale at the Navigation Inn, prisoner said he had had it of George James. Subsequently he found out that prisoner had neither boat nor horse of his own, and sent for a policeman and had him taken up. John Goddard, police-constable, Alrewas, went on the 30th of June to the Navigation Inn, and saw the prisoner, Green and several others there. A grey pony was in the yard, which prisoner said was his before he sold it to Green, and that he had bought it of George James, butcher, Leep Street, Stoke. Prisoner also said that he had made two voyages with the pony. The following day, he (witness) went to Stoke, but found no such person as George James in Leep Street. He kept the pony until the Friday following when it was identified by the prosecutor. Alrewas is 20 miles from Osmaston. Prisoner made no defence, and being found guilty, the Judge remarked upon the serious nature of the offence, and sentenced him to six years' penal servitude. On Tuesday, however, his Lordship mitigated the sentence to four years' penal servitude, in consequence of some circumstances which had since come to his knowledge.

58 December 23 1857

POLICE OFFICE, DERBY, SATURDAY DECEMBER 19

STREET DISTURBANCES **William Leicester**, a boatman, was charged by Police-constable Thomas Goodall with fighting in the street. Goodall said he was on duty in the Corn Market about a quarter past eleven on the previous night, when he saw prisoner and another man commence fighting about a woman. Prisoner ran at the woman and knocked her down, but she refused to come forward and give evidence against him. Prisoner was not drunk. Reprimanded and discharged.

59 February 10 1858

SERIOUS CASE OF MALT ROBBERY BY BOATMEN **William Smith** of Gainsborough, captain of a barge belonging to Mr Henry Curtis, agents to Messrs Smith and Sons, the extensive canal carriers and timber merchants, was apprehended at Willington on the 3rd inst by Police-constable Jones, charged with stealing 17 bags of malt which were found in his boat, and of which he could give no satisfactory account. It is expected that evidence would be given tending to show that a wholesale and systematic plunder in malt has been going on for some time, to the loss of Horninglow brewers.

60 April 21 1858

A CHILD DROWNED IN THE CANAL About two o'clock on Saturday afternoon last, a boatman perceived the body of a child in the canal near Slater's Wharf, Derby, and immediately gave an alarm. John Smith, a labourer living in Castle Place, heard the cry and hastened to the place. The boatman got the child out and handed it to Smith, who was deeply affected on finding that it was his own little girl, about three years of age. He hastened home and sent for Mr Harwood, surgeon. The child was put in a warm bath, friction used, and stimulants given as far as practicable, but without effect. An inquest was held before Mr Vallack, coroner, on Monday. There was no evidence to show how the child had got into the water, but no doubt it had strayed to the canal bank and fallen in, and the jury returned a verdict of "Found drowned".

61 June 30 1858

BURTON-UPON-TRENT PETTY SESSIONS, TUESDAY JUNE 22 **Frederick Collier**, boatman, was charged with stealing a quantity of ale in a nose-can from Mr Evershed's stores, Burton. The police were on the look out about eleven o'clock on Monday night, and saw the prisoner go to one of the casks and commence filling his can. He was at once apprehended, and a gimblet found in his possession. Sentenced to 21 days' imprisonment with hard labour.

62 July 7 1858

DERBYSHIRE JUNE SESSIONS

STEALING LEAD **David Bridge Backhouse**, 17, boatman, and **Mark Hart**, 17, boatman, were charged with stealing, on the 14th of June last, 11 lbs of lead, the property of Daniel Hodgson, Bugsworth. Mr Boden prosecuted. Prosecutor is a publican at Bugsworth, and it was clearly proved that the lead had been taken by the prisoners, who were two boat lads, and sold by them to a marine store dealer. Guilty. Two months' imprisonment each, with hard labour.

63 July 28 1858

DERBYSHIRE MIDSUMMER ASSIZES

CHARGE OF ARSON **Thomas Bott**, 33, boatman, charged with maliciously setting fire, on the 30th of June, to a stack of hay at Measham, the property of James Bonsell. Mr Simmonds prosecuted ; prisoner was undefended. Thomas Yeomans, a brewer living at Measham, deposed that he passed Mr Bonsell's rick at half past seven o'clock on the evening of the 30th of June, and it seemed all right. In returning, about half an hour after, he saw flames burst forth from a stack, and the prisoner came from it ; no one else was near it ; prisoner was two or three hundred yards off ; he was walking fast along the foot path, in the direction of Snareston, and kept looking round. Witness and Mr Booth followed him, and when they got within seven or eight yards of him, he turned round and said, "Master, is there a fire there?" Witness replied yes, and that he (prisoner) had been seen very near it, and was liable to be taken on suspicion. Prisoner said, "Who can have set fire to it?" John Ball, parish constable of Measham, from information received, apprehended the prisoner, who made no reply to the charge, and said he came from Ashby Wolds. Mary Wilkins, who keeps a public house at Snareston, said prisoner came to her house about six o'clock, and said he was going to Moira ; he returned again about nine and did not say anything about a hay rick. It is five or six miles from Moira to Snareston. Acquitted,

64 August 4 1858

POLICE OFFICE, DERBY, MONDAY

ATTEMPTED SUICIDE A married woman named McCormack was charged with attempting to destroy herself. **Snowden Sheldon**, a boatman, said he was by the canal side, Nottingham Road, on Saturday night, when a little boy (son of prisoner) gave an alarm that prisoner was in the water. Witness at once jumped in and fetched prisoner out of the middle of the cut. The Superintendent : She was brought to the Police Office ; she then said that her husband had been beating her, which caused her to attempt to take away her life. Sergeant Green : By direction of the Superintendent, I have made inquiries in the neighbourhood where prisoner lives, and find that she is very much addicted to drink. On Saturday she was very fresh, and her husband and her having some words at night, she went out and attempted to destroy herself. Dr Bent suitably admonished prisoner and discharged her. Sheldon, who was told that he had acted very creditably, was allowed 2s 6d from the poor box.

65 December 1 1858

A WOMAN FOUND DROWNED An inquest was held on Tuesday night on the body of Jane Burns, which had been found in the canal in the Abbey Meadow. **Thomas Walker**, boatman, deposed to finding the body in the water, about eight o'clock that morning. The deceased had no bonnet on, and had but one shoe. She had on all her other clothing. The jury returned a verdict of "Found drowned".

66 February 16 1859

BURSTING OF A CANAL

EXTRAORDINARY ACCIDENT AND GREAT LOSS OF PROPERTY

BARNESLEY, SATURDAY AFTERNOON Early on Friday morning, a serious occurrence took place at Hoyle Mill near Barnsley, by the bursting of the canal of that place. At an early hour in the morning, some of the men on board the boats moored close to the Oaks Colliery were surprised and alarmed to find their boats gradually losing the centre of gravity, and going on their sides. An alarm was made, and a party went ashore to endeavour to fathom the cause. After going along the embankment, they found the canal had burst, as the water was rushing down at a tremendous rate, carrying away walls, trees and everything that lay in the track it took. As morning dawned, the extent of the damage became apparent, when it was found that the canal had been drained for about four and a half miles, the water remaining being less than a foot deep. Mr Bartholomew, the engineer of the river Dun Company (to which company the canal belongs) was early on the spot, and on examination he found the place from which the water ran to be twenty five feet below the level of the canal bottom. The water had forced its way through the soil, and descending into the valley below, had done a considerable amount of damage particularly to the growing crops, running under the soil and forcing it upwards. Some idea may be formed of the force of the torrent, when it is stated that more than fifty millions of gallons of water have been forced out upon the roads and fields, the weight of which would be considerably more than 200,000 tons. In fact, had the accident occurred at any other time, there might have been a great loss of life ; as it is, the damage to property is immense. A good harvest was made by parties with nets, who succeeded in getting a large quantity of fish. The immediate effect of the catastrophe will be to throw out of work a great number of the men belonging to the various pits in the neighbourhood, who depend upon the canal for their traffic. The boatmen will also be sufferers, as they will have to remain unemployed till the damage is repaired and the canal filled with water.

67 February 16 1859

DESTRUCTION OF A CANAL The bursting of a reservoir has destroyed the Crinan Canal – a waterway of great importance to the west coast of Scotland. The incident is thus described in a letter to the Times :-

After an unprecedented wet season, on the evening of the 2nd about eight o'clock, one of those

reservoirs, becoming overcharged, suddenly burst and precipitated itself into the one beneath, which also giving way, the contents of both bounded into a third and, with a roar which shook the country for miles around, an avalanche of water, rocks and earth rolled down the mountainside, furrowing a deep watercourse in its way and instantly obliterating the canal under a mountain of thousands of tons of rocks and stones. The vast body of water, separating into two great tide waves, rolled away to the east and west, breaking up lock gates like tinder ; and, tunnelling vast chasms through the banks, the waters found vent over the open country, the one by the town of Lochgilphead into Loch Fyne, the other over the Crinan mosses into the western sea, both strewing the face of the country with mud, stones, peat, fragments of corn stacks, uprooted bushes and broken timber, in a most wonderful manner. Even the loch for many miles out to sea is quite turbid, and its surface speckled over with floating debris.

Though the loss of property is at present incalculable, yet, most miraculously, there has not been a single life lost, though the alarm of the people at Lochgilphead may be conceived when they heard the distant bellowing of the torrent and rolling and grating of rocks, and then saw through the darkness of the night the moving flood all around them.

About half a mile of canal is buried under a chaotic heap of Cyclopien stones, like a rugged sea beach. In this part of Glen Crinan, Nature has completely resumed her sway ; towing-path and high road, and all appearance of the hand of man, have totally disappeared. For two miles the canal is destroyed, the banks being cut up by chasms like railway cuttings ; but the remaining portions, about four miles at either end, are intact, though probably injured by the quantity of mud injected into them. The pressure upon their banks must have been great, and the waters swelled over their edges for their whole length, and Ardrispaig was probably only saved by the immediate opening of the sluices and giving vent to the water, which must, had the bank given way, have swept the village into the sea.

68 February 23 1859

COUNTY COURT, DERBY, SATURDAY FEBRUARY 19

IN RE **THOMAS MEADS** This insolvent, late of Sawley in this county, labourer, and formerly also a boatman, a prisoner, came up for hearing. Mr Marshall, solicitor of Birmingham, opposed on behalf of the detaining creditors, the assignees of William Lewis of Horsley Heath, Tipton, a bankrupt ; and Mr Briggs of Derby, solicitor, on behalf of **Mr Josh Byat** of Derby, boatman, who had purchased a boat from insolvent and laid out a considerable sum upon it, which was afterwards seized by the assignees of Lewis as their property. After an examination of the insolvent, Mr Briggs withdrew his opposition, and his Honour ordered insolvent to be discharged forthwith. Insolvent's attorney, Mr S G Smith.

69 March 23 1859

DERBYSHIRE ASSIZES

CHARGE OF FIRING A STACK **Thomas Bott**, boatman, was charged with having on the 6th February set fire to a stack of hay, the property of Thomas Paddington, Stretton-en-le-Fields. Mr Barker prosecuted ; prisoner was undefended. The prisoner and a man named Ward were overheard talking about a fire at Bonser's, and prisoner said, "Old Bonser thinks I set it on fire". Ward said, "You did fire it, did you not", and prisoner replied, "Oh, no". The same night prosecutor's stack was fired, a collier named Finch was returning home from his work in the middle of the night, and saw the prisoner coming from the direction of the prosecutor's stack yard. He was about 300 yards from the rick when he saw him. Prisoner said, "Come on, my lad. I'll pay for a quart of ale at Gocher's public house". Finch said it was too late, they had shut up, and prisoner replied, "Go along then, and someone will very soon have to look sharp round the corners". A lad was returning home from work the same evening, about 12 o'clock, and on getting to Bamber Bridge, he saw the hay stack on fire. Richard Fisher, plumber, Measham, was at Radford's beer house, Measham, on the 4th of February. Prisoner was there also. Witness was looking through the window, and prisoner said, "What are you looking at – are you looking at old Bonsor's ricks?" Witness replied, "Oh no,

not particular". Prisoner then said, "Perhaps you think I set it on fire". Witness replied that he did, but that he did not do it on purpose. Witness asked him what he went to a boatman in Coxon's spinney for. Prisoner said he was turned out of prosecutor's house and had been put into a round house, but he would be one in with the b---- old b---- and before long. The next day, prosecutor's stacks were fired. Police-constable Ray, on hearing of the matter, went in search of prisoner. Prosecutor asked prisoner where he went to when he left his house that night, and prisoner replied, "I don't know". Prosecutor said, "How came you to go to the gate of the stack yard?", and he replied, "I don't know". Witness asked him his object for going to the stack yard, and he said he could not, nor could he tell where he had been during the evening. He made no reply to the charge, and trembled very much. Witness made further inquiries, and then returned to prisoner, who said, "This job is enough to make one never want more drink", and witness replied that it was. Prisoner then said, "I shan't say whether I did it, or did not, but I will bet you 6d that I get off". He was then searched, and a box of matches was found upon him. The keeper of the Wooden Box lock up also told him the charge, and prisoner said, "You have to prove it". He also said, "I went into the gate by the stack because it was the nearest way". Witness has since examined the place, and finds that it does not lead to anywhere. After a careful summing up from his Lordship, the jury found a verdict of guilty. His Lordship, in passing sentence, said he believed that he had fired stacks before, and as a warning to others in this county, he should order him to penal servitude for ten years.

70 March 30 1859

SUSPECTED MURDER AT LINCOLN A young man named Charles Evans, lately a cooper on board her Majesty's steamer *Sanspareil*, and who was discharged from the service on the 18th ult, has been found dead under circumstances which leave little doubt that he has been murdered. He arrived in Lincoln on the 21st ult, on a visit to his father and mother. He went to the races on the 24th of February, and not returning home, fears were entertained that he had, while in a state of intoxication, fallen into the river Witham. Notwithstanding repeated draggings, nothing was seen of the body until Thursday last, when it was found by a boatman floating at the top of the water near the Stampend Brewery. An inquest was held, and it then appeared that on the night on which the deceased disappeared, he had a £10 note concealed in his belt. He was seen drinking at several public houses, the last being the White Swan. At the latter place, there was a suspicious character named Joseph Dickinson alias Rush. A man named Lee was asked by a woman whom he afterwards met at the Spread Eagle, whether he had seen the deceased. On his replying in the affirmative, she said, "He has just been here, and Jack Teaster has gone away with him, because he has a good deal of money". Lee then said, "Teaster will make him all right then". This Teaster is said to be one of the most notorious characters in the city of Lincoln. A notorious woman named Rebecca Hammonds, on being questioned, said, "A man who went by the name of "Red neck" told her he saw the deceased in company with a groom, and he heard him say that he had a £10 note which his father knew nothing about, and he intended to go to Hull and have a spree with it. When the body was found, the belt was missing. On the following morning, Dickinson and Teaster went to the New Market Hotel, in company with some other men, and got change for a £10 Bank of England note. The most singular circumstance attending the affair is that about half past eight o'clock in the evening on the 6th of March, ten days after the deceased was missed, his mother, while standing at her chamber window thinking about her unfortunate son, saw two men passing along the water, one of them carrying a sack which appeared to be very heavy. The thought of her missing son crossed her mind, and she rushed out of the house, and saw that the man had disposed of his burden. She at once went up to him and said, "What have you done with that bundle?" He replied, "I never carried a bundle. A navy man has just gone down there with one". She, however, asked a gentleman coming from the direction indicated, and he replied that he had met no one. She then went up to the man and seized hold of him, saying, "I shall know you again. If anything is ever found in the river at that spot I shall bear witness against you". She also took particular notice of the other man, as did also a witness named Coulson. On the following day she pointed Dickinson out as the man, and she again swore most positively to him at the inquest ; she could not, however,

identify Teaster as the other man, but that may be accounted for by the fact that he had since shaved off his whiskers. At the precise spot where these men were supposed to throw the bundle into the river, the deceased's body was found.

71 August 21 1859

SHOCKING TREATMENT AND SUICIDE OF A "WITCH" A most painful and heart sickening event has just occurred at a place called Highfields near Bilston. For a number of years in an isolated cottage in Spring Vale, which is in proximity to the above place, lived an old woman called Poll Powis, but generally known by the name of the Spring Vale Witch. As she was wont to do, she was seen walking about Spring Vale near to the canal, when suddenly she made a desperate leap into the water from the bridge. Several boatmen were soon on the spot, and having got her out, exhibited the poor female in a most beastly way. It is difficult to conjecture to what horrible extent they might have carried their wanton conduct had not a gentleman appeared, and compelled them to lay the dying creature down. She expired shortly afterwards. We have it that the poor woman presented when laid out the most horrible state of emaciation. An investigation is to be made into this sad circumstance.

72 October 19 1859

SINGULAR RECOVERY OF £25 At the Nottingham Police Court on Wednesday, two women named Charlotte Martin and Thirza Betts were taken before the sitting magistrates, charged with stealing £25 8s 6d, the property of **Mr Booth**, boatman of Ilkeston, Derbyshire. It appeared from the evidence that prosecutor went to the Tom Moody beer house in Nottingham on Tuesday evening, and requested the landlady (the first named prisoner) to provide him a bed, as he wished to stay there all night. She did so, and the prosecutor, before retiring to rest, placed in her hands three £5 notes and ten sovereigns in gold, for safety. He then went to bed, and placed his trousers, in which was a purse containing 8s 6d, under his pillow. The next morning when he awoke, the trousers were on the opposite side of the room, and the purse and money were gone. This was about five o'clock. He got up and made an alarm, upon which Mrs Martin wished to know what was the matter. He told her of the robbery, and she said she would get up and see if the £25 he had given her, which she had placed with her own money, was safe. After making a diligent search, she said the house had been robbed of both sums of money, and charged the servant girl with being the thief. Some time afterwards, Martin's money was found behind the clock in the kitchen, but the £25 was nowhere to be found. Prosecutor thought this was strange, and said he would give both Mrs Martin and the servant into custody. Upon this threat being made, Martin instantly sent a messenger out, and in a very few minutes placed five £5 notes in his hand, one of which was the same as he had had the previous day. Detective Bacon shortly afterwards arrived, and he gave them in charge. Both prisoners denied the felony. The Bench thought it a very strange case, and remanded the prisoners until further inquiries could be made.

73 January 25 1860

BOROUGH POLICE COURT, WEDNESDAY JANUARY 18

HIDE STEALING A boatman named **Robert Basford** was charged with stealing a cow hide, supposed to be the property of Mr Richardson, Horsley Woodhouse. Inspector Fearn said that on Saturday morning a man named Lomax (father to the prisoner sentenced on Saturday) took a hide to Mr Eastwood, in Full Street, and offered it for sale. Mr Eastwood discovered that it was a foreign hide, and in answer to his questions, Lomax said he had purchased it from three boatmen, the prisoner being one. The property has not been identified, and he asked for a remand in order to make further inquiries. Lomax was in court, and in answer to the Mayor said he had at first refused to have anything to do with the hide, but he ultimately gave 6s for it, although it was worth 26s. The prisoner and his mates told him they had got it out of the canal, but he believed it to be stolen. Mr Pratt said he could see no reason why Lomax should not be charged with the other man, and after the Mayor had granted the remand, both men were taken out of court in the charge of

Inspector Fearn.

74 May 16 1860

MURDER OF A WOMAN AT WOLVERHAMPTON In the outskirts of Wolverhampton late on Saturday night last, a woman named **Elizabeth Evans** was killed by **Edward Humphreys**, a boatman. As is general among people of their class, Humphreys and Evans lived in the boat, which was moored against Sheldon's timber yard, at the bottom of Canal Street, and not far from the stations of the Great Western and London and North Western Railways. About ten o'clock Evans left the boat in company with some female acquaintances, and Humphreys suspecting that they had gone to get drink – regarding which he had, it appears, a quarrel with Evans earlier in the night – followed them. He overtook them near the railway bridge on the Cannock Road and, accosting the unfortunate woman, asked her with an imprecation how she would like his fists. She replied that she was not aware that she had done anything to induce him to strike her, to which he replied by beating her (he is a very powerful fellow, about six feet high, and stout in proportion) until she reeled and fell against a fence. A companion of the deceased expostulated with him, upon which he looked at his victim, cursed her, and declaring that if she was not yet dead he should kill her, dealt the half-conscious wretch a tremendous kick on the side. She gave a great scream and apparently ceased to exist, for she showed no signs of life afterwards. Humphreys was taken into custody about two hours afterwards.

75 June 20 1860

EXTRAORDINARY DEATH FROM DRINKING BRANDY An inquest was held at Grappenhall near Warrington on Tuesday, on the body of **James Randalls**, aged 20. The deceased and a man named **Parry** (both employed as boatmen on board a flat) had got to a cask of brandy considerably over proof, which was being conveyed in the vessel. Randalls drank three teacupfuls of the raw spirit, and Parry likewise took a considerable quantity. Soon afterwards Randalls became deadly sick, and lay down on the deck of the vessel. Previously to drinking the brandy, Randalls had dined plentifully of mutton. This he vomited up; but, not having muscular effort sufficient to eject it from his mouth, some of it was drawn into the windpipe and choked him. After death, his mouth was found quite full of the mutton. The other man (Parry) remained for some time in a state of coma, but is now recovering. Verdict: "Died from excessive drinking".

76 June 20 1860

BOROUGH POLICE COURT, MONDAY JUNE 11 **John Revel**, a boatman, was charged with being drunk and fighting in the Morledge on Wednesday night. He was fined 10s and costs.

77 June 27 1860

BOROUGH POLICE COURT, THURSDAY George Baggaley, a sweep living in Castle Street, was charged with committing an indecent assault upon a girl, three years old, named **Theobald**, the daughter of a boatman. The mother of the child was present, and said she did not wish to press the charge. The Bench told her it was disgraceful to compromise such a case, and they should compel her to produce the child, for which purpose the prisoner was remanded until Friday.

78 July 18 1860

BOROUGH POLICE COURT

Thomas Bott, Duke Street, was brought up in custody, on a charge of stealing potatoes from the garden of Mr Thomas Taylor, Nottingham Road. Police-constable Burrows said he was on duty on St Mary's Bridge about twelve o'clock on the previous evening, and met the prisoner, whose pockets were very bulky. He stopped him, and on searching him found in them about two pecks of potatoes, which he said he had stolen from a garden near the canal side. Mr Taylor said they had compared the marks of footsteps in the garden with the prisoner's boots, and found that they corresponded exactly. There were marks of other footsteps, and the prisoner acknowledged that another man had

been with him. Mr Taylor added that it was about the sixth year that his garden had been robbed and injured. The prisoner was committed to hard labour for six months.

GARDEN ROBBERY A boatman named **Snowdon Sheridan** was brought up charged with being concerned with the man Bott, committed on Tuesday for stealing potatoes from a garden on the canal side, Nottingham Road. He was apprehended by Sergeant Pickin at his lodgings in China Manufactory Yard, where some of the potatoes were found. He did not deny the robbery ; and the Bench sentenced him to one month's imprisonment with hard labour.

79 August 1 1860

DERBYSHIRE SUMMER ASSIZES

ROBBERY FROM THE PERSON George Taylor, 34, labourer, Thomas Jennings, 23, stoker, and William Mathers, 20, moulder, were charged with stealing on the 15th of July last, from the person of **James Flatters**, 26s, at Eckington. Mr Jessell prosecuted ; prisoners were defended by Mr O'Brien. The prosecutor deposed that he was a boatman. On Saturday the 14th of July, he was with his boat at Renishaw, and went to the New Inn at that place in the evening, and remained until eleven o'clock, when he proceeded to the boat, accompanied by the captain of it. Witness was not so drunk but what he knew what he was doing. When he got into the cabin of the boat, he counted out his money in the presence of **Tinsley**, the captain of the boat. He had 16s in silver and half a sovereign ; he put the money into his breeches pocket, and then fell asleep. Early next morning he was awoke by a man, and found that his money had been taken, and his purse was hanging out of his pocket. By Mr O'Brien : Tinsley did not belong to my boat. I went aboard his boat that night. Tinsley went away altogether about a week after the robbery, and has not been seen since. George Hartley, who works at a furnace at Renishaw, proved that at twelve o'clock on the evening in question, he was at work in the furnace, and saw Tinsley and the prosecutor go arm in arm on the boat. They entered the cabin and remained there. Directly afterwards the three prisoners boarded the boat, and Jennings went down into the cabin, whilst Taylor and Mather lay down on the deck. Jennings came out of the cabin, and handed something over to Mather, like a small purse or bag, who shook something out of it on to the deck. Taylor lay on the deck close to Mather. They then all three left the boat, and went to the back of a new building to get out of witness's sight. Mather and Jennings then separated, and Taylor lay on the canal bank until about three o'clock on Sunday morning, and then went away. He was quite sure the prisoners are the same three men that he saw on the boat. By the Judge : The prisoners were not boatmen, nor had they any right on the boat. Joseph Grundy, another furnaceman, corroborated the last witness, and said he had known the prisoners for 14 years, Mather and Jennings having worked at the same furnace. Mrs Goodwin, who keeps a public house at Renishaw, proved that the prisoners were drinking at her house on the evening in question. Mr O'Brien, in addressing the jury for the prisoners, contended that there was no evidence to show that Flatters had been robbed of the sum mentioned in the indictment, nor was it proved that what the prisoners were stated to turn on to the deck of the boat was money. The jury, after a long consultation, said they could not agree, and a bailiff being sworn they were locked up. After being absent about two hours, they returned into Court with a verdict of Guilty against the prisoners, and they were sentenced to one year's imprisonment each with hard labour.

80 August 8 1860

TRENT LOCKS Mr Whiston held an inquest on Monday the 6th inst at Trent Locks, on the body of **William Ruthford**, a boatman aged 51, who, on Saturday the 5th inst, whilst in a state of intoxication, was attempting to move his boat, suddenly fell into the canal, and was drowned. Verdict accordingly. A companion of the deceased very narrowly escaped a similar death.

81 October 24 1860

DERBYSHIRE OCTOBER SESSIONS

PASSING BAD MONEY **Joseph Wells alias Wills**, boatman, and **Thomas Taplin**, 53, boatman,

was charged with uttering four bad half crowns at Oakthorpe on the 25th August last. Mr Bristowe prosecuted. Taplin pleaded guilty ; Wells pleaded not guilty. Wells was found guilty and sentenced to 18 months' imprisonment with hard labour. Taplin, who was known to the police, was sentenced to two years' imprisonment with hard labour.

82 November 21 1860

EXTENSIVE ROBBERY OF LINSEED At the Derby Police Court on Monday, a boatman named **Johnson** was charged with being concerned in the robbery of a large quantity of linseed en route from Gainsborough to Nottingham. Mr Hilton, the head constable, received such information on Saturday as induced him to go, in company with Inspector Fearn, to Willington, where the man Johnson, who is proprietor of two boats, was staying, and on finding Johnson they asked him if he had delivered any linseed. He replied that he had brought some from Gainsborough, consigned to a Mr Barber of Derby, from a Mr Saxon or Jackson, he did not know which, adding at first that he was a merchant and then afterwards saying that he did not know what he (Saxon) was. After the interview with Johnson, the officers went to Messrs Bass and Co's wharf, where they received from the wharfinger the following note of consignment :-

Gainsborough 1860
November 8th
From C Saxon
22 qrs of linseed, in good condition,
to be delivered at the
Willington Station
For Mr Barber
Miller

G Johnson, master Derby

After apprehending Johnson and obtaining further information, the officers returned to Derby, where they discovered that a man named Moore of Shardlow had bargained with Mr Barber for the purchase of 22 quarters of linseed at 42s per quarter, 8s under the trade price, and on Moore leaving, Barber asked him for a note of the purchase, but Moore replied, "It's of no use ; it's consigned to you". Subsequent inquiries proved that the prisoner, as long ago as Tuesday last, went to Moore at Shardlow in an intoxicated state, and induced him to write the following note :-

November 8 1860

25 qrs of linseed
For Mr Barber of Derby
From Mr Saxon, Hull, to be delivered at Nottingham Station for Derby.

On the following morning, Wednesday, Johnson again went to Moore, and persuaded him to write the first note, which was delivered to the wharfinger at Willington. From further inquiries made by the police, it appears that Johnson was master of a vessel in which was consigned from a firm at Gainsborough a large load of linseed for Mr Walker at Nottingham. On the boat's arrival at the latter place, Johnson treated the man who was taking an account of the sacks as the linseed was unloaded, and after the fellow had been made nearly drunk, the twenty two quarters were fraudulently left in the hold, and Johnson's men, casually employed, were instructed to send up half a bag as the last instalment, and to say, "That's all". Mr Hilton having detailed these facts before the Mayor, asked that the prisoner might be remanded in order to be taken to Nottingham, where the case will be investigated. The remand was granted. Mr Hilton and Inspector Fearn have perseveringly worked up the evidence necessary to justify them in taking Johnson into custody.

83 November 28 1860

COUNTY POLICE COURT, FRIDAY NOVEMBER 24 **William Lester**, boatman, Nottingham Road, was charged with trespassing at Breadsall on the 11th instant, in search of game. Henry Starbuck, the complainant, said on the 11th he saw five or six men, including the defendant, in a field occupied by Mr Joseph Sheppard, beating for game. A police officer stationed at Spondon said he, in company with Sir Henry Wilmot's keeper, stopped the defendant one day when he had rabbits in his possession, and had dogs with him, but he ran off. The Magistrates inflicted a penalty of £2 and costs, or in default two months' imprisonment with hard labour.

84 December 26 1860

PETTY SESSIONS, DECEMBER 19 **A Brady**, boatman of Heage, was charged by Acting Sergeant McMahon with stealing a quantity of coal, the property of Mr Rhodes of Heage. Six weeks' imprisonment.

85 January 9 1861

LEEK PETTY SESSIONS, DECEMBER 31 **John Tomkinson** of Endon, boatman, and **James Tomkinson** of Bradley Green, boatman, were fined, John Tomkinson £1 and James Tomkinson £1 10s for assaulting and beating William Brookes, landlord of a public house, at Cat's Head on the 26th December.

John Tomkinson was also fined £2 and James Tomkinson £3 for assaulting in a savage and brutal manner Mr William Hall of Endon, farmer, at the same time and place. Mr Hall had been requested by Mr Brookes to assist him in removing the defendants from the house, they being noisy and annoying Mr Brookes's company, and on his and the landlord's remonstrating with them, they assaulted them as stated.

86 February 20 1861

COUNTY COURT, DERBY, MONDAY FEBRUARY 11

WALKER AND ANOTHER v BARBER

This was an action brought by the plaintiffs, linseed crushers at Nottingham, against the defendant, linseed crusher, Derby, to recover £9 9s 3d as damages for the conversion of 13 cwt of linseed.

Mr Coope, solicitor, Nottingham, appeared for the plaintiffs ; and Mr Worthington, solicitor, Derby, for the defendant.

Mr Coope, in opening the plaintiffs' case, stated that in October last, the plaintiffs purchased a large quantity of linseed at Archangel, to be delivered at Hull, from whence it was to be sent to Gainsborough ; that a boatman named **Samuel Johnson** was employed by plaintiffs to bring 200 odd quarters of the seed from Gainsborough to Nottingham ; that from information they had received, they found the man Johnson had stolen 3 ton 17 cwt of the seed and taken it to Willington, and from thence to the Derby railway station, and that it had been sold by a man named Moore of Shardlow to the defendant, who had fetched away one load of 14 bags of the seed, and used 13 cwt of it, notwithstanding the caution of the police. The police afterwards fetched the remaining 30 bags of seed from the railway station and 7 ½ bags from the defendant's mill to the Town Hall, where it was weighed. After deducting the weight of the 17 ½ bags from the 3 ton 17 cwt invoiced at the railway station, it was found there was a deficiency of 13 cwt, the value of which the plaintiffs sought to recover.

The defendant had pleaded a set off of £9 18s 2d for bags alleged to be sold with some rapeseed to the plaintiffs in April last. This ought to be tried by a separate action as the bargain was between the plaintiffs' and defendant's assignees. The boatman Johnson had pleaded guilty, and been sentenced to six months' imprisonment and hard labour.

Mr John Walker, the plaintiff, examined by Mr Coope : Witness is a linseed crusher and bone merchant at Nottingham. In October last he employed Johnson to bring 293 quarters of linseed from Gainsborough to Nottingham. Considered Johnson had delivered all the seed at witness's warehouse. Johnson came for his freight and went away. Received information from Mr Hilton,

superintendent of police, that 3 ton 17 cwt of seed had been taken from Willington station to Derby, and that Hilton had taken Johnson into custody, who had pleaded guilty. Witness had got back the whole of the seed except the 13 cwt used by defendant. Fifty three shillings per quarter was the Hull market value of it with carriage. The set off pleaded by defendant was for sacks sold with rapeseed by defendant's assignees, and witness was prepared to meet that claim, as he considered they were given in according to the custom of the trade.

Cross-examined by Mr Worthington : Witness had not missed any of the seed, and only knew of it by Johnson pleading guilty. Did not know whether the railway weight of the seed was correct. Went by the weights supplied by the police. The seed did not come in bags, it was loose in the boat. Thomas Orme, examined by Mr Coope : is servant to the Midland Railway Company. In November last, 44 bags of linseed came to Derby station to order of Mr Barber, as appears by delivery book produced. On 17th November, witness delivered to defendant's servant, Plant, 14 bags of seed. A few days after witness delivered the remaining 30 bags to the police.

George Hilton, superintendent of Derby Police, examined by Mr Coope : On Saturday the 17th November, from information witness received, he and Inspector Fearn went to Willington and took Johnson into custody. In the evening, witness called on defendant and told him Johnson was in custody, and warned him not to meddle with the seed. On Monday, witness found some of the seed had been fetched away from the railway station. Called at defendant's mill, and found his men crushing it, and stopped them doing so. Witness went to defendant and asked him how he could think of touching it, when he said he should have to pay someone for it. Witness had the rest of the seed brought from the railway station and defendant's premises to the Town Hall, and weighed on the 28th November. Defendant was present, but said he should go by his own weights. Witness found that deducting the total weights of seed fetched away from the 3 ton 17 cwt invoiced at the railway station, there was the deficiency of 13 cwt claimed by the plaintiffs.

Cross-examined by Mr Worthington : Witness received instructions to enquire into the case by the Mayor, and did not know whether the 3 tons 17 cwt of seed invoiced at the Railway Station was correct weight or not.

Benjamin Fearn, Inspector of Police at Derby, examined by Mr Coope : Witness went to the Railway Station on Saturday 17th of November about 2 or 3 o'clock, and found 44 sacks of linseed invoiced to defendant. Early on Monday, witness went to the Railway Station and found that 14 bags had been fetched by defendant's man. Witness told them not to let more seed go. In the afternoon, witness fetched 30 sacks from the Railway Station and 7 ½ from defendant's mill, and took them to the Town Hall. Witness produced a sample of the seed.

Cross-examined by Mr Worthington : The 7 ½ bags were weighed by defendant's servant in witness's presence before being brought away. Witness made a note of the weights at the time, but has not got it now, but witness believes defendant's weights are correct.

This was the plaintiffs' case.

Mr Worthington, for the defendant, stated that he should not try to support the set off in its present form, but would confine himself to the question of weight and price of the seed converted by the defendant, and in doing so he trusted he should put a different complexion on the case than that endeavoured to be imparted to it by the plaintiffs. It was quite true the defendant had bought the seed from Moore in market overt at 45s per quarter, which defendant would prove by most respectable witnesses was its full and ample value. On Saturday the 16th November, a servant of the Railway Company brought defendant an invoice of the seed, from which it appeared it was already invoiced in defendant's name as coming from Willington. This excited defendant's suspicion, and he went to the Mayor and asked his opinion about it. The Mayor took the invoice and instructed Mr Hilton to enquire into the matter, and the Court had heard the result of that enquiry. Defendant had to go to Stanley, and whilst he was away, his man fetched away 14 bags of the seed from the Railway Station. On Monday morning the men weighed it and commenced crushing it in the usual course of business. In the course of Monday morning, Mr Hilton called on defendant and told him the seed belonged to plaintiffs, when defendant told him he would order his men not to crush any more, and give up the remainder to the police. Defendant had that day to go to Hull, and on his

return he found Inspector Fearn had fetched away 7 ½ bags of the seed which had not been used. The 14 bags fetched from the Railway Station were weighed by defendant's servants, and found to be 183 stone and 11 lbs, and the nett weight of the 7 ½ bags returned to the police was 76 stone 10 lbs, the difference between which the defendant was willing to pay for at 45s per quarter, amounting to £5 18s 2d. The Railway Company had made out two invoices, one for 3 ton 11 cwt, the other 3 ton 17 cwt.

Mr John Barber, the defendant, examined by Mr Worthington : Moore called on witness on Friday the 16th November last, and produced a sample of linseed for which he asked 47s per quarter. Witness told him it was rubbish and that he would not give him more than 45s ; eventually Moore sold it at that price. Moore said it was at the Railway Station, and wanted witness to get it in that afternoon, that he might take the bags back ; but witness could not leave the market, and Moore went to the mill and saw defendant's man, but the seed could not be got away that day. On Saturday, witness received an invoice of the seed made out in his name as coming from Willington. This excited his suspicion, and he went to the Mayor and asked his opinion about it. The Mayor took the invoice to Mr Hilton. Witness had to go to Stanley, and on his return in the evening, Hilton called on him and told him he had Johnson in custody at the Town Hall, and asked witness to come across and see if he could identify him. Witness went, but had never seen the prisoner before. Whilst witness was at Stanley, his man, Plant, fetched in 14 bags of the seed, which the men commenced crushing on the Monday morning. In the course of Monday morning, Mr Hilton called on witness and told him the seed was plaintiffs' ; when witness said he would go down to the mill and stop them using it. Hilton said he had stopped them already. Witness had to go that day to Hull, and returned next day. He then found the police had fetched away 7 ½ bags of the seed from witness's mill. The 14 bags brought from the Railway Station were weighed by defendant's servant, Holgate, and weighed 183 st 11 lbs, and the 7 ½ bags were weighed by Plant, and weighed 76 st 10 lbs nett. The sample produced by Fearn was part of the seed, it was of very inferior quality ; and witness considered 45s per quarter its full value. Witness paid 15s 2d charged by the Railway Company for carriage from Willington.

Cross-examined by Mr Coope : Witness knew from Mr Hilton on Saturday evening the seed was stolen. Did not go down to his mill the first thing on Monday morning and stop his men using it ; had bought it, and knew he should have to pay someone for it. Went down about 12 o'clock to stop the men, and found Hilton had been and stopped them.

Mr John Ratcliff, ironmonger and seed dealer, Derby, examined by Mr Worthington : The sample of linseed produced is of very inferior quality, and witness considered that 45s per quarter given by the defendant was its outside value. Witness would not give so much.

Cross-examined by Mr Coope : Witness dealt in a much better quality of seed ; his sales were not very great, but they were not confined to selling seed for canaries. Witness had not bought seed from Moore.

Mr John Walters, ironmonger and seed dealer, Derby : Witness said the sample produced was very inferior. Witness would not buy it at any price, and considered the price given by defendant as much, or more than, it was worth.

By the Judge : Witness had not much experience in such seed as this. Witness sold seed of much better quality for feeding purposes. This seed might do for crushing.

George Plant, examined by Mr Worthington : Witness is defendant's oil cake maker. Moore called on a Friday and told witness he had sold Mr Barber some seed and wanted it got away from the station that afternoon. Witness went to the station, but it could not be got away that afternoon. Witness fetched away 14 bags from the Railway Station on Saturday afternoon. On Monday morning it was unloaded and weighed by Holgate. Witness put it in the hopper and commenced crushing it. In the afternoon, Fearn fetched away 7 ½ bags. Witness weighed it in the presence of Fearn, who took down the weights. Witness took them down also.

Cross-examined by Mr Coope : Did not fetch any more seed away on Saturday, because the other was not unloaded. Did not commence grinding it on Saturday afternoon, because it was time to give over work. Had no special orders about grinding this seed ; witness always begins to grind as

soon as it comes in. The police had been before Mr Barber came down to stop them on Monday. George Holgate, examined by Mr Worthington : Is defendant's foreman ; witness weighed the 14 bags of seed on Monday morning ; they weighed 183 st 11 lbs.

Cross-examined by Mr Coope : It is always the custom to weigh seed as soon as it comes in ; weighed some that morning. Witness's name is on a cart that was master's ; it is in black and white. The Judge, alluding to the facts, said the defendant had acted very rightly in the first instance, when his suspicions were excited, in going to the Mayor, but he had acted very improperly afterwards. It was no answer to say he thought he might as well use the seed, he should have to pay someone for it. The course he took might possibly have impeded the ends of justice. As to the disputed weights, the Railway Company had made out the invoices in a very loose and unsatisfactory manner ; two had been put in evidence, one stating the seed was 3 ton 11 cwt, the other 3 ton 17 cwt. Looking at the rate and price charged for carriage, he (the Judge) believed 3 ton 17 cwt was right ; he should therefore allow the plaintiffs the weight proved by the police. Then as to the price, the defendant had called two very respectable witnesses who corroborated his opinion of the value of the seed, but they did not deal in seed of this quality ; their transactions were in selling seed in smaller quantities of a much better character. Looking at all the circumstances of the case, he should allow the plaintiffs the full amount claimed, viz, £9 9s 3d, with costs.

Verdict for plaintiffs accordingly.

87 April 17 1861

A DERBYSHIRE MAN GARROTTED On Wednesday at the Public Office, Birmingham, Thomas Mills, a filer of Coventry Street, was charged with assaulting and robbing a boatman named **Thomas Neville**. The prosecutor, who resides at Bull Bridge, Derbyshire, left his boat at Oldbury on Tuesday afternoon, and went to Birmingham on business. Before returning in the evening, he called at a public house in Edmund Street, where he saw the prisoner in company with another man and several females, and as they appeared to have no money, the prosecutor treated them with some ale. About nine o'clock he left the public house, and was accompanied by the prisoner and the other man, who pushed him into an opening, and the latter then seized him tightly by the throat, whilst the prisoner took from his pockets a silver watch and 24s in cash. The prisoner and his companion then made their escape with the proceeds of the robbery ; and the prosecutor, who suffered severely from the violence of his assailants, managed to reach the police station, and gave information of the robbery. A policeman went in search of the prisoner, and apprehended him on the following morning in Dudley Street. The prisoner denied all knowledge of the robbery ; but Neville distinctly swore to his identity, and he was sent for trial at the next Assizes,

88 May 22 1861

BELPER PETTY SESSIONS, MAY 15 **George Taylor**, boatman of Pinxton, was brought up in custody of the deputy Chief Constable, charged by Acting sergeant McMahon with stealing two counterpanes, a pair of sheets and several other articles, the property of Mr Walters of Heage. The prisoner pleaded guilty to the charge, and was sentenced to two months' hard labour.

89 May 22 1861

COUNTY COURT, DERBY

LEWIS v RICE AND MARTIN This was an action for £3 damages for assault. The plaintiff appeared in person, Mr Flewker for the defendants.

It appeared that the plaintiff and defendants each reside at Gainsborough, and are boatmen ; the latter, in the plaintiff's absence, borrowed some hames from the plaintiff's wife and, as the plaintiff said, obtained them by making an untrue statement. The three met on the canal near Barrow-on-Trent, and the plaintiff saw his hames on the defendants' horse, and went up to the horse to take them away, when one of the defendants strove to hinder the removal of the hames, which led to a scuffle or fight between the two, and they both fell down together, the defendant being undermost, and he called to his companion, Martin, for help. Martin came forward and set to kicking the

plaintiff, and by that means bruised him considerably. The two being more than a match for the plaintiff the contest ceased, and the plaintiff sought redress by this action for the assault.

His Honour said the plaintiff would not have succeeded in the action if it had not been for the cowardly conduct of the defendant Martin, who had acted very improperly. As the other defendant had called Martin in the attack, he was also responsible for the injury. Judgement was then given for £1 damages.

90 July 3 1861

FROM THE LONDON GAZETTE

INSOLVENT PETITIONER **J Wright**, Cotmanhay, Derbyshire, boatman.

91 July 31 1861

DERBYSHIRE SUMMER ASSIZES

BURGLARY NEAR SHEFFIELD **Thomas Fowler**, 26, boatman, and **Robert Johnson**, 26, boatman, were charged with breaking into the house of Mr W Hodson at Bugsworth in the night of the 14th of July 1861, and stealing from thence divers articles of property. Mr Huish prosecuted ; the prisoners were undefended. The prosecutor keeps a small public house and general dealers shop at Bugsworth, and deposed that the prisoners were at his house on the morning of the 14th of July ; that the next morning the shop had been broken open and a number of silk handkerchiefs, caps, boots and shoes, &c, had been abstracted. These were subsequently found in the boat to which the prisoners were attached, which was searched owing to a suspicion which the prosecutor had. The property was produced and sworn to by prosecutor. James Shaw, Superintendent of Police, examined Mr Hodson's premises, and found that they had been forcibly entered and in great confusion. He searched the boats in the canal, and among them the one kept by the prisoner Johnson. He had seen footmarks in the garden, and looked at Johnson's boots. He took one off and compared it with the footmarks, and from certain peculiarities in the disposition of the nails, was convinced that the marks in the garden were made by Johnson's boots. He took him into custody, and upon going to the boat met a constable with the stolen property. Johnson said, "Well, indeed, this will let daylight into the Dudley chaps" ; he also said, "I never put the property there. Someone has done it to spite me". The prisoner Johnson cross-examined this witness with a view to shaking his evidence as to the footmarks. In the course of this, in which the prisoner displayed considerable ingenuity, his Lordship took occasion to reprove the witness for the way in which he gave his answers, which led him to believe that witness was much too eager for a conviction at all hazards. Police-constable Walker proved finding the property in prisoner's boat. **Joseph Bennett**, owner of the boat, deposed to prisoners being in his employ. His Lordship directed the jury to acquit Fowler, against whom there was no evidence, and left them to consider the evidence for and against Johnson. The jury without hesitation found a verdict of Guilty against Johnson. His Lordship, in passing sentence, adverted to the fact that the prisoner bore a very bad character, and that in such cases police officers could give evidence which would be of much value as a guide to a judge in passing sentence. He must say that a most impertinent answer had been received from the Governor of Worcester Gaol, one of whose officers could have given such evidence. It was to the effect that his officers had no interest in the case, and that they did not intend to attend without a subpoena. His Lordship went on to say that this was a most impudent reply, for that officers were bound to attend and be satisfied with such remuneration as was allotted to them in all such cases, and that although a person in a private capacity might refuse to give up his time if not formally ordered to attend a trial, yet in the case of a public officer nothing of the kind was necessary, and he took the present occasion to administer this reproof to the officials of Worcester Gaol. The sentence of the court, taking the bad conduct of the prisoner into consideration, would be that he be kept in penal servitude for a term of six years.

92 September 4 1861

A MELANCHOLY STORY On Wednesday, an adjourned inquest was held at the Red Lion Inn,

Littleborough, by Mr Dearden, coroner, on the body of an infant which had been found in the canal. The body was wrapped in paper and a heavy stone was attached to it. Mr Lister, surgeon, stated that the child was dead before immersion, but he could not swear that it had been born alive, though he could say that it was alive during the birth. This, the coroner said, did not satisfy the law of murder, and under his direction a verdict of "Found dead" was returned. One of the witnesses was Martha Hill who, after being cautioned, stated that that morning her sister Margaret had confessed that the child was hers ; adding that it did not breathe or cry. The two sisters occupied Brook Cottage, and are both nearly 40 years old. They carried on the business of dressmakers, and their brother Adam, who held a highly respectable clerkship in Manchester, visited his sisters on Saturday evening, and returned to business on Monday. The family was respectable, and Margaret was a diligent Sunday School teacher. A person, to whom is ascribed the paternity of the infant, on Wednesday morning left Littleborough. Miss Martha Hill, whose grief was excessive, states that she had no suspicion of her sister's condition, and no knowledge of the birth ; and that immediately Margaret had confessed to her, she (Margaret) left the house. Before the termination of the inquest, a telegram to Superintendent Pickering informed him that Margaret Hill had surrendered herself at Liverpool, and Police-constable Storer was despatched to apprehend her on a charge of concealment of birth. The most melancholy part of the story remains. The same morning, the body of Mr Adam Hill was found in the Bridgewater Canal at Old Trafford, the circumstances being such as to leave little or no doubt that grief and distraction for the unfortunate position of his sister had led him to self destruction. An inquest was held, when **Samuel Howard**, a boatman, stated that he found the body of the deceased floating in the canal near Old Trafford. He noticed no mark of violence on the body, and the deceased had on all his clothing except his hat. Another witness stated that he was in company with the deceased from a quarter after eight to half past nine o'clock on Tuesday evening. The deceased, who was quite sober, was very uneasy about a sister, who was charged with some offence at Littleborough. He shook hands with the deceased at the corner of Dawson Street, but followed him until he turned to go towards his lodgings in Great Jackson Street. Mr T M Fisher, auctioneer, stated that the deceased was a clerk in his employment ; and he saw him last at six o'clock on Tuesday evening. The deceased told him that he was in trouble about his sister, who was charged with causing the death of her child ; that he was summoned to attend the inquest ; and that "it would be the death of him". The jury returned an open verdict of "Found drowned". The deceased was 49 years old.

It has since transpired that the putative father of the child has also committed suicide.

93 October 9 1861

On Monday, Mr Vallack held an inquest at the Town Hall on the body of **Tom Capewell**, aged 14, son of Mr John Capewell, farmer, Heckington, Lincolnshire, who was drowned on the Saturday afternoon previous. The deceased and another boatman were returning from Darley with a boat, which they had unloaded. They had just got through St Mary's Bridge to the weir, where the boat stopped, and deceased went along the gunwale of the boat (which was very wet and narrow) with a pole to push her off, when he slipped and fell over the weir into the water, never rising afterwards. The jury returned a verdict of "Accidentally drowned".

94 November 27 1861

HIGHWAY ROBBERY At the Birmingham Public Office on Thursday, George Thomas, alias Coates, was charged with assaulting and robbing **Thomas Neville**, a boatman residing at Derby, some months ago in Birmingham. It appeared from the prosecutor's statement that on the 9th of April last he delivered a boat load of lime for Messrs Chance at Oldbury, and went to Birmingham to receive the money for it. He was paid the sum of £1 13s 9d, and after going to the railway station to ascertain the time a train returned to Oldbury, he proceeded to the Waggon and Horses in Edmund Street, where he met with the prisoner and a man named Miles, who was tried and convicted at the last Warwick Assizes on the same charge. About 20 minutes to nine in the evening, the prosecutor left the house, accompanied by the prisoner and Miles, for the purpose of going to

the railway station. When they had got about 100 yards from the house, the prisoner seized the prosecutor by the neck and pressed his thumbs into his throat, whilst Miles took his watch from his pocket. He tried to call out, "Police", when Miles told the prisoner to "pinch harder". He did so, and the prisoner then became insensible. When he recovered, he found that his watch and purse, which contained £1 4s, was gone, but some loose money had not been taken from his pocket. The prisoner, who is known to the police as a convicted thief, was apprehended by detective Clarke at a house in Tanter Street. He was committed for trial at the assizes.

95 March 19 1862

BUXTON PETTY SESSIONS, MARCH 15 **Amos Moss**, a boatman, was brought up in custody, and charged with stealing from **Josh Cator**, another boatman, at Bugsworth, one shirt and a quantity of beef, bacon and bread, on the 23rd February. The case was fully proved, and he was committed for three months' hard labour.

96 April 30 1862

COUNTY POLICE COURT, FRIDAY APRIL 25 **Samuel Houghton** was charged by Elias Whitaker with wilful damage at Sinfyn by injuring a fence on the 21st. The defendant, a boatman, shot from his boat a water hen in a field belonging to Mr Sale, got off the canal side into the field to carry off the hen, and in doing so broke down the live fence. He was ordered to pay 1s penalty, the expenses, and the amount of damage, or in default 14 days with hard labour.

97 June 18 1862

LEICESTERSHIRE
LOUGHBOROUGH

SERIOUS BOAT ACCIDENT On Sunday week, a boatman named **George Walker** was in his boat near the junction between the Loughborough and Leicester Canals, when another boat came up, and the connecting rope passing over him, drew him into the water, where he was doubled up between the two boats. He remained immersed in the water for more than a minute. When got out he was taken to the Public Dispensary, where it was found that most of the ribs on his right side were broken. The man is in a very precarious state, and little hope is entertained of his recovery.

98 June 25 1862

LEICESTERSHIRE

LOUGHBOROUGH **George Walker** of Loughborough, boatman, whom we reported as having fallen into the canal, and being crushed seriously between the boat and the canal side, died on the 14th instant at the Public Dispensary. An inquest was held at the Angel Inn before Mr Gregory, coroner, on view of the body, when the jury, having heard the evidence, returned a verdict of "Accidental death". The deceased, who was a well known character in the town, was about 52 years of age.

99 July 23 1862

LEEK PETTY SESSIONS, WEDNESDAY **Thomas Sands** of Cheddleton, boatman, pleaded guilty to cutting down and taking off a quantity of mowing grass by the side of the Trent and Mersey Canal at the parish of Cheddleton, belonging to the North Staffordshire Railway Company, on the 19th May. He was adjudged to pay 6d damage, and 5s fine and costs.

100 August 6 1862

BOROUGH POLICE COURT, TUESDAY JULY 28 **John Bunting**, a boatman, was charged as follows :- Sergeant Goodall deposed that about 11 o'clock on the evening previous he was fetched, along with two other constables, to the Cock public house, Cockpit Hill, and on arriving there he found defendant and about twenty others making a great disturbance. With a deal of trouble the house was cleared, but directly afterwards the defendant, who had put on militiaman's clothing,

again began fighting at the bottom of Eagle Street, and they then took him into custody. The defendant, whose face was covered with blood and scars, was fined 5s and costs, and in default of payment to be committed for 14 days.

101 August 6 1862

DIABOLICAL ATTEMPT AT MURDER AT MERTHYR TYDFIL BY TWO POLICEMEN A diabolical attempt at murder, the character of which is greatly aggravated by the fact that its perpetrators are constables in the Glamorganshire county constabulary, was committed on Thursday in the immediate neighbourhood of Merthyr Tydvil.

It would seem that there is a dangerous part of Merthyr Tydvil on which the active superintendent, Mr Wrenn, deems it his duty to double the beat, and consequently Police-constables Stuent and William Rowland were placed upon it. Upon going his first round of inspection, Police-sergeant William Thomas discovered Rowland partaking of liquors in a beerhouse. He reprimanded him, and made a report of his misconduct to the superintendent. This matter, it would seem, gave great umbrage to Rowland, who must have contrived to excite an equal amount of anger in the breast of his comrade Stuent ; for upon the sergeant making his second round of inspection, a very desperate and unmistakeable attempt to murder him was made by the two men.

In the course of the beat there is a canal which is crossed by a bridge, and on nearing it, the sergeant observed that both constables were standing at the bridge waiting, as he supposed, for his visitation. As he approached them, Rowland stepped towards him as if to make some report, but was no sooner within reach than he aimed a heavy blow at the sergeant, which at once felled him to the earth. Stuent then came up, and both men commenced beating and kicking him until he was entirely prostrate and reduced, as they doubtless supposed, to a state of insensibility. They then took him up and threw him over the bridge into the canal, the fall to the water being fully ten feet. The effect of the immersion revived the sergeant a little, and there being a current passing through the bridge, he was carried by its force across to the opposite side of the bridge. This was observed by the villains, who rushed to the spot towards which he was drifting and attacked him with stones, one of which stunned him for a time. The poor fellow's groans and cries, coupled with the noise of the struggle, caused some of the canal boatmen to hasten to the place, and by their assistance he was got out, but in a state of great exhaustion and suffering. The ruffianly policemen, upon finding assistance at hand, immediately decamped. On the outrage being reported to Superintendent Wrenn, he at once sent constables in pursuit, and one of them, Police-constable Wright, succeeded in arresting Stuent at a distance of 13 miles from Merthyr. Rowland could not be found, but there is every reason to hope that he will not escape the officers of justice.

102 August 20 1862

COUNTY COURT, DERBY, AUGUST 18

PALETHORPE v RILEY In this case the plaintiff, Robert Palethorpe of Nottingham, sued the defendant, **John Riley** of Willington, boatman, to recover the sum of £3 for money received by the defendant for a horse sold by the defendant to the plaintiff and afterwards returned to the defendant at his own request.

Mr Borough appeared for the plaintiff, and Mr Leach for the defendant.

The plaintiff, on being called, said that he met the defendant at Shardlow in February last, and the defendant asked him to buy a horse from him, and after some conversation in which the defendant said the horse was all right, he agreed to give £5 for it, and paid £3 on account. He then went to look at the horse and found it was not what the defendant had represented it to be, and therefore refused to take it ; but perceiving that he could not get the money back again, he took the horse away and proceeded to Nottingham with it, but the horse was feeble and he left it at Beeston Meadow. Soon afterwards he saw the defendant at Willington and spoke to him about the horse, and he agreed to take the horse back again and return the £3, and said that he would give him the £3 at ten o'clock the next morning, when he should receive £7. The next morning the £7 were paid to him, but he then refused to pay over the £3 and said he should charge it as horse hire. He had the

horse about nine weeks.

The plaintiff's son and another witness were called to corroborate the above evidence.

Mr Leech, for the defence, said the evidence he should offer would contradict that of the plaintiff. The horse, with a collar, had been sold for £6 10s, £3 were paid at the time, and the rest was to be paid by instalments. No agreement whatever had been entered into to take back the horse and return the money. The defendant applied for the remaining £3 10s but could not get it, and eventually the plaintiff left the horse in a stable at Shardlow for the defendant because he could not pay the balance. The animal was, when returned, much depreciated in value. When the horse was sold to the plaintiff it was worth £9, although the defendant sold it for £6 because he had no use for it, but when it was returned it was not worth more than 30s. The defendant claimed a set off amounting to £5 8s for the use of the horse at 1s 6d per day for the time the plaintiff kept it.

The defendant and other witnesses were called, and their evidence supported the statement made by Mr Leech.

His Honour said he found for the plaintiff. The case was one of the plainest he ever saw. The property having passed to the plaintiff, to talk of charging for the use was simply a confusion of the case. And as to the other part of the case, he was of opinion there was an agreement to return the horse and to pay £3 ; in other words, a resale of the horse.

Judgement was then given for the amount claimed in a month.

103 October 15 1862

BURTON-UPON-TRENT

A MAN DROWNED IN THE CANAL On Tuesday morning about eleven o'clock, the body of a man named **William Henry Jones**, a boatman, employed with his uncle, **John Green**, by Messrs Perks and Sons, timber merchants, was found in the canal near the Bond End Bridge. From the fact of the deceased's clothes having been partially unfastened and his boots unlaced, it is supposed that he must have returned to the boat with the intention of going to bed, but not succeeding in awakening his uncle and aunt, who were sleeping on board, he sat himself down on the hatches and went to sleep, and from thence fell into the water.

104 December 24 1862

BOROUGH POLICE COURT, THURSDAY DECEMBER 18 **Ellen Bull** was brought up under the following circumstances :- Inspector Fearn said he met the prisoner on the evening previous coming from the direction of the new cattle market. She was carrying three rails, which he had no doubt were stolen from the cricket ground, but which could not be identified. She said she had fetched them from her husband's boat. She now said : My husband is a boatman, and he gave me the wood. Inspector Fearn : Her husband has not been back long – he's been away for the good of the country. (Laughter). The Bench said as there was no identification of the wood, the prisoner would be discharged.

105 January 28 1863

BOROUGH POLICE COURT, THURSDAY A massively built man, who gave the name of **Charles Westhall**, was charged with attempting to commit suicide. Detective Sergeant Selby said he received information that a man was gone to the canal to commit suicide. He followed, and found the prisoner just going to jump in. He was decidedly not sober, and was conveyed to the station. Mr Hilton said the prisoner was not in a fit state to be judged then, and he must ask for a remand till Saturday. Mr Pegg : What are you? The Prisoner : I was a boatman when I was a boy. (Laughter). The prisoner then went on to make a long rambling statement about being robbed of £50 some years ago, and that when he went to get justice the other day, the door was shut in his face. The remand was granted.

106 February 4 1863

LOUGHBOROUGH

BURGLARY On Sunday evening, a burglary was committed at a small house near the Meadow Lane Bridge, when the thieves contrived to carry off about £10 value in cash and goods. The house is occupied by a **Mrs Grimley** (whose husband, being a boatman, is seldom at home), and she carries on a small grocery trade. The robbery was effected whilst the woman was at the Baptist Chapel. The thieves emptied the till and a child's "save all", and carried off 30s worth of tea and other articles. Although the police were at once informed of the loss, we have not heard that they have discovered any clue to the perpetrators.

107 April 8 1863

SMALLEY PETTY SESSIONS, MARCH 6 **Caleb Simmons**, a boatman of Loughborough, was brought up in custody of constable Heath, charged with stealing from the Granby Wharf 3 cwt of coal, the property of the Buttonley Company, and was committed to the sessions.

108 April 15 1863

DERBYSHIRE APRIL SESSIONS **Caleb Simmons**, charged with stealing on the 31st March 1863 three hundredweight of coal, the property of Francis Wright and William Jessop Esqs of Ilkeston. Mr Huish prosecuted ; Mr Mellor defended. **Robert Stenson**, who is lock-keeper on the Erewash Canal near Ilkeston, on the 31st of March saw the prisoner with his boat on the Granby wharf side. The witness saw him put some hard coal into his boat, and on coming to the lock they had an altercation on the subject. After passing through the lock, witness saw the prisoner throw overboard several lumps of coal. Two other witnesses saw the same act, and one dragged the canal the next day at the spot and pulled up the lumps of hard coal. When taken by the policeman, the prisoner said he had only taken two or three bits to "rake" up his fire for the night. The prisoner "seemed to have been drinking". Mr Mellor, for the defence, said it was simply the act of a drunken boatman, committed in broad daylight, and in the presence of others. The prisoner was found Guilty. It appears that the prisoner had some black marks against him in the police records, and he was sentenced to six calendar months' imprisonment with hard labour.

109 May 6 1863

HEAGE On Thursday last, an inquest was held at the New Inn, before Mr J Sale, coroner, to inquire into the circumstances relative to the death of **George Booth**, a boatman aged 53 years, who was found dead in a boat cabin the day previous. The jury, after careful investigation, returned the following verdict :- "That the deceased was found dead in a cabin of a boat without any mark of violence on the body".

110 May 20 1863

BOROUGH POLICE COURT, WEDNESDAY **James Bird**, a boatman, was summoned for being drunk on the 3rd inst. Police-constable Hopkins said on Sunday morning he was on duty in the Morledge, when he saw the defendant and several others standing on the pavement in front of Messrs Cox and Malin's vaults. He ordered them to move on, but the defendant, who was very drunk, began using bad language, and set him at defiance. He was about to take him into custody, when one of his companions took him away. He reported the case, and the Head Constable ordered him to be summoned for drunkenness. Fined 5s and costs.

111 August 5 1863

THE DERBYSHIRE MIDSUMMER ASSIZES

STEALING COAL **John Gee**, 45, boatman, was charged with stealing on the 16th July 1863 fifteen stones weight of coal, the property of Francis Rokeby Appleby of Killamarsh. Mr Cave prosecuted. The prisoner was undefended.

John Fullwood, a boatman in the employ of Mr Appleby, said that on the day in question the

prisoner's boat was loaded with hard coal ; that in witness's being soft. He saw eight bushels of coal in possession of Constable Hancock, which he could swear to as having been on his boat, one lump of which he gave to the prisoner. When one boatman lightens a boat for another, they are paid for it sometimes in coal and sometimes in money. It was not in his place to give a lump of coal, but the owners never said anything about it. He only gave him one lump.

Thomas Fullwood, nephew of the last witness, drove the horse in his uncle's boat. He remembered the boat getting fast on Thursday, and Gee coming up with his boat. Fullwood asked him to take half a ton of coal off the boat to lighten it. He was not to take any more.

Luke Mallender, a collier, saw the prisoner stop and take out a quantity of coal from his boat and put it on the bank, 40 yards from his own lodgings.

The Prisoner : I don't deny throwing the coal off, but it was given to me.

William Hancock, police-constable at Killamarsh, took Gee into custody for stealing eight lumps of coal. He said Fullwood told him he might take a lump, but sooner than there should be any bother he would give it back. Upon being asked if Fullwood had any right to give Mr Appleby's coal, he said, "No", but he had been in the habit of having a little. He fetched the coal from his house and wheeled it to witness's, who weighed it, and found it to weigh 15 ½ stones, valued at about 1s.

His Lordship summed up, and the Foreman said, "We find him Guilty of taking more than he ought to have taken, but that practice is reprehensible, and the giver is as bad as the taker".

His Lordship said that he should have been inclined to pass a lenient sentence but for the fact of a previous conviction of coal stealing. Sentenced to four months' imprisonment with hard labour.

112 October 28 1863

EXTRAORDINARY CHARGE AGAINST A DERBYSHIRE GENTLEMAN A fortnight ago, Mr Quarles, a solicitor of Nottingham, applied to the Magistrates acting for the Ashborne division, for a warrant against Mr James Clifford of Shardlow for extracting a leaf from the parish register of Longford. Of course we refrained from publicly noticing the application as it was made in the absence of the accused, and it was just possible that it might be a vexatious proceeding, but we may now say that the Magistrates declined to issue a warrant and decided upon the more moderate course of summoning Mr Clifford, to answer the charge made against him. The summons was made returnable for Saturday last, and was drawn as follows :-

To James Clifford of Broughton House in the parish of Shardlow, gentleman, for that you, in or about the year of our Lord 1804, at the parish of Longford, did feloniously steal, take and carry away one leaf from the parish Register of the said parish, containing therein an entry of the Baptism of William, son of Mary Tatlow of Bentley, dated 8th November 1727, the goods and chattels of the then incumbent and churchwardens of the said parish of Longford, against the peace of the late King George 3rd, his crown and dignity.

On Saturday the magistrates present at the Ashborne Town Hall were Mr Wright, Sir W Fitzherbert, Mr J G Johnson, Hon E W K Coke, Mr Frank and Mr J Wright.

Mr Quarles appeared in support of the complaint, and Mr Bristowe (of the Midland Circuit), instructed by Mr W Whiston jun, was retained on behalf of Mr Clifford, who was also present throughout the inquiry.

The case was called on at one o'clock, and then Mr Bristowe said : I have the honour to appear here today in the behalf of Mr Clifford, who in the most distinct and positive terms denies the charge preferred against him in this summons which, as I understand it, is one of defacing the register, and I think that I am perfectly justified in asking the gentleman who appears on the other side to point out the Act and the section under which he proceeds.

Mr Wright : The charge is for abstracting a leaf out of the register.

Mr Bristowe : That is the charge, and I think it may possibly save time if he points out the section under which he proceeds.

Mr Wright : It means feloniously taking out a leaf.

Mr Bristowe : Yes, there is an Act which makes it a felony, but it was enacted subsequent to the time at which this offence was alleged to have been committed.

Mr Quarles : I don't proceed under any Act, but I proceed at common law.

Mr Bristowe : I understand that ; I don't object to any statement Mr Quarles may make to render his story intelligible, but I call upon him not to make any statement which he is not prepared to prove. I think I am bound to ask that because I know that statements are frequently made which people are not prepared to prove.

Mr Wright : It is a plain straightforward accusation that he stole the leaf.

Mr Quarles : There was an entry in the Register of Births, Deaths and Marriages at Longford, which is supposed to have been abstracted in or about 1804, and perhaps no professional gentleman ever had to proceed upon a more delicate and more important case than I have now. The speaker proceeded to censure a contemporary for stating that his former application was unsupported by evidence, but he was requested by the Bench to proceed and confine himself to the merits of the case. He then continued : I will endeavour to confine myself as much as possible to the circumstances which support this charge. I say that in or about the year 1804 James Clifford, then in the service of **James Sutton** at Shardlow, proceeded to Cubley in this county for the purpose of searching for the certificate of the baptism of William Tatlow. He was accompanied by Thomas Sutton, the brother of the then James Sutton. They failed to find the certificate, and then they proceeded to Longford, where they did discover and find the entry of the baptism of William Tatlow in 1727. Upon that occasion, and in the presence of Thomas Sutton, James Clifford abstracted and took away from that book the leaf containing the entry of William Tatlow's baptism. That entry he hands over to certain parties, who proceed with it to London, where James Sutton, having in his possession that entry, with that and other evidence, obtains a large sum of money – we know of £20,000 – belonging to the family of the Swindells, one of the daughters of which James Sutton had, in early life, married. No, I am somewhat in error there – James Sutton was the son of Thomas Sutton, who had married her. There appeared, about that time, an advertisement in the newspapers, relating to a family named Swindell in Derbyshire. At that time there was living in this county an illegitimate son of a Mr Swindell, who left to his natural son large estates, yielding an annual income of between £2,000 and £3,000. Swindell proceeded to London – he made inquiries, and was at length satisfied that the property did not belong to him. He returned home, but pursuing his inquiries, found that there was a member of the Swindell family residing at Shardlow. He directed one of his servants to make inquiries, and she found out that Mr James Sutton had married a Miss Swindell. James Sutton, though what we call a boatman, was a shrewd man, and hearing of this property he set off to London, and when there he wrote to Clifford, and to other parties in this county, requesting them to search for the baptism of William Tatlow. Clifford was then James Sutton's servant – the man who looked after the beer and those things. What follows? Clifford and Thomas Sutton went to Cubley, where they unsuccessfully searched for Tatlow's register. From Cubley they proceeded to Longford, where they found the entry. The gentleman who appears here on behalf of Clifford has addressed himself to the point that I should make no statements unsupported by evidence. Now the evidence with reference to the abstraction of that entry is to be found in this book (the parish register of Longford), therefore I am warranted in saying that James Clifford took a knife and cut it out, and conveyed it to James Sutton, by and through which act James Sutton possessed himself of a large sum of money.

Mr Wright : Do you propose to call witnesses who saw the leaf cut out?

Mr Quarles : No, but I shall show it. I should observe that Thomas Sutton is dead, but in this book there is, and has been for years, a certificate stating the act done by Clifford and of his possessing himself of that registry.

Mr Bristowe : Really, if Mr Quarles says that is all his evidence upon the point, I say there is none.

Mr Quarles : I shall show the admissions of this individual of his having committed the act.

Mr Clifford (indignantly) : How dare you stand there and say so!

Mr Quarles : I am dealing with the case as I find it.

Mr Wright : Was Thomas Sutton a relation of James Sutton?

Mr Quarles : Yes, he was the eldest brother of the late James Sutton, and uncle to the present Mr Sutton. In this book we find a vacancy from 1724 to 1729 – the entry of Tatlow's baptism being 1727 – but I hold in my hand an official extract from the Court of Registry at Lichfield, “Baptism – 1727 – William, son of Mary Tatlow of Bentley”. That clearly shows that at the time of the visit of the Archdeacon to Derby, the then minister of Longford had duly entered the births, deaths and marriages for that year, but now they are gone and there is no vestige of them left. There can be no question that there was in that book the entry of the baptism of William Tatlow, and as I have said, in this book there is an entry signed by Thomas Sutton himself that he was present at Longford with Clifford, and that he saw Clifford take from this book the leaf in question. This is one circumstance to which I shall allude – at this time, James Sutton was a boatman, who had horses, and kept a small public house called the Navigation Inn, a man comparatively speaking without a guinea ; but immediately upon the leaf being extracted from that book, all at once he became possessed of a very large fortune, and soon after commenced building the very house in which Clifford now lives. I have not the evidence of Mr Fletcher, but he was in those days a man of considerable property just by Cavendish Bridge. He was intimate with Sutton, and he has made a declaration.

Mr Wright : You are now going beyond the mark. You have now stated that James Sutton became possessed of a large fortune, and there is a sufficient motive if you can prove who took away the leaf.

Mr Johnson : He might have become possessed of a large fortune from other sources.

Mr Quarles : I was about to observe that Fletcher's evidence goes to show that this property was derived from Swindell.

Mr Bristowe : Is Fletcher here?

Mr Quarles : No.

Mr Bristowe : Then you must not open what you can't prove. If you are to be allowed to go on this way, we shall not know where to stop.

Mr Quarles : Mr Fletcher is a man over 80 years of age, and cannot leave his home, but if the magistrates will direct that any official shall attend, his examination can be taken.

Mr Wright : I don't see how Fletcher has anything to do with it.

Mr Quarles : I want to show you that Mr Sutton became possessed of £20,000.

Mr Bristowe : What has that to do with this case?

Mr Quarles : I shall show that your client did it. If he can show that he had no felonious intent, let him ; or if he can show that it was as he has said a trick of boyhood, let him. I now come to the evidence of Mr Brassington who, accompanied by Elizabeth Swindell, one of the half sisters of Tatlow, called upon Sutton in the year 1816 and requested him to give her information as to the property which he had possessed himself of ; Sutton said he knew nothing of it, but that was - The Magistrates again interfered and said they could not receive statements which had no reference to Mr Clifford.

Mr Quarles : Clifford saw Brassington immediately after, and said, “I understand this is the young man who has used insulting language to Mr Sutton”.

Mr Wright : We must really stop you.

Mr Quarles : I am getting to the point.

Mr Wright : You are a long time getting there.

Mr Quarles : I say that he was there, and that he was accused of taking the leaf out, and that he did not deny it to Brassington. I go on to prove that in the year 1851 Thomas Boam and two others called upon Clifford and requested him to give information relative to the baptism of William Tatlow. Clifford said it was at the parish of Cubley ; that they went to Cubley but could not find it, and one of them said, “You went on to Longford and there you found it”, and his answer was, “Yes, we went on there and found it ; but I was but a boy, and if I cut it out, it was but a trick of boyhood”. After some concluding observations on the heavy responsibilities resting upon him, the speaker called :-

James Lipscombe, who produced the parish register of Longford. He said the entries commenced in 1538 and ended in 1812. It had always been kept in an iron chest at the Vicar's.

The Magistrates remarked that it had been rebound ; that the leaf containing the entries from March 9th to October 7th 1727 had been cut out, including the one a certificate which had been brought from Lichfield.

Mr Bristowe : How can that be evidence? We don't know who wrote it.

Mr Wright : The magistrates know the handwriting, and we shall take it as proving that there was an entry in the Longford book.

Mr Bristowe : Very well ; but I protest against this entry, which has been stuck in the book, being received as evidence.

Mr Wright : This is only a preliminary inquiry, and that will be for another Court to consider. There is no doubt that there has been a leaf extracted, and that upon that leaf the entry of which this is a copy was written. But we do not know at present who did it.

Mr Bristowe : That is a very different question.

Mr Quarles : Then I propose to produce the evidence of John Brassington, and I shall afterwards call William Ewart to prove that this certificate was signed by Thomas Sutton.

Mr Bristowe : I contend that the certificate put into that book is not evidence. Even if it has been signed by Sutton, how can that affect Mr Clifford. Surely any documentation that happens to be pinned in that book can't be evidence against Mr Clifford.

Mr Wright : If he can prove that it was written by certain parties, we are bound to take it.

Mr Bristowe : I never heard of such a thing as that a statement made 20 years ago, in Mr Clifford's absence, should be evidence against him. I never heard of anything so astounding.

Sir W Fitzherbert : It is there.

Mr Bristowe : Who put it there? I protest altogether against it being put in as evidence.

William Ewart, "gentleman" of Derby, was called, and examined by Mr Quarles. He said : I knew the late Thomas Sutton, and I have seen him write, though but seldom.

Mr Quarles : Look at that certificate. Were you present when he wrote his name to it? Yes. Where at? At Shardlow.

Mr Wright : You saw him sign it? Yes.

Mr Bristowe : Did he write the body or only the signature? I only saw him sign it.

Mr Bristowe : Who wrote the body of it? I can't tell.

Mr Wright : Did he know what he was signing? Yes.

Mr Wright : Did he read it over or was it read over to him? He read it.

Mr Coke : Was he ill at the time? No, he was quite well. It is ten or twelve years since he died, and he signed it in 1837.

Mr Wright : Did you know for what purpose it was signed? I knew the subject on which he was signing it. I knew it was on the subject of his and Clifford's going to Longford.

Mr Wright : What was the reason there was no direction on it? I can't tell. I was lodging with him at the time, and was asked to witness it.

Mr Bristowe : That was done at Shardlow? Yes.

Mr Wright then read the certificate, of which the following is a copy :-

I hereby certify that James Clifford, at the request of my late brother, James Sutton of Shardlow (Derbyshire), did, about or in the year 1805, search the registry of Longford, Derbyshire, for the baptism of my late uncle, William Tatlow, which he found there duly registered, and in my presence abstracted the leaf containing the same from the book. After obtaining this document he, in company with the late James Minton of Shardlow, conveyed it to my late brother, then in London, making claim for the parties interested in the property left to them by William Tatlow.

Witness my hand, the 19th day of August 1837

THOMAS SUTTON

Witness to the signature of Thomas Sutton

WILLIAM EWART

Mr Bristowe again protested against the reception of the certificate.

John Brassington, portrait painter of Derby, was examined by Mr Quarles. He said : I remember the year 1816, when I was in my 18th year, and was under articles of apprenticeship to a mercer at Derby. I knew Elizabeth Swindell, or Huxley, the daughter of William and Mary Swindell, the latter, before her marriage, being Mary Tatlow. I went with her to Shardlow in 1816 – to Broughton House, where Mr James Sutton resided. We were shown in the hall, and a mail coach drove up as we went in.

Mr Quarles : What took place between Elizabeth Swindell and Mr Sutton?

Mr Bristowe : What has that to do with Mr Clifford?

Mr Quarles : Was Clifford present? I did not see him until an hour after, when he said, in the presence of Mrs Sutton, “I suppose that young gentleman (Brassington) said something insulting to Mr Sutton, and I think I shall turn him out of the house ; I have a great mind to turn him out”. Upon this, George Boam said, “You are not the master of this house, and I dare you to lay a finger on him”. I said, “Are you Clifford?”, and he said, “Yes”, and I said, “Then I am not surprised at your wanting to turn me out of the house – you are the man who went to Longford to get the register of William Tatlow, which you and James Minton took to London the next day in order that Sutton might prove his relationship”.

Mr Quarles : Upon your making that observation, what took place? It caused great consternation, both to Clifford and to Mrs Sutton. I might say they appeared dumbfounded – he sank into a chair ; Mrs Sutton picked up a piece of red worsted or wool that lay in the window seat, and picked it all to pieces. It was a minute or two, perhaps, before she could make any observation, when she asked us if we should like to take some refreshment, but we declined, saying that we wanted nothing but what belonged to us. She then said, “Will you have the carriage to take you home?”, but we told her that we had brought a conveyance and did not require it. She said Mr Sutton would be in again in a fortnight, and the carriage would be sent if we were wanted.

Mr Wright : Did you go there for any particular purpose? I went as a relative of Elizabeth Swindell.

Mr Wright : Can you tell us anything that he said?

Mr Coleman (Magistrates' Clerk) : In Mr Clifford's presence?

Mr Brassington : We did not see him in Clifford's presence.

Mr Quarles : Did you accuse him of taking out the leaf? Most decidedly.

Mr Quarles : Did he deny having done it? No.

Mr Wright : You charged him with being a party to going to Longford, abstracting the register, and taking it to London, and he did not deny it? He did not.

Mr Bristowe : Are you interested in this? Yes. Thomas Brassington is my brother, but he is not here. I never saw him write to Clifford.

Mr Bristowe : You have been seeking to compromise your claim? Not at all. The summons is taken out in my name. The conversation which I have related occurred in 1816.

Thomas Boam, a bobbin maker of Derby, said : In 1851 I went to Shardlow, in the month of December, with two men named Gaskin and Hill. The latter is dead. We went to Mr Sutton's, and also called on Mr Clifford, at Broughton House. I said, “I want to know whether you went to Longford and found the register of Tatlow”. He said, “I went to Cubley, but could not find it, and then we went forward to Longford, and there we found it”. I said, “You are the gentleman who cut it out”, and he said it was only a trick of youth. He asked us if we would accept any refreshment, and we thanked him and said we would.

Mr F Wright : You are sure he said so, are you? Most decidedly he did. He then sent the servant for some ale, and we had a glass each. He began to say that Sutton was a gentleman, and I said I believed he was. He said Mr Sutton did a deal of good for the village ; he gave the ground for the church, and got up a bazaar to purchase a clock for it.

Mr Coke : Which Sutton did he refer to? James Sutton.

Mr Coke : The present Mr Sutton? Yes.

Mr Bristowe : This was in 1851, Boam? Yes.

William Gaskin corroborated the evidence given by Boam, and swore that he heard Mr Clifford say “he went forward to Longford”, and that when Boam said, “You are the gentleman who cut the leaf

out”, he said if he did, it was only a trick of youth.

Mr J Wright : Did he mean whether he did it or did not when he said “if I did”? I can't tell.

Mr Wright : But what did you understand by it? He said it was only a trick of youth.

Mr Bristowe : Who asked you to go that day? Boam.

Mr Wright : You have mentioned two Boams, one in 1816 and another in 1851, are they related?

Mr Quarles : The one who went in 1816 was the father of this witness.

Anthony Stone, florist of Derby, was sworn and said : I saw Mr Clifford at Shardlow on the canal bank last year, and heard Thomas Brassington challenge Clifford with cutting out the leaf, and Clifford said, “I did not go to Longford : I went to Cubley”. Brassington replied, “But you went forward to Longford”, and nothing more was said, for Clifford turned away immediately.

Mr Bristowe : Are you any relation to Elizabeth Swindell? Yes, she was my great grandmother.

Mr Coleman : You wish to infer that he is interested in making this claim?

Mr Bristowe : Yes. Just look at this letter – is it in your handwriting? It is not. I know nothing about it and I have not seen it before.

Mr Bristowe : You never wrote a letter like this to Mr Clifford? No, never.

Mr Quarles : That is the complainant's case.

Mr Bristowe : May it please you, sirs – It now becomes my duty to address to you a few remarks on behalf of Mr Clifford, and at the outset I may say that I believe the evidence that has been laid before you today is unprecedented in any court of justice in the kingdom. It is now clear that this summons was applied for on behalf of John Brassington upon evidence, part of which has been in his possession upon his statement for the last 12 years, and part since 1816. Yet here in 1863, we are engaged in inquiring into a summons against Mr Clifford for an act done in 1804. It is not as if the information had just come into their possession ; if that had been so, it might have been argued that they had taken proceedings as soon as possible. I am quite aware that this is a preliminary inquiry, and that the sole question for the magistrates is whether there is sufficient evidence to justify you in putting him upon his trial ; but I must urge upon you to consider the evidence carefully and then I feel sure that you will not think there is sufficient evidence to justify you in pursuing that course. It is of the utmost importance that you should consider the time that has elapsed since they say they first had the information upon which they do not act until 1863. I contend that the charge of abstracting the leaf is not proved, and I ask you to consider what sort of evidence has been brought forward upon which to establish that point. Thomas Sutton was the brother of the late and uncle to the present Mr Sutton, and it is said that he signed that certificate. If he did, why was not this charge brought in his lifetime? They do not even bring it as soon as he is dead but wait for 17 years longer. It is not suggested that Brassington had not that piece of information in his possession whilst Thomas Sutton was alive, on the contrary there is no evidence given today that might not have been given I don't know how many years ago. Certainly by the piece of paper alleged to have been signed by Thomas Sutton something has been done by somebody, but how on earth are we to connect Mr Clifford with it? How is he to be made answerable for it? It is further said that Mr Clifford took this leaf because he did not deny it in the presence of John Brassington. Just remember, gentlemen, that conversation which is said to have taken place in 1816, and I ask you if you think it credible that Brassington, having so strong an interest in the matter, would allow it to sleep on until now! At that time, both James Sutton and Thomas Sutton were alive, but Brassington takes no steps till 17 years after the death of one and 22 years after the death of the other. Let me press upon your attention another point. What interest had, or has, Mr Clifford in abstracting this register? Why should the persons who have so great an interest in it allow it to sleep on for so many years? Is it to be supposed that Brassington could recollect a conversation with such extraordinary accuracy as he pretends to have done. Mr Clifford is charged with an act said to have been committed 59 years ago, and what reason can there be for now coming forward and asking the magistrates to issue a criminal information ; why did they not go into a civil court and substitute their claim against the Sutton family, and not come against Mr Clifford? In meeting this extraordinary charge, I can do no more than call your attention to the long lapse of time – to weigh all the evidence most earnestly and most carefully – to ask you to consider

that no reason has been assigned for not taking action before – and to earnestly impress upon you that Mr Clifford, through me, most emphatically and distinctly denies that there is any foundation for this extraordinary and unprecedented charge.

The Magistrates retired, and in 20 minutes returned into Court, when

Mr Wright said : It is my duty as chairman of this Bench to say that we have all felt extremely sorry to hear such a case as this, involving so much that is painfully important on both sides. We feel that the evidence which has been brought before us has been so straightforward, and there has been no attempt even to overturn it, that – though there has been a long lapse of time – we cannot help feeling that the register has been abstracted, and that, from the evidence, Mr Clifford is the man who did abstract it. We therefore find for the plaintiff, and we must commit him for trial at the sessions.

Mr Bristowe : You will take bail?

Mr Wright : Yes, we have considered that question, and we think that Mr Clifford's bond in £500 and another in a like amount will be sufficient.

Mr Whiston : I will give bail myself.

The formal proceedings were then gone through, and the examination terminated.

113 December 9 1863

COUNTY POLICE COURT, FRIDAY Two men named **Harrison** and Lomax were brought up on remand charged with stealing a quantity of clothing and a watch from a boat at Shardlow, the property of **Samuel Hufton**, a boatman. On the 23rd of November the property was left safe in the boat's cabin and was missed the next morning. The watch was found pledged at Mr Bolsover's shop in Derby. Mr Cholerton, the pawnbroker's assistant, identified the prisoner Lomax as the man who pledged the watch, and said that his name was Carrington. Police-constable Hallam afterwards apprehended Harrison, who was wearing Hufton's coat, and subsequently Lomax was arrested at Mr Eastwood's tan yard by Inspector Lowndes. He was wearing Hufton's hat. Harrison pleaded guilty and Lomax not guilty, and they were both committed to the sessions.

114 December 23 1863

CRICH An inquest was held on Friday the 18th inst, before W Whiston Esq, coroner, at the Canal Inn, Bull Bridge, on the body of **William Burton**, late of Pye Bridge. The deceased, who was 27 years of age and a boatman, left his home on Tuesday morning the 15th inst, and proceeded to Whatstandwell with a boat, and partly loaded it with stone. He returned as far as the Ambergate lime works and remained there until Thursday morning, when he commenced work in order to complete the loading of his boat with limestone. The deceased appeared as well as usual when he went to his breakfast about nine a m, but at half past nine he was found dead in his cabin by Abraham White. From the evidence of Mr Dunn, surgeon of Crich, the jury brought in a verdict of died of heart disease.

115 January 13 1864

THE DERBYSHIRE QUARTER SESSIONS **William Harrison** and Samuel Lomax were arraigned on a charge of stealing a watch and chain, a coat, a hat and a shirt, the property of **Samuel Houghton**. Mr Bradshaw was retained for the prosecution. Harrison pleaded guilty, and Lomax not guilty.

The prosecutor is a boatman, and on the night of the 24th of November, he left the prisoner Harrison in charge of his boat at Shardlow. The goods stolen were left safe there, and were missed on the following morning. On the 25th the prisoner Lomax pledged the watch at Mr Bolsover's in the name of John Marshall. Lomax was afterwards apprehended at Mr Eastwood's tan yard, when he denied having pledged the watch. At that time he was wearing the prosecutor's hat, which he subsequently said had been given to him by Harrison, when he also said he pledged the watch, but it had been given to him by Mr Harrison. The jury found the prisoners guilty, and they were sentenced, Harrison to four and Lomax to two months' imprisonment with hard labour. The jury recommended

the prisoner Lomax to mercy on the ground of his youth, his age being 19!

116 January 20 1864

BOROUGH POLICE COURT, MONDAY **George Johnson**, a boatman, was charged with being drunk. Police-constable Heathcote went to a private house in Devonshire Street, which Johnson refused to leave. He was very drunk. The tenant of the house said the prisoner, who was an entire stranger, walked straight into his house and went upstairs. He came down and, sitting by the fireside, refused to leave ; he was therefore compelled to send for a policeman. Mr Hilton : There is no pretence for saying that he went to commit a robbery. Inspector Fearn : No ; he didn't know whether he was in his boat or not. Mr Hilton : But they don't go upstairs to a boat. (Laughter). The Mayor said it was a serious thing to take possession of a private house, and the prisoner must pay 5s and costs.

117 March 30 1864

ILKESTON PETTY SESSIONS **Charles Durose** of Ockbrook, boatman, was charged with being drunk at Sandiacre at half past one a m on the morning of the 10th of March. The police having proved the offence, the Bench fined the defendant 5s and 10s 6d costs ; in default 14 days' imprisonment.

118 April 13 1864

BOROUGH POLICE COURT, TUESDAY Two boatmen named **George Lester** and **Thomas Greenhough** were brought up on remand, charged with stealing 17 cwt of coal belonging to Mr E Merchant, City Road. The prisoners were engaged to carry coal from Messrs Haslam's collieries to the prosecutor's wharf, and in the road last week, they managed to carry off the quantity named to another boat. They pleaded not guilty, and were committed for trial at the sessions.

119 April 27 1864

BOROUGH POLICE COURT, WEDNESDAY Daniel Wilcockson, landlord of the Cock Tavern, Cockpit Hill, was summoned for allowing disorderly women to congregate in his house, and also for permitting drunkenness.

Inspector Green said : On Friday evening, I accompanied the head constable to the defendant's house. There were six prostitutes there, and also three drunken men. It was about 20 minutes past ten o'clock. I was sent again by Mr Hilton at 11 o'clock, and found five prostitutes, but there was no one drunk, nor were they making a disturbance.

Mr Pegg : How is the house conducted?

Mr Hilton : It is a public house where boatmen congregate, and prostitutes meet them there. The prostitutes behaved themselves, but they wanted to stop them from congregating. The neighbourhood had been notorious for rows and robberies lately, but the defendant never allowed any disturbance in his house. He filled them drink and allowed them to sit down ; and the Bench would recollect a complaint that was made to them a few days ago by a gentleman in that neighbourhood.

The defendant : I wish that gentleman was here to make his statement. I always close my house at 12 o'clock, and when I turn them out, they are admitted into other public houses.

Mr Hilton : That is true ; but let me know who does it, and I will summon them.

The Mayor said the defendant would be fined in the mitigated penalty of 10s and costs. Great complaints had been made of the boatmen in that neighbourhood, and people could not sleep in their beds for them. It was wrong to harbour prostitutes.

The defendant : They have drink filled to them at all the vaults in Derby. However, I will not fill to them any more.

120 May 18 1864

On Wednesday, an ox was being driven along North Street, Leeds, when it set off furiously towards

Kirkgate, clearing the street of pedestrians. At the top of Templar Street, a poor fellow, who could not manage to make good his escape, was caught by the enraged animal and thrown over a high wall. It still pursued its way until near Kirkgate, where it overtook a woman named Cluderay and severely injured her, breaking her arm and bruising her considerably. It then got into Kirkgate, and a boy named Croft was thrown into the air, the animal then rushed into the Calls, entered the house of Mr Charles Cowburn, Turton's Coal Wharf, and after severely injuring Mrs Cowburn and breaking almost every article of furniture in the house, it made its way out of the back door to the wharf. Here some boatmen managed to throw a rope over its horns and hold it until it was shot.

121 July 27 1864

DERBYSHIRE SUMMER ASSIZES

RAPE **Joseph Walker** aged 16, boatman, pleaded guilty to assaulting and ravishing Charlotte Wilmot at Pentrick on the 7th of June. Sentenced to five years' penal servitude.

122 August 10 1864

BURTON-UPON-TRENT PETTY SESSIONS, TUESDAY **Isaac Hammonds**, boatman, for stealing timber of the value of 2s 6d, the property of Messrs Bass and Smith, was sent to gaol for 21 days.

123 August 17 1864

INQUESTS BEFORE MR VALLACK Mr Coroner Vallack held an inquest recently upon the body of a boatman, about 50 years of age, whose name was unknown, his fellow boatmen calling him "Flashy Jack", whose death occurred very suddenly in a boat moored near the Derwent Lock. From the evidence of a boatman named **Henry Watson**, who had worked with the deceased about five weeks, it appeared that he had always exhibited signs of good health, and that when he (Watson) returned to the boat at about 12 o'clock on Monday night, he found the deceased asleep in bed with a boy. In an hour after, deceased disturbed him by calling for assistance, when he got up and went to his bedside. He appeared to be in great pain, and Watson sent the lad for the boat's captain, who lived near the lock. Before medical aid could be procured, the poor fellow died in the captain's arms. A *post mortem* examination was made on the body by Mr S W Fearn, who stated that the cause of death was a rupture of the heart. The jury returned a verdict to that effect.

124 September 28 1864

SMALLEY PETTY SESSIONS, SEPTEMBER 19 **John Smith**, a boatman of Ilkeston, was charged with assaulting Police-constable Potter on September 18th, when on duty at Ilkeston, by striking and kicking him. Fined 10s and costs.

125 November 2 1864

COUNTY COURT, DERBY, OCTOBER 24

BANKRUPTCY In re **John Wright** of Cotmanhay in this county, boatman on a canal, a prisoner for debt in the Derby prison, and petitioner for adjudication of bankruptcy. The prisoner was brought before the Court for adjudication, and to ask for his release from custody. Mr Cranch, from the office of Mr Flewker, appeared to oppose, and put several questions to the petitioner as to a former petition under the Insolvent Acts, which he could not then answer to the satisfaction of the Court. His Honour therefore adjourned the consideration of the petition to the 25th inst, to give time for enquiry as to what became of the former petition. Petitioner's solicitor, Mr J B Smith.

TUESDAY 25th In re **John Wright** of Cotmanhay, boatman. The petitioner renewed his application for adjudication of bankruptcy and release from custody. Mr Cranch, from the office of Mr Flewker, opposed the release on behalf of the detaining creditor, and contended that as the petitioner was in custody under a warrant from the County Court for contempt, he was not in prison for debt at the suit of the plaintiff within the meaning of the 112th section of the Bankruptcy Act

1861, and therefore not entitled to his release. He further submitted that the Court, having pronounced that he had had the means and ability to pay the claim in respect of which he was ordered to be imprisoned, would not now partially reverse that order by directing his release from gaol. Mr J B Smith, in support of the petition, submitted that the Court, having adjudged the prisoner a bankrupt, would clearly have power to order his release from prison. By the 102nd section of the Act of 9 and 10 Vic, c105, the general power to release in all cases was taken away, so far as County Court judgements were concerned, and had there been no alteration of the law the Court would not have had the power to release a bankrupt in custody on a County Court judgement, but the Legislature saw fit to alter the law in that respect, and by the Act 19 and 20 Vic, c108, that portion of the statute of 9 and 10 Vic c109 which excepted County Court judgements from the operation of the bankruptcy laws, was repealed, leaving such judgements in the same position as the judgements of any other Court, therefore until the passing of the Bankruptcy Act 1861, the bankruptcy and insolvency Courts had an equal power to release from custody a county as a superior Court debtor. That power was, however, in some measure limited, perhaps, by the 104th section of the Act of 1861, which provided that persons in custody solely under authority of the Act 8 and 9 Vic c127, and 9 and 10 Vic c96, for a sum less than £20 should not be entitled to be released by the Registrar, or entitled to a petition *in forma pauperis*. That section of the Act did not apply in this case, as the amount exceeded £20, but he used it to show that though the opinion of the Legislature appeared to be to discountenance the release of County Court debtors by the Registrar where under £20 was recovered, they would not restrain the Court from discharging the debtor when the debt recovered exceeded that sum. The bankrupt had been in prison 16 days. His Honour adjudged the petitioner a bankrupt and granted him protection, and decided that the Court had power to order his release ; and looking at the time the bankrupt had been in custody, and the whole facts as before him, his opinion was that there existed no sufficient reason to detain him longer in prison ; he should therefore order his immediate release. Order accordingly. The bankrupt duly surrendered, and his proceedings were transferred to the County Court at Belper.

126 November 9 1864

LITTLE HALLAM An inquest has been held at the Bull's Head Inn, Little Hallam, occupied by Mr W Holbrook, before W Whiston Esq, coroner, and a jury, on the body of **Maria Bircumshaw**, aged nine years and ten months (a daughter of **Henry Bircumshaw**, boatman), who died very suddenly on the previous Tuesday. Ann Bower, sister to the deceased, was the only witness examined. From her evidence, it appeared that the deceased attended Kirk Hallam school on Monday, and returned home in the afternoon about half past four ; and that she complained of no pain then, but played with the other children in the street. On the following (Tuesday) morning, she visited witness about eight o'clock, and stayed about ten minutes, feeling quite right. She then went home, witness going with her. On returning a second time to witness's house, she mopped the floor, without being asked to do so. Witness, who had returned with her, took her home again, when the deceased gave her some pegs to hang out some clothes with, and played with her, laughing heartily. She then went and lay down on the sofa, saying, "Oh, mother, I wish to lie down". She said nothing more, but appeared to be insensible, and died in about two minutes. The jury, being satisfied that the cause of the deceased's death was disease of the heart, returned a verdict accordingly.

127 December 21 1864

I, **WILLIAM CAPEWELL**, Boatman, residing in China Factory Yard, Nottingham Road, Derby, do hereby GIVE public NOTICE that I will not be responsible for any debts incurred by my wife, **HARRIET ANN CAPEWELL**, after this date,
December 19 1864.