

1140. WILLIAM HATCH was indicted for stealing, on the 17th of February, a gelding, price 3*l.*, the property of William Weaving.

WILLIAM WEAVING. I live at Hanworth, Middlesex—I deal in horses as a knacker. On the 17th of February I had a brown gelding at grass in Lawrence's field, at the Red Lion public-house, Hampton—I took it there on Tuesday, and missed it about six o'clock on Friday morning the 18th—I found it in possession of Winterflood, of Kensington Gravel-pits.

Cross-examined by MR. PAYNE. Q. How long had you had the horse?—I bought it on the Monday to work, not to kill—it was very poor because the owner had starved it, but I knew it to be a good one—I gave 3*l.* for that and a cart—I had known it above twelve months, and am quite certain the horse found is the same—I had seen it very often—I have known the prisoner two years, and believe he bore a good character—the gate of the field was not locked—I should say the horse was worth from 3*l.* to 5*l.*—I did not see it in the field myself.

THOMAS WINTERFLOOD. I live in Rabbit-row, Notting-hill, and collect food for pigs. On the evening of the 17th of February I was in a house in Turnham-green, and saw the prisoner with a horse, which he offered for sale for 25*s.*—I gave him 22*s.* 6*d.* for it—he gave me this bit of paper—(read—*Thomas Winterflood bought of William Book a horse; 1*l.* 2*s.*)—I described him to Weaving, and he was apprehended.*

Cross-examined. Q. Had you ever seen the prisoner before? A. Not to my recollection—I am certain of him—I could swear to him among a hundred—when I saw him I knew him again—I took particular notice of him—he was with me from half-past five o'clock till eight—I was obliged to rest the horse and give him food to get him home—I could not lead him, I was obliged to drag him home—I live ten or eleven miles from the Red Lion public-house at Hampton—Redman was with me at the time.

JOHN REDMAN. I am a costermonger, and live in Sutton-street, Kensington. On the 17th of February I was at Turnham-green with Winterflood, and saw the prisoner with the gelding—he asked 25*s.* for it, and sold it for 22*s.* 6*d.*—I sold the prisoner a small square for a pint of beer after he had sold the horse.

Cross-examined. Q. Had you ever seen him before? A. Never—I believe this square produced is what I sold him—I found it among some old iron I was sorting a few days before—I deal in iron.

THOMAS LONG (police-constable V 222.) I apprehended the prisoner in Hanworth parish—he denied knowing anything about this.

WILLIAM COOPER. I keep the Bear public-house at Hanworth—I bought this square of the prisoner on the 2nd, 3rd, or 4th of March.

Cross-examined. Q. How far is your house from Hampton? A. About a mile and a half—I gave him 3*d.* for the square—I have known him twelve or fourteen years, and never knew anything against him.

GUILTY.\* Aged 27.—Confined One Year.

1141. JOHN SAVILL was indicted for burglariously breaking and entering the dwelling-house of Caroline Walter at St. Magnus the Martyr, about one o'clock in the night of the 10th of March, with intent to steal.

Sixth Session, 1841—42.

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MR. BALLANTINE conducted the Prosecution.

MR. WILLIAM KNILL. I am a fruit-broker, and live at No. 27, Pudding-lane. On Friday morning, the 11th of March, about a quarter or half-past one o'clock, I was returning home with Mr. Claridge who lives at No. 21, Pudding-lane—I was just parting with him—there is a flap to the cellar of Mr. Walter, of the King's Head public-house—I heard a noise like the pin out of a shutter, which drew my attention to the flap, and I saw a man get up—I suppose he was putting the flap into its proper situation—I was ten or fifteen yards from him—he went away—I went down the lane to the flap, and found it partly open—Mr. Claridge and myself lifted it up and saw a man in the cellar—I closed the flap and stood upon it—he called out to me to let him come up, that he only went there to sleep—Mr. Claridge went and brought a policeman—they went into Walter's house and took the man into custody—it turned out to be the prisoner.

Cross-examined by MR. PAYNE. Q. You did not go into the house? A. No—I only stood on the flap—I saw the policeman take the prisoner out of the cellar.

FRANCIS CLARIDGE. I am a wine-merchant at No. 21, Pudding-lane. I was with Mr. Knill—he was taking leave of me—I heard a noise near Mr. Walter's, and saw a man get up and run up the court by the side of the house—I went towards the flap with Mr. Knill—I saw nothing more than he has stated—we lifted up the flap, saw the man, and when the policeman came we pulled him up from the flap.

Cross-examined. Q. You were both quite capable of seeing what was going on? A. Perfectly so.

BENNET HART (City police-constable No. 525.) I was called by Mr. Claridge on the night of the 11th of March—I went to Pudding-lane to Mrs. Walter's—Mr. Knill was standing on the flap—I lifted the flap and pulled the prisoner out by the collar, and took him to the station, then returned and searched the cellar—there is a partition which joins the passage leading to the bar—the boards of that partition appeared to have been recently pulled down, and if entirely pulled down, they would admit a person into the passage—I had passed the house ten minutes or a quarter of an hour before, walked over the flap, and saw nothing unusual at that time—the prisoner said at the station that he was a watch pinion-maker, living at No. 8, Peerless-row, City-road—I went there next morning, and found his brother lived there.

Cross-examined. Q. He gave a correct account? A. His brother said he had not lived there these seven years, and that he was not a watch pinion-maker.

CHARLES EVERETT (City police-constable No. 589.) I was at the King's Head with Hart—I examined the flap—it had the appearance of being forced with a bar—there was a mark which made me conclude so—it was such a mark as a crow-bar would make—I found a candle in the cellar, not lighted, but very soft as if it had been burning.

Cross-examined. Q. Was it tallow or wax? A. Tallow—it had the appearance of having been recently lighted—the wick was soft—I did not find a crow-bar.

CAROLINE CATHERINE WALTER. I am the daughter of Mrs. Caroline Walter, a widow, who keeps the King's Head public-house, in the parish of St. Magnus the Martyr. I assist her in the business—there is a cellar-flap outside the house—I have seen it since this occurred, and the bolts are

wrenched off—they were not so before the 11th of March—I had seen it about a fortnight before—it was perfectly safe then—the flap leads into the cellar—there is a partition communicating with the passage, leading to the bar—I examined that partition, and found the boards removed away sufficiently for a person to get in—they appeared to have been removed by force—I had seen them perfectly safe the day before—there is a door from the cellar to the passage—an attempt had been made to force that door—the step had been moved away—I had been into the cellar the day before, the flap was perfectly right then.

Cross-examined. Q. You did not try to see if it was bolted the day before? A. No—the partition leads from the cellar to a passage leading up to the bar—it goes right up to the ceiling—it was broken enough for a person to get through.

GUILTY.† Aged 20.—Transported for Ten Years.

1142. JAMES GROVES was indicted for stealing, on the 2nd of March, 3 bushels of wheat, value 20*s.*, the goods of John Irving.

MR. CHARNOCK conducted the Prosecution.

THOMAS GREENWOOD. I am servant to John Irving, Esq., of Ashby, near Staines, Middlesex. In consequence of directions I received, I watched the premises, and on the 2nd of March, about eight o'clock in the evening, in consequence of what Mr. Dickens told me, I went into the rick-yard, and heard footsteps before me, of two men walking—I followed them, and as I thought, they got over some palings—I put my hand on one of their heads, and said, "Who are you?" but they got away directly—I went to the doors and told my master, then went into the rick-yard again, and at the back of the barn there is a door opening inward—as soon as I pushed my back against the door, a man ran out—I found the prisoner coming out of the barn—I am certain he is the man—he had a sacking smock-dress on, and a red cap lined with white—this was half an hour after I had seen the two men—I pulled his cap off, and in the scuffle with him we both went down—he was at the bottom, and I on the top of him—he got away—I had known him long before, and am quite sure he is the man—he snatched the cap out of my hand—I searched the barn, and found two empty sacks, and two which had about two bushels and a half of corn in them—there was a good deal of master's corn in the barn—the sacks did not belong to master, but I believe the corn in them to be the same corn—I went with the policeman to several places, and at last found the prisoner.

Cross-examined by MR. PHILLIPS. Q. You found him at his daily occupation, threshing? A. Yes, at Mr. Harris's, with three other men—I do not know what house he lived in—it was a wetish night, and not very light—it did not rain very hard at the time—it was darkish—I am a labourer, and a watchman occasionally—I was never accused of any thing that I know of—I cannot tell what character people will give me—I took three people up on this charge—there was one here, but I believe he is gone—I cannot tell what has become of the other—I knew him—I did not swear to the man against whom the bill was thrown out.

MR. CHARNOCK. Q. Have you any doubt of the prisoner's identity? A. I am certain he is the man.

THOMAS DICKENS. I am bailiff to Mr. Irving. I gave directions to Greenwood to watch the barn. On the evening of the 2nd of March, it