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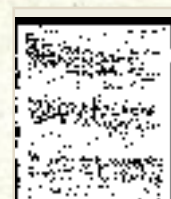
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DAVID JACOBS , alias BARNET, alias CHURCH, theft : specified place, 1st July, 1801.

The Proceedings of the Old Bailey Ref: t18010701-27

Trial Summary:

- Crime(s): [theft : specified place](#),
- Punishment Type: [imprisonment : Newgate](#),
(Punishment details may be provided at the end of the trial.)
- Verdict: [Part Guilty: convicted of a lesser offence](#),
- [Other trials on 01 Jul 1801](#)
- Name search for: [DAVID JACOBS](#),
- Crime Location: [Wood-street, Cheapside](#)
- [Associated Records...](#)



[See original](#)

Original Text:

558. DAVID JACOBS , alias BARNET, alias CHURCH , was indicted for feloniously stealing, on the 20th of June, eight pieces of silk ribbon, containing, together, in length, two hundred and eighty-eight yards, value 4l. the property of Joseph Holland , privately in his warehouse .

JOSEPH HOLLAND sworn. - I am a haberdasher in Wood-street, Cheapside; I can only prove the property.

JOHN- FRANCIS TUNSTALL sworn. - I am an apprentice to Mr. Joseph Holland , of Wood-street: On the 20th of June, we lost a quantity of ribbon out of the drawer in the warehouse; the prisoner came in about half past seven o'clock in the morning, and asked if Mr. Holland was at home; I told him, no; he then asked for some fourteen-penny satin; I opened the drawer where there were about thirty pieces, I cannot say exactly; I told him they were fifteen shillings and sixpence; he told me the price would not do for him; he shewed me three or four guineas, and told me he wanted to pay ready money; I told him I could not take less; he said that would not do for him; he haggled very much, and went away; he then came back again, and asked for some twelve-penny figured satins; he asked me the price of them; I told him fifteen shillings and sixpence; he offered me something less; I told him I could not take it, and then he went off; I missed some ribbons out of the drawer, and I went out, locked the door, and followed him directly; and when I got to the top of Wood-street, I looked round, but could see no such person; I then went back again, and went about my business till breakfast-time, and while I was at breakfast the prisoner came back again; I was called, and I knew that was the man that had been there before, and that I suspected; he went to the drawer, and looked at two pieces, and asked me the price; he haggled a good deal, and then told me they would not do; by that time the young man of the warehouse came in, and he asked him the price of the twelve-penny figured satins; the young man asked me what I had asked him, and I told him; the young man said to him, that was the lowest; the prisoner said the price would not do for him, and he was going out; I then asked the young man how many pieces of fourteen-penny ribbon there were in the drawer; the prisoner upon that began to run out; I then, without my hat or neckcloth, ran after him, and never lost sight of him till he got to Little St. Thomas Apostle , where there was a young man going past, and I asked him to give me assistance, for he had robbed me; the young man desired him to give me up the ribbons; he said he had got no ribbons with him; upon looking about him, I thought I perceived a piece in his small clothes; the young man then felt in his breeches, and found one piece of fourteen-penny satin, mazarine blue, containing thirty-six yards; the young man insisted upon it he had more, and drew him up to some steps by a gentleman's house, and I told him I would fetch a constable, which I did; we then conveyed him to the Poultry Compter; there were eight pieces found in all, there were four pieces found in the inside



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of his hat.

- WICKSTEED sworn. - On Saturday, the 20th of June, about half past eight o'clock in the morning, or rather better, I was going to my breakfast, in Little St. Thomas Apostle, I saw a young lad following the prisoner; he desired me to stop him, that he had stole some pieces of ribbon from his warehouse; I asked the prisoner if he had any thing belonging to the lad; he told me, no, he had not; upon the lad persisting that he had, I took hold of his arm and requested to search his pockets; he told me I was welcome to feel in his pockets, and turned up his coat; he told me there was nothing in his pockets but two loaves of bread and an orange; the young lad then turned him about, and said, there is a piece in his breeches; I said, how could you say you had none, when there is a piece in your breeches; I took it from him; the young lad said, before I took it out, it was a piece of mazarine blue, which it was; I detained him, and sent the lad for an officer; I saw him very busy with his hands, I looked, and observed him very busy with a piece of white ribbon in his hat; and, in the false crown, there were four pieces more; we took him to the Compter, and there, with a deal of difficulty, we searched him; I found one piece of blue, and the Compter-keeper pulled out two pieces; he was taken before the Lord-Mayor.

Cross-examined by Mr. Knowlys. Q. You had never seen this man before? - A. No.

Q. Did you ever see a more extraordinary looking creature in your life? - A. I cannot say I ever did.

GEORGE GONGER sworn. - I am a ribbon manufacturer: Among the goods I saw before the Lord-Mayor, I had reason to believe there are some that I sold to Mr. Holland.

WILLIAM WALLER sworn. - (Produces the property). I received them at the Compter from Wicksted.

Wicksted. These are the same that I delivered to Mr. Waller.

Gonger. Here is a piece that I believe to be Mr. Holland's, I sold it to him about three weeks before they were lost; it is a peculiar one; there is a hole cut at the end of it, and there is my weaver's name

upon it; I know nothing of the other pieces.

Tunstall. This piece of fourteen-penny, we had had a great many weeks, and have the fellow piece to it at home.

Q.(To Holland.) What is the value of them? - A.About five pounds.

The prisoner did not say any thing in his defence.

For the Prisoner.

JOHN COLLIER sworn. - I now live independent at Hoxton; I was a jeweller, in Wood-street, Cheapside; I used to deal with the Jews, the prisoner is a Jew; I have known him seven or eight years; I always looked upon him to be insane; I always thought him touched in his mind.

Cross-examined by the Court. Q. When did you converse with him last? - A. Two or three months back.

Q.Where did you see him? - A. In Ebenezer-square.

Q. What were you talking about? - A. I was smoking my pipe, and he was talking about politics.

Q. A great many people may talk about politics, that are not mad? - A.He fluctuated very much; he talked very sensibly sometimes, and at other times ran quite the reverse.

Q.Tell us any thing that was said that was a little queer? - A. I could tell you a great many things; when we have been talking of serious affairs, he has run into other things, and deviated from what he has been talking about, just as I have seen people in Bedlam.

Q.Was the prisoner ever confined? - A. I advised his sons two or three years back to confine him.

JOHN PARR sworn. - Examined by Mr. Knapp. I did keep the Duke's Head, in Phoenix-alley, Long-acre, I am now out of business, in lodgings, till I can get another house; I have known the prisoner about the streets for three or four years; about ten months ago he came by my window, with one hundred boys and girls after

him, and he knocked his hands through my window.

Q. The boys and girls hooting at him for a madman? - A. Yes; and he had got a parcel of ribbons in his hat, and round about his hands; I took him into the house, and would have had him to Bow-street, if it had not been for a man coming and giving me a direction to his sons.

THOMAS CARTER sworn. - Examined by Mr. Knowlys. I live in Upper Rathbone-place; I am in the habit of drawing leases and assignments; I have known the prisoner six or seven years; I have been in the habit of calling at Tom's Coffee-house, Duke's-place, to pay rent for my mother, and have frequently seen him; about six months ago I saw him at the King and Queen, in Queen-Ann street, East; he claimed acquaintance with me, and wished me to make his will; he talked very incoherently; I wished to get rid of him, and gave him my address, the next day he came there very unexpectedly, and I began taking instructions; he said he would leave Mr. Goldsmid, the Jew, 50,000l.; considering the man to be out of his mind, I wished to get rid of him; but I remember one thing; he wished to disinherit his sons, they had offended him, and he should leave all his money to Mr. Goldsmid, to lay out in charities; he took up a bason of tea, and let it fall, and broke it; my family were very much alarmed, and I took him down to a public-house, at the corner of the street; I ordered a pint of porter, and he ordered a crown bowl of punch.



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Q. Did he behave, upon the whole, like a reasonable man, or a madman? - A. Like a madman, in every respect.

HENRY JACOBS sworn. - Examined by Mr. Knowlys. Q. The man at the bar is your father? - A. Yes.

Q. Upon the oath you have taken, for some years back has your father been a man in his senses or not? - A. No, he has not.

Q. Have you done all in your power to keep him out of mischief, and in confinement? - A. Yes, I have; but having a great family, and being obliged to mind my business, he takes the opportunity to slip out.

Q. What age is he? - A. Seventy-five.

Q. What length of time has he had the misfortune to be deranged in his intellects? - A. I suppose ten or twelve years now.

Court. Q. What is your business? - A. A glass cutter and engraver, No. 102, Petticoat-lane.

Cross-examined by the Court. Q. Was your father ever put under any person's care as a madman? - A. We keep him confined ourselves as much as we can.

Q. Was he ever put under the care of any person for madness? - A. No, we never put him into the mad-house.

Q. Has he ever been under the hands of a physician? - A. Yes, my own physician, that belongs to my club.

Q. What is his name? - A. Dr. Leo.

Q. What has he done, that makes you suppose him to be a lunatic? - A. He is in my own trade, and he will come in sometimes and break a quantity of glass.

Q. Has he done any thing of that sort lately? - A. Yes, about two months ago.

PHILIP JACOBS sworn. - Examined by Mr. Knapp. Q. You have the misfortune to have the prisoner for your father? - A. Yes.

Q. What has been the state of his mind? - A. He has been deranged upwards of thirteen or fourteen years.

Q. Has he continued so up to a late period? - A. Yes; he was at my house about six weeks ago; and began a noise, and wanted to break all the goods that stood upon the counter; and I went and laid hold of him, and called in a person, and sent him to my brother; we have done all we could in our power; he has been with me a year and a half.

Q. Has he had any medical advice? - A. Yes; he has taken things for it.

Q. Upon your oath, do you believe him to be a man that is deranged, or a man having his sound senses? - A. No, he has not his senses.

Court. Q. Did he live with you, or your brother, at the time he was taken up? - A. With my brother.

Henry Jacobs . He is not in my house; I have taken a room for him just by; I saw him the day before he was taken up.

Q. How did he behave for the last two months? - A. The same as before, out of his mind.

GUILTY, aged 75.

Of stealing, but not privately in the warehouse .

Confined twelve months in Newgate .

London Jury, before Mr. Recorder.

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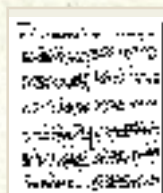
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ABRAHAM HART, theft : simple grand larceny, 18th September, 1816.

The Proceedings of the Old Bailey Ref: **t18160918-65**

Trial Summary:

- Crime(s): [theft : simple grand larceny](#),
- Punishment Type: [transportation](#),
(Punishment details may be provided at the end of the trial.)
- Verdict: [Guilty](#),
- [Other trials on 18 Sep 1816](#)
- Name search for: [ABRAHAM HART](#),
- [Associated Records...](#)



[See original](#)

Original Text:

881. ABRAHAM HART was indicted for stealing, on the 27th of February, four decanters, value 36s. the property of Moses Jacobs .

MOSES JACOBS . In consequence of information I received, I marked my decanters so that I might know them again; I afterwards missed some of them.

JAMES TURBEVILLE . Here are four decanters; the prisoner offered them for sale to me, and I bought them in February last.

GUILTY , aged 25.

Transported for Seven Years .

First Middlesex jury, before Mr. Common Serjeant.

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WILLIAM LEWIS, theft : simple grand larceny, 7th December, 1826.

The Proceedings of the Old Bailey Ref: **t18261207-222**

Trial Summary:

- Crime(s): [theft : simple grand larceny](#),
- Punishment Type: [transportation](#),
(Punishment details may be provided at the end of the trial.)
- Verdict: [Guilty](#),
- [Other trials on 07 Dec 1826](#)
- Name search for: [WILLIAM LEWIS](#),
- Crime Location: [Mansel-street, Goodman's-fields](#)
- [Associated Records...](#)



[See original](#)

Original Text:

225. WILLIAM LEWIS was indicted for stealing, on the 20th of November, 4 drinking glasses, value 4s. , the goods Henry Jacobs .

HENRY JACOBS. I am a dealer in glass, and live in Mansel-street, Goodman's-fields; - I had employed the prisoner for a few days, and paid him 10s.; and on the 20th of November he came and asked if I had any thing for him to do - I said No; he then asked me to give him a few glasses to take out as a pattern, as he thought he could sell some. A gentleman came in, whom I went into the

parlour with. I came out, and the prisoner asked the price of the glasses, and I told him; and as he was going out, the gentleman said he had robbed me - I called him back - he hesitated about returning - but I collared him - he then opened his coat and took out seven tumblers and a wine-glass, and in his breeches pocket were two wine-glasses, which I missed out of a locker; - he begged for mercy, and said it was his first offence.

JOHN BASNETT . I am a glass-cutter. I saw the prisoner in Jacobs' shop, wiping some glasses - I saw him walk from place to place, and saw him take six tumblers(three in a nest stuck together with hay) from a locker near the floor - Jacobs was then in the parlour; he came into the shop in five minutes, and the prisoner asked the price of some other glasses which he had picked out - Jacobs went into the parlour again, and the prisoner walked to the back of the counter, and fetched a goblet - Jacobs saw him, and asked what he did there; he said he was looking out another goblet, and asked the price of some on the counter - he then asked the weight of two, which was told him; he said he could not believe it, and went and weighed them; at this time I saw him take something out of a nest, and put into his pocket - he walked up, weighed the tumbler, and said it was very good - he took a wine-glass, and put it into his pocket; I heard it knock against the others in his pocket - Jacobs returned into the shop; the prisoner had two weights in his hand; he put them down, and packed up some ale-glasses and goblets which he had looked out on the counter - he was going out, and I said he had something in his pocket; Jacobs called him back and said, "Let me look at those things you have got;" he said, "What things? I have none but what you know of;" Jacobs then said to me, "What was it my son spoke about?" I said, "A gross of wines" - the prisoner had then got into the shop - Jacobs seized him, and found this glass on him; he begged him, for Heaven's sake, to let him go; when the officer came, Jacobs loosened his hold, and he ran out into the Tenter-ground - I pursued, and saw him taken.

Prisoner's Defence. I had bought some glasses at a sale - I went and looked out the pattern glasses: I have the same coat on, and there is no pocket in it; he sent me into the warehouse himself.

HENRY JACOBS. I do not know that he was in the warehouse - the glasses were in the shop.

GUILTY . Aged 42.

Transported for Seven Years .

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JAMES CARR, ALEXANDER McCAULEY, theft : simple grand larceny, 11th January, 1827.

The Proceedings of the Old Bailey Ref: **t18270111-178**

Trial Summary:

- Crime(s): [theft : simple grand larceny](#),
- Punishment Type: [imprisonment](#), [whipping](#),
(Punishment details may be provided at the end of the trial.)
- Verdict: [Guilty](#), [Not Guilty](#),
- [Other trials on 11 Jan 1827](#)
- Name search for: [JAMES CARR](#), [ALEXANDER McCAULEY](#),
- [Associated Records...](#)



[See original](#)

Original Text:

456. JAMES CARR and ALEXANDER McCAULEY were indicted for stealing, on the 9th of January, 10 lamp-glasses, value 4s. , the goods of Henry Jacobs , their master.

MOSES JACOBS . I am the son of Henry Jacobs , of Mansel-street - our manufactory is in Phoenix-street, St. Giles - the prisoners were both in our employ - these glasses are my father's - I can swear to six of them by some white spots in them, which arose

from an accident in making them - we missed them when the officer came - McCauley worked near to where they were kept - three men make about one hundred and sixty or one hundred and sixty-five every six hours - I examined the book, and missed these glasses - the prisoners did not work at these glasses - they were safe between two and three o'clock last Saturday morning.

JOHN FROST . I am a Bow-street patrol. On the 9th of January I stopped McCauley in Saffron-hill with ten glasses in a handkerchief - he said a man had hired him to carry them to a Mr. Smith in Holborn, and that he did not know the man.

JAMES CONNER . I am a constable, and was with Frost - we met the prisoners together - his account is correct; Carr had two bottles of spirits, and said he knew nothing about the glasses - McCauley said he brought them from his master's.

McCAULEY - GUILTY . Aged 18.

Confined Three Months and Whipped .

CARR - NOT GUILTY .

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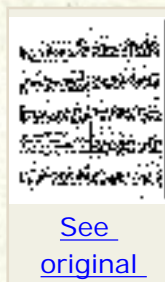
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MOSES JACOBS, damage to property : arson, 9th April, 1829.

The Proceedings of the Old Bailey Ref: t18290409-85

Trial Summary:

- Crime(s): [damage to property : arson](#),
- Verdict: [Not Guilty](#),
- [Other trials on 09 Apr 1829](#)
- Name search for: [MOSES JACOBS](#),
- Crime Location: [Phoenix-street, Soho](#)
- [Associated Records...](#)



Original Text:

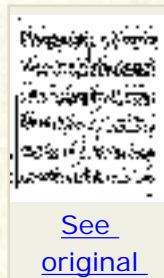
765. MOSES JACOBS was indicted for feloniously, unlawfully, and maliciously setting fire to a certain house in his possession, with intent to defraud Charles Pole , treasurer of the Sun Fire Office Company .

NINETEEN OTHER COUNTS, varying the manner of stating the charge.

MESSRS. BRODRICK, PLATT, and THESSINGER conducted the prosecution.

JOSEPH DAVIS . I was foreman to the prisoner - he resided in Phoenix-street, Soho, and had a glass-factory at No. 18; his dwelling-house was next door, (looking at a model), this clearly represents the appearance of the warehouse and manufactory previous to the fire - there is a gateway leading to Mr. Hobson's yard by the side of it, house, a small room next to it, and another small room next to that; the fourth room looked into Hobson's yard - this model is a correct representation of the floor; the counting-house window looked into the street - there was a wooden door, with a little square window by the side of it, leading from the counting-house into the little room; in the partition between the middle room and the room looking into Hobson's yard there was a window, and another window looking into Hobson's yard at the back of the fourth room; that was the state of the premises in February last - I and my wife slept on the second floor, over the counting-house; there was a door leading from the factory to the back of the dwelling-house - you pass from one to the other by a bridge. On the morning of the 23d the prisoner went out about ten o'clock, and asked me for the key, which he took with him, and went away; he returned between seven and eight o'clock in the evening, and called me down to make a fire in the counting-house; there had not been a fire there for about five or six weeks before - I made it myself; there had been no fire there after that; the prisoner put the chips on. I fetched the coals, and he put a lighted candle to it to light it - he then went out, and said "Joe, I am going out for half an hour, mind the fire, and get some coals up," which I did; while he was gone Mr. Phillips came and inquired for him - I said he would be back in half an hour; Phillips came up into the counting-house and wrote a letter for him, which he gave me - master came home, and I gave him the letter; he looked at it, and went out again - he returned about half-past ten or twenty minutes to eleven o'clock; I was sitting by the fire, and as he was so late, about half-past ten o'clock, I put it out, by pulling the ashes from under the grate with my hands; I hollowed the fire out - from the grate. and I put it under, put the ashes over it, and my wife threw water on it, to take care that it was out; I went down in a quarter of an hour afterwards to see if it was all safe, and it was, there was not a spark; we had a fire in our own room that day, but I put it out directly I put his out - I make it a rule every night to put my fire out; my wife went to bed, and I sat up with a lighted candle in my bed-room till master came home; I took the candle away down to the counting-house when he came home - no part of my fire was in then; there was only one lighted candle in the building, and that

was the one I had - there was no fire lighted any where in the warehouse that day, except the place I have mentioned; master let himself in - I came down stairs and went into the warehouse with a light for him; he then asked me to go to his brother-in-law Hart, in Holywell-street - before I went out the prisoner lighted his candle, and I put mine out by wetting my fingers - I know nothing of there being a light in the house then, except the candle Jacobs had; it is my firm opinion that there was no other light; I started for Holywell-street about twenty minutes or a quarter to eleven o'clock; when I was going the prisoner brought the candle in his hand to the warehouse door, and asked me if I could see my way down stairs; I told him I could, and said if he would be so kind as to give me the key I would let myself in when I came back; he said, "I shall be here when you come back" - he had nothing to do in the warehouse that night to my knowledge; he never slept in the warehouse - I went to Holywell-street and delivered a letter; I returned from there to the warehouse - I was gone about half or three-quarters of an hour; when I returned, I found the warehouse and factory all in flames, through the first-floor window, the counting-house window, which was under my bed-room; I saw no flames in my bed-room then - on the Sunday before the fire the prisoner sent me to Mr. Norton's, his solicitor; the fire was on Monday - he sent me about a fortnight before the fire happened for three pints of turpentine and a pint of linseed oil; I had it in a stone bottle; the oil was in a different vessel - turpentine is not used in the manufactory of glass, nor is oil - he did not say what he wanted it for; when I got it he put it on a board in the warehouse, next to the counting-house - on the Friday before the fire, I perceived a smell of turpentine; Jacobs was there, and he said, "I have been a d - d fool. I have been throwing the turpentine about the room like water;" I had said before that. "Hey, hey, what is this?" and on the Saturday he said, "Fetch another quart of turpentine;" I fetched it in the same bottle, and put it in the same place as the other - whether it remained there I cannot say.



Q. When you smelt it, could you discover whether any thing was sprinkled over the floor? A. I could not tell; it was not usual to sprinkle the floor with any thing - there had been no work going on at the factory for more than a month, but I cannot state the exact time: on the Sunday before the fire, I remember some cut-glass tumblers, decanters, and other things, being removed from the warehouse to the dwelling-house in a large basket - only one basket

full was taken out that day; we took two or three out a fortnight or three weeks before - he took them into the private house, over the bridge, into the dining-room; there is no shop - people come on business to the warehouse door and see the goods in the warehouse; I cannot say what was done with the goods in the dwelling-house - some casks of potash were taken away, we use that in the manufactory; were removed about a week before the fire; there were six whole casks, and one three-parts full - they were sent to Mr. Whitehouse's wharf; there had been none sent before that time - I suppose each cask weighed 4 1/2 cwt., or 1/4 each - nine casks of cullet were sent away to the same place, (that is broken glass) each cask would contain 6 or 7 cwt., according to the size of the cask; I do not know what the value of that was - I have pawned goods for my master three or four months before the fire, and I redeemed part of them.

Cross-examined by MR. ALLEY. Q. How long is it since your master came to live in the house? A. I suppose six months, or three-quarters of a year; I have lived with him three or four years - the brick-wall of the house was run up before I came to him - he had to do the inside, and paint and plaster: the paint and some of the woodwork had not been finished - he was about completing that: turpentine and oil are used to make paint - he employed a painter and found the materials; I did not state at the office that there had not been a fire in the countinghouse for six months, nor that only ten casks were removed; they were moved in a cart without concealment; I believe he was going to move to Birmingham, but cannot say that: the pot-ash was good, and would not spoil the glass; there is no communication from the warehouse to the dwelling-house except across the draw-bridge, which crossed a yard - it was made of wood, and led from a door of the warehouse to a door of the house; I did not apply to Messrs. Pellatt and Green to buy the pot-ash - I applied to them about pots; my wife had a cough; she very seldom had a fire in the bed-room, for we had no coal nor money to buy any; my bed was about a yard from the fire-place; I am quite sure I put the fire out - I took the cinders quite out of the grate in the counting-house, put it clean out, and put water on it - I am positive I put both fires quite out; and I raked the ashes out of the fire-place in my own room, to the best of my knowledge.

MR. PLATT. Q. What pots went to Pellatt and Green's? A. That was before Christmas; they had been used in business; they were made

of clay - there were twenty-one of them: I believe my master sent me to ask if they wanted any, as they had such bad luck with theirs; they agreed to buy them - he was to have five guineas each for them; he was to have glass for the money - they are used for melting glass; there was no painting in the warehouse except the counting-house. that had been done some time before the fire, when they did the dwelling-house, and was quite finished two months before; I cannot say whether the house was finished; I had not seen the painters there for a good while before the fire.

COURT. Q. Had you seen any about the time you bought the first turpentine? A. Not at all.

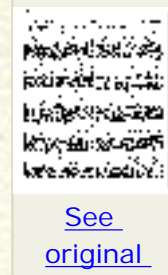
MR. PLATT. Q. Do you remember the name of the man who painted the premises? A. No; I had lived in Phoenix-street three or four years, ever since it had been built - it then belonged to the prisoner's father; I was in his service at first - he left in about a twelvemonth; they were going to lay the floors of the warehouse when I first went; the shell of the dwelling-house was then building - it was not finished when the father left; the work then stood still for about a year and a quarter, or rather more - then the prisoner and old Isaac Jacobs carried on the business together - they were not related; I believe they began on the 1st of November, 1828, and in about a month Isaac left; the business has not gone on since, but I remained there till this happened; I sometimes had 15s. a week, sometimes only 6s. or 7s., but for the last two months I believe I had 10s.; I went on errands, and cleaned the pipes.

Q. On Monday, the 23d. what goods were in the warehouse? A. None at all; on the Sunday before, what little were left were taken out of the yard, and put into the little room which looks into Hobson's-yard, and he ordered me to bring a door down from the next room to mine, and put it up against the window of that room which prevented people from seeing in - the goods there might be worth about 50l.; they were common things - I cannot say what was in the middle room, for it was locked up.

MR. ALLEY. Q. Are you positive there were no goods in the warehouse on the Monday? A. Yes; for we put them all into the little room, which is on the same floor as the warehouse: the door was not put up in consequence of glass being broken, there was not a square broken.

COURT. Q. Did that window look into any opposite house? A. No; only into the yard; a person in the yard could not see into the room unless they went up a flight of steps.

SARAH CALBRADE . I live in Crown-street, St.Giles; the window of my room looks on the back-door of the prisoner's factory; I can only see part of the bridge from my window - I can see the door of the factory perfectly. On the night of the fire I was in bed, about a quarter to eleven o'clock; I heard a person go over the bridge ratherquick, to the factory door; he knocked very rapid at the door, and said, "Mrs. Davis, get up.' I thought it was the prisoner's voice, I have frequently heard him speak; but in my fright I cannot be certain it was his voice; the knocking and calling was repeated a second time - I got out of bed, threw the window open, and just saw the prisoner go from the door across the bridge; as far as I could see; I saw a man on the bridge - I said, "Good God! what is the matter?" he made no answer, but looked up towards me, and was gone; he came from the factory, and went into the dwelling-house - I am certain he heard my voice - I saw no smoke at that time, but smelt something all in a minute, as if it was turpentine or new paint; the place being newly painted, I thought it might he that -I called out Fire! two or three times as loud as I could; I called up my husband, went to the window again with him, and then the smoke was coming from the back part of the premises, whether it was from a window or not, I cannot tell - I saw the smoke not five minutes after I saw the man; I went to call my next door neighbour up, and when I came into the room I saw the flames, which came apparently from the back of the factory. on my side, not in Hobson's yard - I did not stop to look at it. the smell was so very powerful, and the room being full of smoke I was obliged to shut the window, and go into the next room.



Cross-examined by MR. ADOLPHUS. Q. You could not distinguish the face of the man? A. No; he only spoke twice - it was like the prisoner's voice.

MARGARET CUDMORE . On the night of the fire I lived opposite the prisoner's factory. I was going to bed about a quarter to eleven o'clock, and heard a female cry Murder! loudly - I opened the door as fast as I could, and saw Mrs. Davis in the second floor window, lying over the window; she was in something very light, or white,

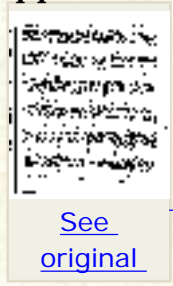
seeming like bed-linen - I heard her cry before and after I saw her; I saw no smoke in that room - I observed at that time, in the counting-house, under Mrs. Davis's room, a great flame and smoke; I could see into the counting-house, but not through it; at the same time I saw Mr. Jacobs' female servant standing in the street, with his two children in her arms; they were dressed in some light clothes - I cannot tell whether she had her clothes on - I gave an alarm, as no alarm had been given; there was nobody in the street, except the servant - Mrs. Davis was calling out of the window - the watch man came, and went for the turncock - I saw the prisoner about an hour or better after that; he asked if I had seen Mrs. Davis, or if Mrs. Davis was with me; I answered, "No, Sir; she is burnt, and you know she is burnt;" he said nothing to that - I saw the fire coming out of the counting-house window, and after that I saw smoke coming out of Mrs. Davis' room window; the floor of her room was burning; I saw it fall afterwards; I could not see what became of her - I heard her crying after I ceased to see her. On Friday night, the 20th of February, between seven and nine o'clock, I saw some barrels removed from the cellar of the factory; it was two hours being done - they were put into a waggon with a crane, and appeared heavy; I had seen a few goods removed before that, but did not take notice of it.

Cross-examined by MR. CLARKSON. Q. You did not think it an extraordinary time to move goods? A. No, because I had frequently seen it done as late, when they were at work; Jacobs' servant was standing in the coach road, with the children - I did not see flames in Davis' room for a quarter or half an hour after I saw her at the window. I know Rose, the fireman of the Phoenix, he was not there till he was sent for - I was the person, who alarmed the watchman; a little hand engine came first - this was about a quarter of an hour after I saw the fire; I saw no ladder at Mrs. Davis'; window - I staid at my door till she left the window; a ladder was placed there, a good while after I got to my door, but where it came from, or went to, I cannot say; I saw it, and that was all - it was ten minutes or a quarter of an hour after I saw the fire in the counting-house; Mrs. Davis was gone from the window before I saw the ladder. but I could hear a faint voice - there was no engine there then, unless it was a little hand-engine; the fire had burst out of the counting-house window before any engine came, except the hand-engine - I heard the counting-house window break - whether the ladder or the fire broke it I cannot say; I did not see the prisoner at that time.

Q. Will you venture to swear, that at the time you saw flames coming from the counting-house window, they were not at the same time coming from the window of Davis's room? A. That I swear; I see Mrs. Bailey every day, and may have talked to her about the fire.

MR. BRODRICK. Q. When you saw the fire, was there a good deal of smoke? A. Yes. a great deal of dark smoke, so that I could not see the window, except the flames.

WILLIAM ALLAM . I live at No.3, Phoenix-street, and am a smith. I was alarmed on the night of the fire, about a quarter or ten minutes to eleven o'clock; I was dressed; I came out of the house, went to the warehouse-door, and saw a fire in the counting-house - there was no light at that time in the room above, Mrs. Davis was at the window of the room above, which was open, and a little smoke coming out, but no such great deal - I heard her shriek in distress, but what she said I cannot say; I tried to force the warehouse-door; two other persons assisted me, but we could not succeed - I helped several other persons to force the gates of Hobson's yard open afterwards, and succeeded in getting them open; they are under the counting-house window; and when we got them open, I observed something combustible flying from the counting-house floor, or the roof of the gateway, but what it was I could not see - there were cracks, and some holes in the boards; one hole was burning; and one hole enabled me to see through the floor into the counting-house; I observed fire, like rags, as if they had been lying there some time, simmering away; they were not in a flame, but red; I went through the gateway into the yard, and stopped on the ground, just looked round, and saw the prisoner; he came running in from the street - I said, "Mr. Jacobs, have you got the old people out?" meanin Davis and his wife; he said, "If the old people are out, I do not care any thing about the premises;" I returned, and went to the staircase of Mr. Hobson's workshops; I went about half way up the stairs, looked straight forward, and saw part of the three rooms and the counting-house, and they appeared in one whole sheet of flames; I saw flames running along in different parts of the room; it was different colours, but what it consisted of I do not know - there were no flames in the second floor at that time; I am sure if there had been I could not have failed seeing them. from the situation I was in - I afterwards came down, went under the gateway, and there was still more of that stuff flying



[See original](#)

from the roof of the gateway; it appeared of some combustible material; it was on fire; it fell in drops, rebounded, and scattered - it did not appear like wood in flames; I passed through into the street; on arriving in the street, Davis' room was falling in - the roof was all falling in; this was in an hour and a half or two hours after I had been on Hobson's stairs - I had assisted to raise a ladder to the window before I went into the yard; it was not raised to Davis' window, but to the counting-house window first, and then nearly to the centre of the brick work, between her window and the counting-house, but was not long enough to reach her window; when the ladder was put there, Mrs. Davis fell back; several assisted me in putting the ladder there - I do not know who they were; I saw smoke coming from the house - it seemed a black smoke.

Cross-examined by MR. CLARKSON. Q. At what time did you go to Hobson's stairs? - A. I cannot say exactly; I assisted in raising the ladder before that - I do not know whether the prisoner brought it out; I cannot say where it came from; a person went up the ladder, and came down.

Q. On what part of Hobson's steps were you when you saw the fire all along the floor? - A. Near the centre; I do not speak of seeing the counting-house floor while I was there; I said the rooms appeared in a whole sheet of fire, but not that I saw the floor; Hobson's steps are covered over, but I could see from them; the covering is not all over them; I could see the window, and see whether the room was on fire or not; there was no fire on the second floor; I say the flames were all along the room, from the counting-house - I saw no fire in Mrs. Davis' room then; I could not see the floor of the counting-house or warehouse from the steps; I saw it underneath.

JURY. Q. Was there a plastered ceiling to the gateway? A. No.

MR. CLARKSON. Q. Point out the exact spot at which you saw the fire running? A. I stood under the gateway; Hobson's stairs are not in this model; the fire ran along the ceiling of the counting-house floor; the combustible matter fell under the gateway like a shower of hail - I cannot say whether it was glass melting; I never saw melted glass; the place I saw the fire running along was underneath this flooring - it looked like a train of gunpowder; it is only the floor and joists - when I say it ran along the floor, I mean

underneath as well as the top; it was under the boards, which are the flooring; when I say boards, I mean flooring-boards; the flame ran under the boards, among the joists.

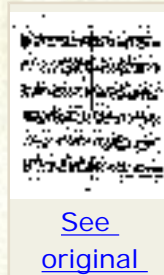
Q. Now on your oath could you see underneath the boards from Hobson's staircase? A. I could see it where I was; I do not mean to say I was exactly on the centre step - I had, before that, seen flames from the counting-house window; it was broken with the ladder, and they burst out; I did not see the prisoner with the ladder-when I saw him in the yard he looked rather flurried, but not much; I did not see him do any thing to quench the flames; I was there within two minutes of the alarm - I stated before the Magistrate that I thought I heard a hissing; I could not tell exactly where it was, or when; I could not tell whether it was the hissing from the stuff that fell from the flames under the gateway - I was under the gateway when I heard it; I cannot say whether the second floor had been separated into two rooms; Davis' room is in front; Hobson's stairs are behind - I could see the flames from the counting-house and, warehouse, when in the yard; I could see right through: the partitions might have been burnt then.

JURY. Q. Are the side of the steps covered over? -A. No; they have a sort of hood.

WILLIAM WALTON . I am a turner, and live in Crown-street, St. Giles'. I was alarmed on the night of the fire, about a quarter to eleven o'clock; my room looks on the glass-house - my premises run back to the extremity of the glass-house; I first heard the springing of rattles, and screaming of females - I ran up stairs, and saw the back part of the premises adjoining the glass-house on fire: after that I went in front into Phoenix-street, and saw no fire there, but a quantity of smoke; I returned to my own house, and informed my lodgers - the flames were still burning at the back; I first perceived them from the roof of the warehouse behind; I went into Phoenix-street again, and saw flames break from the second floor, from Davis' room - there was a very great smoke, such as I never observed before at any fire I have seen - there was no particular smell that I observed; I have frequently seen fires before - it was about ten minutes after I observed the flames at the back that I saw them break out in front.

SAMUEL COLLINGTON . I am an oilman, and live in Great White Lion-street, about three or four streets from Phoenix-street. The

neighbourhood was alarmed, and I went to Phoenix-street - I got there about eleven o'clock, and saw a great smoke; I opened the small door in the great gateway, and with the assistance of others we forced open the great gates; I saw all over my head a round hole, which appeared like a ball of fire like a star - I was cautioned to take care of the stuff which was falling through, but I did not observe it; there was a great light in the yard - I did not go through the gateway, only just within the gate; I then went to break open the warehouse door next to the gateway, and got it open with assistance - I saw the staircase on fire, burning upwards; that was the staircase opposite, at the extremity of the house; as I entered the door, the back part of it was burning - that was the farthest part from me; I saw no other part of the house on fire then; I came out again in about ten minutes, and saw it break out in the counting-house window (the stairs are at the back of the house) - there was no connexion whatever between the two fires; when I came out of the passage, some boys ran in - some persons swore at them, and told them to come out, and somebody shut the street door; I do not know who it was - I do not know the prisoner: I do not recollect seeing him there; when the flames broke from the first floor window, I observed that they gave a round turn, and went up to the two pair - before that I had seen no fire on the second floor; the smoke was apparently black smoke, and there was a very unpleasant smell; my opinion at that time was, that it proceeded from turpentine, as if there had been turpentine thrown over the building - it struck me so by the blackness of the smoke, and by the smell; I staid there for an hour I suppose.



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COURT. Q. What distance do you suppose there was between the two fires, the one on the staircase, and the other in the counting-house? A. Full six yards of clear space.

ESTHER BAILEY . I am the wife of John William Bailey , and live at No. 4, Phoenix-street; he is a carver and gilder. We were sitting at supper, about a quarter to eleven o'clock, and were alarmed by the fire; I went to my room window, and could see Mrs. Davis' window- my window faces her window - I saw her crying loudly for assistance out of her window; she appeared undressed, as if she had come out of bed - I did not see the light of fire in any part of the building, but in a very few minutes I saw smoke coming out of Mrs. Davis window; I did not see any light then, but in about five minutes I saw fire on the first floor, in the counting-house window

- the next thing was a report going off, and something flew out of the window; I did not see the flames come out of the window before then - they immediately followed the report; Mrs Davis was not to be seen then - she had disappeared from the window about three minutes before; the smoke was very dark and black, and the flames were various beautiful colours, and there was a very remarkable smell; I never left my window - I saw the gates open after the flames had burst out, and I saw something fall from the counting-house down on the stones of the gateway - it appeared something of substance, and they were various colours; I had observed a light in the counting-house about half-past eight that evening - there was a blind to the counting-house window, which was quite unusual; the light appeared to me to be some person walking about with a candle - I cannot tell what the blind was made of - I saw the light again in the counting-house, about half-past ten o'clock; it was moving about.

Cross-examined by MR. CLARKSON. Q. How long before had you seen the blind to the window? A. About three weeks or a month; I saw Mrs. Davis at her window directly I looked out - there was smoke coming out of the window directly she threw it up: I never saw glass in a state of fusion - I did not see a ladder against the window at any time.

JOHN EALES . I live at the corner of Stacey-street, which joins Phoenix-street. The first thing I heard were the cries of Mrs. Davis; I went into Phoenix-street, and saw nothing but smoke issuing from Mrs. Davis' window - I saw no flame at that time; I assisted in breaking open the gates into Hobson's yard, and the first thing that drew my attention was, a hole burning in the ceiling of the gateway; I saw something burning dropping from the hole - it was burning stuff, and appeared to be of some kind of combustible nature, for it burned very rapid and very brilliant as it fell - it was rather blue from the droppings, and at other times the colour of flame; and as it burned down there was a smell and smoke - it smelt something like a gas-pipe, very naunseous; I did not see any flames in the passage before I saw those in the gateway - I did not see the street door broken open; I was near the gates at that time; the first flames that I saw came out of the first floor, over the gateway.

Q. Did you see any flames from the bed-room window, over the counting-house, at all? A. I saw no light there whatever, nothing

but smoke; I saw the ladder raised, and saw a person go up the ladder - it was not the prisoner.

Cross-examined by MR. CLARKSON. Q. Before you saw any flame did you see smoke come from Davis' room? A. I did, a trifling smoke, before I went to the place, as I looked out of my own window.

MR. APSLEY PELLATT . I am a partner of the house of Pellatt and Green, St. Paul's-church-yard. The cullet in question, on examination, I should consider worth about 16s. per cwt.; it is broken glass, or partly fused - it is used to manufacture glass: pot-ash in the rough state is worth about 38s or 40s per cwt.: our house bought some pots of the prisoner - I think them worth about 3l. 10s. to 4l. each.

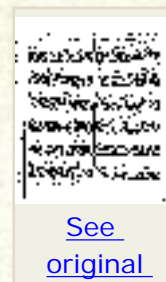
Cross-examined by MR. CLARKSON. Q. I am told the best ash is worth only 27s. 6d.? A. That is far under the present value - I thought I was asked the present value; in the early part of February I should think it was 28s. or 30s. - the cullet was the same as now.

GEORGE ROSE . I am a fireman to the Phoenix-fire-office. I was at the fire on the night in question: I got there about a quarter or ten minutes before eleven o'clock; mine was the first engine there - I live within two hundred yards of the place; I was employed with other people in getting my engine ready, which took ten minutes or a quarter of an hour - when I first got there, there was no fire to be seen at all, but a great quantity of smoke issuing across the street; I had a very bad cold, and did not smell any thing - I observed the flames break out from the first floor, over the gateway first, and immediately after that from the second; I was just screwing my branch on as the flames came from the window - I worked the engine; I saw the prisoner there as soon as I got into Phoenix-street, before I got my engine ready; he asked me to render all possible assistance; I told him I would - he wished me to bring the branch through the passage of the dwelling-house, to save that from getting on fire - I did so, and threw the water into the side of the door-way of the warehouse to the wooden bridge; the dwelling-house was not the least injured; he came to me a second time in about twenty minutes, and assisted to take the house through the passage; I have examined the premises since.

Cross-examined by Mr. ALLEY. Q. He did every thing he could to assist you to put the fire out? A. I considered so; mine is a small engine - it arrived before the flames burst out; I thought the dwelling-house in danger: my engine and another were at work on it for an hour.

MR. BRODRICK. Q. When you got there was there smoke? A. Yes, a great quantity, issuing from the premises; I did not get to the back till my engine was ready- I saw fire dropping through the flooring under the gateway.

MARY HALL . On the night of the fire, I had occasion to get some beer for supper - I went for it at a quarter before eleven o'clock; my husband was out very late, and feeling very faint, I thought I would go and get half a pint of beer before they shut up, which is about eleven or half-past - the public-house is at the corner of Phoenix-street and Crown-street; on returning, at the right-hand side of Phoenix-street, on the opposite side to these premises, I observed the prisoner, who I knew before - I saw him coming from the left-hand side, up from Stacey-street; he was on the opposite side to the premises - he went into his own house; he was looking across, whether at the factory or his own house, I cannot tell, but he was looking up-he was in the road when he looked up, and then he went to his own house; he did not knock at the door, nor did he unlock it, but went in immediately - he ran us fast as he possibly could from the corner; I went immediately into my landlady's room, then went up stairs - I was opening my own room door, and heard the shrieks of a woman.



WILLIAM LONDON . I am a Sheriff's follower. I was put in possession at Jacobs'; on the night of the fire I went in near eight o'clock - I went into the back parlour of the dwelling-house, and some time after I had been there I saw the bridge which leads from the dwelling-house to the factory; I saw the prisoner that night between ten and eleven o'clock - he called his son out, and the door was shut; I think that was about half-past ten-his son is about twelve or thirteen years old; after he had spoken to his son he left the room I was in, and his son went with him; I heard footsteps on the bridge - the prisoner came to me in the back parlour, and said the premises were on fire - that might be four or five minutes after I heard the footsteps on the bridge; I assisted in getting a ladder out of the Back yard of the prisoner's premises - I did not assist to

put it up; I went out at the front, and saw the ladder was up, and a person on it, who I thought was the prisoner, but could not be certain: my execution was for 90l.

Cross-examined by MR. CLARKSON. Q. Was not the prisoner's wife at this time confined to a sick bed? A. I heard so, but never saw her; the ladder was brought out to save a woman, who they said was in the house - he appeared anxious to save her, and, I believe, used all the means he could to save her, and to get the fire out; he sawed part of the bridge to prevent its coming to the dwelling-house: I think I saw the hose of the engine in his hand - I had seen no flames when he was getting the ladder out, but my business was to take care of the goods, and I did not leave the premises or go out of the street door; I stood on the step, and looked out - if there had been flames when the ladder was raised, I think I must have seen it.

THOMAS LAWRENCE . I was at the fire when the ladder was raised; I do not know who went up - I went up, but some other person went up before me - whether it was the prisoner or not I cannot say.

CHARLES HAWKINS . I am a publican, and live in Crown-street. I assisted in breaking open the great gates of Hobson's yard, and observed in the roof of the gateway a liquid flowing from the ceiling - it was about a yard and a half from the ceiling, and there was a hole in the ceiling, through which was a great illumination: I had not then seen any flames in the front of the building - I did not help to raise the ladder; I saw people raising it - that was before I went under the gateway - I saw a person on it; I assisted in breaking open the warehouse door, after I had been under the gateway; I looked up the passage of the warehouse, and observed the staircase on fire - I saw that when I was in the street, and in the passage; I did not perceive any flames in the front part of the building at that time.

Cross-examined by MR. ADOLPHUS. Q. You merely say you did not see any fire in front? A. No; there was smoke from the second floor - it came from the first floor, but covered the window of the second, so that it could not be told which it came from; I have seen similar lights drop from a lamplighters' link.

Q. Do you mean the flame was a yard and a half long? A. It was a drop which brought a flame with it; I never saw metal in a fused state.

JOHN BURKE . I am a watchman. Mr. Cudmore alarmed me on the night of the fire; I went into the private house, and saw the prisoner - I assisted in bringing a ladder out of the yard; he asked me to assist him with it - I assisted in raising it; I cannot say whether he joined in raising it, for there was such a smoke; I did not see the woman at the window - the ladder fell on me when I was attempting to raise it; it was too short to reach the window - I tried to open the street door of the factory, but could not.

Cross-examined by MR. ADOLPHUS. Q. It wanted very little of reaching it? A. Three or four feet; I did not see the prisoner for some time after that - I cannot say whether he was there when I tried to force the door.

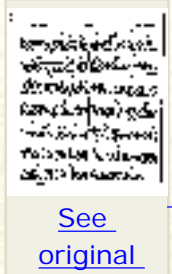
JOHN KELLY . I am a gun-maker. I was at the fire on this night - I broke the street door of the factory open, and saw the stairs on fire on the side, four or five stairs up, on the left-hand; before I went in I observed the second floor was on fire - I did not observe any other part till afterwards- the stairs were on fire on the top part as well as the side; I mean the top of the first floor stairs - I saw that at the same time as I saw the side on fire; I did not go into the passage, I only looked in, and the door was shut: there was a cloud of smoke broke out from the first floor window over the gateway - that was after I had seen the fire in the second floor; I saw that before I broke the door open - it was just a little of it coming out; I could not tell whether there was any connexion between the two fires, as I did not go inside; I did not stop after the smoke came out, for I was almost suffocated.

HENRY DAVIS . I am an artist in fire-works. I saw the fire on the evening it happened; I was there before it' broke out - when I came opposite the warehouse, I saw a smoke in the room over the gateway on the second floor; I did not see any body there - I saw no light there; I saw the first light in the lower room over the gateway - I had looked under the gateway before that; the fire came out of the floor boards above the gateway, and burned through, it was like charcoal; a small space of the gateway was open then - the fire appeared to be stronger on one part of the floor than another; I have seen many houses on fire before, but never saw so black a

smoke any where else, to my knowledge - I noticed nothing remarkable in the flames.

SAMUEL CRABB . I am a workman to Mr. Hobson, and live in his yard. I was alarmed by the fire, at a quarter before eleven o'clock; I could see the part of the premises that were in the yard, from my window - I first saw the fire on the first floor over the gateway; I observed the flames burn in this kind of way. (putting his hand out) - I have seen goods removed from the premises from time to time; I do not know that I saw any moved for six weeks or two months before the fire.

ROBERT EDWARD STOREY . I have been a fireman thirty-seven years; I have seen the premises since they have been burnt, and have seen them compared with this model; the stairs on the ground floor are gone - they lead from the ground floor to the first floor; some of the stairs, leading down to the cellar are left - the upper ones are more burnt than the lower ones; there is a door on the top of the stairs, leading from the cellar to the ground floor, that door was burnt on both sides, and the door standing open; there were marks of the fire on the floor of the passage by the stairs, and a great many marks of fire near the top of the stairs, and the passage leading from the street to the manufactory - there was a door, leading into the re-weighing-room, which was very much burnt on the street side, but the inside of the door was not burnt; (looking at the model) here is the counting-house there are boards now remaining in front of the fire-place in the counting-house, there are nine feet; the fire-place before the holes are burnt through; the surface of the boards near the fire-place are burnt but very little; the floor of the room, looking into Hobson's yard, is all burnt except the joints - several holes are burnt in the floor of the room, between that and the counting-house; there is a brick wall from the ground, forming one side of the gateway - the fire on the under part of the floor, by the staircase, has burnt holes through; the greater part of the fire seems to have been below it.



Q. That is the front ware-room, over the stairs? A. Yes; there are several other marks of fire on the first floor, and in other places - they are scorched, but in many parts they are burnt through; I have preserved two hundred and thirty-five feet of the floor of the second flooring, which is not burnt through - the under sides are burnt, but not the upper; the fire must have been below on the first

floor and not on the second; I took the boards off the joists myself, and have had the care of them ever since - here is one of them (producing it) - I observed the grate in the counting-house; the cinders were most of them under the grate, and the others in it - I did not notice Davis' bedroom grate; none of the second floor remained except the joists.

Cross-examined by MR. CLARKSON. Q. You say the fire must have happened on the first floor, because the upper side is not burnt? A. Yes; it must have commenced in the lower room - the boards forming the second floor remained on the joists; I broke them off two or three days after - two hundred and thirty-five running feet of flooring boards were left, eight inches wide. I was present at the fire; I did not see the second floor fall - I saw only half of it down - the other half remained: we were prevented from taking it down till the bricklayers had lowered the wall: I remained in care of the premises till the 12th of March - I did not observe the grate of the second floor; I noticed the first, as I heard reports that the fire originated in the counting-house, and it was said the man did not rake the fire out. The remains of the deceased woman were found over the gateway; the spot was pointed out to me.

Q. Must she not then have fallen through from the second floor? A. She might have rolled off, as every thing on the second floor must, as the joists gave way, and the floor laid slant; the part that fell was all burnt, more or less - part of the boards are here, but they were burnt enough to let the body fall; I did not see the whole joists, and cannot say whether they were burnt more by the bed than else where - I believe it was, but that part was moved in my absence; I did not go there to survey.

MR. BRODRICK. Q. Are all the boards you have brought of the second floor burnt underneath, like the one produced? A. They are, and not burnt above.

MR. CLARKSON. Q. Did you see any part of the bedstead found? A. No, I saw the screws of it - when I took away the second flooring, it was slanting: if they had fallen on the embers of the fire on the first floor, they would have been in the same condition.

MR. BRODRICK. Q. Are the joists of the second floor burnt more underneath? A. Yes; the greatest weight on the second floor was on

that part of the joists where the bed was, and had given way - there were a quantity of iron tools there.

JAMES YOUNG . I am an officer of the Court of Requests. I had some warrants to execute against the prisoner the beginning of this year; I remember the night of the fire -I had been on the premises the Saturday before; I went into the warehouse, and every part of the warehouse except a room which was looked - I could discover no sort of property of any kind in the warehouse; I went to the premises again on the Monday of the fire - I went into the warehouse and counting-house also; there was a little room behind the counting-house, I could not get into that; there were two doors to it, one from the counting-house and one from the landing - they were both locked, and a square of glass was broken in the door leading to the counting-house, and a pasteboard against it; I removed that, and there was a quantity of baskets in the little middle room -I could only distinguish one to move it, that was empty; they were a sort of package hampers; I moved one to have a clear view inside the room - it partly afforded me a clear view into the room, but I could see no other property but the baskets; I went into the weighing-room on the left hand - I did not notice the rooms on the second floor; I saw in the inner room on the second floor some implements used in blowing glass made of iron; I saw no stock of any description on the premises; I have the warrants here, they are signed by the register.

Q. When you moved the baskets, could you observe whether there was a window on the other side of the room? **A.** Not from there, but I went round the other side: on the landing, there was a square of glass broken in the door - I looked through, and discovered some boards against the window of the middle room, which was between that room and the one looking into Hobson's yard.

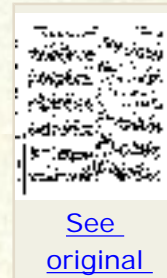
The warrants being read, were to levy for the sums of 1l. 2s. 10d. and 1l. 9s. 10d.

Cross-examined by MR. CLARKSON. **Q.** There was a window broken? **A.** Yes; the boards were against the inner window; my warrant was not to seize the goods - but on a general view, the place appeared to me empty; there was a quantity of old harness, and a quantity of made-up glass in this room on the Thursday; I swear the warehouse appeared quite cleared out, and there were no goods in the counting-house; the warrants were for disputed wages

between the prisoner and his partner; the middle room appeared full of baskets, about breast high; I cannot tell whether they were full or empty except one.

COURT. Q. Supposing them empty, what was their value? A. I should think about half a crown each.

JOSEPH COLE . I am superintendant of the district beadles of St. Giles' parish. I have been in this house, it is in St. Giles' parish; I was present at the Coroner's Inquest, at the Guy Earl of Warwick public-house, Belton-street, on Mrs. Davis - it sat till ten o'clock at night; after the verdict was given I left the Jury room, and went inside the bar - the prisoner came in just afterwards; a person named Genese was there; when the prisoner came in he sat down by him - Genese nudged the prisoner by the arm, and said "Go;" I saw that; I knew Genese when I saw him; I went out of the bar, the prisoner followed me, and beckoned to Genese to follow him; I said,



"Mr. Jacobs, if I were in your place I would not go away;" he said, "I am not going, I am going to speak to my friend;" and stepped on one side - they turned round the corner, up Vinegar-yard, and walked about half way up together; I did not follow, but I could see them, as there was a gas light - and when they got about half way up, Jacobs ran away from Genese as hard as he could; I immediately went up through Bowl-yard into Broad-street, and saw Jacobs coming out of Lascelles-place at a very quick pace - I ran up as hard as I could - he crossed over by the coach-stand, and I lost sight of him; I went as far as Museum-street, but could see nothing of him; I went immediately turned back, and in returning I saw two cabriolets coming along at a great pace- I called to the first one to stop, it stopped; I looked into it, a gentleman was in it, but it was not the prisoner - and immediately after another came up at full gallop - I stooped it, and Jacobs was in it; I got on the step, and said, "Mr. Jacobs, I want to speak to you;" he begged of me not to stop him, as he was going off to his solicitor, he wanted him to see the Coroner before he went away; I said, "I want to take you to see the Coroner, the Coroner wants to see you;" I took him out of the cabriolet; I had got hold of his arm as I was going along, and he begged of me to let him go, but I kept hold of his arm; nothing passed till we got to the house, and just as I went in at the door with him, we found Genese was sitting down in the bar - the Jury and Coroner were coming out; I told Mr. Stirling, in the prisoner's

presence, the manner he went away, and he advised me to take him to the watch-house.

Cross-examined by MR. CLARKSON. Q. Did he tell you who his attorney was? A. Mr. Norton, of Jewin-street, he was going that way; I did not hear any reporter come out and advise him to go for his attorney; the verdict had been delivered.

MR. THESSINGER. Q. Was the prisoner present during part of the Inquest? A. I believe so.

HERBERT SPRING. I am a clerk to Whitehouse and Son, Wharfingers, of the City-road. On the Wednesday previous to this fire, the prisoner came and inquired the rate of carriage for cullet to Birmingham; he said he wanted us to take about five ton; I could not inform him then - he called again, and we were to fetch the goods next day; he was afterwards to call to see them weighed and direct them; he said, that when he was at Birmingham he was going to barter them for a large quantity of glass, which we should bring back; we sent for the goods next day, and sixteen casks came; it was on Thursday or Friday before they had all arrived; one of the carmen brought me this note (producing it); since the fire an order has been delivered to us for the goods, but we have kept them; they remain without direction.

Cross-examined by MR. CLARKSON. Q. How long have you been in the habit of carrying for him? A. Eight or nine years, I believe; I have only been there four years; we have carried goods for him, on and off, during that nine, and have carried casks; he desired the goods should be fetched on Thursday, but whether we sent on Thursday or Friday I cannot tell; I did not go to his premises myself; there was no concealment about it - our measure on our waggons; he particularly wished them fetched next morning, but they were not fetched till the afternoon; we received them all before dark.

MR. BRODRICK. Q. You do not know from what part of his premises they came? - A. No; our days for sending goods is Monday, Tuesday, Thursday, Friday, and Saturday.

JOSEPH DAVE . I believe this note to be the prisoner's writing; when he sent me to Holywell-street, he gave me a letter; I do not

know what it was about; I do not know who I saw at the house - the six casks I mentioned came from the cellar, which is called the Mixing-house. (Letter read.)

MR. Mathews, you must send down a waggon this afternoon, with camera men, for the remainder of the casks of cullet, as I want them out of the way; I want an extra man to crate them up.

feb. 20, M. JACOBS.

JAMES TOPLIS . I am surveyor to the Sun Fire-office. I went into the prisoner's dwelling-house on the 9th of March; an officer was in possession; I looked at the furniture there, and valued it from 130l. to 150l.; certainly not exceeding that sum.

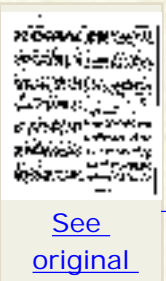
WILLIAM LONDON . I continued in possession of the premises from the time of the fire till the goods were moved; I was in possession when Mr. Toplis came-nothing had been moved to my knowledge.

Cross-examined by MR. ADOLPHUS. Q. At what time did you go in to possession? - A. Between seven and eight o'clock in the evening; Phillips, the sheriff's officer, employed me; I did not desire the prisoner to go to Phillips, nor deliver him a letter.

SAMUEL JAMES FLETCHER . I am clerk to the Sun Fire-office. On the 23d of February Charles Pole, Esq., was treasurer.

RICHARD RAW . I am clerk to the Sun Fire-office. The prisoner first insured there on the 11th of December, 18th, and till Christmas, 1819; he commenced again on the 15th of March, 1820, which went to Lady-day, 1827; that was for premises in Charles-street, Soho - for furniture and stock, not premises; he effected an insurance on the 19th of March, 1827, which went up to March, 1828, for furniture in Hampstead-road; he insured, the premises in Phoenix-street while they were building, from Christmas 1825 to 1826 that was 700l. on the warehouse and manufactory, No., 18 Phoenix-street, and 300l. on the dwelling house No. 19: on the 10th of October, 1828, he proposed another insurance; here is a memorandum, which I believe is in his hand-writing - we granted him a policy for the ware-house and manufactory 1,000l. stock and utensils there in and goods in trust, 250l.; dwelling-house, 350l.,

being 1,600l. together; he had proposed to insure, according to his own writing, for the warehouse and manufactory 2,000l., and the dwelling-house 500l.; he paid a premium, at the time of proposing, at 3 per cent.; Capon, the inspector, afterwards looked at the premises, to ascertain the risk - that was the condition of the deposit; it turned out, on inspection, to be at the rate of 7s. 6d. per cent., and he said he would have the amount reduced; it was effected at 1,600l.; on the 27th of January, 1829, he came to the office, and desired the following increase to his insurance; for fixtures and fittings in the warehouse and manufactory: 50l. stocks, utensils, and goods in trust; 550l. in lieu of 250l., and we made the alteration; there had been no insurance before for fixtures and fittings - he made no addition to the amount of goods in the dwelling-house; he had insured 500l. on household goods and furniture, 50l. on jewels, and 50l. on glass, on the 10th of October, as being in Charles-street; and on the 6th of December we granted him a new policy for that amount as for the same goods in Phoenix-street, he having removed there; the whole amount insured was 2,550l., the old policy of the 10th of October was cancelled; all existing policies respecting premises were cancelled, and he received the usual note of the premium, having been paid; two new policies were prepared, according to the last proposal.



JOHN FLOWER , clerk to Messrs. Stevens and Co., solicitors, proved the service of a notice on the prisoner to produce on his trial the note in question.

RICHARD RAY . I delivered him the note mentioned in this notice - I have the margin of it here, the entry on which was made in his presence; he paid for the building 1l. 8s. 8d. - 3l. 7s. being allowed on the old policy, making 4l. 15s. 8d., which was the full premium for the building, the amount being 1,350l. on the furniture and stock; he paid 3l. 6s. - 2s. 2d. being allowed, this is exclusive of the duty; both premium and duty were paid - the new policies were not executed till after the fire.

Cross-examined by MR. ADOLPHUS. Q. In October, 1828, he proposed to insure for 2,500l., but your inspector, found them more hazardous than described? A. Yes - if he would have paid a larger premium I should not have objected to grant the policy, but he preferred reducing the amount; the removal of the goods to Phoenix-street is endorsed on the policy, dated December 6th - no

additional premium was required, the risk not applying to the dwelling-house; the addition made in January was 350l. on stock and utensils - the old policies were cancelled, and new ones promised; I do not recollect that any mistake was made - he altered his mind while there, and made the stock 350l., and at first I think it was to be 450l. - he was well known to us in business.

COURT. Q. Did your surveyor report that the premises were worth 2,000l.? A. We did not survey as to value, but as to risk.

MR. ADOLPHUS. Q. Are these the tickets or notes you delivered out on that occasion? A. They are; the building is in the name of Moses Jacobs and others - we should expect him and others to prove their interest in the premises - no mistake was made: there was no dispute about the rate of insurance - we never had a 6s. premium.

JOHN CAPON . I inspected the prisoner's premises for the Sun Fire-office, in October last, to ascertain the risk, not the value; I found them brick and timber, and decided it to be a special case - I was instructed to charge 7s. 6d. per cent.; I reported that to Jacobs in December.

Cross-examined by MR. CLARKSON? Q. Do you know whether any body went from the office to ascertain the value of the premises? A. I do not - I believe he made a deposit at the rate of about 6s. per cent.; when I afterwards told him it was to be 7s. 6d. he desired me to insure for a less sum, which what he had paid would cover- he said he would not pay more for it, as there had been a dispute between him and his partner, that he had robbed him of a considerable sum, and he would not advance any more; I told him he could insure for 1.600l.; the difference would not be more than 40s.; I have no recollection of recommending him to pay the difference - there was 1s. 6d. in his favour, which was returned him.

PERCIVAL EDWARD LESLIE . I am a clerk in the Sun Fire-office. The prisoner came to the office on the day of the fire, and asked if his policies were ready - I told him they would be signed in a day or two, and then sent.

PETER CHARLES HUME . I am the mortgagee of these premises,

and have the lease here.

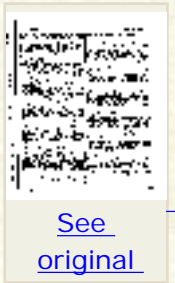
Cross-examined by MR. CLARKSON. Q. After advancing him 1,000l. on the premises, had you agreed to advance a further sum?
A. Not me; my mortgage extends to the whole premises.

- BALL. I am attesting witness to this mortgage-deed - I saw it executed by Moses and Isaac Jacobs .

This mortgage was for 1000l. and contained a covenant to insure for 1000l.

The prisoner made an exceeding long address to the Court, entering into various transactions between his partner and himself, in consequence of which law proceedings had been adopted; he stated that he had expended 4500l. in building and completing the premises, and had mortgaged them for 1000l. which amount he was bound to insure for - that on a survey of the premises there was a dispute about the rate per cent. to be paid; in consequence of which a delay ensued - he was anxious for his policy, the mortgagee requiring it - the office demanded 10s. 6d. per per cent. but finally took 6s. - he afterwards engaged for an advance of 1500l. on the premises, (the former 1000l. to be paid off,) and as such could have no interest in their being destroyed; several errors had arisen in making out the different items of his insurance - in consequence of which the policies were incorrect, and returned for alteration; he denied having called at the office on the day of the fire - he had never painted the whole of the premises, and the oil and turpentine were got for that purpose; but on account of his wife's illness it was delayed - potash, sand, lead, arsenic, and magnesia, were used in the process of manufacturing glass, which would account for the appearance of the fire over the gateway, the middle room being the place these articles were deposited in; through false information being laid against him at the Excise-office by his late partner, he had determined to relinquish the business, and had agreed to barter the cullet with a house at Birmingham, for which purpose he sent it to the wharf - various valuable implements of trade were in the top room on the night of the fire - Mrs. Davis could have escaped on the roof of the warehouse, where she usually hung her linen to dry - that on the day of the fire he was at Hammersmith from ten o'clock till four, when he returned and dined with Genese; then went to the Black Swan, Vinegar-yard, Drury-lane - left at

nine, and got home about half-past ten, where he found a letter from Phillips, and in consequence of which he went to Mr. Norton, his solicitor, and then to Hart-street - returned home, and sent Davis with a letter to Hart-street - then went into his dwelling-house, and in about half an hour he sent his son into the warehouse to fetch his great coat; he returned stating the place was on fire; he then did all in his power to rescue Mrs. Davis, and to save his own family - at the inquest he was informed by a newspaper reporter that the jury appeared vindictive towards him, and advised him to fetch his solicitor - he was afterwards desired to attend at the fire-office, and only claimed 600l. as his loss.



EDWARD CARTER . I am an attorney. I know the prisoner effected a mortgage with Mr. Hume for 1,000l. - an abstract of the title to the premises was laid before me about the 8th or 9th of January this year, with a proposition to pay off the 1,000l. and advance 500l. more; I promised for my client to advance the 1,500l., subject to the report of our surveyor - the arrangement would have been complete about a week after the fire; the prisoner was anxious for the completion of the business, as he wrote to me about it, but I only saw Mr. Wilson, who acted for him.

MR. BRODRICK. Q. The proposed security was the dwelling-house and building? A. Yes.

EDWARD WILSON . I acted as agent for the prisoner in effecting this mortgage for 1,500l. - the prisoner was desirous it should be completed; the negotiation continued till the day of the fire - there was no backwardness on his part, quite the contrary; he was eager to effect it- nothing remained to be done but an inspection by the surveyor; the 1,000l. was to be paid to Mr. Hume - there is an under lease from the prisoner to Mr. Hume- it is a mortgage by demise; the mortgage would have been complete in two or three days, but the fire put an end to it.

MR. PLATT. Q. This related to the building, not the stock? A. Certainly.

JOSEPH ROSE . I am a surveyor and auctioneer, and live in the Old Jewry. I surveyed the prisoner's dwelling-house and factory in June last - the dwelling-house was not then complete, but was

more than a carcass; the value affixed to both was in anticipation of their being complete - the factory was finished, and about 150l. wanted laying out on the house; I valued them for a loan, and estimated them at 2,000l. as the value of the lease, and considered them well worth that; I valued them for the gentleman making the advance - I should think they would cost near 4,000l. building.

MR. THESSINGER. Q. Of course you calculated the furnace? A. Yes - that is an extensive part; I looked at it as a whole - the furnace is fire proof.

THOMAS THOMPSON . I live in Castle-street, Holborn, and am a surveyor. I went to the premises after the fire- the value of the stock in trade and utensils left there on the 23d of March I estimated at 384l. 1s. 9d; these were articles saved, and were on the premises; according to the appearance of the first floor, the fire I should think had originated about the staircase - the best part of the counting-house floor is left at this moment in a perfect state - all the flooring near the staircase is burnt; the floor leading from the counting-house to the bridge is nearly perfect - a person on the stairs in Hobson's yard could not see into the first floor; I went to the top of them on purpose to see - perhaps up the first three steps they could, but not on the fourth.

COURT. Q. If there was an immense illumination on the first floor, he could see that? A. Just at the window; there is a sloping covering to the stairs.

MR. BRODRICK. Q. Could he not take a straight view to the building? A. By no means, unless he could see through the slates; the bottom of the steps is about twenty feet from the end of the gateway - the covering on the steps prevents his seeing; he must stoop two feet -I do not mean to swear he could not see when up two or three steps; I went half-way up, and could not see then- I dare say the ceiling of the room could be seen in the yard; I valued the moulds, utensils, and working implements.

MR. CLARKSON. Q. There is a covering to the stairs? A. Yes - it is an inclined plain directly opposite the window; it is impossible to see the flooring or roof from the stairs.

COURT. Q. What was there to prevent his seeing the ceiling of the

room was illuminated? A. Yes, in the yard, but not on the steps.

WILLIAM CADOGAN . I am a surveyor. I went to the premises on the 2d of March; I went on the first floor, and found some embers laying on the floor, and on those embers was what appeared to me to be the second floor; all the second floor appeared to me to have been burnt away - I looked at the grate on the second floor; there were a good many cinders in it - I mean the second floor room, where the deceased slept; I saw the great of the counting-house, but did not observe any cinders there -I went up the steps of Hobson's yard yesterday: they have a slant covering, which comes down exactly in the same direction as the steps - there may be a dozen steps; I could see the window from the top of the steps, by leaning over the side railing, but not without; it is impossible.

MR. PLATT. Q. How many feet do you consider the steps from the back of the building? A. About fifteen-feet; the covering is about seven feet high.

COURT. Q. Supposing it was a dark night, and there was a great light in the building, it would illuminate all the yard? A. I should think so - he could see a light coming from the window.

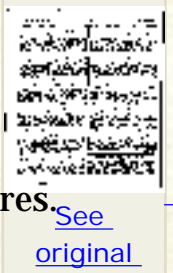
WILLIAM WILLIAMS . I am a builder, and live in Upper Cleaveland-street Fitzroy-square: I was on the prisoner's premises before the fire - Mr. Jacobs asked me what I thought the fittings up worth; I said I would not fit them up for 100l. - the dwelling-house is not finished yet.

MR. THESSINGER. Q. You did not fit up the factory? A. No; I was on the premises off and on for six months, I saw the fittings up; I speak of the counters, the fittings up of the counting-house, lockers, shelves, &c. in the warehouse and weighing-room below, and the two rooms above.

MR. CLARKSON. Q. Is this paper signed by you? A. Yes - it is a specification for finishing the private-house; it is dated the 26th of June, 1828 - I was to do it for 187l.; I did 150l. worth - this amount does not include the painting.

MR. THESSINGER. Q. When did you express this opinion about the value of the fittings-up? A. About

October or September; I include the weighing-room materials, and moulds made of wood, and a great many of iron - I do not include the iron in my estimate; I include the glass partition all round the counting-house and divisions of the rooms, which I understand were fixtures.



[See original](#)

JAMES HALL . I am a painter. I entered into an engagement to paint the prisoner's house about the middle of February, within a fortnight of the fire - he was to find paint, turpentine, and oil; I saw him twice about it, and saw paint brushes and pots on the premises on the day I made the agreement - I was to do the work at 5s. 6d. a day and have two pints of beer; I went again on the following week, and he was at Birmingham as I heard; I ordered some turpentine to be sent to his house for me to work with - I believe it was got in Greek-street, but I did not order it myself; there was to be a quart of oil and three pints of turpentine - I called about the middle of the following week: he was from home - I was informed Mrs. Jacobs was ill, and that reason was given why I should not begin.

Mr. BRODRICK. Q. Can you tell when this was? -A. The middle of the week; I went first about the middle of February - it was then I saw the brushes: I called again about the middle of the following week, to go to work.

LEWIS NORTON . I am a solicitor, and have acted as attorney for the prisoner for several years. I know he has lost a great deal of money by persons taking the benefit of the Insolvent Act - I put an execution into the prisoner's house on the very day of the fire, as I heard he had received the 500l. on the mortgage, and was going to Birmingham; he owed me 60l. odd - I had a warrant of attorney, which had been over due some time; I remember an extent being on the premises two or three months before - I acted for his partner on that occasion; to the best of my judgment his debts at this time were about 180l. - from my knowledge of his affairs, and considering his premises, I should think he had more than five times enough to pay his debts; he had leasehold property in Charles-street, and I prepared the lease of some premises at Hampstead, but have not acted for him for some months, as we had quarrelled - about ten o'clock on the night of the fire he and Mr. Genese came down to me and talked about the execution I had put in; a man was then in possession at my suit - they were with me a very short time; I delivered them a letter directed to Mr. Phillips, my officer, whose man was in possession - when I acted

for his partner I received a statement of the property on the premises: that was during the extent, and I have been on the premises when on terms of intimacy with him - the house was then at work, and a great quantity of goods in both the warehouses; a misunderstanding between him and his partner caused a stoppage of the works.

MR. PLATT. Q. Have you been concerned for the prisoner, as his solicitor, since October? A. No; his partner and himself delivered me a list of their debts, and I know some of their creditors - he did not owe more than 180l. beyond the mortgage, according to the list delivered to me; the extent was issued about three months ago - I have not been on the premises since that; my execution was paid on the 25th of March.

ELISHA ARCHER . I am a paper-hanger, and live in Drury-lane. The prisoner engaged with me on the 13th of February, to paper his dwelling-house, in Phoenix-street.

ISAAC GENESE . I am an auctioneer and general dealer. On the evening before this fire I sent for the prisoner to go to Hammersmith with me - I saw him at ten o'clock on Monday morning, and we went together to Hammersmith; I returned with him about four or five o'clock - he dined at my house, remained there from five to six, and we did not separate till very near nine, at the Black Lion public-house, Drury-lane - he came to me again about half-past nine o'clock, and in consequence of what passed between us I went to Norton's with him; we received a letter from Norton to Phillips - I went with him to the Feathers public-house, in Hart-street, Covent-garden, where we found Phillips; I separated from the prisoner from ten o'clock to half past, in Hart-street - it would take him ten minutes or rather more to go home; I attended the Coroner's Inquest afterwards, and was in the private bar of the house with him - he had been before the inquest in the morning, but in the evening continued in the bar - the Coroner's clerk came and sat with us in the bar for an hour and a half; the prisoner left the bar once or twice - a reporter, whom I had seen in the inquest room, came to him, and had some conversation; the prisoner then came to me, and said - I am going to my lawyer;" I walked out with him further than the door, and expected him to return with his lawyer, but he returned with the constable.

MR. BRODRICK. Q. You keep an open auction shop behind St.

Clements'? A. Yes; I have also a shop at Bath and Bristol - they are not open shops - Norton lives in Jewin-street; I saw Cole, the officer, at the public-house, not in the bar.

Q. Do you remember nudging the prisoner, and saying "Go?" A. No; I solemnly declare I did no such thing- I separated from him about twenty doors from the house; he certainly did not run.

JOSEPH PHILLIPS . I am a sheriff's officer. I went to the prisoner's house, about half-past seven o'clock, on the evening of the fire, having an execution against his property, at the suit of Norton; the prisoner was not within -I left London in possession, and left a letter with Davis for the prisoner; in consequence of which, I expected to see him that night at the Feathers public-house, Hart-street - he came there at nine o'clock, and requested me to do something, which I refused till I saw the plaintiff; he went away, and brought me a letter from Norton at a quarter-past ten - he remained with me about a quarter of an hour.

NOT GUILTY .

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URIAH MOSES, ANN BENJAMIN, theft : burglary, theft : receiving stolen goods, 10th January, 1798.

The Proceedings of the Old Bailey Ref: t17980110-8

Trial Summary:

- Crime(s): [theft : burglary](#), [theft : receiving stolen goods](#),
- Punishment Type: [death](#), [transportation](#), (Punishment details may be provided at the end of the trial.)
- Verdict: [Part Guilty: convicted of a lesser offence](#), [Guilty](#),
- [Other trials on 10 Jan 1798](#)
- Name search for: [URIAH MOSES](#), [ANN BENJAMIN](#),
- Crime Location: [Whitechapel](#)
- [Associated Records...](#)



Original Text:

73. URIAH MOSES , and ANN BENJAMIN , were indicted, the first, for breaking and entering the dwelling-house of William Holmes , about the hour of six in the night of the 8th of December, and stealing seven silk handkerchiefs, value 30s. thirty yards of lace, value 30s. and fifty-eight yards of calimanco, value 40s. the



property of the said William ; and Ann Benjamin, for feloniously receiving seven silk handkerchiefs, fifteen yards of lace, and fifty-eight yards of calimanco, part of the said goods, knowing them to have been stolen .

WILLIAM HOLMES sworn. - I am a linen-draper and mercer, in Whitechapel: On Friday the 8th of December, the glass of my shop-window was cut, and several articles missing, four or five cards of black lace, some is what is called British lace, two pieces of silk handkerchiefs, and two pieces of calimanco, one was brown, the other drab colour; the whole of them were worth, I suppose, seven or eight pounds, the calimancos are worth about thirty shillings each, the silk handkerchiefs are worth about thirty-five shillings, the lace I cannot exactly say what quantity there was of them, they had been cut, and therefore I cannot say.

Q. What time did you discover that these things had been taken away? - A. About six in the evening; I discovered it by seeing the window broke, and missing the things; I did not hear the window break; next morning, the officers belonging to the Whitechapel office produced part of my property; a number of the things in the window were tinged with blood, the edges of the papers were as if somebody had cut their hand, and drawn it down.

Q. Did it appear to be cut with a diamond? - A. Yes, there was a piece left by the frame; some of the glass remained in the inside of the window, and some out.

Q. Who was it produced them to you? - A. Thomas Griffiths.

SARAH HENLEY sworn. - I am a night nurse at Guy's-hospital: The prisoner, Moses, came to the hospital on Wednesday, and came out on Friday the 8th of December; he was taken out by some men that came after him, the constables.

Q. Do you remember if he was in the hospital on Friday the 8th of December? - A. I saw him coming down stairs with two men as I went up stairs, about eight o'clock in the evening; I always go to bed in the afternoon, and come to the hospital about eight, he never returned to the hospital again; I went up to the ward where he had slept, about ten o'clock, and in examining his bed I found a card of lace. (Produces it.)

Holmes. This lace has my private mark upon it; I had put it in the window on the 8th of December, in the morning.

Mr. Agar. Q. Have you any partners? - A. No.

JOHN NOWLAN sworn. - I am a constable: On the 8th of December, I took the prisoner into custody in Guy's-hospital; the back part of his hand was cut in several places, here is a part of a shawl which I found in the bed where he was, very bloody, (produces it); I asked him how he cut his hand; he told me he was at his father's, in Petticoat-lane, and as he was going over London-bridge, he had a tea-pot in his hand, he tumbled down and cut his hand with the pieces.

Cross-examined by Mr. Agar. Q. There were a great number of people in the room where he slept? - A. Yes, a great number.

Q. You found nothing upon him when you took him? - A. Only two knives.

Q. No diamond? - A. No.

Q. At that time he was in bed? - A. Yes; he said he had been in bed about half an hour, it was then a quarter after seven o'clock.

THOMAS GRIFFITHS sworn. - I am a peace officer; I went to Mrs. Benjamin's house on the 8th of December, between six and seven in the evening, in consequence of an information, I went in company with John Griffiths and Edward Smith, two other officers; when we came there, I found Mrs. Benjamin, and two or three women, sitting in the room on the right hand side as we went in; I then asked her what was become of the property that was brought in by three or four boys a little before; she said, be quiet a bit, you will spoil me; says she, if you will stop a little I shall have a good thing for you by and by; I then insisted upon her going with me up stairs, to see where this property was; she, in company with Edward Smith and myself, went into the one pair of stairs back room, and between the bed and the sacking, I found this property. (Produces them).

Q. How came you to look there? - A. I turned up the clothes, and found it upon the sacking; when I counted over the things, I found

three pieces of lace, two pieces of silk handkerchiefs, containing seven handkerchiefs, and these two pieces of calimanco, one piece with a good deal of blood on the paper; I then asked Mrs. Benjamin what was become of the boys that brought it into the house; she said, she believed one boy was gone to Guy's-hospital, that he had cut his hand, that it bled very much, and she had lent him an old shawl to wrap round his hand to dry up the blood; I then came down stairs and took the property to the office, leaving her in custody with Griffiths and Smith.

Cross-examined by Mr. Knapp. Q. I believe you found that this house was a house let cut to lodgers? - A. The door of the apartment they generally sleep in themselves was locked.

Q. I ask you if you do not know that this house was let out to lodgers? - A. There are other people in the house.

Q. Do you not know that this very room was occupied by another person of the name of Ann Smith? - A. I believe there was a woman that slept in that room.



[See original](#)

Q. You had seen the boys immediately before you went to this house? - A. No; I went down immediately upon my getting the information.

Q. Did not Mrs. Benjamin give you information, before you went up stairs, where these things were to be found? - A. I believe she said they were in the one pair of stairs back room.

Q. Did she not tell you, that that room belonged to Ann Smith? - A. That might have passed; I cannot swear that it did not.

Q. The person whom she represented as having cut his hand, was apprehended? - A. Yes.

Q. Did he appear to have that bloody appearance upon his hand that she represented? - A. Yes.

Q. Then, in short, the account that she gave, turned out to be true? - A. Yes.

Q. And the information that she gave you, led to the discovery of

this business? - A. Yes.

Court. Q. Had she told you the things were in the back room, before you insisted upon going up stairs? - A. I believe, when we were going up stairs, she said something about it, but I do not recollect whether she did or not.

Holmes. I lost these things from my window, the handkerchiefs I cannot swear to, my private mark has been rubbed off, it was put on with a red lead pencil; they are the same sort of handkerchiefs, and the number that I had lost, it was a piece; I had divided it that morning into four handkerchiefs, and three handkerchiefs; the calimancos and lace had my private mark upon them.

Jury. (To Griffiths.) Q. Was Smith, who rented this room, below with Mrs. Benjamin, at the time you went in? - A. I believe she was.

Moses's defence. I know nothing at all of it.

Benjamin's defence. I am a married woman, I am very innocent of it, I follow no business, but let my house in lodgings, the officer, Smith, came in first, and I told him, when he asked me, that there was somebody went up to Mary with a bundle; he asked me to let him have a candle, and I said, I could not give him the candle, because it was Friday night.

EDWARD SMITH sworn. - I went into the house first, and I asked her where the property was that was just come into the house, it could not have been in the house above five or six minutes; we ran as fast as we could; upon receiving the information, she desired I would make no noise, and desired I would keep out of sight, she expected the boys back in a minute, that she had paid nothing for them, and if I made a noise I should spoil it; I asked her for a candle to go up stairs, and she said she could not touch it, on account of her sabbath, it was past six o'clock; I took the candle, and went up myself, and found nothing; I returned down again, and then she, and I and Griffiths went up together, and she showed us where the property was; she then told us, that the boy, that she supposed had cut the window, had cut his hand; she had lent him a shawl, that he was gone to the hospital, and had taken the best piece of lace with him.

Q. Was any thing said about a woman of the name of Smith? - A. Not that I recollect; she said it was in the girl's room; she keeps lodgers.

Q. That was after you returned, and could not find it? - A. Yes; her own room door was locked, and her husband was out with the key.

Cross-examined by Mr. Knapp. Q. When you went up first, you could not get into the room? - A. No.

Q. You did search that room afterwards? - A. Yes; she has lodgers in the house that men came to see.

For the prisoners.

ELIZABETH HICKS sworn. - Examined by Mr. Agar. Q. Do you know the character of this boy? - A. No; I know his mother is a very honest hard working woman.

HANNAH SMITH sworn. - Examined by Mr. Knapp. I am servant to Mrs. Benjamin.

Q. Is she a married woman? - A. Yes.

Q. Do you remember this day, when some boys brought something to the house? - A. Yes; a boy brushed up with something in his hand.

Q. Was this house let out in lodgings? - A. Yes.

Q. Was there a woman of the name of Smith lodged in the house, besides you? - A. Yes; in the back room one pair, I was in the parlour when the boy came in.

Q. Where was you mistress at that time? - A. She was gone to a public-house to get change for a guinea.

Q. Does the parlour door open into the passage? - A. Yes.

Q. Was there more than one boy? - A. I saw no more, he ran up stairs as quick as possible.

Q. What is this Ann Smith? - A. I believe she is a lone woman by herself; I cannot say much of her.

Examined by the Court. Q. What became of the boy? - A. I went after him, and he said he wanted to speak to Mr. Benjamin, I told him he was not at home, nor Mrs. Benjamin, and in the mean time she came, and I came away directly, I did not see what passed.

Q. You did not see her give him the shawl? - A. No; I did not see any thing at all of it.

KITTY JACOBS sworn. - Examined by Mr. Agar. I keep a glass shop in Petticoat-lane, Moses worked three years with my husband; I found him very honest while he lived with me, he has been gone away three years; I have known Mrs. Benjamin five years, she was a very honest woman before she was married, and ever since, as far as I know.



[See original](#)

FRANCES JEWELL sworn. - I have known Mrs. Benjamin these seven years, she lived servant with me, and a very honest hard working girl she was.

Court. Q. How long is it since she left your service? - A. Seven years ago.

Moses called three other witnesses, and Mrs. Benjamin one other witness, who gave them a good character.

Moses GUILTY Death .

Of stealing the goods, but not guilty of breaking and entering the dwelling-house .

Benjamin, GUILTY .

Transported for fourteen years .

Tried by the second Middlesex Jury, before Mr. Justice LAWRENCE.

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