

so since last Jan.—there is no person named Barr a member there, nor has there been since January—it certainly is not what is ordinarily called a gambling club.

Cross-examined by MR. PARRY. Q. When was this club formed? A. I think in 1828.

Francis Augustus Bernay, a Surgeon; Richard Hunt, Esq., of the City-road; Mr. Stout, of the Royal Hotel, Brentford; John Casey, a silk manufacturer of Spital-square; Mr. Forrest, a solicitor, of Staple's-Inn, and Henry Richards, a surgeon, at Brentford, gave Ralfs a good character.

BARR—GUILTY. Aged 26.—*Confined Fifteen Months, and fined 500l.*

BREWER—GUILTY.—*Confined Twelve Months, and fined 500l.*

RALFS—GUILTY.—*Recommended to mercy by the Jury and Prosecutor. —Confined Six Months, and fined 100l.*

OLD COURT, *Wednesday, December 15th, 1847.*

PRESENT—The Rt. Hon. the LORD MAYOR; MR. BARON ROLFE; MR. JUSTICE WIGHTMAN; SIR CHAPMAN MARSHALL, Knt., Ald.; MR. Ald. GIBBS; MR. Ald. HUGHES HUGHES; and EDWARD BULLOCK, Esq.

Before Edward Bullock, Esq., and the Third Jury.

289. WILLIAM WIGGS, breaking and entering the dwelling-house of Joshua Judd, at Tottenham, on 1st Dec., and stealing therein 1 warming-pan, value 3s.; 1 blanket, 1 bolster, and 1 handkerchief, 16s. 6d.; his property: also breaking and entering the same dwelling-house on 24th Nov., and stealing 2 coats and 1 waistcoat, 30s.; the property of the said Joshua Judd: to both which he pleaded GUILTY. Aged 17.—*Transported for Seven Years.*

Before Mr. Baron Rolfe.

290. WILLIAM NEWTON ALLNUTT, for the wilful murder of Samuel Nelme; he was also charged on the Coroner's Inquisition with the like murder.

MR. RYLAND conducted the Prosecution.

MARIA BUCHAN. I went into Mr. Nelme's service on 22nd Oct., the Saturday before his death, and remained there till after his death; he lived at 2, Grove-place, Hackney—I saw him on the Saturday evening; he did not complain of being ill at all—I saw him on the Tuesday evening, he was not very well, and was going to have some gruel—Mrs. Allnutt made it, and gave it him—I did not see her make the gruel—she said she was going to make some—I did not hear him ask for it—I went into his room between six and seven o'clock on Wednesday morning, and afterwards, between seven and eight, was desired to go for Mr. Toulmin, the medical man—he came directly he was dressed, and saw him again about twelve or one—Mr. Nelme did not leave his bed all day—Mr. Toulmin came again between four and five—Mr. Nelme was then dead—the family consisted of Mr. Nelme and Mrs. Nelme, who is an elderly lady, Mrs. Allnutt, and the prisoner—there was a servant, named Keziah Billings, besides me—there was a charwoman, Mrs. Parry—she slept in the house on Saturday and Sunday nights, and went away on Monday, when Keziah Billings came in her place, she slept in the house on Monday night, and has remained there until now—there was no other person in the house

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—before the Saturday, I had only been to the house when I went to engage myself for the situation—I had some conversation with the prisoner on the Sunday, the day after I went into the service—he came into the kitchen, brought some pears to be baked, and asked me if I did not think his grandfather would die suddenly—(the prisoner was the grandson of Mr. Nelme, and the son of Mrs. Allnutt, who is the daughter of Mr. Nelme)—I said I did not know, as I had not been in the house long—I asked why he asked me such a question—he said his grandfather would die suddenly, as his eyes looked queer.

Cross-examined by MR. BALLANTINE. Q. Had you any further conversation with him on the Sunday? A. No; he brought the pears to Mrs. Parry; she did not hear the conversation; she went into the scullery—he had no other conversation with me—after saying that, he went out of the kitchen—he did not say any more—I am quite sure the expression he used was, “die suddenly;” I think he said, “go off suddenly;” as near as I can remember that was his phrase—I had not heard that remark made by anybody else in the boy's presence.

FRANCIS TOULMIN. I am a surgeon, residing at Hackney, and have known the late Mr. Nelme many years—I was first called in between seven and eight o'clock in the morning, and he died, as near as I can ascertain, between four and five in the afternoon—I had not attended him since I cut off his arm, I believe, in 1837—I was in the habit of attending the family, Mrs. Nelme being in bad health, as well as the daughter—the morning I saw him he described himself as suffering great pain in the bowels, and having been very sick, and having been purged—I thought him extremely ill, wrote a prescription, and they sent it to be made up at our surgery—I promised to see him again in a few hours, I saw him again between twelve and one; he had then taken two of the draughts, and I directed him to have some beef tea and a little brandy and water—I was afterwards sent for urgently, and went immediately, between four and five, and found he was dead—I afterwards, by the direction of the Coroner, opened the body—he was about 73 or 74 years of age—I amputated his arm in 1837, in consequence of an accident, and he told me then he was 62 or 63—the draughts I gave him did not contain any arsenic—I did not, on the *post mortem* examination, discover anything that caused me to suppose he had come to his death by foul means—the first examination I made was on 29th, forty-eight hours after his death—I discovered nothing that led me to suspect the presence of poison, but it may be right to observe that the contents of the stomach, the stomach itself, and other parts, were removed expressly for the purpose of chemical analysis, so that I had not the opportunity of judging altogether of the *post mortem* appearances—the contents of the stomach were placed in a jar, and the stomach in another jar; the intestines were secured at either extremity, and placed in a jar, with a portion of the liver; the jars were all sealed—I can hardly recollect what was in each—there was one small one and two large ones—I did not seal them myself, or see them sealed; my partner, Mr. Hacon, took charge of them; he kept them till I called for them in my carriage on the Sunday morning, and we took them, together, to Dr. Letheby—on 1st Nov., I was sent for to Mrs. Nelme; she had been sick—I received from her some arrow-root and pounded sugar—I requested to have them, and placed them in different papers, and took them away—I did not make an experiment on the arrow-root; I endeavoured to dissolve the sugar in cold distilled water; it would not dissolve—I delivered the rest of the sugar to Dr. Letheby, at the London Hospital—he made some experiments on it in

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my presence—it was pounded lump sugar—he told me it contained a considerable quantity of arsenic—I was not present when he made the experiment on the liver, the contents of the stomach, and the intestines—all I know on the subject is, from Dr. Letheby's evidence before the Coroner, which I heard, and attended to, and from which, I have no doubt, Mr. Nelme died from arsenical poison.

Cross-examined. Q. I believe, until you heard that evidence, you were under the impression that he died from some form of cholera? A. Until I found arsenic mixed with the sugar, I had no reason to believe but it might have been a natural death—I believed it to have arisen from some sort of cholera, until arsenic was found in the stomach—the arsenic in the sugar would not have assisted me, only from the history of the case, unless I had heard that some was found in the stomach—one or two jars were brought from my surgery by Mr. Hacon, and the small one from the kitchen below by the undertaker, it was brown earthenware—they were placed on the table—I saw them carefully washed out with boiling water, and scrubbed out—to the best of my belief they were perfectly cleansed—great care was taken on the point, with the third jar particularly—it was washed in my presence—earthenware does not contain any free arsenic; I mean, none that can be dissolved by any ordinary matters—I do not think it possible that the stomach contained dissolving material—I attended the prisoner professionally some time last year—he had two abscesses of a scrofulous kind, one on the cheek and one on the back—they were extremely obstinate—it is a disease of a constitutional character, and may show itself anywhere—it might affect the internal organs—it might do so without being suppressed externally—I have frequently seen scrofulous disease of the brain—if a disease of that kind should attack the brain, it would be calculated to affect the intellect—I do not recollect seeing any wound on his head; my attention was never called to it—I understand he is under twelve years of age—he appears to me to be about twelve, but I should say he is rather diminutive.

EDWARD DENIS HACON. I am a surgeon, in partnership with Mr. Toulmin. I knew the late Mr. Nelme by sight—I did not attend him professionally—I assisted on the 29th, when his body was opened by Mr. Toulmin—I saw no decided appearances which would lead me to suspect the presence of poison—I saw nothing from which I could form a decided opinion—I saw appearances about the gullet and stomach which might be produced by poison or other causes—I assisted in preserving the contents of the stomach, the intestines, and a portion of the liver—they were placed in three jars—the contents of the stomach in the smaller one, and in the two larger ones the small intestines, with their contents, tied at both extremities; the large intestines tied in the same way, the empty stomach, and a portion of the liver—I sealed them, kept possession of them, and delivered them to Dr. Letheby on the Sunday morning following—I did not witness the analysis made by him—I had seen the jars carefully washed.

HENRY LETHEBY. I am a physician, and lecturer on chemistry at the London Hospital. On Sunday morning, 31st Oct., Messrs. Toulmin and Hacon called on me with the three jars—the smaller one, which was put into the larger one, contained the contents of a human stomach—the other large jar contained the stomach, the intestines, and a portion of the liver—the jar into which the smaller one was put contained nothing—the intestines were secured by strings, to keep the contents within them—on the following day Mr. Toulmin called on me at the hospital, and gave me two paper parcels, one containing arrow-root and the other pounded sugar—I analysed all those

matters—I use known tests, the material used formed with the same reagents first put into a distilled from without giving the contents of in about half a this nearly dr, tested for lead poisons; also I to detect either not dissolved arsenic, by water of which I produce—(produces has been sulphur and that gave but did not sugar, which enabled to oxidise arsenic—I assisted by Mr. Toulmin—it was analysed and detected of arsenic I found about four grains in the brain altogether than two grains—I think from discovering its influence—been under the experience in the system, I think was contained say he had taken was the cause COURT. I would the re sickness, and by Mr. Toulmin's tons of death MA. TOLMIN the deceased portion of the precisely the DR. LETHEBY in the brain system mixed into the sys

atters—I used tests of my own, which are known only to a few—they are known tests, but somewhat modified—I can state that there was not any material used that contained arsenic, inasmuch as experiments were performed with portions of sheep's liver, and so on, which did not yield to the same reagents any indication of arsenic—the contents of the stomach were first put into a retort and distilled, and about three tea-spoonsful of liquor distilled from it—those three tea-spoonsful were tested for prussic acid, without giving any evidence or indication of that poison—the remainder of the contents of the stomach were evaporated nearly to driness, then digested in about half a pint of alcohol, then about half a pint of alcohol poured upon this nearly dry deposit—this alcoholic solution was then filtered, and then tested for lead, corrosive sublimate, copper, and beryta, all of which are poisons; also for opium, nux vomica, and oxalic acid, but without being able to detect either of them—the remainder of the contents of the stomach not dissolved by the alcohol was then boiled in water and tested for arsenic, by which means I was enabled to detect that poison, a portion of which I produce in a metallic state—it is the small metallic ring in this tube—(produced)—that is only a portion of what I discovered; the other has been subjected to analysis—the liver was then tested for arsenic, and that gave similar results—I then proceeded to analyse the arrow-root, but did not detect any poison there—I then analysed the coarse white sugar, which amounted to four ounces and a half, and out of that I was enabled to obtain this, which is rather more than half an ounce of white arsenic—I afterwards examined a portion of the brain, which was given me by Mr. Toulmin three or four days afterwards—I cannot remember the day—it was at one of the sittings of the Coroner's Jury—I analysed that, and detected a trace of arsenic in the brain—I did not weigh the quantity of arsenic I found in the stomach, but in my judgment I should say I detected about four grains of white arsenic in the stomach, liver, intestines, and brain altogether—I weighed one portion, and from that obtained rather better than two grains and a half, nearly three grains, of white arsenic in the intestines—I think that would be sufficient to cause death—I can form an opinion, from discovering arsenic in the liver, how long the patient had been under its influence—I may be wrong, but I am of opinion that the deceased had been under the influence of arsenic a few days—I am speaking from my experience in similar cases—from the time it takes to get arsenic into the system, I think he must have had it in him for about a week—that which was contained in the intestines might have been taken recently—I should say he had taken it very recently before death—in my judgment the arsenic was the cause of death.

COURT. Q. Supposing arsenic to be taken in that sort of quantity, would the result be likely to be death, and attended by pains in the body, sickness, and purging? A. It would—I have heard the symptoms described by Mr. Toulmin as being apparent on the Wednesday—those are the symptoms of death by arsenic.

MR. TOULMIN *re-examined*. I gave Dr. Letheby a portion of the brain of the deceased on 4th Nov.—I had opened the head on the 3rd—I put that portion of the brain into a clean glass phial, and gave it to Dr. Letheby in precisely the same state in which I took it from the body.

DR. LETHEBY *cross-examined*. Q. There were indications of arsenic in the brain and liver, you say? A. Yes—I supposed that had got into the system much more remotely than a day or two—in my opinion it must have got into the system some days before—I should tell you that there are circum-

stances which are connected with the formation of that opinion, which it is necessary you should know, or it may mislead you; in the course of my inquiries, in some hundreds of cases, I have found it a rule, when arsenic is detected in the brain and liver of animals, that the animal has been for some time under the influence of that arsenic, but there are exceptions to the rule; taking the rule, I am of opinion that he was under its influence for some time—I do not speak of the rule as infallible, but as a general one—I should be disposed to think he had been under the influence of arsenic a month, still bearing in mind that I am guided by that general rule.

COURT. Q. Suppose a patient had died from arsenic, and the body being afterwards opened arsenic was discovered in the liver and brain, as in this case, and you had known that he had apparently been in good health for a month or week preceding, what would then be your opinion, from your experience? A. My opinion would then be the reverse of that I am now expressing—at the time I gave evidence as to the arsenic in the liver, I knew nothing of the circumstances—if the case was so, I should say he had been under the influence of arsenic within twenty-four hours—it generally takes some time for arsenic to get into the system—it may be quicker or slower.

MR. BALLANTINE. Q. Is not arsenic occasionally administered as a medicine, and in such doses as would not exhibit any external signs of it? A. Not to accumulate in the liver to the extent I found here—I have examined the liver of parties who have been under the influence of arsenic for some time—I do not think that if arsenic is taken medicinally, in small quantities, from time to time, it would get into the system gradually and so exhibit the appearances I found in the liver and brain, without creating palpable signs of ailment in the patient—I think that, generally speaking, arsenic is got rid of from the system almost as fast as it is given, when given in such small doses as not to produce any serious illness or strong marks—it is administered in certain diseases of the skin—it is a common remedy for such diseases—it generally passes off with the urine—it is the duty of the kidneys to get rid of any such poison—there would be always some to be found in the liver, but not to such an extent as I found here.

SARAH NELME. I am the widow of the late Samuel Nelme—he was in his seventy-fourth year—he died at 2, Grove-place, Hackney—he had very good health of late years—about two or three days before his death he complained of illness—I attended upon him entirely—he first complained on the Friday before his death, which was on 27th—we thought it was nothing more than a cold—on Tuesday night, 26th, he complained of sickness for the first time—on Wednesday morning he took a cup of tea, and about eleven o'clock he had a little beef tea—that was not prepared in my presence, but by the servant in the presence of a friend, Mrs. Simpson, who was staying with us—she poured it out herself—there was a sugar-bason that was used in the family—Mr. Nelme generally used that sugar more than anybody else—the sugar-bason was generally produced after dinner, with fruit—it contained powdered sugar—Mr. Nelme always ate some of the sugar after dinner with his fruit—it was kept in the sideboard closet—the prisoner was in the habit of seeing that sugar-vase on the table, and used by his grandfather—I think Mr. Nelme did not partake of that sugar on the Tuesday afternoon, for he did not eat any fruit then—I do not think he took any fruit on the Monday, or any sugar—he took nothing on the Monday or Tuesday, which I prepared for him, which contained sugar—he had part of a mutton-chop on the Tuesday—he had no gruel or arrow-root on Tuesday or

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MARIA LOUISA ALLNUTT. I am the daughter of the late Mr. Nelme, by a former wife—the prisoner is my son—he was twelve years of age last Oct.—I have several sons—my father was in the habit of having arsenic in the house to kill rats—the prisoner knew that—the prisoner has seen it used for that purpose—one day, the week before my father died, the prisoner asked me what arsenic was like; I said it was like flour—the conversation began by his inquiring about a lady, a friend of mine, who had taken laudanum, and he was rather surprised that she had taken it, because he thought it was poison—he then asked me about arsenic—my father kept the arsenic in a bureau, in the back parlour—I believe there were two keys to that bureau, but I do not know anything about them—it was kept locked—I knew the sugar-vase that was used in the family—I believe it was last filled on the Friday morning previous to my father's death; my mother filled it with pounded sugar—I took my meals with my father and the family—I recollect my father taking some sugar out of that bason, with some baked apples, on Friday night—the last time I remember his using that bason, or having sugar out of it, was on Sunday afternoon, after dinner, with baked apples—he generally took a great deal with his fruit—I made some gruel for him on the Tuesday night before he died—I sweetened it for him out of that sugar-bason—I ate some of it myself the same night—I felt very sick after it—I did not vomit—I had had bad health for some time before—I remember my step-mother being sick on the Monday after my father died—she had taken some arrow-root—Mrs. Simpson had prepared it for her—she vomited; but I did not see her, because I was in another room—I was ill for a fortnight, and am suffering from the effects now—I was sick for three days, and was paralysed.

Cross-examined. Q. How long has your husband been dead? A. Two years last Sept.—he died at Hastings—he had been rather in the habit of drinking for some years before his death—for two years before he died he was subject to epileptic fits—at the latter part of his time they increased in frequency—he died in a state of complete madness—he was thirty-seven years old—there were occasions, when these fits were not on him, that he was exceedingly violent—I did not know any other members of his family—I was in a very poor state of health previous to, and at the time of the birth of this boy—I had a good deal of trouble, and my mind was very much affected indeed—I did not notice anything particular about his head when he was born—before he was a year and a half old he had a fall on a ploughshare—he was very ill when he was first brought in, and we thought he was dead—that was not followed with any particular illness—he bled very profusely from the cut—I should think he was in a state of insensibility, as he did not cry—the cut was across the top of his nose—it was cut open, I believe—he has shown scrofulous habit lately, but I was not aware of it, since he had the ringworm in Dec., 1844—it was a very obstinate attack of ringworm indeed, and lasted till Oct., 1846—I have had a good deal of trouble

with him, and have on several occasions been obliged to remonstrate with him—I have children older than him, and know the general disposition of children.

COURT. Q. You mean you have had a great deal of trouble with him as to his morals? A. Yes, and his health too—when I remonstrated with him it was for misconduct.

MR. BALLANTINE. Q. Has he then appeared to understand you? A. I should say he understood it, but it made no impression on him—he showed no shame about it—he said that he did not feel he was doing wrong—since he had a fall on the ice in Jan. last, he has frequently for the time been unable to talk—he has been worse in his conduct since then—I did not notice that he became immediately worse—I think it was not till two or three months after—I did not see him till about half an hour after he had had the fall—I only heard of it; but I was much shocked when I saw him—I was not at home at the time—he looked as pale as possible, and very queer and bewildered—he looked vacant, that expression struck me immediately—he had not inflammation of the brain, but he complained of headaches very much; and from his appearance I should say he suffered very much from them—when I have remonstrated with him for doing something wrong, he has told me that somebody told him to do it; that somebody seemed to say to him, “Do it, do it, you will not be found out;” that they talked to him in his head—latterly he has said that frequently, within six weeks of the present time—I have not heard him complain of it before his grandfather's death—it was when I remonstrated with him about a watch that he had taken—that was after my father's death—he said voices in his head whispered to him to do it—it was long before that that he suffered from headaches—he is in every respect different from my other children—I have had great trouble with his health as well as his moral conduct, since his accident; and had great difficulty in rearing him—when he was very young his health seemed pretty good—he has walked in his sleep, and I have heard him halloo very loudly in his sleep, as if something had frightened him.

MR. RYLAND. Q. Is this letter in the prisoner's writing? A. Yes—(looking at it)—Keziah Billing is not here—she came into the service about the time of my father's death, and is there still.

COURT to DR. LETHBY. Q. Are you able to say whether walking in the sleep is indicative of a disordered mind? A. Yes, of a disordered state of the brain; but it may be produced by the state of the body, by a foul stomach—anything which would give rise to a disordered state of the stomach might, perhaps, cause a sensation of a disordered brain—fancying sounds in the head may be indicative of unsoundness of the brain—calling out in the sleep may be caused by a disordered stomach—it is possible that a violent blow across the nose, quite at the top, such as has been described, might cause such mischief to the brain, as to give rise to an alteration in its formation—a fall on the ice might do so, I cannot say that it would—ringworm is a species of scrofula—scrofula very often disorders the brain.

MARY PARRY examined by MR. BALLANTINE. Q. Do you recollect at any time saying in the prisoner's presence that Mr. Nelme looked as if he would die suddenly? A. No—his grandfather had been sick, I asked the prisoner how he was—he said he was very poorly, and said he thought he would go off suddenly—I said, “I do not know, my dear, he has very good health, but it does happen so sometimes”—he said he thought so, because his

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grandfather's brother died suddenly—I did not tell him I thought he would die suddenly; that is a mistake—his grandfather had been sick on the Sunday as I left on the Monday—he had come for some hot water, for some brandy and water—I did not see him—I heard so—Mrs. Alnutt told me he had been sick; I mean vomiting.

MR. RYLAND. Q. Did not the boy tell you something about his grandfather? A. He came to bring some pears, before he went to church—it was after dinner at five o'clock that Mr. Nelme was sick—the prisoner did not tell me so, it was Mrs. Allnutt—he came down with her and then left the kitchen, and came down again—I asked him how his grandfather was—he said he was sick *as yet*, and said he thought his grandfather would go off suddenly—it was after five o'clock—I never told him I thought his grandfather would go off suddenly.

JOHN CASS WALLER (*police-inspector V.*) I had the prisoner in custody at one time.

Cross-examined. Q. He was charged with stealing a watch? A. Yes, on 9th Nov., when I took him, he said, "Pray forgive me, I was tempted to do it"—I asked who tempted him—he said no person, but a voice appeared to tell him, "Do it, do it, you will not be found out."

WILLIAM DEVONSHIRE. I am one of the turnkeys of this gaol, and have been in attendance on the prisoner—on Monday afternoon, 22nd Nov., he asked me for pen, ink, and paper—I furnished them to him—he was writing two or three times when I went to him—on Tuesday morning he gave me this letter (*looking at one*)—he told me to take it down, to be sent out—it was going to be sent to his mother—I did not see a second letter—it was all doubled up in one.

Cross-examined. Q. When did he come into the gaol? A. I cannot tell—he was at the church on the preceding Sunday—I believe Mr. Davis was with him after that—it was my duty to show the letter to the governor—(*It being suggested that the letter might have been written under the influence of Rev. Mr. Davis, the Court was of opinion that he should be called.*)

THE REV. JOHN DAVIS. I am chaplain to the gaol of Newgate. The prisoner heard me preach on Sunday afternoon, 21st Nov., after which, I had an interview with him, to announce that the Coroner's warrant was lodged against him for wilful murder—that was part of my duty, as laid down by the Court of Aldermen—I saw him for that purpose, and then added general instructions as to his religious exercises.

Cross-examined. Q. The boy in this letter attributes to you to say, that if he did not confess, God would not forgive him? A. No doubt I told him that unless he confessed his sin to God he could not expect forgiveness from God—I said "confessed his sin to God."

Q. Taking the greatest possible care that he should not imagine any other confession? A. No other allusion was made—I did not tell him I was sure he had done it; I did not believe he had done it—I did not tell him he had better confess to his mother; his mother's name was not mentioned in the interview—I never asked him if God was to strike him dead where would his soul go to; nothing of the sort—what he has stated is the imagination of his own brain altogether; it is an invention—he has been guilty of telling a vast variety of falsehoods; they have been denials of his guilt, which he has afterwards confessed.

Q. Have you found him, on other points, a boy who did not understand

the distinction between truth and falsehood? *A.* He is a very clever boy in some things—in most things he is a boy of very superior ability—there was nothing to lead me to think he did not know the difference between falsehood and truth—*(letter read)*—“My dearest Mother,—As you cannot come to see me, I hope you will write to me, and tell me what I ought to do to get forgiveness for what I have done, for I know I have sinned against God, and I deserve to be cast into hell; but what is my only comfort is the Bible, for our Lord says, ‘If ye repent I will forgive you; if ye seek me ye shall find me, for he that cometh unto me I will in no wise cast out;’ therefore I hope for forgiveness, for I will put on a fresh cloak, and I will cast the one I have got on off from my back; and although my sins be as scarlet they shall be as white as wool; I will cast off all my evil ways and put on better. Mr. Davis preached a beautiful sermon on Sunday; he took it from Pro. xvi., begin at the sixth verse: ‘By mercy and truth iniquity is purged; for fear of the Lord men depart from evil;’ and after service time he told me that if I did not confess what I have done, God would not forgive me, and every one was sure I had done it; and he told me that if God was to strike me dead where would my soul go to; therefore, dear mother, I have no one to blame but myself. If I had only attended to what you were teaching me I should not have come into such a place; but Satan had got so much power over me that I had two dreams this night; I will tell them to you. I dreamed that if I did not confess what I had done God would not forgive me, and I should surely die, and that God would cast me into hell; and if I did confess it, God would forgive me, and if I turned away from my wickedness God would take me to heaven when I died: and Satan tried to make me not confess it, and that if I did confess it I should be cast into hell; but I turned away from him, and said, ‘I will confess it, or else God will not forgive me; and I mean to turn away from my wickedness.’ And then I awoke and perceived it was but a dream; but I soon fell asleep again, and I had another dream: it was about the resurrection. I felt so happy whilst I was dreaming it. I dreamed there was God seated on his throne, and Satan was on the left hand, and God called us all up, and asked us a question; it was an English word to make French, and those that had confessed all their sins, and had left off all their wickedness, he said to them, ‘Come ye into my kingdom, which I have prepared for you;’ and he said unto those on his left hand, ‘Go ye into the furnace of fire prepared for Satan and his angels.’ I dreamed I was happy, and you, and all my brothers and sisters; but I hope all the disgrace will fall on me and no one else. I now confess that I have done what I am accused of. How I got the poison was this: on the 20th of Oct. grandfather went to his desk for the key of the wine-cellar to get some wine up and to look over his accounts; and whilst he was gone I took the poison out, and emptied some of it into another piece of paper, and put the other back; and then after dinner I put it in the sugar-bason; and why I did it was I had made grandfather angry with something I had done, and he knocked me down in the passage, and my head went up against the table and hurt it very much, and he said next time I did it, he would almost kill me; but in future I will say the truth and nothing but the truth: as grandfather said, ‘Truth may be blamed, but cannot be shamed.’ But if I am transported I know it will be the death of me, therefore I hope they will pardon me. What is the punishment of man to the punishment of God? It is an awful thing to fall into the hands of the living God. I dare say you will not believe the dreams, but I assure you it is the truth. With kindest love to you and all at home, believe me, ever your affectionate son, W. N. A.”

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MR. GILBERT M'MURDO. I am surgeon to the gaol of Newgate, and have had opportunities of seeing and conversing with the prisoner since he has been in gaol until the present time—I do not recollect when he was committed—I have seen him almost daily—I have conversed with him continually, and have watched him with a view of ascertaining his state of mind—I have heard the letter read—I have not observed anything about him which induces me to doubt his being of sound mind—during the time I have seen him he has appeared to me of sound mind—the evidence to-day does not alter my opinion of his sanity.

Cross-examined. Q. You have not, I believe, particularly studied matters of this sort? A. I have been obliged to do it, in connexion with this prison, but not besides that—it has been made a branch of itself for many years—there are many distinctions and forms which insanity takes, not at all apparent to ordinary observers—I heard Mr. Toulmin examined, and heard his statement that the boy was suffering from scrofula—I do not agree with the other gentleman examined, that scrofula is very liable to affect the brain, not to that extent—I differ with him—I believe that in cases of scrofula a person's brain may be out of order from extreme debility—I have not seen any madness result from it.

Q. Am I to understand that the only way you would imagine scrofula would affect the brain would be to affect the general system? A. There might be scrofulous tubercles in the brain—it would depend on the extent of the tubercles whether they were externally manifest, tubercles have been supposed to exist some years without being discovered—it is not within my experience that scrofula driven inwardly is liable to produce a certain character of insanity—I have not met with a case in which scrofula has affected the brain direct—when I say his mind is perfect, I do not consider it in the same way as I should consider the mind of a grown-up man—I have reasoned with him and talked with him—I found his reasoning correct—there has latterly been a great distinction made between what is called a disease of the mind and moral insanity.

Q. Am I right in supposing that almost in every case of insanity the moral faculties are the first to be implicated in the disorder? I am putting the question from Dr. Winslow's book, which I conclude is one of high authority. A. I have read it, it is not of very great authority, but I should be sorry to detract from it—I should consider that in an infant the mind is rather a matter of feeling than of understanding—they understand from others that a thing is right or wrong, and do not reason upon it—I consider Dr. Conolly a person of very high authority—my opinion is that the prisoner shows no indications of insanity whatever—I expressed the same opinion in the case of Owenstone—he was decided to be mad—Dr. Conolly and I both said that Owenstone was sane at the time—I was asked my opinion whether he was sane at the time of the commission of the act—I do not give my opinion on that subject now, but only speak of the time I saw the prisoner.

COURT. Q. Did the boy appear to you to be a person capable of distinguishing between right and wrong? A. Yes—I have no reason to say that at some former period he was unable to do so, and I have taken special pains to come to a right judgment—it is impossible to say he was not insane at some former period, but there is no indication of it at present.

SUSANNAH NALDER. I was next-door neighbour to Mr. Nelme at the time of his death—I know the prisoner, and have seen him several times since he has been in Newgate—he handed me this letter last Friday, and asked me to

give it to his mother—I thought it my duty to give it to the Governor—(letter read) “My dearest Mother,—I am very sorry that you cannot come to see me. I am suffering very much in my mind for the number of sins I have committed, but I pray to God to forgive me my sins through Jesus Christ; but if God will not forgive me; but it makes me very miserable to think that I shall be cast into hell. I feel I am in the depth of sin in its true light. I did not before when I was at home; I gabbled my prayers over without thinking the least of them. Oh, I am an ungrateful child, but, dear mother, pass it over, and look for the future; I know my sin is very great indeed, but God is able to wash me clean through the blood of Jesus Christ. Oh, I shall be either hung or transported from all my dear friends, but, what is my comfort, I cannot be separated from that precious friend. God’s will be done what punishment I am to have, but if it please him to grant me a little longer life I will endeavour to walk in his righteousness, and never to break any of the least of his commandments. Continue to offer up your prayers for me. I continue to pray for you and myself six times a day and night, as my mind stops me from sleeping. Oh, mother, comfort yourself by looking up to God. Never can I be happy again till I feel myself relieved of my sins, which God alone can wash away. I have such fancies at times. When I am reading, or lying down at night, I fancy I can see some one; and it does startle me so, and makes my heart beat so; and when I look, I see no one; and I lay down again, and I fancy I can see it again; and I get up again, and ask it what it wants. It mutters something, but I do not know what it says. I do not say it to frighten you, dear mother. I have had it like it for some time, and before grandfather’s death, only I did not like to tell you of it, because I knew it was only my fancy. It is no story I assure you, dear mother. It is what I fancy. I felt quite overwhelmed to think I am such a sinful and an ungrateful child I have been to you for your great kindness to me. I can never repay you for it I am sure. It makes me very ill indeed, when I look back, I feel I shall go out of my mind at times, but I will try, by God’s help, to conquer my unruly temper. I think I must have been mad to have done what I have, or else I do not think I could have done it. Mr. Goodchild was kind enough to come and see me on Saturday. He recommended me to a prayer in the Communion Service. I hope you are better than when I heard from you last. God’s blessing be upon you, and bring you through this heavy trouble. I am sure I shall not have strength to bear up against it; my heart feels ready to break; but I must not murmur against the God who sends us this trouble for some good or another; besides, I have brought it all upon myself, and I deserve to suffer; therefore I can only say, ‘God’s will be done, not mine.’ Look at our blessed Saviour; what agony did he suffer when nailed upon the tree; and yet, when on the tree, he prayed for his enemies; he never murmured. Now, again; Joseph was sold to those merchantmen. God ordered it to turn out for some good. King Pharaoh would not have known how to provide against the famine if he had not have been sold. So you see it is very wicked to murmur against God. Let our troubles be ever so afflictive, God orders them to turn out for good. So learn to be patient. Therefore, dear mother, do not make yourself ill because of me, if I am transported. I will bear any punishment he inflicts upon me. He will help me through all my troubles, if I turn to him with all my heart. He sees me wherever I go, either in the dark or light. I will look up to him in all my troubles, and he will guide me to that heavenly kingdom where moth nor

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rust doth not corrupt, nor thieves break through nor steal. Where your treasure is, there will your heart be also. Let me have the Bible. Never before this time did I value the Bible, the book I could read. I am unworthy of the least of his mercies. I am a wicked child; but in future I will put off all my bad habits, and put on better. The sermons we have guide me a great deal, together with the Bible. One sermon was taken from Proverbs xxiii., beginning at 23rd verse: 'Buy the truth, and sell it not.' In the week he reads one or two verses out of the Old or New Testament, and then explains it to all the prisoners, which my soul I think profits by it a little. Oh, most merciful Father, forgive me all my sins, and let me find comfort in thee. Oh! I am a very great sinner, and I deserve to be cast into hell; but, Oh God! keep the devil away. Oh Lord, for thy Son's sake, bless my dearest mother, and all my brothers and sisters, and all my kind friends; and at the last bring them to thy everlasting kingdom, through Jesus Christ our Lord; and if it should please thee to restore my dearest mother to health, and grant that we may grow up good boys, to be a comfort to you. Oh, dear mother, when can I repay you for all your great kindness to me. Oh, I will grow up a good boy, by God's help. I do earnestly repent, and am heartily sorry for my sins, which are as many as the hairs of my head. I will ask God to blot them out of his book. I must now conclude with kindest love to you, and all my brothers and sister, and grandmother, which I hope are quite well. God bless you all. Oh continue to guide my dear brothers to the Saviour while young. Could not I see my two brothers? Your affectionate but unhappy son, W. N. ALLNUTT."

MR. BALLANTINE called

EDWARD HENRY PAYNE. I have been a medical man since 1826, and am brother-in-law of the late Mr. Allnutt. He was subject to epileptic attacks—I attended him many years—I did not attend him immediately before his death—I saw him at Hastings probably about two months before his death—he was then quite mad—I had seen him so before at times—he was a person of an extremely excitable habit and mind—I knew his father (the prisoner's grandfather)—he was subject to paralysis—that is a disease connected with the brain; and his two sisters are blind from a nervous disease, called amaurosis, which is, no doubt, connected with a disease of the brain—I have attended the prisoner—I saw him subsequent to Mr. Croucher, for the illness occasioned by the fall on the ploughshare—I was the regular medical attendant, but Mr. Croucher happened to be in the house—I saw the prisoner either the day, or the day but one, after the accident—nothing very particular ensued from the wound—there was a degree of inflammation—there was not erysipelas, that I recollect—the last time I attended him was for ring-worm, after they returned from Hastings, and before they went to Hackney—it was after his father's death, probably eighteen months ago—ring-worm is a disease of an irritable, painful, and excitable character, it was very obstinate, it is a disease of the head, I should not like to say that it would affect the brain, but certainly the remedies may do so—the irritation of ring-worm might have the effect of disturbing an already excited and disturbed mind—he was suffering from scrofula; and at the present moment his face exhibits traces of it—he very early gave evidence of a scrofulous habit—scrofula is usually hereditary—it is so in this family, on one side—when it is hereditary, it is more obstinate and difficult to cure—I have attended him for scrofula, but only for a short time—I do not think Mr. Conolly attended him for scrofula—I believe Dr.

Duesbury did—the nature and character of scrofula is calculated to affect the mind—I think it more likely to arise from other causes, from the presence of tubercles—I was not in Court when Dr. Letheby gave his opinion—tubercles are not to be ascertained, they may be suspected—I know Mr. Allnutt's other children—the prisoner is more excitable than them, so far as my examination has gone—from my examination of him, I think he is partially insane; that partial insanity, when he was suffering from it, would prevent him distinguishing right from wrong.

Cross-examined by MR. RYLAND. Q. When did you last attend him? A. I think it was in the autumn of last year, on his return from Hastings—he was on a visit at my brother-in-law's—I had opportunities of seeing him—I cannot say that I considered him partially insane then—from all I have heard, and what I have seen, and acting in the way he is charged, he must be under an impulse and delusion; but I do not mean to say he always was so—I mean at intervals—I do not actually say that a boy who would murder his own grandfather, must be insane—when I saw him in prison, last Saturday, he spoke of a voice inducing him to do what he was charged with, as far as I recollect—I consider that to be a delusion—I mean that I consider him to have been insane when he committed the act, not when he told me about the voices; his telling me so, partly led me to that opinion; but I take into consideration all the circumstances which I hear of him; his suffering from scrofula, and his father being decidedly insane, at the last part of his life; and the evidence I have heard; I come to the conclusion that he was partially insane when he did the act—my opinion, independent of anything I have heard about him since last Saturday, is, that he is a scrofulous boy; and I consider, from his shrieking out in the night, that the brain was certainly in a diseased state—as a medical man, I have no hesitation in saying so—I agree with Mr. Letheby, that the walking, and calling out in the sleep, may have been occasioned by an overloaded stomach—I have not seen him since last autumn—I think he may have been partially insane at the time he did it; and I think he is at this moment; and I think he is liable to become more insane, and probably will—nothing has passed since Saturday to lead me to that opinion—his skin was unhealthy in appearance; and he told me that he was often complaining of dreadful headaches; and I believed it.

COURT. Q. Had it occurred to you to think him insane before last Saturday? A. Yes; and I have expressed it before, before I knew I should be called—I cannot say I thought him insane before October; but I thought him eccentric and excitable.

EDWARD CROUCHER. I am a surgeon, practising at Abingdon, and have been in the profession more than forty years—I am surgeon to the Berks County Prison—when the prisoner was eighteen months' old I attended him for the cut on his face—I think I attended him three days—at that time there was a considerable degree of inflammation, and erysipelas apparently coming on—I then left him, and Mr. Payne succeeded me—I have not seen much of him since—I occasionally visited him, but not to notice him particularly—I may have noticed him a time or two afterwards—the wound was of a character calculated to affect the brain, it was a very severe blow, it fractured a bone which is connected with the bone of the skull—he was insensible when he was brought in—he soon came round—such an injury might produce epilepsy and derangement, but sometimes it does not show itself for years—by derangement I mean insanity.

Cross-examined. Q. You say after he was brought in he was insensible?

A. Yes; there again—he fainted and brought him

FREDERICK March, April, a was suffering fr of about a quar ing from scrofu mad, and that sleep; and he telling him to ledge of his cor mind at the tir extent, previou an opinion that a peculiarity at consulted me—the ordinary practitioner.

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A. Yes: there was a great loss of blood, which caused him to come round again—he fainted from loss of blood, but the flow of blood relieved the system and brought him too again.

FREDERICK DUESBURY. I am a Doctor of medicine at Clapton. In March, April, and May the prisoner was brought to me by his mother—he was suffering from indigestion and scrofula—he paid me six or seven visits of about a quarter of an hour each, during those three months—he was suffering from scrofula in a very marked degree—I have heard that his father died mad, and that the prisoner is in the habit of walking and shouting out in his sleep; and he has told me at his visits that he has heard voices in his head telling him to do things: from all those circumstances, and from my knowledge of his constitution, I do not believe him to have been in a sane state of mind at the time this occurred—that opinion did not occur to me, to the same extent, previous to this matter, but to a certain degree it did—I entertained an opinion that he was very peculiar in the formation of his mind—there was a peculiarity and eccentricity about him which arrested my attention when he consulted me—the state of his mind struck me—I have not had more than the ordinary knowledge of insane people, which would occur to a general practitioner.

Cross-examined. Q. Do you mean that you consider him permanently insane, or liable to occasional derangement? A. My opinion is that it is the early stage of insanity, implicating the moral sentiments, the sense of right and wrong, and not as yet having reached the intellect in any marked degree, or interfering with his judgment of right and wrong—I did not express any opinion of that sort, not to that extent, until he was charged with this murder—I consider him in the ordinary initiatory stage of insanity—I have not had knowledge of his conduct, or of the particulars of his life, until very recently, so as to form a notion of how long that has existed—it is now in an early stage, and has not gone to a length to weaken the intellect in any marked degree.

Q. What do you mean by a marked degree, has it gone to a length to injure the intellect, so as not to know that he was poisoning a person when he did it? A. He might know it as a principle of hearsay, but not as a controlling principle of his mind—I think he would understand that he was poisoning his grandfather, if explained to him, but at the time the sense of right and wrong was not acting with sufficient power to control him—I mean a morbid state of the moral feeling, of the sense of right and wrong—I think he knew what the act was that he was doing, but that he did not feel it as being wrong—I am speaking of moral feeling.

Q. You would consider a pick-pocket had not got much moral feeling, but do you consider when he did this that he did not know that poisoning his grandfather was a wrong act? A. I am not prepared to answer; I think he has not the moral sense of wrong distinguished from right, or right distinguished from wrong, to give him a moral sense of feeling; that it was an irresistible impulse on his part—I draw that conclusion from his having perpetrated this act without hesitation, or struggle of mind, or remorse, or compunction, and without any sensible object; and also another circumstance which I have heard, leads me to believe his conscience is diseased, that he could not feel it as an influential agent to distinguish between right and wrong, although his intellect leads him to understand what others tell him.

DR. JOHN CONOLLY. I am physician to the Hanwell Lunatic Asylum, and have for some years applied my mind exclusively to these matters. I have

visited this boy in prison, and have heard the statements that have been made with reference to his walking in his sleep, and being subject to scrofula; to the state of mind of his father at the time he died, and likewise to his shrieking out at nights in his sleep; the opinion I have formed is, that he is imperfectly organized; and taking the word "mind" in the sense in which it is used by all writers, I should say he is of unsound mind—I believe, from the various circumstances which have been mentioned, that his brain is either diseased, or in that excitable state in which disease is most probable to ensue, that it is not a healthy brain—I should think him very likely to become insane, but that the future character of his insanity would be more in the derangement of his conduct than in the confusion of his intellect—that is conjecture.

COURT to MR. TOULMIN. Q. Is it one of the usual symptoms of taking arsenic that the limbs become paralysed? A. Yes.

GUILTY. Aged 12.—*Earnestly recommended to mercy by the Jury, on account of his tender age.*—DEATH RECORDED.

NEW COURT—Wednesday, Dec. 15, 1847.

PRESENT—Mr. Ald. FAREBROTHER; Sir CHAPMAN MARSHALL, Knt., Ald.; Mr. Ald. HUGHES HUGHES; and Mr. COMMON SERJEANT.

Before Mr. Common Serjeant and the Sixth Jury.

291. ELIZA CLARK, stealing 1 sovereign, the money of Vance Young Donaldson, her master; to which she pleaded

GUILTY. Aged 14.—*Confined Three Months.*

292. JOHN WHITE, stealing 1 pair of trowsers, value 8s., the goods of John Coakley; to which he pleaded

GUILTY. Aged 27.—*Confined Six Months.*

293. WILLIAM STARLING, embezzling 4l. 10s., the moneys of Henry George Bohn, his master; to which he pleaded

GUILTY. Aged 35.—*Confined Three Months.*

294. SARAH PALMER and WILLIAM PALMER, stealing $\frac{1}{2}$ a pound of butter, and $\frac{1}{2}$ a pint of cream, value 1s., the goods of Charles Newman, the master of Sarah Palmer.

CHARLES NEWMAN. I am a farmer, at Hayes—Sarah Palmer was in my service—it was her business to make up my butter, and take care of it—the policeman gave me information—after he came, I heard Sarah Palmer say she had not taken the butter—she afterwards acknowledged it.

Cross-examined by MR. HORRY. Q. Was Mrs. Newman there? A. Yes—I think she told Sarah Palmer it would be better for her to acknowledge it—the policeman brought some butter—I do not say I knew it to be mine.

THOMAS DENTON (policeman, T 100.) On Sunday, 5th Dec., about eleven o'clock, I saw William Palmer standing near Mr. Newman's premises for about a quarter of an hour—he then went in and stopped till about a quarter past twelve—he then came out with this butter in his pocket—he had nothing in his pocket when he was standing there before—I followed him and asked what he had got—he said, "Nothing"—I said, "You have something"—he

then said, "See my mother; I said, "I am not of the way—by my sister; she

295. WILLIAMS the moneys of GUILTY.

296. JOHN goods of Daniel DANIEL Kitting is mis part of an illu—it was in a hasp was split

JOSEPH N the morning down the B crossed the r had the basket said he did in it.

Prisoner. me with it on GEORGE H prisoner's fo and confined

297. THO goods of Gol

THOMAS M past two o'el prisoner with tried his rig this handker—I called, handkerchief

GOLDING the officer p

Prisoner's he gave it t

298. ISA 1s. 1d.; the

JOHN SH —on 26th 1 pocket—I a bottle of br