

**RAILWAY ROBBERIES: THE SUMMING UP OF
CHIEF JUSTICE WILDE: NOTES OF THE TRIAL,
DECEMBER 1846, WAREHAM V. PRANCE,
NASH, & COLLARD: ORIGINAL DOCUMENTS
AND CORRESPONDENCE, CONFESSIONS OF
THE DEPREDATORS, THE EVIDENCE OF
GARRATT AND MAYNARD**

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HENRY GREGORY & THOMAS WAREHAM

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RAILWAY ROBBERIES, &c.

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NOTES OF THE TRIAL, DECEMBER 1846,
WAREHAM *v.* PRANCE, NASH, & COLLARD:
ORIGINAL DOCUMENTS AND CORRESPONDENCE,
CONFESSIONS OF THE DEPREDATORS,
THE EVIDENCE OF GARRATT AND MAYNARD,
WITH
SUMMARY OF REMARKS ON THE CASES OF
GARRATT, MAYNARD, FARR, &c. &c.

*Extracted from the Short-Hand Notes of H. Gregory, Esq., S. H. W.,
Chancery Lane. //*

"He who steals my purse, steals trash."——

"The good I stand on is my truth and honesty."——

"I am armed so strong in honesty—still in my right hand carry
gentle peace."——

H. "And this is thy reward, Hal!

HAL. "Zounds! long and heartily have I served their cause—
With life e'en left to do good service yet."——

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WAREHAM *v.* PRANCE, NASH, & COLLARD.

SIR THOMAS WILDE, Lord Chief Justice.

Serjeant WILKINS and others for the Plaintiff. Attorneys: Fennell, Child, and Kelly, of Bedford Row.

Serjeant TALFOURD, Serjeant CHANNELL, Mr. HOGGINS, for Prance and Collard. Attorneys: Maples, Pearse, Stevens, & Co., Defending for the Great Western Railway Company.

Serjeant MURPHY and Mr. T. CAMPBELL FOSTER for Defendant Nash. Attorneys: Messrs. Thwaites, 4, Lyon's Inn.

SPECIAL JURY.

Browning, James, 15, Loraine Place, Islington, Merchant.
Carr, George Bowness, 7, Cumberland Terrace, Pancras, Merchant.
Feltham, John, 7, Canonbury Square, Islington, Banker.
Griffiths, William, 16, Edgeware Road, Esquire.
Hickman, William, 23, Petersburgh Place, Paddington, Merchant.
Rotherham, Charles, Kilburn, St. Margaret's Cottage, Merchant.
Somerville, Charles Robert, 40, Argyle Street, Pancras, Merchant.
Urquhart, John, Charles Street, Berkeley Square, Esquire.
Vaughan, John, 14, Lloyd Square, Esquire.

TALES, OR COMMON JURY.

Thomas Adam, of Moscow Road, Victualler.
Jas. Arriell, of Cambridge Street, Victualler.
Joseph Brown, of Hanover Row, Plumber.

ch 22

WAREHAM v. PRANCE, NASH, & COLLARD.

FIRST DAY.

THIS was an Action of Trespass against Prance, a Passenger on the Great Western, who was robbed; Nash, who conducted the prosecutions, for several Railway Companies, of Maynard, Garratt, and Farr; and Collard, Superintendent of Great Western Police.

The Declaration complained, that on the 20th August, 1845, the Defendants Entered and Searched Plaintiff's lodging, and Arrested him; and Collard took him to Great Western Station, and kept him there all night, and next morning Discharged him.

The Defendant Nash pleaded the following Pleas.—The other Defendants pleaded the same in substance.

1. To the whole Declaration—Not Guilty.
2. As to Part—a Justification, alleging that Garratt was Engaged in Stealing Luggage on Railways, and Maynard was Associated with him to Feloniously Receive same, and to take Rewards for Restoration; and that a Felony had been committed by Maynard and Garratt, and a person unknown, in obtaining from John Bush a Reward for Restoration of Property Stolen at the Birmingham Railway; and showing Reasonable Cause for Suspecting Plaintiff to have been Guilty with them, and to have Aided Garratt to Escape, and Secreted Property and Effects tending to Show the Guilt of the Parties Engaged, &c. &c.
3. As to same—a Justification, alleging likewise a Felony to have been committed by Maynard in taking Reward of Bernard Hartley for the Restoration of Stolen Goods, and showing Reasonable Cause for Suspecting Plaintiff to have been an Accessory before the fact, and Assisting him, &c.
4. As to Part—a Justification, alleging Garratt to have been Engaged with other persons for the purpose of Stealing from Railways, and to have Committed a Felony in Stealing Goods of Defendant Prance from the Great Western Railway, &c., and Plaintiff to have been Accessory after the fact, and comforted, aided, assisted him, &c.
5. As to Part—a Justification, alleging Maynard to have Committed a Felony in Receiving Prance's Goods Stolen from the Great Western Railway, &c., and that Plaintiff was Accessory *after* the fact.
6. To same—a Justification, alleging Plaintiff to have Committed a Felony in Receiving Stolen Goods.

7. A Justification, alleging Garratt to have Stolen, and Maynard to have Received, Goods Stolen from the Great Western, &c. ; and showing Reasonable Cause for Suspecting Plaintiff to have been Accessory after the fact, and comforting, aiding, and assisting, &c.
8. To whole Declaration, Leave and Licence.

The Plaintiff's Evidence proved his Arrest—that Collard and another Officer took refreshment, and went away in a cab with Plaintiff to the Station. His Witnesses admitted that he said it was "all on account of the old man—the old thief" (Maynard), and that he returned the next morning. The Defendant Nash merely looked on, and watched the Officers in their search for concealed papers and property. Mr. Seymour Clarke spoke to his having Negotiated with Maynard; and handed the business over to Mr. Nash, then Connected with the Company's Solicitors; and That Mr. Prance had Recovered his Property, Value £2,000, and was Indemnified against this Action—as also was Collard.

The Case for the Plaintiff having been closed,

MR. SERJEANT TALFOURD addressed the jury for the defendants Prance and Collard, and after stating the offences for which Maynard and Garratt had been convicted and sentenced, and described the circumstances which led to their apprehension through Mr. Nash, said—

"In the course of these proceedings occurred those circumstances which induced Mr. Nash who, although he is no longer, I believe, associated with Messrs. Maples and Stevens, I am bound to say was a most active, a most diligent, a most intelligent Assistant of the persons whom I represent, and those by whom he was employed in respect to these transactions, and he entered into them with *great* diligence, *great* zeal and assiduity, and with *great ability* sought, and to a *considerable* extent with success, to develop,—as far, at least, as Garratt and Maynard [and Farr] were concerned,—to develop the crimes and secure the due punishment of the parties implicated. *He had a further object*, which you may well conceive to be one *which it was quite right* the Great Western Railway Company should desire to see pursued,—and which Mr. Nash, as a zealous and able person, *who was acting on their behalf* and on behalf of the solicitors to that Company, was also desirous of pursuing. It was scarcely possible, it was thought, that *repeated Robberies* could take place *from the platforms* of the Company, without *some* person in the service of the Company's being active in assisting in the perpetration of those Robberies; and in respect to Mr. Prance's robbery, for example, the taking of that box, which was either deposited, or ought to have been deposited, in the proper Van appropriated by the Company for the conveyance of packages, the circumstance of such a box as that being taken, from such a place, might *well induce a suspicion* that the very hand of Garratt might have been the hand that took it, or