

New Times (London), 30 March 1829 — date as supplied

OXFORD CIRCUIT.—CAMBRIDGE, March 27.

HIGHWAY ROBBERY.

William Osborne, aged twenty, was charged with assaulting and robbing David Darwood, of Warboys, in the county of Huntingdon, and with taking from him in the parish of Elsworth, in this county, eleven sovereigns and a five pound note of the Baldock bank.

The prisoner was a stout-looking young man, and showed great firmness.

Mr. Maltby conducted the case for the prosecution, and it appeared to have been one of considerable violence.

David Darwood, on the day in question, was going home to Warboys. Staid two hours at a public-house at Knapwell. The prisoner was there, and sat just across the other side of the table. He had a dibbing-iron. Mr. Whitehead wished witness to stop all night. He said in prisoner's presence he could not. Whitehead paid him four sovereigns and a 5l. note, which he put in presence of prisoner into his left-hand breeches pocket. Prisoner left about a quarter of an hour before witness. Master Holben, of Elsworth, accompanied witness as far as the road to that place. Holben went to Elsworth; witness went another way to Comington. About a furlong on the road he met a man, and said, "Good night." The man caught him by the collar, and said, "Stand and deliver your money." Is sure the prisoner is the man. He had a light waistcoat and a frock on. Witness said, "I have got no money." Prisoner said, "I know you have, and I'll have it." He then began to beat the witness on the head. He has the scars now. His hat was knocked

off. It felt to be a heavy club. Can't say it was a dibbing-iron, but believes it was. Blood flowed from the wound. (The scars were quite visible above the temple, and a bit had been cut from the ear.) He struggled till they got near to the dyke, when prisoner threw him across, and kept him down. Put his hand into his left hand breeches pocket, and took twelve sovereigns, a five pound note, and a letter. He then struck witness again below the ear and ran away. He had money in his right breeches pocket, but the prisoner only felt in the left. He went to Comington without his hat (which he had lost in the struggle), and raised an alarm. On the Friday following he went to see persons in custody; there were three, two constables and the prisoner; it was at Comington. He said immediately, "That's the man that robbed me."

BARON VAUGHAN—Did you know the other two?

WITNESS—I was told there were two constables and a prisoner, but I knew only one of the constables.

BARON VAUGHAN—What sort of a night was it?

WITNESS—There was no moon, but it was not very dark. I think I should have known him if I had not seen him at the public-house.

BARON VAUGHAN—Did you hear him talk there?

WITNESS—No.

In answer to another question from the judge he said he did not, when the man stopped him, know him to be the man he had seen in the public-house.

BARON VAUGHAN—Do you mean to say that you saw enough of his face to know he was the same man you saw at the public-

house? Was the night such that you can undertake to swear that the man who robbed you was the man you saw in the public-house?

Witness answered, with some hesitation, in the affirmative.

William Grunden is constable of Comington. Darwood came to him on the night in question at a quarter past seven. He was smothered with blood, and very much cut about the head. Prisoner came to him voluntarily on the Friday about ten or eleven in the morning. The day after witness searched the prisoner's house. Saw a light-coloured waistcoat found. It was stuffed in between the wall and chimney, and some straw concealed it. Found nothing else. The day before the prisoner delivered to him a dibber. (It was produced.) There appeared to be hair upon it. Could not swear to its being human hair and blood. (The dibber was a most formidable instrument, weighty enough to deal death with certainty.) When witness inquired for the dibber, which he did by direction of Mr. Brown, the magistrate, the prisoner said he had not got it, but had returned it to the person (Mr. Stacy) who had lent it to him. A person with witness (Mr. Wolfington) said, "Here is the dibber, behind the door." Prisoner then took it up and gave it to witness. Mr. Wolfington said, "There is blood upon it." It was bent. Prisoner made no remark, and witness asked him if he had the same clothes on as on Wednesday night. Prisoner said, "No, I had my old brown frock on that night." The mother then said, "Here it hangs; I have washed it: it had blood upon it." Prisoner said, "That was done in bringing a hare home for the game-keeper, William Ashbald." Witness said, "Had you not a fustian frock on that night?" Prisoner said he had; it was up stairs. He went up for it and brought it down. It was bloody. Believes prisoner stands in the same frock now. There was blood upon the right, front, and left sleeve. Saw no mark upon the frock that had been washed. He

took the dibber at the prisoner's request. He then left him and went home. In answer to a question from the judge witness said, "I had no charge against him then." He afterwards told the magistrate what he had seen. He met the prisoner in his parish, but having no warrant he did not take him then. Thinks if the prisoner had attempted to escape he would not have let him go. Prisoner went with witness home, and afterwards, before the prisoner and witness, the prosecutor said, "That's the man that robbed me." Prisoner said, "You don't mean to say it's me." Prosecutor said, "I do; but you had not that white frock on." The other frock was then put on, and prosecutor said, "Now you are exactly the man, but you had a light waistcoat on."

The prisoner said, he had not on the frock on the morning which the witness had sworn to.

The witness persisted.

John Butler confirmed the last witness. He produced the waistcoat found. It was much stained with blood.

William Perrin, a youth apparently about fifteen, heard of the robbery on the Saturday. On the Thursday he was on the road from Godmanchester to Cambridge with his cart. He saw the prisoner, who rode part of the way in his cart. He showed witness a good many sovereigns, and said he had forty-five. Witness thought there might be as many; but, if told there had been only half the quantity, could not have contradicted it. Prisoner said his aunt had given them to him.

The attorney for the prosecution deposed to the fact of the prisoner's aunt being ill in bed, and unable to attend the trial.

John Holmes, the publican of Knapwell, sign of the Three Horse Shoes, deposed to the payment of money as stated by Darwood. Prisoner had worked for him that very day.

The prosecutor, recalled, was told by his lordship to look at the waistcoat. He said he had no doubt it was the waistcoat the prisoner wore on the night of the robbery.

The prisoner, in his defence, said, the prosecutor was a very false man in swearing to him. The waistcoat got bloody at Michaelmas. He named two witnesses, and they were called, but did not answer. The name of one of them appeared to be that of the gamekeeper for whom he said he had carried the hare.

Mr. BARON VAUGHAN told the jury the case was one requiring their most serious attention, as upon their decision most unquestionably would depend the prisoner's life. He then recapitulated the evidence with great care, and left it impressively with the jury to say, upon the evidence he had detailed, whether the prisoner was guilty or not.

At the conclusion of the charge the prisoner's firmness seemed to give way a little, and he turned somewhat paler.

The jury returned a verdict of guilty; and the learned judge proceeded immediately to pass upon the unhappy prisoner the awful sentence of death.

Throughout this solemn scene the prisoner maintained his firmness, and went unshaken from the bar.