



# Proceedings at the Old Bailey

## **JOHN PINNIGER, Theft - animal theft, 18th October 1832.**

Third Middlesex Jury.

Before Lord Chief Justice Tyndale.

2219. **JOHN PINNIGER, alias WILLIAM GOLDING** , was indicted for stealing, on the 18th of July , 1 gelding, price 15l.: 1 chaise, value 13l., and 1 set of harness, value 2l. , the property of John Powell Bannister .

**JOHN POWELL BANNISTER** . I am a stable-keeper and job-master , and live in Harley-mews, Wigmore-street . - the prisoner had hired a chaise of me on a job previous to this transaction. On Wednesday, the 18th of July, he came and asked me for the same horse and chaise as he had had before, on hire for a friend of his at Kensington, who was going to be married, and was going to Oxford, and would want it for six days; he did not give his friend's name - he said I should have 1l. a day for it; I said I did not want more than 15s. - he took the same chaise and harness as he had before, but another horse, and agreed to meet me in the evening at a house in Jermyn-street, to settle for a former hiring; he had owed me 12l., but paid 4l. the day before - I went to Jermyn-street, and waited from five o'clock till nine for him; he then came - he said his friend had got very tipsy, and he was obliged to put him to bed, and in consequence of that he had put the horse and chaise up at the Horns, at Kennington, and his friend would not leave till next morning; nothing more passed then - I saw him again two or three days after; he merely said he had not heard from his friend - I saw him again about the sixth day. when the horse and gig were to have come home; I think I met him in Wimpole-street - I asked if the gig was coming home; he said most likely it would be home in a day or two, and in a day or two afterwards I had a letter from him, which I have mislaid or lost from my bureau, which my wife has access to; the next time I saw him was on the 31st of July - I then pressed him to settle the old account of 8l.; he said he had no money, but that he had an acceptance as good as the Bank of England, that I might take the money out of that, and return him the difference - I at first objected, but he said he did not care about the difference, if I took it I might do as I pleased with it, and settle about his friend's hire with it; I negotiated the bill, and it was returned dishonoured - here it is; it is drawn by William Golding , on William Taylor , of Calne, Wilts, for 24l. 8s., purported to be accepted - William Golding is the only name I know him by; it became due on the 23rd of August - I saw my horse and chaise on the 14th or 15th of August, when I went to Kennington to look for it; I went to the Horns, where he said he had put it up - I got no account of it there; I inquired at several places, and at last saw it standing at a public-house door in Kennington - there was nobody with it, so I got into it, and took the reins; a lad came out, and said it was his father's - I went with him to his father. Thomas Evans, in Belvidere-place, Southwark, then took it home, and have had it ever since.

**Cross-examined by MR. HEATON.** Q. He had hired a horse and gig before? A. Yes, three times - the first was on the 21st of June; he kept it longer than he had hired it for each time - he hired it first for two days and kept it six; then for four or five days and kept it sixteen: the third was for one day, and he only had it one day - on the 18th of July he hired it for a friend for six days, and he was to pay me; I did not know his friend - I had 7l. 15s. from the prisoner previous to the last hiring, and on the 18th of July he gave me 4l. more; that was after he had

hired it the last time - it was towards his former account; I did not complain of his keeping it so long, as I expected to be paid for the hire - the bill of exchange was not paid to me at my own request; I refused to take it several times; I said I had a bill to take up, but my object was to get money from him - I got the bill discounted; on the 31st of July, when I received the bill, he told me his friend was down at Coventry on business, and I need not be uneasy, as it was perfectly safe - I saw him twice after that, as he used to call on a neighbour of mine on business - he did not call on me within ten days of my finding the gig; I called several times at his house, but could not find him - I cannot say when I last saw him I had known him about six weeks before this; I was often in the neighbourhood, and we smoked on pipes at the same tavern; Evans told me he had

See original bought the horse and gig, and showed me a receipt, but did not say the prisoner had bought it of me; I took a warrant out against the prisoner the day after I found it, or the second day; I saw Evans, but had no conversation with him about letting it stand over - Evans said, "Let it rest a day or so," but I was advised to the contrary - I said I would sooner have my money than prosecute; the warrant was delivered to the officer immediately - I told him it was useless to go over the water unless I went with him; I was busy for a day or two, and could not go, but I told him to call in Shouldham-street, where the prisoner lived; he was taken on another charge - I called at his house once or twice, but the young man said he was out of town; there was a person with Evans, who he called Solomons - I have not kept him out of the way.

**THOMAS EVANS** . I live at No. 38, Belvidere-place, Southwark, and am a furniture-dealer. On the 18th of July, about two or three o'clock, the prisoner came, and said he had bought a horse he thought would suit me, being about to go a journey; I thought it would suit me - he said he could recommend it as a good working horse, which would suit me for general purposes, and I should have the horse, chaise, and harness for 35l.; I said I thought that was not out of the way, and we retired to the Duke of York public-house, with Mr. Solomons and Miller; Solomons is a friend of mine, and Miller was at my house; I said, "Will you go and have a glass of ale?" we all four went, and there completed the bargain - I paid him 35l., and took a receipt, which is here; it is signed " John Pinniger " - I have known him five or six years by that name; he said the horse and chaise were his own; I sent my son out with them on the 15th of August - he came back with the prosecutor and another person; I live at least three miles from Harley-mews.

**Cross-examined.** Q. Have you been intimate with him? A. I knew him as a tradesman, but have not seen him latterly - I saw him the day before I bought the horse and gig, and said I was going into the country; he knew I had been in want of a horse for some time, that would do various works - I did not particularly want it for that journey; I had a horse and gig from him once before, but not more - I think it was the 6th or 7th of July; I kept it nine or ten days - I did not buy it: he offered that one for sale, and recommended it as strongly as this; I had it on trial, and not approving of it, returned it - I lent him 20l. on it, and took his receipt, which he has destroyed; it was not for 35l., but I took very little notice of it, as the bargain was not concluded - the money was returned to me, and the keep of the horse paid; he promised me two tons of coals for the interest; he was then selling them at 25s. a ton- Solomons' son introduced me to him about the first horse and gig, but he knew me well; Solomons wrote the receipts on both occasions, and some trifling money passed between them, which I understood was commission for some coals - I gave the money to the prisoner on both occasions; I paid him 35l. for the horse and gig - it was no loan; he paid me about 1l. 15s. for the keep of the first horse, but not as interest - Bannister came to my house soon after he got his horse and chaise, to know what was to be done, and we went to the Duke of York; Miller came in; I said to Bannister, "I don't rightly understand this business, it seems strange the man should sell a horse and gig which don't belong to him - have you ever received any money of him?" he said Yes, and I think said between 11l. and 12l., in cash, and a bill for 24l.; I said, "Well then, he has bought the horse and gig of you" - he said, "Oh, no, I don't know about that - the bill is not paid;" I am quite sure he said that - I did not tell Mr. Richards that all I wanted was 27l. 10s., nor that it was all that was due to me; I did not mention any sum - I said, "Where is Golding? had he not better come forward and arrange about the horse and chaise? Bannister don't want to injure him, nor do I;" I did not say I had not bought it, nor any thing which he could infer that from.

COURT. Q. Was it the same gig that you had both times? A. Yes - I objected to the first horse, and afterwards the same gig was brought with a different horse; he came to me about eleven o'clock in the morning on the 18th of July, and said he thought he had a horse that would suit me, and brought it between two and three; I went into the country on the 22nd or 23rd of July.

**J. P. BANNISTER** . The prisoner hired the horse and gig just at two o'clock - he had spoken to me about it the day before, and ordered it to be ready; he merely said he wanted it for a friend, and ordered it to be ready by two o'clock.

**JAMES MILLER** . I was present at this transaction; they went to the Duke of York - I saw Evans put some notes on the table to the prisoner, who handed him a receipt for 35l.; I had previously seen the first horse which Evans had - the prisoner said this would do much better, that he had bought it, and paid for it, part with a bill and part with cash.

**Cross-examined.** Q. Who went to the public-house? A. Solomons, Evans, the prisoner, and I - I only knew Evans in the way of business; I am an appraiser, and do business with brokers - he frequently buys at my saleroom; I only know Solomons by sight - I have heard he is a lawyer - he is a respectable man: Solomons asked the prisoner for 10s. commission on some coals; the prisoner gave him a 10l. note, and Solomons went to the bar for change, which he could not get - he then went out, and brought in 9l. 10s.; I live in Johnson-court, Blackfriars-road.

**WILLIAM AGGS** . I am a Policeman. On the 26th of September I took the prisoner on another charge, at his own house.

**Prisoner's Defence.** I beg to say Evans had the horse and chaise three times, though he swears he never had it, but twice - Solomons, who managed the whole transaction and wrote the receipts, would be able to contradict every word Evans has stated, as to the sale and money, as Evans on one occasion received 7l. interest; Bannister told me he was so pushed for money, he had a bill to pay, and if I would let him have it, I might keep the horse and chaise, or if I returned them I should have the bill back again, or the money; I have lent him money on one or two occasions to take up bills; we had a running account between us, being out together smoking our pipes; Evans first let me have 20l., for which I gave him 2l. 10s. interest and paid for the keep of the horse; the next time I had 20l., and gave him 22l. 10s., and 3l. or 4l. for keep, and on the third transaction he gave me 20l., which Solomons could prove.

See original JURY to J. P. BANNISTER . Q. On the 31st of July, when he gave you the bill, was there any conversation which imported that there was to be a sale? A. Not the least; I never asked him a price for it from first to last - this prosecution would have taken place if the bill had been paid, for I took the warrant out before it became due.

GUILTY . Aged 40. - Transported for Life .

Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 6.0, 29 June 2011), October 1832, trial of JOHN PINNIGER, alias WILLIAM GOLDING (t18321018-14).