

Theft of Oats 1895

Tisbury Petty Sessions



Emmanuel Mould, a labourer employed by the Vicar of Tisbury, the Rev F E Hutchinson, was charged on remand with stealing a quantity of oats, of the value of 2s 6d, the property of his master, on the 14th inst.

The defendant had been remanded in custody from Monday, when his son John was charged jointly with him, but the charge was withdrawn against the latter on the grounds that he only acted under his father's instructions.

Mr Marsh now appeared to prosecute, and stated that the Vicar had for some time past suspected that his corn was being stolen and consequently he had given information to the police, who had watched the premises.

On the morning of the 14th inst., however, the constable engaged in watching the premises was temporarily called away, having to go to the station, and during his absence, the theft was committed.

Henry Scott, a labouring man, employed by the Vicar, said that on Saturday, the 14th inst., about 10 minutes past seven in the morning, he was proceeding up the road towards his master's granary, of which the defendant had charge, when he heard a noise in the granary. Willie Mould, a little boy, son of the defendant, was outside the door, and on seeing witness coming, he said "Harry Scott is coming". Witness remained outside, and saw within the granary the defendant putting oats into a bag which was being held up by his son John, who worked for Hull, the carrier, his uncle. When witness reached the door, John stepped back and hesitated to come out. When he did appear he had a sack upon his back containing about a bushel of oats. Defendant said to him, as he was leaving, "If you don't bring them back to-day, bring them back on Monday". The lad then went off and witness refrained from saying anything to either the father or the son.

Superintendent Fox stated that under his instructions, Mr Hutchinson's premises were watched for nine or ten days previous to the 14th inst. On the latter date, he sent for the man Mould, and on his appearing he told him that he had to speak to him on a serious matter. Defendant asked what it was and witness replied "Respecting the Vicar's oats". He afterwards cautioned him, and charged him with the theft, and hesitating some time he said "Well, if I took them, I only borrowed them. Tom Hull has them". Witness thereupon locked him up, and the same night went to Hull's house and took possession of them. He also apprehended Hull on another charge. Hull and defendant remained in the cells until Monday morning, when witness visited them. Hull said, "I am very sorry, Mr Fox, I am mixed up in this matter" and added that he should plead guilty. He and defendant afterwards signed a statement to this effect and also expressed the hope that the lad would not be punished, as he acted as their tool. This was the case against Mould, who formally pleaded guilty and elected to be dealt with summarily, and a charge of receiving the oats, well knowing them to have been stolen, was then heard against Tom Hull, a carrier, of East Tisbury, who had been remanded on bail since the previous Monday.

Mr Marsh prosecuted, and Mr Nodder, of Salisbury, appeared for the defendant.

Henry Scott and Superintendent Fox repeated the evidence they had given against Mould. Superintendent Fox added that he charged defendant with the offence on the Saturday evening at about eight o'clock. He replied "I have not had any oats from Emmanuel Mould" and then added "If I had them, I only borrowed them".

John Parker, miller for Messrs Coombes, at Tisbury Mill, was called to prove that Hull had a running account at the Mill; that the latter was situated only half the distance from Hull's premises to what the granary was, and that it was open at the time of the commission of the offence.

The Rev F E Hutchinson deposed that he had never given Mould any authority to lend his oats, and a coachman named True, in Mr Hutchinson's employ, gave evidence as to there having been a deficiency in Mould's return of oats used.

Mr Nodder, in addressing the Bench on behalf of the defendant, said he was bound to admit that he was guilty, but that he desired to show the Bench that the case was not so serious as these cases generally were. The defendant was a carrier who left home at 9 o'clock in the morning, and did not return until late in the evening. On this Saturday morning, he was out of corn, and on the spur of the moment he sent down to Mould, who was his brother-in-law, to ask him to lend him some. He had a genuine intention of returning it, and the fact that he, the same morning, sent to the Mill for some oats, as the Bench had heard from Parker, was a proof of this. He certainly ought not to have adopted the course he did, but having done so, he was certainly guilty of the offence with which he was charged. Mr Nodder appealed for leniency, and was followed by Mr Marsh, who pointed out that, whilst the Vicar did not in any way wish to press for a heavy punishment, if there were no receivers there would be no thieves.

The defendant elected to be dealt with summarily, and, in the result, the Bench inflicted a fine of £5 and £1 1s on Hull, and one of £3 and 19s costs on Mould. Hull paid half the amount, and was allowed time in which to pay the balance, as was Mould.

There were other charges against Mould of stealing swedes and barleymeal, the property of his employer on the 12th and 13th inst., but these were withdrawn.

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