

Severe Sentence for Grievous Bodily Harm 1853

Wilts Lent Assizes Salisbury

John Jay was indicted for cutting and wounding Edward Mould with intent to do him grievous bodily harm, at West Tisbury.

Mr Edwards prosecuted and Mr Arney defended the prisoner.

Edward Mould deposed that he was a labourer living at West Tisbury, where he was mowing in the same field with the prisoner on the 19th July. Prisoner left the field about twelve o'clock and returned about five. He said he had had a pint of beer. Witness left the field about half past six with the prisoner and entered another field; while there they had some words, and prisoner struck him again. They had two or three blows and one fall down. Witness was upon the prisoner, who had hold of his neck. He told prisoner that if he did not let him go, he would hit him again. Prisoner then released his hold.

There were several persons in the field, which witness left, followed by the prisoner, who swore at him and said he would do for him if he dared to put one foot in the field in the morning.

Witness went on the road until he came to Moxam's house, where witness went in. Prisoner said "..... thee, if I can't do anything with my fists, I will with something else before the morning". Prisoner went on with another man, and witness remained at Moxam's house 25 minutes, on leaving which he went homeward, having to go through two fields, and as he got to the stile between them, he saw prisoner in the second field; his coat was off as it was when witness left him. He said "Holloa". I said "Holloa Jay, where are you going?" Prisoner replied "Not far". Witness said "Been home?" He replied "Ah" and then swore in a dreadful manner that he would chop his b..... legs off.

Witness walked on, the prisoner being by his side; he had nothing in his hand, but on arriving at the hedge, he jumped up, and witness saw a scythe hanging. Prisoner took hold of it and turned round to witness, and flinging it over his head swore he would chop his b..... legs off. Witness said, "For God's sake Jay, don't kill me". He still kept saying he would, until they got into the lane.



Witness got over the stile first, and prisoner jumped in front of him, and then turned round and again swore he would chop his legs off and kill him, and immediately struck him across the legs with his scythe, cutting the boots through and inflicting a deep wound, and cutting the other leg further up. Witness had his scythe on his shoulder and immediately took it down and defended himself from the prisoner's blow which caused it to be inflicted lower than it otherwise would, as the blow was aimed at his thigh. Witness called out "Oh, my leg is off", and dropped. Prisoner ran away and witness did not see him again; was under medical treatment three weeks, and was obliged to walk with crutches.

Cross-examined by Mr Arney: Had known prisoner all his life time. There were several persons mowing in the second field into which they went. When the prisoner left the field in the day, he said he was going to have his scythe ground. They had had some beef in the field, but the prisoner was not tipsy when he left him at Moxam's, where witness took no beer. Witness never told prisoner when he met him in the field that he (witness) had his scythe and had the best of it. When prisoner was so violent, witness said "What is the use of you and me having words when we shall be at work together all day to-morrow, you have had a little beer and will be a new man to-morrow".

Hugh Turner - lives at West Tisbury. A little before ten on the night in question, witness heard voices in the lane. Heard someone say "Oh, don't do that, don't do that", and then heard a low, and after that heard another person cry out "Oh, dear, my leg's off", two or three times, and directly after, someone ran away towards Jay's house, which is about 100 yards distant. He heard another person coming in the same direction, and shortly after went out and met Mould and his brother leading him; his leg was bleeding.

Henry Trowbridge - lives at East Tisbury. Was standing in the street on the 24th July, where he saw prisoner, who asked witness how he was, to which he replied "Very well", and added that he did not know him by name. Prisoner said "Don't you know John Jay?" Witness replied "No" and he said, "I'm the man, then". Witness said, "How did you get home then? I thought you were sent for trial". Prisoner replied "No", he had been up above London, for two or three days to his sisters. "If I am took up and had in and there is nothing done in it so as to get my freedom, I'll kill the"

Lucy Scammel - lives next door to the prisoner and was home on the 19th of July and saw prisoner come home about 20 minutes before ten; he had a scythe with him which he put into his garden and went into his house, where he remained about ten minutes, after which he returned to the garden, took his scythe, and went up the lane.

James Lush Buckland, surgeon, of Shaftesbury, deposed that prisoner came to him on the morning of the 20th July, with a severe cut on the right leg, three inches long and to the bone; he had also a cut on the right leg.

Cross-examined by Mr Arney: The cut on the right leg was rather more on the inside of the leg.

Mr Arney then addressed the jury for the defence and the learned Judge, having summed up, the jury found the prisoner guilty.

Seven years' transportation.

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