



Demolishing a House – Important Case

Wilts Special Commission - Wednesday, Before Mr. Baron Vaughan, Mr. Justice Parke, and the Earl of Radnor.

James Lane, Charles Davis, John Rose, Henry Rose, Gifford North, John Romain, George Smith, Thomas Goddard, Thomas Hiscocks, James Burden, W. Rivers, James Luff, alias Love, Isaac Powell, James Mullings, Charles Cooke, Thomas Gilbert, and Joseph Marchment, were indicted for riotously assembling together, and beginning to demolish the house of Robert Pile, of Alton Barnes.

The Attorney-General, in stating this case, said it was one which would require the most serious attention; for if the prisoners were convicted, they would have to suffer death as felons. The learned gentlemen detailed the facts, from which it appeared, that on the 23rd of November, a large mob assembled at Mr. Pile's house; that Mr. Pile remonstrated with them, and eventually fired a pistol over their heads; that they proceeded to personal violence, and at length commenced an attack upon the house, and broke the windows and window-frames. A sister to Mr. Pile asked them what would satisfy them? They said money, and she gave them a £10 note, when they desisted. He should have to call as witness an accomplice; but he must state, that he was compelled to join the mob, of whose proceedings and intentions he of course knew more than any other person. In point of law, an accomplice was a competent witness; but it was for the Jury to weigh well and look to his evidence.

This witness was, however, more deserving of belief than one who, having lived a life of plunder and infamy, came forward to impeach his companions in guilt. He had joined the mob by compulsion, and was not in the situation of an accomplice, such as was usually brought before them. It was perhaps through him that Mr. Pile was now living to state the facts to them. They would judge between the prisoners and the public, and fearlessly do their duty.

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Mr. Robert Pile stated, that on the 23rd November, a mob of about 200 persons came to his house and destroyed his thrashing-machine. To intimidate them, he fired a pistol over their heads. He had no intention to hurt them. He then went to his house, and called for his double-barreled gun, which was brought to him by Mr. Hare, the clergyman of the parish; it was loaded with shot. On advancing towards the mob, a great number of them surrounded and wrenched the gun from him. In the scuffle, one of the barrels accidentally went off. Was not aware that anyone was hurt. James Lane struck witness with his fist by the side of the ear, and said, "Kill the D—d son of a -----." John Rose, Henry Rose, Gilbert, Charles Davis, and Stephen Bullock were present: the latter persuaded them not to kill witness and protected him. Charles Davis said, "You tried to shoot me; and now be d--d to you, I'll do for you." Witness got back to his house, assisted by Bullock. The mob beat and kicked him all the way. His arm was broken by a blow with a square bar of iron. His head was bleeding very much when he got to the door, which he locked after him. The mob then proceeded to break the doors and windows. They broke the back door and entered. Witness heard them say, "If they had not killed him, they would be d—d if they would not." The house was full of the people among whom he saw James Lane, Charles Davis, George Smith, Thomas Hiscocks, and Wm. Rivers. Some of them abused witness very much; and one of them broke the looking glass whilst he was standing there. Witness believed that all his sisters were there. Bullock was endeavouring to get them out of the house. Some of them said they had got £10, and they then left immediately.

Mr. Halcomb, on the part of George Smith, and Mr. Williams, for some of the other prisoners, cross-examined Mr. Pile at considerable length; but his testimony remained unshaken. He admitted that he swore very much at the mob, and that he did not observe George Smith do anything.

The Rev. Augustus William Hare, Rector of Alton Barnes, was at Mr. Pile's at the time the mob committed the outrages. He confirmed the statement of Mr. Pile, and said he considered it his duty to state, that he held some conversation with the mob, who appeared to think they were not breaking the law in destroying machinery, and they seemed to act under a misconception of what had been told them by a Magistrate in the morning. They said that if they met with any of the incendiaries, they would deliver them up to justice, for hanging was too good for them.

Miss Mary Pile, the sister of the prosecutor, corroborated the greatest part of his testimony, and stated that the mob, having forcibly entered the house, behaved in the most outrageous manner, and destroyed the clock, sets of china, and other articles of furniture. They threatened the life of her brother, and said witness had better give them money, or they would break the house down. She gave them a £10 note, and Gifford North received it. The mob shortly afterwards left.

Miss Jane Pile, another sister of the prosecutor's, was then examined at some length; but her testimony only corroborated that of the previous witnesses. She was present when he sister gave the money to North. The mob said they would break down the house and kill her brother. They were breaking the windows without and within.

James Powell, a servant of Mr. Pile's, saw them break into the house, and heard Burden say, "It is for life, and I will have blood for supper." Witness saw Gilbert and Goddard outside the house.

Edward Dodd stated, that he saw a mob of persons at Mr. Pile's house, most of whom were armed with sledge-hammers, sticks, &c. North and Love were among them. North showed witness the note he had received from Mr. Pile to read, as he could not read himself. It was a note.

Stephen Bullock said, that he was pressed to join the mob by James Burden, who collared, and threatened to knock him down with a sledge-hammer if he refused. Charles Davis appeared to be the leader of the mob. They consisted of between 200 and 300. They went to Mr. Pile's. The machine was partly broken when he got there. Saw Mr. Pile come into the yard. After the gun went off, saw him struggling with three men. Witness led Mr. Pile to his house. Marchmont gave Mr. Pile a blow on the neck with an iron bar and said, "D- his blood! Kill the son of a -----." He got up and took himself a little

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distance, and the n fell again. Charles Cooke and Isaac Pavell struck him. Witness went over the pales, to assist him. William Rivers kicked several times. The mob followed him to the house. Witness applied to Charles Davis to assist and held the mob as much as he could. Soon after this his arm was broken. Pavell hit at him with an iron bar and said "D--n his blood! I'll split his head! Saw Romain and Burden demolishing the windows with iron bars. Witness heard some of the mob ask for money. They said they would not quit the house till they had some given them. Saw Marchment and Charles D in the room; also Burden, C. Cooke, Isaac Pavell, Rivers, and Lane.

On his cross-examination, witness said he did not hear them say any thing about pulling a house down.

The Attorney-General here interposed and said that notwithstanding there appeared a probability of some of them intending to demolish the house, yet he thought the evidence was not sufficiently strong to induce him to take the case further.

Mr. Baron Vaughan observed that was the view the Court had taken of it. There could be no doubt some of them had an ulterior object, as no one had entered at the windows after they had broken them; he thought, as the lives of the prisoners would be affected, that the case was very weak to go to the jury.

The prisoners were therefore Acquitted.

Salisbury and Winchester, Monday, 10 January 1831