

Crime and Punishment



Stealing from a Baker at Calne

John Mizen was indicted for stealing five bushels of flour, the property of Mrs Flay, baker, at Calne, he being at the time in her employ.

Mr Swayne prosecuted; Mr Graves defended.

The prosecutrix was in the habit of sending the prisoner out with bread and flour. On returning home on the 30th of November last, he represented that he had supplied a sack of flour to a Mr Howell of Christian Malford. It transpired, however, that Mr Howell had given him no order, and that he had sold it to a labourer named Hatt, of Bremhill. Hatt did not pay for it, and it appeared that he gave the order some days before.

The defence was that the prisoner told the prosecutrix that he sold the flour to Hatt, and not to Howell, and that as he had received no profit from the transaction he had no intention of stealing.

The Jury returned a verdict of not guilty.

The prisoner was then further indicted for embezzling upwards of £30, the monies of Mrs Flay. Mrs Flay had an account for bread with Mr Gregory, innkeeper, of Studley, and it appeared that the prisoner had from time to time received the amount, and signed receipts in a book kept by Mr Gregory. When asked about the account, and whether Mr Gregory had sent any money, he invariably returned evasive answers. When apprehended, he said he was upwards of £100 behind in his accounts – that he had been robbed of £74, and that as he had lost various sums at other times, he had received money from one party and placed it to the credit of another, in order to keep things quiet with Mrs Flay. Up to this time he never informed the police or Mrs Flay of his having been robbed.

The defence set up by Mr Graves was that the prisoner's story as to the robbery might be true, and as he expected to receive a considerable sum on his own account, he intended to reimburse the amount he had lost.

He was found guilty and sentenced to two years' imprisonment.

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