



Crime and Punishment

Minety

Court Case

James Mahon and Henry Neate

At the county petty session, James Mahon, stationmaster on the Great Western Railway at Minety Station, and Henry Neate, a boy employed as a porter at the same place, were brought up under warrants, charged with stealing a quart of milk from a tin, the property of Mr W Matthews, of Penn's Lodge, Brinkworth. Mr F E Smith (Clark and Smith) appeared for the prosecution, and Mr Montague H Chubb (Chubb and Son) defended.

Mr Smith informed the bench that the parties had consented to settle the case by the defendant Mahon offering a written apology, so that the prosecutor might be in a position to show Messrs Freeth and Pocock, of London, to whom the milk was consigned, that he had sent the quantity for which they had been charged. The bench thought the case had better be heard.

The prosecutor then stated that he had for some time past been in the habit of sending milk to London. In consequence of a complaint from Freeth and Pocock of there being a difference of four gallons of milk on the 22nd of November, he gave information to Mr Mahon, and Mahon called upon him on Sunday last, and said he had taken a little milk occasionally, and that the prosecutor's son had given him a little at various times. He never gave defendant any permission to take milk from his tins.

PC Orchard deposed to being at Minety Station about 5.40 pm on the 29th Nov. He watched Matthew's milk tin, and saw the boy Neate go to the tin, and after looking at the label take out a quart of milk. The boy carried the milk into the office, and said his master (Mr Mahon) told him to fetch it. Mr Mahon admitted this, and said that young Matthews told him six months ago he could have some milk.

In cross-examination, the constable said he was at the station every night, and had seen Mr Mahon take milk out of the tins. Witness was under the impression that he had permission to do so. He saw the boy take some milk on the previous Wednesday. The relief man asked whose milk it was, when the head porter replied that it was for the old man's (meaning Mahon's) dogs and cats. The defendants were not present when this conversation took place. He should not have taken any notice of the boy Neate had it not been for instructions received from the superintendent.

Frederick Hunt proved taking the milk to the station, and seeing the boy take a jugful out of the tin. He had seen both prisoners take milk on previous occasions, and reported it to his master, who replied that he must stop them as soon as they complained in London.

Mr Chubb, for the defence, admitted that his client did take various small quantities of milk, as he had a large family, but it was done openly, even in the presence of the police constable, who had taken no notice of it, and who was under the impression that the defendants were allowed to do it.

The bench said there was no doubt the milk was taken openly, but farmers did not give away a quart of milk for dogs and cats. What the bench wished to arrive at was, why did he take a quart of milk? They did not believe farmers gave away a quart daily.

Mr Chubb then called William Matthews, son of the prosecutor, who deposed to delivering from thirty to forty gallons per day. He had seen a previous stationmaster take milk out of the tins. Mr Mahon did on some occasions ask him for a little milk, and he gave it to him, but he never told him to take any when he was not there. He had told him to go and take it out himself. He knew other farmers who gave defendants permission to take milk. The reason he did not tell his father was that he thought a quarter or half a pint was of little consequence, but sometimes it was a pint jug.

Jonas Clark Rodwell, bailiff to Mr Jonas Clark, said that when Mr Mahon came to Minety he gave him permission to take milk from his tins whenever he wanted any. He had also seen him take milk from Matthew's tin. He generally had something deducted by the purchaser in London, the milk being short, but he accounted for that by the milk being spilt in transit or there being holes in the tins.

Inspectors Lydiard and Kirk watched the case on behalf of the Great Western Railway Company, and the latter informed the bench that Mr Mahon had been in the company's service 36 years, and had held similar situations before he came to Minety. He was considered a good servant, and the company had the greatest confidence in him, and he had borne an irreproachable character while in their service.

The chairman said the bench had well considered the case, and it appeared this system had been loosely carried on, and Mahon had taken advantage of the little privilege granted him, but they did not think that he had taken the milk with any felonious intent. They hoped it would be a warning to him in future, and they also hoped the company would look into the bad system that prevailed and get it remedied.

The accused were then discharged

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