



Crime and Punishment

Oaksey

Court Case

John Gardener

1867

John Gardener was indicted for stealing an umbrella, the property of George Gillett, at Oaksey. The Hon Mr Howard prosecuted.

The umbrella was stolen from a pent-house belonging to Mr Edward Warner, to whom it was lent by the prosecutor, on the 13th November. It was found at the house of the prisoner on the 14th of May. He said he had picked it up on the line, where he had been working for some years.

Acquitted.

The prisoner was then indicted for stealing a cwt. Of coal, a bushel of beans, and a bushel of potatoes, the property of Mr Edward Poulter Warner, at Oaksey.

He was convicted, and sentenced to nine calendar months' hard labour.

Western Gazette Friday 12 July 1867

1868

At the County Magistrates' Clerk's Office, on Tuesday, 20th October, before T Luce, esq, John Gardener, of Oaksey, labourer, was brought up in custody of Sergeant Perrett, charged with stealing a fowl, the property of Mr Abel Cole, on the night of the 17th instant.

The first witness called was Mrs Ester Cole, the wife of the prosecutor, who deposed that, on Saturday last, the 17th, she had sixteen fowls, consisting of ten hens, five chickens, and a male bird; and that on the following morning she missed one of the hens. She was quite sure all the fowls were safe on the Saturday evening, as she fed them and counted them whilst they were feeding.

Mr Abel Cole said that he was a farmer, residing at Oaksey. On Saturday night, the 17th instant, he locked up his fowl-house. The fowls were all in the house, and had they been in the yard he should have seen them. The same night he was called up by the police, who wanted to count his fowls, as they suspected

one had been stolen. On the following morning, in company of Sergt. Perrett, he went to the fowl's house and counted the fowls—there were only 15 in number.

Mr Edwin Oatridge said he was a carpenter, and resided at Oaksey. On Saturday evening, about ten o'clock, as he was passing the prosecutor's yard he saw a light reflecting from the fowl's-house, and heard a fowl cry out. He waited under the wall, and shortly after a man came to the wall and put his foot on it, the man having a fowl or fowls in his hands. Witness caught hold of the man's foot, and he rebounded into the yard. The man ran away, and he went in chase of him, and caught him in Oaksey-street, and the prisoner was the man. He did not lose sight of him more than two seconds. Could not say whether he had a fowl or not when he caught him. He saw the policeman the same night, and told him what he had seen. In answer to a question by Mr Supt. Woodman, witness said; I did not tell the police who the man was. The prisoner did ask me not to say anything about it. Prisoner declined to cross-examine the witness.

William Perrett, the next witness, said he was Sergeant of Police, stationed at Kemble. From information received from last witness, he examined the prosecutor's fowl-house on the night of the 17th, and on the following morning, he searched the prisoner's house. He was not at that time aware that the prisoner was the man whom witness Oatridge chased. He did not find the fowl. On Monday, the 19th, from further information received, he apprehended the prisoner, and charged him with stealing a fowl, the property of the prosecutor. Prisoner replied, "It must be a mistake." The same day he brought the prisoner to Malmesbury.

The prisoner having been duly cautioned by the worthy magistrates as to whether he had any answer to make to the charge, replied that he had not anything to say, and was fully committed for trial.

The same man was tried and convicted for stealing coal and potatoes from the premises of Mr Warner of Oaksey, about 15 months since, and he was sentenced to 9 months' imprisonment with hard labour. On this occasion, false keys were traced to his possession, which fitted several locks on Mr Warner's premises.

Wiltshire Independent Thursday 29 October 1868