

Leicester Chronicle

Saturday November 17th 1883

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Market Bosworth

Petty Sessions

Wednesday November 14th - Before the Rev. R. Titley (chairman), Rev. B.G. Astley, C.B. Lowe Esq and F. Woolaston Esq.

Refusing to quit and wilful damage

Thomas Rudin, Albert Cooper, Joseph Cooper, Wm Webster, Edward Webster, Thomas Ward and George Tivey, all colliers of Heather, were each summoned for being quarrelsome and disorderly, and refusing to quit the licenced premises of Walter Stanton of Carlton on the 6th October, and Thomas Rudin, Joseph Cooper, William Webster and Thomas Ward were further charged with wilfully damaging a table and other articles to the value of £2. – Mr Hillier appeared to prosecute and Mr Fowler defended. Walter Stanton said he kept the Malt Shovel Inn at Carlton. On 6th October last there was a cricket match at Carlton between Carlton and Heather. Witness was umpire for Carlton. After the match he saw defendants at his house. Some of them were cricketers and Edward Webster was the umpire for Heather. From six to a quarter past, they came in and had refreshment, and stayed until about nine o'clock. About that time he went into the kitchen and saw Thomas Rudin stripped of his coat and waistcoat and they all began fighting. Herbert Cooper knocked the table over and smashed it all to pieces by kicking it. The table was worth 10s. The people went out at the back door and he fastened it. The door was then burst open, Rudin and William Webster came in first and rushed through the place into the pantry, where, in company with others, whom he could not identify, they smashed one dozen glasses and 24 ginger beer bottles. They had got Samuel Townsend down at the end of the pantry. He told them to leave off such work as that, and to go home quietly. Thomas Ward had previously taken a lamp out of the kitchen and threw it down outside on the causeway. They went all over the house, and were fighting in the tap-room and upstairs. He ordered them to leave, but they refused, and he sent for the constable. When John Oldacres, the parish constable, came he ordered them to leave, and Thomas Rudin threatened the life of the constable. – By Mr Fowler : He did not see the beginning of the row. He would swear Samuel Townsend was not in the kitchen when Rudin had his coat off, nor did he see Townsend go out with Rudin. Townsend had his coat off helping him wait. He was aware that Townsend's coat went to Heather in the carriage that night, but he did not know that Townsend, who was the captain of the Carlton eleven, challenged Rudin to fight. He could not say who Rudin was fighting with. He did not see Townsend go out at the back. He heard Walker, the driver, ask the men to go, but he did not hear Townsend say to Rudin, "I'll give you two smacks in the mouth before you can give me one, for 2s to 1s." The glasses were broken in the pantry by William Webster taking them down, and throwing them on the floor. A pair of scales and a colander were broken deliberately. Wm Webster also threw over three gallons of ale. The row was going on for about half an hour. – John Oldacres said he was parish constable for Carlton. About nine pm he was sent for to the Malt Shovel Inn. The tap-room and passage was full of people. There was great disorder. He went through to the kitchen to complainant, and they went together to the tap-room, where all the defendants were. He ordered them several times to leave, and enquired as to their names. He took a book out to write down their names, when Rudin put

his fist in his face, and said "You ----, if you write down a name you will leave the room a dead man." He did not take their names. He saw them attack a man named Forman, and use him badly. – Samuel Townsend said he was acting as waiter at complainant's on the night of the cricket match. Everything went quietly till about nine o'clock, when he went out at the back door. Rudin was stripped the kitchen, saying "I'll fight any man in Carlton." Witness said, "You are silly : be quiet, we want no bother." They followed him out, and knocked him down and kicked him. He got up and went into the pantry. Rudin and Webster followed him, and knocked him down again. He called for the landlord, who came and pulled them off. Things were broken in the pantry. He did not see the men do the damage, but he heard things being broken. He was on his back at the time. – By Mr Fowler : Did not challenge Rudin to fight. Nor did he knock Webster into the pantry, - Thomas Towers of Carlton, gave corroborative evidence. – Complainant, re-examined, said Rudin and the two Websters went to him on the 7th. Rudin said he was sorry for what had happened, and if he would make it up they would pay the damage. He did not care so long as they did not have to come to Bosworth. He told Rudin they should have thought of that sooner. – James Forman and Ralph Oldacres also gave evidence for the complainant. – Mr Fowler addressed the Court at considerable length for the defence, and called James Walker, farmer, who said he drove the Heather team to Carlton on the day of the match. About half-past nine he went in and asked the men to come, and Rudin and he were coming along the passage, when Rudin turned to go into the backyard, when Townsend met him in the kitchen. Townsend laid hold of Rudin and pulled him round and said, "I'll have you that I give you two smacks in the face to one for 2s to 1s." Rudin said, "I'll take that offer," and Rudin threw off his coat. Then the two rushed out at the back door, no blow being struck in the house. Witness went out at the front door and took charge of his horses and brake, when Edward Webster came to him with a pig in the bag which they had raffled for, and he had a rabbit also in his bosom. They had some conversation as to what was causing the row, and Webster sat with him in the brake. There was a noise in the street, and he saw the men go back to the house. The landlord said he wished he (witness) would take the men home. He replied, "If you will not aggravate the men I shall have no difficulty in doing so." He found Townsend's coat in the street, and took it, thinking it belonged to the Heather men. Ward, Cooper, and Edward Webster knew nothing about the row except what they were told. There had been no unpleasantness until Townsend challenged Rudin. – Edward Cooper said he was one of the party at the public-house after the match. He remembered Walker saying it was time for him to go. He heard Townsend say, "I'll smack anyone who comes from Heather for 2s to 1s." Rudin said, "I'll have it" and they went out. He followed, and they went into the street, where there was a scuffle, after which Townsend went into the house again. As they went in Townsend struck Webster, and knocked him down into the pantry. Rudin then came into the pantry, and the landlord's step-sons. They started scrimmaging in the pantry, and the light was knocked out. He heard the things breaking, but could not see what was going on. – John Harris said he was in the long room with Webster. He saw Webster knocked into the pantry by Townsend.

The Bench dismissed the case against Joseph Cooper for wilful damage, and agreed to convict all the others. For being drunk and quarrelsome Rudin and Wm. Webster were fined 30s and costs, or in default one month. Albert Cooper, Joseph Cooper, and Edward Webster were fined 20s and costs or in default 21 days. Ward and Tivey were each fined 5s and costs, or seven days. For wilful damage, Rudin, Wm. Webster and Ward were each fined 5s each, damage 10s each, and costs, or in default seven days.