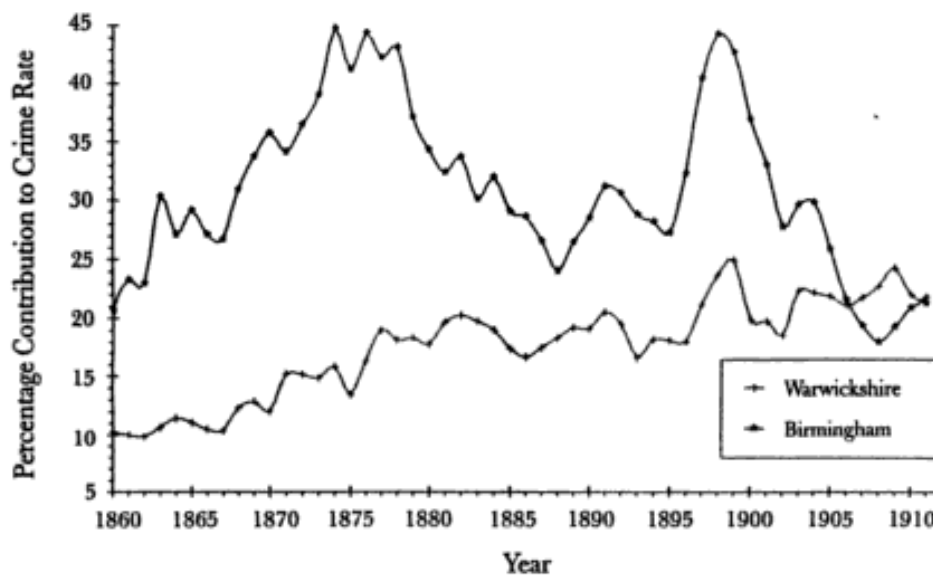


## Nineteenth-century rural crime in Avon Dassett

What were crime levels like in nineteenth century rural Warwickshire? Like many rural areas the population of the county grew only very slowly over the nineteenth-century. In 1860 for example, it was 192,000. By 1911 it was only 277,000 and had started to decline after 1901. In general, as is the case today, urban crime rates were higher than in rural locations. The chart below shows crime rates in rural Warwickshire were consistently lower than those in Birmingham. Rural crime was rising over the period in relation to the population whilst urban crime was falling.



Crime rate per thousand of population, Warwickshire and Birmingham

But the types of crime tended to differ between rural and urban areas. A village like Avon Dassett would probably have suffered a low level of crime with poaching, drunkenness, petty theft and assaults being amongst the most serious offences.

A survey of cases located in Avon Dassett which went to trial between 1800 and 1900 reveals the following crimes:

Name	Status	Crime	Year of Trial
Elizabeth Marshall	Victim	Assault	1854
John Shaw	Accused	Assault	1854
John Griffin	Victim	Larceny	1857
John White	Accused	Larceny	1857
Philip Boswell	Accused	Malicious Damage	1864
Thomas Aloysius Perry	Victim	Malicious Damage	1864
Gertrude Mary Golder	Victim	Child Abuse	1891
Daniel Jobson	Accused	Child Abuse	1891
Thomas Bailey	Accused	Burglary	1892
Lydia Jobson	Victim	Burglary	1892
John White	Accused	Burglary	1892

In urban areas there would have been higher levels of violent crime and theft. However, in 1887, Avon Dassett was rocked by a contentious manslaughter case.

### **Fatal Assault at the Red Lion**

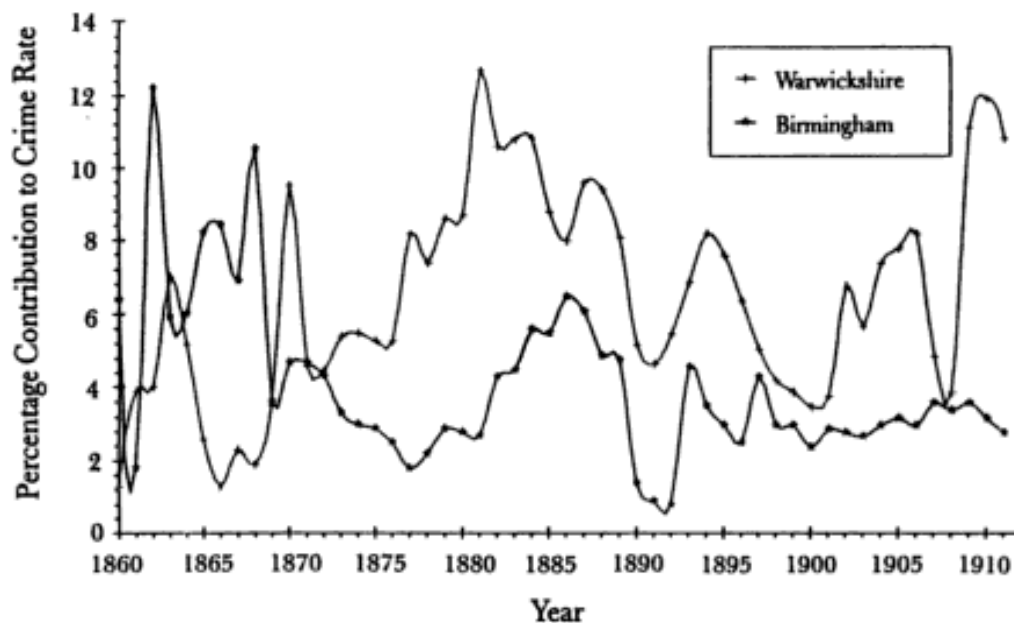
One autumn evening, Edward Mullis one of the agricultural labourers in the village went for a drink at the Red Lion with some of his fellow villagers. Also in the pub that evening were a father and son, named Francis and Bartholomew Begley, from nearby Daventry. The Begleys were itinerant sweeps and travelled around the county looking for work. They had arranged with the landlord of the Red Lion, Arthur Thomas, to sleep the night in the stable at the Red Lion. At closing time, the men left the pub but entered into a heated discussion about politics outside. Mullis supported the Liberal politician Gladstone whilst the Begleys were Conservatives. This led to a fist fight and although Mullis was the weaker man, one of his punches led Begley to fall heavily. When he could not be roused the men called for the publican who found no pulse. A later post mortem examination by Dr Elkington of Fenny Compton found that Bartholomew Begley had died due to bleeding on the brain caused by the fight. Edward Mullis was taken into custody and appeared four days later at a special court in Kineton. Here, the sitting magistrates sent him for trial at the Warwickshire Assizes. However, Mullis was allowed bail after a fellow agricultural labourer, George Hawtin, stood as surety and Thomas Perry of Bitham Hall, the Catholic priest and Vaughan Philpott the Rector of Avon Dassett attested to his good character. At the Warwickshire assizes later in November, Mullis pleaded guilty to manslaughter. However, after hearing the evidence, the judge bound him over to keep the peace for the paltry sum of £10, asserting that it was Francis Begley who bore most responsibility for his son's death, for encouraging him to fight.

### **Crime and Society in rural Warwickshire**

What does an analysis of this case tell us about crime and society in a village like Avon Dassett? There are many interesting features of the case.

Firstly, Mullis was portrayed as a man of good character, not given to drunkenness and someone who cared for his widowed mother. The census shows that he lived at home with his mother (categorised as deaf in the 1891 census) and sister, Betsy and was most likely the only source of income for the household. Edward and Betsy were still living together, unmarried, in the 1901 census. The Begleys in contrast were outsiders and itinerant sweeps. Francis Begley was vilified for encouraging his son to fight on and inflict harm on Edward Mullis before the fight could be stopped by concerned onlookers.

When Edward Mullis appeared at the court in Kineton, his face still bore bruises from the skirmish. Travelling sweeps were considered not much better than gypsies or vagrants and the Warwickshire police and justices took a firm line against such people. The chief constable issued printed warnings to beggars to be displayed in all the lodging houses and public buildings in the county which he claimed drove a great number out of the area. Action against vagrants remained high with a special Vagrancy Committee later set up among the justices to keep an eye on the problem. Each police district had to submit quarterly reports on the state of vagrancy in their area. The chart above shows that levels of arrest remained high, to the extent that lodging-house keepers in Warwickshire complained that police action was depriving them of their customers. In towns such as Birmingham in contrast, the local authorities were content to leave well enough alone. Higher arrest rates in rural areas reveal the greater concern and self-interest of the



Percentage of vagrancy offences, Warwickshire and Birmingham

ruling local gentry in this question, for whom vagrants roaming the countryside brought a direct sense of threat to the security of their property.

Secondly, the incident shows the importance of hierarchy in a village such as Avon Dassett. It is not clear if Edward Mullis was a Catholic – a Eunice Mullis is buried in the Catholic churchyard but there are no other Mullises interred in either the Anglican or Catholic church – but the leading Catholic landowner, Thomas Perry of Bitham Hall and the Catholic priest acted as character witnesses. Mullis also received support from the rector of Avon Dassett, Vaughan Philpott. In contrast, the Begleys could produce no local landowners or magistrates to attest to their good character.

Thirdly, there was much amusement in the court when it was told that the argument leading to the fight centred on politics. Mullis's Liberal politics in some way reflects his independent thought. This was a period when agricultural labourers were becoming increasingly politicised. Joseph Arch founded the first agricultural labourers union from his home in nearby Barford in 1872. In contrast, the Begleys' Conservatism tallies with analyses of other workers dependant on deference such as railway porters and servants.

In summary, the case of Edward Mullis shows a good deal about a small village such as Avon Dassett. Mullis found support from his fellow agricultural labourers who acted as witnesses and sureties for him. But he also gained approval from the local Anglican and Catholic elite. It was this latter group who probably carried more weight with the Grand Jury at the Warwickshire assizes. In contrast, the Begleys had no friends in high places

to call upon and Francis was virtually accused of causing the death of his son by the judge at the trial.

### **Transcripts of the case from the local newspapers**

#### **Fatal Affray at Avon Dassett** (*Birmingham Daily Post*, 8<sup>th</sup> November 1887)

At a Special Sessions held yesterday, at Kineton – before the Rev. W. S. Miller (chairman) and Mr. W. E. Bacchus – Edward Mullis, labourer, of Avon Dassett, near Fenny Compton, was charged with the manslaughter of Bartholomew Begley, at that village, on the 3<sup>rd</sup> inst. Mr. F. A. Lane, of Stratford-on-Avon, represented the prisoner, who appeared in the dock with his face considerably disfigured. On Saturday the coroner's jury returned a verdict that the "deceased died from injuries received in a fight with Edward Mullis." The police were represented by Superintendent Hinde, of Shipston-on-Stour, - Arthur Thomas, landlord of the Red Lion, Avon Dassett, said the deceased and his father, the prisoner, and two or three other men were in his house on the night of the 3<sup>rd</sup> inst. Witness heard no quarrelling. The company left at closing time – ten o'clock, and witness went to bed direct afterwards. He was awakened about twelve o'clock by a knocking at the door, and on opening the bedroom window Begley's father exclaimed, "My son is killed." Witness went downstairs, and on going to the stable he found the younger Begley was dead. – By Mr. Lane: Witness heard no disturbance in the lane, and was not aware that anything wrong took place in the house previously. The prisoner was a quiet, well-disposed man, and not given to drink. Francis Begley said the deceased was his son. They were natives of Daventry. In the company of the deceased witness left the public-house at closing time on Thursday night, it being arranged that they should sleep in the barn. When they got outside they saw the prisoner. They started a discussion on politics, but no very strong language was used on either side. Shortly afterwards the prisoner exclaimed, "I'll fight any sweep." Begley being a sweep by trade naturally thought that the remark applied to him, and he and the prisoner at once stripped for a fight. They fought seven or eight rounds, the fight lasting between a quarter and half an hour. In the last round Begley struck prisoner a blow which sent him staggering. Prisoner recovered himself, and going up to the deceased, dealt him a blow on the head or side of the neck. Deceased fell to the ground; and witness thought that the prisoner fell on him, but had since been told that he did not. The fight took place on the grass below the public-house. Prisoner helped to carry the deceased into the stable. It was thought the deceased was shamming, and no one had any idea that he was fatally injured until the landlord felt his pulse and found that he was cold. – Replying to Mr. Lane witness said, as the father of the deceased he was satisfied that it was a fair stand-up fight. – Miss Jane Gardner spoke to seeing two men fighting. Someone told her Mullis was one of them, and she shouted out "Leave off, Edward." – John Mason, labourer, Avon Dassett, also gave evidence as to the fight, and said he begged of them to desist. – In reply to Mr. Lane, witness said he asked the father of the deceased if he could stop the fighting, and his only reply was, "Go in Tom: and do what you can before anybody comes." – Dr Elkington, of Fenny Compton, described the results of a *post mortem* examination he had made, stating that there were contusions about the face and body. On removing the skull-cap witness found considerable effusions of blood in the membranes of the brain and on the substance of the brain, to the extent of over half a pint. The lateral ventricles of the brain were full of bloody serum. Other parts of the body were perfectly healthy. In his opinion, the cause of death was effusion of blood, causing depression of the brain. That would result from a violent blow or blows, or be caused by

a heavy fall. Cross-examined: The effusion of blood might not be sudden; it might take place gradually. It might, in fact, be caused by a blow given some five or ten minutes before the deceased went down for the last time. – Police-constable Spraggit proved arresting the prisoner. In reply to the charge, Mullis said, "I am very sorry it happened." – Mr. T. A. Perry, magistrate, who lives at Avon Dassett, said the prisoner was a respectable, steady, well-conducted man. For seven years he had supported his widowed mother and his sister. Mr. Perry read a letter to the same effect from the Roman Catholic priest of the parish, to whom the prisoner was well known. – The Rev. Vaughan Philpott, rector of Avon Dassett, corroborated all that Mr. Perry had said. – Mr. Lane contended that deceased contributed to his own death by challenging the prisoner to fight. – The prisoner on being charged reserved his defence, and a witness named George Hortin [Hawtin] was bound over to appear on his behalf. – The Bench committed prisoner for trial at the Assizes on the charge of manslaughter. – On the Rev. V. Philpott and Mr. Perry offering themselves as sureties, the magistrate consented to admit the prisoner to bail.

### **Warwickshire Autumn Assizes** (*Birmingham Daily Post*, 16<sup>th</sup> November 1887)

The business of these Assizes was opened at the Shire Hall, Warwick yesterday before Baron Huddleston.

GRAND JURY: Sir Arthur Hodgson, K.C.M.G., Clopton (foreman); Messrs. Darwin Galton, Claverdon; A. Boughton-Leigh, Brownsover Hall; J. Cove Jones, Loxley; H. Chance, Leamington; J. B. Dugdale, Wroxall Abbey; J. Y. Robbins, Cubbington; C. T. Caldecott, Holbrook Grange; W. H. Child, Leamington; J. C. Harter, Leamington; F. H. Gregory, Stivichall; C. E. Hower, Stratford-on-Avon; F. Gerard, Alcester; T. G. Moilliett, Milverton; C. Andrew, Redditch; D. S. Gregg, Alcester; M. H. Lakin, Warwick; H. Madocks, Lutterworth; A. E. Thursby, Priors Hardwicke; W. E. Evans, Kenilworth; F. Stanger-Leathes, Kenilworth; H. Chesshyre Molyneux, Milverton.

In charging the Grand Jury, his Lordship said that he might fairly congratulate them upon the comparative leanness of the calendar... there had been a great diminution in crime throughout this country... The returns for Warwick for the last four years showed that at the autumn assizes in 1884 there were 43 prisoners for trial; in 1885 28; in 1886 54; and on the present occasion, 24.

### **THE FATAL POLITICAL FIGHT NEAR KINETON**

Edward Mullis, on bail, pleaded guilty to the manslaughter of Bartholomew Begley, at Avon Dassett, on the 3<sup>rd</sup> November. – Mr. Hugo Young, for the prisoner, said that from the nature of the case it was utterly impossible for him to resist the charge. He pointed out, however, that up to this time the prisoner had borne an excellent character. The young man whose death he had unfortunately caused was a total stranger to him, the parties not having met until the fatal night. Deceased and his father were travelling sweeps, and had arranged to stay the night at the village inn. There prisoner met them. They drank together, and nothing unpleasant took place until upon going outside a political dispute arose. Subsequently the prisoner and deceased had a "fair stand-up fight" on the village green, deceased (who was urged on by his father) being the stronger man of the two. In the course of the fight deceased was knocked down, and died the same night from the effect of the injury. Prisoner assisted to carry the deceased man into the inn stable after he fell, and did everything he could to render help. –

Witnesses were called who gave the prisoner an excellent character as a quiet, peaceable, and well-conducted man. – In reply to the Judge, one of the witnesses stated that the dispute arose “over Gladstone and Salisbury – prisoner was for Gladstone and the other for Salisbury.” (Laughter.) – His Lordship said this quarrel was a most unfortunate occurrence, but it seemed clear, from what he could learn, that the prisoner was not the aggressor. He feared that if they looked into the question as to who was morally responsible for the death of the deceased, it was his own father, who urged him to “pitch in.” In his lordship’s opinion the death of the young man arose from an unintentional act on the prisoner’s part, and therefore he thought he should meet the ends of justice by ordering the accused to enter into his own recognisances the sum of £10. to come up and receive judgment if called upon. (Applause in the gallery.) Prisoner was then released from custody.

## **Sources to study crime in Warwickshire**

### **Warwickshire Record Office**

The Court of Quarter Sessions heard civil and criminal cases within Warwickshire, and its records date from 1625. However, major cases were heard by the royal courts, either at Assizes held locally or in London, and surviving records for these courts are held by the Public Record Office. Other courts whose records are available here included Magistrates' and County Courts (from the mid 19th century), and manorial courts (for a relatively small number of places only, some with records dating from the Middle Ages).

Records of Coroners' inquests have been deposited, but do not in general survive before 1900.

The records of the Warwickshire Constabulary dating from 1840 have been deposited: they contain much information about the administration of the Police Service and the careers of individual police officers, but very little about criminals. There is an online Calendar of Prisoners database:

<http://www.warwickshire.gov.uk/Web/corporate/pages.nsf/Links/3C3BECFC9AF8FC7B80256E7E0056B9FE>

### **Useful Books**

- K. Turton, *Warwickshire Murders*
- Betty Smith, *Warwickshire Tales of Mystery and Murder*
- Nick Billingham, *Murder and Crime in Stratford-upon-Avon*
- Nick Billingham, *Foul Deeds and Suspicious Deaths in Stratford and South Warwickshire*
- Eric A. Johnson and Eric H. Monkkonen, *The Civilisation of Crime: Violence in Town and Country since the Middle Ages*
- D. Jones, *Crime, Protest, Community and Police in Nineteenth Century Britain*
- D. T. Hawkings, *Criminal Ancestors: a guide to historical criminal records in England and Wales*
- J. R. Kent, *The English village constable, 1580-1642*
- T. A. Critchley, *A History of Police in England and Wales, 900-1966*