



# Crime and Punishment

## *Minety*

### **Court Case**

### **John Freeth**

John Freeth, dealer, of Minety, was summoned by Inspector Wilmot, on behalf of the Cirencester Association for the Prevention of Cruelty, charged with torturing a kitten, by putting it alive into a pot of boiling water.

Mr Montague H Chubb (Chubb and Son) conducted the prosecution on behalf of the society, and Mr F Smith (Clarke and Smith) defended. Defendant pleaded not guilty.

Emma Godwin, landlady of the Vale of White Horse Inn, Minety, said that on the 19th Sept., about 10.15 am, she put a cooking pot on the fire in the taproom; it held about 2 gals of water. It boiled about twenty minutes to eleven, when she put in a pudding to boil for dinner. About 11.30 she went to the pot again and put in a vegetable marrow. She did not then see anything else in the pot. About twenty minutes to one she lifted the pot off the fire, on to the side, and raised the lid, when she found a kitten lying dead on top of the vegetable marrow. The water was partly boiled away and did not cover the cat. She was positive the kitten was not there when she put in the marrow.

The defendant and Thomas Smith had been in the taproom drinking from eight o'clock in the morning. A boy named Aldridge and an engine driver named O'Brien, from Swindon, were about the only persons who came in that morning. She last saw the kitten alive about 11.30, when it was playing with the old cat. The defendant was not in the taproom when the kitten was discovered in the pot, but came in directly. She heard him make some remark, but did not know what.

Cross-examined by Mr Smith: There was no one else in from 10.30 to 12.15. The defendant and Thomas Smith were there the whole morning and could not have been out of the house a quarter of an hour without her knowledge.

Jessie Godwin, daughter of last witness, remembered seeing the old cat and kitten playing in the taproom about 10.30 that morning. Smith and defendant came to the house early, and remained all morning. She remembered the boy Aldridge coming in, and an engine fitter later. She was in a position to see or hear anyone who came in. She was there when the kitten was found. The defendant had left the house for a few minutes, but returned directly.

Ernest Aldridge, a lad aged 14, in the employ of Mr F Wetton, grocer, of Wootton Bassett, deposed to his master putting the horse and conveyance up at the inn on the morning of the 19<sup>th</sup> September. He went

into the taproom at quarter past 12. Freeth and Smith were in there, and an engine driver came in later. He saw the landlady open the pot and say, "Some of you men have put something in." The defendant came in just at the time. He was not accused more than anyone else. He afterwards saw the defendant and Smith whisper together, and saw the defendant hand Smith 6d. This was after the kitten had been found in the pot. When the defendant left the room previously he was not away more than two or three minutes.

Cross-examined by Mr Smith: Mrs Godwin said she thought it was the engineman at first, and the man "went on" about it. Smith said it was a shame. Mrs Godwin then said it must have been Smith or defendant, but they denied it. The engine driver allowed the landlady to send for the police, and PC Orchard came.

Walter O'Brien, engine driver, Swindon, said: I and my mates went to the inn for refreshments. Smith and the lad were there, and the defendant came in directly after. The landlady came in. She pulled the lid off the pot, and said, "Somebody has been serving me a trick by putting a rabbit in the pot." She looked again, and exclaimed, "It's my kitten." She blamed the company present for it. The daughter was there, and I heard defendant say to her when he came in, "Thee't never see that cat alive no more." Defendant was intoxicated. Witness advised the landlady to send for the police, but was obliged to leave with his train before the constable's arrival.

By Mr Smith: Thomas Smith remarked that he didn't see anybody put the kitten in the pot. He did not consider Smith drunk, but thought he was a most eccentric character. He would swear he heard defendant make the remark about the kitten.

Thomas Smith was examined. He said he saw John Freeth take the kitten off the floor and put it in the pot, witness adding excitedly, "That's truth isn't it, Jack," which was at once denied. Witness said when the kitten was placed in the pot the defendant tried three times to get the lid to fit down but could not do so. He then asked him to do it, and he relied "No, I shall have nothing to do with it."

Witness was severely cross-examined by Mr Smith, in order to show that he most likely put the cat in the pot himself, but he said excitedly, "I swear that John Freeth took the kitten with his right hand, and lifted the pot lid with his left, and deliberately put the kitten into the pot of boiling water." The reason he didn't tell the landlady, or try to rescue the kitten was that he was ashamed.

By Mr Chubb: I borrowed 6d of defendant, and still owe it to him. He did not hear the kitten scream when put in the pot.

Mr Smith having addressed the bench for the defence, the magistrates, after a short consultation, said it was one of the most cruel cases that had ever come before them. The defendant would be sentenced to six weeks' hard labour. Smith was recalled, and severely reprimanded, and his expenses were disallowed.

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