



Crime and Punishment

Oaksey

Court Case

Walter Baker

Walter Baker (38), miller and baker, of Birmingham, was indicted for maliciously damaging nine tombs and monuments erected to the memory of the dead in the churchyard at Oaksey, the property of the churchwarden.

Mr Lopes was for the prosecution, the prisoner pleading not guilty, and saying he knew nothing about the matter. Mr Lopes, in opening the case, said it was brought under the 51st section of an Act bearing on the subject. Prisoner was charged with spoiling a number of tombstones, doing damage to the amount of £5. The damage was fully £60. Prisoner said he was drunk, but that was no excuse for the wanton act. The learned counsel said it could hardly be expected that the case would be proved to the hilt, for people did not as a rule sit up watching a churchyard till after 11.30 at night. He asked the court for a heavy punishment for this outrageous act.

The Rev Wm F K Gover, rector of Oaksey, said that on Christmas Day he walked round the churchyard after the service. The tombs were in perfect order. He received certain information the next morning, when he found nine tombstones and monuments smashed. They were perfectly wrecked. A marble cross, erected to the children of his predecessor, Mr Norris, was smashed. To put it up again new would cost at least £30. The whole amount of the damage was above £100. Two or three square tombs were destroyed. Witness could hardly have thought that one man could have committed the violence. Witness, in reply to the chairman, said he had never seen the man before.

James Musty, sexton and gravedigger, confirmed the rector's evidence. On a newly made grave, he found the impression of a slipper.

Charles Wellwood Grimstead, landlord of the Wheat Sheaf, Oaksey, said that on the day before Christmas Day the prisoner was at his house, when he was very sober. He said he would let the people of Oaksey remember him when he was gone, and he would do something grand for them. He was quarrelsome, and witness made his exit. Prisoner was wearing slippers when he left the house. His father lived at Oaksey. The prisoner must have gone a distance of 300 or 400 yards to get to the churchyard.

George Butcher, labourer, of Oaksey, said he was at the Wheat Sheaf, and at 10 o'clock on the evening before Christmas Day, he left there with the prisoner and others. Within five or six yards of the churchyard, about 11.30, witness was talking to the prisoner, who said he would do something for Oaksey people to remember for a day or two. The prisoner was sober. It was a darkish night.

Mark Jennings, farm bailiff, of Oaksey, said that about 11.30 on the night before Christmas Day he was going to his lodgings, when he saw two men about six yards from the gate of the parish churchyard. He went to bed, and about ten minutes afterwards, he heard a noise like that of stones falling down. He thought it came from the houses in the direction of the churchyard, and that people were throwing stones on the houses.

Robert Morgan, police constable, said that on April 28th, when in custody, the prisoner said, "Well, Morgan, you still stick here," and asked him for his advice. Prisoner then made a statement, now produced.

The statement was read by the Clerk of the Peace, and set forth a full voluntary confession. Prisoner stated that he had not been sober at the time for seven weeks.

Henry Webb, police constable, said that on April 26 he apprehended the prisoner at Birmingham. Prisoner now made no defence, and he was immediately found guilty. He begged for leniency, and said that if he had another chance he would never taste drink again. The chairman read a long list of previous convictions. He passed a sentence of six months' imprisonment with hard labour.

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