

Testimonies

QS30/65, Michaelmas 1888, Regina vs Thomas Yates, assault

These testimonies contain descriptions of domestic violence which may be distressing. If you are affected by these issues, or know someone who may be, organisations such as [Refuge](#), [Warwickshire Against Domestic Abuse](#), and the [Domestic Abuse Counselling Service](#) can offer help, guidance, protection and shelter.

- *24-hour National Domestic Violence Helpline: **0808 2000 247** (run in partnership between Refuge and Women's Aid)*
- *Warwickshire Against Domestic Abuse: **0800 408 1552***
- *Domestic Abuse Counselling Service: **024 7635 1137** or **024 7632 7647***

Annie Yates:

I am the wife of Thomas Yates of Crabbs Cross Ball Bearing Maker. On the night of the 8th August my husband came home about half past 8 o'clock. He asked me if I had got what he told me for his supper. I said I was just going to get a drop more beer. He said I will go with you. We went together to Mr. Chambers public house and had two pints of ale. He asked several to drink.

When we got back to the house he asked me to put the supper out. I got the cloth and put it out. He said I suppose you are going to put your b--- grandson the best bit there is there. I said the boy does not want any hold your noise. He picked up the carving knife and threw it across the table at me it broke the mustard pot but did not catch me.

I went out of the house into the yard and round to the front to get out of his way. He came round to where I was standing and said you b---y cow you are standing there are you and he struck me twice on the head. He then got hold of my shoulders and kicked me behind with his knees and struck me. He then kicked me with his foot and broke my leg. I said Oh Tom you've broke my leg. He said I will break the other b--- if you don't go in the house and then he pushed me into the house. He bolted the door pushed me on to the sofa and beat me very bad he swore he would kill me dead if I made a noise.

Some people were knocking at the door and windows but could not get in. He then dragged me upstairs.

I sat down on a chair and he struck me again on the side of the head. He afterwards threw me on the bed and dared me to speak. I lay on the bed until morning and got down stairs and waited until the doctor came. He (yates) threatened me continually.

He said he would throw me through the window and break my other b---y leg as well as that.

That was when I was lying on the bed with my leg set. On the following Sunday night he threatened to cut my b---y head off and I had to have my son and daughter to sit up all night with me. The next day (Monday) he went to Birmingham.

I did not aggravate you.

Annie Yates X her mark

William Hunt:

I am a baker and live at Crabbs Cross. I live two doors from the Prisoners house.

On the 8th August last about 11.30 p.m. I heard screaming and went out.

I went into the entry I saw Thomas Yates kicking his wife. I saw him kick her three or four times. Mrs Yates told Yates he had hurt her leg very badly and Yates said if she did not stop screaming he would kill her.

Yates pushed her through the door into his house. I went into my house but afterwards went out again. Yates was then upstairs and he called her many bad names and threatened to murder her if she was not quiet. I rapped at the door. One of the lodgers came down.

Yates was quiet after that.

The lodgers were in bed when Yates was in the entry. The next morning my wife went in to see Mrs Yates and Dr. Mogg was then sent for.

I went in and saw Yates and said you have done a nice thing for yourself you have done sufficient to get six months and it would serve you right if you were to have it. He said he was very sorry he knew he had done wrong. Mrs Yates did not fall over the cart shaft.

The door was fastened so that no one could get in from the outside. I offered to drive Mrs Yates to the station to get to the hospital but Yates refused to let her go.

William Hunt.

Levena Caroline Hunt:

I am the wife of the last witness William Hunt. On the night of the 8th August about 11.30 p.m. I heard screams. I went to the door. I saw Yates push Mrs. Yates. I ran back to fetch my husband who went out. I heard Yates threaten Mrs Yates when he

was upstairs. About 8 o'clock the next morning I went into Yates' house. I saw Yates. I told him I thought he had hurt her leg. He said he was very sorry and he would try and do his best to get her sound again.

He then went out of his house.

Levena Caroline Hunt

Joseph Albert Hill Mogg

I am a surgeon practicing at Headless Cross. On the 9th of August last about 10.30 in the morning I attended at Yates house. I examined Mrs Yates and found the small bone of the right leg broken the upper third of it. She also had a bruise about an inch and a half square on the middle of her spine, another bruise about three inches long on the left side beneath the lower ribs, the right knee joint was swollen and there were general contusions about her right side and she was suffering somewhat from shock but not severely. The appearances were due no doubt to violence of some kind. Mrs Yates has been under my care up to the present time. She is not yet sound on her leg but no doubt she will get so.

Joseph Albert Hill Mogg.

Regina V
Thomas Yates
April

12

Leicestershire
wit.

The Examination of (a) Annie Yates the wife of
Thomas Yates of Crabbs Cross in the Parish of Spelsley
in the County of Warwick Ball Bearing Maker
William Hunt of Crabbs Cross aforesaid Baker, Luena
Caroline Hunt the wife of the said William Hunt
and Joseph Albert Hill Mogg of Headless Cross
in the Parish of Spelsley in the said County of Warwick
Surgeon

taken on Oath this Twist day of October
in the year of our Lord One Thousand Eight Hundred and eighty eight
at Leicester
in the County aforesaid, before the undersigned, Two of Her
Majesty's Justices of the Peace for the said County in the presence
and hearing of Thomas Yates

who is charged this day before us for that he the said

Thomas Yates
on the Eighth day of August One Thousand
Eight Hundred and eighty eight at (b) the Parish of Spelsley
in the County of Warwick did unlawfully and
maliciously inflict upon the said Annie Yates
certain grievous bodily harm contrary to the
Statute in that case made and provided

This Deponent Annie Yates on her Oath
saith as follows:—(c)

I saw the wife of Thomas
Yates of Crabbs Cross Ball
bearing maker on the night
of the 8th August my husband
came home about half past

(a) Here describe the several witnesses with their abodes
businesses serialim. (c) State the deposition of the witness
in the words he uses. Who
(b) Here describe the offence as in a warrant of commitment. let him sign it.

8 o'clock. He asked me if I had got what he told me for his supper. I said I was just going to get a drop more beer. He said I will go with you. We went together to Mr. Chambers public house and had two pints ^{to drink} and asked several ^{to drink}.

When we got back to the house he asked me to put the supper out. I got the cloth and put it out. He said I suppose you are going to put your ^{son} - grandson the best bit there is there. I said the boy does not want any hold your nose. He picked up the ~~carving~~ Carving Knife and threw it across the table at me it broke the mustard pot but did not catch me.

I went out of the house into the yard and round to the front to get out of his way. He came round to where I was standing and said you ^{son} ^{cow} you are standing there are you and he struck me twice on the head. He then got hold of my shoulders and kicked me behind with his knees and struck me. He then kicked

me with his foot and broke
my leg. I said Oh Tom you've
broke my leg. He said I
will break the other b.
if you don't go in the house
and then he pushed me
into the house. He ^{boiled} ~~boiled~~
the door pushed me on to the
sofa and beat me ^{very} ~~very~~ ^{hard}
he swore he would kill me
dead if I made a noise.
Some people were knocking
at the door and windows but
they could not get in. He
then dragged me upstairs.
I sat down on a chair and
he struck me again on the
side of the head. He
afterwards threw me on the
bed and dared me to
speak. I lay on the bed
until morning and got
down stairs and waited until
the doctor came. He ^{again} threatened
me continually - he said he
would throw me through the
window and break my other
b - y leg as well as that.
That was when I was lying
on the bed with my leg
set. On the following Sunday
night he threatened to cut
my b - y head off and I
had to have my son and

daughter to sit up all night
with me. The next day (Monday)
he went to Birmingham.

I did not aggravate you.

Comme her
+ Yates
mark

This Deponent William Hunt
on his oath saith as follows:

I am a baker and live
at Crabbs Cross. I live two
doors from the Prisoners house
on the 8th August last
about 11.30 p.m. I heard
screaming and went out.

I went into the entry I
saw Thomas Yates Kicking his
wife. I saw him Kick her
three or four times. Mrs Yates
told Yates he had hurt her
leg very badly and Yates
said if she did not stop
screaming he would Kill her.
Yates pushed her through the
door into his house. I went
into my house but afterwards
went out again. Yates was
then upstairs and he called
her many bad names and
threatened to murder her

if she was not quiet. I
knapped at the door - one
of the lodgers came down.
Yates was quiet after that.
The lodgers were in bed when
Yates was in the entry - the
next morning my wife went
in to see ^{Miss Yates} ~~her~~ ^{and} ~~sent for~~ ^{she}
Mogg was then sent for.
I went in and saw Yates
and said you have done a
nice thing for yourself you
have done sufficient to get
you six months and it would
serve you right if you were
to have it. He said he was
very sorry he ^{had} ~~had~~ ^{known} he had
done wrong. Mrs. Yates did
not fall over the cart shaft.
The door was fastened so that
no one could get in from the
outside. I offered to drive Mrs.
Yates to the ^{station} ^{to} ^{the} hospital but Yates
refused to let her go.

William Hunt

This deponent severa Caroline
Hunt on her oath saith as follows:

I am the wife of the last
witness William Hunt. On the
night of the 8th August

about 11.30 pm. I heard somebody
I went to the door - I saw
Yates push Mrs. Yates - I ran
back to fetch my husband
who went out. I heard Yates
threaten Mrs. Yates when he was
upstairs. About 8 o'clock the
next morning I went into the
house - I saw Yates in the
I thought he had hurt her
leg. ~~He then went away and~~
~~the doctor was sent for - he said~~
he was very sorry and he
would try and do his best
to get her round again.
He then went out of the
house.

Emma Constantine Hunt

This Dependent Joseph Albert
Still Mogg on his oath with
as follows:

I am a Surgeon practising
at Headless Cross. On the 9th
of August last about 10.30
in the morning I attended at
Yates' house. I examined
Mrs. Yates and found the distal
bone of the right leg broken
the upper third of it. She

also had a bruise about an
inch and a half square on
the middle of her spine.
another bruise about three
inches long on the left side
beneath the lower ribs.
The right knee joint was swollen
and ^{there were} general contusions about
the right side. and she was
suffering somewhat from shock.
but not severely - The appearances
were due no doubt to violence
of some kind. Mrs Yates has
been under my care up to the
present time - she is not yet
sound on her leg but no
doubt she will get so.

The foregoing depositions of ^{Joseph} Albert Hill Mogg
of Annie Yates, William
Hunt, Serena Caroline
Hunt and Joseph Albert
Hill Mogg were severally
taken and sworn before
us at Leicester in the
County of Warwick this
First day of October 1888

J. S. Mogg
William H. Chase

County of Warwick to wit.

Thomas Yates stands charged before the undersigned, Two of Her Majesty's Justices of the Peace for the County of Warwick of Warwick day of October in the year of our Lord One Thousand Eight Hundred and Eighty-eight for that he the said Thomas Yates on the Eighth day of August 1888 at (a) the Parish of Ipsley in the County of Warwick did unlawfully and maliciously inflict upon the said Annie Yates certain grievous bodily harm contrary to the Statute in that case made and provided

And the said Charge being read to the said Thomas Yates and the Witnesses for the Prosecution, Annie Yates, William Hunt, Levenia Caroline Hunt and Joseph Albert Progg

being severally Examined in his presence, the said Thomas Yates is now addressed by us as follows: "Having heard the evidence, do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so; but whatever you say will be taken down in Writing, and may be given in Evidence against you upon your Trial. And you are clearly to understand that you have nothing to hope from any Promise of Favour, and nothing to fear from any Threat, which may have been holden out to you to induce you to make any admission or confession of your guilt, but whatever you shall now say may be given in Evidence against you upon your Trial, notwithstanding such Promise or Threat."

Whereupon the said Thomas Yates saith as follows:—(b)

It was her daughter's fault.

N. 1.

(11 & 12 Vict. c. 43, s. 15, and 30 & 31 Vict. c. 35, s. 3.)

Statement of accused, and depositions of witnesses called by accused.

LONDON: SHAW AND SONS, Petter Lane,

Publishers of the "Justice of the Peace," a Weekly Legal Journal, price 5d. post free.

(a) As in the caption of the depositions, (b) Here state whatever the prisoner may say, and in his very words, as nearly as possible.

Taken before me at us at Alcester in the County
aforesaid, on the day and year first above-mentioned.

Ed. J. J. -
Arthur C. Crane

And immediately after obeying the directions of the 18th Section of the Act
Eleventh and Twelfth Victoria, Chapter Forty-two, I the said Justice of the Peace,
did demand and require of the said Thomas Gates
whether he desired to call any Witness; and thereupon in answer to such demand
the said (e) Thomas Gates said I have no
~~called or desired to call~~ (d)
witnesses.

as Witnesses. And I the said Justice of the Peace, thereupon in the presence
of the said _____ of (g)
took the following Statement (e) on Oath (f)

who were so called as Witnesses by the said _____
as aforesaid, and who knew anything relating to the facts and circumstances of the
Case or anything tending to prove the Innocence of the said _____

- (e) If the accused does not call witnesses, say "neither called nor desired to call any witness," and strike out all that follows.
(d) Set out the names, addresses, and descriptions of all the witnesses whom the accused either calls, or desires to call.
(f) Cr, affirmation.
(g) These names will only include those of the witnesses who are actually called, and who know anything of the facts of
the case or tending to prove the innocence of the accused.