

Warwick Assizes
The Rushton Shooting Case
Monday before Mr Justice Mellor

Thomas Goode 24 shoemaker was indicted for shooting Charles Elliot with intent to murder at Rushton on the 20th November last, he was also charged with aiding and abetting a man unknown to commit the same offence. Mr Monkton prosecuted Prisoner was undefended Charles Elliot the prosecutor stated he was coachman to Mr Hamborough of Pipewell, and on the 20th Nov last he was returning from Market Harborough to Pipewell in the pony cart in the company of two men named Tyrell and Hayward, when near the pleasure grounds of Pipewell Hall they met three men going towards Desborough.

After driving home they went in quest of the men two of whom were standing on the bank on the side of the road.

The third man was beating in the hedge nearby, one of the two men on the bank had a gun in his hand, the prisoner Goode was one of the party as soon as they saw the Elliot they ran away but he followed them, Elliot and Tyrell called upon them to stop whereupon they began to throw stones Elliot asked them what they meant by throwing stones upon which one of the men exclaimed "go back"

They moved along Elliot followed and after going about two hundred yards they turned round and threw more stones Elliot threw stones back

One of the three men called out "Shoot him "but he could not say by whom the words were used.

The man addressed immediately pulled a gun which was in pieces from his pocket And put it together and asked Goode to give him a cartridge with which to load it Goode took a cartridge from his pocket and gave it to his companion, at the time It was about four o'clock and Elliot could see the men distinctly.

The man with the gun called out to Elliot "if you come any further I will shoot you " Elliot dared them to do so and Goode came in to the middle of the road

And held up his hand and said "if you come another yard you are a dead man "

Up until this time Goode had been standing at the side of the road , the other two Men ran on and Elliot said that he would follow them to Desborough, he went after them into a field and having pursued them after about two hundred yards they turned round the man with the gun pointed it at Elliot who was about sixty yards away Elliot again dared them to shoot, the other two men said "shoot" Elliot turned around And heard a shot and a bullet pass by his legs with a whistling noise the bullet Struck the ground in one place, Elliot heard one of the men say to Goode "give me a bullet I will do for him this time "they however ran away and Elliot Followed But lost sight of them.

Elliot subsequently identified the prisoner among others when in custody as being the man who had given the cartridge to his companion before he fired the gun

The field was searched and neither cartridge nor bullet was found.

Evidence then heard from

John Tyrell Gamekeeper to Mr Hamborough who was in the pony cart with Elliot and Hayward on the day in question said that as they passed Goode and his companions Some conversation took place between Hayward and Goode, when they returned to the hall and had taken the pony from the cart, the report of a gun was heard in the direction that they had passed the Goode and his companions just a few moments before in consequence Elliot and Tyrell went to investigate as they neared the spot They observed Goode and another two men, one of the men was beating in the hedge And the other was standing in the middle of the road with a gun in his hand

When they saw Tyrell and Elliot they ran away Elliot and Tyrell followed but Elliot overtook Tyrell and Tyrell lost site of the men, Tyrell later identified Goode as one of the men and was in no doubt that this was the man who was standing next to the man with the gun , Charles Hayward also swore to Goode being one of the three men.

As they passed on the day in question Tyrell the gamekeeper pointing to one of the men had got blood on his trousers after they had passed them Goode came in to the middle of the road laughed and said something Tyrell did not catch.

John Asher a labourer stated that on Nov 20th last he was employed scraping the road Between Pipewell and Desborough at about half past three in the afternoon Three men passed him they were walking at a fast rate and seemed to have been running; Elliot was following them, after the men had passed Asher he noticed them turn round in the round and throw stones at Elliot he also heard one of them say “if you follow any further ill knock your head off” he also heard subsequently one of the men say “ if you follow any further ill shoot you “ And Elliot was heard to answer “Shoot if you dare” but no report of a gun was heard Asher also added that so many people pass along that road he could not swear to the identity of any of the three men. Police Inspector Barwell * of Kettering gave evidence to the effect that he went in search of Goode who lives with his mother at Kettering on the 20th Nov he searched Many places in the neighbourhood but did not find Goode.

On the 3rd of December Goode came to the police station and said to Barwell “I hear you want me for the Rothwell job” [referring to the robbery] Barwell replied that he wanted him for something else and that he wanted to see him regarding the little affair On the 20th Nov and then stated the charge Goode Replied “I haven’t been at Pipewell or Desborough these five or six weeks “ Barwell replied I hear you were at Desborough on the morning of the 20th Nov and sold a hare in the public house there Goode replied “I might have done so “after some conversation Goode was arrested Goode when called on Said “he had nothing to say only that he was not concerned with this affair”.

The jury found Goode guilty of shooting with intent to do Grievous bodily harm And his lordship in passing sentence observed that Goode had been a notorious poacher having served various terms of imprisonment he had been convicted of poaching eight or nine times , but so far as he [the Judge] knew he had not been charged with an offence of very serious character as present before , this was indeed a very serious offence and it was impossible for him to discharge his duty without inflicting a very considerable sentence than if he had been convicted of the more serious crime that of shooting with intent to murder I would have been incumbent Upon him to pass a very long term of penal servitude he should sentence him to be kept in penal servitude for five years.

*Elijah Barwell 1881 Census Superintendent of Police living at Daventry.
Also on the 1881 census Thomas Goode is an inmate in Parkhurst Prison IOW.

