

MR. HERBERT DRUITT BOUND OVER HIT BOY WITH A STICK 'Protecting his property'

C.T. April 3, 1943

ONE of the Laws of England was quoted at Christchurch Police Court on Monday by Mr. Herbert Druitt, of Barrack Road, Christchurch, who was summoned for assault and battery again a child.

This law, said Mr. Druitt, stated that "force may be used to protect property, ... as in the case of trespassers, etc.; but no more violence may be used than is necessary."

The case was brought by Mrs. Rose Violet Sadler, of 70, Portfield Close, on behalf of her 8-year-old son, Robert, who was alleged to have been struck by Mr. Druitt with a stick, while he was looking in at the window of the house, 15, High Street, belonging to the defendant.

Mr. K. Mounsey, for the prosecution, said that it was a story of a somewhat cowardly and unwarrantable attack upon a small child. The defendant, he added, had made no effort to express regret, or offer any explanation of what had happened. The boy had been walking about Christchurch with some friends, and came to a house in the High Street. He placed his hands on the window ledge and, not from any mischievous intent, but with mere childish curiosity, looked in the window. While doing this he was suddenly struck a violent blow on the back of the thigh, which caused him considerable pain and made him cry. He ran away up the street and joined his friends.

Robert John Sadler told the magistrates that on Saturday, Mar. 20th, he was in Christchurch High Street with two other boys. After coming out of Woolworth's the other boys left him. "I saw an old house," continued Robert, "and I put my hands on the window sill. I just wanted to look in. While I was looking in, a man came out and hit me. Then I ran away." Mr. Druitt, who seemed to be under the impression that the boy had been kneeling on the window-ledge and picking at the putty in the framework of the window, questioned the small witness on these points, but was answered quite firmly in the negative. He further said that he did not recognise the boy at all, and thought that he had been a much bigger boy of about 10 or 12 years old.

Later, Inspector W. P. Thomas pointed out the mark on the boy's leg to the defendant, and said that it could not possibly have been made in that place if the boy had been kneeling.

Mrs. Sadler, a widow with six children, said that on Saturdays, while she was out at work, the children were left in the care of her sister. On her return her son had showed her the bruise on his leg, beneath which, she said, the blood was showing. In reply to the defendant, she said that the boy was not particularly delicate or thin-skinned.

Mrs. Ellen Stacey, of 2, Portfield Close, who was on the spot at the time, said she saw some boys running away, including the boy Robert Sadler, who seemed terrified. Seeing the defendant waving a stick, she went up to him and told him he had no right to hit children. "He made no excuse," she said, "and seemed flabbergasted that anyone should tell him, about it. He said that all women and children were a nuisance and ought to be deported."

Mr. Druitt, in evidence, said that on Saturday, as he was going to do some shopping, he saw three children, whom he thought to be about ten or twelve years old, run out of Galton's Yard, where a great deal of damage had been done. He supposed they had been or were going to do mischief. He saw one of them stop at the window of his property at 15, High Street, kneel on the window-ledge, and appeared to be picking at the putty of the

framework. In order to defend his property, which had been very frequently damaged, he hit the boy with his stick. He did not mean to hit him hard.

"Then a woman came up to me," continued the witness, "and said that I ought to be ashamed of myself, that the boy was streaming with blood, and all the usual sort of abuse. She asked me if I had ever been young myself. Then she said, Well, I am going to the police, and I said. That's right, so am I." When he returned from his shopping, Mr. Druitt said that the woman whom he now knew as Mrs. Stacey, was there with two other women, and they all abused him, and said they were going to the police.

The defendant added that he was stopped by a constable, who said he must reprimand him for striking a child. He replied that he was defending his property, and the constable said he had no right to take the law into his own hands. Mr. Druitt asked what was he to do when there was no policeman present. "Having suffered such an amount of damage." he added, "it is not surprising that one tries to protect one's own property." He said he was sorry it was so small a boy; he took him to be about ten or twelve. He went immediately to the Police Station and reported what had happened.

He heard no more of the matter until Wednesday at 8 o'clock, when a policeman brought the summons. "As the police do not like working on Saturdays," said Mr. Druitt, "that left me only Thursday and Friday. I decided that for such a trumpery case it was not worth going to Bournemouth to get a solicitor."

In a statement to the Bench, Mr. Druitt said that there must have been £200 worth of damage done to his house, which had not a pane of glass left at the front. On Saturday mornings especially, he said, children seemed to run wild all over the town. He had not intended to use any more violence than was necessary to defend his property, and had had not the lightest intention of hurting the child. He had frequently had to turn children out of the forecourt of his house.

His case was, he said, that he had been justified in protecting his property, as it involved interference by a trespasser, and he considered the case too trifling to take up the time of the court. "If I have protected my property with more violence than I should have done," he added, "I am sorry. It is difficult to know what to do. I acted on the spur of the moment, and had no intention of doing the child any harm."

Mr. Druitt was bound over for six months to keep the peace, especially with reference to children.

The magistrates were Major W.O. Campbell (chairman), Major Sir George Meyrick, Miss Chance, Miss Hay and Mr. Sievwright.