



Crime and Punishment

Chicklade

MURDER AT HINDON 1822

Inquest:

Mr Whitmarsh held an inquest at Hindon of Saturday the 5th inst on the body of a man named Stephen Burleigh, who was found on the preceding morning, insensible in a field near that place. His watch and umbrella had been stolen from him; and 3s 6d only was found in one of his pockets. It appeared from marks on the ground, that he must have struggled much; and although there was not the least appearance of blows on his body, a large bludgeon was found near his feet. The jury returned a verdict that "the deceased came to his death by ill treatment from some person or persons unknown".

Salisbury and Winchester Journal Monday 14 January 1822

Arrest:

Committed to Fisherton Gaol. William Stevens and John Stevens, of Hindon, labourers, charged with having, on the 3rd instant, in the parishes of Pertwood and Chicklade, wilfully killed and murdered one Stephen Burleigh, cord-wainer, of Hindon.

Salisbury and Winchester Journal Monday 14th January 1822

Trial:

Assizes at Salisbury Council Chamber

A considerable degree of interest was excited at our assizes by the trial of John Stevens and his nephew William Stevens, both of Hindon, for the murder of one Stephen Burleigh, who was a shoemaker and a constable of the same place. The following particulars relating to this horrid and still mysterious affair, transpired at the trial:

On Thursday the 3rd of January last, the two prisoners were summoned before a meeting of magistrates at Warminster, which the deceased also attended in his office of a constable. All three left Warminster in company together about three o'clock in the afternoon, on their return to Hindon. They were at the George Inn at Longbridge Deverill at four o'clock. And were quarrelling about the payment of the beer which they drank there; at this time the two Stevens's appeared in liquor, and Burleigh sober. They were seen together again on the road quarrelling a little before five o'clock; and a few minutes after five, the gamekeeper's wife at Wiley Copse, while sitting within doors, heard some one hollow three times very loud; she looked out and saw two people going towards Hindon, and another about a quarter of a mile before them; her two boys on their return from work at six o'clock, said they heard some one groaning near Potley Oak.

The two prisoners went to the Angel Inn at Hindon the same evening, between eight and nine o'clock, where they had six pints of beer.

Stephen Burleigh not returning that evening excited alarm, and several persons went in search of him, but he was not found till next morning, when he was discovered lying dead in a wheat field at Pertwood, at some distance from the road; no money or property was taken from him, a stick was lying near him with some hair on the end of it; he lay on his back with his mouth and eyes wide open, and bloody froth on his whiskers; there was a dark mark on each side of his neck, in the situation of the jugular vein, as if occasioned by the pressure of fingers; there was also the appearance of a heavy blow on the upper and back part of the head.

For a considerable distance in the wheat field there were marks of the footsteps of two persons, and the marks clearly indicated that those persons had been struggling; there were appearances of 14 scuffles in the wheat; the footsteps of the deceased were distinguished by his having worn boots with military heel tips on them; the footsteps of the other person were larger.

No less than twenty-two witnesses were examined on this important trial; and excepting the fact that the prisoners and the deceased were seen together nearly at the time the murder must have been committed, nothing was elicited that inculpated the prisoners, or wither of them, excepting the testimony of one Catherine Portingale, a woman of indifferent character who resided with her children in a lone cottage about two miles from Hindon.

This woman swore that she and her little girl were at John Steven's house on the evening of the 4th instant, and in a conversation with him respecting the death of Burleigh the constable, he (John Stevens) said 'he's dead, I'll be d....d if he isn't; he'll have ne'er a £5 out of me, no have me to prison, nor search my house; and after I have served my 3 months in prison, I'll be b.....d if I don't serve the other that swore against me the same (?) messing". This woman also swore positively that John Stevens at the same time told her little girl to get the bellows and blow wind into Burleigh's body, and get him alive. The girl confirmed the first part of her mother's testimony, but swore that she did not hear him say any thing about the bellows.

The prisoners had made affidavits before the magistrates, in which hey swore that they parted with the deceased a little after they had passed Wiley, to which place he said he would return for the purpose of getting a donkey to ride home. It was proved that John Stevens, on his return to his house on the night of the 3rd instant, sent two messengers to Burleigh's house to enquire if Burleigh was come home. It also appeared on the trial that the shoes of the prisoners did not correspond with the marks in the wheat field of the footsteps of the person who was with the deceased.

Mr Justice Park summoned up the evidence, and observed to the jury that he must say, that to him the evidence seemed very imperfect, for nothing had appeared against the younger prisoner William, and there was only one witness whose evidence tended to fix the guilt of this horrid crime on the elder prisoner John; that witness was Catherine Portingale, and it remained with the Jury to give credit to her testimony or not. If any doubt were in their minds, he directed them to throw that doubt into the scale of mercy, and to acquit the prisoners.

After a few minutes consideration, the Jury returned a verdict of "Not Guilty".

Salisbury and Winchester Journal Monday 18 March 1822