

Crime and Punishment

Upton Lovell



SHEEP STEALING

On Sunday night last a four-tooth ewe sheep, the property of Mr C. Ingram, was stolen from a fold in the down about midway between Heytesbury and Chitterne. On the shepherd going to the fold the following morning he found the hurdles displaced, and on looking about found the skin head, &c., of one of his master's sheep under a heap of straw close by. He then counted the sheep and found one missing. He at once sent to his master, to acquaint him of it, but strange to say, no information was given to the police of the robbery, but hearing that a skin, &c., had been found, they very properly "made enquiries," and ascertained the above facts. The question now arose who were the thieves, for it was fair to suppose that more than one had been concerned. Sergt. White and P.C. Carey went to investigate the case, and on making further enquiry found that a party of Irish, carrying camp kettles, &c., were at Knook the previous day. They afterwards found where a tire had been made, and some mutton bones picked, not far from the fold. Here was a clue, and starting at one for Heytesbury, the Sergeant found that such a party had passed through that place about seven a.m. He afterwards traced them back to Warminster, at which place they arrived about nine a.m., still carrying their cooking apparatus. Mr Supt. Abbott here took up the scent, and traced them through Warminster on the the Bath road, and then followed on horseback, coming up with them a few miles this side of Bath, and on searching them, found a quantity of mutton in their possession. They were at once apprehended and brought back to Warminster, when parts of the meat were found to match with the skin in a remarkable degree. On Saturday they were brought before the magistrates at the Town Hall, when all three (two men and one woman) were committed for trial.

(Devizes and Wiltshire Gazette – Thursday 29 October, 1863)

SECOND COURT – BEFORE MR MEREWETHER, Q.C.

Sheep stealing at Upton Lovell

Daniel Duggan, 69, labourer, Michael Duggan, 20, and Kate Kearney, 60, were indicted for stealing a ewe, the property of Christopher Ingram, at Upton Lovell, on the 18th of October.

Mr P. A. L. Smith was counsel for the prosecution; and the prisoners were defended by Mr Snowden.

The case was very simple. A shepherd in the employ of the prosecutor had charge of 132 sheep folded on the down. He counted them on Friday the 16th of October, when they were all right. On the following Monday the hurdles were down, and the shepherd at once counted the sheep, when one ewe was missing. A skin and head of a sheep were found near the fold. On the Sunday the three prisoners were met a short distance from the fold, engaged in cooking some meats. It was also proved that some meat was found in possession of the prisoners, which was compared with the head and skin of the sheep found, and it corresponded in a striking manner.

At the close of the case of the prosecution, Mr Snowden submitted that there was no case to go to the jury as regarded the side, she being in the company of her husband, and she might be supposed to be acting under his coercion.

The Chairman thought the case ought to go to the jury.

Mr Snowden addressed the jury for the prisoners, alluding to the disadvantage under which the prisoners labored from being far away from their friends. He then urged that the elder male prisoner had purchased the mutton found in his possession at Portsmouth; that the younger male prisoner had been for some time in such a state of health as to be physically unable to engage in the killing of a sheep; and that the female prisoner had been acting under the coercion of her husband.

A witness was called, who had travelled with the prisoners, and who proved that they had purchased the mutton at Portsmouth. They had mutton at Salisbury, and there he left them. In cross-examination he was unable to state what joints they purchased; but he thought they had the ribs. Another witness was called, who gave similar evidence.

The Chairman having summed up, pointing out the law as regards to the responsibility of the prisoners, the jury found Daniel Duggan guilty, and acquitted the other two.

The Chairman expressed his concurrence in the verdict, and sentenced the prisoner to 18 months' hard labour in the county gaol.

(Devizes and Wiltshire Gazette – Thursday 7 January, 1864)
