



Crime News

- Stolen Fleeces

Bishopstone
1860

SWINDON POLICE COURT, Monday July 9

Magistrates present: Rev. Giles Daubeney (chairman), and David Archer esqr.

William Henry Lytton, was brought up on remand from Tuesday last, charged with receiving 19 fleeces of wool, the property of Mr. Elborough, of Stratton St. Margaret, farmer, knowing the same to have been stolen. After hearing evidence the Bench decided upon remanding the prisoner to Thursday, and refused the application for bail.

July 12 - Magistrates present: Rev. Giles Daubeney (chairman), and David Archer esqr.

William Lytton was again brought up on remand from Monday when additional evidence having been adduced, the magistrates determined upon sending the case for trial at the Assizes, commencing this day. Bail was accepted.

Wiltshire Independent, 19 July 1860

SWINDON POLICE COURT

Monday July 9

Magistrates present: Rev. Giles Daubeney (chairman), and David Archer esqr.

William Henry Lytton, was brought up on remand from Tuesday last, charged with receiving 19 fleeces of wool, the property of Mr. Elborough, of Stratton St. Margaret, farmer, knowing the same to have been stolen.

The evidence of Mr. Elborough and P.C. Barrett, as reported in our last, having been read over, the following additional evidence was adduced :-

Mrs. Sarah Ballard, wife of Mr. William Ballard, woolstapler, Faringdon, said: I remember the prisoner bringing home wool to our house on a Thursday, but I do not know the date, for sale. It was brought in sacks with a horse and cart. It was about 11 o'clock in the morning. He said when he came "I've a little lot of wool, is Mr. Ballard at home?". I said "No; but it would make no difference, as I could buy the wool.". I unlocked the warehouse and weighed the wool; it was Down wool. It was two ton 18 lb. There was one greasy fleece, which I bought at half price; it weighed 6 lbs. There was no other dirty fleece; some of the fleeces were much larger than the others. There was one very heavy fleece – they varied very much. This one was longer in the staple than the others. I asked Lytton what he wanted per ton for it. He asked 43s. 6d.; I offered him 43s., and he took it. I paid him £5. The wool came to £5 18s. 2d., but as Lytton could not give me change for a £5 note, he said never mind, he should see Mr. Ballard in a day or two. When I spoke to Lytton about the greasy fleece, he said he bought the wool altogether on the sheeps' backs, and

that he did not notice it. I had bought wool before of Lytton; last year I bought some of him. He has been always very upright and honest in his dealings with me. When I paid Lytton he entered the particulars of the wool in an account book, which we kept for the purpose of entering small transactions, and which I now produce. When my husband returned home I pointed out to him the wool I had bought of Lytton, It was afterwards put with other wool and sent to Mr. Shillingford, of Hensham, on the following Saturday. To Mt. Kinneir : The prisoner was at our house about three quarters of an hour. It did not for a moment occur to me that he had stolen the wool. I have frequently bought small lots of him. I was much surprised when I heard of this charge. I think it was about the middle of June when I bought the wool, but I am not certain, as no date was put down in the book. I have not seen the prisoner since until now. I had on several occasions bought about the same quantity of Lytton.

To the Bench : I did not notice anything particular about Lytton when he signed his name: he said he did not write it very well as he had had a little drop too much the night before.

To Mr. Kinneir : All the wool was good except the greasy fleece; there was a difference in the size of the fleeces. I did not think the greasy fleece came off the same kind of sheep as the others; they were all Downs, but two or three were very small. There was nothing in the state of the wool to call for any notice except the greasy one. We do a great deal of wool; 43s. Was a fair price for the wool. Prisoner did not tell me what he gave for it.

Mr. William Ballard said, that on the day after his wife bought the wool of Lytton, she pointed it out to him; he thought it was 23 fleece. He afterwards sent this wool packed up in a sheet with a lot of other sheets of wool to Mr. Shillingford. The greasy fleece was put in with the other fleeces.

To Mr. Kinneir : Did not know the date when the wool was sent to Mr. Shiingford, but thought it was a fortnight ago last friday.

Henry Ashfield said : I am foreman in the employ of Mr. Shillingford, woolstapler, Hensham. On the 19th June we received a quantity of wool from Mr. Ballard of Faringdon. One of the sheets contained 5 ton 20 lbs. Of wool. On opening this sheet I found three greasy pieces, weighing altogether about 6 lbs. We were charged three pound less in the invoice than the wool really weighed. Greasy wool is worth only half what clean wool will fetch. I do not know how many fleece of wool were in this sheet, I did not count them. The whole of the wool received from Mr. Ballard on the 19th of June, except the greasy pieces, has been sent out to the manufacturer. Had there been a 10 lb, fleece amongst the lot I might not have noticed it, as I have so many through my hands in the course of a day. The greasy pieces mow produced are not of English growth. We take greasy pieces at half price or half weight. There may have been half greasy pieces in the lot received from Mr. Ballard, but I did not notice one.

To the Bench : I cannot say a half washed piece did not come from Mr. Ballard in that lot.

To Mr. Kinneir : I observed three greasy pieces only on the 19th June. The next lot of wool received from Mr. Ballard was on the 27th of June – 26 sheets.

Robert Johnson said : I am a labourer, and live at Ogbourne St. George. I have known the prisoner about two years. The last time I saw him before today was last Saturday week at Marlborough. Lytton did not ask me to do anything for him; nothing was said about the wool. I believe I rode home with Lytton from Marlborough to Ogbourne, but I don't know much about it – I was so drunk. He did not tell me he had bought any wool, The policeman has spoken to me about the matter. I did not tell him that Lytton had asked me to do something for him. I don't know more than a pig, when I left Marlborough. I was drunk before I left. Prisoner did not ask me to come here and say he had bought some wool at Marlborough. Mr. Hayes here applied for another remand, on the ground that if such was granted he should be prepared with important additional evidence at the next hearing.

Mr. Kinneir did not oppose the application, but applied to have the prisoner liberated on bail.

The Bench decided upon remanding the prisoner to Thursday, and refused the application for bail.

Swindon Advertiser and North Wilts Chronicle, 16 July 1860

SWINDON POLICE COURT, Thursday July 12

Magistrates present: Rev. Giles Daubeney (chairman), and David Archer esqr.

William Lytton was again brought up on remand from Monday, when the following evidence was adduced:-

Nathaniel Ballard said: I am a Woolstapler carrying on business at Bishopstone and Faringdon. I saw the prisoner at Faringdon on the day he sold the wool to my mother, I did not speak to him. I do not know what day it was on. I should say it was about the middle of June. I saw the prisoner afterwards at Shrivenham as I was returning home from Faringdon. I do not know what day that was. I do not know the day of the month to a day. I had some conversation with Lytton: he came to me; I said, its a pretty job about the wool, the policeman are strongly about it; I don't half like your bringing it to my place. Lytton replied, I'll tell you the truth about it: I bought the wool of young Mr. Elborough, and gave him 1s. 4d. a pound for it. He did not tell me where he bought it. I made no further remark about it, but drove on to Canfield's. Three or four days before this I had met with Mr. Elborough and the policeman about the wool. I have examined some wool today at Mr. Elborough's, at Stratton, in the bars. There were 44 half bred ewes and wethers; 48 down ewes and wethers; 18 down tegs and half bred tegs making together 110 fleeces, which young Mr. Elborough said was right. There were 30 fleeces of wool mixed with them, that had been bought of Mr. Wilkins. The whole of the wool was in packing sheets in Mr. Elborough's barn, sewed up. As I was passing through my warehouse on the day my mother bought the wool of Lytton, I noticed some wool laying on the engine. I asked my mother about it, and she told me she had bought it of Lytton. I afterwards went again into the warehouse and examined it. I did not count the number of fleeces, but I found a greasy tup fleece amongst them, The wool I have examined in Mr. Elborough's barn this morning, is the same class of wool as that I found on the engine in my warehouse. I deal largely in wool, and am a pretty good judge. If a lot of wool was brought in from a farm, and another lot afterwards bought in from the same farm, I could tell it. I should say the wool I saw at Elborough's and also that bought by Lytton, had been clipped in wet weather, for it was in very poor condition.

To Mr. Kinneir : There was nothing in the appearance of the wool on the engine to call for my particular attention. The greasy fleece was a large one. It is the custom to take greasy fleece at half price. I am prepared to say, that fleece was not sold as good wool. The greasy tup I saw on the engine was sent to Hensham; it was sent in a sheet with three other greasy fleece that I had had from Australia. I know young Mr. Elborough. I have not had any conversation with him on this subject. I should not have given more than 1s. 4d. Or 1s. 4¼ d. for the wool; what Lytton told me he gave for it was, therefore, a fair price. I do not know that Lytton did not buy the wool from Elborough. I commenced the conversation with Lytton at Shrivenham. I did not tell Lytton I had heard he had bought the wool of Elborough. I will swear it was not 21 fleece that were bought of Lytton. It was 18 and 1 grey one. If my father stated it was 21 fleece, it was not the fact. My mother did not point out the wool to me. I have five servants about the business; other wool might have fallen down on the 19 bought of Lytton, and made up the 21. The 18 fleece were of one quality and class. I had a thousand pounds worth of wool come into the warehouse that day, wool of all kinds. There was nothing at all extraordinary in the 19 fleeces; the 19 fleece of wool I saw on the engine are of the same class as that I have examined today, at Elborough's, but I cannot swear the 19 fleece came from Elborough's barn. In casting or sorting wool, I should have thrown the two lots together. Something might have been said about Marlborough, when I had the conversation with Lytton at Shrivenham, but I cannot recollect.

To the Bench : I first heard of Mr. Elborough's loss, about a fortnight or three weeks after my mother had bought the wool of Lytton. A policeman told me 19 fleece had been stolen from Mr. Elborough's, and that Lytton was suspected, I at once said that my mother had bought 19 fleece of Lytton. I cannot say that I ever cautioned my mother against purchasing wool of the prisoner.

To Mr. Kinneir : I had seen the prisoner a few times before this transaction, but not to speak to him. My mother has between £2,000 and £3,000 worth of wool through her hands every year. It is my mother's practice to get the seller to put the particulars of the wool, with the weight and price down in a small book. I did not notice that the wool was done up in a particular or unusual manner.

This being the case for the prosecution. Mr. Kinneir urged that no case had been made out against his client. The Magistrates, however, having retired for a short time determined upon sending the case for trial at the assizes, commencing to-morrow (Tuesday). Bail was accepted.

Swindon Advertiser and North Wilts Chronicle, 16 July 1860

WILTS SUMMER ASSIZES

The commission for holding these Assizes was opened on Wednesday last by Mr. Baron Channell and Mr. Justice Keating. The jury was sworn in.

Joseph Henry Litten, a respectably dressed man, described as a beer house keeper, was indicted for stealing 19 fleeces of wool, the property of Mr. Henry Elborough, at Stratton St. Margaret, on the 13th of June last. A second count in the indictment charged the prisoner with receiving the property, well knowing it to have been stolen.

The case lasted a considerable time, but the facts lay in a very narrow compass. The prosecutor is a farmer residing at Stratton St. Margaret, and the flock of Down and half bred sheep. A portion of these sheep were shorn on the 12th June, and the wool sacked in a barn. The front door was fastened, but the prosecutor was not certain that a private door leading into the building was also secured. Some days afterwards, on going to weigh up the wool, he found 19 fleeces missing. It was subsequently discovered that on the 14th of June the prisoner (who occasionally deals in wool) had sold twenty one fleeces of a similar description to Mrs. Ballard, the wife of a wool stapler, at Faringdon, Berks, for the sum of £5 18s. 3d., being at the rate of 43s. per ton. Mr. Ballard having sent the wool into Oxfordshire it could not be produced, and the principle evidence against the prisoner consisted in the contradictory statements which he was alleged to have made. When a police constable named Barrett first spoke to him, he said he had neither bought nor sold any wool, but at a later period in the day he went to the police station and said "I made a mistake this morning : I did buy some of a man with a donkey and cart at Marlborough market, but don't know his name". On another occasion he told Mr. Ballard, jun., that he bought it of young Mr. Elborough who it seemed was originally charged with the theft, and had publicly to caution the parties against the circulation of such a report, and that he gave him 16d. a pound for it. Mr. and Mrs. Ballard gave the prisoner an excellent character, and it was urged, in defence, that the policeman was not to be believed because he had been removed from his previous station; also that the memory of Mr. Ballard, jun., was defective on account of his having suffered from delirium. It was further urged that the wool sold by the prisoner did not correspond, either in the mix or number of the fleeces, with that lost by the prosecutor.

The Jury returned a verdict of not guilty, and the prisoner was discharged.

Devizes and Wiltshire Gazette, 26 July 1860

OPC Note:

A **wool-stapler** is a dealer in wool. The **wool-stapler** buys wool from the producer, sorts and grades it, and sells it on to manufacturers