

Margaret Logan ID11549 per *St Vincent* 1850

It is stated that the prisoner had borne an irreproachable character that his was her first conviction and that the witnesses against her were persons of abandoned characters. Mitigation of her sentence is prayed for on account of her family.

44 Chancery Lane

19th May 1849

Sir

In answer to Mr Waddingtons letter of the 7th inst. referring to me a Petition made to the Home Office on behalf of Margaret Logan convicted before me at the Birmingham Sessions held in March last of receiving goods knowing them to be been stolen and sentence to transportation for the term of 14 years (which Petition I now return), I have the honour to state that the prisoner was proved to have received the goods in question from a girl who had stolen them from her parents. It appeared that the prisoner had harboured the girl who had run away from her parents house and had employed her in stealing for her (the prisoner's) benefit and that some weeks had elapsed before the parents had been able to find their child although both the parents

and the prisoner lived in the town of Birmingham. The respectability of some among the Petitioners induced me to submit the case to the examination of Mr Luckcock one of the Magistrates of Birmingham. This gentleman requested Mr Henry Smith another of the Magistrates to act with him and I beg leave to transmit their Report for your consideration. I enclose also certain letters from a brother of the girl to the parents not that much reliance ought to be placed on them but because they are referred to in the Report.

I concur in the view of the magistrates and cannot recommend any mitigation of the sentence.

I am Sir

Your most humble servant

R D Hill

To The Right Honourable Sir George Grey

Having carefully examined into the allegations and circumstances of the Petition for a commutation of sentence passed upon Margaret Logan, we beg to report that with respect to the "place of trust" occupied by the convict with "Thomas Hennis Esq" describe in the Petition as "Merchant" we find that some months ago she occasionally assisted in his shop – he being at that time a retailed provision dealer and

since then has merely been employed by him as a washerwoman. That the same Thomas Hennis is unmarried and is now living in lodgings in Loveday Street (*not a part of the town inhabited by persons of the highest class*) having no place of business and merely distributing from the Railway Station the articles, (chiefly eggs and butter) he receives from Ireland.

The allegation that the evidence against her was “from most abandoned characters, carefully concealed from the Recorder” appears to be at [] with the fact – that at the trial the character of the Prosecutors family was much dwelt upon by the Counsel – but the subsequent enquiries of Mr Stephens fully corroborate the evidence for the Prosecution – the accompanying letters (produced in Court at the trial (*but of course not handed before the Jury*) thoroughly confirm this opinion.

The next allegation in the petition “that in the absence of witnesses to speak to the character of the unhappy woman the Jury returned a verdict of GUILTY”, appears to be entirely false . The before mentioned “Thomas Hennis” together with “Edward Smallwood” (both of whom have signed the Petition) having been called on her trial as witnesses on her behalf for character and in consequence of their testimony the Jury did hesitate for some time respecting the verdict.

With respect to “John Watson” Foreman and others of the Jury, they acknowledge to having signed the Petition in

ignorance of the before mentioned allegations being inserted – and thereby from a feeling of communication with the unfortunate woman. Watson and Wooley (another of the Jury) confessing to their conviction of her guilt – but considered the sentence severe – they however regret having signed the petition.” Joseph Shore” Merchant and “Will Thornton” Merchant – two gentlemen who from their position in society and great respectability entitle their opinions generally to considerable respect – acknowledge to having signed the Petition in entire ignorance of circumstances and parties. The prisoners Prosecutor and witness being alike unknown to both of these Gentlemen , they have however together with others who have signed under similar circumstances – request their names may be erased from the Petition.

“Henry Spence” (now [Hill] Currier Journeyman) acknowledges he was not of the Jury at Margaret Logan’s trial, but merely a Jurymen in some other cases at the same sessions. He was not in Court during her trial and is in total ignorance of the circumstances of the case.

We cannot close this Report without stating – that we are decidedly of opinion that this case is one of the worst of a very bad class – and that there exists no good ground whatever for mitigating the sentence passed on the convict.

Howard Luckcock

Magistrate for the Borough of Birmingham

Henry Smith

Magistrate for the County of Warwick

To the Right Honourable the Secretary of State for the Home Department

The humble Petition of Thomas Hennin , Merchant and others whose names are undersigned.

Sheweth

That we most respectfully approach the Right Honourable the Secretary of State on behalf of the unfortunate convict Margaret Logan, twenty nine years of age the mother of four children and now lying in Warwick Jail (in an advanced state of pregnancy) sentenced at the Sessions last past in Birmingham to fourteen years transportation upon evidence then given for receiving stolen goods knowing them to have been stolen.

We most respectfully, but at the same time most honestly submit to the Right Honourable Secretary of State that the unfortunate convict has been in employ and held in a place of trust with Thomas Hennis Esq. for the last three years, and into whose service and trust would be again received, that this is not only the first conviction but the first [] of that kind against the unhappy convict. That the evidence produced was given from most abandoned characters carefully concealed from the Recorder (*two witnesses to*

character were called) and that in the absence of mitigation to speak to the character of the unhappy woman the Gentlemen of the Jury after deliberating for more than forty minutes returned a verdict of GUILTY. (*How could this be the prisoner was defended by Counsel*) .

In behalf then of an unhappy wife and mother whose young children benefit of that care, till now, so well afforded them, and who in the sorrow of their hearts, must [] loss and degradation , whose husband an industrious honest man who has been in the employ of one of the first firms in Birmingham for the last fourteen years now in the anguish of his heart (but for that ray of hope) in your merciful intervention and otherwise remains in misery and despair.

May it therefore please your mercifully to advise a commutation of this severe sentence, and as soon as in the same wisdom you shall see the ends of Justice answered restore to these orphaned innocents a loving mother and a broken hearted man his wife.

And your petitions will ever pray.

Thomas Hennin -Merchant

Edward Smallwood

Samuel Jones

Job Reeves – Gentleman

And 14 other signatures.

(By Keith: The writing in italics was by another hand and in the margin, marked where it should be. There was other remarks but the writing was too faded to read)

Margaret Logan aged 27

Birmingham Sessions March 1849

Receiving stolen property

14 years transportation

Gaol Report – Not known

Series – HO 18

Piece Number – 236