

The Trial of George Boyt

PRO Ref: ASSI 21/60 BOYT George - Dorset Summer Assizes - George BOYT pleaded guilty on 17 April 1846 - parish Sturminster Marshall - Felony - killing and slaying Isaac Gerrard. Also charged on the coroners inquisition. 1 month (crossed out) 1 week in gaol.

The London Times

July 21st 1846 page 7 column E

DORCHESTER ASSIZES

(Before Mr. Baron Platt)

George Boyt was indicted for the manslaughter of Isaac Gerrard, at Corfe Mullen, by shooting him. Mr Ffooks was counsel for the prosecution, and Mr. Greenwood for the prisoner. On the 17th of April last Andrew Legg was near a willow bed at Corfe Mullen when he heard the report of a gun. He fancied some one was shooting birds; but, upon coming to a gate, he saw the prisoner supporting the deceased. The prisoner said, "For God sake come and help, for I've shot the man." The witness, and some other persons who were with him, went up, and the deceased said, "Mr George, it's not your fault. I'm a dead man; the Lord have mercy on me!" The parties then took the deceased to a public house, and he was asked how it happened. He replied, "That the prisoner had no business with the gun." To this the prisoner said, "You don't mean to say that I took the gun with the intention of doing you any harm?" Gerrard replied, "Mr George, no." The prisoner was not drunk, though he had been drinking a little. The prisoner was greatly agitated. It also appeared that the deceased was a game keeper; that his gun was lying on the ground, when the prisoner came up and took up the gun and jocularly said, "He would shoot Gerrard," who said, "Don't be nonsensical, for it is loaded." The prisoner, however, presented the gun, and it went off. From the evidence of Mr. Willows, the surgeon, it was proved that he was instantly called in. The deceased had a wound on the right side, over the region of the liver, which might have been occasioned by a gun being discharged near him. He was convinced that the wound was mortal; part of the clothes had been carried by the discharge into the body. This wound caused the death of the deceased. He told the deceased there was no hope for him. The prisoner was continually inquiring after the deceased, and was most anxious and distressed. Witnesses were called who gave the prisoner an excellent character as being a quiet, peaceable, and humane man. Mr Greenwood addressed the jury on behalf of the prisoner, contending, first, that the gun had accidentally gone off; but, that if they could not come to that conclusion, he then urged upon them that it was clear there was no unpleasant feeling between the parties, and that the prisoner could not have heard the deceased say that the gun was loaded. Mr Baron Platt summed the case up to the jury. A wanton act of that kind could not be justified, and was what the law termed "manslaughter," if they believed that the prisoner had heard the deceased say that the gun was loaded. It might be, however, that the prisoner had not heard the deceased say the gun was loaded, and it might have gone off before he was aware of it.

The jury returned a verdict of "Guilty, but without any malicious intention."

The learned Baron then sentenced the prisoner to be imprisoned in the common gaol for one month, without hard labour.

There is another small entry in The London Times on July 22nd which says that Boyt was called back to the dock by Mr Baron Platt because he had reconsidered his sentence. Mr Baron Platt was convinced that there was no malicious intention and reduced the sentence to 1 week in the common gaol without hard labour.

Dorchester Prison Register - deposited at Dorset Archives, Dorchester

George Boyt aged 40; received on 17th July 1846, committed on 17th July 1846; By whom committed - Judge of Assizes; offence - manslaughter; sentence 1 week; discharged 23rd July 1846; conduct - orderly; instruction - well; number 247

There is no entry under parish, next of kin or number of children.

Baptism at Blandford St Mary?

I have looked through my family tree & one name study of BOYT and found that the only George BOYT who fits this age was born to William and Jane BOYT (nee FIANDER) in Blandford St Mary in 1805. George marries Maria GILBERT in Sturminster Marshall on 2nd August 1827 and is widowed in 1840.

Burial at Corfe Mullen

Isaac GERRARD of Corfe Mullen buried April 27th 1846 aged 48 years.