

Sheriff and Jury Court at Aberdeen

Housebreaking in Aberdeenshire

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John Murray, labourer, Upper Denburn, Aberdeen, and **John Brebner**, labourer, Holburn Street, Aberdeen, were charged with the crime of theft by housebreaking, it being aggravated in the case of **Murray** by his being a habit and repute thief, and having been previously convicted. It was averred in the libel that, on the 9th or 10th day of April last, the prisoners broke into and entered the milkhouse attached to the farm of Sheddocksley, Newhills, occupied by **William Rae**, farmer, and stole a milk can. They were also charged with having, on the 25th or 26th of April, entered a milkhouse at Stockhead Croft, Oldmachar, occupied by **William Milne**, gardener, by opening the door with a false key or pick-lock, or the real key, and stole a white flannel petticoat, 4 lbs. of beef, and a quantity of eggs. On or about the same date, they were alleged to have stolen, from a bleaching-green at Lochend Cottage, Cornhill Road, occupied by **John Ironside**, shoemaker, a pair of worsted drawers. They were further charged with having, on the 22nd of May, entered the farmhouse of Stockethill, in the occupation of **Jas. Williamson**, with intent to steal. There were two previous convictions against Murray, the first on being in 1859 and the last in 1878. Both the prisoners adhered to their former plea on not guilty, and were defended by **Mr. Horace Fiddes**, solicitor. A jury was then empanelled, and the case went to trial.

A number of witnesses were examined, chiefly parties connected with the different places where the thefts were said to have been committed. They spoke to finding their premises broken open on the respective dates libelled, and various articles which they contained amissing. **Mr. Williamson**, farmer, Stockethill, stated that on the morning of the 22nd May he was awakened by some noise outside his house, and on proceeding to ascertain what was the cause of it he saw two men close to a window of a room used as a store. The window had been opened. He seized one of the men, whom he identified as the prisoner Murray, and the other ran off. He said his son took the man to the County Police Office in Aberdeen. **Constables Diack** and **Middleton**, of the County Constabulary, spoke to **Williamson** bringing **Murray** to the office one morning, on a charge of attempting to break into his house. From the information they got they afterwards went to **Brebner's** house in Holburn Street, and apprehended **Brebner** on suspicion of being the man with **Murray**. **Depute Chief Constable Cran** and **Sergeant Brandy** gave evidence to the prisoner **Murray** being well known to the police, and habit and repute a thief. **Brebner's** mother and sister, and a man named **Ross**, who lodged with them, were examined for the defence. Their evidence was to the effect that on the night when **Brebner** was said to have been at the Stockethill, he went to bed at the usual time, and was found there by the police constables in the morning. He slept in a room by himself, near the back door, and it would have been quite possible for him to have gone out without the other inmates of the house knowing. This concluded the evidence.

Mr. Fiddes briefly addressed the jury on behalf of the prisoners; and his Lordship summed up. The jury, after an absence of about half an hour, returned a verdict finding both the panels guilty as libelled, with the exception of stealing the beef and eggs; unanimously finding the prisoner **Murray** guilty of housebreaking, with intent to steal; and, by a majority, finding **Brebner** guilty of the same charge.

The Sheriff, after addressing a few words of warning to **Brebner**, advising him to shun bad company in future, ordered him to suffer four months' imprisonment, counting from the date of his first committal. **Murray**, whose position, he said, was more serious, and who had the reputation of being a habit and reputed thief, was sentenced to eighteen months' imprisonment with hard labour.

It's likely that **John** was the son of **William Bremner** and **Jane Reid**. That family lived on Holburn Street, and **William** boarded with his widowed mother and family at 211 Holburn Street in the 1891 census

In 1901, a **John Brebner** of the correct age appears in Craiginches Prison. His was not a happy life, and ended with his suicide in 1928.

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