



# Coroner's Inquests *Woodborough*

## John Underwood – 1840

The inquest into the death of John Underwood, a road labourer from Cadley near Marlborough, was held at the Rose & Crown in Woodborough on 27<sup>th</sup> July 1840. Unusually, although the verdict of the inquest jury was 'murder by wilful drowning', the assailants (Worthy and Charles Bridgeman) were never prosecuted.

At the time of his death, John Underwood had been in Honey Street, Woodborough working on the construction of the new Avebury to Amesbury turnpike road. His death was the result of an altercation with Worthy and Charles Bridgeman, two brothers who worked for Samuel Robbins building boat and barges at Honey Street Wharf.

On the evening in question, John Underwood and Worthy Bridgeman had been drinking together at the Barge Inn at Honey Street along with another labourer working on the new road (Joseph Sutton). Although all three had seemed friendly while drinking in the Barge Inn, an argument developed shortly after they left. John Underwood, who was 'staggering drunk', had challenged Worthy Bridgeman to a fight on the canal tow-path. It appears that Worthy had already been involved in a fight with another road labourer and Underwood wanted settle a score. Worthy had refused to fight there and then but offered to fight John Underwood the following morning. On hearing the argument, Worthy's father, who lived on the opposite side of the canal, had woken his other son (Charles), who was dispatched to assist. Charles promptly attacked Joseph Sutton, who appears not to have been involved in the argument, which resulted in both ending up in the canal. Charles was able to get out of the canal quickly, whereupon he knocked in John Underwood who had been attempting to assist Joseph Sutton get out of the water. Although Sutton was able get out of the canal, John Underwood was unable to do so, twice being prevented from doing so by Charles Bridgeman, and consequently drowned.

Following the inquest, Worthy and Charles Bridgeman were charged with murder. Their trial was scheduled for the Summer Assizes of 1840. However, although present at Court the previous day, Joseph Sutton had absconded when the trial was called on the next. As the principle material witness, the prosecution viewed Sutton's evidence as key to obtaining a conviction. The trial was postponed until the Lent Assizes of 1841, in the hope that Sutton could be found and, if necessary, forced to give evidence. However, Sutton was never found and, following a further postponement until the Summer Assizes of 1841, the prosecution was dropped.

Although the Judge stated that there was 'no collusion' involved in the disappearance of Sutton, it is certainly suspicious. A second witness to latter events at the canal was a local man named John Hailstone. In May 1841, before the murder prosecution was finally dropped, Worthy Bridgeman was sentenced to two months imprisonment for the assault and beating of Job Hailstone (the father of the second witness, John Hailstone). This may be a pure co-incidence or, perhaps, an indication that the Bridgeman brothers had made sure that no witness would testify at their murder trial.

The following is a transcript from local papers detailing the coroner's inquest and subsequent reports from the Assizes.

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### **WILFUL MURDER BY DROWNING.**

We have this week to record another wilful murder – being the third within a very few months – committed in the northern division of the county of Wilt. The parties implicated are brothers, named Worthy and Charles Bridgeman, the former about 20, and the latter 24 or 25 years of age – boat builders, in the employ of Mr. Robbins, of Honey-street Wharf. Worthy is committed for trial, under the Coroner's Inquest, as principal, and Charles as aider and abettor; and the murder appears to have taken place under very singular circumstances. The murdered person was named John Underwood, a remarkably fine muscular man, about 23 years of age, who lived at Cadley near Marlborough but within the last few weeks has been at work on the new line of road from Amesbury to Kennet. He, and Worthy, with a youth named Sutton, had been drinking on Friday evening, at the Barge Inn, which is situated on the towing path (a very dangerous place for a public house) of the Kennet and Avon Canal, a short distance, on the opposite side, from Honey street Wharf. They left, apparently friendly, at ten o'clock; - Sutton and Worthy Bridgeman not the worse for liquor, but the deceased, according to Sutton's statement, "staggering drunk." Shortly afterwards deceased and Worthy had some words, and deceased challenged Worthy to fight, observing - that as he had pitched it into one of his men on a previous occasion, he (deceased) would now give it to him. Worthy declined the challenge, saying that he had no one present to take his part, but he should have no objection to fight on the following morning. Worthy lived with his father in a cottage on the opposite side of the canal, and the old man, whilst in bed, hearing his son wrangling with some one, called to his other son Charles, who was also in bed, to get up to his brother's assistance. Charles accordingly got up, and proceeded around the bridge to get to his brother. The moment he came up – probably irritated at being suddenly called from his bed – he struck Sutton (who declares he was standing peaceably by) a violent blow, and, with an oath, swore he would be the death of him. They then struggled together, and both fell into the canal. Charles got out first; but instead of assisting Sutton, who was in a perilous situation, the moment Sutton laid hold of the grass on the bank, to try to get out – he thrust him back into the Canal again. A second time Sutton made an attempt to get out, and a second time Charles pushed him back. The deceased, "staggering drunk" as he is represented to have been, had sense and humanity enough to come to the assistance of his companion; but whilst in the act of stooping for that purpose, Worthy, taking advantage of his unprotected situation, knocked him head foremost into the canal. Sutton, having sunk twice, and, "almost drowned," contrived to get a few yards farther down the Canal, when he, with difficulty, extricated himself; but, from his exhausted state, he was totally unable to look after Underwood. Whether this poor unfortunate fellow – almost helpless from the quantity of beer he had drank – made a struggle to get ashore, and, like his companion, was beaten back – or whether he ever rose, does not appear. A few minutes afterwards, however, he was taken out of the water a corpse. A very humane young man, named Hailstone, happened to be passing over the bridge just as Charles Bridgeman had reached his brother, and, immediately afterwards, hearing a noise, as if some one had fallen into the water, he ran to the Wharf to assist. At this moment the father of the Bridgemans passed him for the purpose of getting round to his sons; but upon being hailed, and told that there was some one in the water, he came back, procured the drags, and got the body out. The old man, it appears, had a presentiment that something fatal would happen to Worthy, who was very much addicted to drinking, and he could not remain in bed after he had called his son Charles. Nor did he know until the body was taken out of the water, but it was his son Worthy. Although it was not more than ten minutes from the time the first struggle was heard in the water to the time that the deceased was taken out, very little appears to have been done with the endeavour to restore animation. This probably arose from ignorance. Some salt, being ineffectually rubbed upon the chest, the body was in a few minutes placed in a boat house, where it remained all night. On the following morning the Bridgemans proceeded to their work

as if nothing extraordinary had happened. Indeed Worthy was at work when the Police apprehended him, and Charles was quietly partaking of his breakfast.

### THE CORONER'S INQUEST

An inquest was held on the body before Mr. Whitmarsh, at the house of Job Brown, the Rose and Crown Inn, in the Parish of Woodborough, on Saturday, which was continued by adjournment on the following Monday.

The first witness examined was Jos. Sutton, a native of Michelmarsh, in Hants, who deposed to the following effect: - He and the deceased had been fellow-labourers, on the new line of road from Amesbury to Kennet. They left work on the previous evening about half-past five o'clock, and proceeded to the Barge Inn, situated about a mile from the place where they had been working, and they stopped at the Barge until ten o'clock. Witness drank about two pints and a half of beer, one pint of which was small; and deceased drank the same quantity, with him; but he (deceased) also drank with Worthy Bridgeman, who was in the tap-room. Deceased and Bridgeman then appeared very friendly. They all three left the Barge, in company of each other, for the purpose of going home. Neither Bridgeman nor witness was the worse for liquor; but deceased was staggering drunk. About 20 minutes after they had left the Barge, and as they were proceeding along the towing-path of the Kennet and Avon Canal, deceased challenged Bridgeman to fight, and took off his smock frock and hat for that purpose – observing, "that as Worthy had pitched it into one of his men the other night, he would now fight him." Worthy replied, that he would have nothing to do with him on that night, as there was no one present to take his part. At this moment Charles Bridgeman, the brother of Worthy, came up, and, upon hearing the quarrel, said to witness – "D- your quarrelsome blood, you be always quarrelling, and I will be the death of you;" upon which he struck witness in the mouth, as he was standing peaceably on the path. Witness then caught hold of, and struggled with Charles, and in the struggle they fell into the Canal together. Charles got out first; and when witness attempted to get out, he pushed him back into the Canal again. Deceased then came to witness's assistance; upon which, Worthy Bridgeman knocked him (deceased) head foremost into the Canal. A second time witness caught hold of the bank, for the purpose of extricating himself, and a second time Charles Bridgeman, who was standing on the path, violently pushed him back. At length, almost exhausted, he scrambled a few yards down the canal, and with difficulty got out, having sunk twice in the attempt. He lay down on the path for a minute or two, and a quantity of water ran from his mouth; he was almost drowned. He left Worthy and Charles on the towing-path, and went for assistance; he saw no more of deceased after he was knocked into the canal; after he went to Wiltshire's he was unable to go back. Witness is positive that he saw Worthy strike the deceased as he was coming to help witness. Deceased was not on his guard – he had no idea that Worthy was going to strike him, and he went in head foremost. He had, when coming to witness's assistance, called out "Joe! Where beest?" And witness replied, "Here I be."

John Hailstone: - Witness was returning to his home about half-past ten o'clock in the evening of Friday the 24th inst., when he met Charles Bridgeman going towards his brother on the tow-path. In a minute or two afterwards, witness heard a noise in the water as if some one had fallen in; upon which he went to the wharf on the opposite side; on his arrival he still heard some one struggling in the water, but he believed the person soon sunk, as the noise presently ceased. John Bridgeman, the father, was at this moment proceeding up the wharf to go round the bridge, in order to get to the opposite side where his sons were; but upon witness calling to him, and saying that some one was in the water, he came back; and whilst witness was procuring a light, the father had got the drags out, and was searching for the body – he had indeed found it, just as witness had reached him with the light. It was the body of John Underwood – it appeared quite dead. Worthy and Charles were at this time on the opposite side; they did not show the least disposition to look for the body. After it was found, witness called to Charles to come over and assist; and he immediately swam across, and helped as they were pulling it ashore. Worthy came round by the bridge. The body was held up for the water to run out; it was then laid on its side upon the ground, and witness procured some salt, and rubbed it into the chest. Immediately upon the body being taken out of the water, old Bridgeman went home; but did not make any

observations. Witness and his father took the body into a boat-house, and would have sent for a doctor, but Wiltshire, the landlord, said it was no use, as the doctor lived four miles off. It was not more than ten minutes from the time the witness first heard the struggle in the water, to the time the body was taken out. No one sat up with it; nor were any other means used than those stated, for the purpose of endeavouring to restore it to life.

John Bridgeman, the father: - Whilst witness was in bed, about half-past ten on Friday night, he heard his son Worthy quarrelling with some one upon the towing-path, just opposite his cottage. His son Charles was also in bed at the time in another room; and he called Charles to get up and his assist his brother Worthy. Within five minutes witness got up as well, for it had been running in his mind for the last month or two, that as Worthy was giving his mind to drink, some harm would come to him – that he would be drowned. As witness was proceeding over the bridge to go to his son, Hailstone called to him, saying that some one was in the water; upon which, he returned to the Wharf-yard, procured the drags, and got the body out. At this time he did not know but it might have been the body of his son. He should say he was not four minutes in getting the body out of the water. Shortly afterwards Wm. Wiltshire came, and witness went home. Charles swam across and assisted directly, and Worthy ran round as fast as he could.

Mr. W. Clark, surgeon, deposed, that he had carefully examined the body of the deceased, and could find no external marks of violence; and that the deceased had every appearance of having been drowned.

After a very patient and laborious investigation, the Coroner addressed the Jury, observing, that it remained with them – looking at all the points adduced in evidence – to say, whether Worthy Bridgeman was guilty of Murder or of Manslaughter. He was bound, however, to remark, that no affront, by bare words, however aggravated by circumstances, would extenuate the act of Homicide. The provocation must be commensurate with the act done, to reduce an offence of this nature to Manslaughter. It had therefore been laid down, that if the punishment inflicted for a slight transgression be disproportionate to the offence, or outrageous in its nature, either in the manner or continuance of it, it was rather to be ascribed to brutal and diabolical malignity than to human frailty, and the crime, if death ensued, amounted to murder. In this case, the only offence which the deceased appears to have given, was a challenge to fight; and the challenge was prudently declined – no notice, indeed, ought to have been taken of it, considering the state the deceased was in – staggering drunk! But what does Worthy Bridgeman do? A few minutes afterwards – perceiving the deceased in an unguarded position, endeavouring to rescue his companion from the fate which too soon awaited him – this Worthy Bridgeman comes by stealth, if he (the Coroner) might so express himself, and knocks him head foremost into the Canal. And having acted thus cowardly, does he show any compunction? No. He remains quietly and deliberately on the path for several minutes. He sees his victim helpless – sinking – dying – without raising hand or voice to save him from a death he was so unprepared to meet. And it is not until the lifeless corpse is dragged by others from the water, that he even stirs from his situation. He (the Coroner) confessed he could scarcely see a mitigating circumstance in the case. Mr. Whitmarsh then read the observations of Mr. Justice Williams, in a recent trial, where the verdict of a Jury at a Coroner's Inquest had been called in question by Counsel; the learned Judge said – "That when a prisoner was charged with the death of another, and the circumstances of the case made it doubtful whether the crime was murder or manslaughter, it was generally the practice of Coroners' Juries - and the Judges sanctioned the principle – to send the accused for trial upon the higher charge." But whether their verdict was Murder, or for the minor offence, Manslaughter, it would be some consolation to them to know, that that verdict would not be final. The party would have to appear before another and a superior tribunal, where he would be assisted by gentlemen of great legal knowledge, and tried before an enlightened and a merciful Judge.

Thus far as regarded Worthy Bridgeman. Then as to Charles; they must dismiss from their minds all that had come out in evidence relative to his conduct towards Sutton. That was not the subject of the enquiry. They

had merely to say, whether Charles – standing deliberately by which his brother, and seeing the deceased in his perilous situation, without offering to render any assistance – was not aiding and abetting in the Murder.

The Jury conferred together for a few minutes, and then returned a verdict of WILFUL MURDER against Worthy Bridgeman; and of aiding and abetting in the said Murder, against Charles: upon which the Coroner issued his warrant for their committal to the New Prison, Devizes.

The deceased, as well as Worthy Bridgeman, is represented to have been addicted to drinking; and then intoxicated, to be quarrelsome. Whilst sober, he was kind and well-disposed. An only sister of the deceased, and the only sister of Bridgemans' attended the inquest; and, as might be expected, were in a very distressed state.

#### **Wiltshire and Devizes Gazette – Thursday, 30 July 1840**

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### **DROWNING CASE**

In the case of WORTHY and CHARLES BRIDGMAN, who have been committed for the murder of JOHN UNDERWOOD. Mr. MEREWETHER applied to have the trial postponed, on the ground that a material witness had absented himself.

Mr. COCKBURN, for the prisoners, resisted the application, because the affidavit produced by his learned friend did not state that there was any expectation that this witness would be forthcoming at a future period.

The JUDGE asked Mr. Merewether upon what he relied?

Mr. Merewether stated that Josh. Sutton was the most material witness; that he was in court yesterday, but had since absconded and could not be found. He could not hold out an immediate prospect of the witness being forthcoming, but they might proceed against him by attachment, and if found they could commit him to prison.

The JUDGE said there was no imputation of collusion here, and he would therefore postpone the trial, and would take reasonable bail for the appearance of the prisoner, because he thought the case would only amount to manslaughter; the bail would be - Worthy Bridgman himself in 100*l.* and four sureties in 20*l.* each, or two in 40*l.* each. Charles Bridgman in 100*l.*, and 4 sureties in 10*l.* each, or two in 20*l.*

#### **Devizes and Wiltshire Gazette – Thursday, 20 August 1840**

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During the last Summer, two brothers, named Worthy and Charles Bridgeman, of Honey-street, in this county, were committed, under the Coroner's warrant, for knocking down a man into the Kennet and Avon Canal, and drowning him – the Coroner's Jury having returned a verdict of WILFUL MURDER. The whole of the witnesses to depose to the fact were in Devizes on the first morning of the Summer Assizes; but when the attorney for the prosecution was about to take them before the Grand Jury, the principal witness, a young man named Sutton, was not to be found; and notwithstanding the most diligent search, no trace of him has been discovered up to the present moment. The circumstances was stated to the Judge, and the prisoners were admitted to bail, and bound over to appear at the following Lent Assizes. Sutton not making his appearance at these Assizes, Mr. Merewether, who was retained for the prosecution, applied to Mr. Justice Erakine to estreat his recognizances, and to respite those of the prisoners until the next Summer Assizes, and the application was granted.

## WILTS ASSIZES

The trials of Worthy and Charles Bridgeman were deferred till the next Assizes.

**Devizes and Wiltshire Gazette – Thursday, 11 March 1841**

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***Committed to the New Prison, Devizes.*** ... Worthy Bridgeman, for two months, for having assaulted and beat Job Hailstone, at Woodborough;

**Wiltshire Independent – Thursday, 6 May 1841**

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## [WILTS ASSIZES]

No Prosecution: Worthy and Charles Bridgeman.

**Salisbury and Winchester Journal – Monday, 26 July 1841**

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