



Crime and Punishment

Woodborough

Rudman v. Clift – Election Assault - 1819

The General Election of 1818 was marred by a series of violent clashes and riots that, based on newspaper reports of the time, were not viewed as a common occurrence. In addition to the election of MPs for boroughs, such as Devizes (which had two MPs), two members were elected to represent the County of Wiltshire. Nominations for the election of Members for the two County seats had to be made by 18th June 1818. Unusually, this was to be a contested election with three persons being nominated for the two seats (Paul Methuen, William Pole-Tylney-Long-Wellesley and John Benett).

Paul Methuen was one of the sitting MPs, but there appears to have been a great deal of intimidation and violence by the supporters of Wellesley (a cousin of the Duke of Wellington) towards the supporters of Benett, who doubtless responded in kind.

Two opposing supporters were William Rudman and John Clift, both from Woodborough, who supported Wellesley and Benett respectively. John Clift was the owner of Church Farm in Woodborough.

William Rudman was assaulted in Devizes on Nomination Day and took a civil action against John Clift at the Nisi Prius Court at the Salisbury Assizes in March 1819. Although the Jury found for William Rudman, awarding damages of £50, John Clift maintained his innocence, subsequently swearing an affidavit and writing an open letter to the Salisbury and Winchester Journal in which he named the person he believed responsible. However, the person allegedly responsible (Stephen Brown of Chisledon), of whom Clift spoke well, had died in the intervening period. It therefore appears that John Clift was more concerned with clearing his own name, rather than any legal restitution.

The following newspaper extracts record the trial and open letter published in the Salisbury and Winchester Journal.

Salisbury

MONDAY, MARCH 15, 1819

The following interesting causes were tried at Nisi Prius before the Hon. Justice Best:

Rudman v. Cliff. – This was an action for an assault, stated to have been committed at Devizes on the 18th of June last, the day on which the nomination of members to serve in Parliament for this county took place. Three witnesses deposed that the plaintiff (who was wearing Mr. Wellesley's colours,) was standing near the Rising Sun public-house, when the defendant rode up to him, and, without provocation, struck him two violent blows on the head and one violent blow on the back of his hand. Three other witnesses stated that they were riding, at the time the assault was alleged to have taken place, in company with the defendant, but acknowledged that they lost sight of him for a minute or two. The jury returned a verdict for the plaintiff, - Damages 50l [pounds].

The Salisbury and Winchester Journal – Monday, 15 March 1819

To the Printers of the Salisbury and Winchester Journal

GENTLEMAN

It may perhaps be in the recollection of many of your readers, and particularly of such as have any knowledge of the parties, that an action brought by William Rudman, of Woodborough, against me, for an assault alleged to have been committed on Devizes Green, on the 18th of June 1818, (the day of nomination for County Members) was tried at the Assizes, at Salisbury, in March last, and that a verdict was given for the plaintiff, with fifty pounds damages. The result of this trial has been a constant source of uneasiness to me and my friends – not on account of the pecuniary loss to which I was subjected, but because it affected my character and held me forth to the world as having been guilty of an act of unprovoked cruelty. It is not my intention, nor indeed would it be becoming, to say a word against the propriety of the verdict as given on the evidence before the court. The fact of the assault, and the identity of my person, were positively sworn to; and when the comparative weakness of *negative* evidence, depending on *circumstances*, as opposed to this *positive* proof, is considered, it is not extraordinary that the Jury should come to the conclusion which they did. Neither is it my intention to charge the witnesses with wilfully giving false testimony. They most probably said no more than they *believed* to be true. That they were *mistaken*, however, in saying that I was the person who struck the plaintiff Rudman, I do most positively assert. The riot and confusion which prevailed on the day on which the affair happened, are too well known to require much to be said on that subject; and this confusion may have naturally led to a mistake of *persons*. That the party on horseback who attended Mr. Bennett out of Devizes were attacked with sticks and stones, and very roughly treated, is well known to every one who did not wilfully shut his eyes to the truth; and that some of this party returned the blows, and in their turn became the assailants is equally well known, - but I positively declare that *I* was not one of this number.

Smarting under the undeserved imputation of having committed a wanton and cruel outrage, I used every endeavour to discover the person who actually struck Rudman; but it was not until very lately that I received information, which has left little doubt on my mind, that a very respectable young man (who unfortunately died before the trial) was the person at whose hands Rudman received the blows for which I was made answerable; not however until a violent attack had been made on him, if not by Rudman himself, yet by persons at or near the place where he stood, and with whom, and with whose riotous acts, he might, naturally enough, be confounded. If this person had been living at the trial, and had heard of the action, such was his liberal and generous character, that I am sure he would have exculpated me, and have taken on the affair on himself. Although I was not aware of such resemblance of person, I am told that, with his hat on, and on horseback, he was much like me; added to which, the *horses* which we rode on the day in question, were exactly alike in colour, size and figure; and as his distant residence makes it probable that none of the witnesses saw him

afterwards, and most of them were also unacquainted with me, it is not too much to suppose that I became the victim of mistake.

The person to whom I allude was Mr. Stephen Brown, of Chisledon; and although his brother, Mr. Wm. Brown, was one of the witnesses I called, to prove (from circumstances) the improbability of the fact alleged, yet I was not then aware of what I have since learnt. Mr. S. Brown was seen by Mr. Stiles (one of his neighbours) and others, to beat a person severely on the head near the place described by Rudman's witnesses; and his own family well know that, on his return from Devizes, he mentioned that he had beaten a man very severely, in consequence of the provocation he received from the attack of the mob, *in which one of the eyes of his horse was knocked out.*

This information came too late to serve me in a legal view: and it may perhaps appear extraordinary that I should now (so long after the trial) trouble the public on the subject; but I am led to suppose, that the circumstance of my having taken no steps to obtain a new trial, may induce many persons to believe that, notwithstanding my asseverations to the contrary, I was really guilty of the act charged. For the satisfaction of my friends therefore, and in justification of my own character (again asserting that I do not intend to attack the character or conduct of any other person) I am induced to publish this statement, to which I subjoin the copy of an affidavit which I have this day sworn; and I request you to insert the same in your next paper.

I am, Gentlemen, your obedient servant,

WOODBOROUGH, Nov. 30, 1819.

JOHN CLIFT

"JOHN CLIFT, of Woodborough, in the county of Wilts, gentleman, maketh oath and saith, that he was at Devizes on the eighteenth of June, one thousand eight hundred and eighteen, which was the Nomination Day previous to the Election of Members for the county of Wilts; that he dined at the Bear Inn, in Devizes, on that day, with Mr. Benett (one of the Candidates); that he left Devizes, in company with Mr. Benett, about three o'clock, and did not return to Devizes again that evening, but went to his own house immediately. And this deponent further maketh oath and saith, that to the best of his knowledge and belief, he did not see William Rudman, of Woodborough, on the said eighteenth day of June, one thousand eight hundred and eighteen; and he positively swears that he did not strike or attempt to strike the said William Rudman, or any other person whatsoever, on that day.

"Sworn at the Town Hall, in Devizes, before us, two of his Majesty's Justices of the peace for the county of Wilts, this 30th day of November, 1819.

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JOHN CLIFT

*WAD. LOCKE
CHAS. LEWIS PHIPPS."*

The Salisbury and Winchester Journal – Monday, 6 December 1819

Polling for the Wiltshire County seats ended on Thursday, 2 July 1818 with John Benett being the unsuccessful candidate, receiving 1578 votes compared to 2822 for Paul Methuen and 2009 for William Long-Wellesley. However, Paul Methuen resigned his seat the following year and John Benett was elected in his place, serving for the constituency until 1832 when it was replaced by constituencies for North and South Wiltshire as part of the Reform Act.

However, the relationship with William Long-Wellesley never recovered with John Benett accusing the former of neglecting his parliamentary duties. The likelihood is that this was true and Wellesley lost his Wiltshire County

seat at the next general election in 1820. Wellesley led a very dissipated life and lived for a time in Brussels to avoid his creditors. He died in lodgings in Thayer Street, Manchester Square, London, on 1 July 1857, from heart disease. The obituary notice three days later in the Morning Chronicle claimed that he was "A spendthrift, a profligate, and a gambler in his youth, he became debauched in his manhood... redeemed by no single virtue, adorned by no single grace, his life gone out even without a flicker of repentance".