

SUMMER ASSIZES

WILTSHIRE JULY 28 (1819)

CROWN SIDE

HORRIBLE MURDER AND ROBBERY

(From the Morning Chronicle, Friday 30th July, 1819)

Transcribed by Vivien Moss

Robert Watkins, alias Robert Turner Watkins, and Edward Watkins, were indicted for the wilful murder of Stephen Rodway, late of Cricklade, in this County; the first for having actually committed the murder and robbery, and the latter for being an accessory after the fact.

Mr Casberd opened the case on the part of the prosecution. This mysterious transaction took place on the 7th of May last.

Phoebe Greemes lives at Purton Stoke in the road between Purton and Cricklade; was on the road on Friday 7th of May, at a quarter after ten at night; saw a man in the road dead; my horse (I was riding) took fright; it was at a bend in the road; I was going from Cricklade to Purton; I had passed the Bell Inn, at Stoke Street, nearly half a mile or not so far; the body was lying on the back; I rode back for Stoke and met Mr Bathe; he came back with me, and he saw the dead man.

William Bathe, solicitor of Purton, saw the last witness, who came to him at half past ten, on the 7th of May, went with her to the place where the body was lying; I went to the spot with a person of the name of Packer; saw the body of Mr Stephen Rodway lying across the road on his back, with the legs and arms extended; a person of the name of Lawrence examined his pockets, there was nothing but a few half pence in the right hand waistcoat pocket; the body was taken to the Bell at Stoke; Mr Wells, a surgeon of Cricklade, was called upon on the 7th of May, about half past eleven; saw the body on the spot, but did not examine it till it was brought to the Bell; the body was warm.

William Wells, surgeon of Cricklade, was called upon on the 7th of May about half past eleven; saw the body on the spot but did not examine it till it was

brought to the Bell; there was a gun-shot wound in the middle of the chest, saw no other wound that evening.

On the Sunday following, about one o'clock, I opened the body, there were three wounds, one large and two small ones, one on each side, about an inch from the large one. Before I opened the body, a female attendant gave me a bullet and two heads of nails; a brooch had been driven in with part of the breast bone, and had ruptured the principal ascending artery; further in, I found three heads of horse nails, one in the spine, another at the end of the ribs, and the third in the lungs; the spine had evidently been perforated in one place by a bullet; the ruptures of the artery caused the immediate death; the other wounds would have caused death, but not immediately; Rodway must have been in a bending position when wounded, as the ball passed obliquely through the body.

Cross-examined - Did not examine the body till it was brought to the Bell; Rodway was subject to asthmatic affections, and I supposed he might have ruptured a vessel; there was no mark of the deceased having struggled for a moment; the hands were perfectly clean, which could not have been the case if he had struggled. I did not think he had been shot till the body was brought to the Bell; the artery was ruptured in three places; either would have caused death; very little blood effused externally, but the chest was full; there was a little appearance of convulsion round the mouth; the bullet and other things may have been discharged from a pistol.

..... Hubgood, of Cricklade Wharf, married a daughter of Stephen Rodway, who was a considerable salt and coal merchant; I managed the whole business for him; Rodway went from Cricklade to Wootton Bassett, about one o'clock, on a black horse; he had a light, great coat tied up before him - Wootton Bassett is eight miles from Cricklade, the road branches off in one part at the turnpike to Purton. A few days before Rodway's death, I paid him a five pound Bank of England note, and two one pound Bank of England and several other notes; note with the name of John Williams, from whom I had received it; Williams wrote the name of the person of whom he took it; I paid him also two Abingdon notes, one Gloucester, one Marlborough, one Cirencester; I marked all the notes; I marked the Marlborough note with the name of Pety, and on the Cirencester, the name of John Daniels; I should know the notes again.

Henry Cox, mason, of Wootton Bassett, knows Robert Watkins; was at the White Hart, Cricklade, on the 7th of May, and saw the prisoner there

about eight o'clock in the evening; has known the prisoner long, he is a labourer; his wife is lately dead, leaving three children; the prisoner said he was poorly; they drank together.

One of the Jurymen was here taken ill, and not being likely to attend through the trial, another Juryman was put in his place. The prisoner was newly arraigned, and Mr Justice Best then read from his notes the evidence already given.

Henry Cox continued - the prisoner said he was poorly in his feet; he said he should not go home to sleep, but should sleep not there but a little further up in the town, in the direction towards Purton; he went away and left me at half past eight. I saw no more of him that night; he had a great coat rolled up in a tidy bundle; I know a person of the name of Blanshett.

William Bathe again - The place where the body was found is two miles and three quarters from the White Hart

William Hicks, a labourer, in the employment of Mr Poulton, who lives on the road to Purton, between Cricklade and the Moor Stone; I was driving my master's sheep about half past nine, at the top of Purton Hill; a boy, called Thomas Eagles, was with me; I met somebody between the small gate that goes through the fields, and the large gate; the small gate is nearest to the Bell Inn; not so far as half a mile; he was about twenty one yards from the small gate, and about a quarter of a mile from where the body was found; he was on the same side of the road with me, the right hand side going to Cricklade; he had a great coat on; I did not see his face, the hat was down over his eyes, and the collar up round his face; he came back again from Stoke-street into the road and kept straight along the road towards Purton.

Cross-examined - I am sure it was the same man that I saw both times.

Ann Seymour - My father lives in the road from Cricklade to Purton; I know the spot where the body was found; it is three or four hundred yards from my father's home; there is a lane nearly opposite to the house, called Bentham-Lane; I was standing at the door between nine and ten o'clock in the evening of the 7th of May; I heard nothing more than a horse coming up about ten minutes after I heard the report of some fire-arms; the horse came up about ten minutes after I heard the report; some man dressed in light was on

the horse; it appeared to be a light jacket or coat; he went down Bentham-Lane; it was a dark horse.

William Simpkins - I live near Bentham-Lane; I found a black horse there, loose, on the 8th of May.

Cross-examined - I know the prisoner by sight; I never knew any person of the name of Blanshett in my life; I have seen a man of the name of Blankett.

Sophia Cousans - I live at Hunston, near Chichester; I know the prisoner Robert; I live with my mother; the prisoner Robert was at our house; I received three letters from the prisoner Robert; I received two on the 12th of May; Hunston is two miles from Chichester; I wrote an answer, and enclosed a five-pound note; that is the note; it was enclosed in one of the letters from the prisoner.

Cross-examined - I received a former letter, but I could not find it; I told the Magistrates so; I have never seen the prisoner since; I have seen the prisoner write; I know I have seen the prisoner write.

John Hughes - I know the prisoner Robert; I have frequently seen him write; I believe that is his writing; I am sheriff's officer, and employed the prisoner as an assistant.

Cross-examined - I have known Blankett many years; I have known the prisoner Robert from a child.

An extract of the letter from Robert Watkins to Miss Cousans was read; inclosing a five pound Bank of England note, No 1139, dated 5th August, 1818, signed "*F Booth.*"

A second letter from the same was wholly read as follows;-

"Wootton Bassett, May 10th 1819

Dear Friend - I hope the that the not I send you to kipestle til I wants, now wase the note is backed wase names there is a Desput aboute the Not, the Man that I tuaket on is in Olte aboute the Note, and I hope that yeou will return the Note, nad the Man has found twenty more notes aboute him. I shal be glad for yeue to sende the Note backe, and I will send another, or kipet til I comes, fore the Man is in Olte; but if you will return the Note I will be glad, for it will seave me deale of Trobel, for I must come

after note, for the Man is kept in Olte til I ca recave an ancer from you; and if you have paid the note aways, you must geate the note again, and plesse to returne and I will tend another. So, no more at present from

"Your faithfoel seroant,

"Robt Watkins."

Sophia Cousans again - I do not recollect writing a letter to the prisoner in May; perhaps I wrote to him at the latter end of April. This was the Bank note I sent back; I sent it back in this letter, addressed to "*Robt Watkins, Post Office, Wootton Bassett, to be left till called for - Speed.*"

The five pound note was put in and read

Habgood again - That is the note I gave to Rodway. I am certain it is; here is my writing and Williams's name; and he wrote "*J Lane, May 1*" upon it.

Robert Harding - I am the Mayor of Wootton Bassett; in consequence of some information I received, I went to the Post Office, and saw the prisoner's wife there; on the 14th of May, a letter came for the prisoner; I opened it and found that note in it.

Edward Belcher - I am a draper at Wootton Bassett; I know the prisoner; he came on Monday, the 10th of May, and paid me two one pound notes; I produced the notes. I endorsed them "*Robt Watkins.*"

Cross-examined - Watkins continued to live at Wootton Bassett up the 10th. The offence was publicly known before I received the notes.

The two country notes were put in and read.

Hubgood - These notes I gave on the 3rd of May to the deceased, about eight o'clock in the evening.

Robert Hunt - I live at Wootton Bassett; I know the prisoner, and where he lives; I passed by his house a few days before Rodway's death; I saw a pistol in the house laid on the table; it was a large pistol.

James Smith - I am a blacksmith at Wootton Bassett; I know the prisoner; he was at my shop on the 5th of May, to have a screw turned to an iron pistol rod; I did it for him; I never saw the pistol, only the rod; it was a long rod.

Edmund Kibblewhite, Esq – I know the prisoner; I directed a one pound note to be paid to his wife; I was not at home.

John Vickery – I have a pocket-book which I got from the prisoner, Robert; this is it.

..... Hughes – the memorandums in the pocket-book are in the hand-writing of Robt. Watkins – (one of the memorandums noticed the receipt of a one pound Swindon Bank note from Mr Kibblewhite).

Again, called by the prisoner's Counsel, Mr E. Lawes

..... Hughes- I apprehended the prisoner Robert at his house on Tuesday, the 11th; he made no resistance, but came voluntarily.

Nathaniel Wills – I am solicitor for the prosecution; I live at Cricklade; I apprehended the prisoner Robert at his house, on Tuesday, the 11th of May; he was not then examined; I saw him at the White Hart at Cricklade; Mr Vickery and several other gentlemen were present; nothing was said to induce the prisoner to say what he did; I took the minutes of what he said; these are the minutes.

Cross-examined- He was asked to give an account of himself and this is the account he gave; Mr Vickery put some questions to him; I cannot recollect the questions; I only wrote down the answers. The prisoner was asked if he had heard of the murder of Rodway? And he said he had.

Re-examined – The minutes were read over to the prisoner; he was asked, whether what was stated was right; he said it was all true. The prisoner admitted that he was at the White Hart at Cricklade on the 7th of May; he said he was going to his uncle's, but had altered his mind; he went towards home 20 minutes after eight, with a great coat under his arm; he saw the place where the murder was committed; he was by about nine o'clock, or a little before; he said he went across a field, which cuts off an angle, towards Purton; he said he never stopped but went straight on; he met a man and horse at the blacksmith's shop at Purton; the man with a great coat strapped on the saddle behind him; he met nobody else that he knew; he went from thence towards Wootton Bassett, where he arrived at ten o'clock; he said nothing about the report of a pistol; but that he saw a person by the name of Blankett. He said he met two men coming down Purton-Hill towards Cricklade, near Mr Perry's school, which was near the blacksmith's shop; the men were 150 yards behind the man he saw on horseback; that he brought from Chichester

two pounds in notes of the Chichester Bank, and some silver, about three weeks before; he had been working on the Canal there; he had changed one of the notes at Andover, and had the other and the silver remaining when he returned home, he had spent the money upon his family; he had paid one pound to a hawker for a piece of cloth; he said his wife had received a pound note from Mr Kibblewhite a week ago, which she had given to him, and he had paid it to Mr Belcher on the 10th; when the last General Election was over he had received two one pound notes from Mr Kibblewhite, one of which he paid to Mr Belcher, and the other for bread; that when at Chichester he had lodged with Mrs Ann Cousans at Hunsdon Common; that he had received a letter from Sophie Cousans, dated on the 3rd of May; he received it on the 5th, and answered it on the 6th; he had not written to her since.

The witness continued –I was present on the 21st of May, when the prisoner was taken before the Magistrates at Swindon; the examination of the prisoner was not taken down in writing; I took minutes on that day; he was cautioned against saying anything; he said something about a man riding near the spot where the murder was committed; that he turned down a lane; he said he heard a person say Halloo! And the other answered Halloo! He saw a man riding away with a gun or pistol in his hand down the lane; he said the man was very much like Thos Ackworth.

John Vickery again – I am a Bow-street officer and was present at the examination of the prisoner at Cricklade on the 11th. Nothing was said to the prisoner; he declared his innocence; and seemed disposed to talk, and I recommended the gentlemen to hear all he had to say; I think the account given by the last witness is correct; I said afterwards, "*Watkins, you have heard of this murder, which has taken place by means of a gun or pistol;*" I said, "*Have you a gun or pistol in your possession?*" He said, "*I have not had one for four years, and the pistol I had then I sold to a man of the name of Blanshard for 4s. and a pair of shoes.*" I apprehended Thomas Ackwell and Parker; they were taken to the White Hart at Cricklade, on the 12th; I found Henry Ackwell there; the prisoner was in the house, but not in the parlour; they were taken to Swindon on the 13th, before a Bench of Magistrates; I recommended that the examinations should not be taken down. The prisoner had first said to the Magistrate, "*I will tell you all I know about it.*" – The prisoner said he was near enough to see a man to know him again ride away upon a black horse immediately after the report of the pistol; but did not know his name; he pointed to Thos Ackwell, when he was brought in, and said, "*That is the man I saw riding upon a dark horse.*" And that he turned down a lane about half a mile from the place where he first saw him. I took Ackwell to Oxford by

order of the Magistrates. I found Ackwell had been there on the 7th. The prisoner declared his innocence of the offence.

James Kibblewhite - I live at Blunsdon, in this county. I know Thomas Ackwell; I was in the neighbourhood of Oxford on the 7th of May last, and saw Thomas Ackwell there at that time, I have known Ackwell for ten years; I am sure it was him; I met him two and thirty miles from the spot where the murder was committed.

The case for the prosecution was here closed.
No evidence was offered against the prisoner Edward Watkins.

The learned Judge then called upon the prisoner Robert Watkins for his defence.

He said, that he had no knowledge whatsoever of the murder; that he never had the five-pound note in his possession; and that he never wrote a letter to Miss Cousans.

The Learned Judge then summed up the case, and made a solemn and impressive charge. He defined the nature of the evidence, which was in his opinion, conclusive against the prisoner; - the prisoner was on the spot, even by his own account, at the time when he might have committed the murder; he had been proved to have in his possession an instrument by which the murder might have been effected; and notes, the property of the deceased, were traced to have been in his possession immediately after the crime had been committed. If the jury could entertain any doubt, that doubt should turn the balance in favour of the prisoner; but if no doubt remained in their minds, they must of necessity find the prisoner, Robert Watkins, guilty; for as to Edward Watkins, no evidence had been offered against him.

The Jury, in one minute, returned a verdict of Guilty.

Upon Proclamation being made by the Crier to those why the sentence of the law should not be passed upon the prisoner, Mr. E. Lawes moved the Court in arrest of judgement, on the ground of one of the Jurymen having withdrawn in the course of the trial; and that as probably some suggestion may have arisen from that single Jurymen which might have induced the rest to alter their opinion, the prisoner had not been fairly tried according to the directions contained in the Statute. The Learned Counsel argued at very

considerable length, and was as shortly answered by the Learned Judge - *"There is nothing in the objection."*

Mr Justice Best, much affected, then proceeded to deliver the awful sentence of Death. He solemnly expatiated upon the enormity of the crime which the prisoner had endeavoured to increase by the murder, through the medium of the laws, of the innocent person Ackwell, whom he had before charged as the real murderer. The same Providence, however, which had interposed to shield the innocent man, had interposed to bring home guilt to the guilty, for where would have been the innocent Ackwell, if he had been unable to prove the utter impossibility, by being thirty miles off, of his being the criminal? He charged the prisoner to occupy the small remaining portion of his time in this world, in seeking a reconciliation with an offended God; and more particularly, by making a confession of any other crime he may have committed. His Lordship concluded by pronouncing the awful sentence of the law - *"That you be taken to the place from whence you came, and that on Friday morning you be removed to the place of execution, as near as possible to the place where the murder was committed, and there hanged by the neck until you are dead; that your body be delivered to the surgeons for dissection, and God have mercy upon your soul."*

The criminal himself was the only person in Court who remained unmoved. At the conclusion of the sentence, however, which condemned him to death, the prisoner who had remained fixed and apparently composed during the trial, except by challenging two of the Jurymen, exclaimed, *"I am no more guilty of the murder than you, my Lord."* He then impudently put on his hat and was departing, but turned back, and said, *"I have a great coat and a bundle here. I suppose I may have them."* He was going away again, but returning a second time, observed, *"There is a pocket, too, which somebody has got, and I shall want it."* Mr Justice Best, his eyes swimming with tears, shook his head. The prisoner again repeated, *"I am no more guilty than your Lordship of this murder;"* but added, *"I am ready to die for it, and I don't care."* He then leisurely, and with apparent composure, withdrew.

Edward Watkins was of course Acquitted.