

MURDER
at the
BRIDGE
INN
PENTON
1861

An extract from the Carlisle Journal from 26 July 1861

BRUTAL MANSLAUGHTER AT PENTON

In Tuesday's Journal we stated briefly that a man named John Donnelly had been found dead at Penton, on Sunday morning, under circumstances which left no doubt that he had met his death by unfair means. Details which we have since been able to obtain, show the cause to have been one of brutal manslaughter.

Penton is a small hamlet of a few scattered houses, about six miles beyond Longtown, situated on the borders of the wild and sparsely populated district of Nicholforest, a region rendered famous by many a border raid and foray in olden times, and by the exploits of the Elliots and the Armstrongs celebrated in the minstrelsy of the Borders. The scenery in the locality is of a most picturesque character; near Penton the Liddel hastens to join the equally classic Esk and not far distant are the well-known beauties of Penton Linns. Through this romantic district the new Border Union Railway is now in course of construction, and at this point, in a distance of eleven miles of the line, there are employed about a thousand railway labourers. or as they are commonly called, "navvies". The widely scattered houses not affording these men accommodation, wooden huts have been erected for them by the railway company and by the men themselves, and there are several of these temporary erections near Penton. The men are paid their wages monthly, that long interval being probably chosen so that the men cannot leave their work at short notice. When they get so much money in their hands, the public house forms to them the natural channel for getting rid of it, and scenes of the greatest riot and debauchery characterise the monthly pay days.

Saturday last was one of these monthly pay days, and in the evening the men, as usual, gave themselves up to unrestrained indulgence, and crowded the four of five public houses in the district. At Penton there was a large gathering; and the Penton Bridge Inn was filled with drinkers. As the navvies became drunk, several quarrels took place, and the use of the fists being with them the most forcible argument, many fights took place in the course of the evening, both in the Penton Bridge inn and on the road in front of the house. In these disturbances the deceased, John Donnelly, a Scotchman, took a prominent part in the early part of the evening. He had gone into the public house, and when intoxicated had accused some of the company of stealing a shirt he had just bought; for this he was knocked down. The quarrel seems to have been fought out on the road and then men afterwards returned to the public house where another row arose, and according to the evidence of one of the men present, Flannaghan, the man now in custody and a tall man named Tom Hagan took a prominent part in it. They were swearing and "jumping to get at him" and then it was proposed and settled that they should make "scores" and go out and fight. The deceased was then very drunk, and the other men were doubtless inflamed by drink. The men went out, and this was the last time the deceased was seen alive by any of the witnesses who have been examined, the other men who were present having absconded since the affray. Whether they went out for the purpose of fighting or whether the inn was not cleared, it being 12 o'clock seems doubtful. The boots of the deceased indicate that he had been in the cowhouse at the back of the house, and one supposition is that he had gone there to hide till the navvies who had threatened him had gone, but that he came out of his hiding place too soon and they had met him at the end of the house. However, shortly afterwards, a voice was heard telling Flannaghan to put on his clothes and come home, "he would get no more fighting tonight;" another voice, probably that of the deceased, called "Murder;" and another said, "Let him go." Between 12 and 1 o'clock five or six men were seen on the road holding a candle over

the deceased, who was now dead; and the body was carried into the inn which had been closed at midnight, and which the navvies broke open summarily to take the dead body inside.

The policeman, who had left the scene of the fatal affray just a few minutes before it occurred, was sent for and on Sunday morning Sergeant Cosser apprehended William Flannaghan in his hut; but by that time Hagan and the other men who appear to have been present had absconded. *Post mortem* examination of the body of the deceased showed that his neck had been broken. His neck was much bruised and swollen; the spine was completely broken and the upper part was forced to the left side, the external injuries being on the right. There is no doubt, therefore, that the deceased was knocked down by a blow of the fist, and when down in that helpless state he was violently kicked in such a brutal manner as to cause immediate death.

We subjoin a report of the evidence taken at the inquest on Monday, but, we believe, the police have a good deal of further testimony to bring forward next Monday, although they have met with the greatest of difficulty in obtaining evidence, on account of the fear entertained by those who could give it that if they did so the consequences might be serious to them from the future violence of the navvies. As an example of this dread, we may state that as late as Sunday last, a woman, the wife of a navvie, was criminally assaulted by some of these men but she declined to prosecute because it was "as much as her life was worth to do so."

The drunkenness and riot prevailing at these pay day orgies, which have thus culminated in this brutal affray, are described as something dreadful. Fights are frequent, and after the men are turned out of the public houses, they may be seen lying drunk, huddled in groups in the dyke backs. If you enter one of their huts, as soon as you can see through the smoke, drunken men or drunken women are found lying about in every corner and the children are running about half naked. Upon such occasions the police force is strengthened by the addition of two or three constables; but what are half-a-dozen men to keep in order as many hundreds of these lawless fellows? The whole force would scarcely be able to cope with them.

The following is the report of the inquest: -

THE INQUEST

An inquest on the body of John Donnelly was opened at Penton Bridge Inn, Haithwaite Gate, on Monday last before William Carrick, Esq., Coroner. The following jury was empannelled: - Edward Gibson (foreman) Thomas Hodgson, William Little, William Forrest, Thomas Armstrong, John Turnbull, Robert Broatch, James Armstrong, Andrew Little, James Armstrong, Archibald Armstrong, James Turnbull, Francis Armstrong, Henry Ward.

The First witness called was

William Harron, Whitlaw Side, in Scotland, railway labourer. The body the jury is that of John Donnelly, who was a railway labourer and lodged with me. I have known him three months, during which time he and I lodged together. He was never out of his house a night but one. Last Saturday night was the monthly "pay" on the Border Union Railway at Penton. I came up in the evening to this public house (the Penton Bridge inn). As I came up the road three men were sitting on the road side drinking whisky. They asked me to taste and while I was doing so deceased came up and also tasted, by their invitation. Deceased came on and I delayed with these men a little time. I came on and found deceased on the road near this house. He proposed that he and I and some others should go in here and have a "drain." We came in; we waited a short time, and 4 or 5 of us drank half a mutchkin of rum and went out. I proposed that deceased and I should go home. He said he had to see "gaffer" Forster Noble. He came into the house with Noble while I was outside. I went in; and after I came out, and again returned to get deceased to go home. I found him in the back room standing on his

feet. The room was crowded. When I went in he was bleeding from either the nose or the mouth, I can't say which. Another man, McDonough, was standing, but was not quarrelling with him. He charged the company with stealing a shirt he had just bought. He was not charging any particular individual to my knowing. I said "It will be better for you to go home." He said, "Not till I get my shirt." I don't know what time of night it was. I tried to make peace saying the men were the worse of drink and they should not seek for quarrel with him. He fell on the floor, and not from any blow, as far as I could see. I tried to raise him but could not. I cannot say whether he was unable or unwilling to rise. All that he said was that he wanted his shirt, in the same tone that he had spoken before. I called Mc. Donough forward to see what money I took from his pockets. I then searched his pockets and took possession of 34s 8d or 36s 8d in money; also his jacket. The money was counted into the hands of Mrs Portell in the room. Some hay was brought in to lay under his head, by a man named Connelly. A quarrel arose in the room. Some one was going to quarrel with Connelly, but did not. I did not know any of the other men by name, -- merely by sight. Connelly and the other men went out to fight, and I followed after, leaving deceased in the room lying on the floor. They went across the road, near to the Nicholforest toll-bar. One struck me and knocked me down. With that the most of them retired to the house without quarrelling. As I came to the door I was knocked down again by a man I did not know. He kicked me while I was down. I laid on till they gave over and scattered, and I slipped past the house and went away home.

Joseph Johnston, a "gauger" [ganger] or foreman to Mr. Prudham, agent for the company who are carrying out the works, said—I live Haithwaite Gate, near to the public house. I was at my lodgings on Saturday night. I went to bed about ten o'clock. A great noise was going on all the evening, as if there were fighting. I awoke a bit before one and looked out. It was moonlight. I saw five or six men on the road between my lodgings and the public house. They were holding a lighted candle a man was lying on the ground and they were standing over him. The man who had hold of the candle was feeling with his hand about the outside of his pockets. I then saw another lot of men, three in number, come from the end of the public house, within a few yards. One, carrying a stone, went up to the public house window and swore he would break in the door and window if it was not opened. The men were saying the man was dead and they wanted to bring him into the house. I saw a man pull the window shutter off and heard the window break. The door was then opened; the man was lifted from the gravel and brought in. I cannot give the name of any of the men.

James Mc.Carron, lodging in the house between this public house and the works said—John Rafferty and I were in company on Saturday night. We passed this public house on the road about half past twelve. I did not observe any persons standing in front of the public house or on the road. I saw a police officer who was standing in front of the tollhouse. Rafferty and I went along the road leading to Longtown about a 100 yards, and turned and came back, and met the officer immediately on turning. When we came opposite the house we saw four or five men at the door, knocking at it, and saying a man was dying outside, and they wanted to get him in. I came right on and found deceased lying. I heard no fight or disturbance of any kind while we walked up the road. We saw the men as we came along back. I did not know any of them. I examined deceased and found he was dead. His heart was warm and Rafferty brought him into the house, and laid him on the table, and then ran for the policeman.

Robert Donnelly, aged 18, railway labourer, said – I came to this house on Saturday night, after supper, when it was getting dark. I went into the parlour. Deceased was in; I drank with him. A row began; deceased was knocked down by a man I don't know. He fell with the back of his head against the fire grate. He was lifted up and trailed out. I followed to the door and saw deceased among a crowd near the grocer's shop. He was in a stooping position.

Some were holding him up, and there was a great noise as if there was a row, and as if blows were being struck. I was struck in coming out of the road behind deceased. I afterwards tried to get the last witness (Mc.Carron) to go home with me. He was lying on the ground near the door and an officer was two yards behind. While I was standing at the kitchen, about eight men came in at the front door along with deceased. They had hold of his hands, and were bearing him up. They took him into the back room. Deceased was talking like a drunken man, but I could not tell what he was saying. I cannot tell what time this was exactly. I followed into the back room, and a row arose. Deceased was with his back to the window on a form. A man named Flannaghan, and another named Tom—a tall man—were swearing and jumping to get at deceased, and the others were holding them back. Tom said they would make “scores” and go out and fight, and Flannaghan said they would do so. With that they all got up and went out, deceased with them. I remained with a man named Johnny, who lodged with me, and who was very drunk, and another man named Frank Rae. Hey came into the front kitchen, and I saw no more of them at that time. In about ten minutes I left the back room and went out of the front door. A crowd of men were standing opposite the yard, just near the grocer’s shop. I cannot say whether there was any fighting going on but there was noise enough for it. I did not hear Donnelly’s (deceased’s) voice. Just as I was turning the house corner I heard some shouting that Flannaghan was to put on his clothes and come home, “You will get fighting no more to-night.” I heard Flannaghan say he would not go home till he had taken his weight out on Donnelly (the deceased). I heard no more then till I went 30 or 40 yards, when I saw a light at the gable end of the house, and one man was calling “Murder,” and another cried “Let him go.” I heard no more. It was moonlight.

John Rafferty, railway labourer, fellow lodger with James Mc.Carron, said—On Saturday night between 11 and 12 o’clock he and I came up from Penton. We walked opposite this house on the Longtown road. As we passed the house we saw a policeman standing on the road in front of the tollhouse. We spoke to him and passed on. I saw no other person at that time. We walked a hundred yards or so and then turned back. I do not remember meeting the policeman or any other person then. We saw four or five men standing at the pub house door, saying there was a man dying on the road and they wanted him in. We came up while they were standing. I knew them by eyesight. I have not seen any of them since. One of them was a dark complexioned man, a young man about 20 or 30. He was an Irishman with moleskin trousers, a blue cap, and a jacket or “slop.” He was working last week in Penton cutting. The second was rather aged looking, rather dark complexioned, and 5 feet 6 inches or less. He was an Irishman. He wore a pair of cord breeches, rather “oldish.” The third was a stoutish made young fellow, four inches taller than I am (6 feet and above); dark complexioned, wore moleskin trousers and, I think, a slop; cap, blue and black. I know Flannaghan. I saw him that night in this house, outside. I cannot say whether he was one of the men outside. We met four men coming in this direction on the Longtown road, on this side of the shop, five or six yards or so. They did not appear to be intoxicated. I do not know who they were. They were not the same men we saw at the door. I will swear Flannaghan was not one of the men we met. I know by sight a man named Tom Hagan. I did not see him on Saturday night, to the best of my knowledge.

THE PRISONER BEFORE THE MAGISTRATES

William Flannaghan, the navvie alluded to in the foregoing evidence given at the coroner’s inquest, who was apprehended by Police Sergeant Cosser, at seven o’clock on Sunday morning, was brought before the magistrates (Jos. Coulthard, Esq, and the Rev. I. Dodgson), at Brampton on Wednesday.

Police Sergeant Cossar, having been sworn, said: -- I am aware a man has been killed at Penton. I have reason to suspect this prisoner is criminated, and I wish to have him remanded till Monday.

The prisoner, who was handcuffed, was accordingly remanded till Monday next. He is a young man of apparently 21 or 22 years of age, with quite a boyish cast of countenance. He is of middle stature, and though naturally of slender build his muscles have been so developed by his daily work as to make him a very powerful man.

[The above is a faithful copy of text from the Carlisle Journal of 26 July 1861. Original punctuation has been retained in nearly all cases and has been changed only to make the text more comprehensible. CW Forster 01.02.2001]