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A HORRIBLE TRAGEDY AT WARLEIGH

October 1857

A transcript by Robert AE Scammell

In the record book 'Monumental Inscriptions in Bathford Church & Churchyard', transcribed and indexed by Commander Craig O.B.E. RN, a note has been added after one inscription, which catches the attention of the reader. The inscription on grave No. 142 (1) is given as:

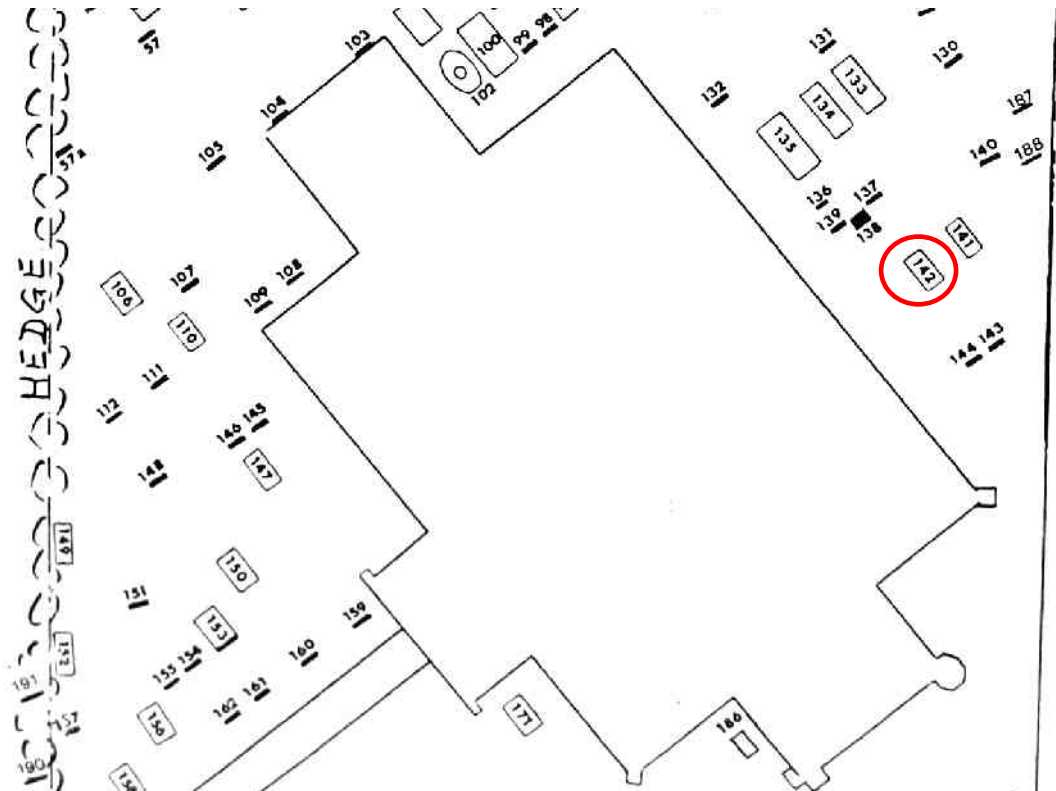
142. In memory of Andrew BORDER. Died at Warley October 10th 1857 aged 25.
(1) Also Sarah Rebecca, his wife. Died at Warley October 10th 1857 aged 32.

Note: The above couple were foully murdered at Warleigh on 10th October 1857.

See Bath Chronicle of 15th October 1856.

It is often surprising how so few words can lead to discovery of so much more of the past.

Below is a section of the plan of the old burial ground, also taken from Commander Craig's record book, on which the position of grave number 142 has been encircled in red to show its location, in relation to the church building.



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The following account of the tragedy that occurred has been taken from The Bath Chronicle newspaper for Thursday 15th October 1857:
(For the location of the dwellings at Warleigh, along with notes and observances - see pages 11 and 12)

**HORRIBLE TRAGEDY AT WARLEIGH,
NEAR BATH.**

**TWO PERSONS KILLED, AND ATTEMPTED
SUICIDE OF THE MURDERER**

Scarcely has the public excitement subsided since the dreadful murder at Leigh Woods, than attention is again attracted to this neighbourhood by a tragedy which, in its horrors, surpasses any that we have chronicled for many years. Within a distance of four miles from the city, in the beautiful valley of Warleigh, a double murder has been committed, and an attempt made at self-destruction, which may yet prove fatal. Dreadful, however, as are the results of this occurrence, the circumstances attending it are happily divested of that deliberate premeditation which characterised the recent murder near Bristol. In that case, the murder was evidently the result of forethought and carefully-devised plans for the speedy execution of the crime and the prevention of discovery; but in the present instance there can be no doubt that the unfortunate persons who have been murdered came to their deaths by the hand of a maniac.

The scene of the murder is the hamlet of Warleigh, which belongs to Henry Duncan Skrine, Esq., one of the Magistrates of the county of Somerset, whose residence, Warleigh House, overlooks the river Avon and the railway which runs beside it. The particulars of the crime have been most fully elicited, although at the time that it occurred there was no one present except the murderer and his two unfortunate victims. It appears that the murderer is a young man, named Thomas Miller, about twenty-five years of age, who has been for the last ten years in the employment of Mr Skrine as a cowherd, and resides along with his father and mother in a cottage belonging to that gentleman in Warleigh Lane, about a quarter of a mile from Warleigh House. The unhappy persons who have been murdered were Andrew Border, a groom and under-coachman in the service of Mr. Skrine, and his wife, Sarah Border, and they also resided in one of Mr. Skrine's cottages, about 100yards from the residence of Miller. Miller, it appears, was always considered a steady and well conducted young man, and, until very recently, was never known to exhibit any symptoms of mental aberration, although, occasionally, he has been known to act in a very singular manner. He continued to perform his duties, with his usual regularity last week, but, on Thursday evening, he complained of having a cold and being very unwell in his head. On Friday he appeared in a very desponding way, did not go to his work as usual, and, during, that night he was extremely restless. About half-past eight o'clock on the following morning (Saturday) one of his neighbours, a woman named Rippin, saw him near the door of his house, and asked him how he was? He said he had had a bad night and that he had been "fighting

with the Indians.” Mrs Rippin advised him to go to bed, when he told her that he could not lie down, as the devils came up to his throat, and he could not keep his heart in. At that time he looked strange and wild, and when asked by Mrs Rippin to take a cup of tea, he accused her of attempting to poison him a few days before, when he took some coffee in her house along with his mother. During his conversation with Mrs Rippin, he also stated that Mrs Border, the unfortunate woman who is killed, had told him that he was the man who had murdered the girl at Leigh Woods, a statement which, it is alleged, is totally incorrect. As he had not been to his work on Friday, Mr. Charles King, Mr. Skrine’s bailiff, on that day went to see him, and met him near his house. He began to talk in the same rambling and wild manner as to Mrs. Rippin, and appeared very much distressed in the mind. Mr King asked him what was the matter, and he replied “They have been teasing me about that murder.” Mr King told him to take no notice of them, but asked him who the parties were that had teased him, saying that he would speak to them about it. Miller made no answer, on which Mr. King paid him his wages, and told him he would send him some medicine.

Mr. King accordingly proceeded back to Warleigh House, and requested the nurse to send him some medicine. The medicine was sent and received by Miller’s mother. He went to his work on Saturday, along with a labourer, Daniel Hancock, and killed a pig that day. On returning home in the evening, Hancock observed that he was in a very desponding state, and on asking him what was the cause of his melancholy, he replied that they wanted to poison him, and that everybody was against him. Hancock was apprehensive, as were also the rest of the neighbours, that something would occur, and accordingly proceeded to Warleigh Farm, to Miller’s mother, and told her she had better go down to the house and take care of her son, as he appeared deranged. The mother did go almost immediately. This was about half-past five o’clock on Saturday evening. Mrs. Rippin, who lives a few doors from Miller, went up to Mr. and Mrs. Border’s house, and told Mrs. Border what Miller had stated about her accusing him of the Leigh Woods murder, but Mrs. Border denied it.

We have now brought the narrative of events to within a few minutes prior to the murder being committed. When Miller went into his house, on returning from work, it appears that he became very much excited, walked continually up and down the kitchen, and occasionally sat down to read a Bible which was on the table. At that time his father was lying ill in a room upstairs, and his mother was in attendance upon him. At half-past seven o’clock, Andrew Border and his wife went down to Miller’s cottage, to see if they could do any good, little thinking that, in a few minutes more, they were to be hurried into eternity. The time they had chosen for seeing Miller was unfortunately that in which he was the most excited during the whole evening. The night was very dark, and Border and his wife were not seen to enter the cottage, but some of the neighbours heard them walk down the garden towards the door. Neither did they hear them knock at Miller’s door, and it is conjectured that, being on familiar terms with the family, Border and his wife opened the door and walked in. It must be borne in mind that, with the exception of Miller and his two unfortunate victims, there was no one present to be an eye-witness of what was about to occur, his mother being upstairs in attendance upon her sick husband, and the neighbours in their respective dwellings. It is conjectured that, at the moment they entered the house, Miller sat at the table reading, and that scarcely

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had they crossed the threshold than he started up, rushed at Andrew Border with a large clasp-knife in his hand, and plunged it into his abdomen, and then stabbed him in the back, and that having done this, he next rushed upon Mrs. Border, who was probably a few yards behind her husband, and stabbed her in the left breast. The unfortunate woman must have died instantly, before she could escape beyond a yard or two from the door. Accordingly to all probability, the murderer, while still in the kitchen, threw the knife with which he committed the deed, under a chair. He must then have run after his victims, passing them as he went to the end of the garden, where, with another knife which he had on his person, he attempted self-destruction. The screams of the unfortunate couple aroused all the neighbours, and the mother of the maniac rushed down stairs just as her son was running out at the door in pursuit of his victims. She was, however, too late to witness any part of the occurrence, and the act itself was totally unobserved. A lantern was immediately procured, and the first object that was perceived was the lifeless body of Mrs. Border, lying with her head towards the door, and her feet in the direction of the gate, from which it is conjectured that the unfortunate woman, after receiving the stab, rushed out of the house, but fell almost immediately. When the neighbours first came to their assistance they were unable to find Border, but at length heard him call out from the lane “Daniel, Daniel (meaning Daniel Hancock), do come and help me. Tom Miller has stabbed me.” Hancock ran towards him, and found him a short distance from the gate, standing in the middle of the lane, his body nearly doubled up and evidently in great agony. He was immediately removed to his own house, and, while being conveyed thither, though he was at that time in a dying state, he asked for his wife, and bade the neighbours go and look after her. As may well be imagined, the greatest alarm prevailed in the neighbourhood. The night was unusually dark; the rain was pouring in torrents; and as the whereabouts of the murderer was unknown, it was with the greatest fear that the neighbours came out of their dwellings, lest they might prove the next victims.

At length one of the neighbours mounted a horse and preceded to Batheaston, to procure the attendance of Mr. Edwards, surgeon, of that village, who was on the spot as quickly as circumstances would permit. On his arrival, Border was still living. Mr. Edwards found that a large portion of the small intestines were protruding through an incised wound in the stomach, about two inches below the navel. With some difficulty Mr. Edwards succeeded in returning the intestines into the stomach, and got him into bed. The motion caused by the removal produced very considerable hæmorrhage, from which Mr. Edwards conjectured that some of the internal parts had been injured. The man was evidently sinking, though he several times asked to see his wife, not knowing that she was dead. In reply to Mr. Edwards, Border said it was “Tom” who had stabbed him, and that he had done the same to his wife. Mr. Edwards remained with him until he died, which was in about two hours and a-half after receiving the wounds. For some time after the murder was committed, the wretched maniac by whom it had been perpetrated was nowhere to be found. At length Thomas Batterbury, the parish constable of Bathford, as he was passing the further end of the garden, heard a noise, and on approaching it found Thomas Miller lying against the wall, with his face covered with blood. A man named Thomas May, went to his assistance, and finding that he was unable to walk, they carried him to the front of his house and placed him in a chair. It was then discovered that he had a deep wound in his throat, and another in his abdomen,

but the intestines were not injured. He appeared to be sensible, and was put to bed. In his right-hand jacket pocket was found a razor, with the name of Miller upon it. He spoke several times during the night to attendants who watched him, but his mind was evidently wandering. Amongst the statements which he made, was one to the effect that Border had come to him with a knife and threatened to rip him up. He likewise stated that Border stabbed him in the belly and he did the same to him. Later in the evening, after he had made the above statements, he became quite delirious. The wound which he had inflicted in his throat was about four and a half inches in length, but not sufficiently deep to sever the wind-pipe.

During the night, a few hours after the murder, the bonnet worn by the deceased woman was found in the garden, a few yards from the spot on which she was lying when found dead. It is known as a sun-bonnet, made of cotton print, the curtain reaching over the ears and shoulders. It was found to have a cut on the left side, on that part of it that covered the wound which the unfortunate woman received, the knife having penetrated through the bonnet and the top of her dress into the breast. It was slightly stained with blood. Immediately after the discovery of the bonnet, the knife with which the murder was perpetrated was found under a chair in Miller's kitchen. It was partly open, and stained with blood. It is evident that the knife with which the murderer stabbed his unfortunate victims was not the one that he used in cutting his own throat. The instrument with which the murders were committed was a large clasp-knife which the prisoner had that day used in killing a pig, and was just such a weapon as would inflict the wounds which were found on the deceased; whereas the murderer's throat was cut with a pen-knife, which was subsequently found lying in a pool of blood in the garden, a short distance from the spot on which he was lying when found by Batterbury, the constable. It was therefore clear that, after committing the deed, the wretched man threw away the knife which he had used, ran to the end of the garden, where he was found, and then inflicted the wounds on his own person with a pen-knife which he had in his pocket.

With respect to the unfortunate woman, Sarah Border, she appears to have died instantaneously, after receiving the stab in the breast. When found, her head was lying on a curb-stone which edged the path of the garden, and an examination of the head showed that she had sustained a fractured skull. This, at first, was supposed to have been the immediate cause of death, but the *post-mortem* examination which was made on Tuesday morning, by Mr. Edwards, assisted by Mr. Skeate, surgeon, of this city, revealed the fact that death was caused solely by the stab.

Having now given the full details of this shocking tragedy, we have merely to furnish a few additional particulars in reference to the deceased. It appears that Andrew Border was only 25 years of age, but his wife was five years older. The husband was a native of King's Staunton, Devonshire, and had held his present situation about five years. His wife came from Poplar, a few miles from the metropolis. They left one child, a little girl, four years of age, who was lying asleep when the deed was perpetrated.

At the time of this dreadful occurrence, Mr. Skrine and his family were absent from home, having gone into the North. Since the murder was committed, numbers of

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rumours have circulated as to the cause which led to it, the whole of which are, beyond doubt, entirely groundless. One of the most current reports was, that there was a feeling of jealousy on the part of Miller, who, it was alleged, was acquainted with Border's wife before she was married. For this report, however, there is not the least foundation. No one, we think, can doubt that the murderer was insane, and that he would have committed the murderous deed upon any persons, had they gone to his cottage at the same moment. The injuries which he inflicted upon himself were, from the first, not considered of a dangerous character, and up to yesterday afternoon the man was proceeding as favourably as possible. Information of this dreadful catastrophe was forwarded by Inspector Morgan, of the County Constabulary, stationed at Weston, to Bruges Fry, Esq., on Sunday, and the Coroner received it at his residence at Cheddar about seven o'clock in the evening. Mr Fry accordingly left his home at five o'clock on Monday morning, and arrived at Warleigh before ten o'clock for the purpose of holding an inquest.

The cottage in which the murder was committed is one of four or five which are built on the slope of the hill, not far above Warleigh Ferry. The cottages form a kind of quadrangle, and the one occupied by Miller, and in which the murders were committed, forms the lower corner of the block. The ground in the centre of the cottages is laid out in small gardens attached to each house, and being on the side of a hill, the cottage in which Miller resides is reached by a sloping pathway. In one of the upper rooms, when we were last at the spot, lay the perpetrator of the deed, apparently in an unconscious state, having a deep wound in his throat, sufficient in appearance to have caused instant death, and another in his abdomen. His aged mother, sat in the kitchen, apparently overwhelmed with grief, and scarcely able to take the least notice of strangers who were walking through the apartment; while his father lay bedridden and sick in another room upstairs, adjoining that of his unfortunate son. Miller appeared to be well-built powerful young man, about 27 years of age, of a sanguine temperament, not one who is likely to give way to fits of melancholy, but rather inclined to paradoxisms of excitement and fury.

The Coroner's inquest was held in a room in a house adjoining the cottage of the deceased Andrew Border and his wife. The scene which was presented to the spectators was truly awful. In the kitchen of their own house, extended on the floor, side by side, lay the bodies of the unfortunate victims. The injuries sustained by the man were evidently of the most fearful kind. His abdomen appeared to have been completely across from one side to the other, and so extensive was the wound that it is wonderful that life was not immediately extinct the moment the fatal thrust was given. From the appearance of his face, it was evident that his sufferings had been intense. In the countenance of the woman, however, there was nothing which would indicate that she had passed through any degree of suffering. She had died almost without a struggle, and before pain could possibly have been felt. The wound in her breast which caused her death did not seem externally to be very extensive, but, from the *post-mortem* examination, it was discovered that the knife had penetrated some inches. At this time it was not known that the man, Andrew Border, had received a stab in the back, and it was not until after the *post-mortem* examination, and the body had been washed, that the discovery was made. After the bodies had been inspected by the Coroner and Jury, the

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Inquest was formally opened, the evidence being presented by Mr. Gould, the Chief of Somerset County Police, who was in attendance, assisted by Inspector Morgan, who had forwarded the information to the Coroner.

There was a large number of spectators in the room. Amongst those who were present was Major Pickwick, of Bathford, who, at the request of the Coroner, had consented to act as foreman of the jury, but having been recently indisposed, Wm. Saunderson, Esq., officiated for him.

The following gentlemen were sworn on the jury: – William Saunderson (foreman), James Goodchild, Wm. Pritchard, Daniel Virgin, Stephen Fry, Thomas Lewis, Alfred Keene, William Parsons, James Smart, James Blake, William Salter, Charles Brittain, Thomas Bevan, Joseph Shellard, John Pilkington.

The Coroner, in opening the proceedings, said it was his painful duty to call the Jury together to enquire into the circumstances of a two-fold tragedy, and one which he believed of a more distressing character than any he had ever been called upon to investigate. He received information of the murder at seven o'clock on Sunday evening, and left his residence that (Monday) morning at five o'clock. He had to thank Inspector Morgan for communicating the intelligence so early, as it enabled him (the Coroner) to adopt such measures as would prevent the question arising which was referred to at the late inquiry at Rownham Ferry. He forbore making any observations on this fearful catastrophe, and he must request the Jury to dismiss from their minds anything they might have heard in reference to it. It had been stated that the murders had been committed by a man who was not in a sound state of mind. With that, however, the Jury had nothing to do. It was their duty to ascertain who caused the deaths of the deceased, and bring in a verdict against that individual if evidence justified it. He wished it to be clearly understood that he should not inquire into both deaths at the same time. The injury on each body must be kept separate and distinct, and he should therefore inquire into the death of the man, Andrew Border, before that of his wife.

The following evidence was given : –

The first witness called was

Inspector Morgan, Superintendent of the Somerset County Police, stationed at Weston, near Bath, who said –

I was sent for yesterday morning, the 11th inst. at quarter past three o'clock, by Police Constable Walter Waters, No.218, stationed at Bathford. On arriving at Warleigh, a hamlet in the parish of Bathford, I was informed by Walters that Andrew Border and his wife Sarah had been murdered by Thomas Miller, a cow-keeper in the employment of Mr. Skrine, a magistrate. I proceeded to the house in which Border and his wife resided, and on arriving I saw them both lying on the floor quite dead. I noticed that there was a stab in the abdomen of Andrew Border. There was a quantity of blood on his stomach. The trousers had been removed. I also noticed that the woman had been stabbed just above her left breast. There was a small quantity of blood round the wound. I then proceeded to another cottage, the residence of Thomas Miller, the supposed murderer, and found him upstairs in bed, with a wound in his throat. He was then in the custody of

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Police Constable George Stockden, No. 62. He appeared insensible. The prisoner was unable to speak, and unfit to be removed, and is too unwell to be here to-day. I went down into Miller's garden, and found a linen bonnet, which I produce. I was present when it was picked up by Daniel Hancock. It has upon it a cut on the left side, and slightly stained with blood. I also produce a knife which I found in the kitchen of Miller's house. It was partly open as it is now, and stained with blood. I charged Thomas Miller with the murder of Andrew Border, and his wife Sarah Border. The deceased man was a groom in the service of Mr. H. D. Skrine, of Warleigh House.

Walter Waters, police constable stationed at Bathford, being sworn, said – I was called upon on Saturday night, at nine o'clock, by Mr. Robert Bayliss, the butler of Mr. Skrine, of Warleigh House, who requested me to go immediately to Warleigh. I was then at my own house at Bathford. He said there was plenty of work for the night. He then drove off in haste, and I followed him. On arriving at Warleigh, I went to the house of Andrew Border, and saw him lying on the floor. He had a wound in his abdomen, but was not dead. Mr. Conway Thomas Edwards, the surgeon was present. The deceased said, "Oh! Mr. Edwards, what do you think of it?" Mr. Edwards said, "My dear man, may the Lord have mercy on your soul." The deceased man never spoke afterwards, and only lived about five minutes. Before he died, the deceased asked about his poor wife, and shook hands with George Heard the gardener saying, "Good bye." I also saw the deceased Sarah Border in the house of Mrs. Bradfield. She had a stab in the left breast, and also a slight cut on the left side of her head. Before I saw Sarah Border I saw Thomas Miller in a chair in front of his own house. He had his throat cut, and also a stab in his abdomen. Mr. Edwards, the surgeon, sewed up his throat, and the wound in the abdomen. We then took him to bed. He remained in my custody that night, and has since then been in the custody of George Stockden. I produce a knife which I found in the garden. It was lying in a pool of blood.

The body now lying in the adjoining house is the body of the said Andrew Border. I also knew Sarah Border. The bodies now lying in the next house are the same as the Coroner and Jury have seen. I produce a purse which I found on the prisoner Thomas Miller. It contains £2:10s. in money and a key. I likewise produce a bunch of keys which I took from the pocket of the deceased woman, Sarah Border.

By the foreman – The knife which I produce was open when I found it.

Thomas Batterbury, parish constable of Bathford, said – On Saturday night, about ten minutes before nine o'clock in the evening. I was called upon by Walter May, the other parish constable, who told me there was a murder at Warleigh, and that I must go immediately. I went directly to the house of the deceased Border, and saw Mr. Edwards, the surgeon, dressing a wound in the abdomen of Andrew Border. Mr. Edwards said. "I don't want you here; go and search for the man who did it." I was informed by Thomas May and his son Walter that it was Thomas Miller who had done it. I went to Thomas Miller's house, but he was not there. I then proceeded to the house of Mr. Bradfield, and saw the dead body of Sarah Border lying on the floor. I afterwards went to the garden of Daniel Hancock. As I passed the garden I heard a noise, and on approaching nearer, I found Thomas Miller lying on his face

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covered with blood. On lifting him up I searched his right hand jacket pocket, and found a razor which I produce. Miller could not walk. Assisted by Thomas May, Mr. Skrine's woodman, I brought the prisoner Miller near to his house, put him in a chair, and stayed with him until Mr. Edwards, the surgeon came, who gave us orders to take him into the house. Mr. Edwards then dressed his wounds. The prisoner, Miller, said that he had cut Mr. and Mrs. Border with a large knife, and himself with a small one. He appeared then to be sensible. I have known him five years, and I believe him to be of sound mind. I never knew the prisoner confined in a lunatic asylum; he has been a quite man, and as parish constable, I never have had reason to complain of him. I took him into custody and charged him with the murder of Border and his wife. I was with him while he was in bed, and he said to me that Mr. Border had come at him with his (Miller's) large-case knife and threatened to rip him up. He also said, "Border did cut me in the belly and I cut him." I asked him if he knew that Border was dead, and he replied, "No, he is not dead." I said to him, "Why did you strike his wife?" and he replied, "I struck her with my arm, like that (moving his hand at the same time), but I did not kill her, and I don't believe she is dead." I told him she was dead, but he made no reply. In the course of the night he said he had not injured either of them. He did not appear to me at that time to be worse for liquor. During the night the prisoner was delirious, and charged me with cutting his belly. The prisoner was sensible last evening. He made a statement then. I cannot in any way account for the murder.

Daniel Hancock was the next witness. He said – I am a labourer in the employ of Mr. Skrine. On Saturday evening, about five o'clock, I came home with the prisoner Miller. We had been at work together at Mr. Skrine's farmyard. The prisoner was not in liquor. The prisoner during the day, seemed in a desponding way, and I asked him what was the cause? He said they were all against him, and wanted to poison him. I asked him who they were, and for what cause? He replied, it was some of them down there, he did not know who. I said, "You do seem to me ranged (meaning deranged), and I shall go and tell your mother." We then separated. This was shortly after five o'clock. I went to my house, and he went to his. Both the houses are joining. I afterwards went to the farm, and told his mother that she had better come down and take care of him. I have known the prisoner for nine years, during the whole of which time he has been in Mr. Skrine's service. He has been quiet, but rather flighty at times. He never appeared a dangerous character, nor was he ever in confinement. I do not know why he was in a low despondent way. I never knew him commit any act of violence before. On Saturday night, between eight and nine o'clock, I was in my own house seated by the fire, and had my shoes off, about to proceed to bed. I heard a scream. My wife, who was outside the door, said, "Daniel, come out." I put my shoes on, and went out directly. I saw Sarah Border lying down on the ground, and three women with her, namely, Jane Hancock my wife, Elizabeth and Eliza Bradfield.

Some one (but I don't know who), said "Tom Miller had done it." I ran after Tom Miller and called "Tom, Tom." I then heard Andrew Border say "Daniel, Daniel, do come and help me; Tom Miller has been and stabbed me." I went and found Border standing in the middle of the lane doubled up. I put my hands round his middle to keep him from falling. I took him home, assisted by Mr. Heard, the gardener. On the road,

he said, "Where is my dear wife," and bade me go and seek for her. I then went again to her and found she was dead.

Mr. Gould, Chief Superintendent of Police, here shewed the witness the large knife which had been produced by Mr. Superintendent Morgan, and he said it belonged to the prisoner Thomas Miller.

He had seen it within the month.

By Mr. Edwards, surgeon – I have seen Mrs. Border at Miller's house several times. I believe they have always lived on neighbourly terms.

By the Coroner – I never heard anyone joke him about the murder at Leigh Woods. I never heard anyone say he was like the murderer.

By one of the Jury – On the morning of the day on which the murder was committed, I heard my wife say that the prisoner's mother had told her that he had been ill all night, and that he had been light-headed.

Jane Hancock, the wife of the last witness, was next called, and said – On Saturday night, about eight o'clock, I was in my house, and I heard dreadful screams, which appeared to come from Miller's door. Mrs. Miller, the mother of the prisoner, said, "Run, run, and catch him." I did not know whom she meant. I then fetched my husband's hat and overtook him. I then saw Andrew Border in my husband's arms, and I passed by Mrs. Border lying on the path. I thought she was fainting. I had seen the prisoner about an hour before the occurrence, standing at the door of his own house with his mother. I asked him how he was, and he said he was better. He was looking at the ground and never looked up. I did not see much of him on the day of the murder.

By Mr. Gould – There was nothing in his appearance to induce me to believe that he was deranged.

By the Coroner – When I heard the screams, I was afraid to go out, knowing that Tom Miller was queer in his head. I never knew Miller to be deranged, queer, or silly, but my husband told me he was queer in the evening of the murder.

By one of the Jury – I told my husband that Mrs. Miller, the prisoner's mother, had been to my house on the Saturday morning, and said her son had been light-headed all night.

Sarah Rippin, wife of James Rippin, coachman to Mr. Skrine, deposed: – During last week I saw Thomas Miller. He complained of having a cold and being unwell. On the Saturday morning he met me about half-past eight o'clock, and said he had had a bad night; had been fighting with Indians, and must fight them again; that if he got away from them he should have a fine house to live in. I said, "You have got a bad cold, and you had better go to bed." He said he could not lie down, as the devils came up here (pointing to his throat), and could not keep his heart in. I did not see him again until the evening of that day, about six o'clock. He knocked at my door. He came in and sat down, and I asked him how he was, and he said, "Very bad." I asked

him to have a cup of tea, and he refused, saying he could not drink it, and that he had not been well since he was at my house the other day. He also said. "You have poisoned me." I told him I had given his mother some coffee. He looked very wild, and I was frightened. He said, "Mrs. Border said I killed the woman at Leigh Woods." I enquired of Mrs. Border, and found she had not said so. The prisoner then left my house. I and my children went to Mrs. Border's and locked ourselves in. Mr. Border then came home and had his tea.

My children and I stayed at Border's home until half-past seven o'clock, when we came home, leaving Mr. and Mrs. Border in their own house. About twenty minutes afterwards Mrs. Hancock came to my house and asked for lanterns, saying, "Mr. and Mrs. Border are lying in the road in fits. I gave her a lantern, and then I saw Mr. Heard and Daniel Hancock bringing Mr. Border home. He was not dead then, but he said, "I am a dead man." I stayed with Border an hour whilst they fetched the doctor. He said, "I am dying; pray for me." I asked him how it happened. He said, "Tom did it." I knew that he meant Tom Miller. He then said, "He has served her the same." By her he meant Mrs. Border. He several times asked for his poor wife. He prayed very earnestly until Mr. Edwards came.

Mr. Conway Thomas Edwards, surgeon, of Batheaston, was next examined, he said –

On Saturday last, I was sent for by Mr. Bayliss, Mr. Skrine's butler, to attend in Warleigh Lane to a man who had been stabbed. I was informed that the man who murdered him was supposed to be about the lane. I was ordered to go to the second lodge in Warleigh Lane, and I did so. I arrived there at a quarter past nine o'clock in the evening. I saw a man lying on the floor of the house whom I ascertained and knew to be Andrew Border, Mr. Skrine's groom. There appeared to be on his abdomen a mass of blood and intestines. The upper part of his trousers was saturated with blood, as also his shirt and flannel waistcoat. I examined the mass of what I supposed to be the intestines, and finding that they were so, I cut down the trousers in such a manner that I could slip them off without much difficulty. I then searched for the wound through which the intestines had protruded, and found an incised wound two inches below the navel. There was not much bleeding at that time. I examined the intestines and found they were the small ones that had protruded, and that there was a large mass. In about ten minutes I succeeded in returning the intestines, which were tangled and swollen, into the orifice through which they had protruded. The deceased was alive at that time. I united the incision by stitches, gave the deceased some brandy, and directed him to be placed in bed. The moment he was lifted up an enormous hæmorrhage came through the stitches. Seeing that he was evidently sinking, I said, "Who on earth has done this?" He replied. "Tom;" and I understood that he meant Tom Miller, the cowman. Another gush of blood took place and he died. When he said Tom did it, he knew he was dying. I had previously said, "May the Lord have mercy on your soul." I have no doubt that the knife produced by Superintendent Morgan would have inflicted the wound in the abdomen of the deceased. I have no hesitation in saying that such wound produced death. The hæmorrhage caused death, but I can only speak positively after a *post-mortem* examination. I also examined the body of Sarah Border and in that case can only speak after *post-mortem* examination.

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This was the whole of the evidence touching the death of Andrew Border to-day, and the inquiry was then adjourned until Tuesday for a *post-mortem* examination to be made.

TUESDAY

The Coroner and the Jury re-assembled this morning to proceed with the inquiry, a *post-mortem* examination having been made on each body by Mr. Edwards and Mr. Skeates.

Mr. Charles King sworn, said – I am bailiff to Mr. Skrine. I knew the prisoner. I saw him on Saturday morning between eight and nine o'clock. I noticed that he was in a wild deranged state. He did not come to work at the usual time that morning. I spoke to the prisoner, and he said he was very ill. I asked him what was the matter. He replied that he was in pain all over, and that he saw things before his eyes like angels. He asked me whether he had better go to the doctor, and I said, "Yes, you had better go to Mr. Edwards." He said, "Can't I go with you to Bath?" and I said, "What for - to go to the Hospital?" He said, "Yes." In consequence of the appearance of the prisoner, I went to my master's house, and ordered the nurse to send him medicine to remove the pain from his head. I believe the prisoner had the medicine. I have had the opportunity of seeing the prisoner every day for the past ten years, but I never saw him in that state before. He was given to liquor if he could get it, but he was not a drunkard. I have seen him intoxicated, and he then was very ridiculous.

When I saw him on Saturday morning, he was sober. I have known persons suffering *delirium tremens*, but that was not the case in this instance. I never saw the prisoner in such a state. I saw the prisoner two hours before the murder was committed, and paid him his wages. He was at that time very unsettled in his mind, appeared to be troubled, and said they were all teasing him. I said "Who, Tom? - and I'll speak to them." He said Mrs. Border had been asking him if he knew anything of the murder committed at Leigh Woods. He also said, "What can I do in it, Mr. King?" and I replied, "Take no notice of it, and I will speak to them to-morrow." He talked in a wild way, although he did his work as usual. The prisoner's age was 27. Andrew Border's age was 25, and Sarah Border's age 32, or thereabouts.

Mr. Conway Thomas Edwards, surgeon, was next examined. He said – I have made a *post-mortem* examination of the body of Andrew Border, assisted by Mr. Edwin Skeates, surgeon, of Bath. We have discovered on laying open the abdomen of the deceased, that there was a wound in the jejunum, or small intestine. Its size was about one inch. There was about a quart of blood in the cavity of the abdomen, which proceeded from the vessels which supply the small intestines with blood. The cause of death was the hæmorrhage from the wounded vessels. While the deceased was alive after the attack, I placed the intestines, which were protruding back into the stomach. I could not then discover that the small intestines had been wounded. We did not proceed further with the *post-mortem* examination, being quite satisfied as to the cause of death.

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The whole of the evidence having been given as to the death of Andrew Border, the Coroner proceeded to swear the Jury on the inquiry touching the death of Sarah Border.

Mr. Edwards was again sworn, and gave the following evidence – I have made a *post-mortem* examination. On opening the chest, there was a wound in the aorta an inch in length, and an inch from the body of the heart. The pericardium was full of blood, and there were two or three quarts of blood in the left cavity of the chest. The death was instantaneous, from effusion of blood. The skull was fractured on the left parietal bone. The deceased was not *enciente*.

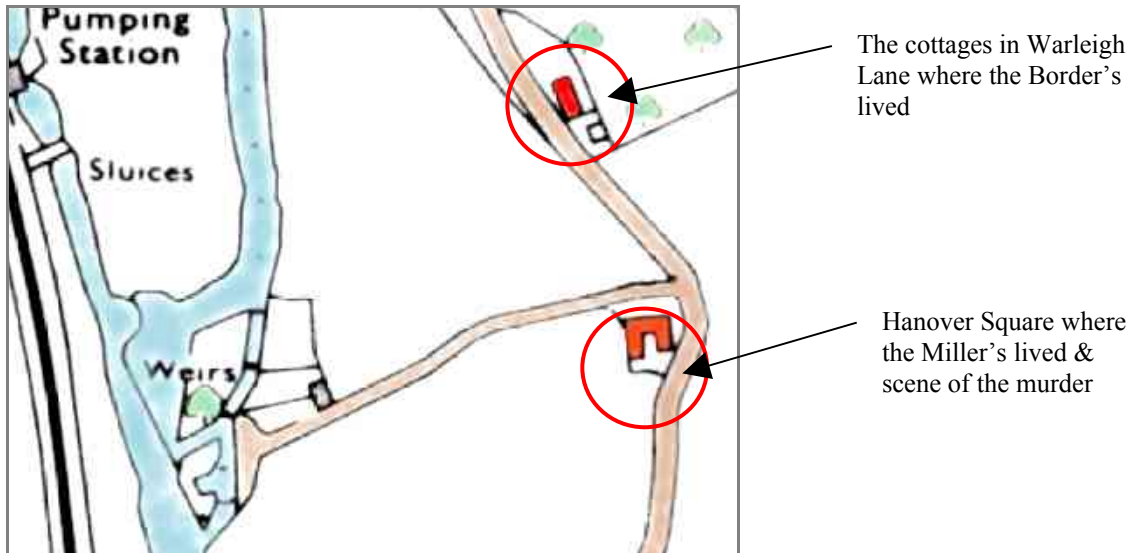
The Coroner then summed up the evidence. He said there could be no doubt whatsoever, that the deceased man and his wife came to their deaths by violence, and the question which the jury had to decide was by whom that violence had been caused. There was no direct evidence to fix any individual as having been the perpetrator of these dreadful crimes, but there was substantial evidence to satisfy any reasonable mind that the injuries were received at the hands of a man named Thomas Miller. It was his duty to inform the jury that they must not suffer that unfortunate man's state of mind to influence them in their verdict, as that would be a subject for another and a higher tribunal. They had only to say who did the act, and they must form their judgement entirely upon the evidence which had been produced, and not from what they had heard. If the evidence were conclusive against him they must return their verdict against him, and leave it to others to determine what course should be adopted in reference to him. His (the coroner's) impression was that the man Miller, would not live to go before any other Court, but if they were of the opinion that the deceased came to their deaths by his hand, they must find a verdict of Wilful Murder against him.

The room was then cleared, and, after a brief consultation, the jury returned a verdict of "WILFUL MURDER" against Thomas Miller.

The inquiry then closed.

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The cottages connected to the murders and where the murders were committed (*circled & coloured red*), in Warleigh Lane, a short distance beyond Warleigh Manor (House).



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Hanover Square, Warleigh today
(May 2005)

Notes and observances on the text of the preceding newspaper report, pages 1-11

- Leigh Woods mentioned in the newspaper report is situated on the Ashton Court estate, Bristol, where a murder had been committed shortly beforehand. Rownham Ferry, also mentioned, used to cross the River Avon below Rownham House on the edge of Leigh Woods, on the city side of the point where the Clifton Suspension Bridge was shortly afterwards built. There is no direct connexion between the murders at Bristol and at Warleigh.
- During the inquest; the word 'By' is introduced at the start of a proceeding, *e.g.* 'By the foreman' - 'By the Coroner' - *By Mr. Edwards*, or 'By one of the jury', etc. (pages 7 & 8), which means the account that follows was given in answer to a direct question put by the named person at the inquest. Most of that which was stated by the police constables and witnesses was in reply to questions put to them or by prompting; which is apparent by the way in which the information has been given and recorded.

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- Policemen named :-

Police Constable Walter Waters, No. 218, stationed at Bathford.
Police Constable George Stockden, No. 62.
Parish Constable Thomas Batterbury of Bathford
Parish Constable Walter May of Bathford

- '*delirium tremens*' - a disease of the brain, produced by excessive and prolonged use of spirituous liquors.
- '*enceinte*' - pregnant.
- There are a few very minor errors in the original typing or is the printing type set-up, *e.g.* Page 5, paragraph 3; '*His abdomen appeared to have been completely across from one side to the other.*'
The text has not been altered during transcript, though paragraph breaks have been inserted to make reading a little easier on the eyes than the original continuous run of the newspaper columns.
- Copies of the record book 'Monumental Inscriptions in Bathford Church & Churchyard', transcribed and indexed by Commander Craig O.B.E. RN, are maintained by the Bathford Society.
- The Bath Chronicle and Bath Chronicle and Herald newspapers are available on microfilm for viewing at the Bath Central Library.

HORRIBLE TRAGEDY AT WARLEIGH, NEAR BATH.

TWO PERSONS KILLED, AND ATTEMPTED SUICIDE OF THE MURDERER.

Scarcely has the public excitement subsided since the dreadful murder at Leigh Woods, than attention is again attracted to this neighbourhood by a tragedy which, in its horrors, surpasses any that we have chronicled for many years. Within a distance of four miles from this city, in the beautiful valley of Warleigh, a double murder has been committed, and an attempt made at self-destruction, which may yet prove fatal. Dreadful, however, as are the results of this occurrence, the circumstances attending it are happily divested of that deliberate premeditation which characterised the recent murder near Bristol. In that case, the murder was evidently the result of forethought and carefully-devised plans for the speedy execution of the crime and the prevention of discovery; but in the present instance there can be no doubt that the unfortunate persons who have been murdered came to their deaths by the hands of a maniac. The scene of the murder is the hamlet of Warleigh, which belongs to Henry Duncan Skrine, Esq., one of the Magistrates of the county of Somerset, whose residence, Warleigh House, overlooks the river Avon and the railway which runs beside it. The particulars of the crime have been most fully elicited, although at the time that it occurred there was no one present except the murderer and his two unfortunate victims. It appears that the murderer is a young man, named Thomas Miller, about twenty-five years of age, who has been for the last ten years in the employment of Mr. Skrine as a cowherd, and resides along with his father and mother in a cottage belonging to that gentleman in Warleigh Lane, about a quarter of a mile from Warleigh House. The unhappy persons who have been murdered were Andrew Border, a groom and under-coachman in the service of Mr. Skrine, and his wife, Sarah Border, and they also resided in one of Mr. Skrine's cottages, about 100 yards from the residence of Miller. Miller, it appears, was always considered a steady and well-conducted young man, and, until very recently, was never known to exhibit any symptoms of mental aberration, although, occasionally, he has been known to act in a very singular manner. He continued to perform his duties, with his usual regularity last week, but, on Thursday evening, he complained of having a cold and being very unwell in his head. On Friday he appeared in a very desponding way, did not go to his work as usual, and, during that night he was at

against the wall, with his face covered with blood. A man named Thomas May, went to his residence, and found that he was unable to walk, they carried him to the door of his house and placed him in a chair. It was ascertained that he had a deep wound in his throat, rather in his abdomen, but the intestines were not injured. He appeared to be sensible, and was put to bed. In the right-hand jacket pocket was found a razor, with the name of Miller upon it. He spoke several times during the night to the attendants who were watching him, but his mind was evidently wandering. Amongst the statements which he made, was one to the effect that he had come to him with a knife and threatened to stab him. He likewise stated that Border stabbed him in the neck, and he did the same to him. Later in the evening, after he had made the above statements, he became delirious. The wound which he had inflicted on his throat was about four and a half inches in length, and not sufficiently deep to sever the wind-pipe. On the night, a few hours after the murder, the bonnet of the deceased woman was found in the garden, about twenty yards from the spot on which she was lying dead. It is what is known as a sun-bonnet, made of cotton print, the curtain reaching over the shoulders. It was found to have a cut on the left side, on that part of it that covered the wound of the unfortunate woman received, the knife having passed through the bonnet and the top of her dress, and into her breast. It was slightly stained with blood. Immediately after the discovery of the bonnet, the knife with which the murder was perpetrated was found in a chair in Miller's kitchen. It was partly open, and was covered with blood. It is evident that the knife with which the murderer stabbed his unfortunate victims was the same that he used in cutting his own throat. The wound with which the murders were committed was a large clasp-knife which the prisoner had that day used in killing a pig, and was just such a weapon as would inflict the wounds which were found on the deceased. The murderer's throat was cut with a pen-knife, which was subsequently found lying in a pool of blood in the garden, a short distance from the spot on which he was lying when found by Basterbury, the constable. It was then open. It is therefore clear that, in committing the deed, the wretched man threw away the knife which he had used, ran to the end of the garden where he was found, and there inflicted the wounds on his own person with a pen-knife which he had in his pocket.

With respect to the unfortunate woman, Sarah Border, she appears to have died instantaneously, after the stab in the breast. When found, her head was resting on a curb-stone which edged the path of the garden, and an examination of the head showed that she had no fracture of the skull. This, at first, was supposed to have been the immediate cause of death, but the post-mortem examination which was made on Tuesday morning, by Mr. Edwards, assisted by Mr. Skrate, surgeon, of this town, revealed the fact that death was caused solely by the wound in the breast. The cervix was found to have been penetrated by the knife, and the blood which was thus released caused instant death, even before the unfortunate woman

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An enlarged section of the four-column length report; photographed on a microfilm reader at Bath Central Library. Each column necessitated three separate photographs in order to make the text large enough to be fully legible.

FURTHER NEWSPAPER REPORTING ON THE WARLEIGH TRAGEDY

Taken from the Bath Chronicle newspaper of Thursday 22nd October 1857
(For notes and observances - see pages 24)

A transcript by Robert AE Scammell

THE LATE TRAGEDY AT WARLEIGH

Since the inquiry held by the Coroner relative to this dreadful tragedy, the prisoner, Thomas Miller, has been gradually recovering from the wounds which he inflicted upon himself, and it was expected that, in the course of a few days, he would be sufficiently convalescent to be removed and undergo the necessary legal examination by the Magistrates. In order, however, to avoid the fatigue and excitement to which he would be subjected if brought before a public Court, it was thought desirable that the examination should be taken at his own residence. Arrangements were accordingly made for that purpose, and, on Tuesday morning, P. C. Sheppard, Esq., of Batheaston, one of the County Magistrates, proceeded to Warleigh and took the examination in the prisoner's bedroom, where he was lying. Mr. Skrine, of Warleigh House, who is also a County Magistrate, attended the examination. He took no part in the proceedings, but was represented by Mr. Helps, his solicitor. Mr Slack, solicitor, of Bath, was present on behalf of the prisoner, and Mr. Williams, of the firm of Taylor and Williams, clerk to the Magistrates, attended to take the depositions. Mr. Edwards, the medical attendant of the prisoner, was also in the room.

Since we saw the prisoner last week, he is evidently undergone considerable change for the better. He was then completely prostrate, and in great suffering, but this morning he was quite free from pain, and appeared sufficiently collected to understand what was going on. He was dressed, and lay outside the bed, with his head supported by pillows. He appeared to take but little notice of the proceedings, though occasionally he turned his head towards the table where the depositions were being taken. During the examination of his mother, he seemed to pay some attention to what she was saying, and looked at her with much earnestness. When the enquiry was held before the Coroner, the prisoner's mother was unable to be examined, although her evidence was, undoubtedly, of much importance, insomuch as she was the only person who was able to fix the exact moment when the attack was made upon the unfortunate victims. In her evidence she fully confirmed the testimony of other witnesses as to the deranged state of her own son's mind on the day of the murder, and more particularly a few minutes before it took place. She likewise stated a fact of some importance relative to the general state of his mind, namely, that whenever he had been reading, he complained of a pain on the crown of his head. On the present occasion, she states that her son, a few minutes before the Borders came in, was reading the Bible, and, as he intended shortly afterwards to go to bed, she was upstairs, first to attend to her husband, and then to take

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some hot water into her son's bedroom, to bathe his feet. She had not been in her husband's room more than a minute when she heard the Borders open the door, and she states that, scarcely had the door been opened, when she heard a loud scream. This was the only fact that required to be cleared up, as, according to the evidence given at the Coroner's inquest, it was important to say at what particular moment the murderer attacked his victims, whether the attack was made just as they entered the door, or when they got inside the kitchen. According to the mother's evidence, it would appear that the murderer heard the Borders come down the pathway of the garden, that he rushed upon them at an instant, and met them at the moment they were opening the door. Andrew Border was probably the nearest to the door, his wife following behind him, and upon him the attack was first made. It appears that the knife which the prisoner used in the murder was one that was always kept in the recess of a small window in the kitchen, and when the Borders came he was sitting within a couple of yards from the window. These are the only additional circumstances which have transpired since the Coroner's inquest, but as, in all probability, the principal question at the trial of the prisoner will be his state of mind at the time he committed the deed, it may be desirable to place before the public whatever tends to throw light upon it. The whole of the evidence tends, beyond doubt, to show that the prisoner was in an unsound state of mind at the time of the murder, although, the contrary opinion is entertained by many persons who have known him.

It is even asserted that the prisoner had some ill-will towards his unfortunate victims in consequence of Andrew Border having threatened to inform Mr. Skrine of some trivial offence of which he had been guilty. Of this, however, there is no positive proof, and it is probably surmise. Since the committal of the deed, the prisoner has referred more than once to the murdered people. On one occasion he asked the police-officer in attendance upon him whether the Borders were buried, and, on being informed, he asked in what part of the churchyard they were lain. He also asked if it were probable that he would be hanged, and whether, if he were hanged, he would be buried in Bathford Churchyard, near the Borders. As we stated in our last impression, the prisoner's father has been, for some years, of unsound mind, and was in bed in one of the top rooms of the house at the time the murder was committed. In consequence of his state of mind, it was thought desirable not to inform him of the dreadful deed which his son had perpetrated, and he was quite unconscious of what occurred until a few days since, when, in order to be taken proper care of, he was removed to the Union Workhouse. He was then told that his son had murdered the two Borders, on which he observed that it was well for himself that he had not been told while in the house, as he believed it would have killed him.

All the witnesses who gave evidence at the Coroner's inquest were again examined, in addition to the prisoner's mother, who, until to-day, was too unwell to undergo the necessary examination. She gave her evidence in a cool and collective manner, and without the least indecision.

Her name is Elizabeth Miller, and being sworn, she said – I am the wife of Thomas Miller. The prisoner is my son. He is 27 years of age. He has never been addicted to drinking; nor have I noticed anything wrong about his state of mind, further than, after he has been reading. I have heard him remark that he felt his head rather light on the

top. On the night of Friday preceding the murder, I had no rest in consequence of the state he was in. He appeared to think there was someone fighting with him all night. I thought he was going to have a fever. He said the Philistines were coming to him. I sat by his bedside all night, and whenever I went away for a moment he called me back. He got up between six and seven o'clock, and I gave him some tea. He seemed much better afterwards. I then went to the shepherd's farm, having business there during the day. Before I went, I told Mrs. Hancock to send for me if she observed my son to be worse. Daniel Hancock came out to me and said he was very bad. I came home at five o'clock and gave him some tea. I then made preparations for him to put his feet in hot water, and while I was upstairs getting the water ready, this circumstance happened. As I was upstairs, I heard the door open, and then a scream. I ran downstairs as fast as possible, but when I got down I found no one in the kitchen. The scream appeared to be that of a man. I rushed out of the doors, and as I got to the door I fancied I touched some one's coat. It was quite dark, and I could not tell who it was. I think it was Tom. The door was wide open. When I got out of the door, I saw that some one had fallen down on the pathway, and called to Daniel Hancock to come out to see who it was. It was the body of Mrs. Border. She was lying about three yards from the door. Mrs Hancock brought a light, and said, "Why here is Mrs. Border lying on the ground!" Mrs. Border neither spoke nor moved. I went into Bradfield's house and remained there until my son was found. After my son was got into bed, I returned home. My husband remained in bed all night, and asked me the following morning what the noise was about, I said that Tom had been ill. The knife produced belongs to my son, and was usually kept in the kitchen window. I did not see the knife that evening. I never knew my son speak in an angry way in regard to the Borders. My son was a very saving young man and had some money in his Savings' Bank. The money found in the box belongs to me. I think there were £92 in the box. He was always a good and dutiful son to me.

By Mr. Slack – He was as harmless as a child. He acted sometimes more like a child than a man. My husband was not capable of taking care of money, as he has not been right in the mind during the last nine years. He is now in the Lunatic Ward of the Workhouse. He was removed there a few days since.

By Mr. Williams – I don't know what caused my husband to become insane. He lost some money 20 years ago, but he never mentioned it. He had told me that he had three or four times attempted to commit suicide.

By Mr. Slack – On one occasion he tried to drown himself at Dundas.

When the whole of the evidence had been taken.

Mr. Slack, on behalf of the prisoner, addressing Mr. Sheppard the Magistrate, asked him whether, under the circumstances in which the prisoner stood, he would feel it his duty to commit him for trial? I should be borne in mind that there was already a prosecution directed against him by the Coroner, and, no doubt, in that prosecution everything would be done to meet the ends of justice. There would be a public inquiry,

the prosecution prefer a bill of indictment against the prisoner, and there would be a satisfactory adjudication upon the merits of the case. The law gave the Magistrate a discretion in such a case as this, and he thought his Worship, on looking at all the facts, and considering he was already committed on the Coroner's inquisition, might fairly come to the conclusion that it was not desirable to put the prisoner and his friends to the expense of separate prosecution. It was true that a dreadful deed had been committed; but it was not difficult to come to the conclusion that, at the time the prisoner did it, he was not in a state of mind as would render him accountable for his actions. That being the case, though there had been a bloody deed committed, there was no crime. Again, it should be considered that there was not the slightest motive to induce the prisoner to commit such an act of violence as had been deposed to. They were friendly up to the last hour, the prisoner himself of a peaceable temper, having never been known to commit an act of violence during the whole of his life. It had likewise been proved that the father had been afflicted with a weakness of mind, and when they remembered that such a disease was hereditary, they had little difficulty in concluding that the prisoner was in that state when the crime was committed.

Mr. Sheppard – All these observations may be matter for a jury to consider, but you are aware that I cannot consider them.

Mr Slack – I know that this is a novel application, but if your Worship considers that the prisoner was insane when the deed was done, then he was in the position of an idiot. Now, supposing this deed had been done by an idiot, would you, because he had done a dark deed, think it necessary to order a serious prosecution to be instituted against him. This man ought to be considered as being, at the time the deed was perpetrated, a real idiot, and that being so you would surely not order a prosecution against him. There has been an inquiry before the Coroner, and there will be an inquiry before the Jury on the Coroner's inquisition, and if you commit him there will be two inquiries of an expensive character against the poor man; whereas, I should think that the ends of justice might be satisfied if you decide that you would not direct such a course to be taken.

Mr. Sheppard – I feel that I have but one course of duty to follow – that is to commit him. Your remarks may be all very well before a jury; but I, as a Magistrate, have no power to consider them. It will, therefore, be my duty to commit the prisoner for trial .

Mr. Slack said it would be necessary to have a medical certificate before the prisoner was removed.

Mr. Edwards, the surgeon, here examined the prisoner, and said that he could not give a certificate for his removal until the following morning.

Mr. Sheppard then advanced to the bedside of the prisoner, and, having read over him the usual caution prior to commitment, asked him if he had anything to say. Mr Sheppard also asked the prisoner if he heard what was said, and he made a slight

motion of the head, signifying the affirmative. He made no reply. Mr. Slack advising him to say nothing.

Mr. Slack then applied for the money found in the prisoner's box to be given up to him.

Mr. Williams said he could not advise the Magistrate to make an order to that effect. The Magistrates had to protect the rights of the Crown, and, in the event of the prisoner being convicted, all property became confiscated. He therefore, thought it was necessary that the police should retain it.

Inspector Morgan said there were £92 found in the box, besides a bank-book, showing that the prisoner had been a depositor in the Bath Savings Bank and that his deposits amounted to £47: 3s. 8d. He (Inspector Morgan) had invested the £92 in the Savings Bank, in his own name until he received orders what to do with it.

The prisoner's mother said the £92 belonged to her.

Mr. Slack considered this a very improper step on the part of the police authorities. Because a man had committed a crime the police had no right to go into his dwellings and take possession of all his money. Supposing an action were to be brought for the recovery of that money, the police authorities might find themselves in difficulty when they had to defend it.

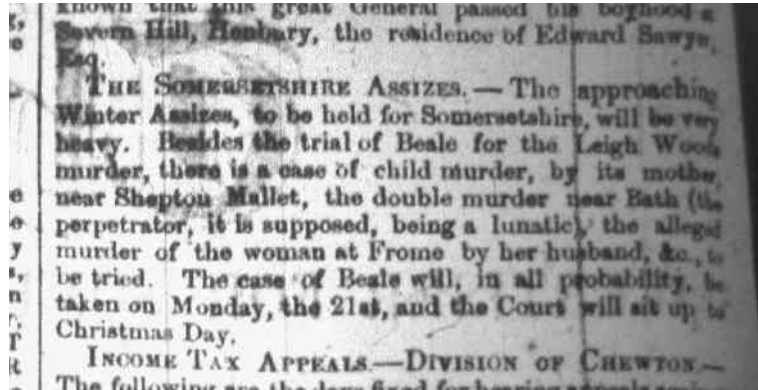
Mr. Williams said that a separate application might be made on a future occasion if the money were required for the defence, but at the present he did not think it would be prudent on the part of the Magistrates to accede to the application.

Mr. Sheppard ultimately decided not to make an order at present respecting the money.

The proceedings then closed.

The internment of the bodies of Mr. and Mrs. Border took place on Thursday last, in the burial ground of Bathford Church. The coffins were borne by men who resided in the same cottages as the unfortunate deceased, and, in addition to their immediate relatives, the mournful procession included H. D. Skrine, Esq., and J Mackarness, Esq. The solemn ceremony was witnessed by a considerable number of persons resident in the surrounding neighbourhood. The burial service was read by the Rev. R. Hancock, Vicar of Bathford.

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Bath Chronicle 5th November 1857

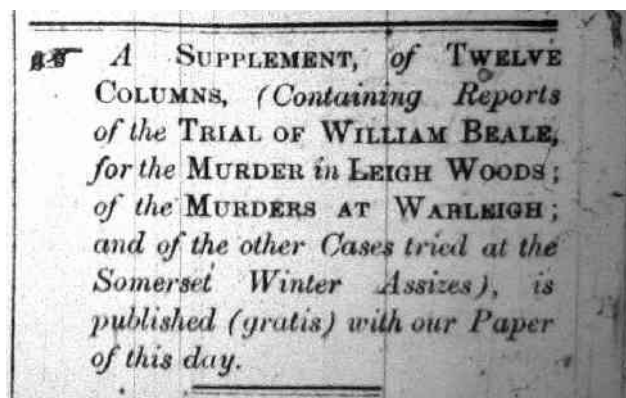
THE SOMERSET WINTER ASSIZES AT TAUNTON

COMMENCED ON SATURDAY 19th DECEMBER 1857

Taken from the Bath Chronicle newspaper of Thursday 24th December 1857

A transcript by Robert AE Scammell

The Clifton Chronicle newspaper of 21st October 1857, reported that a man named John William Beale had confessed to the murder of a girl named Charlotte Pugsley at Leigh Woods, Bristol. The Bath Chronicle newspaper of the 24th December 1857 carries the whole story of the subsequent trial at the Somerset Winter Assizes. John William Beal was found guilty of murder at the Assizes, and sentenced to be hanged by the neck and thereafter his body buried within the precincts of the prison.



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The Bath Chronicle newspaper of Thursday 24th December 1857 also carried the report of the trial of Thomas Miller at the same Assizes on Wednesday 23rd December 1857. Miller was there to be judged on the account of the death by stabbing of Mrs. Border only; the following is a full transcript from the Bath Chronicle of the trial.

The following account of the tragedy that occurred has been taken from The Bath Chronicle newspaper
for Thursday 24th December 1857
(For notes and observances - see pages 24)

**WEDNESDAY.
THE DOUBLE TRAGEDY AT WARLEIGH.**

Thomas Miller, was indicted for the murder of Sarah Ann Border, at Warleigh, near Bath.

Mr. Thring, (instructed by Mr. Slack) defended the prisoner.

The prisoner on being placed in the dock, came forward in a stooping posture, with his hands clasped, his mouth partially open, and his eyes cast on the ground, presenting every appearance of melancholy insanity.

Mr. Saunders asked the learned Judge to accommodate the prisoner with a chair, but his Lordship declined doing so, unless the prisoner himself applied for the accommodation.

The prisoner remained in the position which we have described for some time, during the proceedings, but shortly after his mother had been examined, though he appeared to have taken no notice of her, as she gave her evidence, he began to move backwards and forwards in the dock, his hands still clasped, his eyes still cast down, and to utter deep and distressing sighs. This continued for some time, when he suddenly fell to the ground. He was lifted up, and his Lordship ordered him to be accommodated with a chair. This was done and he sat upon it, for some time, when he slipped off the front of the chair. He was again placed in it, and, while still continuing his sighs and moans, he several times endeavoured to rise, but was prevented by the officers, who were attending upon him. During a portion of the proceedings, his Lordship called the attention of the Jury, to the prisoner's conduct, and told them that it might probably form a feature of some importance in the course of the trial.

Mr. Thring, in opening the case, said that the prisoner was a cowherd, in the employment of Henry Duncan Skrine, Esq., of Warleigh House, about five miles from Bath, and lived in a cottage in Warleigh Lane, about 200 yards from the cottage in which the deceased Sarah Ann Border and her husband resided. On the morning of the 10th of October, the prisoner went to his work as usual, on Mr. Skrine's farm, and was met about nine o'clock by Mr. King, the bailiff to whom he complained of being ill. He told Mr. King that he had angels floating before his eyes, and asked if he had better go to the doctor. Mr King told him he had better go home and remain quite. Shortly

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afterwards Mrs. Ripping, the wife of the coachman, having been informed by Mr. King of the state the prisoner was in, went down to his house to see him. She asked him how he was, and he told her that Indians had been fighting him, and that he was very ill. On that day the prisoner killed a pig, and at that time he exhibited no symptoms of violence. Just as he had done his work, Mr. King, the bailiff, paid the prisoner his wages, and had a conversation with him. The prisoner said to Mr. King, "They are all teasing me." Mr. King said "Never mind them, I'll speak to them to-morrow." The prisoner then said, "Mrs. Border has been asking me if I knew anything about the murder at Leigh Woods." This was at five o'clock. One of the workmen named Hancock here joined the prisoner, and walked home with him, the prisoner and Hancock living near each other. About six o'clock the prisoner called at Mrs. Ripping's house, when Mrs. Ripping asked him if he would have some tea. He said "No, you poisoned me with some coffee when I was here before." He also said to Mrs. Ripping, that Mrs. Border had been saying that he killed the woman at Bristol. Mrs. Ripping was so frightened that she ran out of her own house, and went into that of Mr. and Mrs. Border. Shortly afterwards, the prisoner went into his own home. Nothing more took place until about seven o'clock in the evening, when some of the neighbours heard some one walking down the garden towards the prisoner's house.

They heard the door open. Immediately afterwards a scream was heard, and some one (who it afterwards appeared was Mrs. Border) cried out, "Oh my dear husband !" The neighbours immediately ran out, and, though the night was very dark, they discovered the body of Mrs. Border lying on the footpath near Miller's door. She was then dead from a stab which she had received just below the neck. Soon afterwards her husband, Andrew Border, was found in the lane with a deep wound across his abdomen, from which he died soon afterwards. Nothing was seen of the prisoner until some time after the occurrence, when he was found lying at one end of the garden on his face, near a pool of blood, with his throat cut, and a wound in his stomach. Near the spot where he was lying was also found a pen-knife, and in the house a large clasp knife was found, both covered with blood. Mr Thring having commented on the law relative to cases of insanity and lunacy, called the following witnesses: –

Charles King, bailiff to H. D. Skrine, Esq., of Warleigh said. The prisoner was in Mr. Skrine's employment in Oct. last. Sarah Border was the wife of Andrew Border, Mr. Skrine's groom. They lived in Warleigh Lane. The prisoner lived in a group of cottages 200 yards down the lane, with his father and mother. On the morning of the 10th of October I found he did not attend to his work as usual. I met him in a field near the house about nine o'clock; he said he was very ill. I asked him what was the matter – where his pain lay. He said he was ill all over him – that he kept seeing things like angels before his eyes. He asked me if he had better go to the doctor. I recommended him to go to Mr. Edwards. He said "Could I not go into Bath with you to the Hospital ?" I told him he had better go home and rest himself. He went off from me in the direction of his house. I went to Mr. Skrine's house and told the nurse to send him some medicine. I went to Bath, and on returning at one o'clock found the prisoner at work as usual. He said he felt better, and I told him to go kill a pig. He did so. I paid him his wages on that day at five o'clock. The prisoner at that time was in the yard, where he had put the pig. I paid him £1:10s. for himself and his father. After he had

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taken his wages he said, "They do keep teasing me." I said, "Who Tom?" He said, "Mrs. Border has been asking me if I know anything of the murder in Leigh Woods." I said, "Take no notice of them, and I will speak to them to-morrow." He then left me to go to his home. I afterwards went down to his house about seven o'clock. Mrs Border had been down to the house to say that something was the matter with the prisoner, and that he had been very restless. I then went to his house. I found him sitting down to tea with his father and mother. I said, "Tom, how be you now?" His mother said, "Oh! Tom is a great deal better now." I said, "I am glad to hear it; he had better go to bed and have a good night's rest."

Cross-examined: – I have been in Mr. Skrine's service many years. I have known the prisoner from youth. He was an inoffensive man when left alone. When at work he was always sober. His father is in the Union. He is not in a lunatic ward. I know that the prisoner's father had often been in a deranged state, and was removed to the Union to prevent any serious occurrence.

Re-examined: – When the prisoner was teased and could not have his own way he was easily excited.

By the Judge: – I warned the people several times against teasing the prisoner, because a very little teasing would put him out of the way.

Sarah Ripping, wife of James Ripping, Mr. Skrine's coachman, said I live in the cottage adjoining that of Mr. and Mrs. Border. On the 18th of October last, in consequence of what Mr. King told me, I went towards Miller's cottage, and met Miller in the lane. I asked how he was. He said, "I have suffered a great deal; I have been fighting with Indians." We were then opposite a large hill, and he said "They all came down that hill with their guns and bayonets." I said "You have had a bad dream, Thomas." He said, "I must go to the Indies and fight for my life, and if I get away I shall have a fine house to live in." He had got some medicine in his hand which had come from Warleigh House, & he said "Take this medicine to my mother, she is to have some of it, and you are to have a little of it." I said "I will."

I went to his mother's house and found she was not in. I went towards my own house and met the prisoner again. He said he had some beer in a barrel which he had told his mother to put away. I then parted from him. In the evening he came again to my house at six o'clock. I was then alone with my two children. He knocked on the door; my daughter let him in, and said to him "How are you." and he said "Very bad." I said "Will you have a cup of tea." He said "No, I have not been well since I was at your house the other night when you poisoned me. He also said, "Mrs. Border says I killed the woman at Bristol." I went out, being very much frightened, leaving the prisoner in my house. I went into Mrs. Border's house and stayed there. I saw the prisoner go away soon after. I kept Mrs. Border out of the way until he had gone.

Cross-examined – I left my house because I was frightened. He seemed to me quite out of his mind. He said he had not had any rest for three nights. I never saw him

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out of temper in my life, nor the worse for liquor. I knew his father well. He used to act very strangely.

By the judge – When the prisoner came to my house in the evening, he looked very wild and white.

John Hurd, gardener to Mr. Skrine – Remembered Saturday, the 10th of October last. Saw the prisoner on that day between nine and ten in the morning. On the morning of the 10th of October, witness asked the prisoner how he was; he said he was better. Saw him again in the afternoon, and asked him if he was going to kill a pig. He said he was, but was unable to do it, and asked witness to do it for him. He was looking very wild at that time. Witness lodged with him nearly two years. Whenever the prisoner had been drinking, he was in a very depressed state. Had seen him about a dozen times, in a state of intoxication.

Cross-examined – Last saw him in a state of intoxication when they had the Harvest Home at Warleigh.

Daniel Hancock said – I lived in the same group of cottages as the prisoner. On the 10th of October, about five o'clock, I saw the prisoner standing near the farm-yard gate. Saw him looking about, and said to him, "What is the matter." "A pretty deal is the matter," he said, "they all want to poison me." I asked him if I had done him any harm, but he did not answer me. I was rather afraid of him. We walked on together, and I said, "Thomas, you seem to me deranged, I will go and see your mother, when I get up home." We both went to our respective homes.

Cross-examined – The prisoner looked wild when I was with him. Had known him some years, and as far as I had observed he was a sober man.

Re-examined – He was rather easily put out of temper.

Jane Hancock, wife of the last witness, recollected Saturday, the 10th of October last. Saw the prisoner half-an-hour before she heard the screams. He was standing at his door, by the side of his mother. Asked him how he was, and he said he was better. In half-an-hour afterwards, heard some screams, apparently from the prisoner's door; it sounded like a woman and a man. Heard no talking or noise before the screams. On hearing the screams witness ran out. It was very dark, and raining. On going out saw Mrs. Border lying about three or four yards from Miller's door.

Cross-examined – Had lived in the neighbourhood many years. The prisoner was a quiet and harmless man. Never saw him tipsy.

Elizabeth Miller, mother of the prisoner deposed that on Saturday, the 10th of October, when her son got up in the morning, he said he was very ill. Witness did not go to bed all night because her son was so restless. She therefore told him to get up, which he did, and she gave him some tea. Witness then went out, and when she came back she found he had gone out. About half-past five o'clock her son came home. She

made him some tea, and put him down in a chair in the kitchen. Witness and her husband went upstairs, leaving the prisoner sitting by the fire.

Just as she got to the top of the stairs, she heard some one open the kitchen door, and rush in. She then heard a scream. She immediately ran down into the kitchen, but found no one in. She got to the door, and fancied she put her hand on some man's coat, but she could not tell whose it was. She could see nothing. The knife produced is one which is always kept on the table or in the window of the kitchen. It was there that day.

Cross-examined – Her son was a harmless man; he was not in the habit of getting tipsy. Witness's husband had been deranged. The day after the occurrence he was removed to the Union. Some time ago he was in a deranged state; and witness saw him try to destroy himself by pinching his throat. He once tried to drown himself. During the night before the occurrence at Warleigh her son was very restless, and said he had been fighting with the Philistines.

Two other witnesses, Eli Coles and John Batterbury, then gave evidence as to the finding of the bodies in the garden; after which

Mr. T. C. Edwards, surgeon, was examined, and deposed to being called upon to attend the prisoner, and finding a wound in the throat, which was sewn up. The prisoner was in a state of apparent unconsciousness, but when the witness began to sew up his wound, he said "I am the devil." Witness should consider that the prisoner, at the time he committed the offence, was labouring under a disease of the mind. Witness described the wounds on the prisoner.

In reply to the Judge,

The witness said he believed insanity to be hereditary. The best medical authorities considered it so, and he agreed with them.

Mr. Henry Litton, the surgeon of the Gaol at Taunton, was then examined, and, in reply to questions put to him by the learned Judge, stated that, though he had not much attended to questions of insanity, he had seen many cases in the course of his practice, from which he was capable of forming an opinion on the subject. Looking at the evidence which had been adduced to-day, he was of the opinion that when the prisoner committed the fatal deed he was labouring under a disease of the mind. He was of opinion, however, that the prisoner's conduct to-day in Court was partly feigned.

The learned Judge here intimated to Mr. Saunders that he might address the Jury.

Mr. Saunders then, on behalf of the prisoner, said that the only point which he would submit to the Jury was, whether or not, at the time the prisoner committed the act, he was a reasonable agent, or whether there was insanity sufficient upon him to relieve him from the responsibility of his acts. That he killed the deceased there could be no doubt. He did not intend to dispute that. To render a man responsible for a crime, he must be a man having such a knowledge of right and wrong as would enable him to

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adopt the one and avoid the other; but if a man, from natural defect of intellect was unable to perceive the natural tendency of his actions, the law did not visit that man with punishment for an act which, in an ill-conditioned state of mind, produced by disease or malformation, he might commit. He therefore submitted with confidence that the prisoner, at the time he perpetrated the deed, was in an unsound state of mind.

The learned Judge, in summing up the case to the Jury, said there could be no doubt that the deceased came to an untimely end by wounds inflicted upon her by the prisoner at the bar. The question which the Jury had to decide was whether the prisoner was in such a state from disease of the mind as not to know that he was doing a wrong action at the time he inflicted the wounds upon the deceased. They must consider whether the evidence showed that he was labouring under such a disease of the mind as to be deprived of reason, and unable to distinguish right from wrong. His Lordship then referred to the law applicable to cases of insanity and told the Jury that they must decide whether, from the evidence, they could pronounce a verdict of guilty of wilful murder, or a verdict of not guilty on the ground of insanity.

The Jury returned a verdict of “Not Guilty, on the ground of insanity,” and the learned Judge ordered the prisoner to be kept in confinement during her Majesty’s pleasure.

This terminated the business of the Assizes.

This was the last trial at the Somerset Winter Assizes for December 1857; and nothing further appears to have been reported on Thomas Miller. How long he was incarcerated, or where, has not yet been found, nor where he died, or when. A thorough search has been made of the Bath Chronicles newspapers up to the end of the year 1858, which included the spring, summer and autumn Assizes, but nothing further was found on the matter at Warleigh.

Thomas Miller was found ‘not guilty’ of the murder of Mrs. Border on the ground of insanity. Therefore, it is presumed, that any prosecution in respect of the death of Andrew Border would have received the same verdict, as both deaths occurred during the combined moment of sudden violence; and therefore, a second trial may not have been not worth commencing. If the jury had found the prisoner ‘guilty of wilful murder’, then, a second trial would definitely have taken place.

The Bath Chronicle newspaper of 29th October 1857:

THE LEIGH WOODS MURDER. – We hear on goods authority, that John Williams Beale has confessed himself to be the murderer of the unfortunate girl Charlotte Pugsley. – *Clifton Chronicle*, Oct. 21.

The convicted murderer John William Beal was hanged in January 1858 for the Leigh Woods murder, and the Somerset Spring Assizes came and went, but there appears to have been nothing further reported on Thomas Miller beyond December 1857.

Notes and observances on the text of the preceding two newspaper reports, pages 14 - 23

- As stated on page 12, during the examinations; the word ‘By’ is introduced at the start of a proceeding, e.g. ‘*By the Judge*’ (pages 21), which means the account that follows was given in answer to a direct question put by the named person at the trial. Most of that which was stated witnesses was in reply to questions put to them or by prompting.
- The inscription for grave no. 124 as given in Commander Craig’s book states ‘Sarah Rebecca Border’, but the newspaper reports refer to her as ‘Sarah Ann Border’.
- There are a few minor errors in the original typing, or the newspaper printing type set-up. Mrs. Rippin, in the first report of the 15th October, becomes Mrs. Ripping in the third report of the 24th December (*newspaper print or typing errors*).
- Mr. & Mrs. Rippin (Ripping) lived next to Mr. & Mrs. Border in Warleigh Lane, above and 200 yards from Hanover Square where the Miller family and the Hancock’s lived.
- It is quite noticeable, how the various statements seem to alter slightly in detail with repeated telling; which may be as down to the reporting of the proceedings as much as the actual statements made. Also, a few further details emerge in the Assizes report not mentioned in the earlier reports.
- It was probably well known in such a small *tight-knit* community that Miller might have become excited or annoyed when ‘teased’. Teasing remarks can be friendly, but can also be very spiteful and cutting.
- Another detail, not clarified, was the type of coffee that had been given to Miller. Was it genuine coffee, or homemade ‘coffee’ created from wild plants? Although there is no way to finding out now, there is always the possibility that dried and powdered substances from wild plants, which may have included Belladonna, Aconite (*wolf’s-bane or monk’s-hood*), Digitalis (*foxglove*), Laburnum, or certain fungi, may have been added to the coffee. Although this is conjecture, such poisons could make a person very ill - and also hallucinate; added to which, a few sly accusing remarks about being a murderer, could have tipped the balance of a susceptible person further over the edge than one might have expected, or have possibly intended. In Millers’ words “A pretty deal is the matter,” “they all want to poison me”, he had told Mr. King and Daniel Hancock.

If, Thomas Miller believed (*rightly or wrongly*), that he had been poisoned; along with the alleged ‘teasing’ about being a murderer, which appears to have gone on; and on top of which, everyone he met over the period of a few days since becoming unwell asking him how he was feeling, or telling him he seemed “deranged”, would surely have aided even a sane person to become convinced that everyone around him was in some form of collusion behind his back. There is also the fact, that his father was commonly and medically considered to be “*deranged*”. None of which would have been an excuse for killing someone, but it could have been reason enough for having a nervous or mental breakdown.

- Miller may have thought that by going to the hospital, as he had requested, there would have been more likelihood of finding out if he had been poisoned, which he seemed to believe, and as the doctor only gave him a sedative and sent him straight back to work probably made him think that even the doctor was in collusion against him.

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- The prisoner Beal, condemned for the murder at Leigh Woods, was hanged on the morning of Tuesday 12th January 1858. The report in the Bath Chronicle of 14th January 1858 makes unpleasant reading in its completeness of fine detail even though almost one-hundred and fifty years have passed since then. A small addition of interest is added at the end of the report on the death by hanging of the murderer John William Beal, although it is not connected to the Warleigh incident:

‘As proof of the wretched ignorance prevalent among the lower classes, we may mention that a person residing in Bath, who has a wen in the neck applied for permission to touch the dead body of the murderer, believing that he would be cured. The application was, of course, refused.’

Note: A ‘wen’ is an old name for an encysted tumour, or a wart.

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ground of insanity," and the learned Judge ordered the
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The Right Hon. and Right Rev. the Lord Bishop of
Bath and Wells is expected to arrive in Bath on
Tuesday, the 29th inst., for two or three days, and
he will, we understand, take up his residence at 76,
Baltenev Street.

PAULTON.—The Rev. Donald Cameron, M.A., was
presented by the inhabitants of the parish of Paulton

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William de Stutevill
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William Nicholas Tr
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By Letters Dismiss
William Yale Daykin
Sholto Middleton, B.
Charles Duraford Ne
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William Samuel Ship
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George Francis Brow
William George Fitz
St. John's College,
Gustavus Kilpin Flind
Charles Tertius Hellin
John Hewitt, B.A., T
Thomas South, B.A.

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The final section of the last column on the Somerset Winter Assizes on the trial of Thomas Miller, as it was reported in the Bath Chronicle newspaper for 24th December 1847. This photographic copy has been taken of the image on a microfilm viewer in the Bath Central Library; the forerunning accounts on the tragedy that occurred at Warleigh have been transcribed from thirty-seven similarly taken photographic copies.



Grave No. 124 - Andrew and Sarah Border, Bathford Churchyard

Robert AE Scammell,
May 2005

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Additional notes:

With reference on page 16, that the deed might have been done by an “idiot” -

‘ Mr Slack – I know that this is a novel application, but if your Worship considers that the prisoner was insane when the deed was done, then he was in the position of an idiot. Now, supposing this deed had been done by an idiot, would you, because he had done a dark deed, think it necessary to order a serious prosecution to be instituted against him. This man ought to be considered as being, at the time the deed was perpetrated, a real idiot, and that being so you would surely not order a prosecution against him. There has been an inquiry before the Coroner, and there will be an inquiry before the Jury on the Coroner’s inquisition, and if you commit him there will be two inquiries of an expensive character against the poor man; whereas, I should think that the ends of justice might be satisfied if you decide that you would not direct such a course to be taken.’

Inside the front cover of the ‘Bath Union Workhouse Census 1841-1891’, accessible in the Bath Central Library, the following definitions are to be found:

Idiot:

A person effected by Idiocy, having a mental age of 2 years or less, and requiring constant care.

Imbecile:

A mentally deficient person having a mental age of about 3 to 7 years, who requires supervision and help in dressing, feeding etc.

Lunatic:

A person, Mad, Foolish or Irresponsible, originally thought to be effected with a kind of insanity linked to the phases of the moon.

The dictionary interpretation of ‘insane’ is: – Not of sound mind; deranged in the mind.

As a small point of interest; the word ‘*unfortunate*’ has been repeated no less than fourteen times in the first two columns of the original four-column report of 15th October 1857; this must have been a word favoured for its descriptiveness.

The Bath Chronicle and Bath Chronicle and Herald newspapers are available on microfilm for viewing at the Bath Central Library.