

## TWYFORD LOCAL HISTORY GROUP

EXTRACT FROM *THE BUCKINGHAM EXPRESS*, Saturday 31 May 1879

### TWYFORD FATAL GUN ACCIDENT

(Inquest)

An Inquest was held at the Seven Stars, Twyford before R De'Ath Esq., coroner on view of the body of William Joseph Burton, aged 21 years, son of Mr Jabez Burton, miller.

After the jury had viewed the body the following evidence was taken:

Joseph Benjamin Burton sworn, said, "I am 16 years of age, and son of Jabez Burton, miller, residing in Preston Bissett, and brother to deceased. On Friday afternoon (yesterday week) deceased, myself, and my cousin, Benjamin Marten, went up the river to shoot rats at about six o'clock. We had one gun between us. The gun, a double barrelled one, belonged to my father. I took the gun out of the home into the stable. Benjamin Marten then charged it. We went straight up the brook after we left the stable. I took the gun. I fired at a rat about a mile from the mill. I did not kill the rat. Benjamin Marten was in the act of charging the gun again when deceased said "There it is Ben", meaning the rat I shot at. The other barrel was loaded and had not been short off. The deceased, when he said "there it is Ben", was stooping down getting water cresses by the side of the water, and was about a yard behind from Benjamin Marten. Benjamin Marten took the gun with one barrel loaded and fired it off almost directly deceased spoke. He said to deceased before he shot, "Mind your head". I saw deceased fall into the water head first. He never spoke. Benjamin Marten and myself pulled him out. I think he was alive when we pulled him out. He was unconscious and bleeding from the head. I could see he had been shot. I ran to Twyford to get some help. As I was going, I met Joseph Hill. I told him my brother was shot. He went to him and I ran on to Twyford. I went to William Ayres' house, he was not at home. I saw John Culley in Twyford. Him and I went back part of the way to where the accident happened. I then went home to get a horse to go to Steeple Claydon for Dr Denton. I did not go in home or tell anyone what had happened. Culley went on to my brother. I found Dr Denton at home and he came to Twyford. When I returned from Steeple Claydon I was going to the brook where the accident happened, and I met William Ayres, who told me my brother was dead. I then rode on to Quainton to tell my father. I have not seen deceased since I left him at the brook and ran to Twyford for help. Before we left our house to go up the brook my sister said to me "Mind what you do with that gun". I had not been in the habit of carrying a gun. My cousin Benjamin Marten, lives at Dean Mill, near Enstone Oxfordshire. He is about 23 years of age. He had been in the habit of carrying a gun. He was a very good shot indeed. Benjamin Marten came to our house on Wednesday last. He and my brother were always on good terms. They had never had a quarrel, but were the best of friends. When we pulled him out of the water, Benjamin Marten said "Oh he's dead, he's dead". He seemed a good deal upset. When I came back from Steeple Claydon, before I went to Quainton, I went into our house, and Benjamin Marten was in the house sitting down with my mother holding his head as though he was much distressed. Deceased, myself and my cousin, Benjamin Marten, were total abstainers. Where the accident happened was on the bank of a tributary of the Ouse, in a field called Church Meadow". (signed) – JOSEPH BENJAMIN BURTON.

Joseph Hill sworn, said, "I am a farm labourer, residing at Twyford. I knew deceased well. I saw deceased on Friday evening last by the brook in Church Meadow. I was going home from my work about a quarter before seven, when I met deceased's brother, who said go up the brook, my brother is just shot. I had to go between 200 and 300 yards, when I found deceased, William Joseph Burton, lying on the grass, and a young man kneeling over him, who said he had shot him (William Joseph Burton). Deceased was lying flat on his back. He was breathing fast, and made a great noise in his throat. He was quite unconscious. I went to Twyford to get friends. He was not dead when I got back. From the time I first saw him until the time I got back I should say was about half an hour. He died almost directly I got back. Benjamin Marten, who said he shot deceased, appeared very much upset. I assisted William Ayres and others to get deceased home. When I first got to the brook, Benjamin Marten was pressing his handkerchief into a wound on the top of deceased's head to stop the blood. He showed me the wound which was bleeding very much. As I was coming home from my work from Cowley Lodge, I heard two reports of a gun. It appeared pretty much like a double shot. Benjamin Marten seemed very much distressed, he told me deceased turned on one side just as he shot, and that he did not see deceased until he fell into the water". (signed) JOSEPH HILL.

Thomas John Denton, sworn, said "I am a surgeon, practising at Steeple Claydon. I was sent for on Friday evening about half-past seven o'clock. The first witness came to me and said his brother had been shot in the head, and asked me to go to Three Bridge Mill. I went there and found deceased had not been brought home. I was proceeding to the spot where the accident occurred, when I met William Ayres who told me that William Joseph Burton was dead. We then got a cart and I went in it to the scene of the accident. I found deceased lying on his back covered over with a rug a few yards from the bank of the brook quite dead and nearly cold. On examining the body, I found a large gun shot wound in the upper part of the left side of the head, the scalp and bones being destroyed on the right side of the head, the brain protruding from the wound, which was covered with a handkerchief saturated with blood. The wound and injury to the brain was quite sufficient to have caused death in a few minutes. I am quite satisfied the injury to the brain was the cause of death". (signed) THOMAS J DENTON MD

Benjamin Marten, who wished to make a statement, was called in and cautioned by the Coroner that anything he said might be used against him, said:-

"On Friday evening I went with deceased and his brother Benjamin Joseph Burton, deceased carried the ammunition and his brother the gun, a double-barrelled one. We saw a rat, and my cousin (deceased) shot at it, but he did not kill it. I saw the rat at a hole in the bank of the brook whilst I was in the act of loading the other barrel. I had put the powder in, and I pulled the ram-rod out of the barrel I was charging. I got up and put the gun to my shoulder as quickly as I could, to shoot the rat. I saw deceased on the left-hand side of me, his back toward me, I did not say mind your head. I did not speak at all to deceased, in fact at the time I shot I did not see him, to my knowledge deceased did not move his head, but he must have moved or I could not have shot him. I should not have gone near him. I heard one of my cousins call out "There it is Ben." I don't know at all which cousin it was who called out. Deceased's cap was on his head, and the cap was blown across the water to the ole where the rat was. The trigger of the gun pulled very hard. The rat was nearly at the top of the bank far above the water".

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From an examination of the cap the jury considered the deceased must have turned his head round. The jury returned a verdict of 'Accidentally Shot', and wish to express their deep sympathy with the friends of deceased in their sudden bereavement.