



The High Spen Murderer

The peace and quiet of New Row in the little mining village of High Spen was shattered by the sound of bitter and violent quarrelling. It came from the house of coal hewer Matthew Atkinson and his wife, Eleanor. The date was Saturday, 17th December 1864.

Matthew, a forty-three year old miner and native of the nearby hamlet of Barlow, was said to be of good character and a good workman. His wife, also aged forty-three, and a native of Winlaton some three miles away and the centre of the parish, was described as a woman of very dissipated habits. His nephew, Matthew Swinburn, a boy of about fourteen, lived with him in New Row. The street was owned by Garesfield Colliery where he worked. The road outside was not

made up, and had to be crossed to the toilets, earth closets.

On the night in question, Matthew, with Matthew Swinburn and another nephew had been to a pigeon shooting match at Hobson, a small mining village about five miles away. They returned home at about 11 o'clock. Matthew had drunk too much, a frequent occurrence at these matches. The boy, Swinburn, proceeded his uncle into the house. After a while he left for a few minutes. When he returned, his uncle, his aunt, and a man named Thomas Leyburn were in the house. A quarrel began and the boy and Leyburn left. Eleanor ran into the street but her husband dragged her back indoors. Shriill screams came from the house. At first the neighbours thought it was one of their usual fights. The uproar became worse, there were sounds of metal objects being used. Benjamin Hunter, the next door neighbour, knocked at the



door but got no answer. By this time several people had gathered around the door. Some of them tried to open the door. Atkinson called out that he would shoot the first person to enter. This sent them back. A little while later Atkinson came out of the house and walked around for about a quarter of an hour. Then saying, "Now I'll go and finish the b...d off", he went back into the house. Moans and groans soon came from there and the sounds of more beating. Then Atkinson became alarmed that he might have killed his wife. He got James Hindmarsh and Mr. and Mrs. Hunter to come inside. They found Eleanor lying bloody and bruised. On her left temple was a wound two inches long and two inches wide. The left arm and four fingers on the right hand were broken. The back of the head was baldly damaged and the legs were bruised and cut. The neighbours went into the house at 2.15 a.m. A message was sent to

Winlton Police Station and P.C. Harrison arrived at the scene at 2.40 a.m. He arrested Atkinson and took him to Blaydon lock-up.

The inquest opened at the Board Inn at High Spen on Monday, 15th December, under the deputy Coroner, R. Davis, esq. A report in the 'Newcastle Courant' read; "The proceedings appeared to excite great interest in the village, the inhabitants of which enjoyed a character of great peacefulness". The inquest was adjourned until Tuesday, 27th December. When it reopened Mr. Davis presided but J.M. Fawcett, the Coroner, was present. Evidence was given by police sergeant Thomas Wood, stationed at Winlton, that he had known the deceased for four years and that she was a woman of very dissipated habits. Dr. Archibald Meggatt, the pathologist, gave evidence on the nature of the injuries, also that blood found on a poker and a coal rake taken from the scene of the crime, matched



that of the dead woman. The jury returned a verdict of murder and committed Atkinson for trial. He was remanded to Durham Prison and was taken away by Superintendent Squires.

At this time an article appeared in the 'Times' deploring the inactivity of the neighbours. An extract read "We verily believe there is but one Place in England where this event would happen and that no other population but that of a colliery district would have allowed a fellow creature to be murdered almost before their eyes".

This was not Atkinson's first contact with murder. On Tuesday, 6th November, 1860, John Baty of Cuthbert Street, Blaydon, was murdered at Winlaton. Thomas Smith, a slater and a native of Lancashire, was tried, found guilty and hanged for the murder which had taken place after a pigeon shooting match at Blaydon Burn.

At the time of the murder Smith was lodging with Matthew Atkinson at Blaydon. Smith was one of three men who suddenly disappeared after the murder of Dr. Stirling at Rowlands Gill in 1855, without collecting their wages. He was a well-known poacher. This case, the Stirling murder and the Spen murder were handled by Superintendent Jabez Squires.

The trial opened at Durham Spring Assizes on Thursday, 2nd March, 1865, with Mr. Justice Shaw presiding. He considered that owing to the serious nature of the crime he would transfer the case to Mr. Justice Mellor. The trial began on Friday, 3rd March; appearing for the prosecution were Mr. Blackwell and Mr. Laycock, Mr. Campbell Forster handling the defence. The defence attempted to have the charge reduced to manslaughter, bringing evidence of Atkinson's good character and of his wife's poor



one. The Judge's summing up, however, did nothing to help this. He said that he regretted the apathy of the witnesses in allowing the murder to take place. It caused him pain and astonishment at such un-English behaviour.

The jury, with Mr. John Atkinson of Barnard Castle as foreman, took forty-four minutes to reach their verdict - guilty of wilful murder. Atkinson was then sentenced to death by the judge. The prisoner, who had betrayed some anxiety during the time the names of the Jury were being called over, gulped down his emotion and heard his doom with the most remarkable fortitude.

The public hanging took place in front of Durham Prison on Thursday, 16th March. The 'Durham County Advertiser' had the headline "Horrible scene at the execution of Matthew Atkinson". A crowd had gathered near the gallows, all bent on a day out. At

8.00 a.m., the shout went up "there he is", a figure was seen to approach the gallows it was the Under Sheriff, Mr. W. Wooler. He was joined by the Prison Chaplain, Rev. Mr. Bulman, the executioner Askern and of course the prisoner. The Chaplain read the burial service. The prisoner's hands were clenched and blue, probably tied too tightly.

The chaplain and Mr. Wooler withdrew and the hangman opened the trap, then the rope broke. The crowd gasped and then cheered. The prisoner fell about fifteen feet, many of the crowd thought that he may have broken his neck or at least a limb. After twenty minutes a workman replaced the rope. At 8.25 a.m. the prisoner was brought back. During the twenty minutes a feeling of most agonising suspense prevailed, and anxiety was manifest to know the fate of Atkinson. Many hoped that the shock had been sufficiently severe to prove fatal,



and there was a general concurrence of opinion that if the prisoner was still breathing, his life should be spared. Many regarded the incident as a special interposition of providence on behalf of the prisoner. Animated arguments arose as to the impropriety of any further proceedings after such signal manifestations of the 'Divine Will'. Others appeared to have the idea that the law enabled the prisoner to claim his life after he had undergone the form of execution laid down. This probably explained the cheering when the rope broke.

The crowd booed and jeered at Askern, who, apparently upset by this, handled Atkinson very roughly when he placed the hood and rope on the prisoner. When the trap was opened again the rope held. Instead of dislocating the neck, it slowly strangled the victim. This enraged the spectators even more. There was a great

outcry in the local papers against public hanging.

Until the last two hangings in Durham the ropes had been made by Mr. John Edby of Gilesgate Moor, using the best Tatley and Tathem rope.