



Bedfordshire Regiment c1905

## **Benefit of the Doubt**

### **A Soldier's Mistake: Sequel in Pewsey Police Court: Magisterial Leniency**

A peculiar Story of a soldier's experience with a revolver, of which he was in wrongful possession, was told to Canon Bouverie and Colonel Lang, representing the Pewsey Bench of magistrates at a casual sitting, on Friday afternoon. The soldier was Harry Humphries, a mere youth, with a decidedly "foreign" accent, stationed with his Battalion of the Bedfords (the 2nd) at Jellallabad Barracks, South Tidworth, which sailed for Gibraltar on Thursday, and the charge preferred against him was that of attempting to take his life. The alleged offence was committed as far back as the middle of last month, since when the prisoner has been confined in the Military Hospital at Tidworth pending convalescence. Either by accident or design the prisoner shot himself in the chest with a revolver at Collingbourne Kingston, and as the Chairman observed, he has Providence to thank that he is still in the flesh; had the wound been lower it would probably have been fatal.

An officer from the prisoner's Battalion watched the case for the military authorities, and the first witness call was Daisy Matthews, who lives with her father Henry Matthews, a labourer, of Collingbourne Kingston. Their house is close to the road, and on July 18th she saw the prisoner from the garden. He was in the road leading to Marlborough and Ludgershall, and from a distance of about 20 yards she saw him put his hat up in the hedge and fire a revolver at it twice. She subsequently went up the road, and passed the prisoner; he was then sitting on the fence. He got over the fence, and just afterwards she heard a revolver shot fired. She remained in the road, but on looking through the fence could see the prisoner lying on the ground. She afterwards got over into the meadow and saw the prisoner on his back, with a wound in his chest. A man from Burbage was with him by this time. Other people eventually came along, and P.C. Lawes (the local police constable) and Dr. Farquhar, of Burbage, were sent for, both of them arriving while she was there.

Canon Bouverie: When he fired at his hat did he take it down and put it on again?

Witness: He took it down; I don't know whether he put it on his head again or not.

Canon Bouverie: He then got into the field?

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Witness: Yes.

Canon Bouverie: What sort of fence was it? Was it a gate?

Witness: Yes; a gate with a fence joining either side of it.

George Highett, a painter, of Burbage (the man referred to by the previous witness) deposed that on July 18th he was driving through Collingbourne Kingston at about 5.45 in the evening. As he passed a meadow in the occupation of Mr. May, near Mr. Wallis' house, he saw a soldier in uniform, who turned out to be the prisoner, standing on the other side of the gate. Witness saw him put a revolver up to his left breast, and it immediately exploded. Witness immediately sprang from his trap, and jumped over the gate into the meadow. The prisoner was knocked down by the bullet, and was lying by his left side on the ground. He took hold of the prisoner and asked him, "What have you done?" He groaned and replied, "They have shot me! Witness again asked the prisoner, "What did you do it for?" and he replied, "They would not let me go." Witness interrogated him a third time, asking "What made you do it?" and the prisoner replied "I am mad." Witness then examined the man, and noticed a hole in his tunic, which had been pierced by a bullet on the left side of his chest. He unbuttoned the tunic, and saw the hole continued through the man's shirt. He unbuttoned that also and found a bullet wound in the left breast. Another man was repairing a puncture in his cycle tyre close by, and, with a man who was with witness in the trap, they held up a motor car, and asked one of the occupants to inform Dr. Farquhar, of Burbage, that a man had shot himself, and his services were required at once.

P.C. Lawes, of Collingbourne, spoke to being called at about 6.10 on July the 18th, and he proceeded at once to the meadow already described. He found the prisoner on the ground. He was conscious. He saw the bullet wound, and asked Humphries "What made you do it?" to which he replied, "I Am mad." Witness took charge of the revolver, which lay on the ground close to the prisoner. It was a six chambered weapon; two of the chambers were empty, and four were charged. Another cartridge was found in the prisoner's pocket, and a discharged case was picked up in the road. Dr. Farquhar subsequently arrived and examined the man, after which witness removed him to the military hospital at Tidworth.

Dr. Farquhar, medical practitioner, of Burbage, stated that he was called to go to Collingbourne Kingston at about 6.30 on July the 18th and went at once. He found the prisoner lying on his back as stated. He examined him, and found a round, ragged wound in his chest about three inches long, near the collar bone, in the angle between that and the shoulder joint. The edges of the wound were powder stained. Witness examined the man's back, and found a mark close under the skin at a lower level than the wound, below the shoulder blade – the skin being contused. Under the circumstances he could do nothing more for the man. He asked witness to give him something to make him sleep, and he gave him an opiate to relieve his suffering. He then ordered the man to be removed to the military hospital at Tidworth, which was done under witness's instructions and superintendence. The wound was such as would be produced by the revolver found near the prisoner.

P.C. Witt, stationed at Ludgershall, stated that at 8.30 in the evening he handed the prisoner over to Dr. O'Connor at Delhi Barracks, where he remained under a guard. Witness arrested him on a warrant the previous morning.

In reply to the Bench, the officer present said the revolver produced was a service weapon, such as would be used by the sergeants.

On being charged the prisoner made a brief statement. He said it was an accident. He went out on the morning of the 18th with the intention of shooting rabbits. Coming from a field on the Andover road he wanted to shoot at a bird, and as he endeavoured to put the revolver in its case it hitched in a button on his tunic and exploded. He remembered nothing for some time after that.

Colonel Lang: Where did you get the revolver from?

Witness: I took it out of the armorer's shop.

Where did you find it? – In a drawer.

Where did you find the ammunition? – That was in the drawer also.

Were you employed in the armorer's shop that morning? – Yes.

At the request of the Bench the officer present produced the official document containing details of his service and character. From this it appeared that the prisoner was not much more than a recruit. He only enlisted last March.

The magistrates adjourned to their private room to consider their decision, and on returning to Court, the Chairman, addressing the prisoner, said the case was a very serious one. He was charged with attempting to commit self-murder, and if that were true, and the bullet entered his chest a little lower it would undoubtedly have caused his death, and he would have committed the terrible sin of self-murder. But, on the other hand, the magistrates were inclined to take a lenient view of it. There was a doubt whether the prisoner really tried to destroy his life or not, and therefore, in view of the personal suffering the prisoner had already gone through, they had decided to dismiss the case. The Chairman strongly urged the prisoner to regard the case as a caution to him. In the first place there was no doubt the prisoner took the revolver and the ammunition to which he had no right, and he went to do what was illegal. Prisoner might thank Providence that the bullet did not enter his chest a little lower and kill him. Whether he did it deliberately or not the magistrates would not say; they allowed him the benefit of the doubt, and he would be discharged.

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