



# Crime and Punishment

*Seend*

## *WILLFUL MURDER 1840*

A murder under very extraordinary circumstances, and without any assignable motive, was perpetrated at Seend, about six miles from Devizes, on Thursday evening last. The unfortunate man who was murdered was named James Heritage, a labourer of Seend: he was an orphan, about 22 years of age, and unmarried. Isaac Freeme, the person charged with the murder, was under gardener to Mr. Landlow Bruges, is between 20 and 30 years of age, and has a wife and three small children - his wife expecting shortly to be confined with the fourth. The deceased is represented by his neighbours to have been a very peaceable, well-conducted, and industrious young man, and generally beloved. Freeme, on the other hand, it is stated, was sullen and morose when sober, and quarrelsome and violent, when in liquor. Other persons speak highly of his character. They were first cousins, and are said never to have had a quarrel with each other - deceased declaring, a very short time before his death, that he did not think that Freeme could have borne him any ill-will. They were at the Bell Inn, at Seend, on Thursday evening; but although they sat in the same room, they did not drink together; and they had very little conversation with each other - certainly no quarrel. Freeme left the house first (about half-past nine), in liquor. Upon getting outside the house, he began to quarrel with different persons who were there, and challenged them to fight. A man named Pearce, after some hesitation, accepted his challenge, and Pearce knocked him down two or three times, and otherwise punished him. Freeme shortly after went towards his home, which is on the Trowbridge road; and at about the same time Heritage appears to have left the Bell, and to have proceeded in the same direction towards his home. Which was before the other, does not appear quite clear. They, however, came up with each other in the middle of Seend-hill, and some words ensued between them. At the bottom of the hill, Heritage "dubious what Freeme would do to him," got over a stile into a field. A few yards from the stile was a gate, which was open, and Freeme by this means got into the field almost as soon as Heritage, and going up to him, knocked him down, and stabbed him in the neck. Freeme says that Heritage struck him first; but if Heritage's dying declaration can be credited, he never struck him at all. Immediately after the deed was done, Freeme called the assistance of a neighbour; and in answer to a question from this neighbour, said - "It was I that did it - I killed him as dead as a nit!" He afterwards assisted Heritage to a stable, and then went home with his wife. On the following morning, he attended his work as usual, and observed to the coachman that he had fought with, and killed a man on the night before, and expected to be taken up for it. He was apprehended during the day. Heritage lingered until Saturday evening. It is a remarkable circumstance, that Heritage wore a smock-frock when he left the Bell; and that when first seen, by a neighbour, after he had been stabbed, he had neither hat nor smock-frock on, but was lying on the ground in his shirt sleeves. The smock-frock was afterwards found on the stile, and his hat on the ground. Had the frock been taken from the deceased after he had been wounded, there would unquestionably have been marks of blood upon it - as he bled profusely, and his shirt and waistcoat were covered with blood; but it bore not the slightest stain. This fact, then, would raise the presumption that the deceased had taken it off, with the view of fighting Freeme - especially as Freeme's smock-frock was also lying in the road. It is certainly an extraordinary

circumstance. Freeme was no doubt labouring under considerable irritation at the time - not only from the beer he had drunk, but also from the punishment he had received from Pearce. - An inquest was on Tuesday last held before Mr. Whitmarsh, when a verdict of "Wilful Murder" was returned. **Salisbury and Winchester Journal Monday 20 January 1840**

Committed for trial Isaac Freeme, stabbing and wounding James Heritage, of which wound he died, at Seend. **Bath Chronicle and Weekly Gazette Thursday 30 January 1840**

Isaac Freeme, indicted for having maliciously stabbed and wounded J Heritage, at Seend, was found guilty of manslaughter, and sentenced to twelve months imprisonment. The case was involved in some mystery, as no one but the parties engaged in the conflict was present at its occurrence; but the fact of the deceased's clothes being found near the spot, left no doubt as to a combat having ensued. **Bath Chronicle and Weekly Gazette Thursday 19 March 1840**