

## **Joseph Johnson**

Bacup Times Saturday February 20th 1943

### **MURDER CHARGE AGAINST STACKSTEADS JOINER**

Wife's Mutilated Body And Bloodstained Axe Found In Cellar.

#### **“I TRIED TO DROWN MYSELF ALLEGED STATEMENT”**

On a charge of murdering his wife, Emily Johnson 35 of 49, Lloyd Street, Stacksteads, the mother of eight children, whose body, badly mutilated about the head, neck and chest was found with a bloodstained axe resting on it in the cellar of their home on Monday, Joseph Johnson 39, journeyman joiner, was at Bacup Police Court on Tuesday morning remanded in custody for 21 days. He was granted legal aid. The proceedings were formal as were also those at the inquest, which was opened on Thursday and adjourned provisionally till March 23rd.

On the bench when Johnson was brought before the Court on Tuesday were Mr A.E. Sutcliffe presiding, Mrs W.R Parry, Councillor W.Marshall, Mr Z Hutchinson and Alderman T Coates.

The Chief Constable Mr R.W. Priest said that that morning it was only proposed to tender a few facts upon which he would ask the Court to remand accused in custody. Accused resided at the above address with his wife, and they had eight children whose ages ranged from 10years to one year.

About mid-day the previous day, proceeded the Chief Constable, a telephone message was received at the Central Police Station, as a result of which P.C Bennington went in the police patrol car to RAKEHEAD Farm, Stacksteads. He there saw the accused in the living room; he was seated in front of the fire. He was shivering with cold, and his clothes were saturated with water. The Constable said : “Why are your clothes so wet?” Accused replied “I tried to drown myself in the Brewery Lodge. Take me where it is warm”.

Accused was asked about being taken to his own home, and he replied “No, I don’t want to go home “.

#### **“TOO COLD”**

On the way to police station accused commenced talking, so the officer cautioned him, and accused said “ It was too cold. I couldn’t hold on to the stone. My wife stopped out all Saturday night. I was going to drown myself”

Shortly after his arrival at the police station accused gave some further information to the police, in consequence of which he the Chief Constable, accompanied by other officers and Dr McVean, the Police Surgeon, went to prisoners home at 49 Lloyd Street. In the cellar of the house he Chief Constable saw the dead body of Johnson wife. It was badly mutilated, particularly about the head and neck. Resting on the body was an axe, the blade of which was stained with blood.

Accused later made a voluntary statement which it was not proposed to submit at that stage. Cautioned and charged by Inspector Russell, he replied "No I didn't. No. not that way, I didn't. I had to do that because she was storming".

There were further inquiries to be made, said the Chief Constable, and the facts would have to be submitted to the Director of Public Prosecutions. "I ask you to remand him for 21 days, and if in the meantime it is found practicable to proceed with the matter earlier arrangements will be made accordingly added Mr Priest.

#### **CHILDREN TAKEN TO INSTITUTION.**

The magistrates Clerk Mr G. Baron asked accused if he any objection to a remand of 21 days, and he replied "No I cannot". The Clerk: Do you wish to ask the magistrates for legal aid ? Do you wish to have a solicitor allotted to you when this case comes on?

Accused: Yes if I could get one.

P.C Bennington having corroborated the Chief Constables statement the Chairman announced that accused would be remanded in custody for 21 days and legal aid would be granted. Chief Constable Priest said he had made arrangements for the children to be taken to the Moorland Institution.

#### **INQUEST ADJOURNED POLICE SURGENS EVIDENCE**

The inquest on Mrs Johnson was opened by the East Lancashire Coroner on Thursday morning, and after evidence of identification and medical evidence had been taken it was adjourned provisionally until Tuesday 23rd March.

Mr W.J.H. Ogden of the office of Mr O.C. Evans, solicitor watched the proceedings on behalf of the accused husband, who was not present. Evidence of identification was given by the woman's father, William Edmund Coade, stonewaller, of 3317 Newchurch Road, Stacksteads, who said he saw her about 8.45pm on Sunday last. He left her in the Stacksteads Working Mens club with her two sisters and three called at his house later-about a quarter past ten. They left shortly afterwards. On Monday witness identified his daughters body at the house.

#### **MANY WOUNDS**

Dr J.D. McVean, police surgeon for the district, stated that he had made a post-mortem examination of the body of the deceased, a report of which he had submitted to the Coroner. The body was mutilated with wounds about the head and chest. There were seventeen lacerated and punctured wounds about the head, neck and face, and fractures of the upper and lower jaws. Two punctured wounds extended into the left ventricle of the heart. There was extensive haemorrhage from all the wounds and death was the direct result of those wounds.

Addressing the Chief Constable Mr R.W. Priest the coroner said he understood that the husband, Joseph Johnson was charged before the Justices on the 17th inst, with the wilful murder of the deceased Emily Johnson, and was remanded to His majesty's prison at Manchester until Tuesday, 9th March. The Chief Constable agreed.

Mr Rowland said he had a letter from the Governor of the prison stating that Johnson had been informed of his right to be present that morning and did not wish to attend. "I SUPPOSE, Mr Ogden, you have no wish to have him here?"

Mr Ogden: No, None at all.

The coroner stated that on that evidence he proposed to act by virtue of the powers vested in him under the Coroners Amendment Act of 1926, and adjourn that case till a convenient date to Tuesday the 23rd March, for the adjourned hearing. In certain eventualities he added, it may be necessary to adjourn it further, and in certain other eventualities it may not be necessary to resume the inquest at all. For those and other reasons he had not had a jury summoned that morning. Mr Rowland then handed to the Chief Constable the burial order.

The interment will take place at Bacup Cemetery to-day (Saturday). Funeral director: Messrs. J. and J. Ormerod Atherton Holme, Stacksteads.

### **Bacup Times Saturday March 13th 1943**

#### **STACKSTEADS WIFE MURDER CHARGE.**

#### **POLICE COURT HEARING AT BACUP**

#### **ACCUSED COMMITTED TO MANCHESTER ASSIZES.**

#### **ALLEGED STATEMENTS BY PRISONER**

After a hearing which occupied over three hours, Bacup magistrates on Tuesday committed Joseph Johnson 39, Joiner, 49 Lloyd Street Stacksteads, for trial at Manchester Assizes next month on a charge of murdering his wife. Emily Johnson 36 the mother of eight children. As previously reported, the woman's body badly mutilated about the head, neck and chest was found with a bloodstained axe lying on it in the cellar at their home on Monday, February 15th, and the following day accused was remanded in custody for 21 days.

On the bench for Tuesdays hearing were Mr A.E.Sutcliffe presiding, the Mayor Alderman J.Ireland, Mr J.A.Whalley, Councillor W.Marshall, Mrs W.R.Parry and Alderman T Coates.

The Town Clerk Mr L. Stott conducted the prosecution on behalf of the Director of Public Prosecutions, and Mr O.C.Evans, of Bacup and Rawtenstall appeared for the defence. At the outset, the Town Clerk said that accused married his late wife eleven years ago, and there were eight children, the eldest being ten years of age and the youngest one a year old. It appeared that for a number of years after their marriage the accused and his wife and family lived quite happily together, but that a few years ago trouble started between the husband and wife, and since when there had from time to time been domestic differences. Mr Stott went on to give in detail the facts of the case and submitted that the evidence that he would call was sufficient to justify the case being referred to the Court Of Assizes for trial.

#### **BEEN IN LODGE**

The first witness called was John Heyworth 28 farmer, Rakehead Farm. Stacksteads, who stated that at 11-55 am on Monday 15th February, he was in the farm buildings. In

consequence of what was said to him he went into the living room of the farm and there saw Joseph Johnson sitting on a chair. His clothing was very wet; water was running of it.

Witness said to him, "How do Joe?" He replied "Ring the police". On being asked what he wanted the Police for, he answered "I have been in the Brewery Lodge". Witness said. "What have you been in there for?" and he replied "I have killed my wife; she's in the cellar". I then said "All right, Joe I will ring." Witness went to a house in Rakehead and telephoned the police, afterwards returning home. After a short time a policeman came and took Johnson away. P.C.Bennington said that at 12 noon on February 15th, as a consequence of a telephone message received at the Central Police Station, Bacup he went to the Rakehead Farm in the police patrol car. In the living room of the farmhouse he saw the prisoner sitting shivering in front of the fire. His clothes were saturated with water. Witness said to him " Why are your clothes so wet?" He replied " I tried to drown myself in the Brewery Lodge" When asked if there was anyone at home accused replied " No. I don't want to go there".

Witness cautioned him and took him in the police patrol car to the Central Police Station at Bacup. On the way there the accused said "It was too cold. I couldn't hold on to the stone. My wife stopped out all Saturday night I was going to drown myself".

### **GAS MASK ON THE BED**

On arrival at the Police Station accused was seen by the Chief Constable Mr R.W.Priest and Inspector Russell, whom witness later accompanied to prisoners home. In the cellar witness saw the body of a woman. There was a strong smell of gas, so the Chief Constable and witness went upstairs into the bedroom. Witness saw that the gas tap in the bedroom was turned on. The Chief Constable turned it off and witness opened the window. On examining the gas fitting witness found that a bracket arm had been removed from the wall and a piece of flexible rubber tubing (produced) attached where the brass arm had been broken off. This tube was of sufficient length to reach a bed on which there was a civilian gas mask (produced).

P.C Bennington went on to state he was present when two photographs of the dead body of the woman (produced) were taken un the cellar. He took possession of the negatives (produced) which he saw developed and printed the following day he was present at the police mortuary when two further photographs were taken, and he also took possession of those negatives and saw them developed and printed. The photographs were shown to the magistrates.

William Edmund Coade 61, stonewaller, 317 Newchurch Road, Stacksteads said that on February 15 at 3.30 pm he was called to the house, no 49 Lloyd Street, where in the cellar he saw a body which he identified as that of his daughter Emily Johnson.

### **AXE IN CROOK OF ARM.**

### **POLICE SURGEONS EVIDENCE.**

Dr John Duncan Mc Vean, Rock House, Markey Street, Bacup police surgeon for the borough, stated that about 12.30 p.m on February 15th he was in Blackwood Road Stacksteads, when in consequence of what was said to him by the Chief Constable of Bacup, he went to the dwelling house 49 Lloyd Street. In the cellar he saw the body of a woman

lying on the floor. Life was extinct. She was lying on her back, fully clothed, with her arms bent across her chest. In the crook of her right arm there was an axe, the head and handle of which were stained with blood. On the floor between her left side and the cellar wall there was an overturned bucket of coal, and there was a coal shovel under her right leg.

### **MULTIPLE WOUNDS.**

There were multiple wounds about the face, neck and chest. Her face and the top of her chest were heavily bloodstained, and her hair was matted together with coal dust and blood. There were also splashes of blood on the cellar wall near to her head. The body was cold. Rigor mortis was not present and in his estimation death had taken place four hours previously. At 9a.m on Tuesday, February 16th witness conducted a post mortem examination of the deceased in the police mortuary. The body was fully clothed. There was a tear through the jumper and vest over the left breast. There was a large bloodstain on the left side of the jumper and several smaller stains on the upper right side. The back of the jumper was soaked in blood and coal dust, as also were the back of the vest and corsets. There was also a few bloodstains on the front of the skirt. Stating that the body was that of a well nourished female. Dr Mc vean went on to detail the many wounds. The injuries included a depressed fracture of the left frontal bone of the head, a compound fracture of the lower jaw, and fractures of the upper jaw bone and left malar bone. Two wounds, said Dr Mc Vean penetrated into the left ventricle of the heart., and there was a large wound in the anterior wall of the stomach. The left lung was collapsed. All the organs were pale and bloodless but otherwise healthy.

### **CAUSE OF DEATH.**

In his opinion the cause of death was haemorrhage from wounds in the left ventricle of the heart and from multiple external and internal wounding. Those wounds were consistent with having been caused by the axe which was found lying on the body, and much violence must have been used. He should think that the deceased received the wounds on the face and neck first, and that she then collapsed and received the wounds in the chest whilst lying on the floor. His reason for expressing that opinion was that the wounds on the face and neck sloped downwards from the left to the right while those on the chest were more horizontal. In his opinion, there were at least twelve blows struck.

Cross-examined by Mr. Evans, Dr McVean said that the blow struck on the head which caused a depressed fracture of the frontal bone was probably the only downward severe blow. That would probably cause unconsciousness, and the blows to the chest would have caused death.

### **IN THE CELLAR WHAT THE POLICE SAW.**

Inspector Russell said that about 12.25 p.m on February 15 he was on duty at the Central Police Station, Bacup when Johnson was brought there by P.C Bennington. He appeared to be in a distressed condition and his clothing was saturated with water. Accused said "My wife is at home in the cellar, dead" Witness cautioned him, and Johnson said " You will find her there".

Accused was then seen by the Chief Constable, who in witness presence cautioned him and said " You have said that your wife is dead in the cellar at your home. How does she come to be dead?. Accused replied "I hit her with an axe. You will find it there". Accused was then detained.

Together with Chief Constable and P.C Bennington witness went to the prisoners home 49 Lloyd Street. Near there they saw the police surgeon Dr J.D.McVean and the Chief Constable spoke to him. The Police Surgeon accompanied the three of them to the prisoners house were they found the door of the house closed, but not secured. There was no lock on the door. It was about 12.40p.m and they all entered the house. In the cellar witness saw the body of a woman lying face upwards on the floor, with her feet towards the entrance to the cellar. She was fully clothed. There were four large open wounds visible on her face; another one across her throat, and one on her chest. Her forearms were laid horizontally across the body. In the crook of her right arm there was an axe (produced), the head and handle of which were stained with blood. She was dead and her head was resting in a pool of congealed blood, and there were bloodstains on the cellar wall near her head. He was unable to find any other bloodstains in the cellar.

### **OVERTURNED COAL BUCKET.**

Between the woman's left thigh and the cellar wall there was an overturned bucket of coal, and underneath her right leg was a coal shovel (produced). On the floor near to the overturned coal bucket he found a piece of wax taper (produced) The only means of artificial light in the cellar consisted of a candle which was not lighted, but had at some time been burnt. A small shaft of natural light entered the cellar through a gap in the grate of the coal chute, but only sufficient to be merely visible, and not to illuminate the cellar. At the bottom of the cellar steps he saw some wood on the floor there were also some small chips of wood there. There was some other wood at the far end of the cellar and passage leading thereto. At 4.31p.m the same day, at the Central Police station accused said to witness " I want to tell you all what happened. My wife and I have been having trouble for some time". Witness cautioned prisoner and said "Do you wish to make a signed statement?" He replied "Yes, I want to tell you all about it". Prisoner then made a voluntary statement (produced), which he signed. In it he said.

"I am 39 years of age, a joiner by occupation and reside at No 49, Lloyd Street Stacksteads, Bacup, with my wife, Emily Johnson and eight children, aged 10 years, 9 years, 7 years, 6 years, 5 years, 4 years, 2 years and one year respectively.

### **HAPPY THEN...**

"I was married eleven years ago and was quite happy with my wife until my wife's sister came living against us a few years ago, when my wife used to spend most of her time with her. I resented this because my wife would stay until nearly midnight, and I don't think that was right, as there were young children, the same as we had. We had quite a lot of bother in the home over this, as she left me to look after the children. I used to go and have a drink or two in a "pub". I gave over and stayed at home in the evenings, but the wife started going camping at her sisters again; this bother kept going on and we had many rows.

"This continued until the early part of 1942, when my wife told me to go, and put my things outside the house. I left her and went into lodgings at no 45 Lloyd Street, two doors away

from where my wife and myself lived. A few weeks later my wife obtained a separation order under which I had to pay £2 10s. Per week. We were only separated a few days after the order had been made when I saw my wife in a bus going to Rawtenstall and she me to go back and live with her again; so I went back to her that night, after my wife had promised me that she would not bother with her sister again.

### **KEPT NAGGING ME ALL DAY ACCUSED'S ALLEGED STATEMENT**

“Everything went on all right until a week last Saturday 6th February, 1943 about tea-time, when my wife, who had been sulking all afternoon said “Look at the house, I am fed up, I am not cleaning the b—— house again”. I had been making a rug and I did not answer her and she said “ It’s his b——rug dirt here”. She started sweeping up the floor and she kept telling the children what she could be doing if it was a not for them.

Saying “Everyone else seems to have a good time, but I can’t with these kids”. She kept on talking like that until we went to bed. “It was the same again on the next day (Sunday). I only answered now and again saying, “You will have finished in a bit” but every time I spoke she would say “No back chat”. We did not say much to each other, although I was at home all week . I had been sick and been under Dr Brooks at Stacksteads,. About 3p.m on Friday 12th February 1943 my wife took the youngest child out leaving the other two who do not attend school with me. She did not tell me where she was going, and it was half past eight that evening when she returned home.

### **GOING TO HAVE MY FLING**

#### **“I DID NOT ASK HER WHERE SHE HAD BEEN BUT ONE OF THE CHILDREN DID.**

My wife said “ It does not matter where I have been, I shall go again I am going to have my fling now”. I then said “She will have been camping again. My wife said “Shut up, you have no say in here”.

“Later we went to bed and the following morning (Saturday) the 13th February 1943 my wife got up first. It would be about 9o’clock , but shortly after that I heard my wife shouting to the children “Your dads lazy he ought to be at work”. I got up and my wife kept nagging at me all day. About 10 o’clock that morning I wanted some cigarettes, but my wife locked the door and hid the key, so I got a screwdriver and took the lock off.

“During the afternoon my wife sent some of the children out to try and borrow some stockings. She never did a thing in the house all day, but kept saying, I am going out tonight. My wife's two oldest sisters sent word to her that they were going into the Commercial Hotel that night. My wife sent word back asking them to save her a seat, as she might be late. My wife left home about twenty past nine that night. She went out through the window, as I had fastened the door, as I did not think it was right that she should go out drinking, neglecting her children and housework.

### **STAYED AWAY ALL NIGHT AND NEXT DAY.**

“She did not return home until about 11p.m on Sunday, the 14th February 1943. The children and myself were then in bed. On hearing my wife enter I went downstairs and saw it was her

who had come into the house. I saw that she had had some drink, but I did not speak to her again. My wife came to bed shortly afterwards. We did not speak to each other. "About ten past eight on Monday morning 15th February 1943 my wife got up and I followed her downstairs. I called the children and we both got the five eldest ready for school. My wife began nagging at me again saying what I should have done and what I shouldn't have done whilst she was out during the week-end. I said to her " If you were a right mother you would have been here to see to the children's meals.

### **ACCUSED SAYS WIFE HIT HIM WITH SHOVEL— THEN HE STRUCK HER WITH AXE.**

My wife then went down to the cellar for some coal with a bucket and shovel. I followed her down the cellar to chop some wood to put under the oven, When I got to the bottom of the cellar steps I picked the axe up to chop some wood. My wife came towards me with the coal and shovel to go up to the kitchen, and as she came towards me she said " Come out of the road, pig". I said "You are starting again after having your week-end out .She said to me " Ill bash you with this" and she struck at me with the shovel, catching me on the side of my head.

### **TAPER WENT OUT.**

My wife was carrying a lighted taper and this then went out. I struck at her with the axe. It was dark then . My wife fell down and I hit her again with the axe. She did not speak and I ran up the cellar steps and upstairs into the bedroom, where I had a rest for a few minutes.

"I then went downstairs into the kitchen and out all the coppers I has into the gas meter. I then got my gas mask and went up to the bedroom, thinking of gassing myself. I had got fed up with what my wife kept saying to me. I put my gas mask on and fixed some tubing on the gas bracket, but could not gas myself. I took the gas mask off and went outside in the fresh air, and went on to the tops for a bit. " I thought of going back home to see how my wife was but changed my mind and thought I would kill myself out of the way; I would be better off. I went over Rake Head, behind Glenn Top Brewery, to the water lodge, but when I got in I thought I would go and see how my children were, so I went to Rake Head Farm, where I told a farmer to send for a policeman".

### **NOTE IN TROUSERS TURN-UP.**

Inspector Russell said he later examined the clothing accused was wearing when he was brought to the police station, and in the turn-up of the right leg of the trousers he found a piece of paper, which was rolled up tightly. On it was written ! I have tools at works also all in my house will belong to my brother Fred Johnson". It was signed Joseph Johnson". Underneath the signature were the words. "This happening through her that should have been a wife. All she can do is poke the fire and sit rocking." "Sometimes shopping up with a long brush".

At 8.25 p.m the same day, in the presence of the Chief Constable, witness cautioned and charged prisoner, and he replied. "No, I didn't ; not that way, I didn't, but I had to do that because she was storming". At 9.20 p.m the same day the prisoner sent for witness and said " I want to add further to my statement", Witness cautioned him and he made a further signed statement in which he said; "On Saturday last, the 13th February, 1943 about 9.0 a.m. I was at home in the living room with my wife and all the children. I went towards the fire to light a

cigarette, and was bending down near the fire when my wife started nagging at me for paying some debts that had been owing. The children were there and I said to them "Take no notice of her".

"You can clear out now"

"My wife then gave me a push with her hand, in which she was holding a bread knife, and I afterwards found that I had a small cut on the back of my neck, towards the right side. She then said "Get out of the way, your ill now, and you'll be worse by the time that we have done with you". You can clear out now, we can get all we want from the relief at Bacup. I then said "You used to that you have been brought up on it". I then sat down on the other side of the room. I could see that she was in a temper, so I kept away from her. The children will verify what I have said. Continuing his evidence, Inspector Russell said that during the forenoon of Wednesday 16th September 1942 he was present at the Matrimonial court at Bacup, when the deceased Emily Johnson applied for a separation order against the accused..

He was present during the whole of the proceedings, and he now produced a certified copy of the order made by the court. This completed the evidence for the prosecution, and the Magistrates Clerk Mr G. Baron then formally read out the charge to accused who replied "Not guilty sir". He afterwards broke down and wept.

#### **FOR THE DEFENCE THREE WITNESSES CALLED**

Mr Evans said he proposed to call three witnesses for the defence, the first witness being Mary Bracewell, 3 South Street Stacksteads, wife of Edwin Bracewell, sister of the deceased woman. She said that on Saturday, February 13th her sister came to her house and stayed with her over the Saturday night. She (Mrs Johnson) was there till Sunday and left there between 5.0 and 6.0 in the afternoon. Afterwards they both went first to the house of witness's friend Mrs Bainbridge, 16 Matthew Street, Stacksteads, and stayed there about an hour. From there they went to her other sisters. Mrs Hester, of Blackwood, and stayed there till a quarter to eight the same night.

#### **AT THE END OF THE ROAD.**

Afterwards deceased, witness Mrs Hester and Mrs Bainbridge went to Stacksteads Working Mens club and stayed there until 10.15pm. All four of them then went to witness's fathers home at No 317 Newchurch Road Stacksteads. They stayed there about twenty minutes, and then returned to Mrs Hester's. On the way to Mrs Hester's they left her sister (deceased) at the end of the road leading to Brewery Buildings. That would be about 10.40 p.m and that was the last time she saw the deceased.

Dr James Tonge Brooks, of Bacup stated that accused saw him about four or five months ago. He complained of part of his face having no feeling in it, and witness suggested treatment. In his opinion it was neurasthenia. About the end of January he came to see him again and told him he had had sweating affairs and fainted. Witness could not find anything organically wrong and put it down purely as mental upset. He prescribed medicine. The mans physical condition generally was good.

Accused visited witness again on the night of February 9th and did not appear better he was then dull and morose. He did not give any clear answer to any of witness's questions. His

condition was pretty low and he would express it that his mental condition was sub-normal that was the last time he saw him.

#### **DAUGHTERS TESTIMONY.**

Marion Johnson, 10 year old daughter of the couple, said she remembered about three weeks ago, when her mother went out about 8.50 p.m on the Saturday and didn't come back that night. She went out through the window. She said she was going to the "Commercial", and witness did not see her again till the following Monday morning.

n the Sunday her dad made breakfast dinner and tea, for all eight of them. On the Monday morning witness saw her mother when her mother and father got them ready for school. That was the last time she saw her mother. Her father had been good to her. Her mother and father had had quarrels. On the Saturday morning she saw her mother with a bread knife in her hand. Witness saw her mother strike her father at the back of the neck with the blade of the knife. Her father who was turned to the fire, did not strike back.. When the evidence was completed Mr Evans said that the prisoner would reserve his defence.

Addressing Johnson, the Chairman Mr A.E. Sutcliffe said their duty was to commit him to the Manchester Assizes in April.

Accused: Thank you, Sir.

On the application of Mr Evans a defence certificate for permission to employ two counsel was granted.

**Joseph Johnson was found guilty on May 14th 1943 at Manchester Assizes of Murdering his wife Emily the mother of his eight children and was sentenced to Death. Joseph received a reprieve in July 1943.**