



Surrey Constabulary History
An in depth history of policing in Surrey

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The Isaac's Gang

Murders, robbers and burglars in mid 19th
century Surrey and Sussex

Good with courage can overtake evil!

**“Reminding him of the fate that awaited him in the hereafter even if he escaped
punishment in this world”**

Burglary victim Reverent Videl September 1850

Robert Bartlett MA Cantab CF

A tale of hardened criminals who combined to commit violent crime across Surrey and Sussex between 1849 and 1851 culminating in a murder that led to the formation of the Surrey Constabulary in January 1851.

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Forward

This is not an academic work, nor is it intended for publication but is the full script from which parts will be used to give a number of talks and presentations to a variety of organisation. This paper is one of a number, which have researched the origins and history of policing the county of Surrey.

This is narrative, a tale of its time, unlikely ever to be repeated. There are bad men, very bad ones and the good guys, the members of the tiny borough police forces feeling their way towards a professional service.

The moral of this story is that good guys overcame evil because of their courage and determination not to allow the criminal to succeed. In this they were very successful.

There is a twist in the tale, best left to the very end.

Introduction

This is an extraordinary tale of vicious criminals who came together to form a gang that terrorised Sussex and Surrey mostly during the 1840s culminating in their capture in 1850 and 1851. Those interested in the origins of the Surrey Constabulary will be aware of the murder of the 54-year-old Reverend Hollest in his bed at Frimley Parsonage in 1850, a crime that led directly to the formation of the Surrey Constabulary.¹ What has been lost in time was that the murder was part of a series of vicious burglaries including the homes of several reverent gentlemen. The crimes were unravelled through dedicated and brave police work by a number of men who served in small borough police forces, responding professionally and with great determination and bravery. These forces are best described as micro as they normally consisted of less than four men.

These men, all referred to as superintendents, (more superintending than the modern usage meaning a senior officer) were Biddlecombe of the Godalming Borough, Hollington of Guildford Borough and Morton assisted by Constable Dadson of Tunbridge Wells police. These men took great personal risk encountering very violent men, travelling widely across the counties arresting hardened criminals with little to lose.

There were a significant number of crimes committed by the gang, revealed as the evidence unravels. Much of the information comes from press cuttings but other sources have also been consulted. Possibly a part of this series of crimes were those committed by the so-called Sussex Burglars in 1845. After committing their crimes, they retreated to the areas of the country where the Isaac gang lived and committed crime. The Sussex burglars were pursued with great tenacity by Biddlecombe until they were arrested by him in North Hampshire. The first murder directly linked to Isaac Gang was committed on the downs near Brighton. There was no trial so it can be assumed it was undetected but Biddlecombe was convinced that members of the gang were responsible.

Most crimes at the time were referred to as “robbery” be it a larceny (now theft) or burglary of a house, a shop, or a public house.

The bad guys²

It is possible from the published material to draw together very brief descriptions of the main players in the gang. Names are often spelt differently in the reports, they all seemed to have alias and nicknames and so it is not easy following the “career path” of individuals.

- One of the criminals who turned Queen’s evidence, James Hamilton said the gang consisted of himself, Levi Harwood and Samuel Jones (hung) Samuel Harwood (hung), John and Edward Isaac, William Brooks, Joseph Carter, John and James Jones alias Smith, Hiram

¹ Joan Lock Scotland Yard’s First cases 2011

² The Blackburn Standard July 7, 1852

Smith, Thomas Foot alias Morgan, William Hillyer, John Brooks, Mary Crowder, Sarah White and James James. Most if not hung, were transported for life.

- John Isaac was the elected captain and all the others acted under his direction. They were all sworn to obey the instructions of the captain and if any attempted to back out or refusal to take part in a robbery or murder he or she would be instantly shot and if anyone left the gang without the consent of the captain, he or she would be overtaken and shot.
- William Brooks, alias Hayler: 33 years, born in Kent, never went to school and at 15 began to work on the railway. When he was about 24, he took to hawking, harvesting, and hopping, the occupations of travellers often used as a cloak for less honest pursuits. He met with Hamilton and Edward Isaac engaging in almost nightly robberies at Shipley Sussex, Hambledon Surrey, Cuckfield, the same night at Penvall's. Houses at Bolney, Balcombe, Horley, Haywards Heath, Lingfield, Public House Old Pie Corner, Frensham, Uckfield, Kirdford, Farnham, Chailey, and I am sure many more houses. A shop in Farnham, then a series near Lewes including The Five Bells at Chailey. The parsons' house at Frensham, the vicarage at Lingfield a vicar's house Rev. O E Vidal at Arlington in Sussex, another vicarage at Chelsham, and the burglary and murder at Frimley vicarage. The Uckfield burglary was then planned, and a wheelwright's shop entered, and tools stolen for use in that crime.
- Joseph Carter aged 25 was deserted by his father and was always a beggar but brought up as a basket maker before moving to the railways where he met up with the rest of the gang. He was to admit 24 cases of burglary and one of sacrilege. The hut tenanted by Morgan and Carter on Woking Common is situated in the heart of a notorious resort of gypsies, vagabonds, and other indifferent characters. Joseph Carter's alias was Cockman
- Thomas Morgan aged 34: a gypsy who began very early as a poacher then fell in with his uncle a traveller with a sleeping van and dealt in horses. Stayed with him until he was transported for the first time, 6 years in Bermuda, returning as a traveller selling razors, pins etc until he fell in with the gang. "The prisoners were described "mostly of the ferocious and repulsive countenance, especially Morgan who is evidently much older than his companions." Alias Thomas Toot
- Edward Isaac aged 31, a rather superior looking man when compared with his compatriots, whose father always worked in the tin trade and was a robber who travelled the country. He was brought up making baskets, pegs, mats, and brooms travelling about the country. All the family attended the harvest and hopping when they would take wood, rob gardens and turnip fields. Possesses great natural shrewdness and much more information than could be expected. Gypsy blood flows in his veins
- William Hillyer aged 23: father a veteran of Waterloo and a French mother he was brought up in France until aged 6, one of 13 children all of whom did well except William and a younger brother who followed his bad example. Went to school for about twelve months and at 15 joined the railway meeting Morgan at Goodwood races and went with him

harvesting. Morgan would break into houses and Hillyer would keep watch when people were working in the fields. Hillyer stayed at Farnham with Morgan and broke into a farm. Left Morgan and teamed up with George May, Hiram Smith breaking into Mr Stovold's house, he then teamed up with Brooks and committed many more crimes. The Stovold burglary again involved five men storming into the bedroom. Hiram Smith was on this burglary

- John Smith alias Hiram: aged 24 an Uckfield burglar and belonged to the lowest order of travellers. John was to become an "Approver" (turned Queen's Evidence) for the Frimley murder trial. The Times described at the Hollest murder trial "Hiram Smith who appears to have been the ringleader and plotter of the burglary is about the middle height, with narrow contracted shoulders and a stooping figure. His face, which wears a sallow unhealthy hue, is extremely forbidding in expression, the features having the sharp prominent character which marks the rogue, while the doubtful and hesitating glance of the eye indicates a disposition at once cunning and irresolute."³ Of the four prisoners, by dress and manners, he seems to have been the most respectably connected
- James Smith: aged 18 both Uckfield Burglars belonging to the lowest order of travellers. Also known as James Jones also alias Richard Fowler, alias Trowler. James Jones is also about the middle size, his features flat and repulsive, and his whole physiognomy expressive of a life of depravity and crime. Both he and Levi Harwood look like bold determined fellows, capable of carrying through any deed of violence they may once have undertaken.
- Samuel Harwood was married and had a child and came from the Guildford area where he was well known to the local police as was his brother. The Times described him at the Hollest trial as "he had great bodily strength, immense limbs and a slight cast in his eye, but good features and more frankness of manner than the rest. Found not guilty of the Hollest murder but immediately arrested on other charges.
- Levi Harwood who was unmarried, and in 1851 hung for the Frimley murder came from the Guildford area where he was well known to the local police as was his brother. Was convicted 1841 sentenced to one year's hard labour, since which time has several summary convictions for assaulting the police etc. Accused of firing the shot during the Hollest murder was according to The Times: "A ruffianly looking man with coarse and rugged features on a face betraying mastery of violent passions. He looked like one of those idle fellows, half ostlers, half anything else who were seen loitering about country inns waiting for any job that may turn up."⁴ Also:
- Samuel Jones alias Burbage alias James Jones was to be hung for the Frimley murder. Hollington arrested Jones on March the 13th 1850 on suspicion of a burglary at Mr Horne's linen draper Guildford (whose house was broken into on the 14th of February in the same

³ Joan Lock Scotland Yard's First cases 2011 page 129

⁴ Joan Lock Scotland Yard's First cases 2011 page 129

year) and property was found belonging to Mr Horn's housekeeper. He was committed to the Guildford borough sessions but owing to a month having elapsed between the burglary and apprehension, and the prisoner stating he had bought the property, the jury ignored the bill. Described by The Times during the Hollest murder trial" had a flat and repulsive features and his whole physiognomy was expressive of a life of depravity and crime. He and Levi Harwood looked bold and determined fellows capable of carrying through and deed of violence they undertook."⁵

- James Hamilton alias Butcher who lived on Farnham Common in Surrey with Carter, became Approver for the Uckfield and trial admitting involvement in a range of vicious burglaries
- Joseph Carton
- George May
- Elizabeth Oliver, common law wife of William Brooks and a receiver – Chailey Burglary, Hayward Heath Burglary; alias Cockman. Sentenced to seven years transportation.
- James and his wife Sarah Edwards – both receivers
- Mary Crowder, the lady who lived with Levi Harwood
- Sarah White
- George Brisk, a companion of both Levi Harwood and Jones. Hollington found property in his house the product of several burglaries in the county. He was sentenced to seven years transportation.
- James Gulliver alias Jim Bull receivers with property traced to burglary. Cohabited with the sister of Brooks.

Not a very nice bunch! These brief descriptions give some idea of what the public and the emerging police officers were facing on dark, cold and dangerous nights across a sparsely populated and very rural south of England.

Gypsies, tramps, trampers, and travellers were the cause of great concern to the general population as a source of crime and violence numbering in the hundreds if not thousands.

Eighteenth and nineteenth-century Britain was greatly dependent on seasonal and tramping labour. The primary winter home for Gypsies, travellers and seasonal labourers was London. In a working-class mirror to the elite's "London Season", October and November saw hundreds and thousands of men, women and children returning to the capital from hop-picking and market gardening, from touring the fairs and tramping in search of work. Some were self-identified Gypsies, others were travelling Irish, and still others were the settled London poor

⁵ Joan Lock Scotland Yard's First cases 2011 page 130

either on the "tramp" or out seeking harvest wages in the hop fields of Kent or market gardens of South East England. These people were over-represented in the Proceedings at the Old Bailey. To be added were the unemployed, the unemployable, the career criminal, agricultural depression, poverty, and homelessness and in the earlier part of the century, those men discharged from service following the Napoleonic wars. ⁶

A double murder of an elderly couple at Fetcham in 1826 opened public awareness on travelling criminals going from fair to fair across the south of England, living in tents on commons or on the turnpike. This crime demonstrated how difficult it was to trace and arrest people within this ever mobile and often dangerous community.

In Surrey in 1830 -1840 there was a gang of thieves based in rural Shere who stole animals that were sold in London. They overstepped their mark by committing burglary and Biddlecombe of whom much more later, chased and arrested them breaking up the gang.

There were other gangs operating, one from Elstead that caused the residents of Farnham great concern. There were also lawless gangs in the south west of the county including the Hutman gang at Peper Harrow near Godalming, which survived until the formation of the constabulary. There were criminal gangs living on Farnham and Woking Commons and on the county boundary at Copthorne Common and forest. At Norwood in what is now Croydon there was one of the largest gypsy camps in the southeast.

These travellers covered very large distances usually on foot, quickly, accompanied often by a donkey with their tented home packed on it, moving from fair to fair, market garden to hop farm or orchard, robbing and committing a range of crimes. The problems were exacerbated by the development of the railways with the movement of lawless navvies (Navies killed Inspector Donaldson in Haslemere in 1854) across the country. Many of the Isaac's Gang met up when involved with working for the railway probably as navvies. ⁷

The Isaac's Gang was not like an American "Hole in the Wall" gang in cowboy country who lived and spent their time together. These people came together to commit crime and dispersed to differing campsites or homes, responding to a call from Isaac to commit a specific or series of crimes.

It took the considerable courage of a few men, arch competitors for the glory and more importantly, rewards to come together and bring the depredations to an end. Enter Biddlecombe, Hollington, Morton and Dadson from the first generation of county police officers.

⁶ <http://www.oldbaileyonline.org/static/Gypsy-traveller.jsp>

⁷ Durrant History Surrey Constabulary 1851-1951 page 2

The Good Guys

The Lighting and Watching Act of 1830 and the subsequent Act of 1833, was the first statute to deal with the establishment of paid police forces in England and Wales generally. It enabled but did not require boroughs to form forces along the lines of London's Metropolitan Police. Farnham were early adopters of the Lighting and Watching Act of 1830 and appointing the necessary inspectors.

At a vestry meeting called on the authority of the Churchwardens at Farnham church on the 2 August 1830, it was decided to hold a public meeting to consider the adoption of the Act. Those in present at that public meeting on the 18 August 1830 voted in favour of implementing the Act and agreed a level of rate not to exceed one shilling and four pence to pay for the requirement of the Act then adopted. Several local men were elected to serve as Inspectors for the purposes of the Act and on that evening, six of the inspectors resolved that William Beagley and Thomas Cole be appointed as Watchmen and Night patrol “for the proper protection of the inhabitants, houses and property, streets and other places within the limits of this market town at the weekly wages of twelve shillings each.” James Steer was also appointed and employed in the same capacity and at the same wages during an emergency or in the case of illness or absence of either Beagley or Cole. It was ordered that the Watchman’s duties should be to patrol the town of Farnham every hour from the 25th of March to 29th September from eleven o’clock at night till four in the morning and from 29th September to 25th March from eleven at night till five in the morning.⁸

That one of them shall patrol once at least every hour, West Street and through the Church Yard by Captain Prescott’s to Longbridge, over the bridge to Sir George Barlow’s gate and into Red Lion Lane, and back by Longbridge to the Borough – occasionally to go from West Street by Muss Willmer’s through the Meadows to the Church Yard and occasionally from Longbridge by the Meadows to the end of Dogflood, and to cry the hour in an audible voice.

And that the other Watchman shall in a like manner patrol Dogflood and Bear Lane to Castle Street, from thence through the Borough to the end of Longbridge and back to the Borough – occasionally to go from the end of Dogflood through the Hop Ground into Castle Street and thence behind the Lion and Lamb to the end of West Street.⁹

With the introduction of the night watch there was the additionally security provided by the development of about sixty oil lamps lit from dusk of the 1 September 1830 to continue every night until the 31 March 1831¹⁰

The inspectors appointed for a three-year term were empowered to employ as many watchmen “as they shall think sufficient” and regulate their work hours and wages, subject to overall financial limits set by the ratepayers. The watchmen were to have the same powers as a

⁸ “Victorian Farnham” Edward Ewbank Smith, Page 2, 3

⁹ “Victorian Farnham” Edward Ewbank Smith, Page 3

¹⁰ A History of Police in England WL Melville-Lee 1901 reprint Kessinger Rare Reprints 2012 page 274

constable. Once adopted the new scheme could only be abandoned after three years.¹¹ There was difficulty in many areas with implementation of the act because of the costs but Farnham acted quickly and were no doubt persuaded by the threat of crime and disorder in and around the town.

This Act was of little permanent value and is worthy of note as the first attempt to provide day police outside the metropolis.¹²

The Act was aimed gently to encourage greater levels of rural policing without challenging local autonomy but the extent to which permissive powers were adopted depended on levels of local anxiety about crime and disorder and a willingness to fund reform.¹³

James Steer was added to the rota of watchmen during the emergency of the hop-picking season. Hats were ordered for the watchmen at 5s 6d each. At a special meeting on the 8 October 1830 the inspectors investigated the conduct of watchman Beagley in not having apprehended two loose characters whom he had seen in the street just before one o'clock that morning and who had been into Mr James Lamport's garden. Beagley was suspended for one month to be reinstated only on the production of a strong recommendation from the inhabitants in his favour. William Hughes was appointed for a month to fill the gap. Beagley acquired the right number of recommendations and was reinstated, and Hughes remained on the strength as a supernumerary watchman. All four men were put on special duty on Guy Fawkes Night, "to prevent tumult or riot in the town."¹⁴

The 1835 Municipal Corporations Act allowed older boroughs to sort out their administrative structures and permitted new towns to become incorporated. The Act introduced ratepayer democracy to the several hundred self-governing towns of England and Wales. The only compulsory statutory duty of the newly elected councils was to select a Watch Committee from their number to run the police force.¹⁵ Elected councillors, responsible for appointing sufficient paid constables to keep the peace and prevent crime but not all were eager to implement the law as by 1837, only 93 of 171 boroughs had organised a police force. Three years later, 108 of 171 boroughs had organised a police force and by 1848, 22 boroughs still had no police force.¹⁶

Within Surrey in addition to Farnham, Dorking, Godalming as well as Guildford, formed small "new" police forces whilst the rural areas remained under the protection of amateur, appointed parish constables working to the local magistrate, taking support from wherever they could obtain it when needed. Being a parish constable could be and frequently was, a most difficult public service to perform; suddenly set apart from neighbours and friends with the legal responsibility to enforce the law on pain of punishment. In the areas close to Guildford and

¹¹ Policing – A Short History; Philip Rawlings; Willan Publishing 2002 page 128

¹² History of Police in England WL Melville-Lee 1901 reprint Kessinger Rare Reprints 2012 page 274

¹³ Brundage, Anthony, 'Ministers, magistrates and reformers: the genesis of the Rural Constabulary Act

¹⁴ "Victorian Farnham" Edward Ewbank Smith, Page 4

¹⁵ <http://www.historyandpolicy.org/papers/policy-paper-16.html#auton>

¹⁶ Storch 1999 History Today Ltd

Godalming in particular, the heads of those police forces would be invited by the rural magistrates to come into their areas to investigate the more serious crimes of murder or burglary.

Across the large rural area of Surrey therefore policing was mainly the responsibility of the local magistrate assisted by the often uncertain and untrained parish constable. Several of the small towns in the county believed that there was a need for more professional levels of policing and formed micro borough forces numbering two or three men except Guildford that had closer to ten. It should be remembered that towns such as Farnham, Dorking and Godalming had populations of about 5,500 the size today of a large village.

In January 1836 Godalming Borough took advantage of the Municipal Corporation Act 1835 to establish a police force, which was incorporated within the new Surrey Constabulary in 1851. The Force was re-established in 1858 and again amalgamated within the county on the 1 April 1889. In 1841 William Henry Biddlecombe was appointed superintendent of the Godalming Borough Force a man who was to play a crucial role in the investigation of crime before and during the early days of the Surrey Constabulary. When the new force was formed Biddlecombe was appointed chief superintendent of that Force. In 1841 a police station was built and the two regular policemen (Biddlecombe and a constable named Lindsey) lived on the premises. The station house was in Moss Lane and contained three cells capable of handling nine prisoners. The borough petitioned to have its own court, which was granted in 1847. Records for the 12 months to the end of November 1848 showed that 63 cases had been dealt with involving 87 prisoners.

The Municipal Corporations Act led to a meeting of the Guildford Borough Council Watch Committee on the 15 January 1836 which resolved and ordered that nine Constables and a superintendent be appointed for the Borough and the Town Clerk "do give notice in writing affixed to the Town Hall ---- and that any persons desirous of taking such office should send in their applications to the Town Clerk and attend the next meeting." The constables were appointed on the 18th January, at the next meeting Richard Jarlett chosen as the "Superintendent Constable" at a salary of £15 per annum. This was a part time role as Jarlett continued as a High Street baker. The constables were to be paid 18 shillings a week in the summer and 21 shillings in the winter. On the 19th January it was ordered that the men who were already sworn in should start on the 20th January 1836¹⁷. From some work that tried to identify all the Borough officers there is a list under the heading 1863: Jarlett, Wilkins, Mandeville, Seabrook, Marshall, Douglas, Wilson, Pink, Jeffries, Williams, and Clarke.¹⁸

There was a distinction between night constables and day policemen (who covered 0600-2000) with some of the former watchmen being appointed for the nighttime including James Williams and Charles Mandeville. On the 14 May Philip Clarke a former sergeant in the militia was appointed constable and day policeman at a weekly salary of 17 shillings and sixpence and in addition to his salary, "... be provided with clothes of the same description as the London

¹⁷ They Guarded Guildford by Richard Ford Surrey 1969 internal publication Surrey Constabulary

¹⁸ Handwritten A3 sheets of paper in the Ian Ewence collection handed to the author

police, provided the expense thereof does not exceed five guineas." ¹⁹ The constables were at some stage paid 18s a week in the summer and 21s in the winter.²⁰

The uniform of the London police as worn in Guildford was a tall stove pipe hat, a long frock coat and dark matching trousers. The coat was buttoned by a row of white metal buttons to the throat and the buttons bore the coat of arms of the Borough. Worn on the stand-up collar were the white metal numbers. A leather belt was worn with the universal army pattern white metal locket fastener with the Guildford Arms on the tongue.

1838 Dorking Police: Inspector William Donaldson led a small police force in Dorking from 1838-1851. He had the title of superintendent and maintained a log of their activities, known as the Occurrence Book of which the volumes covering 1838 to 1849 survived and in May 2014 Surrey County Archives purchased the occurrence books from Christies for £3750. ²¹

Burglary with violence was quite the norm as was violence from a significant number of gang members attacking one home. A significant example of a gang attack was in 1835 on September 2, when there was a Burglary in Chipstead. On 11 April 1836 William Harley was executed for a burglary at Chipstead. Harley was tried with three others for breaking into the house of 66-year-old widow Mary Ann Long. That night there were guests in the house Mrs Schofield and Captain Rankin. The householder was woken by her dog barking in the garden and fearing intruders she opened her window and into the darkness shouted for anyone there to leave immediately. A short time later a man with a large stick burst into her room and started attacking her. She was injured but saved by the arrival of Captain Rankin wielding a cutlass, which frightened off the intruder who ran away.

There was silence for thirty minutes but then Mary heard the voices of up to a dozen or more men in the garden after which the door to the house was smashed open. A different man came up the stairs demanding to know where the money was hidden. She told him all her cash and valuables were in the bank, but another man's voice could be heard encouraging his companions by shouting, "Go to it my boys!" Captain Rankin shot an intruder, Hills, in the shoulder as he came up the stairs and all the men fled. They had drunk two bottles of wine and eaten fourteen apples. They had taken a few items including a watch, which they later sold to the landlady of the Spotted Dog at Turnham Green for 4/6d. Hills had to seek medical treatment, which led to his arrest he in turn incriminated Harley and Fisher the only men he said he knew the identities of. Hills and Harley were sentenced to death, but Hills was reprieved. It is not clear what happened to Fisher. ^{22 23}

On Saturday morning 14 September 1835 a full bench of magistrates assembled in the justice room of the town hall Croydon for the purpose of further prosecuting the inquiry into the

¹⁹ They Guarded Guildford by Richard Ford Surrey 1969 internal publication Surrey Constabulary

²⁰ Surrey Police a Pictorial History page 2

²¹ "Policing Dorking, Surrey 1838-1849" A summary transcription of the occurrence books May 2010 from the Author Chris Atkins

²² Surrey Executions Martin Baggoly page 68

²³ 1835 10 September: The Times: Daring burglary at Chipstead

circumstances of the extraordinary burglary. A man calling himself Ebenezer Street but is suspected of being the brother of the wounded man was brought down from Horsemonger Lane gaol for re-examination. The examination lasted a long time but was conducted with closed doors. Coleman the constable who apprehended him, Captain Rankin and several witnesses from Chipstead were examined and he was finally remanded for a fortnight, by which time the constable has undertaken to produce a number of witnesses from different parts of the country whose evidence is expected to throw much light not only upon this individual transaction but also upon persons, haunts and habits of several members of the gang.

The evidence against the prisoners at the moment is wholly circumstantial. It has been proved that on the evening preceding the burglary a gang of 9 well-known bad characters were seen by different persons to be lurking about the plantations around Chipstead. The prisoner and the wounded man are both identified as being of this party. Those who saw them supposed their object to be poaching an offence too common to attract serious notice. That for some might have been the initial intention. Mint House where the burglary was committed is in a lone situation immediately on the skirt of the park. On the person of the prisoner was found a case-knife with a remarkable notch in the blade and this knife on being tried with a tea-caddy that had been forced was found to exactly fit the marks and even the notch corresponded with the size of a screw, with which a steel blade had plainly been brought into contact. There was likewise found a large triangular shaped piece of flannel in his coat pocket, in the form of a half shawl, and might be worn over the head and tied under the chin to afford considerable warmth, while at the same time it served as a disguise.

Now, it is important fact in the evidence of Captain Rankin and the two ladies that the two burglars wore flannels of this description around their heads. There were several minor points in the evidence tending to strengthen the suspicion, but which would be premature to disclose at the present. A general meeting of the Croydon magistrates was held last week where it was resolved to spare no proper expense in pursuing the clues obtained and so bring if possible, the entire gang to justice, and when the gang is believed to be the same that has long infested the country around the downs. The Reigate magistrates are also acting with the same public spirit and disregard of mere expense.²⁴

James Hills, William Harley, And William Fisher, Alias Curly Bill were indicted at the Kingston Assizes, on Thursday the 31st of March 1836, for a burglary in the house of Mrs. Mary Anne Long, at Chipstead, in Surrey, on the night of the 2nd of September 1835, and for stealing therefrom various articles of property.

The circumstances attending the robbery were well described by Mrs Long at the trial. She said, "I am sixty-six years of age, a widow, and reside with my sister, Mrs Scholefield, at Mint House, Chipstead, which is a lone house, situate between Gatton and Reigate: on the night of the 2nd of September last, I, Mrs Scholefield, her son (Mr. Rankin), and a female servant, were the only inmates; we retired to bed after having seen that all the premises were properly

²⁴ 1835 September 14 The Times

fastened; I slept with my sister, and about ten minutes past one in the morning I was awake by hearing the dog, which was kept in the yard, barking violently.

I got up and opened the bed-room window, and thinking that some persons were about the premises, I hallooed out that they had better keep out of the way, or I would put a bullet into their stomach, which was not a pleasant thing; I did so to intimidate them, and then retired to bed; shortly after I heard a noise, and again got up; on going to the window I saw a man trying to get in. He had smashed the pane and was armed with a stake.

I seized hold of the stake, and tried to wrest it from him, but he was too strong for me, and struck me a violent blow on the head, inflicting a wound of an inch and a half in length; he also struck me on the shoulder and hand, of which I lost the use for some time. I then called to my nephew, Mr. Rankin, and he came armed with a cutlass; he made a cut at the man, but the night being very dark, and there being railings at the window, he missed him, and he got down the ladder and went away. I then lit three or four candles and went downstairs for my nephew's gun. I brought it up but recollecting that I had left the powder and ammunition, I again went down for it, and locked the pantry-door after me. I returned upstairs, and my nephew loaded the gun.

About a half or three-quarters of an hour afterwards we heard a great noise outside the house, and the panel of the south door looking out upon a meadow was smashed in. We heard the voices of six or seven men, who entered the house; they remained downstairs three-quarters of an hour. I slept in a room at the end of a passage, and my nephew's bedroom was opposite; there is a door at the top of the passage leading down the stairs; we placed ourselves in the passage. We then heard one of the men say, 'Now we will go upstairs,' and I heard what I supposed to be a man crawling on his hands and knees -- I judged so from the scraping his toes made along the floorcloth. Mrs Scholefield was very much alarmed, and cried out for mercy; the men said, "Give us £50 or £30 or £20". I told them that all my money was in the bank, and my plate at my banker's. One of the men said, "I will murder you" and another man said, "We will murder you all." They then forced in the panel of the door, and a man at the bottom of the stairs said, "Go to it, my boys."

"Mr. Rankin dropped on his knee and presented the gun through the panel. I could only see the rim of the hat of a man who appeared to be stooping down. Mr. Rankin fired, and the men fell back, and the candle went out and they all then went away. We waited for some time, and the dog having ceased barking, I and my nephew proceeded down stairs, he armed with a gun, and I carrying the cutlass. We fastened up the door as well as we could, and then went into the parlour, and found that the men had drunk two bottles of wine; we also found the cores of fourteen apples. They had taken away a watch, some cruet-frames, and other articles."

This statement of facts was corroborated by the testimony of Mrs Scholefield and Mr. Rankin, who added their positive declaration as to the identity of the prisoners Hills and Harley. The former was the man who had been shot; and on his being taken into custody, shot of the same description as that which had been fired from his gun by Mr. Rankin were found in his breast. Fisher had been apprehended at the same time, and in company with the other prisoners; but

there appeared to be considerable doubt whether he had been personally concerned in the burglary.

The jury found Hills and Harley "Guilty," but acquitted Fisher. Mr. Justice Vaughan, in passing sentence of death upon the prisoners, remarked upon the great courage, which had been displayed by Mrs Long and Mr. Rankin, and directed that they should receive a reward as a mark of the high estimation in which he held their conduct. After their conviction the prisoners were removed to Horsemonger Lane gaol, where they paid the most assiduous attention to the spiritual consolation offered to them by the Rev. Mr. Mann, the chaplain.

On Monday, the 11th of April, the last sentence of the law was carried into execution upon the person of the convict Harley, a respite during pleasure having been granted on the previous day in the case of his fellow-convict Hills. The convict maintained a deportment of great firmness, unmixed, however, with any symptoms of bravado, or unnatural courage. He appeared sincerely penitent and met his fate with becoming resignation. The sentence of Hills was eventually commuted to transportation for life, in consequence of some favourable circumstances, which transpired. Both convicts were men of an inferior station, but there was good reason to believe that in the course of the proceedings of their lives they had been guilty of more than one offence of considerable enormity.^{25 26}

Early rumblings of the coming of a county police force?

The County Police Act 1839

This is not the place to discuss the development of policing but there need to be an understanding that the levels of violent crime did bring about considerable discussion in London by intellectuals and Parliament. The County Police Act 1839 which was sometimes referred to as the Rural Constabularies Act or even the Rural Police Act. (To avoid already confusing position, readers should be aware there is also a County Police Act of 1840)

The Act was rushed through Parliament in the face of considerable apprehension concerning public disorder involving the Chartist movement. Some counties readily adopted the provisions of this Act immediately while others adopted it in the ensuing years. It is from this period that many of the county police forces date. Many recruits among the senior officers came from the Metropolitan Police or from some of the more efficient borough forces. This was the case with Dorking and Guildford Borough.

The Act did not meet the one of the Report's recommendations, not supported by all the commissioners, for a national police force, with the Metropolitan Police as the controlling power. The Act did permit JPs to appoint chief constables for the direction of the police in their areas.

²⁵ <http://www.exclassics.com/newgate/ngsupp.txt>

²⁶ 1836 May 31 The Times

The Act did not make the formation of a local police force compulsory. Constabularies were only established in 25 out of 55 counties by 1856, when the County and Borough Police Act 1856 made their provision mandatory.

There may have been dissatisfaction with the existing system but for many citizens the very idea of a police force controlled by the government was repellent as they viewed it as a limitation to their freedom and a craven creep towards tyranny.²⁷

Quarter Sessions that adopted the powers were able to create local forces, determine their size, conditions of service and select chief constables, who would be responsible for appointing constables. Constables would be appointed under the authority of the magistrates "for the preservation of the peace and protection of the inhabitants" where they felt the existing system of parish constables was insufficient.

The constables were to be appointed on a ratio of not more than one officer per thousand of population. Boroughs operating under the Municipal Corporations Act 1835 had the power to form their own police force and were to be excluded from the jurisdiction of the county police.

In order to establish a force in a county, it was necessary for three or more magistrates to make requisition to the chairman of the quarter sessions to bring the matter to a vote. If the sessions chose to adopt the Act, they were obliged to prepare a report on the area and population of the county and the existing method of policing. The report would set out how it was proposed to apply the legislation to the county, detailing the number of constables, the divisions of the county and the salaries to be paid and making any additional rules and regulations deemed necessary. The report was then submitted for approval to the Home Secretary who could modify parts of the scheme but did not have the power to alter the number of constables or their salaries. The sessions had the power to choose a chief constable, but his appointment was also subject to the approval of the Home Secretary. In some cases, magistrates chose to form a force in only part of a county.

The take up of the 1839 Act by Quarter Sessions was sporadic and variable depending on local concerns. Costs and benefits were at the heart of the argument between those in favour and those that opposed the initiative. More proactive police would generate activity that would have costs with more prosecutions and prison places. So, would a structured effective police force be too expensive and worthwhile?²⁸

As the idea of the new police spread to the provinces, officers were often given additional functions already undertaken and paid for. If the police undertook these duties, there were savings to be made that could be spent on the new police. Extension of powers in Surrey in 1851 was such a trade-off. The Acts of 1839 and 1842 that enabled extension of police role and functions in the counties, included collection of rates, road surveying, weights and

²⁷ "The Science of Sherlock Holmes" E J Wagner John Wiley and Sons page 120

²⁸ "Stumbling towards Professionalism: A post-revisionist overview of the establishment of English policing in the nineteenth century" Keith Smith

measures inspection and dealing with vagrants under the Poor Law legislation as legitimate police functions.

The counties were slow to implement the 1839 Act because:

Edwin Chadwick, one of the members of the Commission, saw the new police as a means of executing the new Poor Law, which was unpopular

There was opposition to the idea of police, as a challenge to the liberties of England.

The expense was deemed to be too great

Local inertia

Difficulty in getting advice from London where central government did not believe in interfering locally

The lack of co-operation between the boroughs and the counties

No provision was made until 1856 for government inspection, audit, or regulation ²⁹

There was also resentment at the prospect of landowners shifting the burden of protecting game on to the new police and thereby, onto the county's ratepayers most of whom were prevented by the game laws from hunting. ³⁰

Objections were to control of the police by Quarter Sessions where the larger property owners dominated and whose interests may well be different from the less wealthy whose stronger voice was in the vestry. Justices were neither elected nor accountable to the ratepayers. Most rural areas still used unpaid constable so any permanent force would increase the rates. It was also argued that the employment of a full-time police to meet demands such as the Swing riots could better be met by the deployment of the military when required.

The arguments did not cease once the new police started to patrol with allegations that magistrates were attempting to extend their patronage and the tendency to appoint chief constables who were former soldiers or sailors. Former service officers established militaristic organisations could be argued were unsuited to the demands of policing. This is an interesting argument. So many breaches of discipline in the early days led to the loss of many men. Was this due to an unsuitable discipline regime or were those recruited in need of firm control, which could only be reinforced by instant dismissal? On the surface on into the 1960s the remnants of militarism, a preoccupation with drill, bearing, saluting, military attention to haircuts and shiny boots prevailed. Many would argue this was of benefit the public reacting to a smart and disciplined force that its members could respect.

²⁹ <http://www.historyhome.co.uk/peel/laworder/police.htm>

³⁰ "Policing a Short History" Phillip Rawlings Willan Publishing 2002 page 132

The rural police were condemned as expensive, inefficient and detached from the communities they served and there were complaints from people that they never saw a constable.³¹ (Whereas the parish constable was never on patrol but at home or in his workshop, readily accessible and of course unpaid.) The complaint of not seeing a constable was rejected on the ground that the method was to target criminals, not guard property. T

Lack of implementation was caused by a fear of lost influence and personal pre-eminence by the country gentlemen who were also concerned about additional costs of policing upon the county rate.

It was also argued that the county justices were relatively harmless so long as they wielded that blunt instrument the parish constable, but should they be armed with a sharp weapon such as a police constable, no man could foresee the damage that would result.³²

There was also the belief that an increased number of police officers would not necessarily result in a reduction in crime and there remained the ability of magistrates to swear in special constables to cope with public disorder³³.

At Surrey Quarter Sessions on January 5, 1840, the idea of a rural police was raised. Mr Lawson read a requisition from magistrates of the hundred of Tandridge requesting the court to consider the expediency of adopting the provisions of the 2nd and 3rd Victoria cap 93, and to a constabulary force under the Act of Parliament for the hundred of Tandridge. After a long discussion the court consented to the appointment of a committee to investigate the subject and report thereon to the next sessions.³⁴

On January 12 the Rural Police: Committee again discussed the proposal. Mr Hawes said the enormous loss of property annually would be more than sufficient to establish uniform and efficient police throughout the country. It had been calculated that in Liverpool alone before the new system of police came into operation there, the amount of property stolen was valued at £700,000 per annum what seems an enormous and exaggerated amount but believed to be strictly correct. There were 100,000 people going through their jails every year with between 15-20,000 were confined at a time. The average period of a thief's career before detection was about six years; and if they allowed the sum of 20s a week for each during the time they were out of prison and while they were subsisting upon the proceeds of plunder, they would find the public were taxed with no less a sum then £800.000 which was far beyond sufficient to defray the most police that could be introduced.³⁵

³¹ "Policing a Short History" Phillip Rawlings Willan Publishing 2002 page 135

³² "A History of Police in England" WL Melville-Lee 1901 reprint Kessinger Rare Reprints 2012 page 295

³³ "Policing and its Context" Emsley, 1983: 77

³⁴ 1840 January 5: The Era Sunday

³⁵ The Champion and Weekly Herald Sunday January 12 1840

In 1840 a committee of Surrey Quarter Sessions was established to consider the implications of the Act and if it should be implemented in Surrey, but a decision was taken not to.

At the Surrey Quarter Sessions, Reigate on a Wednesday in April 1840, the committee appointed to enquire into the expediency of applying the provisions of the Rural Police Act unto those portions of Surrey that are not comprised within the Metropolitan Police District made a report to the court. The report stated that the committee had held meetings upon the important subject referred to them and had made considerable progress in the inquiry but having ascertained that there is a Bill at present before Parliament (The County Police Act 1840) they decided to make no report at this time.

³⁶

Some magistrates were all for the introduction of a rural police with a magistrate the Rev. Courtney declaring on April 9: The extension of the Metropolitan Police into his parish had effected a complete reformation in his parish and the order and quietness that now prevailed especially on the Sabbath-day formed a striking contrast to the former system. ³⁷

Not all the public and many of the local politicians and landowners were willing to spend the money and lose the control they had as magistrates.

April 1840: The following memorial against the introduction of this force into the Western Division of Surrey has been numerously signed in this vicinity.

“We the landowners, inhabitants and rate-payers of the Hundred of Wotton, comprising the parishes of Dorking, Capel, Newdigate, Ockley, Abinger Hammer, Wotton and Mickleham in Western Division of the County of Surrey, having learned that the subject of expediency of introducing into this Division the Rural Police Force, is about to be taken into consideration by the Magistrates at the Quarter Session, beg leave to state that we have maturely and duly considered the nature of the subject above alluded to, and are of the opinion that such a force is totally uncalled for. The long and continued quiet and peaceable state of this Division, induces us to assure the magistrates that the present ancient and constitutional constabulary are so equal to their duties, that we feel perfectly satisfied as to their efficiency, and that an innovation on the present system is, in our opinion, not required. We, therefore, respectfully but earnestly hope and trust, that the magistrates will cooperate with ourselves to prevent the Rural Police being introduced in the Western Division of the County of Surrey, and thereby protect an already heavily taxed people from such an unnecessary and unconstitutional impact.”

³⁸

The villages were to the satisfaction of some, experiencing little crime that caused concern and the towns, some with their paid police forces, were content with the level and capabilities of

³⁶ The Champion and Weekly Herald 12 April 1840

³⁷ 1840 9 April: The Morning Post

³⁸ Kentish Mercury & Surrey Gazette 11th April 1840

their local police. And local they were, responsive to elected local men of the vestry or town council.

Population of the larger towns of rural Surrey

Location	1841	1851	1861
Farnham	6651	7264	9278
Frensham	1583	1559	1750
Seale	428	508	669
Dorking	5638	5996	6997
Chertsey	5347	6025	6589
Egham	4448	4482	4864
Godalming	4328	4657	5778
Guildford	4506	5171	5425
Merrow, Guildford	252	278	363
Stoke next Guildford	2054	2507	3797
Reigate	4584	4927	9975 ³⁹

Recording the population of the county of Surrey and relating that to policing is difficult. There was no general and recognisable policing system in Surrey as a whole before the Metropolitan Police were formed in 1829 encompassing the north of the county, including after 1839 as far out as Epsom. When the Surrey Constabulary was formed in 1851 it did not police the northern more urban parts of the county; this pleasure was delayed until 2000.

Population for the whole of Surrey up to the Thames⁴⁰

Census Year	The whole of Surrey
1801	269,043
1821	398,658
1841	582,678

³⁹ www.wsfhs.org

⁴⁰ www.ons.gov.uk 200 years of census in Surrey

Census Year	The whole of Surrey
1861	831,093
1881	1,436,899
	Surrey County Council area
1881	266,200
1891	319,600
1991	1,000,900

There was therefore at the time of the Isaac's gang, the Metropolitan Police in the north of the county, parish constables in every parish, some paid, with several the small towns with micro police forces. East Sussex had a force of 19 as from 1840, a small professional force of 31, operated within Brighton from 1838, Hastings, Chichester, Arundel, Rye formed in 1836 and West Sussex operated on a similar basis to Surrey until 1857 with Eastbourne the last to be formed in 1891.⁴¹ The known activities of the gang spread beyond Surrey and Sussex into west Kent where there was no county force until 1857 the last possible time permitted to form a police force by government legislation. There were many local borough police forces until finally wartime conditions brought amalgamations: Deal, Hythe, Faversham, Sandwich, Tenderton, Dover, Folkstone, Gravesend, Maidstone, Margate, Ramsgate, Tunbridge Wells, along with Canterbury and Rochester City Police.

When the Gang were operating policing was patchy and officers were often on their own, frequently in dark isolated places where the villains were committing their violent crimes.

The Sussex Burglars

One of the earliest series of burglaries that may be linked to the early days of the Isaac's Gang took place on the south coast of Sussex causing an outcry in the district with the newspapers referring to the criminals as the Sussex Burglars. The possible link to the Isaac's Gang are the area they in which they operated, where they made off to when on the run and the fact that Biddlecombe of the Godalming Borough Police was involved in their capture. It is not known but his interest may well be that the team of burglars were thought to have been committing crime in west Surrey. The gang also had women members as did the Isaac's Gang. The hunt for the so-called Sussex burglars caused considerable excitement in Lewes particularly when news broke on the 12 March 1845 of their arrest in Hampshire by Biddlecombe. Described in the newspapers as "this active officer's⁴² exertions led to the arrests."

⁴¹ http://www.oldpolicecellsmuseum.org.uk/content/history/local-historians-history/david-rowland/history-of-sussex-police-forces/sussex_police_the_origins

⁴² Over the years a term frequently used to describe him

The three individuals named Patching, Burgess and Longhurst accused of committing several burglaries in different parts of Sussex made off from Brighton and were subsequently captured in the village of North Wanborough, Hampshire after a close pursuit of five days.

The newspapers reported: The head constable of Godalming Police Mr Biddlecombe for four days rode about the country accompanied by two armed and mounted assistants, sometimes hearing of the men and sometimes losing all trace of them. On Friday morning he came onto the neighbourhood of Reading and a village about four miles from that town, on the road to Basingstoke, he learned of three men, still pretending to be smugglers had been there the previous day and were dispensing some brandy as before; they had taken the road for Basingstoke and thither in all haste he pursued them. On arriving at Basingstoke, he found that they had been there on the previous evening and on further enquiry that they had slept there and changed their clothes, quitting the town that (Friday) morning about nine o'clock – they still kept to their assumed character of smugglers. All this was highly satisfactory, but strange to say no clue could be obtained as to what road they had taken on leaving the town.

Fortunately for Mr Biddlecombe this time took the right direction for on proceeding about 12 miles on the road to Alton he found he found that the soi-disant ⁴³ smugglers were only about three hours ahead of him. Biddlecombe at once called in his assistants whom he had from time to time during the pursuit despatched by different roads always fixing some central point as a rendezvous. All three set out in hot pursuit for Alton. At a village called North Wanborough the joyful information was obtained that the long sought for party was only about half an hour in advance. On the pursuers sped and speedily caught sight of the three men near a public house known as the Golden Pot about three miles from Alton. The chief constable now cautioned his assistants to keep the men closely in view and determined when turning of the high road himself, and by taking a circuitous route, getting before the burglars, leaving instructions with his two men to close upon them, as soon as they saw him advancing in the opposite direction. This movement was quickly effected and by this stratagem the burglars were safely apprehended.

When secured and handcuffed, Biddlecombe called them by their several names and informed them of the charges against them. They each of them carried a bundle and the great proportion of the missing property belonging to Mr Sparkes and Mr Abbott was found in their possession as well some nine or ten shillings in silver, and a small quantity of eatables. They were dressed in long smock frocks, buttoning before and appeared to have disposed of little of the property taken on the previous Saturday night, except the wine and spirits. They were all three armed with long knives and had they had been aware of the charges against them or the mission of the officer they would doubtless of used them to the danger of him and his assistants. They had no firearms in

⁴³ Self-styled; so-called

their possession. The chief constable at once procured a vehicle and conveyed his prisoners to Godalming where they arrived with them late Friday evening.

After appearing before the local magistrate, the prisoners were conveyed in handcuffs from Godalming by cart to Guildford, coach to Redhill before taking the train to Brighton followed by transfer to a fly for the final part of the journey to Lewes.⁴⁴

They were examined before the Lewes magistrates on Monday and remanded for further examination till Thursday⁴⁵

The Sussex Burglars: Considerable excitement has prevailed in the town of Lewes in the last 24 hours in consequence of information having been received at an early hour on Sunday morning that the three individuals connected with the Sussex burglaries, Patching, Burgess and Longhurst, had been captured in Hampshire by Mr Biddlecombe chief officer of police at Godalming, after five days hard chase. Immediately on receipt of the information we lost no time in conveying it to the proper authorities and this morning's post enabled us to lay before the same parties a full account of the proceedings adopted by Biddlecombe the active officer by whose exertions the burglars were secured, accompanied by the information that the burglars would arrive at Lewes in custody of their captor this Monday afternoon. In accordance with this information at about half-past five this afternoon Biddlecombe with his assistant arrived in charge of the prisoners whom he lodged safely in the station house. At the moment we write they are before the magistrate Mr H Blackman. They were conveyed handcuffed in carts to Guildford, then by coach, which runs to red Hill, where they were placed in a railway carriage and brought by train to Brighton. On arriving at Brighton, they were at once placed in a fly and driven without loss of time to Lewes. Their conduct since their capture has been perfectly quiet and on the whole, they appear little effected by their situation. This remark however does not apply to the prisoner Longhurst who since the news of his wife's death has materially altered his demeanour. To use the expressions of the officer, he appeared considerably "cut up" by the melancholy intelligence. (Surrey Advertiser)⁴⁶

On March the 19th 1845 the men were found guilty of burglary and transported for ten years. There is some variation in the reports on the sentencing of the women members of the gang Jane Burgess and Ann Hounsell varying between 18 months and two years hard labour. Biddlecombe was commended by the judge for showing great zeal and activity in the case and

⁴⁴ The Times

⁴⁵ The Morning Chronicle Wednesday March 12 1845 – abridged from the Surrey Advertiser

⁴⁶ The Times Wednesday, March 12, 1845

was rewarded twenty shillings in addition to his expenses and the two constables who assisted him in the pursuit of the prisoners should each receive five shillings.⁴⁷

A further press report contains more detail of the ploy used by Biddlecombe to make the arrests. There is also a reference to links with a large number of burglaries being committed in the 1840s across Surrey and Sussex.

There was considerable interest created by the fact that the prisoners were supposed to have been connected with a great number of burglaries that have been committed in the county of Surrey. The circumstances of this case were said to present nothing uncommon, except the mode of their capture by Biddlecombe.

He told them on coming up with them that he was an officer and that a farmer a short distance off had sent him after them on suspicion of stealing some fowls the night before. The prisoners said they could easily prove their innocence of this charge for they had slept in Basingstoke. The officer then said they could no doubt easily prove this to the satisfaction of the complainant if they would go back with him, and for “forms sake” they had better have on the handcuffs. The prisoners consented and very quickly allowed the officer to handcuff them, and he told them the real nature of the charges against them.⁴⁸

Never underestimate these early police officers!

Burglary Abinger 1848

There are no substantive links with the following criminals and the Isaac’s Gang but the details of how they were tracked and traced following their crime is of great interest. The thoroughness will surprise many. On the 9 March 1848⁴⁹ there was a burglary in Abinger which resulted in William Munday (27) and George Fain (22) being charged with burglariously entering the dwelling house of George Elmes, at Abinger, and stealing a variety of grocery articles.

Mary King, wife of Jarman King, and daughter of prosecutor, fastened up her father’s shop on the night of the 18th of March (This should probably read 9 March) next morning she saw the shop had been broken open during the night, and some cheese and tea stolen. She identified the cheese produced before the court. On being cross-examined Mrs King said she was the last in the shop on Wednesday night. Mr King said he came down on the Thursday morning at 5 o’clock and saw a hole in the window large enough for a man to get into or out.

Superintendent Biddlecombe in evidence said that on the 10th March he examined the tracks near the shop; compared the prisoner’s shoes with the tracks, and they corresponded. (He produced the shoes and showed several marked particulars in the nailing of the shoes, by which they could be identified with the tracks. The impression

⁴⁷ The Morning Post (London, England), Thursday, March 20, 1845

⁴⁸ The Derby Mercury Wednesday March 26, 1845

⁴⁹ The dates as published are inconsistent

was traceable with a few intervals from Abinger to Guildford, by a circuitous route, being two or three miles longer than the common road. About halfway the two persons were joined by a third person. Witness examined prosecutor's premises – the bolt of the shutter was cut round, the lead from the panes had also been cut, some glass removed – and two bars had been wrenched out. On the window frame were marks of blood, and there were also marks on Munday's clothes, and one of his fingers had recently been cut. On Fane (Note: previously in same piece spelt Fain) a knife was found broken at the tip. The cuts in the lead work were exactly the size of the top of the knife. On being cross-examined Biddlecombe said he did not put the shoes in the tracks but made parallel impressions. The way to the prosecutor's shop was through a small orchard.

Two witnesses Truel and Saxby gave evidence as to the track. On the Monday morning following, they went to the wood where the tracks went in, and Saxby saw the hounds, and Colonel Sumner gave him a bundle, which contained in a red handkerchief. He found the cheese now produced and which Mrs King identified.

Colonel Sumner in evidence said that he was hunting on Monday 10 March on finding hounds drawn towards the wood on Hawkhurst downs he went in and found under a heather bush some things tied in a red handkerchief. He gave them to Saxby.

A labourer named Sherlock in his evidence said that on the Thursday morning in question at about half-past seven he saw the two prisoners with another man pass Scotland Farm, which is in the course of the track spoken of. Two of them had bundles

Police Constables High and Williams⁵⁰ gave evidence of apprehending the prisoners at the Rose and Crown, Guildford. Scotman of the Rose and Crown deposed that prisoners lodged at his house. On Wednesday 9th of March in the forenoon they left the house and did not return till Thursday morning.

The principal point in Mr Charnock's address for the defence was the fallacy of the evidence depending on footmarks. The prisoners were found guilty and were sentenced to ten years transportation.⁵¹

The Griffith Murder 1849 Brighton

The first crime linked to the gang was a murder on a lonely downland road above Brighton in 1849. No one was prosecuted but Biddlecombe was certain members of the Isaac's Gang were involved.

In 1849 on the night of Tuesday 6/7 February within a short distance from the Plough Inn, Pycombe, on a lonely spot between Terry Cross Gate and Dale Gate on the Henfold and

⁵⁰ Most likely members of the Guildford Borough Police as the Surrey Constabulary not yet formed.)

⁵¹ From Mrs. Jean Pelham descendant of Inspector Donaldson, March 2016

Brighton turnpike road, George Stenhouse Griffith in the prime of life, formerly a solicitor practicing in London but now a brewer, was murdered; he was shot dead.⁵²

Mr Griffiths was a well-known businessman from Brighton and was murdered whilst travelling from Horsham to Brighton. It was customary for Mr Griffith to travel on the first Tuesday of the month to Henfold and Horsham to collect money from customers and to collect orders. His body was discovered in the night by the roadside by men returning from a shooting dinner and who, by coincidence, knew the victim. A discharged pistol was lying at his side and Griffiths had been shot through his body. A knife was found also by his side, which had been used to cut the reins of the horse. Trampling of the roadside indicated a fierce struggle had taken place. The men removed the body to The Plough, which was about a mile from the spot and the local constable called. The body was searched, and no money or watch was found. A loaded pistol was in Griffith's pocket one of a pair with the discharged pistol found at the scene. A pistol case and two flasks for powder and ball were also found in his pockets. Only two of the three pistols Griffiths normally carried were therefore accounted for, one of them a revolver with four or five barrels.⁵³

Mr Martin manager of the Rock Brewery for Mr Griffiths who was part owner, and Mr White one of the superintendents from Brighton Police went to the scene. Local enquiries were made, and it was found that Mrs Crossley the wife of the keeper of the Dale Gate heard shouting at 9.30. At the only house close by servants heard a gunshot at 10pm. Only one shot was heard, and it was believed he was shot by his own weapon. The shot was in the middle of the breast and it must have been fired close to him as the flash burnt the shirt close around the hole which the ball perforated to tinder.

Two men were seen the day before the murder close by and when challenged by a farm worker they said they were cutting holly for a gentleman in Brighton.

On the 11 January Mr Griffith had received an anonymous letter warning him of an attack by robbers. Written in a disguised hand and though badly spelt it was thought at the time that it was written by a person who had a reasonable education.

“Sir, Some parties intends to rob you the next time you go to Horsham, so be on your guard.”

The letter was addressed “Mr Martins, Griffs Brewery, Brighton” and was posted in Trafalgar Street, Brighton

The Brighton police and the East Sussex Constabulary deployed several officers on the enquiry although there were only 26 men in the constabulary and the borough employed mostly watchmen under a superintendent and two inspectors.

⁵² Hampshire Advertiser Saturday February 10, 1849

⁵³ Lloyds Weekly Newspaper Sunday Feb 11, 1849: Brighton: (Extract)

On the Thursday morning the authorities in Brighton held a consultation resulting in Bills being published offering a reward of £200 for the apprehension and conviction of the murderers. The number and date of a £5 note stolen from the deceased was circulated.

The inquest was held on Wednesday with evidence from a surgeon. Mr Griffith lived at 25 Montpelier Crescent and was aged about 42. The postmortem uncovered the wound; the slug had passed through the heart. Mr Flanagan an inspector of the East Sussex Constabulary produced the bullet, which was flattened. Death would have been almost instantaneous although he might have groaned or shrieked.

Mr Martin: manager of the Rock Brewery said that Mr Griffiths took the pistols from the counting house on Monday for the journey and took a revolving pistol, but he did not appear to have taken it with him to Horsham although why this was asserted is not clear. The pistols were borrowed as a result of the threatening letter. Normally Martin would have accompanied him on the round, but Mr Griffith had a friend staying who was to accompany him however he did not take that friend. Mr Martin told the coroner “We did not attach much importance to that letter.”⁵⁴ (Yet he went armed – heavily armed)

By early March nothing of note had been uncovered that was likely to lead to those responsible although numerous enquiries have been made and reports followed up.⁵⁵

Burglary in Loxwood 1850

1850 May: Burglary in Loxwood probably associated with Isaac’s Gang: On Monday morning at about one o’clock, the house of Mr W Penfold, at Headsfoldwood Common, was entered by three men who had on masks and were armed with great sticks. Mr G. Seward who also lives in the house was awakened from sleep and saw the thieves standing at his bedside. He asked them what they wanted, and the reply was, “We want money, and money we’ll have; it is such as you hoard up your money whilst we are starving.” They then departed carrying off a satinwood workbox, in which there was a £5 Bank of England note, six sovereigns and two 5s pieces, a gold seal, with “GS” in old English on it, and a silver hunting watch, etc. The thieves robbed Mr Penfold of about £10 in cash, and his passbook with the Guildford Savings Bank. There is no doubt that these fellows were well acquainted with the premises, and where money was to be had. Mr G Seward has offered a reward for the apprehension of the burglars. *Sussex Express* ⁵⁶

There are typical behaviours in this offence that link the crime to Isaac and his gang. The wearing of masks, armed with weapons i.e., great sticks, violent threats and knowledge of the house and area. Loxwood was in the area of operations of Isaac, see the following offence at Kirdford.

⁵⁴ Lloyds Weekly Newspaper Sunday Feb 11, 1849: Brighton: (Extract)

⁵⁵ Manchester Times Sat March 3, 1849

⁵⁶ The Morning Post Monday May 20 1850

Burglary Kirdford 4 June 1850 – a village shop James Hamilton met up with Isaac on Farnham Common in west Surrey. Isaac had a plan to commit a burglary at Kirdford near Petworth. Isaac, Hamilton and two other gang members, went to Guildford for two more men to help, enlisting Levi Harwood and James Jones. Arrangements were made to meet at a place called Hidings Ball near Godalming, which is probably the still fairly isolated Hyden Ball. The men were instructed to bring their old clothes and a lantern.

All six met at Hidings Ball and agreed to go two at a time and meet in a wood between Ridford and Ball's Cross. The men most likely walked south through Dunsfold and Plaistow meeting up to the west of Kirdford on common land. When night came two of the men went forward to watch the house they intended to burgle, the other four remaining behind until the two came back. The men then stripped of their travelling clothes and disguised themselves putting on masks then they all went to the house on Kirdford Common, the residence of Mrs Stoner.

Changing clothes and removing footwear is a common feature of this gang before they committed a serious crime, as was wearing masks. There was nothing that the modern police officer would identify as forensic evidence. However, careful searches of scenes were made if a half experienced, full time police officer happened to attend, and it was not unknown to recover fibres that were visually matched with a coat or pair of trousers. The DNA of the day was shoes and boots. All footwear was individually made by a large number of artisan cordwainers (a shoemaker/cobbler) and wear and tear was individual to the particular item of footwear. Marks and impressions at the scene were compared with any shoes found on a suspect. If the men took their footwear off and left any imprint, sometimes in blood this was carefully measured and compared again with the foot of a suspect.

The Guildford men approached the house in the dark early summer night, broke through the shutters and took out the whole frame of glass climbing into the house, opening a door and letting the others in. They looked about to find money but did not find any. The burglars then went into the kitchen and found the stair-foot door fastened. This was not unusual. There was a fear of burglary and houses were well secured and inside the house doors on stairs leading up to bedrooms were secured and usually bedroom doors locked as well.

Mrs Stoner heard the men and called "Who is there?" Several of the men burst the stair door open and they all ran upstairs. Mrs Stoner screamed and ran into another room. Isaac took hold of her to stop her noise when his mask slipped off. She then gave one of the men her purse. (Known at the time as a pocket)

Mrs Harriet Stoner's description of the events on the night of the 4th of June 1850 is much more vivid. Mrs Stoner kept a small grocer's shop and between three and four o'clock in the morning the crashing in of a door on the staircase aroused her. On hearing the noise, she got out of bed and went into the passage to call the servant when two men each of whom had a pistol in his right hand and wore a black mask seized her. They threw her down in the passage and demanded her money or they would blow her brains out. Each man held a pistol by the

side of her head and another man stood in front with a chisel in his hand, which was flourished over her head and throat. She was not able to speak in consequence of the violent manner they held her down. One man pressed on her nose and another grasped her throat. The three used the most violent language and threatened to blow her brains out if she did not give up her money.

One who held a pistol said, "tell us where your money is." One of the others said, "Blow her brains out if she does not tell." She was terrified. The mask of the man who held the chisel fell from his face quickly putting it on again. This man said, "Don't hurt her; don't kill her." Two men came from her bedroom with her keys, and she gave them her money. Mrs Stoner by now truly horrified and scared implored the men to spare her life. The man who held the chisel kept behind her and the other two men kept the pistols pointed to her head. She got to her bedroom and gave them her purse containing about £10. They took other articles from the house. In all there were five men in the house and probably the sixth outside on watch, a common practice of the gang. They went out through the back door. One passed her a few moments afterwards and pointed a pistol at her head saying "Silence."

After the gang left Mrs Stoner examined her home finding drawers and other parts ransacked also discovering the back shop window was cut open. She found a chisel in the passage and a man's cap.

Mr S. Panel superintendent of the Petworth Police was called to the scene on the morning of the burglary finding a dark lantern, a chisel and a piece a centre bit in the house. The chisel corresponded with the marks on the staircase door and was used in forcing it open.

Mr Henry Hoare of Dunsfold a timber merchant saw six men walking on the high road from Guildford to Kirdford. They were walking two by two. Looking very suspicious characters he observed them more particularly.

This crime was not immediately detected, but men were convicted in 1851.

Burglary Capel 1850

Burglary Capel 6 June 1850: On the second day after the Kirdford burglary, on the 6 June 1850, Isaac and John Jones went to Hamilton who had returned to his home on Farnham Common in west Surrey, and told him to meet them at Holmwood Common, to the south of Dorking, where there would also be Isaac's brother, Ned and John and James Jones.

After meeting up on the common they walked the five miles or so to Capel where they had heard of an elderly farmer who had a great deal of money in his house. Travelling in pairs so as not to attract attention the six met in a wood close Captain Broadwood's Lodge on the Lyne Estate going from there to the farmer's house. One of the burglars entered through a window letting the rest in through the back door. The noise disturbed the farmer and the gang made off possibly fearing the householder was armed, which, was very likely.

Burglary Haywards Heath 1850

Haywards Heath 6 June 1850 two days after the Kirdford Burglary and the same day as Capel. Leaving Capel, the gang moved further south and east towards Haywards Heath. Hamilton, William Brooks with James and Edward Isaac went to a house in Haywards Heath where a number of ladies called Kenward lived. William Brooks who knew the house planned the robbery. The ladies' room was locked but the burglars broke the door down collected the property and threatened to blow out the brains of the poor, frightened spinster ladies if they raised the alarm.

The burglars had two guns with them during the robbery and were in the house for two hours leaving as it was getting light, travelling two at a time to Copthorne where they shared out the property. Four pounds five shillings each was shared, as was a great deal of property including a double-barrelled gun. Much of the property was taken by John Isaac back to Guildford to give to one of the Guildford men, Levi Harwood, to go up to London to sell. All the property was to be lost when the police came after them. The three guns were hidden on the roadside and not found. There were obvious established links between the gang and criminals in London who handled the stolen goods and of course by now in London the Metropolitan Police was very well established.

This was on the morning of the Haywards Heath burglary and later that day three of the gang went to London tasking Hamilton to take money to their women who were living in a camp on Copthorne Common on the Surrey/Sussex border. About an hour after Hamilton left the men and started packing up on Copthorne Common two policemen came along. They knew Brook's wife and enquired after her husband and asked Hamilton where he was going and he told them he did not know, as he was a stranger to the country. They searched the tents but not Hamilton although he had the stolen money with him.⁵⁷

It was inevitable that local police would begin to know the men involved in these crimes and be faced with them when on patrol.

9 August 1850 murderous attack on police

PC Pocock described in the press as "a most active and vigilant officer" of the East Sussex Constabulary arrested two men at Hedge Court near Copthorne today, on the A264 about two miles from East Grinstead. These arrests seemed to follow a good old-fashioned stop check!

The two men were taken on suspicion of being concerned in the Burglary at Haywards Heath a few weeks ago. The men were in a cart with property stolen from the burglary. The suspects, who obviously were arrested with little difficulty, were taken the few miles to Turners Hill where they were detained in the lock up overnight. The next morning PC Pocock set off due south for Cuckfield close to Haywards Heath with the prisoners handcuffed together. Mr Stanbridge the parochial constable (parish constable) accompanied him from Worth. After a short distance the prisoners attacked Pocock, being assisted by a third man who had been

⁵⁷ Nottinghamshire Guardian Thursday April 24 1851

waiting by the side of the road for them to pass. The officer was violently attacked and beaten to the ground. Pocock put up quite a fight using his staff but was overwhelmed.

The parochial constable Stanbridge made off crying “murder” with all his might. Recovering slightly Pocock drew his pistol from a pocket and fired at one of the men but again he was overwhelmed struck down and had his pockets rifled probably to ensure he had no more weapons. The officer became unconscious, as the men ran off into the forest. The cries of murder brought people to the scene and the local landowner Mr Livesay directed an immediate pursuit. He immediately sent an express to Cuckfield to notify the police – this was probably a telegram but could have been a horse and fly.

After Pocock’s wounds were dressed Mr Livesay sent his servants with him back to Turner’s Hill. On the road home the battered but not cowered Pocock recognised two women belonging to the gang and had them arrested and sent to Cuckfield. In less than an hour more than a hundred persons on horseback and on foot were scouring the forest.

The criminals were well known and belonged to a gang who camped around Copthorne and in the forest and were known as “cadgers.” Women who carry baskets and sold tape accompanied the men and other articles to cottagers, with a side line in plunder. The gang were also responsible for stealing from rabbit warrens and game preserves which at that time the country had large numbers. Not confining themselves to these petty offences the gang and their followers were the cause of terror to residents of the surrounding towns and countryside.

Among the property found on the cart when the men were detained was a quantity of poaching and fishing tackle.

The men of Copthorne pursuing the absconders did not give up easily, tracking them across the Sussex/Surrey border countryside towards what is now Gatwick airport losing them at Tinsley Common near Charlwood.

Pocock remained “poorly” for some time suffering concussion of the brain but justice would be done! ⁵⁸

Gang attacked the parsonage at Arlington

On Friday 20 September 1850 the Isaac’s Gang attacked the parsonage at Arlington in Sussex, between Lewes and Hailsham and to the south of Uckfield. The home of the Reverent O. E. Vidal, this was one of a series of attacks on reverent gentlemen.⁵⁹ During Friday night three men committed a violent burglary. They entered the house going first to the servant’s bedroom where they stole two watches of little value. One of the burglars went to the reverend’s bedroom and woke him. The gang member wore a blue mask and in one hand he held a tallow candle

⁵⁸ Sussex Morning Chronicle Friday August 9, 1850

⁵⁹ The Standard Wednesday October 2, 1850

and in the other a sword which he brandished backwards and forwards threatening Mr Vidal that he would use it if he caused a disturbance.

After a few minutes he left the room and immediately a second thug entered, like the first he was masked, had a lighted candle and was carrying an axe handle as a weapon. Demanding to be told where the money was, he was told downstairs and he insisted that Mr Vidal got out of bed and go with him to get it. On reaching the study Mr Vidal showed them the drawers where the money was but they were locked. The burglars demanded he produce the key and he was forced to return upstairs guarded by one of them to give it to him. Having reached the bedroom Mr Vidal gave the thug the key and remonstrated with the ruffian with the sword reminding him of the fate that awaited him in the hereafter even if he escaped punishment in this world. The villain insisted that Mr Vidal returned to his study and on hesitating dragged him down the stairs to the study from where money was stolen. The reverent again remonstrated with the burglar; who using violent threats, placed the sword across Mr Vidal's throat saying if he made a noise he would use it. One of the other men was then called in and finally the reverent gentleman was locked up in the bedroom whilst the scoundrels went downstairs and took tea.

The Rev. Owen E Vidal of Arlington was to give his account of the terrifying experience: "About three o'clock in the morning of the 20th September three men entered my house. I was awoken by a man standing at my bedside. I asked him what he came for and he made no answer. He left and another came. I repeated the question and he said, "I came for some money."

"The first man was armed with a sword. I told the second man I had no money in that room and that it was all downstairs. I went with him to the study, and he then asked me to point out where the money was, which I did. I went upstairs and was joined by the man with a sword. The first man dragged me to the study, and they took about £20 in gold and silver, there was £2 14s in a blue silk purse; the other monies were in paper packages. They then opened the other drawers and took out £2 10s from one and 11s 6d from another. The first man called in the second man and drew the sword across in front of my throat and threatened to use it if I made a noise. One of the men went up first and then I and another followed. When I got upstairs I discovered there were two men emptying a box which principally contained books."

"They went away at four o'clock having locked me in my room. I lost three watches, one a silver hunting one, two metal, one of which was gilt, one silver teapot and a variety of other articles. On making examination of the premises the next morning I discovered that a hole had been made in the scullery window. Each of the men was masked.

The stolen property was taken to Crowborough to the home of James Edwards who lived with his wife and was a receiver from where it was to be recovered by the James Dadson the constable, some weeks later in early January 1851. The wife of the prisoner Edwards was present when the police visited her house and on asking her to whom the property in the boxes belonged, she said Mrs Oliver and William Brooks. When Dadson arrested Mr Edwards he found a gilt watch from the burglary in his possession.

Mrs Sarah Morten (wife of the superintendent): Upon searching the prisoner Oliver who was also detained in January found a further watch and 15 sovereigns amongst a variety of other articles suspended from her waist. Some of the property was that of the Rev. Vidal.

On several occasions during this enquiry, wives of police officers played a crucial part when dealing with the women prisoners.

In January 1851: James Edwards, Sarah Edwards and Elizabeth Oliver were charged with being concerned in the robbery at Arlington as receivers of the stolen property.⁶⁰

1850 October 5 The Spectator:

Three men broke into the house of the Reverend O. E. Vidal, at Arlington in Sussex, on the night of the 20th September. After stealing two watches from the servants' room, two of the robbers, both masked, aggressively entered Mr. Vidal's room; one was armed with the handle of an axe, the other with a sword. They compelled the gentleman to rise from his bed, show them where he kept his money, and procure the key for them. Mr. Vidal remonstrated with them and warned them of the great sin they were committing upon which one of them placed the sword across Mr. Vidal's throat and threatened to use it if he made a noise. After taking nearly £40 in money, the robbers locked the gentleman in his bedroom, made tea for themselves before leaving the premises.⁶¹

26 September 1850 Frimley Parsonage Murder

The levels of violence offered and the carrying of firearms led to the inevitable killing of a householder. On the 26th September 1850 the Reverend George Hollest was murdered in his bedroom. Burglars entered the house at night in Frimley and shot the vicar who later died. George Hollest fired at the fleeing burglars with a loaded pistol he always kept close to his bed during the night, as there was a significant fear of burglars, particularly in vicarages.

There was no local police force so Superintendent Biddlecombe was summoned by the magistrate from Godalming Police to help the local magistrates. Men were arrested and sent for trial at the Assizes where two of the four were acquitted and two hung in Southwark. This is an important crime in the history of policing in Surrey as the outcry that followed led to the formation of the Surrey Constabulary. It is clear from the careful actions of Biddlecombe at the scene that he was aware of the principles established by Vidocq a French former criminal who was the founder of the French Surete who valued data and records and is credited with encouraging early studies in fingerprinting, ballistics and crime scene analysis. In 1845 Vidocq's book "Memoirs" in English translation had been the talk of London and it is very likely that his work had an influence on an ambitious detective such as Biddlecombe. Vidocq wrote:

⁶⁰ 1851 January 22 Wednesday: Uckfield Burglaries: The Standard

⁶¹ 5 October 1850 The Spectator

“The minute exactitude had been observed in removing the body. Nothing had been neglected which might lead to the discovery of the assassins. Accurate impressions were taken of the footmarks, buttons and fragments of paper dyed in blood were carefully collected.”



Heath House, (once Grove House) Frimley in 2011 by Ken Clarke

A notorious date in the history of policing in Surrey is 26th September 1850. On this date the 54-year-old Reverend George Hollest was shot dead. Burglars associated with the Isaac’s Gang entered the Frimley parsonage at 3am and whilst trying to restrain the vicar and his wife, shot Mr Hollest who later died. George Hollest however, driven no doubt by adrenalin, chased the fleeing burglars although mortally wounded firing his pistol which he kept loaded and close by at night because of the fear of burglars. As there was no local police force, Inspector Biddlecombe was brought from Godalming Borough Police to help the local magistrates. A detective sergeant arrived from the Metropolitan Police and an inspector uninvited from the Guildford Borough police. Men were arrested and one acquitted, one who acted as an Approver was given a lesser sentence with two later hung in Southwark. This is an important crime and event as the outcry that followed led to the formation of the Surrey Constabulary⁶²

What this research has uncovered or rediscovered and hopefully explored, is that the burglary and murder at Frimley should not be considered in isolation as it was a part of a much larger criminal enterprise involving members of the Isaac’s Gang. The gang had brought great

⁶² Janaway P75

concern to the countryside within 30 miles of London with correspondents to The Times reporting that Surrey had become a “prairie of predatory excursion.”⁶³

Rev. Hollest was asleep in his bed with his wife Caroline, when he was woken by two masked men, one either side of the bed. Thinking they were his sons he told them not to be so silly and go back to bed.⁶⁴ It was not his sons, and he was soon to be mortally wounded.

A vivid version from the surviving victim of the burglary comes from an account of Mrs Caroline Hollest ⁶⁵ who was wakened at three in the morning when she was in bed with her husband. “I noticed an increase of light in the room but could not perceive how it was occasioned”. There were curtains around the bed, but they were open at the foot. Reaching from her bed to ring for the servant she was grabbed by a masked man. As she tried to scream a second man grabbed her husband and they were warned by the armed men to be silent, or they would have their brains blown out. However, both continued to struggle.

Mrs Hollest was forced to the floor in the narrow space between bed and wall. Unable to see her attacker she was struck by his distinctive squeaky voice. She then heard a pistol fired and she struggled to reach her husband whilst one of the burglars hung onto her around the waist pushing a pistol into her side. The burglar caught his foot on the washstand and tripped and Mrs Hollest was able to ring the bell and raise the alarm and the intruders began to flee.

Mr Hollest immediately went to his dressing room to fetch his handgun, which he always kept loaded and pursued the intruders out through the front of the house firing a parting shot at them as they fled.

Mrs Hollest watched what was happening at the front of the house from an open window and saw three men ran out to join a fourth. One of the men turned and looked directly at her and she took fright and withdrew slamming shut the window.

A few minutes later Mr Hollest returned and calmly informed her “The fellow has shot me.” Mrs Hollest saw that he was bleeding from the stomach and her servant Giles was dispatched to fetch both the local surgeon and parish constable. The servant was certainly brave to go forth when she knew there were armed, and dangerous criminals close to the house.

Locking the staircase door in case the men returned, Mrs Hollest tried to stem the flow of blood from her husband. The injury was a result of the shot fired in the bedroom but so intent was the vicar on protecting his household he had not realised he had been shot.

Dr Davies found the Reverent in bed, in good spirits not realising the seriousness of his wound nor fearing he would die. The doctor discovered a gunshot wound about an inch below the navel and realised the injury was very serious indeed and the doctor stayed with his patient

⁶³ Joan Lock Scotland Yard's First Cases 2011 page 127

⁶⁴ Joan Lock Scotland Yard's First Cases 2011 page 126

⁶⁵ 1850 26th Sept Janaway 75. Murder of Reverend George Hollest - Frimley

until he died at 1pm the following day. Dr Davies undertook the PM and recovered a marble from the abdomen.

There was no police force for Frimley therefore local magistrates summoned Superintendent (Inspector – ranks used without discrimination) Biddlecombe from Godalming to help. And with good and persistent detective work no doubt helped by the £150 reward, the Borough police arrested four men in Guildford. Inspector Charles Hollington of the Guildford Borough Police made the arrests on the Sunday after the burglary.

The criminals were a part of the Isaac's Gang, the two Harwood brothers Levi and Samuel 25 years and 29, James Jones and Richard Fowler also known as Hiram Smith. Smith turned Queen's Evidence and so much was learnt.

Smith said that on the Tuesday the men were to go to a prize fight at Frimley and decided to call at the vicarage Grove House, on the way there on the pretext of selling plates. The housemaid bought nothing and refused them food when asked, at which point the men became angry and left.

Later that week the four men met in Guildford and travelled independently to Frimley about ten miles away. The Harwood brothers brought the pistols and close to the house loaded them with a stone marble, and the men all put on masks.

The house was entered via small scullery window squeezing the smallest gang member through bars and that man then drilled out the central bar. The house was searched for desirable property, took food from the pantry, a gold watch, several silver items, coins, clothing and anything else they thought would receive a reasonable price. They drank wine and even filled a decanter and took it outside to one of the gang who was on watch.

The men then moved upstairs where the Hollests were attacked resulting in the shooting and the burglars beating a hasty retreat chased by the armed vicar. As the men ran off, they dropped much of the stolen property but managed to keep hold of a bag of coins. The coins were from a collection for the local school and contained some recognisable tokens.

The Commissioner had sent Sergeant Edward Kendall of the Metropolitan detective police to the scene probably after a message from local magistrates to the Home Secretary. The sergeant noted blood-stained footprints on the doorstep of the vicarage. Later, on searching the prisoner Levi Harwood's lodgings, a blood-stained stocking was found, and his right foot had several small cuts. It was confirmed by Smith that they had taken their shoes off before entering the house.

The Investigation

There were soon to be several investigators at the scene acting under the authority of the local magistrate who most likely has not been involved in such an event before. The police officer from the Metropolitan Police, the borough inspectors from Guildford and Godalming and no

doubt the parish constable all played their part. The parish constable may have done little more than securing the scene and providing local information.

Sergeant Kendall from London was known to Charles Dickens, who was a keen supporter of the detective police in London, who described him as “a well-spoken, polite person who was a prodigious hand at pursuing private enquiries of a delicate nature.”

Sergeant Edward Kendall on Sunday the 28th September examined the scullery window and found the iron bar had been removed. He observed the mark of a naked foot on the doorstep, and a mark of blood. He also found a small piece of baize under a tree and a few yards off there was a mark as though someone had been there with naked feet and had slipped down. There were marks on the ground such as would have been made by a corded jacket or trousers, and the man, whoever he was, appeared to have fallen on his left side.

At the inquest Kendall advised the Coroner not to allow too much information being made public but when asked to relate the circumstances of the case Kendall demurred suggesting that Biddlecombe was asked as he was on the scene before Kendall’s arrival. “I beg your pardon sir, but Inspector Biddlecombe was at Frimley before I arrived and perhaps you would obtain a more correct history of the case by taking his evidence first.” Next day The Times reported:

Nothing fresh whatever has transpired calculated to throw light on the perpetrators of the crime. The police are still actively engaged in their enquiries – Sergeant Kendall on the spot, Inspector Hollington at Guildford and Inspector Biddlecombe between the two places. There is no doubt that each officer is using his best exertions, but from what transpired today there is too much reason to fear that a degree of jealousy mars their united operation.

After he had been arrested and on examining Levi Harwood, Kendall found that one of his toes was much lacerated on the underside. About two weeks after the murder on the 6th of October Kendall, most likely acting on information, went into the plantation and field close to the house and recovered a cloak from a ditch. He did not go to the house until the Sunday morning and so Biddlecombe and the constables of the village had been there before his arrival. The trace of blood on the doorstep appeared to Kendall that the blood had run down from a man’s body and that it was not caused by the indentation of the man’s foot. He could not say positively that it was blood because the forensic identifying skills had not been discovered, but he believed it was. It had been raining a good deal during the night but the doorstep with the blood was partially covered. The injury upon Harwood’s foot was not sufficient to account for the quantity of blood he saw, and he never discovered the source as none of the prisoners had been wounded.

It was possible that the blood could have come from Mr Hollest or from some other person, not the prisoners. It does seem with hindsight that this blood was from Hollest who may well have been wearing some form of nightshirt and the blood dripped down when he paused on the step before rushing into his garden. This was important initially because it may have been there was a fifth and wounded man on the run who may seek medical attention.

Harriet Seabrook and her son kept the Swan beer-shop in Guildford and Levi Harwood lodged with her. She remembered him leaving her house between 4 and 5 o'clock on the afternoon of the 27 September. He did not sleep at home that night and she did not see him until near 8 o'clock the following night. He came home alone and a very little while afterwards Jones came to the house and spoke to him. Harwood wore a cord jacket when he went out, but he had not got it on when he came back, and she observed to him that "he was like a snake – he had slipped his shirt."

Benjamin Downes lived at the Wheatsheaf in Guildford and it was his duty to secure the house at night. Jones and Smith lodged at the house. They were not at home on the night of the 27th September and he did not see them until the evening of Saturday the 28th. Downes knew they were out all night, as the room had not been slept in.

Charles Hollington the superintendent of the Guildford police heard of the burglary at Mr Hollest's the next morning and immediately made some enquiries about Levi Harwood, Jones and Smith. He saw Jones about the middle of the day in High Street, Guildford. Hollington and Biddlecombe went on Sunday morning to Mr Hollest's and when they returned, they took Smith, Jones and Levi Harwood into custody. "I told them I wanted them on suspicion of burglary at Mr Hollest's at Frimley and asked them to account for their time on the Friday night as I had learned they were out. Harwood said he went to London that night and Jones said he went up on the Downs to set a few wires to catch a rabbit. On the 30 September I took Samuel Harwood into custody and on this day, Levi Harwood told me he would account for his time on Friday night, and he said that he came down from London. I told him he was right about that and that he arrived at about eight o'clock to which he replied, "You know as much as I do." I searched the prisoners at the station. Upon Levi Harwood I found two sovereigns, one shilling, a sixpence and a knife. Upon Smith I found half a crown, a tobacco box, a knife and a piece of string. Upon Jones I found a cloth, a piece of sealing wax, and the token penny which has been produced. I afterwards searched Levi Harwood's lodgings and found a pair of stockings, on the foot of one of which there was a mark of blood and a "stony" marble. I had previously examined Levi Harwood's feet. And found that the right one was cut in several places and there was blood between the toes. After Levi Harwood was in custody, I examined his shirt and found some marks of gravel upon his left sleeve.

On the 2nd October I searched Samuel Harwood's lodgings at Hyfield-green (There is now a Highfield Lane at Puttenham but no Hyfield) and found a box at Mrs Catt's, which belonged to him and from which I took a corduroy jacket. I had seen Levi Harwood wear a similar jacket. It appeared to me as though it had been recently washed. Levi Harwood afterwards claimed the jacket to be his."

Superintendent Biddlecombe: Godalming Police went to Mr Hollest's house on the 28th October and found a piece of blue worsted under a cypress tree which he compared with the stockings that were upon Samuel Harwood and found it to be the same colour and material as the stockings. He also examined the footmarks of the two men on the gravel and called out the particulars and Mr Hollington who put them down in writing. The footmarks on the gravel

were not very plain and the persons whoever they were, appeared to have stepped more in the toe than on the heel.

Biddlecombe then measured the feet of Levi Harwood and Smith with a shoemaker's rule and I called out the measurements to Kendall who took them down. Kendall was able to prove that the size of the feet of Smith and Levi Harwood corresponded almost exactly with the footprints that were in the garden.

The men were committed for trial at the assizes, but this did not end the activity of the gang.

The level of the fear of crime and criminals was set out clearly in the following article from a Liverpool newspaper. ⁶⁶

5 October 1850 The Spectator – Hollest Murder



Few murders have excited greater horror than that of Mr. Hollest, perpetual curate of Frimley Grove, by burglars who entered his room in the dead of the night. Frimley Grove is a small village about a mile and a half from the Farnborough station of the South-western Railway. Mr. Hollest was in his fifty-fourth year he had held the curacy for seventeen years and was universally respected. He lived in an old-fashioned brick house (standing in its own grounds, and distant about a hundred yards from any other house. On the night of Friday last week, there were in the house Mr. and Mrs. Hollest, their two sons, youths of fourteen and fifteen, who were at home from school, a manservant and two maidservants. Mr. and Mrs. Hollest slept on the first floor. About three o'clock on Saturday morning, they were awakened by a noise in the room and saw two masked figures standing at the foot of the bed, with lights. Mr. Hollest thought it a trick of his sons, and good-naturedly chided them for the unseasonable hour they

⁶⁶ 1851 April 1: Frimley Murder Home Circuit Assizes Kingston: Morning Chronicle Wed April 2, 1851

had chosen. Mrs Hollest was not so deceived, and she screamed in terror. The men instantly seized Mr and Mrs Hollest, and, with pistols pointed at their heads, declared that if they made the slightest noise, they would blow their brains out.

Mrs Hollest, notwithstanding the imminent peril she was in, struggled hard, and at length succeeded in slipping out of bed and seizing a bell-rope upon which her assailant rushed round to the side of the bed, and threw himself upon her with such force as to snap the bell-rope asunder. He continued to stand over her with his pistol pointed to her face, and she expected to be shot dead every moment. Mr. Holliest, who was a very strong and active man, on discerning how matters stood struggled with the villain who stood over him, and getting out of bed, was in the act of stooping down to reach the poker from the fireplace, when his assailant fired, and wounded him in the abdomen. Mr. Holliest was not aware at first that he had been struck, and continued to grapple with the burglar, endeavouring by every means in his power to prevent his escape. The report of the pistol alarmed the miscreant, who was standing over Mrs Holliest, and he left her for a moment and joined his companion. This courageous woman, on finding herself released rushed to the fireplace, and, seizing a large band-bell, swung it to and fro several times. The burglars almost immediately left the apartment and, descending the staircase, hastened out of the house by the front door. Mr. Hollest seized a loaded gun, ran downstairs, and fired at three men who were running across a lawn but it appears, without effect.

On returning up-stairs Mr Hollest first discovered that he was wounded. He got into bed and sent the manservant for constables and a doctor. Examination of the premises showed that the robbers had entered by a scullery- window, and then forced an entrance into the kitchen. The manner indicated that they were not novices. They had set all the doors open, and fastened them back, so that they might easily retreat. They carried off much plunder. No immediate effort seems to have been made to track them.

When Mr Davies, the local surgeon, examined Mr. Hollest, he at once foresaw a fatal issue. The patient's sufferings were intense and at noon on Sunday it was announced to him that death was approaching. He received the intelligence with Christian resignation; took an affectionate leave of his family and servants expressed a desire to partake of the sacrament, which was administered to him by a clerical friend and neighbour, and he expired, in a state of almost unconscious exhaustion, between eight and nine o'clock on Sunday evening.

Sergeant Kendall, of the Detective Force, was sent from London on Sunday night. The local Police had not been idle and on the same evening three men were arrested at a public house in Guildford. They called themselves Smith, Jones, and Harwood. They are known as daring thieves and have been several times in custody before. A Magistrate at Frimley privately examined them. Rumour says a strong impression of their guilt was created when taken to the bedroom, Smith seemed familiar with it.

Government has offered £100 and the family of the deceased £50 for the conviction of the guilty parties.

An inquest was begun on Monday. The Jury went to Mr. Hollest's house to receive his widow's testimony. She had only seen two men run across the lawn. They appeared to have linen masks. She suspected two of the men in custody. A third man might have been in the bedroom and yet not be seen by her, from the interposition of the bed-curtains she thought it probable a third man had carried off a watch that had disappeared from a table, as she did not see either of the other two take it. Mr. Davies and another surgeon gave the results of a post-mortem examination of Mr. Hollest's body. They found in the fold of the peritoneum, beneath the bladder, a common dark grey "marble," that had caused death, by passing through the intestines. Mary Gouldstone, a servant of Mr. Mayberry, a surgeon at Frimley Grove, identified Smith and Jones as two of three men whom she saw talking on a grass path before her master's house at half-post twelve on Friday night. The moon was shining; she took particular notice of the individuals and was positive as to their identity. Smith and Jones denied this saying they could bring witnesses to prove they were not at Frimley. The inquest was adjourned for a week. Samuel Harwood, a brother of the man Levi Harwood, already in custody was arrested yesterday. A keeper has found in a plantation the masks worn by the men, made of green waste and a piece of corresponding baize was found in Samuel Harwood's house.⁶⁷

The Funeral

This morning having been appointed for the internment of the remains of the Rev. Hollest, the inhabitants and villagers of the surrounding district flocked into Frimley at an early hour, anxious to testify their respect for the memory of the deceased gentleman. The funeral was fixed to take place at eleven o'clock. By desire of the family the ceremony was conducted in as private a manner as possible, but the melancholy circumstances attending the death of the unfortunate gentleman and the very general respect entertained for his character throughout the district over which his ministration extended had the effect of attracting a very large concourse of spectators, the feelings of many of whom were no less painfully excited than those of the relatives of the deceased. The funeral procession left the vicarage at five minutes after eleven o'clock, preceded by the officiating clergyman, the Rev. J Clayton rector of Farnborough, in his clerical robes. The medical attendant of the deceased Mr Clark of Farnham and Mr Davis of York Town came next and were succeeded by the servants of the family. The coffin containing the remains of the deceased was borne by 12 respectable tradesmen of the village of Frimley followed, and then came the mourners of whom there were but four, the two youthful sons of the deceased and his two brothers Mr Lee Williams and Mr William Hollest. About 50 boys and girls belonging to the school followed the mourners and the procession

⁶⁷ 5 October 1850 The Spectator

closed with a very numerous assemblage of the resident inhabitants and villagers of the district.⁶⁸



George Hollest Frimley Churchyard 2011 Photo Ken Clarke

The investigation continues

Nothing of importance calculated to lead to the detection of the assassins has been discovered up to the present time. Sergeant Kendall of the London detective force is actively engaged in investigating the affair on the spot and local superintendents of the Guildford and Godalming police, Mr Hollington and Mr Biddlecombe have not relaxed their exertion. On Sunday afternoon the camlet cloak belonging to the deceased gentleman, which was amongst the articles stolen, was found in a ditch near the spot where the masks and remains of bread and meat were discovered. Unfortunately, this discovery gives no clue as to what has become of the remaining portion of the property, upon the finding of which there is too much reason to

⁶⁸ 8 October 1850 The Times

fear the convictions of the assassins depends. A great deal has been said as to the want of an efficient rural police in the neighbourhood where this tragedy has taken place. The fact, however, is that there is no police at all.

The county of Surrey is one of those districts of England, which either will not or cannot afford to support a local constabulary. After this who can wonder at the commission of crime in the district. The only police in Surrey are the few constables whom each of the principal towns support for their own safety and protection.⁶⁹

12 October 1850 Prevention of Murder

The Frimley murder has awakened people to a sudden sense of insecurity, and busy panic rakes up the many cases of outrage, which have recently occurred. The Times presents a most stunning picture of a particular district: what, asks the journalist, is the state of England in 1850 in respect of personal safety from robbers? Its most 'frequented and fashionable counties are literally overrun with thieves, less expert from practice than fearless from impunity. On the borders of Berkshire, Middlesex, Hampshire, and Surrey, within half an hour's ride of Scotland Yard, and in the centre of the district distinguished by the names of Windsor, Richmond, Hampton, Eton, Claremont, and Stratfield Saye, bands of daring robbers have established themselves, in utter contempt of law and police. For at least a twelvemonth past these marauders have levied contributions on the houses in the neighbourhood, and notably upon those of the magistrates themselves. The gang were notorious, and the alarm universal, but nothing was done.

Even large and populous towns usually thought secure from this species of danger were plundered with the most insolent audacity. In Reading, burglaries occurred for nights together; and few persons could retire to rest in the country adjoining with an assurance that they would wake in safety the next morning. At last came the catastrophe at Frimley, distinguished from the rest rather by the incident of murder than by any general novelty of features. Let the reader consider for a moment what a state of things is disclosed by the circumstances of this lamentable' tragedy. Three men lay their plans for a robbery. They select a house standing in a village, and within a hundred yards, that is to say, within easy call of half-a-dozen other houses. In this Frimley parsonage there resided a clergyman and his wife, their two sons almost grown up, two maidservants, and a manservant. With no disguise but a bit of green beige round their face, the thieves walk into this abode of four men and three women, strike a light, go up-stairs, and proceed to search the rooms. That their presence, under such circumstances, should be discovered, was of course a matter of certainty; but instead of decamping on detection, they endeavour to make their point by violence, wrestle with the inmates for some minutes together, and at length shoot the master of the house, and make off. They do not condescend, however, to run many yards. Within half a mile of the scene of murder, they coolly settle down again, and regale themselves with cold meat and wine carried off from the premises; leaving the traces

⁶⁹ 8 October 1850 The Times

of their good cheer to be found in the morning. Life and property could hardly be less, secure in Texas or Athena.

This is rather an over-naked account of the facts than an over-stated one. The opinions as to causes and remedies are almost as many as the minds engaged in the discussion. "A West Country Vicar" ascribes the evil condition to the inefficiency of the common village constable, and his personal intimacy with the friends of thieves; the Times, to the want of an effective county police, which ought not to be left to the veto of a few ratepayers, but established at the requirement of the central Government; the Globe, to the want of better secondary punishments; the Standard, to the want of corn-law "protection." "A Surrey Man" writing to the Times, thinks that the inhabitants of Surrey ought to go armed. "Public" thinks that people who traverse the streets of London should carry arms; and he relates how a Mr. Miller of Long Acre was knocked down in Rose Street at midnight, and nearly throttled with an instrument like that used to Mr. Cureton,⁷⁰ while three men tried to rifle his pockets. Brutes of another class haunt the by-ways of the suburbs and molest women; and the ruffians who trade on the fears of nervous men by threatening to vamp up fictitious charges grow daring in their approaches. But it is to be observed that these outrages are not less audacious within the beat of the Metropolitan Police than they are in the retired districts of the country. The cause, therefore, is something more general than the local want of police.

The Times hits the right nail on the head when it observes that the mischief consists in letting such classes of villains go abroad with freedom and impunity; but in the touch-and-go commentary, it does not clench the nail. It is quite true that noted and notorious ruffians ought not to ravage the country unchecked until some enormous outrage draws the fastidious hand of the police upon them but the supineness of the police bonds with defects in the rationale and practice of our law. Corresponds the ruffians wandering about may be notorious, there is a scruple to touch them on the ground of "constitutional" maxims in favour of "the liberty of the subject." Another defect is, that crime is treated as a fixed wrong, to be expiated by fixed retributive punishment, such as imprisonment for a set term; instead of taking the crime as the simple sign and symptom of an ill-conditioned mind, and keeping the criminal patient until he shall be sufficiently discipline before discharge—that is, sufficiently altered in disposition, or cowed by the terrors of imprisonment, to be suffered to go at large with safety for the public. A third defect is, that the Poor Law, which is half-auxiliary half-penal, makes no sufficient distinction between the wilful vagrant and the merely destitute, which obliges the administrators of the law to make no proportionate distinction between the two classes, but to treat the professional vagrant with the same indulgence that may be shown to the destitute poor. These are prominent among the reasons why hordes of ruffians are permitted to go abroad: and the penalty for combining in our code such mockeries of law—the Charter of Thieves—visits us in the shape of bin-elisions and murderous outrages on respected clergymen, and in general panic. It is quite clear that we cannot beet the evil by extending a police, nor by arming the people, nor by restoring protection; since the outrages are repeated in the very centre

⁷⁰ Mr. Cureton was the victim of a robbery in London in October 1850

of a police, Mr. Hollest was armed, and protection never put a farthing of wages into the hands of these idle brigands. No, you must grasp the evil at its origin, and take hold of that bad class the notorious vagrants and ruffians; and having them, you must keep them, as you would wild beasts; retaining them until they be tamed and safe—although, in extreme cases, that detention be during life.⁷¹

“The Rich and the Poor”

1850 October Crime in Southern England

This northern newspaper ran an article entitled from which the following is an extract. From the article, written soon after the murder it is possible to understand the developing pressures upon the Surrey Quarter Sessions to do something, and that something was to establish a modern police force.

“The Frimley murder has set them all a-going. In the county of Surrey, the house of a parochial clergyman is entered in the middle of the night by a party of masked burglars and the reverent gentlemen himself is shot to death in his bedroom. Everyone asks what there is to prevent it and everybody answers “Nothing”. If there be any part of the country in which life and property might be supposed to be tolerably safe, it is the county of Surrey. Surrey is a very civilised county. It is a county not of mud huts but of substantial mansions, elegant villas, and fine park-like grounds. It is very genteel nay, a very fashionable county. It is full of well-to-do people. It is convenient – so accessible that the bankers and merchants of the city pitch their tents in the county of Surrey, and yet seem to be only at their counting house doors. There is a great deal of wealth in Surrey. There are probably more men of condition in it, more men of a certain worldly standing- men who revel in purple and fine linen, in chariots and in horses, and fare sumptuously every day than in any county in Great Britain. Intelligent men too are the Surrey gentry. They know what is going on at home and abroad. They are learned in commercial affairs, well skilled in politics, understand aright the laws of their country and take it for all in all, are as enlightened and civilised as anybody of Englishmen in the world.

“Yet somehow or other, strange as it may appear, these wealthy and enlightened Surrey gentlemen seem, in all that relates to the protection of life and property to be living in a state of primitive barbarism. They are as much at the mercy of midnight bandits and masked assassins as thought they were living in the wildest parts of Ireland. All this is suddenly discovered. It required the murder of a country clergyman to reveal the astounding fact to the world. Suddenly from all parts of the south of England the clamour has arisen. It is not the state of the police is bad – it is that there is no police at all. There is a constable perhaps, in every parish; and when you have named this important functionary you have named all that there is to protect the lives and property of the inhabitants from murder and robbery in the night.

⁷¹ 12 October 1850, Page 11 Spectator

Something it is said, must be done to remedy this crying evil or a reign of terror will be established in the southern counties of which it will be difficult to see the end.

“Of course, in all such cases the cry is for an active police. People evoke the aid of an efficient protective force, as though a well organised, well equipped constabulary army were a thing to be had by asking for it. If they had to nothing else for it there would be no difficulty in the way. But they unfortunately have to *pay* for it and that they do not like at all. Protective forces are very expensive things. There is nothing more costly indeed, than the elaborate machinery, which we are compelled perpetually to keep at work for the detection and punishment of crime. The country is ground down by taxation that thieves may be caught, and felons supported. Nothing costs us so much as crime. Everyone is willing to acknowledge this in word; but from few does it receive practical recognition.”⁷²

19 October 1850 The Spectator

The further examination of the four prisoners charged with the murder of the Reverend Mr. Hollest took place yesterday, before the Magistrates, in the House of Correction at Guildford the proceedings were now public. The interest of the accounts is confined to the descriptions of the appearance of the prisoners, and the remarkable demeanour of the two Harwoods and Jones, when they first learned that Smith had "peached" on them. 'Hiram Smith, who appears to have been the ringleader and plotter in the burglary, is about the middle height, with narrow contracted shoulders, and a stooping figure. His face, which wears a sallow unhealthy hue, is extremely forbidding in expression; the features having that sharp prominent character which marks the rogue, while the doubtful and hesitating glance of the eye indicates a disposition at once cunning and irresolute. Of the four prisoners, by dress and manners, he seems to have been the most respectably connected. James Jones is also about the middle size, his features flat and repulsive, and his whole physiognomy expressive of a life of depravity and crime. Both he and Levi Harwood look like bold determined fellows, capable of carrying through any deed of violence they may once have undertaken.

Levi Harwood is a ruffianly looking man, square-built, and evidently possessing considerable physical strength. His features are coarse and rugged, and his face betrays the mastery of violent passions. He looks like one of those idle fellows, half ostlers half anything else, who are seen loitering about country inns and waiting for any job that may turn up for them.

Samuel Harwood, apparently the youngest, and certainly the least unprepossessing of the gang, must be a man of great bodily strength; he is broad-shouldered, and has immense limbs; there is a slight cast about his eyes, but his features are good; he has more frankness of manner about him than any of the rest and the feeling of those present in court appeared some way or other to run less strongly against him than any of his companions. The prisoners were placed in a semicircle before the Magistrates, separated from each other by turnkeys, that all possibility of their communicating with each other might be cut off. The Magistrates went through all the

⁷² 1850 October 18 Liverpool Mercury

steps of the evidence against the prisoners independently of the confession, as if that had not been made; and Hiram Smith put questions to the witnesses as if he had made no confession, and still stood on the same footing with the rest, of avowed innocence. When these formalities had been gone through, the evidence concerning the confession began with the statement of Superintendent Hollington that "On, Monday last the 14th instant, in consequence of what had passed on the previous day between Smith and the Governor, Mr. Keene, "Smith was brought into the room where they were then assembled." Levi Harwood here glanced rapidly and suspiciously at Smith, whose eyes were fixed on the ground. Jones looked doggedly forward, turning his eyes neither to the right nor to the left; while Samuel Harwood, whose face became suddenly pale with apprehension, gazed with an alarmed expression at the Chairman. The Chairman, "What passed?" The witness Mr. Keene said to the prisoner, "Here is Mr. Hollington." Smith then wanted to see one of the handbills but Mr. Keene had no copy, and he therefore produced the Hue and Cry. I afterwards sent for a bill, which the prisoner read himself. He then wanted to know the meaning of the word accomplice and we told him that he must use his own judgment. He also wished to know whether the remise of pardon in the bill would be acted up to if he were to 'poach.' We told him that he had the bill before him and must use his own judgment. Neither of us held out any hope to him founded thereon; but he said that he saw it was plain, and he would therefore make a statement."

Harwood again directed a rapid but furious look at the prisoner Smith. He had been cautioned several times and told that his words would be taken down and used against him; but he answered, "Every man is bound to take care of himself" and so he made the following statement. On the 27th of September last, being Friday night, myself with other persons now in custody, named James Jones, Levi Harwood, and Samuel Harwood, was at Frimley, and broke into Mr. Hollest's house by taking out a bar. I entered first and Levi Harwood second. With a worm Levi Harwood bored two holes in the frame of the door leading to the kitchen and pushed back the bolt with his knife and then Jones, Levi Harwood, and myself went in, and then looked about. Levi Harwood then opened a workbox and took two shillings from it. We then all three of us went into the sitting room, and Levi Harwood and Jones searched while I held the candle, and there found a silver hunting-watch and a small old-fashioned gold one. We then went into another room and I don't know what was taken from there. They then went down into the pantry, while I stood in the passage. It was then about half-past two o'clock. I then went out, and fetched Samuel Harwood in. Three of us then went up-stairs myself, Jones, and Levi Harwood, went into a bedroom, and removed three ladies' dresses, two out of the drawers, and one from the bedstead. There was no one sleeping in that bedroom. We then came down-stairs and put on the masks. Myself and Jones put on the green ones which were produced last Saturday and Levi Harwood put on a white one, and a white Guernsey over his waistcoat. Jones put on a large cloak, which was hanging up in the passage, and I put on one likewise. The cloaks belonged to the house. We then all four of us proceeded up-stairs; Jones went first with a pistol in his right hand, Levi Harwood second with a pistol in the right hand, which he loaded on the road to Frimley. He loaded both pistols with marbles. Jones first, Levi Harwood second, and myself third, here entered Mr. Hollest's room, while Samuel Harwood stood at the door with a screw-driver in his hand. Levi Harwood then said, "Lay still, my good

woman, or else I will blow your brains out." He was standing at the foot of the bed at this time. Mrs Holiest instantly got from her bed. Jones being at her side of the bed, Levi Harwood at the foot of the bed, and myself against Mr. Hollest's side of the bed. When Mrs Hollest got out of the bed, Jones took hold of her and thrust her up in the corner of the room on her own side of the bed. Mr. Hollest jumped out of the bed, and went to take hold of Levi Harwood when he (Levi Harwood) immediately fired the pistol at Mr. Hollest, and I took the gold watch from off the stand in the room, and we all four then ran downstairs. We were in the room for about five minutes. Jones and Samuel Harwood then started for Guildford. After we had walked together across the common about five miles, Levi Harwood and myself then parted from them, and we went to Kingston together. There I left him to go to London, he having the things with him that had been taken from Mr. Hollest, and I returned to Guildford. We arranged on the Tuesday previous to commit the robbery. On the Friday evening Samuel Harwood and Levi Harwood went first, and myself and Jones met them on the top of the hill, about two miles from Frimley. It was then about nine o'clock and there the pistols were loaded by Levi Harwood. We all four went on to the canal bridge, and there waited. Levi Harwood and Jones went first and myself and Samuel Harwood followed them in about five minutes, and then joined them on the green near Mr. Hollest's house."

While this important document was read by Mr. Smallpiece the clerk to the Magistrates, Smith stood with his eyes fixed on the ground. Levi Harwood showed the most savage anger at his approver-accomplice, his hands all the time being deeply capable of violence. Jones scowled fiercely forward, and Samuel Harwood looked more and more alarmed. When the reading of the confession had terminated, Levi Harwood exclaimed, though in a subdued tone of voice, "It is all false what he says, gentlemen, all of it." The Chairman observed that the confession was important evidence against Smith himself whether it affected anyone else would be matter for future consideration. Smith, "It's all true, every word of it." Mr. Keene's written account of the confession was then handed in and read, it agreed exactly with that of Superintendent Hollington. Smith repeated, "It's the truth, and ne'er a one of them can deny it" Levi Harwood, "I do deny it, for I don't know anything about it." Smith, with an air of astonishment on seeing the preparations making for the removal of himself as well as his associates, here asked the Chairman whether he was to be locked up as he used to be. The Chairman, "Certainly. What you have said is strong evidence against yourself." Jones then, for the first time since the announcement of the confession, turned towards Smith, and in a voice rendered hoarse by the vehemence of his passions, said, "I hope you will get shot yourself some day for what you, have said."

The prisoners were remanded till next Saturday, and removed, Levi Harwood protesting that Smith was a liar.⁷³

⁷³ 19 October 1850 The Spectator

26 October Inquest

The inquest on Mr. Hollest was resumed on Tuesday: The evidence generally resembled that given before the Guildford Magistrates. Mr. Keene, the Governor of Guildford Gaol, mentioned, in connexion with Smith's confession in a conversation he had had with that man. Smith reiterated positively that Levi Harwood fired the fatal shot and when they were running from the room he said, " I hope I haven't killed him." Superintendent Hollington described the arrest of the men, how they accounted for their time, and what he found upon them. Levi Harwood had £2 1s 6d in money. The penny token, before referred to, was found upon Jones. Samuel Harwood wore stockings without feet, and a bit of worsted found at Frimley matched with the fabric of his stockings. The inquiry was again adjourned till next Tuesday ⁷⁴

2 November 1850

The Guildford Magistrates yesterday committed Smith, Levi Harwood, and Jones, for trial as burglars and murderers in the Frimley case Samuel Harwood, was remanded.⁷⁵

Robbery At the West Surrey Bank⁷⁶

Apprehension Of Two of The Burglars

There are indications within the reporting that there may be some connection with this crime and the Isaac's gang operating at Frimley. The MO was similar. Epsom, Friday November 1850: The inhabitants of this little town were thrown into a state of alarm and excitement this morning by the discovery that a burglary, attended with circumstances of great daring had been perpetrated during the preceding night on the premises of the West Surrey Bank, nearly opposite the Clock-house, and in the centre of the High-street of Epsom.

The alarm occasioned by the announcement was in some degree allayed when it became known that the thieves, or at least a portion of them, had been captured with all the booty they obtained in their possession; and that Sergeant Kennedy, the active police superintendent of this district, had them safe in his custody.

The facts collected with the burglary may be briefly told as follows: The West Surrey Bank, which belongs to Messrs. Mangles Brothers, and has its head office at Guildford, has a branch in this town. The office consists of two rooms on the ground floor of the house occupied by Mr. R. Moore, carrying on business as a fellmonger. The house is detached on one side, Mr. Moore's yard, enclosed in lofty gates, running between his own residence and that of Mr. Holland who lives next door. The apartments occupied as the bank are a front office and one small room behind, which latter is lighted by a window looking into Mr Moore's yard. The

⁷⁴ 26 October 1850 The Spectator

⁷⁵ 2 November 1850 The Spectator

⁷⁶ The Morning Chronicle, Saturday, 2 November 1850

burglars fixed upon this window as their point of entrance, in effecting which, they adopted very similar means to the Frimley robbers. (A reference to the Isaac's Gang)

The window alluded to was an ordinary sash, strengthened inside by three iron bars. The thieves first cut away and removed the sash, which they deposited very carefully in an outhouse in Mr. Moore's yard, and then observing the fastening of one of the bars, they forced it inwards, and bending it up, obtained sufficient room to admit a man's body. Having thus secured an entrance, they struck a light, and commenced ransacking the place. Whilst they were thus engaged, Mr. Holland (Mr. Moore's next-door neighbour), who sleeps in a room overlooking the yard, had occasion to get out of bed. On going to the window, he at once observed a light in the little back office, belonging to the bank, and as it was now about two o'clock, he felt satisfied that all was not right. Mr. Holland spoke to his wife on the subject on returning to bed, and, with the natural curiosity of a lady, Mrs Holland got up to peep. She soon discovered what she thought were the figures of two men; and, summoning Mr. Holland to make a second observation, they both clearly saw two individuals in the little back office of the bank, busily engaged in ransacking the place, one of them holding a lighted candle in his hand, and the other armed with a chisel or screwdriver, forcing cupboards and drawers open.

Mr. Holland's first impulse was to open the window of his bedroom and give an alarm, and with that view he threw up the sash and called out, as loud as he could, "Is that you, Mr. Moore?" The burglars heard him call, and instantly decamped, having first put out their light. Mr Holland hastened to put on his clothes, and in a very few minutes was on his way to the police station. Almost immediately upon leaving his own door he encountered a man in the High Street, whom he addressed, without obtaining any reply. This man walked off in another direction, and Mr. Holland proceeded to give an alarm to the police. He had scarcely arrived at the station when two prisoners were brought in by the officers of the local police and charged on suspicion of having stolen property in their possession.

Mr. Holland having communicated to Sergeant Kennedy what he had seen that officer ordered the prisoners to be put back while he himself proceeded to ascertain the state of affairs at the bank. On arriving there he found the house had been entered as above described, and on making an examination it was discovered that the thieves, after ransacking; all the cupboards and drawers in the bank, had entered Mr. Moore's private apartments, and, after regaling themselves on bread and beef and wine, had stolen several articles there from.

Happily, the plunder obtained was altogether very small. The iron safe in the back office of the bank resisted all the efforts of the rascals to break it open, although considerably injured by the rough usage it had received. The point of a jemmy, used in attempting to force it, was found sticking in between the doors, and Sergeant Kennedy subsequently discovered the corresponding portion of the instrument on one of the prisoners. A cupboard in this room was broken open, and a bottle of wine taken out; and from a desk, which was also forced several blank cheques were abstracted. The front office was entered by cutting away the bolts of the door communicating between the rooms, and from here 12s. 6d in silver money was taken out of one of the tills. Happily, Mr. Everingham, the manager of the bank, had taken all the other

cash, in accordance with the usual custom to his private residence on the previous evening. The door leading from the front office of the bank to Mr. Moore's private apartments was forced, and in all the lower rooms the robbers committed great havoc, breaking open drawers, and strewing their contents about the doors. The only articles missed, however, were a great coat and some silver spoons.

Mr. Kennedy having completed his search, returned to the police station accompanied by Mr. Moore. On the prisoners being called forward, Mr. Moore at once identified his coat on the back of one of them, and in the pockets being searched, the silver spoons stolen from Mr. Moore's kitchen were discovered. The broken "jemmy" and the blank cheques were found upon the other prisoner, and all doubt as to their participation in the robbery being removed, they were at once put back into the cells. One of the prisoners gave his name as George Roberts and described himself as a gunsmith but refuses to give his address. The other man calls himself Charles Dowe, and says he is a labourer. Both state that they are from Guildford.

The circumstances which led to their apprehension are these: Police-constable 307 V was on duty at the London end of Epsom, about half-past two o'clock this morning, when, observing two suspicious-looking strangers hurrying out of the town, he challenged them. Failing to obtain any satisfactory reply, he sprang upon them, and seizing both men by the collar, held them until he obtained the assistance of two brother officers, and thus secured his prisoners.

Both the fellows were brought up before the local magistrates this morning and underwent a private examination. The Baron de Tessier and Mr. Henry Gosse were upon the bench and Mr. William Everest, the clerk to the magistrates was in attendance, The evidence of the police-officers having been taken Mrs Moore (in the, absence of her husband) was called to identify some of the articles stolen. This having been done most satisfactorily both the prisoners were remanded until Monday next, when it is expected the evidence against them will be complete.

Among the articles left behind by the prisoners is a razor firmly fixed into a wooden handle, leaving a strong suspicion that, had they met with any resistance in the house murder would have happened. Great credit is due to Sergeant Kennedy and the force under his command for their admirable conduct in the apprehension of the thieves.

Roberts appears to be about 32 years of age, and 5ft. 6in. in height. He is respectably dressed, and his linen is marked "F.S." Dowe is about 18 years of age, and 5ft. 4in. in height. He is very swarthy and has a mole upon his left cheek. Both prisoners were conveyed to Kingston this evening.

The Burglary at The West Surrey Bank⁷⁷

Epsom, Monday: The two men, George Roberts and Charles Dowe, charged with breaking into the West Surrey Branch Bank, in this town, Oh the night of Thursday last, were brought up for re-examination this morning, before the bench of magistrates, sitting at Clueless', Coffee-house, in High Street. The Baron de Tessier, chairman of the bench, presided; Mr. Henry Gosse and Mr. E. H. Northey were also present.

The evidence having been taken proving the circumstances detailed in The Morning Chronicle of Saturday. The prisoners, having been duly cautioned by the chairman, were asked if they wished to say anything to the charge made against them. Roberts said: Yes, sir, I do. I was in Guildford on the 31st of October, and while all my way to Epsom, or, more properly speaking, to London, I met my fellow prisoner. We came on together, and on our way through this town we sees a parcel tied up in a handkerchief. We took it up and carried it behind the engine-house, where we opened it. I thought it might have been a child. When we see what it contained, Dowe put on the coat and put some things in his pockets, I put some in mine, and as the things was found so I found 'em in the parcel

The Chairman: Is that your statement? Roberts: Yes. The coolness with which the prisoner made this extraordinary explanation excited some risibility in the court. The prisoner Dowe had nothing to say. The Chairman then told the prisoners that they stood severally committed for trial for the crime of burglary; and warrants having been placed in the hands of the proper officers, the accused were removed in custody.

1850 30 November: This Burglary occurred about two months after the Frimley murder in the village of Frensham to the south of Farnham, not so far from Frimley. Charles Marshall of Frensham was a shoemaker but in November 1850 he was not in business. On the last day of November, a man came to his door and asked him the way to Gregory's, a beer shopkeeper. Marshall went out to show the man the way and when he got back to his house there was a man inside. That man struck out at Marshall knocking him insensible. When he recovered his senses, he discovered that a silver watch, two pistols, two pairs of trousers and other articles had been stolen.⁷⁸

James Dadson the constable from Tunbridge Wells was to find a direct link to the Isaac's Gang with some of the property at the house of Edwards the receiver who on being detained said it belonged to Oliver and to Brooks gang members. A further part of the property stolen from Frensham, including a pistol, was recovered when Morgan was arrested. The woman Oliver and the man Edwards were to be charged with several offences.^{79 80}

⁷⁷ The Morning Chronicle, Tuesday, 5 November 1850

⁷⁸ 1851 January 22 Wednesday: Uckfield Burglaries: The Standard:

⁷⁹ 1851 January 16 Thursday: Burglary Frensham: Nottinghamshire Guardian

⁸⁰ 1851 January 22 Wednesday: Uckfield Burglaries: The Standard

A further report of the Frensham burglary: The particulars as we have been able to ascertain are as follows: About eight o'clock on Saturday evening Mr Marshall who lives with his sister alone, was aroused by a loud knock at the front door. On opening the front door, he found a group of seven men standing around it, and as soon as he presented himself one of their number inquired the road to Guildford. Mr Marshall was in the act of stepping out to direct them when he was suddenly knocked down, as is supposed by a life preserver. The men immediately entered the house when they were encountered at once by Miss Marshall who with great presence of mind, rushed upstairs to procure a gun, which her brother always kept loaded, calling out at the same time "I will fire at them." The villains caught her upon the staircase and presenting pistols at her, dragged her to the front door, where they pointed out her brother lying in an insensible state on the ground, and cautioned her to be quiet. They then ransacked the house of everything of a valuable character it contained, taking off, amongst other property, several gold guineas. Before leaving they abused Miss Marshall in good set terms for not having more property in the house. Mr Marshall remained in an insensible state for nearly two hours and is still suffering from the serious injuries he received. The police (note pre-Surrey Constabulary) are in possession of a description of the men and are actively engaged in endeavouring to trace the. ⁸¹

What was to be done?

Surrey Constabulary Emergency meetings

There had been a nasty murder, a whole series of vicious burglaries, which continued. So, what was to be done? Public protection had become a crisis in Surrey, more so when the murder at Frimley is not considered in isolation but to include the activities of the Isaac's gang and other criminals operating across the south of England.

In Surrey there was an organisation known as the Rural Police Committee made up of county magistrates answerable to the Quarter Sessions, and it was this group that initiated the formation of the Surrey Constabulary.

A meeting of the Surrey magistrates⁸² was held on 25 October 1850 almost a month after the Frimley murder to ascertain the best means of extending a police force to that portion of the county of Surrey beyond the limits of the Metropolitan Police District. (From 1839 the Metropolitan Police District extended as far out and included, Epsom)

Following significant activity and progress associated with the formation of a new police within the county, the Rural Police Committee met at Reigate taking evidence from Superintendent Biddlecombe and the chief constable of Hampshire.

Biddlecombe it was reported was responsible for policing an area of 28,940 acres in and around Godalming, which had a population of ten thousand one hundred and twenty-six. Within his jurisdiction there had been reported only one felony over the last twelve months, stealing

⁸¹ The Standard December 3, 1850

⁸² 1850 December 3: Morning Chronicle Tuesday:

faggots to the value of sixpence. However, he had been asked to deal with twelve burglaries in surrounding districts in the last six months. There had been no cases of felony in Godalming itself during the last five years. Considering how long it would take to establish it is worthy to note at this date he put in a bid for plainclothes officers as detectives.⁸³ It is also worth understanding when considering the claim of one crime in twelve months that in rural areas people often resolved criminal activity without recourse to officialdom. It is likely that the more serious offences were reported with low level crimes dealt with by community action!

The Times informed its readers that fifty Magistrates were present at the meeting in Reigate with Mr T. Puckle in the chair. The rural part of the county was to have three divisions, Chertsey, Dorking and Godalming and the chief constable was to reside at Dorking, the most central point. It was proposed that the various lock-up premises be repaired, and that station houses etc. be erected, the estimated cost of which would not exceed £3000, which could be raised upon the security of the police rate and paid with interest in twenty yearly instalments. The chief constable's salary was established at £300 a year plus £110 for horse and travelling expenses etc.; chief superintendent to be paid £170, five superintendents £450; eight inspectors £486.12s; seventy constables £3463.4s; allowances for clothing etc £1227.11s £6284.7s annual total to be levelled on the divisions as a rate of three pennies in the pound.

Savings were laid out as a counterbalance to the cost of the new police force

- The conveyance of prisoners £240
- Salaries of several Inspectors of Weights and Measures whose duties can be performed by the rural police £380
- Superintendents of lock-up houses £80.
- Payments to constables at Coroner's inquests £74
- Parish, Special and private constables at least £1800 making £2,574

The balance was £3,710.7s, which would be much reduced after the force has been in operation for a short time. "... that the expense of maintaining them will be, it is believed, be little felt by the rural portion of the county, while the committee are convinced that the security afforded to its life and property will amply repay the expenditure incurred, and that their recommendations when carried into effect will prove of the utmost advantage to all classes of the community"

Early in December 1850 the Rural Police Committee met again to consider the final proposals and recommendations for a "new police," which would then have to be forwarded to the Home Secretary for agreement and approval. The meeting was held at the Sessions House in Newington Causeway, which is now a road in Southwark between the Elephant and Castle and Borough High Street, and reported on December 3 in The Times:

⁸³ Durrant page 4

“Yesterday a special meeting of the magistrates of the County of Surrey took place in Sessions House, Newington Causeway for the purpose of hearing the report of the committee appointed at the Quarter Sessions to ascertain the best means of extending a police force to that portion of the county beyond the limits of the Metropolitan Police District. The committee was arranged shortly after the late melancholy murder of the Rev. Mr. Hollest at Frimley, a village at the extremity of the western division of the county which is without the protection of a constable.”

At the meeting the clerk of the peace read the following to the committee:

“The committee think it their duty to represent to the court that they are unanimous in considering that in those portions of the county of Surrey which is situate without the limits of the Metropolitan Police District, the ordinary officers appointed for preserving the peace are not sufficient for the preservation of the peace and for the protection of the inhabitants and for the security of property within such portion of the county; and that it is expedient that measures should be immediately adopted to remedy an evil of so serious a nature.

Taking this view, the committee, in pursuing its investigation with which they have been charged by the court find there are two methods already provided by the legislature for the protection of the lives and properties of the inhabitants of rural districts-

First: By the establishment of a rural police under the acts of 2 and 3 vic., cap 93, and 3 and 4 Vic, cap 88.

Second: By taking advantage of statute 5 and 6 Vic cap 109 which regulates the appointment and payment of parish constables

The provisions of the Metropolitan Police Act might also be extended to this part of the county not now under its control. This however could not be done without the assistance of the Legislature. Of these plans the first mentioned has appeared to be the best and most desirable in all respects

In considering the best method of introducing the rural constabulary into this county the committee have had to contend with the difficulty occasioned by the peculiar position in which the county is placed in consequence of the jurisdiction of the Metropolitan Police force extending over so important a portion of it in respect of population and wealth; and that difficulty has been much increased by the circumstance of the boundary of the Metropolitan Police District not being coincident with the boundaries of the petty sessional divisions.

The committee therefore recommend the court to introduce into that portion of the county, which is without the limits of the Metropolitan Police District a county constabulary under the provisions of the 3 and 4 Vic c.88 s29.

The next step was to consider how the rural part of the county might be apportioned into divisions each containing no less than twenty-six thousand inhabitants as required by statute in the most convenient manner with reference to population, wealth, geographical position and

the general efficiency of the police force. To determine this point and to obtain correct views of the numbers and expense of the force required as well as its distribution and the best method of employment, the committee have examined persons both in the upper and lower classes of those engaged in the duties of the police in other counties as well as Surrey and have also been in communication with the Metropolitan Police Commissioners. They have likewise caused tables to be drawn up exhibiting the extent, population, value and assessment of the county rate of the several parishes.

After bestowing the best consideration upon the subject, the committee have come to the conclusion that the rural portion of this county which contains 96 parishes and plans separately assessed to the county rate should be formed into three police divisions and that such be called Chertsey, Dorking and Godalming divisions. The committee further propose that the Chief Constable should reside at Dorking, which is the most central point of the three divisions. They propose that the various lock-up houses be repaired and that the station houses &c. be erected the estimate cost of which would not exceed £3000, which could be raised upon the security of the police rate and repaid with interest in twenty yearly instalments.

By statute 2 and 3 Vic., cap 03, the force must not exceed on individual for every thousand inhabitants, according to the last census, the population of certain boroughs and towns being deducted. The following is the proposed number of constables and their salaries &c.: Chief Constable £300 per annum with £100 for horses, travelling expenses &c., chief superintendent £170, five superintendents £450. Eight inspectors £483.12s; and 70 constables £3463.4s; allowance for clothing &c., £1227 11s; making an annual sum of £6284 7s to be levied on those divisions by a rate of three pence in the pound which will produce £6377 11s 9d. Against that expenditure savings will be made by the force. (Set out above at the earlier meeting)

A great saving may also be effected from diminution in the number of trampers and vagrants who infest the county, and consequently in the amount of contributions levied by them on the community.

A result which would immediately ensure if the Poor Law unions within the proposed rural division adopt the urgent recommendation of the committee and appoint the police to act as assistant relieving officers in such cases. The success of this measure has been fully established in Essex, and a very large amount of saving has been made.

Therefore, if from the total expenditure of £6284.7s be deducted the ascertained amount of savings namely £2574 there remains a balance of £3,710 7s. This will be so further reduced after the proposed police force have for a short time been in operation, that the expense of maintaining them will it is believed, be little felt by the rural portion of the county.

“The committee are convinced that the security afforded to life and property will amply repay the expenditure incurred, and that their recommendation when carried into effect will prove the utmost advantage to all classes of the community.” Signed by authority of the committee
Lovaine, Chairman

Lord Lovaine: ----- Most of the crimes were committed by tramps and vagrants and were concocted in the beer-houses in these secluded places. (remote villages of the county) He observed in the report a saving of £1800 on parish constables but he knew it would be £400 more as many parishes sent no return.

Mr T Alcock MP: --- he did not like Dorking as it would have been fairer to choose Reigate which was of more importance in a public point of view being in proximity to the junction of the Brighton, Dover, Ramsgate and other important railway stations. Reigate ought to be the headquarters of the divisions as it was the chief place in eastern part of Surrey and all the others were in the western division. He proposed that as an amendment that Reigate be substituted for Dorking. This amendment was supported by The Hon Locke King JP, but Lord Lovaine said the members were on the committee when Dorking was chosen when it was resolved to be one of the districts. They had considered Guildford but thought Dorking much better. Sir W Jolliffe thought Reigate preferable to Dorking. Mr Alcock said it was his sole object to see Reigate the residence of the Chief Constable not Dorking.

Sir W Jolliffe spoke of only six horses being recommended to deal with all the duties of the force. They could not perform it. There would be removing prisoners and other duties besides their being wanted by the superintendents. In a very short time prisoners for hard labour in the county would be removed to a new house of correction at Wandsworth. Look at that distance from some places. Someone said, "There is the railway." Sir W Jolliffe: Then there will be no saving. Some of the constables will eight or ten miles apart and the inspectors who visit them must require horses constantly.

Sir R Fredericks, Bart thought it a heavy tax on the rate-payers who had not been asked who should pay the rate. The tenant farmer would be the man and it would be a great hardship on him as the great landlord would hardly pay anything

Mr Alcock: ----- There were a number of secluded villages about there unprotected and he should not like a repetition of the Frimley murder.

The report without amendment was carried and forwarded to Sir George Grey the Home Secretary.

1850 7 December Saturday: Agreement from the Home Office: This morning the clerk of the peace intimated to the bench that he had received a communication from the Secretary of State of the Home Department relative to the proposed extension of the Surrey rural police which was resolved upon on Monday last at a special meeting of the magistrates. The learned gentlemen said that according to the provisions of the act of Parliament he had forwarded the resolution signed by the magistrates on Tuesday last for Sir George Grey's approval. This has been agreed and the magistrates will appoint the police on the 1st of January next. ⁸⁴

⁸⁴ 1850 7 December Morning Chronicle Saturday

The Isaac's Gang were therefore the direct driver to the formation of the Surrey Constabulary. However, did not read their papers and carried on regardless, committing a series of nasty crimes, but their time was running out.

1850 7 December Reading Mercury: Establishment of Surrey Rural Police: This interesting cutting establishes why the rural police did not take over responsibility for the whole county of Surrey. To do so would require an Act of Parliament so the expedient way was to use the Parish Constables Act. It should be noted that the agreement as set out was not fully complied with as headquarters was established in Guildford. This decision was to have a detrimental consequence once the Guildford Borough Police were formed, and the Surrey Constabulary HQ was about 100 yards from the Borough police HQ in the centre of the town.

1850 12 December Burglary Chailey, Sussex: Mary Ann Hurst of Chailey a village to the south of Haywards Heath in Sussex was the keeper of an alehouse in the village. She discovered that on the night of the 12 December the bar had been entered by a portion of the brickwork under the window being removed to allow a man to get in. Stolen were a silver cased hunting watch and other property.

Elizabeth Oliver and a man named William Brooks were charged with the offence in January 1851, the woman being the receiver. Both were committed for trial.⁸⁵

Burglary Public House Old Pie Corner, Hartfield

31 December 1850 Burglary Public House Old Pie Corner, Hartfield: James Hamilton at Christmas lived on Woking Common. Hillyer was at Hamilton's house before Christmas, and he went to Shottermill close by Haslemere to fetch Morgan. Isaac was expected from Reading on the train. Hillyer and Morgan did not come but Isaac did so he and Hamilton set off for Edenbridge to meet some other men. During the night they met up with James and John Smith at Betchworth and they agreed to stay together to carry out the planned burglaries. In due course they met up with Brooks, Morgan, Hillyer and Elizabeth Oliver with her child. The gang remained in a barn until the middle of the day of the 31st of December. Hamilton saw a large and small pistol in the barn both loaded with powder and lead.

It was arranged that some of the men would go out that night and raid a house in the neighbourhood and Morgan, Hillyer, Carter, John Smith and Isaac went away for that purpose. The remainder of the gang left the barn to meet at another barn eight or nine miles away, but the others did not turn up. The next day the five gang members turned up and they sat around a fire in a wood and consumed a plum cake and a bottle of wine taken from a burglary at a public house at Old Pie Corner.

Mrs Hannah Kenward lived at Holtye Common in the parish of Hartfield to the southeast of East Grinstead and was the wife of William Kenward. On the night of the 31st of December, she went to bed about ten o'clock leaving everything safe. The household were not disturbed during

⁸⁵ The Chailey Burglary: 1851 January 22 Wednesday: Uckfield Burglaries: The Standard

the night but the following morning at six o'clock when Mrs Kenward came downstairs she found that the bar window at the roadside had been opened. There were two drawers in the dresser in the bar that had been broken open and articles taken. Dessertspoons and a variety of other property was also missing amongst which were fifteen silver teaspoons. The spoons are much worn and were very old. The burglars also took some sheeting.

Harriet Baker lived at the White Hart public house and worked as a maidservant. Mrs Kenward was her employer. On the 31st of December at about ten o'clock, Mrs Kenward and Harriet locked up the house and went to bed. Harriet was the first person down in the morning and when she got down the stairs, she found the parlour door standing open, and a chair was placed against the door at the foot of the stairs. Seeing several things strewed about the place she raised the alarm and told Mr Barker that someone had broken into the house.

Charles Hollington later, later arrested Morgan and Hillyer; he took from Morgan a frock later identified by William Kenward as his and having been stolen during the burglary. Hollington also recovered a sheet, a tablecloth and various other articles.

1 January 1851 Wednesday Chief Constable appointed

At the Surrey Quarter Sessions yesterday the rural police committee submitted their report about the appointment of a chief constable and the headquarters of the force. Captain Hastings H.E.I.C.S. was recommended as a fit person for the duty; and after some discussion amongst the magistrates, it appeared that the adoption of the report was carried by a majority of two, the numbers being 20 and 18. Captain Hastings was accordingly elected.

The chief constable was appointed and immediately set to work with a number of serving superintendents who transferred in from other forces, and with the help of the newly appointed Chief Superintendent Biddlecombe and the locally experienced Superintendent Hollington.⁸⁶ The Surrey Constabulary became operational with an establishment of seventy police officers, including five superintendents.

1 January 1851 Burglary Uckfield

1 January 1851 Burglary Uckfield: Uckfield is to the east of Chailey and south of Crowborough in Sussex. Brooks told Hamilton there was another robbery to be done and members of the gang involved at Hartfield were to meet at Crowborough Forest at about three or four o'clock that day preparing masks to go and rob a lady's house. Isaac, Carter and Hamilton were sent on as lookouts about eight miles from the forest and when the lights went out the men went back and joined the other gang members, who all returned to the house at two to three o'clock in the morning. They went into a little ditch at the side of the plantation took of their coats, waistcoats and shoes, put on their masks.

James Smith went forward to see if all was quiet. When Hamilton got to the house, he found that the others had forced open the dairy window and they all went into the kitchen where some

⁸⁶ 1850 7 December Morning Chronicle Saturday

of the men put on coats that they found there. Hamilton put on a coat and a woman's white apron, and Carter and Brooks each put on a female's bonnet.

There were two pairs of stairs leading to the upper rooms. Isaac, Brooks, John Smith and Hamilton went up one of the staircases and the others went up the second set. The men with bludgeons in their hands immediately burst into one of the bedrooms and Hamilton saw two ladies. Hamilton did not know who had the pistols. John Smith gave Hamilton a candle to hold and with keys handed to them the burglars searched the house and stole property, food and drink. They also took a gun and a cutlass.

The gang returned to Crowborough Common to the house of a man named Edwards a receiver, where Oliver and her child were left, and the property was divided. The men remained in the wood until nine to ten o'clock in the morning of the 2nd of January and then separated. Hamilton and the two Smiths went to Groombridge where Hamilton got drunk and after a dispute over a sovereign, incredibly gave Smith into custody. Hamilton and the other Smith were arrested the following day and property from the burglary was found in Hamilton's possession.⁸⁷

On the 2 January the newspapers were reporting "a most daring and atrocious burglary committed on Thursday morning at Downland House, Uckfield the residence of the Misses Farncombe, four highly respected maiden-ladies who have resided there for a great many years and are members of a family well known throughout the county."

"Unlike many of the spots recently chosen for midnight plunder Downland House is by no means a lonely or unprotected place, no more than a quarter of a mile from the main street of Uckfield on a road leading toward the Rocks, the seat of R S Streatfield Esq. It stands back a short distance from the road in a small lawn. In front and on the opposite side of the road scarcely a hundred yards off is the house of the Rev. Mr Streatfield. On one side is a plantation and immediately at the back within forty yards Mr Merchant, his family and servants, occupy a farmhouse and a man is employed on the farm. At a short distance are one or two cottages. A residence so situated would under normal circumstances hardly have been selected as the scene of a burglary and this strengthens the suspicion to which other circumstances gave rise, namely that the robbers were well acquainted with the habits of their intended victims.

"The inmates of Downland House consist of the Misses Farncombe, two female servants and a butler Thomas Wood, there is also a gardener, but he does not sleep on the premises."

"It appears that the burglars entered by a small gate on the lawn and having cut a bludgeon from the branch of a tree overhanging the path, proceeded straight across the lawn to the front of the house, where they began operations by attempting to force open the window of the breakfast parlour. This attempt they soon abandoned, and they found their way to a small window in the dairy protected only by a zinc or wire blind. The window was sheltered from observation by a thick belt of laurels and other shrubs, and this strengthens the opinion that the premises must have been previously known to some of the burglars. Having wrenched off the

⁸⁷ 1851 January 22 Wednesday: Uckfield Burglaries: The Standard

wire covering the window entrance was gained to the dairy and by a similar process, the adjoining cellar was entered. At the end of the cellar is a passage communicating with the kitchen, the door to which was fastened by one of the two bolts upon it. This was easily forced, and it is presumed that one of the robbers who was very small, was put through the dairy window and left to make his way into the kitchen having gained which he opened the back door and let in the rest of his companions. Having reached the kitchen, the band proceeded up the back staircase leading to the man-servant's room."

"From the statement we have personally received from Thomas Wood the butler it appears that he had retired to rest at his usual hour on the previous night. The night was very dark and there was a great deal of wind. He was first awake about three o'clock by a noise as if it was someone trying the handle of his door, which was locked. He called out "Whose there?" twice, at first supposing that it was one of the servants. Receiving no reply, it at once flashed across his mind that there were thieves in the house and he sprang out of bed to seize a loaded gun, which lay near him. At that moment the door was burst open with a violent crash and in rushed five men and before he could level the gun, he received a violent blow on the shoulder (aimed at his head) from the butt-end of a horse-pistol, which knocked him on the bed. The gun was wrenched from his grasp and he was at once overpowered and threatened with instant death if he moved hand or foot.

"The robbers all wore masks; were each armed with and had each a lighted candle. Three of them wore masks of what appeared to be white calico and one of black crape; the other had a mask made of a red pocket-handkerchief. They wore no shoes or hats but two had put on straw bonnets belonging to the servants. Several were clad in coats, which they had found below, and belonging to Wood. Having ordered Wood to get into bed the robbers retired outside of his door where they held a consultation as whether he should be despatched or not. Wood lay quiet until after a few minutes the robbers re-entered his room and with a violent oath pointed the horse-pistol at him. At this point a man who appeared to be the leader interfered knocking aside the pistol, which caused a quarrel amongst the burglars, the first man being disposed to murder Wood, asking his comrades that had they not seen him try to use his gun. At one moment he had the muzzles of five pistols levelled at him but eventually they ceased to threaten his life. They then ransacked his drawers. Asking for his keys but before he gave them, they forced open his desk and took £20 in money, a gold ring and key, a silver watch and several other things.

"They left the room leaving one man as a guard he soon heard the door to his mistresses' bedroom burst in and a scream, but the ladies were not subjected to personal violence. The thieves ransacked every drawer and stole money, watches, jewels and everything they could lay their hands on. Having got all they could from the ladies they proceeded to the maidservant's room and there they took a watch and what money they could find. The cook however had the presence of mind to conceal her watch under the mattress. One of the maidservants on hearing Woods door being broken down rang a hand bell out of her bedroom window. This being heard by the burglars, one of them immediately rushed up the stairs and threatened to shoot the girl unless she directly returned to bed, which she did."

“Plunder complete the men returned to Wood’s room where they left him after uttering the most fearful threats if he dared follow them or leave the house for an hour and a half during which time the house would be watched. Woods heard them packing their plunder and start arguing over its distribution. As they left the house the clock struck five, the scene having been occupied for two hours. Within ten minutes Wood left the house and went as quickly as possible to the police station where he gave the alarm. He then immediately returned home but on his way through Uckfield Street observed a man standing at a corner this proved to be Wood’s brother-in-law who had seen seven men close by about ten minutes past five while on his way to work and no doubt these were the burglars.

“The morning being so very dark there was nothing about them to attract suspicion but in the direction, they travelled Wood’s gun was found in a river near Maresfield Tanyard and the scabbard of his sword near Ringle’s Cross-gate. A carter living in one of the cottages close to the house heard the bell ring, he was up, but did not take the trouble to see if all was right.”

The burglars entered the dressing room of Miss Susan Farncombe’s bedroom where they held the sword they had taken from Wood over the lady.⁸⁸

The Farncombe’s financial arrangements might have been a cause of the burglary. They received half yearly dividends on their stock and thus almost constantly had substantial sums of money in the house. However, the date of the burglary was few days before the next dividend was due and therefore the amount of cash would have been low but a few days before a large sum was withdrawn from Lewes Old Bank and this was stolen during the burglary. The dividends are usually transmitted through the carriers and thus the practice of the sisters may have become known.

The burglars consumed wine and food on the premises, knocking the tops of the bottles.

It was also revealed that Woods had a conversation with his guard telling him that had he had half a minute more he would have given them the contents of his gun. The robber replied: “Oh yes I dare say you would, I have known you Tom from your infancy.” Woods was also asked where his second gun was; he had only recently lent it to a friend. This of course indicated that at least one of the burglars had some local knowledge, knowing the name Tom and that he had a second gun.

One of the ladies on hearing the burglars took her jewel box and hid it in her bed

A detailed list of the property was soon widely circulated by handbill

At one in the morning, before the burglary a man returning from a party at Mr Streatfield's met seven men near Downland House. He thought they were poachers and went home.

⁸⁸ Hampshire Advertiser January 11, 1851

Mr Morten and Mr Hollington chief officer of Guildford who were the officers employed in the case acted zealously in investigating the crime and gathering sufficient evidence to mount a prosecution.⁸⁹

Apprehension of the burglars - the gang begins to unravel

1851 2 January: Immediately on receipt of the account of the burglary Captain Bolton, superintendent of the constabulary at Uckfield despatched details of the crime to the police stations at Lewes, Tunbridge Wells, and Brighton. Soon, handbills were setting out details of the offence and property stolen was forwarded to Guildford and other districts in Surrey.⁹⁰

Most serious investigations could do with a little piece of luck to give the investigation some direction. The early arrest of three of the burglars happened because of quite remarkably stupid actions by gang members. On Thursday evening the second of January three of the gang of burglars James Hamilton along with John and James Smith were at the Rose and Crown at Groombridge. While in the bar Hamilton dropped a sovereign which John Smith picked up and put into his pocket. When told of this Hamilton made a fuss and ultimately gave the matter into the hands of the constable resulting in John Smith being detained and taken to Tunbridge Wells to await the charge, which Hamilton declared he would prefer the following morning.

By the following day more information had come to light and Hamilton and James Smith were pursued and arrested on suspicion of being involved in a robbery. At the police station at Tunbridge Wells where the prisoners were taken by the Groombridge parish constable, Piddleston, Superintendent Morten of Tunbridge Wells police undertook a thorough search of the men finding a mask, a very good coat, an umbrella, and a £5 note of the Lewes Old Bank no 17,789. Hamilton explained the mask as being used for taking bees. The coat was he said, bought from a Jew in London after hop picking.

Not satisfied with the answers Morten became suspicious that the men were involved in the Uckfield burglary, and the men were remanded. Morten and James Dadson the constable of Tunbridge Wells went at once to Uckfield where servants identified the property as having been stolen during the burglary. The coat belonged to the butler and the umbrella belonged to the housekeeper. Morten and Dadson then left for Lewes where the three prisoners were handed to Mr Sanders the governor of the gaol where they were detained until a court appearance.

This done Morten and Dadson returned to Tunbridge Wells where they secured the assistance of Superintendent Gilbert of the Tunbridge Division and at once left for Surrey where they had reason to believe the remainder of the gang were. That good reason may well have been knowledge of the people arrested and who they combined with to commit serious crime. It may have been that Hamilton started to talk from the time of his arrest. Morton and Dadson were officers in Kent but were investigating crimes in Sussex, which in modern terms is unusual but they may have been driven by the rewards.

⁸⁹ January 8 1851: Morning Post Wednesday

⁹⁰ Daily News Wed Jan 8 1851

Arrests in Guildford

On arriving at Guildford on Saturday Morten and Dadson found that Superintendent Hollington had arrested Morgan and Hillyer, who were without doubt a part of the gang, in a beer-shop in the town, on suspicion of the Uckfield Burglary. On the men was found property from the burglary at the Miss Farncombe's and the burglary at Hartfield as well as some tools taken from a carpenter's shop also in Hartfield and which were evidently adapted for the use of a burglar.

Morgan had made a violent attempt to resist his arrest by Hollington and another officer, and had produced a large horse pistol, which however, was fortunately knocked from his hand. In addition to this violence Morgan attempted to stab Hollington with a knife which had the blow not been parried would have killed him.

Hillyer immediately swallowed something and bit the thumb of Hollington when he tried to retrieve what was thought to be a banknote. On Morgan was found a screwdriver, a sheet, a tablecloth, a towel marked F, a piece of ham, a wax candle, and two pieces of India rubber were found along with a waterproof coat. Upon Hillyer was found a tweed jacket, a check handkerchief. Some of these articles were found to have come from the burglaries at Hartfield and Uckfield.

Leaving the prisoners in safe custody Morten and Dadson went to Woking where they traced Hamilton's residence (his alias was Butcher). Here they found a suspicious looking character Joseph Carter from whose waistcoat pocket they took a portion of a silver spoon with the initials "HE" upon it. Carter was wearing a coat thought to be the property of the Miss Farncombe's butler and he had a loaded pistol, which was seized by Superintendent Gilbert of the Tonbridge Division of the Kent police (Note: the constabulary was not formed until 1858)

The prisoner was taken to Guildford where they lodged him until the Sunday morning, when they left by the Reading to Reigate line taking with them Morgan, Hillyer and Carter to Tunbridge Wells.

The prisoners were described "mostly of the ferocious and repulsive countenance, especially Morgan who is evidently much older than his companions." He appears to be between 30 and 40 while the other men seem all under 30.

At eleven o'clock Monday morning the three prisoners were taken before James Deane Esq., at Tonbridge Wells and upon the application of Superintendent Morten remanded until Saturday next. Immediately after this decision the prisoners were conveyed heavily ironed and handcuffed by Morten and Dadson to Lewes Gaol calling at Uckfield to have some property identified. The men were secured in a room at the King's Head where the butler came and identified his coat stolen from Downland House on Thursday morning and was found in the possession of Carter. The butler, Wood, also identified Morgan as the man who knocked him down with the but-end of the horse pistol and Carter as the man who kept guard over him.

Carter had addressed Wood by his Christian name and it transpired that he had worked as a tradesman at Uckfield. The newspaper concluded:

“We cannot close our account of this matter without a word of praise as to the unwearied exertions made by Mr Morten and Mr Dadson. From the first moment they got on the scent they followed the case up with unceasing activity- how successfully the result sufficiently proves”

A valuable diamond ring and a gold chain belonging to Miss Mary Farncombe of Uckfield was found in the vehicle in which Isaac was conveyed after his capture. Fearing detection, it is evident that he must have worked them out of his pocket during the journey

1851 January 5: Uckfield Burglary: Saturday: The gang of burglars: The Uckfield Burglary – six men and a woman were examined in Tunbridge Wells also with a man named Edwards and his wife charged as receivers. Property belonging to the Misses Farncombe was recovered from the Edwards and Oliver was arrested and more property recovered. Two watches found on Oliver were the proceeds of burglary belong to the Rev. O E Vidal whose residence in Sussex was broken into in September. The other articles answered the description of valuable stolen from the house of the Rev. J H Stewart at Lingfield on Monday fortnight. The police are now engaged in an active search for two of the burglars who are now missing and are wanted for an extensive robbery at Farnham. They and the gang are suspected of two other burglaries in the neighbourhood of Tunbridge Wells.⁹¹

All the prisoners were committed for trial.

Another man who is concerned in the recent burglaries at this part of the country has been apprehended. He was taken into custody at a barn belonging to the Hon. James Norton of Woodham near Chertsey. He gives the name of W. Brooks and is said to be one of the most daring of the gang. The prisoner Brooks had adopted the most cautious and wary measures to avoid detection. A clue was found by Morten and Dadson on Saturday January 11 finding that Brooks had been at a beer-shop at Bagshot and from there he was traced to a house on the Hampshire border, a well-known resort for thieves. However, he had departed before the arrival of the officers and left no clue that could be followed. He departed in the middle of the night. The officers having business in Tunbridge Wells, left two auxiliaries in the vicinity with instructions as to the course they should pursue to recover the lost track. The plan adopted was successful.

On the return of Morten and Dadson from Lewes on Friday 17th where they had been to fetch the other nine prisoners for examination they received a telegraphic message to the effect that a man answering Brooks description had been seen between Woking and Chertsey having taken the precaution to attire themselves in the garb of gypsies, they started at once by train to Guildford and after some enquiries proceeded to Woking where they made an active search in all the low beer-houses in the neighbourhood. This proved ineffectual and then they began a

⁹¹ 1851 January 5: Uckfield Burglary; the Northern Star

minute investigation of all the outbuildings in the district where there was the remotest chance of the ruffian being concealed. Lodges, barns stables and piggeries underwent the closest scrutiny and at last their efforts were attended with success they deserved.

They came to the barn already mentioned at seven o'clock and during the examination of it they perceived by way of a light that a piece of board had been pulled from the side of the barn causing an aperture sufficiently large for a man to creep through. They made the hole larger, and both entered made a search and the prisoner found under some straw. Each officer had a loaded pistol, which they presented to him with the intimation that an offer of resistance would result in his death. A search revealed two knives ready for use and a third in his pockets, which was to prove to have been stolen in the Chailey burglary. Previously the woman Oliver whom Brooks cohabited with was arrested with property from that burglary. The officers conveyed their prisoner from Woodham to Woking station where they awaited the arrival of the mail train and took their places to London.

On Monday morning the officers proceeded to Lewes with their prisoners, Smiths, Hamilton, Hillyer, Carter, Brooks, Oliver and Morgan. During the first part of the journey the fellows behaved very quietly, but the van in which they were conveyed scarcely passed Crowborough before they became extremely violent and most grossly insulted everyone, they passed declaring they expected a rescue. Upon remonstrating with them upon such behaviour Brooks who appears to be a most unmitigated ruffian, raised his heavily ironed hands, knocked of the hat of Dadson and entreated the other prisoners to throw themselves out of the vehicle. Hillyer immediately dashed his handcuffs against the side of the van apparently with the intention of snapping them but not succeeding in that he attempted to throw himself in the road. By this time the officers seeing how the case stood became most determined in their manner and having presented their firearms threatened to shoot the first man that moved which had the effect of quietening them. Before their arrival at Uckfield the prisoners raised such an intolerable noise by hooting and yelling that a horse that was being led by a boy took fright and started away at a most terrific rate - what becomes of it we have not heard.

Lingfield Burglary Monday 13 January 1851: Two watches found on Oliver were the proceeds of burglary belong to the Rev. O E Vidal whose residence in Sussex was broken into in September.

The other articles answered the description of valuable stolen from the house of the Rev. J H Stewart at Lingfield on Monday fortnight (Monday 13 January 1851).

Court Appearance

On Saturday 18 January 1851 the six men taken into custody and charged with the burglary at Downland House were examined at Tunbridge Wells Magistrates Court on Saturday 18 January. Property valued at £300 had been stolen. It was thought that the prisoners formed part of a desperate gang who for some time had infested the Home Counties. The examination took place in the large room of the Town Hall, which was densely crowded by the gentry and inhabitants of the neighbourhood.

Shortly after twelve o'clock the prisoners, who were heavily ironed and handcuffed, were placed at the bar. They gave their names as James Hamilton 29, John Smith 25, James Smith 18, Thomas Morgan 36, William Hillyer 28 and Joseph Carter 25. With the exception of the younger Smith their appearance and conduct indicated the most audacious ferocity. The prisoners treated the proceedings with the great flippancy, apparently joking among themselves and laughing at the eagerness of the spectators to hear the evidence.

One of the men Hillyer was suffering from an injury he had inflicted on his hand. He had been upbraided by some of his companions for want of "pluck" in the affair when to show that he was not afraid he deliberately fired a pistol at his hand and wounded it.

There was a seventh prisoner Elizabeth Oliver placed at the bar with the burglars. She was a respectable looking young countrywoman, with a child in her arms, who had been charged with having some of the stolen property in her possession. She was much troubled and allowed a chair. The Farncombe sisters were not up to giving their evidence.⁹²

The butler Thomas Wood in his evidence said he recognised the voices and general appearance of Morgan and Carter. In addition to valuables a quantity of food was stolen. Carter also called Wood by his Christian name.

Frances Carey, housemaid in her evidence said that she opened her bedroom window and rang an alarm bell. The door to her room was instantly burst open, and a man with a heavy bludgeon came in followed by a man in a white mask. She gave him money, but they still searched the room.

Morten said in evidence that he went to Guildford and found that Morgan and Hillyer had been arrested so he went to Hamilton's residence on a remote part of Woking Common accompanied by Superintendent Gilbert. There they found Carter who was in possession of stolen property from Uckfield. He was living in a hut with Morgan on Woking Common in the heart of a notorious resort of gypsies, vagabonds and indifferent characters.

Mr Charles Hollington the Superintendent of the Guildford Police and PC Earl arrested Hillyer and Morgan. On Hillyer two knives were recovered and on Morgan there was a knife, there had previously been a pistol. More stolen property was recovered from the two. The pistol found on Morgan came from a burglary at Frensham.

Mrs Morton wife of Superintendent Morton said that on searching Oliver she found gold and silver concealed under her clothing.

Miss Susan Farncombe a middle-aged lady of rather delicate appearance was whilst giving evidence nervously affected. She stayed with her sister Mary who had been very unwell and was nearly in hysterics and remained with her until the burglars were gone. They went to her

⁹² 1851 January 18 Saturday: Hampshire Telegraph

sister Emily's room and the room of a further sister, Charlotte. Emily Farncombe also gave evidence.⁹³

Thomas Elliott assisted Hollington and PC Earl to arrest Morgan in the Swan – Earl called on Elliott to assist as Morgan pulled a pistol from his coat and Morgan dropped the pistol and a bundle. Elliott took possession of the gun and bundle and took them to the police station.

1851 January 16 Thursday: Burglary Frensham: The pistol found in the possession of Morgan is supposed to form a part of the property carried away at a recent burglary at Frensham. The hut tenanted by Morgan and Carter on Woking Common is situated in the heart of a notorious resort of gipsies, vagabonds and other indifferent characters.⁹⁴

Uckfield Burglary: The Morning Chronicle reporting on 18 January: The six men and the woman Elizabeth Oliver alleged to have been concerned in the above burglary were examined on Saturday at Tunbridge. A man named Edwards and his wife charged as receivers were also placed in the dock with them. It appears that on Friday night Oliver had given her address to the police when calling on her brother one of the prisoners at Tunbridge. Dadson an officer, proceeded to her residence and in a plantation close by where the burglars had gone to overhaul their booty, he found the boxes, which had contained the jewellery taken from The Misses Farncombe's house, and other portions of the property. He further found in the house of Edwards, where Oliver lodged, a cart load of property consisting of silk, cotton and calico goods, together with other articles evidently the proceeds of a robbery of some draper's shop. Mrs Edwards was taken into custody and shortly afterwards her husband in whose possession a watch was found. Subsequently Oliver was secured and on being searched there was found suspended from her waist under her clothes, a cloth containing several watches and seals, £17 in gold and other articles of value. Which were proved to be part of the proceeds of the Uckfield burglary. Two watches taken from Oliver have proved to be the produce of other burglaries and two found on Edwards belonged to the Rev OE Vidal whose residence at Arlington, Sussex was broken into September last.

Other articles answer the description of those stolen from the house of the Rev JH Stewart of Lingfield on Monday fortnight. The police are now engaged on active search for two burglars who are missing and who are wanted also for an extensive robbery at Farnham some time since. They and the gang generally are also suspected of two other burglaries in the neighbourhood of Tunbridge Wells. As an indication of the mode by which the prisoners found the information necessary to carry on their operation it may be mentioned that in a box belonging to Brooks one of the missing burglars, and which was found at Edward's house were found a number of small bills headed "The best price given for umbrellas, rags, broken metal" for which it was stated "D. Hayler" would call in two hours. This person proves to have been Brooks and the

⁹³ 1851 January 20 Monday: Daily News: Court case

⁹⁴ 1851 January 16 Thursday: Nottinghamshire Guardian

opportunities of investigation thus afforded to him would unquestionably be of the greatest service. The whole of the prisoners were committed for trial.⁹⁵

1851 January 20 Monday: Court case: Miss Susan Farncombe, a middle-aged lady of rather delicate appearance was whilst giving evidence nervously affected. ----- She stayed with her sister Mary who had been very unwell and was nearly in hysterics – I remained with her until they were gone. They went to her sister Emily's room – further sister Charlotte. Emily Farncombe also gave evidence. Thomas Elliott assisted Hollington and Earl arrested Morgan in the Swan – Earl called on him to assist as Morgan pulled a pistol from his coat and Morgan dropped the pistol and a bundle. Elliott took possession of the gun and bundle and took them to the station. Committed for burglary with property taken to the value of £300⁹⁶

1851 January 22, a Wednesday a few days later it was reported that Morten and Dadson arrested Brooks at Woodham, Surrey. During the past seventeen days the officers had travelled through Surrey, Sussex, Berkshire, Hampshire, Wiltshire and Oxfordshire to trace the wanted men. Morton and Dadson were at Bagshot on the 11 January where Brooks had been at a beer shop. He was traced to a house on the Hampshire border and lost. The officers having business in Tunbridge Wells, left two auxiliaries in the vicinity (it is not known who or what auxiliaries were, possibly parish constables or even special constables) with instructions as to the course they should pursue to recover the lost track. The plan adopted was successful.

On Friday 17th the officers returned from Lewes having received a telegraphic message to the effect that a man answering Brooks' description had been seen between Woking and Chertsey. They started at once by train to Guildford, both disguised as gypsies, arriving in Woking where they made a detailed and speedy search of all the low beer-houses in the neighbourhood. The men were not found and so the police officers began a thorough investigation of all the outbuildings in the district where there was the remotest chance of the criminal being hidden. Lodges, barns stables and piggeries underwent a thorough search and at last their efforts were successful.⁹⁷

Brooks was taken into custody at a barn belonging to the Hon. James Norton of Woodham near Chertsey. He gives the name of W. Brooks and is said to be one of the most audacious of the gang. Brooks had adopted cautious and wary measures to avoid detection.

The officers came to the barn at seven o'clock in the morning and found that a piece of board had been pulled from the side of the barn causing an opening sufficiently large for a man to creep through. They made the hole larger and both entered, made a search and the prisoner Brooks was found under some straw. Each officer had a loaded pistol, which they presented to him with the intimation that an offer of resistance would result in his death. A search revealed two knives ready for use and a third in his pockets, which was to prove to have been stolen in the Chailey burglary.

⁹⁵ January 20, 1851, Morning Chronicle

⁹⁶ 1851 January 20 Monday: Daily News

⁹⁷ 1851 January 22 Wednesday: The Morning Chronicle

Previously the woman Oliver whom Brooks cohabited was arrested with property from that the Chailey burglary. The officers conveyed their prisoner from Woodham to Woking station where they awaited the arrival of the mail train and took their places to London.

A further report on the arrests give some idea of the courage and determination of these police officers in an isolated and potentially dangerous environment.

The Northern Star reports that another man who is concerned in the recent burglaries at this part of the country has been apprehended. He was taken into custody at a barn belonging to the Hon. James Norton of Woodham near Chertsey. He gives the name of W Brooks and is said to be one of the most daring of the gang. The prisoner Brooks had adopted the most cautious and wary measures to avoid detection. A clue was found by Morton and Dadson on Saturday January 11 finding that Brooks had been at a beer-shop at Bagshot and from there he was traced to a house on the Hampshire border, a well-known resort for thieves. However, he had departed before the arrival of the officers and left no clue that could be followed. He departed in the middle of the night.

The officers having business in Tunbridge Wells, left two auxiliaries in the vicinity with instructions as to the course they should pursue to recover the lost track. The plan adopted was successful. On the return of Morton and Dadson from Lewes on Friday 17th where they had been to fetch the other nine prisoners for examination they received a telegraphic message to the effect that a man answering Brooks description had been seen between Woking and Chertsey having taken the precaution to attire themselves in the garb of gypsies, they started at once by train to Guildford and after some enquiries proceeded to Woking where they made an active search in all the low beer-houses in the neighbourhood.

This proved ineffectual and then they began a minute investigation of all the outbuildings in the district where there was the remotest chance of the ruffian being concealed. Lodges, barns stables and piggeries underwent the closest scrutiny and at last their efforts were attended with success they deserved. They came to the barn already mentioned at seven o'clock and during the examination of it they perceived by way of a light that a piece of board had been pulled from the side of the barn causing an aperture sufficiently large for a man to creep through. They made the hole larger, and both entered made a search and the prisoner found under some straw. Each officer had a loaded pistol, which they presented to him with the intimation that an offer of resistance would result in his death.

A search revealed two knives ready for use and a third in his pockets, which was to prove to have been stolen in the Chailey burglary. Previously the woman Oliver whom Brooks cohabited with was arrested with property from that burglary. The officers conveyed their prisoner from Woodham to Woking station where they awaited the arrival of the mail train and took their places to London.

On Monday morning the officers proceeded to Lewes with their prisoners, Smiths, Hamilton, Hillyer, Carter, Brooks, Oliver and Morgan. During the first part of the journey the fellows behaved very quietly, but the van in which they were conveyed scarcely passed Crowborough

before they became extremely violent and most grossly insulted everyone they passed declaring they expected a rescue. Upon remonstrating with them upon such behaviour Brooks who appears to be a most unmitigated ruffian, raised his heavily ironed hands, knocked of the hat of Dadson and entreated the other prisoners to throw themselves out of the vehicle.

Hillyer immediately dashed his handcuffs against the side of the van apparently with the intention of snapping them but not succeeding in that he attempted to throw himself in the road. By this time the officers seeing how the case stood became most determined in their manner and having presented their firearms threatened to shoot the first man that moved which had the effect of quietening them. Before their arrival at Uckfield the prisoners raised such an intolerable noise by hooting and yelling that a horse that was being led by a boy took fright and started away at a most terrific rate - what becomes of it we have not heard.⁹⁸

1851 January 22 Wednesday: Uckfield Burglaries: The Standard: Hartfield Burglary: The prisoners Smiths, Hamilton, Morgan and Hillyer were now brought forward upon the above charge. Hannah Kenward deposed: I live at Holtye-common in the parish of Hartfield and I am the wife of William Kenward. On the night of the 31st of December, I went to bed about ten o'clock leaving everything safe. We were not disturbed during the night but upon the following morning at six o'clock when I came downstairs, I found that the bar window at the roadside had been opened. There were two drawers in the dresser in the bar that were broken open and articles taken there-from. Dessert spoons and a variety of other property were also missing amongst which were 15 silver teaspoons. The spoons are much worn and were very old. Some sheeting was here identified by the witness as a portion of that which she had lost.

The prisoner Morgan here interrupted the proceedings by saying "Really, this is what I call hanging a fellow without judge or jury. If I can't get law here, I'll send to London for it (laughter) Look at us Mrs Kenward and say if we are the men."

Mrs Kenward: "I don't know you, my friends; I am sure (laughter)

Harriet Baker: I live at the White Hart public house and I am maidservant there. Mrs Kenward is my employer. On the 31st December my mistress and I locked up the house and went to bed about ten o'clock. I was the first person down in the morning and when I got down a portion of the stairs, I found the parlour door standing open, and a chair was placed against the door at the foot of the stairs. Seeing several things strewed about the place I raised an alarm and told my young master that I thought someone had broken into the house. The witness here described the appearance of the premises and stated she had not seen either of the prisoners there before. She also said she could not identify any of the property with the exception of the master's frock and if that were shown to her, she thought she would know it.

William Kenward was sworn. He stated that the frock produced by Hollington, the Guildford superintendent of police was that which was stolen on the night of the burglary.

⁹⁸ 1851 25 January: The Northern Star Saturday

Prisoner Morgan “Put that frock down; it is not yours. Wonder you don’t come and own my jacket.”

Charles Hollington Superintendent Guildford Police sworn: “When I apprehended the prisoners Morgan and Hillyer, I took from the person of Morgan the frock I produce, which has been identified by Mr Kenward. I produce a bundle, containing a sheet, not made up, a tablecloth and various other articles. This bundle I received from the witness Thomas Elliott and certain articles in it have been spoken to by Mrs Kenward.

The prisoners were committed for trial on this charge⁹⁹

A simultaneous shudder of horror

1851 23 February: Extract: But a few years ago the perpetration of a single murder, either in town or country would from the comparative infrequency of this most terrible of crimes arouse a simultaneous shudder of horror as it were throughout the realm; now it is absolutely rare to take up a daily paper without reading the sickening details of several. In proof of this let us only take the record of the past week. With a police force more than double Napier’s army of the Indus, how difficult is it found to keep the roving hordes of plunderers and villains of every description at bay Let the police reports and our crowded gaols and the necessity for a new gaol speak for the crime of the metropolis. The police as a force, to do them justice, do their best. -
----- Highway robbery accompanied by violence worthy of a hundred years ago when the guilt-steeped woman decoyed and the ambushed bully violently plundered or murdered the wayfarer with impunity, is now the common work of the night. Then turning to the country; no longer do the burglars concoct by twos or threes their midnight marauding; now organised in large gangs they lay a whole county under tribute, as it were at will, terrifying every district. ¹⁰⁰

More receivers and property recovered

The Morning Post March 7 1851: Morton and Dadson have been continuing enquiries with 13 now in custody. In a garden of a person called Arnold a relative of Oliver a quantity of tea corked up in bottles was found as was a sack, a shawl, white bill, cocked hat, and a mask where they had been hidden since July 1850. Morton recovered other property from pawnbrokers in Guildford part of the property stolen during the burglary of Mr Penfold a farmer at Cuckfield on the 4 July 1851, twelve days before the burglary at Miss Kennard’s at Haywards Heath. A watch sold by James Gulliver alias Jim Bull was also traced by Morton and found to be from the burglary at Mr Marshall’s house at Frensham last November. Bull and the sister of Brooks with whom he cohabited will next week undergo their final examination on a charge of receiving several articles the proceeds of a burglary at Mr Bakers at Portslade.

⁹⁹ 1851 January 22 Wednesday: The Standard

¹⁰⁰ 1851 23 February: The Era:

Before the Lord Chief Justice

Thursday March 13, 1851: Brooks, John Smith, James Smith, Thomas Morgan, William Hillyer, Joseph Carter indicted for burglary when £300 of property was stolen, and Elizabeth Oliver receiving a portion of that property.

Prosecution – an offence that attracted a good deal of attention not only in this county but in the kingdom on account of the circumstances connected with it and the daring (a term frequently used which means more audacious than brave) character of the offence. It was a most fearful thing to see, a desperate gang of persons banded together to commit the most desperate crimes who would not be stopped at the shedding of blood if they had met with opposition to their proceedings. The case would also exhibit a system of organisation amongst the parties, knowledge of the face of the country and the habits of persons living in lonely positions and a rapidity of communication by the different members of the gang, which was most surprising and alarming.

Verdict

The jury without any hesitation found them all guilty and they were sentenced to transportation for life, except Oliver who was sentenced to 14 years transportation. Carter exclaimed when sentenced that he would murder the first man he came across when he got abroad and Hillyer said it was a very good thing he was ordered to be transported for he ought to have been transported long before.¹⁰¹

Violence during transfer to Lewes gaol

These dangerous men did not cease being high risk and violent because they had been sentenced. They had little to lose – transportation for life was only one below the ultimate punishment now largely a penalty for murder.

On the Monday morning the officers travelled from Tunbridge Wells towards Lewes gaol with their prisoners, the Smiths, Hamilton, Hillyer, Carter, Brooks, Oliver and Morgan. During the first part of the journey the prisoners were quiet, but the closed cart or van in which they were being carried scarcely passed Crowborough before they became extremely violent insulting everyone they passed and declaring they were to be rescued. On being told to behave, Brooks who appears to be a most unmitigated villain raised his heavily ironed hands, knocking of Dadson's hat, encouraging the other prisoners to throw themselves out of the vehicle. Hillyer immediately dashed his handcuffs against the side of the van apparently with the intention of snapping them but not succeeding in that he attempted to throw himself in the road. By this time the officers seeing how the situation was developing determined that they should not escape drew their firearms and threatened to shoot the first man that moved. This had the effect of quietening them down. Before their arrival at Uckfield the prisoners raised such an

¹⁰¹ Daily News Thursday March 13, 1851

intolerable noise by hooting and yelling that a horse that was being led by a boy took fright and started away at a most terrific rate.

Hiram Smith's Confession of the Frimley murder

The confession of Smith was made between the committal and full trial where his turning Queen's evidence meant he was not charged with the murder and escaped punishment for the Frimley crimes.

Mr Hollington, Superintendent of the Surrey Police was called by Hiram Smith who made a voluntary confession to him about his participation in the burglary in the presence of Mr Neale, the governor of Guildford Gaol. The confession:

“On the 27th September last, being Friday last, myself with other persons now in custody named Levi Harwood, Samuel Harwood and Samuel Jones were at Frimley and broke into Mr Hollest's house by taking out a bar. I entered first and Levi Harwood second. With a worm Levi Harwood bored two holes in the frame of the door leading to the kitchen and pushed the bolt with his knife, and then myself, Jones and Levi Harwood went in and there walked about. Levi Harwood then opened a workbox and took two shillings from it. We then all three of us went into the sitting room, and Levi Harwood and Jones searched while I fetched the candle and there found a silver hunting watch and a small old-fashioned gold one. We then went into another room; I do not know what was taken from there. They then went into the pantry. I then went and fetched Samuel Harwood in. Three of us went upstairs. Myself, Jones and Levi Harwood went into a bedroom and removed three ladies dresses, two out of the drawers and one from the bedstead; there was no one sleeping in that bedroom. We then came downstairs and put on the masks; myself and Jones put on the green ones which were produced last Saturday, and Levi Harwood put on a white one, and a white Guernsey over his waistcoat. Jones put on a large cloak, which was hanging in the passage and I put on one likewise. The cloaks belonged to the nurse. We then all four of us proceeded up the stairs; Jones went first with a pistol in his right hand which was loaded on his way to Frimley. He loaded both pistols with marbles. Jones first, Levi Harwood second and myself third here entered Mr Hollest's room while Samuel Harwood stood at the door with a sword drawn in his hand. Levi Harwood then said, “Lay still my good woman or else I will blow your brains out.” He was standing at the foot of the bed at that time. Mrs Hollest instantly got from her bed and Jones being on the side of the bed took hold of her and thrust her into the corner of the room. Mr Hollest jumped out of bed and went to take hold of Levi Harwood when he (Levi Harwood) immediately fired the pistol at Mr Hollest and I took the gold watch off a stand in the room and we all ran downstairs. We were in the room for about five minutes. Jones and Samuel Harwood then started for Guildford and Levi Harwood and I went to Kingston then left him to go to London, he having with him the things, which were stolen from Mr Hollest's. We arranged on the previous Friday to commit the robbery. It was about 9 o'clock when the pistols were loaded by Levi Harwood”

15 March 1851 The Spectator

The Frimley murder and several occurrences of a similar character have conferred an unenviable notoriety upon the South-western counties of England. The last Assizes at Lewes have laid bare the alarming extent to which a confederation of robbers and burglars have carried on their attacks upon property, under the disguise of honest dealers and labourers. A gang of twelve were brought to trial, and eleven of them convicted, principally on the evidence of an accomplice. The leaders appear to have resided in the heart of Surrey, and the field of their operations extended into the counties of Sussex and Kent. The stationary members of the fraternity were ostensibly shoemakers, basket makers, labourers, and so forth; their spies and the agents of their correspondence travelled about the country as hawkers. The principal case tried was that of a burglary committed near Uckfield the perpetrators of which had been summoned from a distance of more than thirty miles. The robbers appear to have had a regular agency for the receipt and disposal of their plunder. In these counties there is a numerous population occupying as it were the debatable lands between the honest and the dishonest classes of society. It is composed partly of the numerous squatters who may be seen upon commons, as in the neighbourhood of Woking, and the semi-nomads who retire in winter to the villages, but whose tent-carts in summer swarm on the highways and block up every green lane. The petty depredations of these itinerants are as extensive as they are notorious; they and their stationary colleagues are allied with all the poachers of the country, and with the "tramps," who are probably more numerous in Kent, Sussex, and Surrey, than in other parts of England. These counties are the "home circuit" of squatters this class, as have their headquarters in the Metropolis. The proceedings of the Uckfield burglars resemble more the adventures in De Foe's Colonel Jack or Fielding's Jonathan Wild, than could have been expected in the days of the Metropolitan mounted police. We see them carousing on the daintiest viands and wines, in the greenwood shade, and cheating each other out of their ill-gotten gains, exactly as their predecessors of the last century did. On common occasions these fellows appear to have moved about in decent society, in the guise of honest mechanics, small traders, and labourers. Such facts speak volumes for the inefficiency of the Rural Police and the defective state of our penal law¹⁰²

West Surrey Bank - Epsom

Having been committed for trial in October the burglars from the Epsom bank appeared before the Home Circuit at Kingston on March 29, 1851: George Roberts, 32, and Charles Dowe, 18, were indicted for a burglary in the dwelling-house of Resta Moore, and stealing three silver spoons, a pair of gold spectacles, a coat, and other articles, his property.

It appeared from the statement of the learned counsel for the prosecution, and the evidence that was adduced in support of it, that the prosecutor occupies a house at Epsom, a portion of which, on the ground floor, was let as a branch of the West Surrey Bank. The robbery in question was committed on the night of the 31st of October, and it was evidently the intention of the prisoners to have plundered the bank from whence they, no doubt, expected to have obtained a large

¹⁰² 15 March 1851 The Spectator

booty. The house was all locked up as usual on the night previous to the robbery, and about two o'clock on the following morning a person named Holland who lived next door to the bank, was awoke by a light shining into his window and, upon looking out he saw two men, whom he clearly identified as the prisoners, in the act of examining the drawers in the back office of the bank. He afterwards saw a third person, and, upon his giving an alarm, the light was extinguished, and the prisoners and their companions attempted to make off. The two prisoners were, however, stopped by the police close to the spot, and upon their being searched several articles that had been stolen from the bank were found in their possession, and also a chisel, the size of which corresponded with marks that appeared upon the iron chest of the bank, and also upon some other places of deposit, which the prisoners had succeeded in forcing open.

Dowe said nothing in his defence, and Roberts said that he met Dowe by accident near the town of Guildford, and that as they were walking along, he saw him pick up a bundle, which contained all the articles that were found in their possession.

The jury, without any hesitation, returned a verdict of guilty against both prisoners.

Mr Baron Parke said, in passing sentence, that the crime of burglary had been so much on the increase that it was absolutely necessary it should be put down by severe punishment. If any evidence had been adduced to show that the prisoners had been convicted of any other offence, he should certainly have sentenced them for life, and as it was, they must expect to pass the greater, if not the whole, of the remainder of their existence, in a state of slavery, He then sentenced the prisoners to be transported for 20 years.

Two more burglars from Guildford taken out of circulation, who may have been a part of the Isaac's gang if not, they would have been well aware of the gang members and their activities. At the same Assizes, two members of the Isaac's Gang were on trial.

Frimley murder trial Home Circuit Assizes Kingston

1851 April 1: The trial began at half past eight when the prisoners were placed at the bar and the jury who had been at The Sun Hotel during the night in charge of an officer, took their seats in the box. The Approver (informer) Hiram Smith was placed in the box usually assigned to the superintendent of police. Baron Parke took his seat.

George Bennett a waggoner was with his wagon near Kingston on Saturday 28th September and Hiram Smith rode in his wagon with him from the Crown and Anchor, Long Ditton to Guildford. It was between 10 and 11 in the morning that he saw the prisoner and he arrived at Guildford between 6 and 7.

Harriet Seabrook gave evidence that her son kept the Swan beer-shop in Guildford and that Levi Harwood lodged with her, and she remembered him leaving her house between 4 and 5 o'clock on the afternoon of the 27 September. He did not sleep at home that night and she did not see him until near 8 o'clock the following night. He came home alone and a very little while afterwards Jones came to the house and spoke to him. He wore a cord jacket when he went out but he had not got it on when he came back and she observed to him that he was like a snake –

he had slipped his shirt (a laugh). Hollington the police officer came to her house the following night to make enquiries and she told him about Levi Harwood being out all night.

Benjamin Downes said he lived at the Wheatsheaf in Guildford and it was his duty to fasten up the house at night. Jones and Smith lodged at the house. They were not at home on the night of the 27th September and he did not see them until the evening of Saturday the 28th. It was not uncommon thing for persons in the situation of the prisoners to stay away from their lodgings all night. Benjamin Downes knew they were out all night as the room had not been slept in. Witness was tried at the Sessions at Guildford for “a bit of pork” which he was very fond of (a laugh). He had a twelve-month in prison for the bit of pork. He was also charged another time with stealing some straw but was acquitted.

Mr Edward Kendall (the police officer, according to the press, to whom the chief praise is due for unravelling the mysteries of this atrocious murder, and who has been appointed by the Commissioners of Police an inspector on account of his exertions). Mr Ballantine (defence) tried very hard to shake Mr Kendall’s testimony, but he utterly failed in his attempt to elicit the slightest discrepancy in the statements he has made before the coroner and magistrates.

Kendall was a sergeant at the time of the murder, a member of the very small group of officers known as the Metropolitan detective police. He deposed that on Saturday the 28th September he went down to Mr Hollest’s house. He examined the scullery window, and he compared the evidence of Smith as to the mode in which the iron bar had been removed from the window. He said he also observed the mark of a naked foot on the doorstep, and a mark of blood. He likewise found a small piece of baize under a tree and a few yards off there was a mark as though some one had been there with naked feet and had slipped down, and there were marks on the ground such as would have been made by a corded jacket or trousers, and the man, whoever he was, appeared to have fallen on his left side. When examining the person of Levi Harwood, he found that one of his toes was very much lacerated on the under-part.

Kendall did not go to the house until the Sunday morning after the murder. Biddlecombe and the constables of the village had been there before he arrived. It appeared to him that the blood found on the doorstep had run down from a man’s body and that it was not caused by the indentation of the man’s foot. He did not know if he had mentioned before the magistrate the finding of the blood or whether anyone pointed out the blood to him. He did not say positively that it was blood, but he believed it was at the time and he believed so now. The other officers saw it as well as he did. It appeared to have been raining a good deal during the night, but the doorstep was partially covered. Witness had heard that a reward was offered in this case, but he did not know the amount and he did not bother himself about a reward because he was not allowed to receive a farthing of it. The injury upon Harwood’s foot was not sufficient to account for the quantity of blood he saw, and he never discovered the source as none of the prisoners had been wounded. The judge said that the blood could have come from Mr Hollest or from some other person, not the prisoners, shot by Mr Hollest. On the 6th of October Kendall went into the plantations and field and he picked up a cloak, which he produced, in a ditch.

Mr Hollest a solicitor at Farnham brother of the deceased produced a small silver cup and two green masks, which he received from William Everest and a worm bit which he was shown by Randall the officer.

Charles Hollington said: In September last I was superintendent of the Guildford police. I heard of the burglary at Mr Hollest's the next morning and immediately made some enquiries about Levi Harwood, Jones and Smith. I saw Jones about the middle of the day in High Street, Guildford. Biddlecombe and I went on Sunday morning to Mr Hollest's and when we returned, we took Smith, Jones and Levi Harwood into custody. I told them I wanted them on suspicion of burglary at Mr Hollest's at Frimley and asked them to account for their time on the Friday night as I had learned they were out. Harwood said he went to London that night and Jones said he went up on the Downs to set a few wires to catch a rabbit. On the 30 September I took Samuel Harwood into custody and on this day, Levi Harwood told me he would account for his time on Friday night, and he said that he came down from London. I told him he was right about that and that he arrived at about eight o'clock to which he replied, "You know as much as I do." I searched the prisoners at the station. Upon Levi Harwood I found two sovereigns, one shilling, a sixpence and a knife. Upon Smith I found half a crown, a tobacco box, a knife and a piece of string.

Upon Jones I found a cloth, a piece of sealing wax, and the token penny, which has been produced. I afterwards searched Levi Harwood's lodgings and found a pair of stockings, on the foot of one of which there was a mark of blood and also a "stony" marble. I had previously examined Levi Harwood's feet. And found that the right one was cut in several places and there was blood between the toes. After Levi Harwood was in custody, I examined his shirt and found some marks of gravel upon his left sleeve. On the 2nd October I searched Samuel Harwood's lodgings at Hyfield-green and found a box at Mrs Catt's, which belonged to him and from which I took a corduroy jacket. I had seen Levi Harwood wear a similar jacket. It appeared to me as though it had been recently washed. Levi Harwood afterwards claimed the jacket to be his.

On questioning Hollington: I was not engaged on the matter. I engaged myself. I don't remember having heard of any paper or wadding which was supposed to have been discharged from the pistol, being found by the side of the bed. I may have heard of such a thing, but I don't recollect it. I don't know that any paper was compared with any paper found in possession of some of the prisoners.

I did not give the prisoners any caution before I put the questions to them. Smith made a statement to me and I have no doubt he told me that it was their intention to have done the robbery on the Tuesday. What he said was "We arranged to commit the robbery on Tuesday." I believe a person named Macey was examined as a witness before the magistrates. I cannot say if he has been before the Grand Jury or not. I heard some man state that Smith had said something about the person being a tight fit, and that he would not give him any "chuck." Some persons named Penny, Blackman and a broom maker were also examined I believe. I don't know if any of these persons are here today.

There was a little rivalry between me and Biddlecombe upon the subject of the case and we have never acted together since. Biddlecombe and I used to be friends and we have quarrelled about this case. I wanted all the prisoners and Biddlecombe wanted them too, but I thought I had the best right to them. I am on very good terms with Biddlecombe now because we never speak (laugh).

I know there is a reward of £150 offered on the case, which is to be paid on conviction of the parties. Smith asked me the meaning of the word accomplice and I believe he also asked me if I thought they would fulfil the promise contained in the bills if he was to “peach?” I have no doubt he used the word “peach”. The prisoners were not allowed to have any professional advice until after Smith had made a statement of which he represented to be the circumstances of the robbery.

Jeremiah Campbell a member of the Guildford police gave evidence that on Wednesday morning after the prisoners had been detained, Levi Harwood told him that on the night of the burglary he left his home about twenty minutes to five and went down the Woodbridge Road till he came to Mr Mayler’s at Stoke and he then turned to the right and went to London and remained there nearly all day. He came back to Guildford by the twenty minutes past five, train. He saw all the prisoners together on the Sunday morning after the burglary. He had not given evidence before the magistrates. He had told Mr Hollington who had been his inspector at the time and so there must have been some reason why he was not called. It was probably because there was some disagreement between Hollington and Biddlecombe that he was not examined.

Louisa Hollington the wife of Superintendent Charles Hollington: On the 2nd October while Levi and Samuel Horwood were in custody in separate cells at the Guildford Police Station she heard Levi Harwood call out “Tidler” and Samuel Harwood reply “Hello who is that?” Levi said “Me!” Samuel replied, “Is it Bony?” Levi “Yes.” Samuel “Come here.” Levi said, “I cannot. I am locked up.” Samuel then asked him where he was taken and Levi gave a response Mrs Hollington could not hear. Levi asked if they had found anything on him and he said they had not. They had only taken 8d. He next asked whether they had searched two places the names of which she could not distinguish, and he replied “No, that’s all right. Goodnight Tidler.” Levi called out Tidler again and said, “Put your mouth down, and don’t speak too loud or else Mrs Hollington will hear you.” Levi Harwood then asked him if he had told them that the jacket belonged to him and Samuel replied that he had and Levi asked what he did that for, and Samuel said it had been done that morning. Levi then asked if the jacket had been wrung out and Samuel replied that it was, and Levi said that was all right. In cross examination: I had no desire to take any advantage of the prisoners and I told the prisoner Levi Harwood several times that a still tongue makes a wise head.

I heard there had been a reward of £150 offered in this case but I do not know who is to get it. There are so many things in law that it is hard to say how it will be disposed of. I have never had any conversation with my husband about the reward. He expects some of it very probably. Biddlecombe also no doubt expects to get some of the reward. I think my husband is entitled to the reward whether he gets it or not. I was not examined before the magistrates. I heard all

the conversations, and my husband knew of it; yet I was not examined as a witness and the prisoners had no means of knowing what I was to prove. I wrote down the conversation but have since lost the paper. I rather think I burned the paper not thinking the contents were of consequence. I have not before been engaged to listen to conversations of this kind and have never been reprimanded for doing so.

Superintendent Biddlecombe who at the time of the burglary of Godalming Police¹⁰³, went to Mr Hollest's house on the 28th October and found a piece of blue worsted under a cypress tree which he has since compared with the stockings that were upon Samuel Harwood and found it to be the same colour and material as the stockings. He also proved he had examined the footmarks of the two men on the gravel and called out the particulars and Mr Hollington put them down in writing. The footmarks on the gravel were not very plain and the persons whoever they were, appeared to have stepped more in the toe than on the heel. On questioning: He would not undertake to say that he made correct measurements of the footmarks. He made them as correctly as he could, considering the state of the gravel.

Hollington was re-called: The length of one of the feet was nine- and three-quarter inches and the width three inches; the length of the other was nine and a half inches and the width three and three-quarters.

Biddlecombe: I measure the feet of Levi Harwood and Smith with a shoemaker's rule, and I called out the measurements to Kendall who took them down. Kendall was recalled to prove that the size of the feet of Smith and Levi Harwood corresponded almost exactly with the footprints that were in the garden.

Thomas Hide a sergeant of police proved that in October he searched the house of Burbage the brother-in-law of the prisoner Jones and found a quantity of green baize. He also searched the house of Mrs Gamp and found a cord jacket and a powder flask belonging to Samuel Harwood

Mrs Hollest was recalled: The small silver cup that has been produced was my property. The workbox is the property of my servant. The cloak was hanging in the hall on the night of the burglary.

This closed the case for the prosecution.

Defence counsel addressed the jury: Levi Harwood: ----- it was idle to suppose that the invasion of a quiet village by a band of mid-night marauders and the barbarous murder of the clergyman of the village, would not necessarily create a strong feeling of indignation and alarm, not only in the county where the dreadful deed was perpetrated but throughout the whole of the country. The facts of the case: The first question they would have to consider was whether the fact of the burglary having been committed had been made out to their satisfaction, and whether the prisoners were guilty of that offence. Of course, if that was not established that is the end to the charge of murder. The chief points against his client were that he had left Guildford on

¹⁰³ At the time of this trial he was a chief superintendent in the newly formed Surrey Constabulary

the Friday afternoon and that he did not return until the evening of the following day and from this it was argued that at all events, he had the opportunity of committing the offence. In addition to this it was sought to be shown that he was seen going in the direction of Frimley and there were some other trifling circumstances from which guilt was sought to be inferred - ----- had they not heard the evidence of the accomplice they could for a moment think of finding a man guilty of the crime of wilful murder upon such evidence. ----- It is up to the jury to decide if they can rely upon the evidence of the accomplice Smith. ---- He had no hesitation in charging the man with the murder---. A man long course of crime and become perfectly callous and dead to any proper feeling---- From Mrs Hollest's evidence it appeared to be impossible for Levi Harwood to have fired the fatal shot but Smith who was the murderer.

It had not been proved that Samuel Harwood was present when the fatal injury was inflicted.

The judge then summed up the case to the jury going through the whole of the evidence with the greatest minuteness and he explained that if they were satisfied that all the prisoners had set out with the determination to commit the burglary and to resort to violence if it was necessary to carry out their intention, in that case it did not signify which was the hand that had actually caused the fatal injury, for all were in law equally guilty of the crime of murder under such circumstances.

After two and quarter hours the jury returned a verdict of guilty against Levi Harwood and James Jones and they declared Samuel Harwood not guilty. The foreman at the same time said that it was their unanimous opinion that neither Levi Harwood nor Jones fired the fatal shot but that was fired by Hiram Smith. Both the guilty men declared their innocence as the judge sentenced them to death.

Samuel Harwood was then charged with the burglary at Frimley and no evidence was offered so he was discharged. Superintendent Morton of Tunbridge Wells then took him into custody for a burglary in Sussex. ¹⁰⁴

The Approver (Queen's Evidence) Hiram Smith was detained in custody until Her Majesty's pleasure be known. ^{105 106}

On more cheerful note in a story with little brightness on an early autumn day, 16 October 1852 at St Botolph's Church in the City of London Mrs Caroline Hollest now a 42-year-old widow married the detective from London, Edward Kendall.

Confession and Execution

4 April 1851: Levi Harwood and Samuel Jones were executed according to their sentence, at Horsemonger Lane Gaol, on Tuesday morning. Jones had been greatly depressed since his sentence, but his companion had behaved with stoical indifference." Jones was so feeble on

¹⁰⁴ The Morning Chronicle, Monday, 31 March 1851

¹⁰⁵ Frimley Murder Home Circuit Assizes Kingston: Morning Chronicle Wed April 2, 1851

¹⁰⁶ 1851 2 April: Frimley Trial: The Standard Wednesday

Tuesday morning that he could hardly stand, and officers had to assist him on to the scaffold. Harwood walked u with a firm step but when the cap was drawn over his eyes he trembled violently and raised his pinioned hands as if in prayer. The two criminals grasped each other's hands and appeared to speak together. Their death was unusually violent. A concourse of seven or eight thousand witnessed the execution. Jones made a confession to the Chaplain, the Reverend W. S. Rowe, the night before the execution. Mr. Rowe gave the following statement to the reporters.

Between ten and eleven o'clock last night, I went to take instructions of the convicts as to the subject matter of the letters which they had previously promised to write to their relatives and on asking the prisoner Burbidge (or Jones) as to what he would wish to have said to his relatives, he said he wished to speak to me before I began the letter; and I said I was ready to hear what he had to say and he re- requested that the Governor might be sent for. When he came, the prisoner proceeded to make the following confession. There were in the room at the time of the murder, Smith, myself, and Levi Harwood. I held Mrs Holiest round the waist: I had a pistol in my hand, and might have shot her, but never intended to do it. Levi Harwood was the man that rushed at Mr. Hollest. I believe that Mr. Holiest was stooping to pick up the poker, and Levi Harwood was the man who fired the shot.' He said with emphasis, 'I am certain of that. Smith and Levi Harwood both ran out of the room, leaving me the last person in it. I followed as soon as I could get away from Mrs Holiest. Then I immediately left the room and overtook them just on the other side of the turnpike-gate. All four, namely, Levi Harwood and Samuel Harwood, Smith and myself—came on together.

After I had left the premises and had got into the main road, I heard the sound of firearms, as from the house of Mr. Holiest. The account given by Smith of what took place in the room is quite true and Mrs Holiest is mistaken in swearing as to her belief that it was Levi Harwood who held her, as it was me. Myself and Samuel Harwood parted from Smith and Levi Harwood about four miles from Frimley, and came on together. Samuel Harwood made away with the pistols.' Mr. Rowe and the Governor of the gaol immediately went to Levi Harwood and told him that Jones had made a full and free confession and wished to know if he desired to say anything, telling him what his companion had said.

They told him that Jones had said he fired the pistol and asked him whether the statement was true or false? His answer was, "He may say what he likes, sir, I have nothing to say." When Mr. Rowe energetically urged him to state the truth upon such a matter, he repeated the words, 'Sir, I know nothing whatever about it." Early on Tuesday morning, however, he sent for the Governor and said, "The truth has been spoken by. Smith. What was done was never intended to be done." The Governor said, "You mean, the murder was not contemplated?" he answered, "Yes, that is what I mean "and to that statement he fixed his mark. Mr. Rowe read to the prisoners, prayed by them, and talked to them. They both appeared very contrite, particularly Jones. He expressed a hope that Harwood did not feel displeased at his making any confession. Harwood said, "Not the least, I forgive everybody." The two men shook hands. Both were in tears.

Hiram Smith, the approver, was in great agitation till he heard of Jones's confession. On Monday night he was very restless, and several times exclaimed to his fellow prisoners, "I did not shoot him! I hope they will confess." On the following evening, Jones's confession was announced to him. He seemed much relieved and declared that he never intended anything but to speak the truth. He hoped that Government would now pardon him and give him the reward. It is considered probable that he will not be tried for the Frimley burglary but there are other charges of the same kind, which can be brought against him.

The trial of Levi Harwood, with his cousin Samuel Harwood, and James Jones, for the murder of the Reverend George Edward Holiest, at Frimley, in September last, occupied the Judge of Assize at Kingston during Monday and Tuesday. The case against the prisoners was deemed insufficient without the evidence of Hiram Smith, the approver and the chief interest of the trial lay in the point, on which no doubt is felt, that this man actually fired the shot by which Mr. Holiest lost his life. It will be recollected that Mrs Holiest was awakened before her husband, by the entrance of the burglars, and that she got out of bed first. The men wore masks, but they spoke frequently, so that she could recognize their voices. At the trial Mrs Holiest swore to her firm belief that Levi Harwood was the man who pushed her against the wall and used threats against her life to make her keep quiet; and that Hiram Smith was the man who threatened Mr. Holiest when he awoke, struggled with him, and ultimately shot him with the pistol.

A large portion of the time occupied by the trial was taken up by evidence, which was possibly put in with the intention of better judging if its effect on the Jury would be sufficient to insure a conviction without the use of Smith's evidence as approver. The chain of circumstances was strong, but not demonstrative, and it was deemed necessary to place Smith in the box and so he has probably escaped, under the promise of the Queen's pardon as the price of his revelations. His evidence was given with the air of a man wrongfully accused, and anxious to forward the ends of justice from wholly unselfish motives. He ascribed the deadly shot to Levi Harwood.

The bearing of the prisoners, and of Smith during the proceedings of the second day of trial is thus sketched by the reporter of the Times. "The prisoners on first presenting themselves in the dock looked as fresh and confident as they did yesterday. They listened to the evidence adduced against them with much composure and even the full effect of Mrs Hollington's testimony [describing an overheard confession of guilt between two of the prisoners hardly appeared to be appreciated by them.

When their counsel addressed the Jury on their behalf, they leant forward over the front of the dock, and paid the most earnest attention to all that was said. One singular instance of the intenceness with which, though ignorant men, they watched the proceedings may be mentioned. At the commencement of the trial, all the witnesses for the prosecution, except those under

examination, were ordered to withdraw. Notwithstanding that order, Mr. Hollest's brother to the deceased presented himself in court.

Levi Harwood at once went to the Governor of the gaol and pointed him out. Mr. Hollest, observing the movement of the prisoner, at once prudently retired. The interest and evident satisfaction with which the accused listened to the defences made on their behalf by their counsel were changed into a different but not less impetuous channel when the learned Judge proceeded to sum up the evidence on the whole case. As under that calm and deliberate review of all the circumstances each saw his chances with the Jury reduced to their exact limits, a great and obvious alteration took place in their appearance and bearing. Jones, upon whom the evidence bore strongest, [the penny token was found in his possession,] though his animal courage did not desert him, exhibited through his coarse, sullen, and hardened features, the distinct traces of extraordinary emotion.

His complexion deepened into a dull bronze hue, and his face was suffused with perspiration, the result of mental anxiety. Levi Harwood was not less moved, though he showed it in a different manner. He moved restlessly about in the dock, never remaining for more than a minute in the same position. His eyes rolled wildly from the bench to the bar-table and the Jury and though his cheek did not blanch, his features appeared to shrink up and become attenuated under the violence of his sufferings.

Samuel, his cousin, seemed more at his ease than any of the prisoners, partly from the peculiar stolidity of his disposition but even his countenance was flushed with emotion when the Jury returned their verdict [which acquitted him]. By far, however, the most remarkable characteristic of this day's proceedings, was not what place in the dock, but in a small box near it, where Hiram Smith sat alone, listening to the evidence against his accomplices in crime, and seeing the last links in the chain of proof against them supplied. He was calm enough while this was going forward but when the counsel for the prisoners rose, and one after the other denounced him as a self-convicted murderer and a perjured witness, he fairly quailed under their attacks. His face was over- spread with a deathlike pallor, and his whole appearance was that of a man suffering the most intense anguish."

Baron Parke summed up the case at elaborate length. The Jury retired for nearly two hours to consider their verdict. They found Levi Harwood and James Jones "guilty", Samuel Harwood "not guilty" and they declared themselves unanimously of opinion that neither Levi Harwood nor James Jones fired the shot, which caused Mr. Hollest's death. On being asked if he had anything to say why sentence of death should not be passed upon him, Levi Harwood, his body stretched forward over the dock, said, " I am as innocent of the murder of which I stand indicted as any man in this court : I am as innocent as this man, (pointing to some person who stood near,) or even as your Lordship, both of the burglary and of the murder." Jones also said, " I am innocent of the charge against me: I am quite innocent." Levi Harwood, again speaking, and shaking his head earnestly, said—" The Jury have not looked strictly into this matter."

Baron Parke explained to the convicts, that though neither of them fired the shot, they had both intended to fire in case of resistance and were therefore rightly found guilty of the murder. He sentenced them to be hanged; and with great emotion besought them to repent before they die.

Samuel Harwood, on being discharged from custody, was at once arrested on the charge of being concerned in a burglary committed in Sussex; the chief evidence in which case will, it is said, be given by an approver. Hiram Smith remains in custody awaiting her Majesty's pleasure with regard to him.¹⁰⁷

Execution

Seven to eight thousand people were present for the execution of Levi Harwood and Samuel Jones alias Burbridge at Horsemonger-lane Gaol. The executioner Chalcraft had to pull their legs to complete the execution.

Rev. W S Rowe the chaplain informed the press that both men made a full confession.

Jones: There was in the room at the time of the murder, Smith, myself and Levi Harwood. I had Mrs Hollest around the waist. I had a pistol in my hand and might have shot her but never intended to do it. I believe Mr Hollest was stooping to pick up the poker and Levi Harwood was the man who fired the shot. I am certain of that. Smith and Levi Harwood both ran from the room leaving me the last person in it, I followed as soon as I could get away from Mrs Hollest. I immediately left the room and overtook them just on the other side of the turnpike gate. All four namely Levi Harwood and Samuel Harwood, Smith and myself came together. After I had left the premises and got to the main road, I heard the sound of firearms as from the house of Mr Hollest. The account given by Smith of what happened in the room is quite true and Mrs Hollest is mistaken in swearing as to her belief it was Levi Harwood who held her as it was me. ----- In the Rose and Crown, Levi Harwood was with Mary Crowder the lady he lived with. Jerry Campbell a policeman had previously looked in and had gone out again and in ten minutes Hollington came with three policemen and apprehended us.

Levi Harwood was seen by the governor and told what Jones had confessed but Harwood insisted he knew "nothing whatever about it." The following day an hour before execution Harwood sent for the governor and said, "The truth has been spoken by Smith. What was done was never intended to be done." Governor "You mean the murder was not contemplated?" Harwood "Yes that is what I mean."

Hiram Smith the Approver (Queen's Evidence) will be tried for a burglary at Farnham where he committed the offence in company with Samuel Harwood and the parties who were executed. Smith has been confined amongst remand prisoners. The prison governor visited Smith and told him Harwood had confessed supported by Jones "just before they departed this earth." It is thought that the government will offer no evidence against Smith regarding the

¹⁰⁷ 5 April 1851 The Spectator

Frimley murder. However, there will be evidence connecting Smith and Samuel Harwood, together with the two executed men, in a robbery (burglary).^{108 109}

1851 19 April Saturday: The Approver Smith has been confined amongst remand prisoners; his two accomplices were executed Tuesday morning.¹¹⁰

Two Surrey men repent on the scaffold after a local clergyman is killed while they're burgling his house. But did the real murderer escape?

The Ballad

Of all the crimes on Earth the worst,
Foul murder is of all accursed,
Assassins are by all abhorred,
Despised by men, condemned by God.

We are condemned and death is nigh,
And in two dismal cells we lie,
James Jones and Harwood: it is true,
We've murder done, no pity knew.

A minister of God we've slain,
For sake of gold, man's curse and bane,
Poor Mr Hollest kind and good,
We left him weltering in his blood.

To Frimley Grove, 'twas there we went,
On robbing we were fully bent,
The rector's house we soon broke in,
And then to plunder did begin.

With faces masked, disguised to all,
And pistols loaded well with ball,
Like vile assassins on we crept,
To where the good old couple slept.

But Mrs Hollest struggled brave,
And nobly fought their lives to save,
Undaunted, boldly bore her part,
A woman with a warrior's heart.

Her husband had one ruffian down,

¹⁰⁸ 1851 19 April: Hampshire Telegraph Saturday:

¹⁰⁹ Leeds Mercury Saturday April 19 1851

¹¹⁰ 1851 19 April: Hampshire Telegraph Saturday

And held him firmly on the ground,
The coward wretch for help did call,
'Twas then the other fired his ball.

Thy wound was fatal, good old man,
Thy blood in streams around it ran,
We both escaped while thou didst bleed,
And now we suffer for the deed.

How could we thus such monsters prove,
To murder those whom all did love?
To want thou didst assistance lend,
And ever was the poor man's friend.

Widows weep thy loss: they mourn,
The only friend they had is gone,
And orphans' tears they quickly fall,
For thou a father's been to all.

And Mrs Hollest? She was kind,
Distress in her a friend did find,
Her sole delight it seemed to be,
To dry the tears of misery.

So we confess the crimes we've done,
Is there no hope on Earth? There's none,
Grim death will drag us to the tomb,
A scaffold is the murderers' doom. ¹¹¹

A Summary of the Hollest Murder

The Facts: James Jones, Levi Harwood and Hiram Smith were all members of a notorious gang of burglars, which plagued the Surrey countryside in 1850. The Illustrated London News described them as "three young men of bad character [who] are well-known to the local police as very daring thieves, and each of them has been several times in custody". On the night of Reverend George Hollest's murder, Samuel Harwood, Levi's younger brother, completed the gang.

¹¹¹ <http://www.planetslade.com/broadside-ballads-jones-and-harwood.html>

The burglars fled and Reverend Hollest, not yet realising he'd been shot, gave chase. The Hollests lived in the parsonage at Frimley Grove, a village of some 40 or 50 houses about a mile and a half from Farnborough Station in Surrey. Hollest, who was 54 years old, had been the curate there for 17 years. The house, which stood on the western edge of the village about 100 yards from its nearest neighbour, was also home to Mrs Hollest and three live-in servants. Both the Hollests were well liked in the neighbourhood for their many charitable works.

Smith and Samuel Harwood first called at the parsonage towards the end of September 1850, posing as tradesmen hoping to sell their earthenware dishes there, but actually studying the place for a potential break-in. On Tuesday, September 24, they briefed Jones and Levi Harwood on what they'd found, and the four men agreed to rob the Hollests that Friday night. As it happened, this was the same Friday night the Hollests' two teenage boys would return home from boarding school for the Michaelmas holidays.

When Friday came the four thieves met about 9pm on a hilltop about two miles from Frimley Grove, where they loaded their two pistols with marbles. A little after midnight, they were gathered on the grass outside a Mr Mayberry's house in Frimley Grove, where one of Mayberry's servants spotted them and later identified Smith and Jones as two of the men she'd seen.

Reaching the parsonage, they slipped round to the rear of the house and broke a scullery window. They then cut away at the woodwork anchoring an iron bar, which blocked the window's access and took that bar out, leaving Samuel Harwood as a lookout outside while the other three climbed in. Everyone in the house had retired to bed by that time, leaving the gang to move through the empty ground floor with no interference. They took two shillings from a workbox there, plus two watches and whatever else they could find worth stealing. As they moved from one room to the next, they jammed each internal door open behind them in case they needed to make a quick exit. They called Samuel Harwood inside, donned linen masks to conceal their faces, and then it was time to move upstairs.

"About three o'clock in the morning, I heard lootsters in our bedroom," Mrs Hollest later testified. "And I saw two men at the foot of our bed. One of them put his left hand on me, and his right hand held a pistol, which appeared to be levelled at my head. One of the men was a little taller than the other. The tallest seized Mr Hollest in the same way and levelled a pistol at him. As nearly as I can recollect, both of them said together that, if we made any noise, they would blow our brains out. Mr Hollest at first thought it was our boys playing a trick upon him, and he told [them] to go to bed. I saw at once the terrible reality and sprang out of bed on the left-hand side to ring a bell, the rope of which hung down at the head of the bed. On my doing so, one of the men rushed towards me and pushed me down with so much force that the bell rope broke in my hand. The man continued to press me down and held a pistol close to my

eyes. While in this position, I heard my husband, who had also got out of bed, scuffling with another man on the other side of the room and presently afterwards, I heard the report of a pistol."

Mrs Hollest couldn't see it at the time, but her husband had reached down to grab a poker by the bed, hoping to use it as a weapon, and that action had panicked his assailant into firing. Apparently fearing that it was his comrade who'd been shot, the man restraining Mrs Hollest let her squirm free and reach a handbell, which she started ringing as loud as she could. The burglars ran out of the room and Mr Hollest, not yet realising he'd been shot, gave chase. He seized a loaded gun - whether his own or one dropped by the robbers is not clear - and fired a single shot after them as they fled across the front lawn.

Mrs Hollest opened the bedroom window in time to see two of the men disappearing, and then started ringing her handbell again to raise the alarm. "I went to my children's room and, on the landing, I met Mr Hollest coming upstairs," she told the court. "He said to me 'The fellow has shot me', and at the same time showing his wound." She sent one of the servants to fetch William Davies, the local doctor, who arrived at about 3am.

"I found Mr Hollest in bed," Davies later said. "He did not appear to suffer much at that time. He was perfectly collected and related to me the circumstances that had previously occurred. He showed me his nightshirt, which was saturated with blood [...] the wound had every appearance of being caused by a gun or pistol. I remained with Mr Hollest till 8 o'clock Saturday morning. I considered from the appearances and the direction the body had taken that the wound was mortal."

Sure enough, Hollest died at about 8:20pm on Sunday. "I was with him at his death," Davies testified. "He suffered the most excruciating agony." A post-mortem found a grey marble lodged under Hollest's bladder, just like those the robbers had loaded in their pistols on Friday night. The angle of entry confirmed he'd been stooping over when the shot was fired.

The murder caused a great deal of consternation in Surrey, where many householders in rural areas feared their homes were beyond the reach of the city-based police. "It would be difficult to describe the state of fear and alarm that prevailed in the county in consequence of the dreadful event [...] at Frimley," the Illustrated London News reported: "Few murders have excited greater horror," agreed The Spectator. The UK Government offered a £100 reward (about £10,000 today) for information leading to conviction of the guilty men, and Hollest's family added a further £50 to the pot.

All this must have added to the pressure on police to catch the culprits, and a detective sergeant called Kendall was sent down from London on the same night Hollest died. Later that evening,

Smith, Jones and Levi Harwood were arrested on suspicion of the robbery at a Guildford pub called The Rose & Crown. Samuel Harwood followed them into custody a few days later.

At an inquest hearing on Monday, September 30, Mrs Hollest said that she'd seen only two men in her bedroom that night, both of whom wore linen masks. She suspected a third must have been present too, as that was the only way to account for a missing watch which she'd have seen being taken if either of the first two men were responsible. Of the three men in custody so far, Levi Harwood seemed particularly familiar to her, convincing Mrs Hollest by his general appearance and his squeaky voice that he had been the man holding her down while someone else shot her husband.

The inquest jury found that Smith, Jones and Levi Harwood had a case to answer for wilful murder, but that there was not enough evidence to lay a similar charge against Samuel Harwood. The three accused were known to have been absent from home on the night of the murder, had already been caught in several lies about what they claimed to be doing that night, and Mayberry's servant had seen two of them near the Hollests' home shortly before the break-in.

There was other evidence against them too. One of the Hollests' servants had found four or five round pieces of green baize in the parlour after the robbery, which matched the material used in two discarded masks discovered nearby. A matching piece of baize was found at Samuel Harwood's house, suggesting perhaps that he had supplied the material for their masks and cut out the necessary eyeholes when already in the Hollests' house.

Footprints on the lawn and gravel outside the parsonage showed marks where one of the fleeing robbers seemed to have stumbled and fallen to the ground. These matched the size of both Smith and Levi Harwood's feet, and Levi had an injured toe, which could have been caused by just such a fall. A scrap of stocking worsted recovered from the scene matched stockings worn by Samuel Harwood.

Most incriminating of all was a damaged copper penny, found in Jones' pocket when he was arrested at The Rose & Crown. A local schoolmistress called Bulpin had passed this coin, which bore an image of King George III to Mrs Hollest for her parish-clothing fund. The two women had discussed the coin a few days before the robbery, noting that the word "penny" on one side was almost obliterated, and that the king's nose on the other side's portrait was terribly battered too. They pondered for a moment whether it was too damaged for anyone to accept it as genuine currency, but then decided to add it to the bag where Mrs Hollest kept the fund's accumulated contributions. That bag had been one of the things stolen from the parsonage on September 28, and now here the coin was again in a key suspect's pocket. Mrs Hollest identified the penny after it had been recovered from Jones, who claimed he'd been given it in change at the pub.

The circumstantial evidence against them was mounting, but the three accused were canny enough to know that the police still had nothing conclusive. They continued to deny every point of the charges against them, insisting they had not even been in Frimley that night. "As these were skilful and determined ruffians, and kept their own counsel, nothing had yet been discovered which brought the crime clearly home to them," The Annual Register concluded.

Magistrates and police wanted to make sure Smith, Jones and Levi Harwood had no opportunity to cook up a story between themselves while the investigation continued, so they sent each man to be locked up in a different town's cells. One went to Farnborough, one to Guildford and one to Godalming.

Smith was still locked up in Guildford Gaol on Monday, October 14, when he asked to see Mr Keene, the prison governor. Keene came to confer with Smith in his cell, where Smith asked to see again the handbill offering £150 reward. He asked Keene if the bill's promise of a pardon would apply if he "peached" - an old English word meaning to betray or inform against.

"He was told that he must use his own judgement," The Annual Register reports. "Thereupon, being duly cautioned, he made a confession to the effect that he, Jones, Levi and Samuel Harwood had broken into the house, plundered the lower apartments and disguised themselves. They then proceeded upstairs, and, in the ensuing scuffle, Levi Harwood fired the pistol at Mr Hollest." In the legal parlance of the day, this made Smith an "approver" - someone who agreed to testify against his friends in order to escape his own punishment for the same crime.

In Smith's account, it was only Jones and Levi Harwood who went into the bedroom armed with pistols. Smith said he had followed them into the room, but that they had left Samuel Harwood standing guard outside with a screwdriver.

"Mrs Hollest instantly got from her side of the bed, Jones being on her side of the bed, Levi Harwood at the foot of the bed and myself against Mr Hollest's side of the bed," he said. "Mr Hollest jumped out of bed and went to take hold of Levi Harwood, when he immediately fired the pistol at Mr Hollest."

Keene took the full confession down in writing and passed it to the police. Later the same day, Smith, Jones and both Harwood brothers were taken to Horsemonger Lane's courtroom to face the magistrates again. The four men were arranged in a crescent shape before the bench, each separated from his neighbour by a guard to prevent communication or violence between them. The magistrates' clerk, a Mr Smallpiece, read Smith's confession aloud while the four thieves listened. "Smith remained with his eyes fixed to the ground," The Annual Register says, "Levi Harwood swung himself to and fro, occasionally, and shot looks full of the most savage anger at his approver accomplice, his hands all the time being deeply buried in his breeches pockets,

as if to restrain himself from some act of violence. Jones scowled fiercely forward, and Samuel Harwood looked more and more alarmed. When the reading of the confession had terminated, Levi Harwood exclaimed in a subdued tone of voice: 'It is all false what he says, gentlemen, all of it.' "Jones then, for the first time since the announcement of the confession, turned towards Smith, and in a voice rendered hoarse by the vehemence of his passion, said: 'I hope you will get shot yourself some day for what you have said'."

Reporting the confession, the Illustrated London News pointed out that it looked as if much of Smith's account would prove to match the independent testimony and physical evidence already gathered. "If this should be correct, the case will be quite complete," it said. The police returned all four men to their cells while investigations continued. They were committed for trial, and a court date found the following Spring.

The trial began at Kingston Assizes at the end of March 1851, with huge crowds gathering there to watch. "Not a hundredth part of the persons who flocked into Kingston to hear the proceedings could obtain entrance into the court," The Annual Register tells us. Jones and the two Harwood brothers were all charged with murder, but Smith was required in court only to testify against them.

A lawyer called Ballantine, who questioned Mrs Hollest, defended Levi Harwood and she confirmed that, when she'd seen Hiram Smith at the inquest hearing, she'd believed him - not Levi Harwood - to be the man who'd both struggled with her husband and shot him. "Do you believe so now?" Ballantine asked. "I do," Mrs Hollest replied.

"This remark was made most emphatically by Mrs Hollest, and created a thrilling sensation throughout the court," The Annual Register says, "It was thought by many that it would go far to destroy the evidence hereafter to be given by the approver Smith." When the time came for Smith's own testimony, The Annual Register adds, he "seemed thoroughly depressed and trembled violently".

"Levi Harwood was standing on my right," Smith told the court. "I had no pistol in my hand. I had a watch in one hand and a candle in the other. Levi Harwood was about a yard or a yard and a half off Mr Hollest when he fired at him. [...] I did not struggle with Mr Hollest at the fireplace, and I did not see him struggling with anyone else." Summing up his defence for Levi Harwood, Ballantine asked the jury if they would even consider convicting his client for murder on the evidence presented if it had not been for Smith's statement as well. He bluntly accused Smith of being the real killer, saying he'd told "falsehood after falsehood and lie after lie". Not the slightest reliance should be placed on this man's testimony, he warned.

Ballantine said he could not understand why the prosecution had decided to place Smith in the witness box instead of the dock, and now proposed to hang two innocent men on his testimony alone. It appeared to him, he said, that if Smith had been tried for the crime, the evidence against him would have been quite conclusive. "His object evidently was not only to escape the consequences of his crime, but also to obtain a portion of the reward that had been offered," he told the jury.

Jones' and Samuel Harwood's defence counsels took a similar line, adding their own accusations that Smith was a murderer and a perjured witness. "He fairly quailed under their attacks," *The Annual Register* says. "His face was over-spread with a death-like pallor, and his whole appearance was that of a man suffering the most intense anguish." The jury took a little over two hours to reach their decision, returning with a verdict that Jones and Levi Harwood were both guilty of murder. The foreman added, however, that it was the unanimous opinion of the jury that it had actually been Smith who fired the fatal shot.

Baron Parke, the judge agreed saying, "probably this is the fact". On a point of law, though, he explained that, in a case like this, where all those involved were equally prepared to resort to violence in pursuit of their illegal aims, the act of one must be viewed as the act of all. In the eyes of the law, Jones and Harwood were guilty, no matter which individual had fired the shot, and that meant they must hang. The jury petitioned Sir George Grey, the Home Secretary, to commute Jones and Harwood's death sentence, but he declined to do so. The injustice of hanging them was more apparent than real, he said, and Parke's sentence was perfectly justified in law.

"It might possibly have sufficed to prove the case without the assistance of the ruffian [Smith], who would in that case have been placed at the bar with his fellows," *The Annual Register* concluded, "But the law officers very properly resolved that there should be no doubt upon the case". Parke himself was not entirely happy with this tactic, however, and signed a warrant returning Smith to the cells at Horsemonger Lane as soon as the trial was over.

Jones and Harwood's hanging day was set for April 15, 1851, and barriers set up around the scaffold at Horsemonger Lane to help manage what police knew would be a big crowd. As the two men awaited their fate, Harwood maintained a sullen demeanour, insisting again and again that he had not killed anyone.

Jones, on the other hand, softened considerably in gaol. On the evening before his execution, he made a statement to the prison chaplain saying: "Levi Harwood was the man who fired the shot, of that I am certain. The account given by Smith of what took place in the room is quite true."

This statement was taken to Harwood, who at first replied he had nothing to say. An hour before he was due to go to the scaffold, though, he called for Horsemonger Lane's governor and said: "The truth was spoken by Smith. What was done was never intended to be done." Asked by the governor if he meant the guns had been intended only to scare the Hollests rather than to harm them, he replied "Yes".

Jones and Harwood were duly hanged before what The Annual Register called "an immense crowd" on the morning of April 15, 1851. Their executioner was William Calcraft, England's most famous hangman, who was notorious for the "short drop" hangings he favoured. These allowed the condemned men to fall only three feet before the rope halted them, ensuring they strangled slowly to death rather than dying instantly from a broken neck. Powell's ballad sheet records that Jones and Harwood struggled for a full three minutes at the end of their own ropes before falling still.

Smith was eventually brought to trial for Hollest's murder, but the Crown brought no evidence against him, so he was automatically found not guilty and allowed to go free. He complained bitterly at his treatment throughout this period, calling on the Home Secretary to honour his promise of freedom and give him a share of the £150 reward. "It is understood that the intention of the Government is to hand over a small sum of money to Smith and make some arrangements that will remove him from the country," The Law Times reported.

Samuel Harwood found himself in court again in August 1851, this time accused of a burglary in the Sussex village of Kirdford, which he'd carried out three months before the Frimley job. He and his companion John Isaac were both found guilty and sentenced to transportation for life.¹¹²

¹¹² <http://www.planetslade.com/broadside-ballads-jones-and-harwood.html>

THE LATE FATAL BURGLARY AT FRIMLEY.

On Monday, Levi Harwood, Samuel Harwood, and James Jones were placed before Baron Parke, at the Kingston assizes, charged with burglary, and the murder of the Rev. Mr. Hollest, at Frimley, on the night of the 27th of Sept. last. The trial was not concluded until Tuesday evening.

Hiram Smith, their accomplice, who, in the opinion of Mrs. Hollest, is the man that shot her late husband, was admitted approver.

The case was noticed so fully at the time of its occurrence, and public attention was so long fixed upon it, that it is unnecessary to detail the circumstances again as given in evidence.

The Jury gave a verdict of guilty against Levi Harwood and James Jones, and declared Samuel Harwood not guilty. The foreman at the same time said that it was the unanimous opinion of the jury that neither Levi Harwood or Jones fired the fatal shot at the deceased, but that it was fired by Hiram Smith.

The convicts were sentenced to death.

After they had been removed, Samuel Harwood was arraigned upon the charge of burglariously breaking and entering the dwelling-house of the deceased gentleman, but no evidence being offered on behalf of the prosecution, the learned Judge directed the jury to return a verdict of not guilty.

He was taken into custody upon his leaving the court by Mr. Morton, the superintendent of police at Tanbridge Wells, upon a charge of being concerned in another burglary in Sussex.

The approver, Hiram Smith, was ordered to be detained in custody until her Majesty's pleasure should be made known respecting him.

Kirdford – court appearance April 1851

In 1850 on the night of the 4th June a burglary was committed in Sussex in the village of Kirdford.¹¹³ The full details of this offence were revealed in 1851 when a number of men were taken before the court charged with the burglary. These were desperate men one of who was Samuel Harwood, one of those charged with the murder of the Rev. G Hollest and who was acquitted on Tuesday 1st June at Kingston. Harwood was brought before the magistrates at Horsham, Sussex charged with James Hamilton, one of the Uckfield burglars (of which more below) by Mr Biddlecombe, described by the papers as “the active superintendent of the Surrey Constabulary,” with having broken and entered the dwelling house of Mrs Harriet Stoner of Kirdford, Sussex on the 4th of June 1850, together with James Jones, Levi Harwood (now under sentence of death in Horsemonger-lane Gaol for the Frimley murder) John Hones alias Smith (transported for life for the Uckfield burglary) and John Isaac.

Mrs Stoner gave evidence at Horsham court that that on the 4th June her house was entered at about three o'clock in the morning by six men aged from 20-30 years, each with a mask on and five with their shirts outside their other clothes. One wore a dark round frock another had a pair of dirty yellow trousers with a dark stripe up the outside seam. Two of the men held Mrs Stoner down in the passage each holding a pistol to her head threatening to blow her brains out unless she gave up her money. The mask fell off one who was of sallow complexion, about 28 years

¹¹³ Daily News (London, England), Wednesday, April 9, 1851

of age. Mrs Stoner gave them her pocket (purse) in which were two canvas bags containing £7 10s in gold and £4 in silver, after which they left the place.

In order that the magistrates could consider whether they would accept Hamilton as an “Approver” against Harwood, the enquiry was adjourned.¹¹⁴

The Frimley Murderers – another charge of burglary

Yesterday Samuel Harwood, one of the persons charged with the murder of the Rev. G Hollest and who was acquitted on Tuesday 1st inst., at Kingston was brought before the magistrates at Horsham, Sussex charged with James Hamilton, one of the Uckfield burglars by Mr Biddlecombe the active superintendent of the Surrey Constabulary with having broken and entered the dwelling house of Mrs Harriet Stoner of Kirdford, Sussex on the 4th of June last, together with James Jones, Levi Harwood (now under sentence of death in Horsemonger-lane (sic) Gaol for the Frimley murder) John Stones alias Smith (transported for life for the Uckfield burglary) and John Isaac. It appeared from the statement of Mrs Stoner that on the day in question her house was entered at about three o’clock in the morning by six men from 20-30 years of age, each with a mask on and five with their shirts outside their other clothes. One had a dark round frock on, another had a pair of dirty yellow trousers with a dark stripe up the outside seam; two of them held her down in the passage each presenting a pistol to her head and threatened to blow her brains out unless she gave up her money. The mask fell off one who was of sallow complexion, about 28 years of age. Witness gave them her pocket in which were two canvas bags containing £7 10s in gold and £4 in silver, after which they left the place. James Hamilton one of the prisoners then made the following statement having been previously cautioned by the bench.

“Last spring was the first time I met with Isaac. I met him on Farnham-common. He has no regular residence but lives in a travelling wagon. He came to me there. He had two donkeys. I bought one. He told me it was stolen. I afterwards sold it. He then planned it out to make a robbery at Kirdford near Petworth. He went to Guildford for two men to help and brought back three, Levi Harwood, and the prisoner James Jones. Isaac told me to meet them at a place called Hidings Ball in Godalming (probably Hyden Ball) and bring their old clothes and a lanthorn (sic). They all five came and met me there making six of us. We agreed to go two at a time and meet in a wood between Ridford and Ball’s Cross. We all six met there. When night came two of us went forward to watch the place we intended to rob; the other four of which I was one remained behind until the two came back to us. We then all stripped and disguised ourselves and put on masks. We all went to the house on Cadford Common, the residence of Mrs Stoner. The Guildford men broke through the shutters and took out the whole frame of glass when one went in and let the others in. We all looked about to find the money but did not find any. They then went into the kitchen and found the stair-foot door fastened. Mrs Stoner heard us then and said, “Who is there?” Several of them burst upon the door and we all ran upstairs. Mrs Stoner

¹¹⁴ Daily News (London, England), Wednesday, April 9, 1851

screamed and ran into another room. Isaac took hold of her to stop her noise when his mask slipped off. She then gave one of the men her pocket. I only had 3s 6d. We parted and I did not see the Guildford men anymore. This was the first time I was led into it”

In order that the magistrates might consider whether they would accept Hamilton as an approver against Harwood, the enquiry was adjourned.¹¹⁵ They were on Saturday again examined before the magistrate at Horsham- Mr W Biddlecombe, chief superintendent of the Surrey Constabulary requested an adjournment of the case in consequence of a communication he had received that morning that John Isaac had been apprehended in Somersetshire, whom he believed to have been concerned in the Kirdford burglary and also the Uckfield burglary. If a remand were granted, he should be able to place Isaac in the dock with other prisoners. The statement of Hamilton was then read which fully corroborated the evidence of Mrs Stoner and disclosed the evil doings of himself and his associates. The man Isaac is one of the eight men who entered the house of the Misses Farncombe, and it is stated he was one of the gang involved in the Frimley murder. ^{116 117}

The Frimley Murder: Disposal of Hiram Smith the Approver

This man, the associate in murder and burglary of the two men executed on Tuesday morning, has been since the trial confined amongst the prisoners on remand and through the newcomers had gleaned information when they would undergo the sentence of the law. On Monday night he was very restless on his bed, and several times exclaimed to his fellow prisoners “I did not shoot him; I hope he will confess.” He had heard it was suspected that he was the man who shot Mr Hollest and has been in a great state of agitation. In the evening he was visited by the governor of the gaol and some of the authorities when it was announced to him that Harwood had confessed to the reverent gentleman and had asserted that his (Smith’s) evidence was all true, and Mrs Hollest was mistaken. He was also told that Jones made the latter observation a few minutes prior to them leaving this world. The prisoner seemed very much relieved at receiving this information. He hoped that the government would pardon him and give the reward offered. No allusion was made to the latter by the authorities and the prisoner was left to his meditation among his fellow prisoners. He will however be detained in Horsemonger Lane gaol until the Surrey Summer Assizes when he will be arraigned by the coroner’s inquisition, but it is probable that the government will offer no evidence against him respecting the Frimley tragedy. He will then tried for the burglary at Farnham, as sufficient evidence will soon be adduced to prove his connexion with a recent robbery there, in company with Samuel Harwood and the parties that were executed.

¹¹⁵ Daily News (London, England), Wednesday, April 9, 1851

¹¹⁶ Daily News (London, England), Wednesday, April 9, 1851

¹¹⁷ The Derby Mercury (Derby, England), Wednesday, April 16, 1851

Further Court Appearance – Kirdford burglary

14 April 1851: They men were again on Saturday examined before the magistrate at Horsham with the town hall crowded to excess and in addition to the burglary of Mrs Stoner it was believed that the death of Mr Griffith by the roadside between Horsham and Brighton in 1849 would be investigated. ¹¹⁸

James Hamilton one of the prisoners who turned Queen's Evidence against the gang and from him details of how the gang worked was uncovered. On this court appearance Hamilton made the following statement having been previously cautioned by the bench.

“Last spring was the first time I met with Isaac. I met him on Farnham-common. He has no regular residence but lives in a travelling wagon. He came to me there. He had two donkeys. I bought one. He told me it was stolen. I afterwards sold it. He then planned it out to make a robbery at Kirdford near Petworth. He went to Guildford for two men to help and brought back three, Levi Harwood, and the prisoner James Jones. Isaac told me to meet them at a place called Hidings Ball in Godalming (probably Hyden Ball) and bring their old clothes and a lanthorn (sic).

They all five came and met me there making six of us. We agreed to go two at a time and meet in a wood between Ridford and Ball's Cross. We all six met there. When night came two of us went forward to watch the place we intended to rob; the other four of which I was one remained behind until the two came back to us. We then all stripped and disguised ourselves and put on masks. We all went to the house on Kirdford Common, the residence of Mrs Stoner.

The Guildford men broke through the shutters and took out the whole frame of glass when one went in and let the others in. We all looked about to find the money but did not find any. They then went into the kitchen and found the stair-foot door fastened. Mrs Stoner heard us then and said “Who is there?” Several of them burst upon the door and we all ran upstairs. Mrs Stoner screamed and ran into another room. Isaac took hold of her to stop her noise when his mask slipped off. She then gave one of the men her pocket. I only had 3s 6d. We parted and I did not see the Guildford men anymore. This was the first time I was led into it”

Mr W Biddlecombe, chief superintendent of the Surrey Constabulary requested an adjournment of the case in consequence of a communication he had received that morning that John Isaac had been apprehended in Somersetshire, whom he believed to have been concerned in the Kirdford burglary and also the Uckfield burglary. If a remand were granted, he should be able to place Isaac in the dock with other prisoners. The statement of Hamilton was then read which fully corroborated the evidence of Mrs Stoner and disclosed the evil doings of himself and his

¹¹⁸ 1851 14 April: Morning Post Monday

associates. The man Isaac is one of the eight men who entered the house of the Misses Farncombe, and it is stated he was one of the gang involved in the Frimley murder.¹¹⁹

1851 April 14: Monday: Horsham – Apprehension of another Burglar: The town hall was crowded to excess and in addition to the burglary of Mrs Stoner it was believed that the death of Mr Griffith by the roadside between Horsham and Brighton in 1849 would be investigated – a statement having been made by one of the prisoners in the Uckfield case implicating not only Harwood but the convicts under the sentence of death for the Frimley murder and Smith the Approver¹²⁰

1851 April 19: Saturday: Hiram Smith the Approver (Queen’s Evidence). Smith has been confined amongst remand prisoners – two men executed Tuesday morning. The prison governor visited him, and informed Harwood had confessed supported by Jones “just before they departed this earth.” It is thought that the government will offer no evidence against Smith regarding the Frimley murder. However, there will be evidence connecting Smith and Samuel Harwood, together with the two executed men, in a robbery (burglary).¹²¹

1851 April 19: Wednesday: Charge of burglary Harwood: Samuel Harwood acquitted 1st instant at Kingston for the murder at Frimley was charged before magistrates at Horsham with burglary at Kirdford. (4th June last: James Jones, Levi Harwood (under sentence of death at Horsemonger-lane), John Stones alia Smith (transported), John Isaac, Samuel Harwood)¹²²

1851 April 19: Horsham Court: Apprehension and committal of the remainder of the Frimley gang: The court was densely crowded with gypsies. At twelve o’clock the prisoners were placed at the bar: John Isaac (captain of the gang) (six of whom were at the late Sussex Assizes transported for life), Samuel Harwood (brother of Levi Harwood who was executed at Horsemonger-lane gaol for the murder of the rev Hollest) and James Hamilton the approver in the case of the Uckfield Burglary. Harwood was implicated in the murder, but it was shown he was not in the room at the time when the shot was fired, was acquitted but re-arrested on a charge of burglary.

The prisoners were charged with breaking into the dwelling of Harriet Stoner at Kirdford-common and stealing monies and other property the following evidence was given:

Mrs Harriet Stoner: 4th of June last, she keeps a small grocer’s shop and between three and four o’clock, she was aroused by the crashing in of a door on the staircase. (The prisoners had gained entry by removing the glass and iron bars of a back window.) On hearing the noise, she got out of bed and went into the passage to call the servant when two men seized her, each of who had a pistol in his right hand and wore a black mask. They threw her down in the passage and demanded her money or they would blow her brains out. Each man held a pistol by the side of her head and another man stood in front with a chisel in his hand, which was flourished over

¹¹⁹ The Derby Mercury (Derby, England), Wednesday, April 16, 185

¹²⁰ 1851 14 April: Morning Post Monday

¹²¹ 1851 19 April: Hampshire Telegraph

¹²² 1851 19 April: Daily News

her head and throat. She was not able to speak in consequence of the violent manner they held her down. One man pressed on her nose and another grasped her throat. The three used the most violent language and threatened to blow her brains out if she did not give up her money. One who held a pistol said, "tell us where your money is." One of the others said, "Blow her brains out if she does not tell." She was much alarmed. The mask of the man who held the chisel fell from his face. He drew it back and put it on again. This man said, "Don't hurt her; don't kill her."

Two men came from her bedroom with her keys and desired her to find them her money. She begged of them to spare her life. The man who held the chisel kept behind her and the other two men still kept the pistols pointed to her head. She got to her bedroom and gave them her pocket containing about £10 in money. They took another article. In all there were five men. They went out the back door. One passed her a few moments afterwards and pointed a pistol at her head saying "Silence." She afterwards examined the house and found the drawers and other parts ransacked. Discovered the back shop window cut open. Found a chisel in the passage and a man's cap. The witness said she recognised the voice of Samuel Harwood and recognised John Isaac as the man whose mask slipped. Isaac and Harwood both said the evidence was false. Henry Ekinford who was employed by Mrs Stoner also identified Isaac.

Mr S. Panel superintendent of the Petworth Police found a dark lantern, a chisel and a piece a centre bit in the house of Mrs Stoner on the morning of the burglary. The chisel corresponded with the marks on the staircase door, and which was used in forcing it down.

Mr Henry Hoare of Dunsfold a timber merchant saw six men walking on the high road from Guildford to Kirdford. They were walking two by two. Looking very suspicious characters he observed them more particularly. He identified the prisoner Harwood as being one of the first two men he saw walking along the road, but again Harwood said this was false.

Mr William Henry Biddlecombe, chief superintendent of the Surrey Police stated that he took the prisoner Samuel Harwood into custody on this charge of burglary after he had been acquitted at the Kingston Assizes for the murder of the Rev. Hollest. He told him that he was charged, with five others, in breaking into the house of Harriet Stoner at Kirdford-common. He read to him his description in "Hue and Cry". He replied he knew nothing about it that he was innocent and that at the time he was working for Mr Pewters at the paper-mills. He added that he was employed at night work. Harwood had no questions of Biddlecombe – stated it was right and true.

Hamilton appeared downcast which amused Isaac and Harwood. Isaac was also charged with the Uckfield burglary and the police have a further serious case to bring forward against him if necessary, but the detail was not revealed. It might, just might have been the murder of Mr Griffiths at Pyecombe the previous year. ¹²³

¹²³ The Standard Monday April 21, 1851:

April 21, 1851: A statement from Hamilton was read out.¹²⁴ The men were committed for trial. Hamilton seemed downcast which amused Isaac and Harwood. Isaac was also charged with the Uckfield burglary and the police have a further desperate case to bring forward against him if necessary.

It may be stated that a valuable diamond ring and a gold chain belonging to Mrs Mary Farncombe of Uckfield House was found in the vehicle in which Isaac was conveyed after his capture. Fearing detection, it is evident that he must have worked them out of his pocket during the journey.¹²⁵

1851 April 21: Horsham Saturday – the courthouse was densely crowded gypsies forming a large portion of the auditory.¹²⁶ Hiram Smith the Approver will be tried for a burglary at Farnham where he committed the offence in company with Samuel Harwood and the parties who were executed.¹²⁷

Hamilton's full confession to a series of crimes with the Isaac's gang

1851 22 April: Lewes: Since the committal of James Hamilton (the magistrate having refused to take his evidence on behalf of the Crown) he has made a full confession of all the burglaries which he and the gang have been engaged in during the last twelve months. Some of the revelations allowed the police to trace the receivers allowing for a great amount of the stolen property to be recovered. The document is of a very extraordinary character and shows the immense amount of daring possessed by these men.

The gang consisted of himself, Levi Harwood and Samuel Jones (both hung Hollest murder) Samuel Harwood, John and Edward Isaac, William Brooks, Joseph Carton, John and James Hones (Jones), alias Smith, Hiram Smith, Thomas Toot alias Morgan, William Hillyer, John Brooks, Mary Crowder, Sarah White and James Jones (alias Samuel?). John Isaac was duly elected captain and all the others acted under his direction. They were all sworn to obey the orders of the captain and if anyone attempted to back out or refused to take any part in any robbery or murder if necessary, he or she would instantly be shot, and if anyone left the gang without the consent of the captain he or she were to be followed and if overtaken to be shot.

After giving particulars of the burglary at Kirdford which has already been published he goes on to say: "The second day after this Isaac and John Hones came to me at Farnham Common and agreed for me to meet them at Dorking, Homwood (Holmwood) Common. Isaac's brother Ned came to me also John Hones and James Hones.

We all went to an old man's house (a farmer near Horsham.) They heard he had a good deal of money. We all went two at a time from the Holmwood. Six of us met in a wood near Mr Broadwood's lodge and we went from there to the farmer's house one got through the window

¹²⁴ Daily News (London, England), Wednesday, April 9, 1851

¹²⁵ The Standard Monday April 21, 1851

¹²⁶ 1851 21 April: Daily News Monday

¹²⁷ Leeds Mercury Saturday April 19, 1851

and let the rest in through the back door. We all went into the kitchen. The old man heard us and halloed out and we all left the house.

Four of us, myself, W Brooks, and J and E Isaac went down to the house on Hayward's Heath near the Brighton station where two or three ladies of the name of Kennard lived. The robbery was planned by William Brooks who knew the place. There was a man servant who was ill, and a maid servant who slept in the same room to watch him. Her bed was right against the window where the light was. The servant burnt a light all night because the man was ill. They found a long ladder; put it up to the window. It was a sash window which moved on one side. We all got into the window. The female servant was lying close to the window and we fell over her. They went into the ladies' room disguised with masks. After pacifying the two servants they left me to mind them. The ladies' room was locked but they broke open the door. They collected all the property that was there. They threatened to blow out the brains of the ladies if they gave any alarm. We were there two hours during which time I sat in a chair with the two servants and kept talking to them all the time. It was just getting daylight when we left the house.

We came back two at a time until we got to Copthorne. There we looked the property over and shared what money there was £4.5s each was shared. There was a deal of foreign money, which I took to be French. This was put amongst the plate and 111 guineas in gold, and that gold was put with the gold watches. There were three gold watches and two silver ones. One gold watch had a gold case and steel hands the other had a white face. Of the silver watches two were small plain ones and the other was a double hunting watch with a silver chain. There was a double-barrelled gun taken from the house and we had two guns with us. There were a great many rings and brooches and trinkets, which were put among the gold and plate all of which John Isaac took away to Guildford to give to one of the Guildford men (Levi Harwood) to go to London with him to sell, for which the Guildford man was to get a share, as Isaac did not know where to go and sell them. There was also some clothing brought away, two pairs of trousers one pair of cord breeches and a large shawl.

These were all hid and lost when the policeman came after it. Three guns were hidden by the roadside. My three companions went together to London and they gave me some money to take back to their women at Copthorne Common where we had four tents. About an hour after I had left the men and had returned to Copthorne Common and was packing up my things, two policemen came along; they knew Brooks wife and enquired after Brooks and they came and asked me where I was going. I told them I did not know, as I was a stranger to the country. They searched the tents, but they did not search me although I had the money on me, I had shared. This was the same morning as the robbery at Hayward's Heath. Whilst the men were sharing the money the women hid the clothes and that was why the policemen did not find them. The policemen knew the women and watched them and talked to them for half an hour.

I then moved to a place called the Chestnuts by myself and I had one tent with me. J Isaac wife then came there. The two Brooks and John Isaac and myself each had one wife and one tent, and I had a little girl with my wife. John Isaac was to meet me at the Chestnuts after he had

sold the property. He was gone a week or better. When he came back he said there was only 30s each besides the guineas of which he had only sold one with the other gold to see what it would fetch, keeping the others back so that the Guildford man should not have his share of them. He took the guineas again to sell and gave me a sovereign down, on a promise to pay me the remainder but he did not give me any more money. There was a quarrel amongst us over a large quantity of plate which some of them said Isaac had concealed and bought his wagon with.

Shortly after this I fell in with Tom Brooks again near Shenfield in Sussex, and I and Ned Isaac went back again with Brooks. We all three met in Wareham-lane near Shenfield and went from there to a place called Hambledon, Surrey to break open a shop there. Brooks and Ned Isaac broke it open whilst I watched in front. They got in and took out two whole cheeses, a quantity of tobacco and a quantity of tea and about a pound weight of snuff, a loaf of bread and a pound of new butter. They drank what wine they liked and brought me out some in a quart pot and then filled a three-quarter bottle to bring away.

We then returned back to Wareham Lane again and I and Ned Isaac did not meet John Isaac at the time expected. We afterwards went to Copthorne Common for a few days. I think we stayed there a week. On the afternoon of Tuesday, the 31st December last we, James Hamilton, John Isaac, Joseph Carter alias Cockman, John Smith alias Hones, James Smith alias Hones, Thomas Toot alias Morgan, William Hillyer and William Brooks – after various messages and communication between ourselves, I (Hamilton) and Brooks and his wife and James Smith came on from Edenbridge to Crowborough at a barn there just outside. These five men went to break open a public house of Mr Kennard's called the Old Tye. These five men met us out of Groombridge next morning just about daylight. Brooks went to look after them and found them in the corner of the wood close to the road. They gave us a plum cake a bottle of wine, some whisky and tobacco done up in pennyworths. I (Hamilton) had four, James Smith had four.

The same three men and woman went in again having agreed to meet the five men the same afternoon (Wednesday) just off Crowborough Common on the Uckfield side. Three of us Isaac, Carter and myself went into Miss Farncombe's house and got there between 8 and 9 o'clock to lay in front of the house to see how many lights and watch them to bed. We saw the butler fasten the front door. When the house was dark and quiet, we were to go back to some haystacks close by where we eight were to meet until it was time to go back. We all met at the haystack at the pay-gate and the house on the opposite side to Miss Farncombe's. We all went to Miss Farncombe's house and as were going we met a woman and either two or three men in the road. We were all eight together then. We had left Brook's wife at her uncle's at Crowborough. There are two gates to Miss Farncombe's house, one for the foot road leading to the back door and one on the carriage road. We left James Smith just outside the little gate to watch. Some of us went down to the big gate leaving me, Hamilton, to watch there in case anyone came along the road and to give notice if anyone should. Three or four men came along soon afterwards. I watched them quite away and did not give an alarm to those in the house. In a little while two more men came along and passed. I think they were gamekeepers. Just before they got into the house one of them came out to me and said, "I am going to stand near that

little bush.” Thomas Morgan desired me to give him notice if anyone came and he would let them know.

When the two gamekeepers came along, I went to tell Morgan but did not find him and soon after Morgan came to me and brought me a bottle of wine. He said they had got in and were rummaging below. Morgan went back to the house and a little while afterwards he returned to me again and he said, “They be all come out, and they think they heard somebody.” They all came out up to the little gate and there they all stripped and pulled off their clothes and shoes and put on their masks and said, “We will go up.” We all eight were together there. I left the gate to meet them and after talking about leaving someone outside we all agreed to go into the house together. We all eight went in first through the pantry window, but Morgan who was first ready, ran forward to the house and got a light though there was somebody coming down, Isaac with an oath said “Oh, come along, follow me. Give me the pistols and I will go and fix him.” When we got to the house, we found it was Morgan with the light. Then we all went in through the pantry window to the kitchen or front parlour where we found the butler’s coats and some of the female bonnets.

Brooks put one of the bonnets on and Carter put on another, and we put the butler’s coats on and I put one on handed to me by Morgan. We all searched about the house. We found the canisters. Four of us went up one set of stairs and four the other. Isaac, John Smith and myself and another went up one staircase. In the room we went into there were two ladies. Isaac gave me the candle. I followed him. There was no violence in that room. Isaac broke open everything that was broken open and I held the candle to him. Isaac asked the ladies where the plate was. The ladies said, “That is in the pantry downstairs.” Isaac and the others took all the valuable things in that room. They went to another room leaving me behind holding the candle. I did not take anything in that room. They left me there to mind the doors and the ladies begged of me to go outside for they would be still. I had a mask on all that time. I went outside holding the door in my hand. I never left the door but once in all the time. The rest were rummaging about the house and that was while they were going into another room where there was, I believe, only one lady. I heard the lady scream and ask, “Is that you William?” I said, “yes, it is William, marm, don’t be frightened, nothing is the matter.” Carter was at the door with a pistol in his hand and when I made answer “It is William” he turned round and was going to shoot me only I sung out “It’s all right.” Then I returned back to the door again to mind the two ladies and there I remained until they were ready to leave the house. Isaac returned to the room where I was and said, “Take that little box under your arm.” The ladies had before that begged that it might not be taken because it belonged to their grandfather, I think they said. I took the box downstairs, and we all went away together. This was between 4 and 5 o’clock in the morning.

When we came out, we turned to the left and went up the road. We all eight kept together until we came to Crowborough Common, nearly the same road as we came. We turned off the main road at the top of the hill to the left and went across the common and a wheat field and down into a wood, and there all eight sat down and had some breakfast with what we had brought from the house, consisting of some hare, veal, roast mutton, and I think some hog’s meat, some loaves of bread, two whole cheeses and two raw hams. We all shared this after breakfast with

a sovereign and 7s each in money, but there was a deal more money smuggled amongst ourselves. I had a £5 note also which I got out of a pocketbook when Isaac gave me as we went along to carry and put it into my pocket. There were a great many more notes in the book. I gave him the book again, because the other knew I had got the book. He said he would give me half of what he got for the notes. This was going along before our breakfast.

After breakfast and after sharing the money, we looked the plate over and broke up what we thought was not silver. There were two gold watches and two silver ones. The two gold ones were along with the plate and the silver plate that came from the Old Pye public house was put along with it. The two silver watches were up amongst us for those who would give most for them. Carter was the highest bidder at eleven shillings for the small watch and the other one a double cased one was taken by Morgan for 25s. The trinkets were all tied up together and put with the plate. Isaac took all the plate etc., in a flag basket. A cutlass was taken from the house and a tree chopped with it. Hillyer took the cutlass. We stood in the wood to nearly 10 o'clock in the morning. We parted at the wood that Thursday morning. I and James Smith and John Smith came away and parted from the other five, we went another way up through the wood. We agreed to meet at another place and before Isaac took the plate to London, we were all eight to meet at Warlingam on the Friday night.

We three went on to Groombridge and John Smith was so tired that we could not get him along the road. We went into a public house at Groombridge where we had a good deal of beer. We three got tipsy. I dropped a sovereign and John Smith picked it up and put it in his pocket and took a shilling out of another pocket and offered it to me. I had him taken by the constable. The sovereign I dropped had been given me in the wood. The constable took John Smith into custody upon my charge to Tunbridge Wells that Thursday afternoon. I slept at Groombridge that night in the inn and James Smith was put in the stable. When I was tipsy the landlord took 18s 6d from my pocket to take care of it. In the morning when I got up, I asked the landlady for my money which she refused to give to me until she had seen the constable. I went to the constable and told him I would rather lose the sovereign and pay his expenses than go on with it. The constable told me the expenses to make it up would be a sovereign and if so, I thought I ought to leave the 18s 6d in the landlady's hands and get away as fast as I could rather than go to the Wells. I and James Smith started on the road for Tunbridge Wells and turned into a wood and after we had gone two miles half a dozen people were after us and took us.

At the beginning of all this I was living at Woking Common with my wife and Hillyer lodged with me. About a week before Christmas a man named Thomas Gaines came to me with a message from Isaac to send Hillyer after Tom Toot alias Morgan, to Shotter's Mill at Sarsams. Hillyer started away the day after Christmas day for Toot and was to return with Toot to my house on the Saturday, and Isaac was to come himself by the first third class train from Reading to Woking and I was to meet him. I met him there. He came to my house the same Saturday afternoon expecting to find Hillyer and Toot that night. They did not come. Isaac stayed with me all Sunday night. Isaac went alone on Sunday morning to Edenbridge and on the road met the two Hones (alias Smith) and asked them to be of the party. Toot and Hillyer were there before us. Brooks and Carter were there also. That made eight."

It is estimated that the amount of property stolen by the gang during the last two years was £1,500. When Morton arrested Isaac in Frome, he was in possession of valuable property stolen from Misses Farncombe.

The Frimley gang is now completely broken up. Great credit is due to the police officers who have had the case in hand; indeed, at the last sitting of the magistrates the chairman of the bench publicly stated that the whole credit of the capture of these daring men and the exposure of their system was due to Mr Biddlecombe, the superintendent of the Surrey Police.¹²⁸

1851 April 24: Frimley gang: Thursday – Trial: Hamilton: On the second day after the Kirdford (6 June 1850) shooting Isaac and John Jones came to me again at Farnham Common and agreed for me to meet them at the Dorking Holmwood Common. Isaac’s brother Ned and also John and James Jones; we all went to an old man’s house – a farmer near Horsham. They had heard he had a great deal of money. We all went – two at a time from Holmwood. Six of us met in a wood at Captain Broadwood’s Lodge and we went from there to the farmer’s house, one got in the window and let the rest in the back door but they were disturbed by the occupants and made off.

Four of us, myself, William Brooks and James and Edward Isaac went to a house in Hayward’s Heath where two or three ladies called Kenward lived. William Brooks who knew the house planned the robbery. The ladie’s room was locked but they broke the door down collected the property and threatened to blow out their brains if they raised an alarm. The burglars had two guns with them during the robbery. They were in the house two hours leaving as it was getting light travelling two at a time to Cophorn where they shared out the property. Four pounds five shillings each was shared and a great deal of property including a double-barrelled gun a lot of which was taken by John Isaac back to Guildford to give to one of the Guildford men Levi Harwood to go up to London with him to sell This was all hid and lost when the police came after them, The three guns were hidden on the roadside. My three companions all went together to London and I was given money to take to their women at Cophorn Common. About an hour after I left the men and started packing up at Cophorn Common two policemen came along. They knew Brook’s wife and enquired after her husband, and they asked me where I was going and I told them I did not know as I was a stranger to the country. They searched the tents but not me although I had the money on me. This was the morning of the Hayward’s Heath robbery.”

It is estimated that the amount of property stolen by these men during the last two years cannot be less than £1500.¹²⁹

(£1,500 in 1851 is equivalent in purchasing power to £203,383.68 in 2018, a difference of £201,883.68 over 167 years.)¹³⁰

¹²⁸ Morning Chronicle Wednesday April 23, 1851

¹²⁹ 1851 24 April: Frimley gang: Nottinghamshire Guardian

¹³⁰ <http://www.in2013dollars.com/1851-GBP-in-2018?amount=1500>

Horsham Magistrates Spectator 25 April 1851

The Horsham Magistrates on Saturday finally examined three men charged with burglary at Kirdford Common, near Petworth. It is stated that six were engaged in it, Levi Harwood and Jones, who were hanged last week; John Jones a man who has been convicted of burglary and the three prisoners. The latter consist of John Isaac, the captain of the Sussex' gang so recently broken up; Samuel Harwood, who was acquitted of the Frimley murder and James Hamilton, the approver in the Uckfield case, who now offers evidence against his companions in this burglary. If his statement is true, it fully makes out the charge against the prisoners; and other witnesses strongly corroborate it. Mrs Harriet Stoner, a grocer, occupied the house that was robbed and both she and her servant declare that Isaac and Harwood were a portion of the gang.

Harwood stood 'over Mrs Stoner with a pistol, and demanded her money, with a threat to blow her brains out: all the men were masked; Mrs Stoner recognized Harwood by his voice, but she saw Isaac's face, his mask having fallen off. Two of the men had pistols; Isaac had a chisel; Mrs Stoner was thrown down in the passage and treated with brutal violence. She gave up her money. Witnesses deposed to having seen six men walking along the road from Guildford to Kirdford on 'the night of the robbery; and they identified Hamilton and, Harwood as two of the party. All three were fully committed for trial.

Hamilton has made a long statement to the Police respecting the gang of which he was a member. The gang consisted of fourteen men and two women John Isaac was "elected captain," and the others all swore to obey his orders. If anyone attempted to leave the gang, to refuse to rob, or to murder, if necessary, the recusant was to be shot. Hamilton gave a long detail of divers burglaries in which he was engaged. It seems that the thieves cheated each other, privately appropriating plunder instead of putting it in the common stock one robbed another of a sovereign and was given into custody by his brother burglar. This formidable gang is now completely broken up. The Police, especially Superintendent Biddelcombe, have gained much credit by the achievement. ¹³¹

1851 April 26: Saturday: Horsham Town Hall – John Isaac captain of the gang for burglary at Kirdford. Was remanded in custody. ¹³²

26 April 1851 Spectator

A consequence of the Hollest murder was that householders armed themselves against burglars and people were hurt. This is a case from the Midlands:

The reason I provided myself with the pistol was painful anxiety of mind, occasioned by the Frimley murder and other cases of that kind which have been reported and not being possessed of bodily strength, and bring alone in the house with women and children—the house being

¹³¹ 26 April 1851 The Spectator

¹³² 1851 26 April: Hampshire Telegraph

accessible on all sides without passing through the village— I felt it my duty to have some firearms to use in case of danger. I had one before (a pistol) similar to the one I used not being able after several trials to hit any- thing with that pistol, I exchanged it for this one. I fired recklessly out at the door, and then went in and shut the door loudly. There were only three or four barrels loaded. After remaining in the house, a short time, I recovered consciousness so as to see the rash exposure I had made of myself and of my family, and also the risk I had run of wounding any person out of doors. At this moment it struck me I should go out again, at all hazards, to see if there via, any one there, or any trace of any one having sustained any injury. I held the lantern in my hand and looked all around to see if I could see anyone having sustained any injury, but saw nothing." In the morning at seven o'clock, Mr. Armstrong was found lying just in- side the gate, a cold corpse; outside the gate were the footmarks of a horse that seemed to have stood a long ¹³³

No longer friends but still colleagues

Old competitive enmities come to the surface as the aggrieved Hollington takes exception to Biddlecombe receiving credit where he thought it was not due.

Consider at least nominally, Biddlecombe was Hollington's boss as the former was styled chief superintendent. Hollington joined the Surrey Constabulary on 15 February 1851 as a superintendent following Biddlecombe who was appointed January 1, 1851. The Guildford Borough Police was incorporated in June 1851. Interestingly, Hollington refers to Biddlecombe as "detective" a term not then in normal use in Surrey.

Old enmity continues

April 1851; On formation of the Surrey Constabulary Guildford Borough police was incorporated within the new organisation but old enmities as established in Hollington's evidence at the Frimley murder trial come to the surface as the aggrieved former chief officer of the Borough takes exception to Biddlecombe receiving credit where he thought it was not due. (Only four Guildford men transferred to the new force.) Interestingly, Hollington refers to Biddlecombe as "detective". Bear in mind at least nominally, Biddlecombe was Hollington's boss as the former was styled chief superintendent as he was the first officer to be appointed superintendent in the constabulary on the 15 February 1851.

1851 26 April Letter to The Times

From Superintendent Charles Hollington Superintendent of the Guildford Borough Police: letter dated 24 April. Mr Hollington felt aggrieved that "that the whole credit of breaking up the "Frimley Gang" was due to Mr Biddlecombe." Hollington asserted he arrested six of the men.

"Levi Harwood. James Jones alias Burbage (hung for the murder of Mr Hollest) Samuel Harwood, Hiram Smith alias Trowler (the Approver in the Frimley case) Thomas Toots alia

¹³³ 26 APRIL 1851 The Spectator

Morgan and John Hillyer – the two latter were transported for life for the Uckfield burglary. These men I arrested entirely on my own suspicions.

“How is it the whole credit is due to Mr Biddlecombe that he did not apprehend some of them as it was well known that one of the rendezvous of the Uckfield gang was Hindhead a little below Godalming where Biddlecombe was located?”

The man Levi Harwood I had convicted nine years ago; he then had one year’s hard labour, since which time I have had several summary convictions against him for assaulting the police etc. I also apprehended Jones on March the 13th 1850 on suspicion of a burglary at Mr Horne’s linen draper Guildford (whose house was broken into on the 14th February in the same year) and found property belonging to Mr Horn’s housekeeper upon him. He was committed to the Guildford borough sessions but owing to a month having elapsed between the burglary and apprehension, and the prisoner stating he had bought the property, the jury ignored the bill. At the same time, I apprehended a man named George Brisk, a companion of both Levi Harwood and Jones, and found property in his house the produce of several burglaries in the county. He was committed to the assizes at Kingston, where he was tried and sentenced to seven years transportation.

I beg further to state that I have on several occasions named these men to Biddlecombe, detective, and other officers, as the ones I had suspected to have committed burglaries in Surrey and elsewhere.

By inserting this you will greatly oblige your most obedient servant Charles Hollington”¹³⁴

The consequences of the Hollest enquiry and the prosecution of the Isaac gang members rolled on and still occupied Biddlecombe now referred to as a chief superintendent. A further letter was sent to the press by another aggrieved police superintendent concerned that Biddlecombe was receiving all the glory.

The Frimley Murderers – another charge of burglary

1851 June 4: The burglary: Yesterday Samuel Harwood, one of the persons charged with the murder of the Rev. G Hollest and who was acquitted on Tuesday 1st inst., at Kingston was brought before the magistrates at Horsham, Sussex charged with James Hamilton, one of the Uckfield burglars by Mr. Biddlecombe the active superintendent of the Surrey Constabulary with having broken and entered the dwelling house of Mrs. Harriet Stoner of Kirdford, Sussex on the 4th of June last, together with James Jones, Levi Harwood (now under sentence of death in Horsemonger-lane (sic) Gaol for the Frimley murder) John Stones alias Smith (transported for life for the Uckfield burglary) and John Isaac. It appeared from the statement of Mrs. Stoner that on the day in question her house was entered at about three o’clock in the morning by six men from 20-30 years of age, each with a mask on and five with their shirts outside their other clothes. One had a dark round frock on, another had a pair of dirty yellow trousers with a dark

¹³⁴ The Times online Article CS50889882

stripe up the outside seam; two of them held her down in the passage each presenting a pistol to her head and threatened to blow her brains out unless she gave up her money. The mask fell off one who was of sallow complexion, about 28 years of age. Witness gave them her pocket in which were two canvas bags containing £7 10s in gold and £4 in silver, after which they left the place. James Hamilton one of the prisoners then made the following statement having been previously cautioned by the bench.

“Last spring was the first time I met with Isaac. I met him on Farnham-common. He has no regular residence but lives in a travelling wagon. He came to me there. He had two donkeys. I bought one. He told me it was stolen. I afterwards sold it. He then planned it out to make a robbery at Kirdford near Petworth. He went to Guildford for two men to help and brought back three, Levi Harwood, and the prisoner James Jones. Isaac told me to meet them at a place called Hidings Ball in Godalming (probably Hyden Ball) and bring their old clothes and a lanthorn (sic). They all five came and met me there making six of us. We agreed to go two at a time and meet in a wood between Ridford and Ball’s Cross. We all six met there. When night came two of us went forward to watch the place we intended to rob; the other four of which I was one remained behind until the two came back to us. We then all stripped and disguised ourselves and put on masks. We all went to the house on Kirdford Common, the residence of Mrs. Stoner. The Guildford men broke through the shutters and took out the whole frame of glass when one went in and let the others in. We all looked about to find the money but did not find any. They then went into the kitchen and found the stair-foot door fastened. Mrs. Stoner heard us then and said, “Who is there?” Several of them burst upon the door and we all ran upstairs. Mrs. Stoner screamed and ran into another room. Isaac took hold of her to stop her noise when his mask slipped off. She then gave one of the men her pocket. I only had 3s 6d. We parted and I did not see the Guildford men anymore. This was the first time I was led into it”

In order that the magistrates might consider whether they would accept Hamilton as an approver against Harwood, the enquiry was adjourned.¹³⁵ They were on Saturday again examined before the magistrate at Horsham – Mr. W Biddlecombe, chief superintendent of the Surrey Constabulary requested an adjournment of the case in consequence of a communication he had received that morning that John Isaac had been apprehended in Somersetshire, whom he believed to have been concerned in the Kirdford burglary and also the Uckfield burglary. If a remand were granted, he should be able to place Isaac in the dock with other prisoners. The statement of Hamilton was then read which fully corroborated the evidence of Mrs. Stoner and disclosed the evil doings of himself and his associates. The man Isaac is one of the eight men who entered the house of the Misses Farncombe, and it is stated he was one of the gang involved in the Frimley murder.¹³⁶

¹³⁵ Daily News (London, England), Wednesday, April 9, 1851

¹³⁶ The Derby Mercury (Derby, England), Wednesday, April 16, 1851

To the editor from Superintendent Morton

1851 9 June: The Standard Monday

Sir, In justice to myself I beg leave to trespass on your most valuable time, as well as to be allowed a small piece in your column to contradict an assertion in your paper last April which is calculated to injure me in my profession as superintendent of police, it being well known that character and testimonials are of great importance to most men, but more in particular to persons who hold the responsible situation as superintendent of police. It is calculated to injure me by taking away that credit which is due, and the more in consequence of the extensive circulation of your paper which is well known to be read in most parts of the world.

The statement I allude to is under the head of the "Frimley Gang"; the paragraph concludes with the following words:

"At the last sitting of the magistrates the chairman of the bench publicly stated that the whole credit of the capture of these daring men and the exposure of their system were due to Mr Biddlecombe the superintendent of Surrey Police."

Now sir, being present at that sitting at Horsham I beg to give the exact words. Mr Dickens said, "The magistrates are desirous of expressing their active satisfaction with the persevering and praiseworthy conduct which you have manifested throughout these proceedings, and they have felt great pleasure in acting upon your suggestions." The conversation was at the committal of Samuel Harwood, James Hamilton and John Isaac. That compliment was paid to Mr Biddlecombe for having so well got up the case then before them; and I beg to inform you that it was entirely through me that the case was brought forward. I waited the two days at the trial of Samuel Harwood, Levi Harwood, and Samuel Jones charged with the Frimley murder, to have apprehended them all three if they had been acquitted of the murder of Mr Hollest, upon a charge of burglary, with extreme violence at the house of Mrs Stoner, Kirdford, Sussex, there being no other person in attendance although others were in possession of the same information as I was.

I made the case known to Superintendent Biddlecombe who agreed to assist me if all three were acquitted. Samuel Harwood being the only one acquitted I gave the case to Superintendent Biddlecombe. I was the cause of the apprehension of John Isaac the captain of the gang; I was the cause of James Hamilton, alias Butcher, being detained on a charge of burglary at Miss Farncombe's with violence; as well as John and James Smith alias Hones, both of whom were transported for life. Joseph Carter alias Cockman I apprehended in a hut on Woking Common; and William Brooks alias Hayler I apprehended on the Right Honourable Lord Norton's barn at Woodhams, Chertsey, Surrey, both of whom were transported for life. E Oliver alias Cockman I also apprehended, who is transported for being a receiver in the above offence, for 14 years, and two others named Edwards were apprehended charged with being receivers by Mr Dadson, constable of Tunbridge Wells who was connected with me in the affair. So, you will perceive that I have been the cause of detaining and apprehending eight of that gang of desperate characters who have so long infested the counties of Surrey and Sussex and other

counties. I think the following rewards and gratuities, which have been received by men in conjunction with Mr Dadson will, I trust, be sufficient to suffice and to show to whom the credit is due.

In addition to a reward, we received from the judge at the trial a subscription was raised in my district and the sum of £45 was presented to me and £25 from the Uckfield Prosecution Society; £25 from the re. Owen Emerie Vidal of Upper Dicker, Horsebridge near Hailsham, Sussex; £5 from the Misses Farncombe of Uckfield, in addition to the reward they offered through the society; £5 from Mrs Hurat of the Five Bells Inn, Chorley; £2 from Mr Wood , butler to the Misses Farncombe who it will be remembered was so near to being murdered by the gang; £2 from Mr Baker of Portslade, Sussex who also was a sufferer; and £1 from Captain Wetherall of Forest House, Hartfield, Sussex and a promise of other rewards from societies that have not yet had their meetings.

The above are facts that cannot be denied. I have not done this to come in contact with Mr Biddlecombe who I have known for some years to be a good officer but at the same time I feel it my duty to beg of you to allow the statement to be contradicted, to claim that which every man is entitled to, the merit his perseverance deserves.

It having been argued by several persons who have not been thoroughly acquainted with the circumstances, that Mr Biddlecombe was entitled to the whole of the credit which I feel bound to deny, trusting you will insert this that the public may be in possession of the true facts.

I remain Sir, your obedient servant W M Morton, Superintendent of Police, Tunbridge Wells, Town Hall, Tunbridge Wells, Kent June 6, 1851

16 August 1851 The Spectator – Smith freed

At Croydon Assizes, last week, Hiram Smith, otherwise Richard Trawler, was placed at the bar to plead to the Coroner's inquisition charging him with the murder of the Reverend George Edward Hollest, at Frimley. The prisoner pleaded "Not guilty." Baron Alderson, after the Jury had been empanelled, said that in this case no evidence would be offered against the prisoner for very good reasons with, which no doubt, they were acquainted. Faith must be kept with all persons and no evidence being offered, they would say that the prisoner was not guilty. This was done; and the approver was set at liberty.¹³⁷

Tuesday Oct 14, 1851, Escape and recapture of Isaac

At a shift change and the gates of the county gaol at Lewes were opened Isaac and a man named Henry Ade rushed out. Isaac ran up Market Street into High Street followed by officers but was caught by a carpenter, his employer, and a turnkey. Isaac had made a wooden key with

¹³⁷ 16 August 1851 The Spectator

only a nail as a tool, which allowed him and Ade to escape their cell and wait hidden by the gate.¹³⁸

End Note

This is a good news story as all the serious criminals were locked up, hung, or transported mostly for life. The police officers had varying career successes. Biddlecombe was the first name in the roll of the Surrey Constabulary, and he served with distinction until 1858 when he left, still a young man, after dealing with some horrendous murders and a range of other crimes with great success. He left as a superintendent from Chertsey where he remained as a publican and clerk of the local racecourse. He also undertook work as a private detective again with some success and was heavily involved in the case of the Titchbourne Claimant.

Hollington also joined the Surrey Constabulary in February 1851 as a superintendent after previous service in the Metropolitan Police and Guildford Borough. He was to serve across the county retiring in August 1872 on a pension of £73 per annum.

Morton and Dadson came to a sticky end although what exactly happened to them remains uncertain.

Dundee Courier Wed May 11, 1853: An advertisement has appeared for the apprehension on a charge of felony of William Morton Superintendent of Police Tunbridge Wells and James Dadson Parish Constable who have absconded

Lloyds Weekly Newspaper Sunday May 15, 1853: At the last Assizes at Maidstone a man named Andrew Boon was transported for arson. On his trial he put in a statement charging Morton and Dadson with having incited him to commit crime not only the crime of arson but other offences too numerous to mention. In consequence of certain circumstances coming to the ears of the authorities, which corroborated the statement of Boon, Superintendent Gilbert of the Tonbridge division was instructed to investigate the matter. Mr Gilbert, working with Sergeant Smith an active officer in the detective force undertook a detailed investigation resulting in the magistrates at Tonbridge issuing a warrant for the arrest of Morton and Dadson. Messer's Gilbert and Smith along with Goddard of Tonbridge and other officers proceeded to the Wells but Morton and Dadson had disappeared.

West Kent Guardian 15 April 1854: Charge of Arson against Two Policemen. It has been discovered that Superintendent Morton and Inspector Dadson, the Tunbridge police, who absconded in April 1853, charged with arson, are living at Ostend, in Belgium.

1 May 2021: Derek Oak: Email to Robert Bartlett¹³⁹: I note you suggest they came to a sticky end; in fact, both had to leave country a bit sharpish, and whilst Dadson ended up buying a house and running a bakery business in Brooklyn, New York (and I don't know where Morton ended up) both decamped first to Belgium. The press at the time suggested that this was

¹³⁸ The Standard Tuesday Oct 14, 1851

¹³⁹ Email Derek Oak to Robert Bartlett 2021

probably because of the knowledge and contacts they had acquired because of the Broome case. They are probably right.

Derek Oak 1 Oct 2021¹⁴⁰ Morton seems just to have disappeared. I'm not at all sure that he didn't quietly re-enter the UK. Morton's eldest son ended up as a relatively successful ship broker in Liverpool. Dadson's eldest son continued the bakery business in Tunbridge Wells and became a member of the Board of Health when they succeeded the town commissioners.

Of course, I should have anticipated that you would have covered much of the 1845 affair involving Patching et al. The bit that amused me (and I picked it up from a report in a London paper) was the brilliant bit of subterfuge used to trick the offenders into allowing themselves to be handcuffed: real practical policing. As far as the rewards at Assizes were concerned, I gather that the judge proposed £5 for each of the 3 officers, but counsel made representations and the judge (the Lord Chief Justice on this occasion) agreed that Biddlecombe should get £20 and each of the others £5. The irony of all of this is that the judge originally proposed £5 each as he was conscious that rewards were paid from county rates and he didn't want to place too great a burden on the ratepayers, whilst conveniently forgetting that the running of the court and all the trappings and entertainment provided for the judges cost the county ratepayers many times more than the rewards proposed.

The other bit of this that intrigued me was the way in which the local press effectively manufactured a dispute between the East Sussex and Brighton forces on thin evidence. This dispute was then adopted by various politicians both in Brighton and at county quarter sessions and became bigger as a result. But it caused the respective chief officers (especially Captain Mackay of East Sussex) a great deal of unnecessary grief before they were able to quash it. (I mean, who would think of it?)

Good with courage can overtake evil!

¹⁴⁰ Derek Oak 1 Oct 2021 email to Robert Bartlett