

MORE TALES OF CHARLES LAMB

by Celia Cartwright

The 'horrid and mysterious murder'¹ of the lad John Brill in Ruislip in 1837 has already been documented in earlier issues of this Journal.² The principal suspect in the case was one Charles Lamb. This article deals with other crimes and cases involving Lamb.

For readers unfamiliar with the original crime, this item from the *Aylesbury News* of Saturday, 11 March 1837, headed 'The Murder near Uxbridge', provides essential background:

'General surprise has been expressed that no reward has yet been offered by the parochial authorities of Ruislip for the discovery of the diabolical wretch who murdered the boy John Brill in the 'Young Wood' Ruislip Common on the 16th ult., nor any application made to government to interfere in the mysterious affair. Up to a late hour on Saturday notwithstanding the strenuous exertions [of] Murray and the other Uxbridge constables to procure further evidence, no clue had been obtained which is likely to lead to the discovery of the murderer. Lamb against whom so many suspicious circumstances appeared in the evidence taken before the magistrates and at the inquest.....was arraigned before Mr Justice Park when he was acquitted, the evidence being inconclusive against him.'

At least ten years of Charles Lamb's life appear to have been involved with crime. In 1837, the year he was implicated in the murder of John Brill, he was also indicted for sheep stealing. In 1838 he was convicted of larceny and passed the best part of the next four years on a prison hulk. He was convicted for poaching in 1844. While imprisoned in Coldbath Fields for the latter crime he was alleged to have 'confessed' to the Brill murder, for which he was tried but was acquitted. He was also probably implicated in 1846 in a case of larceny for which another local man, Henry Barnaby, was sentenced to 15 years transportation.

Less than two weeks after the murder, the sheep stealing case was heard at the Old

Court at the Old Bailey on 1 March 1837 before Mr Justice Park, with Mr Clarkson prosecuting. Interestingly, when Lamb was eventually tried for murder in February 1845 he appeared before a Mr Baron Parke (sic), and Mr Clarkson again appeared for the prosecution.

Charles Lamb may be the individual mentioned in the Parish Registers where Charles and Sarah Lamb are recorded as having a daughter Mary, born in Ruislip 18 October 1829. He appears to have had a sister called Ellen. She is recorded as marrying one of the Bray family 'who lodged in the home of her brother Charles Lamb.' Eight years later, in the sheep stealing case, Lamb is lodging with Charlotte Bray. She told the constables she lived with the prisoner but was not his wife.

Sheep Stealing

On 11 February 1837 Charles Lamb was indicted for stealing, one ewe, price £2, the property of Stephen Morgan. He was also accused of killing the sheep with intent to steal the carcase. The witnesses for the prosecution - Mr Morgan's steward, his shepherd and his cowman - testified that a ewe was missing and the stolen meat matched the hole in the carcase.

About ten days later the two constables from Uxbridge, Charles James Murray - who was one of those who detained Lamb for the Brill murder - and John Birch, went to Ruislip Common to arrest Lamb.

Birch testified that he searched the upstairs room and found some mutton in a pan, covered up with a cloth, on the table - it had not been salted and it smelt very much. He also found a lot of suet, which Charlotte Bray said she had intended to use to make a pudding "as she had no flour", and part of an udder tied up in a handkerchief, in a cupboard. By matching the skin of the mutton with the part missing he found it

corresponded, as did Thomas Funge, a butcher from Uxbridge, who also testified that the sheep had been slaughtered clumsily.

Lamb's defence was that he saw a dog at the hedge gnawing this piece of mutton so he picked it up stuck his knife in it and although it smelt a little he thought they might eat some of it. He also found a sack in the hedge and after chopping off what the dog had been chewing he took the meat home and could not remember which day he had found it.

Constable Murray also found a bloodstained shirt in the room which Charlotte Bray claimed had been given to her by Lamb's sister, who had to sell kindling for a living. He had worn it on Tuesday 14 February. In reply to Mr Clarkson's questions, Mrs Bray maintained that the prisoner had brought the mutton home last Friday week not fortnight and, presumably as the actual time of the offence could not be proved, the prisoner was found not guilty.

Theft of Oak Bark

A little more than a year later, Charles Lamb was again in trouble with the law. On 18 June 1838 Charles Lamb age 38 and Thomas Brill age 40 were tried at the Central Criminal Court and found guilty of larceny. On 30 May they stole 700lbs weight of oak bark value 30 shillings, the property of Ralph Deane. They were reported to have been committed by T.L. Clarke, Esq. (probably Thomas Truesdale Clarke of Swakeleys), and sentenced to seven years transportation each.³

The oak bark, which was used in the process of tanning leather, was bound for George Norris' tannery in Brentford. It appears to have been 'lifted' by Lamb in Ruislip, aided by Thomas Brill and his cousin William Brill, and carted to Brentford. Henry Meadows, Ralph Deane's bailiff, had taken the precaution of marking the bark and was able to identify it in a barn in Brentford. In their defence Brill blamed Lamb for leading him astray and Lamb accused Brill of taking the bark.

Thomas Brill was born on 20 April 1800 and christened on 4 May. His parents were Thomas and Elizabeth and he married Elizabeth Stilling on 12 April 1835. Brill's details are consistent with what we learn about him later but there is the intriguing fact that the murdered John Brill may have been related to him. Was he also the Thomas Brill, mentioned in *The Goodliest Place in Middlesex*,⁴ who fathered a bastard son in 1833?

Worse than Transportation

Prisoners awaiting transportation were often kept on the hulks. These were superannuated wooden warships, with their armaments removed, and moored on the Thames and at ports around the country. Authorised by Parliament in 1776 as a two year temporary measure to expand prison capacity; the hulks were actually used into the 1850s, with the last being broken up at Woolwich in 1853.

Prisoners on the hulks were employed in building, dockyard and maintenance works. Living conditions were deplorable. Overcrowding and insanitary conditions rendered them brutalising and demoralising. Home Secretary Sir Robert Peel admitted in 1826 that keeping prisoners in the hulks was "worse than transportation", but it was cheaper than prison.⁵

Many convicts never got any further than the hulks, and this was the case with Lamb and Brill.

Thomas Brill prisoner no. 4080 and Charles Lamb prisoner no. 4081 began their sentences on the *Leviathan* convict hulk at Portsmouth on 30 October 1838. The Overseer, Robert Kellock, of the *Leviathan* sent to the Home Office a list which 'contains the name, age, crime and sentence, date and place of conviction, present bodily health, behaviour and former musters of every prisoner who has been in my custody, discharged, escaped, died or remaining in my charge between 1 July and 30 September 1838'. Both prisoners are declared healthy and under the heading 'remarks' Thomas Brill is 'not known' and Charles Lamb 'before not guilty.'

Thomas Brill suffered from 'Cynanche' - possibly tonsillitis - early in 1839 and remained on the *Leviathan* until 21 November 1839 when he was moved to the *Stirling Castle*. His behaviour is described as 'bad' during this quarter.

A new hulk had been commissioned at this time in Devonport called the *Stirling Castle* (**Fig. 1**) where Brill's name now appears third on the list of prisoners. Was it his behaviour that caused him to be moved? The number of prisoners had risen steadily from 199 when the new hulk was first commissioned, to 483 between 1 July and 30 September 1840, rising eventually to 1083. Did he find conditions and increased overcrowding too much to cope with?

We can learn more about Thomas Brill from the prisoners' list for the *Stirling Castle*. The register with the information arranged in columns records the facts about Thomas Brill's case. It states that 'he was born in Ryslip, Surrey [sic] that his hair, eyes and lashes were dark, his eyes were hazle [sic], his nose small, his mouth large, his complexion dark'. He was 5ft 8ins tall. His visage was oval and his 'make' stout. He was able to read but not to write. His wife was

given as Elizabeth Brill and she lived at Mr Parker's, 3 Union Street. If a convict behaved well and after he had served more than three and a half years of a seven year sentence, he could be recommended for a pardon (conditional or free), a remission or respite. Home Secretary J.R.G. Graham writing to John Henry Capper, Superintendent of Hulks states: '*We in consideration of some circumstances humbly represented unto [us] are graciously pleased to extend our grace and mercy unto them, and to grant them our free pardon for their said crime. Our will and pleasure therefore is that you cause them to be discharged out of custody.*'

At the end of his sentence Thomas Brill had received 12 Very Good and two Good musters. He received his pardon on 6 November 1841 and was to be released from the *Stirling Castle* on 26 October 1841.

It is also possible to trace Charles Lamb's progress on the *Leviathan*. He appears to have conducted himself without getting into trouble as he gained 10 Very Good musters and three Good. After serving three months longer than Brill, the last entry for him on the *Leviathan* hulk for March 1842 has 'pardoned Feb. 9 1842' written in the margin.



Fig.1 - A prison hulk, possibly the *Stirling Castle*, moored at Plymouth
William Jenner, 19th Century; courtesy of Sotheby's.

We learn a little more about Lamb and Brill from the 'Letters Book', filled in on their admission to prison. Both men were labourers, Thomas Brill was married and Charles Lamb was listed as single. Under the heading 'read or write' they are entered as 'Imp' meaning imperfect - they could probably sign or perhaps recognise their names so were by modern standards illiterate.

In Trouble Again

However, perhaps Charles Lamb did learn to read in prison. He appears to have been mixed up in a robbery involving documents in January 1846, the year after he was acquitted of the murder of John Brill. He was seen in company with Henry Barnaby heading towards Bayard's or Banyard's Wood (almost certainly Bayhurst Wood) on 4 January, the day after the robbery. Barnaby and his sister Margaret were charged with stealing a wooden cash box containing various title deeds, a large number of Bank of England and other notes (including one from the Bank of Uxbridge) to the value of £841, the property of J. Ratcliffe the landlord of the King's Arms Harefield.

The case was heard at Uxbridge Petty Sessions and the prisoners were then committed to Newgate for trial.⁷ In the *Times* of 17 June 1846⁷, there is a full report of Henry's trial for larceny in a dwelling house. Margaret Barnaby his sister was indicted for receiving stolen goods. The trial took place at the Central Criminal Court on 15 June 1846.

A witness having heard about the box entered the prosecutor's house and took the box but being unable to read showed the papers to 'a man named Lamb, and ...they divided the contents between them'. Lamb appears to have turned Queen's evidence as he was not prosecuted but Henry Barnaby was found guilty and sentenced to 15 years transportation, but his sister was acquitted.⁸

Henry and his wife Mary Barnaby appear in a 'Table of wives and families of transported convicts now resident in [Uxbridge] Union'. Mary has one child and the date and place of conviction are Old Bailey, 7 July 1846.

Charles Woodbridge has signed the page but there is a note at the bottom saying he is not sure if this is correct but believes it is.⁹

Henry Barnaby received much harsher treatment than that which Charles Lamb had received when he had been convicted of larceny. Although sentenced to transportation Barnaby spent the first part of his sentence not on the hulks but in Millbank prison where he is described as being married and able neither to read nor write. He was moved to Pentonville on 8 August 1846 and remained there until he embarked as an 'exile' - a euphemism for convict. His name is recorded in the Convict Transportation Registers as one of 190 males bound for Van Diemen's Land [Tasmania] and Port Philip [Australia] on the *Anna Maria* on 6 March 1848.

While Henry Barnaby also received a pardon in March 1848, it came with harsh conditions. This meant that (prisoners) '*do not return to the United Kingdom during the remaining term of their respective sentences of transportation and that they shall continue under the said sentences until they arrive at Port Philip [Australia] aforesaid, when Our [Queen Victoria's] Pardon shall take effect.*'

Recriminations in Ruislip

Meanwhile, the murder of John Brill aged 15 had repercussions locally. The parish of Ruislip had begun an enquiry into the murder by summoning a Coroner's Jury and obtaining Bow Street Officers to search for evidence. Before the Jury sat, the Magistrates apprehended three men - Charles Lamb, James Bray and Thomas Lavender - on suspicion of murder without telling the parish. They remanded the men until after the inquest, at which 13 people were paid one shilling each by the parish for appearing as witnesses. The inquest jury returned a verdict of Wilful Murder by Person or Persons Unknown.

At a meeting of the Vestry on 10 March 1837¹⁰, the members - Rev. Christopher Packe, Orlando Stone, N. Soames, Chairman, C.K. Fountain, D.R. Mathieson, Thos. White and Thos. Tobutt - were presented with the

constables' charges on account of a premature apprehension of Charles Lamb, Lavender and Bray on suspicion of murder of John Brill. It was unanimously decided that the Overseers return the bill and object to the payment. It was subsequently agreed to refer the dispute to the Poor Law Commission.

On 13 March 1837 Orlando Stone sent a letter to the Poor Law Commissioners enquiring who was to pay the bill for the constables' charges, an amount of £16. 0. 2d. The Vestry argued that as the boy John Brill and Lamb belonged to Harefield Parish, while Bray and Lavender belonged to Ruislip, they could not be could be *'fairly charged with the expences [sic], certainly not all of them - nor could they pay them immediately'*.

The Commissioners sent the following reply: *'The Commissioners cannot find any statute which would justify the payment out of the Poor Rates of the expences in question. The Law has provided for the payment of the charges incurred in prosecuting out of the County Rate - and however desirable it may be that evil doers should be punished it is out of the power of the Commissioners to authorize the expences in question to be defrayed out of the Poor Rate without a direct violation of the law. The Bills enclosed are returned herewith.'*

The Vestry reacted to this stricture with a petition from the Vestry to the Poor Law Commissioners to remove Ruislip parish from Uxbridge being a 'large trading town' to Watford Union which was more agricultural[!] (See also Ruislip & the Game Laws *RNELHS Journal* 2007).

The following people signed the petition: C.C. Packe M.A. (Vicar), Mr Fountain and D.R. Matheson (Church Wardens), Thos. White and Thos. Tobutt, (Overseers of the Poor), N. Soames, Thos.T. Clarke Junior, William Lawson, John Ashley, William Durbidge, Charles Tillett, Thos. George Woodman, Sam Weeden, William Lafford, William Bowles, Daniel Long, Edward Long, John Churchill, Mr Whyte, William Weeden, Daniel Kirby, Charles and William Churchill and John Sprigg. The Poor Law Commissioners' answer on 5 April 1837 was that the parish was already included in the Uxbridge Union and would need a two thirds majority to vote them out which was unlikely to be given.

A further complaint arising from the non-payment of the bill came from Charles Patten a surgeon of Uxbridge who had not received his fee of two guineas by 27 March for making the post mortem examination of John Brill on the Coroner's order at the inquest on 22 February. The Poor Law Commissioners did not think the Churchwardens and Overseers were justified in refusing payment of the fee.

The Vestry cannot have been very happy with the outcome of their protests, but at least they were in due course relieved of any further concern that Lamb might occasion the parish further expense. The last we hear of him is that, after spending these nine years in Harefield he returned to Norfolk, 'where he lived'. That is not to say that, with further research into the doings of the likes of Charles Lamb, Thomas Brill, Henry Barnaby and their cronies, there is not more we could learn about crime and punishment 160 years ago.

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¹ *The Champion and Weekly Herald*, 27 Feb 1837

² *RNELHS Journals* 2006, 2007

³ LMA XO71/041

⁴ *The Goodliest Place in Middlesex*, E. Bowlt, Hillingdon Borough Libraries, 1989

⁵ Hulks act Geo:III c.43

⁶ *Daily News*, 27 May 1846

⁷ *Times On-line*, 17 June 1846

⁸ Old Bailey on line: 10 years Sources: CRIM4/300 no.34: Indictment: 15 years

⁹ MH12/7876: 1846

¹⁰ Vestry Minutes DRO19/C1/3, 10 March 1837

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