



## History Notebook 65

# Burglary with Violence at Stansted

by Fred Feather, retired sergeant and founding Curator of the Essex Police Museum

This matter came to notice when, amongst the papers of a former researcher was found a note marked "*Distribution of the Force 1857.*" It had been captured from an Essex Record Office Document Q/Apr 10.

The extract featured Superintendent Henry Flood, who had a 40 year career (minus a few days) with the Essex County Constabulary. In August 1857 he was said to be "Temporarily employed in executing a Warrant against Alfred Phillips in Canada." Another note, in September: "Proceeded to Canada to appr (*Apprehend*) A. Phillips on a Warrant." Then in October "In post at Newport again."



**The old gaol at Newport**

Henry Flood was born in Ruckland, a village six miles south of Louth in Lincolnshire. He joined the Essex County Constabulary at the age of 31, receiving the collar number 1 and proved to be a Number One contender for promotion. He had previously been a glassblower. He was 5 feet 8 ½ inches tall and married with a child. His service had commenced on 26<sup>th</sup> June 1841 and he soon became an Inspector. On 30<sup>th</sup> April 1846 he became a Superintendent (2<sup>nd</sup> class) and was posted to the north west of the county. Another note informs us that he was posted to Newport from 24<sup>th</sup> July 1857, in the rank of Second Class Superintendent. In 1857 he travelled to Prescott in Ontario, Canada, to serve a warrant on Arthur Phillips. The latter then appeared in an Essex court in October 1857.

The case concerned an incident of 16<sup>th</sup> April 1854 at Chapel Hill, Stansted Mountfichet. The *Essex Standard* described it thus: "On Monday morning, about one o'clock, a daring burglary was committed in the dwelling house of the Misses Norwood in the same parish. It seems that an entrance was effected by two men, by cutting away a portion of the kitchen window shutter, from which a piece of glass was taken. The burglars thus having gained admission, found a formidable obstacle to further progress in a door which leads upstairs. This they attempted to break open, but the noise they made in doing so awoke the Misses Norwood, who immediately opened their bedroom window and shouted "Murder" "Police". Hearing this, the burglars attacked the ladies from the outside with a long pole, and upon the face and head of one of the ladies who persisted in calling out for assistance the miscreants inflicted several severe wounds. After some minutes the neighbours were alarmed, and upon their proceeding to the house, the fellows decamped, without taking any property. Elizabeth was cut and bruised about the face and body and Sarah was cut. Elizabeth was still suffering from the effects some months later.

Inspector Sweetman and a constable were on duty at Birchanger at the time of the outrage, and on receiving information they repaired to the spot, as did Supt. Dunne, who was put on the track of the supposed burglars. On the previous night an unsuccessful attempt had been made to break into the dwelling-house of Mr James Pigram in the same parish." Suspicion fell on Alfred Phillips, the son of a local farmer of Hole Farm, Bentfield nearby.

But the investigation proceeded slowly and was only brought fresh impetus when it was discovered that Phillips apparently approached Elizabeth Norwood in 1855 and offered her money to "Withdraw the warrant." When she refused he told her to get legal help and said that he had more than enough money to counter her claims. A similar offer was made to, and rejected by a serving policeman. Phillips senior, his father, farmed 170 acres at Bentfield, employing 12 men, the 1851 census adding that an unnamed tramp was also living on the farm. Edridge Phillips died during the June quarter of 1856 leaving Alfred in funds and the prisoner was at his trial described as "a man of wealth."

SAFFRON WALDEN PETTY SESSION,--Oct. 10.  
Before R. Birch Wolfe, Esq., Hon. R. C. Nevill, W. C. Smith, and  
W. Fuller Maitland, Esqrs.; General Chamberlayne, and the  
Rev. J. Colin, jud.  
CHARGE OF BURGLARY.—A LONG CHASE.—*Alfred Phillips*,  
farmer, of Stansted Mountfitchet, was charged with burglariously  
entering the house of Elizabeth Norwood, of that place, on the  
16th April, 1854. The defendant, who left this country after a  
warrant had been granted for his apprehension, was now brought  
up in custody of Superintendent Flood, who followed him to  
America, and found him at Prescott in Canada.—Mr. BOWKER,  
solicitor, of Bishop's Stortford, now present on behalf of the pro-  
secution, applied for a remand, in order to give time for further  
evidence to be procured; and the prisoner was accordingly remanded  
for further examination to Saturday, at Newport.

This remand court sent him for trial at the 1858 Lent Assize. It is likely that he was on bail, although some spells inside Newport Prison must have occurred. The trial began at Shire Hall, Chelmsford in March 1858. Before it opened the judge made it clear that the evidence supported there being a case to answer. His Lordship's comments:

the house. Another was a charge against a person of considerable wealth of entering the dwelling-house of two maiden ladies and making use of considerable violence. The offence was committed as long ago as the year 1854, the prisoner having since been apprehended in Canada and brought back to this country. The evidence against him consisted to a great extent of certain offers made by him subsequently to compromise the case. There would not appear to have been any property carried away, and the prisoner, being a man of wealth, ridiculed the idea that he could have entered the house with the view to plunder; but he (the Judge) thought from the depositions that an indictment for entering the house with intent to do grievous bodily harm could be sustained. His Lordship then briefly adverted to the charges of coining and larceny, which he said were of an unimportant character, and presented no features upon which he need trouble them with any remarks. The Grand Jury were then dismissed to their labours.

### The Victims

Elizabeth and Sarah Norwood were described as "Maiden Ladies" and this may have given the impression that they were advanced in years, but the 1851 census showed them to be only 45 and 50 in 1854. They lived near their brother William, all three were born in Amersham, and he, a retired coal merchant, had married a local girl Mary. Their occupation was described as "Leasehold Property." One sister was injured facially by the burglars and modern thinking might speculate on other reasons than the judge mentioned, for male burglars, perhaps in drink, to try such a blatant entry into their home.

## **The Alleged Burglars**

It may be that Phillips's attempts to compromise the case has to do with the identity of the burglars. Certainly the father of Potts, one of his companions, had been seen burning a pole. Was it the offender's weapon? Perhaps it was not actually Phillips, but he may have associated with them. At one time he was described as "a dissolute young man" but, in 1856, he had come into money on his father's demise. Enough to get to Canada and so be hard to find? It may be that records of the Quarter Sessions at Chelmsford later in 1858 may show more details of the funding of the trip to Canada.

## **The Investigators**

It might be appropriate here, to explain the rank system within the Essex Constabulary. The force was only formed in February 1840, under the leadership of Chief Constable John Bunch Bonnemaision McHardy. Initially there were only two ranks, Constable and Superintendent (although there were grades within those ranks). In 1841 the rank of Inspector was added, though mainly deployed in towns or areas with a number of Constables. It was not until 1855 that the rank of Sergeant was added. There were no plain clothes detectives.

Second Class Superintendent Flood had brought Phillips back from Canada and was not involved in the trial. He retired on 31<sup>st</sup> March 1882 to Saffron Walden on £93-6-8d annual pension and was to be found there in subsequent censuses. An interesting side-line on the investigation was that several officers who were involved in this case left the force during the four years of investigation: Inspector William Sweetman, aged 44 had 14 years' service but was "permitted to resign" on 31<sup>st</sup> July 1854.

Inspector John Jonas (Jones in some accounts) born in 1818 (who gave evidence and who in 1858 was a superintendent in North Yorkshire at Pickering) served from 22<sup>nd</sup> April 1842 as Constable 115 and resigned on 30<sup>th</sup> November 1856.

Constable Richard Wilkinson, who also had made enquiries, joined on 28<sup>th</sup> December 1844 aged 23 and served until 13<sup>th</sup> October 1856. He was later permanently injured by a gunshot wound on duty and died on 10<sup>th</sup> September 1873.

Superintendent (Sir) John Dunne, born in 1821, he was an Irish lad. He lied about his age – he was only fourteen at the time, but six-foot tall and well-built – in order to join the newly formed Manchester police force in 1839. Police work was not easy in Manchester for the untrained officer, in the days before the Charist riots. On at least three occasions he faced mobs and saw fellow officers so severely beaten that they later died. Within three years he transferred to the Essex Constabulary and in 1842, when he was twenty-one, he was made Inspector. After four years in Essex, a further three years in Bath, and two in Kent as a Superintending Officer, John Dunne became the Chief Officer of the Norwich City Police in 1851. He transferred to Newcastle Police on 8<sup>th</sup> August 1854 and, after a brief spell there he presented himself in Carlisle in January 1857, to assume the leadership of the new joint police forces of Cumberland and Westmorland. He was knighted in 1897. It is suggested that he was the longest serving policeman in this country! Also the youngest! The founding members of our museum have been contacted but they were unaware that one of our colleagues had been knighted.

## **The Witnesses**

Superintendent Jonas (Jones) came from Yorkshire to give evidence. In November 1854 he had been stationed at Wanstead when Phillips came to him and said "This is a nice job about Miss Norwood. I know where the pole was found." On 6<sup>th</sup> December he visited the officer's home on horseback and said "I only wanted to have a lark with the old lady." He then got out a purse and offered the officer money to forget the previous conversation. The officer went looking to apprehend him the following day but never saw him again. He agreed with the defence that "he had heard that the prisoner was very much addicted to drinking, and his brain was to some extent affected. He was always a very nervous young man, and he had on one occasion asked him to accompany him home, because he was afraid of being alone in the dark."

## ESSEX ASSIZES.

CHELMSFORD, WEDNESDAY, MARCH 10TH.  
CROWN SIDE.—(Before Mr. Justice ERLE.)  
GROSS AND SINGULAR OUTRAGE.

Alfred Phillips, 27, a respectable-looking young man surrendered to take his trial upon an indictment which originally contained three counts, the first charging him with burglariously breaking into the dwellinghouse of Elizabeth Norwood with intent to steal; the second with the same act, with intent to commit a felonious assault upon the prosecutrix; and there was a third, which charged him with wounding the prosecutrix with intent to do her grievous bodily harm.

The grand jury ignored the two first-mentioned counts of the indictment, and the prisoner was tried upon the third.

Mr. T. Chambers and Mr. Murphy conducted the prosecution, the prisoner was defended by Mr. Rodwell.

The learned counsel for the prosecution, in opening the case to the jury, described it as one of an unusual and peculiar character. The prosecutrix and her sister appeared to be maiden ladies possessed of considerable property, and they occupied a cottage at Stanstead. The offence that was the subject of inquiry was committed so far back as the 16th of April, 1854 (Easter Sunday), and it appeared that on the evening of that day the prosecutrix and her sister went to bed at their usual hour, and about 12 o'clock at night they were awoken by hearing a noise down stairs and the voices of several men. The prosecutrix went to the front window of her bedroom to give an alarm, when, as she at first imagined, a long pole, but which subsequently turned out to be a clothes-prop, was thrust at her through

Other witnesses included two women named Plasted and Smith and a John Smith alleged that the prisoner had admitted that he was concerned in the outrage. Evidence was thin and may have become confused over the four years of the investigation.

Mr Rodwell appeared for the defence. The evidence of Mr Jonas, he explained, was that Phillips was of a nervous disposition, was sometimes in drink, and was prepared to pay to close the case as he did not like suggestions that he was responsible. The two ladies who told about the pole had not done so for some time afterwards and had their own agenda. He said "The case for the prosecution rested mainly the foolish statements made by the prisoner himself.

The Misses Norwood could not identify the attackers. He then called witnesses who flatly contradicted the two women and in the course of their examination the jury interposed and said they did not wish the case to proceed any further, as they did not consider that there was sufficient evidence to justify them in convicting the prisoner. A verdict of "Not Guilty" was accordingly taken. After five hours of trial Phillips was acquitted.

The various reports on this case have made further research desirable. Importantly how did Constable Wilkinson come to be shot in June 1856? Next, it might be interesting to find out what happened to Alfred Phillips after the trial and what was his connection with the Ontario village of Prescott.? A Canadian researcher will be sent a copy of this article.

*My thanks to Police Historian Martin Stallion, volunteer at the Essex Police Museum, for his help and advice with the complicated career of Sir John Dunne.*

### Visit Us

**Essex Police Museum**, HQ, Sandford Road,  
Springfield, Chelmsford CM2 6DA (Satnav CM2 6DN)

Tel 01245 457150

Email [museum@essex.pnn.police.uk](mailto:museum@essex.pnn.police.uk)

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***The suggestion that he tried to pay witnesses to drop the case did not help his cause.***