

A  
PARTICULAR ACCOUNT

OF THE

MURDER OF MR THO<sup>S</sup>. WEARE;

THE

TRIAL OF JOHN THURTELL

AND JOSEPH HUNT,

AND THE

EXECUTION OF J. THURTELL.



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NO. XLII.



# ACCOUNT

OF THE

MURDER OF MR THO<sup>s</sup>. WEARE,

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ON Friday, the 24th October 1823, about eight o'clock in the evening, as a Mr P. Smith was proceeding, walking behind a donkey chaise, wherein his wife was riding, from the house of a Mr Nicholls, at Batler's Green, to his own residence in Kemp's-row, Aldenham, in the county of Hertford, on approaching Gill's-Hill-Lane he heard the report of a gun or pistol, which was succeeded by groans seemingly from the same quarter. Mrs Smith being terrified at this, he was apprehensive of leaving her, and so made the best of their way home. The same evening, about the same hour, a man of the name of Freeman saw a gig with two gentlemen in it in Gill's-Hill-Lane, an

the horse appearing to have been driven very hard, remarked to them, "they had driven fast;" but no answer was returned. On the following morning two labourers, Hetherington and William Hunt, at work in Gill's-Hill-Lane, saw two men sauntering along the lane, and observed them stoop down, as if searching for something in the hedge. When accosted by Wm. Hunt, one of the men said he had been capsized out of his gig there the evening before. After one of them had taken up something from the hedge, they both went towards Gill's Hill, where there is a cottage, at that time inhabited by a Mr. Probert, the lane being unfrequented, except by persons going to or from the cottage. On the same morning, one of the labourers found a pistol and a pen-knife by the road-side; the former of which was covered with blood and bits of hair, and the inside contained some portions of what a surgeon declared to be human brains. Some of these mysterious circumstances having been communicated, on the following day, to Messrs Clutterbuck and Mason, Magistrates at Watford, in Hertford, a diligent enquiry was immediately set on foot; and some suspicions falling on the occupant of

Gill's-hill Cottage and his associates, late on Tuesday night Mr Probert, and a man named Thomas Thurtell, were taken into custody, and lodged in St. Alban's Castle for further examination. On Wednesday morning early, a Mr John Thurtell, (the brother of Thomas), and a Mr. Joseph Hunt, were taken up, the former at the Coach and Horses, Conduit-street, Bond-street, and the latter at his own lodgings, No. 19, King-street, Golden-square, under a warrant from the Magistrates at Watford. In the room occupied by John Thurtell, a large and a small pistol were found, and some clothes which were much marked, and in some places almost soaked in blood. After a short examination at Bow-street, they were conveyed to Watford, and there examined. The examination of the persons apprehended, of the witnesses above-mentioned; and of Mr Probert's servants, was continued through the night, and did not terminate till nine o'clock on Thursday morning. Before that time, Joseph Hunt, one of the persons who had been apprehended, had been induced to disclose the particulars of the suspected transaction; when it turned out, according to his confession, that John Thurtell, one of the prisoners, had, on

the Friday evening in question, murdered a person of the name of Weare, at the spot in Gill's-Hill-Lane where the two men had been seen seeking in the hedge; that the body of the murdered man was, first of all, on that evening, disposed of in a pond in the grounds belonging to the house occupied by Probert, and lay there till Monday, when it was removed to a pond two miles distant, and there thrown in and left. Mr Hunt concluded his confession by offering to conduct the Magistrates to the spot where the body was deposited.

In consequence of this offer, Hunt, accompanied by Mr Noel, the Solicitor for the prosecution, and a sufficient number of officers, proceeded in post chaises to the spot alluded to; and on arriving near a pond which is on the side of a lane leading from Battledore Green to Radlet, in the parish of Aldenham, about two miles from the place where the murder was committed, Hunt said the body would be found in that pond. After two attempts with a drag, the body of a man, the upper part of which was enveloped in a new sack, the feet crossed and tied with a cord, having a red shawl handkerchief round the neck, was brought

forth; and which handkerchief was, at the trial, proved to have belonged to John Thurtell. On the body being discovered, a Coroners' Inquest was immediately summoned, which was accordingly held on Friday the 31st October, at the Artichoke, in the village of Elstree, and continued on the ensuing day.

From the inquest, and other evidence, the following appears to be the outline of the whole:—

had, on several occasions, been gambling together. On the Thursday preceding the day of the murder, William Rexworthy, proprietor of the billiard-rooms, No. 4, Spring Gardens, saw John Thurtell and Mr Weare at his house together, and understood from the latter that he was to go with the former, on his invitation, into Hertfordshire, for a few days' shooting. On the Friday, about three o'clock in the afternoon, Mr Weare called on Mr Rexworthy, and told him he was then on his way to join John Thurtell on the Edgware-road. When Mr Rexworthy heard that John Thurtell was charged with the murder of some one

whose body had not been found, he left town, and being present at the Coroners' Inquest, identified the body to be that of Mr Weare. From the evidence of Mr Tetsall, the landlord of the Coach and Horses, Conduit-street, Bond-street, it appeared that John Thurtell, Hunt, Probert, and a Mr Noyes, brother-in-law to the latter, were all at his house on the day the murder was committed, leaving it between five and six, having, as he understood, hired one gig at Mr Probert's, Charing-Cross, and having also Mr Probert's own gig with them. Thomas Thurtell declared, that on Friday evening his brother John drove away from the Coach and Horses in a gig drawn by a grey horse, which Hunt had brought to the door. He then saw that his brother had two pistols, and inquired what he was going to do with them? Hunt, accompanying his question with a dreadful expression, asked "what was that to him?" and turning to Probert, said, "Bill, will you be in it?" Hunt had previously brought a sack and some cord, which he put into John Thurtell's gig, and said, "it was all right; drive on." In the evening, while at the Coach and Horses, Hunt had said to John Thurtell,



“ Jack, our friends<sup>o</sup> had better be civil, or they will get served out;” expressions which at that time were not much regarded, because he was constantly in the habit of using the most shocking and brutal phrases. Here, as far as the evidence is yet gone, we lose sight of John Thurtle for a time; but the journey of Hunt and Probert down to the neighbourhood of Gill’s-hill Cottage is ascertained, not only by the confession of Hunt, but by the various stoppages they made on the road to drink. Freeman saw a gig with two persons enter the lane, but he did not recognize John Thurtle. Probert’s two servants, a woman and a boy, however, have sworn that their master returned home on Friday evening about nine o’clock, bringing Hunt with him; and they stated that John Thurtell arrived in a gig a short time before their master and Hunt. They all three went out with a lanthorn and candle about ten o’clock, and, as it appears from Mrs Probert’s evidence, took a horse from the stable with them; Probert said they were going to a Mr Nichol’s on business, and returned about eleven. They then supped, and made themselves merry, and Hunt and Thur-

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tell sat up all night drinking and smoaking. In the morning, both of them went out about six o'clock, and were soon after followed by Mr Probert; they were absent half an hour, and returned before him. There can be little doubt but they were the persons seen by the labourers at work on the road on the morning in question, though these workmen had some difficulty in identifying them, and would not swear to this point. Hunt confesses, however, that they were the two persons. On the Saturday morning the boy Haddis saw the clothes John Thurtell wore under his great coat, and his boots, and they were all covered with dirt, and on his great-coat were spots of blood. Hunt rubbed Thurtell's coat with a wet sponge, but had no marks of blood on his own clothes. On the same day, the boy noticed several lumps of blood on the dirt heaps, and two holes in the hedge of Gill's-Hill-Lane. He also saw a gun and a mahogany case at Probert's on Saturday morning, which were afterwards identified as Mr Weare's property; a travelling bag belonging to the deceased was also shewn him, and he stated he had seen a similar one at his master's on Saturday morning. It appears that Hunt

and Thurtell left the cottage on Saturday, and came to town, and that they returned to the cottage on Sunday, accompanied by Thomas Thurtell and Mr Noyes, brother-in law of Mr Probert's. On Monday, Hunt and Thomas Thurtell returned to town in Mr Probert's gig, bringing with them Mr Probert's boy, who was left at the coach and Horses, till he was removed by a police officer on Wednesday.

On that day, too, as already stated, Hunt and John Thurtell were apprehended, and on the person of the later was found a pistol, the fellow of the one picked up in the lane. In his waistcoat were ten swan-shot, a penknife, and a pistol key. The penknife was identified by Mr Rexworthy as the property of the deceased, and he saw it in his possession on the Friday when Mr Weare left London. Mr Ruthven, the officer, also produced on the Coroners' Inquest a muslin handkerchief, marked with blood, a black waistcoat marked with blood, as if a bloody hand had been thrust into one of the pockets, and a coat which was marked with blood in several places: all of which were found on John Thurtell, or in his possession. Several other por-

tions of property, which was identified by Mr Rexworthy as having belonged to the deceased, were found at Hunt's lodgings, and produced on the Coroner's Inquest, as well as a piece of cord which corresponded with the piece of cord with which the deceased's legs were tied. In Mr Probert's stable, a sack, and a torn and bloody shirt, were found on Thursday, with the initials of the deceased, and it was of the same make as a shirt found at John Thurtell's lodgings. The gig which was hired for John Thurtell and himself, by Hunt, on Monday, and which was used to convey the dead body, was observed, when taken home, to be stained with blood. The squab in Mr Probert's room was also marked with blood.

The above seem to be all the facts of the case as they have been stated by the different witnesses, or elicited by an examination of them. They may be elucidated by the following facts connected with subsequent discoveries:—

Before leaving London on the Friday evening, it appears Thurtell and Hunt had agreed the latter should be put down by Probert at a certain place called Phillimore's Lodge, which accordingly took place, and that Probert then drove on to

his own house. Here he met John Thurtell, by whose directions he went back for Hunt, and brought him up to the cottage in the gig. The presumption, therefore is, that the murder, and the whole scheme for carrying it into effect, was planned (and was to be executed) by Thurtell and Hunt conjointly. Owing, however, to Hunt being later than the appointed time, which again was owing to stopping and drinking on the road, Thurtell performed the whole deed himself. How it was executed, is not exactly known. From the state of the body, there is reason to believe that the first assault was firing a pistol at Mr Wear's head, and the cheek-bone turned the ball aside; that afterwards his scull was fractured by repeated punches with the muzzle of a pistol; and that, finally, his throats was cut, while he was lying on and grasping his assailant. But whether the first assault was made on Mr Wear when in the gig, or he had been induced first of all to alight, is not exactly ascertained. After he was murdered, Thurtell dragged the corpse through a hedge, and left it lying there till the arrival of Probert and Hunt, when all the three went down the lane and removed it, carrying it, and

throwing it into the pond close to Probert's house. It was first of all stripped, but where this operation was carried into effect is not ascertained. On Monday night John Thurtell and Hunt went down to Probert's again, and with his assistance the body was taken out of the pond, put into a gig, carried away a distance of nearly two miles, and thrown into the place where it was found.

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TRIAL AND SENTENCE

OF

THURTELL AND HUNT.

ON Tuesday the 6th January 1824, the prisoners, John Thurtell and Joseph Hunt, were brought up for trial at the Hertford Adjourned Assizes, at an early hour in the morning. The evening was far advanced, when the exculpatory evidence were yet to be examined, and the defence for the prisoners

heard, for which cause it was judged necessary to adjourn the proceedings till the ensuing day.

On Wednesday, the pressure of the crowd exceeded, if possible, that of the preceding day. The prisoner, Thurtell, being called upon for his defence, after a short pause, he addressed the Court in an audible voice, with confidence, and in every respect in a collected manner. He appeared in very high spirits, having before him a large quantity of manuscript containing the heads of his defence, and made repeated calls at his snuff-box. Hunt appeared more dejected; and seemed to have passed an anxious night. His defence was read by the clerk, in which he set forth that, previous to his confession before the Magistrates of Watford, a promise of pardon had been extended to him, provided he should be found to have had no actual hand in the murder. The evidence was then summed up, and which was several times interrupted by Thurtell making occasional remarks as it proceeded. Here Thurtell asserted his innocence for the last time, and requested that the day of execution might be postponed, but which was not acceded to. Sentence was then passed upon these

two unfortunate criminals, in the following terms:—"That you, John Thurtell, be taken to the place from whence you came, and from thence that you be taken on Friday, the 9th instant, to a place of execution, and that you be hanged by the neck till you be dead, and that your body be taken down and given to the surgeons, for dissection. As for you, Joseph Hunt, the sentence of the law is, that you be taken from hence to the place from whence you came, and from thence to a place of execution, and that you be hanged by the neck till you be dead; and may God of his infinite mercy have compassion on both your souls."

When the sentence was being pronounced, Hunt's dejection increased; but Thurtell's confidence never left him for an instant; and after the sentence he went out of the dock with a firm step.

#### *Respite received for Joseph Hunt*

Joseph Hunt received a respite for a week, which was afterwards followed by



a general respite; and it is supposed he will be transported for life.

*Conduct of Thirtell after his Conviction*

After sentence was passed upon this unhappy criminal, he became seriously devoted to the solemnities which belong to the dread transition from life to death; he deplored the follies and the crimes which stained his career in this world; he implored forgiveness of that Great Being, who is the author and disposer of human destiny. He bitterly lamented the sorrow and the shame cast, by his fate, upon his fathers family; but of the particular deed for which he was sentenced to suffer, he expressed no feeling or observation. He admitted that he had a fair and impartial trial, and complained of none. With Hunt he repeatedly shook hands, and unreservedly gave him his forgiveness. He frequently declared that he no longer bore any resentment against any human being. Still, however, quite consistently with his high resolution and unshaken firmness, he calmly protested his preference of his own situation to

that of Probert. Not a symptom of weakness or unmanliness escaped him.

The unfortunate Thurtell passed the evening of Thursday in the greatest tranquillity and firmness. He went to bed at one on Friday morning, and slept with the utmost composure until seven, when the Reverend Mr Franklin arrived, and the prisoner was awakened to receive his pious attentions. From that moment he was entirely engaged in devotion. Nor for one moment did his fortitude fail him. He was affected most deeply when his brother finally parted from him at four o'clock on Thursday afternoon, but he speedily resumed his usual calm manner. The brother burst away from him almost suffocated with grief. He held his handkerchief over his eyes and the greater part of his face as he entered the coach that conveyed him to London. He was mild and unreserved in answering such questions as were asked.

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Thurtell, in the course of conversation, again alluded to Probert. He said, "I forgive Probert from the bottom of my heart; I hope he will live to repent of his past sins. But, notwithstanding the aw-

ul situation in which I am placed, were to be offered life for 100 years, with £20,000, I would rather die, as I am about to do, than live degraded and disgraced like him; a vagabond walking about the streets, pointed at by the finger of scorn. He has always been a wicked man, but my sincere hope is—that he may take warning, and turn from his evil ways."

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*EXECUTION*

*OF*

*JOHN THURTELLE.*

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John Thurtell stepped up with a peculiarly solemn, but resolutely firm and manly step. His air and look were different from his usual manner, only by more marked gravity and seriousness. This was considerably increased by his being unshaven. He advanced forward

with a most deliberate pace, and with the most becoming manner he gave his hand to the Under Sheriff, who was at the extreme end of the drop.

The executioner now placed him on the spot assigned for him, proceeded to take off his hat and his neckcloth; at this moment he looked at the crowd, and made a slight inclination to a bow—a motion that had not been uncommon with him in Court. Instantly every head was uncovered, and many among the crowd muttered, “What a gentleman!” His appearance at this moment was interesting and affecting beyond the power of description.

He was dressed in a brown surtout, which appeared nearly new, light breeches and gaiters, and a fashionable waistcoat, with gilt buttons. The executioner next produced a very thin night-cap, with which he covered his head; but it evidently did not obstruct his view. The Under Sheriff, the gaoler, and the turnkey shook him by the hand. There seemed to be great affection in his manner of parting with them. Indeed, the feeling seemed to be reciprocal. In the course of his defence, on Wednesday, Mr Wilson had shed tears, and the turn-

key, "albeit unused to the melting incud," sobbed and blubbered like a child. After the executioner had fastened the rope round his neck; and while he was fastening it to the beam, Thurtell turned towards him more than once, and appeared to make some observations to him. He was understood to say, "There's hardly any fall." The executioner appeared to explain to him that it was quite sufficient. As if not satisfied with his authority, he addressed himself to Mr Wilson, who was still behind. He then resumed his position, and stood unmoved as a rock till the tedious process of adjusting the rope was finished. The scene was such as deeply affected every heart, and evidently unmanned many.

The executioner now left the drop, and went to his post below.

Mr Wilson, who was the only one now left with him, took him by the hand, and Thurtell was heard distinctly, and in the most cordial manner, to say, "God Almighty bless you!" At five minutes past twelve the drop fell, and the person of John Thurtell dropped beneath the platform; a suppressed groan was heard from the multitude. The executioner having immediately caught him by the

legs, there appeared no other movement of the body but such as he effected. It was quite manifest that Thurtell's spirit continued unshaken till it left its earthly mansion for ever.

Thus terminated the life of John Thurtell, at the early age of thirty; a man endowed with great talents, and improved by a gentleman's education. There is no idea that Thurtell has made any confession.

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It might have been natural to expect that the fate of Thurtell would have excited, if not terror, at least reflection in the minds of many of many of his former associates; but, extraordinary as it may appear, it is still not less true, that though they were aware that Thurtell's first plunge into crime was occasioned by his predilection for prize-fighting and similar savage amusements, many of them were peculating, at the very moment before his death, whether he had heard of the recent fight which took place near Worcester.

We know not what the feelings of such men may be; but we should have expect-

d, that if they entertained the slightest regard for the good opinion of their fellow-countrymen, they would have refrained from venturing upon such a topic at such a moment. No words can describe our disgust at conduct so revolting to decency, humanity, and all proper feeling. We shall only say that it was in perfect keeping with the parties from whom it proceeded; we mean the gentlemen of the fancy—the ruffians of the ring.

*FINIS.*

that if they entered the market  
 for the first time they would  
 have a great advantage over  
 those who had been in the  
 market before. The only  
 advantage that they could  
 have was that they would  
 be able to buy at a lower  
 price than those who had  
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