

## ***The Quaker and the doctor: the cases of John Tawell and James Cockburn Belany*** by Len Woodley

The morning of Friday 28 March 1845 was, by all accounts, biting cold. There was a brisk wind and until 7.30am, light rain had fallen against the upturned faces of the crowd in Aylesbury Market Square. A few minutes after it had stopped John Tawell stepped out onto the scaffold that had been erected just for him. Estimates vary as to the exact number of spectators thronging the square but it is believed that there were several thousand people waiting for this *event*. After praying for a short time, Tawell had the noose placed around his neck, the bolt was then drawn and Tawell's body fell a short distance, the length of the rope, where he struggled for some time before expiring. His lifeless body was buffeted by the wind until it was eventually taken down to be buried within the gaol he had just come from

Tawell, who had been convicted just days previously for the murder of his former mistress, had escaped the hangman's noose once before when in 1814 he had been arrested and charged with passing a forged banknote. That offence then carried the death sentence, however the charge had been reduced to possession, a non-capital offence to which he had pleaded guilty and he had been sentenced to transportation to Australia, leaving his wife and two sons behind in this country. On his arrival in that distant land, Tawell had been employed in the prison hospital, as he had knowledge of medicines and poisons gained when he had been employed trying to sell those potions. For his work in the hospital, he had been granted an emancipation ticket by the Governor of New South Wales which released him from his servitude. He had set himself up in business in Sydney and he had prospered. Mrs Tawell heard of his good fortune and with their two sons made the long journey to Sydney to be re-united with her husband. Eventually, Tawell decided to return to England and the family duly sailed back to live in London

Mrs Tawell then became ill and Tawell employed a nurse called Sarah Hart to look after her. Sarah not only looked after Mrs Tawell but John as well, for she bore him two children. When Mrs Tawell died John re-married, not Sarah, but a Quaker lady from Berkhamstead. Sarah now became an embarrassment and Tawell eventually installed her and their children in a cottage just outside Slough at a place called Salt Hill. He agreed to pay Sarah £1 a week and he visited her every quarter with the money. After a while, Tawell thought she might embarrass him by revealing all and it was possible that he did not wish to pay her any more money. He therefore decided to do away with Sarah

When he called on her on 1 January 1845, Sarah was pleased to see her former master and when Tawell suggested that she should go to a local inn and buy some stout, she readily agreed. Somehow, without Sarah's knowledge, Tawell managed to pour some Prussic acid into the glass that she was using and when she drank the liquid, it burned her throat and stomach. Sarah screamed out in agony and Tawell hastily left the cottage, picking up the money he had just handed to her. But Tawell's sudden departure was observed by a neighbour alerted by the screaming that she had heard coming from Sarah's cottage

This inquisitive woman then entered Sarah's abode where she found her writhing in agony on the floor. A doctor was summoned but he could do nothing to save Sarah. The neighbour said she had seen a man *dressed as a cleric* leaving the cottage and the local

vicar who had been called to the scene went in pursuit of the suspect<sup>8</sup>. Tawell was traced to Slough Railway Station where he was seen boarding a train bound for London. It left before the vicar could apprehend him and it was thought initially that Tawell had escaped. All was not lost, however, and by using the recently installed electric telegraph, a message was sent to Paddington Railway Station. Tawell was seen leaving the train at that terminus by a railway policeman, Sergeant Williams. He followed Tawell for some time until he was seen to enter a lodging house. Sergeant Williams, believing he had carried out his duty, returned to Paddington. The next day, after receiving further instructions, Williams, accompanied by Inspector Wiggins of the Metropolitan Police, traced Tawell to a coffee house in the City of London. Inspector Wiggins promptly arrested Tawell and took him back to Slough to appear before the coroner's inquest, where he was committed for trial on a charge of murder. Some two months later, despite an ingenious defence put forward by his counsel at Buckinghamshire Assizes, that the poison came from the consumption of apple pips, Tawell was found guilty and sentenced to death

It was a murder that became a footnote in the history of killing by poisoning but it attained a certain notoriety because the murderer had been traced and eventually caught by the use of a marvellous new invention and Tawell, the so-called *Quaker killer* because of his affiliation to that religious society, became known as the first murderer to have been caught by the electric telegraph

Tawell's motive for murdering Sarah Hart may well have been because of his straitened circumstances but did he finally decide to commit this terrible crime by reading about the trial at the Old Bailey in August 1844, just a few months beforehand, of James Cockburn Belany for the murder of his wife by poisoning her also with Prussic acid?

In the early 1840s, Belany, a doctor practising in North Sunderland, Northumberland, met Rachel Skelly, who lived with her widowed mother. Rachel was young, by all accounts very attractive and she stood to inherit a large sum of money and property in the event of her mother dying. All matters to encourage suitors. Belany was the man who won her heart, however, and in February 1843 he married the fair Rachel. They lived with her mother and Belany ceased practising as a doctor and took more interest in his mother-in-law's business

Mrs Skelly decided to change her will to make Belany and Rachel joint inheritors of her property. Belany drove his mother-in-law to the solicitor to make the amendment and on the way back he managed to tip over the trap, injuring both himself and Mrs Skelly. Shortly after this the old lady died and Belany signed her death certificate giving her cause of death as *bilious fever*. Then another tragedy occurred. Rachel, who had been expecting a child, miscarried

In early 1844, Belany suggested to his wife that they visit London. He had lived in Stepney for a while and he proposed that they travel to the capital and stay there for some days. Belany also wanted to go on to the continent and Rachel, who was pregnant again, could stay with some friends of his while he did so. Rachel, who had never been to London, was eager to undertake the journey. The day before they left Northumberland, they both made wills. These stated that if Belany died first, his wife should inherit all his property and if Mrs Belany died before her husband, he would gain all her property. Belany would appear to have been the instigator of this, his explanation being that travel was a dangerous undertaking

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<sup>8</sup> Buckinghamshire at this time relied upon superintending and parish constables and did not have a county-wide constabulary. It would not have one until 1857. However, it is believed that it was a matter of haste to catch the murderer that no policeman was initially called

The Belanys reached London safely enough in June and stayed initially at the Euston Hotel before Belany moved them both to two rooms in a lodging house in Stepney, an area where he had some acquaintances. Belany now began to send some very curious letters to his friends in North Sunderland. In one, he said that Rachel was very ill: she was certainly tired from her long journey south, bearing in mind that she was almost eight months pregnant and Belany had taken her on an exhausting tour of several places in London. He further wrote that Rachel was being attended by two medical practitioners: that was not true, and he stated that he believed that Rachel had a diseased heart just like her mother. This also was untrue

Whilst at Stepney, Belany visited a chemist he knew and asked him to obtain some Prussic acid as he needed it for his stomach problem. He had been known to take this poison off and on for some years

On Saturday 8 June just before 8am, Belany called for Mrs Heppingstall, the landlady of the house where he and his wife were staying. When Mrs Heppingstall entered the bedroom, she saw Mrs Belany lying in bed on her back, insensible, with some foam-like liquid, she said, coming from her mouth. Mrs Heppingstall, whilst comforting Rachel, implored Belany to do something for his wife. Belany replied that Rachel suffered from a disease of the heart which had killed her mother the previous year. He also told the astounded landlady that his wife would not recover. She begged him to send for a doctor. Belany said that he was a doctor, but he did little to try and resuscitate his wife. Eventually, Mrs Heppingstall sent her servant for a Dr Garrett but by the time that he arrived Mrs Belany had died

When Dr Garrett made his preliminary examination of the body, he assumed that Mrs Belany had died from heart disease and Belany agreed. When Dr Garrett asked Belany if his wife had taken any medicine, he replied that she had drunk some salts. Dr Garrett then said that in view of the suddenness of Mrs Belany's passing, an inquest would have to be held

That afternoon Belany went with some friends to a local cemetery to arrange for a plot in which to bury his wife. As they walked along, Belany now told his companions something which quite astonished them. He informed them that when he had risen from the marital bed that morning, leaving his wife there, he had gone to take some Prussic acid, which he kept in the bedroom, for his stomach complaint. Whilst trying to remove the stopper from the bottle, he had broken the neck, spilling some of the acid. The remainder he had poured into a glass which he had placed on some drawers at the end of the bedroom. He had then gone in to the other room to fetch another bottle in which to pour the acid. Instead of doing this, he said that he started writing to his friends. He had only been there a few minutes, he continued, when hearing a scream he returned to the bedroom. He said that Rachel cried out, *Oh dear! I have taken some of that hot drink. Give me some cold water!* She then immediately went into convulsions. Belany added that he thought he had caused his wife's death through his negligence. He emphatically denied, though, that he had administered the acid to his wife. His friends told him that he should call on Dr Garrett and tell him what had occurred. This Belany did

At the coroner's inquest, when all the witnesses had been heard, the jury returned a verdict of *wilful murder* and as a result, Belany was committed to stand trial at the Old Bailey for poisoning his wife

His trial began in August 1844 and Belany pleaded *Not guilty*. Many witnesses for the prosecution appeared and gave evidence of the events that had occurred on the morning of Saturday 8 June, as did the doctors who had performed the post-mortem on Mrs Belany. They said they had found traces of Prussic acid in her stomach. Other medical

men related what effect Prussic acid would have adding that the *remedies* performed at the lodging house, such as bathing Mrs Belany's feet and applying a poultice to her chest, would have been ineffective. The letters that Belany had written to people in North Sunderland were read out and these showed that he had lied to them when he had said that his wife had been seen by two *medical attendants*, that she was suffering from the same disease that had caused the death of her mother and that Rachel was seriously ill when in fact she had died!

In his defence Belany, who was not permitted to give evidence, produced several people who said what a loving and considerate husband he had been to his wife and that he had been distraught at his *negligence* in leaving a glass of Prussic acid near to Rachel, then going to another room and writing letters. The judge, in his summing-up, laid great emphasis on the relationship described in court between Belany and his wife. After a short recess, the jury returned with a verdict of *Not guilty* and Belany was discharged

There was a furore in the newspapers over this verdict and the judge and jury were castigated in both the national and local newspapers. When Belany returned to North Sunderland, some of the local people, incensed at the death of a popular young woman of that area, made an effigy of Belany and burned it. They then set fire to the house he was living in. Belany decided to leave the area

This case received wide coverage in the London and provincial newspapers and it is surely possible that John Tawell read the reports of the trial and acquittal of Belany. Did he then come to the conclusion that, with his knowledge of poisons, he could murder Sarah Hart and get away with it, as apparently many people believed that Belany had? Sarah had become an encumbrance and a drain on his money. He was frightened that she might expose him as the father of their two children. It was said at Tawell's trial that he had attempted to poison Sarah the previous September, a month after the acquittal of Belany. If Tawell did think he could escape the consequences of his actions, then he did not realise that the new invention, the electric telegraph, would be his nemesis

*Acknowledgments:* Rachel Simon, Lisa Edwards and Chris Low of the Centre for Bucks Studies; Philip Anderson, Estella Dukan, David Donaldson and Perdita Jones



*Len Woodley is a retired Thames Valley officer and the author of several books on local murders and forces*

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