

## **Crime and Punishment and Law and Order.**

Lakenheath was part of the Lackford Hundred. A 'hundred' was an ancient civil administrative area which had been in existence since late Saxon times. One of its functions was the administration of justice through the Hundred Court where Justices of the Peace decided if the crime could be dealt with at the Hundred Court, or whether it should be heard at the Assize Court before a Judge and jury. It was at this time that the 'petty sessions' or magistrates court was introduced to reduce delays in the justice system. The Assize Courts eventually became County Courts.

Before 1800 there were \*150 crimes which were punishable by the death sentence. The rise in crime after Waterloo was influenced by social deprivation due to unemployment which many blamed on the mechanisation of work. For example, in rural areas, mechanical threshing machines were wrecked, as in Suffolk. Times were hard again and rural 'crimes' such as poaching and petty theft increased. (See also The Corn Laws and the Littleport Riots). Social unrest gathered pace throughout the country.

*\*pipwright.com Newspapers in Suffolk 1801-1825.*

### **Punishments.**

Transported to Australia from Lakenheath were:

#### **HENRY FLACK.**

Convicted at Suffolk Assizes of burglary at the house of SUSAN ROLPH of Lakenheath. He stole £26 in coin amongst other valuables.

Sentenced to Death but commuted to transportation for life.

Arrived in Australia 2th. May 1822.

#### **THOMAS GATHERCOLE.**

Sentenced to transportation for 7 years for the theft of a pair of blankets from JAMES OLLETT of Lakenheath.

Arrived in Australia 27<sup>th</sup> July 1824.

#### **SIMON CARMAN.**

Age 50. Sentenced to be transported for 10 years for stealing a quantity of barley from the land of JAMES CROW of Lakenheath.

Arrived in Australia 1<sup>st</sup> April 1838.

#### **DANIEL NEAL**

Sentenced to transportation for 7 years for stealing a silver watch from RICHARD SHINN of Lakenheath.

*Transportees from Suffolk to Australia 1787-1867. Richard Decks. Seven Sparrows Publishing.*

All were sentenced at Suffolk Assizes, Bury St. Edmunds but first they would have appeared before a local JP. For example, Henry Flack may well have been committed to stand trial at Bury Assizes by ROBERT EAGLE JP.

It's unlikely that any of them returned after serving their sentence as they would have had to pay their own fares.

**Details of convictions of Lakenheath people by the Lackford Hundred JP's. 1865-74.**

Drunkenness	57	Poaching	11
Larceny	9	Assault	16
Wilful damage	9	Animals straying on roads	19
Riding or driving furiously	8	Alcoholic licensing offences	2
Illegal weights and measures	3	Affiliation orders*	11
Abandoning wife and or child*	7	Warrant of Ejection	2
Housebreaking	1		
Obstructing a footpath or highway	4		
Absenting from a master's service	2		

One interpretation of these statistics might show the poverty of rural Lakenheath for ordinary villagers. It can be seen that a man could be punished for leaving wife and child but a woman was expected to remain whatever the circumstances so far as the law was concerned. However, a woman could appeal to the court to have the father of their child born out of wedlock to be compelled to 'recognise' the child and pay towards the upkeep of the child so long as he could be found.

An \*Affiliation Order was granted by the Court where the father could be identified.

The stress of life can be seen in the following tragic affair:

20 August 1867. *"Mary Ann, wife of Richard Gathercole charged with the Wilful Murder of her child, Sarah Ann, aged months".*

Mary Ann gave herself up to the Police, who said that there was little doubt of her insanity. On the 15<sup>th</sup> August she put her baby into a 'keeler'\* under a pump and filled it with water, so drowning her child.

All she could say was, "I couldn't bear it any longer". She was committed to an Asylum.

\*A keeler was a small boat which had a keel. Most fenland boats were flat-bottomed.

*Roy Silverlock. Lakenheath History Topics. Vol. 1. 1994-1997.*

The recently formed Magistrates courts did not require a jury to determine guilt. Punishment varied from hard labour for stealing, to fines for misdemeanours. For example, 'riding a horse without reins on the highway'.

*Silverlock in Lakenheath History Topics citing the Lackford Hundred Justices Minute Book, 1865-74*



By the middle of the century it was clear that the enforcement of law and order could no longer be left to local J P's and the army when occasionally riot threatened. Social unrest and deprivation had lead to increased crime. The Corn Law riots were one of the reasons for the formation of the Metropolitan Police force.

The West Suffolk County Constabulary was formed in 1844 with a specific role in the policing of rural areas and its structure was laid down in the County Police Acts of 1839-40. Not much changed in one respect: county JP's were responsible for the selection and appointment of the Chief Constable in 1844.

When formed the West Suffolk personnel consisted of:

Chief Constable.  
6 Superintendents.  
7 Sergeants.  
27 Constables.

All ranks wore swords, truncheons and rattles, which they used to call for assistance.

*St. Edmundsbury Chronicle 2000.*

*If you know anything about the first constable in Lakenheath please let us know.*

#### **Another local murder.**

In 1869 James Rutterford and David Heffer were caught poaching at Eriswell by a game-keeper, John Hight, who was beaten to death using the barrel of a shotgun. Arrested the following day, James Rutterford made two unsuccessful attempts to escape from Bury Gaol.

*"The inquest was held at the Chequers Inn at Eriswell and His Highness the Maharajah (Duleep Singh) attended throughout the enquiry".*

*Diss Express March 4<sup>th</sup> 1870. pipwright.com*

*"The Latest and Full Particulars of the Shocking Murder at Eriswell". Charles Palmer. Market Place, Mildenhall.*

At the trial David Heffer gave evidence against James Rutterford who was found guilty of the murder and sentenced to death. BUT! Doctors found that Rutterford had a malformation of the neck which might cause considerable difficulty in carrying out the sentence. The sentence was commuted to life imprisonment and he died in Pentonville gaol.

*Bury Free Press. April 9<sup>th</sup> 1870. pipwright.com Newspapers in Suffolk.*