

## **The Bretforton Murder**

This account of a murder which took place in Bretforton in 1707, was written by C H Gardiner, for many years Clerk to Evesham Rural District Council and a long-term resident of Aldington. Whilst the story does not relate to any person or place in Badsey or Aldington, it is interesting because of its reference to "Allen's Barn", just across the border into Bretforton and a prominent feature on the landscape for anyone walking along the footpath from Badsey to Bretforton. One wonders how many Badsey folk may have walked out to the border to view the dead body of the Bretforton man found guilty of murder, one John Allen, whose dead body was hung in chains from a gibbet near the barn.

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By C H Gardiner

Every old building in a village has an interesting history if one can only trace it. In the heart of Bretforton is a yard known as Cormell's Yard, which is no different from numerous other yards in the village. Away at the extremity of the parish near ancient cross roads that carry very little traffic today, lies Allen Barn. Like Cormell's Yard, Allen Barn is just an ordinary isolated barn such as is usually found at the outskirts of a large farm. Yet these two places are associated with a remarkable murder which occurred two centuries ago, and their names are taken from those of persons involved in the crime.

At the beginning of the 18<sup>th</sup> century there lived by herself in a house near The Manor at Bretforton a maiden lady, 66 years of age, named Ann Cormell. She was respected by the local inhabitants and was supposed to be possessed of a fair sum of money which she kept in the house, as was customary in those days. Ann Cormell was not averse to lending some of her money to neighbours wishing to borrow it, who could either offer security, or were of such character and standing that their word was their bond. In fact a farmer and neighbour named Thomas Byrd, wanting some money to make purchases at Alcester Fair, asked Miss Cormell if she could lend him £8. This she readily did, and told him that he could pay it back when he wished. Farmer Byrd offered to give her a bond for it, but Miss Cormell refused. Thereupon, being an honest man, Mr Byrd tore a leaf out of his pocket book and insisted on the lender having a receipt, which he wrote out there and then. Joseph Wall having need of 20 shillings, also borrowed this sum from Ann Cormell and gave her a little silver box containing article of jewellery as security.

On Tuesday 4<sup>th</sup> February 1707, during a bright moonlight night, Ann Cormell's house was seen to be on fire. Neighbours rushed to her aid; but the flames had too great a hold on the building and it was only after the fire had burnt itself out that they were able to extricate the charred body of the old lady. It was seen that she had a large hole in her skull, but this was readily accounted for by a heavy beam that had fallen and was lying across her body.

Ann Cormell was duly laid to rest in the churchyard, amid the last respects of a sorrowing community deeply shocked at the untimely end of a good friend and neighbour.

There was no suggestion that the affair was other than an accident, especially as the old lady had not an enemy in the world. The fate of Ann Cornell might have been regarded as an accident until this day had it not been for a further fire which occurred at Upton Snodsbury some months later. Here lived a widow, Mrs Ann Palmer, with her maid, Hester Loxley. On the night Friday 7<sup>th</sup> November 1707, Widow Clerk, a near neighbour of Mrs Palmer, hear a woman's shrieks twice. She immediately got up, rushed out into the land and saw that Mrs Palmer's house was on fire. She roused the neighbours and they were in time to take out Mrs Palmer's body; but the house fell in before they could reach the maid. The affair would probably have passed for an accident, only the wounds on Mrs Palmer's head and body proved that she had been murdered.

Suspicion fell upon Mrs Palmer's son Thomas, a dissolute ne'er-do-well who had often been heard to utter threats against his mother. Suspicion increased as Palmer made no honest attempt to tract the murderers. It came to the ears of the Vicar of Upton Snodsbury a few days later that a man named Giles Hunt had gone into his brother's house, where he lived with his wife, early in the morning following the murder, and that he had blood on his breeches and sleeves. A warrant was issued for Hunt's arrest and, on being questioned, he explained that he had been quarrelling with a soldier. He gave information of his movements, which proved to be false.

A search warrant was obtained to enter Hunt's house, and there the constable found various articles belonging to Mrs Palmer. Hunt thereupon confessed his guilt and said that three more men were associated with him in the crime.

On Monday 1<sup>st</sup> December, John Hawkswood, a saddler of Worcester, who had taken an active interest in the matter and was present when Giles Hunt was arrested, met Richard Price of Bretforton in Evesham. Hawkswood talked about the Upton Snodsbury murder, which led Price to remark on the similarity of the fire which occurred at Ann Cornell's house at Bretforton. It appeared, too, that someone had seen Giles Hunt with a little silver box similar to the one that Joseph Wall pawned to Ann Cornell for his loan of 20 shillings. Saddler Hawkswood was evidently a man of resource, for he immediately advised Price to send Wall over to Worcester. Wall went to Worcester on the following Thursday and saw the saddler who obtained a further warrant to search Hunt's cottage. They found the silver box among Hunt's belongings.

Up to this time, while confessing to a part in the Upton Snodsbury murder, Hunt had said nothing about the Bretforton affair. He was in prison at Worcester and when Wall's silver box was shown to him, he became very pale and confused, but disowned all knowledge of it. The next morning he confessed everything to Mr Taylor, a clergyman, and his confession implicated Tom Dun, John Allen and a gentleman named Thomas Symonds. The last named was already under arrest for complicity in the Upton Snodsbury murder, and warrants were then immediately issued for the arrest of John Allen of Bretforton and Tom Dun. John Allen was quickly apprehended; but the elusive Mr Dun was not so easily found. Then Hunt suddenly remembered that he had once heard Tom Dun referred to as "Hobbins". A family named Hobbins lived at Churchill near Upton Snodsbury and several of its members were brought before Hunt for identification. But Hunt knew none of them. It

transpired, however, that there was another brother, whose description tallied with that given by Hunt. This brother was supposed to be living at Burford. Accordingly a request to make inquiries concerning Hobbins was sent to a Justice of the Peace for Oxfordshire. The Magistrate passed on instructions and a description of Hobbins to a farmer named Joseph Castle, who lived at Burford.

For some reason best known to himself, and which completely mystified his wife, Tom Hobbins decided on Sunday 4<sup>th</sup> January 1708 to go to church. This was something he had never been known to do before and, moreover, he remained to take the sacrament. Joseph Castle was also at church, as was his custom, and he too remained for the sacrament. Hobbins' sudden religious turn of mind proved his undoing for, as a stranger, he made himself conspicuous and attracted in particular the attention of Mr Joseph Castle with the result that Mr Castle arrested him immediately the service was over. The apprehension of Hobbins meant that all those associated with the murder of Ann Cormell were at last in custody.

Giles Hunt turned Queens' evidence and was pardoned. He was thus able to tell the full story of the murder when the prisoners were tried at Worcester Assizes on 31<sup>st</sup> March 1708.

In the summer of 1706, Giles Hunt worked at Bretforton with John Allen of that village at harvest, and they became acquaintances. At Condicote Wake, held at Michaelmas, Hunt met John Allen who introduced him to Tom Dun (otherwise Hobbins) at the village in.. Hobbins suggested to Hunt in the bar of the inn that if he cared to venture with him he could live like a king and never want money. The upshot of this conversation at Condicote was that the three met, as arranged, at an inn at Piddle in Worcestershire, where Hobbins introduced Allen and Hunt to Thomas Symonds, who was described in his indictment as "Gent". Symonds certainly had property, but if he were a gentleman at all he appeared to be a "Gentleman of the Road" for he advised Hunt never to go to service again and observed: "I think it no harm to take a purse from a gentleman that can spare it."

The first job of work that Symonds gave Hunt to do was to try and sell a horse at Bisley Fair in Gloucestershire or "swap" it for another. It turned out afterwards that the horse had been stolen by a man named Ballard; hence the idea of an exchange of horses in the event of a sale being unsuccessful. Hunt took the horse to Bisley and failed to sell it. He then travelled with it to an inn at Gloucester and had almost succeeded in persuading a carrier into an exchange with another horse, when the carrier began to ask Hunt pertinent questions concerning the ownership of the animal in his charge. The carrier even went so far as to ask Hunt to produce a receipt to prove that he had come by the horse honestly. Hunt's bluff was called, but he was an adroit if not a brave fellow. He immediately offered to go out and fetch the receipt; but once he had set foot outside the inn he increased the distance between himself and Gloucester as fast as his legs could carry him.

Symonds and the man named Ballard who was supposed to own the horse were naturally very angry when Hunt returned to Piddle and told them of his failure to dispose of the horse otherwise than by leaving it in the stable at Gloucester. Countering the upbraidings of his employers, Hunt boldly suggested to Symonds and

Ballard that the horse had been stolen. If not, it would still be in the stable at Gloucester and they could go and bring it home.

Symonds and Ballard then did a remarkable thing. They gave Hunt £3, telling him to hold his tongue and to be true to their designs. Their first design was to rob a house belonging to a Mr Poultney; but Ballard, the only man who knew the lie of the land, did not appear at the appointed meeting place. Allen then suggested that they (himself, Hunt, Hobbins and Symonds) should go to Bretforton to rob Ann Cornell, whom he was certain had money. Hunt did not think the old lady had much money, but Allen retorted: "Damn me, if it be but £5, 'tis worth the fetching." And so the four of them proceeded to Bretforton. Allen and Hobbins broke into the house while Symonds and Hunt kept watch. They brought out the money they could find, a bundle of clothes and a little silver box containing rings and jewellery. Hobbins had some papers in his hand which he held up in the bright moonlight to read. He then observed: "This is a brave bout for Tom Byrd, for here is a note under his hand for £8 lent by Ann Cornell." Hobbins then tore up the papers and stamped them under his feet. As they were leaving the village, Symonds turned and saw a house on fire. He exclaimed, "What! Have you fired the house?" Hobbins said they had.

The spoil was divided on the following Saturday morning, and the total sum of money found in the house was £22. Hunt was given £7 of this together with the silver box and its contents, which was more than his fair share. His companions explained, however, that they had allotted him a generous portion of their gains by way of encouragement to a beginner.

At the trial, Thomas Byrd gave evidence for the prosecution concerning the paper acknowledging receipt of the loan of £8 from Ann Cornell, and Joseph Wall identified his little silver box.

Hobbins tried to prove an alibi; but contradicted himself in his evidence. He first declared that he had never set eyes on Hunt until he saw him in prison at Worcester; then he later interrupted Hunt during his evidence and declared that they had worked together at Bretforton.

John Allen put up what, at first, appeared to be a perfect alibi; but it transpired that he made a most incriminating statement when he was arrested. When the warrant was served on him he remarked that he could not understand why anybody should have a warrant out against him unless someone had sworn falsely against him concerning the Bretforton business. Mr Thomas Byrd, who arrested Allen, merely told him he had a warrant against him. He said nothing of the origin of the warrant and he made no reference to the murder of Ann Cornell. Besides which, nobody had regarded the affair other than an accident until Richard Price had met the saddler from Worcester.

All three prisoners were found guilty and sentenced to be hanged.

An interesting account of the behaviour of the prisoners and indications of their personal characters was given by the Ordinary from his observation during the time they were in Worcester Jail awaiting execution.

Symonds was a man of surly spirit, his words few but foul, and he drank heavily during the time he was in jail.

Hobbins had no sense of religion. He generally loitered his time away in the Castle Yard, jesting after his rustic manner with everybody who came. He swore and cursed much and drank all he could get.

Allen, unlike Hobbins, affected a form of godliness. He was very precise and demure in his demeanour, except when pressed with questions about the murder which he could not answer. Then he flew into a rage, foamed at the mouth and hurled horrid imprecations on himself and others. He pretended to have a great knowledge of divine things and censure others while praising the Lord for the power of his Grace upon himself. Moreover, he had a habit of making extempore prayers in a loud manner for other people to hear.

Symonds and Palmer first confessed their guilt and advised Hobbins to do the same. But afterwards these confessions were retracted, Symonds and Palmer declaring that they had been tricked into making their confessions by a promise that they would thus secure the Queen's Pardon through the good offices of the Bishop of Oxford.

Neither Hobbins nor Allen could be induced to confess before they were hanged. They repeated the Lord's Prayer and The creed together before their execution.

The dead body of Allen was hung in chains from a gibbet at Bretforton near what is now called "Allen Barn", and the body of Hobbins was exhibited in a similar manner at Upton Snodsbury as a public example of the fate of malefactors.

Memories of the murder are kept alive in Bretforton today, not only by the place names of "Allen Barn" and "Cormell's Yard" but also by this couplet which has evidently been handed down from one generation of villagers to another:

"Allen, Symonds, Palmer and Dun,  
The four biggest rogues under the sun."

Furthermore, the charred beams in a barn in the village are supposed to have been taken from the ruins of Ann Cormell's house and used in building the barn.