

THE TRIAL OF JOHN BURTON

When William White, Chaddesden's schoolmaster, announced he would be retiring in 1806 after serving 24 years in post, the search began for his replacement and John Burton was duly appointed in his stead. Burton was not a Chaddesden man and details about his previous residence and career have proved difficult to ascertain. He and his wife, Alice, evidently moved to Chaddesden that same year, for the parish register records the birth of their first child in May 1806.¹ In all, the couple had seven children as follows: Mary Ann (1806); Maria (1809–1809); Emily (1811); Jesse (1813); Alice (1815); Judith (1818) and Selina (1823)



John and Alice Burton would have lived in the little schoolhouse in St. Mary's churchyard, which can be seen here in a photograph of c.1890. Part of their home functioned as a classroom, together with a section of the north aisle of St. Mary's Church, just a few yards away.²

Chaddesden in the early 1800s was only a small village with a population of around 500 people, consequently the schoolmaster's salary would not have been particularly generous. It was most likely in order to make ends meet that John Burton took up the additional position of parish clerk at St. Mary's

Church, where his duties would have been many and various, including some or maybe all of the following: announcing the hymns; leading the responses in the church services; winding the church clock; tolling the church bells for funerals; assisting the churchwardens with the church accounts; keeping a record of births, marriages and burials so the minister could write up the parish registers; serving at the altar; ejecting dogs from the church; and waking up any parishioners who happened to fall asleep during the church service.³

Burton's life here at Chaddesden seems to have been largely uneventful, saving for an event which took place one evening in December 1811, when he and another man were held up and robbed at gun-point by three footpads on Nottingham Road. They relieved Burton of his keys, a penknife and some halfpence but completely missed his pocket-book which contained two one-pound notes.⁴

Samuel Butler, Archdeacon of Derby, diligently visited each one of his Derbyshire churches between 1823 and 1824 and whilst at Chaddesden on 1 July 1824 he noted that John Burton was the parish clerk, being appointed by the minister and paid £5 5s 0d per annum by the parish.⁵ In addition to this sum, Burton would also have received occasional fees from certain church services. A document of 1841, a few years after Burton's time, sets out the fees payable to the clerk under various different headings including: Marriage by Licence, 5s 0d; Marriage by banns, 2s 0d; Publication of banns, 0s 6d; Certificate of marriage, 0s 6d; Burial of a parishioner in the churchyard, 2s 6d.⁶

- 1 A trawl through FamilySearch looking for a likely marriage around this time between a John Burton and a woman called Alice, provided a single result, namely 10 Aug 1804 at St. Werburgh's, Derby – John Burton, a farmer of Aston, married Alice Bowler of St. Werburgh's, Derby, spinster. Both parties were over 21 years or over and there is no evidence to prove or disprove that this particular John Burton was the Chaddesden schoolmaster.
- 2 The buttress at the south-west corner of the church can be seen over on the right-hand side of the picture.
- 3 Dog tongs and dog whips were once frequently found in churches. Dogs accompanying their owners were tolerated, but if fights broke out, the clerk was expected to use the equipment provided and remove the offending animal(s) from the church!
- 4 *Derby Mercury*, 19 December 1811.
- 5 M. R. Austin, ed., *The Church in Derbyshire in 1823–4*, Derbyshire Archaeological Society Record Series, 1974, p.60.
- 6 Derbyshire Record Office, D2360/1/34/2.

In the 1820s agricultural labourers might earn in the region of £30 a year, and were generally considered to be amongst the poorest of workers. So even with Burton receiving his schoolmaster's pay, topped up with the salary from his second job as parish clerk together with its associated dues, he might well have found it difficult to provide for his large family. Elementary schoolmasters quite often took additional fee-paying students to augment their income.

An inspection of the church's oldest surviving parish register (1718–1813) suggests that Burton was a diligent and hard-working parish clerk. The pages at the back of this particular volume contain his summaries of the 1811 and 1821 Census returns, and a transcript he made on 15 May 1826 of that part of the Chaddesden Enclosure Award detailing the allotment set out to the village schoolmaster (which office he also filled of course). It seems quite probable he was the person responsible for creating the fascinating strip map of the village and its associated distance table of c.1825, which was carefully set out on facing pages in the register.⁷

One of Derbyshire's earliest trade directories was compiled by Stephen Glover between 1827–1829 and published by Henry Mozley of Derby in the latter year. This extract from the Chaddesden entry includes a brief mention of John Burton.



Bullock Ann, shopkeeper
Burton John, schoolmaster and parish clerk
Chandler Thomas, joiner
Chollerton Thomas, baker and shopkeeper
Chollerton Robert, farmer
Cockayne William, farmer
Cockayne Francis, farmer
Flixon Luke, blacksmith
Garratt George, farmer
Goodwin John, farmer
Goodwin John, farmer
Goodwin Samuel, butcher

By the middle of 1829, John and Alice Burton had lived in Chaddesden for almost a quarter of a century and, thanks to his position as schoolmaster and parish clerk, were known to everyone in the village, a fact which made an incident that occurred in midsummer all the more surprising. Sunday 21 June 1829 might well have begun as usual, but the villagers of Chaddesden getting ready to go to church could have had no idea the events of that day would soon take a most extraordinary course.

As was the custom, a few minutes prior to the commencement of the service, members of the Wilmot family walked the 150 yards from Chaddesden Hall in a dignified procession, passed through their own personal gate in the churchyard wall and entered the church via its south door. Once inside the building they moved across to the north aisle and took their seats in the family's grand pew.⁸ On that particular Sunday in 1829 at least seven members of the family were seated there – Sir Robert Wilmot, 3rd Bt (1765–1842), Lady Bridgett Wilmot (1774–1845), two of Sir Robert's sons, one of his daughters, and two of Sir Robert's daughters-in-law.⁹

The service was taken by Rev. Richard Coke Wilmot (1802–1856), the minister of St. Mary's Church and Sir Robert's second son. During the service, John Burton, as parish clerk, went round the congregation with a plate for the collection. When he reached the Wilmot pew, Sir Robert placed two half-crowns on the plate, Lady Wilmot added a further half-crown, two shillings and a sixpence, and the other family members gave similar amounts. One of Sir Robert's sons later said that when the plate left their pew he noticed it contained five half-crowns, but claimed he was immediately suspicious when he heard a noise, 'which appeared to be the jingling of two half-crown pieces' in Burton's pocket. After the service, the money was taken from the plate and Sir Robert's son saw there was only a single half-crown amongst it.¹⁰ He then accused Burton of having removed two half-crowns from the plate and demanded that the churchwarden should search him.

7 See: <https://www.chaddesdenhistorygroup.co.uk/housing/plan-and-distance-table.pdf>

8 In 1842 this was described as 'a huge family pue [sic] at the east end of the north aisle'. A. Hopkinson, V. Hopkinson & W. Bateman, eds., *The Derbyshire Church Notes of Sir Stephen Glynn*, Derbyshire Record Society, 2004, p.30.

9 Unfortunately the various contemporaneous accounts do not give the forenames of Sir Robert's children attending church that day. By his two wives (Lady Bridgett was his second), he had a total of seven sons and four daughters.

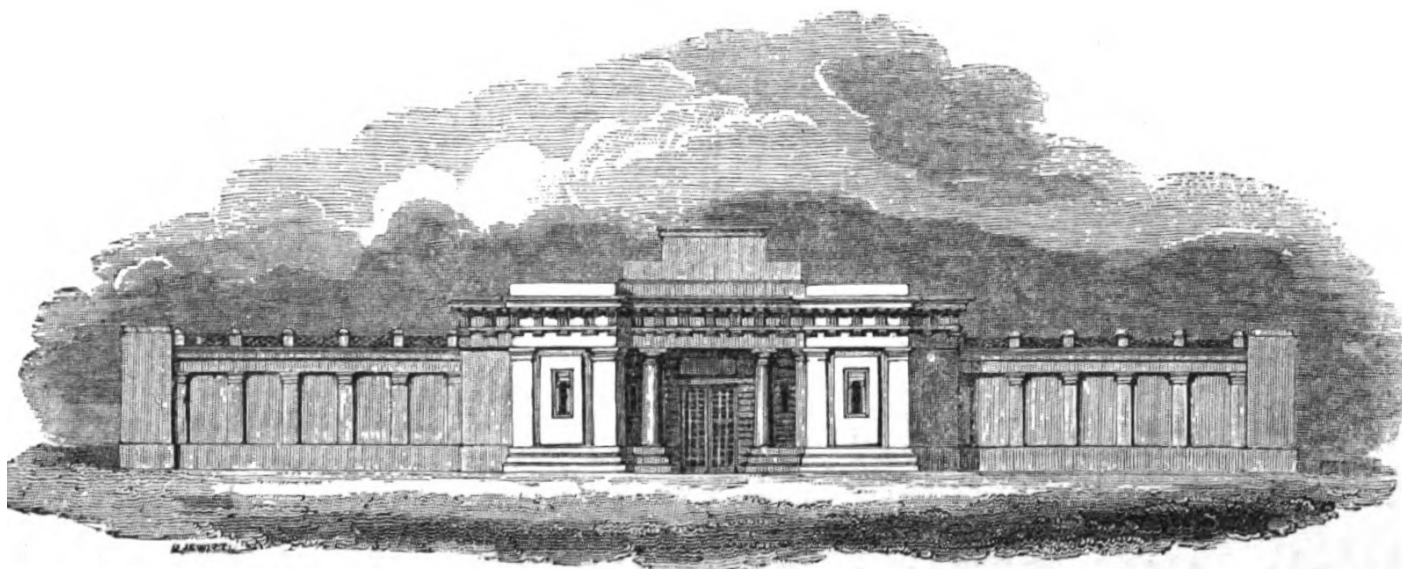
10 *Derby Mercury*, 19 August 1829.

For anyone unfamiliar with the pre-decimalisation currency then in use, the pound was divided into 20 shillings (s), each containing 12 pence (d). The half-crown was a coin worth 2s 6d or one-eighth of a pound. It is difficult to state how much the missing two half-crowns might be worth today as there are so many different comparators to choose from, however, a rough-and-ready figure would be in the region of £30 to £40.

As requested and somewhat reluctantly, the churchwarden, Mr. Morley, told Burton to take out what money he had in his pockets. To begin with the clerk took a few shillings and sixpences out of his breeches pocket, a penny in the right pocket of his waistcoat and nothing from the left. However, the 'jingling noise' was heard again and the churchwarden asked to search that pocket himself, after which he pulled out two half-crowns. Clearly then, to the Wilmot family at least, John Burton seemed to have helped himself to the two coins and they were presumably responsible for commencing proceedings against him. Exactly what took place in the immediate short-term is unclear, but a couple of days later Samuel Rowbottom of Breadsall wrote this brief account of the incident in his diary:

Burton the Schoolmaster & parish clerk of Chaddesden while collecting the sacrament money in the church took two half crowns out of the Box & put them in his pocket, he was seen by some one & charged with the theft but denied all knowledge of it, but on searching his pokets they were found on him, the next day he went away to evade the law and left his wife & 6 children at Chaddesden.¹¹

Had Burton really left Chaddesden in a hurry to avoid arrest or was this merely a juicy and incorrect snippet of local gossip? However, when the *Derby Mercury* newspaper was printed on 1 July 1829 there was little doubt as to Burton's location, for it reported that he had been committed to the County Gaol in Derby, 'charged with fraudulently and feloniously embezzling and secreting two half-crowns he had collected from the Congregation in the parish church of Chaddesden ... the same having been given for a charitable purpose.'



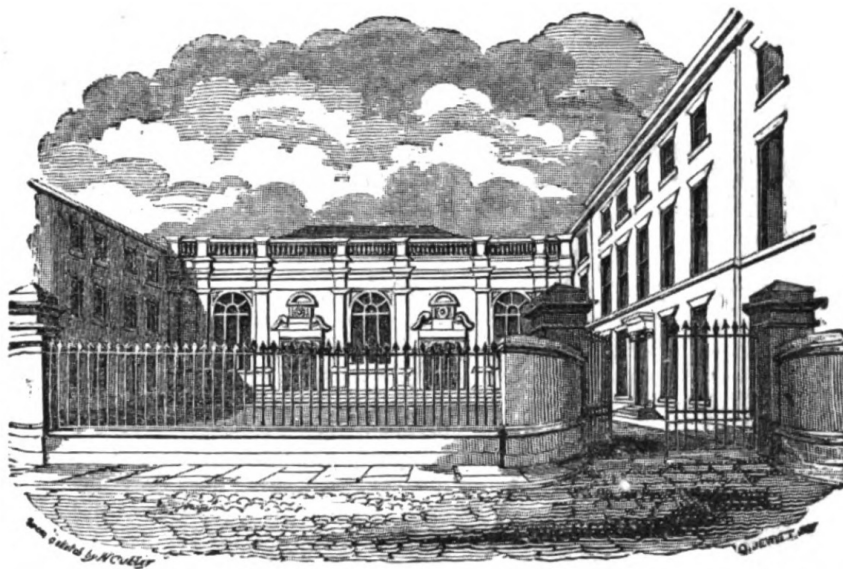
When John Burton was incarcerated in one of the 185 three-person cells in the County Gaol at the intersection of South Street and Vernon Street in Derby, the building had only been operational for two years. The original design for its entrance is shown above, however, after the Reform Bill Riots of 1831 the perimeter wall of the gaol was strengthened by the addition of eight martello towers, each equipped with numerous gun-slits.¹²

¹¹ Derby Local Studies Library, MS.8736 (Samuel Rowbottom's Diary), 23 June 1829.

¹² This drawing is from S.Glover, *The History Gazetteer and Directory of the County of Derby*, Derby, Vol. 2, 1829, p.452. The entrance facade can still be seen, preserved as part of the Vernongate development.

Burton was fortunate in one important aspect ... the era of the infamous 'Bloody Code' had just come to an end. This was a period in English judicial history when a great many crimes (including embezzlement) were deemed to be capital or hanging offences. The National Justice Museum's website notes that: 'Between 1750 and 1815 a series of Acts/Statutes were added to the number of offences punishable by death, bringing the number to more than 200.' Just six years before Burton's court appearance, the Judgement of Death Act 1823 had made the death penalty discretionary for crimes not involving treason or murder.¹³ At least whatever punishment he might face, it was unlikely to be the hangman's noose!

On 13 August 1829, some six weeks after Burton had been detained in Derby Gaol he was taken to the new County Courts in Derby for the Summer Assizes.¹⁴ The old County Hall at the bottom of St. Mary's Gate, which can be seen in this drawing, now had two courts added to its north (rear) elevation.¹⁵ These had only opened the previous day, so Burton would probably have been surprised to find himself in a rather spacious court, approximately 50 feet by 30 feet with galleries around three sides and, a relatively new invention, a separate box for press reporters.



Arraigned before Lord Chief Justice Tenterden,¹⁶ Burton was stated to be 55 years of age and accused on various counts of 'embezzling and secreting two half crowns he had received in the parish church of Chaddesden, from the communicants, as a collection for pious and charitable purposes'. The first two counts he faced alleged he was the servant of the churchwardens (W. Morley and Samuel Goodwin); the third and fourth, that he was the servant of the minister Rev. R. C. Wilmot); and the fifth and six, that he was the servant of both the the minister and churchwardens.¹⁷



The two sides of a half-crown from the reign of King George IV, no doubt similar to the coins that John Burton was accused of having stolen.

¹³ As the nineteenth century progressed the number of capital offences was reduced, until it was down to just five in the 1860s.

¹⁴ The Assizes were periodic courts held in the major county towns and presided over by visiting judges from higher, London-based, courts.

¹⁵ The drawing is from S.Glover, *The History Gazetteer and Directory of the County of Derby*, Derby, Vol. 2, 1829, p.447.

¹⁶ Charles Abbott, 1st Baron Tenterden (1762–1832), was the Lord Chief Justice referred to.

¹⁷ *Derby Mercury*, 19 August 1829.

Mr. Clinton appeared for the prosecution and Messrs. Pennington and Waddington for the defence. Inevitably, Sir Robert Wilmot, his two sons and Mr. Morley, one of the churchwardens, were called as witnesses by the prosecution and recounted the details given above. Cross-examination in Burton's defence revealed that because of the way the pews at Chaddesden were constructed, the clerk could not personally pass the plate to everyone, but had to rely on members of the congregation handing it from one person to another and then back to the clerk. Furthermore it was stated the the clerk's eyesight had recently become 'much impaired'. The court was also informed that it was the custom for parishioners to help themselves to change from the plate as it passed round, for example someone wishing to contribute sixpence might put down three separate shillings and pick up half-a-crown. Indeed, Rev. Richard Coke Wilmot, the minister of the church, stated that he himself had put down a half-sovereign (10s 6d) and taken up two half-crown pieces from the plate.

Once the case for the prosecution had closed, counsel for the defence raised two important and telling objections. The first being that John Burton was not in the legal sense the servant of any of the persons named in the indictment, which alleged he was the servant of the minister, the churchwardens, or both; in reality, as parish clerk of Chaddesden, the office he held was an independent freehold. Secondly he was certainly not employed by any of those named in the indictment to make a collection in the church since this was simply an occasional voluntary service that could not possibly constitute him a servant in the eyes of the law.

Lord Tenterden concluded there was sufficient doubt on these points for him to reserve it for the collective opinion of the twelve common law judges.¹⁸ Mr Waddington, for the defence, further pointed out that even if Burton could be proved to have been operating as the servant of the minister or the churchwardens, there was absolutely no proof that any money said to have been missing actually belonged to them.

In support of this point, the defence counsel told the court was that once the collection money had been given as alms, it ceased to be the money of any or all of the donors and referred to two specific sets of directions in the *Book of Common Prayer*, namely

... the Deacons, Church-wardens, or other fit person appointed for that purpose, shall receive the Alms for the Poor, and other devotions of the people, in a decent bason to be provided by the Parish for that purpose; and reverently bring it to the Priest, who shall humbly present and place it upon the holy Table.

And

After the Divine Service ended, the money given at the Offertory shall be disposed of to such pious and charitable uses, as the Minister and Church-wardens shall think fit. Wherein if they disagree, it shall be disposed of as the Ordinary [i.e. the Archdeacon] shall appoint.

After deliberating the case, the Jury returned a verdict of Guilty, but with the recommendation that mercy should be shown to the prisoner on account of his former good character. Lord Tenterden then told Burton that whatever the decision of the other Judges as to the points of law raised by the defence, 'there could not be the slightest doubt of his guilt in a moral point of view', and that he would remain in prison until the Judges had pronounced on the case.

The crucial legal objection was now reserved to be decided by all the judges of the superior courts at their next meeting in Michaelmas Term (i.e. autumn) that year, when it was agreed that the counts against Burton, which variously described him as servant to the minister, the churchwardens, or the poor of Chaddesden, were deficient. The office of parish clerk was an independent freehold and Burton was not therefore the actual servant of any of those named in the indictment. On this technicality, the Judges had little option but to recommend him for a pardon.¹⁹

18 If a question of procedure or law arose during a trial, it could be reserved for informal collective deliberation by these judges – if they held the conviction to be wrong, they would advise the Crown that the prisoner should be pardoned. In 1848, some years after Burton's trial, Parliament created the Court for Crown Cases Reserved, which would sit in public and explain the reasons for its decisions, in effect formalising what had gone before.

Although Burton was released from the confines of the County Gaol at Derby and thus technically a free man, some of the points mentioned in the press leave me wondering if he should ever have faced trial in the first place. These can be summarised as follows:

(1) How likely is it that one of Sir Robert Wilmot's sons actually heard a 'jingling noise' emanating from Burton's pockets after he had collected their offerings, which was supposedly created by the two half-crowns? A half-crown of the early 1800s was a silver coin of 32mm diameter and weighing 14.14gm; a modern £2 coin by comparison weighs 12gm. Given the fact that a church service attended perhaps by fifty or more people was then in progress with all its attendant distractions, is it realistic to accept that someone was blessed with this degree of exceptional hearing?

(2) By what right was John Burton searched on the day in question. Would a son of Sir Robert's have acquiesced so readily if he had been so accused? Was Burton ever asked to explain the presence of the two half-crowns in his pocket? The account of the 1811 robbery described previously demonstrates that it was conceivable he might have been carrying a moderate amount of money about his person. He would certainly have had good reason to keep his own money close to himself rather than depositing it in a bank, for the early years of the nineteenth century witnessed the failure of two Derby banks, Bellairs & Co (1814) and Richardson & Mowbray's (1815), and then a decade later the 1825 stockmarket crash led to the failure of 73 out of the 770 English banks.²⁰

(3) Specifically Burton was accused of stealing two half-crowns – nowhere in the newspaper reports does there appear to be any conclusive proof offered that these had actually belonged to a member of the Wilmot family or the wider congregation. The coins had not been marked and so could not be distinguished from any other half-crowns then in general circulation. The supposed fact that two half-crowns were missing from the collection plate appears to have originated when one of Sir Robert's sons claimed that when the plate left their family pew, he saw that it contained five half-crowns. Was he questioned as to the accuracy of his statement, after all he would only have seen the plate for a few seconds whilst it was in the family pew, so perhaps he might have been mistaken? Perhaps the Court would not have wished to question the word of a gentleman!

(4) The figure of two missing half-crowns seems to have been calculated as follows:

Sir Robert's son supposedly saw five half-crowns in the plate.

Rev. Richard Coke Wilmot put a half-sovereign in the plate, but took two half-crowns out as 'change'.

After the service finished there was only a single half-crown on the plate.

In other words, 5 coins less 2 coins less 1 coin = 2 missing coins

Whilst this simple calculation is easily understood, was consideration given to the fact that other members of the congregation might also have availed themselves of the opportunity to take a half-crown as change? Was this question put to everyone present at that day's church service?

(5) Assuming for the sake of argument that two half-crowns had indeed gone missing during the service, could another person present at that day's service have removed them as the collection plate was passed round. If so, it seems unlikely that John Burton would have noticed for, as the defence counsel had already noted, the parish clerk's eyesight had recently become 'much impaired'.

(6) Did Burton ever *freely* admit his guilt without being placed under duress? The various newspaper reports seem quite silent on this point, although when London's *Morning Advertiser* newspaper commented on the case, it claimed Burton subsequently 'made a confession in writing to Sir Robert [Wilmot], which was not allowed to be put in evidence, having been obtained under a promise that he should not be molested, but he suffered to vacate his office and quit the parish.'²¹ Guilty or not, once

19 Because this meeting of the superior judges did not constitute a court in itself, the ultimate judgment pronounced was deemed to be that of the original trial judge. Note that the phrase 'poor of Chaddesden' does not appear in the various newspaper reports consulted. W. Moody, *Crown Cases Reserved for Consideration & Decided by the Judges of England*, Vol. 1, Philadelphia, 1839, pp. 237–9 (*Rex -v-John Burton*).

20 L. Neal, 'The financial crisis of 1825 and the restructuring of the British financial system', *Review-Federal Reserve Bank of Saint Louis*, 1998, pp.53-76.

21 *Morning Advertiser*, 15 August 1829.

Burton had been accused of the crime he would have thought that the odds were heavily stacked against him. Knowing that if he faced a lengthy prison spell his wife and family (at least the younger children) would be left homeless and destitute, perhaps his 'confession' – if it was ever really made – was simply a clumsy attempt on his part to avoid prison at all costs so that he could continue to provide for them, albeit in a new location. Rather curiously, none of the newspaper reports I have studied actually mentions whether John Burton pleaded 'guilty' or 'innocent' to the charges put to him.²²

The newspaper reports make it clear that Burton had the services of Messrs. Pennington and Waddington as defence counsel. Quite evidently he was not a rich man, so how could he afford to pay the barristers' fees? The answer seems to have been either he had a well-off relative or other benefactor who paid for him or, more likely, that he was defended *in forma pauperis* (in the manner of a pauper). More than a century after Burton's case, Parliament set up the Rushcliffe Committee in 1944 to consider the provision of legal advice to 'poor persons' as regards the courts and the services of legal experts, etc. It reported back in 1945 and noted that 'for probably more than 150 years there has existed ... a system whereby poor persons could sue or defend *in forma pauperis*'. It also added that as far as criminal courts were concerned, systems had existed 'perhaps from time immemorial' by which barristers would be obliged to take cases without payment.²³

Once released from Derby Gaol, albeit on a technicality, John Burton and his family were faced with the immediate problem of where to live. Since Lord Chief Justice Tenterden had said there was no doubt as to his guilt, Burton's reputation was ruined and he would have instantly lost both his positions as parish clerk and, more importantly, village schoolmaster together with the house that went with it. Locally he would have been a *persona non grata* having to look elsewhere for accommodation and a job ... perhaps somewhere a considerable distance away from Chaddesden where news of the court case might not have reached.

Therefore it is perhaps not too surprising that the Burton family simply seems to have disappeared after 1829. Trying to trace them via the internet proved extremely difficult because Burton is quite a common surname, as are some of the family members' forenames, e.g. John, Alice, and Mary Ann. The problem is unfortunately compounded by the fact that the first decennial Census to detail individuals' names, that of 1841, merely lists ages to the nearest five years and only indicates whether a specified individual is born in the same county or not, and does not show places of birth.

After several fruitless online searches, I did manage to locate a couple called John and Alice Burton at a place by the name of Marl Pits, a few minutes' walk to the south of Rugeley town centre in Staffordshire. The 1841 Census showed this particular John to be 67 years old (i.e. born 1774) and, perhaps significantly, a schoolmaster; his wife Alice was 60 years old and both were stated not to have been born in the county.

John and Alice Burton at Rugeley used their premises as a lodging-house, accounting for the fifteen other individuals – masons, labourers, musicians and their wives – living with them in 1841, but there was no sign of any children they might have had. We know that John Burton from Chaddesden was 55 years old at the time of the trial in 1829, so this Staffordshire man was certainly the right age and had a wife of the correct name – could it possibly be them?

With just one exception, that of the youngest daughter, I failed to find any of the Chaddesden Burtons' children in the 1841, 1851 and 1861 Censuses. In 1841 an individual by the name of Selina Burton, aged approximately 15, was employed as a female servant in the household of a Rugeley draper's wife.²⁴ Without reading too much into what may simply be a coincidence, it would make

22 It might be possible to determine his plea by reference to the 49 volumes of unindexed Crown Minute books for the Midland Circuit, of which Derbyshire was a part, stored at the National Archives under the classification ASSI 11, since they generally list the accused's name, charges, plea, verdict, sentence and the jurors' names. The most likely volumes would seem to be ASSI 11/4 and ASSI 11/5.

23 House of Lords Library Briefing, *Legal Aid and Advice Act 1949: 70th Anniversary*, London, 2019, p.2

24 Because of the way ages of persons of 15 years and over were recorded in the 1841 Census, this particular Selina Burton was aged from 15 to 19 years and therefore born between 1822 and 1826.

sense that if John and Alice Burton had re-located from Chaddesden to Rugeley, they would try to make sure their youngest children stayed close by until such time came as they became adults. By 1841 all the Burtons' remaining four daughters might well have been married, making them even more difficult to track down with their new surnames! The only son, Jesse, had also vanished without trace like his siblings.

The final chapter in this account of John Burton must therefore remain unwritten until information comes to hand about what exactly happened to him and his family in the years following his trial at Derby County Court. If he had hoped that the episode might soon be forgotten, he would have been disappointed, for such was its unusual nature that it featured in printed digests of court cases (as *Rex -v- Burton*) for some years afterwards. Apart from reports about him in the newspapers of 1829, other references to John Burton are few and far between. As already mentioned, he left some useful notes in the back of Chaddesden's oldest parish register, but strangely enough he does not feature in any Chaddesden wills of the period, although as the village schoolmaster he might have been called upon to witness, or even write, a will. Furthermore, neither he nor his wife appear as beneficiaries in any of the Chaddesden wills, though this is perhaps not too surprising since neither seem to have had any connection with the parish until they moved here in 1806.

With Burton having left the parish a new schoolmaster was needed and it seems that, for a few years, my own gt-gt-great-uncle Edward Cholerton acted in this capacity. Certainly the 1835 edition of *Pigot & Co's Commercial Directory for Derbyshire* lists him as such, however, he would probably have abandoned his educational career once he took over the Wilmot Arms in 1839.²⁵ ,

Whilst readers of this article must draw their own conclusions as to whether John Burton was guilty of an offence on Sunday 21 June 1829 as Lord Chief Justice Tenterden claimed, or if he was the unfortunate victim of unsubstantiated evidence largely of a hearsay nature and was only released from prison due to a legal technicality, features of the case curiously echo part of a poem by Rev. George Crabbe written a couple of decades previously.

George Crabbe (1754–1832) was variously a surgeon, clergyman and poet, whose lengthy and unsentimental poem, *The Borough* (completed in 1810), is divided into 24 separate sections (or letters, as Crabbe calls them).²⁶ Letter 19 features the story of Jachin, the Parish Clerk, one of the Borough's poor and ostensibly a devout man, who after battling temptation eventually proves susceptible to sin and begins stealing from the church collection plate.²⁷ Crabbe tells his readers:

*Once in a month the sacramental bread
Our Clerk with wine upon the table spread:
The custom this, that as the vicar reads,
He for our off'rings round the church proceeds;
Tall spacious seats the wealthier people hid,
And none had view of what his neighbour did:*

Then one fateful day as Jachin made the collection,

*The clerk went forward, trembling as he tread:
O'er the tall pew he held the box, and heard
The offer'd piece, rejoicing as he fear'd:
Just by the pillar, as he cautious tripp'd,
And turn'd the aisle, he then a portion slipp'd
From the full store, and to the pocket sent,
But held a moment – and then down it went.*

25 Unless he somehow managed the two disparate jobs simultaneously!

26 The Borough in question is evidently a seaside village and supposedly based upon Aldeburgh in Suffolk, where Crabbe spent his early years.

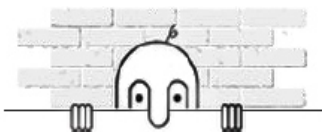
27 Jachin's unusual name (usually pronounced 'Jay-kin') features several times in the Bible, e.g. Genesis, 46, 10 and 1 Kings, 7, 21.

However, the Borough's Overseer of the Poor had become suspicious of the Parish Clerk and marked three individual shillings, but noticed that one was missing after the service. He detected a trace of the substance he had used to mark the coins on Jachin's Sunday-coat, and then took the Clerk, whose conscience was now causing him to shake

*His pocket then was emptied on the place;
All saw his guilt; all witness'd his disgrace:
He fell, he fainted, not a groan, a look,
Escaped the culprit; 'twas a final stroke –
A death-wound never to be heal'd – a fall*

In 1829, almost twenty years after Crabbe's poem was first published, I wonder how many Chaddesden folk had read it prior to the incident in St. Mary's Church?²⁸ Maybe John Burton as the village schoolmaster and perhaps one or two members of the Wilmot family – if so, as events unfolded they too would have been well aware of the similarities between the real and imaginary cases. Yet there are also differences – John Burton faced a formal trial and would have served a lengthy prison sentence had it not been for a successful legal challenge; Crabbe's character, Jachin, was not brought before a judge but rather shunned by his fellow parishioners. John Burton, together with his family, left Chaddesden and simply vanished from the pages of history, whereas Crabbe's fictitious creation continued to live in his own parish, eventually dying a lonely and miserable death.

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²⁸ Crabbe was a popular poet of his era, much less so nowadays