

## WILLIAM BARTON – ROWLAND'S VERY OWN HIGHWAYMAN?

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### INTRODUCTION

During research into old roads around Hassop for the Bakewell Crosses project <sup>1</sup> a very surprising report of highway robbery on the road between Ashford and Calver came to light. There were three incidents in two days and the newspaper reports said that they were carried out by William Barton of Rowland. Using online access to the Derby Mercury and Sheffield Independent the details gradually unfolded and this article contains extracts from several of the reports to give a flavour of the reporting style of the times.

### WILLIAM BARTON IN DERBYSHIRE

From court reports<sup>2</sup> William Barton appears to have been born in Bakewell in 1814. There is no evidence for his birth in Bakewell Baptism records in this year however a William Barton, son of William Barton of Rolland (sic) was born in 1811<sup>3</sup> so the his date of birth remains uncertain. He was educated enough to be able to read and write<sup>4</sup> and he worked as an indoor servant and garden labourer for several local families.<sup>5</sup> One of his employers was Jonathan Hulley who was a gardener both at Thornbridge Hall and Hassop Hall so William may have indirectly worked for the Earl of Newburgh. His employers described him as “conducting himself in a proper manner” and “of general good character and of sober industrious habits and was never suspected of any malpractices whatever”. He went to Manchester for a year<sup>6</sup> and then returned to Rowland in his early 20s to carry out his “atrocious attack”.<sup>7</sup>

The reason that he left home may explain why an unassuming labourer from rural Derbyshire became a highwayman. He “incurred the displeasure of the Earl of Newburgh by catching a rabbit for which offence he was banished from his home”.<sup>5</sup> Not only this but “his father (was) discharged (from the service of the Earl) for harbouring him”. His father rented his house in Rowland and was paid for labouring around the Eyre Estate between 1831 and 1834.<sup>8,9,10</sup> This must have been a severe blow and possibly viewed as an overly harsh punishment by the family. One possible interpretation of the subsequent events is that William Barton junior felt he had a score to settle.

As an aside it is interesting to note that “William Barton” turned out to be a common name in Rowland in the 1830s; there being no less than four people of this name in the records. Apart from the father and son who are the subject of this article there was another father and son who were of the farming rather than of labouring class. In the census for 1841 there are two William Bartons – father (aged 68) a farmer and his and son (aged 34) who also appears in the household accounts of the Earl of Newburgh as a butcher.<sup>8,10</sup> By this date only the mother and sister of the highwayman remained in Rowland.

Barton, the would be highwayman, had purchased a pistol at Willcockson pawn brokers in Chesterfield in September 1835 and his first possible hold up was of Bennett and Millington.<sup>7</sup> I have been unable to find out where this event took place or any further details. In fact it may not be one of his crimes but it was laid at his door in the light of further events.

The first reports of William Barton back in Rowland and with a firearm are from the recollections of Joseph Bennett speaking in 1905.<sup>11</sup> He still had vivid memories of Rowland's highwayman seventy years later when he was interviewed for the Derbyshire Courier. He said that he was out

courting in Blind Lane (Beggarway Lane), Hassop and came across William who fired a pistol. Later Joseph spoke to another courting couple who reported that William had done the same in their presence. No robbery was attempted on these occasions.

The next reports of his activities appear in the Derby Mercury on 14 October 1835.<sup>12</sup> “A labourer in the employment of the Earl of Newburgh had been stopped by him near Hassop ... and his money demanded, a pistol being presented at the same time: the labourer immediately recognised him, and said “I know you: you are Will Barton”, on which the fellow instantly decamped”. This suggests that William had little competence in highway robbery and that the outcome of this and his subsequent action may be a foregone conclusion.

The following evening of Wednesday 6 October 1835, “a most daring attack was made upon Mr. M. Frost of Calver, as he was proceeding in his gig from Ashford to Calver, at about seven o'clock in the evening. .. He observed a fellow skulking in the hedge in a way which excited his suspicions, and which caused him to urge his horse forward at a quick pace. On ascending a hill, immediately after passing the man, Mr. F. heard a report of a pistol which was discharged from behind him, and was fearful from the flinching of horse that the animal was wounded by the charge: he, however continued to proceed at a good pace and on arriving at Calver a veterinary surgeon was summoned who succeeded in extracting a pistol ball from the sole of its fore hoof. The ball had happily missed Mr. Frost, at whom it was probably aimed”.<sup>7</sup> Matthew Frost was the Agent of the Earl of Newburgh<sup>10</sup> and this act supports the view that William was out to satisfy his sense of injustice.

William struck again the same day and this time he managed to steal some goods. The Sheffield Mercury<sup>7</sup> continues “ About half an hour after the villainous attempt on Mr. Frost, a boy aged about fourteen years, named Pheasey, was robbed near the same place, of some clothes which were cut out, but not made up, and which he was taking to Bakewell.” This material was to be used in evidence at his commitment where further details of the robbery emerged. “Wm Phesey, of Hathersage, tailor ...sent his apprentice to Bakewell, with a bundle containing several pairs of cut-out trowsers and among the rest a pair of cotton cord ones, and a number of buttons wrapped in a piece of written paper”.<sup>13</sup>

The evidence that was produced later at William Barton's trial was in fact the cotton cord trousers and the paper in which the buttons were wrapped. And more details of the robbery were given in court. “Francis Hays, the apprentice, deposed that as he went to Bakewell with the bundle the night being rather dark a tall man overtook him, and they walked together – The prisoner offered to carry his bundle, but he said that he could carry it himself. When they got to Hassop Flats, the man took the bundle from under his arm, and pulled out a pistol, saying, if the witness (Francis) would not be off, he would shoot him. Witness walked away directly, and the prisoner (William) called after him, that if he made any noise he would shoot him. Prisoner jumped over a hedge into Lord Newburgh's meadows.”<sup>13</sup>

From these accounts it seems that William tried to hold up Matthew Frost somewhere on the hill between Hassop and Calver (on the present day B 6001) and that he robbed the apprentice on the same road between Hassop to Bakewell on the approach to the Hassop roundabout.

The next day, Thursday, William returned to the pawnbroker in Chesterfield and offered a pair of unfinished trousers as a pledge. “ (who) declined to take them as they were not made up”.<sup>7</sup>

Later on Thursday, “two constables of Bakewell, while pursuing him in a chaise, came up with him in a place called Robin Hood (on the A 619 Baslow to Chesterfield road). On perceiving the man, they instantly jumped out of the vehicle, and seized him: but he forced himself from their hold, and

darted from them. The constables pursued and fired two pistols at the robber, but missed him, and he succeeded gaining a neighbouring plantation, and has for the present escaped.”<sup>7</sup> Firearm competency seems to be lacking in everyone involved in this case.

So from this point how did William Barton, highwayman, end up in court? William Barton seems to have decided life was not for him in the Rowland area. Newspapers report “He has recently been pursuing his pilfering pursuits in the neighbourhood of Cuckney, Nottinghamshire. ...he stopped a person in the employment of the Duke of Portland, at the top of Warsop Hill, pointed a pistol at his head and threatened to blow his brains out if he made the least resistance; he took from the man ten or eleven shillings, and various other articles”.<sup>14</sup> In court the victim stated that “two men came out of a clump of trees on to the road. They came up to the witness and told him to stand and deliver. They stood holding a pistol to each side of his head and Barton said if he did not deliver they would blow his brains out”.<sup>13</sup> This report of two men and two pistols and other details is quite puzzling as it does not fit with all of the other evidence which describes him as acting alone and purchasing one pistol. It is possible that other footpads were working in the same area and that this robbery was not carried out by William Barton. This crime was used as the basis of his subsequent sentence<sup>5</sup> so, to some extent, he may be the victim of a miscarriage of justice. The court report from the National Archive was unobtainable so this discrepancy remains a mystery.

The newspaper report continued “ He (William) soon afterwards stopped a person in the employ of Messers Hollins of Langwith but some other work people coming up he effected his escape.... a reward of £25 is offered.” This was not before he had dropped a bundle containing “a pair of cord trousers, cut out but not made up”<sup>13</sup> which was to provide the evidence against him at the trial.

After this episode, there are no more accounts of robbery by him and this is later explained by the fact that he joined the Army. He enlisted into the 7<sup>th</sup> regiment of the Dragoon Guards stationed in Nottingham six days after the start of his crime spree. In the Army “...he had conducted himself in an orderly and proper manner and having given a feigned name, no suspicion was attached to him.” However in January 1836, “his old habits of thieving, ... were too strong for him, and he was tempted into stealing a watch of one of his comrades.”<sup>15</sup> “The commanding officer wrote to the Earl of Newburgh on the subject. Mr Frost immediately forwarded instructions to Bland, the Sheffield constable, who went over to Nottingham,” “accompanied by a servant of Lord Newburgh's who swore to his identity” “which he did the moment he changed his regimentals – as he then appeared dressed in the same clothes as he had on when committing his acts of depredation and violence. He was immediately taken into custody, heavily ironed, and arrived at Chesterfield in custody of Bland and another constable about seven o'clock and was that night taken before Earl Newburgh and was by his lordship forwarded to Sheffield to the custody of Sheffield magistrates .. the same night.”<sup>16</sup>

He was charged with “robbing (the) groom of the Duke of Portland ... of ten shillings ..., demanding ... money, with intent to rob ... and with feloniously robbing ...several pieces of woollen cord .. Kersleymere cloth some buttons and small articles”.<sup>6</sup> At a subsequent hearing three charges of theft were examined and he was committed to Nottingham. On 10 March 1836 at Nottingham Assizes, “William Barton was tried under three indictments for highway robbery, found guilty, and sentence of death recorded.”<sup>17</sup> as the Derby Mercury starkly states. It is for such deeds that this sentence was considered appropriate in the 1830s.

Researches into death records proved unfruitful so it was not possible to verify that the sentence had been carried out. Further investigation of Criminal records on the Ancestry website provided the explanation. In the Nottingham court records<sup>2</sup> his sentence was “Death” but this was commuted to “Transportation for life” which was a common procedure at this time. Near the end of March

several people from the Hassop area wrote a petition to the Secretary of State attesting to his good character and suggesting that he was harshly punished by the Earl of Newburgh for the original crime of catching the rabbit.<sup>5</sup>

This petition was unsuccessful and William was sent to the Prison Hulk "Fortitude" in Chatham, Kent. Old navy vessels were used as prisons at this time and records had been kept of his stay.<sup>18, 19</sup> In these his character is said to be "very bad" and he "is disposed of" on 22 September 1835 when he was taken on board "John 4" which sailed to New South Wales.<sup>4, 20</sup> This means that in a little over one year William Barton had progressed from being in farm service in Rowland to living a convict's life on the other side of the world.

At the time of these events, the newspaper reports contain quite a collection of colourful language concerning this man and gives the feeling he was a desperado, terrorising the countryside. "Barton ...is one of the most desperate characters in the country."<sup>14</sup> "He carries a brace of pistols with him, and is a most determined fellow; he has lately escaped two or three times from custody"<sup>14</sup>. "This notorious character"<sup>17</sup> "Footpad ...has a reputation of having committed many robberies in the old style – namely with the presentation of a pistol"<sup>15</sup>. He is even quoted as an example of wickedness personified, in correspondence discussing "Comparative States of Crime in Catholic and Protestant districts"<sup>21</sup>. He was also accused of a further shooting incident on the Ashford road which must have occurred while he was in the Army. In late October 1835 "Thomas Fidler, constable of Hassop, was returning with his cart and horse to Rowland from Bakewell at about six o'clock in the evening, he was fired at, but the ball happily lodged in the shelving of his cart. It is supposed that this attempt on the life of a fellow creature was committed by the notorious Barton ... near the same place ..a reward of £50 is offered"<sup>22</sup>. So there must have been other highwaymen at work in the local area.

But are these the only reports on his character? Maybe tabloid journalism was as much of a barrier in those times to finding the full story as it is now. Further tidbits of information suggest that William Barton was not such a ruffian and more likely to have been a simple lad who had taken a wrong turning in life. "There is not that ferocious appearance in him that is so generally reported; and in his conversation he seems rather diffident than otherwise. He is about six feet high, a well made young man, and in a military dress would present a good appearance. There is nothing about him to strike a man with terror, any more than any man of his stature"<sup>6</sup>. "Barton is a fine looking fellow, measuring 6 feet in height and his face ornamented with a profusion of mustache (sic)"<sup>17</sup>. This fits with the comments that in the Army he had "conducted himself in an orderly and proper manner ... no suspicion was attached to him"<sup>5</sup>.

## WILLIAM BARTON IN AUSTRALIA

Finding out more about William Barton's life in New South Wales proved to be difficult. The convict indent describes him on his arrival in February 1837. He is given as a protestant and single with the trade of groom and gardener and with no previous convictions. He has a fair, ruddy complexion, brown hair and hazel eyes with several marks and scars. Tattooing on the transportation journey was not uncommon and his most interesting ones were of a "woman with a sprig in hand inside lower right arm .. (and) ... blue ring third finger left hand". Compared with others in the same indent he seems to have picked up a only few minor scars and tattoos of an innocent nature.<sup>4</sup>

He was assigned to work for G. McLailey in the Paterson River District<sup>23</sup> in the hills north of Maitland about 100 miles from Sydney; convicts being assigned to farm work in the colony being a common occurrence. He obtained his ticket of leave in 1844<sup>24</sup> which allowed him to work for

himself as long as he stayed in the District of Paterson, reported to the authorities regularly and attended church each Sunday. He was granted a conditional pardon in 1847 for good conduct<sup>25</sup> but the final paperwork was not complete until the 1<sup>st</sup> February 1849.<sup>26</sup> This meant that he was a free man on condition that he did not return to the United Kingdom. Any more details of his occupation or abode during this time of punishment have been elusive. Furthermore investigations through correspondence with several History groups in the vicinity of Maitland with an interest in families from these times produced no definite information on his life after the pardon.

It may be that he is the William Barton who married Mary Ann Turner in Maitland at the end of 1849 and this would make him the father the three children born between 1850 and 1854.<sup>27</sup> Even if this was William Barton originally from Derbyshire no further trace of this Barton family has been possible so far.

The fate of the young man in Australia who was the highwayman from Rowland is still to be teased from the records. It is to be hoped that his week of youthful madness in Derbyshire was put far behind him and that he made good Down Under.

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If readers have any more information about William Barton of Rowland the author would be glad to include this information in the record and acknowledge the contribution. Please get in touch with [annah4@hotmail.com](mailto:annah4@hotmail.com).

## NOTES AND REFERENCES

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- 4 State Archives New South Wales, Series 12189, Reel 726.
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- 7 Sheffield Independent (S.I.), 17 October 1835.
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