

13. 'Burglary! Burglary! Burglary!' (1895)

It was bedtime on Tuesday 15th January 1895.¹ In fact it was past midnight – already Wednesday – when John Smith made his nightly check of the premises. He left gas jets burning in the studio and elsewhere – for it was necessary, during the colder months, to keep the premises warm for the next day's clients – and then locked the studio and retired to his room at the rear of 60 High Street. Smith's bedroom was on an upper floor, almost next to the studio and printing room, but he heard nothing of what followed. (Perhaps the deafness that would trouble him in later years was already taking the edge off his hearing², but intruders would also have been able to move around more confidently and quietly, thanks to the light from the gas mantles.)

The studio overlooked the store yard of Mr J. Skinner, who ran a marine supplies store in adjacent Surrey Street, and it was from his yard that the burglars (two of them, the police concluded) made their way in. At some time during the night they slipped into the yard armed with brown paper, treacle and a supply of guano sacks. They also needed a ladder, but they probably found that in the yard, for they didn't take it away with them when they had finished. The ladder was used to get on to a shed roof just below the studio window; the sacks were strewn on the roof to muffle the sound of the thieves crawling across it; the treacle was smeared on the paper, which was then applied to a window pane to deaden the sound of breaking glass and cling to the shards. Then the men dealt with the window, cleared the frame, and slid through into an agreeably warm and comfortably lit studio.

First, they helped themselves to a number of lenses – sixteen of them, according to the first estimate, including one belonging to a magic lantern. Then they looked around for whatever else they could take. The *Lynn Advertiser* gave further details:

The thieves had also attempted to take a full-plate camera, but not being able to close the bellows after taking the screws off, they let it alone. They also entered the dark room, but found nothing worth the trouble of carrying away, except a bottle of pyrogallic acid. It is believed that they packed the lenses in a camera case (which is also missing), and with these and a rug they decamped.³

This early press report proved to be only partly accurate: a camera body was actually taken, as would later become evident, and the lens count would vary in the coming weeks. By the time the case came to trial, in April, the haul would be described as ten lenses, a camera box and other instruments, worth in all about £100.

Smith's staff started work early, and evidence of the break-in was soon discovered.

About 8 o'clock on Wednesday morning, Mr. Reynolds, one of the firm's printers, entered the studio, and finding the camera lens was not in its proper place, his suspicions were aroused, and the errand boy pointed out to him the

condition of one of the windows, one of the panes of glass having been taken out of the frame.⁴

William Reynolds had probably been with Smith for a few years. In 1891 he had been working as assistant to an unidentified Lynn photographer, who may well have been Smith,⁵ and by the time of the robbery he was evidently trusted to open up the studio (It is possible that he had taken the place of Edwin Harrison in the studio hierarchy. Smith's marriage would have made Florence Harrison redundant as housekeeper, so it is likely that his sister and brother-in-law had by this time moved on.) At any rate, Reynolds – who would in due course run a studio of his own – was now working for Smith, and he called his employer in to view the scene. Smith's first impressions were later recounted in court.

The glass had been cut clean out from the square nearest to Skinner's premises. The size of the opening effected was 25 by 16 inches, and when I looked on to the roof outside I saw pieces of glass stuck to brown paper. After that I made an examination of my stock, and missed 10 lenses, not including the eye lens and the focussing lens, a large fur rug used for photographic purposes, three view finders, a large black camera box and an instantaneous shutter.⁶

The police were called, and the crime scene was examined. The ladder leaning against the shed and the treacle plaster showed how the premises had been entered, and it was concluded that the window had been broken rather than cut with a diamond. Suspicions quickly fell on two men who had left Lynn on the London train a few minutes after eight that morning. On the Tuesday PC Fysh had noted their presence as two strangers in town, one of whom he thought he recognised as a retoucher formerly employed by Smith. This line of inquiry seems, in due course, to have led nowhere, but it did prompt the police to treat the case as something other than a merely local affair.

The robbery was flashed by wire in different directions, and hundreds of these informations were circulated all over the country, and a report was inserted in the *Hue and Cry* or *Gazette*.⁷

Publicising the case would soon bring results. In the mean time, however, Smith had to assess the damage to his business. Valuable equipment was missing, but at least he had recently acquired a second studio. With a little juggling of equipment, the two businesses could still be viable, and it was with an air of bravado that he announced his intention to keep going without interruption.

Burglary! Burglary! Burglary! Everyone knows that T. Smith & Sons' premises at 60 High Street, Lynn, have been broken into and valuable Photographic Apparatus stolen. Fortunately the thieves did not break into their London Road Branch; therefore they have sufficient appliances to keep both businesses going, and the same Superior Class of Photographs can be produced as usual. For the Best Photographic Work go to T. Smith & Sons, 60 High Street, and 4 London Road, King's Lynn.⁸

While Smith was putting a brave face on his losses, the police investigation was moving swiftly. Details of the theft had been circulated to all the pawnbrokers in London (since London was where the two suspects had seemed to be heading), and one of these businesses received a suspicious visitor on January 19th. A man later identified as George Bennett turned up at Hawes & Son of Cranbourn Street, near Leicester Square, and tried to pawn a Fallowfield portrait lens. The assistant, Arthur Woodthorpe, was aware that the police were looking for stolen lenses and questioned whether the item were Bennett's to dispose of. Bennett hurriedly left the shop, and Woodthorpe notified the police of his visit. Two days later a different man appeared, trying to raise money on a Voigtlander lens. On being questioned, he too left promptly, promising to return with proof of ownership. He never reappeared. Bennett did come back, however, on January 26th, and this time Woodthorpe advanced him 25 shillings and gave him a pawn ticket. But Woodthorpe was keeping the London police informed, and the London police were in touch with their opposite numbers in Lynn.

During the week in which the lens saga began to unfold in London, the missing camera body turned up closer to home. As John Medlar of West Lynn subsequently explained:

I reside with my father on the Wisbech Road. On Monday 21st January I found the camera box ... in the ditch running alongside one of our fields. It was about half full of water. On the following day I handed it to p.c. Thoday.⁹

PC Thoday was the officer most active in the case. He had examined the crime scene, he had observed that the window-breaking had been a less than professional job, and he was now sent south, bearing a list of lens serial numbers, to work with his London colleagues. He visited Hawes & Son and also interviewed James Flack, manager and buyer for a nearby photographic supplier, Sands, Hunter & Co.

Bennett had already tried to sell this lens to Flack, and had produced a note from the alleged owner which gave him the authority to do so.

Gentlemen,— Seeing you advertise the purchase of photo lenses, and being laid up with illness myself I send per bearer a Fallowfield's cabinet portrait lens, which I be much obliged if you can purchase and give the best you possibly can, for it is a really good instrument. I paid £8 for it only three years ago. The bearer is a friend whom I can trust with the cash, and have told him to take your offer if at all reasonable. I am, &c., N. J. Conway.¹⁰

It was when this note failed to secure a sufficiently high offer that Bennett had made his second visit to the pawnbroker. (Indeed, it was Flack who had pointed him in the pawnbroker's direction.) Then, having secured a pawn ticket from Woodthorpe, Bennett's next idea was to return to Flack and invite him to buy that – a possibility at which Flack had hinted. Bennett had, after all, no intention of redeeming the lens himself, but since a pawn ticket reflected only a fraction of the value of the pawned item, a third party might think it worth buying at a discount. He could then claim and pay for the item,

and still end up having made a good deal. So Bennett went back to the photographic supplier, armed with the pawn ticket and a new note from the alleged owner.

Gentlemen, – I was much disappointed on Saturday at not being able to make a sale of the lens. At the same time I am very grateful to you for the trouble the young man tells me you took in helping him to get an advance on it. The small sum got was however of little use to me. And as he tells me that you partly promised to purchase the ticket, I have sent him with it to-day, and will be very grateful indeed if you will do so and help me over the present difficulty. Depend upon it if you do I will not forget you with my orders in the coming season. I am, &c., N. J. Norwood.¹¹

Too much notice should probably not be taken of the apparent discrepancy between the names appended to the two notes. The newspaper may have made a mistake. (There are other signs of inconsistency in its reporting of the case, and it did insist on referring to James Flack as James Black in one of its accounts.) The name of the supposed owner was apparently treated by the police as being Norwood J Conway. But Flack was not impressed by Conway's second letter. By now he knew what was going on and was anxious to be seen to do the right thing.

In the mean time I had received a visit from one of the Lynn police, and having opened the note I told the assistant to keep his eye on the prisoner. I then left the shop by a side door, called a policeman, and gave the prisoner into custody.¹²

Bennett was taken to Vine Street police station, where PC Thoday interviewed him, searched him, and charged him with breaking into and stealing from John Smith's premises. The prisoner denied having ever been to Lynn, but he was found in possession of a small eye lens and the pawn ticket for the Fallowfield lens. By this time, it had been established that the serial number on the pawned lens – 1143 – matched that of one of Smith's stolen lenses, and visits to other London pawnbrokers had turned up further lenses that were thought to be part of the Lynn haul. So Thoday decided it was time to send for the victim of the crime,

I wired for Mr. Smith to come up to London. On the morning of the 30th I met Mr. Smith at Liverpool-street station, and accompanied him to three different pawnbrokers, where he was shown some lenses which he identified as his property; part of that stolen.¹³

Smith also believed that the fabric in which the Fallowfield lens had been wrapped was part of his lost focusing cloth. Whilst he had no difficulty in identifying these newly-located lenses as his own, there was nothing to connect them to Bennett. One Dallmayer lens, numbered 16,145, had been pawned in the Strand by a man giving his name as George Wilson. Another Dallmayer lens – a rapid rectilinear model numbered 29,128 – had been pledged with another Strand pawnbroker by one James Wilson. Neither pawnbroker recognised Bennett.

The police now had a small collection of the stolen items in their care, plus one undoubted handler of stolen goods. There were, in addition, up to four mysterious figures – Conway, two Wilsons and the man with a Voigtlander lens (some or all of whom may actually have been the same person) –who were seeking to raise money on Smith’s photographic equipment. Bennett was, however, the only one who had been (or would be) caught, and PC Thoday returned to Lynn with him as prisoner.

On January 31st George Bennett appeared before the mayor at Lynn police court and was charged with burglary. He cut an unimpressive figure, with ‘a sallow complexion and very sharp features’.¹⁴ The course of events so far was outlined, but Chief Constable Ware was clear that more time was needed to complete the investigation.

The case is in such an immature condition that I shall ask you to remand prisoner until Monday, and to make any further statement would interfere with the ends of justice. It will on Monday be absolutely necessary to ask for a further remand.¹⁵

Bennett duly appeared in court on the following Monday, when the mayor was joined on the bench by several other magistrates. (One of them, incidentally, was W. R. Pridgeon, who had given up photography – professionally at least – some three decades earlier. His other lines of business had prospered, his prosecution for domestic violence lay far in the past, and he was now a figure of importance in civic circles.) As he had predicted, Chief Constable Ware asked for a further week in which to complete the case. The Clerk asked Bennett, ‘Have you anything to say why you should not be remanded for a week?’, and Bennett replied, ‘Well, sir, I should like to say now as I know nothing about the burglary.’¹⁶ The Chief Constable, though applying for a further delay, was confident of the eventual outcome.

We have a number of witnesses – pawnbrokers – from London to produce to give evidence against the prisoner. As far as he is concerned there is a complete case against him to commit him to trial. There is not a shadow of escape for him before the magistrates,¹⁷

Bennett was duly remanded for another week, and the police really did need the extra time. Fewer than half of the stolen items had been located. Of the pawnbrokers Ware referred to, only one could identify Bennett, and there seemed to be nothing to prove that Bennett had ever been in Lynn. He was certainly not known to Smith, and there was no attempt to suggest he was one of the two suspicious characters seen by PC Fysh on the morning after the burglary. There was no sign of them, of George Wilson, of James Wilson, of the man with the Voigtlander lens or of Norwood J Conway.

On February 11th the Lynn magistrates heard the full case. Smith, Thoday, Woodthorpe and Flack related their portions of the story, and John Medlar recounted how he had found the camera body in a ditch. Employees of both Strand pawnbrokers were present to tell how they had come by the stolen lenses. One, Stanley Stoneham, told the court, ‘I think I could identify the person who pawned it’, but acknowledged that Bennett was not the man. The other, Thomas Newstead, admitted, ‘I could not say that I should know the

man again. I tried to identify the prisoner in London, but failed to do so.’¹⁸ Bennett declared his innocence of the crime and his ignorance of the town, but Chief Constable Ware asked that should be tried at the next quarter sessions, and that bail, if granted, should be ‘very substantial’. Bail was, indeed, granted, but Bennett could offer neither money nor sureties. The stolen lenses were to remain, for the present, in the care of the police.

The trial, when it eventually took place in April, began with a climb-down by the prosecution. The intended charge was ‘breaking into the photographic studio of John Smith, of High street, and stealing 10 photographic lenses, a camera box and other instruments to the value of £100.’¹⁹ But Mr F. K. North, appearing for the prosecution, admitted that this charge was unsustainable.

The charge had been put in three ways, viz, breaking into the shop and stealing, actually stealing, and he was also charged with receiving. He could not ask the jury to convict him on the first two charges, as he had no evidence to prove that the prisoner was ever in Lynn, so that he could not take part in breaking into or stealing. – The Recorder said he thought that was the proper course to adopt.

Thus, the case became simply one of dealing in stolen property, and the key issue became whether prisoner could prove that he had come by the property innocently. This was what Bennett, unrepresented and conducting his own defence – such as it was – set out to establish by telling of a chance meeting at Tunbridge railway station.

Well, gentlemen, I happened with the man named Conway and I knew he was a photographer. Two or three years before this I have seen him frequently, and I naturally thought that the lenses belonged to him, and I had not the slightest idea they were stolen. ... He said he had been laid up, and that as I was going to London I could do a kindness for him. After some conversation I took them. I have seen him at Gravesend many a time taking photographs, and made sure they belonged to him, or I should not have attempted to have pawned them.

Unfortunately for Bennett, Thoday (newly promoted to sergeant) had been sent to Tunbridge and the area of the Surrey/Kent border to find Norwood Conway. He had already testified, ‘There is no such person carrying on business as photographer, and never has been to the knowledge of people who have lived there for 80 years.’

Conway is as elusive now as he was in 1895. If there was such a photographer (or even such a person), he remains untraced. It seems quite likely, however, that there really was a figure on whose behalf Bennett was acting. It is, after all, hard to be certain that the assured use of ‘whom’ in the first ‘Conway’ letter represents the authentic voice of Bennett.

Whatever mysteries remained, Bennett had certainly been handling stolen goods, and the jury had no difficulty in finding him guilty. The Recorder entirely agreed with the verdict but was not inclined to over-harshness.

There was nothing known against the prisoner here or elsewhere so far as he knew. He hoped that it would be a warning to him, and as he had been in gaol awaiting his trial two months, he thought that justice would be met in passing what seemed a lenient sentence, as it had not been proved that he broke into the studio, or a more severe sentence would have been passed. Prisoner had lent himself to a man who had induced him to sell this property and which had got him onto trouble. He (the Recorder) hoped that prisoner would lead a more honest life. Sentenced to a month's imprisonment with hard labour.

The prosecuting counsel then applied for an order to return the stolen property to John Smith, but even this was not to prove a straightforward process. One of the Strand pawnbrokers (who had not been called to give evidence) complained that 'the lenses were left in the custody of the court, on condition that they should be returned'. Since no witnesses had been called in connection with these two lenses, and since nobody argued that it had been Bennett who had pledged them, no valid order could be made for giving them to Smith. The Chief Constable pointed out that Smith had 'expressed a desire to give the pawnbrokers the amount advanced on the lenses', but still the pawnbroker was not satisfied. He quite believed that Smith would do as he offered, but it was still not fair to make an order about the return of the Dallmayer lenses, when those lenses had not actually been connected to the person who had been on trial. The Recorder conceded the point and ruled that the order would apply only to the Fallowfield and eye lenses. The pawnbroker, gracious in victory, 'said that he would meet Mr. Smith in every possible way.'

So, who won and who lost? Bennett spent another month in prison, but the actual thieves remained free. The police investigation had resulted in a conviction – albeit of only a minor offender – and its management had perhaps contributed to PC Thoday's elevation to sergeant. John Smith had very limited cause for satisfaction. He had back a Fallowfield lens, an eye lens, a piece of his focusing cloth and a camera box that, having spent a day or two half-submerged in muddy water, may have been of no further use. The Fallowfield lens was, it turned out, of no great value. (Flack had testified that it would have been worth £7 ten years earlier, but 'There is no market price for old-fashioned lenses.') To get his Dallmayer lenses back, Smith must clearly resign himself to making some payment, and the Recorder's ruling meant that the pawnbrokers were free to haggle.

The original charge against Bennett had referred to ten lenses and a valuation of about £100. Smith recovered significantly less than half his property. Some of it was damaged, and some of it he had to pay for. Even if his eventual loss amounted to only half the estimated value, it was a large sum. (Many families amongst the respectable poor had to live for a year on £50.) Having a second studio in the town gave him some scope for juggling with equipment and staying in business, but the loss would have been felt, and the London Road studio seems not to have remained open for very much longer.²⁰ Smith had been hit hard.

¹ This account of events is drawn from a series of reports in the *Lynn Advertiser*: 19th January, 2nd

February, 9th February, 16th February and 20th April 1895. Further references to this chapter are provided only for direct quotations and for material drawn from other sources.

2 *Lynn Advertiser*, July 28th 1911.

3 *Lynn Advertiser*, 19th January 1895.

4 Ibid.

5 1891 census: RG12, piece 1570, folio 42, page 2

6 *Lynn Advertiser*, 16th February 1895.

7 *Lynn Advertiser*, 2nd February 1895.

8 *Lynn Advertiser*, 19th January 1895.

9 *Lynn Advertiser*, 16th February 1895.

10 Ibid.

11 Ibid.

12 *Lynn Advertiser*, 20th April 1895.

13 *Lynn Advertiser*, 2nd February 1895.

14 Ibid.

15 Ibid.

16 *Lynn Advertiser*, 9th February 1895.

17 Ibid.

18 *Lynn Advertiser*, 16th February 1895.

19 (and ff.) *Lynn Advertiser*, 20th April 1895.

20 Last known reference: Kelly, *Directory of Norfolk*, 1896.