Edmund Galley – Our 19th century ancestor who was the subject of great injustice

Researched and written by Barbara Dienn

Gillian Ross (née Bentley) and I, Barbara Dienn (née Bentley), are the Great-great-great-niece's of Edmund Galley. Gillian's Father (Jack Bentley) and my Father (George Bentley) often told us about Edmund Galley and his innocence of a murder in Devonshire, of which he was wrongly convicted.

With modern research resources, it has been possible to find out much more about Edmund, and what happened to him. Thanks go to Irene and David Bryan, for putting their story together in 'Edmund Galley in 1800's: from Kingston-Up-Thames England to Prisoner to Australia'.

So this is the story of a young man from Kingston, whose life was turned upside in the 1830's, simply because his friend's gave him the nickname of 'Turpin'. Edmund's story has all the ingredients for a successful play or film, including a happy ending! Set out below is his life story, from birth to death, and all that happened in between.

In the beginning

Edmund's Father was William Galley, baptised on 28th October 1770. His parents were Robert and Elizabeth Galley.

His Mother was Abigail Galley (nee Stone) from Kent, born on 27th June 1784, in the parish of Cowden, Kent, to parents David and Mary Stone.

William and Abigail married on 13th September 1803 in the Parish of Marden, Kent.

Official records show that they had a daughter, Ethel, born on 2nd January 1805, and baptised on 13th January 1805, in St. Mary the Virgin, Speldhurst, Kent.

Then a second child arrived on 15th July 1809. Joseph was born in Kingston-Upon-Thames, and baptised on 6th August 1809 at All Saints Church, Kingston-Upon-Thames.

There are no records showing exactly when the Galley's moved from Kent to Kingston, or what happened to Ethel. However, Ethel was not with them when Joseph was born, and it is fair to assume that she sadly died, although there are no records of her death in Kent or Surrey records.

So Edmund was William and Abigail's 3rd child, born on 15th November 1811 in Kingston-Upon-Thames, and baptised on 8th December 1811 at All Saints Church, Kingston-Up-Thames.

Further siblings arrived after Edmund:

- Charles - born 19th June 1814
- Abigail - born 28th August 1816
- Mary Ann - born 11th May 1819.
- Henry - born 10th January 1821 and baptised on 11th February 1821.

So William and Abigail had 7 children in total.

1821 – The start of misfortune

On 14th March 1821, William died, aged 50 years old. His death was recorded in Kingston, with his occupation noted as 'Labourer'. But this was not the end of the family's grief, as on 17th June 1821, Henry died at just 5 months old, and at some point in 1821, 2-year-old Mary Ann died as well.

This left Mother Abigail with her 3 sons Joseph, Edmund, Charles and daughter Abigail. It was only 2 years later, in 1823, when Abigail herself died at age of 38 years, being buried at All Saints Church Kingston -Upon-Thames.

Joseph(13), Edmund(11), Charles(8) years and Abigail(6), were left to fend for themselves. How they survived these tough times is hard to imagine.

As all 4 grew up, they all remained in Kingston. Joseph and Edmund were Brickmakers in the town, which must have helped keep the family together. In this period, children left school at the age of 10-years-old, and they would have been among many young boys who became apprentice Brick makers.

In the Galley's time in Kingston-Upon-Thames the population had grown to 8,000, and trade was flourishing. The old industry of malting came to an end, but brewing continued and the brick-making industry was going well. In 1833, gas lights were introduced, the streets were cleaner, and by 1836 the first police force was formed.

Official Records (see Annex for full details) show that by the age of 24, oldest son Joseph was in Cork, Ireland, and was a Private in the 51st Regiment of Foot (2nd Yorkshire West Riding Regiment or KOYLI : King's Own Yorkshire Light Infantry Regiment) now The Rifles. But his military career was not a happy one, and he deserted in January 1834. He was Court Martialled on 17th March 1834 in Cork Barracks, and found GUILTY, and was sentenced to 1,000 Lashes and Transported for 14 years. He served the 1,000 Lashes with the cat'o'nine tails, and in June 1834 he was moved to prison hulk.

He was then sent on to New South Wales, Australia, arriving on 27th October 1834 in Van Dieman's Land Australian, as a Military Convict. His bad record continued in Australia, with criminal charges dating into late 1840. However, Joseph is not mentioned anywhere again, and there are no records of a spouse or children.

Edmund's early adulthood

As we have already seen, Edmund Galley was a Brickmaker by trade, but this dull form of manual labour had little appeal to him. By the time he was 23-years-old, he had already emancipated himself from regular work, and had taken to a wandering life of peddling, jobbing, and small acts of gambling. He would buy a horse from a gypsy and take the horse to a race meeting hoping to drive a bargain over its re-sale.

He was well known in areas of Surrey, Middlesex and Kent, as a friendly rogue, and had the affectionate nickname "Turpin", after the famous highway man Dick Turpin. This nickname was later to come back and haunt him!

The Murder of Jonathan May

The event that was to change Edmund's life for ever occurred on 16th July 1835, although it would be nearly 8 months later before he would be drawn into the whole affair.

Jonathan May was a farmer from Sowton Barton, near Dunsford, who was riding home after having sold cattle at the Great Fair in Moretonhampstead (Devonshire). He was attacked, and died the next morning, resulting in Police treating the event as murder.

This was a popular Summer Fair, a three-day event where livestock sales were important, but also an occasion for side-shows, wrestling matches and entertainment generally. It always attracted petty thieves from other parts, who made a habit of going from one fair to another to see what they could pick up.

After selling his stock, Jonathan May visited Thomas White, the tanner (living on the corner of the Square) to collect payment for oak bark (used for tanning), and spent some time with him. Then he went to the shoemaker, George Norrish, to pay a bill for boots and repairs, and then on to the White Hart Hotel for refreshment, where he had left his horse. He finally left the Hotel at around 10pm, and passed through the toll-gate (near Folly Cottage) where James Nosworthy (the tollkeeper) spoke to him.

Nicholas and Grace Taverner, and Grace's brother John Tallamy and his wife, had set out to walk home to Harcot at about midnight. They had decided to go via Shute Lane, instead of the main road, but near the top they heard the sound of a horse in the hedge. Nicholas took it back to the town, when he realised it was Jonathan May's horse, and rode back up the main road. Here he found Jonathan unconscious and injured. He rode back to Dr Alfred Puddicombe's house in Cross Street (now the Old Rectory) to rouse the doctor, then got a horse and cart to take the injured Jonathan May down to the White Hart Hotel. Dr Ponsford, who was May's doctor, was also called, but the two doctors could not save him, and he died at 9pm the next day (Friday).

Others who visited the scene of the crime were Henry Luscombe (Thatcher), and William Backwell (Stonemason), who found the stick which had been used to hit Jonathan May. **Woolland Harvey**, a friend of May, and an attorney (living in Cross Tree House), quickly set the investigation in motion and rounded up any likely suspects in Moretonhampstead.

The first suspects

Elizabeth Harris and George Avery were the first taken into custody. Avery used to work for Johnathan May, but was sacked for stealing some wood. He had later gone on to become a wrestler, and was in a relationship with 22-year-old Harris at the time of their arrest. Their alibi was that they had been together in bed, at the tavern on the night of the murder. After a few weeks, Harris was released but Avery was kept in jail.

The search continued for the murderers. Elizabeth Harris was jailed again for something else, and here she heard of a pardon offer and a £100 reward for the capture of the murderers of Jonathan May. So she went to the Matron Prison Warden and told her that she had witnessed the murder.

Her account[1] was that she had argued with George Avery, and was going to catch the carriage back to Exeter on the night of the Murder. She said that she had missed the carriage and decided to walk hoping to catch the carriage further along on its journey. Along the way she met up with 'Buckingham Joe' and his companion 'Turpin'. She said that she had parted ways with Buckingham Joe and followed the carriage on its journey.

At this point, she realised that she wouldn't make it and turned back. On the way back she passed Jonathan May on his way home, and she remembered what had past between Joe and Turpin, from what they had said previously. She knew they were going to rob somebody. She put two and two together and realised that they were going to rob May.

She told the Matron Prison Warden that it was Turpin and Buckingham Joe, who had robbed and murdered Johnathan May. She turned around and followed them and witnessed the murder. In doing this, she hoped to obtain a pardon, collect the £100 reward, and obtain George Avery's release.

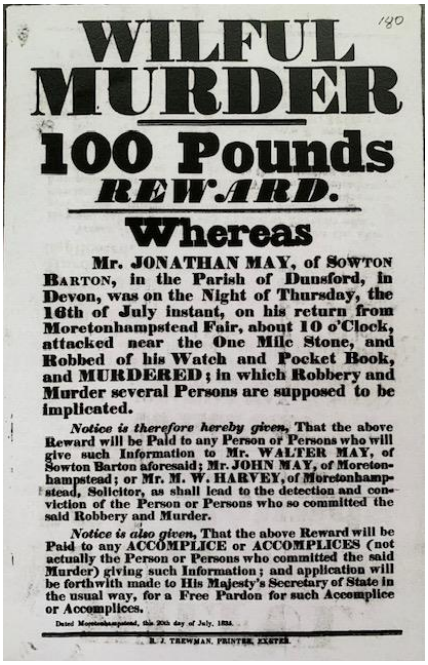
Edmund is drawn into the murder investigation

Meanwhile, Edmund Galley was oblivious to everything going on down in Devonshire. He had temporary employment with a friend who was the Landlord of the Windmill Pub in Dartford. He was grooming the horses, tending to the garden and looking after the skittle alley. It was this Landlord who mentioned to Edmund (in a friendly way) that it looked like he might be charged for murder, because of his nickname 'Turpin'. Edmund was scared out of his wits, and when other friends told him about the murder as well, he decided to disappear and lie low until the storm had passed.

Unfortunately, but partly with relief, he found himself apprehended as a vagrant wandering "without visible means of substance". This gave him shelter for a month, imprisoned in the House of Correction at Coldfield. Co-incidentally, the Chief Constable in the South of England decided to ask Sir Robert Peel's London force to search the list of inmates at local gaols (jails).

So, on the very day at the end of April that he would have been discharged, instead he found himself in the arms of Sergeant Thomas McGill and PC Thomas Cannon from the Deptford Division of the Metropolitan police, who bore a warrant for his arrest.

[1] Information currently displayed in the White Horse Inn



WILFUL MURDER

100 Pounds REWARD.

Whereas

Mr. JONATHAN MAY, of SOWTON BARTON, in the Parish of Dunsford, in Devon, was on the Night of Thursday, the 16th of July instant, on his return from Moretonhampstead Fair, about 10 o'Clock, attacked near the One Mile Stone, and Robbed of his Watch and Pocket Book, and MURDERED; in which Robbery and Murder several Persons are supposed to be implicated.

Notice is therefore hereby given, That the above Reward will be Paid to any Person or Persons who will give such Information to Mr. WALTER MAY, of Sowton Barton aforesaid; Mr. JOHN MAY, of Moretonhampstead; or Mr. M. W. HARVEY, of Moretonhampstead, Solicitor, as shall lead to the detection and conviction of the Person or Persons who so committed the said Robbery and Murder.

Notice is also given, That the above Reward will be Paid to any ACCOMPLICE or ACCOMPLICES (not actually the Person or Persons who committed the said Murder) giving such Information; and application will be forthwith made to His Majesty's Secretary of State in the usual way, for a Free Pardon for such Accomplice or Accomplices.

Dated Moretonhampstead, this 20th day of July, 1835.

R. J. TREWMAN, PRINTER, EXETER.

Edmund was taken into custody and conveyed from Coldfield Prison to Bow Street Police office, where he was taken for examination. As Edmund stood warming himself before the fire in the Charge Room, Sergeant McGill noticed he was reading the poster recounting the circumstances of the Murder of Jonathan May. After he finished reading it, Edmund turned to the Sergeant and remarked "I suppose that this is about the thing I am charged with"? The Sergeant responded "How do you know that"?, surprised as he hadn't yet told the prisoner the Charge against him. The Sergeant went on and asked Edmund "who told you about the murder"? Edmund's reply was "The Baker of Mill Lane". The Baker was the keeper of the lodging house where Edmund lodged whenever he was in Deptford.

This all increased the Sergeant's suspicions about him, and he asked Edmund where he had been at the time of the murder. Bearing in mind that it was almost 9 months previous, it is not surprising Edmund wasn't entirely sure, but he answered that he was at the Reigate Racecourse.

An aside about Reigate Racecource

Reigate, at the foot of the North Downs, is a market town of Surrey, boasting a medieval Castle. The first record of racing in the town was a two day meeting on Reigate Common, beginning on Wednesday 10th June 1835. Local dignitaries gathered at The Swan Pub, whose Landlord acted as the Clerk of the Course.

The course itself was flat and about 6 furlongs in circumference. The feature race was the Reigate Gold Cup, which was won by Cannon Ball at this inaugural meeting. At the same meeting a local businessman, David Robertson, sponsored his own Gold Cap event which was won by Olympic, owner Mr Matson.

Three years later, at the meeting on Wednesday 6th June 1838, the Reigate Gold Cap was won again by Olympic, now by David Roberson. Racing continued annually for the next 26 years before a final meeting on Thursday 2nd June 1864.

Back to Edmund

Edmund had second thoughts, and told the Officer that he was actually at a fair in Kent. This is more likely, but further increased the suspicion of the Sergeant. The Sergeant asked Edmund "have you ever met a man called Buckingham Jo or Thomas Oliver"? Edmund looked blank, and said he knew nothing of these people.

Edmund was taken in front of the Bow Street Magistrate, who read the charge against him, and asked Edmund if he had any observation to offer upon the matter. Edmund at once answered that he "was innocent of the crime alleged against him and knew nothing whatever of the transactions". However, having heard the Sergeant's report, the Magistrate declared that "upon the evidence so far deduced, it was his duty to send Edmund Galley or 'Turpin'

down to Devonshire for further examination before the Magistrate there. At the close of the interview Sergeant McGill snapped a pair of handcuffs over prisoner Edmund Galley and led him off to prepare for his journey Westward.

That very evening of 30th April 1836, with two policemen, Edmund climbed into the box of the Travel coach, to set off to County Assizes (Exeter, Devon) approximately 182 miles away.

The journey was overnight in the chilly spring night air. On the journey, one of the prison officers apologised for not having a coat for Edmund. He replied "it did not matter as they were going to somewhere warmer." This innocent comment further increased the Sergeant's suspicions, by making him think Edmund had been to Devon previously.

On arriving at the Devon Country Gaol in Exeter, Edmund Galley and Buckingham Joe (real name Thomas Oliver) were put on trial. Thomas Oliver had a solicitor called Montague Smith, who was later to play an important role, along with journalist Thomas Latimer from The Western Times, in Edmund's pardon.

The Trial starts

The Judge was Baron John William of Assize, who was not renowned for his prowess as a Judge and two years earlier gained unenviable notoriety throughout the land. He had passed a sentence of seven years transportation to Australia on seven farm labourers from Tolpuddle, for the crime of forming a village trade union. He was neither a merciful nor an accurate judge!

Edmund was not able to hire anyone to assist him, as he was broke, but he kept insisting that he was totally innocent, and he kept begging Thomas Oliver to tell the Police and court that he was innocent. Edmund was also unable to obtain witnesses, due to his lack of funds. He did try and contact people back in Kingston, and did receive a letter in reply from Jane Cording on 17th July 1836. At one time she had been Edmund's fiancée, but later married George Edmund Baker in London.

The letter[2] read:

For Edmund Galley, Devon County Gaol, Exeter, Devon. July 17. 1836.

Dear Edmund,

I received your letter, and was very glad to hear that you received the money safe, and I hope you will not think me neglecting you in not writing to you before in answer to your letter, because it was not my fault. I have been to Dartford as you requested of me and seen Mrs Rowe, and she recollects the handkerchief very well, but cannot recollect the time when the handkerchief was redeemed by you; the bit of paper was lost that was pinned on it or else she would have been able to have known the time that it was left; and I have seen Mr Bromley and he cannot swear that you were not there at that time, for he firmly believes you were at Dartford.

I met your sister at Mrs Rowe's and she gave me five shillings, and promised me if I would come on the Sunday week following to give me some more, and I went and saw her again but

[2] Letter published in the Western Times (18390330)

did not receive any more from her, and she told me if I would leave the letter with her she would endeavour to get a gathering and send up some more, but she has not done so, maybe she is afraid to entrust it to me, so I hope she has sent it to you.

I hope you will have some friend come in your favour from Dartford, I have seen your aunt and I offended her for I told her that you had got a set of unfeeling relations, but I hope God above will be your friend, for I firmly believe you are an innocent man. I have done my uttermost to make a friend to borrow some money to send you, but I cannot or else you should not be in want of it, for I would not mind working early and late to have paid it.

Dear Edmund, I have sent you the five shillings which your sister gave me for you; she would not send it herself because they would not be at the expense of the letter, and I take it very unkind that they have never wrote to you any of them. My mother desires to be remembered to you, and she has run a nail in her foot, and I am afraid she will have a very bad leg through it. I saw the brickmaker you was playing with, and he recollects very well playing with you, but can't remember the time; I hope the next letter you send me will be for me to meet you on the road home.

I shall be very anxious to hear from you when it is all over, for I shall not able to see you at that place. May God give you fortitude to stand your trial, and may you be proved an innocent man is the sincere wish of your affectionate friend.

JANE CORDING

The Trial continues…..

Elizabeth Harris gave evidence that Thomas Oliver and Edmund Galley were the 'Buckingham Joe and Turpin' that she had spoken of, and that she had witnessed murder Jonathan May. Even though it was clear Elizabeth was an unreliable witness, when Judge Williams gave his summing up to the Jury, he failed to impress upon them the unreliability of her evidence, or mention the evidence given by a more reliable witness called Mrs Clarke. She had categorically said that it was not the same Turpin who was the associate of Buckingham Joe.

The Judge did not distinguish between the strength of the cases against Thomas Oliver and Edmund Galley. The evidence against Thomas Oliver was damming, whereas the evidence against Edmund was weak. However, it is not surprising the jury found them both guilty.

Before he imposed his sentence, the judge asked them if they had anything to say. Edmund continued to protest his innocence, and begged Oliver to tell the judge that he was innocent. Thomas Oliver admitted his guilt, and also stated that Edmund was not his associate, and not guilty. He even asked the Judge if he thought that Edmund looked like anyone he would use as an accomplice due to his small stature (records showed Edmund was 5ft 5 1/4 inches tall). More than this, Thomas also identified the person called 'Turpin' was actually a man named John Longley.

Even though the Judge was not convinced of Edmund's guilt, he still found both of them guilty, and imposed the death penalty on both of them. Both men were taken back to jail.

After the sentence

About two months before this sentencing, the law had been changed to remove the requirement for convicted murders to be hanged within 48 hours of being sentenced. They were therefore sent back to jail for a month.

During this period, Thomas Oliver did some soul-searching and became a different person. Meanwhile, as soon as Judge Williams had left Exeter, a small group of people who believed in Edmund's innocence met at the prison and began to question the two condemned men.

Edmund's wits were shattered by the prospect of death, and he could do little more than renew his protestation of innocence. However, on the Monday after the trial, he told John Luxmoore and Captain Carslake that he now felt more certain than ever that he had been at Dartford Fair on July 16, 1835. These two magistrates had originally been present when Thomas Oliver and he were committed for trial. Edmund was also able to recollect the names of two people who were there with him.

Accordingly, letters were sent off to London immediately, in order to have that statement verified. On the next day, Tuesday, Edmund sent for Mr. Luxmoore, and told him "Sir, I now recollect that a third person was with me at Dartford on that day". On Wednesday, before this additional detail could be verified, a reply was received from London to the previous enquiry. It confirmed that three people had indeed been found who confirmed that they were with Edmund in Dartford on the date of the murder. This was the first confirmation of his alibi.

The confession

At the same time Thomas Oliver made a more detailed confession, throwing light on some of the darker aspects of the case. At first the young highwayman maintained his former attitude of bravado and genial contempt for Edmund, but as time went on he became more reasonable and modest. He had received a letter from his mother after the trial, which had greatly affected him. On Sunday July 31, he suddenly requested the Clerk of the Gaol to have the 88th Psalm sung in the Prison Chapel. It was sung to a penitential tune, and reduced all the women prisoners and most of the men present to tears.

In this altered mood, Thomas sent for the Prison Chaplain, the Reverend Francis Vidal. He had recently been appointed to the position, and seemed sympathetic to the men. Thomas now poured out his story. It appears that he and the 'real' Turpin had not intended to commit a murder at all. He confessed first that he had been involved in several previous highway robberies in Dorset, Hampshire, Wiltshire, Buckinghamshire and the Eastern Counties. Not only had they plundered, but sometimes beaten and otherwise maltreated their victims. However, he said, he had never been involved in murder.

On the fatal day of July 16, 1835, he declared, neither he nor the 'Kentish Youth' Turpin, had been in Moretonhampstead at all. Therefore, none of the witnesses who testified to their presence there had spoken the truth.

He admitted that he and his companion had left Exeter that morning, and had visited the Lamb Inn at the time stated by Charlotte Clarke, and that he had changed his dress by means of the smock frock.

Afterwards, they had gone with Clarke and Dally along the road to Moretonhampstead, and had been left behind outside the town as she said. They were highwaymen, and it would never have suited their purpose to have gone and shown themselves in a town, nor in the neighbourhood where it was their intention to commit robberies.

After the women left them, they had loitered about in a lane near the high road, until it began to grow dark. Mr. May happened to be the first person who passed their way and looked like he carried the promise of booty, and they attacked him.

As for Elizabeth Harris, Oliver said that he did not believe she could have been at the spot where she stated she was, or had seen any part of the transaction, as “for no circumstance attending the robbery was at all as she had stated it in her evidence”. From Harris's statement it appeared as if May's horse had remained quiet, but on the contrary, Oliver said “it became restive and reared up as soon as it was touched, and continued to kick and trample” so that they were afraid of being knocked down by its forefeet. May made a desperate attempt to resist after Turpin had struck him the first blow, but Oliver did not consider that anything they did to him caused his death. In particular, they had not kicked his head.

He believed that the fracture of the skull was due to a kick from the horse, with which May had become entangled owing to the reins being twisted round his wrist. The horse plunged and kicked violently, and at one time Turpin was underneath and May on top of him.

"I was never afraid of any man“, went on Oliver, "but I was afraid of that horse, its action was so violent and it made such use of its feet. By one of those kicks, while he was down, the Kentish Youth had all the skin taken off the front of his scalp above the right eye. We were all in the greatest danger from that horse”.

They had no idea when they left May that he had received more injuries than they themselves had. Although they had overcome him and taken all he had, and in so doing had struck him, they had received equally powerful blows in return and when they left him he was leaning against the hedge and afterwards moving across the road.

Oliver denied that they had had any intention to murder May. The swag was carried off by Turpin after a quarrel between the two highwaymen, of which Oliver had come off worse. They separated and took different roads, but met again at Wells, when Oliver received his share of the proceeds of the robbery, amounting to £12.

Having heard Oliver’s confession, Sanders, Cherer, Carew and Latimer sought at once to find corroboration by searching for Black Nance, the woman said to have been in company with Oliver and Turpin on the road from Exeter to Moretonhampstead. She was quickly found and arrested, and seemed to agree with what Oliver had confessed. She referred the enquirers to another woman, Harriet White, a pedlar of lace caps, who also knew Turpin by sight.

On Monday, August 1st, she was sent off in the company of a police officer, to search for Harriet White. She was found and brought back to Exeter on the August 5th. She stated that she had been present at Moretonhampstead Fair on July 16th, but had not seen either Oliver

or Turpin there. She knew both of them by sight, and when Edmund was presented to her, she did not recognise him.

From the details supplied by Oliver and Harriet White, it was now possible to piece together a fairly accurate description of the 'Kentish Youth' or 'Turpin'.

His real name, as Oliver had already stated, was John Longley. He was a tall, good-looking man, and a native of Biddenden in Kent. Accordingly, Ralph Sanders instructed a constable named Morgan to search for him, and in particular to proceed to the Greyhound Inn at Salisbury, which, according to Oliver, he was in the habit of visiting.

But Morgan could find no trace of him at the Greyhound, though he was told that a person answering to the description given, had at various times been seen there.

Judge Williams was expected to return to Exeter on Saturday, the 6th August, on his way back from Cornwall, but was delayed on account of his ill health and didn't arrive till Sunday 7th August. Then, pressed for time, he passed through the city without alighting from his coach. However, Carew, Sanders and others were waiting for him, and in a brief conversation through the window, informed him of the progress of their enquiry.

The Judge made no decision at that moment, but on reaching Bridgwater, where he was to open the Somerset Assizes, he despatched a letter to Mr. Cole (Governor of Exeter Prison). When opened on Monday evening, it was found to contain a respite for Edmund until the 26th August.

Oliver's solicitor had also asked for a respite for his client, but in vain. So the young highwayman must still die on the appointed day, Friday 12th August.

The end of Thomas Oliver[3]

After his confession, Thomas Oliver became more and more serious, and showed deep contrition for his misdeeds. He acknowledged the justice of his sentence, and even expressed thankfulness to God, for having checked him in his evil courses in time for the salvation of his soul. He said "I will not tell a lie for any man. I will not die with a lie upon my lips."

Now Governor Cole, who was also convinced of the innocence of Edmund, regarded Oliver with considerable respect and favour since he had told the truth to save his fellow-convict's life. And the two chaplains of the prison, the Rev. Mr. Vidal and the Rev. Mr. Worthy, laboured long and earnestly to prepare the mind of the condemned man for death.

During the night before his execution, he spent his last hours reading the scriptures. Friday morning Thomas Oliver (Buckingham Jo) was sent to the Gallows dressed as he had been at his trial, in a blue coat, black waistcoat, cashmere breeches, blue worsted stockings and short boots, his hair was neatly combed and parted on one side, and in his right hand he carried a red cotton handkerchief firmly twisted about his wrist.

By the motion of his lips it seemed to the bystanders as though he was joining in the service read by Vidal. His face was pale and set, and at one point, when he caught sight of a prison

[3] from 'Innocense of Edmund Galley' by Richard S. Lambert

warder who was in tears (Oliver was popular with them all), his own eyes filled and he came near to giving way to emotion, but checked himself by some internal effort.

At length the procession reached the gates, in front of which the gallows had been erected. There the other prisoners in the gaol had been brought under guard to witness the execution, presumably for their edification. Among them stood Edmund, scarcely yet daring to believe in his own narrow escape from death. The condemned man now ascended a short flight of steps to the Pressroom, which was small and dimly lit.

At one end stood the newspaper reporters and officials; at the other end lay the prisoner's coffin. Oliver looked round on the little assembly till his eyes lighted on the executioner, Caleraft. At once he walked straight up to him and, putting his arms up to his side, said, "Tie my arms tight". Calcraft did so, pinioning him and fastening heavy irons to his right leg. Then the executioner, inclining Oliver's head to one side, said to him: "When I have done with you, I hope you will keep your head steady, so! “

In all this terrible preparation there was not the slightest tremor of fear on the part of the death-doomed man. On the contrary, Oliver now turned to the prison officials and others in the room and thanked them for their kindness to him. His bearing at this moment deeply impressed all who were near him, particularly Latimer, who long afterwards recalled the scene thus: "I never saw such an example of quiet courage. He had won the hearts of the gaolers. Perfectly calm and self-possessed, while all about him were in tears, he said in a firm voice of deep-toned solemnity: 'I have found the truth of that blessed Scripture, as thy day is, so shall thy strength be. I never thought I could go through this’. Fascinated by this wonderful example of courage in facing death, I never took my eyes off the culprit till he had ceased to live."

Oliver now signified he was ready, stepped out on to a platform under the gallows, and stood whilst the rope was fastened round his neck and adjusted to the beam. An extraordinary scene unfolded before his eyes. It was one of the fairest of summer days, hot and calm, which had attracted to the spot a countless multitude, probably exceeding anything of the kind ever before assembled in Exeter. The gaol stood upon an eminence, overlooking a natural amphitheatre with Exeter Castle in the background.

Every position from which a glimpse could be obtained of the platform was occupied, whilst immediately in front stood a dense throng of people, stretching away towards Longbrook Street, Northern Hay, and St. David's Hill. The sea of upturned faces was hushed, in the expectation of catching the condemned man's last words.

The two clergymen were out upon the platform beside Oliver, resuming the burial service. Now Vidal paused, and asked Oliver whether he had anything he wished to say. Instantly in a firm, distinct voice, he replied: "All that I have to say is, to inform this congregation that I am a guilty man, the other is an innocent man. That is all I have to say." In the silence that followed, the executioner stepped forward and drew the cap down over Oliver's face. Then in a trembling voice the Reverend Vidal proceeded with the service, until he came to the words "any pains of death to fall from thee," when the bolt of the gallows was drawn by the executioner. At twelve-thirty precisely, Oliver was launched into eternity, and death came quickly, affording little horror to indulge the brutal curiosity of the crowd.

It is reasonable to hope that, with those last honest words, Oliver had gone far towards purging his soul of the guilt of the evil deeds he had committed during his short and wasted life on this earth.

The campaign to free Edmund

The group who had managed to successfully get Edmund's sentence deferred continued to fight for a pardon for him. Because of the protestations of journalists and lawyers, the Home Office decided to have a special enquiry of their own. So Edmund was moved from Exeter to London, taken to Woolwich and put on board a stationary old ship called Ganymede, where all the awaiting convicts were kept until being deported to Australia.

Although Edmund's alibi had proved to be valid, the report by Sir Frederick Roe, showed that it could not be proven 100% that he couldn't have been at the murder scene. Much deliberation took place at the Home Office, between Judge Williams and the Lord Chief Justice. It was decided that, although there was sufficient doubt to stay the execution, there was not enough evidence to liberate him. However, if the individual called John Longley could be located by the defence, then Edmund could be freed.

After the trial John Longley had been located in a jail in Bath. Although messages were sent to Moses Harvey, he ignored them, and his trail disappeared. Edmund remained on the hulk Ganymede for a further two and a half years, in which time some of his supporters continued to press for his release. During this period on board the ship, he cultivated a garden on the shore and made a prisoners' allotment.

The People of Devon signed a Petition in sympathy with Turpin

The people of Devon felt sympathy with Turpin from the start, and now considered that a certain discredit had been attached to their county by the fact that an entirely innocent man had been convicted. Subsequently a petition was signed by over 5,000 Cornwall and Devon people and comprised some highly influential signatures, including the Dean, the Mayor and ex-Mayor of Exeter, the Mayors of Plymouth, Tiverton, and Totnes, and many Aldermen and Town Councillors of the various boroughs in Devonshire. There were the names of 34 magistrates, 43 clergymen of all denominations, 306 professional and independent men, 18 journalists, and 2,115 merchants, tradesmen, and farmers. There were also the names of Mr. Sanders, J.P., Mr. Latimer, J.P., and Mr. Rose, late Governor of Exeter County Gaol, all three having been present at the trial of Galley in 1836, and throughout convinced of his innocence.

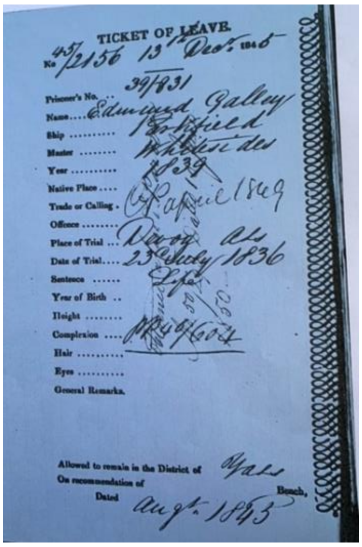
The Home Office act

Eventually tiring of the constant pressure, the Home Office decided to press ahead with Edmund's transportation to Australia. On 15th May 1839, Edmund left the Port of Sheerness aboard the ship Parkfield, and arrived in Australia on the 1st September. At the age of 26, he became a member of a chain gang, where he was no more than a slave.

Unknown to them all, John Longley had already been deported to Australia. Edmund found out, and all the time he was in Australia, he kept hunting for him. However, John Longley changed his name to French, and managed to keep out of the way. Edmund never found him, and was never able to confront him.

A new life in Australia

In Australia, Edmund Galley spent the first 6 months working with the chain gang in Cooks River, as an overseer. This was one of the few privileged positions and he therefore avoided hard labour. He was then allocated to one of the Settlers, to be a farm servant in the Yass area, and he was there for 6 years.


TICKET OF LEAVE.

No. 45/2156 13 Decr 1845

Prisoner's No. 39/831

Name Edmund Galley

Ship

Master

Year 1839

Native Place

Trade or Calling

Offence

Place of Trial Devon Ass

Date of Trial 23 July 1836

Sentence Life

Year of Birth

Height

Complexion

Hair

Eyes

General Remarks

Allowed to remain in the District of Yass

On recommendation of Bench.

Dated Augt 1843

On the 13th December 1845, he was issued with a ticket of leave, which meant he could work for anyone thereafter. He remained in the area, moving to Boorooa, where he worked as a horse driver and general farm servant.

While he was there, on the 16th May 1849, he was issued with a conditional pardon by the New South Wales authorities, which meant he could work for himself.


NEW SOUTH WALES.

CONDITIONAL PARDON.

He stayed in Bòorooa and tried to set up his own business as a brickmaker. This venture failed, and in 1860 he returned to farm work. He became a shepherd, on a property which had an area of 400 square miles, containing 80,000 sheep which were looked after by many shepherds.

After being granted his freedom, Galley moved in with the Howard family, including Howard, his wife Jane, and their 8 children (three of whom died). One day Howard was found dead at the foot of a tree where he was working. There was some suspicion that Edmund may have been involved, as he was known to be a convicted murderer. However, the Police determined that while Howard was ring barking trees, an old dead branch fell from above, smashed on top of his head, killing Howard instantly.

In 1870 he met Andrew[4] Barton 'Banjo' Paterson, a young boy at the time, who later went on to become a famous poet and song writer, including Waltzing Matilda. At this time, Banjo's job was to transport food once a week by cart to the prisoners on Ration Day, with his father Andrew Bogle Paterson.

A new family

On 11th June 1875, Edmund, now aged 63, married the widowed Jane Howard aged 33. She later gave birth to Edmund's children:

- William Joseph Galley October 1875(his father's name William and bother Joseph's name)
- Ethel Galley 1877 (after his sister)
- Eliza Galley 1880

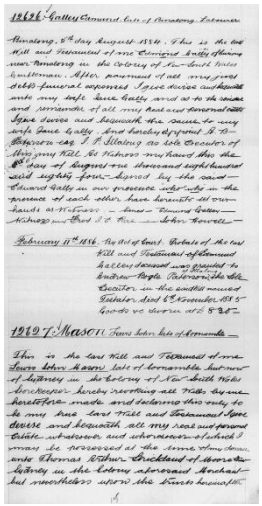
[4] See Paterson account of the meeting in the Annex

The Pardon

On the 10th November 1877, Edmund sent many letters of Appeal to England. In England, Latimer, the editor of the Exeter Times newspaper, was working with his movement calling for his pardon as well. There were still many people trying to prove Edmund's innocence. The House of Commons asked for testimonials regarding his character, from the authorities in Australia. These were provided by Henry Brown, Walter Friend and Banjo's father Andrew Patterson. These three men were Magistrates and their opinions carried a lot of weight, especially Walter Friends, who was also a very wealthy and influential business man.

On 23rd July 1879, Edmund was finally declared innocent and received a Royal Pardon from Queen Victoria. In 1881, he was awarded compensation of £1,800. £1,000 went to Edmund's Trustee for his compensation, £800 went to pay the lawyers! Banjo Patterson's father became the Trustee of the compensation.

The End of the Story



Edmund Galley died in November 1885 in Binalong, Aged 73 years. The site of his grave remains a mystery, and has not been found. No death certificate has been found, and the only written information on his death is his will.

His wife Jane suffered a 3 Month illness, and eventually died of inflammation of the womb on the 15th March 1888 in Boorowa Creek, District of Burrowa, NSW. She was buried in Kuriong Creek.

So what happened to others in this story?

Abigail Galley (Edmund's sister) married a Thomas Mansell in Leatherhead, Surrey on 10th October 1841 in St Mary and St Nicholas Church. They had 8 children. Abigail died age 44 on 26th February 1862 in Black Lane, Kingston-Upon-Thames. She was buried on 5th March 1862 in Bonner Hill Cemetery, Kingston. On 13th August 1870 Thomas Mansell died , and was buried with Abigail. Grave E788.

This is the side of the family that Gillian and I are descended from. One of Abigail's daughters was named Abigail Mary Galley, and married a George Bentley. These are our Great Grandparents.

Charles Galley (Edmund's brother) born in 19th June 1814, joined the Navy. He was married and had four daughters. He died in Exminster Asylum, Devon in 1869 from 'General Paralysis', which was usually caused by Syphilis.

Elizabeth Harris, the unreliable witness, received her 'blood money' reward of £100. It is not clear whether she left lover George Avery or not.

Thomas Latimer tirelessly campaigned for penal reform, voting reform and the rights of the common man over that of the gentry. In 1835 he won to save Edmund Galley from the gallows for murder. After the judge misdirected the jury and his so called accomplice confessed, that Galley was not present at the crime, Galley was acquitted but was still transported for life to Australia. Latimer's efforts through the Western Times, scored only a partial victory for the innocent man. Thomas Latimer was born in Bristol on August 9th 1803 died on January 5th 1888.

Timeline Report for Edmund GALLEY

Yr/Age	Event	Date/Place/Description
1811	Birth	15 November 1811 Kingston on Thames Surrey
1811 23 days	Baptism	08 December 1811 All Saints, Kingston on Thames Surrey
1821 9	Death (father) William GALLEY	March 1821 Kingston on Thames Surrey
1823 11	Death (mother) Abigail STONE	May 1823 Kingston on Thames Surrey
1835 23	Crime	16 July 1835 Moretonhampstead Devon; Jonathan May of Moretonhampstead was murdered
1836 24	Prison	May 1836 Exeter Goal Exeter Devon; Edmund was accused of murdering Jonathan May
1836 24	Criminal record	23 July 1836 Found guilty of murder and sentenced to hang
1836 24	Trial	23 July 1836 County Assizes Exeter Devon; For the murder of Jonathan May of Mortonhampstead Devon
1836 24	Residence	10 September 1836 Sent to HMS Ganyemede Woolwich - death sentence reduced to detained at His Mjesty's Pleasure (life)
1836 24	Prison	Bet. 10 Sep 1836-04 May 1839 Edmund was held on Prison Hulk Ganymede: held here until sent to Woolwich for transportation to Australia
1839 27	Prison	04 May 1839 Woolwich London; HMS Parkfield (240) transportation vessel
1839 27	Departure	15 May 1839 Sheerness, Kent; HMS Parkfield (240) transportation vessel

1839 27	Arrival	01 September 1839 Port Jackson Sydney NSW Australia; HMS Parkfield
1839 27	Occupation	01 September 1839 Trade given as a brickmaker
1839 27	Prison	03 September 1839 Hyde Park Barracks Sydney NSW Australia
1842	Birth (spouse) Jane BARKER	27 May 1842 Picton, New South Wales, Australia
1845 33	Ticket of leave	01 January 1845 31 Dec 1845 Annual return of tickets of leave granted NSW Australia
1845 34	Ticket of leave	13 December 1845 Prisoner number 39/831 Ticket 45/2156
1849 37	Pardon	16 May 1849 Colonial Secretary's Office Sydney NSW Australia; Conditional pardon granted: No 263
1850 38	Residence	June 1850 NSW Australia; Sheep hand
1850 38	Pardon	10 June 1850 Conditional Pardon no 50/293
1875 63	Marriage Jane BARKER	11 June 1875 Boorowa, NSW, Australia
1875 63	Birth (son) William Joseph GALLEY	09 October 1875 Boorowa, NSW, Australia
1877 65	Birth (daughter) Ethel GALLEY	1877 Boorowa, NSW, Australia
1879 67	Pardon	23 July 1879 England; Free and full pardon granted - HO 144/12/30008
1880 68	Birth (daughter) Elizabeth GALLEY	1880 Boorowa, NSW, Australia
1881 69	Compensation	1881 Awarded £1000 to be managed by Andrew Bogle Paterson
1884 72	Will	05 August 1884 Binalong NSW Australia
1885 73	Death	06 November 1885 Binalong NSW Australia
1886 74	Probate	11 February 1886 Binalong NSW Australia; Probate granted to Andrew Bogle Paterson
1936 124	Newspaper report	1936 Review of Edmund's case

Annex – other information

Joseph Galley's full military record

Occupation : Joseph being 24 years old was in Cork, Ireland as a private in the 51st Regiment of Foot (2nd Yorkshire West Riding Regiment or KOYLI : King's Own Yorkshire Light Infantry Regiment) now The Rifles.
Residence : January 1834 in Ireland.
Military Service: 24 January 1834 : PRISONER - DESERTION - from 51st Regiment of Foot.
Record show: on 7th January 1834 Prisoner.
14th January 1834 Prisoner.
21st January 1834 Prisoner.
Court Martial Trial: 17th March 1834 in Cork Barracks Cork, Ireland. Tried for Desertion:
Found GUILTY and sentenced to 1,000 Lashes and Transported for 14 years :
We know he served the 1,000 Lashes with the cat o' nine tails commonly shortened The Cat.
Joseph in May 1834 was still in Cork Barracks, and in June 1834 : was Military convicted and moved to prison hulk.
Departure: 27th October 1834 in Van Dieman's Land Australian Military Convict. Sent on to NSW Australia.
Occupation: 27th November 1834/ Brickmaker/ Ploughman / Soldier.
On 1st November 1837 Joseph Galley was ARRESTED in Bathurst NSW Australia.
4th May 1839 before the Chief Justice and Military Jury.
The Trial: (on one paper)
11th May 1839 in Hyde Barracks NSW Australia: acquitted: for the Burglary and Assault.
Occupation: July 1839 A member of Circular Quay convict workers.
ABSCONDED: on 29th July 1839
CRIMINAL ROCORD 7th October 1840
Shared Facts: No Spouse and No Children on record: Joseph Galley was not mentioned in the family records again and never found.

Joseph Galley Trial notes on the 2nd May 1839.

THURSDAY, MAY 2.- Before the Chief Justice and a Military Jury,
Joseph Galley, Thomas Sumner, Dennis Dacey, George Cook, and Ryder Gorman, were indicted for burglariously entering the dwelling house of William Wood, at King's Plains, on the 10th of January, and stealing therefrom a gun and a pistol, the property of the said William Wood, and also for assaulting the said William Wood with intent to murder him. A second count charged the burglary, and that the prisoners stole sundry articles, the property of Darby Hamlin, and beat one Ann Hamlin. The prosecutor is a small settler residing about twenty-three miles from Bathurst. The prisoner Galley is assigned to
Mr. Liscombe, Sumner is assigned to Mr. Allen, and the other prisoners were runaway convicts
It appeared that about one o'clock in the morning of the 18th of January, an attack was made upon Wood's house by a party of men, who fired through the door and broke, open the window. Upon the door being opened by Woods, one of the men struck him a violent blow on the head with a musket, and then made all the persons who were in the house come out and what is called " bail up;" that is, they were all placed together and made to lie with their faces on the ground. A woman named Ann Hamlin, was then taken away from her husband, and five men forcibly had carnal knowledge of her. When the party, among whom were

Sumner, Dacey, Cook and Gorman, had been there a short time, Galley came up and was at first made to " bail up with the inmates of the house, but was released and went to a window where he commenced moving some of the property that was being tied up ready to take away, but upon Hamlin desiring him to desist, he did so, and when the bushrangers went away he remained behind.
One of the men said," Billy Woods, you scoundrel, give us that double barrelled gun you lagged Gowenlock for," and Woods stated that he was confident that the prisoner Cook was the man who assisted Gowenlock to rob him about twelvemonths, since, and for which offence Gowenlock was sent to Norfolk Island. When the three bushrangers were apprehended by Corporal Sheedy, of the mounted police, Wood's gun, and a handkerchief belonging to Mrs. Hamlin were found in their possession. Galley's defence was that he had been sent to a sheep station for some sheep that were to be washed, and on the road lost himself, and was attracted to Wood's by the report of fire-arms; he had no connexion with the bushrangers, and the witnesses for the prosecution were mistaken in thinking that he removed any of the property. Mr. Badderly, superintendent for Mr. Liscombe, stated, that on the day previous to the robbery, he sent Galley to a sheep station, and that the next morning he informed him that he had lost himself in the bush. The other prisoners merely averred their innocence, and Dacey remarked that he had committed many other robberies, particularly one at Mr. Syer's, at Bathurst. for which five men were transported, three of whom were innocent.
The Chief Justice said that if the evidence was correct, the prisoner Galley, as he was not present when the house was broken open must be acquitted of the burglary, but if the Jury considered that he feloniously removed any of the property afterwards they could find him guilty of larceny. With respect to the other prisoners it was for the Jury to say whether they considered their identity sufficiently established. The Jury retired about a quarter of an hour, and returned a verdict of Guilty against all the prisoners except Galley who was acquitted but remanded on other charges.
The Colonist Saturday 4 May 1839.

Andrew Barton “Banjo” Paterson story on meeting Edmund

Andrew Barton "**Banjo**" **Paterson**, CBE (17 February 1864 – 5 February 1941)was an Australian bush poet journalist and author. He wrote many ballads and poems about Australian life, focusing particularly on the rural and outback areas, including the district around Binalong, New South Wales, where he spent much of his childhood. Banjo's early education came from his governess, but when able to ride a pony he was taught at bush school at Binalong. Banjo Paterson's more notable poems include ” Clancy of the Overflow” (1889), “ The Man from Snowy River“ (1890) and “ Waltzing Matilda “1895), regarded widely as Australia's unofficial anthem.
" PATERSON TELLS HIS OWN STORY. —IV.
AN EXECUTION AND A ROYAL PARDON. BY A. B. ("BANJO") PATERSON. 1939
WE ALL KNOW how Dreyfus was sentenced to life imprisonment on Devil's Island and how he was subsequently restored to citizen- ship; among other memories of mine is that of the convict Edmund Galley, who was sentenced to death for murder and afterwards pardoned and compensated. As it so happens, I knew Galley fairly well—as well as a young boy could be said to know an old "lifer," and so it may be worthwhile to relate his story from the

Australian end. I first met him when I was sent out in a spring cart to take his weekly rations. As the old song says: —

"Ten pounds of flour, ten pounds of meat, some sugar, and some tea Are all they give to a hungry man to last till the seventh day."

Out I would go past the Bullock Hill and up Kuryong Creek, through unfenced country till I saw the bark roof and slab walls of Galley's hut. He was always on the look- out for the cart—all the shepherds except the mad ones were on the watch for the cart on ration day—and as soon as I hove in sight he would leave his sheep and come trotting down to the hut. He was a little, hard, wiry Englishman, perhaps a provincial of some sort, though I have no recollection of his using any dialect. On my first visit he looked hard at me to see whether I could by any possibility be the man who committed the murder for which he had been sentenced to death. This was his obsession.

"Will you come in and have some tea? You're not afraid of me, are ye?" he asked.

I knew nothing about Galley except that he was a sent-out man—one of the "Old Hands"—so I said that I was not a bit afraid of him. This seemed to indicate a lack of appreciation of his importance, so he came out with his story, all of a rush.

"I'm sent out for life," he said, "sent out for a murder I never done. There's lots would be afraid of me, I know the man that done it, though I never knew his right name, 'Twas a man they called the Kentish Hero. He got lagged for something else afterwards and he's out here somewhere now, and some day I'll find him."

Later on, I used to take Galley's rations to a new hut which he shared with a man named Howard, who had a wife and some half-dozen children. This mixed ménage seemed to get along well and Galley must have welcomed the change from solitude; but, one day, there arrived at the homestead a rider on a sweating horse to say that Howard had been found dead at the foot of a tree with his skull crushed in and nothing to show how it happened. Rumour ran rife round the scattered huts and homesteads that Galley and Howard had had a quarrel and that this was the result. By the time that the story had got a good start people had already invented the cause of the quarrel and added all sorts of picturesque details. The Yass police were called in; and, with Galley's record at his back, things might have gone hard with him, only that the police puzzled out the explanation.

Howard had been ringbarking a tree when he was killed. A large branch of dead timber was found lying alongside his body. Marks on the tree-trunk showed that this branch had been leaning against the tree and that the vibration caused by the ringbarking had made it slip off the tree-trunk, killing Howard with a glancing blow as it fell. Some of Howard's hair was found on the butt of the branch.

To try to upset a conviction in those days was like trying to take Gibraltar with a rowing boat, but there must have been a strong doubt as to the justice of Galley's original conviction. The "Exeter Times" (England) took up the case; members of Parliament brought up the matter in the House of Commons; and years after the conviction a re-quest was made for testimonials as to his character in Australia. These were signed by my father, by Henry Brown and by Walter Friend, a brother-in-law of Henry Brown. All were magistrates of the colony, and Walter Friend and Henry Brown were wealthy and influential men.

Walter Friend was a hard-headed businessman. His name carried weight, and after the testimonials arrived the Law in England admitted that it had made a mistake, and issued a Royal pardon to Galley in 1879. The authorities also awarded Galley the sum of a thousand pounds as compensation for the wrong done him; and of this compensation money my father was made trustee, to administer it at his discretion for Galley's benefit.

THE LAW SOCIETY GAZETTE Report

Learned friends in high places

By James Morton 7th October 2022

It was fortunate for Edmund Galley that a number of young barristers including the future lord chief justice Alexander Cockburn were in court at Exeter Assizes in 1836 to watch his trial for the murder of a local farmer who had been robbed and killed at Moretonhampstead. The evidence against him was thin, and the barristers commissioned a shorthand writer to investigate Galley's alibi that he had been in Kent.

They also persuaded Mr Justice Williams to respite the case for further enquiries. Meanwhile, Galley's co-defendant Oliver continued to maintain that his co-robber was a John Longley, who had already been transported.

The home secretary appointed Sir Frederick Roe, then the chief magistrate at Bow Street, to make further enquiries. Galley said that at the time of the murder he had been at a fair in Dartford, Kent when, in some brawl, a stall was overturned and he helped the stall owner to pick up his wares. Witnesses confirmed the incident and later identified Galley.

Lord chief justice Baron Denman would have nothing of Roe's inquiry. However the home secretary commuted the death sentence to transportation, saying there was doubt about who had struck the fatal blow.

Galley did well in Australia. Given a conditional pardon and a ticket of leave in 1839, he became a shepherd. In 1877 he wrote to the home secretary petitioning for a full pardon. The letter appeared in the Western Mail and Cockburn, now the lord chief justice, wrote to the home secretary saying that Williams had not properly directed the jury and that Roe had been completely satisfied with Galley's alibi.

A year later the Home Office sent Cockburn a dusty reply. The verdict must stand. Then Sir John Eardley-Wilmot took the matter up in parliament complaining how shabbily the lord chief justice – if not Galley – had been treated. The campaign took wing and in 1879 the home secretary announced a free pardon.

Two years later the Home Office granted the 83-year-old Galley £1,000 compensation. ***James Morton is a writer and former criminal defence solicitor.***

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