

Townscape Heritage Project

Building Timeline

22 HIGH STREET



INTRODUCTION

The research to create a timeline of the historic buildings of Stockton has drawn on resources such as trade directories, newspapers and census information. Whilst we have been able to construct some quite detailed pictures, there are gaps which we would like to fill. If you have any further information that could assist us, please contact Eleanor.blyth@stockton.gov.uk.

FOSS

1847-68	William Foss	Surgeon & gentleman (also W Foss)
1871	Hannah Foss	Annuitant
1876-94	Robert Wm Foss	Surgeon

William Foss, Surgeon is recorded at High Street in the 1841 Census. He subsequently appears in the 1858 Post Office Directory of Northumberland and Durham at 22 High Street. He is recorded in the London and Provincial Medical Directory of 1860 and 1865 where he is detailed as occupying 22 High Street. He is associated with Dispensary and Stockton Cottage Hospital. William Foss is recorded in the UK Poll Book and Electoral Register for 1868 at High Street Stockton. Doctor Foss was active in politics, standing in local elections.

In 1859 Doctor Foss was one of several Stockton Medical Practitioners who felt compelled to challenge the medical evidence in the case of a man named Thomas Smethurst who had been convicted of murder of a woman he was alleged to have married bigamously.

The Durham County Advertiser of 9th September 1859 relays the content of a letter to the Home Secretary on the matter. There was a considerable volume of input from medical practitioners across the country.

STOCKTON MEDICAL PRACTITIONERS AND SMETHURST'S SENTENCE. — At a meeting of the medical men of Stockton-on-Tees, held at the Dispensary, the following memorial to the Home Secretary was unanimously agreed to and signed by those present :—

That your memorialists have perused with great care and grave consideration the medical and scientific evidence adduced on behalf of the prosecution against Thomas Smethurst, which resulted in his conviction, and the sentence of death passed upon him by the Lord Chief Baron Pollock. That your memorialists are of opinion that the medical and scientific evidence adduced at the trial is insufficient, and does not, therefore, prove that Miss Bankes died from mineral poisoning. That the evidence adduced, as reported in the public papers, is, in our opinion, quite reconcilable with death from natural causes. Your memorialists, therefore, submit that in a case surrounded with so much doubt it would be unsafe to allow the law to take its course; and, consequently, earnestly pray you to advise her Majesty to exercise the royal prerogative and commute the sentence passed upon Thomas Smethurst. — R. H. KEENLYSIDE, M.D., CHARLES TROTTER, WILLIAM RICHARDSON, JAMES H. WHITESIDE, M.D., JOHN FARQUHARSON, GEO. TINNISWOOD, M.D., WILLIAM FOSS.

Newcastle Courant 19th August 1859



TRIAL OF DR. SMETHURST ON A CHARGE OF MURDER.

The trial of Dr. Thomas Smethurst, for the murder of Isabella Bankes, at Richmond, which was abruptly terminated at the last session of the Central Criminal Court by the sudden illness of a jurymen, was resumed on Monday morning before the Lord Chief Baron Pollock, by whom the case was commenced on the former occasion. It will be recollected that the prisoner is charged with the murder of a lady named Isabella Bankes, by administering to her constantly small doses of arsenic or antimony, or some other irritant poison. He was a married man, but he had gone through the ceremony of marriage with the deceased shortly before her death, and he had induced her to make a will in his favour, under which he would have come into possession of about £1,800.

Two doctors that had attended the deceased gave evidence, describing their suspicions of poisoning. A medical opinion was put forward by a Doctor B.W Richardson, a professor of pathology that disputed poisoning.

Newcastle Courant 19th August 1859

Sergeant BALLANTINE, in opening the case, described it as one of a most important and serious character. The offence imputed to the prisoner was that he had deliberately inveigled the deceased lady into his power, and that he had then destroyed her life by administering to her small doses of poison; and the object of this act was suggested to be to possess himself of her fortune. The prisoner was a man of considerable chemical and medical skill, and he was well acquainted with the nature of the different poisons, and it was part of the case for the prosecution that he had made use of this knowledge to baffle, to a considerable extent, the tests that were made use of by scientific men to discover the presence of poison. The learned Sergeant then proceeded to narrate the facts at considerable length.

The evidence for the prosecution was then gone into. Mrs Smith proved that the prisoner and his wife and the deceased lodged at her boarding house in Rifle Terrace, Bayswater, and that in consequence of her observing, what she considered to be improper familiarity between the prisoner and the deceased, she gave the latter notice to quit, and she left on the 9th of December. Mr Spice, the parish clerk of Battersea, proved that the prisoner and the deceased were married on the 12th of December. Evidence of the marriage of the prisoner and his first wife in 1828 was also given. The court then adjourned.

In August 1859 Thomas Smethurst was found guilty of murder and was sentenced to death.

From Ancestry



County of *Surrey*.

RETURNS of all Persons Committed, or Bailed to appear for Trial, or Indicted at the *Sizew* _____

on the *16th* day of *August* 18*59*, shewing the nature of their Offences, and the result of the Proceeding

No.	NAMES	Offences of which those tried were Convicted or Acquitted, and of which those discharged without Trial were charged on Indictment or Commitment	Convicted and Sentenced		
			Death	Penal Servitude	Imprisonment (state if also Whipped or Fined)
<i>1</i>	<i>Thomas Southworth</i>	<i>Murder.</i>	<i>Death</i>		

In September 1859 reports are in the press of a reprieve from the death sentence. The Newcastle Journal 10th September 1859 provides an account. His ultimate fate was, however, unclear for several weeks and subject of great speculation in the press.

Newcastle Journal 10th September 1859

RESPIRE OF DR. SMETHURST.—The Home Secretary, after a considerable delay, has decided on advising Her Majesty to direct the convict Thomas Smethurst to be respited during the Queen's pleasure—an order which is in fact equivalent to a reprieve. This is a general reprieve,—not merely a postponement of the sentence of death for any given time. There is no likelihood of the prisoner suffering the penalty of death after such a reprieve. It may be well conceived that this decision was not arrived at without the deepest anxiety and the most careful consideration. It was not, in fact, until yesterday evening week that the Secretary of State was able to decide to recommend to the Queen to interpose the royal clemency between the verdict of a jury, in which the judge continues to express his entire concurrence. It would seem that the reprieve was quite unexpected by the gaol authorities, and that the prisoner himself, although he still continued to exhibit a good deal of that confident demeanour that he has shown throughout the entire proceedings, evidently, after the middle of the week had passed, had some misgivings as to the result. The apparatus of death had even been examined with a view to see that it was in working order. The culprit has all along appeared in extraordinary spirits, and it was not until the week wore away and the day fixed for the execution of the sentence became nearer and nearer that his appearance and demeanour were at all altered, and then only to a trifling extent. The Rev. Mr. Jessopp, the chaplain of the prison, remained at Horsemonger Lane Gaol considerably longer than his ordinary time for attendance yesterday week, in the event of any communication arriving from the Home Office, that he might make it known to the prisoner, and he left the prison under the full impression that no respite would be sent that day. Shortly afterwards, however, a messenger arrived, bearing the reprieve, which was addressed to the governor, and Mr. Keene immediately communicated to the prisoner the welcome intelligence, at the same time explaining to him that it was not a reprieve for any particular period, which would still render his ultimate fate uncertain, but that the effect of a reprieve during Her Majesty's pleasure was that his life would certainly be spared. Smethurst did not betray so much emotion as might have been expected under the circumstances, but he shook hands with the governor, and in an earnest manner asserted his entire innocence of the crime for which he was condemned to die, and added, "What a dreadful thing it would have been to die an ignominious death for a crime that was never committed!" There is very little doubt that the friends of the prisoner will exert themselves to procure a total remission of punishment, on the ground that as the Government, by refusing to allow the capital sentence to be carried out, admit that there are doubts of his guilt, the prisoner ought to have the benefit of those doubts, and be altogether discharged from punishment. Even if held entitled to acquittal on the ground of no poisoning having been satisfactorily proved, there is no doubt that the prisoner is guilty of bigamy in marrying while his wife was alive, and of perjury in his affidavit in Doctors' Commons that there was no legal impediment to his marriage with Isabella Banks. While his execution—from which there could be no return—would have been unsatisfactory, those who would make him a martyr and set him scot free are probably running a little too fast, and insisting upon a precipitancy not in accordance with the sound portion of public opinion.

In November 1859 a Royal pardon was granted. Nonetheless, Doctor Smethurst was not a free man. The Newcastle Daily Chronicle of 19th November 1859 gives an account of the outstanding matter of the bigamy allegation.



DR. SMETHURST AND HIS

At the Southwark Police Court on Thursday a late hour, several gentlemen entered the court and announced that bail was about to be put in for Dr. Smethurst a considerable deal of excitement was caused.

Mr. Robinson: I now appear on behalf of Dr. Smethurst whom you committed on Saturday last for the same offence.
Mr. Combs: I can't accept bail: you know the law.



In November 1859 Thomas Smethurst was committed for trial for bigamy. The Teasdale Mercury of 7th December recounts the extraordinary events that ensued. The prosecution was initiated on the direction of the Secretary of State due to the death of the second wife. Reference was made to the defendant having been pardoned for the offence of murder for which he had previously been tried. It was put forward that the marriage that had taken place with Mary Durham in 1828 was not legal because she was in fact married to a man named Johnson and therefore a case of bigamy could not be made out. The England & Wales Criminal Register records that Smethurst was sentenced to imprisonment. The Teasdale Mercury of 7th December 1859 outlines the verdict and the judge's sentencing.

Teasdale Mercury of 7th December 1859

Baron Bramwell having summed up, the jury gave a verdict of Guilty. The learned judge, addressing Dr. Smethurst, said that the jury had found him guilty of the crime of bigamy, and for that offence, and that offence alone, he should now pass sentence upon him. Some reference had been made to the circumstances attending the death of the second wife, but he was quite satisfied that while, on the one hand, nothing connected with that matter ought in any way to operate to increase the punishment, on the other hand, the fact of the authorities having absolved him from that crime ought not to operate to procure the remission of any punishment he might have incurred for another. If the original charge had been never so unfounded he could not be compensated by having the just punishment for another offence remitted, and it appeared to him to be his duty neither to augment nor to diminish the sentence it was now his duty to pronounce on account of the circumstances connected with any other charge. The offence of bigamy varied very much in its circumstances. Where it was committed by two abandoned persons, who were perfectly aware of what they were doing, it was comparatively venial to the case where a man deserted a virtuous and respectable wife, and married another woman, in order to obtain possession of her property or her person. It was clear that he had deserted his first wife. It was true that she was no party to the prosecution, and probably, so far as she was concerned, he ought not to receive any further punishment. The object of punishment, however, was to prevent a repetition of the crime, and prevent other wives from being deserted. With regard to the second wife, she was dead; and although he was most unwilling to say anything to hurt the feelings of any one connected with her, he thought there could be no doubt that she knew the prisoner was married when she went through the ceremony with him, and that she did so voluntarily, and was of an age to know perfectly well what she was about, and so far as she was concerned, therefore, the case was not one that called for severe punishment. There was, however, one fact in connection with the case which had struck him early in the proceedings, which was that the prisoner, in order to carry out the marriage with the deceased lady, must have made a false oath, in swearing that there was no impediment to it, when he must have known that this was not true. It might not amount perhaps strictly to the crime of perjury, but it was undoubtedly a false oath, and he as a man of education must have known what he was doing, and the consequences of such a proceeding. When, therefore, he took into account that he had deserted his first wife, that he had taken a false oath, and that he had endeavoured to impute to his first wife the crime of bigamy without any probable justification, he had come to the conclusion that the case required a more severe punishment than was usually passed under similar circumstances. He had consulted his brother Byles and the officers of the court upon the subject, and they concurred with him that the sentence he was about to pronounce was a proper one, and this was that he be imprisoned and kept to hard labour for one year.

The prisoner, who did not say a word throughout the proceedings was then removed from the bar.



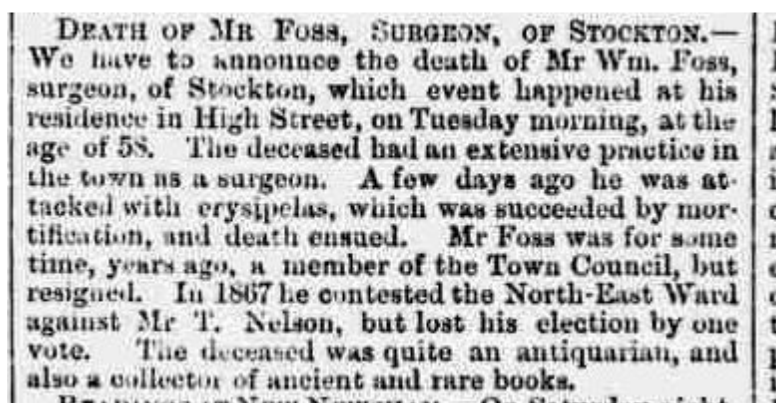
There is no known connection between Doctor Foss of Stockton and doctor Smethurst. The murder case had clearly excited great interest among the medical profession across the country and Doctor Foss was one of many who felt compelled to speak up. The case was debated in Parliament, highlighting the issues that had vexed medical practitioners like Doctor Foss but also raising wider questions about the administration of justice.

“On the 15th of August Thomas Smethurst was convicted of the crime of murder and sentenced to be executed. The trial was conducted before the Chief Baron of the Court of Exchequer, one of the most humane Judges who ever adorned the bench, and from the range of his attainments singularly well qualified to deal with a case which depended very much upon a close scrutiny and careful analysis of the medical testimony. After the conviction, however, the attention of the country and of the press was directed to serious doubts that were raised as its propriety, and representations were made to the Secretary of State on the subject, the result of which was that, at his request, as he (Mr. James) collected from letters in the newspapers, a most able and elaborate report was drawn up by the Judge who presided at the trial, containing probably an expression of his opinion of the case. Various statements by other parties with regard to the case were made to the Home Secretary, and on the 15th of November there appeared in *The Times* a letter from the right hon. Baronet who held that office to the Chief Baron, which, he had authority to say, was not sent for publication by his Lordship. The letter of the Home Secretary was to the effect that the Chief Baron's report upon the trial, together with the whole of the medical evidence, had been referred to Sir Benjamin Brodie, who had given it as his opinion that, though the facts were full of grave suspicion against Smethurst, there was not absolute evidence of his guilt; but that his (the Home Secretary's) advice to Her Majesty to grant a free pardon to the convict did not arise from any defect in the constitution and procedure of the legal tribunals, but from the difficulty of ordinary citizens dealing with matters which puzzled the most experienced medical men. The jury who had given their anxious attention to the subject during the five days of the trial thus found their verdict set at nought; but though the evidence upon which the jury arrived at that decision had been fully published, neither the report of the Lord Chief Baron nor the report of Sir Benjamin Brodie had ever been revealed. In point of fact, the public had had no opportunity of judging of the medical testimony upon which the verdict of the jury had been reversed and the convict pardoned. In making these observations he was not blaming the Home Secretary, who, under the existing system, could hardly have done otherwise than he did; but he felt that the responsibility of acting under such circumstances was too great to be thrown on any single individual; and he hoped to prevail upon the right hon. Baronet to introduce some measure for the purpose of removing so great an anomaly. He was far from wishing to trench on the prerogatives of the Crown in the right of granting pardon. That prerogative might well consist with the existence of a criminal court of appeal, because there might still be good reason to preserve to the Crown the right of granting pardon on evidence which would not be admissible by a court of law, on a

motion for a new trial. He thought the question was one well deserving the attention of the House and of the Government, and he would press it upon the Government that if they were not themselves prepared with any measure on the subject, they might at least accede to some rational and well-considered measure proposed by others for some court of appeal where pardons might be granted in such a way as would make patent to all the grounds on which the sentences were pronounced. In conclusion then he wished to ask, whether the Government contemplate the introduction of any Measure to give the Right of Appeal to persons convicted of capital and other crimes?"¹

The Newcastle Courant 19th November 1869 records the death of Doctor William Foss of High Street Stockton. His obituary is recorded in The Medical Directory 1870. His estate, valued under £1,500 is recorded in the National Probate Calendar on the oath of his widow Hannah and his son Robert William Foss, surgeon.

The 1871 Census shows 22 High Street is occupied by Hannah Foss, an annuitant, her 2 daughters and 2 sons. Robert W Foss is described as a Batchelor of Medicine, his brother Alfred is a pupil of Dentistry. The 1879 Postal Directory records Robert William Fosse, Surgeon & Physician at the address. Fosse M.D, Surgeon is also recorded at the premises in the 1881 Directory. Fosse is recorded at the address in the 1881 Census. He is recorded as a General Practitioner having qualified at Edinburgh. He is unmarried and lives with his mother and sister. Robert William Foss has an entry in the membership register for the Philanthropy Lodge of Freemasons.



The presence of Robert William Foss in Stockton in the capacity of surgeon is evident in several new articles reporting on cases he attended. The Northern Echo 13th April 1875 and

¹ <https://hansard.parliament.uk/Commons/1860-01-27/debates/413adf26-fe3b-4a55-9473-71375ad6c381/CaseOfThomasSmethurst>

the Northern Echo 1st October 1875 provide accounts of manslaughter cases in which Doctor Foss gave evidence along with a Doctor J.H Tarleton.

Doctor Foss is reported in the Northern Echo of 26th April 1878 to have given evidence at the inquest into the death of a 5 year old child whose death was said to have been caused by consuming Rum. Doctor Foss concluded the child had died from convulsions brought on by fever and he did not think the Rum consumed was the cause of death. The Northern Echo of 27th September 1889 records some banter between the Coroner and the Doctor during an inquest.

A STOCKTONIAN'S WASTE

Last night, Mr Coroner Settle held a
at the Stockton Police Court respe
death of Robert Grayton, aged 50, w
day afternoon was found dead in the
the Sun Inn. The de-ased was wide
amongst Stocktonians, his late parenta
tions having held most respectable p



The Hartlepool Northern Daily Mail 15th January 1885 records R.W Foss, MD present at a meeting of the South Durham and North Yorkshire Medical Society. Similarly, Doctor Foss is present at the North East branch of the British Medical Association. According to the Newcastle Daily Chronicle 30th July 1886.

The 1891 Census records Robert Foss 42 years, General practitioner at 22 High street with his sister Henrietta and a servant.

The National Probate Calendar records the death of Robert Foss, MD of 22 High Street Stockton as occurring on 2nd November 1893, leaving effects to the value of £206. 10s to his sister Henrietta. By 1901 Henrietta is recorded in the Census as living on her own means in High Crosscliffe, 22 High Street being passed to its new occupants.

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STOCKTON SAVINGS BANK

1880	Stockton Savings Bank	
	A Miller	Auctioneer

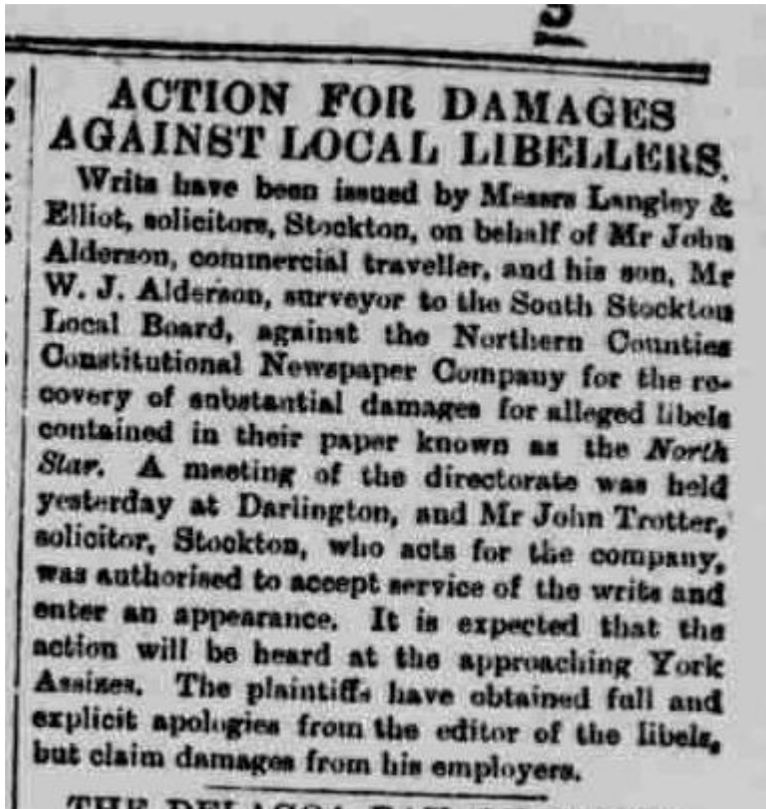
LANGLEY & ELLIOT

The 1888-1899 Ward's Directory and 1900-1901 Ward's Directory record Langley and Elliot, Solicitors at number 22 High Street. The 1902-1903 Ward's Directory now records Langley, Solicitor at the address.

William Charles Langley was the son of William Hilliar Langley, newspaper editor. Born in Warminster, Wiltshire in 1823, William H Langley is reported by the Sporting Times 29th March 1902 to have died in Florence.

The 1881 Census shows William Charles Langley at 20 South Street, Crossgate Durham with his wife, children and stepchildren and servant. William Charles Langley appears in the Stockton Kelly's Directory 1890 as solicitor operating in Stockton. The 1891 Census shows that William Langley, Solicitor is living at Cleveland House, Bowesfield Lane, Stockton with his wife, children and step-children, a niece, governess and servants. He is recorded as a British subject, born in France.

There are many records of the activities of the firm in the press, both locally and nationally. The Northern Echo - Saturday 29 June 1889 reports on Langley and Elliot instructed in relation to libel action against the Northern Star newspaper. The company is seen active in house sales and other legal transactions.



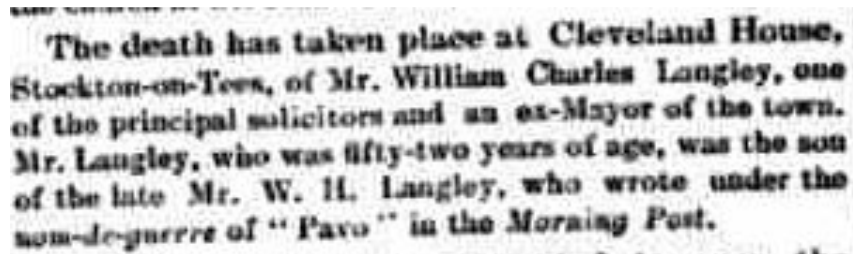
Charles was Mayor of Stockton. The Northern Echo of 9th November 1894, reporting on the completion of his term in office, gives an account of one of the causes that he had championed, namely the “unfair treatment it is alleged Stockton suffers commercially because of the North Eastern Railway’s ratal charges to the manufacturers and merchants of the town”. The article also provides insight into the development of the town.

these. Another very important question in which the town is vitally interested is that of the opening out of the north bank of the Tees between Stockton and the salt district by means of a road and railway. This is a scheme which has had the ardent support of the Mayor of Stockton, and though the difficulties have been very great it is now most gratifying to state that all the landowners whose interests are directly affected have got into line and regard the project in a cordial manner. The protracted moulders' dispute seriously affected the commercial life of the town, and it is very pleasing to record that the present Mayor was one of the first gentlemen who endeavoured to bring about an amicable settlement between the employers and the workmen.



The 1901 Census shows Charles William Langley still living at Cleveland House but the formerly busy household now contains only Charles, his niece and servants.

The Morning Post 30th December 1903 reports the death of Charles William Langley on 23rd December 1903.

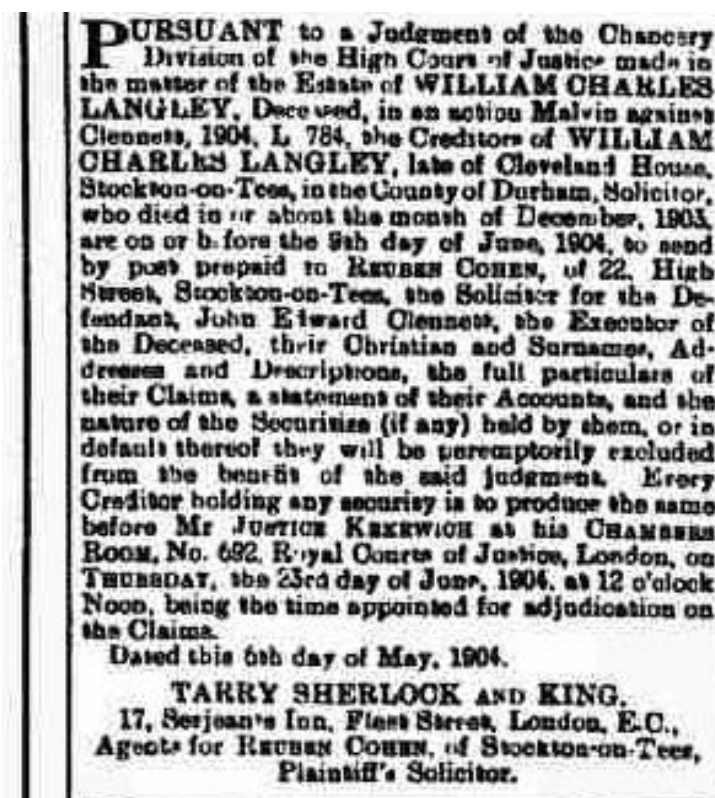


The death has taken place at Cleveland House, Stockton-on-Tees, of Mr. William Charles Langley, one of the principal solicitors and an ex-Mayor of the town. Mr. Langley, who was fifty-two years of age, was the son of the late Mr. W. H. Langley, who wrote under the nom-de-guerre of "Pavo" in the Morning Post.

Charles William Langley's death features in a speech by Dr Moule, the Bishop of Durham reported in the Newcastle Daily Chronicle, 23th February 1904. Tribute is paid to his support to the church.

His estate, valued at £7697 10s is recorded in the National Probate Calendar. His address is recorded as Cleveland House, Stockton. Charles' death ties in with the occupation of 22 High Street by R Cohen in 1904.

Durham County Advertiser 25th February 1904.



PURSUANT to a Judgment of the Chancery Division of the High Court of Justice made in the matter of the Estate of **WILLIAM CHARLES LANGLEY**, Deceased, in an action Malvin against Glennett, 1904, L. 784, the Creditors of **WILLIAM CHARLES LANGLEY**, late of Cleveland House, Stockton-on-Tees, in the County of Durham, Solicitor, who died in or about the month of December, 1903, are on or before the 5th day of June, 1904, to send by post prepaid to **REUBEN COHEN**, of 22, High Street, Stockton-on-Tees, the Solicitor for the Defendant, **John Edward Glennett**, the Executor of the Deceased, their Christian and Surnames, Addresses and Descriptions, the full particulars of their Claims, a statement of their Accounts, and the nature of the Securities (if any) held by them, or in default thereof they will be peremptorily excluded from the benefit of the said judgment. Every Creditor holding any security is to produce the same before Mr Justice Kekewich at his CHAMBERS ROOM, No. 692, Royal Courts of Justice, London, on THURSDAY, the 23rd day of June, 1904, at 12 o'clock Noon, being the time appointed for adjudication on the Claims.

Dated this 6th day of May, 1904.

TARRY SHERLOCK AND KING,
17, Serjeant's Inn, Fleet Street, London, E.C.,
Agents for **REUBEN COHEN**, of Stockton-on-Tees,
Plaintiff's Solicitor.



COHEN

The 1904-1905 and 1906-1907, 1908-1909 Ward's Directory shows R Cohen, Solicitor at the address. There is also a record of W Sefton, Income Tax Collector at the address in the 1906-1907 and 1908-1909 1910-1911 Ward's Directory. The 1911 Census records John Thomas Milburn resident at the address. He is a blacksmith and lives with his wife and 3 children in 3 rooms.

R Cohen, solicitor is recorded at the premises in each edition from 1912-1913 to 1932-1933. From the 1934-1935 Ward's Directory to the 1993801939 edition Cohen, Jackson and Scott, solicitors are at 22 High Street.

Reuban Cohen was the son of Myer and Betsy Cohen, recorded as a naturalised Russian residing at 9 Garden Street Darlington in his registration certificate dated 1887. Myer's occupation is a draper. In the 1881 Census the Cohens are in Russell Street Darlington. Myer is stated to be a loan broker. By 1891 the Census records the Cohens living at Wellington Street, Stockton. Reuban's mother Betsy died in 1892. The 1901 Census shows Myer Cohen as a moneylender still at Wellington Street, Stockton. Reuban is stated to be working as a solicitor. His father has remarried a much younger woman named Sophie.

Taking note of Myer's origins it can be deduced that, along with many other Russian Jews, Myer left to escape poverty and persecution. It has been estimated that around 2.7 million Jews migrated west from Eastern Europe between 1881 and 1914. The assassination of the Russian Czar in 1881 was followed by a series of campaigns (pogroms) against Jews in the Russian empire. Jews were forbidden from settling on or owning land outside towns or moving between villages, and restrictions were placed on their entering higher education or the professions.

Reuban Cohen, Solicitor is recorded in the 1911 Census, living at Lynwood, Richmond Road.

The premises of 22 High Street is associated also with Hyman Cohen, Reuban's older brother. Though advertisements for loans predominantly relate to 35 Wellington Street, Stockton, the Yorkshire Post and Leeds Intelligencer of 4th June 1915 describes court action taken by Hyman Cohen of 22 High Street, Stockton against a Bournemouth company to recoup money owed on a promissory note.

The appointment of Reuban Cohen as registrar at Stockton Country Court is recorded in the Sunderland Daily Echo and Shipping Gazette 7th November 1933.

Reuban Cohen of 18 Richmond Road, Stockton is recorded in the National Probate Calendar as leaving an estate of £17207 13s 6d.

