

Leeds Mercury, Wednesday September 12 1934

Secrets of Marsden Moor

THE DEEPEST MYSTERY I KNOW

By W.L.A.

IF you were to ask me, as a veteran Yorkshire journalist, what, had been the deepest mystery I ever attempted to unravel there would be no hesitation in my reply. I have never known such a strange affair, followed by a complete bafflement of the investigators, as the crime which was committed on the moors beyond Marsden thirty-one years ago.

Two men employed in game-watching were found dead on those moors, on the bleak Pennine heights between Huddersfield and Oldham. on Wednesday, September 9, 1903. Who shot them was never discovered. A reputed poacher from the Oldham district, Henry Buckley, was accused of murdering them, as I shall tell, but the charge failed, and failed completely.

All who were prominently concerned in the tragedy are dead, and after this long time it may be supposed that the graves of the two victims will hold their secret for ever. But I have always thought - and I speak as one who was much on the scene and sought to learn all the circumstances at the time - that if a different main line of inquiry had been followed Buckley would never have been arrested, and there would have been some chance of solving the mystery. The line taken by the authorities led away, in my opinion, from the guilty man.

When you find two gamekeepers fatally shot you are apt to assume that they must have been done to death by their natural adversaries, poachers. That was assumed on this occasion, but many of those who remember the circumstances think the assumption was a mistake. Nevertheless, the police were bound to consider, among their first theories of the crime, a double murder by a poacher or poachers. A good deal of furtive shooting went on in these parts, and some of those concerned had vindictive feelings on the subject. I have heard of almost fantastic quarrels among men of this district, where ground game is scarce, over a wretched rabbit which people in more favoured districts would hardly bother about

The men found dead on that September day were

WILLIAM HENRY UTTLEY game-keeper, known after the local fashion as Bill o' Mark's, aged 58, and

ROBERT KENYON aged 26, son of William Kenyon, aged 70, gamekeeper

Uttley, who lived in a small cottage on the moors, away from any road, was a man of powerful physique and almost gigantic stature. Kenyon was slightly built. He had been a soldier in India. and was employed as a teamer by Messrs. Platt and Co. of Oldham. At the time of the tragedy he was on a visit to his father's home, and helped him with game-watching.

The Kenyons' home was a white house called Buckstones, on a then quiet road from Huddersfield to Oldham. I believe this house was once a public house. It was a building of some size, used partly as a shooting box. The shooting rights were held by Mr. Jos. Crowther, of Woodley, Huddersfield; Mr. J. E. Crowther, Royds Mount, Paddock, Huddersfield, and Mr. T. H. Ramsden, Golcar.

The moors and the solitary cottages have changed little in thirty years, but the roads are vastly improved, and there is much industrial traffic over the Pennines. There is now a petrol station at Buckstones, and you can get refreshments there.

It was on a day of storm, September 10, when I was inquiring for news at Marsden for the "Huddersfield Daily Chronicle," that I heard a gamekeeper, Uttley, had been found shot on the moors, and another man, young Kenyon, who was supposed to have shot him, was missing. Word had been brought to the police by a young man named Fred, who was helping to build a new wing at Buckstones. I at once set out into the solitude in search of details. It seemed best to make for Buckstones, which clearly, as the home of the victims, would be a centre for news. I walked there, for we country reporters' hardly thought of hiring a motor car in those days. Indeed, looking back among my archives upon the full report which my rival of the Huddersfield Examiner," the veteran Mr. W. H. Wolstenholme, wrote, I was surprised to come upon this extraordinarily grateful thank-offering for the use of a car:

We were very much indebted to Messrs. Priest for allowing us the use of their motor car, and to Mr Walter Priest for driving our reporter to Buckstones, and also to Mr. J. E. Crowther for having driven him back during the afternoon. The reason for the change was that one of the tyres of the car which Mr. Hilton Crowther had driven had been punctured in two places and Mr Priest very kindly assisted Mr. Hilton Crowther to repair the damage, and afterwards drove Mr. T. H. Ramsden home to Golcar. and Superintendent Pickard to Huddersfield

Though I was then a strong and energetic youth of 17, I spent hours in struggling across the sodden moor and through torrents and flood. I had come but lately from Hull, and this was my first experience of moving across a rough moor. I had no map, no compass, and only a vague idea of where Buckstones lay. On a clear day you can look from Buckstones down a slope of moors and see the mill chimneys of Marsden, and, stretching away from that village to the West, the busy Manchester road. On a fine day it would be no task to walk from the village up to the shooting lodge, but in the storm and murk I must have gone far out of my way. Twilight closed in. The prospect of not reaching Buckstones and the news I wanted and of a night on the moors under heavy rain began to press upon my mind. It would have been an unbearable disgrace to fail to get the news. I went on desperately.

I seemed to be hopelessly lost in pouring rain and on the squelching ling I suddenly became aware of men moving close at hand. I shouted, and walked towards them. They stopped and put down a burden. I found they were men with guns. As I strode up to them they looked on me with vigilant suspicion. They were gamekeepers and others who believed the murderer was somewhere at large on the moors. I suppose in my bedraggled and almost exhausted condition I could have been taken for any miscreant. At any rate, they seemed ready to shoot if I gave trouble.

As I walked up to them our surprise was mutual. They were astonished to discover a reporter in that bleak and stormy solitude, and I had the shock of finding they had a body with them. This was the missing gamekeeper, young Kenyon, his body stained with peat, and a hole through his neck. The finders told me he had been thrust under an overhanging ledge at the side of a stream.

Here was a strange development. It was not a case, as I thought at first, of one man killing another and then fleeing or hiding. It seemed likely that the murderer (it was assumed only one was concerned) had shot the first gamekeeper, left him lying under the open sky, then made off, encountered the other gamekeeper, shot him and then hastily buried his body to throw suspicion on him. At that very time, in fact, police were watching at Liverpool for the man who now lay dead at our feet, believing him to be Uttley's murderer.

Young Kenyon's body had been buried in a gully and might easily have been missed. As searchers were passing, one of them noticed something shining in the sunshine - in one of the few gleams of sunshine on a day that grew steadily worse. It led to investigation. The sun had glittered on a small part of Kenyon's clog Irons, protruding from under a sod. Whoever buried the body had done the work carefully. There it lay, under stones, earth, sods and heather. But the grave maker had not noticed that part of the clog iron still showed.

The searchers showed me the dead man's wound, in the neck, and then I helped to carry him through the lashing rain. We reached Buckstones, where old Superintendent Pickard was waiting, in the darkness of a howling night. The body was put in the stable (now a garage),

beside Uttley's gigantic figure. Several reporters, who had come by road, appeared from Huddersfield and Leeds. We got most of our information from old Mr. Kenyon, who was much distressed, and from Superintendent Pickard.

One of our leading questions was whether Kenyon suspected anyone he knew. He told us that he had seen a man on the moor when he was ranging it with his son, but the man was a mile away, too far away to be identified. This was a point that assumed critical importance later. As the days went on Mr. Kenyon changed his mind. He appeared to become convinced that he knew who had done the murder. But on the day of the discovery, he assured me he could not name the murderer.

The Inquests were held at Marsden Mechanics' Institute by Mr. E. H. Hill on September 14. Old Kenyon, who wore a coat and vest of green, with bright brass buttons, breeches and gaiters, identified both victims. He said he and his son generally worked together. About 2 o'clock in the afternoon of the 9th they went towards the Lancashire end of the moor, and near the Benn Cut saw a man with a gun who was poaching. "I thought I knew who it was," he said, "but it would not be right for me to tell you."

The Coroner agreed that the Witness should not give the name of the man that he thought he saw. Old Kenyon said his son wanted to go after the man. I told my son, he said, "that if he came to close quarters with the man, he must be civil and not get to cross words, because the man I suspected the stranger to be was such a desperate sort of fellow."

They left their guns in a road-mender's hut, and went after the man. His son went on alone, and that was the last the old man saw of him alive. The witness wrote down the name of the man he thought he saw. The name, I learned later, was Henry E. Buckley.

Kenyon would not swear to the man, but said, "It's a strong opinion." He added that he recognised the footmarks as those of the man he had named, but they were not clear enough to establish identification. Asked if he knew the man well by his gait, he said. "If it had been a fine day, I should have made no mistake whatever in his footprints. I know nearly all the footprints. There are many a score of them. I can tell you when any new ones come." He meant, of course, that he knew the regular poachers.

In view of what the old man said later, it is important to notice that he did not claim at the inquest to know the suspect by his gait, and he was content to offer "a strong opinion." A curious point in his evidence related to what he saw at 7.30 on the evening of the murders, close to where his son's body was afterwards found. He said he saw at a distance of about half a mile the face of a man crawling among the gorse. He went to look for him but could find no one.

The jury returned a verdict of willful murder against some person or persons unknown.

As we came away from the inquest, we wondered who the man named on the piece of paper by Mr. Kenyon was. The case against him so far did not look strong. But if he really were guilty it was likely the police would discover circumstantial evidence. We waited amid public excitement and tension for the sequel. It came swiftly. I shall tell you about it to-morrow.

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Secrets of Marsden Moor

A MURDER CHARGE THAT FAILED

By W.L.A.

In recalling yesterday the Marsden Moor murders of September 9th, I described to you the most striking incident at the inquest. There William Kenyon, the 70-years-old gamekeeper, wrote on a piece of paper for the Coroner the name of the man he believed to have murdered his son Robert Kenyon and his other fellow-worker, William Henry Uttley.

The person named on the secret paper was Henry Buckley, a small farmer of Sholver, near Oldham. He was arrested the next day and brought to Huddersfield. Known to be a poacher, he was one of several who were questioned by the police in the Oldham, Halifax and Saddleworth districts soon after the crimes became known. The statement he at once made appeared to satisfy the police, but Mr. Kenyon's evidence changed the situation.

I saw a good deal of Buckley during the Court proceedings, which went on and on until October 16th. Buckley was a blunt burly sort of man, and, though believed to be a poacher, a Salvation Army leader. He was often heard to speak as a Salvationist at street corners on Sunday evening. He was a total abstainer and leader of a temperance society. In his younger days he had been a celebrated wrestler in the Lancashire style. It was stated that at various times he had been a policeman and a lamplighter at Oldham. He was married and had four children. When his friends heard of his arrest they at once rallied round him to pay for his defence.

Old Kenyon was the only man I ever heard suggest that Buckley was a desperate character. Buckley was wearing clogs when arrested, but in the dock at the Huddersfield Police Court, wearing his best clothes, he looked like a farmer of intelligence and some position. I remember he had a ring slipped through his tie after an old fashion. No nervousness showed in his weathered face. He spoke simply and calmly, indeed stolidly.

When he first came before the magistrates (Colonel Greenwood, Mr. J; A. Brooke, and Mr. J. E. Willans) he said, "I never was on that moor and I never saw the gamekeepers. I'm not afraid of saying I was on the moors, but there is many a one who was on that day that is." He said he was on Friarmere Moor, but not on the Buckstones Moor, of which Mr. Kenyon had charge. The Friarmere Moor, or Free Moor, is in the Saddleworth area. It was never enclosed by the Lord of the Manor of Marsden, and is free to any.

..... was instructed by the Treasury to prosecute but would not go into the case. Mr. G. P. Fripp an Oldham, solicitor, whose voice suggested a London upbringing, appeared for defence. This man, who died in but he said he did not go beyond the Oldham In July, 1923, in his 75th year, will be well remembered by all who to be were In court. His intense concentration, alertness, and patience made him the outstanding figure there. I have heard famous counsel win forensic triumphs, but never heard a case better conducted than Buckleys provincial.

Mr. Fripp said at once that the charge was based on the merest suspicion and rested entirely on the statement of old Kenyon, to whose evidence the Coroner's jury had attached no importance.

A WEEK later Mr. Harold Thomas, barrister, took up the prosecution on behalf of the Treasury on Mr. Turner's Instructions.

Mr. Thomas made these points against the prisoner:—

1. That he had been seen in such a position as to be easily accessible to the places where, the victims were found.
2. That wads and cartridges and other things found at his house corresponded exactly with things found near Uttley's body.
3. The prisoner had made a number of statements about his movements, all of which had been proved to be untrue.

Mr. William Kenyon then gave evidence. With regard to the Friar-mere, or Free Moor, he said there were usually an enormous number of persons shooting on it. He was now absolutely certain that the man he saw poaching was Buckley, although on the day of the discovery he had told reporters, including Mr. Y. E. Firth now in Leeds, and myself, that the man was too far off to be identified, He recognised the man (he now swore) 1,300 yards or a mile away. by his walk and by the way he carried his gun. Buckley walked with his head thrown back and carried his gun with the barrel thrown over his right arm. He could tell the man by his way of working. Kenyon went on to say that Buckley was very violent with his tongue.

By this time Kenyon appeared to have convinced himself beyond any shadow of doubt that Buckley was the man he saw on the moor and was the murderer. This passage from doubt to certainty while perhaps natural in the old man, the evening of whose days had been clouded over by so appalling a tragedy, made me very doubtful of his evidence.

One curious point was that in telling his story before the magistrates he forgot the man he had seen in the gorse on the evening of the murders. By this time he knew that Buckley was at home on that evening and since the face could not have been Buckley's the incident now appeared to him to be of no importance. He had evidently made up his mind that any points which did not tell against the man were not worth considering.

AN attempt was made to show that Buckley had a bitter. Feeling against William Kenyon, because Kenyon had threatened to summon him. Buckley was stated to have said, after denying the charge, "Tha can do alit' dirty work

It was perhaps somewhat violent language, but what of it? Worse language than that has been used by men who would not commit an assault, much less a murder. Moreover, Mr. Kenyon himself, whatever virtues he possessed, had no name for sweetness of disposition. He could use provocative language as well as anyone. The case outlined by Mr. Thomas wore very thin. Mr. Pripp saw every weakness in it, and towards the end of the case had won the sympathies of almost everyone in court.

What had told against Buckley was the suggestion that he had made a number of statements

....disparities about the times of Buckley's movements, but no more than you would expect from a variety of witnesses. Buckley never denied being on the moors on the -day of the murders but he said he did not go beyond the Friarmere Moor, where he had a right to be

There was plenty of evidence to show that Buckley was seen driving home at him the outstanding figure there. 4.20 and was home by 6 p.m. The importance of this evidence was seen when Mr. Fripp gave his own theory of the murder.

He said It was extraordinary that each of the men was shot from the side at short range In the neck. He suggested that these wounds pointed not to murder by a poacher running away, but by someone committing a premeditated murder, not for the purpose of getting away from the moor, but of removing two enemies

MR FRIPP believed that Kenyon was buried at night in order that it might be supposed that he had murdered Uttley and fled. If the body had been buried during the day the murderer would

not have left the clogs exposed. Buckley, it appeared, was far from the scene before dark. He could not have made the grave by night.

Mr. Fripp admitted that there was a correspondence between some of the shot found in the wounds and shot taken by the police from Buckley's house, but said this pointed more to innocence than guilt, inasmuch as the prisoner, if he had fired the shots, would never have allowed similar shot to remain in his house.

The Bench retired and were absent for over an hour. The Chairman, Mr. William Brooke, on returning, said, "The Bench are of opinion that the evidence adduced does not justify us in committing this man." Upon this there was a great outburst of cheering, and a rush was made to the dock to congratulate Buckley. One of the magistrates - if my memory is not at fault, it was the Chairman himself - shook him warmly by the hand.

Buckley was again cheered warmly at the railway station, and when his train moved out was acclaimed like a hero. He remained remarkably calm and said he had never thought any other result of the proceedings possible.

"The Yorkshire Post," in a leading article the next day, remarked that though Buckley had been discharged from custody, the magistrates' decision was not equivalent to a verdict of acquittal at the Assizes, and that the discovery of serious evidence against him might lead to a further public inquiry, or on the other hand evidence might be forthcoming which would, inculpate some other person or persons.

No such evidence, against Buckley or against anybody else, ever came out.

I lived in the district for two years after this, and talked with many people concerned in the case, but apart from old Mr. Kenyon, and possibly old Superintendent Pickard, I never found anybody who believed that Buckley could have done the murder.

Not long after the tragedy, Mr. Kenyon left Buckstones. A curious incident occurred at the Junction Inn, where he went, as he said, "to have a drink with the lads". He took off his heavy overcoat and produced a folding gun. A man in the house picked it up and found there was still a cartridge in the gun. 'He fired it outside the house. Then he and at least one other made experiments to see if a man could shoot himself with the gun. This was found to be possible. The landlady of the inn, Mrs. Wilkinson, found she could hold the gun at arm's length, with the muzzle against her neck and press the trigger.'

Mrs. Wilkinson, a fine, outspoken old character, who lived at the Junction Inn, on the edge of the Marsden Moor, for 27 years, is one of the few people left who knew all the persons of the drama intimately. She is living in retirement in Mount Road, Marsden.

The point of the Junction incident is this, that some people thought young Kenyon might have quarreled with Uttley and shot him and then shot himself and someone who wished to conceal the young man's guilt.

The wound in Kenyon's neck was fired from about three feet from the victim and was fired from the same level. That evidence sweeps away a great mass of local conjecture but when I was re-examining the familiar scene recently I found many who still believed in the murder and suicide theory.

My suspicion is that this was not a crime by a poacher, but that Uttley and Kenyon were shot by the same man, who felt towards them or towards one of them a deep hatred.

It is known that Uttley was shot from behind and then about the neck as he lay on the ground. The wounds suggested a more stealthy attack than that on Kenyon. It is therefore possible that Kenyon was shot first in the course of a quarrel, and the murderer then decided to remove Uttley as a possible witness against him and stalked him from behind. Then he hid

Kenyon's body to make it appear that he had shot Uttley and taken to flight. It may be that the murderer wanted from the first to kill both men, but I believe this is less likely than the theory that Uttley was killed, not out of hatred, but because dead men tell no tales.

If my suspicion is correct, the murderer was not an occasional visitor to the Marsden Moors, but in all probability lived close to his victims. Was some feud carried to its appalling climax on that September day?

We can hardly expect ever to know this after all these years. Those who could speak never revealed such a feud to the police, and by now all of them may have gone to their graves. The mystery remains the deepest I ever tried to fathom.