

The murder of Frederick Barnard by Isaac Marks

Frederick Barnard - Jew
Umbrella Maker
Address: 142 Lower Kennington Lane
Born: 4th June 1842, Shoreditch, Middlesex
Died: 24th October 1876 (aged 34), Penton- Place,
St. Mary's, Newington

Isaac Marks (Izback son of Arich Parkraiwick)- Polish Jew
"Short in stature and of foreign appearance"
Dealer in antiquities
3 Blandford Street, Portman Square
Born: 1839, Poland
Died: 2nd January 1877 (aged 37), Horsemonger Lane Jail.

Background

1874

Isaac Marks meets Caroline Barnard (aged 26) in Ramsgate. A closer acquaintance arises which develops into an offer of marriage and engagement. **[Adelaide evidence: I know the circumstances under which the prisoner became acquainted with our family; it was in 1874, I don't recollect in what part of the year; we were at Ramsgate, about the end of August, or the beginning of September. On our return to Newington Butts, the prisoner visited at our house; he made my sister an offer of marriage, and an engagement resulted. The prisoner was then living in Newman Street, Oxford Street, he was a carver and gilder, and dealer in works of art; he had a shop there, and also lived there.]**

1875

Early in the year, Isaac Marks's carving and gilding workshop, Newman Street, off Oxford Street, burns down. Isaac, made homeless by the fire goes to stay at the Barnard home for a fortnight. **[Adelaide evidence: I recollect a fire taking place at his premises early in 1875—he came to my father's about 1 o'clock in the morning of the fire, and he stayed at our house for about a fortnight—my brother Frederick assisted him with regard to his claim on the insurance company.]**

Frederick Barnard (brother to Caroline) intercedes, on behalf of Isaac Marks, with the fire insurance office, to ensure the insurance claim is settled. Isaac promises to lend Frederick £40 when the claim is settled.

The insurance pays Isaac Marks £350 but Isaac Marks refuses to give Frederick the agreed £40, offering him £5 which Frederick refuses.

After this incident Isaac becomes cold to Caroline **[Adelaide evidence: 'after that he seemed to slight my sister']**

Isaac breaks off the engagement (in March 1875) and demands the return of some paintings he had given to Caroline. **[Adelaide evidence: There were four oil paintings presented to my sister by him; they were figure paintings; he brought them about two or three days after the fire.]**

May 1875

Isaac Marks brings an action against Henry Barnard (father of Caroline and Frederick) for detention of the oil paintings. The court awards the return of only one of them.

In May 1875, Caroline Barnard brings an action against Isaac Marks for breach of promise. Proceedings were heard at both Lambeth Police Court and Bloomsbury County Court. £50 damages are awarded against Marks.

Isaac Marks files a liquidation petition at the Court of Bankruptcy.

Frederick then informs the Fire Office that Isaac Marks had started the fire himself!

[Evidence from John Hyams (friend of the Barnards): He said that when, he would not lend Fred the money, Fred had either written or sent to the fire insurance company to tell them that he had deliberately set his place on fire ... then he said "What do you think of a man that would do that; he did not mind transporting me"—I said "I can't believe it of Barnard, and I will not hear any more against him until I have asked him if it is true"
Later Hyams says: I know as a fact that Frederick Barnard did write to the fire office; I asked him and he said he did do so.]

The Murder

October 20th 1876

Isaac Marks purchases a pistol and 50 cartridges, costing £3 10s, from Alex Dunlop, an employee of gun maker Mr. Gustavus Masu, 10 Wigmore Street. **[Evidence from Alex Dunlop:** I am in the employment of Mr. Mason; a gunmaker, of Wigmore Street—on 20th October the prisoner came and asked to see some revolvers; I showed him some; he said he wanted, to buy a lot on commission—he eventually bought one; he paid for it and took it away with him; this (*produced*) is it—he also purchased a box of fifty cartridges—he gave the name of Marks, but no address.]

October 21st 1876

Isaac Marks visits John and Sophia Hyams at their home, 3 Lancaster Court. **[Evidence from Sophie Hyams:** He asked me whether I had seen any of the Barnard family—I said I had seen his intended that was—he said "I suppose she is enjoying herself with my money"—I said "What money?"—my husband then came in from the shop, and said "She don't want to know your affairs"—he said "Well, it is no secret, every one will know in time"—he then went out into the shop, came back, and said "Good-bye, I don't suppose I shall see you again," and I saw no more of him.]

Isaac Marks appears at 91 Newington Butts looking for Frederick.

October 24th 1876

12:00: Frederick and Henry Barnard attend the funeral of Frederick's Aunt (Esther, Isabella or Amelia?). Frederick's sister, Adelaide Barnard, is left in charge of Henry's Umbrella Shop at 91 Newington Butts.

14:00: Isaac Marks arrives at 91 Newington Butts looking for Frederick.

16:50: Frederick and Henry Barnard return from the funeral.

17:30: Isaac Marks returns to 91 Newington Butts looking for Frederick

18:40: Frederick Barnard and Isaac Marks are seen by Charles M'Combie walking along Newington Butts.

18:45: Isaac Marks fires three shots at Frederick as he walks away. Frederick is hit in the neck, back and shoulder. The fatal shot passes through his back and into his left lung.

Murder was witnessed by Alexander Baird, aged 11 (Albert Street, Penton Place) **[Evidence:** I am eleven years of age—on the evening of 24th October, about 7 o'clock, I was in Penton Place, Southwark—I heard a pistol shot, and saw a man falling—I saw another man; he was in the middle of the road; he fired again—he fired three times; he then threw the pistol down and ran away—I had not seen the two men together before—I cannot say who the man was who ran away—I should not know him again.]

Murder witnessed by young Ellen Parker, age 12 (4 Penton Place) **[Evidence:** I am twelve years old—I live in Penton Place, Southwark—on the evening of 24th October I was outside the house—I heard a pistol go off—I had not seen anybody before I heard it—I then heard two more shots—directly after I saw a man walking in the road in a brown coat very fast—I did not see his face at all—I afterwards went into the road and picked up a pistol and a black leather bag—I gave them to Sergeant Underwood—I saw a man lying in the road at the time I picked them up.]

Henry Souch, the greengrocer in Penton Place, chases Isaac Marks down the road following a bullet breaking his shop window. He stops chasing when he sees Frederick lying in the road. **[Evidence:** I am a greengrocer, of 14, Penton Place—on the evening of 24th October, about 7 o'clock, I was in my shop parlour—the door was open—I heard a report of firearms, and the lower pane of my window was broken—I went to the shop door, and saw a man running away, a little to the left, towards Newington Butts—I ran down Penton Place towards the Butts and saw a man lying alongside of the kerb; that took my attention from the man who was running away, and I lost sight of him—I stopped and looked at the man; I saw blood oozing from his mouth—I went for a policeman, and saw Sergeant Underwood, and gave him information of what I had seen—I noticed a little boy and girl in the road; I saw the little girl give the pistol to a gentleman, who gave it to Underwood—I heard three reports.]

18:50: Sergeant Underwood is called to the scene of the shooting and immediately calls for a doctor.

Ellen Parker gives Sergeant Underwood the pistol that she had recovered from the road.

18:50: At the same time Isaac Marks hands himself in to Sergeant Pride at Kennington Lane Police Station (500 yards from Penton Place) and confesses to the crime. **[Evidence from Sergeant Pride: On 24th October I was on duty at the Kennington Lane police-station—about 6.50 the prisoner came there and gave himself up—when he came in I asked him what he wanted—he said "I have shot Frederick Barnard"—I said "What?"—He said "I am the man that shot Frederick Barnard, and I am come to give myself up"—I said "Where?"—he said "In one of the back turnings, I don't know the name, I don't know if he is killed"—I said "What did you shoot him with?"—he said "With a pistol"—"Where is it?"—"On the spot where I left him". He walked into the station and made the communication to me as if he was stating the most ordinary thing; he was slightly flurried when he came in, as if he had been running; he made the communication to me in a very calm and quiet way.]**

19:00: Dr. George St Hill Badcock (Surgeon of Kennington Park Road) arrives at the scene to find Frederick unconscious. He sends for water to clean Fredericks face and tries to administer brandy unsuccessfully.

19:05: Frederick is pronounced dead by Dr. Badcock.

19:30: Dr. Badcock and Sergeant Underwood take Frederick's body to the ``dead-house``.

Dr. Badcock removes the bullet in Frederick's shoulder and gives it to Sergeant Underwood as evidence.

20:00: Ellen Parker identifies Isaac Marks at Kennington Lane Police Station

Committal and Trial

October 25th 1876

Early morning: Isaac Marks is charged with the wilful murder of Frederick Barnard at Lambeth Police Court before Mr. Chance (early start organised by Mr. Superintendent Brannan, to avoid the crowd)

Inspector Whelan represents the Police.

Witnesses called: Ellen Parker, Sergeant Underwood, Dr. Badcock and Alexander Baird.

Isaac Marks represents himself in court and does not ask the witnesses any questions. **[Statement from Marks in the trial transcript: "My intention was to call witnesses, but as I have no means of paying witnesses, I had better reserve my defence. My intention was to make a statement which was the outline of my defence, but as I have no witnesses to prove it, I shall adjourn it. I have no confession to make, because I made a confession at first, and I repeated it in this Court. I intended to give the outline of my defence if I had the power to call witnesses to prove it. Why I applied to the Russian Consul was through the Russian press to take notice of my case, on account of my relatives. I have witnesses, but I am like a sheep tied ready for slaughter, and am only surprised at so much interest having been taken in the case, having given myself up to justice, but I suppose there must be some black patches in the case."]**

Isaac Marks is still waiting to communicate with the Russian Embassy.

Mr. Chance remands Isaac Marks for the week, who is then removed from the court by Oakes the Jailer of Horsemonger Lane Jail "to hisses and groans."

Frederick's wife, his sister and other family members were present in court.

November 1st 1876

The case resumes at Lambeth Police Court before Mr. Chance. Mr. Crispe is the barrister that represents the prosecution; Isaac Marks continues to represent himself.

Inspector Whelan confirms that the Russian Vice-Consul had visited Isaac Marks at Horsemonger Lane Jail.

Mr. Crispe summarises the events leading up to the murder starting in 1874.

Witnesses called: Dr. Badcock, Charles M'Combie, Alexander Dunlop, Sergeant Pride, Adelaide Barnard (Sister)

December 13th 1876 (see transcript - [1876 Frederick Murder trial transcript](#))

The case resumes at Central Criminal Court before Mr Baron Pollock. Mr. Crispe (supported by Horace Avory) is the barrister that represents the prosecution; Isaac Marks is now represented by Mr. Straight (supported by Mr. Smallman Smith).

In his defence, Mr. Straight says of Marks "...though he himself suffered from a particular form of insanity and might not be wholly accountable for his actions. For years he had been of a melancholy and brooding temperament"

Witnesses called: Alexander Baird, Ellen Parker, Henry Souch, Sergeant Underwood, Inspector Wheeler, Sergeant James Pride, Charles M'Combie, Dr. Badcock, Alexander Dunlop, Adelaide Barnard (Sister), John Hyams, Sophia Hyams. Also called were acquaintances of Isaac Marks who would back up Mr. Straight's insanity plea - some testifying that Marks had threatened them with a knife on various occasions. It is apparent that Isaac Marks is deeply depressed and suicidal.

[Evidence from Leonard Adenovra: He often sat in the chair for ten minutes or a quarter of an hour with his face in his hands, thinking, and all at once he would commence to talk again; and sometimes when we were talking he would leave off and sit down with his face in his hands again, thinking about something or other, and then he would commence afresh again—I have several times heard him mention suicide—he was telling me about his sweetheart, that he had lost his money and he had got regularly ruined through her, and had gone bankrupt, and the only thing left for him was the water—he said that several times.]

[Evidence from John Ritter: the prisoner used to come there occasionally to take his meals; I knew him well—some of the people there used call to him "Breach of promise," and others called him "Mad Marks"—they called him that to his face—he would sometimes sit down by the fireplace, take up the newspaper upside down and read it—I saw him once and called the attention of persons to it—he would do that perhaps for an hour at a time.]

December 14th 1876

The case resumes at Central Criminal Court before Baron Pollock. Mr. Crispe (supported by Horace Avory) is the barrister that represents the prosecution; Isaac Marks continues to be represented by Mr. Straight (supported by Mr. Smallman Smith).

Witnesses called: Again acquaintances of Isaac Marks were called to back up Mr. Straight's insanity plea but doctors from Horsemonger Lane Goal and Newgate where Marks had been held, both testify that they can see no sign of insanity.

15:00: The jury retires

Verdict and Punishment

15:35: The jury returns to deliver a verdict of guilty and stated that they believed the prisoner was sound of mind at the time the act was committed

Baron Pollock then passes sentence. **"Isaac marks, you have been found guilty of the crime of murdering Frederick Barnard... It remains for me, therefore, to pass that sentence which the law awards for the crime you have committed."** ...The learned Judge then passed sentence of death in customary form; adding that there remained to him-the convict-time for repentance, that he trusted he would improve; and the Lord have mercy on his soul.

January 2nd 1877

Isaac Marks is hung at Horsemonger Lane Jail by hangman William Marwood. (William Marwood was an Executioner from 1872, becoming the official Crown Executioner in 1874 through to his death in September 1883. He is well documented online.)

The execution is the second to last execution at Horsemonger Lane Jail. After this, Surrey executions took place at the newly opened Wandsworth prison.