

THE MYSTERY OF PC GROVES

In 1982 the Rev David Searle, minister of Larbert Old Church, near Falkirk in Central Scotland, had its 96-year-old church pipe organ overhauled. Concealed inside its working parts, written in ink on a wooden block, was the name of the organ builder: 'Wm M Skereth, Organ Works, Kendal.' The block also held a deeper secret — a message written inside the glued wooden assembly.

The minister described its discovery: 'The wooden block was glued to a wooden cap, the two pieces forming an assembly into which the pedal pipe fitted. The two pieces had to be broken open for the overhaul. They had not been opened since the organ was built in 1886. However, written on the inside piece of the block, sealed with the wooden cap glued to it, were these words: "Kendal, PC Groves, killed Sunday March 7, 1886, with one blow".'

The minister was fascinated. Who was 'PC Groves', apparently murdered so long ago? Were the words 'PC' his initials or might he have been a police officer? Was the hidden message a confession to a long-unsolved murder and if not what was its meaning?

Intrigued, Mr Searle wrote to the police station in Kendal, Cumbria, to ask for their help in solving the mystery. The name and date were not recognised at first but the *Westmorland Gazette* of March 13, 1886, provided most of the answers.

'SHOCKING TRAGEDY IN KENDAL — A POLICE CONSTABLE KICKED TO DEATH — COMMITTAL FOR WILFUL MURDER' — these were the headlines. The paper reported: 'On Sunday last — of all days in the week when everything should have been peaceful and quiet — the inhabitants of the town were suddenly thrown into a state of great excitement by the news that a murder had been perpetrated in their midst, and that the crime was an unusual and tragic kind.'

Secret message

'It soon became known that a member of the borough police force, named John Groves, had died from the effects of a kick delivered by a young man named John William Airey, 19 years of age, labourer, in Stramongate, on Sunday afternoon.'

'PC Groves then was Police Constable Groves; his murder was not unsolved; and Wm Skereth was not a murderer confessing to his crime. Why then his secret message: what was its purpose?

Exactly a hundred years ago in Kendal a policeman was killed on duty. PC Anthony Rae, Lancashire, reports on his strange, secret memorial

John William Airey was a hooligan with convictions for common assault, refusing to leave licensed premises and drunk and disorderly, an offence for which he had been locked up five times in the previous 15 months. He lived in Stricklandgate, not far from Pack Horse Yard and the home of his victim.

Worse for drink

John Groves was an ordinary copper. At 41 he had been in the borough force for 12 years. He was a quiet, even shy, man but one who could be relied on in any situation. He was also a family man with a wife and seven children, the youngest just three years old. On the afternoon of Sunday, March 7, 1886, he left Kendal police station for his beat having just written to his eldest child in Canada.

At about 12.45pm that day Airey and his uncle, John O'Brien, started drinking in the Rifleman's Arms on Beast Banks; less than two hours later they were the worse for drink and the licensee stopped serving them. They left the pub and made their way towards the centre of town along Highgate; they generally became a nuisance, reeling into passers-by, swearing and shouting, and a complaint was made to PC Miles Williamson who was on patrol nearby. The officer spoke to them outside the town hall and they were warned to behave and go home quietly.

But at 3.45pm they barged their way into St Georges Hall disrupting a Salvation Army meeting; an attendant managed to get Airey out of a side door but he continued to be disorderly and abusive and once again PC Williamson was called. The officer removed Airey into Black Hall Yard which leads from Stricklandgate to Stramongate and told him: 'Now Airey, get away home.' But the youth stood his ground, 'After a bit,' he replied. 'You must go now, I have had to tell you before.'

This was the constable's last warning. Airey had only to turn and walk the few yards down Stricklandgate to his door, but instead he chose to ignore the policeman and in a defiant gesture he leaned

against the wall, pulled out his pipe and slowly began to fill it.

To leave Airey would without doubt result in further trouble: he was arrested for being drunk and disorderly and led towards Stramongate. 'Send me a summons and let me go,' he pleaded — but it was too late for leniency. Then O'Brien came out of the hall and tried to pull Airey away from the policeman. He saw sense and left after a warning but then Airey began to resist more violently, screaming and shouting, and a crowd gathered, unintentionally obstructing their progress to the police station.

Williamson fell twice, tripped by Airey, and he called to the crowd for help; a young man called John Hine came to his aid and took a grip of Airey's free arm. Airey told Hine that if he let go he'd come quietly but as soon as Hine loosened his grip he was felled by two violent blows to the face from Airey's newly freed arm. Williamson was again in trouble but another man called Craghill came to his assistance. They held Airey until the arrival of PC Groves who, drawn by the commotion, had finally pushed his way through the crowd.

Kicked out

Airey fell to the floor pulling Williamson down on top of him. Williamson then held him down by the shoulders while Groves knelt on his legs and started to put handcuffs on the prisoner. This was the limit of the force used by the officers whose forbearance was later praised by many of those present — no truncheons or even fists were raised. Once he had got the handcuffs on, PC Groves released Airey's legs and started to get up.

But before he could do so, the prisoner, who was lying on his back, brought back both of his legs and kicked out violently. The heel of one shoe smashed into the side of PC Groves's head, his helmet was sent flying and he slumped forward, immediately unconscious. By the time a passing doctor, Dr Brumwell, got through the crowd to examine him Groves was dead.

Airey, already handcuffed, was then fastened around the legs and secured to a truck on which he was taken to the police station. The body of PC Groves was taken to the Mason's Arms inn nearby.

On Monday morning Airey appeared before the magistrates charged with wilful murder and was remanded to Tuesday pending an inquest; throughout the short hearing he appeared indifferent and chatted to a friend from the dock. The inquest

was opened at 4pm in the magistrates' room at the town hall and a jury of 15 men was sworn in.

The post-mortem had been carried out during the day by Dr Brumwell and Dr Taylor who gave evidence that the skull was fractured above and behind the left ear; that the fracture was right through the skull bone; and that a large amount of blood had seeped between the scalp and the skull at the site of the fracture. The cause of death was concussion of the brain and the injuries were consistent with a severe blow from a boot heel.

Public justice

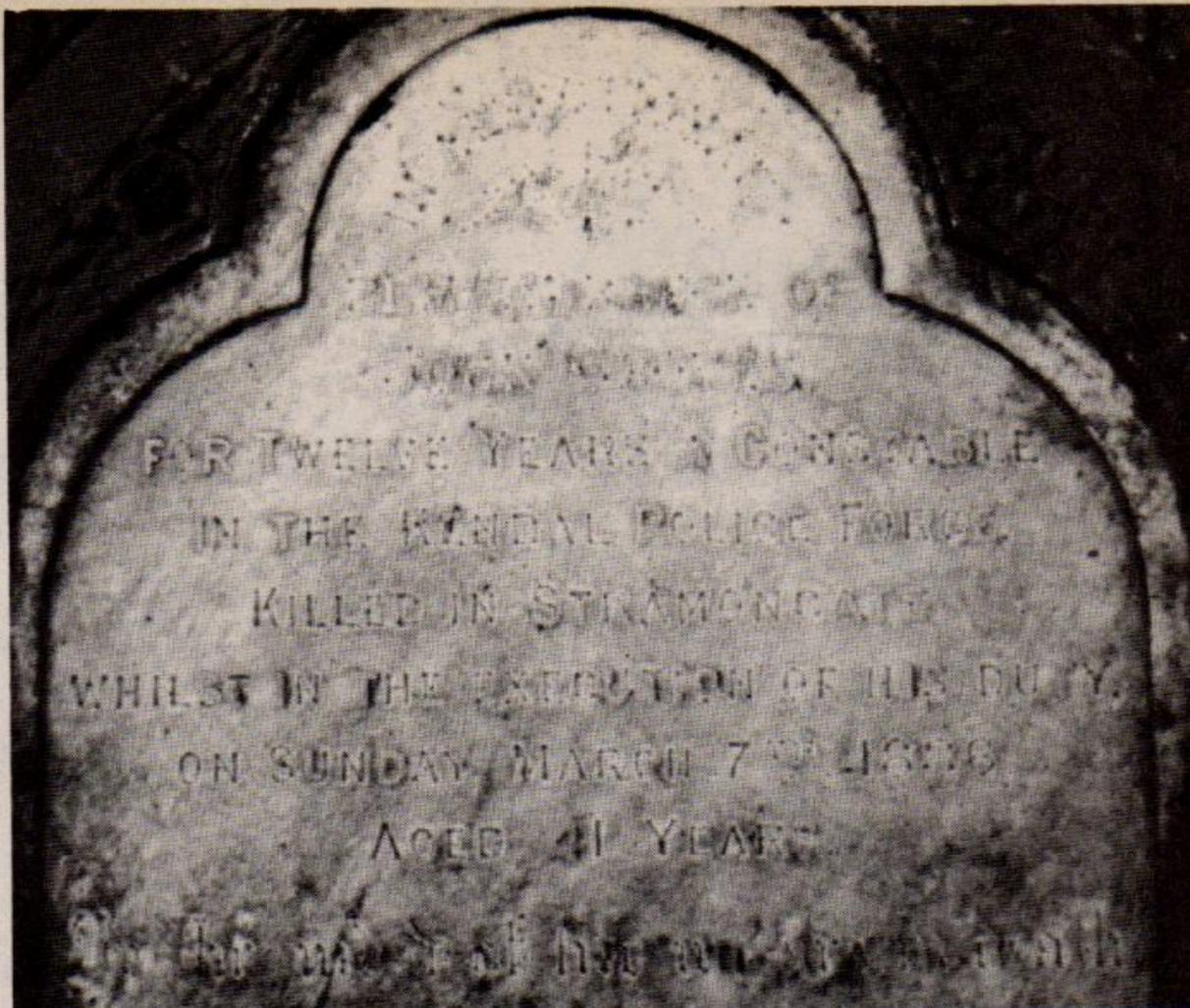
The evidence from other witnesses left no doubt that Airey had caused the death of PC Groves. The coroner summed up and instructed the jury on the law and possible verdicts: the killing could either be 'justifiable', 'accidental', or 'criminal'. For it to be justifiable Airey would have to have acted in self-defence (obviously not the case since he had no need for self-protection); for it to be an accident it had to be unforeseen without any mistake, neglect or misconduct (clearly there was misconduct in this case); it was then criminal and if there was malice aforethought, express or implied, it was murder; otherwise it would be manslaughter.

The coroner then told the jury that this case was special since the deceased was an officer of justice in the execution of his duty and as such had added protection from the law. When any outrage was wilfully committed in defiance of public justice any killing that resulted was murder; this applied if Airey's intention was to inflict bodily harm or simply to resist arrest. But if the kick was accidental, it would be manslaughter.

It is hard to see how a kick with such force as to split a man's skull open (the post-mortem had shown him to be a strong and healthy man) could be accidental and if the whole purpose of the struggle wasn't to resist arrest what was it? But the jury, probably out of sympathy with Airey, returned a verdict of manslaughter. The inquest had lasted seven hours.

On Tuesday seven magistrates heard the case for committal. The public gallery in the courtroom was so crowded it had to be cleared for safety before the evidence could be heard. When charged with wilful murder Airey replied: 'I am innocent.' The hearing lasted five hours but the magistrates were not so sympathetic as the inquest jury and with a better understanding of the law they had no hesitation in committing Airey to the next assizes on a charge of wilful murder.

On Wednesday a large crowd turned



PC Grove's gravestone which lies just inside the gates of Kendal cemetery.

out for the funeral of John Groves: 16 firemen and 16 policemen led by the chief constable, Thomas Cotton, led the cortege to the burial in Kendal cemetery. The grave was marked with a stone bearing the inscription:

'In affectionate remembrance of John Groves, for twelve years a constable in the Kendal police force, killed in Stramongate whilst in the execution of his duty, on Sunday, March 7th, 1886, aged 41 years. In the midst of life we are in death.' And at its foot: 'This memorial was erected by the members of the Kendal borough police force as a mark of respect to their late comrade.'

Grand jury

On Wednesday May 5, 1886, the case came before Mr Justice Grantham at the Westmorland and Cumberland Assizes in Carlisle. The evidence was first examined by a grand jury which had a larger number of men of superior social status than a trial jury and had the power to decide and direct that a charge was not supported by evidence strong enough to warrant investigation and adjudication by the trial jury. (At a time of harsh sentences for even minor offences this extra safeguard between committal and trial was a good idea but it eventually became a mere formality and was abolished in 1933.)

Bearing in mind that a conviction for murder would lead to the death penalty the grand jury threw out that indictment and Airey went for trial only on a charge of manslaughter; not surprisingly he pleaded guilty. It was still the prosecution's contention that Airey had kicked Constable Groves deliberately and with intent to cause harm and resist arrest. The defence pleaded that it was a com-

plete accident and that Airey had simply lifted his foot and struck the officer while struggling to get up.

The judge told Airey he had been lucky not to have been tried for murder: in his opinion it was not an accident; he thought Airey had intended to kick Groves; and he could not pass a light sentence. But he then passed what could hardly be other than that in the circumstances — 12 months with hard labour, adding a comment: 'Take care you make a vow not to take more drink; you evidently cannot stand it.' That seemed more appropriate to a drunk and disorderly charge than one of killing a policeman.

What then of the secret message? Mr Justice Grantham apparently cared little for the life of PC Groves, and the national press gave his death but a few lines: he was forgotten by all but family and friends.

His memorial stone stood for many years but after his wife's name was added in 1919 even that was neglected; eventually falling over, it was soon covered in dirt; the inscription lost from sight — no one apparently cared.

Time capsule

But William Skereth had cared. He had given PC Groves a memorial of his own, written inside the organ he was building; he had made it with his own hands to last and while it did, so did the memory of PC Groves.

The organ became a time capsule so that now, a century later, he is not forgotten. His gravestone still lies just inside the gates at Kendal cemetery and perhaps sometimes a constable may pass by and wipe away the leaves and the dirt, lest we forget.