

# *Adelaide Branch Richard III Society*



This newsletter is mainly about the talk by Sue Garforth, very little Ricardian stuff for a change.

Future meetings 1<sup>st</sup> Saturday of the month- April's meeting is a DVD, May- the Quiz, June -Rilla's talk on Anne Neville, July- coronation lunch, August- Meredith's talk, September- R3 at War, October AGM, November- Judith's talk on clothing, December- Christmas lunch,

## Meeting on Saturday 2<sup>nd</sup> March

Thanks to everyone who showed up to our meeting despite the 40+ degree heat. A terrific effort.

We had 15 people attend, 4 of them visitors with half a dozen apologies.(not due to the heat)

Minutes were read and accepted and no treasurer's report as everything is still in boxes from his move. Correspondence was the Ricardian Recorder which included Ruth's talk on pets, a new book out on John Morton, and a newspaper report about Henry VII's marriage bed.

There was no general business so we were ready for our guest speaker. And a very interesting talk by Sue Garforth on the Tichborne claimant. Thoroughly enjoyed by all. Sue is always welcome to come back!

I found a paper on the Tichborne case in the State library of NSW which I have included plus one about leasing Tichborne House and a bit about the curse.

One extra bit I found in a book by Magnus Magnusson was that Sean Orton a great great great grandson of the claimant's brother Charles was going to have his DNA compared to DNA from a lock of hair shorn from the claimant when he went to prison and kept in the Black Museum New Scotland Yard. Unfortunately no viable DNA could be attained from the hair.

From the State Library of NSW

**The Tichborne Case has everything; a shipwreck, a massive reward, an English inheritance, a grieving mother and an outlandish butcher from Wagga Wagga.**

**The Tichborne case: a Victorian melodrama**

Crime stories have always captured the public's imagination – usually, the more gruesome the better. But every now and then, a story comes along that isn't at all bloodthirsty, but is so unlikely that it's stranger (and more interesting) than fiction.

The Tichborne Case is one such example – it has everything; a shipwreck, a massive reward, an English inheritance, a grieving mother and an outlandish butcher from Wagga Wagga. Although it happened two centuries ago, it is still a source of inspiration to artists – books have been written, films made, and plays performed, such as *Who You Are*, by Nick Backstrom, which premiered in Melbourne in 2014.

The Tichbornes were an extremely wealthy and titled family, with land in the English county of Hampshire. Roger Charles Tichborne, whose uncle was the 8th baronet, was born in Paris in 1829, and spoke English with a strong French accent.

When Roger was 20, he joined the 6th Dragoon Guards in Dublin, but sold his commission three years later in 1852. In 1853, his father became the 9th baronet after his two elder brothers died. That same year, Roger, now heir to the title and fortune, went to South America. In 1854, he set sail for New York on board the *Bella*, but less than a week later, the *Bella* was lost at sea. Roger was declared dead in 1855.

When Roger's father died in 1862, the Tichborne baronetcy was passed to Roger's younger brother Alfred. Alfred died only four years later, just months before the birth of his son, who then inherited the title in 1866.

While Alfred was still alive, Roger's mother, Lady Henriette Tichborne, refused to believe that Roger had drowned; there was some talk that a number of passengers and crew had survived the shipwreck and were picked up by a ship bound for Melbourne. She put out enquiries all over the world, including a reward notice in the *Sydney Morning Herald*, to try to find her son's whereabouts.

In November 1865, William Gibbes, an Australian solicitor, wrote to Lady Tichborne saying he'd heard from someone claiming to be her son. The man was a butcher from Wagga Wagga who went by the name of Tom Castro. He was larger than Sir Roger, had lighter hair, spoke no French, and didn't have a French accent, but this didn't bother Lady Tichborne – she hadn't seen her son for more than 10 years, and anything could have happened in this time. She sent for Castro, who arrived in London in December 1866.

Castro visited the family estates and met various people who had known Sir Roger. He managed to acquire some powerful allies, including the Tichbornes' solicitor, Edward Hopkins, and Andrew Bogle, a servant of Sir Roger's uncle.

A few weeks later, he went to France to meet Lady Tichborne. It didn't take much to convince her that this was her son back from the dead. A number of other family members also welcomed him back into the fold. Lady Tichborne set the Wagga Wagga butcher up in England, and gave him plenty of money to live on. By spending time with the family and picking their brains, he managed to thoroughly research Sir Roger's life and maintain the deception, at least as far as some people were concerned.

Others were not so convinced. They discovered, through an agent in Australia, that Tom Castro was, in fact, Arthur Orton, who had been born in London. He made his way to Australia, but jumped ship for a while and spent time in Chile – as he'd actually been in South America, he was able to talk very convincingly to Lady Tichborne about it.

One serious mistake Orton made was to contact his real family in Wapping, East London, when he arrived back in England – something the sceptical members of the Tichborne family later discovered.

Even after Lady Tichborne died in 1868, Orton kept up the pretence, as he'd run up large debts that needed to be paid off. No longer having to worry about what Lady Tichborne thought, certain members of the family took him to court over his claim. This became one of the most famous legal cases of the nineteenth century, providing an enormous amount of entertainment.

PERSONS ADVERTISED FOR.

**A** HANDSOME REWARD will be given to any person who can furnish such information as will discover the fate of ROGER CHARLES TICHBORNE. He sailed from the port of Rio Janeiro on the 20th of April, 1854, in the ship *La Bella*, and has never been heard of since, but a report reached England to the effect that a portion of the crew and passengers of a vessel of that name was picked up by a vessel bound to Australia—Melbourne it is believed—it is not known whether the said ROGER CHARLES TICHBORNE was amongst the drowned or saved. He would at the present time be about thirty-two years of age; is of a delicate constitution, rather tall, with very light brown hair and blue eyes. Mr. Tichborne is the son of Sir. James Tichborne, Bart., now deceased, and is heir to all his estates. The advertiser is instructed to state that a MOST LIBERAL REWARD will be given for any information that may definitely point out his fate. Gentlemen in a position to refer to shipping reports may be able to find some record of the saving of the shipwrecked persons from *La Bella*, and a very careful search, if with a successful result, will amply repay any one who will take the trouble to investigate the matter. All replies to be addressed to Mr. ARTHUR CUBITT, Missing Friends Office, Bridge-street, Sydney, New South Wales.

Detail from Sydney Morning Herald, p. 1, 26 July 1865

to the general public, with the population divided into supporters and sceptics.

The first trial lasted nearly a year, from 11 May 1871 to 5 March 1872. Tichborne v. Lushington was a civil trial to establish Orton's claim to the Tichborne inheritance, and to eject the tenant, Colonel Lushington, from the family estate. Almost 100 people spoke in Orton's defence, but the main stumbling block in his story was his inability to speak French which, of course, Sir Roger spoke fluently.

Arthur Orton's perjury trial, Regina v. Castro, began in 1873 and went on for more than six months. A jury had to be convinced that Orton's claim to be Sir Roger Tichborne was false. They didn't need much convincing – in February 1874, he was convicted of two counts of perjury and sentenced to 14 years' hard labour by Lord Chief Justice Sir Alexander Cockburn.

Soon after the trial, Orton's defence lawyer, Edward Kenealy, was elected to parliament and unsuccessfully tried to have the Tichborne case examined by a Royal Commission.

Orton served 10 years in prison, getting out in 1884. Although he confessed once, in 1895, to being an impostor, he later withdrew that. Life after jail was rough – without access to the Tichborne fortune, he lived in poverty and was destitute by the time of his death.

Strangely, after Orton died in London in 1898, he was officially acknowledged as Sir Roger Tichborne: his death certificate and coffin plate both bore this name. The London *Daily Mail* said:



"The Judges of the High Court were two years in determining that the living Tichborne was Orton. The Registrar of Births and Deaths determined in two minutes that the dead Orton was Tichborne."

#### Tichborne souvenirs

Part of the appeal of the Tichborne trial was that many members of the public saw it as a challenge to the dominance of the upper classes and enthusiastically supported Orton, who they liked for his humble accent and background. Others just considered the trial the most spectacular sport, to be discussed, analysed and laughed about. It didn't matter what side they were on, interest didn't wain in the story and quite a market built up for souvenirs, including photographs of the main participants. The library has an album that contains small photographs of Arthur Orton, the real Sir Roger Tichborne, members of the jury, barristers and judges associated with the case, plus pictures of various other members of the Orton and Tichborne families.



These cartes-de-visite photographs were mainly taken by the London Stereoscopic & Photographic Company. (Cartes-de-visite were relatively inexpensive and were usually taken by people to hand out to family members and friends.) Also included in the album is a post-mortem photograph of bushranger Daniel 'Mad Dog' Morgan, who had nothing at all to do with the Tichborne case, but both he and Orton had a Wagga Wagga connection. The Tichborne case put Wagga Wagga on the international map – the writer Mark Twain was so intrigued by the case that he included the town on his Australian itinerary when he visited in 1895.

It didn't matter what happened with the Tichborne case – Arthur Orton made his name anyway, and until he was thrown into jail, was treated like a celebrity. He was often asked to appear at theatres and meetings, and was an honoured guest at shooting parties and all sorts of other gatherings. There was even a wax model of him at Madame Tussaud's in London – he supplied the clothing.



## Tichborne Dole and curse

Tichborne Dole is one of the longest established charity doles in the country, with a great legend attached to it. As Lady Mabella lay on her deathbed in the twelfth century, she requested that she should be able to leave a charitable bequest of land to provide flour for the needy locals ; her husband Sir Roger said that she could have all the land that she could walk around while carrying a single burning brand from the fire. He didn't expect that she would encircle 23 acres before the flame expired but as the lady also cursed anyone who interfered with the annual dole, he didn't dare to refuse her request. So the story goes, anyway!

*Listen to me , my husband, for my time is short, ” began the exhausted woman.*

*“God has heard my prayer, and the land thou hast given shall provide a dole of food for my poor, and the day I appoint shall be that of the Annunciation of Our Lord, the very day on which He was conceived. And, ” here her voice became stern with warning, “let no man break this solemn promise, nor tamper with so great a gift, for then a curse will fall upon him, and upon his house. Then the fortune of the family shall fail, the name Tichborne shall be changed, and the family shall die out. And as a sign that this is happening, there shall be born a generation of seven sons, followed by one of seven daughters. ” She fell back on the pillow. Lady Mabella was dead.*

Today locals are still entitled to claim a gallon of flour per head from outside Tichborne House on March 25th ; the flour is blessed and distributed from a large wooden bin. It's a condition of the lease of the house that any tenant must continue the custom so it looks safe for the future.

Lady Mabella is also known as Isabella and her tomb is in the little church nearby.

(Alfred, the younger brother of Roger, whose son inherited, was supposedly not affected by the curse as he was born after the Tichborne dole was reinstated.)





On the left, Roger Tichborne taken in South America, on the right the claimant. (And what do you think? Our members pointed out that the ears are totally different, also the eye shape.)



**Hut in which the Claimant is Said to Have Lived at Wagga Wagga** ( Compare to picture of Tichborne House below)

Another version of the Tichborne claimant story from [ART and ARCHITECTURE, mainly](#)

07 March 2010 **The Tichborne Claimant**

Tichborne Park, situated in gorgeous Hampshire farmland, is the well-known seat that was the centre of the then-longest civil court case in British history. The five-bedroom apartment has a tennis court and use of the swimming pool, and is being marketed for a hefty £6,850 pcm



Tichborne House, Hampshire

Roger Charles Tichborne was born in 1829 in Paris into an important and devout Catholic family whose ancestors had been ennobled by King James I. When the 8th Baronet Henry Joseph Tichborne died in 1845, leaving only daughters, the title passed to the next brother Edward.

Roger was raised in France with his mother, until the age of 16 and was fluent in French. Then in 1849 his father sent the young man to Stonyhurst College in England and later that year joined the 6th Dragoon Guards in Dublin. He spoke English well but with a marked French accent and was teased for being skinny and deeply Catholic.

Next year he left for South America. From Valparaiso he crossed the Andes and arrived in Rio de Janeiro in 1854. In 1853 Edward died and the title and the family estate passed to Roger's father. In April 1854, on Roger's way back home, his ship was lost at sea with all hands, and he was soon pronounced dead. Roger's father died in 1862 and the title and property passed to Roger's younger brother, Sir Alfred. Alfred died in 1866 and his baby son, Henry, inherited the family privileges.



Arthur Orton, 1872

On learning the news of her eldest son's shipping tragedy, Sir Roger's grief stricken mother refused to admit that he was dead. She sent inquiries all over the world, and in November 1865, she received a letter from a Sydney lawyer who claimed that a man supposedly fitting the description of her son was living as a butcher in the rural town of Wagga Wagga.

The supposed Sir Roger was actually Thomas Castro or Arthur Orton, a man who did not speak a word of French. In fact [Weird History](#) blog said he was Arthur "Bullocky" Orton who was more than just a slaughter man; he was a sometime bushranger and horse thief. And he was grossly overweight, 21 stone, compared to the 10 stone Sir Roger.

However Lady Tichborne was desperate enough to accept him as her son and sent him money to come to her. Orton was encouraged to travel to Britain by an old friend of Roger's father, a man who accompanied him on his trip home. He arrived in London on Christmas Day 1866 and visited the family estates. There he met the Tichborne family solicitors who became his supporters. Then in January he travelled to the Paris hotel where Lady Tichborne was living, the dowager recognised him instantly as her son and gave him a hefty annual allowance. After Lady Tichborne's acceptance, other family members and colleagues of Sir Roger accepted him as well. But some family members were horrified by this badly spoken, obese, outback Australian butcher. When Lady Tichborne died in March 1868, Orton lost his most prominent supporter and the family couldn't wait to sue the man.

Tichborne House in Hampshire was the family seat that was the centre of this very long civil court case. Orton had to sell The Tichborne Bonds, to pay the legal costs entailed in claiming his inheritance from the family.

The trial to establish his inheritance began in May 1871 and lasted 102 days. Dozens and dozens of people vouched for Orton's identity as Roger, except for Orton's own brother. There is one other consideration that I have never heard analysed before. Orton was a practicing Protestant, and [theowinthrop](#) fully believes that this was the key to the massive upsurge of popular support. Anti-Catholicism was still the biggest bigotry alive in Britain back then. Knowing that Orton was a good Protestant, being "cheated" out of his rights, led many other Protestants to support him to the point of idiocy.

Eventually the evidence of the Tichborne family eventually convinced the jury. Orton was arrested, charged with perjury and his criminal trial began in 1873. Orton was convicted on two counts of perjury in Feb 1874, and was sentenced to 14 years' hard labour. The legal costs amounted to a truly staggering £200,000 at the time.

Many people who had supported the claimant's efforts refused to believe the truth and claimed he was unjustly persecuted. Still, Orton served ten years in prison and was released in 1884, and by then the newspapers had long moved on to other, more juicy gossip. He died in poverty in April 1898 and was buried with the name Sir Roger Charles Doughty Tichborne on his coffin.





The Tichborne Trial, 1871- crowds in to hear the verdict.

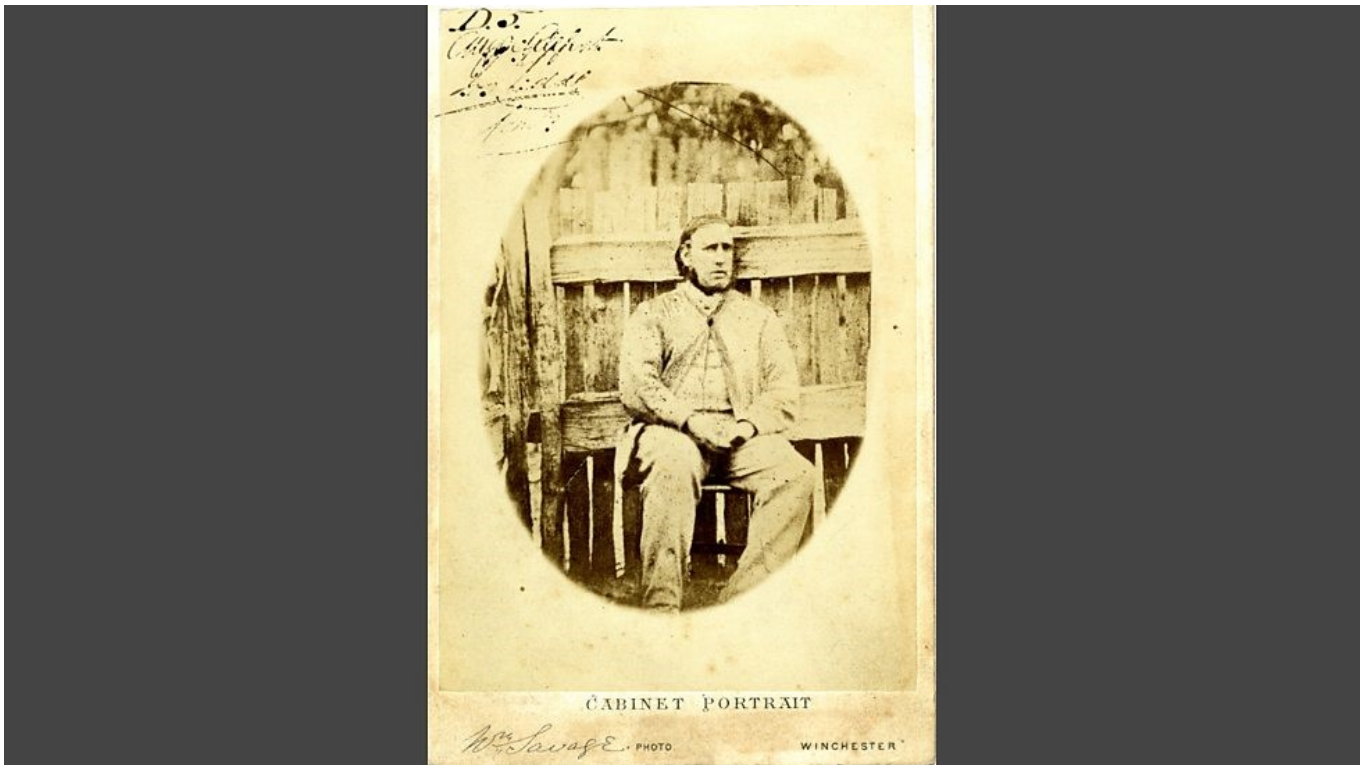
Arthur Orton's carte-de-visite with its photograph is in the National Portrait Gallery in Canberra.



You won't find this photograph in a glossy coffee table book. It's not art and the person who took it doesn't feature in the Photographers Hall of Fame. But this picture has had an enormous impact on our legal system.

In 1866 a butcher sat for his photograph in the remote town of Wagga Wagga, Australia. Three years later this likeness had Britain transfixed. Jennifer Tucker tells the story of how it was

central to the longest legal battle in 19th-century England, and sparked a debate about evidence, the law, ethics and facial recognition that has continued ever since.



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