

# Captain John Montmorency Tucker

Hero of Waterloo disowned by his Regiment



The 27th Foot (Inniskilling) at Waterloo by Brian Palmer (Cranston Fine Arts)

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In 1942 the probated will of William Colenso (1845-1942), often called the elder, included mention of 'The Waterloo Medal formerly the property of my uncle, Captain John Tucker who was in that battle'.<sup>1</sup> This John Tucker married William's aunt Jane Emily Colenso in 1848 at St Mary's Paddington. On the marriage certificate he is described as a bachelor, gentleman of full age and the son of Walter Tucker, a customs collector. My attempt to discover more about Captain John Tucker has been a fascinating journey through the history of the Napoleonic Wars.

The Waterloo medal was awarded by the British Government to all soldiers present at the Battles of Ligny, Quatre Bras and Waterloo, 16-18 June 1815. It was the first campaign medal issued to all ranks, and to the next-of-kin of all those killed in action. The medal was the first on which the recipient's name, rank, and unit were impressed around the edge by machine.

The obverse of the medal bears the head of the Prince Regent looking left wearing a laurel wreath and the legend 'GEORGE P./REGENT'. The reverse has the winged figure of Victory seated facing left with the word 'WELLINGTON' above 'WATERLOO' at the base of her seat and the date 'JUNE 18 1815'. The medal is suspended from the ribbon by a large steel ring which passes through a clip on top of the medal. The ribbon is crimson, with blue edges.



Charles Dalton's Waterloo Roll Call lists a Captain John Tucker with the 27<sup>th</sup> Regiment of Foot, having received his captaincy 3 March 1808. There is also a note associated with Captain Tucker.

John Montmorency Tucker. Exchanged as a captain to 8<sup>th</sup> Foot 23<sup>rd</sup> May 1816. Quit service before 1824. Died at Huggen's Military Asylum at Northfleet Kent 22 March 1852.

The Carter family, in Canada, has a document signed by George III appointing "our trusty and well beloved John Tucker, Esquire, Knight of the Crescent" a captain in the 27<sup>th</sup> Iniskilling Regiment of Foot, commanded by General Francis, Earl of Moira, dated 3 March 1808.<sup>2</sup>

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<sup>1</sup> The Medal is still in the family as discovered by Gwilym Colenso, who has also assisted me in writing this paper, with his questioning and advice.

<sup>2</sup> Transcription from Sarah Carter's email 8 Nov 2001.

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From the London Gazette archives John Tucker started as an ensign with the 28<sup>th</sup> Foot on the 18<sup>th</sup> October 1797, transferring to the 14<sup>th</sup> Foot on the 23 November 1799. He was then appointed as Lieutenant in the 27<sup>th</sup> Foot from the 14<sup>th</sup> on the 19 July 1800, without purchase. As mentioned before he was made a Captain in 1808, again without purchase.



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In the Military General Service Roll 1793-1814 compiled by A L T Mullen, there is a Lieutenant John Tucker assigned to the 27<sup>th</sup> Regiment, who served from 16<sup>th</sup> July 1800 in Egypt (1801), Maida (4 July 1806) and Barrosa (5 Mar 1811). The first two bars were with the 1<sup>st</sup> Battalion. For Barrosa he was in command of a body of Spanish patriots. His Peninsular Medal was recently listed in a Spink's Auction Catalogue, with a brief biography.<sup>3</sup>

The 27<sup>th</sup> Regiment of Foot was originally raised in 1689 by Zacharia Tiffin as a militia unit around the Irish town of Inniskilling and was eventually called the 27th Enniskillen Regiment of Foot. It was the only Irish Regiment at Waterloo. In 1840, the spelling 'Enniskillen' was changed to 'Inniskilling'<sup>4</sup>. Below is a picture of the 1807 Badge.

In the British Army a regiment was responsible for its own recruitment, training and administration. Depending on the need it may consist of a number of battalions. During the Napoleonic Wars this regiment expanded from one Battalion to three - with the 2<sup>nd</sup> being raised in 1800 and the 3<sup>rd</sup> in 1806. The 1<sup>st</sup> Battalion consisted of 10 companies, the Headquarters Company, a Support Company and 8 Rifle Companies. The seven rifle companies of the 1<sup>st</sup> Battalion that fought at Waterloo were comprised of around 700 men.



The regiment's battle honours include Egypt where it formed part of Sir Ralph Abercromby's force that fought the Battle of Alexandria against the French in 1801, while the Second Battalion, after being part of the Ferrol Expedition, formed part of the garrison of that city after its capture.

In October 1800, the fleet carrying troops intended to capture Cadiz and the Spanish Fleet sailed for Egypt. The battalions of the 27<sup>th</sup> had contracted a severe illness, having spent 5 months in a crowded state on their transports. The 1<sup>st</sup> was left in Malta to recover and the 2<sup>nd</sup> was sent back to Lisbon. Both made it to Egypt for Alexandria.

On the 1<sup>st</sup> May 1801 the 1<sup>st</sup> Battalion joined the army to form part of the landing on the west side of Alexandria under Major General Coote. In August from this position it

<sup>3</sup> Spinks Catalogue, 23 July 2009.

<sup>4</sup> Historical Record of the 27<sup>th</sup> Foot.

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formed part of the advance on the city. After the reduction of Egypt both battalions were sent to garrison Malta.

Egypt was where John Tucker earned the title of “Knight of the Crescent” a Turkish honor, as described below<sup>5</sup>.

**“ The distinguished services of the British Army in Egypt, under Abercromby and Hutchinson, and also the valuable assistance rendered by Lord Keith and the Royal Navy under his command, have induced the Sublime Porte to extend this order much beyond the bounds of its original institution. It now consists of several grades ; has been successively conferred upon the Commander-in-Chief and superior officers, and others, naval and military ; in all about eight hundred British officers received it who served in the Egyptian campaign of 1801.”**

Immediately after the Peace of Amiens, October 1801, the 2<sup>nd</sup> Battalion was reduced and the two battalions consolidated. The regiment stayed on garrison duty in Malta 1803-04, with the 2<sup>nd</sup> again being added again in November 1804.

In 1806 the 1<sup>st</sup> Battalion was part of an expedition to Naples under Sir James Craig, in cooperation with the Austrians and Russians under the command of Archduke Charles of Austria. The action was aborted after the Austrian defeat at Ulm. Instead Sir James Craig used his troops to take possession of Sicily in February 1806. In July 1806, the 1/27<sup>th</sup> was employed as part of Sir John Stuart’s expedition to Calabria, where it distinguished itself at the Battle of Maida on the 4<sup>th</sup> July.

The following is an extract from Sir John Stuart’s Despatch.

"The enemy being completely discomfited on their left, began to make a new effort with their right in the hopes of recovering the day. They were resisted most gallantly by the brigade under Brigadier-General Cole. Nothing could shake the firmness of the Grenadiers, under Lieutenant-Colonel O'Callaghan; and of the 27th Regiment, under Lieutenant-Colonel Smyth. The cavalry, successfully repelled from their front, made an effort to turn their left. The maneuver of the 27th Regiment in, throwing back its left wing, and by a heavy and well-directed fire, supported by the 20th Regiment, which Lieutenant-Colonel Ross opportunely threw into a small cover on their flank, entirely disconcerted this attempt. This was the last struggle of the enemy, who now, astonished and dismayed by the intrepidity with which they were assailed, began precipitately to retire, leaving the field covered with carnage."

In August 1806 the 1/27<sup>th</sup> returned to Sicily and was reinforced by the 2/27<sup>th</sup>, newly returned from England. Both battalions continued on garrison duty through to 1811, the

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<sup>5</sup> Tancred’s “Historical record of Medals and Honorary Distinctions”

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1<sup>st</sup> in Sicily and the 2<sup>nd</sup> in Malta. The regiment did not embark for Spain (and the Peninsula War) until November 1811, when it landed in Southern Spain at Alicante.

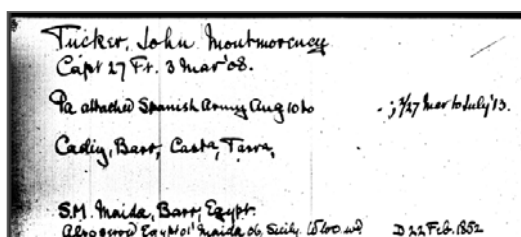
As previously mentioned John Tucker spent some of this time with the Spanish Patriots and participated in the Battle of Barossa on the 5<sup>th</sup> March 1811.

After Napoleon successfully invaded Spain in 1807 and then replaced the Spanish King with his brother Joseph, the population of Spain was so incensed that they started to resist the French occupation. By December 1808 this resistance was in the form of guerilla warfare. It had a strong religious, patriotic and anti-French character and was conducted with remorseless, murderous fanaticism. As the insurgency spread in 1809, it made Spain “hell on earth” for the French. General Beguirre described it as follows: “The guerillas ....caused more casualties to the French Armies than all the regular troops during the whole course of the war in Spain; it has been proved that they murdered a hundred of our men daily. Thus, over the period of five years, they killed 180,000 French soldiers without on their side losing more than 25,000.”

From 1809 to 1812, General Wellington maintained a relatively defensive posture against the French. However, backed up by the Navy, he was able to keep the various independent bands and networks of insurgents well-stocked with money, weapons, ammunition and other supplies to help them sustain their insurgent operations. They also provided Wellington with strategic and operational intelligence about the French troop movements. Presumably, coordination of some of these activities was the role John Tucker played.

During this time John Tucker participated in the Battle of Barossa, outside Cadiz. This Battle was won by General Graham, despite the marching away and unengagement with the enemy by the regular Spanish army units under the command of General Las Pena. A force of Spanish irregulars under General Beguines was more actively involved. Tucker mentions this in his Wellington biography.

It is not clear when Tucker rejoined the 1/27<sup>th</sup>, as he had no bars for any of the Battles in which it was involved – Tarragona (1813), Ordell (1813), Barcelona (1814).



**Card from Challis's  
Peninsula Roll Call**

In May 1814 the three Battalions of the regiment met in Bordeaux where the 1<sup>st</sup> and the 3<sup>rd</sup> were ordered to America. They arrived in Canada in August 1814, where the first was placed under the command of Sir Manly Power for the advance on Plattsburgh. After this was unsuccessful the 1/27<sup>th</sup> retreated to Montreal.

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In November 1814 Major-General Sir Manly Power received orders to proceed with one battalion to reinforce the army at New Orleans, the major-general selected the 1st Battalion 27th from his own brigade to accompany him, and that battalion embarked on the 5th November at Montreal; 10th December, arrived at Halifax; 18th, sailed; January, Bermudas; 18th February, sailed; March, Port Royal, Jamaica; on 5th sailed; on 14th anchored at the entrance of the Mississippi; on 18th sailed; April 3rd, Jamaica; on 8th sailed for England.

On May 10th, 1815, seven companies of the 1st Battalion arrived at Portsmouth, the remaining three companies (the head-quarters of the regiment) having separated in a gale of wind; the seven companies were disembarked, and joined the 2nd Battalion at Gosport barracks. Those companies being completed to 100 rank and file each, by drafts from the 2nd Battalion, they again embarked on the 17th for Ostende.

After the capitulation of Paris to the allied forces, Napoleon had been exiled to the island of Elba (but given sovereignty of the island), and the Bourbons were restored to the monarchy. He instituted intrigues in his favour, and a constant correspondence was maintained with his relations and adherents. A conspiracy was formed, and eventually, on the 1st of March, 1815, he landed at Golfe-Juan on the French mainland. He was greeted with acclamations on all sides, soldiers flocked to his banner, and on the 9th he entered the Tuileries amidst a splendid array. Europe was again alarmed. Wellington was despatched to the continent, and Prussia sent forward her forces.

On May 24th the 1st battalion disembarked at Ostende, was conveyed to Ghent in boats, and there cantoned; on June 16th marched from Ghent; on 17th passed through Brussels without halting, and arrived on the morning of the 18th on the field of Waterloo.

The Inniskillings won fame at Waterloo when they saved Wellington's right without giving an inch of ground. It was acknowledged by the Duke of Wellington to have saved the centre of the line. The battalion stood in a square, all day, above the sandpit on the Charleroi Road. It was cut to ribbons and took the full brunt of a French Cavalry charge. Of the 19 Officers present 14 were wounded, 2 were killed. An adjoining regiment offered to lend the 1/27th some officers to which Major Hare refused, saying "the sergeants liked to command the companies, and I would be loathe to deprive them of such honour".<sup>6</sup>

The 27th Inniskilling Fusiliers, in the course of Ney's cavalry attacks was bombarded by a French horse battery. By the end of the battle the battalion had suffered 498 casualties from a pre-battle strength of 750. An officer from a nearby battalion, Captain Kincaid<sup>7</sup>, commented that the 27th seemed to be lying dead in its square. Kincaid, a veteran of the Peninsular War, said "I had never thought there would be a battle where everyone was killed. This seemed to be it." Their square became known as the "square of the dead".

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<sup>6</sup> From the <http://royalirishrangers.co.uk/waterloo.html>

<sup>7</sup> John Kincaid of the 95<sup>th</sup> Rifles in "Adventures with the Rifle Brigade"

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The 1/27<sup>th</sup> Foot was part of the 6th Division commanded by Lieutenant General Sir Lowry Cole and part of the 10<sup>th</sup> Brigade commanded by Major General Lambert.



**The 27th Foot (Inniskilling) at Waterloo by Brian Palmer (Cranston Fine Arts)**

From the Waterloo Casualty List<sup>8</sup>, Captain John Tucker, listed with the 1<sup>st</sup> Battalion of the 27<sup>th</sup> Foot, is described as severely wounded. Regimental lore has him rescued from the battlefield, after being shot in the thigh, by his wife, who hurried to the field from the baggage train when she heard that he was wounded. A courageous lady, as she also rescued her brother, Thomas Charlton Smith, an ensign of the regiment, also severely wounded<sup>9</sup>.

She was John Tucker's first wife and the daughter of the Battalion's surgeon, Edward Smith. He had served with Tarleton's Dragoons in the Americas, accepted a grant of land at Port Mouton in Nova Scotia and then rejoined the British Army in 1782. He was the Battalion's regimental surgeon when it was in Malta. Where the eldest of his four daughters was born is unknown, as is her Christian name. When she and Tucker were married is also unclear, but she accompanied him and the 1<sup>st</sup> Battalion to the Americas in 1814 and they had at least one child. She probably died before 1838, as she was not mentioned in her father's will.

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<sup>8</sup> The Memorable Battle of Waterloo, Christopher Kelly, London 1817

<sup>9</sup> Email from Mark Bois to Ann Collins, 6 January 2009.

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The story of his departure from Waterloo is not supported in John Tucker's own account, given in the minutes of his court martial, which was published as an appendix to a consequential libel action in 1816.<sup>10</sup>

Thomas Charlton Smith continued in the army, becoming a General. His most famous action was at the Port of Natal in 1842. He also published a couple of anthologies of poetry – Bay Leaves and Rude Rymes. The latter collection included poems written of his feelings before and after Waterloo.-

*We are glad to perceive by the London Gazette of last night that Captain Smith, of the 27<sup>th</sup> Regiment, has been promoted to a brevet majority for his gallant and successful resistance and ultimate defeat of the rebel Boers at Port Natal. This appropriate and well-timed reward is, we are assured, the Duke of Wellington's spontaneous and unsolicited act. The promptitude with which his Grace has conferred this well merited mark of distinction upon Captain Smith, and the spirited and exemplary conduct which it is intended to reward, are alike honorable to the donor and recipient. It may not be generally known to our readers that Captain Smith commenced his professional career in the Navy, from which he transferred his services into the 27<sup>th</sup> Regiment in June 1813. At this period his father was surgeon of that corps, and his sister Mrs Tucker, married to one of its captains – circumstances which, no doubt, had their full weight in determining Captain Smith to exchange his blue for a red jacket. The ship in which he last served was the "Sapphire". He has had his fair share of hard fighting both in the Peninsula and at Waterloo, since he has belonged to the military branch of the service.*

Hobart Courier February 1843

Captain John Tucker, the third most senior officer of the 1/27th at Waterloo, was tried by a general court martial for "scandalous and infamous conduct" just weeks after the battle, during November 1815 at Versailles.

Specifically, Tucker was accused of<sup>11</sup>:

1. Aspersing the character of Sir Lowry Cole, Colonel Warren and the officers of the corps
2. Taking away a bay mare belonging to a British regiment, effacing the regimental mark and advertising it for sale.
3. Taking away a gray mare belonging to a foreign regiment, effacing the regimental mark and selling the mare to Lieutenant Cubigg, of the 27<sup>th</sup> regiment for 200 francs.
4. Opening the trunks of the late Captain Holmes and appropriating their contents for his own use
5. Burning or destroying the papers and accounts of Captain Holmes, and those relating to the regiment

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<sup>10</sup> Report of the Proceeding in an Action against Robert Scott for a Libel on Colonel Warren, London 1817 (digital copy acquired from the British Library)

<sup>11</sup> Caledonian Mercury, 20 April 1816

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He was found guilty of the second charge and partially of the fourth (having acted inappropriately) and dismissed from the service. Subsequently the judgment against Tucker was reviewed by Wellington and the Prince Regent, and it was ordered that Tucker only be placed on half pay due to irregularities in the court proceedings. These following comments were added to the general order book and read at the head of every regiment in His Majesty's service.

“The Prince Regent further observed, that the intemperate style of the prosecutor's address to the Court, in which the prisoner was accused of disgraceful crimes, which are not supported by subsequent proof, appeared to His Royal Highness to be very reprehensible, or, if he, Colonel Warren, believed the existence of such offences on the part of Captain Tucker, he failed in his most essential duty to the service, by not only delaying to bring them forward, but by living in habits of social intercourse with the prisoner, until he thought proper, upon irrelevant grounds, to bring him to Court Martial on the first charge, of which he was wholly acquitted.”

“His Royal Highness has been further pleased to command it to be signified to Colonel Warren, and to the Officers of the 1<sup>st</sup> Battalion of the 27<sup>th</sup> Regiment, that their conduct in general has been highly reprehensible, in assuming the power of admitting Lieutenant Fraser into the corps, after an arrangement had been made for his retirement, rather than stand the issue of a General Court Martial, and in their harsh proceedings towards Captain Tucker, who refused his concurrence to such an irregular proceeding: the steps which the latter took to obtain redress, have not only been made the subject of the charge, but the occasion of bringing forward accusations which were permitted to lie dormant, so as to give the impression to the Prince Regent, that the prosecutor was not actuated by public motives alone, in instituting the charges which, would never had been preferred, had Captain Tucker concurred in the irregular proceeding regarding Lieutenant Fraser.”<sup>12</sup>

Even that sentence seems not to have been implemented, as the Army List of 1817 show that Tucker exchanged from the 27th into the 8th Foot in May, 1816<sup>13</sup>.

The account of the court martial is very interesting reading. In his defence John Tucker described the series of events that led to the first charge, implying that the other charges were consequences of the original events. There is also more than a hint of the resentment felt by those soldiers who had served in the Peninsular War but not been at Waterloo, which included the three companies forming the headquarters of the Battalion.<sup>14</sup>

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<sup>12</sup> Charles James, A collection of the charges, opinions, and sentences of general courts martial: as published by authority; from the year 1795 to the present time (1820); intended to serve as an appendix to Tytler's Treatise on military law, and forming a book of cases and references; with a copious index.

<sup>13</sup> Mark Bois, Napoleonic Forum Archives, 29 May 2007

<sup>14</sup> The Waterloo Medal was issued to all soldiers (or families) in September 1815, the Military General Service Medal was issued to surviving soldiers in 1847. Waterloo soldiers were also credited with an extra two years service and annuities were paid to widows and dependents of soldiers who died at Waterloo.

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In Bermuda, during the 1/27<sup>th</sup> travels between Canada, New Orleans and England, Lieutenant Frazer and Ensign Galbraith had charges laid against them. The implication was that they had on a number occasions on the transport and in Bermuda, while under the influence of alcohol, caused rioting and also great offence to John Tucker's wife<sup>15</sup>. Rather than undergo a court martial the two officers resigned their commissions in the Regiment.

A Lieutenant Mark Oates was tried in January 1814 for insubordination and abusive behavior towards Captain John Tucker aboard a transport in October 1813. He was found guilty and dismissed from the Army. This was probably the same incident.<sup>16</sup>

Tucker relates a story of travelling between Halifax and Bermuda, finishing the journey off with the ship being driven on to rocks when coming into St George's harbor:

"By the powers! Old Eolus never ceased blowing his bellows, with his most determined malice, for three successive weeks, without a day's cessation: and I know not how much longer we should have experienced the pleasure of making the floor our dinner table, had we not at length gained Bermuda."<sup>17</sup>

Fraser turned up in Paris after Waterloo and requested reappointment to the Regiment. Colonel Warren and the Captains of the Regiment (most who were not at Waterloo) agreed to this despite John Tucker's express disagreement. Consequently Tucker wrote a letter to Colonel Sir Lowry Cole and another to Major General Sir Manly Power. The decision was overturned by them. Following this Tucker was "sent to Coventry" by the officers of the Regiment – other than his two brothers-in-law Joseph (2<sup>nd</sup> Battalion) and Thomas. He was also accused of malingering, using his wound as an excuse to avoid duty with the regiment.

Tucker was then arrested for failing to return two horses appropriated on the battlefield of Waterloo (one English and the other foreign) and for dealing inappropriately with the baggage of an officer who died at Waterloo – implying that he had stolen money from Captain Holmes' effects. He had used these horses to get to Brussels after being severely wounded in the leg.

The following news article led to a libel action around 1817 against Robert Scott, proprietor, publisher and editor of the Military Register (a weekly newspaper). This action was brought by Colonel Warren who was the commanding officer of the 1<sup>st</sup> Battalion from 1815 to 1819, but not present at Waterloo.

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<sup>15</sup> In the minutes of the court martial a wife and child are mentioned, but I have found no more about them.

<sup>16</sup> Also Charles James

<sup>17</sup> Camp & Cabinet, page 105

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### Lego. Military Report, 1<sup>st</sup> May 1816, Trial of Captain John Tucker, 27<sup>th</sup> Foot

*There is something wherever Lord Moira is concerned, that as regards ourselves still yields a glowing interest which nothing can surpass. The matter on which we are proposed to speak, relates to his Lordship's regiment, and we do confess, that far as is from us any particular influence, we have from fond remembrance of its Colonel been much pained by the many accounts of extraordinary anomalies in the battalion of this corps commanded by Colonel Warren.*

*We have received on both sides this question a variety of particulars, notwithstanding which the following circumstances have struck us most particularly; if others should confront them, we shall be equally ready to point them out.*

*Rancour is evinced in the violence of the prosecutor's address to the Court, and in his rejoinder, though both are composed with the acutest eloquence. Full of unsupported and extraordinary assertions, he often says 'I will clearly prove to the Court' when it is evident that not the smallest proof is afterwards produced.*

*The prosecutor's own evidence with respect to his saying, he ordered Captain Tucker personally and repeatedly to attend the court of inquiry disprove it, the witnesses he brings forward, (Lieut. Col. Neynoe and Brevet Major Thomas, ) state that this court of inquiry sat in October (a month after Captain Tucker had been put under arrest!!). That it was not inserted in regimental orders. It is thus shown that he could not personally and repeatedly, have told the prisoner to attend this court of inquiry, for he could not have communication with him while under arrest, particularly of any personal nature. We have been asked is this perjury?*

*The anxiety of the witnesses of the prosecutor to bring forward anything to criminate Captain Tucker is very remarkable; particularly Mr West, the surgeon, and Mr Crow, the paymaster, who (uncalled for) thrust his private letters forward into the hands of the court! That Mr West gave him the certificate of his wounds, for leave of absence, is clearly proved by the evidence of Lieutenant Joseph Smith, as well as by the prosecutor's own evidence; he acknowledges to have forwarded it for leave of absence, with a strong recommendation, although he in his address, asserts that the prisoner made a false use of the certificate. How extraordinary in the first, how contradictory in the last person.*

*It was proved that there were (when the Court Martial was proceeding) two officers in the regiment, in possession of horses they had procured at Waterloo and retained with the knowledge of the prosecutor. The commanding officer of the Battalion in action it seems, got a horse belonging to the 10<sup>th</sup> Dragoons, and retained it in his possession until this Court Martial took place, when (being alarmed) he sent it back to that regiment.*

*It was proved that the second horse (the subject of the third charge) which the prosecutor it seems illegally took from the prisoner was his own private property.*

*The evidence of Lieutenant Miller respecting Captain Holmes's baggage, is most extraordinarily counteracted by that of Lieutenant J Smith and Ensign Smith – 'I cannot say,' 'I do not recollect,' were frequent answers to the prisoner, from the prosecutor's witnesses. Their memories it was observed, however, never fail them in answer to the prosecutor's questions. On the 7<sup>th</sup> of September, Captain Tucker dined with the prosecutor, was his dear friend and associate; he in possession (as he confessed to the Court) of the circumstances which he since magnified into crimes; on the 11<sup>th</sup> following, revenge seems to have been inspired, by his having given his letter to Sir M. Power.*

*Does there not, we have been asked, most clearly appear throughout a combination against him? The sentence of the Court seems harsh as the crime at most is considered but a venial one; half Lord Wellington's army may be tried for the same thing. It is greatly to his honour, however, that the strongest letter that could be penned in his favour is understood to have been written by Sir Henry Clinton to the Duke of Wellington, and by his Grace sent home. This has naturally been deemed a direct panegyric bestowed on Captain Tucker by the Prince Regent, as the prosecutor and the officers did, by holding a meeting, whereby the result was, a direct and flagrant resistance to the Duke of York's commands! Does not this savour of mutiny? Many have been dismissed the service for much less offence!*

*It appears in the face of the proceedings (although the sentence censures Captain Tucker for not having given a satisfactory account of the baggage of Captain Holmes,) that every satisfactory account was laid before the Court, such as the inventory, &c. and sworn to by evidence as being correct. Should not the Court have noticed this?*

*For as it stands, it might appear to those who have not read the proceedings, as if Captain Tucker had not given, even before the Court, a satisfactory account of Captain Holmes's baggage. It does seem to have been clearly proved, that in bringing forward this prosecution against Captain Tucker, the public service was not the paramount object of the prosecutor. Is it, therefore, (say his friends) to be permitted, that his character is to be defamed and blasted, even for a moment, on accusations so abominable, as they were afterwards proved to be so false.*

*Is it to be permitted, in respect to one of long and arduous duties of near twenty years, actively passed in the four quarters of the globe in the service, and who bled in the field of Waterloo! (meaning Captain Tucker) that his character should be at the mercy of malice and revenge? Is it to be permitted to any man, in short, with impunity to sport with a character that is admitted to have been irreproachable, is proved to be by the very respectable testimonials laid before the Court Martial, and by Colonel Thompson's truly Roman friendship? Does such a cruel and unwarrantable proceeding deserve no punishment? Setting aside other matters attending this extraordinary prosecution, we learn from France, that the prosecutor solicited the reprimand be withdrawn, with regard to as much as affected himself, but in vain; 'there appearing no reason for withdrawing it' and also that Captain Tucker is restored to full pay in the regiment.*

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The minutes of the libel action case are even more interesting as the report published at great length the lawyer's address outlining the libel. There is a very short account of the defense by the publisher "Mr Scott then addressed the jury in his own behalf, by reading a very long written statement ....." – none of this is included in the account. The publisher was found guilty and had to pay £500 damages. The proceedings of this libel action were taken in shorthand by Alexander Fraser. Alexander was the first name of Lieutenant Fraser, who tried to rejoin the regiment. Were they the same man?

In May 1816 the 8<sup>th</sup> Foot, Tucker's new regiment, was quartered in Ireland, but left from Cork in January 1818 for Malta. The regiment was stationed in the Ionian Islands, of the coast of Greece. They were under British rule from 1815 until 1865. The first High Commissioner was Sir Thomas Maitland, nicknamed King Tom by the natives and not affectionately.

In January 1819 the regiment then proceeded to Corfu, and shortly afterwards to Santa Maura (on the island Lefkada, previously called Leucada) to reinforce the garrison as the inhabitants had assembled to protest against Sir Thomas Maitland's constitution and taxes. This insurrection was quelled, but the regiment was also sent to Zante (Zakynthos) for the same reason in 1821. Resentment of the English rule had increased because of the actions, including selling Parga to Ali Pasha in 1819, taken to prevent support for the Greek Independence movement.



On the 6<sup>th</sup> November 1821, the Lord High Commissioner issued a proclamation to place Zante under martial law and disarm the population. During the days that followed John Tucker's actions led him to become the defendant in a further court martial in 1822. Captain John Tucker was deemed "unfit to hold the King's Commission".<sup>18</sup> This time he was charged with the following:

1. Being intoxicated on the 7<sup>th</sup> Nov 1821 when the garrison in Zante was weakened during the insurrection. (found not guilty).
2. For abusing his authority against some of the citizens of Zante (threatening and incarcerating them). (found guilty – but provoked by their behaviour)
3. For removing some articles from some members of the population. (found not guilty).
4. Disappearing without leave during a march on the 13<sup>th</sup> Nov 1821. (found guilty).

The court sentenced him to lose two years rank in the army and be publicly and severely reprimanded. The sentence was revised by Sir Thomas Maitland, and then reconsidered and upheld by the court. However taking into account his previous court martial King

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<sup>18</sup> Hobart Courier, June 1822

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George IV (previously the Regent) adjudged that Captain Tucker was dismissed from the service, but in view of his long service he was allowed to keep the value of his commission – in the order of £1,800. The newspaper report seems to indicate that Sir Thomas Maitland pushed for Tucker to be dismissed. Was Tucker the public scapegoat for the brutal actions ordered by “King Tom”, to keep the Ionians from aiding their Greek brothers?

Captain John Tucker, 8<sup>th</sup> Regiment of Foot retired from the British Army 3 October 1822<sup>19</sup>.

On the 2<sup>nd</sup> May 1839 there is a letter in The Times that indicates the attitude of at least one officer of the 27<sup>th</sup> Regiment towards John Tucker.

*Sir – In justice to a regiment not less distinguished for the gentlemanlike conduct of its officers than for tried gallantry in the field, I beg to refer you to the Army List, and to assure you, that the person calling himself Captain John Tucker, of the 27<sup>th</sup> Foot, alluded to in your police report of this day, does not hold a captain's, nor any other commission, upon either the full or the half pay list of the 27<sup>th</sup> Regiment.*

*I am, Sir, your humble and obedient servant,*

**AN OLD ENNISKILLINER**

*Junior United Service Club, Friday*

The police report mentioned describes the decision by a magistrate to dismiss fraud charges against Captain John Tucker, of the 27<sup>th</sup> Regiment of Foot. He had been put in the New Prison a week previously, for want of bail, following prosecution by John Booth. Mr. Booth now no longer wished to proceed, after receiving a letter from the captain stating his intention to travel to France if released, and taking into account that the prisoner had moved in the best society before the present exposure took place.

The Morning Chronicle had an account of the previous week's proceedings<sup>20</sup>.

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<sup>19</sup> Ron McGuigan, Napoleonic Forum Archives, 11 February 2008

<sup>20</sup> The Morning Chronicle, 25 February 1839

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### **HATTON-GARDEN**

*Captain John Tucker was brought before Mr. Benett and Mr. Burrell, on a warrant charging him with attempting to obtain money under false pretences, from John Booth, Esq., No.6, Great Coram-street, Russell-square.*

*The prosecutor stated that a month ago he became acquainted with the defendant at a party in Russell-square, and since then had made him his friend, frequently having had him as a guest at his table. On the 18<sup>th</sup> instant, however, his opinion of him was shaken, in consequence of receiving a letter, requesting him to subscribe to the relief of some parties whose names he withheld; and, on instituting an inquiry, he ascertained that the defendant had made a false representation, and he consequently set on foot the current proceeding.*

*Mr Benett requested the prosecutor to produce the letter and read it. He did so; it ran thus:-*

*"My dear Sir – I am persuaded that the liberty I am taking in appealing to the feelings of yourself and your dear wife on behalf of the widow and children of an old and meritorious offer will gladly be excused. That unfortunate creature with her family must have perished but for my exertions. She has three children, a son and two daughters. The former was struck with blindness, and the others are in such a bad state of health that the faculty have no hope of them. The present awful condition of the poor widow may be traced to the late Marquess of Hastings, who involved in a pecuniary view an army agent to an extent which caused him to shoot himself. In the hands of the last-mentioned person £90,000 were placed by my friend as a security, and with him the whole sum was lost. Other unforeseen events occurred to reduce them to the lowest ebb, in which I found them, but I was in time. I exerted myself, and this day paid them £230, which I collected for them, to their surprise, joy and gratitude, and I shall be able to add considerably to this." The letter concluded with a list of subscribers, amongst whom were "Lieutenant-General Sir Hussey Vivian, £30; Lady Vivian, £20; and Mr. Vivian £10."*

*Sir H. Vivian, on being sworn, stated that he had on no occasion been solicited for money by prisoner.*

*Mr. Benett: Have you, sir, any knowledge of the prisoner?-*

*Sir H. Vivian: I knew him as a brother soldier, in the year 1793 or 1794. I lost sight of him from that time until last year, when he called at my office, and said he was desirous of obtaining an appointment, and I told him he was too old for any situation I had at disposal.*

*Mr. Thomas Bowen Rutherford, barrister, of Mitre-court, examined the letter produced by the first witness, and pronounced it to be in the handwriting of the prisoner. His acquaintance with the accused commenced at a party.*

*This being the whole of the case, Mr. Benett called upon the prisoner for his defence.*

*He said that the distress did exist with his oldest and most valued friend, but rather than expose the same he would have his right arm severed from his body. He added, that the feelings of delicacy, or rather humanity, of Mr. Booth, ought to have dictated any other course than the present extraordinary and harsh proceeding.*

*The defendant, who is a very gentlemanly looking man, was then locked up, and in the course of the day was conveyed to the New Prison.*

John Tucker probably did remove himself to France, most likely Nice, as the next we hear of him is when he publishes "Tales of the Camp and Cabinet" in 1844, designated as Colonel John Montmorency Tucker. These two volumes are a compilation of stories supposedly told by "several military officers, of different nations" who had assembled in Nice in the winter of 1842. These gentlemen had formed a club "for the sole purpose of intercourse and amusement, and beguiling away the time with anecdotes of their lives, military adventures, and tales, either of the Camp or Cabinet".

The Shakespearian quotation on the frontispiece of both volumes hints that the stories have some basis in Tucker's real life story:

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*"The story of my life  
The battles, sieges, fortunes, I had pass'd  
I ran it o'er e'en from my boyish days"<sup>21</sup>*

The first story told in "Camp and Cabinet" maybe a clue of what Tucker was doing between 1822 and 1839. Here he tells the story of Ramon Cabrera, "the celebrated Carlist chief". In this First Carlist War (1833-1839) he rose in a very short time by sheer daring, fanaticism and ferocity to the front rank among the Carlist chiefs who led the bands of Don Carlos in Catalonia, Aragon and Valencia. As a raider he was often successful, and he was many times wounded in the brilliant fights in which he again and again defeated the generals of Queen Isabella, such as at the Battle of Maella.



**Ramon Cabrera**

He sullied his victories by acts of cruelty, shooting prisoners of war whose lives he had promised to spare and not respecting the lives and property of non-combatants. The queen's generals seized his mother as a hostage, whereupon Cabrera shot several mayors and officers.

General Agustin Nogueras unfortunately caused the mother of Cabrera to be shot, and the Carlist leader then started upon a policy of reprisals so merciless that the people nicknamed him The Tiger of the Maestrazgo. It will suffice to say that he shot 1110 prisoners of war, 100 officers and many civilians, including the wives of four leading Isabelinos (Liberals), to avenge his mother.

When Marshal Espartero induced the Carlists of the north-western provinces, with Maroto at their head, to submit in accordance with the Convention of Vergara, which secured the recognition of the rank and titles of 1000 Carlist officers, Cabrera held out in Central Spain for nearly a year. Marshals Espartero and O'Donnell, with the bulk of the Isabellino armies, had to conduct a long and bloody campaign against Cabrera before they succeeded in driving him into French territory in July 1840. The government of Louis Philippe kept him in a fortress for some months and then allowed him to go to England, where he quarrelled with the pretender to the Spanish throne, disapproving of his abdication in favor of the count of Montemolin.

The Auxiliary Legion, also called the British Legion (*La Legión Británica*) existed from 1835 to 1837. It was a British military force sent to Spain to support the Liberals and Queen Isabella II of Spain against the Don Carlos and the Carlists. It was composed of regular British troops and other volunteers.

After the Napoleonic War finished at Waterloo, The Times (5 April 1817) calculated that there were 500,000 ex-soldiers in a British population of 10 to 12 million. After a

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<sup>21</sup> Somewhat modified from Shakespeare's *Othello*

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quarter-century of Continental wars—both the wars against Revolutionary France and the Napoleonic Wars — these men had no other employment history or trade and, therefore, often found themselves in poverty. South America's wars of independence provided many of them with an opportunity to continue their military careers and escape from the prospect of inactivity and poverty at home.

A British Legion, fought under Simón Bolívar against Spain for the independence of Colombia, Venezuela, Ecuador, and Peru. The Venezuelans called them the Albion Legion. They were composed of over seven thousand volunteers. Their greatest achievements were at Boyacá (1819), Carabobo (1821), and Pichincha (1822), which secured independence for Colombia, Venezuela and Ecuador, and during the last great campaign, culminating in the Battle of Ayacucho in Peru (1824), which destroyed Spanish rule in South America forever. The British Legions fought until the end of the wars, their number much depleted. Generally, the end of this war is considered to be the death of Spanish King Ferdinand VII, in 1833. The war disputing the succession of his daughter, Isabella, was the First Carlist War.

It seems very likely that a veteran of 20 years in the British Army, who had served with the Spanish guerillas on the Peninsular, and had been dishonorably discharged with no other trade, would have fought in these wars in South America and Spain. During the course of this military career he may have been promoted to Colonel.

He then publishes “The Life of the Duke of Wellington” in 1846, again as Colonel John Montmorency Tucker. His motivation for writing this biography is described as follows in the preface:

“First – That in many of the Lives hitherto published of his Grace party spirit has shown it self so forcibly, that in some, we behold an excess of laudation, overlooking all his faults, and in others, we find exhibited the most unjust asperity.

Second – That in some, events of importance, - if not altogether omitted, - have been but slightly glossed over; and, on the other hand, those of minor consideration too diffusely dwelt upon.”

On the 16<sup>th</sup> August 1846 it was reported that he was appointed by Queen Victoria, on the recommendation of the Literary Fund Society to one of the poor benches of the Charter House. The Royal Literary Fund was established in 1790 to aid authors and their dependents in distress. The Charterhouse Hospital provided for around 80 pensioners, usually men who had been in service to the Crown. They received accommodation and food.

On the 25<sup>th</sup> August 1846 Colonel Montmorency Tucker, of Her Majesty's Service,<sup>22</sup> along with some Polish Officers and Gentlemen attended a Magistrate applying for assault warrants against a curate, his clerk, a parish beadle and a police constable. They were accused of disrupting the funeral of a Polish Officer. Colonel Tucker intimated that

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<sup>22</sup> The London Times, 25<sup>th</sup> August 1846

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he was a stranger to the complaining parties but after seeing the distressed gentlemen leaving the Churchyard and hearing from bystanders what had occurred felt it his duty to assist the aggrieved parties.

On the 20<sup>th</sup> July 1848 John Tucker married Jane Emily Colenso. The banns had been read between 29<sup>th</sup> August and 12 September 1847 and the wedding had not occurred. The banns were read again in between the 28<sup>th</sup> May and the 11<sup>th</sup> June 1848 and this time the wedding eventuated. Losing his place in the Charterhouse, as a consequence of the marriage may have caused the second thoughts. In 1848, it looks like they obtained the house in Huggens College, a private almshouse, in Northfleet, Kent. Jane at 31 was considerably younger than her husband, who was 68.

1848. Marriage solemnized at <i>Saint Mary's Church</i> in the Parish of <i>Paddington</i> in the County of <i>Middlesex</i>								
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the Time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
276	<i>July 20, 1848</i>	<i>John Tucker</i>	<i>Both of full age</i>	<i>Bachelor</i>	<i>Gentleman</i>	<i>Paddington Green</i>	<i>Walter Tucker</i>	<i>Collector Customs</i>
		<i>Jane Emily Colenso</i>		<i>Spinster</i>		<i>Paddington Green</i>	<i>Samuel May Colenso</i>	<i>Ironmonger</i>
Married in the <i>Saint Mary's Church</i> according to the Rites and Ceremonies of the Established Church, after Banns, by me, <i>John Wall Buckley</i> Perpetual Curate.								
This Marriage was solemnized between us,		<i>John Tucker</i>	In the Presence of us,		<i>William Tucker</i>	<i>Ann Colenso</i>		

In the above marriage certificate John is described as a bachelor, when he was a widower, and JEC's father is described as an ironmonger when he was a saddler. However his son William's writings refer to a shop in London in the 1820s (or earlier) which may have been an Ironmonger's shop.

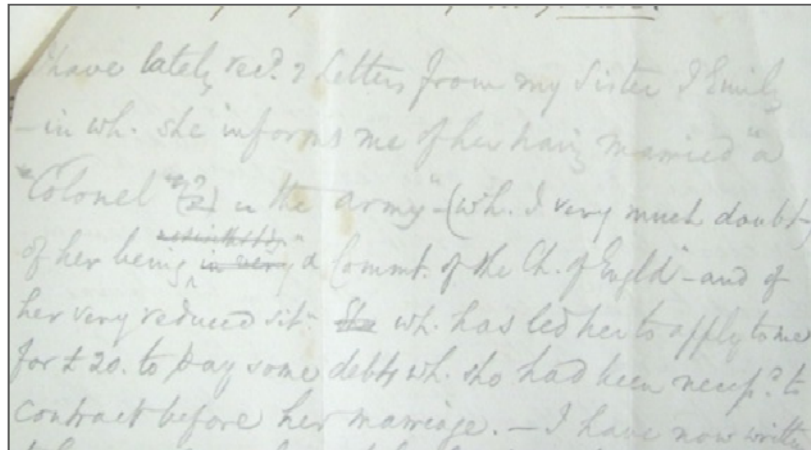
Handwritten notes, found by Peter Wells<sup>23</sup> in the National Library of Australia, record Jane Emily's brother William's reaction to her marriage:

"I have lately received 2 letters from my sister J Emily in which she informs me of her having married "a Colonel (?) in the army" – (which I very much doubt) of her being a communicant of the Church of England – and of her very reduced situation which has led her to apply to me for £20 to pay some debts which she had been required to contract before her marriage – I have now written ....."

<sup>23</sup> Peter Wells, The Hungry Heart, page 398-399 and emails from the author with further photographs taken of the notes.

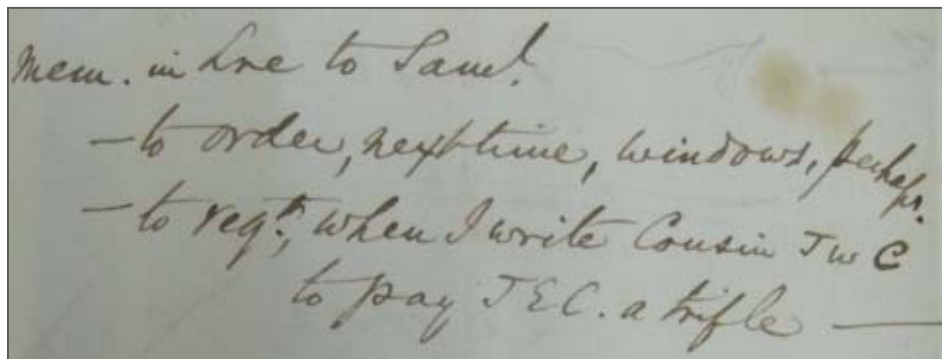
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Have lately recd. a letter from my sister I Emily  
- in wh. she informs me of her having married a  
Colonel (22) in the army - (wh. I very much doubt)  
of her being <sup>actually</sup> a Count. of the Ch. of Engld. - and of  
her very reduced sit. - She wh. has led her to apply to me  
for £20. to pay some debts wh. she had been comp. to  
contract before her marriage. - I have now written

I am not in possession of the entire note, but he seems to follow on to remind himself to request cousin JWC (John William Colenso, later Bishop of Natal) “to pay JEC (Jane Emily Colenso) a trifle”.



Mem. in line to Saml.  
- to order, next time, windows, perhaps.  
- to req. when I write Cousin JWC  
to pay JEC. a trifle -

In 1849 John Tucker also published his Life and Naval Memoirs of Lord Nelson. Both the biographies of Wellington and Nelson contain many sketches of places, people and events. In the Nelson book, many of these sketches have attributions. In the Wellington book the many sketches do not. This could be because John Tucker drew the ones where he was present at the events and places described.

In 1851 John Tucker was living in Northfleet and described as a retired army colonel. His age was not given, but he was born in Swansea, Glamorgan. He was also described as married, although his wife is not listed in the household (cannot find her in this census at all). This John Tucker was living amongst people associated with Huggens College.<sup>24</sup>

In 1791 and 1803 a Walter Tucker was listed as a ‘searcher’ for HM Customs in Swansea.<sup>25</sup> He married Alice Mansel in 1779 and John was born on the 25<sup>th</sup> August 1780.

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<sup>24</sup> 1851 Census HO107/1609/53/22

<sup>25</sup> Universal British Trade Directory and The Swansea Guide

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His only surviving sister Maria was born in July 1783. His mother died in December 1783 and his father in 1810.<sup>26</sup>

Huggens College, in Northfleet Kent, was built as almshouses, with its own chapel and croquet lawn, secluded by a lofty wall. “In the years 1844-7 the amiable John Huggens, a city merchant, founded and endowed this college, as almshouses for the benefit of gentlemen reduced to poor circumstances; and here forty of these collegians, with their wives and one woman relative, reside and enjoy an annuity of £52 apiece, and live, like all pensioners, to the most preposterous and incredible ages, much to the disgust of those in the waiting list. It was stipulated that it should be run as an Anglican charity for practising members of the Church of England.”<sup>27</sup>



John Montmorency Tucker’s death on 22<sup>nd</sup> February 1852, after 19 days of paraplegia on the right side, was registered in North Aylesford. The informant was Jane Emily Tucker, living at 19 Huggens College, Northfleet<sup>28</sup>. The newspapers and the Annual Register reported this.

Colonel John Montmorency Tucker, aged 72 years, author of biographies of Wellington and Nelson; Tales of the Camp and Cabinet, late of the HM 27<sup>th</sup> Enniskillens- having highly distinguished himself in all the Peninsular Wars, and also at Waterloo, where he was seriously wounded.

Jane Emily Tucker was lodging in St Pancras in 1861, not found in 1871, running a lodging house in 1881, and retired to Penzance living on her own means in 1891. She died in 1896. Her brother William, in New Zealand, did supply her with some money and described her as “poor Mrs Tucker”.<sup>29</sup> He also told his son, Wiremu, that he should consider Mrs Tucker his friend when reflecting on the annuity that he had just established for him.

John Tucker’s biography of Wellington was republished in 1880, with an update to include the Duke of Wellington’s death and funeral in September 1852.

After delving into the life John Montmorency Tucker, it is hard to know whether he was a good man or a rogue. Why would a woman of 31 have married him when he was 68, and never remarry after her husband’s death following only four years of marriage? My impression of this man is that he was fascinating - and a talented storyteller. He lived a full life and carried on in the face of the many adversities that came his way. One

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<sup>26</sup> Glamorgan Parish Records, published by [www.findmypast.co.uk](http://www.findmypast.co.uk)

<sup>27</sup> The Kentish Coast

<sup>28</sup> Death Certificate, 1852/Q1/2a/376 North Aylesford, supplied by Leo Favret.

<sup>29</sup> I don’t think he was referring to her financial status.

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observer described his military service as “one of long and arduous duties of near twenty years, actively passed in the four quarters of the globe in the service,” and him as a man “who bled in the field of Waterloo!”<sup>30</sup>

When researching World War One stories I often wonder what the world would have been like if the cream of a generation had not been sacrificed, both mortally and emotionally, in that war – previous generations probably asked the same question when looking at the aftermath of the Napoleonic Wars.

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<sup>30</sup> Military Report, 1<sup>st</sup> May 1816 reporting on his first court martial.