

Detection and prevention: the old English police and the new 1750-1900

Emsley, Clive

Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:

GESIS - Leibniz-Institut für Sozialwissenschaften

Empfohlene Zitierung / Suggested Citation:

Emsley, C. (1986). Detection and prevention: the old English police and the new 1750-1900. *Historical Social Research*, 11(1), 69-88. <https://doi.org/10.12759/hsr.11.1986.1.69-88>

Nutzungsbedingungen:

Dieser Text wird unter einer CC BY Lizenz (Namensnennung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:

<https://creativecommons.org/licenses/by/4.0/deed.de>

Terms of use:

This document is made available under a CC BY Licence (Attribution). For more information see:

<https://creativecommons.org/licenses/by/4.0>

DETECTION AND PREVENTION: THE OLD ENGLISH POLICE
AND THE NEW 1750-1900 (*)

Clive Emsley(+)

Abstract: Traditional histories of the English Police have insisted that the creation of the Metropolitan Police of London in 1829 heralded a major change for the better in the policing system. This paper argues, in contrast, that the old system was not as inefficient as has generally been maintained, that there was a considerable degree of continuity between the Old Police and the New, and that the Metropolitan model was never accepted as the ideal for many provincial forces. While the prevention, rather than the detection, of crime was central to the New Police, its efficiency in this area is extremely difficult to assess; certainly it was not as successful as the traditional historians, following the boast of contemporary chief policemen, have maintained.

The period 1750-1900 witnessed a marked increase in the number of professionals employed in England and Wales to combat crime. The old police system, generally dependent on part-time constables and watchmen was being condemned as inadequate in the metropolis well before the close of the eighteenth century. The first manifestation of the new police were the 3000 uniformed constables of the Metropolitan Police who began their beat patrols in London between September 1829 and May 1830. The Municipal Corporations Act of 1835, in theory spread the new police into provincial boroughs. The Rural Constabulary Act of 1839 enabled counties, or parts of counties, to establish police forces. The County and Borough Police Act of 1856 capped this legislation making the new police obligatory for all local authorities. The arguments and assessments of the late eighteenth and nineteenth-century police reformers were, generally speaking, accepted by historians of the English police well into the second half of the twentieth century. They insisted that the old system of policing was inefficient, that offenders tended to be caught more as a result of luck than anything else. The new system of uniformed beat policemen, in contrast, helped to prevent crime and made the arrest of offenders much more certain. Many of the "Whig" historians of the new police have tended to look back from an idealized contemporary model, to assume that there was no alternative model and that this was the model which the far-sighted reformers and politicians of the late eighteenth and nineteenth centuries had in mind.(1)

For most of the eighteenth century in England, as elsewhere in Europe, the word "police" had the general meaning of the management and government of a particular piece of territory, particularly a town or city. In England the idea of a uniformed body of policemen patrolling the streets to prevent crime and disorder was anathema. Such a force smacked of the absolutism of continental states. The models for such police forces were to be found in the organization commanded by the lieutenant général de police in Paris, and in the military police, the *maréchaussée*, which patrolled the main roads of provincial France. The fact that these models were French, in

(+) Address all communications to: Clive Emsley, The Open University, Arts Faculty, Walton Hall, GB-Milton Keynes MK7 6AA Great Britain.

itself, was sufficient to make most eighteenth-century English gentlemen conceive of a police force as something inimical to English liberty. Policing in eighteenth-century England was perceived as a local government task, and like other areas of local government it depended upon local men being selected, or voluntarily coming forward, to serve in an official capacity, but generally for a limited period, part-time, and usually unpaid.(2)

Essentially the constables of eighteenth-century England were neither a preventive nor a detective police force. The high constables of counties were often men of some social standing. These were selected in a variety of ways, depending on traditional local practice. They had a variety of tasks; the most important of which was supervision of the collection of the county rates. In respect of crime, they had an obligation to pursue any felonies reported to them, and this might involve primitive detective work as when, in 1818, John Shaw, high constable of the hundred of Redbornstoke in Bedfordshire found a foot-print near the hiding place of some stolen wine and was subsequently able to fit a shoe to it.(3) The high constables had supervision of the petty constables. The latter were men of less social significance; again they were selected in a variety of ways depending upon local custom. Their tasks were many and varied, and they were allowed expenses and fees. The pursuit of offenders was often undertaken by victims, but the constable was charged with making arrests. They were also required to serve warrants, to move offenders from place to place - either transporting a vagrant out of the parish, or taking an accused party to court; they might even have to accommodate offenders, temporarily, in their homes. Such tasks were burdensome; if a man had a trade, any time spent on constable's duties could cost him business. Occasionally the tasks brought threats of violence; Edward Wright, constable of the parish of Egham, Surrey, deposed:

When he served a summons on Samuel Smith the younger of Chertsey who stands charged with getting a bastard child on the body of Ann Jacob, Samuel Smith the elder swore ... that if ever he came to his house after his son he would do for him. Informant now has a warrant to apprehend Samuel Smith the younger which he is afraid to execute, Samuel Smith the elder having sworn that he would do him some bodily harm.

Hostility to constables in the execution of their duty did not always stop at verbal threats and abuse as a glance at any eighteenth or early nineteenth-century quarter sessions indictments will show. One Saturday evening in the late summer of 1827, for example, Thomas Franklin, the constable of Leighton Buzzard, was called to a public house where a quarrel was leading to blows. William Smith, a butcher, who was to go to Franklin's aid, described what happened as he was walking passed the pub:

I saw Thomas Franklin ... coming out ... backwards. John Brandon ... was opposite and close to the constable. I saw the said John Brandon strike the said constable twice "bang full in the face" the blows knocked the constable down on his back John Brandon fell down with him. Sarah Adams ... got on top of the constable and jostled his head against the ground ... The constable appeared very much hurt and his face was all over blood.(4)

Brandon and Adams were both indicted for assault. Yet some men were prepared to take on the post of constable on full-time; in return for an initial payment they agreed to act in place of the man selected and then sought to earn their living through the fees. There was nothing especially new in this

as Elbow, the simple constable in Shakespears's Measure for Measure, had also acted in this way:

Escalus: Come hither to me, Master Elbow; come hither Master Constable.
How long have you been in this place of constable?

Elbow: Seven year and a half, sir.

Escalus: I thought by your readiness in the office, you had continued in it some time. You say seven years together?

Elbow: And a half, sir.

Escalus: Alas! it hath been great pains to you! - They do you wrong to put you so oft upon't. Are there not men in your ward sufficient to serve it?

Elbow: Faith, sir, few of any wit in such matters; as they are chosen, they are glad to choose me for them; I do it for some piece of money, and go through with all. (Act II, scene 2.).

Of course the fact that some men were prepared to take on the tasks of constable full-time does not mean that they were, necessarily, any good at the job. Many parish constables probably were as bad and as uncommitted to their tasks as the police reformers made out. But a serious analysis of the men who fulfilled this role during the eighteenth and early nineteenth centuries is long overdue and it may well prompt a major revision of the traditional picture.

Preventive policing in eighteenth-century England was largely confined to urban areas where watches patrolled the streets after dark. Again for the Tudor period Shakespeare provided a comic example with the watchmen who act under the bumbling Dogberry and Verges in *Much Ado About Nothing*. The problem is that too often these fictional, comic characters have been taken as representatives of a reality spanning the period from the Tudors to the late Hanoverians because they fit so well with the police reformers' condemnations of the old system of policing.(5) In fact eighteenth and early nineteenth-century watchmen have been subject to even less serious study than constables. It is, however, clear that at least in some metropolitan parishes there were determined attempts to ensure that the night watch was competent and capable a hundred years before the Metropolitan Police took to the streets.(6) Some watchmen were fully prepared to stop men on suspicion, and their suspicion could prove valid: one night towards the end of 1796 John Wilson was picked on suspicion up by two London watchmen; he was taken to the Hanover Square parish watch-house where he was searched by a constable and found to have five pewter pots concealed about his person; the pots had been taken from a pub in Carnaby Street and Wilson was subsequently tried and convicted at the Old Bailey. The evidence given in an Old Bailey burglary trial twenty years later suggests a watch system functioning in some parts of the metropolis which possessed men behaving in the active and observant way which according to the Whig historians, was introduced only with the new Metropolitan Police.

On the night of the 12th of December, I was calling four o'clock in the morning; I came by Mr. Levy's house, in Wentworth-street; I saw the prisoner standing in the court there; I did not know him before, I thought he might live in the court; I went up the court, and took particular notice of his dress, as I passed him; I went on, and returned

again; I missed him; I went up the court, and saw Levy's side door was open, it is in the court; I returned to my box, and in a few minutes, the prisoner came by my box; I stepped out, and called to him, he stopped, and I crossed over to him, and asked him what he did at the house round the corner - he said "what house", and seemed strange. I asked him, what he had got upon him, his pockets appeared full, and bulky - he said, "nothing at all", and that he was a different character to what I took him to be ... Levy's house is considered a receiving house. I have been on that beat fifteen months ...

The watchman found stolen lace hidden in the prisoner's hat, and took him into custody.(7) The Select Committee enquiring into the police of the metropolis in 1828 heard largely complimentary comments on the watches in Marylebone, St James's and St George's Hanover Square; the majority of these watchmen appear to have been ex soldiers "stout tall fellows", according to the inspector in St James's, "not exceeding forty years of age."(8) This is not to argue that the watch was not in need of reform, but simply that the traditional image of the "Charlie" as old, decrepit and, like as not drunk or asleep when needed, is a generalization not always borne out by the evidence.

Occasionally a provincial magistrate might be found who was interested in solving a crime and detecting offenders, and he could go to considerable trouble and expense in so doing.(9) But if a victim could not follow up an offence in person, with friends, or by advertisement, the only other recourse - apart from a visit in rural areas to the cunning man - was to a thief-taker. Until the establishment of a special group of thief takers in the office of the Bow Street magistrates in the middle of the eighteenth century, the thief takers were private individuals. They lived off the rewards from the courts for bringing offenders to justice, and the rewards from victims who paid to get property returned. Both kinds of reward were liable to abuse. The reputation of the thief-takers is low primarily because of the notorious career of Jonathan Wild the self appointed "Thief-taker General of Great Britain and Ireland" who was exposed, in 1725, as a leading receiver of stolen goods who kept himself in the thief-taking business by the occasional sacrifice of a thief on the gallows. The Stephen Macdaniel affair which blew up some thirty years later was less far reaching, but re-emphasised the dangers of rewarding thief-takers by results when the result, as like as not, was an innocent body swinging from the gallows.(10) Not all pre-police thief-takers were like Wild and Macdaniel, especially the semi-official detectives like Richard Green who combined his detective work with being keeper of the lock-up at Knott Hill, Manchester, and John and Daniel Forrester who worked in the City of London from 1817 to 1857.(11)

It was the metropolis which witnessed the major developments and the major proposals for police reform during the eighteenth century; not the square mile of the City of London proper, which had its own police system organized under the Lord Mayor and the City Marshals, but the sprawls of the City of Westminster, urban Middlesex and south of the Thames, urban Surrey. The architects of these developments and proposals were the Fieldings who established the group of paid thief-takers - the celebrated Runners - in the seventeen-fifties and, after some abortive starts, who organized paid patrols of part-time constables circulating the central thoroughfares and the main roads into the metropolis from evening until midnight. By the end of the century the Bow Street Patrol consisted of sixty-eight men divided into thirteen parties. Sir John Fielding drew up plans for a centralized police for London with five or six separate police offices under the overall supervision of Bow Street. This central office, he argued, could act as a clear-

ing house for information about different crimes and different offenders; detailed information and descriptions, readily available to different peace officers, were regarded by the Fieldings as central in the "war" against crime. Sir John's proposals for a systematized and centralized police in London came to nothing during his lifetime, but they influenced the abortive legislation of the seventeen-eighties and the 1792 Middlesex Justice Act.

In 1772 and 1773 Sir John circulated the clerks of the peace of all the English and Welsh counties with his General Preventative Plan. His idea was to make the Bow Street Office a central clearing house for information about serious crimes and offenders encompassing the whole country; he wanted provincial magistrates to supply Bow Street with details of offenders and offences, gaolers to supply descriptions of those committed to their custody via the assize calendars already received in his office, and both officials and members of the public to give descriptions of stolen horses. The proposal was well received and, from the autumn of 1773 with government backing to the tune of £400 per annum, this information was collected in Bow Street, collated and circulated in the form of a newspaper, *The Hue and Cry*. The extent to which the circulation of information in this way improved the clear-up rate cannot be ascertained, for one thing there is no data on which to base a measurement of the situation beforehand, yet it does appear to have contributed to several arrests. But Fielding's subsequent proposals, circulated in February 1775, were scarcely responded to. They were far more radical, recommending what would have amounted to a system of paid professional policemen. Fielding wanted high constables to be resident on the main roads for at least one hundred miles distance from London; they were to display a board announcing their office outside their home, they were to undertake the pursuit of offenders, and to be paid a salary for keeping a horse for these pursuits. In addition the numbers of petty constables were to be increased. The cool reaction to these proposals probably stemmed partly from a reluctance on the part of the county benches to reorganize the tasks of their constables, especially when high constables were men of some standing who would have balked at being simply the pursuers of common felons. Probably also the magistrates could see little value in the proposals for their own localities; provincial England was not London with its urban sprawl and its apparently disproportionate amount of serious crime. Local constables could handle the vagrants on the roads; there were few highway robberies in the provinces and seemingly few fugitives moving along the roads from one district to another. What appeared of value from the centre of London to suppress the city's unique crime problem, had little value outside.(12)

Yet whatever the concerns of men like Fielding about crime in eighteenth-century London, the fear of a French system of police was greater. A bill brought before parliament in 1785 proposed dividing the entire metropolis into nine police divisions each with three stipendiary magistrates and twenty five constables; it foundered partly on the fear that a system of regular police was alien to England, and partly because of the hostility of the City of London which brought its powerful parliamentary lobby into play to protect its independent jurisdiction. When, seven years later, the Middlesex Justice Bill was introduced, the territory of the Lord Mayor and his Marshals was studiously omitted from the proposal. The legislation of 1792 established seven police offices, six north of the Thames - Queen's Square, Westminster; Great Marlborough Street; Hatton Garden; Shoreditch; Whitechapel; Shadwell - and one south of the river in Southwark. Each office had three stipendiary magistrates and six constables. Among the first of the magistrates was Patrick Colquhoun who poured a steady stream of voluminous letters in miniscule writing in the direction of different offices of state;

many of these letters urged various reforms and improvements.(13) Attempts to spread the system failed, probably because of expense, but in 1798 Colquhoun was instrumental in the creation of the Thames Police Office at Wapping with, ultimately, three stipendiaries and a hundred constables to police the river. The system of stipendiary magistrates and their constables working alongside the Bow Street Patrol, and the various parish constables and watches, with the City jealously guarding its separate jurisdiction, saw London into the new century. The stipendiary magistrates and some of their constables rapidly assumed the role of experts on crime to be consulted when ministers or parliament, pressurized by reformers like Romilly and Mackintosh or by events like the Ratcliffe Highway murders, mounted enquiries into aspects of crime and policing in London. In February 1811 a circular was sent to the police offices requesting the magistrates' opinions on whether the recent abolition of the death penalty for picking pockets had led to any change in the incidence of the crime, of prosecutions for the crime, or convictions.(14) Magistrates and constables became regular witnesses before parliamentary committees. Some of the constables, like George Ruthven and John Townsend of Bow Street, acquired formidable reputations as detectives and the apprehenders of offenders; the assistance of such Bow Street officers was often sought by provincial authorities faced with a spate of robberies, a gang of poachers or a difficult murder. Yet the concerns about "blood money" continued and even Bow Street officers were suspended and occasionally prosecuted for compounding, or for conspiring with offenders whom they subsequently brought before the courts on capital charges so as to claim the reward.(15)

The revelations of corruption, the scare created by the Ratcliffe Highway murders, the publication of statistics giving a public picture of crime, the reports of crowd behaviour in revolutionary Paris aggravating fearful recollections of the Gordon Riots, combined with the writings of men like Colquhoun to make gentlemen of property concerned about the policing of London. Yet parliamentary committee after parliamentary committee was reluctant to recommend a completely new police system; a centralized system still appeared inimicable to English liberty, it was something peculiarly French, and under Napoleon the police system of the old enemy had achieved an authoritarian model of even more alarming proportions.

Early in 1822 Robert Peel took over as Home Secretary. He was determined to reform and revise the criminal code and he considered the establishment of a preventive police as integral to this. His involvement in the creation of the Police Preservation Force when Chief Secretary for Ireland during the preceding decade had convinced him of the utility of police reform, and he was assured that police were no threat to liberty as he and other liberal, reforming Tories perceived it. Peel's police reforms were centred on London and, initially, on the expanding Bow Street establishment; in 1805 a horse patrol had been established and in 1821 a dismounted night patrol. In the summer of 1822 Peel set up a force of twenty four men as the Bow Street day patrol. Wearing a uniform of blue coat and red waist coat - hence their nickname of "redbreasts" - these men, mainly ex-soldiers, patrolled the main streets of the centre of the metropolis between 9 a.m. and 7 p.m. In 1828 Peel was successful in getting a new parliamentary enquiry into the police of London; he was equally successful in getting men appointed to the committee who shared some of his ideas. The committee recommended the creation of a centralized, uniformed, preventive police for London, and in the following year Peel skillfully guided the legislation establishing the Metropolitan Police through parliament; he carefully avoided a confrontation with the City by omitting the Lord Mayor's square mile from the jurisdiction of the new force.

The view of the Whig historians of the English police is that 1829 was the turning point: the new Metropolitan Police, by its example of checking crime and disorder, provided a model for the rest of the country, indeed, for the rest of the world. The reformers, from the Fieldings to Colquhoun, and on to Peel and the first two commissioners of the Metropolitan Police, Colonel Charles Rowan and Richard Mayne, thus became far-sighted men; those who opposed the reforms as un-English or who criticized the police as a military body, as "gendarmes", thus became myopic, foolish, or worse. The creation of a police force of 3000 uniformed men answerable directly to a minister of state was, indeed, something new and something possibly deserving the adjective "revolutionary" in the English context. But whether this police force provided, over-night, a new level of efficiency in the struggle against crime is debatable, and the point noted above with reference to provincial magistrates' reluctance to adopt Fielding's proposal in 1775, might also be raised in explanation of the opposition to police reform in the provinces over the next few decades: what relevance did this metropolitan model have for the rest of the country?

The police reform clauses of the Municipal Corporations Act of 1835 appear to have been included, not so much from any recognized success of the metropolitan model, but because municipal policing had always been the preserve of local government, and if the entire system of municipal government was to be reformed and rationalized, then it was logical, indeed necessary, to include municipal policing. The act required boroughs to establish Watch Committees which, in turn, were to appoint police forces. Yet while Watch Committees generally appear to have been set up fairly quickly, many boroughs were dilatory in fulfilling the statutory obligations relating to police forces; of the 178 boroughs mentioned in the 1835 act, only 100 could claim to have police forces by the beginning of 1838, and fifteen years later at least six still had no force.(16) In some boroughs the creation of police merely meant that various town functionaries like the sword bearer, the beadle, and the watch simply donned uniforms and began to be called policemen. The nine policemen of the borough of Bedford appointed in January 1836 included the mayor's serjeant, the bellman and the beadle; and the old system of one group of men to patrol by day and another by night was maintained into the eighteen-fifties. The division of day and night police was similarly maintained in Exeter where the new police was also largely recruited from the old.(17) In towns without charters local worthies had long been developing police systems to their own needs. Some had their own lighting and watching committees established through private acts of parliament. The Lighting and Watching Act passed by parliament in 1833 provided an umbrella under which urban districts could set up such committees without any special legislation. A private town act had enabled Wolverhampton to establish a watch in 1814; a police force was established in the town in 1837, eleven years before incorporation. The worthies of Wolverhampton recruited Richard Castle, a sergeant of the Metropolitan Police to command their new force; but half of the twelve-man force were veterans of the watch.(18) In 1838 the leading residents of Horncastle in Lincolnshire, with a population of just under 4,500, determined to establish a police force under the terms provided by the 1833 Lighting and Watching Act. They approached the commissioners of the Metropolitan Police for a possible chief policeman, but were informed that no member of that force would go to Horncastle for less than 30s. a week. In the event they were lucky enough to find a local man who had served in London and who was willing to act for 16s. a week. The new police of Horncastle consisted of two men.(19)

This desire for men from the Metropolitan Police to command the new borough forces has been interpreted as a desire to follow the London model. Up to a

point this may be true: the municipal authorities of early nineteenth century England wanted value for money; the Metropolitan Police had acquired a reputation for efficiency and consequently a chief policeman with experience of London policing was to be valued precisely because of this experience. But the actual practices of policing did not always owe much to a metropolitan model; the division between day police and night police, which continued well into the eighteen-fifties in some areas, was a legacy of traditional policing. The relationship between policemen and the municipal authorities was also different. The Metropolitan Police were responsible directly to the Home Secretary. This was a matter of concern and annoyance to metropolitan parishes during the early years of the police, and the issue was raised again towards the end of the century; after all local rate payers contributed directly, and significantly, to the force.(20) Municipal rate-payers financed municipal police forces in nineteenth-century England, and they had no intention of letting anybody give them orders or instructions other than the municipality. Municipal governments, through their watch committees, kept firm control of their policemen, and the relationship was very much that of master and servant with the policemen occasionally required to perform tasks which would never have been required of any metropolitan police constable.(21) Again this reflected the continuation of "pre-police" traditions and by no means the triumph of any new model.

Lord Melbourne's Whig government had been contemplating some kind of police reform for the counties before the establishment of the Royal Commission on the Rural Constabulary in 1836. Three men served as commissioners: Edwin Chadwick, Colonel Charles Rowan of the Metropolitan Police, and Charles Shaw Lefevre. Chadwick was largely responsible for writing the report, but his Benthamite notions of centralization and his desire for close links between rural police and the new poor law organization were not shared by his fellow commissioners. Nevertheless the aspects of centralization in the report, published in March 1839, provoked hostility and disquiet. Rowan was amazed and suggested to Chadwick that one way of avoiding the supposed

danger to the liberties of the country would be to give the power absolutely of dismissal to the magistrates. Thus if the secretary of state should take it into his head to endeavour to enslave a whole country (which is not at all (illegible) likely, after paying 20 million to enfranchise the niggers) by sending six or seven additional Police Constables "armed with a bare bodkin" into that county, the magistrates might, seeing the immency (sic) of the danger, immediately dismiss the said six dangerous individuals and thus frustrate the base attempt. It is impossible to maintain gravity on the subject.

He concluded with a sentence prefiguring the thinking of Whig historians of the police: "What a pity it is that all men who are not Rogues should be fools."(22)

Melbourne's government was too weak to push through parliament such a contentious reform as a national constabulary even had it so wished. Moreover it seems that the Home Secretary, Lord John Russell, and interested cabinet colleagues never contemplated anything other than permissive legislation with the new county forces firmly under local control. The Royal Commission's recommendation that the Treasury pay one quarter of the cost of rural constabularies and that the Metropolitan Police train and appoint their members were not included in the Royal Constabulary Bill which swept through parliament in the summer of 1839 alongside bills to establish police forces in Birmingham, Bolton and Manchester. Chartist activity was as much as spur to this spurt of legislation, particularly in the case of the urban acts, as

the, report of the Royal Commission. The Rural Constabulary Act enabled any county that so wished to authorize the appropriate rate and to establish its own police force. Two crucial points in the origins and early workings of this legislation have been too little emphasized. First, the Royal Commission's investigations revealed that provincial England during the eighteen-thirties was not unpoliced, and that such policing as there was did not always depend upon the old constable system. In 1829 parliament had authorized the creation of a county police system in Cheshire. The Cheshire Police were not centralized under a single chief constable but were based on the hundred or petty sessional division; each hundred was supervised by a paid high constable who maintained close communication with the local magistrates. The system was amended slightly by act of parliament in 1852. Edwin Corbett, the vice-chairman of the Cheshire Quarter Sessions, informed the 1853 Select Committee on Police that he did "not think it possible for any police force to work better than it does" and that the London Metropolitan Police was "more completely organized than we should be able to establish in the rural districts." (23) Elsewhere, sometimes established under the 1833 Lighting and Watching Act, there were a variety of small, professional police forces functioning under local magistrates and/or local gentlemen. In some places they were financed out of a local rate, elsewhere by subscription. Second, the quarter sessions' debates over whether or not to implement the legislation in 1839 and 1840 did not divide simply into those who wanted a county force similar to that recommended by the Royal Commission but under the county bench, and those who wanted to maintain the old system. Some conservative backwoodsmen could be found to demand the preservation of the old parish system, but these were a minority. Some could also be found who condemned the idea of a uniformed constabulary as un-English. More concern, however, was expressed about cost. Some magistrates were uneasy about the power to raise new rates which the legislation gave them; unlike the borough magistrates, those in the counties were unelected and unrepresentative. There were others who felt that police reform was desirable, but they preferred smaller forces under immediate local control, rather than constabularies which would cover whole counties. (24) There is discrepancy in the figures, but of the fifty-four provincial counties in England and Wales (that is excluding Middlesex and dividing Yorkshire into its three constituent ridings) only about one half had established constabularies under the 1839 act by the mid-eighteen-fifties, and in about three or four instances these "county" forces were confined to one or two divisions or hundreds within the county. (25)

The forces established under the 1839 act were not based on any one simple model drawn from the London experience. Men who had served in new police forces were recruited by the counties, particularly for the more senior position. But men were also recruited from the old police: Henry Goddard, the first chief constable of Northamptonshire, was a former Bow Street officer; two long-serving constables from the old police, William Craig from Stowbridge and James Kings from Bromsgrove, were appointed superintendants in the new Worcestershire Force. (26) Gloucestershire magistrates had employed Metropolitan Police officers for temporary emergencies during the eighteen-thirties, but when it came to establishing a county force in 1839, they turned to the Irish model; the first chief constable, Anthony Lefroy brought thirteen men with him from Ireland as a cadre for the 250-man Gloucestershire force. Other counties also looked to Ireland. (27) Like the borough police, the new county constabularies remained firmly under local control; but the relationship between the magistrates on the police committees and their police forces was not so obviously the master-servant relationship of most boroughs. The chief constables of the counties were, generally speaking, of more genteel origin than their borough counterparts.

There was, in addition, a significant presence of military officers among them, and this presence increased as the century wore on: seven out of the twenty three chief constables appointed to English counties before 1856 had army or naval experience; twenty two out of the twenty-four appointed between 1856 and 1880 had such experience.(28) The perception of the police as a kind of soldiery informed much of the thinking behind the 1856 County and Borough Police Act and, both before and after this legislation, several chief constables were eager for their men to receive military training so that they might act as auxiliaries to the army in case of invasion. Many magistrates perceived their county constabularies as the first line of defence against an internal enemy which, in cases of popular disorder, led to them being deployed in a military fashion.(29)

Those counties which did not take advantage of the 1839 act did not always leave their police systems unchanged. Some districts organized patrols under the 1833 Lighting and Watching Act, some utilized the enabling legislation of the 1842 Parish Constables Act. The latter reaffirmed the old system of local policing and selection of parish constables, it also authorized the recruitment of paid superintending constables to oversee the parish constables of a petty sessional division. Amending legislation in 1850 extended these provisions which were adopted by fourteen counties. The new lease of life injected into the old system was popular because it appeared so much cheaper than a full-blown-county constabulary and because it kept control of the police within the smaller, traditional units of parishes and petty sessional divisions.

Even the most thoughtful of the Whig historians of the police have written off the superintending constables as a failure, yet the evidence given to the 1853 Select Committee on Police suggests that in counties where they were establishing there was no serious dissatisfaction with the system. Lieutenant Colonel Henry Morgan Clifford M.P., chairman of the Herefordshire Quarter Sessions insisted that they were "quite sufficient; the diminution of crime is very great." Sir Robert Sheffield Bart., chairman of the Quarter Sessions for the parts of Lindsey, Lincolnshire, believed that the new system was working well; he was not sure what the long-term impact was going to be on crime, but "certainly the county looks to the superintendents very much as protectors", and they had reduced the number of vagrants. Richard Healey, the Chief Constable of the Hundred of Aveland in the parts of Kesteven, Lincolnshire, was of the opinion that the creation of a rural constabulary would be very unpopular in his district: "the farmers ... and the ratepayers are exceedingly well satisfied with things as they are." Maurice Swabey, a former police magistrate, and a county magistrate for Buckinghamshire, Middlesex and Surrey, urged that a rural constabulary be established in Buckinghamshire, but he had to admit that the ratepayers did not complain about any threat to their property and seemed satisfied with the protection which they received from the superintending constable system. William Hamilton, one of the superintending constables in Buckinghamshire and a veteran of sixteen-years' service in the Royal Irish Constabulary, the Lancashire and the Essex constabularies, was highly critical of the superintending constable system, and particularly of the parish constables who served under him; David Smith, another veteran of the Essex force and a superintending constable in Oxfordshire was similarly critical. But George Carrington, a Buckinghamshire magistrate, was not surprised:

I think those men naturally wish for the discipline of a regular force; but that is their opinion, and I am only giving mine. The man who was examined from our county gave me a general idea, before he came to the Committee, what he was going to say; he came to me afterwards, and told

me that he was asked whether he could say it was efficient; he said, he thought he could not say so. He has told me that some of the (parish) constables are efficient men, and ready to act with him; of course not so ready to act as men whom he might dismiss at a moment's notice. What he said was, "I can lead them, but I cannot drive them."

Carrington wished to see how the system developed in Buckinghamshire, but he felt that it would be perfectly adequate for the preservation of the peace and the protection of property.(30) The superintending constables, however were swept away by the County and Borough Police Act of 1856 which made the new, uniformed police obligatory.

The County and Borough Police Act stemmed from a variety of beliefs and concerns. Palmerston, briefly Home Secretary in 1852 and 1853, was convinced of the necessity for reform; he was apparently moved by the criticisms of the patch-work system of policing in the early eighteen-fifties which prompted logical demands for uniformity and rationalization. The Select Committee which he established, and which met in 1853, lacked the reforming fervour of a Chadwick at the helm, but nevertheless, stacked the evidence in favour of consolidation and a uniform system across the country. The desire for new legislation was also fostered by the belief that a reformed police would assume some kind of auxiliary military role; in addition there were fears brought about first, by the virtual end of transportation, which threatened persons of property with having more "habitual criminals" discharged from prison on to the highways and byways, and second, by the prospective demobilisation of brutalized soldiery from the Crimean campaign. Yet the legislation eventually steered through parliament by Palmerston's successor at the Home Office, Sir George Grey, was a compromise. The initial plans to amalgamate the smaller borough forces and five small county forces with their larger neighbours provoked an outcry and were dropped. The police forces of provincial England and Wales remained under local control, but the new legislation imposed some basic standards and uniformity, notably with the creation of a national system of supervision by the three Inspectors of Constabulary; and there was also a greater degree of central government involvement with the different forces thanks to the Treasury's agreement to pay one quarter the cost of pay and clothing for forces declared "efficient" by the inspectors. Twenty years later the grant was increased to one half and greater pressure was put on the smaller boroughs to amalgamate with their surrounding county force.

In spite of the urgings of reformers and chief constables, notably Admiral MacHardy the Chief Constable of Essex, the police were not trained as military auxiliaries. Their tasks, however, were many and varied. The continuing "servant" role of many borough policemen led to them acting as collectors of market tolls, poor law relieving officers, and the local fire brigade. Emergencies stretched manpower; following disorders and an alleged spate of pocket picking in the summer of 1867, the Home Secretary lamented to the commons that some 300-400 members of the Metropolitan Police were having to be employed to keep cattle plague out of the city.(31) The Metropolitan Police, county forces and the largest urban forces were often called upon as riot squads to assist outside their districts; the smaller borough forces were too small to cope with large crowds. But the maintenance of public order did not just mean riot control; from their creation the new police were employed to clamp down on those working class leisure activities which offended middle class sensibility.(32) Order, in its broadest sense also meant keeping the traffic moving and keeping the streets tidy and safe: in October 1841 the Bedford Watch Committee expressed its concern to the Chief Constable about harrows, ploughs and other articles exposed for sale on

Market Hill, and left there after dark when they became a danger to pedestrians; in Manchester during the eighteen-nineties the Watch Committee and Chief Constable were vexed by the traffic problems ranging from ice-cream stalls to "scorching" cyclists, and to school children throwing fireworks near horses on the run-up to Guy Fawkes' Day.(33)

Yet in spite of this variety of tasks, crime was perceived as the key *raison d'être* for the new police. The Fieldings, Colquhoun and Peel had all argued that a preventive police was essential in the struggle to combat crime in the metropolis. The New Police Instructions published in September 1829 announced: "It should be understood at the outset, that the object to be attained is 'the prevention of crime'."(34) It was crime - its amount and its seriousness - rather than any of the other task that subsequently fell to policemen, which dominated the debates in quarter sessions over whether or not to establish a constabulary during 1839 and 1840. Once formed, the county forces had their preventive role emphasized in the instructions drafted by chief constables: Lefroy in Gloucestershire used, word for word, the London formulation quoted above; Gilbert Hogg, in Staffordshire, informed his men that: "It should be understood that the principal object to be attained is the prevention of crime."(35) The reformers had great hopes of prevention; the regular patrols of the police constable, the impersonal agent of the law, would, it was hoped, deter potential malefactors. So confident of success was Sir Richard Mayne, Rowan's fellow commissioner, that in 1834 he suggested to a parliamentary committee the possibility of reducing the number of police in London in one or two years when "the present race of thieves, who may be called the schoolmasters, are sent abroad, as we hope they soon will be, and the rising generation will become better." Almost forty years later the Chief Constable of Chester boasted that, in just under a decade, he had successfully removed from his district the forty-seven known thieves and depredators.

There is, I am afraid, a widely spread feeling that, as there always have been criminals in society, so there always must be. I am not entirely of that opinion. Given the power, I really see no great difficulty, if not in stamping out professional criminals, at least in reducing their numbers very materially, especially in a comparatively small place such as Chester.(36)

It is difficult to measure the efficiency of prevention. Whig historians of the police, like the police reformers, lauded the new system and asserted its success. But contemporary newspapers often carried complaints that the police were not around when they were needed either to prevent crime or to help victims seize offenders. One night in April 1844 William Radley Mott had his pocket picked in Brighton and the Brighton Gazette reported that "he searched the town from Steyne to Ship Street without being able to find a single policeman to take the rascal into custody." Twenty-four years later, worthies of the East End of London were protesting that metropolitan policemen were spending too much time warning children not to play with their hoops in the street and protecting the wealthy of the West End. According to the East London Observer: "In the leading thoroughfares outrages of all kinds are perpetrated - frequently in broad daylight - and to look for a policeman is out of the question." "Where are the Police?" demanded The Times after a warehouse robbery in High Holborn in 1875 which must have taken the perpetrators two or three hours. On the other hand some petty offenders were foolish enough to attempt crimes under the eyes of watchful, uniformed policemen - like John Mason and Richard Kidd who, in November 1836, tried to pick a pocket in Blackfriars in full view of P.C. Charles Goff; and some street robberies were committed within calling distance of

the beat policeman who was able to assist the victims and catch an offender - as when P.C. William Cottle caught James Adams running away after the attack on a merchant seaman in Shadwell in April 1857.(37) The more critical and thoughtful among the historians of crime and policing have suggested that the new police contributed to the statistical decline of theft and violence in the second half of the nineteenth century.(38) It seems reasonable to acknowledge that the physical presence of the uniformed policeman on the streets did deter some petty theft from shops, stalls or individuals. But empirical evidence of the situation with and without police is impossible to come by. The proposal of a Bedfordshire magistrate in 1844 to remove the county force from two divisions of the county and to measure the result, was rejected by his fellows on the county bench; contemporary experiments and research suggests that the removal of police patrols makes little difference to the level of reported crime yet it is probably equally true to say that policing does have some impact in keeping crime to a certain base-line level.(39) A police constable could not report to his superiors and, at the top of the hierarchy, a chief constable could not report to his Watch Committee or County Police Committee, that their activities had prevented a particular number of crimes over a given period. However, the new police could demonstrate their worth by publishing the statistics of arrests. The easiest arrests to make, except where there was a positive identification of a thief or of a violent offender, were these for petty public order offences. Such offences as begging, drunk and disorderly, drunk and incapable, illegal street selling, soliciting, were generally committed in the street and were often readily observable by the beat policeman. Moreover the removal of the drunk, the nomadic street seller, the prostitute or the vagrant was popular with the respectable Victorians who perceived these individuals as members of the dangerous or criminal classes. The creation of new police forces saw an increase in the statistics for these offences.

Yet if success could be claimed for the new police in dealing with some of the behaviour of the criminal class, there were crimes about which a uniformed constable patrolling an urban or a rural beat could do little. After all individual beats could be large; in London, in 1870, the average day-time beat was seven-and-a-half miles, the average night-time beat was about two miles(40); in rural districts beats could be very much larger and villages without a resident constable might rarely see one. Major crimes in urban areas often, if not generally, took place behind closed doors and closed windows. If, for example, burglars could observe a police constable pass on his beat and then enter a property, especially when the house-holder or factory-owner was away, then there was little that the police could do other than record the offence when reported and then seek to detect the offenders. Following the conviction of several burglars in London early in 1865 the Commissioner of the City of London Force urged businessmen and property owners not to leave external fastenings unsecured, to replace those which were defective and not to leave "shops and warehouses stored with goods of great value entirely unattended at night, and throughout the whole of Sunday." The Times quoted him as emphasizing that a policeman's beat

was on the street. They were bound to see that no house was broken into, but they could not guard equally against operations conducted by thieves left snugly locked up in houses by their occupiers, and indulged with six-and-thirty hours of licence.(41)

Other senior policemen were sometimes quite candid about the difficulties of catching determined thieves while patrolling in uniform on the beat. A year before one select committee heard Mayne look forward to a reduction in

police numbers another committee heard one of his superintendents report that "(a) man in uniform will hardly ever take a thief." Indeed Rowan and Mayne confessed to the committee that they were informed that most felons were arrested by men in plain clothes; and according to the Earl of Chichester, Rowan was later to suggest that the beat system could not really work in the countryside: "a rural police was rather to prevent crime by detecting offenders rather than to prevent it by their actual presence in every village." Edwin Corbett, lauding the Cheshire system of police before the 1853 Select Committee stated:

There is one objection, I think, to the Rural Police Act, namely, that the policemen should be in uniform. It may be very useful in towns, where there a great number of police always parading about (sic), but in the country where they are only moving about the country, and particularly when they have an object in view, they should pass unobserved, which at other times they would not. I know several instances in which constables have gone to watch at night, when a burglary has been suspected, and where they have been successful in apprehending the burglars; if two or three policemen had been found coming to a given point, there would have been an alarm raised, but a man in coloured clothes could come without exciting any observation.(42)

Both Rowan and Mayne were reluctant to employ their men in plain clothes, and not simply because of their faith in uniformed, preventive patrols. There was concern that the new police should not be reminiscent of a "Continental Spy system", and the recollection of the spies and secret agents employed against English Jacobins and Regency Radicals remained painful. For the first decade of their existence the Metropolitan Police functioned side by side with the old London Police Offices each with its compliment of plain-clothes constables; indeed some men left the Metropolitan Police to take up the better-paid position of constable under the stipendiary magistrates.(43) The policing tasks of the stipendiaries' offices, together with their constables, were abolished in 1839. Three years later, with some reluctance, Rowan and Mayne were forced to admit the need for, and to appoint a small group of full-time detectives. Concerns about European spy systems, together with fears that men in plain-clothes were much more susceptible to corruption, meant that this body was increased only slowly over the next twenty-five years - from eight men to fifteen. Following hard on the failure of the Metropolitan Police in intelligence gathering during the Fenian outrages on 1867 full-time divisional detectives were established in 1869. Nine years later, after the exposure of four detective inspectors for involvement in an international swindling racket the divisional detectives were centralized into the Criminal Investigation Department under a barrister, Howard Vincent, who had studied the detectives of the Paris Police. By the mid-eighteen-eighties Vincent's department had grown from 250 to 800 men.(44)

The modus operandi of the new detectives, indeed of the new police in general when it came to investigating offences and pursuing offenders, does not appear to have been greatly different from the more conscientious and determined of their predecessors. Policemen in plain clothes watched and followed suspicious characters, sometimes with reward as when constables George Legge and Samuel Evans followed two young men who were gazing into jewellers' shops in Cheapside; the suspects "watched the (uniformed) policeman on the beat away", and then attempted a smash-and-grab raid.(45) Policeman in uniform on their beats stopped suspicious characters, as the best of the old watchman had done, again sometimes with success;(46) and until the developments of fingerprinting and forensic science, detection still often

simply involved matching a suspect's shoes to footprints at the scene of the crime.(47) The telegraphic communications, photographic records of offenders and centralized record keeping all of which were utilized and developed by the new police can be seen as technical aids to the kind of information gathering, circulation and storage urged by Sir John Fielding. Finally the occasional revelations of both uniformed and detective policemen profiting from links with a criminal underworld demonstrate that the new police did not sweep away all the abuses of the old.(48)

The uniformed police constable received only a modicum of training - much of it military-style drill - before being put on his beat. Few of the early recruits seem to have conceived of the police as a career; many appear to have volunteered to tide themselves over a period of unemployment. Of course some stayed in the police, sometimes transferring to different forces to gain promotion; and some prospered. But while the pay may have been regular, unlike the pay in many working-class occupations, it was not high. Moreover there were nagging restrictions on the constables' ability to make money on the side. A constable in Northamptonshire protested to a local M.P. in 1880 that his pay was less than that of a farm labourer; in addition there was

the ban on police keeping dogs, fowls, or more than two pigs, neither of which must be a brood sow. To supplement the family income I am not permitted to take in a lodger; nor can I sell the produce from my garden

...

Others protested that, unlike the wife of an rural worker, the country policeman's wife was forbidden to keep a cow, and unlike the wife of an urban worker the urban policeman's wife could not run a small shop.(49) Even if a man was eligible, before 1887 policemen were denied the vote for fear of political partiality.(50) The constables worked long hours in all weathers; chest and rheumatic complaints accounted for more than one quarter of the men pensioned for disability from the Metropolitan Police between 1840 and 1860.(51) Discipline was harsh and enforced by fine, demotion or dismissal. These conditions and regulations led to an enormous turnover of manpower. They also provoked dissatisfaction leading to petitions and strikes within some forces.(52) The complaints found a national focus in the Police Service Advertiser first published in February 1866 which urged improvements in pay, conditions and pensions. "Probably", it lamented, "no public servant is so ill-used by his employer as the policeman."(53)

The Police Service Advertiser helped to develop the idea of the ordinary policeman as a professional, yet the idea of police as professionals and, consequently, as experts in the war against crime was fostered early on by the demands of the government and the legislature. Like the magistrates and constables from the London Police Offices, senior officers, first from the Metropolitan Police and then from other forces, were called upon to give evidence to committees and commissions. The Royal Commission on a Rural Constabulary received and published lists of known criminals prepared by local forces, and from 1857 all forces were required to prepare such details for the annual Judicial Statistics; the definition of known criminals was left to the discretion of the individual police forces. This requirement fed upon itself to reinforce the perception amongst policemen, their political masters and commentators on criminality, that a criminal class existed. At the same time the labelling of individuals as criminals, and of the districts in which they lived as criminal, could become self-fulfilling by propelling first-time offenders into further crime since they were now stigmatized, and by urging any "respectable" families to do their best to move out of a stigmatized neighbourhood. Labelling as a "criminal" might not

even have occurred as the result of an initial offence. Gilbert Hogg advised his men that arrest on suspicion was one means of ensuring the principal object - prevention; the constable could, therefore, arrest an individual

whom, from his situation and character, the law judges to be likely to commit some felony, and whom (the constable) has just cause to suspect is about to do so ... Though no charge be made, yet if the constable suspect a person to have committed a felony, he should arrest him; and if he have reasonable grounds, founded on fact, for his suspicion, he will be justified, even though it should afterwards appear that no felony was committed.(54)

Woolly directives of this sort were open to abuse, and not always deliberately given that the constable on the beat had so little training. Occasionally constables were criticized by magistrates and the objects of their suspicion were promptly released, but this was not always the case. Two men were arrested and charged with the garotte robbery of Hugh Pilkington M.P. The police had no direct evidence against them other than information which they claim to have received; but the accused, both ex-ticket-of-leave holders, were sentenced to three months imprisonment each as suspicious characters.(55) Perhaps the labelling process only affected a minority of offenders in the nineteenth century turning but a few into recidivists or "professional" criminals, but it gradually enhanced the professionalism of the police by giving them an identifiable enemy to observe, catalogue and, when appropriate, to arrest for the good of society.

Rowan put it to a select committee that "we look upon it that we are watching St James's and other places while we are watching St Giles and bad places in general."(56) It was in these "bad places" among the poorer working class that persons were to be found indulging in the boisterous popular culture which so offended Victorian sensibilities and which the police were directed to control. In the same places, and from the same groups, were to be found the street-traders who were "moved-on", the men on the tramp and the seasonal workers suspected of being criminals because they were on the roads; Chadwick, and several other witnesses to the Select Committee of 1853 urged the value of a centralized, uniformed constabulary for bringing about a significant decline in vagrancy - "a great source of crime ... they begin by being vagrants, and they end by becoming thieves."(57) It was from among these groups in general that, it appears, the police found "suspicious persons"; and in garrison towns from the mid-eighteen-sixties to the mid-eighteen-eighties it was young women from the working class who were stopped and questioned on suspicion of being prostitutes under the Contagious Diseases Acts. The new police might also be felt as a pressure by members of the working class who broke their contracts and thus, under the provision of the Master and Servant legislation, were subject to criminal prosecution, as well as by workers taking strike action who sought to dissuade police-protected "blacklegs" from working. Yet the new police were not simply a pressure on the working class. Police constables knocked men up in the morning to enable them to get to work on time or to be first in the queue for the distribution of casual work. They could be called in or used as a potential threat against an obstreperous neighbour even in a notoriously "criminal" quarter like Jennings Buildings in Kensington. When all else had failed a distraught parent might summon a constable to deal with a difficult child; thus in March 1871 P.C. Alexander Hennessy of the Metropolitan Police was called upon to arrest Catherine Driscoll, aged fourteen and a half, charged with stealing clothing by her mother.(58) Lost children were also reported to, and found by the new police; indeed some children from the poorer districts may deliberately have got themselves lost, or been encour-

aged so to do by their parents, since they enjoyed a period of play with a few toys and bread and jam supplied in the police station.⁽⁵⁹⁾ Moreover the working class were as much, if not more, the victims of theft and they could, and did use the police in precisely the same way that middle class victims did. Assisting in the domestication and disciplining of the working class may have been one role imposed upon the police - both old and new but it must not be forgotten, first that many radical working-class activists were sympathetic to such domestication and discipline, and second, that the system of beat policing, which was central to the new police, was designed for the prevention of crime - and what men understood by crime was essentially theft and, to a lesser extent, assault.

FOOTNOTES

* This paper was prepared for the 14th annual meeting of the International Association for the History of Crime and Criminal Justice held in Warsaw, 20-21 December 1985. A fuller version will appear in Clive Emsley, *Crime and English Society*, London (forthcoming).

1 Among the most significant of the Whig police histories are: Sir Charles Reith, *The Police Idea*, Oxford University Press 1938; idem: *British Police and the Democratic Ideal*, Oxford University Press 1943; Sir Leon Radzinowicz: *A History of English Criminal Law*, 4 vols. London 1948-1969 (especially vol. 4); T.A. Critchley, *A History of Police in England and Wales*, 2nd. edn. London 1978.

Since the 1960s analyses of the New Police have begun to appear challenging the Whig view. See especially, Allan Silver: "The Demand for Order in Civil Society", in D.J. Bordeau, ed.: *The Police: Six Sociological Essays*, New York 1967; Robert D. Storch: "The Policeman as Domestic Missionary: Urban Discipline and Popular Culture in Northern England, 1850-1880", in: *Journal of Social History* (Summer 1976), pp. 481-509; idem: "The Plague of Blue Locusts: Police Reform and Popular Resistance in Northern England, 1840-1857", in: *International Review of Social History*, xx (1975), pp. 61-90. These revisionist essays have tended to emphasise "order" rather than "crime" as the key element behind the creation of the New Police.

For an excellent introduction to the debate over the origins of the New Police see Robert Reiner: *The Politics of the Police*, Brighton 1985, chapter 1 *passim*.

2 For the contrast between England and France during the eighteenth century see Clive Emsley: *Policing and its Context 1750-1870*, London 1983, chapter 2 *passim*.

3 Bedfordshire R(ecord) O(ffice) QSR 23/299.

4 Elizabeth Silverthorne, ed.: *The Deposition Book of Richard Wyatt, J.P. 1767-1776*, Surrey Records Society, vol. xxx, 1978, no. 154, 10 Mar. 1772; Bedfordshire R.O. QSR 1827/338.

5 J.A. Sharpe: "Policing the Parish in Early Modern England", in *Police and Policing: Past and Present Society Colloquium*, 1983. The point generally ignored about Dogberry, Verges and their watchmen by Whig police historians, is that the villains are captured.

6 J.J. Tobias: "Police and Public in the United Kingdom", in: *Journal of Contemporary History*, vii (1972), pp. 201-219, draws attention to the Metropolitan Watch legislation of 1735.

7 O(ld) B(ailie) S(essions) P(apers) 1796-97, no. 43, p. 65; O.B.S.P. 1816-1817, no. 224, pp. 94-95-

8 P(arliamentary) P(apers) 1828 (533) vi *Police of the Metropolis*, pp. 25-26, 60, 92-93, 123-124, 126.

9 John Styles: "An eighteenth-century magistrate as detective", in: Brad-

- ford Antiquary, new series, 47, (1982).
- 10 Gerald Howson: *Thief-Taker General: The Rise and Fall of Jonathan Wild*, London 1970; R. Leslie-Melville: *The Life and Work of Sir John Fielding*, London 1930, chapter 5 *passim*.
 - 11 J.J. Tobias: *Crime and Police in England 1700 1900*, Gill and Macmillan, Dublin 1979, pp. 54-56; *idem*: *Prince of Fences: The Life and Times of Ikey Solomons*, London 1974, p. 31.
 - 12 John Styles: "Sir John Fielding and the Problem of Criminal Investigation in Eighteenth-Century England", in: *Transactions of the Royal Historical Society*, 5th. series, 33 (1983), pp. 127-149.
 - 13 Many copies of Colquhoun's letters to the Home Office are to be found in the Public Record Office, Kew, primarily in H.O. 42, but there are also letters in the private papers of the home secretaries e.g. Henry Dundas (Scottish Record Office, Melville Castle Muniments) and the Duke of Portland (University of Nottingham Library, Portland Papers). The abortive London Police Bill of 1786 was taken over and modified by the Irish Law Officers and, as a result, professional magistrates and police were established in Dublin in 1786. Six years later, as the new London stipendiaries were being appointed, the campaign against the Dublin Police was gaining momentum. The Dublin Police system was condemned as expensive and inefficient, and the police were criticised as brutal and oppressive. In 1795 the system was dismantled and magistrates elected by the Lord Mayor and the Corporation replaced the stipendiaries. See Kevin Boyle, "Police in Ireland Before the Union, Part II", in: *Irish Jurist*, 8 (1973), pp. 96-116, and "Part III", *ibid*, pp. 323-348.
 - 14 H.O. 42.114.
 - 15 See e.g. *The Times* 23 and 25 Sep. 1816 for the affair of Constable George Vaughan; *ibid*, 24, 27 Feb. and 30 Mar. 1818 for the affair of Constable Thomas Limbrick; Tobias: *Prince of Fences*, pp. 53-54 for the affair of Bow Street Constable Bishop who, in 1828, agreed to get back property stolen from a jeweller for a reward, and eventually returned the property less L50 worth of jewels.
 - 16 Jenifer Hart: "Reform of the Borough Police, 1835-1856", in: *English Historical Review*, *ixx* (1955) pp. 411-427; at pp. 415-416.
 - 17 Bedfordshire R.O. Bedford Borough Records, Watch Committee Minutes B 3/1 fol. 3; R.E. Swift: *Crime, Law and Order in two English Towns during the early nineteenth century: the experience of Exeter and Wolverhampton 1815-1856*, unpublished Ph.D. University of Birmingham, 1981, p. 142. See also John Field, "Police, Power and Community in a Provincial English Town: Portsmouth, 1815-1875" in Victor Bailey, ed.: *Policing and Punishment in Nineteenth-Century Britain*, London 1981, pp. 48-49; B.C.Jerrard: "The Gloucestershire Constabulary in the Nineteenth Century", unpublished M.Litt. University of Bristol 1977, pp. 40-42.
 - 18 Swift, "Crime, Law and Order ..." pp. 358, 368 and 381.
 - 19 B.J. Davey: *Lawless and Immoral: Policing a Country Town 1838-1857*, Leicester University Press 1983, p.55.
 - 20 Reith: *British Police* pp. 64-68 has some useful detail on metropolitan vestries and the police during the 1830s. (University College) Chadwick MSS 16, "Police Memoranda etc. (1880-1890)" for a draft "Bill for Placing the Police of the Metropolis under the Control of the Ratepayers, February 1889".
 - 21 Carolyn Steedman: *Policing the Victorian Community: The Formation of English Provincial Police Forces 1856-1880*, London 1984, pp. 15-16, 39, 53-55; Emsley: *Policing and its Context*, p. 81.
 - 22 Chadwick MSS 1722/70-1 Rowan to Chadwick, 26 May 1839. The government had emancipated slaves in the British Empire, with L20 million paid in compensation to slave owners, in 1833.
 - 23 P.P. 1853 (71) xxxvi Select Committee on Police, qq. 2235 and 2257. The

- Cheshire Police Act (10 Geo.IV cap.97) and its workings would probably repay serious study.
- 24 Robert D.Storch: "Policing Rural England Before the Police, 1830-1856" paper presented to the Conference on the History of Law, Labour and Crime at the University of Warwick, 15-18 September 1983; Clive Emsley, "The Bedfordshire Police 1840-1856: A Case Study in the Working of the Rural Constabulary Act", in: *Midland History*, vii (1982), pp. 73-92; at p. 74.
 - 25 Critchley: *History of Police...*, p. 89; Emsley: *Policing and its Context*, p. 72.
 - 26 Henry Goddard: *Memoirs of a Bow Street Runner*, London 1956; I am grateful to Elizabeth Lally, the curator and archivist of the West Mercia Constabulary, for information on Craig and Kings.
 - 27 Jerrard: "Gloucestershire Constabulary...", pp. 61-62; David Philips: *Crime and Authority in Victorian England*, London 1977, p. 65. Of the 47 chief constables appointed to English county police forces between 1839 and 1880, 14 had experience in the Royal Irish Constabulary as opposed to 3 with Metropolitan Police and one with borough police experience. Steedman: *Policing the Victorian Community*, p. 48.
 - 28 *Ibid.*
 - 29 P.P. 1853 (71) xxxvi Select Committee on Police, qq. 166-168, 212-227, 231-232 and Appendix 1 no.7; Steedman: *Policing the Victorian Community*, pp. 21-25 "d 3'-3'-".
 - 30 P.P. 1853 (71) xxxvi Select Committee on Police, quotations respectively at qq. 3833, 610, 641, 3444, 855-856 and 3228.
 - 31 *Parliamentary History* 3rd. series, clxxxvii, 6 June 1867, cols. 1664-1666.
 - 32 Storch: "The Policeman as Domestic Missionary..."; *idem*: "The Plague of Blue Locusts..."; Emsley: *Policing and its Context*, pp. 66 and 137-138.
 - 33 Bedfordshire R.O.: Bedford Borough Records: Watch Committee Minutes B 3/1 13 Oct. 1841; Manchester Police Museum, Watch Committee Minutes 1895 onwards, vol. 2, ff. 113-116 and 152, vol. 3 fol. 97; Manchester Police Instruction Book (1908 edn.) p. 113.
 - 34 *The Times*, 25 Sep. 1829.
 - 35 Gloucestershire R.O. Q.Y. 2.1.1 Chief Constable's General Order Book, 1840; Staffordshire R.O. C.PC Box VI Rules and Regulations for the Government and Guidance of the Staffordshire Constabulary, 1859, p. 3.
 - 36 P.P. 1834 (600) xvi Select Committee on the Police of the Metropolis, q. 433; Chadwick MSS 16 "Police Memoranda etc. (1880-1890)" MS extract from *The Guardian* 17 Dec. 1873.
But not everyone was as sanguine, see e.g. Chadwick MSS 1017/3-13, M.D. Hill to Chadwick, 12 Jan. 1868; and Chadwick MSS 1722/130, Rowan to Chadwick, no date.
 - 37 Brighton Gazette, 25 Apr. 1844; East London Observer, 5 Dec. 1868; *The Times*, 24 Mar. 1875; C(entral) C(riminal) C(ourt) S(essions) P(apers) 1836-1837, no. 71, p. 83; C.C.C.S.P. 1856-1857, no. 560, p. 30.
 - 38 V.A.C. Gatrell: "The Decline of Theft and Violence in Victorian and Edwardian England", in V.A.C. Gatrell, Bruce Lenman and Geoffrey Parker, eds.: *Crime and the Law: The Social History of Crime in Western Europe since 1500*, London, 1980, pp. 277-278; D.J.V. Jones: "The New Police, Crime and People in England and Wales, 1829-1888", *Transactions of the Royal Historical Society*, 5th. series, 33, (1983) pp. 151-168; at pp. 162-163.
 - 39 Emsley: "Bedfordshire Police...", pp. 87-88. For an introduction to the contemporary research see Reiner: *The Politics of the Police*, pp. 117-119 and 218 n. 4.
 - 40 "The Police of London", *Quarterly Review*, cxxix (1870) pp. 87-109; at p. 100. Chadwick MSS 16 "Police Memoranda etc. (1855-1869)" contains a printed report on the Metropolitan Police Superannuation Fund by William

- Fair M.D., F.R.S. (April 1862) which gives the average day beat as 376 acres or .542 square miles, and the average night beat as 160 acres or .2495 square miles.
- 41 The Times, 1 and 25 Mar. 1865.
 - 42 P.P. 1833 (627) xiii Select Committee on the Petition of Frederick Young, and others... complaining that Policemen are employed as Spies, q. 1127; The Times, 15 Oct. 1850; P.P. 1853 (71) xxxvi Select Committee on Police q. 2276.
 - 43 P.P. 1834 (600) xvi Select Committee on the Police of the Metropolis, qq 2156, 2165 and 2446-2448.
 - 44 Phillip Thurmond Smith: Policing Victorian London: Political Policing, Public Order, and the London Metropolitan Police, Greenwood Press, Westport, Conn. 1985, chapter 3 passim; Wilbur R. Miller: Cops and Bobbies: Police Authority in New York and London 1830-1890, University of Chicago Press, 1977, pp. 33-34
 - 45 C.C.C.S.P. 1856-1857, no. 6, p. 13.
 - 46 See e.g. C.C.C.S.P. 1836-1837, no. 4, p. n. and no. 68, p. 82.
 - 47 See e.g. Nottinghamshire R.O. QSD 1847, deposition of Police Superintendent Frederick Willis about checking the blood- and fatstained boots of a suspect with footprints in a field where sheep had been feloniously killed (10 May 1847).
 - 48 Emsley: Policing and its Context, p. 128.
 - 49 "Life on a Labourer's Wage", in: Police Review, 29 Mar.1985, pp. 661-652; see also Police Service Advertiser, 27 Apr. 1867, and, for the counter argument, 11 May 1867.
 - 50 The constables of some boroughs appear to have had, and to have used the vote before 1856. P.P. 1853 (71) xxxvi Select Committee on Police, qq. 2028-2030 and 2127.
 - 51 Chadwick MSS 16 "Police Memoranda etc. (1855-1869)", Report to the Secretary of State on the Metropolitan Police Superannuation Fund by William Farr M.D., F.R.S.
 - 52 Emsley: Policing and its Context, pp. 82-85.
 - 52 Police Service Advertising, 26 Jan. 1867.
 - 54 Staffordshire R.O. C.PC Box VI, Rules and Regulations..., pp. 39-41.
 - 55 Jennifer Davis: "The London Garotting Panic of 1862", in Gatrell Lenman and Parker, eds: Crime and the Law, p. 204.
 - 56 P.P. 1834 (600) xvi Select Committee on the Police of the Metropolis q. 166.
 - 57 P.P. 1853 (71) xxxvi Select Committee on Police, q. 844; see also qq. 3575-3579 and 3653.
 - 58 P.C. Hennessy's note book is in the Bow Street Police Museum. For information on Jennings Buildings I am grateful to Dr. Jennifer Davis.
 - 59 Raphael Samuel, ed.: East End Underworld: Chapters in the Life of Arthur Harding, London 1981, p. 36. For an assessment of the role of U.S. police forces in the care of lost children, and the impact on police/public relations, see Eric H. Monkonen: Police in Urban America 1860-1920, Cambridge University Press, 1981, pp. 109-128.