

CRIME IN GLOUCESTERSHIRE, 1805 TO 1833

by Bryan Jerrard

It is sensible, given the constraints of space, to limit this essay from 1805 when the Home Office started to collect crime figures, until 1833, when a new series of returns began in 1834. This was a time of considerable crime and outrage in the county. It covers the period of the parish constabulary, generally regarded as unpaid, unwilling and unable, whose philosophy and legal immunities belong rather to the eighteenth century than to this period.¹ And they should be judged in this context and not by later nineteenth century - or even contemporary perspectives - of policing. Constables were chosen by the local vestry and sworn in, for a year's service, by the local magistracy. From 1805 onwards each one was given on appointment a copy of the lengthy instructions to Constables and Tythingmen first issued in 1788 so seriously did the magistrates take the increase in crime and outrage at this time. The instructions are very fulsome and clear - 'to keep peace and good order ... to suppress all riots...to keep a watchful eye over strangers of suspicious appearance...and not to suffer any ...vagrants to remain within your district'.²

After 1805 the numbers, listed annually, of those committed for trial by judge and jury in the twice-yearly Assizes on the Oxford circuit or in the Quarter Sessions were returned to the Home Office. It is indictable crime that concerns us here rather than petty crime, and it is usually the general trend of the figures that is of interest.

There has been a great increase in research into such crime in the last generation, often influenced by the Chicago school that began to concentrate on, for example, offenders who were the dispossessed, on the margins of life, strangers, in gangs, in prostitution and the homeless. There are slight examples of such analysis here. And there are many other sophisticated approaches to policing and crime but, as David Dixon has shown in 1995, such approaches are often inappropriate to the period under review.

This essay is rather more quantitative than qualitative in approach and there are only occasional perspectives from the disciplines of sociology, social policy, socio-legal studies and forensic psychology. The emphasis is not on the criminal, the victim or sentencing policy. However, changes in penal strategy in Gloucestershire at this time may have influenced the crime rate and there is clear evidence here of the propensity of young men to commit crime, first noted by French criminologists in 1842 from their crime figures.³

COMMITTALS OF CRIMINAL OFFENDERS IN GLOUCESTERSHIRE, 1805 to 1833.

A crime is an act punishable by law and the earliest returns for the county comprise the number of those committed for trial, or released on bail awaiting trial for an indictable offence. It is also very important to recall that all arrests were by parish constables and prosecutions at this time were brought by the aggrieved and expenses incurred were based on a scale of allowances agreed by the magistrates in Quarter Sessions. But the score of Associations for the Prosecution of Felons throughout the county from the 1770s to the 1840s sometimes directed parish constables to pursue an offender and paid him from their members' resources.

This was a time of riots - to free those arrested by the parish constables, against turnpike charges near Gloucester, twice against enclosures in the Forest of Dean and against wage reductions in the cloth industry, with over 4,000 weavers on strike at a time. Payment in truck at Stroud precipitated more riots and Edward Aldridge, a magistrate, was committed for conspiring with weavers at Bisley to raise wages by riot and violence. The destruction of agricultural machinery in the Swing Riots was the most dramatic rioting. Hundreds of special constables were sworn in in the 1820s and 1830s and the military called out on several occasions. The *Gloucester Journal* reported in October, 1831 meetings to reform the corn laws and the tithe system in Stroud, Gloucester, Cirencester and Wotton-under-Edge.⁴

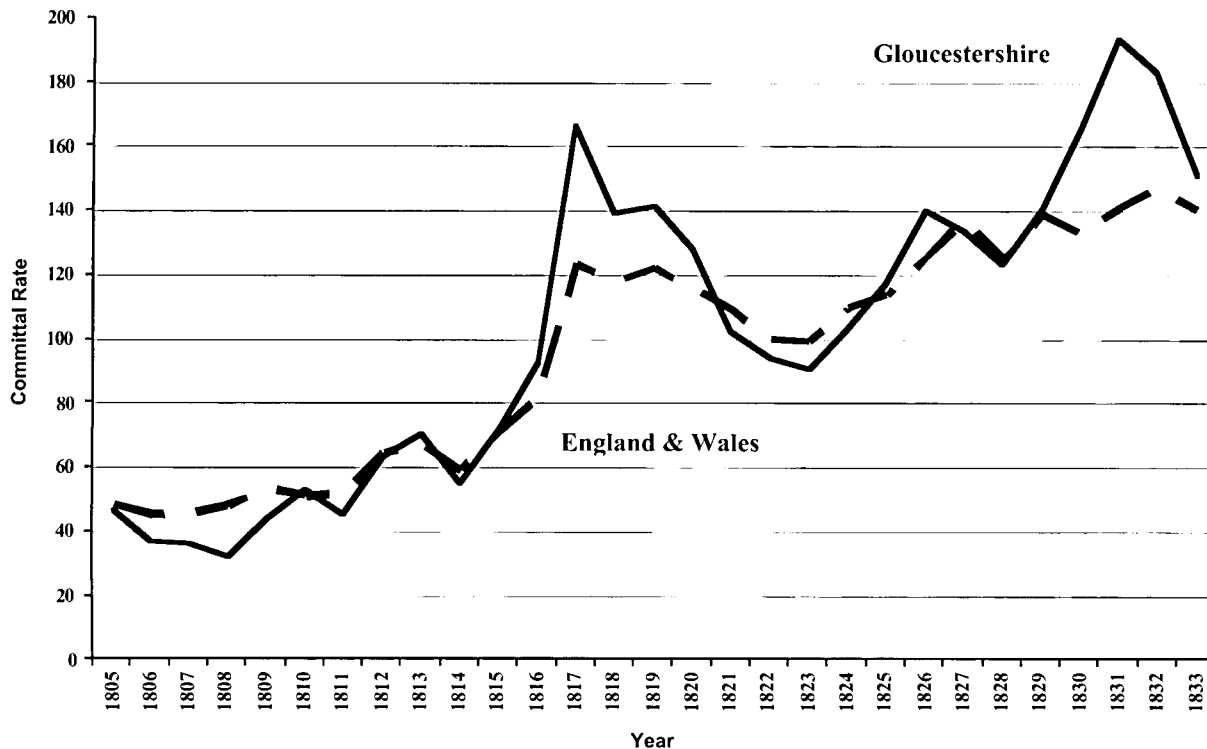
The returns here studied thus cover some dramatic years in local history and do not measure the number of offences actually committed but only those numbers committed for trial, accused of such offences as murder, breaking and entering, larceny from the person and rape that were, and continue to be, defined as indictable.

The official returns to the Home Office show that in 1805 the numbers indicted and committed throughout the county was 104 and these rose to 509 in 1833, while for England & Wales the numbers were 4,605 and 20,072. Within these general trends there are peaks of varying amplitude, in 1817, 1826-27 and in 1831 and troughs in 1807-8, 1814 and between 1820 and 1823. There is a certain symmetry between these ebbs and flows in Gloucestershire and in the national figures.

THE CRIME RATE

But when these numbers are adjusted to account for rises in population in this period it is possible to see a *rate* per 100,000, which is a more valuable tool of analysis. The graph below and the table at the end shows that from 1810 the rate of crime in the county began to exceed the national rate, especially in 1817 and 1831 when it was significantly higher.⁵ Evidence of industrial and social dislocation after the Napoleonic Wars, and the price of wheat at Gloucester City market in 1817 – the seventh highest in the period 1805-1833 – may, in part, explain the peak in 1817. The *national* peak of crime at this time was 1818.

THE COMMITTAL RATE PER 100,000, GLOUCESTERSHIRE AND ENGLAND AND WALES, 1805-1833



The year 1831 saw the harsh repression of Swing offenders, described successively by the Hammonds and Hobsbawm and Rudé. After the cold winter of 1830, threshing, hay and chaff cutting machine-breaking disturbances and rick burnings erupted in the county bordered by Wiltshire and Berkshire.⁶ The outbursts were a compound of rural despair, under-employment and a depressed status. However, the magistrates at the Quarter Sessions in January 1831 suspended the traditional dinner with the judges and Grand Jury. This was to avoid giving the impression of ‘partiality in the eyes of the lower classes’. But the accused were not allowed defence counsel and counsel anyway would have been unable to address a jury in defence of machine breaking. Of the 92 offenders, arrested by parish constables and by rapidly sworn in special constables, afforded by the arrival of some Lancers, 25 were gaoled in Gloucester for different terms of up to one year. Some 19 of the 26 who were transported were for seven years; none was sent for life. Transportation was a frightening punishment. Among the 24 committed from Beverstone, 23 were given good character references, the

exception being Elizabeth Parker, a lively woman who admitted 'being on the town' and who continued this career with enthusiasm once in Van Dieman's Land (Tasmania).⁷ Such offenders were responsible for pushing up the county rate in 1831.

CAPITAL PUNISHMENT

In respect of capital punishment there is some evidence of judicial discretion and perhaps a certain unwillingness of juries to convict. One of the accused rural insurgents had the death sentence commuted to transportation, for example. Colquhoun showed in the 1790s that capital offences numbered 160; they rose to over 200 by the 1820s.

There were 60 criminals, including four women, executed in public at the county gaol in Gloucester between 1805 and 1833. This was a slightly less annual rate, 2.1 compared with 2.9 for the 29 years from 1786 to 1804. The peak of nine executions in the county was 1818, a year after a period of heavy crime and one year after the highest national figures recording executions.

Among the 60 executed, 15 were for murder or attempted murder, 13 for burglary while 26 were executed for robbery and shooting, horse and sheep theft- some 'being hanged for a sheep as a lamb'. Three paid the penalty for house breaking and one each for forgery, rape and arson. Their average age was 28 years, ranging from a 16 year-old lad from Wotton-under-Edge to a veteran 69 year old female housebreaker from Thornbury. About a quarter of all executed at the county goal in Gloucester came from nearby counties, witnessed as usual by 'an immense crowd of spectators', or when six were executed at one time in April, 1818, the *Gloucester Journal* wrote of the 'necessity of such examples'.⁸

MORE EVIDENCE OF TRANSPORTATION TO AUSTRALIA

From the Convict Transportation Registers in the P.R.O. and from published work in the Gloucestershire Record Series,⁹ it is possible to trace those transported from Gloucestershire, some of whom died en route. There is an increasing annual number from three or four a year in the first decades to an average of 68 a year in the 1820s and early 1830s. Some 132 were transported in 1832 alone. Throughout this broad period over 1,000 men were shipped abroad, nearly half for life while a quarter of the 89 women were for life.

The sanctity of property was paramount and the severity of the penal code can be illustrated in a sample of 138 men and three women transported between 1815 and 1818. Most - 35 - were convicted for burglary, 12 for horse stealing, and 11 for sheep stealing. Murder while poaching or being armed to poach were the offences of nine and three respectively, mostly as a result of an affray described below. Another 17 were transported for theft of farm crops and other animals; theft of clothes and woollen cloth led to another eight and five convictions. Various thefts accounted for 25 others and three were transported for fraud. Finally, four convicted of assault, eight judged guilty as receivers of stolen goods and one who administered an illegal oath, were transported.

The occupations of 86 of the 141 are known and were almost as varied as the crimes committed. As one might expect many were described as labourers - 36 - and seven each were watermen and shoemakers. Among the twenty other occupations were an apothecary, an attorney, an engine maker, a hatter and a spinner. Some 29 could read and write.¹⁰

GANG CRIME

The very worst criminals at this time were the Caines family who terrorised the Warmley to Bitton road in the south of the county between 1795 and the 1820s. Of the six sons of Benjamin and Anne Caines, two were hanged for burglaries and the other four were transported for theft, picking pockets and highway robbery - and feature in the above sample. Benjamin Caines himself was executed at Gloucester in 1817. His two daughters co-habited with six different men, five of whom were transported and of his three grandsons, two were transported and the other hanged.¹¹

CATEGORIES OF CRIME

Other local records give flesh and blood to the published returns. Calendars of prisoners to the county goal have been analysed at five-yearly intervals from 1801 until 1831 inclusive to show the types of offences for which prisoners were charged. These are not so fulsome as the returns made to the Home Office and represent about 77% of the official returns used above.

On average exactly two thirds were offences against property while offences against the person, 22 in 1801, rose to 110 in 1831. The sample years show that only a few cases were against parish constables; one case in both 1801 and 1816, three cases in 1821, four in 1826 and two in 1831. (This sampling missed out the vicious murder of a young parish constable in the Forest of Dean in 1817.)

It may be instructive to break down theft into what may generally be described as agricultural theft, industrial theft, food theft and general larceny in these sample years. Alleged agricultural theft included crops or animals and was highest in 1801 with 68 offenders out of 169 larceny offenders while food theft peaked in 1831 with 32 offenders out of a total of 271 larceny offences. These figures, and the run of figures 1801 to 1831, do not suggest a resort to serious criminal behaviour even when hunger and distress may have been widespread. Nor do the 69 cases of industrial theft in the seven sample years support any supposition that in the important cloth industry weavers, driven to strike for example in 1825, resorted to wholesale theft or embezzlement of yarn or cloth in periods of depression and social tension.

Turning to the ages of offenders and still using the local calendars, some 1,428 prisoners' ages are recorded and this is 70% of the total in the seven sample years from 1801 to 1831. While those under 16 years remain constant at some 5%, those aged 16-20 years doubled from 15% to 32% of the sample and those aged 21-30 increased marginally from 33% to 35%.¹²

CALENDARS OF PRISONERS COMMITTED FOR TRIAL IN GLOUCESTERSHIRE, AGES KNOWN, PERCENTAGE AND AVERAGE PERCENTAGE IN EACH AGE GROUP, FOR SELECTED YEARS, 1801-1831

Year	Total committals in gaol calendars	Ages known	Age under 16 years	16-20 years	21-30 years	31-40 years	41-50 years	51-60 years	Over 60 years
1801	201	165	5.45	15.15	33.93	20.00	12.12	8.48	0.60
1806	69	69	5.80	11.59	33.33	27.54	14.49	7.25	Nil
1811	113	81	4.93	22.20	33.33	19.75	7.40	11.11	1.23
1816	202	195	6.67	20.00	35.90	19.49	15.38	5.64	2.05
1821	227	218	3.21	27.06	33.02	12.38	14.67	6.88	2.75
1826	295	277	6.86	36.10	32.85	13.00	7.94	2.53	0.72
1831	432	423	5.67	32.15	35.46	14.89	7.80	3.30	0.70
Average	percentage		5.51	23.46	33.97	18.15	11.40	6.46	1.15

THE GEOGRAPHY OF CRIME

Gloucester and Tewkesbury were incorporated boroughs and had their own Quarter Sessions and Petty Sessions. Their gaol books are of some use in trying to suggest a geographical distribution of crime but the numbers committed in Tewkesbury at this time were so few that any deductions would be highly suspect. On the other hand, Gloucester City's gaol book¹³ is useful after 1815 and, making analyses of the years 1816, 1821, 1826 and 1831, it is possible to show that property offences averaged some 55%. But, taking the sum of all the years 1815 to 1826 inclusive, of the 474 committed to gaol, property offences are closer at 60% to the county figure for indictable property crime. And when the places of origin of committals starts in 1820 it is patently clear that well over a third of those committed were not local but came from Hereford, Shropshire, Wiltshire

and Somerset, Wales, Ireland, the West Indies and Lower Canada. Thus, a significant proportion of committals did not arise from city criminals.

Using the county's prison registers and census figures it appears that the number of inhabitants per crime in 1830 in Painswick was 55, in Fairford 79, in Cheltenham 136, in Winchcombe 148, in Stonehouse 176 and Cirencester 193. This suggests that the inhabitants of the large parish of Painswick were about four times as prone to crime as those in Cirencester in 1830, a period of very high crime; a crisis in the cloth trade may have precipitated this.¹⁴

An exceptional Parliamentary Paper of 1831 identified the numbers committed in the newly built four Houses of Correction or Bridewells in Gloucestershire for non-indictable offences under summary process by magistrates from 1814 to 1829. These are very helpful since petty sessional records at this time are defective and local newspapers were irregular in their reporting on crime.

Using the official figures from the Houses of Correction at Lawford's Gate near Bristol, (destroyed in the Bristol riots of 1831), Horsley, near Stroud, Northleach in the Cotswolds and Littledean in the Forest of Dean, they indicate an increase of petty criminal activity on a scale comparable to the increases in indictable crime although the period here is slightly different.¹⁵

NUMBERS COMMITTED UNDER SUMMARY PROCESS, 1814 and 1829

HOUSE OF CORRECTION	Nos. in 1814	Nos. in 1829	INCREASE
LAWFORD'S GATE	30	150	500%
HORSLEY	95	410	431%
NORTHLEACH	67	291	434%
LITTLEDEAN	45	103	228%

When the annual petty figures are compared for this period with indictable offences, 1817 was again a peak year for petty offences followed by a general trough until 1826 and then a rise to 1829, similar to serious crime.

The local Calendars of Prisoners can be used to identify petty offenders' ages and these were nearly the same as for serious criminals cited above. Using the same sample years from 1806 to 1831 some 1,273 prisoners can be identified. Those under 16 years made up 6% (5% in serious crime); for 16-21 year olds the average was 20% (somewhat lower than for indictable offenders) and the age profile for those 21-30 year olds at 34% was virtually the same.

THE GAME LAWS

Select Committees from both Houses of Parliament reported on the game laws in 1816, 1823 and 1828 and they contain only one reference to Gloucestershire. Unfortunately the returns from the county of indictable and summary cases are very patchy for the years from 1814 to 1830 and such offences are not usually identified in the annual criminal returns already discussed. It was not until 1848 that justices were compelled to make returns of summary convictions under the Game laws to the clerk of the peace; by this time man-traps and spring guns to protect game had been outlawed by the early 1830s. A political reform meeting in Dursley in 1830 attacked the 'cruel and sanguinary' Game Laws.

Before 1848 returns were sometimes made and the variability of this evidence illustrates some of the problems in constructing accurate tables of criminal behaviour at this time.

Game Law offences could be both indictable and summary and from the calendars of prisoners it is clear that poaching was the sport of labourers, artisans and yeomen farmers, supplying themselves and, by local tradition, the London market by coaches from Cheltenham via Northleach with a wide range of animals and birds protected for a privileged and wealthy minority.

Poaching affrays in 1815, 1827 and 1831 were particularly violent and bloody affairs involving the loss of life on both sides and convictions that led to capital punishment and transportation. For example the Select Committee of 1823 reported an affray in 1816, as did *The Gloucester Journal*, of the case of Thomas Till, killed by a spring gun on Lord Ducie's estate in November, 1815. This and the result of an inquest were regarded by Till's friends as a miscarriage of justice. A group of twenty, most of them respectable farmers, armed themselves with guns and on the night of 18 January 1816 made a protest raid on Lord Ducie's estate and then on to that of Colonel Berkeley. His gamekeeper was killed and six of his companions wounded. Berkeley organised a force of constables and hired Vickery, a 'very intelligent', and expensive, Bow Street officer, to assist. Twelve of the raiders were rounded up and two were later hanged, nine were transported and the twelfth saved himself by turning King's evidence.¹⁶

The surviving records relating to game offences in this rural county show that in the five years, 1816 to 1820, there were 198 indictable committals and only 33 convictions suggesting an eagerness by those anxious to preserve game and to bring to book those suspected of theft. This may well be an example where juries were either unwilling to convict or that the evidence was insufficient to secure a conviction. There were on average 18 convictions a year under summary justice for game law offences, from 1814 to 1830; the distinction between an indictable and a summary offence seems to have been the circumstances and the value of the game poached. Often, if the value of property were less than £1, decided by the committing magistrates, the offence was regarded as petty.

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There are real problems in trying to interpret the volume of crime described above. First, the contemporary statistics are less reliable than the later 'crimes known to the police' from the 1850s. Secondly, it is difficult not to believe that the figures for committals do not reflect a serious increase in crime from 1805 to 1833 though it would be a mistake to suggest that it was precisely as great as the figures show. Every body of contemporary literature confirms that this was a period of serious crime but requests to the Home Office for financial help in combating crime in Gloucester in 1815, in the Forest of Dean in 1817 and in Tewkesbury in 1821 were refused although government was repeatedly concerned with the increase in crime and outrage. Besides, there may have been an increasing ability of the parish constabulary to effect arrests if their age limit were reduced from 60 to 40 years in 1820 ; in the area round Winchcombe eight men were kept on for consecutive years and paid a regular wage at the start of this period. This may have increased their efficiency.¹⁷

Moreover, there may have been a greater willingness to prosecute as the rigours of the criminal code were mitigated at the end of this period. The increased allowances from the county to constables to cover expenses could, theoretically, encourage more arrests and thus prosecutions towards the end of the 1820s and the state sometimes paid handsome rewards to informers. Some £500 was paid to county informers on 15 arsonists after the Swing Riots.¹⁸

Very limited evidence of the success of the work of private associations to prosecute felons appears in a report on County Rates in 1836; some 35 prosecutions were brought in five years, 1830–1834, by the four associations in Cheltenham, Dursley, Iron Acton and Stroud. The local, Dursley records are the most fulsome.¹⁹

The possibility of variations in the price of wheat and thus the cost of bread to help explain the variations in the crime rate have been preferred here rather than analyses of the effects of the business cycle or indices of 'social tension' in this period. Taking the price of wheat published in *The Gloucester Journal* each late July at Gloucester market and allowing for marginal differences in the bushel sizes quoted and converting the prices, it is possible to compare the decimal price equivalents and the numbers of criminals committed, and graph these. As may be seen in the table below local wheat prices were high in 1805, 1810, 1812 and in 1818 when the numbers of committals were generally high. These numbers fell from 1805 to 1808 as did wheat prices.

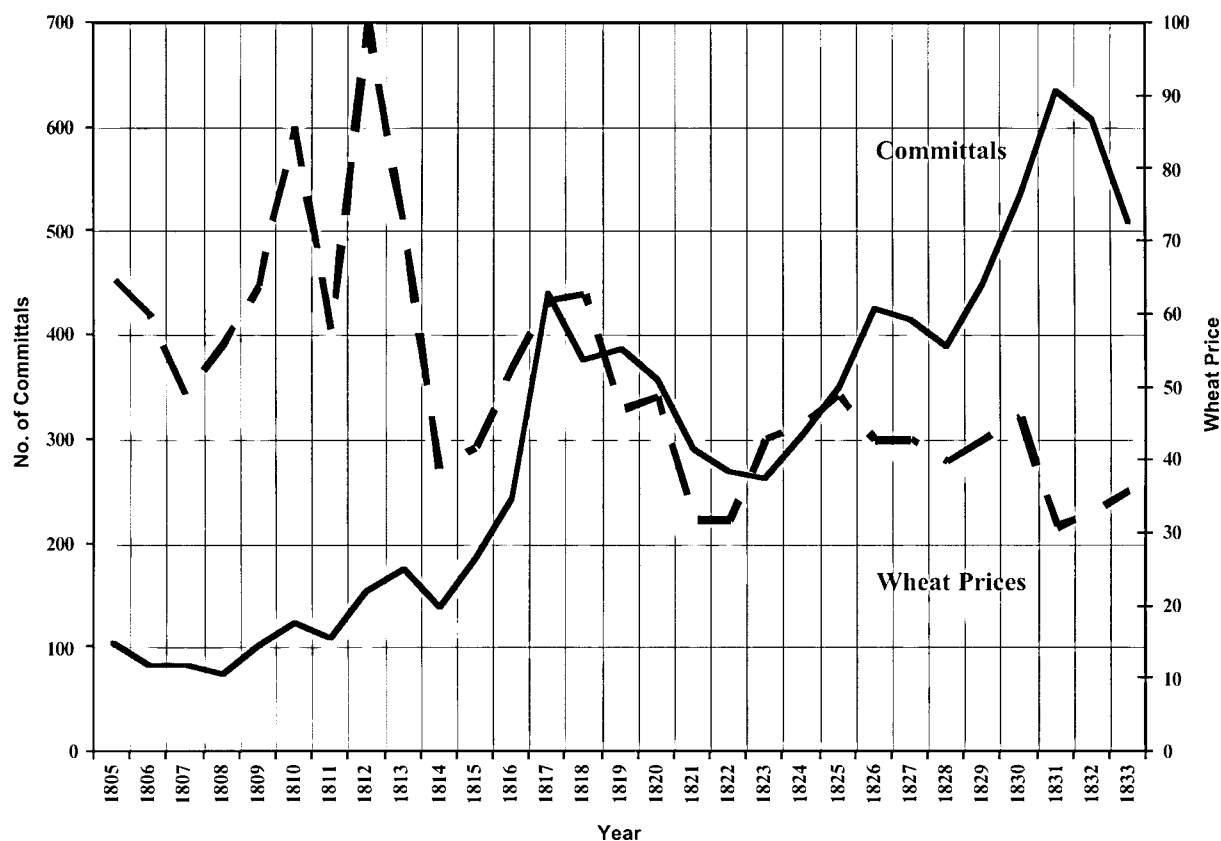
THE PRICE OR AVERAGE PRICE OF WHEAT, AND THE DECIMAL EQUIVALENT, IN GLOUCESTER CITY MARKET FOR THE FINAL WEEK OF JULY, 1805-1833*

YEAR	PRICE OF WHEAT	DECIMAL PRICE OF WHEAT (pence)	YEAR	PRICE OF WHEAT	DECIMAL PRICE OF WHEAT (pence)
1805	13/-	65	1820	9/11	49
1806	12/1	60	1821	6/5	32
1807	9/10	49	1822	6/5	32
1808	11/3	56	1823	8/6	43
1809	12/10	64	1824	9/-	45
1810	17/3	86	1825	9/11	49
1811	11/8	58	1826	8/6	43
1812	20/-	100	1827	8/6	43
1813	14/6	72	1828	7/11	40
1814	7/9	39	1829	8/7	43
1815	8/3	42	1830	9/2	46
1816	10/6	53	1831	6/3	31
1817	12/3	62	1832	6/8	33
1818	12/7	63	1833	7/2	36
1819	9/4	47			

* Based on the *Gloucester Journal* prices converted to a 9 gallon bushel throughout.

A computer analysis for the whole period suggests a significant *negative* correlation of -0.54 between wheat prices and the numbers of committals, but from 1805 to 1814 and from 1815 to 1824 there are positive correlations between the two variables of +0.47 and +0.59. While these two periods are statistically too brief on which to place much reliance they provide an important ingredient in an analysis of local crime at this time—that high wheat prices generally appear to have had very little causal effect on the number of committals.²⁰

INDICTABLE COMMITTALS IN GLOUCESTERSHIRE AND THE PRICE OF WHEAT AT GLOUCESTER MARKET, 1805-1833



Some fluctuations may perhaps be explained in this way but it is far more difficult to explain the general, upward trend in Gloucestershire. The growth of the woollen cloth industry in the Stroud and Dursley areas was on a very limited scale when compared to industrialisation in parts of Lancashire for example, though we have noted some serious elements of industrial tension and crime at this time. Urbanisation, social anomie and the opportunities for larceny that often accompanied town growth, were most evident in Cheltenham²¹ where the population grew from some 3,000 in 1801 to 22,900 by 1831 whereas in Gloucester City growth was much less, from 7,000 to 12,000. Cheltenham, as a pleasure town, provided very many opportunities for serious and petty crime. (Some of the first orders to constables patrolling in Cheltenham when the county police were set up in 1839 required them in the 1840s not to get involved with the many prostitutes there – except to arrest them.) Perhaps gas lighting and serious efforts to improve urban watches there and in the City may have countered some criminal activity from the 1820s onward.

One may speculate on other trivial possibilities that may be seen as ways of explaining the growth in crime, 1805 to 1833. Sir George Onesiphorous Paul, the prison reformer, was convinced that the improved accommodation in the new county goal and the Houses of Correction may have encouraged his fellow magistrates to commit more frequently – although, perversely, the warmth and regularity of a reasonable diet in the winter months may have been attractive to some contemplating committing a crime. But ‘Philanthropus’ of Stroud opined in 1817 that ‘the severity of the law has defeated its object and the criminal, calculating on the probability of a pardon, continues to prey upon society and to sport with the most valuable feelings of human forbearance.’ An example of this may be noted in 1822 when, in a sheep stealing case, the prosecutor himself was apparently ‘so much affected as to shed tears...(and) most earnestly commended the prisoner to mercy, an application in which the jury concurred on account of his family’, an example of what has become known as forensic psychology? And Purnell Bransby Purnell, the chairman of the Quarter Sessions, submitted to the commissioners reporting on county rates in 1836 the arguments of magistrates who had already petitioned Parliament that many young offenders and those with slight crimes were incarcerated at great expense in the distant county gaol, some 17 miles (27 km) away. The fear of imprisonment so far from home inspired some dread among offenders from rural areas and ‘this helps to prevent the bringing of cases in country parishes’. Committals and convictions in this period were, and still are, the results of a complexity of police work and judicial procedures.²²

THE NUMBER AND RATES OF COMMITTALS, GLOUCESTERSHIRE COUNTY AND ENGLAND AND WALES, 1805-1833

Year	Committals Glos. Co.	Committal rate	Committal rate, Eng. and Wales	Year	Committals Glos. Co.	Committal rate	Committal rate, Eng. and Wales
1805	94	46.94	48.9	1820	358	128.52	116
1806	84	37.42	45.6	1821	291	102.84	109.3
1807	83	36.51	46.1	1822	270	93.93	100.4
1808	75	32.57	48.5	1823	264	90.43	99.9
1809	103	44.18	53.9	1824	307	103.56	109.9
1810	125	52.96	51.4	1825	352	116.96	114.1
1811	109	45.62	52.5	1826	427	139.78	125.9
1812	155	63.70	64.7	1827	415	133.89	137.6
1813	175	70.64	68.0	1828	389	123.71	125.3
1814	139	55.13	59.6	1829	449	140.78	139.3
1815	187	72.89	71.7	1830	535	165.41	133.1
1816	243	93.13	82.0	1831	636	193.93	141.4
1817	442	166.58	123.7	1832	609	183.51	147.7
1818	376	139.39	118.5	1833	509	151.59	140.4
1819	388	141.53	122.5				

Finally, among the variety of approaches to studying criminality sociological perspectives have been and are of considerable value and it is gratifying to note that Professor Banton’s work is still admired by academics a

generation later. In the 1960s he argued that a community may be more orderly than another not because the local policing is more efficient but that the social relationships within that society may be effective in persuading people to follow prescribed patterns of behaviour, rather than recouring to crime. Thus, despite the evidence to the contrary, some social cohesion in parochial Gloucestershire may have prevented an even greater increase in crime than that noted above. But this is of course impossible to quantify.²³

Or we may accept that the attributes of a good spy are in part the assets of a successful criminal. Sidmouth's opinion of Gloucestershire men from the manufacturing districts at a time when he was recruiting spies in the early nineteenth century may be relevant to our understanding that criminal offenders lacked the wit to escape the parochial constables; he reported that Gloucestershire men 'have not the sharpness of understanding nor the determination of character which belong to those of the North and it is therefore very difficult to find amongst them Persons fit for the purpose (of spying)'.²⁴

References.

- ¹ See also B. Jerrard, 1982. Early Policing in Gloucestershire, *Trans. B.G.A.S. vol.100*, pp.221-240 and *The Gloucestershire Police in the Nineteenth Century*, M.Litt, Bristol, in the Gloucestershire Record Office (GRO) and the City Library, pp.15-19,193-220. The Constables Protection Act of 1750 granted legal immunity to constables acting under a magistrate's warrant. Law cases in 1780 and as late as 1827 allowed for the arrest when a felony was reasonably suspected. Clive Emsley *The English Police - a Political and Social History*, 1991, espec. pp.132-134
- ² Gloucester City Library (GCL) J.9.1.33 Quarter Sessions resolutions, Gloucester, 1805.
- ³ David Dixon, Legal theories and policing practices in historical and contemporary contexts, chap. 4, histories of policing, in Lesley Noaks, Michael Levi and Mike Maguire, eds. 1995. *Contemporary Issues in Criminology* Cardiff, Lesley Noaks and Emma Wincup 2004. *Criminological Research* espec. pp.5-10. G. Rudé 1985. *Criminal and Victim, Crime and Society in Early Nineteenth-Century England* includes Gloucestershire in a helpful comparative study which focuses in some detail on the criminal, the victim and sentencing policy in Gloucestershire at this time.
- ⁴ B. Jerrard, 1982. *op cit.*, National Archives (NA) H O 27. *Gloucester Journal (GJ)* 15 Oct., 1831. B. Jerrard, thesis, chap. 1
- ⁵ Census Reports, 1801- 1841, which included seamen and military personnel. The differences between each census were divided by ten and a tenth added to the county population each year. The committal rate was computed by multiplying the committals each year by 100,000 and dividing by the population each year for Gloucestershire. The same procedure was adopted for England & Wales.
- ⁶ J.L. & Barbara Hammond, *The Village Labourer*. E.J Hobsbawm and George Rudé, 1969. Captain Swing, *passim*, espec. pp.127-129, 311-358, *The Gloucester Journal (GJ)* 8 Jan.,1831
- ⁷ Hobsbawm and Rudé, *op.cit.* pp.247-249, 265, 274.
- ⁸ P. Colquhoun, 1796. *A treatise on the Police of the Metropolis*, GCL, J.6.6. Lists of Criminals hanged, 1786-1868, Parliamentary. Papers (P.P.) 1837 (87) vol.xlvi *Criminal Offenders, Executions, GJ* 11 May, 20 April, 21 Sept.,1818
- ⁹ NA HO 11/ 1-8, 1 .Wyatt ed. 1988. *Transportees from Gloucestershire to Australia 1783-1842*, B.G.A.S. Record Series, vol.1, *passim*. P.P. (1825) 22, vol. xxii *Convict Hulks*
- ¹⁰ J. Wyatt 1969. Some Gloucestershire Transportees, Gloucestershire Historical Studies, typescript, vol. iii, pp.17- 25 (GRO)
- ¹¹ *Glos. Notes and Queries*, 1890.vol 4, Gloucester, pp.17-18.
- ¹² GRO Q/SG Calendar of Prisoners for trial at Quarter Sessions and Assizes
- ¹³ GCL 1584 Gloucester City Gaol Book
- ¹⁴ G. Rudé, 1985. *Op.cit.* App., 2
- ¹⁵ P.P. 1831 (131) vol. xl *Numbers of persons committed to several Bridewells in each county, 1814-1829*
- ¹⁶ Select Committee Reports on the laws relating to game are at P.P. 1816 (504) vol. iv, P.P. 1823 (210), vol. iv and P.P. 1828 (235) vol. viii. *G. J* 1 Jan., 1831. C.C. Trench, 1967. *The Poacher and the Squire. A History of Poaching and Game preservation in England*, pp.122-171. This provides a full list of what comprised game at this time. GRO Clerk of the Peace Returns, Q/CR10/1-4
- ¹⁷ NA HO 43/24, HO 42/165 and HO 41/3. *GJ* 4 Dec. 1815, 22 Jan., 5, 12 Feb. 1816, *Glos. Notes and Queries*, vol. iii, 1887, pp.616-618, P.P. 1823 (260), vol. iv, *Minutes of Evidence*, p.37.The minutes of the Dursley association for the prosecution of felons stated that after 1820 'no officer from Bow Street' may be employed because of Vickery's high expenses on the Till case. GRO P 368/VE 2/3-4. P.P. 1831 (390) vol. xxxiii *Rewards paid in 1830...in Disturbed Districts*.
- ¹⁸ Under 1 & 2 Geo. IV, c.118, s.26 L. Radzinowicz, *A History of English Criminal Law, The Enforcement of the Law*, vol.2, 1956, p.280, fn.39.
- ¹⁹ P.P. 1836 (58) vol.27 *County Rates* p.39a, B. Jerrard, 1982, *op. cit.* pp.229-230.
- ²⁰ An index of social tension where wheat price fluctuations were significant was used by K.K. Macnab 1965. 'Aspects of the History of Crime in England and Wales between 1805 and 1860' (unpub. D.Phil., Univ. of Sussex)
- ²¹ Rudé, 1985, pp.19, 20, 68, 117
- ²² E. Moir, Sir George Onesiphorous Paul, 1746-1820, in H.P.R. Finberg, ed. 1957 *Gloucestershire Studies*, Leicester, GCL *The Gloucestershire Repository or Literacy and Poetical Miscellany*, Stroud, vol.1, 13 June, 1817, pp.217-218, *GJ* 8 April, 1822
- ²³ M. Banton, 1964, *Law Enforcement and Social Control*, pp.1-8, Mollie Weatheritt ed. 1989 *Police Research-Some Future Prospects*, Aldershot, pp.56-57 where Banton's measured sociological approach to the police is identified.
- ²⁴ F.O. Darvall, 1934 *Popular Disturbances and Public Order in Regency England* pp.282-283. Henry Addington, 1st. Viscount Sidmouth (1754-1844), was Home Secretary 1812-1821.