

**The foundation, operations and demise of four outer metropolitan
prosecution associations: 1810-1840**

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ABSTRACT

This study examines four prosecution associations founded between 1811 and 1821 on the south-western fringe of the metropolis at Hammersmith, Mortlake and Clapham. The origins, history and organisation of the associations, the success of their operations and the circumstances of their demise are reviewed to establish whether they exhibit common characteristics associated with their proximity to London, or whether each was the bespoke product of its local community. Also addressed is an historiographical debate concerning the attitudes of associations to reform of the administration of the criminal law, and their characteristics are compared with the findings of scholarly surveys of English associations between 1750 and 1850, and of eighteenth-century Essex associations. Further, it examines why, and with what success, the Hammersmith and Mortlake associations took on a policing role and whether the four associations provide evidence to support the contention that metropolitan associations generally supported government policing before the advent of the Metropolitan Police in 1829.

The study concludes that there are few similarities between the four associations, which were the product of local circumstances and the particular motivations of their founders. No evidence was found of interest in radical law reform. The study likewise found significant differences between the four associations and those examined in the wider studies. On the policing issues, the study explains the differing resources of Clapham, Hammersmith and Mortlake and the circumstances of the failure of the policing schemes of the Hammersmith and Mortlake associations. It also concludes that the four associations provide only limited evidence of support for government policing before the advent of the Metropolitan Police.

CONTENTS

1. Introduction	1
2. Origins, founders, motivations and initial subscribers	5
3. Constitutions and leaderships, pursuing and prosecuting offenders	22
4. The four associations and policing	35
5. Summary and Conclusions	49
Bibliography	54

PERSONAL STATEMENT

I declare that this dissertation is my own, unaided work and that I have not submitted it, or any part of it, for a degree at The Open University or at any other university or institution. Parts of this dissertation are built on work I submitted for assessment as part of A825.

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1. Introduction

Prosecution associations were established in great numbers across England between the late eighteenth and mid-nineteenth centuries. At the time, it was the responsibility of a victim wishing to invoke the criminal law to find, apprehend and prosecute the offender and pay the expenses involved. Prosecution associations were voluntary societies of private individuals, funded by subscriptions, which assisted members to navigate the law enforcement and prosecution systems by providing practical and financial support. Some associations also sought to deter crime in their localities by establishing subscription-funded Watches and Patrols.

This study examines four prosecution associations (“the four associations”) that operated between 1810 and 1840, within a few miles of each other on the south-western fringe of London, in Hammersmith, Mortlake and Clapham (where there were two). It has three objectives. The first is to establish whether these associations were bespoke products of their individual communities, or whether they displayed common characteristics possibly associated with their proximity to the metropolis. The origins of each association, the motivations of their founders, the identity of their subscribers, their constitutions, leaderships, the success of their operations, and the circumstances of their demise are reviewed. The second objective is to consider the extent to which these findings accord with those of Philips and King, based on their respective surveys of English and eighteenth-century Essex associations.¹ Particular consideration is given to the difference between the roles played by magistrates in the four associations and their involvement with those reviewed by Philips and King. The debate between

¹ David Philips, ‘Good Men to Associate and Bad Men to Conspire’ in *Policing and Prosecution in Britain 1750-1850*, eds Douglas Hay and Francis Snyder (Oxford: Clarendon Press, 1989) (hereafter “*Policing and Prosecution*”) pp113-170; P.J.R King, ‘Prosecution Associations and Their Impact in Eighteenth-century Essex’ in *Policing and Prosecution*, p.171-207.

Philips, King and Shubert, summarised below, on the question of whether prosecution associations supported radical reform of criminal law enforcement is also discussed.

The study's third objective is to examine the involvement of the associations with policing. The reason why the Clapham associations did not engage in policing is examined and the outcomes of the Hammersmith and Mortlake initiatives are reviewed. The attitude of the four associations to government mandated policing is also considered in the light of views expressed by Philips and Shubert.

The principal primary sources for the study are the surviving Minutes of the four associations. These present some interpretive challenges. There are gaps in some records which may indicate inactivity or a simple failure of record-keeping, and one Clapham association recorded only limited categories of information. Parish Vestry Minutes on occasion provide helpful context, but for reasons explained in Chapter four, they cannot be accepted as necessarily expressing the majority view of parish ratepayers. Identifying individuals connected with the associations and investigating association efforts to apprehend and prosecute offenders required the cross referencing of a variety of primary sources. These included Pigot and Co's 1826 and 1839 local directories, Parish, Land Tax, and Census records, Wills, Newspapers, Journals, and Old Bailey and Surrey Quarter Sessions Records. Information concerning the policing of London and the three parishes was obtained from contemporary Parliamentary Select Committee Reports. The Minutes of the Clapham Watch Committee for the period to 1829 may also contain valuable information but are held at Lambeth Archives which is temporarily closed.

In the historiography, Reynolds' book on the development of policing in London to 1830 is particularly helpful, as are Beattie and Hanly on prosecution procedures at the Assizes and Quarter Sessions, and the possible expense of taking an offender to trial

there.² Landau and Shoemaker assist with the identification of specific crimes liable to summary trial by magistrates.³ Studies by Shubert, Philips and King are the key secondary sources dealing specifically with prosecution associations.⁴ Philips' observations are based on a survey of two hundred and thirty-one associations across England covering the period 1750 -1850, whilst King's stem from research into Essex prosecution associations and their impact in the eighteenth century. These two scholars address a wide variety of issues concerning prosecution societies and, as stated, this study considers the extent to which the four associations exhibit characteristics similar to those they identify.

In their essays Shubert, Philips and King have considered the attitudes of associations both to reform of the administration of the criminal law and to the introduction of government policing. Shubert considers that the growth of prosecution associations evidences support for a new rigorous approach to the administration of justice that would reduce the ability of local elites to promote their authority through the exercise of discretion in its administration.⁵ Philips and King dispute this.⁶ This issue is reviewed in Chapter two, which concludes that the origins of the four associations offer no support for Shubert's views. Shubert and Philips agree that there was widespread support for government mandated policing amongst metropolitan

² Elaine A Reynolds, *Before the Bobbies: the Night Watch and Police Reform in Metropolitan London, 1720-1830* (London: MacMillan Press Ltd, 1998); J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986) pp.41-48; Conor Hanly, 'Summary Jurisdiction and the Decline of Criminal Jury Trial in Victorian England', *The Journal of Legal History*, 42.3 (2001), 278-303 (pp.278-282).

³ Norma Landau, *The Justices of the Peace, 1679-1760* (Berkeley: University of California Press, 1984; repr. UC Press Voices Revived, [n.d.- on demand]) pp. 6-9 and 23; Robert B. Shoemaker, *Petty Crime and the Law in London and Rural Middlesex, c.1660-1725* (Cambridge: Cambridge University Press, 1991; repr. 2008) p.36.

⁴ See footnote 1 for Studies by Philips and King; Adrian Shubert, 'Private Initiative in Law Enforcement: Associations for the Prosecution of Felons, 1744 – 1856' in *Policing and Punishment in nineteenth century Britain*, ed. by Victor Bailey (Abingdon: Routledge, 2016) pp.25-41; Philips, p.113-170; King, pp. 171-207.

⁵ Shubert, p.37.

⁶ Philips, pp. 127-132; King, pp. 202-207.

associations before 1829.⁷ This issue is considered in Chapter four, which finds mixed and shifting attitudes amongst the four associations.

⁷ Shubert, p.35-39; Philips, pp. 147-151.

2. Origins, founders, motivations and initial subscribers

As well as examining the origins of the four associations, the motivations of their founders, and the status of their subscribers, this Chapter addresses two historiographical issues. The first relates to the findings of King and Philips concerning the engagement of County Magistrates with prosecution associations.¹ King states that after 1780, Essex County Magistrates became less involved in associations there, whilst Philips' survey revealed that "Most associations included a number of County Magistrates among their memberships and could count on a fairly close relationship between them and the magistrates when it came to getting warrants issued and arrested persons committed to trial". The second issue is whether the four associations favoured major reform of the administration of criminal law, even at the expense of reducing the influence of local elites, a matter disputed between Shubert, Philips and King as summarised in Chapter one.

The four associations are considered in the order of their foundation.

The Hammersmith Association for Prosecuting Thieves and Felons ("The Hammersmith association")

Hammersmith is on the Middlesex bank of the Thames. Although technically part of the Parish of Fulham until 1834, it managed its own affairs, and is treated hereafter as a "Parish". Figure one is a map showing Hammersmith and its environs circa 1832.

Whilst close to the metropolis it had not yet been absorbed by it, although its population increased from 7,393 in 1811 to 10,222 in 1831.² The parish extended north

¹ King, pp. 176 – 177; Philips, p.125.

² GB Historical GIS / University of Portsmouth, Hammersmith Vest/Ch/CP through time | Statistics |, *A Vision of Britain through Time (hereafter "Vision of Britain")*
< http://www.visionofbritain.org.uk/unit/10164618/cube/TOT_POP > [accessed 4th December 2023].

from Hammersmith itself to include Shepherds Bush and Wormwood Scrubs and was relatively undeveloped compared with Paddington and Kensington to the East. Major roads provided easy access to the Kensington and Hyde Park areas of the metropolis.



Figure 1: Hammersmith c.1832³. Extract from Sheet 7 of Ordnance Survey Old Series (Source: National Library of Australia).

Writing in 1813, Thomas Faulkner stated that part of Hammersmith’s river frontage was occupied by “gentlemen’s houses” and that the main activity of the parish was the production of vegetables and fruit for the metropolis.⁴ Whilst describing the parish as “of no great importance as a manufacturing place”, he mentions its extensive brickfields, and a substantial iron foundry producing machinery including steam-engines and pumps.

³ For date see ‘Ordnance survey Old Series – Sheet 7 [London]’, *The Charles Close Society* <charlesclosesociety.org/files/Oldseries/Sheet7.htm>

⁴ Thomas Faulkner, *An Historical and Topographical Account of Fulham, Including the Hamlet of Hammersmith*, (Chelsea: Tilling, 1813; repr. Forgotten Books, [n.d.]), pp. 394-401.

The Hammersmith association was founded by the Hammersmith Vestry in May and June 1811.⁵ On 19th May, “some of the principal inhabitants” requested a public meeting to discuss measures to prevent “Burglaries and other Robberies” and bring offenders to justice. At that meeting, a committee (which included two local Magistrates, Richard Radford and John Girdler), was appointed to prepare a plan for an association.⁶ This Committee’s proposals were agreed at a further Vestry meeting on 7th June, the Minute of which records Radford’s appointment as the association’s Treasurer, probably the senior post on its committee.⁷ Neither the Rules of the association approved at the meeting, nor a list of committee appointments, has survived. The association’s Minute Book, however, contains a list of the offences for which rewards were to be offered.⁸ The majority of these were property offences, including burglary, and stealing from stables, outhouses and gardens.

Reynolds states that as a result of worsening economic conditions and poor harvests, fear of crime was rising in the metropolis around this time.⁹ It is highly likely that this fearful atmosphere was a principal motivation for the association’s foundation.

Hammersmith was not alone in taking action to deter crime around this time, the Fulham Vestry having founded a prosecution association in late 1810, with the intention that it would organise deterrent patrols.¹⁰

⁵ Hammersmith and Fulham Archives and Local Studies Library (hereafter ‘H&F’) PAH/1, Records of the First Vestry of the Hamlet, later Parish, of Hammersmith (to 1885) (hereafter ‘Hammersmith VMs’) 19th May 1811-7th June 1811.

⁶ For Radford see: ‘Deaths’, *The Gentleman’s Magazine: and historical chronicle*, (April 1822), p. 379. For Girdler see: London Metropolitan Archives (hereafter ‘LMA’), Saint Paul Hammersmith: Queen Caroline Street, Hammersmith and Fulham (hereafter ‘St Paul’) P80/PAU/011, Minutes of Committee and General Meetings of Association for Prosecuting Thieves and Felons (hereafter ‘Assoc. Mins.’), 14th December 1811.

⁷ Philips, p.136.

⁸ LMA, St Paul P80/PAU/011, Assoc. Mins., List of Rewards, (n.d).

⁹ Reynolds, p. 95 - 97.

¹⁰ H&F, PAF/1, Records of the First Vestry of the Parish of Fulham (to 1885) (hereafter ‘Fulham VMs’) 28.10.1810 to 21.11.1810. The latter Minute suggests that other local parishes were taking similar steps.

The background against which the Hammersmith association followed suit in December 1811, strongly suggests that its decision resulted from the dramatic heightening of public fear in the metropolis that month, referred to by Reynolds, and also confirms the influence of the Hammersmith magistrates. On 2nd December 1811, William Mainwaring, the Chairman of the Middlesex Bench, had given a speech to the Grand Jury in which he drew attention to the increase in “street-robberies and house-breaking”.¹¹ It was disgraceful, he said, that no London householder could “lie down at night to rest, without the apprehension that his house may be ransacked ...”. He condemned local parish Watches as ineffectual and exhorted the Grand Jury to promote measures in their parishes for the protection of property during the night. Within days this fearful atmosphere worsened markedly following the unprecedented and brutal murder on the 7th and 19th December 1811 of seven members of two families by a serial killer in East London; events that became known as the Ratcliffe murders.¹² On 12th December 1811, the Hammersmith association’s committee held a special meeting.¹³ The Minute records that six committee members were present, including two magistrates, John Girdler and John Hanson who may well have known of Mainwaring’s speech.¹⁴ It also notes that neither the offer of rewards nor the placing of extra Watchmen had stemmed the “Depredations ... committed almost Nightly upon the Premises and Property” of Hammersmith residents. To deal with the situation it was decided that “respectable inhabitants” should be sworn in as special constables and patrol the Hamlet nightly, “as they may think proper”. In the following days thirty-four men were sworn in by local magistrates.¹⁵ No further mention of this patrol

¹¹ ‘An address to the Grand Jury, at the opening of the General Session’, *The Gentleman’s Magazine: and historical chronicle*, January 1812 pp. 35-37.

¹² Reynolds, pp.95-97.

¹³ LMA, St Paul, P80/PAU/011, Assoc. Mins., 12th December 1811.

¹⁴ For Hanson’s status as a magistrate see: LMA, St Paul P80/PAU/011, Assoc. Mins., 14th December 1811.

¹⁵ LMA, St Paul, P80/PAU/011, Assoc. Mins., 12th December 1811 – 6th January 1812.

scheme appears in the association's Minutes, and it is not known whether any patrolling actually took place.

The association's Minute Book contains a record of 189 individuals who subscribed in 1811. This makes it the second largest association surveyed by Philips, suggesting that the Ratcliffe murders, coupled with the parish's proximity to the metropolis, acted as an effective recruiting sergeant.¹⁶ Although information about only a quarter of these subscribers has been found, those traced included property owners of all types; local gentry and clergy, magistrates, professionals, businessmen, market gardeners, manufacturers, builders, other tradesmen and shopkeepers.¹⁷ On the basis of Faulkner's 1813 description of the parish, this appears to represent a fair cross-section of its property-owning inhabitants.

In short, the Hammersmith association was founded by the parish Vestry, motivated by the fear of crime prevalent in the metropolis and its subscribers appear representative of the area's property owners. Magistrates were more closely involved than Philips suggests was typical, although this is unsurprising given the circumstances of 1811, and the leading role of magistrates in local law enforcement at the time. There is nothing in the association's records for 1811 to suggest that its founders or early subscribers favoured reform of the system of criminal law along the lines outlined by Shubert.

¹⁶ LMA, Saint Paul P80/PAU/011, Assoc. Mins., 'List of Subscribers to the Hammersmith Association', 1811, (n.d); Philips, p.170.

¹⁷ Subscribers were identified by cross referencing Hammersmith Parish Registers, Land Tax Records, Jury Lists, Wills held in the Records of the Prerogative Court of Canterbury and Pigot's 1826 Directory of Hammersmith, *Ancestry.co.uk* < Genealogy, Family Trees and Family History Records online - Ancestry.com> (hereafter "*Ancestry*") [accessed June/ July 2023] *plus*: Faulkner, pp. 338-401.

The Mortlake Association for the apprehension and prosecution of persons committing Felonies and Misdemeanours (“The Mortlake association”)

Mortlake lies on the Surrey bank of the Thames about six miles west of Clapham, four miles as the crow flies from Hammersmith and ten miles from the City of London. The parish comprised Mortlake village, the Hamlet of East Sheen and most of Richmond Park.



Figure 2: Mortlake c.1832. Extract from Sheet 7 of Ordnance Survey Old Series (Source : National Library of Australia).

It was bounded by the river in the north, Richmond and Petersham to the west and Barnes and Putney to the east. Mortlake’s population, 2,021 in 1811 and 2,698 in 1831, was considerably lower than those of Hammersmith and Clapham.¹⁸ Pigot’s 1826 and

¹⁸ GB Historical GIS / University of Portsmouth, Mortlake CP/Ch through time | Statistics | *Vision of Britain* < http://www.visionofbritain.org.uk/unit/10058843/cube/TOT_POP > [accessed 6th December 2023].

1839 directories state that families of the highest social standing lived in the parish. The 1839 directory also records that the formerly extensive cultivation of asparagus and lavender had greatly declined, and that a malting, a pottery and a large brewery were now the parish's principal business enterprises.¹⁹

Unlike the Hammersmith association, the Mortlake association was not founded on the initiative of the Vestry. It was sponsored by a group of wealthy, aristocratic and politically well-connected individuals with the support of local magistrates. The first reference to a Mortlake association appears in a Minute recording a public meeting in East Sheen on 28th September 1816.²⁰ At this meeting, "the Magistrates and Principal Inhabitants" of the Parish agreed "to form themselves into an association", which was to be funded by the payment by subscribers of a voluntary rate, based upon the rental values of their properties as set out in the parish books. The Minute also records a series of Resolutions embodying the association's constitution, the most significant of which (Resolution 2) states that members would be supported in relation to all types of felonies and misdemeanours - a much wider remit than that of the Hammersmith association which concentrated on specific property crimes.

A possible motivation for this initiative is suggested by the identities of the sponsors, and the state of the nation's affairs in 1816. The founders' signatures appear at the head of the Membership List included in the Minute of the 28th September 1816. The first are those of two aristocrats, the recently widowed Countess of Buckinghamshire and Lord Ailesbury. At the time of his death in February 1816, the former's late husband

¹⁹ 'Mortlake, Barnes, & Neighbourhoods – (*Surrey*)', Pigot's Directory of Middlesex 1826, p.477; 'Mortlake, with East Sheen, Barnes, Kew and Neighbourhoods', Pigot's Directory of Surrey 1839, p.632, *Ancestry* [accessed 6th December 2023].

²⁰ Surrey History Centre ("SHC"), St Mary the Virgin Church, Mortlake, (St Mary") Ref. 2397/8/1 Watch Committee (1816-1839) Minute Book ("Mortlake Assoc. Mins."), 28th September 1816.

had been a member of Lord Liverpool's Cabinet.²¹ Lord Ailesbury, owned extensive estates in Wiltshire, had been M.P. for the family rotten borough of Marlborough until 1814, and was opposed to Parliamentary reform.²² Sir Archibald Macdonald whose signature appears next, was a retired judge, a Privy Counsellor and a former Solicitor General and Attorney General.²³ John Larpent held the office of Examiner of Plays, which involved the censoring of potentially seditious material.²⁴ The signatures of two local magistrates, William Gilpin, and Frederick Reeves, whose daughter had married a son of John Larpent in 1815, are also prominent.²⁵ The horizons of such individuals would have extended beyond the Parish. Bentley records the violent disturbances in London in 1815 that had accompanied the passage of the Corn Law legislation, and that the soaring price of grain in 1816 increased the likelihood of more widespread unrest.²⁶ The founders must have been aware of the situation, and as Lord Sidmouth, the Home Secretary, was a fellow parishioner then living at White Lodge in Richmond Park, it is likely that they knew of his concern that there might be social unrest within months.²⁷ Given the founders' conservative leanings and bearing in mind the wide ambit of Resolution 2, it seems likely that the founding of the Mortlake association was motivated by a desire to deter social/political unrest as well as property crime.

²¹ Roland Thorne, 'Hobart, Robert, fourth earl of Buckinghamshire (1760-1816)', *Oxford Dictionary of National Biography*, (hereafter "ODNB") (21st May 2009) <<https://doi.org/10.1093/ref:odnb/13396>>

²² R. G. Thorne, 'Brudenell Bruce, Charles Bruce, Lord Bruce (1773-1856)', *The History of Parliament online* (1986) <BRUDENELL BRUCE, Charles Bruce, Lord Bruce (1773-1856). | History of Parliament Online> [Accessed 16th July 2023].

²³ 'Obituary- Right Hon. Sir A. Macdonald, Bart.' *The Gentleman's Magazine: and historical chronicle, Jan 1736-Dec 1833*(June 1826) pp. 561-563.

²⁴ W.A.J. Archbold (revised by Matthew Kilburn), 'Larpent, John (1741-1824)', *ODNB*, (3rd January 2008) <<https://doi.org/10.1093/ref:odnb/16077>>.

²⁵ See: SHC, Ref. QS 1/3/1, Manuscript List of Justices 1808-1819; for marriage of Reeves' daughter to Larpent's son, See 'Births, Deaths, Marriages and Obituaries', *Morning Post*, 9th March 1815, p.4.

²⁶ Michael Bentley, *Politics without Democracy 1815 - 1914: Perception and Preoccupation in British Government*, 2nd edn. ([n.p.]: Fontana Press, 1996, repr. Oxford: Blackwell Publishers Limited, 1999), pp. 12-16.

²⁷ Bentley, p.16; John Eustace Anderson, *rev. by Raymond Gill, A History of Mortlake*, (London: Vade-Mecum Press, 1983), p.23..

The association's Membership list for the period 1816 to 1818 bears the signatures of seventy-six subscribers, including those detailed above. The association was therefore a fairly large one by English standards.²⁸ Amongst the sixty-one subscribers identified, Gentry/Clergy (35) and Tradesmen/business owners (21) form the largest categories.²⁹ Given the population of the parish, this suggests that a fair proportion of its property owners were supportive of the association in 1816-1818.

The association's records up to 1819 deal only with its General Meetings. There were three in October 1816 at which the association's constitution and rewards tariff were finalised.³⁰ Each of these meetings was attended by at least one of the founders. Frederick Reeves chaired the 1818 General Meeting, but the next, on 2nd January 1819, was chaired by Lord Ailesbury.³¹ At this meeting the association resolved to pursue a policing role, "to prevent so far as possible ... burglaries, trespass, misdemeanours etc... agreeable to the original intention of the Association". The fact that Lord Ailesbury chaired the meeting, raises the possibility that the initiative arose from the founders' continuing concern about the possibility of widespread disorder, understandable given the violence in London during elections in 1818.³²

The popularity of this policing initiative is unclear. The Minute of 2nd January 1819 was signed by fifty-three residents, including a number of gentry and tradesmen new to the association but there is no indication whether any of the 1816 subscribers withdrew. Unfortunately, there is a gap in the association's records after 2nd January

²⁸ Philips, p. 134.

²⁹Information about subscribers was obtained through a cross-referencing exercise similar to that mentioned at footnote 17. All information was obtained via: *Ancestry* [accessed June/ July 2023]; Anderson, pp. 14-36.

³⁰ SHC, St. Mary Ref: 2397/8/1, Mortlake Assoc. Mins., 12th – 26th October 1816.

³¹ SHC, St. Mary Ref: 2397/8/1, Mortlake Assoc. Mins., 18th April 1818 and 2nd January 1819

³² Bentley, pp18-19.

1819, but when they resume in 1823, a Watch is in operation, the history of which will be traced in later Chapters.

In short, the Mortlake association was founded by a group of private individuals including members of the country's political and social elite and local magistrates. The involvement of magistrates with the association was not as prominent as in Hammersmith and is discussed further in Chapter three. As in Hammersmith, fear was a key motivation for the association's foundation, but at Mortlake the fear was probably of social/political disorder as well as of acquisitive crime. The subscribers to the association seem to have been reasonably representative of the parish's property owners. There is nothing to suggest that its founders or early subscribers wished to see the criminal law system reformed as suggested by Shubert.

The Clapham Prosecution associations

Clapham is located on the Surrey side of the Thames about six miles from the City of London, Hammersmith and Mortlake. The parish was a small one. Its northern boundary ran through Battersea Fields on a line just north of the Battersea Rise road, the western ran down the middle of Clapham Common to near Balham Hill, then along a line to Bleak Hall before turning north to Stockwell and the parish's northern boundary. At this time, Clapham was noted as a strongly evangelical parish and home to the Clapham Sect.³³ Between 1811 and 1831 its population rose from 5,083 to 9,958.³⁴ Its semi-rural situation and ease of access to the centre of London made it an attractive residential area for successful merchants and businessmen from the metropolis, a position evidenced by entries in Pigot's local directories of 1826 and

³³ Gillian Clegg, *Clapham Past* (London: Historical Publications, 1998), pp. 42-49.

³⁴ GB Historical GIS / University of Portsmouth, Clapham Holy Trinity CP/AP through time | Statistics |, *Vision of Britain* < http://www.visionofbritain.org.uk/unit/10164229/cube/TOT_POP > [accessed 6th December 2023].

1839.³⁵ The latter entry adds, “as a village connected with trade it is by no means conspicuous, it being confined to that necessary for the accommodation of the numerous opulent residents”.



Figure 3: Clapham c. 1832. Extract from Sheet 7 of Ordnance Survey Old Series (Source: National Library of Australia).

There were two Clapham prosecution associations, founded respectively circa 1817 and 1821. They were very different, and differ also from the Hammersmith and Mortlake associations in their origins, the identity and motives of their founders, and the nature of their subscribers. The first to be established was the “Clapham Association for the Prosecution of Offenders” (hereafter the “Terry association”). The first entry in its Minute Book records the “General half yearly Meeting held October

³⁵ ‘Clapham (Surrey),’ Pigot’s Directory of Middlesex 1826, p.415; ‘Clapham’ Pigot’s Directory of Surrey 1839, p. 598, *Ancestry* [accessed 6th December 2023].

9th 1817” and names Mr William Terry as “Chairman”, although he is subsequently described as the association’s Secretary.³⁶ As he chaired almost every association meeting over the next twenty-three years, he may be regarded as its leading figure from the outset. Unlike the founders of the Hammersmith and Mortlake associations, William Terry was not an aristocrat, magistrate or even a member of the Gentry. He was a butcher with premises in Clapham Old Town and, judging by the extent of the estate left by his will, a successful one.³⁷

His motives for creating and managing the Terry association are not recorded.

However, it seems likely that he wished to found an association with a strong social aspect that would foster business and personal relations between members, and membership was open to inhabitants of neighbouring parishes. The association’s reward tariff concentrates mainly on offences such as thefts from barns and outhouses, breaking hedges, the theft or maiming of farm animals and horses, and the stealing of agricultural implements and produce.³⁸ This suggests that the association was intended to serve the needs of tradesmen, farmers and market gardeners. The social aspect of the association is apparent both from the holding of its biannual meetings alternately at the Plough Inn at Clapham and The Red House in Battersea, and its rule that members who were late or failed to appear were liable to a ten shilling fine.³⁹ Whilst such social features, and the acceptance of members from adjoining parishes, are not unique to the Terry association, they set it apart from those of Hammersmith and Mortlake.⁴⁰ No

³⁶ LMA, Holy Trinity Clapham: Clapham Common North Side, Lambeth (‘Holy Trinity’) P95/TRI1/047, Minutes of the Clapham Association for Prosecution of Felons (‘Terry Mins.’), 9th October 1817 and 7th May 1818.

³⁷ ‘Clapham (Surrey)’, Pigot’s Directory of Middlesex 1826, p. 415; Will of William Terry of Clapham, 29th Aug 1840 in ‘England and Wales, Prerogative Court of Canterbury Wills, 1384-1858’, *Ancestry* [Accessed 20th July 2023].

³⁸ LMA, Holy Trinity P95/TRI1/047, Terry Mins., ‘Rewards’ [n.d.].

³⁹ LMA, Holy Trinity P95/TRI1/047, Terry Mins., 9th October 1817.

⁴⁰ King, pp. 204-205.

magistrates appear ever to have been directly involved with the association. Further, there is no evidence that the Terry association favoured reform of the criminal law enforcement system as suggested by Shubert.

Between 1817 and 1825 numbers attending association meetings varied from nine to twenty-two.⁴¹ Of the thirty-two individuals who put in appearances during this period it has been possible to identify only eleven, all of whom were involved in trade of one type or another.⁴² Attendance at meetings tended to increase during the period, suggesting that members valued the opportunity of socialising with fellow tradesmen/businessmen. A shared interest in matters other than the deterrence of crime is one of the few points that the Terry association has in common with Clapham's second association.

“The Association of Clapham and its Vicinity for preventing Burglaries, Robberies and Felonies and for Prosecuting Offenders” (“the Elliott association”) was established in Clapham in February/May 1821. Its principal founder was Charles Elliott, a magistrate who had earned a fortune and a royal appointment, through his London cabinet-making business.⁴³ Elliott was a strong evangelical and had married the daughter of the Rev. Henry Venn, a curate at Clapham in the 1750s and a member of the Clapham Sect.⁴⁴ In July 1818, Elliott had been a member of a Vestry Committee appointed to produce a plan to repress, “the notorious Immorality and ill conduct of Persons in this Parish”; but its proposal that an additional full-time Constable should be appointed, was

⁴¹ LMA, Holy Trinity P95/TRI1/047, Terry Mins., 9th October 1817 – 13th October 1825.

⁴² Information about subscribers was obtained through a cross-referencing exercise similar to that mentioned at footnote 17. All information was obtained via: *Ancestry* [accessed June/ July 2023].

⁴³ ‘Elliott, Charles’, in Dictionary of English Furniture Makers, *British History Online* (n.d.) < E | British History Online (british-history.ac.uk)> [Accessed December 2023]; SHC, Ref. QS 1/3/1, Manuscript List of Justices 1808-1819.

⁴⁴ Leonard W. Cowie, ‘Venn, Henry (1725-1797)’, *ODNB*, (22nd September 2005) < <https://doi.org/10.1093/ref:odnb/28184> >.

rejected on the grounds of expense.⁴⁵ When the issue arose again in April 1821, as the Elliott association was being established, he headed a further Vestry committee. This produced a job description for a “Street Keeper”, which evidences an intention not merely to suppress criminality, but to reform the behaviour of the Parish’s inhabitants along lines advocated by the Proclamation Society and the Society for the Suppression of Vice.⁴⁶ This proposal also, was eventually rejected.⁴⁷

Just two months prior to his appointment to the Vestry committee in April 1821, Elliott chaired a public meeting which approved the creation of a prosecution association in response to the “increase of Burglaries, Robberies and Felonies in the parish”.⁴⁸ The association’s proposed constitution was finalised at subsequent meetings and a list of rewards was approved.⁴⁹ The latter included reference to highway robbery, a matter presumably of particular concern to subscribers travelling regularly between Clapham and the metropolis. Membership was to be open to anyone living within a two-mile radius of Holy Trinity Church in Clapham, a geographical limit that permitted inhabitants from parts of neighbouring parishes to join. By early February 1822, the association was operative with a membership of sixty-seven.⁵⁰

Given the sequence of events between February and April 1821, and that, as explained in Chapter three, prosecution associations were considered to have a deterrent effect, it seems unrealistic to divorce Elliott’s founding of his association from his championing

⁴⁵ LMA, Holy Trinity P95/TRI1/008, Vestry Minutes Book 8, (hereafter “VMs”) 7th July and 14th July 1818; LMA, Holy Trinity P95/TRI1/140, Minute Book of the committees of Vestry (hereafter “V.C. Mins.”) 10th July 1818.

⁴⁶ LMA, Holy Trinity P95/TRI1/008, VMs, 24th April and 8th May 1821; M.J.D Roberts, ‘The Society for the Suppression of vice and its early critics’, *The Historical Journal*, 26.1 (1983), 159-176 (p.160) <<https://doi.org/10.1017/S0018246X00019646>>. Jean N. Baker, The Proclamation Society, William Mainwaring and the Theatrical Representations Act of 1788, *Historical Research*, 76.193 (August 2003) 347 – 363 (p.348) < The Proclamation Society, William Mainwaring and the Theatrical Representat...: EBSCOhost (open.ac.uk) > [Accessed 21st July 2023].

⁴⁷ LMA, Holy Trinity P95/TRI1/008, VMs, 30th July 1821.

⁴⁸ LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 21st February 1821.

⁴⁹ LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 7th March – 11th April 1821.

⁵⁰ LMA, Holy Trinity P95/TRI1/140, V.C Mins., 6th February 1822.

of the “Street Keeper” proposal and desire for a more orderly, moral society. Further evidence of Elliott’s enthusiasm for moral reform is provided by his appointment at a Vestry Meeting on 11th December 1822, as a leading member of a new Select Vestry for the Concerns of the Poor.⁵¹ The Minute of this meeting records that the Poor Laws were being applied in a manner that encouraged “Idleness, Improvidence and Vice”, and that stricter supervision by a Select Vestry would benefit “the amount of the Poor Rate and the moral character and comfort of the poor”.

The original subscription list of the association has not survived, but the minute of the 1824 Annual General Meeting names sixty-seven current subscribers.⁵² It has been possible to identify only twenty-six. At least sixteen appear to be Gentry/Clergy, of whom a few lived in neighbouring parishes. The remainder include the parish clerk, three professionals, a firm of brewers, a few builders and a linen draper.⁵³ Three of the identified members, Charles Elliott, the Rev. William Dealtry, and John Hatchard were prominent evangelicals.⁵⁴ It is possible that their involvement encouraged other evangelicals to join and that unity within the association was promoted by common religious belief and social conservatism.

In short, the two Clapham associations had little in common. One was founded by a butcher and the other by a wealthy businessman and magistrate. Terry appears to have been motivated by a desire to create an association with a strong social side that would attract fellow tradesmen, farmers and market gardeners, whilst Elliott was probably in part motivated by his evangelical beliefs. Membership of the Terry association

⁵¹ LMA, Holy Trinity P95/TRI1/008, VMs, 11th December 1822.

⁵² LMA, Holy Trinity P95/TRI1/140, V.C Mins., 23rd August 1824.

⁵³ Information about these members was obtained by a cross-referencing exercise similar to those mentioned at footnote 17. All information was obtained via: *Ancestry* [accessed June/ July 2023]

⁵⁴ M.C Curthoys, ‘Dealtry, William (1775-1847’, *ODNB*, (23rd September 2004), < <https://doi.org/10.1093/ref:odnb/7382> >. Mark Pottle, ‘Hatchard, John (1768-1849)’, *ODNB*, (9th April 2020)

< <https://doi.org/10.1093/ref:odnb/12590> >.

consisted largely of tradesmen, whilst it is probable that the Elliott association's subscribers were largely gentry, wealthy businessmen and professionals. There is no indication of any magistrate being involved with the Terry association although the local Bench possibly gave the type of friendly assistance over court matters suggested by Philips. Elliott's position as a magistrate and founder/Treasurer of the association clearly involved a much closer relationship than Philips considers to have been typical, a matter discussed further in Chapter three. Finally, there is nothing to suggest that the origins of either association indicate a desire to see the administration of the criminal law system reformed as suggested by Shubert.

Overview

The circumstances in which the four associations were founded, and the motivations of their founders differed considerably, but in three cases magistrates played a significant role, naturally perhaps, given their leading position in local law enforcement. The nature of their continuing involvement with the four associations will be reviewed in Chapter three and compared with Philips' and King's findings concerning the typical relationship between magistrates and the prosecution associations they surveyed.

The origins of the four associations offer no support for Shubert's view that the founding of such organisations evidenced a desire for a new rigorous approach to enforcement of the criminal law, that would reduce the ability of local elites to exercise discretion in its administration. Indeed, the close involvement of local elites in the founding of three of the associations makes it highly unlikely that their founders wished to see radical reform of law enforcement along these lines, rather than more effective operation of the existing system. It is perhaps unfortunate that the historiographical debate has been so focussed on consideration of association attitudes to legal reform, to the exclusion of the possibility that the founding of some

associations may evidence a desire to promote other contemporary concerns, such as an evangelical desire for a more orderly society.

3. Constitutions and leaderships, pursuing and prosecuting offenders

To achieve their aim of increasing conviction levels and deterring crime the associations required organisation and leadership. This Chapter reviews their constitutions, their leaderships, and the steps they took to pursue and prosecute offenders. Their approaches will be compared and placed in the context of the findings of academic studies, and the issue of the involvement of magistrates with the four associations, discussed in the previous Chapter, is revisited. Policing initiatives are discussed in Chapter four.

Constitutions

Philips and King say that English prosecution associations were run by elected committees, usually headed by a Treasurer or Secretary.¹ They further state that committees were elected at General Meetings of subscribers, at which the Treasurer's accounts were approved and major matters such as rule changes were considered. They both also observe that these meetings were usually followed by a dinner, and Philips considers that this social aspect kept many associations in existence. This form of organisation is referred to hereafter as "the Philips model".

The constitutions of the four associations differed from one another and embodied some but not all features of the Philips model. The organisation of the two Hammersmith associations (see below) and of the Elliott association in Clapham were similar and matched the Philips model, in that they were both run by committees headed by Treasurers/Chairmen.² Both also had Secretaries, those of the two

¹ Philips, pp.136- 137. King, p.177

² H&F, PAH/1, Hammersmith VMs, 7th June 1811 and 27th April 1818; LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 21st February and 6th April 1821.

Hammersmith associations being appointed by the Vestry and the Elliott association's at a General Meeting.³ The Hammersmith and Elliott associations were also alike in not holding subscriber dinners. They differed fundamentally, however, in so far as the appointment of committees and the holding of General Meetings were concerned.

Whilst the Elliott association followed the Philips' model by electing its committee at Annual General Meetings, there is no mention of General Meetings or committee elections in the Minutes of either of the Hammersmith associations. Their Treasurers and committees were appointed by the Vestry.⁴

The Mortlake association's constitution differed from those of the Hammersmith and Elliott associations and from the Philips model. Its original committee was appointed at General Meetings in 1816, but its control of the association's affairs was limited.⁵ It was authorised to meet only "on receiving notice from the local magistrates," rewards were to be paid on the direction of the magistrates, and decisions on rule changes and the annual subscription were reserved to General Meetings. There are no surviving Minutes of General Meetings after 1819, leaving it unclear how long these restrictions persisted, but it appears that from 1825, the committee was able to fix the annual levy without the approval of a General Meeting.⁶ The association also had a Secretary, and a local solicitor was appointed to act in prosecutions.⁷ There is no indication that it organised subscriber dinners, although its General Meetings in 1818 and 1819 were

³ H&F, PAH/1, Hammersmith VMs, 7th June 1811; LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 6th April 1821.

⁴ LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 6th February 1822, 1st March 1823, 23rd August 1824 and 21st October 1825; H&F PAH/1, Hammersmith V.Ms, 7th June 1811, 27th April 1818 and 6th March 1827.

⁵ SHC, St Mary Ref. 2397/8/1, Mortlake Assoc. Mins., 28th September and 26th October 1816.

⁶ SHC, St Mary, Ref.2397/8/2, Minute Book of Committee of the Mortlake Watch Association (7th Jan 1823 – 8th February 1831) ("Watch Mins."), 6th September 1826.

⁷ For the existence of a secretary see: SHC, St Mary Ref. 2397/8/2, Watch Mins, from 8th April 1823. A Min. of 18th April 1818 records the solicitor's appointment.

held at the Hare and Hounds Inn at East Sheen.⁸ The Terry association also differed from the Philips model and from the other three associations. There is no indication of a committee or elections. Its Minutes suggest that Mr Terry, its Chairman, organised much of the administration and there is no trace of a secretary.⁹ Payments of rewards and expenses were ratified at the half yearly members' meetings, which in conformity with the Philips model, included a dinner.

As appears, the management structures of the four associations were bespoke creations, shaped by local circumstances and the particular concerns of their founders. Their leaderships also differed.

Leaderships

Philips states that no aristocrats and few gentry were involved in running prosecution associations, the committees of which were usually made up of farmers, businessmen and tradesmen, with local clergymen sometimes involved.¹⁰ Whilst not suggesting that magistrates were frequently committee members, he states that they were often subscribers and that associations could generally depend on their assistance with court matters. King states that whilst magistrates dominated the Essex Association of 1775 – 1784, they were less involved with later foundations.¹¹

In some respects the leaderships of the four associations approximated to Philips' description, but there were also significant differences and the nature of the leadership of the Hammersmith associations changed over time.

The position of Hammersmith is complex. Between 1811 and 1827 there were two associations and three separate committees. The previous Chapter summarises the

⁸ SHC, St Mary Ref. 2397/8/1, Mortlake Assoc. Mins., 18th April 1818 and 2nd January 1819.

⁹ LMA, Holy Trinity P95/TRI1/047, Terry Mins., 9th October 1817 - 8th October 1840.

¹⁰ Philips, pp. 125 and 132.

¹¹ King, pp. 176-177.

history of the first association to January 1812. There are few records of association activity thereafter until 18th August 1814, when there was a meeting between concerned “Inhabitants of the Hamlet of Hammersmith” and members of the association’s committee. No magistrates were present. Having noted the absence of both the Treasurer and information about the Association’s finances, the meeting called for accounts to be produced “with all convenient speed.”¹² Radford did so at a meeting on the 8th September 1814.¹³ Apart from a few short notes of offences reported to the association in 1816, there are no further surviving records of the association until 28th April 1818, when a Minute records its merger with the second Hammersmith association and indicates that no further accounts had been produced since September 1814.¹⁴

Chapter two reveals that in 1811 local magistrates were deeply involved with the founding of the first Hammersmith association. In the absence of records it is difficult to assess the extent to which they remained involved between 1812 and 1818. However, the absence of records and Radford’s failure to produce regular accounts, raises a suspicion that with the ebbing in 1812, of the 1811 panic, they simply lost interest.¹⁵ This suspicion is strengthened by the fact that between 1811 and 1818 the association undertook only one prosecution. This related to a theft from the Chaise house of Mr. Bowling, a committee member, and the offender was apprehended the same day without any apparent action by the association.¹⁶ Having been appointed by the Vestry, and in the absence of General Meetings and committee elections, Radford

¹² LMA, St Paul P80/PAU/011, Assoc. Mins., 18th August 1814.

¹³ LMA, St Paul P80/PAU/011, Assoc. Mins., 8th September 1814.

¹⁴ LMA, St Paul P80/PAU/011, Assoc. Mins., 28th April 1818.

¹⁵ Ruth Paley and Elaine A. Reynolds, ‘Politicians, Parishes and Police: The Failure of the 1812 Night Watch Bill’, *Parliamentary History*, 28.3 (2009) 375-391 (p.390) < <https://doi.org/10.1111/j.1750-0206.2009.00119.x> > [accessed 10th September 2023]

¹⁶ No notification of this offence appears in the Minutes – presumably because the offender was so swiftly caught. Reference to the distribution of the reward appears at LMA, St Paul P80/PAU/011, Assoc Mins., 31st July 1816; *R. v Holloway* (1816) t.18160529-72 < <https://www.oldbaileyonline.org> > [accessed 19th October 2023].

and his committee would have remained in office, making it difficult for members to hold them to account as indicated by the Minute of 18th August 1814. Such neglect may speak ill of Radford and his committee, but the summary below of the second association's history, suggests that many other inhabitants of Hammersmith similarly lost interest after 1811. This is a matter discussed in more detail in Chapter four.

The second Hammersmith association was founded in April 1818, not just as a prosecution society but to establish a subscription Night Patrol and Watch.¹⁷ A few magistrates attended early meetings of its committee, but its leadership was in different hands. George Pring, a surgeon, who had championed a policing scheme since at least 1816, was Chairman, with John Bowling, another surgeon, William Bird, a builder, and Thomas Kennard, a member of the local gentry, as other prominent members.¹⁸

Allowing for its more urban location, the composition of this committee was similar to that of Philips' typical committee.

Despite the committee's businesslike approach, its policing initiative quickly failed as explained in Chapter four. The prosecution side of the second association was largely inactive after 1819 and ceased to function after 1824.¹⁹ On the initiative of the Vestry, it was briefly revived in 1827, principally in the hope of re-establishing a policing scheme.²⁰ The make-up of its new committee, which consisted of John Bowling, William Bird, Thomas Kennard, a number of businessmen/tradesmen and three clergymen, with the Rev. F.T. Attwood as Chairman, was also akin to that of the

¹⁷ H&F PAH/1, Hammersmith VMs, 27th April 1818 and LMA, St Paul P80/PAU/011, Assoc. Mins., 29th April 1818.

¹⁸ For Pring see: LMA, St Paul P80/PAU/011, Assoc. Mins., 27th November – 4th December 1816 (These are Minutes of a Vestry committee recorded at the back of the Association Minute Book); Philip D. Whiting ed., *A History of Hammersmith based upon that of Thomas Faulkner in 1839*, (London, Hammersmith Local History Group, 1965), p.245.

For Bowling, see: 'Robson's Members of the Royal College of Surgeons Residing within four miles of London 1820' *Ancestry* [accessed 9th October 2023].

For Bird and Kennard See: 'Hammersmith', Pigot's Directory of Middlesex 1826, *Ancestry* [Accessed 9th October 2023].

¹⁹ LMA, St Paul P80/PAU/011, Assoc Mins., 27th May 1818 – 10th June 1824.

²⁰ H&F PAH/1, Hammersmith VMs, 25th February – 6th March 1827.

typical committee described by Philips.²¹ This project also quickly failed and the association was dissolved in late June 1827.

The leadership of the Mortlake association differed from the generality of associations described by Philips, and from the leaderships of the other three associations. Its committee was effectively run by John Turner Esq., a member of the local gentry (but not a magistrate), and Richard King, an apothecary.²² Between them they chaired most meetings, and Turner took over as Treasurer around 1825. Other committee members included one of the association's original promoters (who did not attend meetings), and a number of local tradesmen.²³ As stated previously, this committee's authority over the association was, initially at least, subject to the oversight of the local magistrates. Frederick Reeves appears to have undertaken this supervisory role and attended a number of committee meetings.²⁴

The leadership of the Elliott association also differed considerably from that of Philips' typical association, and from the leaderships of the other three associations. As stated in Chapter two, Elliott was appointed Treasurer in 1821, and retained that post until at least 1825. The records of the association end at that point, around the time of his retirement to Brighton.²⁵ Its committee consisted initially of six and later twelve members, elected at Annual General Meetings.²⁶ As mentioned, gentry/clergy formed the largest identifiable group amongst the association's subscribers, and this is

²¹ For Rev. Attwood, See: *A Hist. of Hammersmith* pp. 63 and 67.

²² Turner's name does not appear in SHC Ref. G85/2/4/1/116 Bray Family of Shere: Manorial and Estate Records and Family Papers (12th Cent. – 1950), List of Justices of the Peace 'taken from the Commission of the Peace for Surrey as it stood in 1826 at the Rolls, 25 May 1820 – 1826'; For King see: Holden's London and Country Directory 1811, *Ancestry*. [accessed June/ July 2023].

²³ SHC, St Mary Ref. 2397/8/2, Watch Mins., 12th May 1825.

²⁴ See e.g. SHC, St Mary Ref. 2397/8/2, Watch Mins., 18 September 1828 and 19th November 1829.

²⁵ The date of this move was c.1826 when he purchased the Chapel of St Mary in Brighton – see Chapter two footnote 43. His name does not appear amongst those magistrates thanked for their services over the past year by the Clapham Vestry in 1827, LMA, Holy Trinity P95/TR11/008, VMs, 17th April 1827.

²⁶ LMA, Holy Trinity P95/TR11/140, V.C. Mins., 6th April 1821, 27th January 1822, 3rd March 1823, 18th August 1824 and 15th October 1825.

reflected in the committee's membership. The most active members, William Greaves, Henry Dobbs and John Hatchard, were professionals or, like Elliott, wealthy businessmen.²⁷ The leadership of the Terry association differed fundamentally from that of the other three associations and from that of the typical association described by Philips. Terry appears to have been in sole charge and the association operated successfully under his management. As stated in Chapter two, attendance at the biannual meetings fluctuated between nine and twenty-two between 1817 and 1825. Between 1826 and 1840, numbers of attendees varied from fifteen to twenty-nine. Terry's conduct of affairs was clearly appreciated as in October 1830, the subscribers presented him with a portrait they had commissioned of him, and in October 1839 they gave him a silver snuff box.²⁸ The impression that he was of central importance to the association is strengthened by the fact that the association met only once after his last appearance, a few months before his death in November 1840.²⁹

In short, it seems likely that after 1811, the Hammersmith magistrates, whilst nominally leaders of the first association, played little direct role in its affairs, and given its poor record of prosecutions it is unclear what assistance they provided with court matters. Amongst the four associations, the leadership of the second association bears the closest relationship to that described by Philips as typical of English associations of the time. The leaderships of the Mortlake and Elliott associations were rather different. They both had strong connections with the local magistracy that went beyond the limited engagement found by Philips, and members of the local

²⁷ Greaves was a schoolmaster, see: Will dated 18th May 1842, Records of the Prerogative Court of Canterbury, *Ancestry* [accessed September 2023];

Dobbs occupied a substantial house in Clapham until 1835, see auction advertisement, *Morning Herald*, 14th October 1835, p.5. and probably owned a stationers business in Fleet Street, see: Will dated 13th December 1841, Records of the Prerogative Court of Canterbury, *Ancestry*, [accessed September 2023]; Hatchard was a successful publisher and bookseller - Mark Pottle, 'Hatchard, John (1768-1849)', *ODNB*, (9th April 2020), <<https://doi.org/10.1093/ref:odnb/12590>> [accessed December 2023]

²⁸ LMA, Holy Trinity P95/TRI1/047, Terry Mins., 14th October 1830 and 10th October 1839.

²⁹ Clapham Parish Register of Burials 17th November 1840, *Ancestry*, [accessed June/July 2023].

gentry/wealthy elite played an important part in their affairs. Terry's sole leadership does not accord with the general picture of association leaderships outlined by Philips, and his position was probably attributable to personality and entrepreneurial spirit.

In terms of their leaderships and the role of magistrates, the four associations differed from each other, and the generality of associations surveyed by Philips. This raises the question whether they also differed in their manner of operations and success in apprehending and prosecuting offenders.

Pursuing offenders

This section deals with the steps taken by the four associations to apprehend offenders and their success in doing so. Secondly, it reviews their records of bringing cases to court, and how these compare with each other and the generality of prosecution associations.³⁰

Philips states that upon being informed of an offence against a subscriber, associations would produce handbills offering rewards, and would often also advertise in local newspapers.³¹ Styles explains this approach on the basis that handbills provided swift local coverage, whilst newspaper advertisements spread the news across a wide area.³² The four associations did not advertise but relied entirely on handbills.³³ They were not unique in this. King found that Essex associations close to the metropolis took the same approach and he suggests that the wide choice of newspapers available in the environs of London made advertising less effective.³⁴

³⁰ Philips, pp. 143-145 and Appendix 3.

³¹ Philips, p.138

³² John Styles, 'Print and Policing: Crime advertising in Eighteenth-century Provincial England' in *Policing and Prosecution*, pp.70-72.

³³ See e.g. LMA, St Paul P80/PAU/011, Assoc Mins., 29th October and 4th November 1811.

³⁴ King, p.173.

This reliance on handbills, raises two questions. Firstly, how effective were they in securing the detention of suspects? Secondly, did the absence of advertising make the four associations less successful in apprehending offenders than other English associations? The Minutes of the two Clapham associations do not assist with the first issue, but those of the two Hammersmith associations considered with relevant Old Bailey transcripts, provide anecdotal evidence. At Hammersmith, suspects were apprehended in five cases, but handbills clearly played no part in three. In the 1816 case involving Mr. Bowling mentioned above, the suspect was arrested on the morning of the offence, having aroused suspicion whilst attempting to sell the stolen goods. In another case the victim immediately suspected the identity of the culprit, a suspicion confirmed by the discovery of imprints of his wooden leg at the scene.³⁵ In the third case the suspects were stopped within an hour of the offence by a Bow Street patrol.³⁶ Lack of detail makes the Mortlake association Minutes less helpful. Between 1823 and 1828, suspects were apprehended in six cases, but in four, the circumstances of their capture are unknown. In one of the remaining cases the victim's servant, Mary Goddard, was immediately suspected.³⁷ In the second, two men who had burgled the house of Mr Boileau were caught on the same day attempting to recover stolen property they had buried.³⁸ No firm conclusion can be reached on this limited material. However, it suggests that in a proportion of cases, suspects were caught within a short period and without handbills being issued. That handbills may not have been crucial to the apprehending of offenders is also supported by instances, recorded by King and

³⁵ LMA, St Paul P80/PAU/011, Assoc Mins., 20th and 27th May 1818, which suggest that no handbills may have been issued; *R. v Parker* (1818) t.18180506-137 < <https://www.oldbaileyonline.org> > [accessed 19th October 2023].

³⁶ LMA, St Paul P80/PAU/011, Assoc Mins., 21st May and 11th June 1827. Again no handbills issued; *R. v Haines and Backstay* (1827) t.182705531-69 < <https://www.oldbaileyonline.org> > [accessed 19th October 2023].

³⁷ 'Kingston Sessions – Friday', *Morning Chronicle*, 22nd October 1825, p.4.

³⁸ 'Burglary at Mortlake', *Times*, 9th November 1824, p.2.

Philips, of subscribers doubting whether they would lead to the discovery of offenders, but hoping that they might deter future depredations.³⁹

On the second issue, Philips surveyed fifteen associations covering a period from the late eighteenth century to about 1860, and calculated the average number of cases per year they each took to court. Additionally, he examined their “clear up” rates, calculated as the ratio of cases taken to court (irrespective of the result) to offences reported. He found that most associations took no more than one or two cases to court each year and that the clear up rate was often less than one in four.⁴⁰ Applying this approach to the four associations produces results suggesting that, save for the first Hammersmith association, they were at least as successful as the associations studied by Philips. The first Hammersmith association compares badly, having taken only one case to court in about seven years, and with a clear up rate of one in ten. If considered on the basis of the approximately three years when it was active during the period 1818 to 1827, the second Hammersmith association fares better, having taken an average of over one case per year to court. Its clear up rate was one in two. Over five and a half years between April 1823 and September 1828, the Mortlake association took an average of just over one case per year to court. Making allowance for a slight uncertainty as to offences notified, its clear up rate was about one in two.⁴¹ Over four and a half years between May 1821 and October 1825, the Elliott association took just under one case to court each year, and its clear up rate was four in five. The Terry association Minutes record only convictions, but on the basis of its twenty-eight

³⁹ King, pp.203-204. Philips, p.139 footnote 65.

⁴⁰ Philips, p.143 and Appendix 3, pp.167-169.

⁴¹ See SHC, St Mary Ref. 2397/8/2, Watch Mins., 6th April 1824. This records the burglary of an unspecified number of houses on the same night. There is no suggestion that the culprits were subsequently identified.

successful prosecutions between 1819 and 1840, it clearly took an average of over one case to court per annum.

Whilst these comparisons are crude, they do not suggest that the absence of advertising prejudiced the performance of the four associations compared to that of other English associations. Indeed in terms of clear up rates their record may have been better.

Prosecutions

The four associations prosecuted cases both in the summary courts and at the Assizes/Quarter Sessions (or, in the case of the Hammersmith associations at the Old Bailey) (hereafter “the higher courts”). This section will examine both the use of summary trial, and the problems caused to the associations by the unpredictability of the cost of prosecutions in the higher courts.

The Minutes of the four associations show that the offences most commonly taken to court involved theft from sheds, outhouses and business premises, thefts of crops/produce from market gardens and fields, breaking hedges, burglary/housebreaking and isolated instances of thefts by servants. Of these, hedge breaking and the theft of growing crops and fruit, were matters that could be dealt with summarily by magistrates.⁴² None of the five cases prosecuted by the Hammersmith association were summary matters. In contrast the three cases taken to trial by the Elliott association all concerned the theft of fruit from local gardens and were dealt with summarily.⁴³ One of the six cases pursued by the Mortlake association was also a summary matter, as were several of the twenty-eight prosecuted by the Terry association. Compared with the higher courts, prosecuting a summary matter was procedurally less complex, less time consuming, and considerably cheaper. The latter

⁴² Landau, pp.6- 9 and 23; Shoemaker, p.36.

⁴³ LMA, Holy Trinity P95/TRI1/140, V.C. Mins., 18th November 1822, 7th August 1823 and 23rd August 1824. The latter Minute refers specifically to the matter being dealt with at Union Hall Police office.

must have been particularly welcome to associations given the potential cost of prosecuting in the higher courts.

The more serious offences were triable only in the higher courts, where costs were unpredictable, and subscribers were generally entitled to be reimbursed by their association, net of any recovery from public funds.⁴⁴ Whilst the arrival of an unexpectedly large bill would doubtless have been unwelcome to any association, it must have been of particular concern to the second Hammersmith and Mortlake associations. These both needed to pay patrols/Watchmen regularly and a sudden demand for reimbursement of a large prosecution bill could cause a serious problem. Indeed, in 1827 the costs and expenses of an old Bailey case contributed to the demise of the already failing second Hammersmith association, which as appears from Chapter four was struggling to finance its patrol initiative.⁴⁵

The Minutes of the Mortlake association further illustrate the problem. In late 1824 a special levy was imposed raising £132 to fund both the prosecution of two men for burglary and the association's Watch over the winter months. With the assistance of the association's solicitor and of counsel, the men were convicted at the Surrey Assizes and the committee was then presented with a large reimbursement claim.⁴⁶ After detailed investigation this was agreed at £54, a significant proportion of the £132 raised earlier.⁴⁷ This experience clearly coloured the committee's attitude to prosecution work. Neither solicitor nor counsel was employed on subsequent prosecutions, and in April 1828, a subscriber was urged to conduct his prosecution "in

⁴⁴ For an explanation of the problems and expense associated with trials in the higher courts, see Hanly, pp. 278-282 < Result List: JN "Journal of Legal History" AND DT 20211201 NOT PM AOP: EBSCOhost (open.ac.uk) >.

⁴⁵ LMA, St Paul P80/PAU/011, Assoc Mins., 21st May and 11th June 1827

⁴⁶ SHC, St Mary Ref. 2397/8/2, Watch Mins., 2nd November and 7th December 1824. and 'Surrey Assizes – Friday', *Morning Chronicle*, 3rd January 1825, p.4.

⁴⁷ SHC, St Mary Ref. 2397/8/2, Watch Mins., 11th January to 3rd March 1825.

the most economical way". Later that year the association went further, and abandoned prosecution work altogether to concentrate on operating its Night Watch.⁴⁸

Overview

In terms of their constitutions, leaderships and the role of their local magistrates the four associations differed from one another and from other typical English associations. Save in the case of the first Hammersmith association, those differences did not adversely affect the average number of cases taken to court each year or their clear up rates, both of which seem broadly comparable with those of other English associations. However, it may be unwise to take such figures, modest though they are, as an accurate measure of the effectiveness of prosecution associations, as the above review shows that a proportion of offenders were caught without the associations taking any action. Whatever may have been their record of bringing offenders before the courts, some subscribers believed prosecution associations had a deterrent effect in their local areas. A desire to deter crime must also have motivated the preventative policing schemes discussed in the next Chapter.

⁴⁸ SHC, St Mary Ref. 2397/8/2, Watch Mins., 8th July and 18th September 1828.

4. The four associations and policing

This Chapter examines the policing initiatives of the Hammersmith and Mortlake associations and compares their experiences with the very different situation in Clapham, where policing was provided pursuant to a local Act of Parliament. Neither Philips nor Shubert has conducted a general survey of association policing with which the Mortlake and Hammersmith schemes may be compared. Philips refers to a few examples and mentions the failed initiatives of the Hammersmith associations, but concludes that rather than engage in policing themselves, most associations preferred to establish close relations with their parish constables.¹ For his part, Shubert maintains that some associations, especially in London, engaged in patrolling, usually on a modest scale.² They agree, however, that support for centralised, government mandated policing was widespread amongst metropolitan associations. The extent to which that was true of the four associations is considered.

Policing and the Hammersmith associations

Reynolds explains that in the absence of the specific authority of a local Act, funding a professionalised parish Night Watch through the parish rate was open to strong legal challenge, a point emphasised at a Hammersmith Vestry meeting in late 1827.³

Hammersmith had not obtained such an Act by 1811 when its first association was formed; and when on two occasions in 1827 the desirability of doing so was raised in the Vestry the proposal was ignored.⁴ There was some sort of Night Watch in Hammersmith in 1811, but it was condemned by the committee of the first

¹ Philips, pp. 145-149.

² Shubert, p.33.

³ Reynolds, p. 18 and 44; H&F PAH/1, Hammersmith VMs, 1st November 1827.

⁴ H&F PAH/1, Hammersmith VMs, 28th March and 21st October 1827.

Hammersmith association as being of “little or no avail” in preventing depredations.⁵ The only other nighttime preventative policing in Hammersmith would have been provided by privately employed and turnpike watchmen, and Bow Street Patrols.⁶ In these circumstances and bearing in mind its proximity to central London, it might be thought that there would be considerable support for a subscription policing scheme but that was not the case.

The two Hammersmith associations attempted a number of policing initiatives between 1811 and 1827, but none enjoyed more than very short-term success. The first in 1811-12 is described in Chapter one and was very much a product of the febrile atmosphere of the time. It involved a Patrol, and, unlike subsequent initiatives, it was not a subscription scheme but consisted of unpaid volunteers, most of whom were association subscribers. There seems to have been little, if any, organisation behind the venture and nothing is heard of it after January 1812.⁷ One feature this initiative had in common with all later schemes was the prominent involvement of John Bowling, who was a member of the committees of both associations.

A second scheme was proposed in November 1816, by a Committee of the Vestry - although its members were also members of the association and included both Bowling and George Pring (who subsequently took a leading part in the policing initiative of 1818). Under this plan a new association was to employ two four-man armed patrols to protect the town at night. Preparations to launch the project continued between 27th November and 4th December 1816, and a “Patrol Committee” was appointed which

⁵ LMA, St Paul, P80/PAU/011, Assoc. Mins., 12th December 1811.

⁶ Reynolds, pp.113-114.

⁷ LMA, St Paul, P80/PAU/011, Assoc. Mins., 12th December 1811 – 6th January 1812 and ‘List of Subscribers to the Hammersmith Association’, 1811, (n.d).

included local magistrates as well as Bowling and Pring.⁸ Although only eight men were to be recruited, nothing more is heard of the scheme after 4th December 1816. It seems likely that it was abandoned when a poster seeking support failed to attract sufficient interest.

The third Hammersmith initiative originated at a Vestry meeting on 27th April 1818, at which it was unanimously resolved that subscriptions should be raised to fund both prosecutions/rewards and a night watching and patrolling scheme.⁹ The project was to be conducted by a new organisation. This was to merge with the first Hammersmith association, with Pring as Treasurer, the latter being thanked by the meeting for “his assiduity and attention in bringing forward these resolutions”. The unanimous approval of this plan is inconsistent with its swift demise and the failure of the 1816 plan. The explanation seems to be that the 27th April meeting was unrepresentative of the feeling of Hammersmith ratepayers. Of the twenty-six attendees listed on the Vestry Minute, two names are illegible. Of the remaining twenty-four, thirteen appear on the 1811 list of subscribers to the first association, a further three are listed as members of the 1816 Patrol Committee, and five were subsequently listed as members of the 1818 General Committee.¹⁰ The Minute of the Vestry meeting therefore reflected only the views of dedicated supporters of the scheme.

The takeover of the first Hammersmith association was completed the day after the Vestry meeting. The first meeting of the committee of the “second” Hammersmith association was held on 29th April, at which arrangements for raising subscriptions

⁸ LMA, St Paul P80/PAU/011, Assoc. Mins., 27th November to 4th December 1816 (these Vestry Committee Minutes appear at the back of the Association Minute Book). The Minute of 27th November 1816 refers to the posting of a Bill informing the inhabitants of the plan.

⁹ H&F PAH/1, Hammersmith V.Ms, 27th April 1818.

¹⁰ LMA, St Paul, P80/PAU/011, Assoc. Mins., ‘List of Subscribers to the Hammersmith Association’, 1811, (n.d), 27th November 1816 with accompanying “Plan” (n.d.) and “General Committee 1818” (n.d.).

were agreed.¹¹ Two funds were to be operated. The first, for which lump sum contributions would be sought, was to finance the prosecution side of the association. The second, was to finance the Patrol and Watch, and subscribers were to be invited to commit to weekly contributions. By 20th May 1818, a Patrol of two men plus five watchmen had commenced operations.¹² Problems emerged within months. An examination of the Accounts on 9th September 1818, disclosed a healthy prosecution fund balance but that the policing fund was barely covering the weekly cost of the Patrol and Watch. As subscriptions had “fallen off”, the Patrol was discontinued.¹³ By January 1819, the weekly subscriptions no longer met the cost of the Watch, and this also was discontinued.¹⁴

By 1824, the prosecution side of the second association appears to have been moribund, but in June that year, its committee, under Mr. Bird its new Treasurer, made a further attempt to launch a policing scheme.¹⁵ On this occasion it was proposed that the Treasurer be authorised “to employ some Police Officers or some efficient Persons to patrol the Hamlet”. A committee was appointed, which included Pring and Bowling, and Bills were to be printed informing the inhabitants that members of the committee would call to receive their subscriptions. This fund-raising attempt was clearly unsuccessful as nothing more is heard of the scheme.

In 1827, as a result of a series of robberies by a gang of local housebreakers, the issue arose again and for the final time. On 6th March, the Vestry appointed a new committee (which included Bowling) for the second association.¹⁶ This was to collect subscriptions and take “the most effectual steps” to deal with the spate of robberies.

¹¹ LMA, St Paul P80/PAU/011, Assoc. Mins., 28th, 29th April and 6th May 1818.

¹² LMA, St Paul P80/PAU/011, Assoc. Mins., 13th and 20th May 1818.

¹³ LMA, St Paul P80/PAU/011, Assoc. Mins., 9th September 1818.

¹⁴ LMA, St Paul P80/PAU/011, Assoc. Mins., 25th November 1818 – 21st January 1819.

¹⁵ LMA, St Paul P80/PAU/011, Assoc. Mins., 18th June 1824.

¹⁶ H&F PAH/1, Hammersmith V.Ms, 6th March 1827.

Although the Minute makes no reference to a policing scheme, the new committee, resolved to solicit subscriptions to fund a night patrol as well as rewards/prosecutions work, but probably anticipating funding difficulties, it sought alternative solutions.¹⁷ In the first instance an application was made to the Chief Magistrate at Bow Street for assistance in the form of additional patrols, and when this was refused, a Petition was submitted to Sir Robert Peel at the Home Department, seeking “some aid from the metropolis”.¹⁸ Only after this was rejected did the association institute a five-man patrol in early April 1827.¹⁹ Despite strenuous and repeated fundraising efforts, the association was in financial difficulties by mid-June.²⁰ On 21st June an appeal was made at a Vestry meeting for more people to subscribe to the association on the basis that the one hundred and fifty who had contributed to date, represented only a very limited proportion of those in a position to assist.²¹ This appeal fell on deaf ears and the second Hammersmith association was dissolved at the end of June 1827.²² It is unclear whether the failure of Hammersmith property owners to support the association’s modest schemes arose from unwillingness to pay for any form of policing, or from concerns about value for money. However, the consistent failure of the schemes suggests that the issue of association policing was kept alive only by the enthusiasm and optimism of a minority.

Given the fitful existence of the Hammersmith association, the question of its views on government mandated policing is perhaps of limited significance, but there is reason to question Philips’ assumption that it was in favour.²³ The petition to Robert Peel in

¹⁷ LMA, St Paul P80/PAU/011, Assoc. Mins., 9th March 1827.

¹⁸ LMA, St Paul P80/PAU/011, Assoc. Mins., 14th and 19th March 1827.

¹⁹ LMA, St Paul P80/PAU/011, Assoc. Mins., 6th April 1827.

²⁰ For fundraising efforts, see: LMA, St Paul P80/PAU/011, Assoc. Mins., “A List of Subscribers to the Hammersmith Association for the Prosecution of Thieves and Felons, Commencing 9th March 1827.” This covers a period to 11th June 1827.

²¹ LMA, St Paul P80/PAU/011, Assoc. Mins., 15th June – 29th June 1827 and H&F PAH/1, Hammersmith V.Ms, 21st June 1827.

²² LMA, St Paul P80/PAU/011, Assoc. Mins., 29th June 1827.

²³ Philips, p.148;

March 1827, which he cites as evidence of support, was drawn up after Bow Street had refused to provide additional patrols and it seeks, not government protection as Philips states, but “some aid from the metropolis”. It may well therefore have been aimed at persuading Peel to overrule Bow Street’s decision. This certainly seems to have been how it was interpreted at the Home Department as its reply states, “it is impossible with the present strength of the Patrole establishment, to give protection to individual houses”.²⁴ The question of the association’s attitude to government policing is thus an open one, and the attitude of John Bowling in 1830, adds to the uncertainty. As he had been involved in every policing initiative from 1811 to 1827, it might be thought that that he would have welcomed the advent of the Metropolitan Police in 1829. However, at a Vestry meeting on 28th October 1830, he proposed a resolution stating that any benefit provided by the new police was outweighed by its cost. Further, he proposed that a deputation should visit Robert Peel to request that the services of the police be limited to providing “an efficient nightly watch and Patrol on the most economical plan”; a statement perhaps of what he had been aiming to achieve for the previous nineteen years.²⁵

Policing and the Mortlake association

Like Hammersmith, Mortlake did not possess a local Act authorising the parish to fund a Night Watch through the rates, and it is possible that the only Night Watch during the period was that operated by the association between 1819 and 1831.²⁶ The parish’s only other nighttime security was provided by private watchmen and the Bow Street

²⁴ LMA, St Paul P80/PAU/011, Assoc. Mins., 6th April 1827.

²⁵ H&F PAH/1, Hammersmith V.Ms, 28th October 1830.

²⁶ There was certainly no Parish-funded Night Watch in 1828, see: HC Parliamentary Papers 1828 (533) *Select Committee Report on Cause of Increase in number of Commitments and Convictions in London and Middlesex, and State of Police of Metropolis, Appendix*, pp 394-395 <<https://parlipapers-proquest-com.libezproxy.open.ac.uk/parlipapers/docview/t70.d75.1828-010942?accountid=14697>> [Accessed November/December 2023] (hereafter “1828 *Select Committee Report*”)

Horse Patrol, which had men and horses stationed at East Sheen.²⁷ However, The Horse Patrol's duty was to protect travellers on the major roads, and in 1828 the High Constable of Wandsworth considered it of little assistance in the prevention of property crime, as most depredations occurred "in the bye lanes... not on the high road".²⁸

Chapter two sets out the circumstances in which the association at its General Meeting of 2nd January 1819, resolved to establish a subscription Night Watch of up to six men. A Superintendent was also to be appointed. No separate fund was created to pay the expenses of this Watch, which was to be financed through the voluntary rate supplement agreed in 1816. Mr Wayland, the parish Beadle, was appointed Collector of these voluntary rates (a post he held throughout the life of the association), and it was provided that defaulters would be deprived of the benefits of membership.²⁹

There are no surviving association Minutes for the period 2nd January 1819 to 7th January 1823, by which date its Night Watch was established. It was a modest affair, operating only between late September and late April each year, and employing four men rather than the six authorised at the meeting of 2nd January 1819.³⁰ Mr Wayland was appointed Watch Superintendent, a post he held in addition to that of Collector.³¹ Managing the Watch seems to have been straightforward, although in January 1823, a watchman was suspended for a week for using "menacing language" to Sir Archibald

²⁷ As to private Watchmen, see 1828 *Select Committee Report* pp 394-395, which records the employment of private watchmen by Lord Ailesbury and Lord Sidmouth; As to the Horse Patrol at East Sheen see; HC Parliamentary Papers 1816 (510) *Select Committee Report on State of Police of Metropolis*, pp 193-195 <, <https://parlipapers-proquest-com.libezproxy.open.ac.uk/parlipapers/docview/t70.d75.1816-004422?accountid=14697> [Accessed 17th November 2023] (hereafter "1816 *Select Committee Report*").

²⁸ HC Parliamentary Papers 1822 (440) *Select Committee Report on State of Police of Metropolis*, p. 35 <https://parlipapers-proquest-com.libezproxy.open.ac.uk/parlipapers/docview/t70.d75.1822-007659?accountid=14697> [Accessed November/December 2023] (hereafter "1822 *Select Committee Report*").

²⁹ SHC, St. Mary Ref:2397/8/1, Mortlake Assoc. Mins., 28th September 1816 and 2nd January 1819.

³⁰ SHC, St Mary Ref. 2397/8/2, Watch Mins., 8th April and 23rd September 1823.

³¹ SHC, St Mary Ref. 2397/8/2, Watch Mins., 6th April 1824, 9th January 1827.

McDonald's butler when soliciting his Christmas Box, and another was dismissed for neglect of duty later that year.³² The watchmen also occasionally received additional payments. In November 1823, they were each paid half a crown for escorting brickmakers who had been charged with riot, to Wandsworth, and in April 1828 Mr Wayland and a watchman were each paid rewards of ten shillings for apprehending offenders.³³

Although the Watch may have operated smoothly, there are signs that financing became increasingly difficult. From 1823 to 1828 the association funded both its prosecution work and the Watch by levying a voluntary rate on subscribers, of sixpence in the pound. The association's Minutes record that the Committee anticipated this would produce about one hundred and thirty-five pounds each year, suggesting that the membership of the association remained fairly stable during this period.³⁴ By 1828, the Committee was sufficiently concerned about its ability to fund both sides of the association's work that it convened a General Meeting to consider abandoning prosecution work.³⁵ Although there is no Minute of this General Meeting, the Committee's proposal was clearly accepted as there is no further reference to prosecutions in the Minutes, which from November 1828 describe the association as the "Mortlake Watch Association".³⁶

Any relief provided by this decision was short-lived. In August 1829, the Committee felt it necessary before levying a rate, to ask "Inhabitants within the usual beat of the ... Watch" to sign a book to confirm their willingness to support the association.³⁷ This approach produced sufficient additional subscribers to induce the Committee to

³² SHC, St Mary Ref. 2397/8/2, Watch Mins., 7th January and 8th April 1823.

³³ SHC, St Mary Ref. 2397/8/2, Watch Mins., 4th November 1823, 1st April 1828.

³⁴ SHC, St Mary Ref. 2397/8/2, Watch Mins., 2nd December 1823, 9th November 1824, 6th September and 11th October 1825, 5th September 1826, 29th August and 2nd October 1827.

³⁵ SHC, St Mary Ref. 2397/8/2, Watch Mins., 18th September 1828.

³⁶ SHC, St Mary Ref. 2397/8/2, Watch Mins., 18th September and 28th November 1828.

³⁷ SHC, St Mary Ref. 2397/8/2, Watch Mins., 19th August 1829 – 30th March 1830.

continue and it levied the usual rate of sixpence in the pound. There followed a wrangle when some subscribers objected to making payment on the basis of a new Rate book, and the committee agreed to proceed on the basis of the old one. Mr Wayland's Collecting Book for 1829/30 and 1830/31 has survived. It shows that, of the approximately one hundred and thirty-six pounds that should have been collected from one hundred and one subscribers in 1829/30, only about one hundred and nineteen pounds was received. Eighteen subscribers refused to pay.³⁸

When again setting a rate of sixpence in the pound in August 1830, the Committee, anticipating further difficulties, resolved to distribute handbills stating that "if the inhabitants do not more generally subscribe to the local Watch... the police under the statute will be applied for and (illegible) the expense to the inhabitants will be increased".³⁹ This warning had no effect. Instead of collecting a projected one hundred and thirty-eight pounds from one hundred and one subscribers, Mr Wayland again recovered only about one hundred and seventeen pounds from eighty subscribers.⁴⁰

The committee then concluded that the Watch "may with propriety be continued" until late April 1831, and there is no sign that the association continued after that date.⁴¹ It is unclear precisely what precipitated its demise. Bentley refers to the autumn of 1829 as a time of severe economic distress, which may have been a factor.⁴² It is also possible that the abandonment of prosecution work, or ill will resulting from the rate book dispute, caused some subscribers to withdraw their support.

The Mortlake association does not seem to have taken a consistent attitude to the new police. At a Vestry Meeting in May 1829, Frederick Reeves JP was authorised together

³⁸ SHC, St Mary Ref. 2397/8/5, Mortlake Watch Association Collecting Book 1829-1830.

³⁹ SHC, St Mary Ref. 2397/8/2, Watch Mins., 24th August 1830.

⁴⁰ SHC, St Mary Ref. 2397/8/5, Mortlake Watch Association Collecting Book 1830-1831.

⁴¹ SHC, St Mary Ref. 2397/8/2, Watch Mins., 8th February 1831.

⁴² Bentley, *Politics without Democracy*, p.41-42.

with another subscriber, “to apply to the Secretary of State to request that this parish should be included.....in the new police Bill.”⁴³ There is no list of the attendees at this meeting, but the Minute bears twelve signatures including those of the Minister, a Churchwarden, two Overseers and eight “Inhabitants”. One signature is illegible and of the remaining eleven, ten are those of members of the association, of whom four attended committee meetings during 1829.⁴⁴ This strongly suggests that at this point, with its committee unsure about the association’s future viability, the association supported government mandated policing. In the event, Mortlake was not taken into the Metropolitan Police District in 1830, and the handbill distributed in August that year, suggests that enthusiasm for the new police may have waned quickly once its expense became clear.⁴⁵

Whatever the association’s opinion may have been, Mortlake’s Vestry Minutes show that following its collapse, the parish was unwilling to apply to the Metropolitan Police for assistance. In August 1831, the Vestry discussed “future arrangements for the watching and protecting the Parish of Mortlake, or the necessity of applying to the Secretary of State’s Office for the assistance of the New Police”. The attendance list includes the names of a number of members of the old association, but the only decision made was to appoint a committee to decide on future watching arrangements on the basis that these would be financed by “a general and voluntary subscription of the Inhabitants”. Nothing appears to have come of this.

⁴³ SHC, St Mary Ref. 2414/4/6, Mortlake Vestry Minute Book 1804-1806, 15th May 1829.

⁴⁴ see names in SHC, St Mary Ref. 2397/8/5, Mortlake Watch Association Collecting Book 1829-1830 and SHC, St Mary Ref. 2397/8/2, Watch Mins., 14th April to 2nd December 1829.

⁴⁵ Mortlake became part of the Metropolitan Police District in 1840, see *Metropolitan Police District: Order in Council Enlarging the Boundaries of the Metropolitan Police District*, SI 1840/5001. < vLexJustis (open.ac.uk) > [Accessed 21st November 2023].

Policing and the Clapham associations

Prior to 1830, when it became part of the Metropolitan Police District, policing in Clapham was conducted under the authority of a local Act of 1785, which authorised the parish to raise a rate to finance a Night Watch.⁴⁶ By 1822 the Clapham Night Watch was twenty-three strong, with another twelve employed to patrol “the road from Clapham Common to certain roads leading therefrom”.⁴⁷ Some additional protection for travellers was provided by the Bow Street Horse Patrol which had a station at Clapham.⁴⁸ Clapham’s parish funded Watch and patrol was much larger than the four man Watch funded by the Mortlake association or the Watch/patrols briefly provided by the second Hammersmith association. Whilst the founders of the Elliott association expressed concern in 1821 that these security arrangements were inadequate, neither of the Clapham associations proposed a policing scheme.⁴⁹

The records of the Elliott association (which end in 1825), express no view on government mandated policing. The minutes of the Terry association are likewise silent about the arrival of the Metropolitan Police in Clapham in 1829. However, in October 1830, Mr Terry was appointed to a Vestry committee charged with drafting a petition to Parliament requesting that Clapham be exempted from the “operations” of the Metropolitan Police, on the basis that its performance was inferior to, and more expensive than, the Watch it replaced.⁵⁰ Although this may evidence his (and presumably his association’s) opposition to government mandated policing at that time, by late 1837 the association appears to have reconciled itself to the new situation and to have established close relations with individual policemen. A Minute of 12th

⁴⁶ Schedule to *Metropolitan Police Act 1829 c.44* < vLexJustis (open.ac.uk) > [Accessed 21st November 2023]; Reynolds, pp.77-78.

⁴⁷ 1822 *Select Committee Report, Appendix 4*, p. 135.

⁴⁸ 1816 *Select Committee Report*, pp. 193-195.

⁴⁹ LMA, Holy Trinity, P95/TRI1/140, V.C. Mins., 9th March 1821.

⁵⁰ LMA, Holy Trinity, P95/TRI1/008, VMs, 21st October 1830.

October 1837, mentions the payment of a two-pound gratuity to John Ebling, a Police Constable, and subsequent Minutes show regular payments of three-pound rewards to individual policemen when convictions were obtained.⁵¹ Hay and Snyder state that by 1837 it was becoming common in the metropolis for the police rather than the victim to act as prosecutor, but it is unclear whether this was the basis upon which the Terry association was making these payments.⁵²

Overview

The four associations had very different experiences of policing. Clapham's local Act enabled it to fund a sizeable Night Watch through the rates and relieved its associations of any incentive to promote their own policing schemes. In contrast parish Night Watch provision in Hammersmith and Mortlake was either inadequate or virtually non-existent. In that situation it is understandable that the Mortlake association considered it "agreeable to (its) original intention" to employ watchmen, or that the Hammersmith association similarly attempted to supplement the deterrent effect of its prosecution work through preventative policing schemes.⁵³

Although the Hammersmith and Mortlake association initiatives were similar in that they employed only small numbers of watchmen compared with the Clapham Night Watch, their experiences were otherwise very different. The Mortlake Watch operated only during the winter months, which made the scheme cheaper to run and must in part account for its longevity. Support for the scheme may in addition have been boosted by the local influence of the association's elite founders, and by the fact that its wealthier subscribers bore the greater part of the cost of the scheme through the voluntary rate

⁵¹ LMA, Holy Trinity P95/TRI1/047, Terry Mins., 12th October 1837 – 14th May 1840.

⁵² Douglas Hay and Francis Snyder, 'Using the Criminal Law, 1750-1850: Policing, Private Prosecution and the State', in *Policing and Prosecution*, pp. 37-40.

⁵³ SHC, St. Mary Ref:2397/8/1, Mortlake Assoc. Mins., 2nd January 1819.

supplement by which it was financed.⁵⁴ Whether the termination of the prosecution side of the association in 1828, was a positive factor is uncertain, as this may have caused some subscribers to withdraw support. The position of the Hammersmith association was very different. Its leading figures, particularly after 1818, lacked the social sway of the founders of the Mortlake association. Further, neglect of the first association's affairs between 1812 and 1818 by its then leadership may have damaged public attitudes and may partly explain the second association's inability to rally support for its various schemes. That support for the Hammersmith associations diminished is apparent from the fact that it attracted 189 subscribers from a parish population of 7,393 in 1811, but from a population that must have been approaching 10,000 in 1827 it acquired only 150 subscribers.

It is impossible to say whether the four associations had similar views on government mandated policing before 1829. Whilst there is strong reason to believe that the Mortlake association was in favour in May 1829, the evidence cited by Philips as demonstrating the Hammersmith association's support in 1827, is not persuasive. There is no surviving evidence of the attitudes of the Clapham associations before 1829. Taken overall therefore, the four associations provide only limited support for the view of Philips and Shubert that there was widespread support for government policing amongst metropolitan associations. The associations' views post-1830, as expressed in the Mortlake association's handbill of August 1830 and the Clapham Vestry Minute of 21st October 1830, show disapproval of government policing. Whilst the Hammersmith association was by then dissolved, the resolution proposed by Mr

⁵⁴ In 1829 well over half the money due for collection was charged to just fifteen of the one hundred and one listed subscribers – see: SHC, St Mary Ref. 2397/8/5, Mortlake Watch Association Collecting Book 1829-1830.

Bowling in the Vestry in October 1830, demonstrates that by then, one of its foremost champions held a similar negative view of the Metropolitan police.

5. Summary and Conclusions

This study of the prosecution associations established in Hammersmith, Mortlake and Clapham between 1811 and 1821, had three objectives.

The first was to establish whether they were bespoke products of their communities, or displayed common characteristics, possibly resulting from their proximity to the metropolis. This was dealt with in Chapters two and three and few common features emerged. In most respects the associations were the products of their communities.

Their origins, for example, can be traced to the Hammersmith Vestry's fear of crime in 1811; an aristocratic/ political elite in Mortlake, concerned in 1816-1819 not only about local crime but the potential for widespread social/political unrest; the desire of an evangelical Clapham magistrate to deter crime and promote moral reform; and the enterprise of a successful Clapham butcher, who sought to deter crime and foster relations between local tradesmen, farmers and market gardeners.

Their constitutions were also local productions. The Mortlake and Elliott associations were managed by Treasurers and committees elected by General Meetings, but at Mortlake the local magistracy had a formal supervisory role. In contrast, at Hammersmith the Vestry appointed both Treasurers and committees, and there appears to have been no provision for General Meetings. The Terry association had no committee although members met twice a year and it was the only one of the four associations to organise subscriber dinners,

The post-foundation leaderships of the associations, also demonstrate local differences. At Hammersmith, magistrates were prominent in the first association until 1818, but seem to have neglected it after 1811/1812. After 1818, professionals, gentry, clergy

and tradesmen led the second association. At Mortlake, the association was managed largely by a member of the gentry and a professional, but the local magistracy was influential. In Clapham, Elliott, a magistrate' was central to the affairs of his association, assisted by a committee of gentry, professionals and businessmen.

Leadership of the Terry association on the other hand was provided by Terry alone.

The four associations did take the same approach to the pursuit of offenders. None of them advertised in newspapers for information. All relied on handbills. With the exception of the first Hammersmith association, they each took around one case to court per year and appear to have "cleared up" at least half of the offences reported to them.

The circumstances in which the associations ceased operations also reflect local factors. Although the second Hammersmith association was dissolved in 1827, it and its predecessor were inactive for considerable periods after 1811/12. Support for them was clearly lacking amongst the Vestrymen of Hammersmith and it was only the activity of a group of enthusiasts that produced temporary revivals in 1818 and 1827.

The Mortlake association remained active from 1816 to 1831. Economical management of its Watch and the fact that the parish's wealthier residents bore the greater part of the cost of its activities, probably had much to do with its survival.

However, for reasons which are unclear, it failed in 1831, having lost the support of a significant proportion of its subscribers. As the surviving records of the Elliott association cease in 1825, the circumstances of its demise are unknown. It may simply be that enthusiasm fell away following Elliott's retirement to Brighton. The Terry association was active for twenty-three years and it is likely that its social side had much to do with its longevity. That its demise in 1840 followed swiftly upon that of Terry himself is unsurprising given the crucial role he had played in its affairs.

The second objective was to consider historiographical issues. Chapters two and three place the four associations in the context of Philips' and King's general surveys of English and Essex associations. The four associations differed in important respects from the "Philips model" summarised in Chapter three. The absence of subscriber dinners in three cases is striking, given the importance attached to them by Philips and King. Further, local magistrates played a more direct role in the first Hammersmith, Mortlake and Elliott associations than in those surveyed by Philips and King. Why, is a matter requiring further investigation but may reflect local factors. The initial involvement of local magistrates at Hammersmith is understandable given the pervading fear of crime in 1811, and their continuing position in the first association between 1812 and 1818, may result from public indifference and the absence of General Meetings and committee elections. At Clapham, although Elliott was a magistrate, it is likely that his evangelical beliefs were a powerful motivation for founding and leading an association. The supervisory role of the local magistrates was written into the constitution of the Mortlake association, and probably reflects the determination of its founders to retain influence over its affairs. The prominence of gentry in the affairs of the Mortlake and Elliott associations is likewise atypical of the associations surveyed by Philips. Possibly this results from the proximity of Clapham and Mortlake to the metropolis. Both attracted the social/political elite and wealthy businessmen who wished to live outside, but within easy reach of, the metropolis. Such groups would naturally have been influential in local affairs.

Chapter three demonstrates that, with the exception of the first Hammersmith association, the records of the four associations in apprehending offenders and their "clear up" rates, were similar to those of the associations analysed by Philips. The success of the four associations was not prejudiced by their failure to advertise for information in newspapers. However, examination of a small number of cases in which

offenders were apprehended, discloses that handbills were not always a factor. In assessing the effectiveness of prosecution associations therefore, they should not necessarily receive credit for every offender apprehended.

Chapter two also considers the debate between Philips, King and Shubert over the attitude of associations to radical reform of the administration of criminal justice. The records of the four associations give no indication that any of them favoured major reform of law enforcement as suggested by Shubert. Further, three of them were founded by members of local elites whose influence would have been reduced by such reforms, making it highly unlikely that their associations would have favoured them. That is not to say that associations did not favour other types of reform. There is, for example, evidence that the Elliott association aimed to promote moral improvement.

The third objective, dealt with at Chapter four, was to review the involvement of the associations in policing and, arising from the historiography, their attitudes to government mandated policing. Only the Hammersmith and Mortlake associations undertook policing roles. It was unnecessary for the Clapham associations to consider doing so, as the parish was policed by a rates-funded Watch authorised by a local Act. Figures set out in Chapter four reveal that the policing schemes of the Hammersmith and Mortlake associations were extremely modest in comparison to the Clapham policing establishment. It is also striking that even so the Hammersmith association could not attract sufficient support to maintain its initiative for more than a few months. Likewise, the Mortlake association could operate its Watch only during the winter months and in 1828 ceased funding prosecutions in order to keep the Watch in operation. This suggest that in terms of deterrent value its policing work was regarded as more effective than its prosecution side.

The evidence reviewed at Chapter four concerning the attitude of the four associations (and particularly that of the Hammersmith association) to government mandated policing is mixed and does not accord with the pattern of general support suggested by Philips and Shubert. The Mortlake association is the only one that provides clear evidence of support before the Metropolitan Police came into being. The position of the Hammersmith association in 1827 is uncertain. There is also evidence from 1830, of opposition to the Metropolitan Police in the Mortlake and Terry associations, an attitude also shared by a leading figure from the former Hammersmith association.

Further investigations

This study establishes that the four associations were distinct individual products of their local parishes, and their records have cast light, not just on local endeavours to deter property crime, but on wider concerns of local elites and parish vestries. By no means every community had an association, but the historiography demonstrates that many did, and preliminary research for this dissertation quickly turned up several, in addition to the four examined, that operated in and about the metropolis during the period. Where prosecution association records survive, they merit study and may provide local history scholars with an additional perspective on the communities they investigate. For historians of policing, further study of associations in and around the metropolis may help to clarify both the efforts made by parishes and associations to deter crime before the advent of the Metropolitan Police, and attitudes to government mandated policing before and after 1829.

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