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“No remedy for the inefficiency of Parochial Constables” :

Superintending constables and the transition to ‘new’ policing
in the West Riding of Yorkshire
in the third quarter of the nineteenth century¹

David Taylor ²

Cet article explore la transition entre l'ancien et le nouveau modèle de police dans une importante région industrielle du Nord de l'Angleterre au milieu du XIX^e siècle. En se fondant sur une étude détaillée du district de Huddersfield, l'auteur argue que le système de l'agent supérieur de police autorisé par les Parish Constables Acts de 1842 et 1850, et qui a été très critiqué, satisfaisait les attentes des industriels et magistrats locaux. Ceux-ci étaient sceptiques quant à la nécessité d'introduire une police du comté dans le district occidental du Yorkshire. Par ailleurs, tant du point de vue du personnel que des pratiques policières, le système de l'agent supérieur de police facilita la transition vers la nouvelle institution policière, une fois la police du comté établie dans cette région en 1857.

This article explores the transition from ‘old’ to ‘new’ policing in an important industrial region in the north of England in the mid-nineteenth century. Through a detailed local study of the Huddersfield district, it argues that the much-criticised superintending constable system, made possible by the Parish Constables Acts of 1842 and 1850, offered a form of policing that, for the most part, satisfied the expectations of local industrialists and magistrates, who remained sceptical of the need for the introduction of a county police force in the West Riding of Yorkshire. Further, in terms of both personnel and policing practice, the superintending constable system facilitated the transition to ‘new’ policing following the creation of the West Riding County Constabulary in 1857.

The advent of the ‘new police’ in mid nineteenth-century England and Wales has attracted considerable attention in recent years and it is widely accepted that there were considerable variations in policing practice across the country as both national and local politicians sought to develop more appropriate forms of policing.³ In this period of experimentation in police reform one largely-overlooked option

¹ Second Report of the Select Committee on Police, 1852-3, (715), Resolution 3.

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³ See particularly Emsley (1996, 2009); Innes (2009); Lawrence (2011); Philips, Storch (1999); Storch (1989); Taylor (1997).

was the 'Tory initiatives' embodied in the Parish Constables Acts of 1842 and 1850.⁴ Eventually this model of policing was decisively rejected in 1856 but these acts were used in the West Riding of Yorkshire, particularly in the Huddersfield district, to create a system of policing that satisfied many of the needs and expectations of local magistrates and manufacturers, who voted consistently not to establish a county force under the 1839 Rural Police Act. Furthermore, despite difficulties that were perceived at the time, the superintending constable system was an important transitional phase in the policing of the West Riding, providing significant elements of continuity, in terms of personnel and policing practice, which linked the 'old' police with the more 'closely supervised' and proletarianised 'new' police that Williams has recently identified.⁵

The Parish Constables Acts of 1842 and 1850 do not figure large in the histories of the nineteenth-century English police but the rejection of their model of policing should not obscure its importance in earlier years. As well as the West Riding of Yorkshire, a number of counties, notably Kent and Cheshire – both at the forefront of thinking on police reform – adopted the superintending constable system in an attempt to introduce "some measure of professional policing into the old parish constable system".⁶ The 1842 Act provided for the appointment of superintending constables, paid for by the county and responsible to Quarter Sessions, but linked these appointments to the establishment of lock-ups. The 1850 Act dropped this requirement and enabled the appointment of superintending constables with oversight of all unpaid and paid parochial constables in any petty sessional division. This system has been criticised by several police historians as little more than a dead-end, being unable to deal with anything other than relatively minor offences.⁷ According to Emsley, while many superintending constables were professional, the men under their command, the parish constables "were not, and had no intention of becoming such".⁸ More sympathetic historians, such as Philips, have argued that "their great defect was particularly felt in cases where they had to deal with serious violence, robberies and burglaries".⁹ Further, according to Philips and Storch, even in counties heavily committed to the superintending constable system, by the mid-1850s magistrates were convinced that a system heavily reliant upon parochial constables could not deliver the protection deemed necessary at the time.¹⁰

Much of the evidence on which these judgments rest is drawn from proponents of county-based police forces. The witnesses called before the Select Committee on Police (1852-3) were chosen to paint a damning picture of the superintending constable system and to give a positive account of county forces, most notably

⁴ Similar approaches to reformed rural policing can be seen in the proposals of the semi-professional, entrepreneurial Bedfordshire constable, J.H. Warden and the Hampshire magistrate, Sir Thomas Baring in the 1820s and 1830s respectively. Storch (1989, pp. 217-19).

⁵ Williams (2014, p. 52).

⁶ Storch, Philips (1999, p. 215). See also Emsley (1996, pp. 47-9). Buckinghamshire, Herefordshire and Lincolnshire also adopted this system.

⁷ Critchley (1978, p. 93); Emsley (1996, pp. 47-49 & 249); Palmer (1990, p. 449).

⁸ Emsley (1996, p. 39).

⁹ Philips (1977, p. 62).

¹⁰ Philips, Storch (1999, p. 231 but see also pp. 216-18). This conclusion is based on the direct evidence from Buckinghamshire and the assumption that 'similar cautiously negative conclusions were being drawn elsewhere.' (p. 218). This was not the case in the West Riding of Yorkshire.

that established in Essex. No witnesses were called from Kent despite, or perhaps because of its success in implementing the modernised parish constable system. William Hamilton, the superintending constable from Wendover, Buckinghamshire, appears to have been chosen to condemn from within. Similarly, David Smith, a superintending constable from Oxfordshire, who like Hamilton had had experience of the Essex county force asserted that the 60-70 parish constables in Oxfordshire were but the equivalent of half a dozen constables from the Essex force.¹¹ Other witnesses from county forces, in addition to extolling the virtues of their own forces, condemned failures in neighbouring counties. Captain John Woodford of the Lancashire County Constabulary lamented the “want of a proper police establishment in Yorkshire” and complained of the “great disorder and rioting in Yorkshire, immediately over the borders of Lancashire”.¹² The few who expressed satisfaction with the superintending constable system were listened to with something approaching incredulity. On at least one occasion, the outspoken and highly-respected Captain J.B. McHardy, chief constable of the Essex county police force, was recalled to counter suggestions that there was a viable alternative to a system of county police forces. Predictably, the final report was condemnatory, albeit with faint praise. “Superintendent Constables”, it was conceded, had “proved useful as police officers” but they were “no remedy for the inefficiency of Parochial Constables”.¹³ Equally unsurprisingly, Sir George Grey, presenting the new police bill in parliament, dismissed superintending constables “as quite inadequate to fulfil the duties of a police force” and later unequivocally condemned “the total inadequacy of the old system of parish constables and superintendent constables”.¹⁴ Given such contemporary criticism it is somewhat surprising that any magistrates voted for such a system; but many, not least in the West Riding of Yorkshire, did so believing it to be a viable and more attractive alternative.¹⁵

Policing under the superintending constable system has not been the subject of detailed research, even in the local studies of policing that have proliferated in recent years.¹⁶ Storch and Philips, focussing more on the politics of police reform, make some reference to the working of the system in Buckinghamshire and Kent but barely touch on the experience of the West Riding, while others give a misleading impression of unchanging practices in that county, where supposedly “the old parish constable

¹¹ First Report of the Select Committee on Police, 1852 (603). Evidence of William Hamilton, esp. QQ 1014-5; and of David Smith Second Report, 1852-3, (715) esp. QQ 3672 and 3691-2.

¹² First report of the Select Committee on Police, 1852 (603). Evidence of Capt. J Woodford, First Report, esp. QQ 1693 and 1699.

¹³ Second Report of the Select Committee on Police, 1852-3 (715). Resolution 3. H M Clifford, chair of the Hereford Quarter Sessions was one of the few witnesses to speak in favour of the superintending constable system. See esp. QQ3824, 3839, 3872 and 3874.

¹⁴ *Hansard*, vol.140, Police (Counties and Boroughs) Bill, 5 February and 10 March 1856. Philips, Storch (1999 Epilogue).

¹⁵ Palmer (1990, pp. 448-49) is one of the few historians to acknowledge that the 1842 Act was “an attractive alternative” to “the generally unpopular county police”. See also Emsley (2004, p. 231) for a recognition that certain witnesses to the 1852/3 Select Committee were satisfied with the superintending constable system.

¹⁶ Storch & Philips (1999, p. 325, fn.).

system limped along untouched”.¹⁷ More recently, Pye, in his study of protest and repression in the West Riding during the Chartist years, acknowledges the role of the 1842 Parish Constables Act but relates this narrowly to “the creation of police forces in growing industrial towns”.¹⁸ For a fuller understanding of the transition to new policing in the West Riding, it is necessary to look at the police reforms that followed the debates of the 1840s.¹⁹ Within months of the passing of the 1842 Act, the county magistrates received applications for the appointment of superintending constables from eighteen towns, including Bradford, Huddersfield and Halifax, even though in only four were lock-ups already in existence.²⁰ Given the set-up costs involved the magistrates proceeded with caution. In June 1843 they voted that lock-ups be provided and superintending constables appointed for Bradford, Knaresborough, Dewsbury, Halifax and Huddersfield.²¹ More superintending constables were subsequently approved and by the time of the 1852/3 Select Committee twenty-two had been appointed, leaving but four petty sessional districts in the county without one.²² Among the first was Thomas Heaton who assumed responsibility for the Huddersfield district in the summer of 1848.²³

II

The main focus of this article is the Huddersfield district which was part of the West Riding of Yorkshire, a diverse and dynamic region that played a critical part in the industrialisation of Britain. The district covered an area of almost 86,000 acres, including some bleak and inhospitable Pennine moorland, and contained a population of over 100,000. Huddersfield, with its important cloth market, was the largest town but there were numerous villages and hamlets as well as some fourteen semi-industrial townships, varying in size from less than 2,000 people to over 10,000, to be found in the valleys of the Colne and the Holme rivers.²⁴ Old and new practices co-existed. Handloom weaving persisted in several villages (for example Kirkheaton) while modern mills sprang up in others (such as Marsden and Meltham). Some communities (notably Golcar and Lockwood) prospered and grew as the result

¹⁷ Critchley (1979, p. 107). Even more misleadingly, Eastwood (1997, p. 144) claims that the 1839 Rural Constabulary Act was adopted by “all counties with sizable urban populations” even though this act was rejected on more than one occasion by the magistrates of the West Riding.

¹⁸ Pye (2013, p. 178). See also Bramham (1987) for a brief discussion of the origins of the West Riding County Constabulary.

¹⁹ *Leeds Mercury*, 18 April, 12 & 26 September 1840 and 17 April 1841; *Sheffield Independent*, 1 July 1843; *Huddersfield Chronicle*, 10 April 1852. See also Philips & Storch (1996, pp. 202-06).

²⁰ *Bradford Observer*, 29 June 1843 and *Sheffield Independent*, 1 July 1843.

²¹ West Riding Quarter Sessions Committees: Minutes and Reports, Lock-up Committee Minutes, 1843-59. 3 April 1843 meeting, p. 1; 5 May 1843 meeting, p.5 and 9 June meeting, p.8. *West Yorkshire Archive: Wakefield QC/4*. *Bradford Observer*, 29 June 1843 and *Sheffield Independent*, 1 July 1843.

²² Seven were superintendents of lock-ups and parish constables and fifteen for parish constables only. *Parliamentary Papers*, 1852-3 (675) Returns of Superintendent Constables.

²³ At which point he became superintendent of the Upper Agbrigg (Huddersfield) division of the newly-founded West Riding County Constabulary.

²⁴ Jenkins (1992).

of modernization and proximity to Huddersfield while others (particularly Honley and Holmfirth) saw stagnation or decline. Social tensions created by economic change posed problems of order but they were compounded by a tradition of political radicalism and popular dissent, which manifested itself most notably in the anti-poor law and chartist movements of the 1830s and 1840s, and which gave rise to fears that “a vast number of the working classes ... are constantly aiming at the subversion of all social order”.²⁵

However, from a policing perspective some of the greatest problems stemmed from the geography of the region. The population was scattered and often in relatively inaccessible areas some distance from Huddersfield, where the office of the superintending constable was located. This was particularly true of places such as Marsden, Meltham, Holme, Saddleworth and Scammonden seven or more miles from Huddersfield and up in the inaccessible hills of the Pennines. Much of the district around Marsden was uncultivated moorland; the village of Holme was part of a mountainous moorland township; and Scammonden was described as a wild and mountainous township. Several of the villages closer to Huddersfield, such as Scholes and Shelley, were straggling and scattered while in the relatively compact village of Honley there were numerous small-scale – and independently-minded – landowners and artisans, who kept alive a radical tradition in this part of the West Riding. Other townships, such as Holmfirth and Kirkheaton had a reputation for lawlessness, especially cock-fighting and brawling. However, proximity to Huddersfield did not guarantee an easier life for the police with upsurges of hostility to the police in adjacent townships such as Lindley, Birkby and Fartown. It was against this complex and evolving socio-economic and political background that the superintending-constable experiment took place as the magistrates – at county and local level – sought to bring higher standards of security for property and person and to combat crime without recourse to the establishment of a county force.

Attempting to reconstruct the ‘realities’ of mid-nineteenth century policing is problematic. Much of the daily contact between the police and the public they served simply went unrecorded. Where this contact did lead to formal proceedings, the majority of cases were brought before local magistrates at petty sessions, for which there are no surviving court records for the period under consideration.²⁶ Finally, none of the key figures considered here, from superintending constable to parochial officer has left a note-book, diary or memoir. As a consequence, much of the information comes from the local press, the *Huddersfield Chronicle* and the *Huddersfield Examiner*. Their editors were undoubtedly interested in copy that would sell their papers but coverage of local crime and editorial comment also reflected their social and political attitudes. The *Huddersfield Examiner* was from the outset in 1851 a self-proclaimed Liberal newspaper, highly critical of the extravagance and inefficiency of the early leaders of the town’s Improvement Commission and the (alleged) corruption of local officials, including senior policemen and the town’s clerk, one-time radical and Chartist, Joshua Hobson. The rival *Huddersfield Chronicle*, first published in 1850, was a Conservative newspaper and in 1855 Hobson, who had a

²⁵ Captain Fenton to General Bouverie, 29 December 1832 quoted in Hargreaves (1992, pp. 208-09). See also Pye (2013).

²⁶ Petty sessional records for the Huddersfield district (or the Upper Agbrigg petty sessional district as it was more properly known) held in the West Yorkshire Archive cover the period from 1879 onwards.

history of working with Tory reformers, became its editor. The paper increasingly took a stand against the Liberal 'economist' faction in the Huddersfield Improvement Commission.²⁷ Both papers, however, supported the decisions of the West Riding magistrates not to implement the 1839 Rural Police Act, preferring the more modest (and cheaper) superintending constable system. Both papers periodically satirised the zealotry of the local police, the *Examiner* more so than the *Chronicle*, but neither with the cutting edge of the Liberal *Leeds Mercury*, which combined fears of police tyranny with a patronizing attitude towards small-town Huddersfield. The town's press criticised the police for excessive violence and zealotry in bringing trivial cases on more than one occasion. The *Examiner* was more outspoken in the mid-1850s when the question of the creation of a county police force was again under discussion. Seizing on the alleged excesses of local policemen and their superintending constable, it warned, in language reminiscent of the early debates on police reform, of the greater threat to liberty that would come from a county-wide force.²⁸ Notwithstanding these problems, the local press provides a wealth of detail, not otherwise available, from which can be created a picture of police actions and attitudes, magisterial guidance and criticism and public responses to the police.²⁹

III

In June 1848 the magistrates at the West Riding Midsummer Quarter Sessions appointed the 38-year old Thomas Heaton as the superintending constable for the Huddersfield lock-up and the petty sessional district of Upper Agbrigg, commonly referred to as the Huddersfield district.³⁰ Little is known about Heaton when he first took up office, despite being presented to the county magistrates as "the unanimous choice of the Huddersfield bench from a number of candidates" by proposers who paid "a high compliment to his character and qualifications".³¹ The basis of his standing in the eyes of the local magistrates was his seventeen-year career in local government first as clerk to the Board of Highways and later as poor-law relieving officer for Huddersfield.³² There is no record of his views on policing at the time but, from later comments he made to newly-sworn in parochial constables, he believed in a causal link between gambling, drinking and criminality. In his mind

²⁷ For Hobson's earlier political activity see Harrison (1959) and for Huddersfield early local politics Griffiths (2008, 2013).

²⁸ *Huddersfield Examiner*, 17 November 1855. For the wider debate on police reform and changes in attitudes by the 1850s see Palmer (1990).

²⁹ Limited use was made of the regional press but coverage here was sporadic and heavily focussed on high-profile events.

³⁰ The Huddersfield district comprised the parishes of Almondbury, Kirkburton and Kirkheaton and also that part of the parish of Rochdale (the Saddleworth district) that fell in the West Riding of Yorkshire. In addition it included the parish of Huddersfield but not the area covered by the town's improvement act of 1848. Part of Heaton's salary was paid by Huddersfield ratepayers within the limits of the act and, as a consequence, Heaton was expected to render assistance when asked by the superintendent of Huddersfield police.

³¹ *Bradford Observer*, 29 June 1848.

³² The relieving officers were essentially the front-line forces of the New Poor Law, determining the fate of those applying for relief. Hostility to the New Poor Law was particularly strong in Huddersfield. Hargreaves (1992).

the contamination that followed from the intermixing of petty and serious criminals added urgency to his task of controlling beerhouses and brothels. As superintending constable, Heaton had responsibility for the local lock-up and for the oversight of annually-appointed parochial constables and any paid constables in the district.³³ Although appointed by the county magistrates he was expected to work closely with their local counterparts.³⁴ The magistrates – both county and local – saw the dissemination of information and the regulation of parochial constables as central aspects of his work but also expected him to play an active role, including co-operation with existing local law-enforcement agencies, particularly the Woollen Inspectorate.³⁵ Taken together, though never formally defined, these elements constituted the superintending constable system as it operated in the Huddersfield district.

The central role of superintending constable was challenging and Heaton, though relatively old and inexperienced on appointment, proved to be a highly active police-officer and to dismiss him simply as a ‘neighbourhood pest’ does not do justice to the scope of his activities, nor to his beliefs about the causes of crime.³⁶ He was greatly exercised by illegal, out-of-hours drinking and what were deemed to be unacceptable working-class leisure activities. From the outset, he set his sights on those “vile places, [the] sinks of iniquity and vice”, the beershops in Huddersfield’s Castlegate, in which immorality, petty offending and serious crime flourished.³⁷ Success was hard come by. An early attempt to tame Guy Fawkes’ celebrations in the town’s market square was an ignominious short-term defeat. The sight of a mud-sodden police superintendent, his uniform torn, struggling to his feet, as young men kicked out at him, did little for dignity or reputation.³⁸ However, Heaton was undeterred and continued his energetic attack on local crime.³⁹ His pre-occupation with breaches of the licensing laws, especially at Easter and Christmas as well as during local feasts; his determination to stop young men taking part in ‘nude’ races or playing pitch-and-toss in the highway; and his willingness to use arcane and ancient pieces of

³³ *Sheffield Independent*, 1 July 1843.

³⁴ For the relationship between magistrates and chief constables in the late nineteenth century see J Leigh, ‘Early County Chief Constables in the north of England, 1880-1905’, unpublished Ph.D. thesis, Open University, 2013, esp. chap. 3.

³⁵ The Worsted Acts and the committees responsible for prosecution were the most important weapons used against workplace embezzlement. Godfrey describes “the worsted committee and their inspectors” as “a private, state-funded detection and prosecution agency”. (1999, p. 58 fn.5) See also Godfrey and Cox (2013) and for prosecution societies see Philips (1989).

³⁶ Storch (1976, p. 484).

³⁷ Castlegate was a notorious street, some 200 yards in length, in which there were thirteen beerhouses, many of which doubled as brothels, and two public houses. The adjoining yards, in which lived many poor Irish families, were frequently denounced for their squalor by the public health reformers of the 1840s and 1850s. *Leeds Mercury*, 24 September 1848.

³⁸ Interestingly, this was the last time that ‘traditional’ November 5th celebrations took place in the centre of Huddersfield. For a general discussion of the ‘problem’ of working-class leisure see Cunningham (1980).

³⁹ The extent to which Heaton’s concern with Sabbath-breaking was driven by religious beliefs is unclear. He makes no explicit reference to his personal beliefs when bringing prosecutions but, in a town with strong non-conformist traditions he may well have had a strong religious belief but one that he did not feel appropriate to articulate. It is clear that other enthusiastic figures, such as William Payne acted on strong religious beliefs.

legislation to prosecute make him appear a driven and somewhat ridiculous figure.⁴⁰ Even his more routine arrests had a touch of the melodramatic and made him the butt of several facetious comments in the local press.⁴¹

Heaton's police methods also made him unpopular. Using men in plain clothes led to accusations of introducing a despotic 'Austrian' spy system while, more mundanely, checking public houses and beerhouses as soon as the church bells stopped ringing gave rise to charges of unreasonable zealotry. Undoubtedly Heaton was at odds with late-night drinkers, cock-fighters and players of pitch-and-toss but, more importantly, he was not acting simply on his own beliefs and initiatives. The local magistrates repeatedly stressed the importance of containing and restricting gambling and illegal drinking at the annual swearing-in of parochial constables; and many local organisations and individuals were similarly concerned with the threat seemingly posed by working-class leisure activities and particularly by the "wild, rough youths of the neighbourhood".⁴²

The scale of police activities and their success in marginalising pastimes such as cock-fighting and prize-fighting was considerable, not least at a time when the advent of the railway made it easier for people to travel to such 'sports' from miles around. When Heaton first took office, well-organised and well-attended fights, involving either animals or men, took place not just close-by the town, notably on Castle Hill, but even in the notorious Castlegate district of Huddersfield itself. Acting in line with the local magistrates' condemnation of the 'disgraceful pastime' of dog-fighting in particular, Heaton, sometimes alone, at other times accompanied by two or three constables first succeeded in disrupting such events and dispersing the crowds; but gradually drove them into remoter locations further into the Pennines.⁴³ By the mid-1850s, to escape 'the vigilance of Superintendent Heaton, battles [i.e. cock fights] are generally fought among the moors and thinly populated districts on the confines of Yorkshire, Lancashire and Cheshire'.⁴⁴ Even then Heaton continued his campaign despite the more difficult terrain on which the fights took place. For instance, forewarned of a cock-fight that was to take place on an isolated farm, close to the *Victoria Inn*, Upper Maythorn, over ten miles from Huddersfield, Heaton and two police officers set off at 2 a.m. and were lying in wait in a pig-sty as a crowd of over sixty people, including two gentlemen in a gig assembled. At eight o'clock the trap was sprung, the crowd dispersed and the major protagonists arrested and brought to trial.⁴⁵ This success (and it was not unique) was the product of Heaton's ability to co-ordinate the activities of parochial officers combined with his personal determination.

Although Heaton's campaign against petty crime had its limits, there was a greater degree of effectiveness than is often suggested by police historians with

⁴⁰ See *Huddersfield Chronicle*, 3 June and 29 July 1854. Among his more bizarre but successful prosecutions was that of a 70-year old man for shaving another man on a Sunday. On another occasion he prosecuted three men for watching a cricket-match also on a Sunday, but the case was thrown out.

⁴¹ For similar examples see *Huddersfield Chronicle*, 14 December 1850, 11 January, 22 February & 28 June 1851, 7 August 1852, and 15 October 1853 and *Huddersfield Examiner*, 3 June 1854.

⁴² *Huddersfield Chronicle*, 16 June 1855. For a more general discussion of anxiety over working-class juvenile leisure see Springhall (1998, esp. chap. 1) and of Victorian explanations of criminal behaviour Weiner (1990, chaps. 1 & 4) and Taylor (2011, chap.5).

⁴³ For example, *Huddersfield Chronicle*, 5 & 12 May 1855.

⁴⁴ *Huddersfield Chronicle*, 19 April 1856.

⁴⁵ *Huddersfield Chronicle*, 19 April, 10 & 24 May 1856.

their eye to a model of policing that was to triumph in 1856. However, the question remains: could the superintending constable system cope with public disturbances and serious crime? The evidence from the Huddersfield district suggests that it could. Despite the turbulent history of the town and the surrounding district in the 1830s and 1840s, Heaton, as superintending constable, had to deal with only one major incident of public disorder. Early in his career, in April 1849, there was an 'alarming riot' at Milnsbridge, a few miles outside the town, involving the navvies building the Manchester to Huddersfield railway. Tensions fuelled by the non-payment of wages were exacerbated by hostility between English and Irish labourers. Acting on a tip-off that the Irish were planning to drive out the English workers, Heaton arrived while the men were being paid out and managed to arrest and handcuff seven suspected ringleaders. This sparked the riot. "An eighth man set up one of those dismal yells peculiar to the Irish" which led to a full-scale assault by a crowd estimated to be 500 or 600 strong. Heaton, unable to prevent the rescue of the prisoners, managed to send word to Huddersfield requesting reinforcements. The town's chief constable and twelve men, constituting 'the whole of the night watch' duly arrived. The rioters were eventually put to flight and twenty-nine men (including but two of the original arrestees) were brought to the town's two lock-ups. Eventually fourteen men were found guilty at York Assizes of conspiracy, riot and assault.⁴⁶ It would be foolish to generalise from one incident but the Milnsbridge riot revealed both the immense self-confidence of Heaton and, more importantly, the ability of the local police to come together and successfully contain a major disturbance.

Heaton was also determined to bring to justice high-profile local criminals, such as John Sutcliffe and Henry 'Slasher' Wilson. Almost from the day he took up post Heaton set out to bring to book John Sutcliffe, the notorious self-styled 'King of Castlegate', who had for long evaded the law despite his involvement in crimes both petty and serious. In the backyard of his beershop was "a complete barracks for the frail sisterhood". Men, both old and young, were relieved of their cash by prostitutes and their bullies as they relieved themselves in the yard. Coiners and thieves frequented Sutcliffe's beershop and serious crimes were planned and even committed there. Sutcliffe had been arrested and charged on a number of occasions but – for reasons that were never made explicit but which can be surmised from his sobriquet, 'the Castlegate Jonathan Wilde' – was never found guilty.⁴⁷ This changed in autumn 1848 when Sutcliffe was arrested by Heaton on a charge of robbery from the person with violence. The crime had followed a familiar pattern. An old farmer, visiting the market in town, 'got fresh' [drunk] before being accosted by two young women in Castlegate. There in the yard of Sutcliffe's beerhouse he was robbed. Despite an initial set-back Heaton produced sufficient evidence to convince the local magistrates who sent Sutcliffe to the Quarter Sessions where he was found guilty and sentenced to ten year's transportation.⁴⁸ A few years later Heaton showed equal determination in prosecuting another well-known local criminal, Henry 'Slasher' Wilson. An extremely unpleasant man in his twenties, involved in a variety of criminal activities, he was the living embodiment of Heaton's notion of criminality. A

⁴⁶ *Hull Packet*, 27 April 1849, *Leeds Mercury*, 21 & 28 July 1849.

⁴⁷ Jonathan Wilde, the notorious 18th century thief-taker, avoided arrest and trial by betraying other criminals to the authorities.

⁴⁸ *Leeds Mercury*, 4 & 18 November 1848.

one-time pugilist, now keeper of the *Gipsy Queen* in Kirkgate, Huddersfield, Wilson had been prosecuted at various times for selling liquor out of hours, permitting prostitutes to frequent his house, gambling, involvement in dog-fighting, obstructing the highway while assisting at a footrace, being drunk and disorderly, assaulting the police and bribing and intimidating witnesses. In 1855 he was also arrested and charged by Heaton for a garrotte robbery. The local magistrates committed Wilson and two accomplices to the York Assizes but, despite seemingly strong evidence, the jury acquitted them all after a mere fifteen minutes: a decision that “created some surprise, the evidence against the prisoners being considered of a conclusive description”.⁴⁹ Notwithstanding the setback in court, Heaton had demonstrated once again his determination and ability to pursue a major local criminal.

Heaton's involvement with serious crime was not restricted to ‘celebrity’ criminals. His skills of detection enabled him to arrest three weavers guilty of a particularly bloody assault in nearby Kirkheaton – one of several such case with which he dealt in the winter of 1849/50.⁵⁰ Even these were dramatic cases as much serious crime was more mundane. Unsurprisingly, given the local economy, thefts of cloth were not uncommon. In 1851, for example, his investigation of the theft of 32 yards of cloth from William Ashton, a cloth-dresser of Folly Hall, brought him to a beershop in Sheffield where the stolen material was being sold.⁵¹ Horse thefts, similarly, were relatively common occurrences and offered Heaton opportunities to demonstrate his skill and determination in apprehending law-breakers. On more than one occasion, Heaton came into conflict with the Seniors, father and three sons, a well-known family of horse thieves who also carried on “a wholesome trade in horse flesh”.⁵² Heaton's “persevering and unceasing activity”, involving a trip to London to arrest one of the sons, finally led to the arrest and trial at York Assizes of three of the four men in 1851, for which he was duly praised by the magistrates for his perseverance.⁵³ More commonly, Heaton arrested servants who had stolen linen and clothing from their masters and mistresses; workmen who had stolen from their employers and workmates who had stolen from each other. In many cases little in the way of detective skills was required as the stolen goods were quickly pawned – and there was a good working relationship between local pawnbrokers and police.⁵⁴

⁴⁹ *Huddersfield Chronicle*, 15 Dec. 1855. For details of the incident see *Huddersfield Chronicle* 17 November 1855. Wilson's other crimes are detailed in *Huddersfield Chronicle*, 10 April 1852, 16 February 1853, 3 & 24 June 1854, 15 September 1854, 11 November 1854, 20 Jan. 1855, 5 & 12 May 1855, 23 June 1855, 28 July 1855, 2 February 1856, 3 May 1856, 7 June 1856, 30 Aug 1856, 1 November 1856 & 20 June 1858.

⁵⁰ *Leeds Mercury*, 19 January & 16 March, 1850, *Huddersfield Chronicle* 21 January & 14 December 1850. For the national context see the discussion sparked by Howard Taylor (1998); Morris (2001).

⁵¹ *Huddersfield Chronicle*, 22 February 1851. For similar successes in arresting thieves see the *Leeds Mercury*, 13 July 1850 and the *Huddersfield Chronicle*, 15 March 1851.

⁵² *Huddersfield Chronicle*, 5 April 1851. For other cases of horse theft see *Huddersfield Chronicle*, 16 August 1851, 30 October & 27 November 1852, 10 & 17 November 1855 and 23 & 30 August 1856.

⁵³ *Huddersfield Chronicle*, 26 April & 19 July 1851. There was an element of the melodramatic in the arrest of George Senior, who had to be dragged from a chimney in which he had secreted himself.

⁵⁴ See for example *Huddersfield Examiner* 23 February 1854 and *Huddersfield Chronicle* 3 January, 26 June & 18 December 1852; 29 January, 11 June, 2 & 9 July 1853, 20 January 1855 & 16 February 1856. See Taylor (2002, chap.4) for an analysis of crime in Middlesbrough in the North Riding of Yorkshire.

Heaton's undoubted enthusiasm and success in pursuing petty and serious criminals could, nonetheless, be seen to confirm the judgement of the 1852/3 Select Committee, namely that individual superintending constables could be useful as police officers. However, there was more than individual commitment. This can be seen, firstly, in the way in which he co-operated with other formal and informal law-enforcement agencies and, secondly, in the way in which he worked with both unpaid and paid constables.

The most important of the local law-enforcement agencies was the Huddersfield and Holmfirth Manufacturers' Association to prosecute under the Worsted Act, whose chief inspector was R. H. Kaye. On numerous occasions Kaye and Heaton took action on behalf of the Manufacturers' Association, bringing men and women before the local magistrates.⁵⁵ Often there was a suspicion that stolen material was being sold in local public houses and beerhouses and on several occasions Kaye was involved in police raids on licensed premises.⁵⁶ A similar pattern of co-operation can be seen with the prosecution of local 'whisky spinners', that is men and women operating illicit stills.⁵⁷ This was a matter for the local Inland Revenue Officer, Mr. Wallis, who needed to work with the police who had the power of arrest. Intriguingly, in at least one raid Wallis was accompanied by Kaye, the Woollen Inspector, as well as Superintendent Heaton.⁵⁸ Significantly, local manufacturers and magistrates expressed themselves satisfied with the effectiveness of such policing arrangements.

The relationship between Heaton, the parochial constables and the various local prosecution societies is less easy to establish. Such societies were to be found in the 1850s in Holmfirth, Kirkburton, Lindley, Longwood, Meltham and Saddleworth. All claimed to be 'prosperous' and 'efficient' but much of their time was devoted to giving salutary lessons to young boys guilty of trespass and the like. There were, however, more serious concerns. Following a successful arrest for robbery with violence, the Meltham society gave a reward of £10 to their local parish constable; likewise the Saddleworth society gave rewards of £2 and £4 to local constables for their "active exertions in detecting offenders" and the Longwood society bestowed praise – and a small memento – on Superintendent Heaton for "the tact and energy that he displayed" in capturing a gang of burglars.⁵⁹ The importance of such societies and their actions must not be overstated but the fact remains that they did have

⁵⁵ See for example *Huddersfield Chronicle*, 8 February, 1 March, 14 & 21 June 1851, 29 April & 27 May 1854; and *Huddersfield Examiner*, 13 December 1851 & 13 March 1852. See also examples of Kaye working with parochial constable Earnshaw, *Huddersfield Chronicle*, 4 January 1851, 13 September 1851, 14 May 1853 & 14 July 1855 but see *Huddersfield Chronicle* 2 November 1850 for magisterial complaint that Heaton was misusing the Worsted Act.

⁵⁶ For example, Kaye assisted Heaton in an arrest for gambling in Scammonden. *Huddersfield Chronicle*, 21 September 1850.

⁵⁷ Illicit distillation was probably on the decline in the 1850s in the country as a whole. See Harrison (1994, pp. 305, 327 & 359).

⁵⁸ *Huddersfield Chronicle*, 24 May 1851. It is not clear from the report whether there was a suspicion that there was also a case of embezzlement. Kaye appears to have taken his civic responsibilities seriously, on one occasion coming to the aid of a town constable who was being assaulted by the brothers Hulke and on another occasion trapping a mad dog and restraining it until it could be shot! *Huddersfield Chronicle*, 20 March 1852.

⁵⁹ *Huddersfield Chronicle*, 20 August 1853, 12 August 1854, 19 January & 14 June 1856, 10 January & 7 February 1857.

links with parochial constables and the superintending constable, which could lead to successful prosecutions.

The greatest weakness of the superintending constable system, in the eyes of nineteenth-century police reformers and later historians, was its dependence upon parochial constables – unpaid and paid – who were simply not willing or able to be effective officers. Locally, the *Leeds Mercury*, ever-ready to criticize and deride Heaton, thought little more of the men under him. In patronizing terms, it observed sarcastically that “it is amusing to read the recorded exploits of the parochial constables in the Huddersfield district, many of whom are wretchedly deficient in that tact and resolution in the discharge of their duties”.⁶⁰ There were also some concerns expressed in the local Huddersfield press about the lack of co-operation, though the local magistracy continued to view the parochial constables as “indispensable officials”.⁶¹ Furthermore, it is clear that Heaton made a conscious attempt to create a more co-ordinated and effective system. He advised parish constables of their duties and on occasion disciplined those who neglected them.⁶² He tried assiduously, to “communicate frequently” with the constables in his district, which was no easy task since in a district that had some 181 parochial constables in thirty-one locations.⁶³ In addition, the local magistrates, on swearing in the parochial constables, regularly recommended “a small book of instruction for them” that had been compiled by Heaton as early as 1848.⁶⁴ Predictably it put emphasis on the need to keep public houses and beerhouses under close scrutiny and to guard against gambling, “the greatest evil in the district”.⁶⁵

It would be as naïve to suggest that there were not shortcomings in this parish-based system. On a number of occasions, the meetings called to nominate parish constables were poorly attended; on other occasions, questions were raised about the number and quality of men putting themselves forward. However, it would be misleading to suggest – as many police reformers did at the time – that parish constables were uniformly decrepit and incompetent. Ultimately, it is impossible to offer a precise evaluation of the quality of parochial constables in the Huddersfield district in the 1850s. Undoubtedly a small minority were totally incompetent, if not verging on the corrupt. Almost certainly many more were well intentioned but hampered by the fact that they were unpaid constables and had to look elsewhere for their income. However, there were also some – again a minority but too easily overlooked – who were competent and aspired to be ‘professional’ in terms of their conduct, their commitment to enforcing the law and their ability to establish a degree of order and decorum even in localities such as Kirkheaton, Kirkburton and Scammonden, all known for their hostility to the police.⁶⁶

⁶⁰ *Leeds Mercury*, 25 May 1850.

⁶¹ *Huddersfield Chronicle*, 13 April 1850 and 3 & 10 November 1855.

⁶² See for example *Huddersfield Chronicle*, 7 June 1856 when parochial constable Hoyle was charged with wilful neglect of duty, having been the only parochial constable not to attend during the peace rejoicings. It is difficult to establish how often Heaton took out disciplinary proceedings.

⁶³ *Huddersfield Chronicle*, 26 April 1851.

⁶⁴ The handbook appears not to have survived but see *Huddersfield Examiner*, 22 April 1854 for reference to first publication date.

⁶⁵ *Huddersfield Chronicle*, 19 April 1856.

⁶⁶ *Huddersfield Chronicle*, 19 May & 16 June 1855.

Certain parochial constables stand out for their assiduousness, none more so than the long-serving Holmfirth constable, John Earnshaw, who dealt with a wide variety of crimes, both petty and serious. Like Heaton he brought charges against landlords who served alcohol outside hours and prosecuted lads who played pitch and toss on the roads; and also, like Heaton, he could be “indefatigable in his endeavours”.⁶⁷ More importantly, on several occasions Earnshaw worked with, or on the instructions of, Heaton. In September 1851 offending publicans in Honley were brought before the magistrates after a joint action between Heaton, Earnshaw and the local parish constables. Three months later the two were in action against beerhouse owners in Holmfirth, who were permitting gambling on their property.⁶⁸ The recognition by local magistrates of the efficient services of Constable Earnshaw reflected local satisfaction with parochial policing.

Earnshaw was the most active parochial constable in the Huddersfield district but he was not alone – John Shaw, the Marsden constable was another man who worked with Heaton on a number of occasions – nor was he the most controversial.⁶⁹ That accolade fell to the parochial constables for Birkby and Fartown, Nathaniel Hinchcliffe and Miles Netherwood, who were first appointed in 1852. Netherwood, described by a local magistrate as “an efficient constable”, often worked with Hinchcliffe, bringing several offending landlords and gamblers to court. This made them unpopular in certain quarters and liable to physical attack. In 1855 Hinchcliffe was assaulted by a group of men as he tried to make an arrest at a local public house, the *New Inn*, Cowcliffe. Netherwood came to his aid but the prisoner was rescued and the two constables “abused and assaulted ... in the public road”.⁷⁰ There were also legal challenges to their nomination as constables. In February 1854 Netherwood’s nomination was almost overturned by a group of rate-payers led by the landlord of another local public house, the *Lamb Inn*, at Hillhouse, against whom Netherwood had given evidence in court.⁷¹ The following year the two men were not appointed as parochial constables, following accusations of illegal drinking, exacting “a kind of blackmail” and assault. Two of the three incidents brought to the attention of the magistrates involved the *Lamb Inn*, Hillhouse.

Matters did not end there as both men were nominated as parochial constables, albeit at a poorly attended meeting the following year.⁷² At the swearing-in meeting before the magistrates in April 1856, the solicitor, who had spoken against the two men the previous year, again raised objections. This time Superintendent Heaton gave evidence on their behalf, claiming “no two constables had taken such pain ... to discharge their duty efficiently” and singled out Hinchcliffe for particular

⁶⁷ *Huddersfield Chronicle*, 16 November 1850. For examples of his involvement with petty crime see *Huddersfield Chronicle* 11 May 1850, 3 & 31 May, 13 September & 27 December 1851, 14 February, 29 May, 4 September, 13 November 1852, 8 January, 16 April, 25 June, 17 September, 12 & 26 November and 10 December 1853, 18 February, 15 April & 2 September 1854, 12 & 26 May 1855, 30 August & 20 December 1856.

⁶⁸ *Huddersfield Chronicle* 13 September and 27 December 1851. See also 28 May 1853 & 20 December 1856 for similar joint action.

⁶⁹ *Huddersfield Chronicle* 9 April 1853.

⁷⁰ *Huddersfield Chronicle*, 10 February 1855.

⁷¹ *Huddersfield Chronicle*, 18 February 1854. Netherwood had given evidence against the same man in December 1852 and there was an ongoing feud between the two men.

⁷² *Huddersfield Chronicle*, 10 February 1855.

praise, being, in Heaton's opinion, the 'most efficient man in the township'. The magistrates agreed and appointed both Hinchcliffe and Netherwood: a decision that "appeared to give great satisfaction to a crowded court".⁷³ The *Huddersfield Chronicle* made no editorial comment but the *Huddersfield Examiner* was scathing of the two men, allegedly known for their 'officious intermeddling'. Heaton was criticised for supporting them, the *Examiner* claiming that he "knew his men ... and used them as his pliant tools". Netherwood and Hinchcliffe were condemned for doing "the dirty work at the bidding of the superintendent" and the bench of magistrates was condemned for forcing "two obnoxious, meddling constables on the ratepayers".⁷⁴ In fact, the situation was less clear cut. The memorial opposing Netherwood had been signed by over one hundred people but an equal number supported his nomination. Indeed, supporters of Netherwood and Hinchcliffe argued that attempts were being made to discredit the men "simply because they had done so much to put down gambling". The chairman of the bench, George Armitage, agreed, referring to a conspiracy against two men for doing their duty. In a telling observation one supporter of Netherwood and Hinchcliffe argued that "it was necessary for Mr. Heaton to have men with whom he could work as constables".⁷⁵ Whatever the merits of the case, and much remains obscure, it is clear that Heaton was trying to build up a group of men with whom he could work in his fight against both petty and serious crime; but it was equally clear that this gave rise to very real tensions in certain quarters.

In terms of foreshadowing later reform, the emergence of a small group of paid constables was of greater significance. The Parish Constables Acts had provided for the appointment of a paid constable by any township that wished to do so; and the West Riding magistrates exhorted local ratepayers to take advantage of this provision more than once. One local J.P. argued specifically that the various townships in the Huddersfield district could raise £400 through contributions of £10-15 each, which would make possible the appointment of five or six constables under Superintendent Heaton.⁷⁶ The suggestion was not acted upon but paid constables were appointed in several townships, including Kirkburton, Marsden, Marsh and Meltham. The appointment in Marsh was uncontroversial – indeed the absence of trouble at the local feast that year (1854) was seen as evidence of his good influence on the community – while the appointment in Marsden was welcomed and the constable praised for the 'untiring zeal' with which he discharged his duties.⁷⁷ From Heaton's perspective this boded well as here were yet more local constables with whom he could work.

Elsewhere matters were more problematic, most particularly in Kirkburton. A paid constable was first appointed as early as 1850 but had met with "a very warm but unsuccessful opposition". The "poorer classes" determined to "nurse their wrath" and Constable Glover was assaulted in "the most cowardly and clandestinely

⁷³ *Huddersfield Chronicle*, 19 April 1856. In contrast, Heaton claimed other parochial constables could not always be relied upon to respond to orders and discharge their duty.

⁷⁴ *Huddersfield Chronicle*, 19 April 1856.

⁷⁵ *Ibid.*

⁷⁶ *Huddersfield Examiner*, 22 January and 12 November 1853.

⁷⁷ *Huddersfield Chronicle*, 18 February 1854 for a brief reference to the constable of Marsh and *Huddersfield Chronicle* 17 September 1853 for a longer piece on Goodall.

manner” on a number of occasions.⁷⁸ Matters escalated and in February 1851 local feelings “assumed a more excited tone, and burst out in all its pent-up vehemence at a town’s meeting”.⁷⁹ The meeting voted to dispense with the paid constable at the end of his period of service but it soon became apparent that “the manufacturers seem determined to retain the present paid constable, while the working classes seem determined to dispense with his services”.⁸⁰ There followed an acrimonious legal dispute in which the high-profile radical lawyers W. P. Roberts represented those working men seeking to dispense with the paid constable. Ultimately the challenge failed and the paid constable remained in post for another year.⁸¹ The extent of his continuing unpopularity soon became evident. In the following months the windows of his house were broken by stones and he was physically assaulted on at least two occasions. One assault led to a trial for cutting and wounding with intent to inflict grievous bodily harm, for which sentences of seven years’ transportation and twelve months hard labour were handed down.⁸² It is all but impossible to establish the specific causes of the friction between Glover and certain sections of the Kirkburton community but his close association with certain local employers did not help; nor did his zealousness in ‘moving on’ people and enforcing the licensing laws. Whatever the precise reasons for his unpopularity, no paid constable was subsequently appointed in Kirkburton.

A similar set of difficulties emerged in Meltham, where the question of the appointment of a paid constable was debated for several years. For some local ratepayers the “drinking, swearing, gambling, racing and all sorts of *immoralities*” demonstrated the need for reform but others felt the concerns were overstated and the parochial constable more than adequate.⁸³ Reports of the debate in 1855 are more detailed and indicate a polarisation of views and considerable animosity. The *Huddersfield Chronicle* reported “a great deal of prejudice against a paid constable” and, along with the *Huddersfield Examiner*, referred somewhat enigmatically to ‘party spirit’ running high on the subject.⁸⁴ In a poll only 16 people voted for a paid constable while 129 voted against but this was not the end of the matter. In February 1856 an officer was appointed, paid for by “a few [unspecified] gentlemen”.⁸⁵ Despite a claim that this was “very generally approved” the new constable (former Inspector Sedgwick, recently of the Huddersfield town police) was assaulted soon after taking

⁷⁸ *Huddersfield Chronicle*, 8 March 1851. Assaults on Glover are reported on 11 May & 17 August 1850 & 18 January 51 (the assault took place on Christmas Day, 1850).

⁷⁹ *Huddersfield Chronicle*, 12 April 1851.

⁸⁰ *Huddersfield Chronicle*, 8 March 1851.

⁸¹ *Huddersfield Chronicle*, 12 April 1851.

⁸² *Huddersfield Chronicle*, 26 July 1851. One assault led to a trial for cutting and wounding with intent to inflict grievous bodily harm, for which sentences of seven years’ transportation and twelve months hard labour were handed down. Both men had previously been fined for assaulting Glover, though it was claimed on behalf of one of the defendants that he had been the victim of three or four summonses from Glover. See also *Huddersfield Chronicle* 26 April, 12 July 51 & 25 October 1851.

⁸³ *Huddersfield Chronicle*, 11, 18 & 25 September 1852. Two years later but “there appeared an overwhelming majority against a paid constable” because it was widely (but erroneously) believed that it would mean “a policeman in uniform with a salary of some £50 or £60 per annum”. *Huddersfield Chronicle*, 24 February 1854.

⁸⁴ *Huddersfield Chronicle* and *Huddersfield Examiner*, 17 February 1855.

⁸⁵ *Huddersfield Chronicle* and *Huddersfield Examiner*, 8 March & 5 April 1856.

up post and a few weeks later had the windows of his house broken by stones.⁸⁶ As in Kirkburton, the intrusion of the police into working-class leisure activities appears to have been crucial.

Although there were a number of energetic parochial and paid constables in various parts of the Huddersfield district under Heaton's authority, the question remains: could they be brought together, when needed, to act more as a force rather than as individuals? As noted above, Heaton worked with various constables on several occasions.⁸⁷ There were also times when he worked in conjunction with several constables in a pre-planned operation. The most spectacular example was the apprehension of the Wibsey gang in which Heaton worked with another superintending constable, three parochial constables, a paid constable and two other men with previous police experience.⁸⁸

The theft of ten pieces of cloth, valued at over £100, from a warehouse just outside Huddersfield caused a stir in August 1856.⁸⁹ The subsequent conviction of the so-called Wibsey gang was a triumph for Heaton and the men who worked with him over several weeks in bringing the gang to trial. The first problem was to locate the stolen goods. Having been tipped off that the stolen cloth had not been 'sprung' [disposed of] but was still in the locality, Heaton called upon the experienced Sedgwick, who had served in the Huddersfield borough police for a decade. Together they spent a whole day searching various possible hiding places before coming across eight of the ten stolen pieces of cloth concealed in a false roof in a dis-used school just outside Huddersfield. There followed a period of surveillance. For a week Heaton and six constables maintained a nightly vigil, secreted in a mistal [a cowshed or byre] opposite the school, awaiting the return of the gang. The final act saw the spectacular arrest of six men during some dramatic events on the night of 3rd September 1856. At about 11 p.m. the gang came to collect the stolen cloth. Arrest were attempted and in the ensuing meleé two men were captured, one having been laid low by "a terrific blow on the back of the head with his [Heaton's] stick". The four other men fled the scene but, not to be thwarted, Heaton, who had recognised some of the gang members, ordered "a coach with a pair of the best horses in Huddersfield" at 3 a.m. and set off with his men the fifteen miles to a beerhouse in Wyke Common (near Bradford) at which lived one of the gang whom Heaton had seen fleeing the school. Another three men, including an accomplice who had not been with the gang at Huddersfield, were quickly apprehended, with the stolen goods, skeleton keys and other house-breaking tools found in their possession. However, the final arrest was not made until 9 a.m. the following day when Heaton personally seized the last gang member as he lay in bed in his house at Wibsey-slack, near Bradford. Eventually five men were tried at Leeds Quarter Sessions in October 1856, and in a widely-reported trial, found guilty and each sentenced to 8 years' penal servitude.

⁸⁶ *Huddersfield Chronicle and Huddersfield Examiner*, 17 February 1855.

⁸⁷ See also *Huddersfield Chronicle* 17 August 1850, 1 February & 16 August 1851 for examples of Heaton working with men of the Huddersfield force to deal with dog-fighting, prize-fighting and cock-fighting respectively and 17 June 1854 for a joint venture with the Kirkburton constable to prevent a cock-fight. In November 1854 Heaton broke up a gambling den in Golcar in conjunction with Superintendent Thomas and two other senior men from the Huddersfield force.

⁸⁸ *Huddersfield Chronicle*, 25 August & 3 September 1856.

⁸⁹ The following account is drawn from the reports in the *Huddersfield Chronicle* for 25 August & 3 September 1856.

The chairman of the magistrates singled out Heaton for a £10 gratuity because “very great credit was due to him” but also added that “the activity, vigilance, zeal and patience of the Superintendent *and the police* are creditable to them in the highest degree”.⁹⁰ This was not a unique case. There had been a similar collaborative effort in the summer of the previous year. In August 1855 a major dog-fight, reported as a clash between Lancashire and Yorkshire, was arranged to take place in a field behind the *Shepherd's Boy Inn* in Marsden. A crowd of between 400 and 500 assembled but Heaton mustered “several parochial constables” of whom four were initially sent into action by Heaton, who had “given them previous instructions what to do”.⁹¹ The fight was broken up and forty-three men, including beerhouse keepers, labourers, miners and weavers were brought to trial.⁹²

From these and other examples a picture emerges of a small core of men, maybe no more than ten or twelve in number, upon whom Heaton relied in enforcing the law in the Huddersfield district. However, while there was an important degree of co-ordination and co-operation in policing within this petty sessional district, there is little evidence to suggest similar action between the superintending constables and constables of different districts.⁹³ For the most part, superintending constables (and many parochial constables) focussed upon the problems within their localities and only infrequently helped out elsewhere.

IV

Notwithstanding any success locally, the national debate about policing had moved on in the mid-1850s.⁹⁴ The passing of the County and Borough Police Act meant that from January 1857 the West Riding would have a county-wide police force. Parochial constables were not abolished immediately but the balance of responsibility for policing shifted decisively to the paid officers of the West Riding County Constabulary (WRCC). The creation of the county force was a significant development but there were elements of continuity that can easily be overlooked, most strikingly at the senior level of superintendent. In 1857 of the twenty-one divisions in the WRCC, eighteen were headed by men who had been superintending constables in previous years and who, most notably in the case of Heaton, were to serve in the new county force for several years.⁹⁵ The first WRCC Chief Constable, Lt.-Col. C. Cobbe, had a military background and no direct experience of policing. Although influenced by the experienced Chief Constable of Lancashire, Colonel

⁹⁰ Italics added. For details of the trial see *Leeds Mercury*, 18 October 1856.

⁹¹ *Huddersfield Chronicle* 14 & 28 April 1855.

⁹² *Huddersfield Chronicle*, 15 September 1855.

⁹³ Too much should not be made of the fact that George Shepley of Scisset was involved in the Wibsey venture. This appears to be the only serious crime in which he was involved and the location of Scisset, less than ten miles to the south of Huddersfield and within the Upper Agbrigg petty sessional district, was hardly a barrier to co-operation.

⁹⁴ Palmer (1990, chap. 12).

⁹⁵ There was a similar reliance on superintending constables in the newly-founded North Yorkshire County Constabulary. Bramham (1987, p. 72) is wrong in stating that Cobbe refused to appoint previous superintending constables, though he is correct to note that many of the early inspectors in the force came from outside the county.

Woodford, he also depended heavily on local men with police experience at a senior level.⁹⁶ Heaton was specifically charged with the initial training of the recently-appointed constables, several of whom came from other forces, before they went out to their various stations in the Upper Agbrigg division. His extensive experience and local knowledge and his continuing active role ensured that there was no significant departure in terms of the priorities and practices of policing.

In the lower ranks, several men from outside the county, including some from the longer-established Lancashire County Constabulary, were appointed but there was also an element of continuity as men such as Earnshaw, the parochial constable of Holmfirth, and Sedgwick, paid constable of Meltham, transferred to the new force. However, there was a clear quantitative difference between the WRCC and the previous system of policing. As superintending constable, Heaton had maybe a dozen reliable men with whom he could work; as newly-appointed superintendent of the Upper Agbrigg division of the WRCC, he had twenty-two men under his command, though, as soon became apparent, not all were efficient constables.⁹⁷ Indeed, one of the most striking similarity between the 'old' policing of the 1850s and the new policing of the 1860s in the West Riding of Yorkshire was the number of ill-educated, ill-disciplined and often incompetent men charged with the responsibility of policing their local community.

Given the sensitive nature of much routine policing, impacting as it did on the daily work and leisure of the working classes, it is unsurprising to find that there were clear signs of continuity in terms of popular hostility. Heaton was never so roughly treated as at the Guy Fawkes celebrations on November 5th 1848 but he was physically assaulted on a number of occasions in the following years. The problems facing the unpopular constables in Kirkburton and Meltham as well as opposition to the constables in Birkby and Fartown have already been noted, but even the more popular constable Earnshaw was attacked more than once on the streets of Holmfirth.⁹⁸

The unpopularity of certain constables highlights the problems associated with the introduction of more professional but also more intrusive forms of policing that pre-dated the creation of the 'new' county constabulary for the West Riding. It also casts a different light on the impact of the WRCC in its early years. The regional press, notably the *Leeds Examiner* and the *Leeds Time*, both unsympathetic towards the newly-formed WRCC, seized upon examples of popular hostility in various parts of the county, including the Huddersfield district but a detailed examination of the local (i.e. Huddersfield) press reveals a more complex picture. Notwithstanding the experience of more intrusive policing before 1857, the arrival of the 'raw recruits' of the WRCC undoubtedly gave rise to a "popular feeling of dislike [of] the county police".⁹⁹ Concerns were expressed at 'paltry' and 'trumpery'

⁹⁶ Woodford was Chief Constable of Lancashire from its inception in 1839 to 1856 when he became one of Her Majesty's Inspectors of Constabulary.

⁹⁷ 50 percent of the 1,010 constables appointed to the WRCC between 1856 and 1859 resigned and a further 26 percent were dismissed. The average length of service for these men was just under six years but 41 percent left in the first year and a further 11 percent in the second. Bramham (1987)

⁹⁸ See for example *Huddersfield Chronicle* 11 October 1851, 27 March 1852 & 9 April 1853.

⁹⁹ *Huddersfield Examiner*, 7 & 14 March & 30 May 1857. Storch (1976, pp. 482 & 487) misleadingly refers to 'unpoliced areas' around Huddersfield in which illicit activities flourished until the advent of the West Riding County Constabulary.

charges and ‘intermeddling cruelty’, particularly the excessive use of handcuffs.¹⁰⁰ However, there was no dramatic increase in the volume of anti-police activity in 1857, particularly taking into account the sharp increase in police numbers. Further, and more importantly, much of the anti-police behaviour was of a highly localised nature and the *overall* popular response was less hostile than previously suggested. In Deighton and Lindley there was continuing hostility to the newly-introduced “gentleman in blue” but both areas had been problematic for the parochial police in the 1850s.¹⁰¹ Surprisingly, given its record in previous years, the new police in Kirkburton were well received. Indeed, a local correspondent claimed that “few have proved more favourable to the new county force than the inhabitants of Kirkburton and neighbourhood”.¹⁰² Similarly, the new police were viewed positively in Meltham but in Slaithwaite there was criticism that “they do nothing but walk the streets in their smart dresses and clean spotless shoes”.¹⁰³

There is also a danger of understating opposition to the new police *after* their initial introduction. There is much force in Storch’s reference to a state of ‘armed truce’ once the police were ‘successfully entrenched’.¹⁰⁴ To continue the military metaphor, open warfare could and did break out in certain areas in the following years. The most striking examples come from Honley and Holmfirth in 1862.¹⁰⁵ In Holmfirth the excessive use of ‘move on’ tactics, police prosecutions for trivial cases and magisterial willingness to accept uncorroborated police evidence came to a head in June 1862 with a mass protest meeting in the township. Local factory owners joined artisans and others in condemning the local county police in the language of liberty and rights reminiscent of an earlier generation’s opposition to the first new police. Memorials detailing popular grievances were sent to the Chief Constable of the WRCC and the Lord Lieutenant of the county. In Honley ordinary men and women took the initiative and, in an organized manoeuvre, drove the highly unpopular P.C. Antrobus from the village, stoning him and forcing him, (somewhat ironically given his actions) to flee and seek refuge in a nearby public house, *Jacob’s Well* before burning effigies of the constable and his wife before their house in the village. Financial contributions for the defence committee that had been established to ensure proper representation for the arrested rioters came from across the social spectrum. Not for the first time, the distinguished radical attorney, W. P. Roberts, appeared in Huddersfield this time to conduct the defence of the rioters. The trials were a humiliation for the police, not least Heaton who had defended Antrobus as ‘a model officer’ and a disaster for Antrobus, who was transferred to a new post. The outcome was less dramatic in Holmfirth but police activity also diminished there. However, in both incidents the participants made clear that their opposition was to the excessive and unwarranted behaviour of certain constables rather than to policing *per se*. Local public outbursts of anger the actions of the police continued for at least another decade. As late as 1872 in the village of Golcar, just over three miles from Huddersfield, the departing constable, PC Suttle, a teetotaler, was treated

¹⁰⁰ *Huddersfield Chronicle*, 14 March, 5 September & 7 November 1857 & 23 October 1858.

¹⁰¹ *Huddersfield Chronicle*, 14 February & 14 March 1857 and *Huddersfield Examiner*, 7 March 1857.

¹⁰² *Huddersfield Chronicle*, 31 January & 11 April 1857.

¹⁰³ *Huddersfield Chronicle*, 17 & 24 January 1857.

¹⁰⁴ Storch (1975, p. 87).

¹⁰⁵ Taylor (2014).

to a display of rough music by the jubilant inhabitants of Golcar, who no longer had to put up with his meddlesome ways.¹⁰⁶ Friction between police and policed was never eradicated but eventually a *modus vivendi* was established and sustained in the county.

V

Two main conclusions can be drawn from this consideration of the superintending constable system and the introduction of the new county force in the West Riding of Yorkshire. First, the superintending constable system was less inefficient than commonly claimed. There were a number of long-serving and capable men, though none matched Thomas Heaton in terms of his energy and resourcefulness in dealing with both petty and serious crime. Further, Heaton's career as superintending constable demonstrates that it was possible to mobilise a combination of parochial and paid constables as well as working with other local law-enforcement agencies in a campaign against crime. That said, it is important to recognise the limitations of this system. In February 1857 Heaton was presented with a silver snuff box by the Longwood Prosecution Society in recognition of his astuteness and perseverance in bringing the Wibsey gang to trial and of the general 'high estimation' in which he was held. In his response Heaton made predictable reference to his commitment to make property and person safe but added that "this had been a very difficult task, until the new system of police (i.e. the WRCC) had been brought into operation".¹⁰⁷

Second, and notwithstanding its limitations, the superintending constable system paved the way for the introduction of the WRCC both in terms of personnel, policy priorities but also policing practice. There was, therefore, a less dramatic discontinuity in 1856/7 than commonly suggested. Prior to the advent of the WRCC, Heaton, along with the paid constables and more active parochial constables in the Huddersfield district, had found through experience the limitations of pro-active policing. They developed a *modus vivendi* with the communities they policed. They learnt that there were very real limits to police powers and that winning consent required discretion, knowing as much when *not* to act. They were not wholly successful and the lessons they had learnt did not guarantee success after 1857, as the events in Holmfirth and Honley demonstrated dramatically. Nonetheless, the experience gained under the superintending constable system proved useful in the early years of the new county-wide force.

Ultimately the superintending constable system failed to provide a robust alternative to county-wide forces. However, it was not a dead-end but rather an intermediate stage on another route to 'new' policing in England and Wales. Superintending constables like Thomas Heaton and parochial officers, like John Earnshaw, who strove to make a reformed parish-constable system work, were part of a broader tradition of local policing initiatives, which can be traced back to the late-eighteenth and early-nineteenth centuries, and which contributed to the complexity and dynamism of policing before the 'new' police. As such, these men deserve to be

¹⁰⁶ *Leeds Mercury*, 2 October 1872.

¹⁰⁷ *Huddersfield Chronicle*, 14 February 1857.

brought in from the fringes of police history to which they have been commonly but unfairly condemned.

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