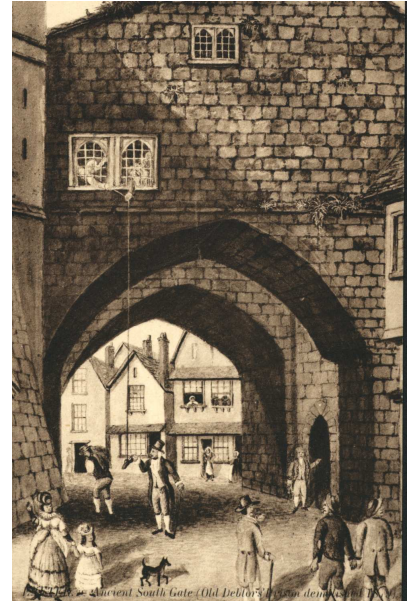


Researching crime and punishment in the Westcountry Studies Library

Factsheet 36

Crime and punishment can be part of family or local history research:

- **Ancestors** who were criminals or victims of criminals, or whose professions dealt with crime, such as policemen, judges or attorneys
- **Justice and punishment**, including local court proceedings, executions and the history of local prisons
- **Types of crime** such as smuggling, piracy and wrecking
- **Famous crimes and criminals**



Brief facts about Westcountry crime fighting

Devon, Cornwall, Somerset and Dorset did not have county police forces until 1856, although some individual boroughs had them from the 1830s. Before then, constables appointed by the parish or manor were generally responsible for apprehending and detaining criminals in round-houses or “cages” prior to sentence. Exeter was a “county corporate” from 1537 and operated separately to the county of Devon.

Prisons, until the mid-19th century, were essentially for holding prisoners awaiting trial or sentence, or debtors until their debts were paid. Punishments such as execution and transportation for quite minor offences were used to contain crime. “Bridewells” or houses of correction pre-dated county prisons. Early Westcountry prisons include: Exeter (1296), Plymouth, Launceston (1186), Ilchester (1166), Taunton (1243) and Dorchester (1305). Devon County Bridewell was originally in Exeter Castle and later on the site of the present Exeter Prison. Devon County Prison for Debtors was in Cowick Street, St Thomas from about 1675 until 1855. Exeter County Bridewells were at Southgate (pictured above) until 1819 and afterwards in Queen Street. Plymouth also had “prison hulks”, ships originally used as prisons when transportation to America ceased after 1776. When transportation to Australia began in 1787, hulks continued in use to house prisoners awaiting shipping.

Punishments, hundreds of years old and lasting into the nineteenth century, included:

- Branding (for work-shy vagrants and prostitutes)
- Ducking Stools (for “brawling women” and dishonest tradesmen)
- Stocks (for blasphemy and drunkenness). Westcountry stocks are still to be seen in many places, including Ipplepen, Hemington, Cerne Abbas and St Ewe

Executions, public until 1868, took place at Livery Dole until 1537, until 1794 at Heavitree and until 1943 at the County Gaol in New North Road, for the County of Devon. The County of Exeter executions took place at Magdalene Road Gallows, and some other Devon sites were used less frequently, such as Haldon Hill. Cornwall executions took place at Bodmin Moor and Launceston, Somerset at Gallows Field, Ilchester and Dorset at the Amphitheatre in Dorchester.

The use of **courts** in maintaining the law dates from the Anglo Saxon period and has been evolving ever since. Until the later twentieth century, local courts included:

Courts of Assize or **Assizes**: criminal courts held twice yearly within six circuits, in Lent and summer until the Courts Act 1971 when, together with the Quarter Sessions, they were replaced by a single Crown Court. The Western Circuit, around which two judges originally travelled, included Cornwall, Devon, Somerset, Dorset, Hampshire and Wiltshire, together with the "Counties" of Bristol and Exeter. By 1559, they were hearing the most serious cases such as murder, infanticide, theft, highway robbery, rape, assault, coining, forgery, witchcraft, trespass, vagrancy, and recusancy. Devon and Exeter Assizes were held at Exeter Castle simultaneously, Cornwall Assizes at Bodmin and Launceston, Somerset at Taunton, Wells or Bridgwater, and Dorset at Dorchester.

Quarter Sessions: local county courts held four times a year from the 16th century to try lesser criminal offences and initially investigate more serious cases such as murder, riot, theft, assault and poaching. They also dealt with a wide range of administrative legislation later inherited by County Councils. Quarter Sessions were held for the County of Devon in the Castle and the City of Exeter in the Guildhall. Plymouth and some Devon Boroughs also held Sessions, which in 1723 included Barnstaple, Bideford, Bradninch, Dartmouth, Great Torrington, Okehampton, Plymouth, Plympton, South Molton, Tiverton and Totnes.

Petty Sessions: later known as Magistrates Courts. Minor courts which dealt with crimes such as apprentice runaways and minor theft.

City of Exeter Mayor's and Provost's Courts: dealt with a wide range of offences within the City's limits.

Consistory Courts: Ecclesiastical courts dealing with clergy offences and church law.

Stannary Courts: Courts in Devon and Cornwall, meeting in Lydford and Truro relating to tin mines and miners until 1896 when jurisdiction passed to the county courts.

Sources in the Westcountry Studies Library

Newspapers available on Microfilm

- **Trewman's Exeter Flying Post, 1763 - 1917**: This newspaper reported crimes, unexpected deaths and accidents, court hearings with names of criminals, details of crimes, verdicts and sentences (including transportation) and coroners' inquests across the Westcountry. Summaries for Assizes in other parts of the country are also included.
 - A name card index is available for 1763 - 1835
 - A subject card index is available for 1763 - 1885. Useful categories include: Accidents, Assizes, Attorneys (including Solicitors), Coroners (personnel, not hearings), Courts (including church courts), Petty Sessions, Police, Prisons,

Quarter Sessions, Sheriffs, Shipwrecks (including suspicious circumstances),
Smuggling

- **Express & Echo from 1904.** This is not indexed. Shorter runs of other local newspapers are also available
- **The Times from 1872.** Published index

A small selection of the books about Crime and Punishment in the Westcountry Studies Library:

Westcountry Crime and Punishment

- Depraved in Devon: crime, policing, punishment and a nineteenth-century family by Sylvia M. Barnard s364/NOR/BAR
- Crime and society in thirteenth-century Devon by Henry Summerson, Transactions of the Devonshire Association Volume 119, pp 67-84
- The Exeter garland, No 5. Crime and punishment, 1782-1854 sx094/DEV/EXE
- A grim almanac of Cornwall by John Van der Kiste s/364/VAN
- Somerset : a chilling history of crime and punishment by Roger Evans s364/SOM/EVA
- Bristol murders by Nicola Sly s364.1523/BRI/SLY

Prisons

- Devon County Prison, Exeter, 1853-2003: the origins and history of HM Prison and Remand Centre, Exeter, 2004 by Charles Scott-Fox sB/EXE/365/SCO
- A brief history of Dartmoor Prison by Roy Callow, 1984, p365/PRI/CAL
- A history of the Devon county prison for debtors in St.Thomas by Gary Calland, 1999. sB/EXE/365/CAL
- Shepton Mallet Prison by Francis J Disney, 1992. sx365/SHE/DIS
- A system of discipline: Exeter Borough Prison 1819-1863 by W.J. Forsythe, 1983. B/EXE/365/FOR
- Captain Edward Hawkins and the Tamar prison ships by J. Rudland Hearn, 1960 s920/HAW

Law

- Assizes and quarter sessions in Exeter by Exeter City Council, 1971. pxB/EXE/347.0236/ASS
- Stannary law: a history of the mining law of Cornwall and Devon by Robert R Pennington 1973. 343.077/WES/PEN
- Western canon law by R C Mortimer, 1953, s262.9/GEN/MOR
- The Edworthy scandals: the will and the brawl: how the Church courts dealt with the delinquents and ... spent the Poor Rates by R.C.M. Bass, 1990 p262.983/CHU/BAS
- Early county courts in Devon by J.J. Alexander, Devon & Cornwall Notes & Queries 13:4,1924 pp 171-173
- Early county courts in Cornwall by J.J. Alexander, Devon & Cornwall Notes & Queries 13:3,1924 pp 119-121
- Exeter diocesan courts in the early sixteenth century by David H Pill, Transactions of the Devonshire Association, Vol.100, 1968, pp 45 - 53

Pirates

- Pirates of Devon and Cornwall by Richard Peirce s364.164/WES/PEI
- Barbary pirates off the Devon coast: the raids of the 17th century corsairs on England's Westcountry by Sadru Bhanji s364.164/DEV/BHA
- Full particulars of the trial and sentence of...Spanish pirates ...tried at Exeter ... July the 24th 1845 p345.0235/EXE/FUL
- Pirates and privateers out of Bristol: a history of buccaneers and sea rovers by Ken Griffiths and Mark Steeds s364.164/BRI/GRI

Smuggling

- Smuggler; John Rattenbury and his adventures in Devon, Dorset and Cornwall 1778-1844 (including Memoirs of a smuggler, 1837) by Eileen Hathaway s920/RAT
- Devon's smugglers by A.Farquharson-Coe 364.133/DEV/FAR
- Dorset smugglers by Roger Guttridge sx364.133/DOR/GUT
- Ordnance Survey guide to smugglers' Britain by Richard Platt sx364.133/WES/PLA
- Smugglers of Poole and Bournemouth by Bernard C. Short 364.133/DOR/SHO
- The Cornish smuggling industry by Paul White p364.133/COR/WHI s364.133/DOR/CHA

Police

- Policing the peninsula (1850-2000): a photographic celebration of Westcountry policing over the last 150 year by Simon Dell, 2000, s363.2/WES/DEL
- Policing Victorian Dorset by Maurice Hann, 1989, s363.20924/DOR/HAN
- Out of the blue: history of the Devon Constabulary by Walter J. Hutchings, 2nd ed, 1957, s363.2/DEV/HUT
- Smallest police force in England, Tiverton Borough Police Force. Devonian Year Book, 1944, p.46
- Notes for family historians by Les Waters, 1987, Police History Society, p363.2/GEN/WAT

Criminals

- Criminal ancestors, a guide to historical criminal research in England and Wales by David T. Hawkings, 1992, s364.1/GEN/HAW
- Using criminal records by Ruth Paley, 2001 PRO pocket guides to family history s364.1/GEN/PAL

Illustrations

The Westcountry Studies Library holds a large collection of photographs, engravings, drawings and paintings. Select "Illustrations" on the Local Studies Search page and enter the key word of your choice. There are illustrations of prisons all over the Westcountry and many can be seen online on the Local Studies website.

Devon Libraries Internet Subscription Sites available free to Devon Library members include:

- **British Library Nineteenth Century Newspapers Online**: national newspapers available to search from 1800 to 1900 in the library and at home.
- **Ancestry Library Edition**: available in the Library only. Amongst numerous useful sources are: British Criminal Registers 1791 - 1892, Australian convict transportation

registers from 1787 and Prison Hulk Registers 1802 - 1849 as well as censuses which include the inmates and staff of prisons.

- **Times Digital Archive:** available to search from 1785 to 1985 in the library and at home.
- **Dictionary of National Biography:** Over 55,000 biographies available to search in the library and at home.
- **The John Johnson Collection of Printed Ephemera:** offering unique insights into the changing nature of everyday life in Britain in the eighteenth, nineteenth and early twentieth centuries. Categories include crimes, murders and executions. Available in the library and at home.

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For a full list of our holdings, and to view many of our illustrations, see our online catalogue at www.devon.gov.uk/localstudies

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Friday:	9.30 - 6.00
Saturday:	9.30 - 4.00

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