

jewellery, the keen observance of suspicious characters seen in or about their place of business, etc. We know of many cases where advice of this kind from officers has prevented an unintentional invitation to a criminal to pay a professional call. While considering this important question, one must realize that in order to prevent crime we must prevent criminal organization.

Every police department is a semi-military organization, and sufficient of this training is necessary for police forces to make a neat appearance on inspections, drills, parades, etc. This instruction is handled by a Captain of our local Department, who was an officer in the Great War and is at present a Lieut.-Colonel in our State forces.

Marksmanship is one of the outstanding qualifications of an efficient officer. We set a certain standard record that a man must make, and compel each one to continue practising until he qualifies. No city ever invested money to better advantage than that spent on ammunition used in teaching their police officers the use of firearms. The making of a marksman of every man in the Department does much to put fear in the heart of the criminal. Marksmanship is taught under the direction of a sergeant of our local Department, who is an officer with an international reputation as a pistol expert, and who for the last four years has trained a police pistol team which has won national honours.

A question box is maintained at all times in the school-room, through which any questions may be asked pertaining to police work. These questions are all referred to high authorities for an answer.

The following is a list of additional subjects taught in the school :

Arrests ; Searches and Seizures ; The United States Immigration Laws ; Federal Prohibition Laws ; Narcotic Laws ; State Prohibition Law ; Physical Evidence ; Conduct of Officers in Court ; Preservation of Evidence ; Explanation of Federal Laws ; Differentiation between Civil and Criminal Laws ; Laws on Gambling ; Civil Laws ; Why we are Governed by Law ; Co-operation of Law-enforcing Organizations ; The Making and Passing of Counterfeit Moneys ;

How our Laws are Made ; State Traffic Laws ; City Traffic Laws ; Homicides ; Americanization.

The foregoing gives a list of subjects which are handled by experts, every instructor being considered the best talent within the State of Oregon on the subject to which he is assigned. This procedure has brought wonderful results, as these men, coming in contact with the students of the school, are brought to realize the efforts which the officers are making to secure an education. As a result the mention which they make of the school to others has brought about much favourable comment and public support for the institution. Members of the Civil Service Board visit the school on different occasions and have become so impressed with the work that they have since passed a civil service ruling which gives the holder of a school certificate a five-point margin in any examination for future advancement, thus making it to an officer's advantage to attend school.

The public disapproves of the old-time idea of taking men from different walks of life and placing them in uniform with the badge of authority upon their breast and sending them out to do police duty when they know no more of the difference between right or wrong than the average citizen. Every mistake they make is a reflection upon themselves, the Department and the system. Better wages are now being paid, and all of the larger cities have provided a pension system, which serves as a reward for honest and efficient service. These conditions encourage better men to enter the Department and to make it their life's work. We have proved beyond any question of doubt that we can take the new man into the Department, place him in school for three months, give him nine months' experience, and then obtain a far more efficient officer than we could possibly have had under the old system in four years ; thus three years' salary is saved to the public.

This course of instruction is considered a primary course ; and after all members of the Department have qualified, an advanced course, which deals more with scientific criminal investigation and imparts a more thorough knowledge of laws and ordinances, and a course of physical training follow.

The Photographic Department of the Liverpool City Police

CONTRIBUTED BY THE CRIMINAL INVESTIGATION DEPARTMENT,
LIVERPOOL CITY POLICE

THE many uses to which photography can be put have earned for it an important place in very many trades and professions, but it is doubtful whether the police as a whole yet fully realize in how many ways it can be used to assist them. The portrait as a means of establishing personal identity has been used for many years, although generally in rather a haphazard way. Photography has also been adopted as the best means of presenting finger-print evidence to a jury and is used to a limited extent to provide a pictorial description of the scene of crime in murder cases or other important prosecutions. It is, however, capable of a wider application, chiefly by reason of the facility with which photographs of extremely small objects or details of objects can be enlarged so as to be readily discernible by a jury, and by reason of the fact that by manipulation of the lighting, either artificial or daylight, it is often possible to increase contrast so as to show clearly stains and marks which are otherwise scarcely visible, or even to render visible those which the eye unaided cannot distinguish.

Perhaps two instances of its successful use will illustrate this point. A house on the outskirts of the city was broken into by means of jemmying the front door, and amongst the property stolen was a bottle of rather expensive scent. Shortly afterwards a man was arrested in the same neighbourhood on another charge, and in his possession was found a jemmy and also a handkerchief impregnated with scent. The handkerchief was placed in a canister and carefully sealed. The jemmy had apparently been roughly made; the bend was not quite true

and the flattened end had not been smoothed off. When the jemmy was used it was found that this resulted in the weight being thrown unevenly, and in consequence one side of the back of the fulcrum of the jemmy was more impressed upon a yielding surface than the other side. A rough examination showed that the marks on the door jamb of the burgled house had been made by an instrument having a lip of the same size as the jemmy found on the prisoner, and the impression on the door seemed to have the characteristics that would be expected from the use of this jemmy. Photographs were taken of the jemmy marks both on the jamb and on the flat of the door, and afterwards plaster casts were also taken. Careful examination showed a minute nick in the jemmy which was indicated on the door, and the measurements of the jemmy and marks agreed. The exact agreement between the uneven surfaces of the jemmy and the marks on the door was convincingly demonstrated to the jury by means of several enlarged photographs. The prisoner was convicted, although the only other evidence against him was that of a chemist who was able to say that the scent on the handkerchief was produced by the same kind of perfume as that which had been stolen. Without the use of photography it would have been quite impossible to convince the jury in this case. Reproductions of two of the exhibits are given in the illustration facing p. 544.

Again, during the hearing of a case of perjury the date on which a certain letter was posted became very material to the issue. The evidence for the prosecution was that it was received in an envelope produced, but the defence alleged that it was not posted until a subsequent date, and, as the letter and envelope had not been kept together by the recipient, the point was in doubt. During the lunch interval the expert who had been called to prove handwriting was carefully examining the letter when he noticed that the impress of the Post Office cancelling stamp was very faintly indicated on the letter itself. A photograph was taken of the letter, illuminated by a narrow beam of light at an angle of nearly 180 degrees, and by the time the Court resumed the expert was able to produce enlarged photographs showing that the mark corresponded with the mark on the envelope. His evidence on this point

1927, s. 11 (2). That the learned editor of 'Stone' shared these doubts is evident from the notes which appear on pages 1074 and 1099. He will, we feel sure, be glad of the opportunity to revise these notes in the light of the decision of the Divisional Court in *Swais v. Entwistle* (reported in *The Times* of May 7th, 1929). In that case the Lord Chief Justice appears to have found no difficulty in coming to the conclusion that the Minister's powers had not been affected by the Act of 1927, and he is reported to have gone so far as to say that it was 'quite idle, except for controversial purposes, to suggest that the regulation was *ultra vires*.'

CLASSIFICATION AND USE OF FINGER-PRINTS. By Sir E. R. HENRY, Bt., G.C.V.O., etc. Sixth Edition, 1928. 3s. (H.M. Stationery Office.)

THERE is little need to remind those interested in Police work of the wonderful change effected by the introduction of Sir Edward Henry's system, which for effectiveness, simplicity in working, certainty and inexpensiveness, has never been equalled. It is not too much to say that by working out this system of classification, which renders it possible for any ordinary intelligent man to make real use of finger-prints, Sir Edward Henry accomplished a piece of work of paramount importance. When one considers that before the First Edition in 1900 the serious use of finger-prints by police forces did not exist, the growth of the system has been phenomenal. It has been adopted by practically all civilized states, and an interesting table of figures in the present edition (the sixth) supplied by the heads of various finger-print bureaux, testifies to this fact. The collections in some cases have become very large. For instance, in Buenos Aires over two million sets of prints are collected together, in Paris one and a half million, and in Pretoria and Washington over a million. The New Scotland Yard collection now approaches half a million. In Great Britain the collection is restricted to persons connected with purely criminal cases; whereas in some countries collections include large numbers of prints of persons whose particulars are required by the state for some purpose not connected with crime.

The new edition has been brought up-to-date, and a new and important chart has been added showing a further extension of the method advocated for the further sub-division of groups which have been found liable to become unwieldy in large collections.

The ideal, of course, in a finger-print collection is to have all the groups of similar size, and it has only been possible to attain this ideal in large collections by very considerable sub-division of what may be described as the more popular groups.

The legend that Alphonse Bertillon was the originator of the finger-print system continues to flourish, and it seems to be worth while once again to emphasize the point that no finger-print system has anything to do with that distinguished French criminologist. Over and over again in the Press has his name been connected with the science, although as a matter of fact he is by far the most important person who opposed the use of finger-prints by every means in his power for as long as possible. His own system of anthropological measurements, complicated and difficult as it was but at the time most useful in its day, has now been superseded in almost every country. His name is one which ought to be respected by every police officer, but one which, as every police officer ought to know, is only connected with the classification and use of finger-prints by reason of his persistent attempts to discredit that science.

account of the development from the township constable in the days of Henry III (1252) to the founding of Peel's force in 1829, after a half century of special enquiries and conflict of policies; and, next, the story of the hundred years to 1929. These accounts, which contain much information that is not to be found in any previous volume, had necessarily to be curtailed from lack of space; for the author must have had much more material at his disposal than he could possibly bring within the covers of his book. As a supplement to his work, what is now required is a new, enlarged and up-to-date edition of the classic *History of the Police in England* by Captain W. L. Melville Lee, which is now more than a quarter of a century out of date.

The chapters dealing with the Metropolitan Police District, the Headquarters, and the local organisation in Divisions, are those which describe the technique of administration. From these one can gather how far Sir Robert Peel's ideals—unity of design and the responsibility of agents—have been achieved. These portions may profitably be studied in association with the *European Police Systems* of Raymond B. Fosdick, wherein the organisation of London is compared in detail with the police departments of Paris, Berlin and Vienna. Mr. Moylan has several interesting comparisons on the same lines.

As he explains in his preface, Mr. Moylan has kept in mind throughout the general principles which underlie our police system as a whole, with a view to making the book of interest to all Forces as well as to the public. He has dealt with the Metropolitan Police as *primus inter pares*, first in point of age and fame and numbers, but still only one and not necessarily in every respect and always the best exemplification of the principles of English police administration.

Perhaps the most interesting and important chapters in the book are those which deal with the C.I.D. They set out the principles and prejudices which governed the development of the detective side of police work from the days of Bow Street onwards, the contrast between British and foreign methods of criminal investigation, the all-important work of the Criminal Record Office, and the difficult questions dealt with by the Lee Commission. The account of the Gutteridge murder case given in the Appendix may be taken as in some degree a commentary on the Commission's idea of 'questioning by the Police not allowed.'

Earlier chapters deal with the question of 'State control of the Metropolitan Police,' showing how State control means House of Commons control; 'The Metropolitan Police District,' giving an account of the growth and distribution of the Force and of the varied aspects of police work in the vast area of Greater London; while those on 'The Police Office at Scotland Yard' and on 'The Divisions' indicate the general scope of headquarters' and local police duties and administration, and give an historical account of their development and of the organisation which has evolved out of Peel's original scheme of two commissions exercising a close personal control over the daily activities of the Force. Whether rightly or wrongly, the Metropolitan Police organisation has hardly developed on the lines intended by Peel, and it is difficult to trace any consistent policy in dealing with the problems of control that arose after the district was enlarged sevenfold in 1840 and the Force gradually grew to its present size, and police work became more and more complex. The pages dealing with the post of Chief Constable throw light on difficulties of organisation that still exist and on questions that the future will have to solve.

Special chapters are devoted to Public Carriages, Traffic Control, and to the Receiver's own department (which is largely concerned with a subject

of current interest, the 'mechanisation' of the police), and finally there is a chapter on Police and Public which examines many questions recently discussed at length in Parliament and the Press.

Mr. Moylan's volume is not wanting in a light touch; but the object of the writer is to give as comprehensive and impartial an account as possible. In the opinion of the reviewer he has succeeded in this. The work can be warmly commended to all police officers at home and overseas who wish to understand the methods and ideals of the police at the heart of the Empire.

STONE'S JUSTICE'S MANUAL. Sixty-first Edition. Edited by F. B. DINGLE. 1929. 37s. 6d. (Butterworth & Co., Publishers, Ltd., London.)

THERE are certain legal text books which have ceased to be merely useful and have become indispensable. Among these, *Stone's Justices' Manual* occupies an established and, in its sphere, unassailable position. Those concerned in the administration of justice in England—justices and their clerks, barristers, solicitors, police and local authorities—would be terribly at a loss if 'Stone' failed to make its annual appearance with its up to date and exhaustive statement of all the law and practice with which a court of summary jurisdiction may be concerned. The 1929 'Stone' more than maintains under the continued editorship of Mr. F. B. Dingle the reputation of this great work.

Probably only those who have actually attempted the editorship of a bulky legal text book can really appreciate the exacting nature of the task. Certainly anyone who has done so will be ready to pay a tribute to the way in which Mr. Dingle has tackled 'Stone' with its nineteen hundred pages of text and notes. Its range is astonishing; nearly seven thousand judicial decisions are cited; the table of statutes which starts with 27 Edw. 1 c. 3 and ends with 19 Geo. V. c. 3 occupies 125 pages. In the arrangement of so vast a work there is obviously need for a cool head if confusion, overlapping and inconsistencies are to be avoided. From these defects 'Stone' is conspicuously free. The arrangement of the work has been considerably improved in recent years. A general survey of the enactments dealing with powers and duties of justices with respect to persons charged with indictable offences and of the Summary Jurisdiction Acts now appears in its proper place in the early part of the book instead of being immersed in the general treatment in alphabetical order of crimes and offences and other matters. This survey (Parts II and III) includes a careful and exact statement of the several stages of a prosecution under the summary jurisdiction and is followed by a treatise on Practice and Evidence (Part IV). In the latter Part subjects of close concern to the police are included under the heading of Miscellaneous Points, viz. powers of arrest, bail, right of search, breaking open doors without a warrant, constables' fees and expenses, habeas corpus, etc.

Of the new matter which is brought into the present edition of 'Stone' many members of the police in this country will be specially interested in the Road Vehicles (Registration and Licensing) Regulations, 1928, made by the Minister of Transport under s. 12 of the Roads Act, 1920. Some controversy has arisen on the subject of para. 26 of these regulations which provides (in somewhat elaborate language) for the illumination of the identification mark on vehicles. It has been seriously doubted whether the enabling powers of the Act of 1920 had not been impliedly revoked, so far as the Ministry of Transport was concerned, by the Road Transport Act,

THE POLICE JOURNAL

VOLUME II

1929



THE POLICE JOURNAL

A QUARTERLY REVIEW FOR
THE POLICE FORCES
OF THE EMPIRE

VOLUME II

1929

LONDON
PHILIP ALLAN & CO. LTD.
69 GREAT RUSSELL STREET



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The Making of an English Policeman

By CECIL C. H. MORIARTY, O.B.E., LL.B.

Assistant Chief Constable of Birmingham

THE promise in Magna Charta that any constable would not be made 'but of such as know the law of the realm' does not appear to have been kept in Blackstone's time, for he observes in his Commentaries on the Laws of England (1765), when mentioning in Book I., chapter 9, the very large powers of constables, that 'considering what manner of men are for the most part put into these offices, it is perhaps very well that they are generally kept in ignorance of the extent of their powers.' Shakespeare does not deal very complimentarily with the police officers of his day, but he points out the advantages of education by mentioning in *Much Ado About Nothing* that the watchman who could read and write was considered to be the fittest to be constable. However, the creation of permanent paid police forces in the early years of the nineteenth century improved matters, and now that the British police service has become a profession, as it has since the carrying out of the reforms recommended by the Desborough Committee in 1919 and 1920, its history has been one of gradual and steady improvement.

Each British force has its own method of recruiting and training its men, but all are anxious to get suitable men who will become efficient constables. Sir Leonard Dunning, His Majesty's Inspector of Constabulary, in his report for the year 1924, points out that the selection of really suitable men for appointment to the police creates one of the most difficult problems of the day, and states that a Chief Constable is lucky if he finds five suitable men among a hundred applicants. Good character, education, and physique, though essential, are not

now sufficient for a constable ; he must also be well instructed in his duties before he is allowed out on his own to deal with the public. Uniform does not make a policeman, and unless a constable has had some instruction and training he will be a nuisance to his officers and a danger to the public.

On the 26th August, 1839, an Act was passed 'for improving the Police in Birmingham,' and it authorized the Crown to appoint a Chief Commissioner of Police who was to appoint a sufficient number of fit and able men as a police force. The newly appointed Chief Commissioner, Mr. Francis Burgess, advertised in the *Birmingham Advertiser* of 3rd October, 1839, for 'young men not over 36 or under 5 ft. 8 in., able to read and write and produce testimonials of unexceptional character,' wanting appointment as police constables in the Borough of Birmingham. The standards of age and height have altered since 1839, but Birmingham still requires that the members of its police force should be of fair education and of exemplary character.

The provisions of the Police Regulations of 20th August, 1920, now apply to the police forces of England and Wales, and in general terms require candidates for appointment to the police to produce satisfactory references as to character, to be under 30 years of age, to be not less in height than 5 ft. 8 inches, to be medically certified as sound in mind and body, and to be sufficiently educated to pass an examination in reading, writing and simple arithmetic.

When a man wishes to join the Birmingham City Police Force he is asked to make application in his own handwriting, stating his age, height and any qualifications he may have. If his application appears to bring him within the possibility of selection he receives a form of application which contains instructions to applicants and is accompanied by a copy of the conditions of service of the force and a copy of the scales of pay. He should complete this form, sign it in the presence of a serving police officer who should also sign it, and return it to the Chief Constable, together with at least three written testimonials of character and his birth certificate. Inquiry is made through the police to test the accuracy of his testimonials and similar inquiry is made from his former employers. If

he is a married man inquiry is made as regards his wife. Other inquiries may also have to be made if he has applied to join other police forces. His character and antecedents are thoroughly tested. When these inquiries have been completed, all the papers concerning the applicant are scrutinized, and, if the applicant is considered to be a satisfactory candidate, he is placed on the list of approved candidates. Natives of Birmingham who wish to join the police are recommended to apply to other police forces, as it is not desirable that a man should act as a police officer in his native district. Sometimes it has been necessary to advertise in the public press for recruits, but as a rule sufficient unsolicited applications are received to enable recruitment to go on without advertising.

Recruits are taken in batches from 20 to 30 or so at a time. When it is decided to fill vacancies a sufficient number of approved candidates are called up for examination. They are first measured, weighed and medically examined. Then those who have qualified physically are examined by the Police Instructor in arithmetic and dictation. Finally, every man who has passed all these tests appears before the Chief Constable, who talks to each man separately ; and if he is satisfied with his appearance, intelligence, etc., he approves of his appointment to the force as a probationary constable. The recruit is then attested as a constable, posted to a division, and attached to the police school for training. He is given his uniform and equipment as soon as possible, though he wears plain clothes whilst training at the school, and he lives either in quarters or in lodgings in the division to which he belongs. He is under the orders of the superintendent of his division except during the time that he is actually attending school.

The school training lasts three months, during which period the probationer attends school daily, goes on evening patrol in his division three times a week, and should spend his spare time in home study. On five mornings he receives instruction from 8.45 a.m. to 12 noon in police duties and literary subjects, attending the police court for one hour on three of these mornings. On Saturday mornings he is examined on what he has been previously taught. Each day he spends an hour (12 noon to 1 p.m.) in the gymnasium, receiving instruc-

tion in gymnastics, Swedish exercises, jiu-jitsu and boxing. After gymnasium comes the dinner hour. He resumes at 2.30 p.m., doing an hour's drill on four afternoons, and on the fifth afternoon he is given instruction in fire drill. On Mondays and Thursdays, after drill, he spends two hours undergoing ambulance instruction, and returns to his quarters; thence he proceeds on patrol in his division for four hours (6 to 10 p.m.) in the company of an experienced uniform constable. On Tuesdays and Fridays, after drill, he spends an hour at a swimming lesson in a public swimming bath, and returns to the school for an hour or more instruction in police duties, spending the rest of the day at home study in his quarters. On Wednesdays, after drill, he spends over two hours at police duties, and then goes to his quarters for home study. On Saturdays he is free for the afternoon after gymnasium, but goes on patrol with a constable from 6 to 10 p.m. Sunday is his rest day.

It is interesting to note that this continuous training proves beneficial to the general health of the recruits. All recruits are weighed at the time of joining, and the last 247 recruits were weighed when they left the police school. The figures show that 193 men put on an average weight of nearly 8 lbs. per man, and only 35 lost weight to an average of 4.6 lbs. each.

Instruction in police duties includes law, procedure, practical duties, police orders and regulations and local by-laws. The recruit receives an hour's oral instruction from 8.45 a.m. each morning except on Saturdays. This oral instruction is supplemented by special lectures given during the training: for example, the City prosecuting solicitor lectures on evidence; the Inspector of Public Carriages deals with motor and hackney carriage law and practice; the Inspector of Explosives explains the law relating to explosives and petroleum; and other specialists lecture on finger-prints, convicts, criminal investigation, and other subjects. The recruit also has to do a considerable amount of desk work in the form of dictation, arithmetic, making out reports and answering written questions. Instruction in fire drill is given by an officer of the City fire brigade. The gymnasium instructor is a qualified private instructor in gymnastics who has had much

army experience. Swimming is taught by police officers who hold the Amateur Swimming Association certificates for swimming and life saving. Instruction in first aid is given by the police ambulance instructor, who is also the drill instructor. The constable who takes a recruit out on evening patrol demonstrates to him the actual work of a constable on the beat.

Naturally the great majority of recruits are men who have been earning their living since they left school, and consequently their education has not advanced beyond the elementary stage. They have to regain the habit of study and to increase their facility for absorbing knowledge. Experience shows that a reasonably intelligent man of commonsense with a good knowledge of spelling and a desire to learn can be trained as a policeman. Bad spelling is about the worst handicap, as it is very difficult for a grown man to improve himself in this respect. A recruit has to tackle for the first time many new subjects; but none are beyond his powers of comprehension, provided he pays attention to what is taught and makes an earnest effort to absorb it. The system of instruction is graduated. After what may be termed the monotonous grind of the first month spent in learning strange subjects, the recruit develops in mind as well as in body, and takes an increasing interest in what he is being taught. He begins to appreciate the fine points of his profession and grows keener and keener in making himself proficient in his work. He enjoys the instructional lectures which aim at impressing on his mind the important details of the multifarious duties awaiting him when he takes up active duty as a policeman.

He first has to learn the essence of the law that he will have to enforce. This is comprised in a collection of about a hundred selected definitions accompanied by explanatory notes. He has to learn these definitions by heart, thus training his powers of memory. He takes his turn in class in reading aloud from a police instruction book which he must study in his spare time and regarding which the instructor questions the class at large. When the recruits have got the elements of police law into their heads, the instructor takes the class through the syllabus of all the police duty matter taught in the school. The instructor lectures on the subjects which have been

previously read up by the class. The lectures are really talks with much questioning and answering, and practical duty is brought in whenever appropriate. All the instructors are police officers who have had much experience of practical police work. The police instructors also teach dictation, composition and arithmetic, these subjects being termed 'literary subjects.' This instruction is necessary to refresh the recruit's general education, as an important part of his future work is the making of reports.

The scope of police work is ever increasing. Every new statute and regulation means something more to report on, and traffic matters alone are responsible for the consumption of a vast quantity of paper. The constable of fifty years ago would shudder at the amount of writing his successor has to do. The recruit has to be taught what to look for, what to record in his note-book and what to include in his reports. A policeman should know something about everything. He is the handy-man of the general public and he is supposed to be able to deal with every possible situation. If he cannot absorb everything taught to him during his training, at the least he ought to learn where to find something to guide him in any case of difficulty.

The progress of a recruit in school is tested by weekly examinations; and if after the three months his progress has been satisfactory he is released from school and takes up the regular duties of a uniform police officer in his division. However, after release from school, the recruit must attend evening classes in literary subjects conducted by teachers from the City education staff. This course lasts fourteen weeks and the classes are held in the police school from 7 to 9 p.m. on Mondays, Tuesdays and Wednesdays. The subjects taught include English, composition, dictation, arithmetic, civics (principles of local government, etc.), and general knowledge. At the close of this course he is examined by the head master and must secure at least 50 per cent. of the marks to qualify. If he fails, he must attend the next course. If he does not qualify, he is discharged as inefficient. After leaving school he must also attend further ambulance classes at which instruction is given by the police surgeon, preparatory to the examination for the first aid certificate of the St. John Ambulance Association.

Recruits must secure this first certificate before the expiration of their period of probation.

When the probationer has about nine months service' he is recalled to the school for a day to be finally examined by the police instructor; and if he passes satisfactorily (first grade 75 per cent. or second grade 50 per cent.), he is finished with the school. If he does not pass he is given another chance provided that he is favourably reported on; otherwise he is discharged as inefficient. Having passed satisfactorily through his training, as shown by the favourable certificates of the instructors in police duties, literary subjects, drill, ambulance, gymnasium and swimming, and having performed his duties to the satisfaction of his superintendent, the probationer becomes eligible for the confirmation of his appointment on the completion of his twelve months probationary service. He then comes before the Watch Committee and his appointment is formally confirmed. He thus becomes an approved constable of the force.

During the period of probation the services of a probationary constable may be dispensed with at any time on one week's notice or one week's pay in lieu thereof if the Chief Constable considers that he is not fitted, physically or mentally, to perform the duties of his office, or that he is not likely to become an efficient and well-conducted constable. The Chief Constable may extend the period of probation for a further six months, so as to allow a promising probationer time to reach the required standard of efficiency in any subject, or as a warning to a recruit that his conduct and (or) efficiency must improve. During his first year's service a recruit is paid 70s. weekly. If his probation is extended his rate of pay remains the same. When he completes his first twelve months' service satisfactorily, his weekly pay is increased to 72s.; but he cannot be paid this 72s. per week until his probationary period (one year at least or eighteen months if it has been extended) has terminated.

A yearly census of the recruiting figures of the nine years 1919 to 1927 shows that, on an average, out of 3324 applications per annum to join, 290 names were placed on the approved list, 222 of these men came before the Chief Constable

and 139 were accepted, of whom 114 became approved constables of the force. Thus only 3.4 per cent. of those applying to join eventually became police officers. Only 39 per cent. of those whose names were registered as approved candidates because their applications and qualifications were promising enough on paper to justify their being called to Birmingham for examination, finally became constables. It is interesting to note that 21 per cent. of those examined were rejected by the medical officer, and that 16 per cent. of the probationers did not become fully fledged constables. In 1927 there were 3445 applications, 232 were approved, 192 came for examination, 116 were accepted and 105 became approved constables of the force.

Provision is also made for the subsequent instruction of any officer who is desirous of improving his education and increasing his chances of promotion in the service. Every Spring the police instructor holds evening classes of instruction in police duties and any member of the force may attend. Members of the force may also attend the evening classes of instruction in literary subjects which are conducted by the City education staff at the police school. Three courses of fourteen weeks are held each year and in addition to the compulsory classes for recruits, as mentioned above, classes are formed for voluntary students. There is also a special class for Pitman's shorthand. No charge is made for any of these classes. Men attend voluntarily and are given facilities for so doing by change of duties.

Instruction is also given to constables who are taken into the Criminal Investigation Department as detectives. These men are selected from those uniform constables who have displayed special zeal and proficiency in the detection of crime. When vacancies exist in that department, from six to twelve suitable constables are attached as probationers for six months to the department. During this time they work in company with experienced detectives learning the practical side of the work. They also attend a special detective class which is conducted by the police instructor on four afternoons each week, for about six weeks. He lectures on criminal law, and special lectures on detective work are also given by detective inspectors. Finally, the probationers sit for a written examination in criminal law and they are also orally examined

in practical detective work by the heads of the Criminal Investigation Department. If the probationer satisfactorily passes these tests, and if he has shown promise of making an efficient detective, he is transferred to the C.I. Department.

Since the year 1920 the police school has been available for the training of recruits of other forces. Nearly 600 such recruits have been trained, coming from ten County forces and twenty-four Borough forces. At first these recruits were taken in the school at any time, but as the numbers increased year by year (there were 85 in 1926) classes had to be arranged on definite dates. Classes have been held since January 1927, the average attendance being 36 per class. Each class lasts ten weeks, and these recruits go through the same training as the Birmingham probationers. They are treated as members of the Birmingham Police Force; they are attached to divisions; and, if possible, they are accommodated in police quarters. They wear plain clothes, but must be duly attested constables and have their warrant cards in their possession. A nominal charge of 5s. per week per man is made to the police forces concerned, to cover the expense incurred for ambulance and swimming, the cost of stationery, and the general wear and tear of police equipment and furniture. These recruits are expected to secure their first certificate in first aid work before they leave the school, and for this purpose receive extra instruction from a doctor. They do not attend the evening classes in literary subjects as time would not permit. On the completion of the course the answers of each recruit in each Saturday examination, showing his progress in the school, are sent in one file to his Chief Constable. As disclosed by the letters received from the Chief Constables of the forces concerned, this training of recruits for other forces is very much appreciated. The advantages of an organized system of training are at the disposal of these recruits, who are thus taught the essential duties of a constable; and when they return to their own forces their training is supplemented by instruction in local regulations and practices.

The League of Nations and the Suppression of Currency Counterfeiting

By K. H. BROEKHOFF

Commissioner of Government Police at Amsterdam

[Translated]

I

AT 11 a.m. on Sunday, December 13th, 1925, Aristide Jankowicz, a retired Hungarian colonel, left the train which had brought him from Budapest to Amsterdam, on its arrival at the Central Station. Porters ran towards him offering to carry the two heavy bags which he was lifting from the compartment. With a nervous gesture he refused assistance; for these two bags contained several thousands of counterfeit French banknotes for one thousand francs; and Jankowicz, who was anything but a habitual criminal, loathed his present mission from the bottom of his heart, felt decidedly ill at ease, and scented danger in every direction.

That 13th of December had started as a day of bad omen. The Dutch customs officers had been very surprised when Jankowicz entered the country that morning and displayed a diplomatic passport which bore no Dutch visa. He had been very nervous lest these officers should inspect his luggage too closely: they had opened his bags, but having seen the parcels they contained and the diplomatic seals fastening them, as well as the names of the addressees to whom they were consigned—the Hungarian ministers at The Hague and at Stockholm—they had not opened them. All this diplomatic display was, of course, only intended to deceive the customs officers, for the parcels were not destined for either of these ministers. Jan-

CURRENCY COUNTERFEITING

II

kowicz was allowed to continue his journey, but was told that immediately on his arrival at The Hague he must go to the passport office and get his passport put in order.

While still subject to the impression of this highly disagreeable incident Jankowicz continued his journey to Amsterdam, for it was there that he had to open the parcel destined for Holland and to hand the contents to two other plotters who were already at Amsterdam. His instructions were to leave Holland on the following day, *i.e.*, the Monday, in order to continue his journey to Scandinavia. The delay of one day which would result from his compulsory visit to the passport office at The Hague had all kinds of unpleasant implications, as it meant loss of time and more expense, though Jankowicz had previously provided himself with enough Dutch money for one day. But all this could not be helped.

He left the Central Station carrying his bags and took a room at an adjacent hotel. There, in accordance with his instructions, he opened the parcel addressed to the Hungarian minister at The Hague, removed the false banknotes it contained, and took up his station behind the Bourse at 2 p.m., precisely as he had been instructed. There he met two of his compatriots, members of the plot, who lived in another hotel and had registered under false Rumanian names. He handed the counterfeit notes to them. Their instructions were to spend those notes, and Jankowicz had no further concern with that part of the business. He thereupon returned to his hotel and considered how he could best manage the affair of the Dutch visa at The Hague;—what if doubts were felt there about the authenticity of his papers, and if the Hungarian minister were referred to by telephone? He had an inspiration. The thing to do was to make a new parcel with the wrapping of that which he had already opened. The contents of the new parcel did not matter—a few prospectuses and old newspapers gathered in the reading room of the hotel easily assumed the same shape and volume as the pile of banknotes which had formed the previous contents of the parcel. Some sealing wax and string soon repaired its appearance. Jankowicz himself was quite pleased with his work. A superficial examination certainly would not reveal the fact that this was not the original

parcel. Early the following morning he travelled to The Hague, entered the passport office with the parcel under his arm, and obtained the visa without exciting any suspicion. With a feeling of relief Jankowicz left the building. He had only to change some money to defray his expenses in Holland. Nothing disagreeable could happen to him in Holland; at least so Jankowicz thought. But his fate was already sealed and the curtain was about to rise on the most sensational counterfeiting drama which the world has ever known.

It was a very ordinary man who was responsible for the raising of the curtain. He was sitting behind the grating in his foreign exchange office, quite unaware of the important part he was about to play, when Jankowicz entered and produced his pocket-book, the right side of which contained two counterfeit notes while the left contained two genuine notes for one thousand francs. It was one of the counterfeit notes which Jankowicz put down before the little window. Had he intended to change a counterfeit note or did he make a mistake? We shall probably never know. But it was this action which caused the whole plot of the counterfeiters to collapse. This foreign exchange agent had repeatedly been the victim of counterfeiters, and he discovered the deception immediately. He reproached Jankowicz with trying to defraud him and rushed to the telephone to call the police. Jankowicz took this opportunity to snatch up the note, and, together with the other, to stuff it into his sock; but the money-changer's wife noticed this movement. Jankowicz hurried from the office, but the agent sent after him an employee who pointed Jankowicz out to a policeman, whereupon he was arrested.

From that moment the drama developed with great rapidity. At the police station Jankowicz tried to save himself by pretending that he himself had received these banknotes in payment, and he tried to intimidate the police officers with his diplomatic passport and his parcel. The Hungarian Minister, who was notified, asked that Jankowicz should be taken to the legation. At first the Minister was still willing to take Jankowicz's word; but when, on opening the pseudo-diplomatic parcel, he found it filled with newspapers and prospectuses, Jankowicz's fate was settled.

The investigation was continued with drastic thoroughness. A little note was found with the names of the two other conspirators at Amsterdam. Their rooms were searched and the notes which Jankowicz had delivered to them the previous day were found. Jankowicz's bag with the second parcel was found at his Amsterdam hotel, and on being opened the contents of this parcel proved to be several thousands of counterfeit French banknotes which, as was established afterwards, were intended for Scandinavia, where another member of the conspiracy was to have spent them.

Jankowicz and his two fellow-countrymen absolutely refused to give information about their principals, and it seemed for the moment that further investigations would reveal nothing. The Dutch detective service realised that it was confronted with a counterfeiting plot on a vast scale, but was unable to trace all its ramifications.

Further clues, were, however, soon forthcoming. As is usual in such cases, the Banque de France and the French police were informed of the event and almost at once the Contrôleur Général of the Banque de France and a Commissioner of the Sûreté Générale arrived from Paris. With them they brought six counterfeit notes of similar origin to those found in Holland.

These six notes had been paid into a large bank at Amsterdam in the middle of 1925. It had only been discovered that they were false some hours after their acceptance. A bank clerk who had accepted a number of French notes for one thousand francs that day thought he had received them all from one client. This client did not deny that he had paid in notes for one thousand francs, but was convinced that they could not have been counterfeit because he had received them from a well-known French bank. The notes were thereupon returned to that same bank, which in its turn sent them back to the Banque de France. This was the point reached by that investigation when the arrest of Jankowicz took place in Holland. A renewed investigation at the Amsterdam bank revealed that on the previous occasion a mistake had been made: the six counterfeit notes had not been received from the above-mentioned client, but from an employee of the bank.

itself, who now volunteered the following information about their origin.

In 1924 he had had staying with him a little Hungarian girl who had arrived in Holland with a number of Hungarian children sent to recuperate in the Netherlands. The bank clerk had known nothing of the child previously. She proved to be the daughter of an attendant of the Hungarian Prince Windischgrätz. By the end of 1924 the girl had returned to Hungary in much better health, thanks to the care bestowed upon her by this bank employee. About the middle of 1925 he received three French notes for one thousand francs from the mother of the child, who wrote that she had found these notes in a sum she had inherited and wished to know what they were worth in Holland, because it was not possible to change them in the little village where the Prince's castle stood. The clerk, who had no suspicions, wrote to the attendant's wife, telling her the Dutch rate of exchange. She thereupon sent three further notes, asking him to change the six together for her at Amsterdam. The clerk executed the commission on the same day on which the above-mentioned client had paid in his French notes, and this had been the cause of the confusion.

Provided with this further information, the Dutch detectives concluded, rightly or wrongly, that these notes had served as an experiment to ascertain whether this big Amsterdam bank would discover that the notes were counterfeit; and that, in consequence of the confusion which had taken place at Amsterdam, it had been thought in Hungary that no discovery had taken place. The result was the attempt by Jankowicz and his confederates to put these notes into circulation on a large scale.

When Jankowicz and his confederates heard that the Dutch police knew Prince Windischgrätz to be mixed up in the affair they made a complete confession. It now appeared that, together with other highly placed Hungarians, Prince Windischgrätz had started this counterfeiting conspiracy for the purely political purpose of trying to disorganise the French currency. Several arrests resulted in Hungary.

The trial took place in March 1926 at The Hague and aroused extreme interest. Jankowicz was condemned to three

years' imprisonment and his two confederates to two years'. Windischgrätz was condemned to four years' imprisonment in Hungary, two of his accomplices received the same punishment, while others were given lighter sentences.

II

The case, briefly sketched here, profoundly impressed public opinion in various countries, and particularly in France. Immediately after the world war, counterfeiting assumed abnormally large proportions on the Continent—where indeed it became a veritable plague. In 1921, to take the case of so small a country as Holland, counterfeits of practically every existing type of banknote were in circulation. They were manufactured and put into circulation, not in the country itself, but in other countries, by international gangs which operated over practically the whole of Europe.

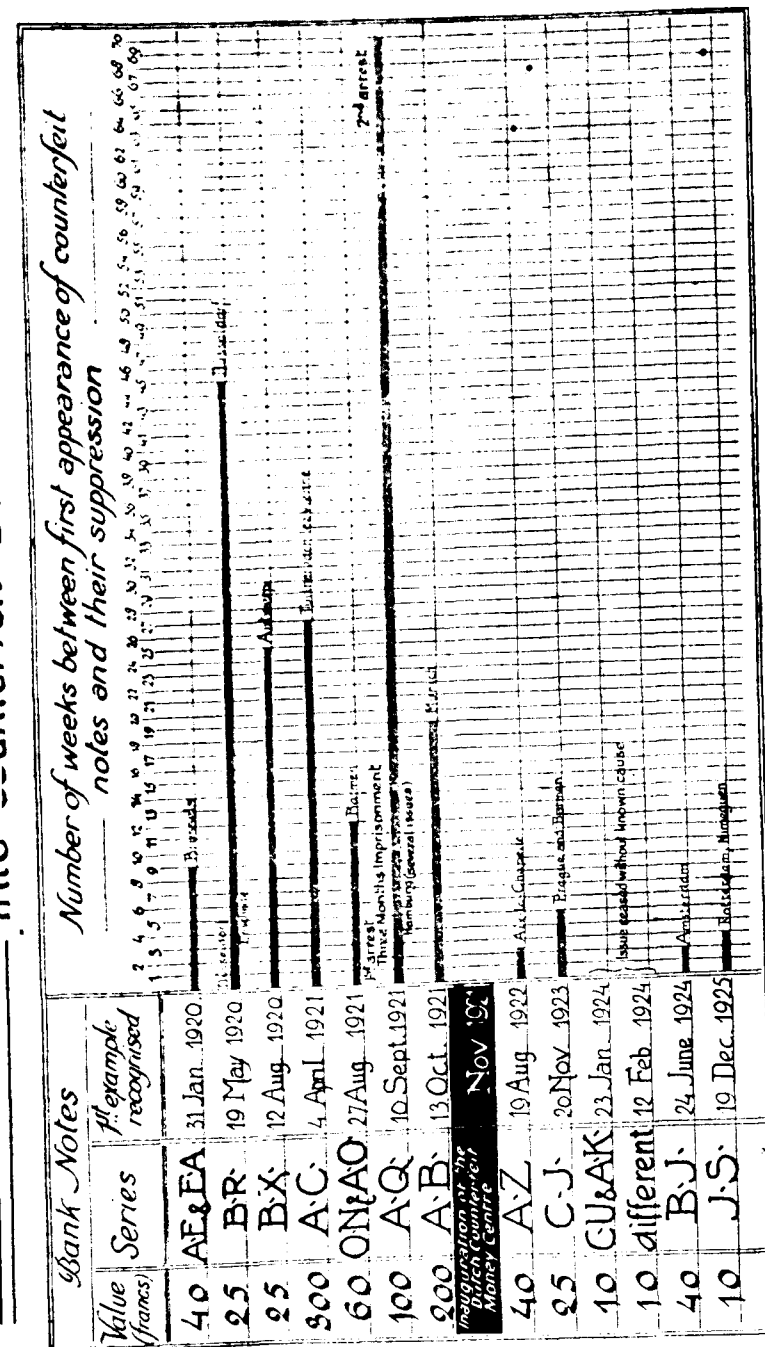
It is obvious that when an evil has reached such dimensions it can no longer be fought with the old police methods. In one respect the Continent has benefited from this phase, for it led to consultations between the leading police authorities and the directors of the issuing banks, who put their heads together in order to evolve the best methods of fighting international counterfeiting. Almost simultaneously, though independently from one another, such consultations took place in Germany, in Czecho-Slovakia, and in Holland. Let us consider the principles which have been followed in evolving these new methods.

In the first place, it was recommended that when in different parts of one country false notes from the same factory are in circulation, this should be regarded as one case, and that it is therefore a mistake to have investigations made independently in several localities by police officials who act without knowledge of the results obtained by their colleagues. The collection of all the available material about one and the same forgery is bound to lead to a more comprehensive understanding of the case as a whole than that which a single detective officer can ever obtain. Once this principle has been accepted, the establishment of a central authority in each country for this kind of case, or at least of a central point to which all data

can be directly transmitted and whence separately investigating police officials can obtain information, naturally follows.

Such national centres, of course, do not all work in the same way—existing police organisation and existing laws have to be taken into consideration ; but however the central body is organised, experience has shown, in every country which now possesses one, that it leads to much greater efficiency, and therefore also to greater speed in investigation. The table opposite, in which the horizontal lines indicate the lapse of time during which counterfeit notes were in circulation before the workshops of the counterfeiters were discovered, will prove that such is indeed the case. These statistics clearly show that after the foundation of the Dutch Counterfeit Money Centre, discovery of the workshops of coiners and counterfeiters took place much more rapidly than before its establishment. In reality the results of the bureau are even better than appears from the table, because the statistics do not indicate those factories which were discovered before the notes could be put into circulation nor does it indicate the counterfeits made by hand. But one point deserves attention. In Holland, as in most other continental states, the bureau does not strictly limit itself to a systematic investigation of counterfeit notes and to their registration. Such a restricted organisation would not allow the detective work full scope and could only play the part of a department of an issuing bank. The first requisite of the bureau must clearly be that in all cases of counterfeit money it maintains contact between the various police authorities, in the country of issue itself as well as abroad. It should be informed of all investigations that are being made into every case of counterfeit banknotes or coins. Officials who have specialised in such cases should be attached to these bureaux, so that their experience may be at the disposal of other detectives. They would be styled consulting detectives. Furthermore, the bureau must have at its disposal experts who have complete technical knowledge of every printing process and will be able to advise as to the process which has been used in any particular instance of forgery which is being investigated. Armed with such expert advice, the detective will know in what circles to look for the counterfeiter.

Duration of the Judicial Enquiry into Counterfeit Dutch Bank Notes.



In Holland, in order to give a standing to this bureau, one of the highest judicial authorities in the country, the Public Prosecutor at the Amsterdam Law Courts, has been placed at its head.

It is not difficult to realise the utility of such national central bureaux for fighting international counterfeiting. In the first place they maintain intimate contact with one another and provide full information to each other about forgeries, etc. Mutual co-operation is the result, and the fact that the detectives attached to these bureaux come into personal contact with one another adds to their mutual usefulness. Periodical conferences further increase this personal contact. The existence of the central bureau, moreover, ensures that whenever a foreign country discovers that counterfeiters of its national banknotes are in circulation, the police officers and detectives of that country will not have to travel all over the country where the forgeries are found and make the acquaintance of and confer with the numerous authorities there—they have merely to co-operate with the detectives of the central bureau, with whom they are probably already personally acquainted.

A case which strikingly illustrates the utility of the central bureau occurred a short time ago in Holland. The police of a certain Dutch town informed the central bureau of plans for the counterfeiting of Dutch banknotes. The data that had been obtained were too vague to justify action. Soon afterwards a police officer from another town arrived at the central bureau with information which also concerned the counterfeiting of Dutch banknotes. It was thought at first that two separate plots had been traced, but about a week before the writing of this article the central bureau received a third piece of information which clearly established the fact that there was a connection between the first two communications. Taken together, these three communications form an almost complete revelation of this forgery case; while none of them taken separately could possibly have led to the discovery of the place where the forgeries were actually perpetrated.

There is another powerful means for combating international counterfeiting. This is an international gazette. Of late years the practice of numerous gangs of counterfeiters

has been to travel across Europe with considerable rapidity, in order to put their forgeries into circulation. The only satisfactory way of countering these activities is by the publication of an international gazette or bulletin which can be sent to police authorities and to *bona fide* banking establishments in different countries, warning them of particular forgeries. Obviously it is important that precautions should be taken to ensure that such warning does not reach the counterfeiters themselves, but an experience of nearly four years has shown that up to the present no warning has been conveyed to the criminals; for an organ of the kind is already in existence and is published by the International Commission of Criminal Police, whose headquarters are at Vienna.

This international gazette naturally points to the value of an international bureau which could relieve the national bureaux of a considerable part of their work. In most cases, indeed, a national bureau would only have to send data which had come into its possession to the International Bureau, which, by means of the international gazette, would inform all the other national bureaux. These views were put forward and defended for the first time by me in September 1923 at the International Police Congress at Vienna. In my address I went very fully into the details of the scheme, and I ended with the following concrete proposals:

1. The governments of all countries are invited to establish central bureaux for dealing with cases of counterfeit money, on the pattern of those that are already in existence.
2. These central bureaux should maintain an intimate contact with one another.
3. One of these central bureaux should, as soon as possible, be entrusted with the position of International Bureau.

These proposals were adopted with only one dissentient vote, and the *Polizeidirektion* (Bureau of Police Supervision and Control) of Vienna was selected to hold the position of International Bureau. Since then no less than thirty-seven countries have established their own central bureaux for dealing with counterfeit money cases. The Congress did not separate before it had elected a permanent commission, which was entrusted with the execution of the decisions taken at the

Congress and with the preparation of further proposals. This commission, the 'Commission Internationale de la Police Criminelle,' of which I have the honour to be a member, met for the first time in 1924. I then moved the establishment of an international gazette on the lines mentioned above. This motion was adopted and the gazette now appears as a loose leaf publication: it is printed in two languages, French and German—and the two editions run to about five thousand copies.

III

On June 6th, 1926, the French Minister for Foreign Affairs, Monsieur Briand, addressed to the Secretary-General of the League of Nations the following communication:

'The French Government's attention has been drawn to numerous cases during the past few years in which the national currency of various countries has been forged.

'The circumstances attending these criminal acts have shown that the counterfeiting of the currency not only constitutes a danger to the credit of the injured country, but that, owing to the financial and economic solidarity which is springing up between States, the consequences of such action are in certain cases much more widespread. Though such crimes deal a blow in the first instance at the financial strength of the country whose currency is counterfeited, they are also capable, as a direct consequence, of disturbing international public order.

'It should also be noted that banknotes are usually forged and put into circulation outside the country whose national currency they are. The reason for this is that the criminal considers that he is less closely watched abroad, and that it is easier for him to pass a note with which bankers and business men are less familiar.

'In these circumstances it would seem to be to the interest and duty of all States, in order to strengthen the means of defence which they individually possess and to enable them to assist each other, to consider jointly treaty stipulations by which they might more effectively repress the international crime of counterfeiting the currency.

'This co-operation, the conditions and extent of which could be defined only after full investigation, might in the first

place take the form of co-operation on the part of the courts and the police of the various countries.

'An important step forward would also be recorded if States agreed to amend their penal laws and to inflict on all persons guilty of counterfeiting currencies penalties comparable with those imposed in the case of the counterfeiting of national currencies.

'Finally, the creation of an international office, which would keep in close touch with the currency authorities in the various countries and would collect accurate information as to the origin of forged notes and the methods of forgers, would seem likely to furnish effective assistance to the judges and the police of the various countries.

'I should therefore be grateful to you if you would submit to the Council of the League of Nations the proposal, which is made by the French Government, to entrust to a committee, specially selected from among competent persons to be appointed by the various States, the work of framing a draft convention for suppressing the crime of counterfeiting the currency.
Aristide Briand.'

At the meeting of June 10th of the Council of the League of Nations this communication was considered. The Council decided that the French Government's letter should be first forwarded to the Financial Committee of the League of Nations.

The first meeting which the Financial Committee devoted to the subject, at which I had the honour to be heard as an expert, took place in London on July 21st, 1926. The Committee decided to ascertain the views of the issuing banks of all the countries concerned before it came to a decision. This consultation took place by means of a detailed *questionnaire*. The answers that were received showed that the large majority of the issuing banks accepted the point of view of the French Government and was in favour of a convention for the suppression of currency-counterfeiting. The governments of Austria and of Holland, moreover, had addressed a note to the Secretary-General of the League of Nations explaining in detail how a large number of the proposals of Monsieur Briand had already been realised by the above-mentioned Commission Internationale de la Police Criminelle and by the International

Bureau for the Suppression of Currency Counterfeiting established by this Commission at Vienna.

In December 1926 the Financial Committee presented its report to the Council of the League and gave as its opinion that the conclusion of a convention for the suppression of currency-counterfeiting deserved very definitely to be recommended. The Committee furthermore submitted to the Council the desirability of entrusting the drawing up of a draft convention to a mixed commission, to be composed of four members nominated by the issuing banks of Argentina, France, Germany, and Switzerland; of another four members who would be specialists in international law, nominated by Belgium, England, Italy, and Rumania; and of three members who should be experienced in conducting prosecutions for counterfeiting, to be nominated by the U.S.A., Austria, and Holland.

The mixed committee was duly appointed, and nominated as its president Dr. Pospisil, Governor of the National Bank of Czecho-Slovakia. In the course of two sessions, held in June and in October, 1927, the mixed committee succeeded in finishing its task, which was to prepare the draft of an international convention. This draft, accompanied by an extensive report, was presented on December 6th, 1927, to the Council of the League of Nations. The Council thereupon decided to call a conference in the course of 1928, the members of which would be authorised to accept the draft convention with or without modifications. The report and the draft convention have appeared in print, and I very strongly advise police authorities to acquaint themselves with their contents. I may also in this place mention the great services which the British member of the mixed committee, Sir John Fischer Williams, Legal Adviser to the Reparations Commission, rendered in the preparation of the draft convention. The clear-sighted, far-seeing views which Sir John Fischer Williams exhibited in the course of the debates and by which he repeatedly succeeded in reducing to sober reality proposals that were of too idealistic a nature, ensure that the draft convention, when once adopted, will prove a powerful weapon in fighting international currency-counterfeiting. It will be a weapon that can be adopted by all nations, because it never infringes upon the diverse judicial

principles which apply in different countries. It would be out of place to discuss the whole draft convention here: I shall restrict myself to that part which is of more immediate interest to the police.

NATIONAL CENTRAL OFFICES

Article I. Paragraph XII

In every country, within the framework of its own laws, investigations should be organised by a central police office.

This central office should be in close contact:

- (a) with the institutions issuing currency;
- (b) with the other police authorities within the country;
- (c) with the central offices of other countries.

This central office should, in each country, centralise all information of a nature to facilitate the investigation, prevention and punishment of counterfeiting currency.

Article I. Paragraph XIII

The central offices of the different countries should correspond directly with each other.

Article I. Paragraph XIV

Each central office should, so far as it considers expedient, forward to the central offices of the other countries a set of cancelled specimens of the genuine bank or currency notes of its own country.

It should, subject to the same limitation, regularly notify to the central offices in foreign countries, giving all necessary particulars:

- (a) New issues, made in its own country, of bank or currency notes, or of metallic currency;
- (b) The withdrawal from circulation, whether as out of date or otherwise, of bank or currency notes or metallic currency.

Except in cases of purely local interest, each central office should, so far as it thinks expedient, notify to the central offices in foreign countries:

1. Any discovery of forged notes or coin. Notification of the forgery of bank or currency notes shall be accompanied by a technical description of the forgeries, to be provided solely by the institution whose notes have been forged. If possible, a specimen forged note or a photographic reproduction should be transmitted. In urgent cases, a notification and a brief description made by the police authorities may

be discreetly communicated to the central offices which are considered to be interested, without prejudice to the notification and technical description mentioned above.

2. Investigation and prosecutions in cases of counterfeiting, and arrests, convictions and expulsions of counterfeiters, and also, where possible, their movements together with any details which may be of use, and in particular their descriptions, finger-prints, and photographs.

3. Details of discoveries of forgeries, stating whether it has been possible to seize all the counterfeit currency which a gang has put into circulation.

CENTRAL INTERNATIONAL OFFICE

Article I. Paragraph XV

In order to ensure, improve and develop direct international co-operation in the prevention and punishment of counterfeiting currency, the representatives of the central offices of the High Contracting Parties should from time to time hold conferences with the participation of representatives of the banks of issue and of the central authorities concerned. The organisation and supervision of a central international information office may form the subject of one of these conferences.

To the draft convention the mixed committee has added eight recommendations, of which the first five are highly important to the police :

1

It is desirable that, even before the ratification of the proposed Convention, every Government should, as far as possible, take the administrative measures which are appropriate for the organisation of their national services so as to conform to the provisions of the Convention.

2

It is desirable that central offices should be created as provided in Paragraph XII. of Article I. of the Convention in colonies which are under the authority of the mother-country in so far as such colonies possess their own independent organisations legally authorised for the issue of currency.

3

It is desirable that the various banks of issue should create special offices with which the central offices should remain in close contact.

4

It is desirable that every central office should have at its disposal police officers who have specialised in the subject and also experts

thoroughly acquainted with the art of printing, so as to give information on the method of manufacturing forged notes and the machinery relating thereto.

5

It is desirable that, pending the creation of an international office, as contemplated by Paragraph XIV. of Article I., the work of the International Bureau at Vienna, which was fully appreciated by the Committee, should be continued, with the completest possible co-operation of the Governments ; according to the information supplied to the Committee, the International Bureau, by centralising information as to counterfeiting currency, displays an activity which is directed to the task which might be allotted to the organisation contemplated in Paragraph XIV.

IV

Let me conclude this article with a remark about the international counterfeiting of English banknotes. I shall restrict myself to two cases which happened in Holland in the year 1927, because I wish to mention only recent events and also because the problem of forgeries of English money does not strictly come within my province. On March 22nd, 1927, a certain Hekman was condemned to four years' imprisonment by the courts of Maastricht (Holland) for having made and uttered counterfeit English banknotes for £50 and £100. He had made these notes in Belgium and put them into circulation in Holland. He drew these notes from memory, one after the other, without any model. He had invented a special process for producing the watermark.

The second case is that of a Russian, Smolianoff, who was sentenced in June, 1928, to 2½ years' imprisonment for uttering counterfeit English banknotes for £50 in various towns on the Continent (Budapest, Vienna, Frankfort, Stockholm, and other places). He was arrested on the previous September 24th at Amsterdam, and is alleged to have uttered altogether sixteen notes before he was arrested.

If in so small a country as Holland two such cases have occurred in one year, it would seem that England also has a direct interest in acceding to the convention which has been outlined above.

The Shanghai Municipal Police: Chinese Uniform Branch

By MAJOR K. M. BOURNE, M.C.

Assistant Commissioner (Uniform Branches), S.M.P.

IN *The Police Journal* of January 1928,¹ Brig.-General C. D. Bruce, C.B.E., gave an outline of our police organization and the difficulties to be faced in keeping peace and order in Shanghai. He pointed out that the majority of our men were Chinese; so an account of the administration of this Branch may be of some interest.

In addition to normal police administration, there are certain unusual factors which have to be considered in controlling a native police force in a large city surrounded by districts usually disturbed, and often anti-foreign, and certain other factors arising owing to the characteristics of the men employed. In the first place, I propose to show our disadvantages.

The most harmful influence working against us is agitation, whether it be patriotic, anti-foreign, or by an employee of the Soviet. Agitators are noisy and sometimes sincere, but are handicapped mainly because they can offer as an alternative no settled existence or means of livelihood to those men who are willing to be disloyal to their employers. In any organization of this size, the members of which are recruited as our men must be recruited, there is bound to be a percentage who are not amenable to discipline and whom no treatment, be it ever so tactful, can make loyal. About four per cent. of the Chinese Branch of this force are dismissed each year for serious misconduct, and it is this undesirable four per cent. who constitute the real danger to our organization. This recruiting difficulty will be dealt with later.

¹ Vol. I. pp. 128-138.

However much a man may be suspected, no one is dismissed until conclusive proof of misconduct can be clearly shown in his presence. This is not always easy to obtain, as the Chinese witness against the police is unreliable and timorous. The normal agitator then is a danger owing to the 'undesirable four per cent. who may come under his influence, and, in their turn, influence the better class of man.

The 'red' agitator works by pamphlet, and by the 'cell' system in which certain picked men are offered lucrative posts if they will collect so many others as followers to create trouble. In March 1927, during the communist trouble, a Chinese constable was found guilty of theft during a raid, and before dismissal his kit was searched. In his kit was found a certificate of appointment as a 'Divisional Commander' to the Nationalist Army. It had been posted to him from Canton. He was without doubt a 'cell,' but had fortunately failed to develop from the grub stage. Terrorism of the families of the men while out on duty is largely prevented by making all employees live within the International Settlement.

The second handicap under which we labour is the unavoidable enlistment of undesirables who may later become a danger to our organization. When engaging recruits, there is no means of finding out the past history of the applicants. With China in its present chaotic condition there is no reliable authority who can certify a man as fit for police work owing to his family position or personal honesty. One cannot write to the local clergyman and ask him, as there is no such reliable person or, indeed, anyone who approximates thereto.

The last abnormal problem concerns the Chinese characteristic of official dishonesty, which is not regarded as dishonesty at all by the uneducated. For the last two thousand years, the normal procedure has been for officials of all grades to increase their purely nominal pay by practices which are very corrupt when viewed from a modern standpoint. How much each grade of official could divert to his own pocket was more or less understood by unwritten law; but, from the yamen runner upwards and downwards, each man had his share. The system is bred in the bone of the nation, and to eradicate it entirely is a matter of time and education. Up to

the present time the military have taken what they want without any regard to scale, and this is bound to react on the minds of our men when they find themselves members of a semi-military organization such as this police force.

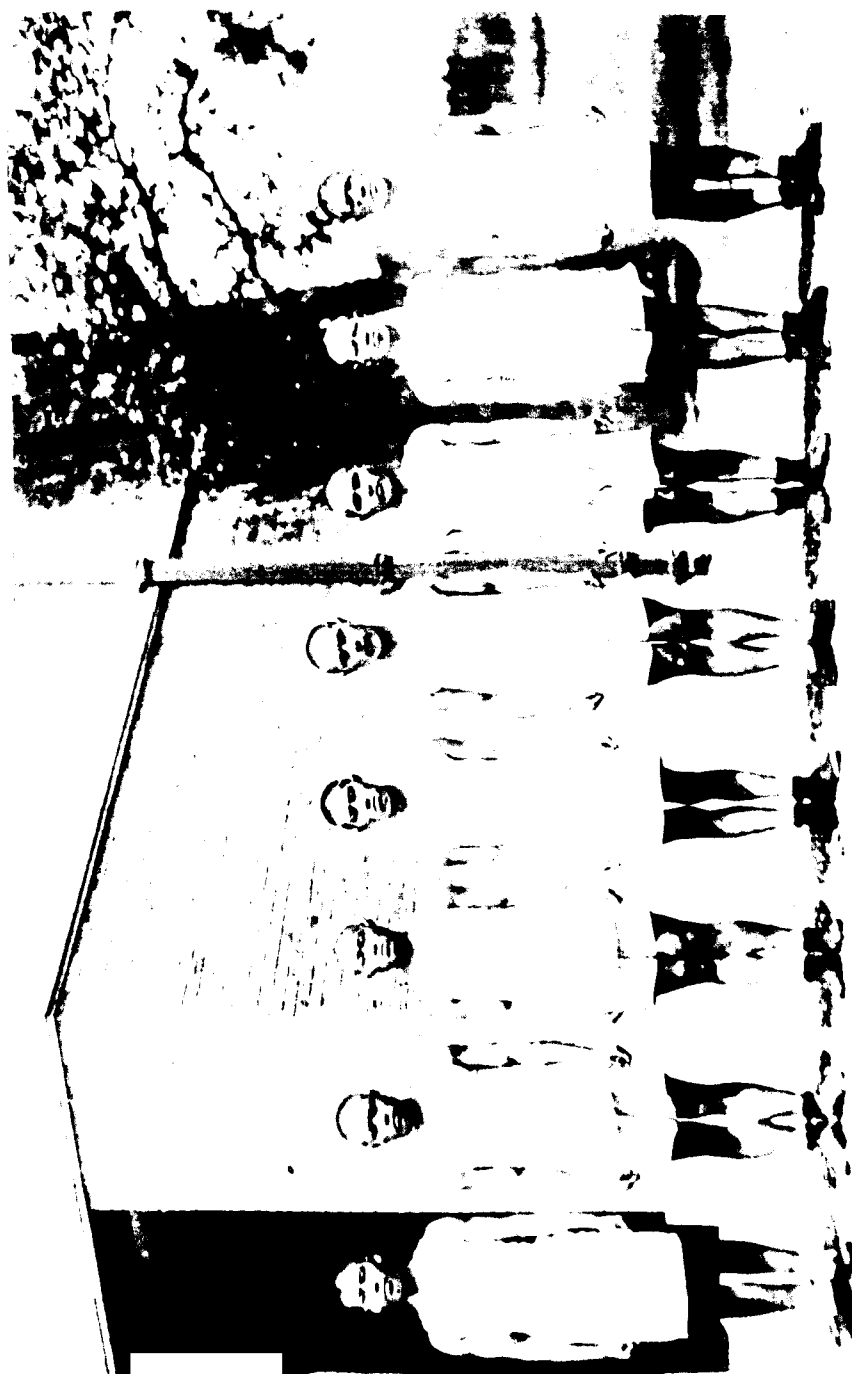
The problem of instilling official honesty in the Chinese police is therefore one of no small difficulty, since men brought up to one standard of official morality have to be made to conform to an entirely different standard when enlisted as policemen. They consider severe treatment in such cases unreasonable. In all proved cases, however, the punishment is dismissal, and the civilian population is encouraged to make known any complaints which they may have on this score. Each case has to be inquired into very carefully, as false charges are not infrequent and one unjust dismissal would cause untold harm to the morale of the Chinese Branch.

Owing to the opium evil, complete elimination of 'squeeze' is impossible. Some years ago an agent of an opium concern was arrested by a Chinese constable when distributing a monthly fee of \$2 per man to every Chinese policeman in a certain district. In spite of the fact that he swallowed his list of names, he was convicted and sentenced to six months' imprisonment. The payment of this kind of hush money, which is often not asked for, is the worst moral evil against which we have to contend. There is little doubt that many a young constable is corrupted by the offer of easy money of this kind, offered because he happens to walk a certain beat, and without him having even suggested such a payment. This trouble has been slightly lessened of late. With pay at \$18 (approx. 35s.) a month and two thousand years of past official history behind him, it requires an exceptional man to stand out from his fellows.

So much then for the factors of an abnormal nature working against the satisfactory administration of the Branch. In describing those factors which, on the other hand, assist us, the first is the certainty of regular pay and a settled future. A policeman in Chinese territory draws from \$11 to \$14 a month, and his future prospects are very doubtful, while his pay is usually several months in arrear. He need not, however, be able to read or write. Now, in the Chinese Branch of the



RECRUITS AFTER TWO WEEKS' TRAINING
SHANGHAI MUNICIPAL POLICE



RECRUITS FROM THE CHINESE DISTRICTS
SHANGHAI MUNICIPAL POLICE

SHANGHAI MUNICIPAL POLICE

29

Shanghai Municipal Police, a recruit draws \$16 a month, with quarters, and his pay increases to \$18 when he is posted to a station. Single men at stations can usually be accommodated in barracks, but married men have to find and pay for their own lodging. These conditions will no doubt gradually be improved. There is a gratuity for men of twenty years' service and over, worked out at five per cent. of annual pay at the time of leaving, for every year of service. The families of men killed on duty are given a minimum compensation of \$1000. There is nothing approaching such good terms of service elsewhere in China. All our men must be able to read and write Chinese.

The second point that assists us is just treatment, which can be summed up in five words as 'Direct access to senior officers.' This means that any man at any time during office hours can present himself alone before the officer in charge of the Branch and say what he wishes in his own language, knowing he will be heard and that proper inquiries will be instituted if it is a matter of complaint. Further, in subsequent inquiries his name and number will be kept dark if he asks that this should be done. This is one way in which the pulse of the force can be felt, and, when all grievances can be ventilated easily, it is hard for the agitator to make headway. The Chinaman has a good sense of justice, and he appreciates this system which contrasts very favourably with the practice of the Chinese official, who is seldom available to the rank and file. Secret reports are also permitted at the private residence of the officer in charge. This system is the key to the control of the Branch. Although the privilege is sometimes abused by the more cunning constables who attempt to use it for their own ends, it works satisfactorily on the whole, and helps to keep the officers in touch with men at stations.

The Chinese Inspectors and Sub-Inspectors are a further link between stations and the Branch Headquarters. It is their duty to keep in close touch with the men and not only report their faults, but also assist with advice in every way possible. They observe and report to Headquarters the feeling in the Branch in regard to political and anti-foreign movements, and counter the agitators by reasoned lectures in times of trouble.

Though the first eight of these Inspectors were engaged direct from Peking on special terms of service, vacancies are now filled as far as possible from the ranks of our own force.

Finally, it is characteristic of the Northern Chinese, that is men from Chihli, Shantung, Anhui, Honan and Northern Kiangsu, to be loyal to their salt when they once feel themselves firmly established as a unit in any concern. Domestic servants from these provinces have very seldom deserted their masters in times of trouble, which cannot be said of men from other parts of China. It naturally takes longer in a large force to develop this characteristic, and for this reason new recruits are always rewarded generously for good work and punished lightly for first disciplinary offences. Once a man feels he is an established and fairly successful member of the force, his characteristic loyalty begins to develop, and he quickly becomes a reliable man. 'Face' comes into this development as it does into everything Chinese, and for this reason good cases are always detailed in Chinese orders and read out to all ranks, also promotions and awards. In this manner is created *esprit-de-corps*, the past good reputation of the Branch having some part in the process, but not a great one. Patriotism, which is usually the strongest influence in forming *esprit-de-corps*, does not of course assist us to any extent.

On the borders of the Settlement our men are constantly abused by Chinese soldiers and others, who call them 'foreign dogs' and 'foreign slaves' and not infrequently assault them. It is to their eternal credit that they remain loyal and regard their aggressive compatriots over the borders with the contempt such trouble-makers deserve. Peace in Shanghai is the greatest hope of a prosperous China, and should this city fall into the hands of the militarists, it is hard to say when, if ever, China would recover her lost trade. Our men are really the most patriotic of Chinese for this reason, and, no doubt, with the thinking ones this is fully realized and helps to strengthen the morale of the force.

As to other characteristics of the Northern Chinese, he is always cheerful and willing if treated the right way, and when punished justly, a defaulter takes his punishment well and bears no malice. Honan men, of whom we have only a few,

are perhaps rather too pugnacious and quick tempered. One man from this district, who was always in hot water and who finally absconded to avoid dismissal, was reported 'last seen jumping on his uniform hat on Chapoo Road Bridge.' Individually the majority are very courageous and do not, like so many indigenous troops, necessarily require good leadership on the spot. That is to say, against armed robbers and criminals of all sorts they will act on their own initiative; and foreign leadership is only really necessary in case of riot or organized disturbance.

It is the armed robbers and kidnappers who are a constant menace to the lives of our men and the peace of the Settlement, and it is in fighting against these desperadoes that the best qualities of our men come out. Robberies are most common between 6 p.m. and 11 p.m., but may of course occur at any time. No man when he goes on duty can be certain that before he reports off duty he will not have had to engage in a life and death struggle with a party of armed robbers. When whistles are blown at night every man runs towards the sound with his pistol in his hand. Should he meet the robbers in flight, he can be certain they will open fire on sight, and he knows he has to stand up and return the fire. Bright buttons and badges have all been exchanged for black to make our men less visible at night. By day, it is easier to grasp the situation quickly when the alarm is sounded; but the danger is much the same, though daylight robberies are less frequent. Cases in which men of the Chinese Branch have failed to answer a call are extremely rare, though the numerical odds are always against them. Men walk in pairs in the more lonely and rougher districts. The challenging of suspects is one of their most hazardous duties, since if such men are armed they usually carry their pistols in their hands concealed up their long sleeves, and often open fire on the police the moment they are challenged. Our men have to be ready to reply at express speed. The most dangerous and successful robbers often wear well-cut silk gowns, at first sight in no way different from good class Chinese gentlemen; so the respectable appearance of a man challenged for search is no guide to his subsequent actions.

The following gives some idea of the work done by the Chinese Uniform Branch in the face of danger from January 1927 to March, 1928.

Number of men killed by robbers	-	-	8
Numbers of men wounded by robbers	-	-	17
Number of men awarded the Distinguished Conduct Medal	-	-	7
Number of men given rewards and promotion for successful action against robbers	-	-	205

Sixteen Chinese constables, all of whom had been engaged in successful shooting affrays with armed robbers between November 5, 1927, and December 23, 1927, were specially congratulated for their gallantry by the Chairman of the Council, Mr. Stirling Fessenden, and by Captain E. I. M. Barrett, C.I.E., Commissioner of Police. Efficiency badges are given to men who have been advanced in class thirty months or over for especially good work against all classes of criminals. Ninety-nine men hold this badge. Such advancement is given for outstanding good arrests, such as of robbers, burglars, thieves caught in the act, suspects arrested with stolen property, suspects with arms or opium, and so on. Usually not more than six months' promotion is given for the best cases, with the exception of the arrest of armed robbers for which as much as twelve months' may be awarded. Pay ranges through five classes, from the recruit to the Extra 1st Class Constable, with five more classes to Extra 1st Class Sergeant. Promotion being by time scale, advancement shortens the period before the next rise in pay is due. Reduction in class as a punishment has the reverse effect.

So much for various abnormal problems in the administration and the characteristics of the men. The course of training, designed to meet the unusual conditions now existent in Shanghai, is briefly as follows : -

The strength of the Branch for 1928 is 2,380 men, of all ranks, of whom 17 are Chinese Inspectors and Sub-Inspectors. These men are distributed among twelve stations and two riot reserve squads, of 50 and 100 Chinese respectively, in addition to members of other branches. Two foreign officers

are now in charge of the Branch, and the junior of these also controls 1,400 Chinese watchmen who, though the private employees of various concerns, come under Branch Headquarters for discipline. Under the reorganization scheme which is being introduced, the junior of the two will be a Chinese, and a senior Assistant Commissioner will be in charge of all uniform branches, that is the Foreign, Japanese, Sikhs and Chinese, each of which will be in charge of one foreign officer.

A Chinese recruit takes four months to complete his course, and, to replace normal wastage, about 200 men must pass through the training dépôt in the year. Owing, however, to the continued expansion of the industrial and residential districts, there is usually a big increase in personnel to be trained in addition.

Any man wishing to join the police may present himself at the Dépôt parade ground at 10.30 a.m. on Saturday mornings. Applicants are formed in single ranks, sometimes as many as 1,000 parading at one time. Any man who appears suitable is asked quick easy questions, such as his home, age, former employment, etc., a Chinese Inspector being in attendance. In this way his place of origin can be determined by his dialect, and those from desired districts are selected. Age can be checked owing to the fact that each year in every twelve bears the name of an animal in continually recurring sequence : the year of the rat, the year of the dragon, and so on. A Chinese who looks thirty-five and says he is twenty-eight is immediately asked the animal ' in the book ' for his year of birth. Unless he has given his correct age, or has worked it out beforehand, which is unusual, he can seldom calculate the right animal in time to be convincing. Men who answer smartly, have good physique, and stand over five feet five inches in height are picked out for further tests—usually not more than ten per cent. of the applicants. These men then run 100 yards, and those found to be in an obviously unhealthy condition are rejected. The remainder report later for a reading and writing test, in which, as a rule, fifty per cent. fail to pass. Successful men then visit the Municipal doctor, who usually finds about three men in twelve unsuitable for police work. The survivors,

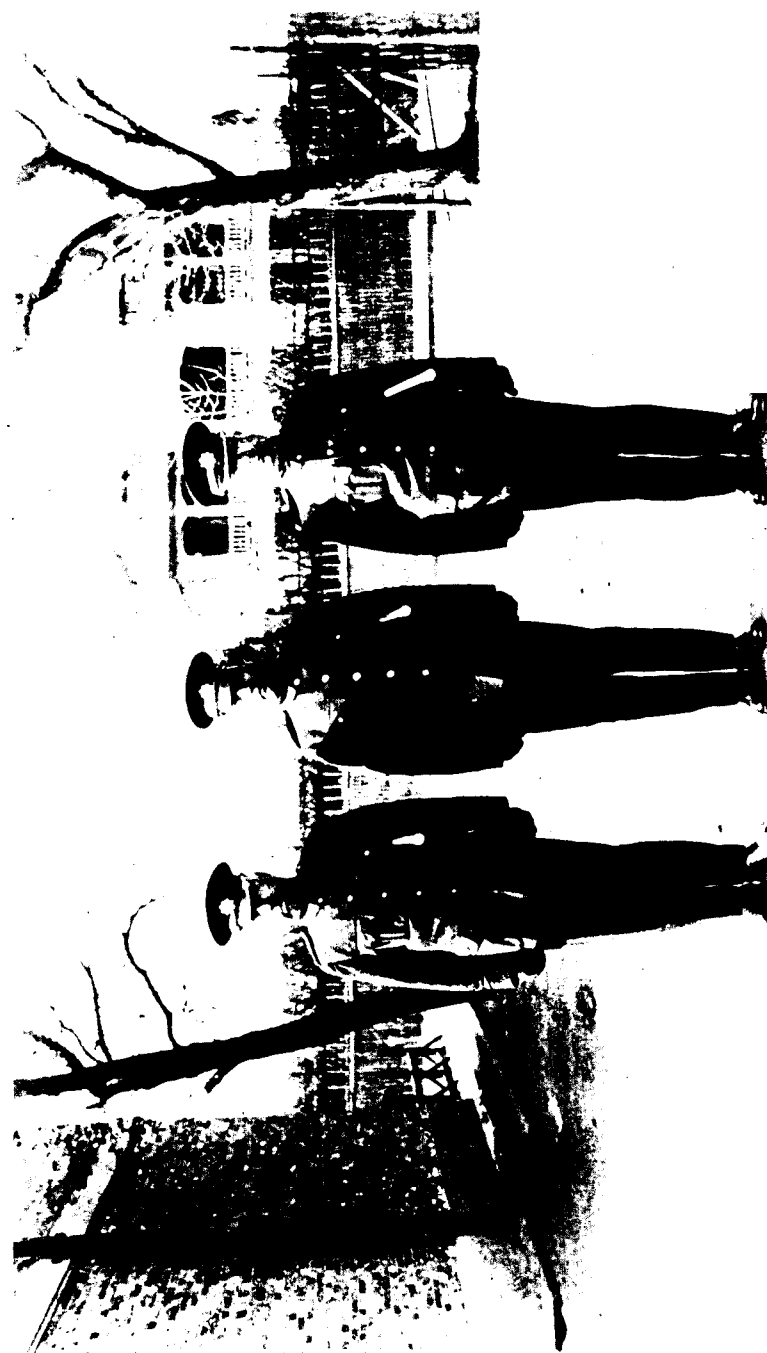
if their finger-prints show no criminal record, obtain a shop security bond for fifty taels to cover cost of uniform and equipment, and may then be posted to the Depôt. The finger-prints of men dismissed or absconded are registered in the Finger-Prints Bureau C.I.D., so that these men cannot rejoin some years later without being detected.

Training is designed to meet peculiar local conditions, particularly as regards quick shooting and physical training. The day's work is as follows:—Three hours' school; two hours' drill; and one and a half hours' physical training. One hour's musketry a day is substituted for drill for three weeks towards the end of the course.

Every man on leaving the Depôt is provided with a police manual in Chinese and English which contains instructions to meet all probable situations, local regulations and police orders, etc. The school work consists in the teacher going right through this book, explaining all doubtful points, while the recruits copy the whole into their own note-books, which are checked from time to time. This routine is varied by lectures given by Chinese Inspectors and Sub-Inspectors.

Recruits must pass out in arms drill, squad drill, bayonet exercises and riot drill. The Martini-Metford carbine is used for arms drill, with English words of command. They have a good idea of time, and drill very well.

Daily physical training consists of half an hour first thing in the morning for Swedish drill and Indian clubs, and one hour last thing in the afternoon at rough games of all descriptions. These games are made competitive between squads of twenty to thirty men each. Two squads play against each other in every game each day. When all have competed against each other, the one with most wins is given a half holiday. This makes considerable keenness and consequent satisfactory physical development. The Chinese have no vigorous games of their own; and so, though many men are strong, they are nearly all clumsy. The games are of all sorts, calculated to remedy this defect. Running and jumping hurdles does much to make them more agile. Medicine ball 'rugby' has only two rules: one must not kick the ball, and to score a goal the ball must be carried in the hands between



CHINESE INSPECTORS
SHANGHAI MUNICIPAL POLICE

the posts ; with these limitations, one may do anything one likes to assist one's side. Tug-of-war between squads is very satisfactory, the winners taking the whole rope away from the losers. Wheel-barrow and V.C. races are run in pairs, 100 yards each way, men changing over before running back. Games of this kind played vigorously every day for four months have a sound effect on the physique, and make the men hard and careless of small hurts. Wrestling is also a daily exercise. Finally there is the obstacle course, a very stiff physical test which all men must pass on leaving the Depôt. The Tests for recruits completing their training are printed for their information in Chinese and English.

Shortly stated, this training means that, under examination, out of eighty marks, forty are allotted for school work and the remaining forty for combined physical fitness, shooting, and safe handling of arms. Recruits passing the latter test compete against each other in threes pursuing a fourth recruit (from No. 2 squad dressed as a 'robber') over the obstacle course, across the parade ground and into the revolver range, where they fire six shots, when tired and excited, at suitable targets. Marks are given for the first to arrive, the number of hits, and safety in handling arms. The recruit passing first in the whole examination is given four months' promotion, a 'First Recruit' badge for his sleeve, and is also allowed to choose his Station.

We have, in fact, to do regards armed robbers, concern regard to normal police work attain this object than on parade ground, as in this way pay to lose one's temper condition, and the lightning most needed by every man.

'spirit of bayonet' as the patience of Job in ng is better suited to played on a macadam n learn that it does not mper, sound physical istol are three qualities

All men on duty are armed with a .380 Colt automatic. Each recruit fires twenty-two rounds before leaving the Depôt, sixteen of these in his qualifying course and six in his passing-out test. Individuals may be given further practice before leaving the Depôt if this appears necessary. Every year the whole force passes the Spring and Autumn pistol shoots,

firing at each course sixteen rounds in four practices: a standing man, a crossing man, and an advancing and retiring man. In the last case, the pistol is in the holster charged, but not loaded when the figure starts to retreat. The constable draws, loads, and fires four shots. The Colt .380 is an ideal weapon for the purpose, being accurate, easy to shoot with, and simple in action.

After leaving the Depot, the men do one drill a week during the winter months, mainly squad drill under Chinese Inspectors, and ceremonial drill. In summer, lectures on useful police subjects are substituted.

I hope this will give some idea of the workings of the Chinese Branch of the Shanghai Police Force. Though I have not omitted the characteristic faults, the good qualities of the Chinese policemen far outweigh his human weaknesses, and it is much to be desired that the general public should realize what good men they are and to what extent the residents of Shanghai, both Chinese and foreigners, are indebted to them.

Some Geographical Difficulties of the R.C.M.P.

By T. MORRIS LONGSTRETH

BEHIND the statesmanship that created the Mounted Police of Canada lay geography. Sir John A. Macdonald was possibly the most energetic of those who foresaw that competition for the huge untenanted areas of the West was inevitable. Surveying his resources, in 1873, he also saw that he could afford only a very slim show of authority. Sir John was a Scot. Under any circumstances the idea of a few not too extravagantly equipped men who could be everywhere at once would have appealed to him. Owing to the trade depression, the necessity of keeping the promise of a railway to British Columbia, and the extraordinary rumours of American infiltration on the plains, it appealed to him doubly. The corps was immediately organized, assigned to a territory about half the size of Europe, and instructed to keep it tranquil.

This was done, and so dramatically, thanks to a few stage villains like Sitting Bull, that the 'Mounted' have become a legend while some of the original members are still alive. But being legendary has its drawbacks. One of these drawbacks is that Canadians, for the most part, do not know precisely what the Royal Canadian Mounted Police do, and still less where they do it. Even in serious writings on the Force, the stage whereon the daily drama is enacted has been neglected. Yet the stage settings have been factors of the greatest importance in the Force's development. The geographical difficulties which the Force has had to master have in a large way shaped its character and given it a reputation as well as a field of operations.

Certainly unless one has a fair knowledge of the physical obstacles encountered in the day's work one cannot appreciate

the work done. The purpose of this article, therefore, is to call attention to these obstacles, which, even if obvious, are usually under-appreciated. And the first of these is Canada's magnitude.

The area of Canada is 3,797,123 square miles, 142,923 of which are water. As everyone knows, these millions of square miles present a picturesque diversity of field and forest, prairie and plain, mountain and muskeg,¹ lake and tundra,² and ice-covered rock and inland sea. Everyone knows, too, that this vastness, which is larger than the United States, contains a population only slightly greater than London's, chiefly scattered along the southern margin of the country. All this is known vaguely; but the vagueness unfortunately engulfs the world's concrete knowledge to an extent which is deleterious to Canada's progress. The most amazing misconceptions continually crop up. One writer who ought to know better recently described his Mounted Police constable as patrolling from Calgary to Alberta, which is much the same thing as saying from Glasgow to Scotland. A woman reporter, sent by a great Brooklyn newspaper to write up the Calgary Stampede, confessed to a night of tears before starting, so perilous did she consider the prospects. The Queen of Rumania is reported to have been agreeably surprised to see verdure covering the autumn soil; she had expected that one could skate from end to end of Canada at any season. A critic of the moving picture tells me that he expects to hear of that great educational agency attempting to lease the Alberta Wheat Pool for a pirate naval battle. With the Dominion still so mistily known, it is not surprising that Mounted Police movements and responsibilities are misrepresented abroad and misapprehended at home. It may be news, therefore, to many that 2,023,743 square miles have been added, in a practical sense, to Canada through the exertions of the Mounted Police. Yet this does not seem an overstatement of the Force's frontier-consolidating successes.

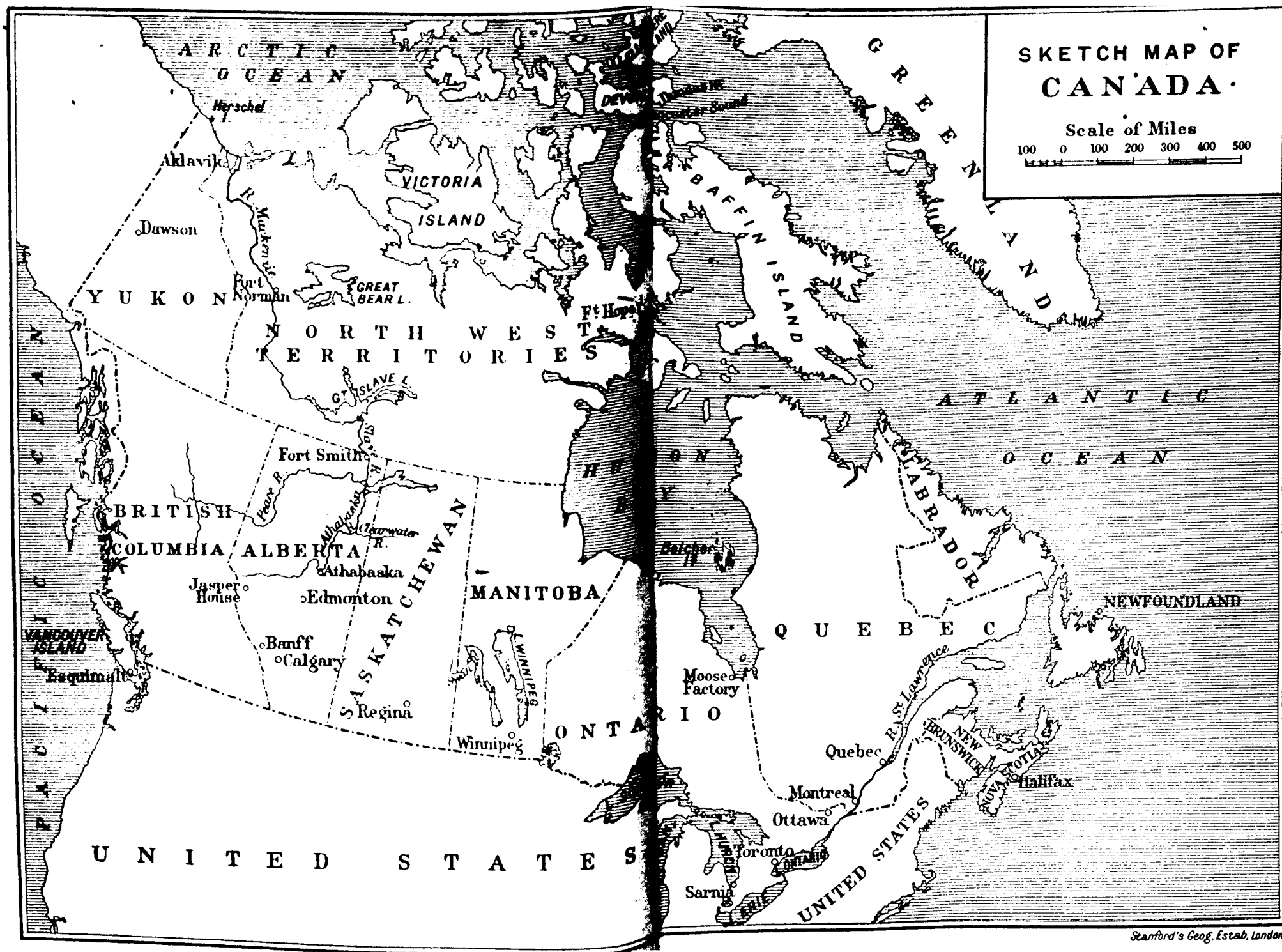
The frontier of Canada started in a very slipshod way: there was no logic in the beginnings of settlement. Had the god of colonization stood over the continent and dropped his

¹ Grassy bog is so called in North-West America. ² A mossy plain.

settlers from a cornucopia they could hardly have fallen farther apart; Port Royal, Quebec, Lake Huron, Moose Factory, Jasper House, Vancouver Island—a fort here, a chapel there, a trading post beyond the horizon, with uncharted leagues of wilderness between. As late as 1874, when the Mounted Police began their march across the plains to see if 300 determined young men really were a match for 30,000 Indians, the civilization of Canada beyond Sarnia, Ontario, was exceedingly spotty. The Maritimes were by then a seasoned farmland; Montreal and Toronto thought well of themselves as cities; Fort Garry was about to be incorporated as Winnipeg. But all pretence of civilization stopped there; the rest was wilderness, either howling or portentously calm. From the last pig in Winnipeg's streets to the first hen in Victoria's stretched 1,500 miles of nothing, monopolized by aborigines, while to the North the distances were unmeasured, their contents un conjecturable. Such was the domain when the Mounted Police first began to shoulder forward the frontier.

The successive occupations are well known: the Indian land of '74 became the North-West Territories, from which were carved Saskatchewan and Alberta. Americans in the North were shown, in 1895, where the Yukon boundary (and law and order) began. In the same year Police parties began to explore and plant detachments along the Peace and Mackenzie rivers, establishing footholds on Herschel Island and Hudson Bay in 1904. In 1920 the Force achieved its manifest destiny, and, on having its jurisdiction extended over the entire Dominion, claimed, by quiet occupation, the dim region lying on the northern border known as the Eastern Arctic. Each new addition to pioneer Canada provided enlarged scope for Police patrols, until, inexpensively and without dispute, Police outposts have made Canada's jurisdiction visible. The enormous outline is complete; there remains a little filling in and a comprehension of what it includes. Just what, then, are its aspects in regard to the duties of the Force?

These aspects fall into two varieties: the problem of administration, and the physical difficulties in the way of duty. To visualize the first one needs only to stand before the map in the Commissioner's office at Headquarters, Ottawa. Here



is seen the chess game magnificent. Given 1,000 men, how to enforce the Federal statutes over 4,000,000 square miles and all law over half that area—that is the constant question; a question posed by geography, commented on by politics, and restricted by finance, but primarily geography's.

For example, unusual activity in excise evasion is reported from the coast of Nova Scotia. Every division being undermanned (if the Force's potentialities are considered), the men necessary to scout out and arrest a crew of desperate rum-runners cannot be disengaged, without neglect to their duties, from Halifax; so reinforcements must be sent from 'N' Division, Ottawa, where a sort of reserve and Eastern training depot are maintained. Ottawa is accounted East, yet just to reach and return from Halifax costs three days, while to investigate the isolated rendezvous of the rum-runner is likely to consume weeks. What, then, if the Indians on the reserves near Toronto, listening to advisers who are more sophisticated than scrupulous, decide to claim their 'rights,' rights which fluctuate sympathetically with the beer keg? The supply of transferable constables in Toronto is small. Reserves must be hastened to the Indian front. But, meanwhile, it is likely that the Indian Department becomes desirous of escorts for the treaty payment parties. If an Indian agent is to carry satchels and boxes of dollar bills about the wilderness he feels comforted by having a scarlet-coated symbol of protection at his elbow. As these trips are long and many, a considerable number of constables is needed. Again, urgent calls come from the Canadian Pacific Railway for men to oversee the passage of some 40 to 50,000 harvesters to the grain fields. Other demands arrive from every side, and Headquarters must rush the supers from scene to scene on a scale corresponding to nothing known in Europe outside Russia. Perhaps this is the place to add that the writer realizes that other police forces of the Empire combat enormous areas with small numbers, and that emphasis on Canada's distances is intended to carry no invidious distinctions.

But these problems of Headquarters, concerned as they are with places lying between Manitoba and the Atlantic, might be termed local if compared with the greater reaches of the Dominion. Recently a star detective, whose activities cul-

minated in arrests almost simultaneously in Montreal and Vancouver, was obliged to appear in both cities in quick succession. The railway distance between them is 2,885 miles; and the eye encountering that numeral rolls over it with facility. But the actual linear measure cannot be dismissed under six days except by the summer expresses which save a few hours. If the detective boarded the Transcontinental in Montreal late on a Sunday evening, he would spend Monday looking at the lakes and forests of Ontario. By Tuesday night Winnipeg would appear. Wednesday would be devoted to the prairie and the plains, while on Thursday he crosses three ranges of mountains, arriving at Vancouver on Friday morning, impressed no doubt by the sweep of country. The Officer Commanding is also impressed as he scrutinizes the travel expense vouchers.

Once arrived in the West, new ideas of size are thrust on one. 'E' Division officers know this well. From their headquarters at Vancouver go patrols to quell Indians in regions so remote that the tribes believe still in witchcraft, and, what is worse, practise their beliefs. Last year a patrol returned from an attempt to investigate 'Tropical Valley,' a place of warm springs situated in northern British Columbia, which (tell it not to the get-their-man believers) was not reached. Again, the constable transferred from Banff to Whitehorse, Yukon Territory, travels for seven and a half days at good speed by train and boat without losing sight of the peaks of this enormous province. Transfers are matters of serious expense, which, in the case of officers taking a family with them, becomes downright solemnity upon receiving bills for excess freight.

'G' Division, whose headquarters are at Edmonton, smiles, however, at 'E's' ideas of distance. New units of measure are now required. Even Yukon Territory, with its area of 200,000 square miles, could be accommodated in 'G' several times over. No officer commanding 'G' has ever inspected all his detachments. It could not be done in a reasonable time. The round trip up and down the Mackenzie river system, which is the spine of the division, is farther than from Montreal to Vancouver and yet is a mere beginning. Herschel Island, lying northwest of one of the Mackenzie's

mouths, was made an important detachment for receiving customs and regulating whalers' conduct by the famous Fitzgerald, and an officer still resides there in almost lunar isolation. By taking the *St. Roch*, the new Mounted Police boat, he will now be able to visit the increasing number of detachments eastward on Coronation Gulf and Victoria Island and still report to his commanding officer at Aklavik in case the latter should have travelled down the Clearwater, the Athabaska, the Great Slave, and the Mackenzie rivers on inspection.

Nothing drives home the incomprehensible vastness of Canada so emphatically as to push down this broad river, day after day, night after night, for weeks. From either bank a flat, unbroken, and utterly voiceless forest of fir and aspen recedes to the horizon. No animal is seen, and no man, except at the 'forts' three hundred miles apart. These villages—comprised of two rival store keepers, two rival missions, a Mounted Police detachment, usually of two, three, or four men, a handful of white or half-breed trappers, a double handful of dingy Indians—merely emphasize the emptiness between. The Yukon wilderness is filled with voices, wild life, beauty; the barren grandeur of the Mackenzie is bleak even in midsummer. This Arctic and sub-Arctic country, even measured by the comparatively straight line which the river pursues, is huge; but when one reflects that for a thousand miles westward and three thousand to the east there exists practically nobody—a few tribes of half-starved Indians, a few hundred indigent Eskimos, and the almost negligible trapper—the realization becomes stupendous. Yet this expanse must be overseen that the hungry may be fed, the lost found or accounted for, and the occasional lawbreaker brought to book. With sub-districts at Fort Smith, Fort Good Hope, and Herschel Island the work is more readily apportioned.

There is, however, one 'beat' of the Mounted Police which is grander still: the Eastern Arctic. Until 1920, when new life came to the Force, the territory lying north of the St. Lawrence and east of Hudson Bay was of no concern to Headquarters. Much of it was known to nobody. Baffin Island and Ellesmere Land were still free from the Hudson's Bay posts. Even the nearest Eskimos, those on the Belcher Islands in the

southeast corner of Hudson Bay, were beyond the pale of supervision until the momentous date which extended Federal aid, in the shape of the Police, to every nook and outpost of the Dominion. Almost at once a patrol investigated the forlorn Belcher Islands, the officer in command reporting that the Eskimos were starving, cotton-clad, and religion-crazed. These conditions of utmost misery induced investigations further afield with surprising results. The hapless Eskimo, it was discovered, had to be protected alike from the over avaricious trader and the too zealous missionary, since his naive, generous and credulous nature made him an easy mark for sharp dealing or dogma. Frightful murders by men who had gone temporarily insane while trying to comprehend the Trinity were taking place. A shrewd trader operating in Baffin Island brought murder upon himself by his vile temper, yet it was none the less murder, and a patrol consisting of one solitary sergeant was despatched from Ottawa to look into it.

Single-handed this non-commissioned officer tracked the murderers down; a court was sent north, and justice began to be dispensed to another million square miles. One detachment is still leading to another in this region, the epitome of all barrenness, where about thirty Mounted Policemen patrol many thousands of miles a year in the course of duty. To the Eastern Arctic only one trip a year can be taken by the supply boat; one inspection made, one round of reports collected, of problems heard, of stores checked. In the course of a few hours the stores must be landed for a year, two years, ahead. Nor is this one visit assured. A too persistent wind, heavier ice than usual, an uncharted rock—and the watchers from the detachment will be disappointed. This has not happened yet.

This is geographical difficulty with a vengeance. It casts its shadow ahead months before the boat leaves Nova Scotia. The supply officer begins to have bad dreams. To 'forget' might cause a fatality. He must calculate to the last can of cocoa, the last boot, lump of coal, and nail, what will be eaten, worn, burned, or required for shelter at each of the detachments. The check-list is long, because a small necessity, a safety-razor blade for example, may loom large when the nearest shop is 2,000 miles away. Books, lamp wicks, radio

accessories, iodine, pipes, films—safety, efficiency and happiness—it is an exacting order. But the Quartermaster's Department has improved since the Yukon days of '95, when to Inspector Constantine, whose men were practically starving for fresh meat, the Quartermaster shipped by mistake a large consignment of quarantine blanks for sheep and cows!

Distance is, therefore, the primary impediment to the facile management of situations. It is the first consideration to the Commissioner in every move of his chess men. But what of the men who traverse the actual miles? To them distance is not only a measure on a chart; it is so much of mountain range, or white rapid, or wind-swept floe. It is also one other thing which does not appear on the map at all—the weather.

The climate of Canada has not always been a proper subject for discussion; but since 'Our Lady of the Snows' has discovered that snow can be made to pay, Kipling's *faux pas* has been forgiven. Winter now is not only admitted, it is advertised. But winter is nothing new in Canada, as anyone who reads the Mounted Police reports may gather. Inspector Carvell, complaining in his barracks at Swan River in '74, writes, 'the thermometers are useless, as they will not register, the one below 30° and the other 39° below zero.' This inelasticity worked for good as well as evil, however. Men ignorant of the temperatures below 39° below were not timid about going outdoors; but, alas, their ears froze while, in their ignorance, they slept. Quite a dilemma.

The climate of Canada shall never be disparaged by me. Here are no blackwater fevers, no malaria, no tsetse flies, no waterless deserts, no Caribbean hurricanes to sweep the zones of settlement, practically no tornadoes. It is a healthy, brilliant, thrilling climate, or rather a family of climates, for the weathers encountered by the Force are extraordinarily varied. Men on duty at Esquimalt, Vancouver Island, never see the mercury fall to zero and rarely below freezing. In fact there is a region along the Pacific coast as large as Ireland where winter means rain but no hardship from the cold. Here can live those for whom the tension of the prairie proves too stimulating. The great interior, however, experiences a winter of hard dry cold,

punctuated by storms, but largely sunny, to which one swiftly becomes acclimatized. Commissioner Perry, when, after the Fitzgerald tragedy, people reproached him for allowing his men to take extensive winter patrols, used to produce the records and show how completely negligible were the results from exposure. Hardship, strange to say, is a reason never given for leaving the Force.

The weather is included, by order, in all the men's reports, but it is dismissed as briefly as possible. If an Arctic hurricane blows the roof from a detachment, that is noted, but laconically, partly because brevity is demanded, partly because the men hate the labour of writing, but largely because energetic weather is taken as a matter of course. Inspector Rheault, patrolling from Fort Smith to Fort Norman (the round trip exceeds 2,100 miles), hardly raises his voice as he describes: 'The temperature on January 26th was 50° below zero. Snow in the bush was often 5 feet deep. In places the ice was piled 60 feet high. The crevasses were high and dangerous. Some were large enough for a dog team to fall through. We fell through them in turn, but were fortunate enough not to meet with any accident. The wind from the south-east was blowing the dogs and loads in all directions.' Again there is a danger of the eye passing over these remarks too readily: '50° below zero . . . frightful going . . . more than half a gale,' and all without an exclamation mark.

It is in the Arctic that the weather takes complete command. In spite of the enthusiastic volume written especially to prove the friendliness of the Arctic—a volume in which the casualties are continuous and dreadful—the geniality of that region amounts to little or nothing. For eleven months of the twelve the detachments lie surrounded by a state of lunar sterility. The seasons are measured by light rather than by heat, for the simple reason that there isn't any heat, at least along the coasts where the detachments are and where snow falls in every month. Spring is the best season, not because of any vernal quality, but because the longer day allows the men who have been cooped up in their houses to travel. In spring, too, according to a conservative R.C.M.P. officer, 'the temperature rarely falls below 40° below zero'—this is in

Ellesmere Land, the vast desert of ice and rock to the west of Greenland.

The drawback to spring consists in the liability of the spring gales to start the ice. In Lancaster Sound the floes have been broken up without five minutes' warning, and some of the men have had experiences with cracking floes and widening leads which are the stuff that nightmares are made of. No instruments have as yet captured the wind's velocity in the Eastern Arctic, but gravel has been known to penetrate window glass, leaving clean holes without even the frays and cracks which a bullet makes. A recent (1928) book by an ex-member of the Force, H. Patrick Lee, entitled *Policing the Top of the World*, gives an excellent, unprejudiced, and veracious account of the two winters' routine on Ellesmere Island, enabling one to visualize that detachment life as it actually is.

Summer, it might be expected, would be the best of all; in many ways it is the worst. The calm moonlit frigidity of winter gives place to perpetual sun it is true, but the presence of the sun is more astronomical than actual, since it is almost perpetually hidden by mist or cloud. The snows of summer are wet and heavy. 'Travel at this time,' says the officer, 'is more miserable than can be imagined, both for men and dogs. The water is very cold and the dogs hate to face it; the man is wet through for twenty-four hours a day and is never comfortable.'

By the end of July the ice goes out of the harbours, the ship comes, and goes, and by the first of September autumn (or winter—the term is optional) resumes, with gales, snow, and rapidly failing light.

Strangely enough, in these high latitudes where geographical difficulties come to a climax and make living one continuous struggle with environment, life is regarded by the members of the Force as Elysian. It requires the utmost intimacy with a northern man before one can wring from him the slightest admission to the effect that anything could be wrong with the Arctic. A morale seems to be cultivated—perhaps to make living endurable by illusion—which makes light of this monstrous region. The constable coming out from his two years' term can think of nothing worse than not being

permitted to return. The alchemy of distance has turned everything north of the Circle to gold. He forgets the irritating darkness. He forgets having had to straighten out a set of twelve tangled snarling dogs in a 'drifter' at 40° below when he was hungry and freezing—imaginably a maddening predicament. He glosses over the endless days of confinement by blizzard, either in the detachment with his talked-out confrères, or hundreds of miles away in some extemporized 'igloo' (snow-house) with an Eskimo. He chooses not to recall the days he travelled on small rations, the disputes with traders, the tact required for missionaries. He will not admit that he longed for those things which civilization finds good. He is young and he diets on difficulty. Terrestrial opposition is what he grows on.

And it has been the same with the Force. The difficulties have been its making. Experience and petrol have eliminated some of these, however. The first thousand miles—in the march of '74—were not the hardest, but ignorance made them the most awkward. Prairie technique rapidly accumulated, to be followed by skill in wilderness going; and now comes the school of 'northern men.' The horse is vanishing, there being only one to every four men left. The prairie divisions are patrolled by motor, and the highways of the national parks by motor cycle. The aborigines are now investigated by motor boats—although an officer recently travelled 1,000 miles on snowshoes to retrieve a crazy Indian from the bush. More than once aeroplanes have been requisitioned, and undoubtedly law and order will some day descend upon the land from the clouds—as in Moses' time—but other forces are far ahead of the R.C.M.P. in this regard. There is, too, a growing dread, acknowledged in barrack-rooms, that the comparative liberty of life in the northern detachments will be taken away by a too continuous instruction by wireless from omnipotent Headquarters, supplemented by a relentless television eye.

But while these devices are arriving, brawn and endurance play their old parts over the immense land. Patrols of 1,000 and 1,500 miles under conditions which would have aroused the admiration of the big men of the past appear in the yearly blue-book. Drunken Indians are faced in lonely places.

Alpine heights are scaled to rescue fallen climbers. Nor is very much made of extraordinary feats. The reticence has not yielded to publicity, and it is as if the Force remembered Moberley's remark, when, after his dangerous and toilsome journey through the Rockies to his store north of the Yellow-head Pass, a journey which might have been termed hellish, he said of the place 'it is difficult to get to.' As a matter of fact the Mounted Police past is being daily re-enacted, farther afield, and distance, climate, and terrain continually propose their ancient difficulties. Nor does the time seem close at hand, if one may again refer to the map, when they will cease to do so.

The Young Offender

By LORD POLWARTH, C.B.E.

Chairman of the Prison Commissioners for Scotland

THE problem of young offenders in Scotland is substantially the same as the problem in England and, broadly speaking, their treatment is at present governed by the same legislation. The Children's Act applies to Scotland with certain modifications necessary on account of the different legal phraseology and procedure in that country. We have in Scotland the same problems of children, particularly boys, learning to steal at a very early age ; we have the same problem of boys brought before the courts for playing football in the streets and for other acts of a similar kind which can scarcely be regarded as criminal, although they contravene the byelaws found necessary for the control and safety of the public.

The whole question has recently been investigated by a Departmental Committee appointed by the Secretary of State for Scotland. Their Report,¹ under the title *Protection and Training*, has been recently published, and it may be convenient and useful to summarize briefly some of the recommendations of this Committee, as it has pretty well covered the whole problem.

An attempt has been made to ascertain the extent of juvenile delinquency in Scotland, but it is not altogether easy to do this. A table of extracts from the judicial statistics for twenty years back shows that there has been recently a marked decrease in the numbers sent to Industrial or Reformatory Schools, though the latter figure has shown a tendency to rise during the last three or four years. More definite statistics are available regarding the convictions of young persons

¹ Pub. by H.M. Stationery Office, 1928. See also *Report of the Departmental Committee (Home Office) on the Treatment of Young Offenders* (Cmd. 2831 ; H.M. Stationery Office, 1927) for England and Wales.

between the ages of sixteen and twenty-one years, and it is somewhat startling to find that convictions were recorded against three and a half per cent. of the whole estimated population between those ages. The offences included in this total are, however, not to be regarded so much in the nature of crimes as might at first sight appear to be the case, because out of the total there is a very large percentage of offences against the Road Acts in connection with motors and cycles.

The Committee naturally looked first to the nature of the upbringing of those who had come into conflict with the law, and it was ascertained that a very small percentage indeed had any definite connection with any Church, although many of them had for a longer or shorter period attended Sunday School regularly: it was found that the great majority of those who were admitted to Borstal institutions had ceased to have any connection with any Church after attaining school-leaving age.

Parental responsibility is unquestionably an exceedingly important factor in the upbringing of the young; and it must not be forgotten that during the last ten years we have been dealing with many young persons who have suffered from the lack of a father's care due to his absence at the War; and that a very large proportion have lost one or both parents. The Scottish Prison Commissioners have more than once pointed out in their statistics of admissions to Borstal institutions that about one-half of those admitted have lost one or both parents early in life and are thus severely handicapped.

The Committee looked into the question of the moral training given at school. All children now spend nine or ten years at school, and their attendance there must have a very definite effect upon their training for after-life. Great stress is laid upon the importance given to character-building during these years of school life. The Committee recognize that the Education code lays down very explicitly what the ultimate aims of education ought to be, but they think that more direct moral education is essential and that the Education authorities should consider the question far more closely than they do at present; further, that there is also need for careful instruction by doctors and teachers regarding the proper attitude towards sex and the development of worthy ideals of conduct.

Amongst the agencies tending towards the prevention of offences, attention is specially directed to the value of the work done by the various voluntary organizations, such as the Boy Scouts, the Boys' Brigade, the Girl Guides and other similar societies. It has been found that comparatively few who have had any definite connection with any of these movements have lapsed into criminal habits. The need for more opportunities for helpful games and for suitable clubs for both boys and girls is strongly emphasized. In no other way can many of these young persons be kept out of trouble. Their homes are often utterly inadequate: a very large proportion of those brought before Juvenile Courts have come from overcrowded homes; but even were there more accommodation at home, boys naturally like to associate with one another and inevitably do so—at the street corners amidst many temptations, if no other facilities are afforded to them. Much is being done at the present time to attempt to solve the housing problem, and the importance of this question should never be lost sight of from the point of view of crime as well as from other aspects; but this is not the place to enlarge upon that subject. Scotland has, however, been shown to have a very large proportion of its population living under overcrowded conditions, particularly in the large industrial centres.

Another factor leading to crime amongst young persons over school age has been the prevailing unemployment during the last few years. Some interesting statistics were obtained regarding recent admissions to the Borstal institutions in Scotland, and it was found that out of the last fifty consecutive admissions only two or three had been in regular employment. The average period of unemployment of these lads, whose average age was 18, was one year and fourteen days. It is easy to imagine how disastrous the effects of continued unemployment are to a boy who has just left school and who has no proper means of occupation. It is inevitable that he will get into trouble in some way or another. It is to be hoped that unemployment will decrease, and it is probable that for a time this will be so, owing to the smaller number of children now growing up to the ages of employment; but this will only be a temporary relief and the importance of

this side of the question must be borne in mind. It would surely be better that these young people should be kept longer at school rather than be allowed to waste these years acquiring bad habits. The cost under the heading of education might be considerable, but the saving, on the other hand, in the cost of keeping them in institutions and of watching by police would also be very considerable, while the gain in the moral character of these young persons would be of inestimable value.

In this connection it may be noted that as a result of an inquiry held a few years ago into juvenile offences in Edinburgh and Leith it was found that seventy per cent. of the offences reported to the Juvenile Courts were committed after 4 p.m., *i.e.* after school hours and during the period of idleness in the evening. Sunday also, for the same reason, was a bad day—thirty-five per cent. of the total number of offences being committed on Sundays when boys had no occupation.

The Committee also drew attention to the harmful influence of street trading, and urged that this should be definitely prohibited for lads under eighteen and for girls under twenty-one years of age. This may seem drastic, but the evidence submitted shows that the total number so employed is comparatively small and that the removal of this form of employment would make room for the employment of disabled soldiers and others in the lighter forms of occupation.

The Committee also recommended that it should be an offence to employ any young person delivering betting slips or any information relating to betting. This recommendation has already been passed into law by a short Act applicable only to Scotland [Betting (Juvenile Messengers) (Scotland) Act, 1928].

Considerable attention is devoted to the relation of mental deficiency to criminal and other offences. The number of those brought before the courts who are in one way or another below the average of mental attainment is considerable; their repeated reappearance before the courts makes the number appear to be greater than it really is; but there is reason to hope that earlier ascertainment of those who are mentally defective, and more adequate provision for those who require treatment and detention in the necessary institutions, will tend

to diminish the number brought before the courts. The danger, particularly to girls who are sub-normal and not really capable of looking after themselves, is very grave indeed, and it is essential that these should be more adequately cared for.

When we turn to the question of the treatment of juvenile offenders, attention may be directed to the practice largely adopted in Glasgow and in one or two other towns, by which the Chief Constable or the Superintendent of Police, reprimands the young offenders without any formal charge being brought before the Court. In 1927, in Glasgow, no fewer than 2,080 boys and 62 girls were so treated. This practice appears to have worked well in most cases, but of course it is only applicable where the offence is admitted. The parent of the child is usually also summoned before the Superintendent, and a caution is awarded. It has now been arranged that a representative of the Juvenile Organization Council should be present and should, whenever possible, make arrangements for the enrolment of the offender in some appropriate juvenile organization. This procedure, it is hoped, will go a long way to prevent the offender falling again into the hands of the police.

The position of the magistrate of the Juvenile Court is most important, and the constitution of the Juvenile Court is a matter requiring very careful consideration. Unless possibly in Glasgow, there is no town large enough to justify the employment of whole-time stipendiary magistrates as in London. Many suggestions were considered, some persons recommending that all juvenile cases should be dealt with by the Education authorities. This suggestion was attractive in many ways, but, on the other hand, there was the difficulty that it would be giving judicial authority to an entirely new body not chosen for that purpose. In Scotland the great majority of such cases are brought before the police magistrates of the towns. The Justice of Peace Courts do not function at present to any extent. The magistrates sitting in the police courts are chosen from amongst those who have been elected as town councillors, the seniors being appointed bailies or magistrates. The fact of their election as town

councillors to manage the business of the city does not necessarily imply the possession of qualifications for dealing with young offenders in a wise or satisfactory way. In practice it has not been found possible to choose magistrates specially on account of their capabilities for this very difficult task; neither, in many cases, have those who sit as magistrates the necessary time to investigate fully the cases coming before them, nor are they acquainted with the institutions to which they send these young offenders.

After much consideration, the recommendation was passed that the jurisdiction in the case of children and young persons should be transferred to specially constituted Justice of Peace Courts. The machinery for these courts and their necessary functioning is already in existence, and it is suggested that specially qualified men and women should be appointed Justices of the Peace, and that they should be placed upon a special panel from which three Justices would be summoned to form a Juvenile Court. In this way it is hoped that the court dealing with these cases would be one always consisting of persons who took a real interest in the care of the young and their treatment, and who had the necessary time at their disposal to study the question and give it due attention.

It is suggested that if possible the Juvenile Court should be held in the evening when the parents, particularly the father, should be present; as experience shows that in most cases when the court is held in the morning it is only the mother who is able to be present. In the case of boys particularly it is very desirable that whenever possible the father should be present.

The need for special medical examinations where there is any suspicion of mental defect or abnormality is recognized. It is suggested that in the larger centres there should be an expert specially attached to the courts for this purpose. It is also suggested that full information should be available from the Education authorities regarding the school career in the case of all young persons brought before the court.

A very important recommendation is that the Juvenile Courts should have power to deal with persons up to seventeen years of age instead of sixteen as at present, and that the

definition in the Children's Act of a 'young person' should be extended to that age.

It is also suggested that no convictions should be recorded in the Juvenile Court, and that the word 'sentence' should be no longer used. A record would of course be kept of the offences in the Juvenile Court, but these would not be counted as convictions in the event of subsequent proceedings, nor stand as a bar to many forms of employment.

It is suggested that discretion should be given to the Public Prosecutor (Procurator Fiscal) as to the court in which the young offenders under seventeen should be tried when they are concerned with a case involving others above that age; and it is also proposed to give him power to order the trial of really serious cases of juvenile crime before another court.

Legal procedure in Scotland is comparatively rapid in the Summary Courts, and it has not been thought necessary to recommend any special place of detention for juvenile offenders. Cases are disposed of with very little delay, and extremely few are committed to prison under the section of the Children's Act permitting that procedure in cases of young persons who are specially unruly and troublesome. It is exceedingly rare that young offenders require to be detained in the police cells, almost all being produced in court when summoned, and for ordinary offences they are released without bail on an undertaking by the parent or guardian that the child will appear in court when required.

The Committee devoted much time to the question of probation. This was necessary, because there has not been in Scotland any Committee dealing with this question corresponding to the Committee appointed by the Home Office in January, 1925: and the Criminal Justice Act of 1925, which deals with the provision of probation service in England and Wales, does not apply to Scotland. The law dealing with probation in Scotland is provided by the Probation of Offenders Act, 1907, as amended by the Criminal Justice Administration Act of 1914. There are special sections applicable to Scotland.

A very large number of those dealt with under the Probation Act in Scotland comprise cases dismissed under that Act without being placed under the supervision of any pro-

bation officer. In Glasgow, and in one or two other places, probationers are placed under the care of police officers who are specially appointed for that duty. While fully admitting that the police are in many ways well qualified for this task, the Committee do not consider this a desirable arrangement; they recommend that provision should be made for paying half the salaries of probation officers in the same way as is now done in England, and that probation officers should not be connected with the police, although it is regarded as essential that they should work in close co-operation with them and have their confidence.

In Edinburgh and a few other places a voluntary probation service has been organized to a very considerable extent. Some of the officers are paid by philanthropic societies and practically give their whole time to the work. In the case of children, voluntary probation officers have been found largely through the Juvenile Organization Committee.

A combination of both systems is recommended, *i.e.* that there should be whole-time probation officers in every suitable area and that they should receive satisfactory remuneration—the minimum salary suggested is £250 per annum. It is recognized, however, that the voluntary officers have done very valuable work and that they can render services which cannot be equally well rendered by the paid officials. It is accordingly suggested that the best arrangement would be to have the whole-time probation officers working in association with voluntary officers; that both names should appear in the probation bond; that the voluntary officer should undertake the care or guardianship of only one or two cases, while the whole-time officer would act as organizer and would be in regular attendance at the court.

It is also recommended that there should be an Advisory Council—a central body supervising probation throughout Scotland—available for consultation and assistance by all local Probation Committees.

The question of whipping as a suitable punishment for male juvenile offenders was much discussed. There is a sharp division of practice in the matter among magistrates. Evidence was submitted that not infrequently boys who have been

whipped rather regard it as something of which they should be proud, and it can by no means be proved that whipping in its effects is always satisfactory. While that was the case the Committee were not prepared to recommend that it should be excluded altogether, but were of opinion that it should be sparingly used owing to the great difficulty of determining in individual cases whether it would do more harm than good. The Committee considered that there should be a medical examination in every case before it was ordered, and that no boy mentally deficient should be whipped.

In Scotland as in England, Industrial and Reformatory Schools were originally started by philanthropic effort. The first of these schools was established in 1841, and others were established under the name of 'Ragged' Schools through the exertions of Dr. Watson and the famous Dr. Guthrie of Edinburgh. Unlike the corresponding schools in England, which are under the administration of the Home Office, these schools are now inspected by the Education Department for Scotland and they receive grants in aid through that Department; but their actual management is in the hands of local bodies. Many of the schools are greatly handicapped by lack of funds and the buildings are in many cases out of repair. The number of such schools in Scotland is small and likely to decrease still further; it is not sufficiently great to justify a staff for their supervision such as is maintained by the Home Office. The Committee have suggested that the management of these schools should be taken over by the local Education Authorities and in this way linked up with the general educational system of the district in which they are situated. Thus there would be a better choice of teachers and more encouragement for them to take up duty in these important residential schools. Many of the children are there through no fault of their own, but simply because their home surroundings and conditions are such as to make their residence away from home desirable. Their education should be approximated as closely as possible to that of children attending the ordinary schools of the district. Indeed it is suggested that in the case of the smaller schools the inmates should attend the local school of the district and should only board in the institution. A suggestion is made

The Hungarian State Police

By DR. HEINRICH DORNING

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[Translated]

IN 1919 all the municipal and provincial police forces of Hungary were merged into one State service. The towns and cities of Hungary are divided into two classes: those that are under the direct control of the Government and equal in status to an Administrative County, and those which are more or less self-governing. The provincial communities, both large and small (*i.e.* villages), come under the jurisdiction of their respective counties.

In rural districts, police duties are carried out by the Royal Hungarian Gendarmerie, and the navigable waters are policed by the Royal Hungarian River Guard. The control of the frontiers is the duty of the Customs Guard, which, however, is an executive arm of the fiscal system.

Although the City Police Force of the metropolis is a branch of the Royal Hungarian Police Service, it is independent; it was formed many years ago; and the special conditions which occur in a metropolis demand a special organization.

In this paper it is intended to deal only with the police of the metropolis, but it may be mentioned in passing that outside the Budapest police area the country is divided into five police districts each having a Commandant, whose rank is practically equivalent to that of a senior Chief Constable in England, with subordinate Chief Constables in the principal towns and at frontier stations. The two executive branches are the detective and uniform police. In the rural districts the directing authority for the police is the local magistracy.

The supreme police authority is the Minister of the Interior, who controls the State Police Service, the Gendarmerie and the River Guard. Except for the period 1849 to 1866, the Budapest Police Force was a self-governing local organization until 1872. But when in the latter year the cities of Buda and Pest, with the commune of O-Buda, were united and became the capital—Budapest—an Act of Parliament directed that its police force must be under the direction of the State. Although the enactment of the Police Act, 1881, only came into force later, the police administration was immediately taken over, and it has therefore been a State organization for upwards of half a century. During the years 1889, 1912 and 1916 more and more outlying suburbs were brought under the central administration, so that the Budapest Police Area now includes four dependent towns as well as the three outlying communes—in all, an area covering about 74,200 acres, with nearly one and a quarter million inhabitants.

Before describing the organization in detail, it should be mentioned that the Royal Hungarian State Police is an armed as well as a uniformed corps. Its task is to maintain public order and safety, to perform all necessary police services, and, in case of necessity, to afford assistance to the civil authorities by force of arms. All executive duties are carried out by the Royal Hungarian State Police themselves, but administrative police duties are controlled by local boards of management, such as those of the self-governing city or county authorities, with the exception of certain duties that are incumbent on the police by law.

On the whole the Hungarian State Police Force resembles the police forces of Great Britain rather than those of Paris or Berlin; for in the latter cases other branches of the public service, such as the fire brigade, are incorporated with the police service. In Budapest the Health and Sanitary, Veterinary, Industrial, Lands and Forests, Buildings, Fire and Market Police are under the direction of the city authorities. Even in the case of the many questions which arise in connection with the Press and certain societies, the Burgomaster of Budapest is the competent authority, and not the State Police. Further, the city authority may pass bye-laws; but the police

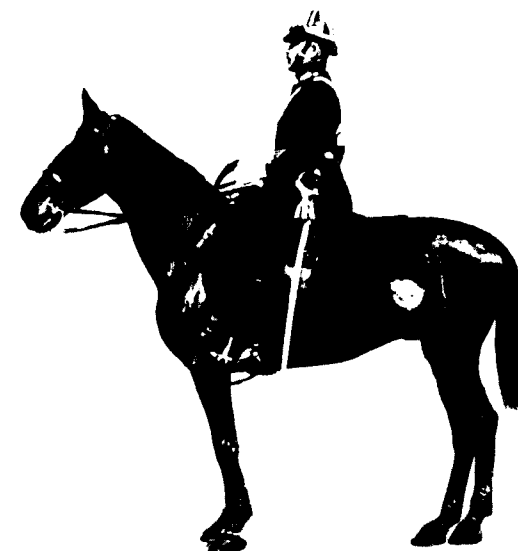
may make regulations only in cases of necessity. On the other hand, in Hungary certain minor offences are not dealt with by courts of law, but, according to the nature of the case, by the local authority or by the police authority. In accordance with a special procedure that has been laid down the police can pass sentences, which may only be appealed against before an administrative tribunal; here the scope of police action is enlarged, and approaches more closely to the conditions prevailing in Austria.

At the head of the State Police in Budapest is the City Chief Commissioner of Police, who, in respect of his remuneration, stands on the same footing as an Under Secretary of State. His position is comparable with that of the Commissioner of the Metropolitan Police in London. He is a permanent State official with a life appointment, appointed by the King (now by the Regent) on the advice of the Minister of the Interior and is immediately responsible to that Minister. Like all senior officers of the State Police he must be a barrister-at-law.

The Chief of the City Police has peculiar powers. He has a dual control, first as Chief of the Police of the metropolis, and, secondly, as the Supervising Authority over the District Chiefs of Police and their departments. Although he has, strictly speaking, control only over the divisions and departments, yet in contradistinction to the office of a District Chief of Police, he is the competent authority for the whole of the police area of Hungary. The departments under the office of the City Chief Commissioner of Police are the following: - Department of personal services; Administrative Department; Department for the police control of morals; Criminal Investigation Department; Department for vagrancy offences; Department for State Police affairs (the so-called Political Police); the Passport Office and the Aliens' Control Department; and the Department for cases of misdemeanour. Attached to it are the offices of the Police Chief Medical Officer, the auxiliary bureaux and the pay department. The Inhabitants' Register Office can also be said to be included with these. Co-ordinate with these is the Receiver's Office, which is independent of,



A CHIEF INSPECTOR OF THE MOUNTED BRANCH IN FULL DRESS



A MOUNTED CONSTABLE
HUNGARIAN STATE POLICE

and not subject to, the control of the police; it is immediately responsible to the Minister of the Interior as well as to the Chief Audit Office.

The Chief of the Detective Corps and the head of the Uniform Branch are immediately subordinate to the City Chief Commissioner. There is a central record office for the whole of Hungary, namely the National Criminal Record Bureau. The Criminal Investigation Department, the Detective Corps, and the last named office, as well as the Uniform Branch, I shall deal with in greater detail later on.

Of the remaining departments the Administrative is concerned with the Traffic Police. This department also keeps the records of antique dealers, commissionaires, travelling and itinerant tradesmen, etc.; is responsible for the issue of gun licences, permits for the purchase of arms and ammunition, and certificates of character; and it advises on the granting of licences for the sale of intoxicating liquors. This Department also runs the Central Record Bureau for the registration of motor vehicles for the whole of the country; and all duties connected with the motor-car district of Budapest are discharged here.

The granting of licences for amusements, exhibitions, etc., is controlled by a sub-department of the Central Office. There is, however, no ante-production censorship of theatrical plays, while films are under the censorship of a special Board. There is also a department for the supervision of morals in which the registration and medical examination of prostitutes are carried out. A statute has been passed ordering that all brothels shall be abolished in 1928. The officer in charge of this department is also responsible for the discharge of the duties of the central authority concerning the police control of public morals, and his office is situated in the Ministry of the Interior. In accordance with the Paris International Convention, this department discharges the duties of prevention of white slave traffic and suppression of indecent literature.

The Inhabitants' Registration bureau is located in the office of the Chief Commissioner. The outer police districts have separate registration offices, but their records are also

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A HUNGARIAN POLICE MAN.
(By turning the handle a red or green light is shown.)
HUNGARIAN STATE POLICE

incorporated in the central register. This office supplies, on payment of a fee, information to private individuals.

The metropolis is divided into ten administrative districts, each with its own police office. There is an eleventh administrative district for the river Danube which flows through the city, and for police cases against juveniles. With regard to the offences that come within the scope of this district authority (also called the Children's Police Court), close connection with official and private children's welfare centres and suchlike institutions is maintained. There are four other police districts for the adjoining municipal and suburban areas which have been incorporated, bringing the total number of police districts to fifteen.

At the head of each district is a police officer corresponding to a chief constable or senior superintendent in England but with legal qualifications. They function as police justices in first offence cases of misdemeanour, and discharge those duties that are not carried out by the Central Police authority. They take charge of investigations in minor criminal cases and for this duty have assigned to them a number of detectives. But before describing the Criminal Investigation Branch, it must be stated that the Hungarian Penal Code of 1896 resembles to some extent the German one; in both, the State Attorney is the prosecutor.

Investigations are mainly directed by the State Attorney; but it is the duty of the police to report to the State Attorney every punishable offence and crime that comes to their notice, and also, without awaiting instructions, to do all in their power to secure evidence, identify the offender and prevent his escape. Although in criminal matters the police are thus considered only an auxiliary organization to aid the State Attorney, in practice they are the real executive authority and are legally empowered to seize, search, etc., and to effect a preliminary arrest, if there is danger in delay. Certain special measures, however, must be taken by the examining magistrate. It is not every case that needs a judicial investigation before the trial takes place. The State Attorney may take up a case solely on the result of police inquiries, if these should prove to be sufficiently exhaustive. Consequently the State Attorney,

whose instructions and orders are to be carried out by the police, requires in most cases a minute preparation of the documents in the case, in the preparation of which parties and witnesses have to make depositions under strict observance of the appropriate legal procedure. The investigation cannot, therefore, be completed by detectives; these merely make reports, and it is necessary that the documents should be prepared by legally trained minds.

For this purpose a special Crime Department has been formed. This department is under the direction of a Chief Officer, and is divided into five groups, which are again subdivided into various categories. The first group deals with punishable crimes which display intellectual unscrupulousness, such as fraud, embezzlement, etc.; the second and third groups with ordinary thefts, burglaries, etc.; the fourth group with Press offences; and the fifth group with offences against the person, public morality, etc. The duties of these officers, who have had legal training, are to carry out the investigations with which they have been entrusted and to collect evidence by taking depositions in the process of a judicial interrogation. They have also to inspect the scene of the crime, direct pursuit, etc., whilst it is the duty of the Detective Corps to collect data and pursue criminals within the Metropolitan Police area.

The work of investigation is completely centralized in the case of serious crimes and certain offences, and in the case of other breaches of the law at least to the extent that the District Chiefs must forward the documents to the Crime Department except in very trivial cases. After revision, the files are forwarded by the Crime Department to the State Attorney or to the Courts.

In the event of a serious case of crime arising during office hours the initial steps are taken by the Crime Department. With a view to ensuring continuity of service out of office hours, a central reserve has been established at the Chief Commissioner's office. This consists of an officer equivalent to a superintendent, several senior executive officers, detectives, and assistants, one medical officer and a senior officer (inspector) who is in command of the office guard and of the

police reserve for which daily postings are made. The District Commands have also a special reserve on duty until 8 p.m.

The Crime Department functions also as the Central Bureau throughout the country for cases of counterfeit coinage, and as a central organization for international crime. It co-operates with foreign police authorities when reciprocity is possible and when it is desired to effect the arrest of a fugitive offender, or to safeguard stolen property, etc.

During 1927 this department consisted of 77 executive officials and 56 assistants. The number of investigations carried out was 44,663, of which 27,355 related to major offences and the remainder to misdemeanours. The great majority of the cases were offences against property, viz. 35,674. Upwards of 70 per cent. of the cases investigated were successfully concluded. The number of suspects traced and interrogated was 37,788 persons, of whom 30,416 were men and 7,372 women. Juveniles, *i.e.* persons under 18 years of age, numbered 3,913, or 13 per cent. of the total. During 1927 six murders were committed within the police area, of which only one remained unsolved. Two further cases of murder committed elsewhere were also successfully inquired into. Generally speaking the investigations of the Budapest police are confined to offences committed within its own jurisdiction; but the Minister of the Interior may, if he likes, instruct it to make inquiries into cases of crime committed elsewhere.

The Detective Corps has a special head, who is known as the Chief Detective. He is a barrister, and all the detectives are subordinate to him. The duties of the Detective Corps are, first, to assist generally in the prevention of crime by the employment of police officers in plain clothes; and, secondly, to aid by information, reports, etc., the police authority, not only in criminal matters but in affairs of State and in local administration. At the end of 1927 the Detective Corps consisted of five executive officers with judicial training, two assistants, with 637 detectives, including 42 chief inspectors and 74 inspectors. The corps is composed of seven brigades divided into sub-brigades. The first five brigades, together with 37 sub-brigades, form the actual Criminal

Brigades. Every sub-brigade specializes in dealing with a certain type of crime. Some of them are concerned with the open markets, second-hand goods' merchants, etc.; others attend to police matters arising in connection with hotels and pawnbrokers, etc.; others again deal with persons missing, etc. The sixth brigade is a unit that functions only as a control for those sub-brigades that are attached to the District Office. Crimes against the State are dealt with by the seventh brigade. This is quite a special branch separated from the rest of the service, and at the present time acts under the authority of the chief passport officer.

Some of the sub-brigades, such as those that control public morals, aliens, confidential matters, etc., and the five detective control posts at the frontier railway stations, are not controlled by the brigades. The brigades are in charge of a senior detective officer who supervises the sub-brigades and is immediately responsible to the chief detective officer. The sub-brigades are generally under the charge of detective inspectors.

The Crime Department of the Chief Commissioner has no detectives attached, but must obtain their services from the Detective Corps. Charges against unknown offenders, in cases other than capital crimes, are referred to the Detective Corps for action, and after having been dealt with they are returned to the Department with a report in writing. In the event of delay the officer in charge of a case confers directly with the detectives. In such cases reports are submitted to him.

The National Criminal Record Office is an independent organization charged with the duty of keeping records of all convictions in the Hungarian Courts, of warrants, and of prosecutions ordered; it maintains the registry of fingerprints (Henry system), and supplies the police and judicial authorities with all information required, verbal or written. This office also publishes a 'Crime Gazette,' giving the particulars of persons wanted for crime. This office was set up as a central organization for the whole country in 1908 and has therefore been in existence for twenty years. It should be noted here that Hungary was in advance of all other continental countries in the adoption of the fingerprint system.

The then Police Superintendent (later Deputy Chief Commissioner), Dr. Franz von Pekáry, visited the London police to study the English system in 1902; and at his instance the fingerprint system was instituted soon afterwards.

This Criminal Record Office is in charge of the City Chief Commissioner and under the control of the Ministries of Justice and the Interior. It has a Judicial Section and a Police Section. The former is provided with officials by the Ministry of Justice, and its duties are to check the certificates of conviction from a judicial point of view and to see to the necessary corrections and reports. The Police Section registers the convictions and keeps the fingerprint records. For reasons of convenience, the whole of the Police Technical Service, the Criminal Laboratory, the Photographic Department, the Police Museum and the small professional Library, etc., are run by this bureau. The officers belonging to this section are qualified to deal with anything relating to fingerprints and are attached to the Budapest State Police for technical police duties. Recently officers have been instructed in the Distance-Identification method of Jørgensen. The bureau is in touch with the Police Headquarters of Vienna, Copenhagen and Washington. During the year 1926 the bureau received 44,014 certificates, of which 663 were from abroad. The number of fingerprint forms was 14,574. Partly verbally, and partly in writing, the bureau supplied information in 778,556 cases to requisitioning authorities. The registry contains the records of about one and a half million convictions with accompanying fingerprint forms. There are recorded 332,744 fingerprint cases.

The Uniform Branch of the police is under the charge of an officer equivalent to an Assistant Commissioner, who is subordinate only to the City Chief Commissioner or his deputy. The street duties are carried out by the orders of the City Chief Commissioner regulated by the orders of the day of the Assistant Commissioner. These orders are carried out in detail by the Divisional Superintendents, who issue instructions for their respective divisions. Beside the Chief Police Station, which contains the central bureaux of

the police force, there are twenty-two divisional stations, viz.: one for each of the fifteen districts, two for the railway stations, one for the City Chief Commissioner's office, one for the Mounted Branch, one for the Cyclist Branch, one for the Reserve and one for the Training Centre. The Superintendent of a District Division is in this capacity subordinate to the Assistant Commissioner and also to the officer in charge of the District.

The Mounted Branch, which is composed of detachments and squads, numbers 269 mounted constables. Their duties are arranged in four day periods. On the first and third days they perform guard or patrol duty; on the second day they are in reserve, and on the fourth day they are on leave. The Mounted Branch has posts at ten street points.

The Cyclist Division is split into the Cyclists' and the Traffic Detachments. The first consists of 9 sergeants and 162 constables, and the other of 6 sergeants and 81 constables. By day the Cyclists perform patrol duties and in case of need point duty also and duties connected with the control of traffic; by night they perform patrol duty to supplement the regular watch service. The patrols are usually each made up of two men who cover about fifty-five miles in a tour of eight hours' duty.

The Traffic Detachment is split up into columns. The men attached to this also perform duty in plain clothes. Their principal duty is to regulate the traffic, which at one street crossing is done by means of lamps and at eighteen other points is done by hand. Traffic men perform duty in tours of four hours, and during the summer months the points are controlled from 6 a.m. (in winter time from 7 a.m.) until 10 p.m. Every third day the traffic men have a day off. They wear a distinctive white armlet with a capital K on the left arm.

All constables belonging to the District Divisions, other than the mounted men, are posted to various police stations. They perform either patrol or point duty in periods of four days; for two days they are on either point or beat duty, when they are relieved every four hours; then for one day they are in reserve, and on the fourth day they are off duty. But in the

case of those doing duty at the Commissioner's office, they are off duty for twenty-four hours after a period of twenty-four hours' continuous duty. There are 130 police stations which cover together 491 points. Besides this, the constables do beat duty, especially in the outer districts. The largest station covers eleven street points, and the smallest only one and a patrol. It should be noted here that most of the constables are married and reside at their own homes. They are only at the stations or at the barracks during duty hours: probationers are attached to the school division and reside in barracks and the single constables reside at police stations.

For the purpose of maintaining order in cases of fire, there are five separate centres, each with reserves of ten mounted men, and at the Chief Police Station there are ten cyclists kept in reserve daily. In the event of unexpected demonstrations taking place or disorder arising, there are daily in reserve at the Chief Commissioner's office one officer and forty constables, and during the day time an additional twelve mounted men. At the head police station two officers, 100 constables and fifty mounted men are in reserve.

The police are equipped with the long sword (the mounted branch with a cavalry pattern sword) as well as with an automatic magazine pistol. In case of extreme necessity the police have also at their disposal one or two armoured motor-cars, each fitted with a machine gun. The force can be strengthened by calling up the men who are at the Central Police recruiting school, the recruits of which for the most part belong to the State Police working in the provinces.

At the end of last year the Uniform Branch of the Budapest Police numbered 4,061 men out of an authorized strength of 4,100, which included 423 sergeants and 94 inspectors.

As the State Police of Hungary is a centralized organization, the same regulations apply throughout the whole of the country for members of the force both with regard to organization and training. The State Police Force consists of two groups. To group 'A' belong the uniformed and



A POLICE CONSTABLE
HUNGARIAN STATE POLICE

armed police and to group 'B' those of the plain clothes branch.

Group 'A' consists of the Administrative or Supervising Branch, the senior Executive Branch and the lower ranks. The Administrative Branch is called the Supervisory Police Corps and is the directing branch of the corps of police officers which constitute the competent police authority; officers of the rank of inspectors form the Executive Branch. The members of the former branch, having had previous legal experience, are charged with the duty of exercising supervision and control over the work of the police, whilst the inspectors are the officers of the uniformed police force and in charge of the outside police duties. The members of the Supervisory Branch, as representatives of the Police Authority, are occasionally engaged, when necessary, as Superintendents of Police Divisions. They wear uniform with the light sword of an infantry officer, whilst the inspectors wear the cavalry sword. Both their undress and dress uniforms differ from those of the inspectors.

The police officers of group 'B' who do not wear uniform are the medical officers, accountants, departmental officers, and detectives. Included with these are the daily employees, official messengers and civil servants.

The Administrative Branch is composed of the City Chief Commissioner of Budapest, the Deputy Chief and Assistant Commissioners, the Chief Constables, the Secretaries and Assistant Secretaries. The senior Executive Branch is composed of the Assistant Commissioner of Budapest, the Superintendents, the Inspectors of Police and, finally, the Assistant Inspectors.

Every member of the Administrative Branch must have passed a law examination. Inspectors must have the equivalent of the London Matriculation or the Final certificate of a Military Officers' Academy. Preference is given to officers on the reserve, as long as such applicants are forthcoming. Appointments to posts of the rank of Chief Inspector upwards are made by the Regent, whilst those to the lower posts are made by the Minister of the Interior.

The ranks of the Administrative Branch and of the Senior



A POLICE SERGEANT, HUNGARIAN STATE POLICE

Executive Branch are filled by appointing qualified candidates on probation to the post of Assistant Secretary or Assistant Inspector. Those so appointed wear a special uniform, may not act on their own initiative, and are for the first year on probation with a police officer of a senior rank. At this stage they receive training in all branches of the service, even in the duties of the rank and file; special attention being paid in the case of an Assistant-Secretary to his functions as a future administrative officer and in the case of an Assistant-Inspector to his future as an Executive Officer. If they are found suitable during the first year, they are sent to the National Police Officers' School in Budapest. Here they pass through a course which lasts nine months. The curriculum is as follows: Criminal Law and Procedure, Civil Law with a synopsis of Constitutional Law, Acts concerning Police Law and Administration, Political Police, International Law, Crime, Criminal Psychology, Forensic Medicine, Health Culture, First Aid, Service Regulations, Accountancy and Secretarial work. The practical subjects taught are fencing, shooting with service revolvers, and so on. Inspections of institutions and establishments that have a special importance in police work are also undertaken. Legal studies are conducted in accordance with police practice, and serve as a refresher course and as a form of specialization for the applicants who have already read law; but for the inspectors they are a basic training.

The previous education of the candidates is taken into consideration when they sit for their final examination: the more extensive legal knowledge is required only in the case of candidates for the Administrative Branch. Those who take the training course receive their rank in their respective branches only after they have passed their examination. They are posted in accordance with the marks obtained.

Although the Royal Hungarian State Police is a civil body the constables and the uniformed officials are subject to a strict semi-military discipline, especially during the period of training, during which time the candidates live in barracks. Administrative officers and inspectors have to pass further examinations in order to obtain promotion, and also must take a further course of training.

All appointments within the police force of constables or of sergeants are made by the competent Chief of Police: in Budapest, by the City Chief Commissioner. The enrolment of constables is decentralized in Budapest, and is quite independent for each Provincial Police District.

Appointments to the State Police can only be made by personal application, and applicants for service in the higher ranks must undertake to serve twenty years, while six years is the period of service for the rank and file. The first appointment with the constabulary is for a preliminary period of two years. During the first year the recruit serves as a newly appointed probationer and then as a policeman on a temporary basis. At the beginning of his third year he is confirmed in his appointment and becomes a fully fledged constable. In his seventh year he becomes a sergeant; in his ninth year he advances to Staff Police Sergeant, and in his eleventh year he becomes Staff Police Sergeant of the first class. These promotions are made as a matter of course. Police Adjutants are Acting-Inspectors of the third class and Staff-Adjutants are Acting-Inspectors of the second and first class. All appointments as Adjutant are made by selection.

On his first appointment the probationer goes straight into the Police Training School and passes through a course of study lasting six months. The course is shortly to be lengthened to eight months. Training Schools in Budapest are attached to the office of every District Chief of Police. These may, however, also become centralized. Having passed through the period of probation, the constable still occupies only a temporary appointment and may during the first two years of his service be discharged without any reason being assigned. After the third year, discharge can only take place as a result of disciplinary action and must have the sanction of the Minister of the Interior. In minor disciplinary matters the constables are dealt with by the Divisional Superintendents, and in Budapest, in addition, by the Chief Superintendent. More serious punishments, dismissals, etc., can only be inflicted after being dealt with by a special disciplinary procedure. This procedure is directed by the City Chief Commissioner, who is also competent to order suspension.

The Minister of the Interior can, of course, also order an enquiry to be held. Punishment may, in the first instance, be awarded by the court, and in the second instance by the City Chief Commissioner. Disciplinary action against officers is taken on similar lines, except that in the first instance the decision lies with a court of three members presided over by the City Chief Commissioner, and in the case of conviction appeal may be made to the Minister.

Promotion to the rank of Adjutant or Acting-Inspector of the third class can only be accorded to a constable who has passed through the course of instruction prescribed in his district. The training of a Staff Adjutant takes place at the National Police School, Budapest, over a period of four to five months.

Detectives must have had a previous education to the extent of having passed at least through the four forms of a secondary school; but the majority have had the advantage of a higher education and are often college graduates. Applicants are first appointed temporarily, and must undergo a course of about three to four months in Budapest, and must pass the required examination for detectives. Both the provisional and the final appointments are made by the Minister of the Interior. The Detectives are in the lower salary grades and have the status of a second class civil servant. On promotion to a higher grade salary, they are called Detective Inspectors, and on a further rise in salary they have the title of Chief Detective Inspectors. There are still a few Acting or Deputy Detective Chief Officers who were appointed some years ago before these ranks were abolished. Promotion to Detective Inspector takes place after a further examination; and only those Detective Inspectors may be promoted to Chief Detective Inspector whose fitness for this post has been decided by a special board of examiners.

The National Police Officers' School, the continuation classes for officers, the course for Detectives and candidates for Detective-Inspectorships, as well as the Instruction classes for Staff Adjutants, together form the professional training courses of the Hungarian State Police, and constitute the official Central Police School. The Director of this school is

the Inspector of the Department for Police Instruction, who has under his control every Police School or Service Instruction class in the country. He is directly responsible to the Minister. Besides his Deputy, there are also detailed for service with him certain Officers, Inspectors and Assistants for administrative purposes. The corps of teachers is composed partly of the staff just mentioned and partly of other senior police officers who, however, carry on their educational work in addition to their ordinary duties. For special subjects, such as criminal psychology, professional experts render assistance.

According to the budget for 1927-8 the number of all ranks in the Royal State Police throughout the whole of Hungary is 11,385. These are apportioned as follows: appointed to the Administrative Branch 680, of whom 299 are in Budapest; to the Inspectors' Branch 214, of whom 94 are in Budapest; to the Detective Branch 1,127, 637 being in Budapest; and to the Uniform Constabulary 7,880, with 4,100 in Budapest. The remainder are doctors, accountants and civil servants.

The Detection of Burglary in India

By R. N. MARSH-SMITH

Superintendent of Police, Cawnpore

A FEW years ago there appeared a small book entitled *The Detection of Burglary in India*¹ by W. A. Gayer, Director-General of Police in Hyderabad State. This was probably the first book published in India which was devoted solely to the problem of burglary. It was a remarkable book, because it suggested a simple and effective remedy for a problem which had confronted police officers in India for many years and which, from its vastness and complexity, had seemed impossible of solution. Gayer's book, with its startlingly simple suggestion, immediately commanded attention. Many police officers throughout India at once began to tackle burglary on what soon came to be known as 'the Gayer system.' In justice to the author of that work it should be stated that his book did not merely set forth a system of investigating burglary but dealt with the various aspects of the question, and pointed out that, for a complete remedy, changes in the law affecting burglary and in the rules and regulations affecting its investigation and prevention were necessary. Most of his suggestions to this end have been overlooked: the system alone has been adopted, often with an imperfect understanding of its basis, but still more often with a lack of appreciation of its limitations.

The basis of the system is that a professional burglar becomes efficient in a particular method of burglary and that he always uses the same method. In other words, once a hole-digger always a hole-digger, or once a cat-burglar always a cat-burglar; or conversely, in a given area cases of burglary exhibiting a particular *modus operandi* should be attributed only to burglars who use that *modus operandi*. The chief

instrument of the system is the crime chart. All burglaries must be classified according to the method, and all cases of one class must be charted on the same chart. From the chart and the dates of occurrence appreciations will be made which should lead to a correct detection of the gang responsible. This in brief is 'the Gayer system.'

Without doubt this system can be of the greatest value in dealing with the burglary problem; but it is my object in this paper to show not that the main proposition underlying the system is incorrect but that in practice it requires considerable modification, and that it is necessary to supplement this proposition by another which is of more general application and less likely to lead to false deductions. Its application is necessary to enable the Gayer system itself to be fully and correctly applied. The methods of burglary hereafter discussed are methods which are encountered in India and, in some respects, are peculiar to that country; but the arguments are probably equally applicable to methods in vogue in other countries. I propose to give a few instances in which the truth of the proposition underlying the Gayer system is exemplified and then to quote a few further examples to show the necessity of modifying the original proposition.

In the city of A—a series of cases occurred in which the locks of shops in the bazaar had been broken at an early hour in the morning. No clue was obtained until one day a shop-keeper caught a young Mohammedan in the act of breaking open the lock of his shop. The Mohammedan was duly sent up for trial and sentenced to three months' imprisonment. The cases ceased. Six months later, a fresh series of cases started in another part of the city. The Gayer system was being worked in the district. When the second outbreak occurred, special constables were deputed to watch the movements of this young Mohammedan. Immediately on release from jail he had been placed under police surveillance, but the surveillance had been perfunctory. In practice the man was looked up once in the early part of the night and once between one and three o'clock in the morning. He was therefore still free at other hours to pursue his previous type of depredation. After being some time out of jail he came to realize this, and he

¹ Published by Thacker, Spink & Co., Calcutta, 1920.

started a fresh campaign. It was within a week of the institution of a special surveillance that he was seen by the watching constables to leave his house and proceed at a sharp pace to a bazaar in another quarter of the city, where he started to break open the lock of one of the shops. The constables quickly came up to him and arrested him in the act. He was again sentenced, and this class of case again ceased.

In a certain village area a series of cases occurred in which mud walls were dug through. The marks left by the instrument with which the holes were made were found to be similar in each case. It was further discovered that on the day before the occurrence a man of the herdsman caste had visited each house with the ostensible object of selling honey. The cases occurred in a regular circle of villages. When this feature was discovered the village watchmen of the area were instructed to be on the look-out for a man of this caste whose ostensible object was to sell honey. In a very short time a man turned up in village B----- and was immediately arrested by the watchmen; and when he was searched a housebreaking tool was found concealed in a bag in which he carried his wares. The implement was tested and was found to leave marks exactly similar to those noticed in the holes made in the cases reported.

In the jurisdiction of another police station it was noticed that all housebreaking cases occurred on a particular day of the week, namely Tuesday, which among certain low caste Hindus is believed to be a specially lucky day. The *modus operandi* was to make a hole at the side of the door, to insert the hand and to lift up the door latch. A special patrol was organized every Tuesday in the area, and after a month a man was arrested at night who eventually confessed to all these cases. A similar series of cases is reported from Ceylon, where success was obtained as early as the second Tuesday.

Of course the mere drawing of deductions does not mean that the burglar will be caught. Very often no definite results will be obtained; or, again, the use of the system will merely enable one to adopt preventive measures and may not lead to the actual capture of the culprit. In a series of cases reported from Ceylon, where the burglaries took place on market days,

a special patrol was organized on market days and the crime ceased.

In an industrial area in C----- district it was noticed that a series of burglaries, in which holes were made in the roofs of the victims' houses, occurred frequently on Saturday nights. It was conjectured that a gang of operatives in a factory which closed on Sundays was responsible, although the scene of the crime was often as much as eight miles away from the town where the factory was. Steps were taken to verify the characters of all the workers in the factory, and by the process of elimination suspicion was concentrated on a certain number of the workers. The movements of these men were specially watched on Saturday nights. They became aware of the steps taken against them, and the crimes ceased altogether.

The above are a few instances of the very numerous cases in the writer's experience in which success, either direct or indirect, has been achieved by a study of the *modus operandi*; but it must be confessed that the amount of success obtained by working on these lines alone was not very great, and after some months of trial I proceeded to explore the reasons for this. It did not take long to prove that the proposition which formed the basis of the system was faulty. In practice it represented as a fixed habit what was, in fact, only a tendency. It is true that a professional burglar will not readily give up the habits of a lifetime and forgo the advantage of using a method in which he is expert; at the same time it stands to reason that many circumstances may occur which may render it inadvisable to use a particular method or more advantageous to use another. A few instances in support of this may be quoted, and those of my readers who have Indian experience will readily remember the frequency with which cases of two different methods occurred on the same night and in the same village, especially in shops in villages or towns where there are bazaars: I mean the combination of hole-digging and lock-breaking.

In the city of H----- a householder who occupied the top floor of a block of houses, the courtyard of the house in which he lived forming a sort of well, woke up one day to find two men climbing down into his courtyard. He raised an alarm,

and the burglars climbed up again and ran over the roofs, followed by the complainant. When the burglars came to the end of the block of houses they had perforce to risk their lives in jumping down into the street, where the crowd was waiting for them. One burglar in fact broke his leg, while the other, who landed safely, was caught as soon as he reached the ground. On one was found a tool for drilling holes, and the other was found to have a large bunch of keys. Now, it will be noted that in order to commit the burglary they had to scale one wall and climb down the other into the courtyard. Had the inmates not awakened, the thieves could easily have made off with much property without drilling a hole or even breaking open any locks. On the other hand, the presence of the tool mentioned above shows that they were quite prepared to use either method. This incident shows the fallibility of the theory that a burglar, or a gang of burglars, always uses the same method.

It cannot be too strongly emphasized that *modus operandi* is not an infallible guide. The tendency of a criminal to use a particular method of committing burglary is only a tendency and not a rule. That this tendency is a useful guide to detection there can be no doubt; but it is far from wise to assume that all cases of a particular method in a given locality are committed by the same gang, and to ignore the possibility that cases in which different methods have been employed have been committed by the same gang. There is, however, a guide which is more reliable than the tendency noted, and it is this guide which provides us with a basis for a system which, to my mind, is a necessary complement of the Gayer system. This guide is the degree of knowledge of the victim possessed by the burglar. Although this guide is more often than not of a negative nature, nevertheless in any case it so restricts the field of possibility that a very definite idea as to the culprit can be formed. I do not assert that it will lead to the acquisition of evidence which may secure a conviction in court, but it will lead to a sufficient degree of probability to enable preventive action to be taken. This degree of probability is increased as the number of cases increase. Each of them provides its quota of indication as to the person or persons responsible. It is a

little difficult to explain this idea in a few words, but the following elementary examples may make clear what I mean:

(a) A hole is made in an empty house on the edge of a village where there is nothing to steal. If we exclude for the moment the possibility that this hole was dug by someone who knew that there was nothing of value inside the house, it will be futile to suspect a resident of the village, who would certainly know that there was nothing to be got.

(b) In the next case there are two adjoining houses, one occupied by a rich man and the other by a poor man; to all outward appearance they are the same. The hole is dug in the wall of the rich man's house. This postulates that the man who dug the hole knew which was the rich man's house and which was the poor man's. Certainly this does not lead us very far of itself; but at least it will help us not to treat as suspect someone who could not have known this.

(c) In another case, not only is the hole dug in the house of the rich man but it is dug in the very room where he keeps his valuables, and the hole is made through that part of the wall which is narrowest. Here we have something more to go on. Not only did the burglar know which was the house of the rich man, but he also knew in which part of the house he kept the valuables, and, further still, he knew which part of the wall was easiest to break through. Here our field of possibility is getting narrower.

(d) Finally, there is the case in which not only is the hole dug in the rich man's house in the room in which his property is kept but valuables are dug up from a hole in the ground, and only that place in the floor is dug up where the valuables were. Here we have a superlative degree of knowledge. The burglar this time not only knew that this was the house of the rich man and that this was the room where he kept his property, but also that there were valuables buried in this particular spot in the room. It will be useless then to suspect anybody who was not in a position to acquire knowledge that the valuables were buried in this particular spot. Our field of possibility is now so restricted that it should be a matter of no great difficulty to ascertain who was the man responsible, especially if we combine an appreciation of the knowledge displayed of the

circumstances of the victim with an appreciation of the tendency which we have observed above as to *modus operandi*. Almost as certainly as we can say that the crime can only have been committed by someone who knew where the valuables were buried, can we say (though not with the same degree of certainty) that it can only have been done by someone who knows how to dig a hole and is in the habit of digging a hole. We can hardly miss our man now. It does not follow of course that the man who actually had the knowledge of the presence of the valuables is the man who dug the hole or indeed took an actual part in the crime, but it does follow that the man who dug the hole must have either possessed this knowledge himself or have acquired it in some way. Our inquiry therefore need only be directed towards ascertaining which persons fit this description.

If we can get so far with one case, we can get even further with a combination of cases, and the result of this combination of cases will enable us to present as absolutely incontrovertible a case against each gang. This, then, is a brief explanation of the guide which, I consider, should be of more value and less likely to deceive than that afforded by the *modus operandi* alone.

It remains to illustrate from actual practice how this system can be utilized, first, for the investigation of a particular case; secondly, for the repression of an outbreak of burglary. In the City of B , early in the morning, a confectioner reported that a hole had been made in his shop but nothing had been stolen. When a police officer visited the shop he discovered that there had been really two burglaries, for the hole was in the wall that divided the confectioner's from the next shop, that of a money-lender, and that a hole had been made in the roof of the latter. In neither case had anything been stolen, but an unsuccessful attempt had been made to break open an iron safe in the money-lender's shop which contained valuables worth some 7,000 rupees. On the basis of the knowledge possessed by the burglar, the following circumstances deserve attention:

1. That anyone visiting the bazaar could have acquired knowledge of the fact that the one shop was that of a money-

lender and the other that of a confectioner. Here it is necessary to mention that a confectioner's shop in an Indian bazaar is different from a confectioner's shop in Europe.

2. That both shops were left empty at night, and a complete stranger could not have been certain of this.

3. That in the money-lender's shop there was an iron safe containing valuables. There were three compartments in the shop, one behind the other, and the safe was in the second compartment. It could not be seen from the street. Therefore our burglar must have had some knowledge of the inside of the shop. This naturally pointed to the possibility of the complicity of one of the complainant's partners. This theory, however, had to be discarded at once; for it must be remembered that the thief has not been successful in opening the safe, although he had not been disturbed when he was working behind the shutters of the shop and actually had no fear of being disturbed. The reason why he was unsuccessful was that he did not know how to open the safe. Any of the partners would have known this, and so the money-lender's partners must be excluded. On this line we get no further, beyond the fact that the thief knew of the presence of the safe and the valuables but did not know how to open the safe.

4. We now have to cast around for a further clue. How about the way he got in? What knowledge does that disclose? I have already said that there were several compartments in the shop. An examination of the roof showed, first, that the hole was made just above the place where the safe was, and, secondly, that it was only the roof of this compartment that could be drilled through. The roofs of the other compartments were lined with beams placed so close to each other that entrance through the roofs was practically impossible. The thief knew, then, that he must dig into this particular roof. He must have had intimate knowledge of the inside of the money-lender's shop. It can now be seen that our field of conjecture is becoming narrowed; yet, but for another circumstance, we might have failed. Our only line of further inquiry would have been to see which of the persons who could have had the knowledge was an expert hole-digger.

5. Now there was also a hole in the wall dividing the

money-lender's shop from the confectioner's. In India, there is not much to take from a confectioner's shop at night. As a matter of fact there was nothing there except some large brass dishes which could not have been abstracted through the hole, and nothing was actually stolen. Why did our thief dig a hole between the two shops? It might be suggested that having failed in the first shop he tried to get into the second shop to steal. But this theory ignores two points. First, if he went into the next shop to steal, how did he get out? The hole he had made in the wall would only lead him back into the money-lender's shop, while the confectioner's shutters were found closed in the morning and were not reported to have been forced. Secondly, why did he go into the confectioner's shop? To steal? But we have already seen that he knew all about the money-lender's shop; it is unlikely that he did not know equally all that he wanted to know about the confectioner's shop, and that there was nothing there to steal. A further examination of the hole in the money-lender's roof showed that it would have been impossible for the burglar to have got back through that hole without assistance. The fact that he did not get back through the hole shows incidentally that he was working alone. He could not get back through that hole, and he could not stay where he was. He must, therefore, have drilled the hole into the next shop to escape from his prison. This escape, not through the hole of entrance or through the money-lender's shutters, which were incapable of being forced, but through the shop of the confectioner explains everything. He made the hole in the confectioner's shop not to steal but to effect his escape. But having got into the next shop he appeared to be just as badly off. Even from here he could not escape without assistance. How did he get out?

Now let us revert to the 'knowledge' theory. The burglar could not have escaped without assistance. But he did escape by drilling a hole through the wall into the confectioner's shop, from which he could not even then escape without assistance. Who gave him that assistance? And did he himself obtain the knowledge of the interior, or did someone who was in league with him supply this knowledge? How about the confectioner? Is he not most probably the man who knew all about the inside

of his next-door neighbour's shop and the presence of the iron safe with its 7,000 rupees and of the state of the roof? Is he not just the man who would know all about this and yet not know how to open the safe? Is he not the man who could help the burglar to escape if only the burglar made a hole into his shop? Is it not possible that he reported the burglary in his shop as a blind? Clearly he is the man: the very fact of his reporting the burglary by means of a hole made into another man's shop exposes his complicity.

It is now possible to reconstruct the crime—without recording anyone's statement, but merely from an intelligent inspection of the spot and an appreciation of the degree of knowledge which the circumstances of the case clearly showed the burglar to have had. The confectioner knows all about the safe; he is in collusion with some expert burglar. They arrange that this man shall dig a hole in the roof of the money-lender's shop at the spot where the confectioner shows him, that he shall steal the valuables and then make a hole into the confectioner's shop and wait there till morning. The confectioner will then come and quietly let him out with his loot, and then go and report his burglary to the police. What plan could be more simple? And all worked exactly according to plan—except for the important circumstance that the safe would not open.

It is now necessary to revert to the Gayer or *modus operandi* system. The associates of the confectioner must be inquired into. Is there among them anyone who might be judged capable of making a hole in the roof? Such inquiries were made and revealed that the confectioner had formed an intimacy with one N——, an absconding bad character. He was known to be an expert hole-digging burglar. It is true that after discovering this man we could not prosecute him because no property had been stolen and so there was none to be recovered. The sequel, however, came later when a series of similar cases occurred some nine months after, and here again our *modus operandi* system helped us. Getting early information of the occurrence of a burglary in a house in which entrance was effected by a hole in the roof, in the same area in the city where the money-lender's case occurred, the station

with a separate offence. The case against the gang is clearly made out. In due course they were prosecuted on this evidence under the bad-livelihood sections of the Criminal Procedure Code, and sentenced each to one year's imprisonment in default of furnishing security for their good behaviour. After this there was no burglary in this area for another three years, when this very man Shakur was again caught in the act of committing a burglary in a village in the area.

The above are selected instances out of a very large number which could be quoted by the writer from his personal experience in proof of the proposition that, in every case, the burglar by his very acts leaves behind him some trace of the degree of knowledge which he possesses of the circumstances of his victim. A proper appreciation of the degree of knowledge displayed is bound to restrict the field of possible responsibility for the offence, if not to point definitely to the actual culprit, while over a series of cases sufficient deductions can be made which would make out a clear case against the man responsible. This proposition is one which the writer contends to be less assailable on the ground that it is the result of guess-work than the making of deductions from the mere *modus operandi* used in a particular crime or for a series of cases. The 'method of operating' system in itself provides a very good indication of the persons responsible; but its applicability is limited and it must necessarily be supplemented by the application of the 'degree of knowledge' system.

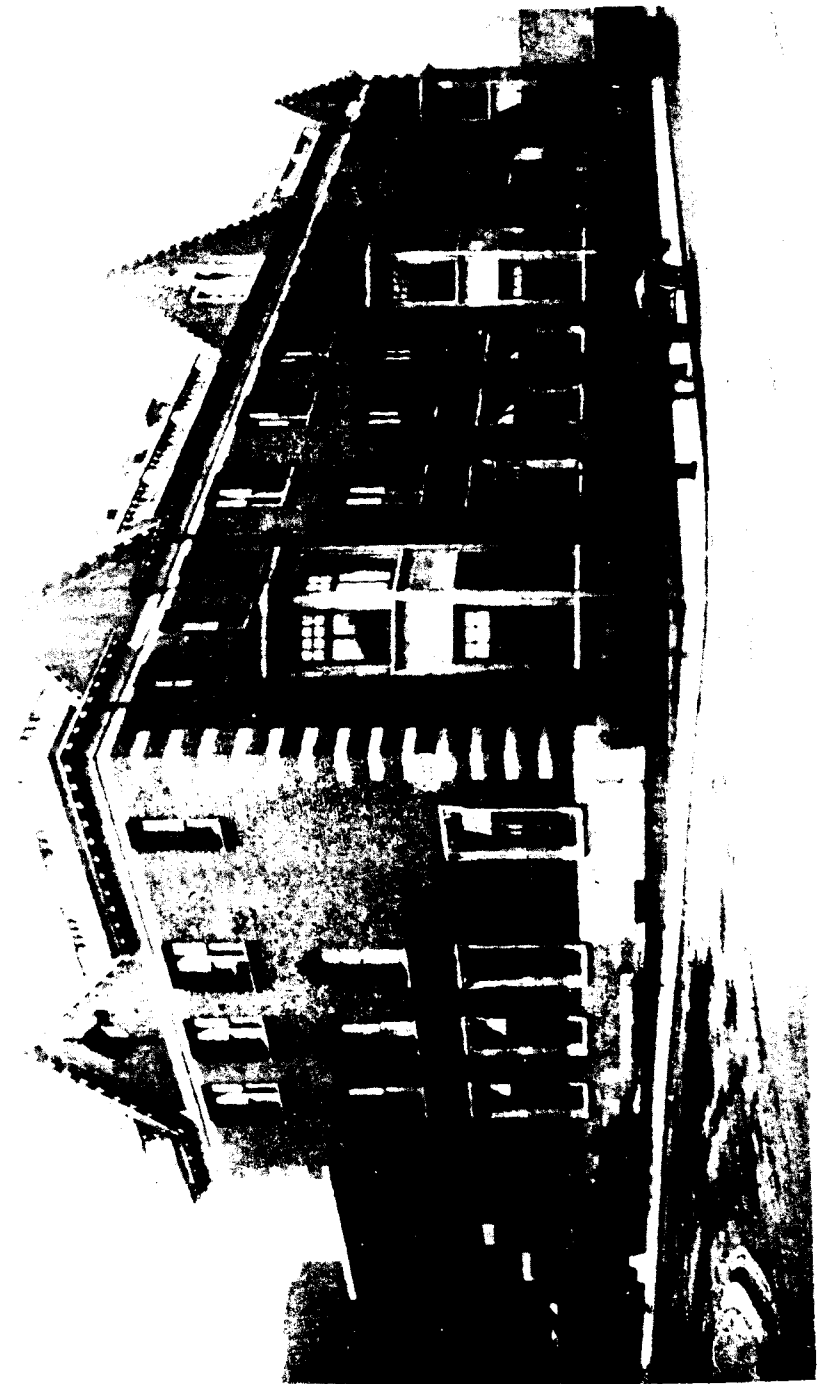


FIGURE 1
A TOWN STATION, METROPOLITAN POLICE



A SUBURBAN STATION, METROPOLITAN POLICE

Metropolitan Police Buildings

By G. MACKENZIE TRENCH, F.R.I.B.A., F.S.I.

Metropolitan Police Architect and Surveyor, New Scotland Yard

THE Metropolitan Police District covers an area of nearly 700 square miles, contained roughly within a circle having an average radius of fifteen miles from Charing Cross. The district does not include the City of London, which for police purposes has always been under the separate jurisdiction of the Corporation of the City of London.

The District extends from Goffs Oak on the north to Epsom on the south, and from Erith on the east to Staines on the west, and includes areas which differ very greatly in character. Within its boundaries are Whitechapel and Epping Forest, Walworth and Epsom Downs, Westminster and Rotherhithe, Mayfair and Richmond, Hampstead Heath and Bethnal Green.

The District is divided into police divisions which are lettered from A to Z, less I, O, Q, and U. Divisions A to H inclusive on the north, and L and M on the south, of the River Thames are those within, or almost entirely within, the four-mile radius from Charing Cross, and are known as the inner divisions. Those beyond this circle are known as the outer divisions and contain in varying degrees business areas, suburbs and rural or semi-rural areas.

It will be readily understood that the duties performed by the police within this District must vary to a remarkable degree, and that buildings erected for police purposes must also differ very considerably according to their situation and surroundings. Suitable and adequately planned buildings are essential to the efficiency, as well as the convenience and comfort, of the force.

In the District at the present time there are 236 police stations and section houses, the latter with accommodation for

4,360 single men, and 656 sets of married quarters attached to stations or in blocks specially built for the police. In addition, during the most acute stage of the housing shortage after the War, private houses were purchased, giving further accommodation for between three and four hundred married men.

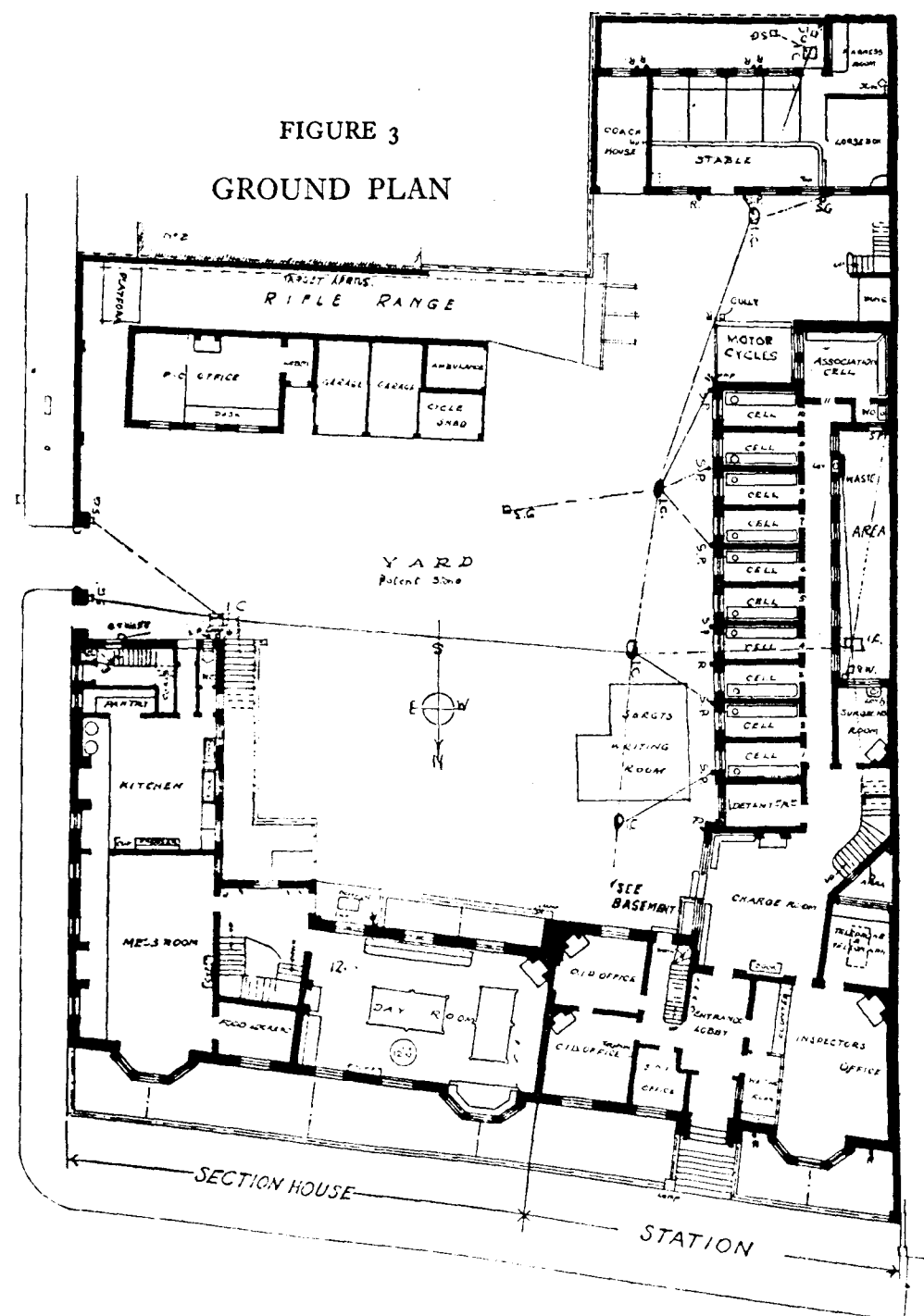
It is not intended in this article to deal with the evolution of police buildings from 1829, when the Metropolitan Police were established, but rather to give a brief outline of the modern types of police buildings.

Police buildings may be classified generally as (1) Stations, (2) Section Houses, (3) Married Quarters and (4) Special Buildings.

1. *Stations.*—These can be divided into three classes, viz.:—(a) town, (b) suburban, (c) semi-rural. This classification, however, is becoming rapidly less distinctive. The suburbs are being thickly built upon in all directions and are being absorbed by the town, while the semi-rural areas, with few exceptions, are quickly losing their old-time rural characteristics. In the outer divisions, in consequence, the duties of the police are becoming assimilated to those of the inner divisions, and in a short time, if the present rate of building is maintained, few, if any, Metropolitan policemen will see open fields while on duty.

Certain stations, by reason of their situation and local requirements, may partake to some extent of the character of more than one of the three types indicated. It is surprising to what extent each station has special duties and characteristics of its own. Types (a) and (b) of stations will be considered in detail in this article as being those possessing perhaps the most interesting features.

1. (a) *Town Stations.* The example taken is that of a busy station in an inner division, and an exterior view of such a building is given in Fig. 1, the plans being shown in Figs. 3, 4, 5, and 6. The building is a composite one and comprises, as shown on the plans, police station, section house for sixty single men, divisional office, and two sets of married quarters. It occupies a site at the junction of two roads, which is convenient since the entrance to the station yard can be in the side road and the normal work of the station can proceed without



interruption from the constant passage to and from the yard of motor vehicles, prison vans, mounted men, etc. A large yard is of great value to a station since it not only gives ample room for all regular and extraordinary parades of men and horses, but it provides standing space for stolen or abandoned vehicles. It also enables certain portions to be set apart for recreational purposes.

Dealing with the station portion of the building, Fig. 3 shows on the ground floor the *Inspector's Office*. This is the office of the Inspector in charge of the station and is both the centre of the work of the area attached to the station and a public inquiry office.

In busy town stations where a large number of the public call, a small *Waiting Room* is necessary, in which callers can wait while their inquiries are being attended to or while others are being dealt with at the counter in the Inspector's Office.

A separate *Telegraph and Telephone Room* is provided with direct access from the Inspector's Office. The situation of this room in relation to the adjacent streets is important, as noise from passing traffic might interfere seriously with work in it. A room at the rear of the building and without window openings on a public street is the ideal arrangement.

Immediately adjoining the Inspector's Office, with communication therefrom, is the *Charge Room*, which also has direct access from the main station entrance, so that prisoners brought to the station may be taken direct to the Charge Room. From this room leads the cell corridor, the passage off which the cells open. There is no exercise space (with grille) for prisoners as is common in other countries, as it is the exception for prisoners in the Metropolitan Police District to be detained in stations for more than a few hours. In large stations there are two separate sets of cells with separate corridors in order that male and female prisoners may be kept quite apart from each other. Fig. 5 shows that at this station the female prisoners' cells are on the first floor over the male block.

Close to the Inspector's Office, generally situated in the yard, but in modern stations part of the main building, is the *Parade Room*, where the men are paraded and inspected, and where orders are read or given to them before they go on duty.

In certain of the larger town stations a *Reserve Room* is also provided, where in an emergency bodies of police may be held in reserve without interference with the ordinary work of the station. At most stations, however, the Parade Room meets all such requirements.

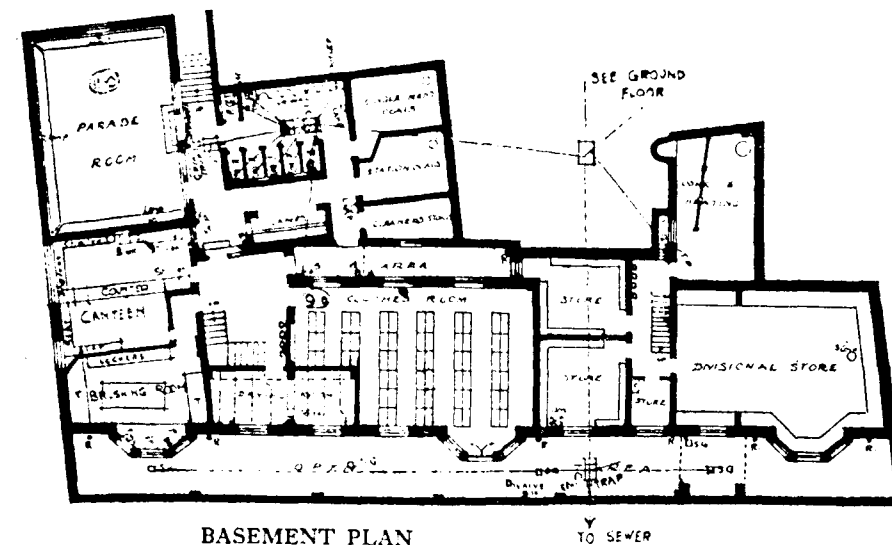
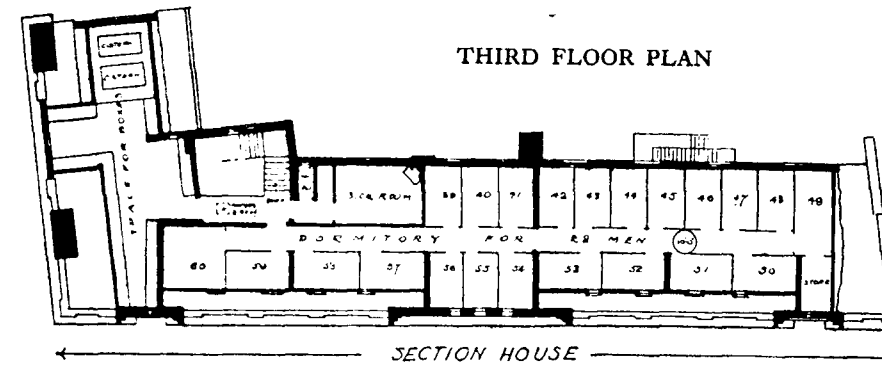


FIGURE 4

Where there are a number of cells for female prisoners, a *Matron's Room* is provided for the Matron, who is required to attend upon female prisoners and also to act as female searcher if necessary. Her room is fitted with a gas stove for the warming of food for prisoners. In Fig. 5, the Matron's Room is shown on the first floor immediately adjoining the

women's cells. In many stations, this room is not extensively occupied, and it is therefore frequently made to serve also as a *Surgeon's Room*. In these cases, a lavatory basin is provided and also a couch for medical examination purposes.

A separate *C.I.D. Office* is a usual provision at a station, and it is arranged if possible for this office to have a means of approach in addition to the station main entrance. Two C.I.D. Offices are shown on Fig. 3, one being for the Divisional Detective Inspector, the chief C.I.D. officer of the division, and the other for the work of the local detectives.

The station illustrated, in addition to being the headquarters of the division, is also the station for one of the subdivisions of the division, and therefore it is necessary to have a *Sub-Divisional Inspector's Office*. This is seen immediately to the left of the main entrance.

A *Meal Room* is now usually provided for men to use in the half hour's refreshment interval during their tour of duty, whether attached to the station or not. A *Sergeants' Writing Room* has recently been found to be necessary in the larger modern stations for the use of sergeants making out reports; previously this work had been done in the Charge Room, a most unsatisfactory arrangement, since this room is open to all men of the station, and is often extremely busy when charges are being taken, with perhaps many persons in attendance. A temporary building in the yard meets this need at the station shown in Fig. 3.

A *Detention Room* is provided at the larger stations in which persons are placed whom it is necessary to detain, but who ought not to be confined in an ordinary cell. The room is finished as an ordinary Waiting Room, but is provided with a fixed iron window with small glazed squares, while the door has an observation panel. All gas, electric light or other fittings are fixed outside the room, if possible, in a manner similar to cells (as described later), and the arrangements for heating and ventilation are also the same as in cells. The furniture of the room consists of a table, chair and couch.

At certain stations throughout the District where the inspection and testing, etc., of public carriages has to be carried out, accommodation is provided (usually in a separate building

in the yard) for a *Public Carriage Office* where drivers and conductors are dealt with.

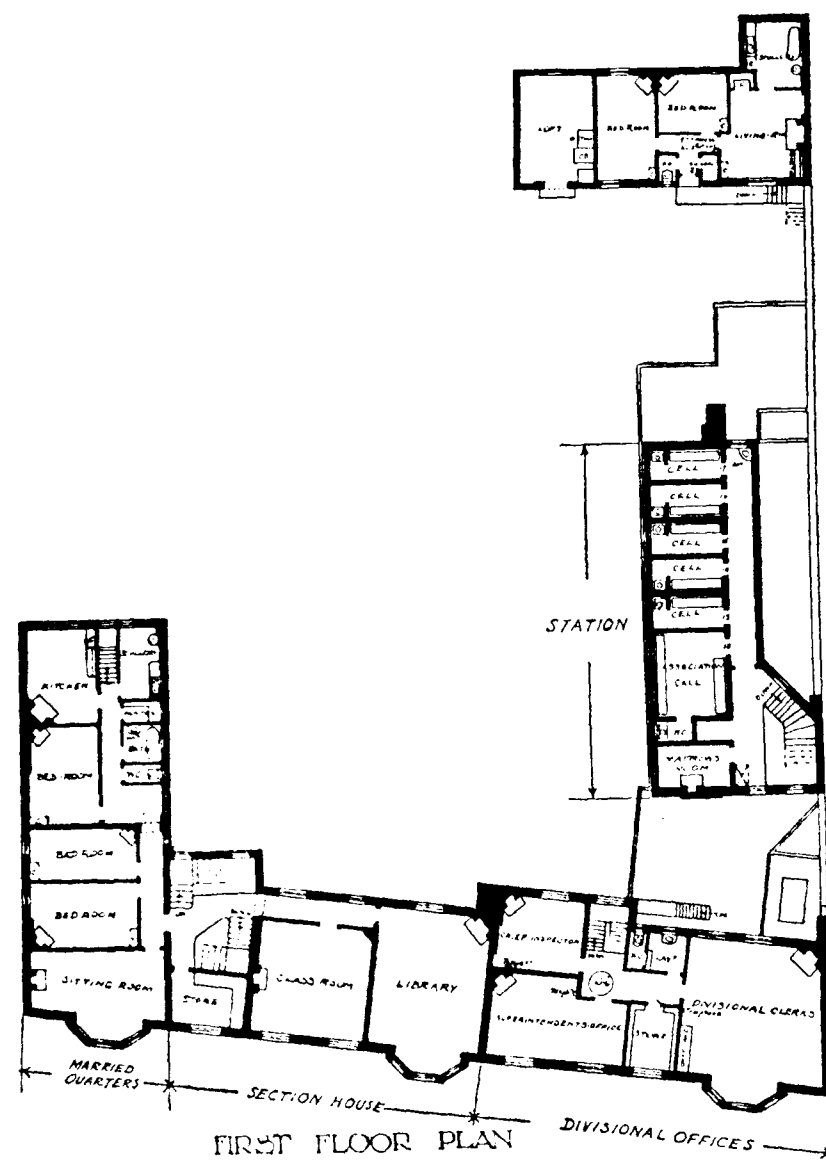


FIGURE 5

In most station yards, there is a shed for pedal bicycles, and at appropriate stations there are garages for the official motor-cars of the Superintendent, Chief Inspector, Sub-

Divisional and Divisional Detective Inspectors. At all stations, a shed is a usual provision for the wheeled hand ambulance for the conveyance of obstreperous, drunken or injured prisoners.

Finally, at a number of the larger stations throughout the District, a large room is set apart as a *Class Room*, for the instruction of young constables and for general lecture purposes.

Turning from accommodation to construction, stations generally are of fire-resisting construction. Many of the older stations have wood floors, but, as a rule, the staircases are of stone. Charge Rooms, Waiting Rooms and Offices have wood block floors, while the wall surfaces are painted in order to minimize maintenance charges.

The *cells*, which are the most expensive and in some ways the most important part of a police station, are planned as far as possible in a separate block and differ very markedly in construction from the remainder of the building. It may be of interest to note in passing that in recent years the powers of the police have been much extended as regards the granting of bail. This fact, taken in conjunction with the great falling off in drunk and disorderly and similar charges, has had the result of rendering some cells in many stations surplus and reducing the number to be provided in new police stations. It seems likely that, with the exception of large inner stations and those in particularly rough neighbourhoods, the number of station cells can be still further reduced in the future.

The cell corridor, which is directly entered from the Charge Room, is not less than four feet wide, or five feet if the cell doors open outwards. In the latter case, the doors open away from the direction of approach so as to facilitate the admission of refractory prisoners. Cells are planned for one prisoner only and have a content of not less than 600 cubic feet, or, if a w.c. be fixed therein, 800 cubic feet. Both cells and corridor are built in white glazed brickwork for the full height or in ordinary brickwork faced with glazed tiles to a height of about eight feet. The floors are of concrete finished with terrazzo mosaic, with rounded angles at the junctions with the walls. The floors of the cells are laid with a slope towards the corridor, in which is a gulley connected to the drainage

system. Cells and corridor can thus be thoroughly washed down.

Above the glazed work, where this does not reach the full height, the walls are distempered. This allows thorough cleaning down with a disinfectant wash after a cell has been occupied by a verminous prisoner or one found suffering from disease. Re-distempering can be economically executed.

FIGURE 6

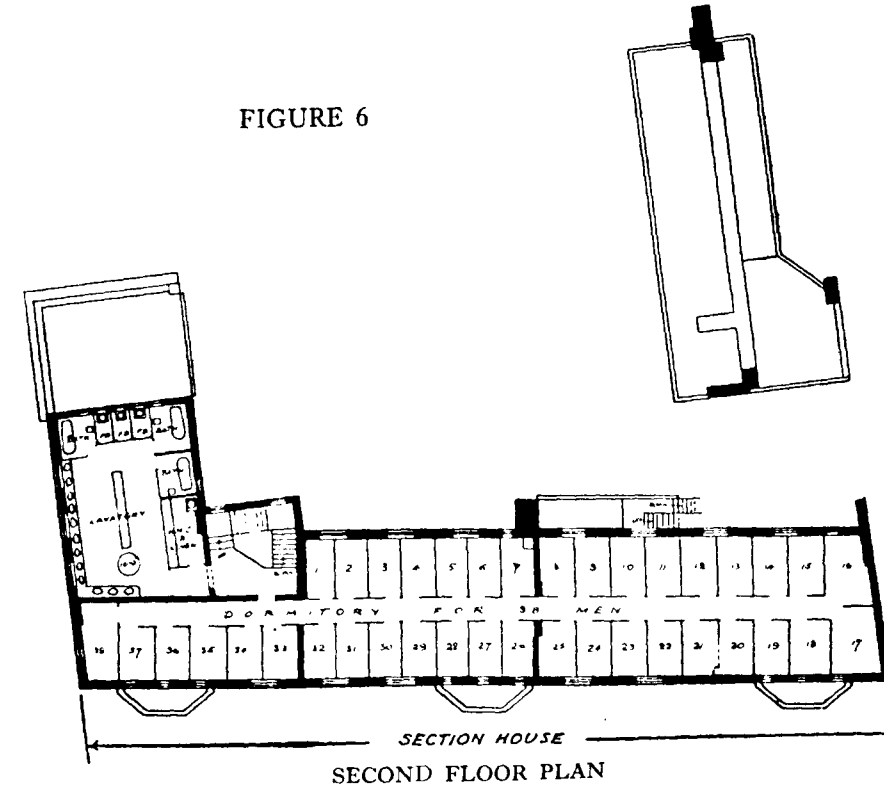


Fig. 7 gives details of the construction of cells and shows most of the special cell fittings used. The cell doors are solid framed with double lock and bolts, and are fitted with a sliding observation panel outside, and are faced with wrought iron plate on the inside. The windows are formed of heavy cast-iron frames glazed with plate glass $\frac{3}{4}$ inch thick, in squares not larger than eight inches by five inches. The area of these windows should give at least one square foot of glass to every eighty cubic feet of space in the cell. No portion of a cell window opens.

Natural ventilation is the system adopted, extract gratings being provided in the ceiling connected with a trunk and upcast flue, while fresh air is introduced into the lower part of the cell through the wall behind the heating radiator. A hit-and-miss fitting, which allows the ingress of air to be regulated, is fixed on the outside face of the wall. It can be controlled by the officer-in-charge of the station, but is inaccessible to the cell occupant.

Cells are heated by means of low pressure hot water, though there are a certain number of cells in old stations still heated by hot air. The pipes are brought to a radiator in a recess in the cell wall, this recess being covered by means of a removable slotted grating flush with the wall surface and fixed with secret screws. The cell heating system is entirely self-contained and separate from any other means of heating in the remainder of the building, a small independent boiler being provided, usually in the basement under the cell block, but in some stations the boiler is fixed behind the fire in the Charge Room.

The slotted gratings to the radiator recesses are provided to allow a heating radiator of ordinary stock pattern to be used, a very valuable asset in facilitating repairs, and also to enable the recesses to be readily opened up, as it was found that prisoners used them to dispose of papers and slips which it was desirable to recover.

Artificial lighting is provided for the cells in the form of gas or electric light from the cell corridor outside. In the wall in front of this light is fixed a square of thick plate glass in a cast-iron frame. Fig. 7 shows also a special angle fitting, by the use of which one lighting point is made to serve for two cells in addition to the corridor. It should be remembered in this connection that in the majority of cases in the Metropolitan Police District cells are seldom occupied for long periods, and there is little necessity to provide high power artificial light.

Each cell is fitted with a wide teak bench to serve as a seat or bed, fixed two inches clear of the walls on all sides, on galvanized iron brackets, from which it is readily detached for cleaning purposes. In cells where drunkards are confined it has been the practice to lay a movable wood floor on the con-

crete, one object being that the prisoner does not hurt himself if he rolls off the bench, the other that the wood floor can be taken up and thoroughly cleansed after the cell has been occupied. Experiments recently made with rubber floor covering laid directly upon concrete, in lieu of the movable wood floor, have given good results, and it is probable that the use of rubber will be extended to all cells, and the use of terrazzo mosaic discontinued.

Inside each cell a w.c. is provided. It may be thought that such an arrangement is insanitary, but this has not proved so in practice. In busy stations, under any other arrangement, the time of the officer on duty would be very largely occupied in attending to the necessary needs of the prisoners. The w.c. is arranged as a continuation of the bench, but is separated therefrom by a decency screen above the bench level, to give some privacy to a prisoner using the w.c. It was somewhat difficult to design in order to combine a reasonable degree of privacy with adequate observation. In new stations, these screens are formed of glazed stoneware as shown in Fig. 7, but where fitted in old cells are formed of teak. The w.c. seat is fixed on brackets and is detachable in a similar manner to the bench. To overcome any temptation to suicide which the w.c. apparatus might suggest, the flushing cistern for the w.c. is fixed in the cell passage outside, and a pull of patent type is fitted which can be worked from inside the cell. This fitting is flush with the internal surface of the cell wall, and consists of a flat slide in a frame with no projection.

An electric bell, ringing in the Inspector's Office, is provided in each cell, with a push of special pattern, practically flush with the cell wall surface.

All pipes, conduit, wires, etc., are run in the thickness of the walls, and no projections of any kind are allowed within the cells themselves.

In large stations, an Association Cell is provided, capable of accommodating twenty or thirty people if necessary. These cells are used principally in connection with raids on gambling dens, etc., where a large number of persons may be detained for short periods. They are constructed in a manner similar to the single cells, except that a w.c. is not provided in the cell

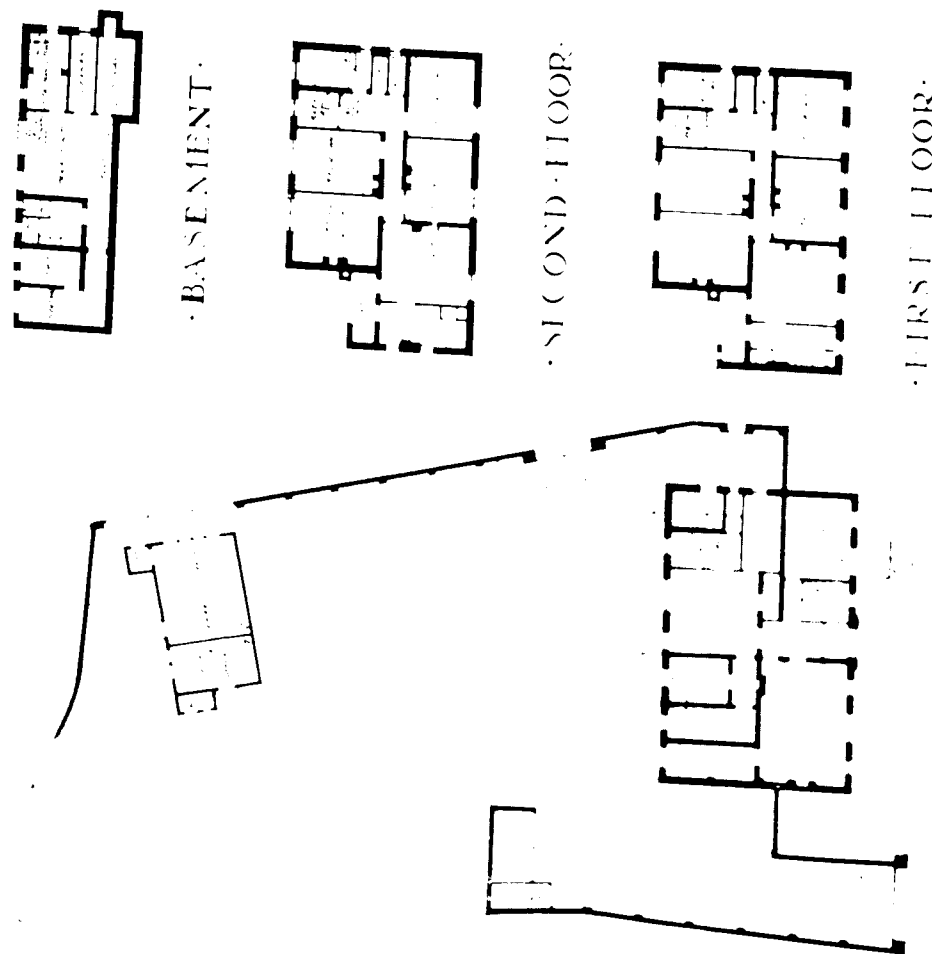


FIGURE 8

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itself, but in a separate apartment entered from the cell. A sliding door to this w.c. is operated from the cell corridor with a spy hole for supervision purposes. An Association Cell with its w.c. is seen off each cell corridor in Figs. 3 and 5.

In the cell corridor, a lavatory basin is fixed for general ablution purposes.

The cell block is invariably self-contained. No accommodation is provided over cells, as one unruly or obstreperous prisoner in a cell might cause continuous disturbance and annoyance to anyone occupying offices or quarters over.

1. (b) *Suburban Stations*.—Fig. 2 gives a view of a suburban station of modern type, and Fig. 8 the plans of the same building. From the latter, it will be seen that the administrative offices consist of Inspector's Office with Telephone Room, Waiting Room, Charge Room, two cells, Detention Room, combined Surgeon's and Matron's Room, and C.I.D. Office. The Parade Room is situated in the basement under the Charge Room, together with the station store, coals, cleaner's store and heating chamber.

The first and second floors each consists of a set of married quarters approached from a separate private staircase at the side of the building and comprising sitting room, living room, combined kitchen-scully with larder, three bedrooms, bathroom, w.c. and coal store, together with a small private yard.

An old temporary building at the rear of the site has been utilized as a Station Recreation Room and Special Constabulary Office.

1. (c) *Semi-rural Stations*.—These consist generally of little more than an office and, say, two cells, with a set of married quarters attached.

It is not contended that Metropolitan police stations represent the last word in planning and construction. Constant development and change in police work and in the services required of the Force affect police buildings, and reconstruction and alteration of existing stations are constantly necessary. The telephone and the increasing use of motor transport make it probable that the needs of the public can be adequately met and police patrol and protection efficiently

organized and supervised in many parts of the Metropolitan Police District with fewer stations than in the past. Experiments are being made in this direction, and it is probable that in the near future the plan of a typical police station may undergo considerable modification, at any rate in the outer divisions.

2. *Section Houses*.—The term 'section house' is applied to a building, either part of a police station or entirely detached, set apart solely for the accommodation of single men. In origin, the section house was the house in which all the men of a section, married and single, were lodged—a sort of apartment house for the police. The large augmentations of the force between 1900 and 1914, largely on account of the weekly rest day, necessitated the building of several large section houses in those years. The accommodation in all modern section houses is similar, but where the building is detached, it is, as a rule, more satisfactorily planned, quite apart from station requirements. The arrangements generally follow those of a hostel, and Figs. 3, 4, 5 and 6 show a station building planned with a section house for sixty single men. It is entirely self-contained and has a separate entrance in the rear of the building in the yard.

A police officer entering the section house after a wet tour of duty goes to the *Drying Room* in the basement, where he leaves his wet clothes and boots. This room is fitted with a drying stove and with special hat and coat racks. When dry the clothing is taken to the *Brushing Room*, which is provided with tables to enable the clothes to be laid out and properly brushed, and buttons and belts cleaned. Boots are also cleaned in this room, where a sink and lavatory basin are provided. Each officer is provided with a separate locker in the Brushing Room for the storage of cleaning materials.

Clean uniform clothing is taken to the *Clothes Room*, an apartment fitted with skeleton metal racks with uniform hooks, helmet brackets and boot rests, each officer having his own numbered accommodation. Here the uniform hangs until required, and is always available for inspection.

In the basement of the building are the lavatories, coal and storage accommodation and also the *Canteen*. Originally canteens were established only at a few stations on a small

scale to enable the men to obtain liquid refreshment without resorting to public-houses, the sale of a few eatables and groceries being combined with that of beer, tea, coffee, etc. They are now provided at all large stations, and they have developed very much since the War on the co-operative principle under the control of the Central Canteen Committee. It is now possible for both married and single men to procure most of the ordinary necessities of life, at reduced prices, from these canteens. The canteen is arranged as an ordinary store with a counter, having space in front with a bench for customers. These canteens are not cafés, as the seating accommodation is necessarily limited; and it is not intended that men should stay there longer than is reasonably necessary for making their purchases or having refreshments. Other rooms are provided for reading and recreation. In the building shown in Fig. 4 the canteen serves for the station as well as the section house.

On the ground floor is the large *Mess or Dining Room*, which nowadays has an ordinary fire-grate and is furnished with small tables and chairs, to give the room the character of a sitting room rather than of a kitchen. Opening off the Mess Room is the *Food Locker Room*, where each officer is provided with a metal locker which is, in effect, his private larder. As far as possible all cooking is now done in the *Cook's Kitchen* adjoining the Mess Room, and in modern buildings entirely by gas. In the majority of section houses, a gas hot-plate is also fitted in the Mess Room to enable men to cook their own breakfasts, the cook being responsible for the cooking of dinners, etc. The kitchen is fitted with the usual kitchen appointments and generally accommodates also an independent boiler for heating the water for the baths. The single men pay for their own gas and fuel consumed in the Mess Room and Cook's Kitchen.

The *Recreation Room* is also situated on the ground floor, and in this particular station accommodates two full-sized billiard tables. In practice, a Recreation Room means a Billiard Room with a certain amount of additional space where tables can be placed for playing draughts, etc. A small raised platform is usually provided with chairs or a bench for spec-

tators to watch the game without interfering with the players. It may perhaps be of interest to note that the billiard table, an expensive article, is provided at the cost of the Police Fund, but the men pay a fixed annual rental for its use and are responsible for its maintenance and repair. Until recently, Recreation Rooms were only provided at section houses for single men, but the practice now is to provide a Recreation Room at a station wherever practicable, irrespective of whether there is a section house attached or not.

A large *Library* is shown on the first floor and can be regarded as a room set apart more particularly for officers reading or studying for promotion. In the Library are the closed bookcases with the books of the station library on which the men draw for their light reading.

On the second and third floors of the building are the sleeping *Cubicles*, the partitions forming which are of pitch pine framing seven feet high, with painted ply-wood panels. In addition to the bed, these cubicles are furnished with clothes locker, folding table and chair, and are lighted either by gas or electric light from points in the central passage. In the most recently built section houses the cubicle partitions have been carried up to the ceiling so as to provide a separate bedroom for each officer, the room being heated by low pressure hot water pipes and a built-in wardrobe cupboard provided in lieu of a clothes locker. In these cases, each room has its own electric light point.

On the second floor are situated the *Baths and Lavatories*, which, in the building under review, consist of three bathrooms with slipper baths, twelve lavatory basins and three foot baths. The last-named are glazed stoneware fittings about eighteen inches square containing two to three gallons of water. In some stations, these foot baths are very much used, especially during hot weather. They are, of course, economical in the quantity of hot water used.

A housemaid's closet and linen cupboard are provided on the third floor, and storage space for boxes and trunks.

The *Yards* of both stations and section houses are paved either in whole or in part, according to the volume of vehicular traffic, and as far as possible some part is utilized for recreation

purposes. Amongst other games played are tennis, badminton and quoits, while in some stations the men engage in cricket and tug-of-war practice. Miniature rifle ranges are provided at certain stations, and also boxing rings. The parade shed, when available, affords good space for the latter. These rings have been found useful for the teaching of jiu-jitsu.

On the first floor of Fig. 5 are shown the *Divisional Offices*, i.e., the headquarters of the Superintendent in charge of the division. This accommodation consists of private offices for the Superintendent and Chief Inspector, with lavatory accommodation, and a large general office for the divisional clerks, together with a store. In the basement a *Divisional Store* is also provided, which is a working store of articles such as books, stationery, cleaning materials, etc., under the control of the Superintendent.

3. *Married Quarters*.—During recent years the need of accommodation for single men has diminished and the funds available for building purposes have been largely devoted to the provision of accommodation for married men, which had become acute on account of the general shortage of houses. It has always been the practice to provide quarters in stations for one or two married officers, but in the last twenty-five years several separate blocks of married quarters have been erected. Surplus section house accommodation has also been converted into married quarters. As far as possible, officers are housed in their own divisions to avoid loss of time in travelling.

Two sets of quarters are shown on the first floor of Fig. 5—one in the main building and the other over the stables. The first comprises sitting room, kitchen, scullery, bathroom, w.c. and three bedrooms and normally would be occupied by the Inspector in charge of the station. The second contains living room, scullery, with bath and two bedrooms and w.c.

Three large blocks of quarters in central London comprising 72, 96 and 96 flats have been erected since 1922 or are now in course of erection. In these special pains have been taken, so far as construction and finish are concerned, to reduce maintenance charges to a minimum and also the labour of housekeeping. The standard of accommodation for married

quarters generally is living room, combined kitchen-scuttery and three bedrooms, with bathroom and w.c. These new blocks, which are of fire-resisting construction, are each planned with a large internal open space laid out as a garden and playgrounds. This is approached from each end of the building through archways from the public streets, leading to a private roadway giving access to the main staircases from which the flats open. These staircases are built in artificial stone and the walls are faced with glazed bricks or tiles. The entrance doors to the flats are of teak for fire protection purposes and to eliminate painting. Linoleum is laid direct upon the concrete floors, except in the bathrooms and sculleries.

The living rooms are planned as sitting rooms, the combined kitchen-scutteries being designed and fitted for the preparation of meals and for other domestic duties. The latter rooms have their walls faced with tiles to door height, and are fitted with dresser-cupboard, sink, gas-cooker and gas-copper. The gas copper provides the hot water for the bath in the bathroom adjoining. A ventilated larder is provided.

Each set of quarters has a small covered verandah, which serves as domestic drying space and as a children's playground.

It should be added that in the outer divisions, a certain number of married quarters have been provided in the form of cottages.

4. *Special Buildings*.—There are a number of special buildings throughout the Metropolitan Police District with fittings adapted to their requirements, but, not being peculiar to the police, they do not call for special comment, e.g., workshops for the repair and overhaul of motor vehicles and also for the fleet of motor boats used by the Thames police, stables, garages, etc.

The Mounted Branch Training Establishment at Imber Court, Thames Ditton, consisting of stables, riding school, isolation block and married quarters, possesses some interesting points in construction which might be mentioned. In the construction of the buildings, triangular hollow concrete blocks have been used and the stall divisions are formed of cast artificial stone. The corn bins and water pots at floor level are formed of the same material, all junctions and angles

being rounded and the whole construction thus being homogeneous. The horses feed off the ground; no mangers or hay bins are provided. The Riding School has a composite floor of dry sawdust and sand laid upon faggots.

There are a large number of other special departments in which interest centres rather in the use made of the accommodation than in the accommodation itself. These departments comprise, among others, the Finger-Print Department, Photographic Rooms (Criminal Investigation Department and Hackney Carriage), Printing Department, Aliens' Registration Office, Public Carriage Office, Lost Property Office, General Stores, Riverside Pontoons, Petrol and Oil Stores, etc.

In conclusion, it may be emphasized that the wear and tear of Metropolitan Police buildings is extraordinary. The majority of the stations are open continuously day and night with police and public constantly passing in and out. In some areas, the callers are not of the cleanest type. The cost of maintenance is therefore a very important consideration, and if the construction and finish of Police buildings at first sight appears expensive, this constant heavy wear and tear must be remembered. It is sound policy to incur initial heavy expenditure if annual maintenance charges are thereby substantially reduced.

Police buildings are essentially utilitarian, but they are public buildings and should be dignified and worthy both of the capital of the Empire and of the great service for which they stand— the Metropolitan Police.

Intemperance and Crime in Scotland

By RODERICK ROSS,

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THE Scots have usually been regarded as one of the hard-drinking nations. Whisky, the 'national beverage,' accounts, to a great extent, for the drunkenness which exists in their country. If it is correct that the inhabitants of countries which consume large quantities of intoxicating liquor are more virile, robust, and progressive than those of a wholly or moderately temperate disposition, this may account for the universal success of Scotsmen in every walk of life; but, personally, I would hesitate to say that their prosperity was in any way due to this particular trait in their character. All classes have an interest in the promotion of temperance, and I believe that those engaged in the liquor trade are as anxious that drunkenness should be reduced as the most active temperance advocate. Their methods of attaining this condition of affairs are extremely varied, and consequently the licensing legislation of the country is of some considerable interest.

The Licensing (Scotland) Acts, 1903-1923, which now regulate Scottish law on the question of the sale of excisable liquors, include the following Acts:

Licensing (Scotland) Act, 1903—3 Edw. VII, Chap. 25.

Temperance (Scotland) Act, 1913—3 and 4 Geo. V, Chap. 23.

Licensing Act, 1921—11 and 12 Geo. V, Chap. 52.

Intoxicating Liquor (sale to persons under 18) Act, 1923—13 and 14 Geo. V, Chap. 28.

The Licensing (Scotland) Act of 1903, which has now been in operation for a quarter of a century, conferred a great boon on all persons dealing with licensing matters and effected

a much needed reform, as it consolidated in one Act the former Licensing Acts for Scotland from 1828 to 1901. A few of these enactments may be shortly commented upon.

The Home Drummond Act of 1828, which was not repealed until the passing of the 1903 Act, is the foundation of the jurisdiction of Scottish Licensing Authorities. The Forbes Mackenzie Act of 1853 brought about the hours of closing of licensed premises, namely, at 11 p.m. It also introduced separate certificates for publicans and grocers. The Public House Amendment Act of 1862 introduced various amendments, chiefly of a police nature. The Publicans' Certificates Act of 1876, which was slightly amended the following year, embodied the provisions of the English Acts, and between 1896 and 1903 numerous Acts were passed which made a consolidating Act almost a necessity.

This consolidation was the outcome of a Royal Commission, which was appointed in 1896 to inquire into the operation and administration of the laws relating to the sale by retail of excisable liquors. The reports of the Royal Commission were not presented until 1899, and there were both majority and minority reports. A sharp difference of opinion was expressed in both. The 1903 Act embodied suggestions from both reports, and also adopted other recommendations not included in either of them.

The 1903 Act applies to Scotland only, and it consists of 110 sections and twelve schedules. It is divided into seven parts as follows :

- Part 1. 10 Sections—Constitution of Licensing and Appeal Courts.
- Part 2. 32 Sections—Powers, Duties, and Procedure of Licensing and Appeal Courts.
- Part 3. 9 Sections—Excise Licences.
- Part 4. 25 Sections—Offences and Penalties.
- Part 5. 14 Sections—Registration of Clubs.
- Part 6. 16 Sections—Legal Proceedings.
- Part 7. 4 Sections—Miscellaneous.

The Act created sweeping changes in every department of the licensing laws ; it completely changed the constitution and responsibility of the courts ; it widened the areas of the licensing burghs ; it created new provisions for the punish-

ment of drunkenness on the streets ; it enabled a wife to obtain a separation from her husband if he should be an habitual drunkard and *vice versa* ; it prohibited sales to convicted drunkards, and penalized any person supplying them (this latter section has now almost become obsolete) ; it introduced a code of registration of clubs on the same lines as the English Acts, but introducing several more strict provisions. In the distribution of liquor it penalized hawking from vans ; it prohibited Sunday sales to travellers except for their own use, the collection of local rates in licensed premises, the harbouring of police constables while on duty, etc.

The part of the Act dealing with clubs was a very valuable addition to the law of Scotland, and the Act rendered obsolete a long list of legal decisions, which is the best comment on the radical changes it adopted.

The Temperance (Scotland) Act, 1913, which also applies only to Scotland, made numerous important amendments of the Licensing Act of 1903. Probably the most interesting feature of this Act is the scheme of Local Option which places in the hands of the electors restrictions on the powers of the licensing courts, and leaves in the hands of the voters the licensing policy to be pursued in their own areas by their carrying resolutions for 'no change,' 'limitation or reduction in number,' or 'no licence.'

It might not be out of place here to remark that it is somewhat difficult for the average citizen to understand why Scotland should be the field for experiment in these matters. The Local Option powers under the Act came into operation in the middle of 1920. After a poll is taken, no further appeal to the electors can be made until November in the third year from the date of the last decision. In counties the poll is taken in the year of the triennial election of County Councillors. Without criticizing the policy of the Act in any way it may be stated that, generally speaking, the measure has made little difference in the number of licences in the country as a whole. Opportunity was taken to insert in the 1913 Act several practical amendments of the licensing laws, which experience had shown were required.

During the Great War there was a period of provisional legislation which placed many restrictions on the regulation of licensed premises, and the management of clubs. The bulk of this legislation, and the orders made thereunder, were abrogated by the Licensing Act of 1921. Certain characteristics of the war period were, however, retained by this Act. It brought clubs, subject to certain relaxations, into line with licensed premises in the matter of hours for the supply and consumption of excisable liquor. A wide discretion was given to licensing courts to fix such hours, now known as 'permitted hours,' between 10 a.m. and 10 or 10.30 p.m. for licensed premises. Within these periods the 'permitted hours' are limited to eight or eight-and-a-half hours altogether, and a break of two hours must be made after 12 noon. Certain extensions are allowed in the case of clubs, restaurants, and hotels, to meet the needs of persons requiring meals in the premises. Clubs are also permitted to define their own hours within the statutory limits.

The Intoxicating Liquor (sale to persons under 18) Act of 1923 makes more stringent the provisions of the Act of 1903 against the sale or supply to young persons of excisable liquor, and it forbids the consumption of liquor by young persons in licensed premises. A young person is defined as being under eighteen years of age. This Act applies to England, Scotland, and Wales.

Statistics regarding the prevalence of drunkenness clearly prove that the arrests for this offence in Scotland in recent years have been reduced. I do not contend that this satisfactory feature of modern conditions is an accurate indication of the amount of intoxication prevalent in the country. Indeed, everyone knows that before the police can effect an arrest for this offence, the person concerned, if orderly and of quiet behaviour, must be incapable of taking care of himself, or not in charge of someone capable of looking after him. This prevents the arrest of many people, who in all other respects are fit subjects for detention. On this aspect of the question of intemperance I would quote the remarks of a late eminent Cabinet Minister on the conditions obtaining in a large English city fifty years ago, with the observation that

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similar conditions prevailed at that period in most of the populous centres of the country.

'I have come to the conclusion that for our purpose police statistics are no good at all. As an evidence of this I will mention something with which I am acquainted in a particular English city. On a certain Saturday the number of persons arrested for drunkenness and brought before the magistrates was said to be twenty-nine—that was the total number of drunken cases credited, or rather, as I should say, debited to the town, according to the police statistics. During three hours of that same Saturday night, thirty-five houses in different parts of the town, beer shops, spirit shops, and shops of other descriptions, were watched by different persons appointed for the purpose; and these persons reported that during those three hours 9159 males and 5006 females came out of those shops; and, out of these numbers, of the male persons there were 622 drunk, and 176 females in the same state. There is a total of 798 drunken persons, alleged to have been seen coming out of thirty-five houses in three hours, while the police returns only reported twenty-nine for the day.'

Many remedies are advanced by those interested in the social well-being of the people for the furtherance of temperance. Prohibition is suggested as the one effective cure by zealous temperance advocates. Various countries have introduced prohibition laws and conducted experiments along these lines. America is the outstanding example of the prohibition of the liquor traffic, and it is now publicly stated, after eight years' experience, that it has cost more in money, prison sentences, and lives than the enforcement of any other Federal legislation. Newfoundland, our oldest colony, has repealed its Prohibition Act after mature consideration, and in Norway and Iceland the results of prohibition have been found to be generally unsatisfactory. Canada, also, has reverted to anti-prohibition, with the exception of two provinces. Under the provisions of the Temperance (Scotland) Act, 1913, a poll in 1920 for the creation of 'dry areas' in Scotland was taken. 584 areas voted on the following resolutions, and the results are also given: No Change, 509; Limitation, 35; No Licence, 40.

Polls have since been taken from 1922 to 1927 inclusive, with no more successful result from the temperance advocate's point of view. It is doubtful, provided it is effective, if this

method of introducing a form of prohibition piecemeal in different parts of the country has anything to recommend it. 'Wet' areas abutting on 'dry' areas, with cheap and regular transport connecting them, disorganize the communal life of both districts, and there is little decrease in the number of those taking intoxicants.

'Disinterested management,' as exemplified in the experiment conducted in the city of Carlisle, continues to attract interest all over the country, and organized efforts are made to further this form of liquor control. The Carlisle test has not, however, been successful in the years subsequent to the War in materially reducing the number of convictions for drunkenness, but as I have already stated this may not be a true reflection of the amount of intoxication in the area. 'Disinterested management' has much to commend it, in so far as the managers of the various public houses have not the same incentive to encourage the consumption of alcoholic beverages as others trading for their own profit, nor does the same trade competition prevail. 'Disinterested Management' removes the manufacture, sale and supply of liquor from private ownership, and conducts it in the public interest.

Sweden is the primary initiator of 'Disinterested Management,' which was established in 1865. The Gothenburg system eliminates private interest, and the profits from the sale of liquor belong to the state or municipality. This system is now being gradually superseded by other methods on similar principles.

There is little doubt that public opinion is steadily advancing in regard to the more moderate use of alcoholic liquor. Additional facilities for sport and recreation are also instrumental in promoting temperance. The restrictions imposed on the sale of alcohol during the War were convincing proof that the increased cost of drink, the hours of sale, and the question of the dilution of spirits materially influenced the amount of liquor consumed. Probably the most active agent for diminishing drunkenness would be the strict regulation of the strength of all distilled alcoholic liquor used as beverages, and by this means greater progress would be made in the amelioration of the evils of the drink curse than probably all

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the temperance legislation that has been enacted. Temperance is becoming more noticeable as the result of high taxation, reduction in hours of purchase and sale, and the dilution of liquor; and it is a question as to whether or not national drinking would justify further restrictive measures along the same lines.

The following figures, which have been compiled from an authoritative source, indicate the progress that has been made in reducing the number of licences in Scotland for the sale of liquor in recent years:

Year.	Public Houses.	Licensed Grocers.
1923 - - - -	5933	2784
1924 - - - -	5904	2728
1925 - - - -	5872	2692
1926 - - - -	5871	2648
1927 - - - -	5882	2612

During the same period the consumption of whisky in Scotland has also greatly diminished:

1923 - - -	2,757,190 gallons.
1924 - - -	2,641,323 „
1925 - - -	2,532,494 „
1926 - - -	2,453,838 „
1927 - - -	2,099,235 „

The connection between intemperance and crime cannot be proved conclusively by statistical references, although it is contended that the connection of over-indulgence in drink and the commission of criminal acts can be traced to some degree, but this is more marked in petty offences, *e.g.* breaches of the peace. Serious crimes, or crimes which are a real menace to society, are not usually carried out by drunkards, but are more often committed by persons actuated by a desire for gain, or for revenge. The comparison of statistics shows that drunkenness and crime do not vary in relation to one another.

Statistics compiled show that America's experiments in this direction since 1920 have not been productive of the good results anticipated so far as serious crime is concerned. How-

ever much one may desire to abolish the evils of intemperance, one is not impressed with prohibition as a means towards that desirable end. Drunkenness is often submitted as the primary excuse for criminal acts, but it must not be too readily assumed that the mere taking of liquor is the cause of the particular crime. The plea is frequently made in the hope that it will be accepted as partially condoning the crime. The majority of cases in our police courts are due to over-indulgence in intoxicating liquor, but these mostly refer, as I have stated, to petty offences. Domestic discord may almost invariably be attributed to this cause, and in cases where the wife is a victim of insobriety it involves a complete lack of parental control, with all its disastrous effects, on the children.

The reason for the commission of crime is one of the most perplexing and incomprehensible of our social problems. Its intricacies and perplexities are more complicated than is generally imagined, and its entire solution is probably beyond the wit of man. We need only observe what are commonly recognized as the usual concomitants of a career of crime to note how true this is. Crime is mainly created by one or other of the following causes: destitution or poverty; unemployment; bad environment in youth; and, to a less extent, bad housing; and climatic conditions.

Crime will not be eradicated by the application of any single specific, and punishment, although it may check, will not of necessity prove a cure. Destitution is not wholly responsible, as the well-to-do are not immune from criminal instincts any more than the poor. Crime is, moreover, frequently the outcome of physical and mental weakness which militates against the struggle for existence. Trade booms and material prosperity in commerce are also accountable for increased crime statistics, more particularly of the miscellaneous and petty variety. Augmented wage bills, instead of ensuring increased home comforts, occasionally mean bouts of drunkenness, wife-beating, assaults on the police, and acts of violence. Criminals will always, I am afraid, be part of the general community, particularly in large centres; and the subjugation of crime will only in the long run be attained by the careful upbringing and welfare of the young. Conduct is

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the product of character, and the home is the dominating factor in moulding it.

In the compilation of judicial statistics for Scotland by the Prison Commissioners, crime is divided into six classes, viz.:

Class 1—Crimes against the person, which include:

- Murder and attempts to murder;
- Culpable homicide;
- Assaults;
- Assaults on officers of law;
- Assaults by husbands on wives;
- Intimidation and molestation;
- Cruelty to children;
- Procuring abortion;
- Concealment of pregnancy;
- Incest;
- Unnatural crimes;
- Rapes and attempts to ravish;
- Indecent assault;
- Lewd and libidinous practices;
- Criminal Law Amendment Act offences;
- Bigamy.

Class 2—Crimes against property with violence, which include:

- Theft by housebreaking;
- Theft by opening lockfast places;
- Housebreaking with intent to steal;
- Robbery and assaults with intent to rob.

Class 3—Crimes against property without violence, which include:

- Theft;
- Reset;
- Breach of trust and embezzlement;
- Falsehood, fraud and wilful imposition;
- Offences in connection with bankruptcy;
- Post Office offences.

Class 4—Malicious injuries to property, which include:

- Wilful fire-raising;
- Culpable and reckless fire-raising;
- Malicious mischief.

Class 5—Forgery and crimes against currency, which include :

Forgery and uttering ;
Coining ;
Uttering or possessing counterfeit coin.

Class 6—Other crimes not in the above classes, which include :

High Treason ;
Mobbing and rioting ;
Perjury and subornation ;
Bribery of voters ;
Indecent exposure.

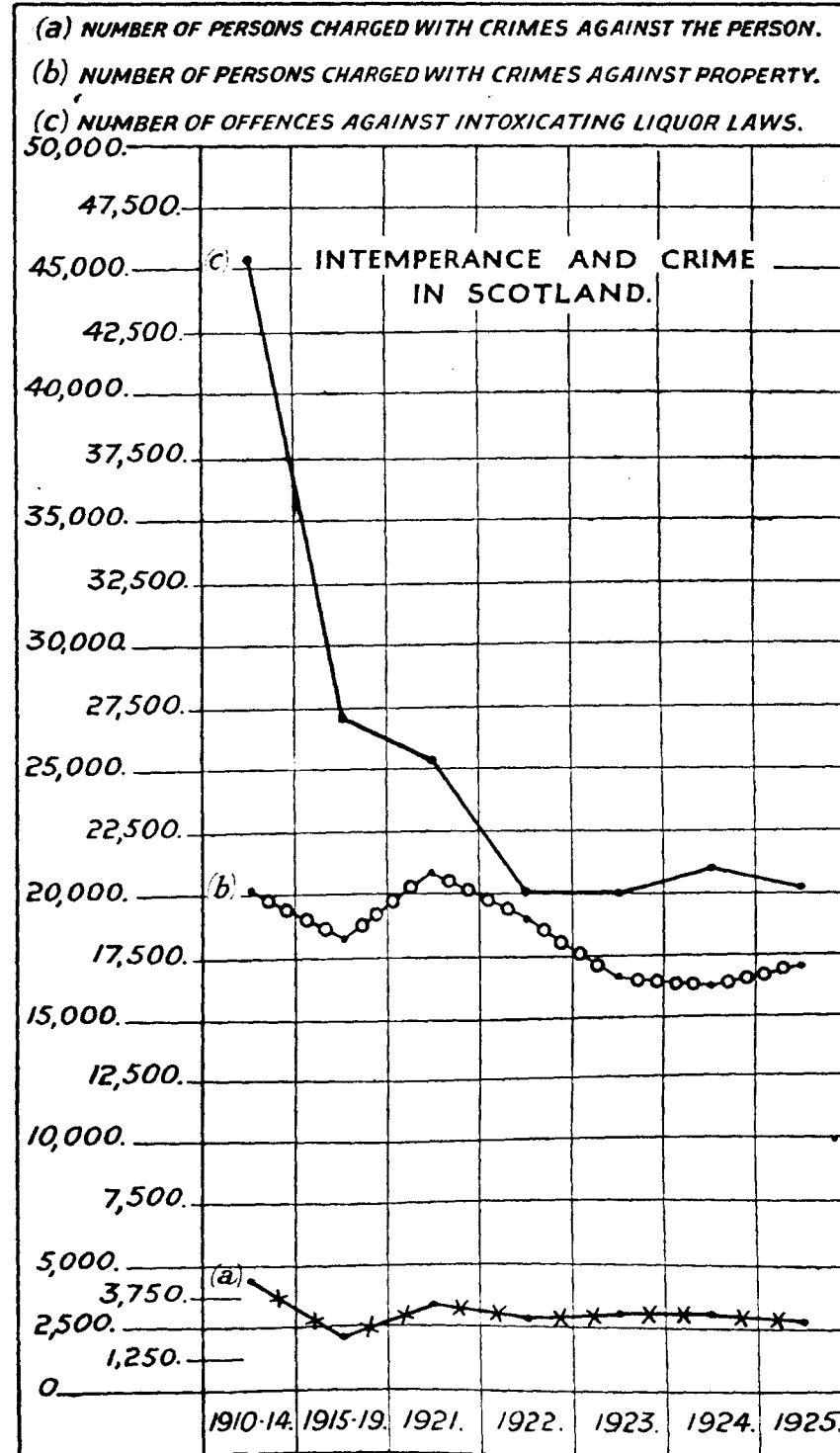
In very few cases can it be said of the persons committing these crimes that the excessive use of alcoholic liquors is the contributing cause. They may be, and possibly are, addicted to drink, and the proceeds of their criminal acts may be squandered on the purchase of liquor ; but intemperance, although frequently associated with crime, is not as a rule the principal cause which prompts its commission.

In the classes of crime enumerated above, drunkenness may be said to be a contributing factor in

Class 1—Cruel and unnatural treatment of children,
Class 1—Serious assaults,
Class 1—Assaults by husbands on wives,
Class 1—Unnatural crimes,
Class 1—Indecent assault,
Class 1—Lewd and libidinous practices,
Class 6—Indecent exposure.

but statistics show that these are a relatively small proportion of the number of criminal offences. More than 50 per cent. of all crimes known to the police come under Class 3, with which admittedly drunkenness has little or no connection.

Lord Salvesen, a former Senator of the College of Justice in Edinburgh, in a lecture on *Problems of Drunkenness*, expressed the opinion that there was an undue exaggeration in the language of those who connected crime with drink. Speaking as one who had a very large experience in dealing with criminals, he said that deliberate crime, which was always



the most serious from a moral point of view, was not generally associated with drink. An ex-officer of high rank in the English police service also in the same connection said :

' There is no relation between alcohol and crime in England, and when I say that, I mean serious crime, felonies, not misdemeanours ; the offences that constitute real danger to society. It is the habitual criminal who wars with society. Our experience is that the habitual criminal does not drink.

If that statement is correct of the English criminal, it is no less true of his Scottish comrade in crime.

The graph on the previous page, based on the Criminal Statistics Return compiled by the Prison Commissioners for Scotland, for the year 1925, indicates, for the period 1910-1925, the rise and fall of the number of persons charged with (a) crimes against the person, and (b) crimes against property, and also (c) the rise and fall of the figures for drunkenness. As far as these statistics go, there does not appear to be any general harmony between (a) and (c), nor between (b) and (c).

Witchcraft and its Effect on Crime in East Africa

By F. PEACOCK

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THE enormous effect that witchcraft plays on crime in East Africa is seldom understood. One occasionally hears of cases in which a witch-doctor has been caught with his charms and is charged for possessing them, but little is actually known of the far-reaching effects of this craft on the native mind. Natives are naturally prone to superstition, and anything suggested to them by a superior mind is readily accepted. A witch-doctor holds a very exalted position, inasmuch as he inherits his powers ; thus other members of the community are precluded from gaining his knowledge.

There are two kinds of native doctors :—*Mganga* (or medicine man), and *Mchawi* (or witch-doctor). The former can be described as a herbalist, although he invariably uses charms, such as a calabash containing cowrie shells and stones to help him in his diagnosis. He will give medicine and treatment ; and should these fail to cure the patient, will tell him that ' far away ' he knows of a charm that will cure this sickness, but that it will cost a lot (possibly three sheep or goats), for it will have to be obtained from another man—thus introducing the real witch-doctor. This leads us to the fact that the so-called medicine man is the intermediary, and as such is a menace in any district.

The *Mchawi* or witch-doctor uses no medicines, but employs powdered charcoal, red earth, bits of stick, animals' bones, human hair, bucks' and goats' horns, also necklets and bracelets made of string, attached to which are certain charms sewn in pieces of goat-skin. He also uses a calabash containing cowrie shells for the reading of signs. Witch-doctors establish

themselves, if possible, in districts at times when such things as drought, cattle disease or infantile mortality are causing uneasiness amongst the natives. These are put down to evil spells, which the natives look to a witch-doctor to remove.

Having decided upon a certain locality, the witch-doctor takes up his abode within it. The inhabitants build him a hut in a slightly isolated spot, while the people of the surrounding village make him presents of grain and native beer. One can often pick out their homes by the fact that one dwelling hut stands with several small granaries round it, yet no cultivated land can be seen for some distance. In these granaries he stores his grain against lean days. Even in bad years when crops are poor, the witch-doctor is usually well supplied, for if not, he will threaten to leave the district, or place his evil spell over it; and so he stays on until nature in the course of time brings prosperity, for which he takes all the credit.

One method of procedure from my own experience in 1925 was as follows. Sickness was prevalent amongst the children of a certain location. The local *Mganga* (or medicine man) and his treatments failed, so the witch-doctor then appeared, and by sorcery attributed the malady to the evil workings of a certain woman whom he did not name, but by suggestion conveyed to the mind of his consultant. He then gave out charms to be placed near the entrance of the suspected person's home. This having been done, the person responsible watched carefully, only too prone to misconstrue her most harmless actions, and soon became thoroughly convinced that she was the offender. The sickness in the vicinity continued, and eventually the death of the child of the aggrieved person brought matters to a climax, when he openly denounced the woman. All the parents of the sick children were in sympathy and supported his theory; so they decided to kill the evil-doer, who was a widow with no one to defend her. She was caught and tied up in an isolated spot near a village path. All natives passing by realized the meaning of her plight, and struck her. The exposure, lack of food and drink, together with the many blows received, resulted in her death, yet no one person may be said to have actually caused it. The police were then called

in by an European settler, who had been told by a native of another tribe who had seen the body.

On the arrival of the police all the natives were dumb; not one of them would dare to volunteer any information, as all were guiltily conscious of having struck the deceased. As there were no signs of robbery or rape or enmity, this immediately made the crime appear motiveless; and without some knowledge of witch-doctors and their methods, the police would never have been able to investigate this case. For even should the person who ordered the woman to be tied up be traced and charged, he will not speak against the witch-doctor, nor can he truthfully say that he was told to indicate this particular woman or to kill her, as it is all a matter of suggestion on the part of the witch-doctor. Witch-doctors seldom if ever attribute sickness amongst people or stock to natural causes.

Another example of the evils of witchcraft may be seen in stock theft cases. The would-be thieves invariably visit a witch-doctor and obtain charms before stealing stock. These are supposed to make the wearer invisible and immune from harm; and he believes implicitly in them, committing the most audacious thefts under their influence. Should he be arrested on suspicion, he will deny all knowledge and speak most convincingly, showing no signs of fear or nervousness until such time as the charms are taken from his possession; then he will falter and, under close interrogation, admit the crime. In a district where there are numerous stock thefts, it is most necessary for the police to look out for the distributors of such charms.

I remember on one occasion getting news that one of them was on a farm, as a so-called labourer. He had been issuing charms to make men invisible, to enable them to steal with safety; but, unfortunately for the thieves, the police caught them actually with the stolen stock in their possession, and they were convicted. As a result, they were thoroughly disillusioned about the witch-doctor, and stated so to a fellow convict. Through this source we got clues, and when the witch-doctor's hut was searched, we found numerous medicines and charms in a lion-skin bag. The man was charged with practising witchcraft and with possession of fetish and charms known to cause

fear or annoyance to persons, and was sentenced to two years' imprisonment, and deported from the district. He smiled knowingly at me on his way to prison, and said he was not the only one of his trade, and that all secrets were handed down. That set me thinking, and eventually another member of his family was caught who was actually in possession of sheep which had been stolen years before. These sheep he kept quite near to the place whence they were originally stolen, and it is my belief that the owner of the stolen sheep was too frightened to accuse him until he saw that the police had placed the big witch-doctor inside a jail: then and only when that particular family had lost prestige could he pluck up courage to speak.

On another occasion a man known to be of the witch-doctor class was interviewed, and it was explained to him that he had no right to be out of his Reserve, as all such were naturally objects of suspicion. It was put to him that he could work good or evil; that if he worked good by indicating those who had received charms to enable them to steal in safety, he was helping the Government; but that otherwise he was a menace. He took a month to think this over. He then turned up and said casually that the cattle stolen from so-and-so could now be found with such-and-such a person, and the stolen goats of another man were now with the brother of the thief who was living at such-and-such a village. We followed this information, and convictions followed.

Another aspect of this subject is the effect of a curse by a witch-doctor on a native. One may liken it to the Harley Street specialist of fiction who gives a decision on a hopeless case, telling the patient that he has three months to live. In 1926, there was a case in the Eldoret district of a Masai native who had made certain suggestions to a woman whom he had met on the road. She refused his requests, and he cursed her, telling her she would die before the moon was finished. Her sister was present at the time of the curse and told the police that the spell had already started to act, as her sister was now prostrated. The sick woman was taken to hospital and medically examined, but the Medical Officer could find nothing radically wrong with her; she had merely been suffering from fright. She was kept under observation, the witch-doctor was

arrested and a remand obtained for the purpose of noting how the woman's sickness developed. Within the month she died. Her vitality just faded away. We proved our case against the man, and he was sentenced to five years' imprisonment for practising witchcraft. He was the most repugnant man I have ever seen. Both his forearms were withered and he had only the fore-fingers on each hand. He stood about six feet high and kept muttering to himself, but he was by no means insane. His eyes were like live coals and he had a way of staring at people and pointing with his only two fingers at them, which in itself conveyed fear.

In 1918 a Lumbwa native, one of a large pastoral tribe whose Reserve is in the Highlands of Kenya Colony, was brought to me and stated that he was bewitched and dying. I saw that he was in a very bad state. His temperature registered 104, he was gasping and trembling, and his body was burning to the touch. It appears that when he awoke, he had found a dried frog fixed to a piece of string in the form of a necklace placed round his neck. A frog to the Lumbwa is absolutely taboo and it was quite sufficient to cause him to believe that he had an evil spell placed on him. After a little interrogation as to how the frog had been placed in its present position (since nobody had removed it), I had reason to suspect that a native of another tribe had played this trick out of spite, knowing what a fright it would give the man. I sent out and had the suspect brought to my office. He was a Maragoli native: men of this tribe are agriculturists, and live near the Victoria Nyanza. I took the frog from the sick man's neck and handed it to the suspected man and simply said: 'What do you call this in your language?' He, quite innocently, took the frog from me and held it without fear. This confirmed my suspicion, so I tackled him as to his feelings in regard to the sick man, and it transpired that jealousy existed between them over a woman. Then I said: 'But why put a frog round his throat, as frogs cannot bite?' To which he answered promptly that the Lumbwa were very frightened of them. There was now no doubt of his guilt, but the nearest Magistrate was 40 miles away and there was no means of transport, and the sick man was quite unfit to

travel. As the case was one for quick action, I decided to try to convince the Lumbwa that the spell would be removed. I told the Maragoli that he did not fear frogs and that this frog was his, therefore he was to eat the same in front of the Lumbwa and thus remove the spell. The sick man was asked if this would cure him and he said 'yes,' but that the man would not dare eat it. I then dared the Maragoli to eat it, and after making a grimace he started to do so, taking a small piece at a time and chewing it for a long period. Eventually he consumed the lot and the Lumbwa's face was a picture to see. His eyes nearly came out of his head. I took no further action in the matter except to order the parties concerned back to their work on an estate near by, with the exception of the sick man, whom I kept for an hour and then took his temperature again, which had fallen to 99°. I told him to sleep at the constables' quarters for the night and that I would see him again in the morning. Next day, he was normal, and full of good cheer.

In 1924 I again had occasion to realize the power of charms and their menace to law and order. This was in Jubaland amongst the Somali tribe, who are fervent, if not strict, Mohammedans. Certain tusks of ivory were found, and it was said that they were thrown down by the Somalis who were being chased by the police in the dark. One man aiding the police in the chase actually grabbed another whom he saw drop one of the tusks of ivory. He was stabbed by this other, but owing to the darkness could not be certain of the identity of the Somali; he said, however, that he would know him by his clothes. This was practically useless, as the clothing worn on the coast of Kismayu (which, I may mention, is now Italian Territory, having been ceded to Italy in 1925) consists simply of a *kikoi* or loin cloth and a large *shuka* or shawl wound round and over the body and across the shoulders. Most of these articles of dress are of a stock pattern and may be purchased at any Indian or Arab shop in the local bazaar. The suspect, however, was arrested on the identification of the wounded man and two native constables, but, when they were interrogated, it was evident to me that they were none too sure of their man. I had him searched and placed in the lock-up with a view to obtaining more information. I felt sure that



A KAVIRONDO WITCH DOCTOR

other Somalis had seen this man running from the police, yet, knowing the tribe, I had little hope of their assistance in the matter.

The next day he denied all knowledge of the affair, and was willing to bring other Somalis to prove an alibi. It suddenly dawned on me that most probably the thief would have obtained a charm before he attempted to steal or poach ivory; so, acting on this supposition, I thought it would be as well to have him searched again, and also to examine carefully his property taken on the previous day's search. The sentry on duty at the cells was ordered to search the man again. While watching the process carefully, I suddenly saw a strange movement by the sentry (a Somali constable), who was standing behind the prisoner. I said nothing, and when the sentry reported no property on the man other than his loin-cloth and shawl, I had him returned to the cell. Later I entered and searched him myself, and in the folds of his loin-cloth found a charm which consisted of a piece of young calf skin on which were squares. In each square was an Arabic figure or word, and round the edge of the skin were lines written in Arabic. When I took this away from the prisoner he began to tremble. I then brought him into the office and interrogated him: he soon became hopelessly muddled and lost all his former bravado. I was convinced in my own mind as to his guilt. On the day of trial he was finally identified by his clothing, but the evidence against him was slight. When however, he was asked if he pleaded guilty or not guilty—he at once said 'guilty,' and was therefore convicted.

I still hold this charm, and a photograph of it is reproduced opposite. On endeavouring to obtain a translation of it from several Arabs at Kismayu, each told me a few words but they then said they would have to take it to their houses and study it. I knew this meant that they would keep it and that later they would tell me they had mislaid it or arrange for its theft, so I hid it amongst my kit. The Somalis told me that it would bring me bad luck, in the hope that I would give away or destroy it. I still have and hold it, and trust that its photograph will not bring bad luck to *The Police Journal*!

Some people consider that witchcraft is a thing of the past



THE SOMALI CHARM

and that the advance of civilization in the African colonies has caused it to be no longer a menace. This I think I have proved to be incorrect. I have quoted incidents that have happened right up to 1926 in Kenya Colony, and I will now go back to 1912 in Southern Rhodesia and quote a case that I personally investigated in the Matoppo Hills. I was on a long patrol, making towards a hill named Tabas Ikomba, which means the hill not to be pointed at. Owing to the intense heat, I was travelling by moonlight. About 11 p.m. I decided to camp, and then noticed an unpleasant smell near by. On investigating the cause, the dead body of a native woman was discovered. My camp staff was composed of a local watchman and a small boy, my kit being on a pack mule.

The body was not far distant from two or three villages; these I noticed were surrounded by high fences composed of poles stuck in the ground side by side to a height of about eight feet, presumably to prevent leopards from entering to catch the stock. I entered the villages and promptly decided to arrest all the male adults and so ascertain who was responsible for the woman's death, as from my cursory examination I considered she had not died a natural death. In all eleven men were arrested after a great deal of trouble, several showing fight, one in particular I remember striking at me with a knobkerry as I was stooping to enter the palisade outside the hut. Luckily, the African constable thrust his rifle through the fence above my head and thus averted the blow, saving me from a very nasty crack.

I explained to the men that all that was required of them was to say how the woman met her death and why she had not been buried. To my surprise, they replied: 'We killed her, she was a witch.' On asking for details, it transpired that the woman (whom I judged was about forty years of age) had been casting the evil eye on the young women who were pregnant in that locality by laughing at them, glaring, pointing and saying 'You a mother, never!' The fright thus given by a woman of evil reputation had been sufficient, and no children had been born in that locality for two years.

The men put their heads together and decided that the only thing to do was to kill the witch. This to them was a

very knotty problem, as according to tradition, witches are immune from poison, and whoever kills one, or sees his or her blood, will likewise become bewitched. So they decided that they would have to kill her without touching her with their hands and without spilling her blood. They each cut a long thin stick and called on the woman to come out of her hut. She, unsuspectingly, did so; whereupon they surrounded her (eleven men in all) and started to beat her with the sticks. They went on beating for two or three hours until she fell unconscious and later died of exposure.

When I discovered the body, it was in a state of decomposition and covered with small wales. On searching, I also found the eleven sticks all frayed at the ends. I went to the body to examine the wounds so as to ascertain the cause of death, and in doing so touched it: the men saw this and tried to escape. The native constable shouted to them to stop. They said I was bewitched and must not go near them. This was distinctly awkward, as I had to get the accused persons to the police station, which was about forty miles away and over a rough track in a hilly country. I sat down and called on them to do the same, and we spoke to each other from a distance with the native constable between us. After a lengthy conversation, it was decided by them that they could remove the spell from me in blood. I was not feeling at all happy at this suggestion; but it was explained that no harm would come to me, and I had to be content with this, or else lose my prisoners; so I decided to see it through. They told me to go and sit at the foot of a round rock, which was about five feet high. I did so, and they then scraped a small trench round me, that is, from the foot of the rock round the front of my body back to the foot of rock on the other side. A big black goat was then produced from the village and dragged up to the top of the rock and a sacrifice made. The poor beast was bled to death by having its throat cut; and as the blood gushed out it fell on the rock and ran down the side into the small trench made by the men. When the blood had entirely surrounded my body the goat expired, and the eleven men joined hands and danced round me naked, chanting in a language I did not know; then suddenly they broke up and

rushed for the goat and pulled it limb from limb. They then thrust the raw meat into the flames of a fire, and when it was dry on the outside ate it; then all lay down to sleep round the fire. The constable and I had then to guard them till sunrise. I took first shift, and very thankful I was when the constable relieved me. Next day, we started for the police camp, and on arrival, the men were charged with the murder of the woman. They pleaded guilty, and at the Bulawayo High Court, in November, 1912, all eleven were sentenced to death; but this was reduced afterwards to imprisonment for life. The jury made a strong recommendation for mercy, as it was proved in evidence that they had not had dealings with white men before and did not understand their laws, and that they did the only thing they thought possible to stop the witch from killing all unborn babies.

This again shows how witchcraft affects crime. The woman in the case had a husband, yet nothing was said against him by the people and no blame laid on him at all. Nevertheless the woman was his property and had been purchased by him for several head of cattle, according to local custom. I remember seeing this old man during the investigation of the case and he was really very concerned about the death of his wife, as he said he wanted to get his *labola* (dowry) back. No children were born of this marriage, which may have been the reason why the woman was so bitter against the pregnant members of her sex.

Witchcraft is punishable under the Kenya Witchcraft Ordinance No. 23 of 1925 as follows:—

Section 2.—Any person who holds himself out as a witch-doctor, or able to cause fear, annoyance, or injury to another in mind, person or property, or who pretends to exercise any kind of sorcery or enchantment calculated to cause fear, annoyance or injury, shall be liable to imprisonment for five years.

Section 3.—Any person professing a knowledge of so-called witchcraft or the use of charms who shall advise any person applying to him how to bewitch or injure persons, animals or property, or who shall supply any person with any article purporting to be a means of witchcraft, shall be liable to ten years' imprisonment.

Section 4.—Any person who of his pretended knowledge of so-called witchcraft shall, with intent to injure, use or assist to use or cause to be put into operation such means or processes as may be calculated to cause fear, annoyance, or injury in mind, person or property, shall be liable to ten years' imprisonment.

Section 5.—Any person who is in possession of a charm or other article usually used in the exercise of witchcraft, sorcery or enchantment, for the purpose of causing fear, annoyance or injury to another in mind or property and who fails to show reasonable cause why he should retain such charm, shall be guilty of an offence and liable to one year's imprisonment or a fine of Shs. 1,000/- or both, and the charms shall be forfeited.

Section 6.—Any person who accuses or threatens to accuse any person with being a witch shall also be liable to Shs. 500/- fine or imprisonment up to five years.

Section 7.—Any person who employs or solicits any other person to name or indicate by use of any non-natural means any person as the perpetrator of an alleged crime shall be liable to a fine of Shs. 500/- or imprisonment up to five years.

These sections are quoted in detail as an indication of what the Africans do, and I emphasize the fact that in East Africa witchcraft does play an unfortunate part in relation to crime.

The most trivial things of life when narrated to a witch-doctor are assigned by him to unnatural causes and to mysteries unknown to those outside his craft. And as the African in this Colony is so credulous, the most innocent are often blamed and even killed for offences of which they know nothing. The witch-doctor's power is enormous; and his pseudo-hypnotic influence rouses natives to actions quite unreasonable, illogical; and utterly without rhyme or reason, resulting in death, stock theft, suicide, and crimes with which no police officer can ever deal successfully, unless he has made himself fully cognisant of witchcraft and its adherents.

Cargo Pilferage and the Police

BY THE CHAIRMAN OF THE PILFERAGE COMMITTEE OF THE
CHAMBER OF SHIPPING OF THE UNITED KINGDOM.

THE conjunction in the above title of police with pilferage is by no means sinister, but right and appropriate. It represents opposing forces, as in the children's game of oranges and lemons, or as in the weather gauge, in which when the old lady comes out the old gentleman goes in. If this objection to the collocation be overcome, there may still be another on the score of the word 'pilferage,' which some say is not an English word. It has been in common use in the shipping trade for many years past, and has become well known wherever the English language is used, since the pilferage agitation was started by British shipowners in the year 1922. Our Australian friends are perhaps, in this, more pedantic, and have stuck to the word 'pillage'; but they have their different uses of words 'down under,' and to an English mind, 'pillage' denotes an association with war, incendiarism, riots, and other wild actions of a multitude, conducted on a grand scale. To pilfer goods is a mean, petty, secretive act, on whatever scale it is done. It is doubtless true that if pilferage is not checked, something very much like pillage is likely to develop, but the man who pilfers is not likely to be the bold rascal who pillages.

It should be mentioned here that the writer has no experience, either theoretical or practical, in police matters. He has had considerable experience in dealing with pilferage, but, so far as the police are concerned, only up to the point at which such cases are put into their hands.

The private history of pilferage probably goes back to the very earliest days of the carriage of goods by sea; but in those days when the owner of the goods travelled in the ship, and the quantities of cargo were small, it was a comparatively simple

matter to check any thieving propensities. In later years, the duties of the supercargo were mainly concerned with the buying and selling of the cargo, but also must have included the prevention of claims. With the disappearance of the supercargo, the prevalence of the owner-master maintained throughout the transit of goods a personal interest in preventing claims, which not only reflected against his capacity as master, but also injured his pocket as owner. During the lifetime of most of those at present in charge of the shipping trade, the owner-master has practically disappeared, and even the next generation of masters is quickly passing away, men who made their ships their homes and regarded them with devotion. Modern developments of shipowning now involve much more frequent changes of masters and officers, and the loss thereby is by no means only sentimental. As has been found in the evolution of all other trades, the diminution of sentimental ties always involves some practical disadvantages, as a set-off against the undoubted improvements achieved by progress.

To take a simple instance affecting the question in hand. In the days when a master and his officers spent long years in the same ship, they knew every nook and cranny in her, and if some mysterious theft arose, they knew exactly what characteristics of the ship would lend themselves to the circumstances of the theft in question. They would know the exact relation and dimensions of the upper and lower ventilators, and to what extent it would be possible for human beings to get down them. They would know the details not only of the main hatches, but of every other little opening and escape hole to which a would-be robber might turn as a means of access. They would know precisely where there were wooden bulkheads that might be penetrated, and steel bulkheads which could not. They would know whether these wooden bulkheads were safely away from all possible access, or whether they could be approached, say, from a store-room, or a peak, or elsewhere. To-day, a ship is such a large and complex structure, and subject to so many variations in these details, that a master and his officers are frequently unacquainted with many of them, and even if they may become wise after the event, they have not that foreknowledge which

would enable them to take precautions against the event happening.

Again, the ships even of regular lines to-day find themselves much more frequently at unaccustomed ports than of old, and however well disciplined the quartermasters may be in regard to scrutiny of all persons coming on board, the practices and conditions at different ports vary so frequently that at some unaccustomed port the very efficiency of the quartermasters may provide a loophole whereby undesirable visitors can get on board unseen. It needs no accusation of greater laxity than their predecessors against present-day masters and crews to warrant the statement that the conditions of to-day afford much greater facility for pilferage than of old; circumstances are now more against them.

The conduct of business to-day, and carriage of goods by sea included, is based to an almost inconceivable extent upon good faith. The element of trust pervades every action, so that in a large measure precautions that would be essential where trust was absent are dispensed with for the sake of economy and expedition. Tallying and supervision are reduced to a minimum where the circumstances of good faith show that they are an unremunerative expense. It was the existence of this state of affairs, so satisfactory in normal times, that gave such scope for the development of 'scrounging,' a habit which became common during the War. 'Scrounging,' like many other things brought about by war conditions, is subversive of the arts of peace; but the individual who acquired the habit did not immediately appreciate this distinction when he was demobilized; and when he found, on returning from the war, that facilities were as great in peace as in war, and that his personal needs were greater, it is hardly surprising that he continued to indulge the habit. Indeed, it took the public several years of post-war conditions to realise the situation.

Shipowners may take credit to themselves that they were among the first to devise and take systematic action to eradicate the malignant growth. At first they, like everyone else, applied the surgical method: they endeavoured to cut it out of their system. For some years after the War, while the evil was increasing in a geometrical progression, everybody was

engaged in passing on his pilferage claims to someone else. Little effort was made to check the growth. The shipper of goods who was accustomed to forward all claims to his underwriters, was required first to claim from his carriers. He soon found that the bye-laws of the railway companies appeared to admit of their paying no claims whatever. They proved to their own satisfaction that they had passed the goods to the shipowner. The shipowner, in like manner, endeavoured to prove that they had been lost by the wharfinger who held the goods between delivery from the railway and delivery to the ship. If that plea failed, the shipowner then endeavoured to prove that whatever he had received he had certainly delivered at the other end; and at the other end of the voyage the same game was played, the claims being bandied to and fro from one to the other. But all Rugger players know that passing forward doesn't pay; and so it occurred at last to the shipowners that passing forward was bad policy, and that instead of seeing how far claims could be pushed on, it would be more expedient to see how far they could be pushed back, until they were traced to the actual perpetrator of the deed.

The unpardonable sin with a ship's agent is to detain a vessel; but so serious were the claims by the end of 1921 that, in spite of the extreme value of tonnage, shipowners began to instruct their agents that they must even detain a ship, if thereby the evidence of the officers could be used to secure the conviction of any party in connection with theft which had happened at that port. Up till this time it had been easy for thieves to operate in broad daylight, knowing that the witnesses against them could not be detained in the port, since the ship was obliged to sail immediately.

To enable the reader to appreciate to what a pass things had come, a few facts may be stated:

In some Australian ports claims on goods paid by shipowners amounted to twenty shillings per ton of cargo discharged, including in the cargo everything, whether damageable or pilferable or not. A steamer leaving New Zealand, where the cargo had been discharged from the 'tween decks, had six inches of litter, consisting of empty cartons over the whole length of those 'tween decks, the contents having been abstracted.

On one occasion a master reported to his owners that at Fremantle the men working in the holds objected to the officers superintending their work, and refused to go on working unless they were left the liberty to pilfer anything that took their fancy.¹

At Sydney, damaged goods were put into a special lock-up in the shed, under the charge of the Customs; but it was found that a case that had entered the lock-up with one package missing, would perhaps next day have fifty packages missing. When the agents, wishing to help, installed their own watchmen at the lock-up throughout the night, the men refused to continue working.

In New York, a whole truck load of hides disappeared from a cargo that had been placed untallied on the pier. At the same port, an officer loading large cases supposed to contain motor-cars observed flies swarming round a corner of a case. An examination showed that instead of a motor-car the case was full of stable manure. Investigation showed that several cases similarly filled had already been stowed in the ship.

At Bombay, a number of cases supposed to contain new motor-car tyres were being discharged when one was dropped and broken, revealing the contents to be a mixture of old and worn-out tyres. An examination showed that the rest of the consignment was similarly falsified.

In Shanghai, in a large consignment of bristles which had been given special stowage in the ship's lock-up, all the more valuable packages of bristles were mysteriously selected and removed without detection.

At Singapore it was all but impossible to load a shipment of valuable tin ingots and to agree that the quantity which had been sent down to the ship had been received by the ship, or, after a correct tally on to the ship had been secured, to keep them safe on board until the steamer got away from the port.

In South American ports, seamen were induced, under promises of a large share of the proceeds, to assist the lightermen in a regular scheme for making away with large quantities of cargo. On arrival of a lighter at the Custom House after

¹ In November, 1928, *Lloyd's List* reported a strike at Boulogne because the dock labourers demanded a distribution of sugar in addition to wages, in lieu of the illicit collections from stock bags hitherto taken, but objected to by the employers.

some of its contents had been made away with, the Customs officials, who were in the scheme, would be informed of what had been done: the seamen would be convicted and thrown into gaol as their share of the plunder, and the Customs officer and the lightermen would share the proceeds, including the fine earned by the Customs officer for detecting pilferage.

In London, an officer's attention was drawn to the light way in which the stevedores were handling some cases which should have been heavy. It was discovered that they were completely empty.

Many of these facts were published in the shipping newspapers at various ports at the time.

The foregoing show the kind of thing to which the shipping world more or less suddenly awoke in the years 1921-1922. Prior to the War, shipowners carrying cargoes of general merchandise were accustomed to meet claims for small pilferages, which would average perhaps £50 on each cargo carried; individual claims seldom amounted to more than about £1. After the War these claims multiplied exceedingly, until one large concern trading in many parts of the world, discovered that on every outward cargo from Europe or the States they were paying claims that were never less than £2,000, and on every homeward cargo not less than £1,000. The difference between outward and homeward cargoes was due to the fact that the homeward cargoes contained fewer manufactured goods, and therefore fewer tempting items ready for use.

To come to present-day conditions. The first thing to be noted is that, whereas in the past pilferage was of a private character, not known beyond the limits of those immediately concerned, the current records include many of a public nature. It will be seen from what follows that publicity has been one of the most powerful weapons, if not the most powerful weapon, in the war against pilferage during the last few years.

While shipowners, then, were becoming acutely conscious of the unprecedented claims which they were paying, cargo owners were equally becoming conscious of the unprecedented amount of their losses which they could not succeed in

recovering from shipowners. Cargo underwriters also were becoming restive and charging merchants with increased rates of premium. Pilferage had hitherto been one of the unconsidered trifles commonly included in cargo insurances, without materially affecting premiums; but merchants now began to have an uncomfortable time between the shipowners and the underwriters.

A committee of the London Chamber of Commerce decided that the trouble must be laid at the door of the terms of the bills of lading, and requested representatives of a few of the leading shipowners to meet them and discuss the point. The merchants first tried their hand at drafting an ideal bill of lading, which should be both brief and universally applicable and also relieve them of all their troubles; but even with the assistance of the shipowning experts they found the task was beyond them. They probably gained considerable knowledge of the effective utility of some of the most difficult though customary bill of lading clauses; and in the main they were unable to show how such clauses could be dispensed with, without doing the merchants as a whole more injury than if the clauses were left in. In respect of one clause, however, they felt they were on sure ground, namely, the pilferage clause. It was an enormity that shipowners should exempt themselves from responsibility for thieving which took place while the goods were in their charge, whether by their own crews or by other labourers whom they might casually employ. Such an exemption did undoubtedly appear in some bills of lading, but the three representatives of large shipowning interests who were present replied that the pilferage exemption did not appear in their bills of lading, and gave some details of the enormous claims for pilferage which their companies were bearing. They warned the merchants that something would have to be done by shipowners to relieve themselves of these enormous new burdens that were falling upon them, and indicated that already they were taking very strenuous measures, at great expense to themselves, to put their house in order and to discharge the duty which obviously devolved upon them, of providing for the utmost care of the goods while in their charge. They pointed out, however, that their progress in reform was

being seriously impeded by the appalling state of affairs concerning the goods before they arrived at the ship in loading, and after they left the ship in discharging. Claims were being made against ships in respect of losses which it was preposterous to suggest had occurred while the goods were in the shipowners' charge. Cases apparently in good order would be accepted as such; but shipowners had no facility for satisfying themselves that the real state of the contents when received by them was in accordance with the description given by shippers. Consignees who found that the contents were not in order would advance the most insignificant evidence, such as a chip in the case, or a nail of different appearance from its fellows, as proof that the case had not been delivered in apparent good order. The shipowners went on to assert that the position was becoming intolerable, and that unless they saw some signs on the part of those interested in the goods of taking the same diligent care of the goods in transit to and from the steamer as shipowners were endeavouring to take while they were in the steamer, they would have to introduce into their bills of lading an exemption from pilferage, which up till that date they had always refused to do. The pilferage position, the shipowners added, was getting beyond their control, and they could no longer accept such a wide responsibility as prevailing conditions were thrusting upon them. No practicable increase in freights could keep pace with the rapid and enormous increase of claims for loss and damage to cargo.

The result was that the London Chamber of Commerce convened a meeting of all interests, from the manufactory to the ship, and from the ship to the final destination. It was not easy, in the atmosphere that prevailed at that time, to get all the parties together; but the shipowners insisted that, as they had admitted that a great deal of pilferage happened while goods were in their care, which they were endeavouring to stop, it was necessary that all other parties to the transit of the goods should also admit the possibility of theft going on in their sphere, and that no one in the chain of transit should be missing. All must pull together to ensure, not how each could pass his responsibility on to another, but how each could best discharge his own responsibilities and accept his own liabilities

with a view to checking malpractices within his own control. Thus there were assembled importers, exporters, shipowners, bankers, underwriters, railwaymen, carriers, wharfingers, packers, warehousemen, dock police, in one meeting, with the common object of readjusting their previous attitude, of accepting responsibility for what could be proved against themselves, and of elucidating how that responsibility could be traced to the real culprit.

Although the dock police were represented, and were extremely helpful in the proceedings, the public police authorities did not see their way to assist in the committee's work. The detachment of the police is in general perhaps one of their most valuable characteristics; but, in this matter of a thorough-going attempt to concert measures to repress pilferage, the committee regretted that they could not modify this characteristic to the extent of being present at the meetings. Their presence might have averted the charge made by one wit, that after the first meeting of the Chamber of Commerce Pilferage Committee all the new pencils provided for the use of the committee had disappeared!

There is one other category of men whose omission from the committee may have been noted: there were no representatives of Labour. It was very much desired to secure the co-operation of a Labour leader; but it was felt by those who were consulted that it would be an embarrassing position for a Labour man to hold, as in the nature of things the allegations of pilferage were in the main an indictment against Labour. The committee, however, were desirous of avoiding any partiality, and had good reason to recognize that all who were guilty were not labourers. They were fortunate in securing the advice of an important Labour leader in a small private sub-committee, and his help was of the greatest utility. He made it clear that not only the Labour leaders but the great majority of the regular labourers were heart and soul against the practice, and in their own way were doing, and would do, all they possibly could to check it; but the ways of Labour did not lend themselves to the only methods open to the employers. This leader impressed upon the committee that much more important than detecting the man who took a tin of sardines or

a bottle of whisky for his personal use was the detection of those people called 'fences,' who provided a market for goods stolen in quantities more than the thief himself could use. He informed them of a certain tea-shop in London where, every morning, doubtless unknown to the proprietors, but well known to those most interested, transactions in stolen goods were effected. If the 'fences' or receivers could be done away with, the biggest possible check would have been given to the process of thieving.

An illustration in the writer's experience before the War gives point to the Labour leader's recommendation. Just outside the gates of a London dock, a lad was wheeling a barrow containing two big bales of cloth. When accosted he stated that a man whom he did not know had given him a shilling to wheel the barrow to a certain address which he gave. The addressee was able to show that he knew nothing whatever about the goods, nor to whom they belonged. Doubtless it was not his practice to receive advice, in advance, of the goods which came to him. The matter was put in the hands of the police, because the two bales were in fact part of a consignment which had gone inside the dock gates to a ship that was loading. It was a palpable piece of robbery, but the boy was innocent, the addressee was ignorant, and the sender was unidentified, and all the efforts of the police resulted in nothing.

To return to the committee: it pursued its labours with very useful results, making valuable recommendations as to the futility of the great majority of so-called devices against pilferage, which were shown to be in fact devices which assisted pilferage, though not intended for that purpose, and recommending two or three of the devices which did appear to be really valuable after severe testing. Some of these are now amongst the most common practices in packing goods for sea transit. They issued several reports, which are now amongst the standard documents and have frequently been referred to by later committees dealing with similar subjects. As a result of the committee's operations, conviction was brought home to many of those interests who had been represented on the committee. Underwriters began to take precautions against paying claims carelessly which a better scrutiny might have

traced back to their source ; the railwaymen instituted a very thoroughgoing revision of their organization against pilferage ; and so on with the other interests. An amusing aspect of the lesson learnt through the operations of this committee was that the packers, who are admittedly a fine body of men and whose employers would not admit that any theft could possibly happen while the goods were in their charge, assisted the committee in their investigations into thief-proof packages ; and their men demonstrated clearly how an expert workman could readily open and close the most elaborately devised cases within a maximum of ten minutes, without showing the slightest trace of his work.

The next stage which immediately followed was that the Chamber of Shipping, whose members had individually been hard at work on the problem for a long time, formed a committee to deal with their aspect of the problem, namely, while the goods are in the charge of the shipowners. This committee also issued its report, which has become the standard reference work on the subject for shipowners. Perhaps their most important finding was the rediscovery of the simple truth concerning the importance of masters and mates as ever-present representatives of shipowners' interests. The ship's agents at various ports have their owners' interests at heart ; yet they are by force of circumstances subject to much local bias, so that their concern for the broad interests of their owners is inevitably mixed to some extent with their concern to show a clean sheet for their own port. This sometimes leads to one port transferring its troubles to the shoulders of another. The only representative of the shipowner who has an equal responsibility at all ports, whether in loading or discharging, is the captain with his officers. These men have the owners' interests at heart and in hand in a way to which no other representative can pretend. At least they *should* have them in hand ; but one of the discoveries of the committee was that, owing to the natural development of shipping in the piping days of peace, the captain and his officers have been more and more relieved of their actual duties by all sorts of local institutions until, as the Chamber of Shipping committee in the course of their investigations rediscovered, the carrying out of the duties of

loading, stowing, caring for, and delivering the cargo—duties which originally and intrinsically were the work of the ship's personnel—has been almost entirely withdrawn from them. The officers had become involved in so many other duties that it was not easy to arrange for them to get back into close touch with cargo matters ; but in various ways these difficulties were overcome, and the officers learnt to take a greater interest in the way that tally clerks, stevedores, and all others carried out their duties. Various ways of giving them extra assistance were devised, but all were placed under their charge ; and in some steamship lines to-day the officers are given to understand that even more important than navigation, because this has become a comparatively cut-and-dried matter, is the care of the cargo, and its safe and satisfactory delivery—which they find is by no means a cut-and-dried matter.

The report specially emphasized the value of instituting a strict and real tally at every point where the goods are transferred from one set of hands to another, so that, when damage occurred, responsibility was easily fixed. This is an expensive process, but, unlike some other expensive medicine, is a safe cure ; and when the patient is restored to health, the medicine can be reduced or dispensed with altogether. The final report of this committee was issued in January, 1922.

Coincident with this official work, shipowners were doing a great deal of simple but effective work by supplying the newspapers with accounts of pilferage happenings in all the ports of the world. This made good copy and was eagerly sought for and copied from paper to paper in every nation and every language throughout the world. Even the humour of *Punch* was tickled by the pilferage question. This permeation of every newspaper, big and small, with accounts of what was going on did perhaps more than anything to enlighten the public as to the extent of a scandal of which hitherto they had been ignorant.

One of the points of difficulty met by both the committees which have been referred to was the inadequacy of such support as the police were able to give to the efforts that were being made, and the non-deterrent effects of the punishments inflicted by the magistracy. This remark does not refer only, nor even

chiefly, to our own country. The state of things was very much worse in many ports abroad. The special investigator who had been sent to New York to see what could be done there, saw a man walking off a pier with a box of Quaker oats under his arm; after being challenged, the man was taken back to the place whence he had started, where a case was found broken open and one box, exactly like the one he was carrying, missing. On being taken before the local magistrate he was released, because the prosecutor was not able to say that he with his own eyes actually saw the man taking the box out of the case. Some eighteen other similar cases in which the same man prosecuted were turned down on similar lines, and not a single conviction obtained. In London, a superintendent of police who had many cases of theft passing through his hands gave it up as hopeless, because, although the men were frequently convicted, they were only fined £5, which was promptly paid by a subscription from his fellow thieves, the fine being merely a small premium for his freedom to continue the same roguery. Very few of the magistrates could be awakened to the need for doing something other than merely taking a premium from the men for permission to continue.

The Chamber of Commerce committee, when they had concluded their labours, thought it opportune to submit the result to the Home Office, with a view to seeing whether legal methods could not be improved, in view of the facts which the committee had elicited. What they desired from the Home Office was a promise of co-operation from the police. That co-operation would have been valuable was illustrated by an incident that occurred on the afternoon of the interview with the Home Secretary and the head of the police. A member of the deputation, before leaving the City, saw a man of the type of stevedore walking down St. Mary Axe towards Leadenhall Street with a tea chest on his shoulders. A few yards behind him was another stevedore-looking man, carrying nothing, but keeping his eyes about him. When the men appeared to be turning down towards Aldgate, it struck our friend as a curious thing that tea chests should be going towards the docks, carried on men's shoulders, so he asked the policeman on point duty whether he thought the men were

innocent or should be examined. With that he passed on to attend the deputation. A late comer to the deputation recounted that he had seen an interesting incident on his way, of two men and a chest of tea being walked off between two policemen. The men were duly convicted.

Meanwhile shipowners had been continuing their practice of supplying the Press with information regarding pilferage as it occurred all over the world. Nothing more than supplying the facts was necessary. It required no argument and no drawing of morals. The facts spoke for themselves, and editors sometimes found useful matter for a leading article. The public in the widest sense was reached, and the public conscience was roused. The result was that claims paid by shipowners were reduced by ninety per cent. within twelve months, and claims on underwriters, railway companies and others doubtless were also reduced proportionately to the energy they were putting into matters. Underwriters devised a system of making the claimant bear always a proportion of his claims, which gave him an interest in reducing their amounts: naturally also they increased their premiums for the heavier risks they were running. Railway companies took the matter up very thoroughly and revised their arrangements against pilferage throughout their organization. At one or two of the police courts the magistrates took a strong line and saw that the punishments they inflicted were, within the measure of their powers, as effective as possible, instead of being futile as they had been, and as they still remain in so many quarters. It was futile to fine a man £5 when that fine did not cost him personally more than about sixpence or a shilling, the rest being subscribed by his mates; so some of the magistrates began to inflict imprisonment, a penalty which could not be rendered ineffective by distribution.

All these movements so far had been going on in Great Britain, but other countries were not so easily awakened, although pilferage and theft were as rife at practically all ports of the world. Eventually, however, the United States awoke, and after the manner of that nation set to work subscribing huge funds and organizing immense international debating societies to tackle the question; and in their own way they

have since achieved a very great deal in the way of suppressing this crime in their ports. It seemed as if the matter was well on the way to being universally cleared up; but time has shown that although extensive habits of pilfering have been very substantially repressed, and in many respects brought back at least to the pre-war standard, there are still many who have taken to the practice of pilferage as a means of living rather than as an accession to their wages, and that these people cannot so easily be stamped out. They have their elaborate arrangements for stealing wholesale and for marketing their goods; and so, while the many small claims have been almost done away with, the few large claims still persist and make a very substantial blot on the record. It will probably take some years yet before this type of miscreant is driven out of the business.

That shipowners and traders will never be able to rest on their oars regarding pilferage, this tenth year after what has been cynically called 'the breaking out of peace' has made only too clear. Workmen throughout the world are in the main honest. If they are earning a wage they do not wish to rob their employers; but this somewhat negative tribute does not by any means adequately represent the co-operation that workmen everywhere have given in the abatement of pilferage. As suggested earlier in this paper, the circumstances of the case do not favour the leaders openly joining the employers in their movement against pilferage, but that has not prevented the leaders from giving real assistance in their own way. So also with the men. The troublesome minority employ a most dangerous mixture of blatant and secretive methods to dominate their fellow workers, while the latter are more concerned with earning an honest day's wage than with combating the methods of their disagreeable companions. Any open reporting of a pilferer by his companions leads to serious and sometimes to fatal retribution. Accidents sometimes happen in loading and discharging ships, and the honest men have an uncomfortable feeling that they are specially liable to accidents if they are suspected of giving away their neighbours. Where, however, the gang are working fairly regularly for one employer, they can usually find means secretly to call the attention of the

employer to the behaviour of a companion who does no credit to their gang. The securing of this good service from the men depends largely on whether the employer has by his general treatment secured their good will. As an example of what can be done in this way, a remarkable reform has taken place during the last five or six years in the port of Seattle on the Pacific coast, so that the port, from being reputed about the worst in the world for nefarious practices in all shipping operations, has now a well-organized service of labour, which, in full co-operation with the employers, has constituted a body of men who give the best of service and receive the best conditions of service of perhaps any port in the world. The measures taken at Seattle are perhaps not possible at all ports, but something similar might certainly be done with advantage to employers and employees at most ports.

There remains still the need for active efforts and constant supervision. Speaking generally, the habit of pilferage has been vastly reduced throughout the world; but thieving on a larger scale still survives to a great extent, so that heavy losses, perpetrated with a skill that sometimes defeats detection, still constitute a severe burden on trade. In some trades also there has been a fresh recrudescence of petty pilferage. In the Australian trade outwards from the United Kingdom this has been especially noticeable of late, and a powerful committee of the shipowners in that trade have issued a useful report recommending, among other things, that committees be set up at the various ports, consisting of all interests: owners of ships, owners of goods, owners of wharves, etc., to co-operate in maintaining a steady battle against the losses which are still causing so much concern to all traders. Undoubtedly it is this recommendation of joint action instead of the individual action which has been so customary hitherto that will prove the most effective method of dealing with the situation. Individual methods are apt to develop into mere methods of passing on the burden to someone else. Co-operative methods result in discovering and checking that which causes the burden to arise.

It is with considerable diffidence that a layman makes suggestions to the police, but it may be helpful to do so if the

police will believe that the suggestions are made in good faith and as a result of experience, and if the layman remembers, as he does, that he sees one side of the shield only, while those whom he addresses see the other. For the two sides make but one shield, and together they form a possible weapon of defence. It is quite likely that in his ignorance of police work the writer may make some errors which will easily be detected by his readers, but, even so, his suggestions may be worthy of consideration, if only to ascertain why such views, even if mistaken, are held, and how they can be dispelled from the minds of those who are endeavouring to fight this great pilferage evil. It is in this spirit, and with the view to stimulate thought and a better acquaintance with this subject from the police point of view, that the following points are suggested :

(1) The police should remember that by far the greater amount of prevention and even of detection of pilferage in commerce is carried out by commercial organizations themselves, and that it is only the big or special cases that come into the hands of the police.

(2) Co-operation by the police with the commercial organizations is therefore essential for full success.

(3) The ordinary commercial man is apt to feel that an atmosphere of mystery surrounds police methods, and is at times puzzled by the glimpses he obtains of these methods.

(4) It would be desirable for the police to come into the open and endeavour to encourage co-operation with the public, upon lines which the public can understand.

(5) Where the authorities responsible for law and order see that the present procedure is futile, the co-operation of the public should be sought. If magistrates continue the system of inflicting fines which are both inadequate and ineffective, public opinion should be aroused to demand the infliction of severe penalties to stop the evil. An informed public opinion can bring about an improvement, but it is the duty of the authorities to ensure that the public know the facts.

(6) Similarly, where the law of evidence is so strictly construed as to play obviously and inevitably into the hands of malefactors, an informed public opinion would be more likely than anything else to bring about an improvement.

(7) Police authorities should press for the provision of whatever number of police are required to ensure public order. In one of the Dominions the police have demanded that the owners of property shall contribute specially in a quarter where vice was specially prevalent ; but there is no suggestion that police rates should be reduced in those sections where public life is so orderly that a policeman is seldom seen.

(8) In large premises, such as the big shopping stores, warehouses, ships and so forth, facilities should be available for officers with the power of arrest to be on regular duty, even if the expense of this work must be charged to the occupant of the premises.

(9) Finally, the courts must be encouraged to make the punishment fit the crime to the full extent of their powers for repressing evil ; and where powers are insufficient, the courts should have and should use means of bringing their deficiencies to the knowledge of the public, so that no official Bumble may be in a position to block the necessary improvements of procedure.

ones as well ; the separation of the two was finally effected in London in 1839, when Bow Street and the other police courts of the Metropolis (then seven in number), lost their executive functions and the constables previously under the direction of the magistrates were absorbed in the Metropolitan Police.

The inefficiency and corruption, not only of the old parish watchmen, but of the constables and their hired deputies (to whom the office of constable was largely delegated in London, and of whom Horace Walpole wrote in 1742, 'The greatest criminals in this town are the officers of justice'), was equalled, if not surpassed, by the corruption of the 'trading justices.' In the hands of these 'justices of mean degree,' who in London and other large towns had, in the seventeenth and eighteenth centuries, to be admitted to the commission of the peace in default of their betters, such summary jurisdiction and ministerial functions as could be exercised by a single justice were exploited on commercial lines at their own houses or shops or offices. Process was retailed like groceries, coals or spirits, and in conjunction with them. Reform of the executive side of the police system had necessarily to be preceded by reform of the judicial, and the latter began in London with the institution of public offices or 'rotation offices,' at which acting justices sat (usually in rotation) to exercise their functions in open court. Bow Street was such a public office, and its success led eventually to the statutory establishment in 1792, by the Middlesex and Surrey Justices Act, of seven other similar offices. The Act provided that fees could only be taken at these offices and thus put an end to the trading justices.

Conveniently enough, the story of Bow Street may be regarded as beginning in 1729, exactly one hundred years before that of Scotland Yard. It was in 1729 that the friends of Thomas De Veil, who is the first in the line of Bow Street magistrates, got him put into the commission of the peace for Middlesex and Westminster. De Veil, although born in St. Paul's Churchyard in 1664, was of French parentage, the son of a Huguenot minister who came to England after the revocation of the Edict of Nantes and obtained the position of library keeper at Lambeth Palace under Archbishop Tillotson.



Sir Thomas De Veil, Knight.

One of his Majesty's Justices of the Peace for the County of Middlesex, Surrey & Hertfordshire, the City & Liberty of Westminster, the Tower of London & the Liberties thereof.

The son was at first apprenticed to a mercer in Cheapside but, his master going bankrupt, he enlisted as a private soldier, fought in Flanders under William of Orange, and later in Portugal during the War of the Spanish Succession. He obtained a commission through bringing himself to the notice of Lord Galway, a French soldier (son of the French ambassador to England in Charles II.'s reign), who became an English general and an Irish peer.

De Veil retired from the army on half pay after the Peace of Utrecht (1713), and it was prophetic of the future that, finding his army half-pay insufficient, he set himself up in an office in Scotland Yard. His business was that of 'soliciting at the War Office, the Treasury, and other public boards, drawing petitions, cases and representations, memorials and such kind of papers.'¹

As a justice of the peace, De Veil, by great activity, diligence, knowledge, and attention to business, soon distinguished himself among the crowd of trading justices. The post he aimed at was, we are told, 'the confidence of the Court and Ministry in his office as justice of the peace.' This was a post which had no official existence, but which, nevertheless, contained the germ of the two offices of Chief Magistrate at Bow Street and Commissioner of Police of the Metropolis. From the reign of Queen Elizabeth, if not earlier, it had become the practice of the Court and Ministry to have recourse to some leading London or Middlesex magistrate for confidential services (inquiries, arrests, etc.), needing the powers of a justice, and the justice so employed came to be known as 'the Court Justice.'² Fleetwood, the Recorder of London in Queen Elizabeth's reign, is apparently to be regarded as Court Justice, as also is Sir Edmund Berry Godfrey, whose murder at the time of the Popish Plot in 1678 is one of the unsolved mysteries of English history. De Veil seems to have succeeded

¹ This and other quotations relating to De Veil are taken from the Memoir of his *Life and Times* published in 1748 after his death. For the loan of a copy of this rare book, as also for the draft memorial referred to on p. 157, I am indebted to Mr. Paul de Castro, author of *The Gordon Riots*. There was also published after De Veil's death a small work by him entitled *Observations on the practice of a Justice of the Peace intended for such gentlemen as intend to act for Middlesex and Westminster*.

² The Court Justice is dealt with in Mr. and Mrs. Webb's *English Local Government*, The Parish and County, Book II, chapter 2 (Longmans, 1906).



in obtaining recognition as the Court Justice about 1735, when he broke up a dangerous gang of robbers and thus recommended himself to the notice and protection of the Ministry. He was also specially employed to enforce the Gin Act of 1736, which put an end to the unrestricted sale of gin and led to riots in which the cry was 'No gin, No King.'

When De Veil became a justice, he moved from Scotland Yard to Leicester Square (or Leicester Fields, as it then was), thence to Frith Street, Soho, and eventually to a house on the Duke of Bedford's estate in Bow Street, Covent Garden. The memoir of his *Life and Times* records that 'in all emergencies where a man in his capacity could be useful no other man was thought of; he was the oracle of the vestry and, though he did not preside, all the court was paid to him at the Quarter Sessions; he sat by the judge at the Old Bailey, and like a judge at his own office.' It then sums him up as follows: 'Notwithstanding any private views he might have or pleasures he might indulge, he was undoubtedly serviceable to the community, kept bad people in awe, and was able at any time to defeat and disperse any gangs how formidable soever; indeed hardly ever was a magistrate so truly dreadful in this respect to this sort of people, for the very name of him was sufficient to fright, and they fancied his intelligence to be so good that they were never safe from him.' 'The Wreathorcks and the Black Boy Alley Gang' deserted all their usual lurking holes and abandoned their trade as soon as they knew that Sir Thomas was in search of them.' This tribute is qualified by the further statement that, in the latter part of his life, he gave way to a hasty and vehement way of speaking inconsistent with the nature of his office, treating accused parties as though they were already convicted. This was a trait found in other Bow Street magistrates under the old régime.

De Veil, notwithstanding a *penchant* for the opposite sex, was undoubtedly an energetic magistrate and set the example, worthily followed by his successors at Bow Street during the next hundred years, of sallying forth in his capacity as a police officer to see to the execution of the warrants or orders he issued as a magistrate. It does not appear that he employed any special body of peace officers but relied on the ordinary

parish constables, with assistance from soldiers when necessary. It was the practice in the eighteenth century for magistrates to obtain the assistance of soldiers from the Tilt Yard when they considered the parish constables inadequate. For example, the *General Advertiser* for 24th February, 1749, announced that 'two notorious street robbers have been committed to Newgate by Justice Fielding under a guard of twelve soldiers.'

De Veil was knighted in 1744, on the occasion of presenting an address of loyalty to George II. from the Middlesex magistrates, and in the Rebellion of 1745, when Bonnie Prince Charlie and his Highlanders came as far south as Derby, he was very active and discreet both as Court Justice in arresting suspects and as Colonel of the Westminster Militia. His magisterial services were rewarded from time to time by grants from public service money (which was, partly at least, secret service money), in supplement to what he could make in the way of fees, earnings which Henry Fielding described as 'the dirtiest money on earth.' He was also given the sinecure post of Searcher of the Customs Outwards.

De Veil died on 6th October, 1746, and, after an interval of about two years, during which a Justice Poulson, an old man of between seventy-five and eighty, was at Bow Street, he was succeeded at the end of 1748 by Henry Fielding, one of the great names in English literature and a man of very different origin, upbringing, and character from his predecessor. The son of General Fielding, descended from the Earls of Desmond and Denbigh, Henry Fielding was educated at Eton, and was in turn playwright, satirist, barrister, novelist, and Bow Street magistrate. He was forty-one years old when he entered upon the last phase of his career, broken in health and with less than six years to live. In those years he crowned his literary achievements by producing *Tom Jones* and *Amelia* (in addition to other writings), and devoted himself unsparingly to his duties as a magistrate and peace officer, a task in which during the last two or three years of his life he was assisted by his blind half-brother, who succeeded him and subsequently became Sir John Fielding.

It was in default of other means of earning a sufficient

living that Henry Fielding became an acting magistrate. The Bow Street house and office, with the special position which had come to be attached to them, were obtained for him by the influence of powerful friends (in particular his schoolfellow Robert, afterwards Lord Lyttleton, then one of the Lords of the Treasury). In the preface to his last book, the *Journal of a Voyage to Lisbon*, he explains how hard he worked at Bow Street (sixteen hours a day) and how little he got for it. He would not descend to extorting fees from those who could ill afford them, and for the profits of his office he seems to have been entirely dependent on a small pension (*i.e.* salary) allowed him by the Government from public service moneys.¹ The pension was small because the Government were convinced, from what they had known of De Veil, that the Bow Street office was a very lucrative one.

Shortly after becoming a justice, Fielding was made chairman of the Westminster Quarter Sessions, and the name 'Court Justice' disappeared and was replaced by 'Principal Justice of the Peace in Westminster' and 'First Magistrate for Westminster.' Subsequently, when two or more salaried magistrates were attached to Bow Street, the first became known as the Senior or Chief Magistrate. When the other Metropolitan police offices were established in 1792, Bow Street, which continued to be distinguished as 'the public office at Bow Street,' retained its special position with functions of a national character, and after 1839 the Chief Magistrate became head of the Metropolitan Police Courts service.

Under Henry Fielding the occasional activity which De Veil had displayed against gangs of footpads began to assume the character of a regular plan and organization for dealing with crime, not only in London but in other parts of the kingdom as well. He encouraged people to send notice of burglaries or thefts to the Bow Street office, and in his first year as a justice (1749) we get the beginnings of the Bow Street police.

In pamphlets published in 1753 and 1755,¹ Sir John Fielding has given accounts of 'the rise and establishment of

¹ *The Plan for preventing robberies within twenty miles of London (1753) and the Account of the origin and effects of a Police set on foot by His Grace the Duke of Newcastle in 1753 upon a plan presented to His Grace by the late Henry Fielding (1755).*

the real thief-takers.' He records how the winter after his brother came to Bow Street (the winter of 1749), 'the town was infested by a daring gang of robbers who attacked several persons of fashion and gave a general alarm through the city and liberty of Westminster.' Henry Fielding saw that it was impossible to deal with these organized gangs, except by counter-organization, and his first step, in order 'to spirit up the civil power,' was to induce some of the local peace officers to act together in a body, under the command of Saunders Welch (Dr. Johnson's friend), who was at the time High Constable of Holborn, but in 1755 became an assistant magistrate at Bow Street, and eventually presided at a new public office at Litchfield Street, which for a time took over some of the work of Bow Street, but disappeared after Welch's death in 1784.

The men at first employed by Henry Fielding in this way were all parish constables. Next year, 1750, most of them were out of office, but a few agreed to continue to act under Fielding's orders, if at any time he should need their services. There was thus attached to Bow Street a small reserve body of ex-constables and others. A draft which has been preserved, of a memorial addressed by Fielding to the Prime Minister in 1754, refers to them as seven persons who had all, except one, served the office of constable and had, by his encouragement, associated themselves in a body for apprehending criminals, and continued so associated after the expiration of their term of office as constables. He thus had at call, to quote Sir John, 'a number of approved and reputable men always ready to pursue daring offenders on notice being given of any robbery, outrage, or other villainies.'

Sir John Fielding makes no mention of these men being actuated on their first institution by anything more tangible than 'a truly public spirit.' One of their number was rewarded in 1751 by being made Keeper of Newgate Prison, an 'encouragement of merit which induced others to serve the public in the same way.' Henry Fielding complained in 1753 that they had been very ill-rewarded for their pains and the dangers they encountered, gaining only the appellation of

'thief-taker,'¹ a name more contemptible even than that of informer,' and so odious, not only to the common people but in Courts of Justice that, so far from getting any special reward, they were actually refused the statutory rewards due to them for securing the apprehension and conviction of offenders. This system of statutory rewards for information leading to the arrest and conviction of criminals (known as 'blood money') had been instituted in the reign of William III. in the hope of putting down highwaymen and had been gradually extended to other classes of criminals. In Fielding's time the Government's only remedy for the failure of these statutory rewards (which were fixed at £40) to achieve their object was to offer higher rewards by proclamation, and rewards of £100 had from time to time been advertised for the apprehension of any of the gangs of street robbers. Fielding's men were associated by the public and the courts with those who perjured themselves and even procured the commission of robberies and then betrayed their dupes for the sake of the rewards.

As their services met with such discouragement, Fielding's men were disbanded and, in 1753, a strongly organized gang of street robbers got to work again. The Government issued their usual £100 reward proclamation; but the gang continued their outrages with impunity, until at last Henry Fielding was sent for by the Prime Minister (the Duke of Newcastle), and produced a plan, which resulted in such complete and speedy 'extirpation of this hellish society,' that Londoners enjoyed, during the winter of 1753-4, the unusual experience of being able to walk abroad without risk of being knocked down and robbed. This was the famous 'plan of police' which Sir John Fielding has described in his pamphlets. Henry Fielding, in the preface to his *Journal of a Voyage to Lisbon*, refers to it in the following words: 'I had,' he says, 'the most earnest desire of demolishing this gang of villains and cutthroats, which I was sure of accomplishing the moment I was enabled to pay a fellow who had undertaken for a small sum to betray them into the hands of

¹The name was reminiscent of Jonathan Wild, who had described himself as 'Thief-taker General.'

a set of thief-takers whom I had enlisted into the service, all men of known and approved fidelity and intrepidity.' The essential feature of the plan was that the Government, in place of a useless expenditure on rewards amounting to several thousands a year, should allow Fielding a few hundreds with which to reward his thief-takers and pay secretly for information. £600 seems to have been what was asked for and £400 what he got, and this amount was continued in subsequent years as an annual grant to Sir John Fielding for police purposes.¹

According to Sir John Fielding, for this sum of £400 he succeeded, in 1754 and the following years, not only in breaking up several gangs of street robbers, highwaymen, house-breakers, etc., but also in 'removing shoals of shoplifters, pilferers, and pickpockets,' who, being mostly children, 'wretched boys, ragged as colts, strangers to beds,' were enlisted in the navy or merchant service. He also, for the said sum, dealt with 'nuisances' such as beggars, swearers, throwers of squibs, etc., and 'disorders' in the shape of gambling dens and 'hops,' i.e. low class dancing saloons. He let it be known that anonymous communications would be attended to, so that it might be easy for 'the most delicate lady with safety to give notice of any hop or gaming house where her servants waste their time, lose their money, and debauch their morals.'

One or more 'orderly men' were always on duty at Bow Street 'to inquire into the truth of informations,' and there was also a Register Clerk to keep an exact register of all robberies, descriptions of goods stolen, names and descriptions of persons brought before the magistrates charged with fraud or felony, houses that harboured them, receivers, etc. Sir John Fielding can thus be regarded as the originator of a system of criminal records. In connection with this register, he instituted a regular correspondence with magistrates in the provinces and issued circulars to them. The first *Police Gazette*, the *Hue and Cry*, was not established until 1786 (by

¹It was increased to £1,000 in 1773, and after Sir John Fielding's death in 1780 it was divided among the Bow Street magistrates and their assistants and described in the Treasury accounts as 'a grant for carrying into execution a plan for preventing robberies.'

main turnpike roads from where the foot patrol ended, viz. : from four miles out to a distance of sixteen miles or so from London, never going off the high road, and saluting all persons in carriages or on horseback with the cry of 'Bow Street Patrol !' Originally 36 in number, they were gradually increased to 72 (under four inspectors). A certain number of men who were candidates for the horse patrol were employed for the first part of their service as a dismounted patrol, and were officially known by the contradictory title of 'the dismounted horse patrol.'

In 1821 the prevalence of street robberies was causing general alarm, and Lord Sidmouth, the Home Secretary, decided that the patrols should be augmented and reorganized. Accordingly, in addition to increasing the patrols, he withdrew the foot patrol from country duty, and confined it to the centre of London, the 'verge and vicinity of the Metropolis,' i.e. the area within the four mile radius, being taken over by the dismounted patrol, whose strength was raised to 100. The dismounted and the foot patrol operated in parties of five, four men and a leader, or 'conductor,' a definite area or district being assigned to each party. In 1822 Peel established a small day patrol of twenty-seven, who patrolled the west end of London between 9 a.m. and the coming on of the night patrol. This day patrol, which was in three divisions, each under an inspector, was recruited by promotion from the night patrol.

The horse patrol and the dismounted horse patrol were all ex-cavalry men, and in the foot patrol old soldiers and sailors were given the preference. The horse and dismounted patrols and the day patrol were whole-time officers ; but the foot patrol had other employments such as those of green-grocer, coal merchant, glazier. The horse patrol wore blue coats, red waistcoats and blue trousers, which they had to provide for themselves, and were given a cavalry cloak and the same accoutrements as a cavalryman, viz. : pistols and sabres. They also carried, in common with other patrols, truncheons and handcuffs. The day patrol had the same uniform (except that the inspectors' waistcoats were blue), and so had the dismounted patrol, but the latter wore it only on

special occasions. The foot (night) patrol wore plain clothes, to facilitate detection of pickpockets and other thieves. There was a regular gradation of pay, the foot patrol getting 2s. 6d., dismounted patrol 3s., and the horse patrol 4s. a night.

These patrols, a total force of 300 after 1822, were all known as Bow Street patrols, and were originally all under the control of the Chief Magistrate ; but after 1813 only the foot patrol and the day patrol were appointed and directed by him, their cost being charged as part of the expenses of the Bow Street office. The horse and dismounted patrols were really a Home Office force, as they were appointed by the Secretary of State, and administered from a separate office in Cannon Row by a conductor who was a Home Office official, 'Keeper of the Criminal Records.'

The patrols were sworn in as constables on appointment. It should be noted that down to 1822 the patrols were employed almost entirely on night, or rather evening duty. One party of five, who attended the theatres and therefore had shorter duty than the others, patrolled the Oxford Street and Piccadilly neighbourhood in the daytime, a duty taken over in 1822 by Peel's new day patrol. The patrols were called out in the daytime on special occasions as, for example, during the Queen Caroline disturbances of 1820-21, but they were not regarded as usually available for day duty, the night duty of the horse patrol being about as much as the men and horses could manage, and the foot having shops or trades to look after.

The Bow Street patrols undoubtedly effected a great improvement in the safety of the streets and roads in and around London, after dusk and in the first hours of darkness, but the general protection of the inhabitants against housebreakers, thieves, and beggars in the daytime, and against burglars at night was still left mainly in the incapable hands of the parish constables and the watch. There were a few other varieties of police or quasi-police, such as the 'street-keepers' who were appointed to regulate traffic and preserve order in shopping thoroughfares like the Strand, and the beadles, whose status and functions varied from parish to parish. In 1826, for example, a day patrol of ten

district beadles and one superintendent was established for the parishes of St. George's, Bloomsbury, and St. Giles in the Fields, which were notorious for thieves and beggars; other parishes adopted other and more curious methods of supplementing the parish constables and watchmen. For example, at Camberwell (according to the evidence of the Vicar of Camberwell before the Parliamentary Committee of 1834), it was 'the custom to send out paupers from the workhouse dressed in a sort of uniform; the beggars took them for constables, though they had no authority.'

These piecemeal efforts at policing London merely had the effect of shifting the thieves and beggars from one parish to another and emphasised the need for unity of control, such as was at last effected by Peel's great reform of 1829, which gave London an efficient police force which was a greatly improved copy of the Bow Street patrols.

Police Gold Medal Essay Competition

As announced in our July number (vol. i. p. 517), His Majesty the King has been graciously pleased to indicate his intention of presenting annually the Gold Medal for the newly instituted Essay Competition on professional Police subjects announced in the issue of January, 1928.

RULES FOR THE COMPETITION

1. The Competition shall be held annually and shall be open to serving members of regular Police Forces within the Empire or mandated territories. Any question as to the eligibility of any competitor shall be determined by the Council.
2. His Majesty's Gold Medal and a cash prize (of 30 guineas) will be awarded for the essay which is adjudged to be the best, provided it is considered of sufficient merit, and second and third prizes (of 20 guineas and 10 guineas respectively) will be awarded under the same conditions for the essays adjudged to be next in order of merit.
3. (a) Essays must be the original work of the competitor.
(b) Essays must not be less than 8,000 or more than 15,000 words in length, and must be typewritten and submitted in triplicate.
(c) Where a reference is made to any published work the title must be quoted in a footnote.
4. Essays must be submitted anonymously. Each essay must be accompanied by a sealed envelope bearing on the outside a *nom de plume* or a motto, and containing the competitor's name and address.
5. The Council may at their discretion appoint such persons as they think fit to act as Referees or Judges of the Essays under such conditions as they may prescribe.
6. The award of the Council shall be made public in such manner as the Council shall think fit, and any essays submitted for the Competition and adjudged of sufficient merit may be published by the Council in *The Police Journal* or otherwise.

SUBJECT OF THE ESSAY FOR 1929

The co-operation between the Police and the Public in the detection and prosecution of crime.

Essays must be submitted on or before the 1st November, 1929, to—

THE SECRETARY TO THE COUNCIL OF THE
POLICE GOLD MEDAL ESSAY COMPETITION,
HOME OFFICE,

WHITEHALL,

LONDON, S.W. 1.

REPORT OF THE FIFTH MEETING OF THE INTERNATIONAL CRIMINAL POLICE CONFERENCE

(From the *Police Journal* Correspondent at Berne)

THE International Criminal Police Commission was founded in 1923 with the idea of improving and increasing co-operation between the police forces of all countries in carrying on warfare against criminals. Meetings have been held previously at Vienna, Berlin and Amsterdam. The fifth meeting of the Commission was held at Berne on 10th-12th September last, when representatives from the following countries were present: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Hungary, Netherlands, Poland, Rumania, Spain, Switzerland, Turkey, United States, Yugoslavia.

It is proposed in this article to deal with two subjects of general interest which came under discussion.

The first is the question of the allocation of wireless waves for the use of police of all countries. At the International Radio Telegraph Convention, signed at Washington on 25th November, 1927, a band of wave lengths between 3,000 and 8,000 metres was provisionally allocated for the use of police forces. The Sub-Committee which dealt with this question at Berne discovered at once that under present conditions any wave length between 3,000 and 8,000 metres was useless for any police-owned wireless installation. No police force owned a wireless set powerful enough to transmit on so long a wave. In the majority of countries up to the present time the police have made arrangements under which they receive some sort of preferential treatment from the existing private or Government wireless installations, but in only very few countries are there any police-owned wireless sets. In Germany there is a considerable number, and many successful experiments have been carried out. In Great Britain there are a few; but the real success of wireless in this country, so far as police work is concerned, has been the perfection of a system of receiving and transmitting messages between moving vehicles and a central headquarters.

It was agreed on all hands that at the present time it would be quite hopeless for countries to press their Governments to allow police forces to set up wireless stations capable of using really high wave lengths of the type provisionally allotted. The expense involved in using these high-powered sets is so great and the volume of police work to be transmitted by wireless at present so comparatively small that the expense involved could not possibly be justified. At the same time, the Commission recognized the importance in the future of wireless to police work and the necessity of keeping before the authorities concerned the police point of view. It was agreed that the police must not be behindhand in pressing their claims to be allocated a band of wave lengths for their work, and that efforts ought to be made to have some much shorter wave length allotted for the sole use of police forces. The President of the Commission was requested to invite all countries to send

delegates to attend as soon as possible a further Conference between technical experts of the various administrations or authorities concerned.

The second question was, whether an International Bureau dealing exclusively with records of international criminals ought to be set up. The Commission decided to set up at Vienna such an International Bureau, and invited all countries to send particulars of international criminals of importance with their finger-prints to Vienna, where such particulars will be collected and arranged. The Bureau will, from time to time, circulate information about these individuals through their paper *International Public Safety*, and will be available for consultation by all countries as and when necessary. It was fully appreciated that any such collection would be useless unless all countries co-operated in keeping it up-to-date, and the delegates were pressed to emphasize this point upon their return.

The Sub-Committee appointed to deal with this matter had before them reports on two subsidiary questions, first the possibility of using a uniform identification card in all countries, and secondly the value of the long-distance identification system set up by Håkon Jørgensen.

Immense trouble had been taken by the officials of the Commission to obtain, for purposes of comparison, specimens of identification cards or slips from all countries. It was strenuously urged that the adoption of one common form would have tremendous advantages in that the slip sent from any one country to any other could be included in the collection of such other country without any alteration. On the other hand, it was pointed out that a number of countries had already built up large finger-print collections with slips on which the finger impressions were placed in a particular order. This order varied, and it was found that it would be quite impossible to adopt any one form of slip which could be introduced, without alteration, into all collections. It was finally agreed that the International Bureau should adopt a perforated form of slip so that the various impressions could easily be separated one from the other and be reassembled in the particular order favoured by the particular Bureau concerned.

As regards the second matter, the Jørgensen system of distant identification has been the subject of acute controversy for some years. In 1925 Håkon Jørgensen published his Finger Print Register of International Criminals. This International Register consisted of an alphabetical list of so-called international criminals with abbreviated particulars of each man's *modus operandi* and a coded formula to represent his finger-prints. Jørgensen claimed that any police force in possession of this register could identify upon the spot any criminal who came into its hands by taking his finger-prints, reducing the finger-prints so taken to code, and comparing the code thus obtained with the code in the Register. The system was exhaustively examined by a Sub-Committee from two points of view: first, its use as a substitute for finger-prints, and secondly, its use for telegraphing finger-print formulae to some far distant spot, when from the time available it was obvious that it would be impossible to forward copies of the prints themselves and receive a reply.

It was agreed on all hands that no coded formula could take the place of copies of the finger-prints themselves, and that it is a tremendous advantage to work with a finger-print instead of with a description of a finger-print. The technical difficulties of coding and decoding and of obtaining evidence admissible in Courts were considered, together with the number of occasions upon which the Register had been found useful, and it became clear that the practical results obtained or likely to be obtained could not justify the time, work, and expense involved.

As to the use of the code for telegraphing finger-print formulae. It is possible to telegraph finger-print formulae under either the 'Jørgensen' or the Collins system. The Collins system has been used with success between England and Australia and between England and the United States of America, and the Jørgensen system between Copenhagen and Germany and Austria. It was suggested that the Jørgensen system was no more reliable than the Collins system and that it is more complicated and troublesome to use. When weighing the advantages of one code with those of another, it is important to remember that it can only be a matter of time, and possibly quite a short time, before it will be practicable, by means of ordinary telegraphy or of wireless telegraphy, to send to any place within a wide range a visual representation of the finger-prints of anyone detained, or respecting whom information is sought, and accordingly the question of the universal adoption of one code or of another, based on literal or numeral formulae, does not seem to be one of vital importance. In the meantime practical experiments were recommended.

It was suggested that an independent finger-print expert should be given copies of the pamphlets explaining each code, and asked (i) to translate the same set of finger-prints into the finger-print formula under each code and then to say which is the easier and simpler method; and (ii) to send each coded message to another independent finger-print expert and ask him which message is the easier to decode. The Sub-Committee were of opinion that individual countries must be left to decide for themselves which code they prefer to use.

It was urged before the Sub-Committee that the best way to combat the so-called international criminal is for the existing finger-print bureaux of the various countries to send to countries interested, as and when they come to notice, particulars and finger-prints of any criminals either known to have been convicted in the country concerned, or nationals of the country concerned, or as to whom there is some reasonable ground for suspicion that they are likely to visit the country concerned. There is a considerable amount to be said for this view. If this method were followed by all countries, in almost every case in which an international criminal came to notice, the record of his finger-prints would be found in the bureau of the country where he was detained; and by this means his identity would be determined with more certainty than it could be determined from the register, and more quickly, as there would be no necessity to code the prints. Further, an international criminal, although not suspected as such, would be bound to be detected, whereas under the register system unless there is suspicion there is no possibility of any result; for it cannot be suggested that it is worth while to go to the trouble of coding the finger-prints of every foreigner who is arrested for any offence however trivial. Whilst it is true that no one can say exactly what country any so-called international criminal is likely to visit, it is also true that in the vast majority of cases a good guess can be made, and at any rate a reasonable opinion can be expressed as to a large number of countries which it is most unlikely that he will visit. For example, a man who has confined his operations in the past to Scandinavia is unlikely to begin working in Rumania or Bulgaria, and a man who has confined his operations to Spain and Italy is not likely to appear in Norway.

It was realized that once the International Bureau begins to function from Vienna the necessity of further editions of the register will cease, and it was understood that Mr. Schaffer (Jørgensen's successor) will probably produce a final issue of the register in 1929. The representatives of all countries agreed that the setting up of the International Bureau at Vienna

must not be allowed in any way to affect direct communication between any one country and any other country upon matters upon which it was obvious that such country must be interested. If there was one thing above all others which this international meeting brought out it was the desire of all countries to do away with every kind of 'red tape' which would in any way hamper direct communication between the persons charged with the duty of looking after criminal investigation. It is hoped that all countries will assist in building up and keeping up to date a record which will be worthy of the name international, but the experts in charge must be fed with material from all countries and must take the responsibility of deciding whether or not the particulars of the criminal concerned are really worthy of retention in the collection or not. The real danger in building up any international collection is that it will be filled with criminals considered to be international by someone, but really more or less local. Experts of the countries receiving information from the International Bureau will also have to decide for themselves whether the individual concerned is important enough to be included in their own collection. Finger-print collections in many countries are already as large as can be conveniently handled, and cannot be expected to increase their size by including quantities of what must be to them useless material.

LEGAL NOTES

ATTEMPT TO COMMIT A CRIME

THE problem of deciding whether a particular course of action on the part of a suspected person has been such as to amount in law to an attempt to commit a crime is one of the more perplexing questions of the law with which police officers are liable to be confronted. Uncertainty as to what the law requires as proof of an attempt might indeed lead to a failure to bring to justice an obviously guilty man. 'An attempt to commit a crime is an act done with intent to commit that crime, and forming part of a series of acts which would constitute its actual commission if it were not interrupted' (Stephen: *Dig. of Crim. Law*, Art. 49). Such an attempt is an indictable misdemeanour at common law whether the offence itself be a misdemeanour at common law or one created by statute (*R. v. Roderick*, 7 Car. and P. 795).

It is important to remember that mere *intention* to commit the crime is not indictable; and our judges have always been particularly careful, whenever the point arises in a trial for an attempt, to explain the difference between attempt and intention or a mere idle threat (see *R. v. Landow*, 25 Cox C.C. 457). As an instance of such a case one cannot do better than to refer to *R. v. Robinson* (1915) 2 K.B. 342, where Lord Reading, C.J., explained the rule in terms which have recently received a special word of approval in the Court of Criminal Appeal (see *R. v. Punch* (1927) 20 Cr. App. R. 18). The facts in *Robinson's* case, as reported in the Law Reports, were as follows: A policeman who was passing the appellant's shop one morning heard someone shout out, 'I am bound and gagged, open the door.' The policeman whistled for assistance, some other policemen came up, and they pushed open the door. Inside they found the appellant with his legs and one hand tied with cords. He told them that on the previous night, after locking the door of the shop, he put his jewellery in his safe, and was going upstairs when he was knocked on the head and stunned. On his regaining consciousness he found himself in the condition in which they saw him. He looked inside the safe and said:

'they have cleared me out.' Subsequently, on searching the premises, the police found some jewellery concealed on the premises. Thereupon the appellant admitted in effect that he had pretended that he had been robbed in order to get money from the insurance company with whom he was insured. He was charged with attempting to obtain money by false pretences. The prosecution were unable to prove that the appellant had actually made any application for the insurance money to the underwriters. He had merely communicated to the police his intention of doing so, and the police could not be regarded as acting in any way on behalf of the underwriters. The statement by Lord Reading of the legal position is worth quoting: 'In truth,' he said, 'what the appellant did was preparation for the commission of a crime, not a step in the commission of it. It assisted in the preparation of evidence which might indirectly induce the underwriters to pay; for if the police had made a report that a burglary had taken place—and that was presumably what the appellant intended—it may very well be that the underwriters would have paid without further inquiry. But there must be some act beyond preparation if a person is to be charged with an attempt. Applying the rule laid down by Parke B. (in *R. v. Eagleton*, 6 Cox C.C. 559) we find that the appellant's act was only remotely connected with the commission of the full offence and not immediately connected with it.' On these grounds the conviction was quashed.

On such facts as these it is pretty clear that the police could not have done anything to obviate this unfortunate result, in which a man was on his own confession guilty of a fraudulent intention but had not taken any positive step beyond the false pretence itself to carry out that intention. Unless he has a fairly accurate knowledge of the law, it is difficult to say how a policeman could appreciate the significance and effect of intervention on his part at any particular moment; but the law once understood seems clear enough.

OBSTRUCTION OF POLICE IN EXECUTION OF DUTY

The circumstances under which a person who interferes in some way with a constable when in the execution of his duty may thereby commit an offence is a question on which police officers are not always sure of their law. One may be pretty certain that no member of any police force would desire that action should be taken against an individual who had given trouble of this kind unless the case were clear. We have not in mind that class of case in which the interference takes the form of an assault; but a more indirect kind of interference which, while there is no actual physical interference, may nevertheless amount to obstruction. In England this point has arisen in at least two decided cases where the alleged obstruction took the form of warning motorists of the presence of a 'police trap.' The first of these cases (both of which involved the construction of section 2 of the Prevention of Crimes Amendment Act, 1885) was decided in the early years of motoring—*Bastable v. Little* (1907) 1 K.B. 59. In that case the facts were that two constables were employed in timing the speed of motor-cars along a measured distance of road much frequented by motor-cars. The respondent by means of signals (and in one instance by calling out 'police trap!') warned the drivers of approaching motors, who thereupon slackened speed. The magistrates declined to convict and on appeal it was held that, although obstruction of a constable in the execution of his duty need not necessarily be physical, the respondent was not guilty of 'obstructing any police officer when in the execution of his duty.' It is evident, however, that the Court felt considerable doubt on the point. Lord Alverstone, C.J., appears to have based his

judgment mainly on the facts: (1) that there was no evidence of anything like agency or conspiracy between the respondent and the motorists whom he warned—he was not acting in concert with them nor connected with any person or body interested in motoring, and (2) that there was no evidence that any car, when the warning was given, was going at an illegal speed. The Lord Chief Justice mentioned in the course of his judgment the possible analogy of a party of men engaged in night poaching being warned by a passer-by that the 'police are coming!'; and he expressed the view that in such a case there would be no obstruction within the section. Darling, J., who also expressed doubt, said, 'In my opinion it is quite easy to distinguish the cases where a warning is given with the object of preventing the commission of a crime from the cases in which the crime is being committed and the warning is given in order that the commission of the crime may be suspended while there is danger of detection, with the intention that the commission of the crime should be recommenced as soon as the danger of detection is past.' Physical obstruction was not, he said, a necessary element, but he was of opinion that 'a policeman who, in seeking information which might lead to the conviction of the perpetrators of the crime, was wilfully misled by false information, would be obstructed in the execution of his duty,' and he would not like to say that the person who so wilfully misled him was not committing the offence of obstruction.

The later decision mentioned above is *Betts v. Stevens* (1910) 1 K.B. 1. The facts were similar, with this important exception that there was evidence that at the time of warning the cars were being driven at an illegal speed. This, in the opinion of Lord Alverstone, C.J., who was again called upon to consider the point, made a material difference; and he and the other members of the Court (including Darling, J.) concurred in the view that in such circumstances the act of the person giving the warning prevented the police from getting the only evidence which would be required and that this did amount to wilful obstruction. So far as the law of England is concerned, the principle established by this case has been maintained, viz. that to constitute wilful obstruction of this kind there must be evidence from which the Court can reasonably infer that a breach of the law was being committed at the time the warning is given.

TRAFFIC SIGNALS AND CONTROL

Every year more and more police are engaged in the regulation of traffic—a duty that demands much concentration, patience, resource and the quality we call 'presence of mind.' The legal powers of a constable on point duty vary, of course, according to the circumstances. Mere failure to stop in obedience to his signal may under the law in force in the locality amount to an offence punishable by fine on summary conviction. But whether or not the law provides any such express sanction for any disregard of his signal the success of the point duty officer depends mainly on himself. He is surrounded, as it were, by potential disasters. What is his position, in the eyes of the law, if, by some error of judgment, an ambiguous signal or a failure to observe an approaching vehicle, he contributes to such a disaster? The short answer is, that the law does not fix upon him any responsibility for an accident merely because, but for his mistake, an accident would probably not have happened. A motorist has no cause of action against a constable if his car is damaged by a collision following upon a mistaken or misunderstood signal. It is the duty of the driver of a vehicle on the highway to drive it with reasonable care and to keep a proper look-out; and he cannot (if it is a

matter of civil and not criminal liability) escape from the results of his own negligence by showing that those results would not have happened or might not have happened if he had not obeyed the signal of a constable on point duty; though such circumstances might of course be most material in any case where a question of criminal liability arises, that is to say where death has resulted and gross negligence sufficient to sustain a charge of manslaughter is alleged. The position of police officers on point duty would indeed be intolerable if the law were to put upon them the burden of personal liability for the consequences indirectly flowing from any mistake or error of judgment in carrying out their difficult duty.

The constable on point duty anywhere in the United Kingdom should not forget that the 'rule of the road' is not only a long established custom of the country but is a rule to which the force of law has been given by statute with a penalty for any breach. Section 78 of the Highway Act provides that the driver of a carriage on the public highway shall be guilty of an offence (punishable by fine) if he shall not 'keep his . . . carriage on the left or near side of the road' when meeting any other carriage. Nowadays the non-observance of this rule of law is, of course, a matter which is of peculiar importance in determining questions of civil liability for the negligent driving of motor-cars: it is the motorists' A B C of good conduct on the highway. The limits of the rule are not, however, always appreciated. It has no application in relation to a foot passenger; that is to say, the driver of a motor-car or other vehicle meeting a foot passenger on the highway is not bound by law 'to keep on the left or near side of the road'; and, if any foot passenger is injured by a vehicle on the highway, the mere fact that the vehicle was at the time on the 'wrong' side of the road would not, in itself, appear to be evidence of negligence on the part of the driver.

Considering how frequently the question whether the rule of the road has been observed is a matter of material importance in litigation, it is surprising that there should be so little judicial authority on the subject. The rules by which any question of alleged negligence may be determined have, however, been the subject of judicial pronouncement in several cases in Scotland. In *Macandrew v. Tillard* (1909) S.C. 78, Lord Dunedin is reported to have said with reference to the duty of persons approaching a main road from a side road, that 'if there is one rule more than another that it is necessary to lay down for the practical conduct of traffic it is that it is the business of those on the cross road (i.e. side road) and going to cross the main road to look out when they enter the main road and to give way to all traffic which is coming along the main road.'

This, however, is not a rule of law so much as a judicial statement of a well recognized practice which—as is known to every police constable who has experience as a witness at the hearing of 'running down' actions arising out of accidents at a cross-roads—is likely to be the central point round which the whole issue of negligence is fought.

REVIEWS

CRIMINAL PROCEDURE AND THE LAW OF EVIDENCE IN SCOTLAND. By JOHN MORREN, O.B.E. 1928. 7s. 6d. net. (William Hodge & Co., Ltd., Edinburgh.)

It is no light task for one who is not a lawyer to write an adequate treatise on a legal subject in which there is an abundance of pitfalls. But Mr. John Morren, O.B.E., who is Chief Constable of the counties of Roxburgh, Berwick and Selkirk, has succeeded in this and has turned out a very useful and workmanlike little book. The object of the book is, in the author's own words, to supply the members of the Scottish Constabulary with a brief summary of the Criminal Law of Scotland with special regard to procedure and the law of evidence. That object would certainly seem to have been attained. There is nothing over-technical or forbidding in either matter or manner, and everything is set down which is likely to be of use to the police officer.

The book opens with a sketch of the Criminal Courts of Scotland and their powers and then proceeds to give in outline the proceedings in summary criminal trials. The second part of the book is concerned with the knotty subject of evidence. 'Many points in the law of evidence,' says Mr. Morren, 'are undefined and undefinable,' but he has, in some thirty pages, contrived to give a statement of principles which is sufficient for all save a professional advocate. His account of hearsay evidence, in little more than a page, is particularly neat. In part IV the author has had a real inspiration. This part consists of extracts from the definition and interpretation clauses of various Acts of Parliament, and such a convenient collection may go far to recommend the book to the practising lawyer. The Statutes drawn upon range from important Acts like the Children Act and the Bankruptcy Act to such others as the Petroleum Hawkers Act, of whose very existence most lawyers would have to confess complete ignorance.

In the concluding part of the book the author has defined and explained the principal crimes known to the law of Scotland. Perhaps in a future edition this part might with advantage be made somewhat fuller and the notes on each crime amplified into something a little more than merely a definition. There is no reason why, if this were done, the book should not commend itself even to the layman as a popular exposition of the Criminal Law of Scotland. The author has done well to append a fairly complete list of Latin maxims and phrases with English equivalents, a regrettable necessity so long as lawyers (and others) insist on using Latin where good Anglo-Saxon would serve better. This book, highly meritorious in itself, and launched upon the world with an influential recommendation from the Lord Justice-Clerk of Scotland, should run a successful course.

THE LAND PIRATES OF SOUTH INDIA. By W. J. HATCH. 1928. 21s. (Seeley, Service & Co., Ltd.)

This book is a somewhat disconnected and disjointed collection of notes concerning the Kuravers. *Kuraver* in the Tamil language means one who

practises palmistry—a name given to members of some scattered remnants of an aboriginal jungle tribe of Southern India, now registered by the Madras Government as a Criminal Tribe under the Act dealing with such in India. Any original homogeneity possessed by the tribe has been impaired, if not entirely lost, by the long continued dissociation, in habitat and occupation, of the various sections and sub-sections. These include, under four main sub-castes, nomad hunters of vermin and small game, vagrant minstrels and dancers, travelling workers in cane, bamboo and fibre, wandering palmists and tattooers, hackney drivers and transport drovers, besides watchmen, graziers and agriculturists, distributed within and beyond the limits of the Presidency of Madras. The connecting link in the present day, excluding tradition, language and custom, would seem to be a joint predilection for the acquisition of the property of others by the lifting of cattle and other live stock, by theft and cheating, by gang robbery on highways and from homesteads and, in fact, by all the forms of crime common to the wandering tribes of India which are labelled as hereditarily criminal. This label in India means simply that a member of such a tribe is from birth educated in a disregard, handed down as the immemorial tradition of his ancestors, for the rights in property of persons not belonging to the tribe. The tradition, however dissonant with the ethics of modern civilization, is perfectly religious from the Hindu point of view. Thus without hypocrisy or mental reservation, the Kuraver, like any other criminal tribesman, prays to his gods for success before setting out on a criminal enterprise and, when fortunate, devotes to their temples, as a thank-offering, the tithe of his booty. The author is a true and accurate observer and is at his best when he records the results of his own inquiries or experiences. He is at his worst in the quotation or review of the opinions or conclusions of others. He has also a pawky sense of humour, which, when he gives it rein, lends a very real charm to the interest of his subject matter.

THE MYSTERIOUS MURDER OF MARIA MARTEN (1827). By J. CURTIS. 1928. 10s. 6d. (Famous Trials Series: Geoffrey Bles.)

THIS is a reprint of a contemporary account, published in 1828, of the trial of William Corder for the murder of Maria Marten. Corder, a young Suffolk farmer, in days when farming was a prosperous business, had had relations with the daughter of a labourer in his village, who had borne him a child. He told the parents that he intended to marry her, and would take her away for that purpose. But he took her no further than a neighbouring barn, where he shot and buried her. For many months afterwards he gave out that she was staying away with friends of his, but ultimately the barn was searched by Maria's father and the corpse discovered. Her stepmother alleged, and afterwards gave evidence at the inquest, that she had twice dreamed that the girl was murdered and buried in the barn, and that it was because of this that she induced her husband to make the search. Possibly it was this curious circumstance which attracted great public interest to what was nothing but a sordid and uninteresting crime. The story was dramatized in a very crude form of melodrama, and as 'The Red Barn' has survived to this day.

The book itself is something of a curiosity. The anonymous author spares us nothing in the way of detail. He gives us the Assize sermon, as well as those delivered to the prisoner in prison, at considerable length; even the playing of the organist at the Judges' service at Bury comes in for admiring comment. He is also very copious with moral reflections, supported by suitable quotations from Dr. Watts's poems and the like. But, although a great part of the book is tedious and silly, the minuteness of the account

of the arrest, inquest and trial brings out a number of points which are not uninteresting historically. The indictment, for instance (which is set out verbatim), occupies seven pages of very close print—perhaps 4,000 to 5,000 words. The formal sentence of death contained a direction that the prisoner's body should be dissected and anatomized. Counsel for the prisoner was still precluded from addressing the jury—though the prisoner might read a speech (drafted for him) from the dock. Consideration for accused persons has carried us a long way since then.

THE TRIAL OF SAMUEL HERBERT DOUGAL (1904). Edited by F. TENNYSON JESSE. 1928. 10s. 6d. (Notable British Trials: William Hodge & Co., Ltd.)

THIS volume, dealing with what was known as the 'Moat Farm Case,' follows the usual line of this series of trials. An introduction of fifty pages by Miss Tennyson Jesse gives a very interesting account of Dougal's strange career. He belonged to a fairly well ascertained, but luckily very small, class of criminal: a man apparently completely devoid of any recognizable moral sense, but possessed, within certain limitations, of considerable ingenuity. The fact that such men do not adequately realize the risks they run enables them to succeed up to a point in carrying out schemes that to the ordinary man would appear fantastic. It seems hardly credible that, having taken a woman to a lonely farm, and there murdered and buried her, he should have remained there for the best part of four years without suspicion, during which time he gradually, by means of systematic forgery, possessed himself of all her property. Although, however, he had the astuteness to do this, yet he equally incredibly omitted to do away with a number of pieces of evidence which contributed to convict him—notably the clothing on the body.

The volume is, as usual, illustrated with a number of photographs. The publishers might, however, have done better than to give an excellent portrait of the present Mr. Justice Wright as that of the judge who conducted the trial. At that date he had only been called to the Bar for three years!

THE CASE OF CONSTANCE KENT (1860). By JOHN RHODE. 1928. 10s. 6d. (Famous Trials Series: Geoffrey Bles.)

THIS book is extremely well done, and Mr. Rhode is to be congratulated upon the immense trouble which he must have taken to gather his information and upon the excellent way in which he has presented it. The facts of the case are repulsive. The final trial is of no real importance, being one of the comparatively rare murder trials in which the prisoner has been allowed to plead guilty.

The interest of the case lies in the extraordinary way in which it was mismanaged from start to finish. The behaviour of the Home Office is quite inexplicable. It is incredible that either Mr. Slack or Mr. Saunders should have been allowed, and indeed encouraged, if not directed, by the Authorities to hold inquiries which they had no right to hold, and to request the attendance of witnesses which they could not possibly enforce. Perhaps the best thing that can be said of Superintendent Foley is that he had the courage to refuse to attend Mr. Saunders' inquiry. While two busybodies with nothing to do with the matter were allowed to hold inquiries, nobody seems to have made any effort to curb the meddlesome interference of the local Justices. The only person connected with the investigations in the case who comes out with any sort of credit is Inspector Whicher, whose deductions as to what actually

happened were finally shown to be almost completely correct. His letter, quoted in Chapter 9, shows him to have been a man of very out of the ordinary ability. At the same time, even he made the fatal mistake of striking before his case was strong enough. All the same, the Justices behaved badly in granting him a warrant and almost immediately afterwards practically condemning him for bringing the girl before them upon the same evidence upon which they had granted process.

The futile efforts of the curate with the 'whining tone' to advertise his particular views by attempting to raise a question of privilege which did not exist in law, and did not apply in fact, fit in well with the unfortunate happenings in this case from the beginning to the end.

In these days one cannot help thinking what an immense deal of trouble and unpleasantness would have been avoided had Constance Kent been thoroughly cross-examined as a suspect and wondering whether after all there is not a great deal to be said, in some cases, for the French system of interrogation.

POLICING THE TOP OF THE WORLD. By H. P. LEE. 1928. 8s. 6d.
(John Lane : The Bodley Head, Ltd.)

THE author had been a constable in the Royal Canadian Mounted Police of two years' service when, in 1922, he was detailed with eight others, under an Inspector, to proceed to the Arctic Circle to establish police posts in Ellesmere Land, Baffin Land, and North Devon Island—lands north of the mainland which had not previously been policed by the R.C.M.P. Mr. Lee's party spent two years on Ellesmere Land. During that time they had no experience of the professional side of police work, but his description of routine life in the Arctic lifts the veil from a little known phase of one of the varied duties of the Police Forces of the Empire. He gives a well-written impression of Eskimo life, of sledge dogs, of the hunting of bear, walrus and seal, and of the climatic conditions with its gales and blizzards, intense cold, and months of darkness. To the dangers from ordinary Arctic life was added the complete loss by fire of the party's living hut: fortunately their store hut remained. It says much for the discipline and comradeship of the R.C.M.P. that this small detachment endured such loneliness for months on end, with only the prospect of an annual visit of a relief ship.

The Limitations of Evidence

By HERBERT WINSTANLEY, M.B.E.

Assistant Chief Constable of Liverpool

ALTHOUGH the value of scientific evidence is being more and more appreciated by those responsible for the detection and prosecution of criminals, there are still many people who regard it with suspicion. To the writer's mind proper scientific evidence, such as the proof of a finger-print, has a value far above any volume of ordinary evidence. How many criminals owe their liberty to some difference in the account of events given by different witnesses? A witness's story is always coloured by his own personality, however honest he may be. Everybody draws his own conclusions from what is going on round about him, and expresses himself in his own way. If our six leading artists were persuaded to paint the same scene, every picture would differ from the others and all from a photograph, but an art critic would have no difficulty in saying which artist painted any particular picture. In the same way six leading novelists would each describe a given set of circumstances in a different way, and again the literary critic would easily ascribe the correct authorship to each account. Six eye-witnesses may easily differ in their account of any given crime, and while the prosecution can frequently demonstrate that such accounts are not inconsistent with one another, yet how often can the defence succeed in so stressing the apparent differences that a shadowy doubt is established which is sufficient to secure the acquittal of a prisoner. Scientific evidence is free from any such weakness, and it will help us to appreciate more fully its reliability if we briefly consider how these inconsistencies arise in ordinary evidence.

To do this we must examine the means which Nature has given us to perceive and interpret what is going on around us,

and the limits she has imposed upon them. They are the five senses.

First let us consider *Sight*. This is the sense upon which we most rely. The human eye is a very wonderful piece of mechanism, and as we almost alone among animals enjoy a stereoscopic sight we learn more from our sight, and attach more importance to it, than from any other sense. This is shown by our use of such expressions as, 'I saw it with my own eyes,' 'Seeing is believing,' and so on. But the eye has its limits of capacity. It may in some respects be compared with a camera. The rays of light which reach the eye are focused by the lens of the eye on to the focusing screen of the eye which is the retina. There are faults in the retina of some people's eyes which result in errors of vision, such as colour blindness and the like, but I wish to deal only with very general principles and not with any individual peculiarities.

We know that ordinary sunlight is composed of, and can be split up into, literally all the colours of the rainbow. When we look around us and see the grass green, the sky blue, blood red, etc., it means that these substances absorb part of the white sunlight which reaches them, and reflect only that portion of it which we see. If the light which reaches these various objects is not white but is already coloured through being lacking in some constituent part of white light, then the objects themselves appear to be differently coloured and to have a quite different appearance. A lady shopping will never think of comparing colours in artificial light, knowing that the appearance will be different in full daylight. The wonderful effects which can be obtained by making use of this fact is exemplified in the Samoiloff system of lighting in theatres. By a simple turn of the electric switch which changes the colour of the light thrown on to the stage, the appearance of the actors, their clothing, and the entire nature of the scene are instantly and completely changed, although no actual change has occurred beyond the changing of the colour of the light. This then is one limit of the eye's capacity. We may be deceived through observing things in different lights.

Now these various coloured beams of light come through the ether on various wave lengths. In these days of wire-

less reception, this expression will be readily understood. It has been demonstrated that the human eye can only be tuned to certain wave lengths, those ranging from red through orange, yellow, green, blue to violet, or if we put it into exact terms, the eye can only appreciate as light vibrations with a wave length between 390 and 770 millionths of a millimetre. Now beyond these visible limits there are on one side the infra-red rays, and on the other the ultra-violet rays, whose presence cannot be seen by the naked eye but can be recorded in various ways, and by these records we are enabled to perceive things invisible to the eye.

Some of these rays, for instance the ultra-violet, cannot travel through glass like the ordinary white light, while others like X-rays will go through substances which white light cannot pierce. The most widely known means of recording these rays is photography; and we are now all familiar with the wonders of X-ray photography which enables us to photograph the bones in our bodies and is also used to discover invisible faults in metals, etc. The wonders achieved by the use of these various invisible rays are increasing every day; only recently I read an account of how Professors Paul Frosch and H. Dahmen, two Dutch scientists, have been able to discover, through a truly wonderful piece of micro-photography by means of the ultra-violet rays, the long sought virus of foot-and-mouth disease. Other limits of the eye's capacity are its inability to see objects at a great distance or objects of very small dimensions. These defects are overcome to some extent by the use of the telescope and the microscope.

Another defect is the inability of the eye to see rapidly moving objects. If you see an instantaneous photograph of a galloping horse you will notice that its legs are shown in positions which you do not recollect ever to have seen in actual life: you cannot consciously obtain an eye-picture of a shell fired from the muzzle of a gun, yet you can get a good photograph of it. The slow motion film, which is made up of a series of instantaneous photographs taken in very rapid succession, has enabled us to analyze such movements as the beating of a fly's wing, which must remain for ever unseen by any human eye.

Another handicap is the power of one image to overpower another. This is easily shown by the cinema. All that you consciously perceive in a good cinema is a moving picture constantly on the screen. As a matter of fact what faces the eye is a series of fixed pictures between each of which the sheet is blank, but the brightly illuminated pictures overpower the darker image of the blank sheet, and in consequence you never see it. A somewhat similar thing occurs when colours are brought close together. The appearance of each colour is affected by the other; for instance, green will appear brighter if it is put against a red background. Artists, milliners and dressmakers are not slow to take advantage of this.

A more serious limit of the eye's use is its dependence upon the brain. When you take a photograph the image is focused on the photographic plate and is automatically recorded there. Now this is not the case with the eye. In the first place the field of vision is different from that of an ordinary lens. The lens records everything in its field of focus with equal precision. The eye on the contrary either sees a wide field of view in broad masses, or a narrow field of view in detail. I look at a library shelf. I see perhaps ten books from the position where I am standing, but I cannot read the titles on the backs of these volumes without moving my eye slightly for each volume, and giving my attention to that volume only. Now, I do not give that attention to each volume unless I wish, or, in other words, until my brain has acted.

The first action of the brain, then, is this action of selection. The next essential is attention. If my attention is wholly occupied by some other thought I may look at the book but not be conscious of doing so. I may be in what is commonly called a 'brown study.'

These two questions of selection and attention are very important from a police point of view, and the late Monsieur Alphonse Bertillon, the great French scientific criminologist, had these words written over his lecture room, 'You only see what you look for, and you only look for what is already in your mind.'

When the brain has selected the object and brought its attention to bear upon it, the next process is one of inter-

pretation. It is in this interpretation that most errors arise, for it largely depends upon a person's education and experience. A savage brought into view of the library shelf would only be conscious of rows of coloured material with gold-coloured marks on them: a western European would know them to be books with letters in gilt, while an expert might perhaps recognize each particular volume, and would be familiar with its contents. When the conjuror borrows my watch, and apparently smashes it to atoms with a sledge hammer, I know my brain has falsely interpreted what I have seen, and I am not surprised when the watch is handed back to me. I am walking along a lonely country road with a farmer friend, and in the distance we see what appears to be a slowly moving grey speck. My friend looks at his watch and informs me it is the post cart. Now the post cart is a red cart drawn by a black horse. He cannot see that; but his knowledge and experience tell him that the post cart does come at this time, and no other carts are likely to pass, therefore he is satisfied that he actually sees the post cart.

Special training, again, results in increased education and experience leading to more accurate observation. The ordinary man in the street sees a motor-car rush by and can only tell you that it is painted green, but the expert motor mechanic can tell you the make, the horse power, and probably give you a fairly accurate drawing of it. Instances might be multiplied; a doctor when examining his patient; the artist judging shades of colour; the cabinet-maker judging the quality of woods; the fashion artist viewing a rival's mannequin parade, etc. This question of interpretation, then, is a very wide one and opens up the way for all sorts of differences in the descriptions furnished by various witnesses of the same set of circumstances.

But supposing the circumstances are such that the witness has directed his full attention to the incident and has sufficient education and experience to interpret correctly the impressions, there still remains the vital need of *memory*. It is the business of the memory to recall and to reconstruct for the mind an impression previously received. It very often happens that a witness is not asked to make a statement until some time after

an event, when the original impression has somewhat faded and when it may be confused with previous similar incidents. If you are asked what you did immediately after your meal last night, you could perhaps say quite definitely that you followed your usual practice—lit your pipe and read the evening paper. If you were asked what you did a week last night, it is possible that you could not definitely say. You know your usual practice, but owing to numbers of similar occurrences you would not be able to distinguish that night from another. If you have no regular routine, it is possible you have completely forgotten what happened. Again, the impression recalled by the memory is very similar in nature to the impressions presented by the imagination or by suggestion from other sources, and with some witnesses these impressions get woefully mixed.

We see, then, how many opportunities there are for errors to creep in between the actual event and the account furnished of it by the eye-witness when he gives his evidence in Court. He may have seen the event only in the wide field of vision without bringing his attention to bear on it; he may have been mistaken in his interpretation; he may be defective in memory; and, lastly, he may be unable to find words which will convey to others the impression which he himself has formed. Such, then, are the difficulties of *Sight*, and we shall find that somewhat similar difficulties are experienced with other senses.

Hearing. We rely upon hearing, second only to sight, for our knowledge of what is going on around us. We have two ears and their mechanism is as delicate and as wonderful as that of the eyes, but they are sensitive to a different set of vibrations. Sound may be either musical notes or mere noises, according to their nature. They are conveyed through the air by vibrations measured usually by the number to the second. As in the case of the light waves, our organs are only sensitive to a limited range. A musical note is not heard under 16 vibrations to the second, but the ordinary person does not hear anything under 32 to the second, which is the note made by the 16-feet organ pipe, or an octave below the bottom C of the piano. Again, the highest note which can be heard is one produced by some 40,000 vibrations to the

second, but many people cannot hear anything above 20,000 to the second, which would produce a sound some three octaves above the highest D on a modern piano. It is possible, however, to construct a whistle with a note so high as to be beyond the capacity of the human ear but which will set every dog in the street howling.

The sound vibrations which reach the ear are also like the light vibrations which reach the eye, in that the attention of the brain is required before they come under notice. If you have your attention engrossed in a book whilst conversation is going on in the same room you do not hear what is said. Even if you are alone in a room absolutely quiet except for the ticking of a clock, you will not hear it if your attention is directed elsewhere. How often do you hear your own clock ticking at home unless you are actually listening to it, yet how loud it seems when you are awakened by a strange noise in the middle of the night, and you sit up in bed to try to locate it. There are many similar difficulties with regard to what I may call perception in the case of sight, and in addition we have special difficulties to contend with in the case of hearing.

Firstly, there is the difficulty of ascertaining distance and direction. A sound which reaches the ear may be the result of a small noise near by, or a big noise in the distance. We know from experience during the War how many errors arose from this difficulty. With regard to direction, difficulty is sometimes experienced through the sound waves being reflected. I frequently travel from a railway station where the platform is in a cutting. If I stand in a recess I am unable to distinguish whether the approaching train is the one by which I intend to travel, or one going in the opposite direction which is due at the same time. If you stand at the back of a room with an open window overlooking the street it is more than likely that you will be unable to distinguish the direction from which a vehicle is approaching owing to the reflection of the sound waves by the walls of the room. In some cases the circumstances are such that you hear the original noise and the reflected noise or, as it is called, the echo.

Another special feature which sometimes causes difficulty is the time it takes the sound waves to travel through the

atmosphere. Light travels so fast that for practical purposes we may call it instantaneous, while sound requires a perceptible time to travel. If you stand on an elevation watching artillery practice in the distance, it is possible to see the puff of smoke made by the explosion of the charge, and then the projectile striking the ground, before you hear anything. Again, if you see distant troops marching with a band you will notice that they appear out of time with the music, simply because the eye sees the movement of the feet before the sound of the musical note can reach the ear. You may often come across a roadman using a sledge hammer to break up the road surface, and if you watch him a hundred yards away you see the hammer strike before you hear the blow. All these facts may lead to discrepancies in evidence.

In addition, there are similar difficulties of interpretation of the noises which reach the ear as with the images seen by the eye. Education and experience are again important factors. Anybody walking through the streets of the city may meet people conversing in a strange language. One person knowing only English would be unable to distinguish what the language was; another might be able to say it was French, Spanish, or Chinese; another, more expert, might be able to distinguish the dialect and say it was Provençal French, Catalan Spanish, or Canton Chinese. Those who have read Edgar Allan Poe's story, *The Murders in the Rue Morgue*, will remember how the chattering of a monkey was mistaken by different people for some foreign language. There is, too, the story of the musician who said he did not know the number of his friend's house, but the boot scraper sounded E flat. Nine out of ten could not have told the note without comparison with a known note. When we come to deal with memory we find that many people who can recall something seen fairly easily are unable to remember sounds with the same ease. This is probably due to the fact that we rely on our eyes more than our ears, but a musician with a good ear can remember and reproduce a tune once heard.

Feeling. This is the sense next in importance, and in some ways it is even more complex than either sight or hearing. Sensations of feeling are not confined to any special organ, but

are experienced all over the body. The sensations affect nerves which communicate with the brain. For our purpose we may consider them under two main groups—those of temperature and those of touch.

A moment after you have switched on an electric radiator you will feel the heat even before you see the wire getting red. In the same way you may heat the poker in the fire, take it out and feel heat from it before you see any visible change in its colour. These heat rays are similar to the light rays visible to the eye.

The touch sensations result from some actual contact with the body, and are of almost endless variety. Different parts of the skin are sensitive in different degrees, and you can very easily satisfy yourself on this point. Take a pair of dividers with the points dulled so that they will not hurt, and extend the legs of the instrument a little way apart, say half an inch. Now, if you apply the points together to the back of the hand they will be felt as one, but if you apply them to the end of the finger they will have to be closed to about a tenth of an inch before they feel as one, while the tongue can distinguish the two points when they are only half this distance apart. On the other hand they may be put two inches apart and still be felt as one on the back. Again, all sorts of curious things happen when injuries are received. A slight hurt in one part may cause severe pain, while a serious injury in another part may altogether escape notice at the time. Many instances of this kind of thing occurred in the War, and most ex-service men have had experience of it. A man mortally wounded may not know it and may hasten to bind up a slight injury of his friend.

A certain amount of attention is necessary before you become aware of feeling sensation. Almost everybody has experienced that slight toothache which caused no inconvenience during the day when the attention was distracted, but which became very noticeable when you tried to get to sleep at night. Education and experience, too, count for much. This is illustrated by the blind, who, deprived of the sense of sight, develop the sense of touch to a truly marvellous degree so as to distinguish minute differences in objects with great facility. As far as crime is concerned this sense is mostly

relied upon by witnesses describing injuries, and discrepancies frequently arise as the result of these peculiarities.

Smell and Taste. We owe many pleasures to these two senses, but they play only a very minor part in evidence in criminal cases. The two organs by which we are conscious of smell and taste are closely connected, but I do not propose to say very much about them. With regard to smell there is little doubt that this sense is being used less and less and is being forced to give way to sight. We have only to notice the developments in horticulture during the last fifty years to appreciate this. All those old fashioned sweet peas and roses, not very much to look at, but full of delightful fragrance, have given place to the modern types—larger and more perfect in form but lacking in scent; appealing to the eye rather than to the nose. How often nowadays do you meet housewives whose linen chests are scented with lavender? Yet fifty years ago it would have been considered almost a breach of hospitality not to give you lavender scented sheets.

In some animals, especially certain breeds of dogs, this sense of smell is highly developed, and is made use of for hunting and sport. It is conceivable that criminals might be hunted down through their tracks being followed by hounds; but circumstances in this country are seldom favourable for this striking but unusual method of criminal investigation.¹

With smell and taste we have difficulty in finding exact language to describe our sensations. We cannot make any scale like that we have for musical notes, nor any chart such as we have for colours; and so our witnesses have to do their best to liken the smell and taste to some well-known standard. Thus most people would describe sulphuretted hydrogen as 'like rotten eggs,' and so forth. But we frequently meet difficulties; for that which attracts one person may repel another. A smell may be spoken of as a delightful aroma of venison or a stench of decayed meat, according to the personal predilections of the persons concerned.

This brief summary gives some idea of the obstacles which frequently have to be overcome when dealing even with honest witnesses who are doing their best to further justice.

¹ See *The Police Journal*, vol. i., p. 429.

And how often do witnesses fall short of this ideal! How many influences are at work to make the witness modify his story—fear and affection, self-interest, revenge, corruption, gossip, temper, vanity; how many times have these defeated justice! Then there are what we might call pathological conditions which prevent truth—hysteria, mythomania, hypnotic suggestion, or the mind affected by illness or constitutional changes. All these conflicting influences profoundly affect ordinary evidence.

The evidence which by its nature is free from these influences is obviously of great importance. And such is scientific evidence.

Dogs as Detectives in South Africa¹

Prepared from material supplied by

COLONEL I. P. DE VILLIERS, M.C.

Commissioner, South African Police

IN South Africa dogs have become a distinct section of the Police Force and the solution of many crimes stands to their credit.

The camp where these police dogs are trained is situated six miles from Pretoria, at Quagga-poort, and is the sole training depot for the whole Union; in fact it is the only state-owned institution of the kind in the world. The camp stands on the slope of a hill and commands a beautiful view of the surrounding country. It is neatly laid out in the form of a square, staff quarters flanking two sides, the kennels and offices completing the scheme. Grass and small trees make it attractive, while apparatus used for training purposes is in evidence in one portion of the grounds. Around is the rolling veld where much actual tracking is done.

The staff consists of thirteen trainers and a like number of 'learners' who are undergoing instruction as dog-masters. There are 140 dogs on the premises, mostly partially trained. As soon as an animal is fully trained, it is sent out to a district where its services are required. The system adopted is to train man and dog together.

When a learner commences work at the camp, he is given two dogs which he is instructed how to handle. He has to teach them the daily routine and has complete charge of them, the object being that the animals should know no other master. After the learner qualifies and is passed out, he is appointed to a Magisterial District with his two charges. A trained dog, it may be mentioned, is worth £80. Before leaving the camp

¹ See 'The Police Dog: His Selection and Training,' *The Police Journal*, vol. i., p. 423.

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the new dog-master is provided with a portable cage and kennel which he takes with him and erects at the post to which he has been drafted.

Great care is taken with the animals in training. They are not worked during the heat of the day in summer, and do no more than an hour and a half's exercise at a stretch. During that time they are made to climb ladders, jump, swim, retrieve hidden objects by scent and obey whistles and signals. They have to be taught implicit obedience. This is achieved by rewarding them when they behave and checking them when they are disobedient. A great deal depends upon the personality of the trainer and many men are found to be quite unsuitable for the job. The latter are then immediately returned to ordinary police duty.

The dogs readily respond and take a keen interest in their work. After two months' training in the confines of the camp they are taken into the veld to do real tracking. The method adopted is to instruct a native South African to walk some miles through the grass on the day previous to the practice, then to give the scent to the dogs and to order them to follow it up. Their sense of smell is remarkable, and they keep about twelve yards to the windward of the trail, never diverting from their course. It is claimed that they can pick up the scent of tracks seventy-two hours old. The native, in the meantime, goes into hiding; but it is not long before he is discovered by his pursuers, who pounce upon him, barking to attract attention. Should the prisoner attempt to escape, he is threatened by pairs of gleaming fangs. Different natives are employed, so that the animals do not become accustomed to any particular quarry. It is interesting to observe the peculiarities of the various types of dogs. The Dobermann-Pinscher, for instance, sets off at a brisk trot once it has found the trail, but the Bloodhound-Airedale cross is slow and leisurely in its gait.

The animals are well looked after, being carefully fed and kept in roomy cages when not being exercised. Their diet consists of meat, vegetables, mealie-meal, rice and special cake manufactured in the camp. Sick animals are isolated and treated by veterinary experts. Each is known by a name, which is painted on the kennel. No dog is ever allowed out of

the kennel except on leash with its trainer, and no dog is ever allowed to follow on the scent of game. Its whole energy is confined to human scent.

The following types of dogs are used, and a few details in regard to each may be of interest :

Airedale-Bloodhound cross.—These animals make ideal police dogs ; they are easy to train, possess excellent noses, and are splendid on the trail.

Dobermann-Pinschers.—These animals are more excitable than the Airedale-Bloodhound cross, but are highly intelligent, relatively easy to train, and are excellent on the trail.

Airedales.—These are not quite so easy to train, but once they have been trained they make excellent police dogs.

During the period in which dogs have been used by the South African Police, experiments have been made with various breeds and crosses, such as Alsations, Rottweilers and German shepherd dogs ; but experience has shown that the most suitable dogs for the South African country and climate are Dobermanns and the Airedale-Bloodhound cross. Recently a number of Airedales were imported, but as yet a sufficient number have not been trained, and it is thus impossible to say whether the breed will be maintained for police work. However, even in a suitable breed, it is not every dog which becomes a successful police dog.

An account is given below of four typical cases in which successes have been recorded in the case of Dobermann-Pinschers, Bloodhound-Airedale cross and Dobermann-Pinscher-Setter cross respectively.

During the night of the 15th May, 1927, a storeroom was broken into and some meal, sugar, coffee and a sugar pocket were stolen. A report was made at the Cradock Police Station in the Cape Province, Eastern Division, at 9.30 a.m. next morning. The police dogs stationed at Middelburg (Cape Province) were requisitioned, and the dogs Vrystaat and Vinjo (Dobermann-Pinscher) arrived with their dog-keeper at the scene of the crime at 10.15 p.m. At 10.20 p.m. the dog Vinjo was given scent from a booted human spoor at the scene of the crime, and traced the same for a distance of 2½ miles to a farm, where she entered a native hut and barked. The hut was searched



GENERAL VIEW OF THE DOG-TRAINING DEPOT, QUAGGA-POORT

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and a bag containing meal was found. The bag was identified by the complainant as the one stolen from his store. The occupier of the hut informed the investigating officer that a coloured man and his wife had called at the hut, left the bag containing the meal behind, and departed for Cradock. They were followed and overtaken. Their belongings were searched, and the articles missing from the store were found in their possession. The man was arrested, charged, and sentenced to six months' imprisonment with hard labour.

On the 25th June, 1927, at 4.45 p.m., a case of rape was reported at the Tongaat Police Station in the Natal Division. An investigating officer together with the complainant proceeded to the scene of the crime. Here a footprint, alleged to be that of the offender, was found, and on the strength of this the police dogs stationed at Pietermaritzburg were requisitioned. On the 27th June, at 9 a.m., a dog-keeper arrived with the police dogs du Toit (Bloodhound-Airedale cross) and Pauline (Dobermann-Pinscher-Setter cross) at the scene of the crime. The dog Pauline was scented from the footprint found at the scene, and followed the trail for three miles to a hut, where she barked. The dog du Toit was then scented from the footprint and he followed the same trail as Pauline, to the same hut, and with the same result. Inquiries were instituted at this hut, and it was ascertained that a stranger, of whom a good description was obtained, called at this hut and asked for food on the day on which the offence was committed. He left the same evening. At 10 p.m. on the 27th June the man was arrested on the above charge. An identification parade was held, and the complainant picked the accused out without any hesitation. The accused was brought before the High Court at Durban, found guilty and sentenced to ten years' imprisonment with hard labour.

A third example is a case of stock theft reported on the 13th August, 1927, at Richmond Police Station in the Cape Western Division. A dog-keeper detective was detailed to work on the case with police dogs Trix (Dobermann-Pinscher) and Rissikin (Bloodhound-Airedale cross). The offence had been committed on the 7th August, and at 3.30 p.m. on the 13th August, six days afterwards, the dog Trix was



Photo 1: VINJO DOBERMANN-PINSCHER
Photo 2: DU TOIT CROSS BETWEEN BLOODHOUND AND AIREDALE

Photo 3: PAULINE CROSS BETWEEN DOBERMANN-PINSCHER AND SETTER
Photo 4: TRIX DOBERMANN-PINSCHER

given scent from a spoor, alleged to be that of the culprit. She worked without a break up to the evening of the 14th August when she became exhausted and had to be rested and fed. On the following day, the 15th August, at 4 a.m. the dog Rissikin was scented from where Trix stopped the previous night. After a trail of 50 miles he pointed out a man, whose belongings were therefore searched. Two sheep skins and some fresh fat were found in his possession. He was arrested and charged on three different charges of stock theft and sentenced to two years' imprisonment with hard labour on each charge.

One more case of stock theft. On the evening of the 9th December, 1927, a case of theft of sheep was reported by a local farmer at the Murraysburg Police Station in the Cape Eastern Division. The offence had been committed on the previous day, the 8th: and very early on the 10th December a dog-keeper from Graaf Reinet arrived at the scene of the theft with two police dogs, Lorrie and Te Water, each being a Bloodhound-Airedale cross. The place where the sheep had been slaughtered was found, and there the dog Te Water was given scent. The dog followed the spoor over rough country and then for three miles over a mountain. At the foot of the mountain, after the descent had passed over a soft patch of ground where the spoor was very plain, the other dog Lorrie was put on the trail, and followed it for another three miles into the Murraysburg Location where the scent was lost.

Enquiries were made amongst the inhabitants of the Location and the boots of several males were examined, with the result that ultimately two men and three women were arrested. Of these two men and one woman were found guilty in Court and sentenced to 15 months' imprisonment.

Traffic Control: Comparative Methods

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BEFORE discussing the different systems which have been evolved in various parts of the world for the mechanical control of street traffic, it is well to have a clear picture in one's mind of the traffic benefits which should result from the introduction of any system of mechanical control. These are primarily as follows:

1. A reduction in the number of police constables required for controlling the traffic.
2. An easier and more regular flow of traffic, thereby reducing congestion and delay.
3. An increase in the safety of the streets for pedestrians.

These objectives should be kept well to the fore when considering schemes for the installation of any system of mechanical or electrical control signals. Every city, in fact every section of each city, has its own particular traffic problem, and in each case, before deciding upon the system to be adopted and the method of control, the lay-out of the area, the volume, direction, and the composition of the various streams of traffic from hour to hour should be carefully analyzed and studied. The successful working of any installation depends entirely upon a thorough knowledge of all the factors influencing the traffic in the area.

It is thus apparent that there is no guarantee of success in copying any particular installation of signals which may have been successful elsewhere, if such an installation is applied to a city where the lay-out, the volume of traffic and the composition of the traffic is entirely different. Due regard, then, must be given to the traffic conditions in each

locality ; and the particular method to be adopted for controlling the traffic can only be decided upon after a careful and thorough traffic survey.

The utility of traffic control signals depends primarily upon the judgment exercised in their installation and operation. It should be remembered that traffic signals stop as well as pass traffic. When signals are erected to deal with peak-hour conditions, arrangements should be made to enable them to be turned off at other times when the traffic is lighter.

The chief form of mechanical control is by means of light signals ; of these there are three main systems :

- (i) Independent ;
- (ii) Synchronized ;
- (iii) Progressive.

(i) *The Independent System*.—Under this system a particular intersection only is dealt with. The signals are adjusted for certain time intervals when operated automatically, or they can be manually operated.

This system is only of service at a crossing which is isolated from other controlled crossings and is quite complete in itself to deal with the traffic on the main road and on the cross road, but deals only with these streams and none other. The installation would consist of a control and four light signals (one at each street corner), each signal shewing a two- or three-colour aspect, red and green, or red, amber and green, as the case may be. The question of the use of the colours will be dealt with later.

(ii) *The Synchronized System*.—By this method, which has been largely adopted in America, signals at all intersections along a line of route are operated either manually or automatically from a central control. All north and south traffic stops while all east and west traffic moves. It is a system which appeals very strongly at first, and it is only when put into operation that its defects become apparent, on account of its rigid control.

The time of stoppage is the same for all the cross streets, and this period must be sufficiently long to enable the traffic on the most heavily used cross streets to clear. On the other

hand, this period is too long for the cross streets carrying less traffic, and the result is unnecessary delay to the main traffic as well as the loss of much valuable road space.

Generally speaking the synchronized system has proved a failure, because conditions vary at each intersection. A particular case of its use and abandonment is Fifth Avenue, New York. Fifth Avenue is intersected by many streets, the three most important being 34th, 42nd and 57th Streets. Under the synchronized system the length of stoppage was uniform along Fifth Avenue, and had the effect of very considerably reducing the traffic capacity of Fifth Avenue. It is understood that the synchronized system will be abandoned throughout New York City, although the experience gained by its inception has been most valuable.

(iii) *The Progressive System*.—This system, which is also known by a variety of names, such as 'stagger,' 'ripple,' and 'wave method,' differs from the synchronized system in that the signals along a line of route are divided into groups of one, two or three, with the colours alternating in every other group. The first two signals may be green, the next two red, and the next two green, and so on, instead of all signals along the route giving the same indication in the same direction, at the same time, as in the synchronized system.

If the signals are properly spaced and timed, the system permits of the continuous movement of vehicles proceeding at a predetermined speed. Vehicles starting at one end of the system may, when the green light goes on, drive continuously through that street, arriving at the end of each traffic block just as the green signals come on in front of the driver. This system produces a more satisfactory traffic movement than any other system ; but for satisfactory operation it requires that the distance between the cross streets should be approximately the same and that the traffic volume on the cross streets should approximate the traffic volume on the main street.

Experience has shown that the progressive system admits of the movement of a greater volume of traffic at a higher average of speed with greater safety than any other system and examples of its operation may be seen in Berlin, in Detroit and other cities in America.

Signal Colours.—The modern trend in the methods of street signalling is by means of electrically illuminated, automatic or manually operated signals. The type of signal system which was first employed in America gave three coloured indications at each signal, namely :

Red—*Stop*.
Amber—*Caution*.
Green—*Go*.

There is some diversity of practice with regard to the use of the amber indication. In railway practice the amber signal is definitely a caution signal and may be passed, but the driver must be prepared to stop. In street signalling practice it is considered that the amber should be a cautionary signal, but should have a slightly stronger meaning than in railway practice. The amber is an intermediate indication between the red and the green and should be used more as a *Prepare* signal. Following the red indication, traffic should not move on the amber but should only prepare to move, and only definitely move off on the green. Following the green indication, the amber should indicate to the driver that he must stop if possible, as the red definite stop signal will be following on immediately after the amber. In many cities in America it has been found that there is a tendency on the part of motorists to pay no attention to the amber—a tendency which is due principally to impatience and aversion to waiting. The amber aspect is being used by moving traffic to prolong the 'proceed' interval unnecessarily, and standing traffic assumes the amber aspect to be a special dispensation to move off immediately. This conflict of opinion has led some cities in America to omit the amber indication for the change from red to green, and to give signals directly from one colour to the other. Other cities have eliminated the amber indication entirely. Opinions of traffic engineers are at present divided as between the three-colour and two-colour systems, the former being sub-divided into full amber in which the amber is used at all changes, and split amber which is used only following the green. The practice in different American cities on this question thus varies.

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It is most desirable in a country such as Great Britain, which up to the present time has taken very little action with regard to the erection of mechanical means of controlling traffic, that practice should be standardized with regard to the meaning of the indications given by the light signals.

In some cities abroad the amber signal is used to allow pedestrians to cross. Under this arrangement, with a ten-second amber interval, pedestrians move for only a brief portion of the total time cycle, but with perfect safety. In some cities pedestrians move with the volume of vehicular traffic on the green signal. This arrangement gives pedestrians a longer total period of movement through the intersection than the former arrangement ; but the movement of the pedestrian is somewhat interfered with by the right-hand and left-hand turns, and the movement of turning vehicles is somewhat slowed down. It is thought that the best method to adopt, which gives protection to all traffic, both pedestrian and vehicular, is the three-colour system.

On this question of the use of the three-colour and two-colour systems, and for general information, I cannot do better than quote an extract from the tentative draft of the Model Municipal Traffic Ordinance, issued by the National Conference on Street and Highway Safety and published at Washington in May, 1928.

Three-colour System

' Where the three-colour system is used, the colours should have the following meanings :

' Green means permission to go, subject to the safety of others or the specific directions of an officer.

' Red means to stop before entering the intersection or cross-walk, and to remain standing until green is shown alone.

' Amber following green means to stop before entering the intersection or cross-walk unless, when the amber appears, the vehicle is so close to the intersection that with suitable brakes it cannot stop. This distance for a speed of 20 miles per hour is specified as 50 feet in the National Code on Brakes

and Brake Testing. If within such distance, the vehicle should proceed across the intersection. If the amber is used following the red, vehicles must not enter the intersection or cross-walk until the green appears alone.

' With the amber light used after the green, the duration of the amber should correspond closely with the time required for vehicles unable to stop to clear the intersection and also for pedestrians who have started across on the green to reach the opposite kerb or a safety zone. The period should also be not less than that required to stop a car travelling at the normal speed of the thoroughfare, which at 20 miles per hour, with adequate brakes, will be 3.4 seconds. In congested districts a 3-second amber period may be sufficient. On boulevards 6 or even 7 seconds of amber may be desirable. For average conditions, however, a 5-second period is appropriate and a longer one is undesirable, because, if strictly obeyed, it will slow up traffic, and because it encourages motorists to disregard the amber and to continue in motion in the belief that in any event they will reach the intersection before the red appears.

' The use of amber for special purposes, such as the making of left turns, or as a special interval for the movement of pedestrians in all directions, is not recommended. These special conditions are discussed in later sections.

Two-colour Systems

' Where red and green only are used, the green has the same significance as in the three-colour system, namely to permit vehicles to go, subject to the safety of others and the directions of an officer; while red means to stop, unless the vehicle is so close to the intersection or cross-walk that it is unable to stop before entering the same, in which case it shall proceed across the intersection.

' With the two-colour system it is generally considered necessary to overlap the reds—that is, to have the green change to red in one direction a few seconds before the red changes to green in the other direction, so that vehicles in or near the intersection proceeding in the former direction can

clear the intersection before it is entered by vehicles from the latter direction. This interval of overlapping reds should be of the same length, ordinarily, as recommended for the amber in the preceding section.

Length of Cycle

' The total length of the cycle, as well as the division of the cycle between the two (or more) directions should be determined by careful analysis of the traffic and other conditions. In general, a fairly short cycle is recommended—say 40 to 80 seconds for ordinary conditions. The use of cycles as long as 3 minutes, of which perhaps 2 minutes are devoted to one direction, encourages violation by both pedestrians and motorists and delays traffic. With a short cycle, the approaching motorist can so gauge his speed from a distance of one or two blocks that he will reach the intersection on the "Go" signal and thus avoid having to stop at all.

Right and Left Turns

[*Note.*—In reading this it should be remembered that the rule of the road in America is the reverse of the rule of the road in Great Britain.]

' The Ordinance provides that all movements, including turning movements, shall ordinarily be made on the green light.

' There are certain heavily travelled thoroughfares where it has been deemed desirable to make left turns from the thoroughfare with the cross traffic; that is, on the red light. Where this is found necessary after careful study of the situation, the special regulation should be clearly indicated by a sign at each intersection; or better still, a special signal light should be provided, in the form of an arrow pointing left, which will show green when the left turn is made. The use of such an arrow has the great advantage of preserving the integrity of the colour indications, and the motorist will see and understand such special signal much more readily than an ordinary signal.

' In some cities right turns are permitted on the red as

well as on the green light. Some of the ordinances permitting this require that before making the turn on the red light the driver shall stop at the cross-walk, and shall make the turn with special regard for the safety of pedestrians and vehicles. Others do not even require the preliminary stop. Whether or not the stop is required, the practice cannot be recommended because it violates the standard significance of the red light, making it a cautionary and not a positive signal for such vehicles. Where there is any considerable demand on the part of motorists to be permitted to make right-hand turns on the red light, it may mean that signals have been installed at places where they are not needed, or are being operated at times when they are not needed, or that the cycle is unnecessarily long. Correction of such conditions should then be sought, rather than the making of a special rule.

'If it considered necessary to permit right turns against the red light at any particular points, this should be indicated in the manner already recommended for left turns, namely, by the erection of a sign or preferably the use of an additional signal with an arrow pointing right, showing green at all times when such turn is permitted.

'There are some cases where an important thoroughfare makes a right-angled turn. In such cases the turning movement (right in one direction, left in the other direction) may be regarded as the normal movement, and any other movement at the intersection interfering with the former may be prohibited or limited. Any such condition requires special engineering study, but its control should conform to the foregoing principles.

Special Signal Indications

'There are some intersections where the pedestrian movement in all directions is so heavy at times, especially if combined with complicated vehicular turns, that the authorities have felt it necessary to set aside a certain time interval, perhaps 15 or 20 seconds, for exclusive pedestrian use of the intersection. As already stated in a preceding section, the use of amber in such a case is not recommended because it would conflict with the standard significance of that colour. It may be possible to use

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a special colour, such as purple, to indicate exclusive pedestrian movement ; or the vehicles may be stopped by red signal lights at all entrances to the intersections, and the pedestrians permitted to move on such lights, or additional small lights may be used to direct the pedestrian movement at such times. The use of red in all directions for pedestrian movement is not recommended, because it tends to break down the efforts being made to induce pedestrians as well as motorists to obey red lights.

Location and Specification for Signals

'There is considerable difference in practice, and some difference in expert opinion, as to the location of signals on the kerb or in the centre ; on the near side or the far side ; and on the question whether kerb signals should display their indications in one, two, three or four directions. The general trend is in favour of kerb or side installations rather than in the centre. The American Engineering Council Committee on Signs, Signals and Pavement Markings also favours far side signals showing in as many directions as possible.'

The report then deals with other aspects of traffic in cities which are not pertinent to this article.

A report on the street traffic control problem of Boston has recently been submitted to the Mayor of that city by Dr. Miller McClintock, Director of the Erskine Bureau for Street Traffic Research of Harvard University. It is of interest to note that this report, when discussing mechanical traffic control by signals, favours independent control for signal installations at isolated intersections in the outlying districts. Synchronized co-ordination, 'while it has certain merits under restricted conditions, is for general purposes an antiquated type of co-ordination,' the report states. Progressive co-ordination is recommended without reservation, based on observation in various large cities where this method is in use. Praising the progressive co-ordinated system, the report declares that 'its advantages are so apparent, and the results achieved from it have been so successful, that it is rapidly developing as the standard type of signal co-ordination.'

Pedestrian protection and control are dealt with at length, the report stating that the timing element involved in the proposed system of automatic co-ordination is designed to give frequent opportunity to pedestrians to cross at all of the more important intersections. It is recommended that there be adopted a regulation providing for the strict synchronization of pedestrian and vehicular traffic. For the present a modified plan is proposed.

Before describing in greater detail other particular traffic signal installations which have been erected in various parts of the world, it may not be amiss to draw attention to the duties of the motorist when driving through an area where the traffic is controlled by mechanical signals.

The necessity for careful analysis of traffic has already been referred to; and when the authorities responsible are satisfied that their regulations are based on scientific data and not on methods of trial and error, it should be the duty of a motorist to go to some trouble to understand the system and to lend his fullest support, as he should bear in mind that any mechanical signal system, no matter how carefully it may be designed and operated, is worthless unless rigidly obeyed.

With the object of assisting motorists and pedestrians to observe the signals, and to draw attention to them, bells have been employed in some places to work in conjunction with the signals, and to sound on the change over. Under some circumstances the use of bells is undoubtedly justified. There are, however, certain objections to bells, as they may in some traffic conditions be inaudible or they may cause annoyance to residents in adjacent buildings. From observations which have been made of their use in actual traffic conditions, particularly in Paris, the conclusion is that they should not lightly be omitted from the apparatus required for a complete signal installation. It is comparatively easy to select and train the necessary officers to operate the controls of a signal system; but it is no easy task to train the public to use the signals readily.

GREAT BRITAIN.—Apparently the first mechanical signal used in this country to control street traffic was a semaphore

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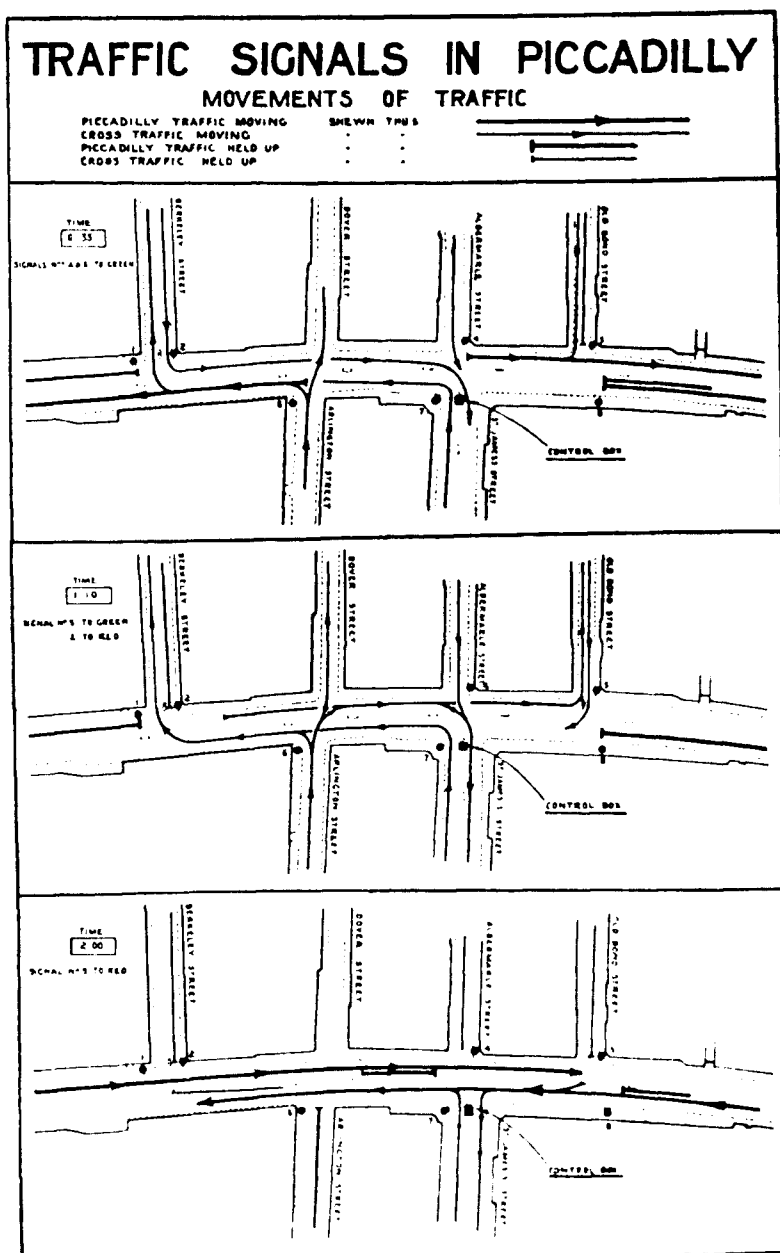
arm, which was manually operated, erected in 1868 in London at the junction of Parliament Street with Parliament Square. It was eventually removed on account of an explosion caused through the gas by which it was illuminated at night.

In the early part of 1926, an installation of traffic signals was erected in Piccadilly to control traffic between Berkeley Street and Bond Street. These signals are electrically operated and are controlled by a central control situated at the top of St. James's Street. In order to overcome the difficulties which have become apparent in rigid control installations that deal with cross traffic of unequal volume, as referred to in the case of Fifth Avenue in New York, the system installed in Piccadilly has been made as flexible as possible, and it has been found possible for the controller to operate his signals in accordance with the varying volume of traffic to be dealt with at different times of the day.

The signals show three lights alternatively :

- (1) Red—*Stop*.
- (2) Amber—*Get ready*.
- (3) Green—*Go*.

Eight of these signals—they are of the three-aspect day colour light type, fitted with red, amber and green lenses and the necessary transformers, and mounted on tubular steel posts on a cast-iron base—have been set up in Piccadilly. Five of the signals are fitted at the back with a small lens, which serves as an indication to the policeman on point duty when the signal is showing red or green. Five also are fitted with an electric plunger, the purpose of which will be described later. The control of the signals is exercised from a small cabin, which, as stated, has been erected at ground level at the top of St. James's Street. This cabin is equipped with an illuminated diagram, which repeats all signal aspects, and a miniature frame of eight levers, space being provided for the addition of a king lever if necessary. Each of the levers has three positions—normal, midstroke and reverse—providing red, amber, and green indications respectively. Thus, when the operator moves the lever from red to green, or *vice versa*, he can pause at midstroke for a predetermined interval to



INSTRUCTIONS FOR WORKING SIGNALS

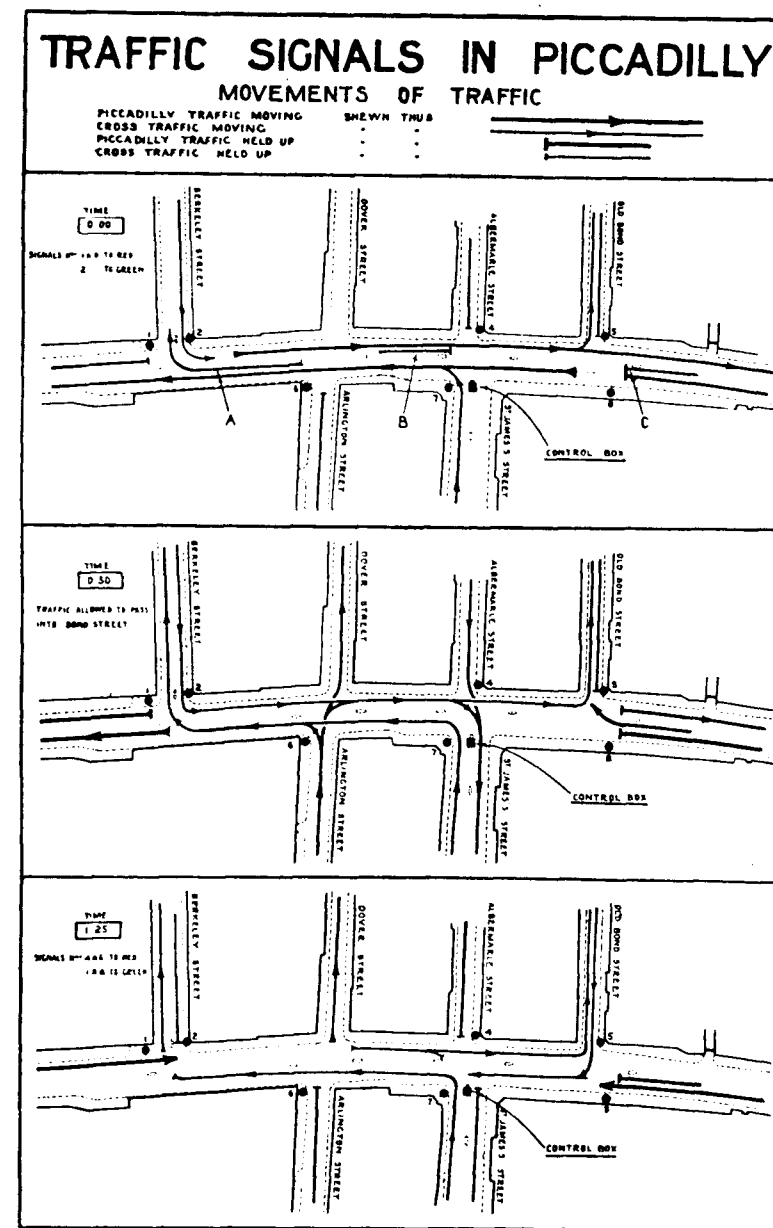
CLOSE No. 1 AND No. 8.—The flow of traffic from west and east along Piccadilly within the limits Berkeley Street to Bond Street will then cease. Traffic waiting at 'A' will make a right-hand turn into Berkeley Street.

OPEN No. 2 IMMEDIATELY.—Traffic from Berkeley Street for St. James's Street will flow. Traffic waiting at 'B' will make a right-hand turn into St. James's Street immediately tail of west-bound traffic has passed St. James's Street.

OPEN No. 4 when tail of east-bound traffic has passed Albemarle Street and

OPEN No. 6 when tail of west-bound traffic has passed Arlington Street. It will be found in practice that these signals (Nos. 4 and 6) will require to be operated simultaneously.

Immediately tail of east-bound traffic has passed Bond Street, traffic waiting at 'C' will make a right-hand turn into Bond Street. *(Continued opposite)*



INSTRUCTIONS FOR WORKING SIGNALS

(Continued from opposite page)

CLOSE No. 2 AND OPEN No. 5 when the traffic at 'C' has been cleared.

CLOSE No. 4 when traffic starts to flow from Bond Street towards St. James's Street.

CLOSE No. 6 when traffic from Bond Street passes control box.

CLOSE No. 1 AND No. 8 immediately.

CLOSE No. 5 before east-bound traffic reaches Bond Street.

enable the exhibition of the amber or caution signal. The interlocking is quite simple, being based on the requirement that it shall not be possible for the Piccadilly signals to show green unless all the other signals, with the exception of the Bond Street signals, are showing red. Thus, the Piccadilly signals lock the signals governing the side streets with the exception of the Bond Street signals, which in their turn lock the Piccadilly signals. As already mentioned, plungers are fitted to five of the signals, the purpose of which is to enable the policeman at each point to indicate to the operator in the control cabin that there is an accumulation of traffic at his point needing special attention. The plunger in each case is in a box, of which the point duty policeman has the key.

It is a system of manually operated co-ordinated control from one central point in a congested area, where previously it was extremely difficult to avoid confusion owing to the impossibility of timing the north and south movement of traffic on some of the cross-streets to coincide with the movement of the north and south traffic stream on other streets. The diagrams on pp. 204-205 illustrate the movement of the traffic and the operation of the signals throughout the time cycle.

In 1927 an experiment was carried out in Wolverhampton with a three-colour light signal to control an independent crossing. Its operation and control exercised on traffic were considered satisfactory, although the experiment was not continued. Again, in the early part of 1928, sets of electric light signals were set up in both Leeds and Edinburgh, the installation in each case controlling a simple right-hand crossing. In both installations four electric light signals are employed to show the three indications of red, amber and green, together with a control box. The signals can be set to operate automatically at predetermined intervals or they can be operated manually.

Both these installations illustrate the independent system and rely entirely on the lights to instruct the driver. It is understood that in Leeds the system will be extended. It is possible with these signals to switch out the red and green indications at night time and to work the signals automatically to show a flashing amber light only, the signals then acting

as warning signs to indicate to traffic the presence of a crossing.

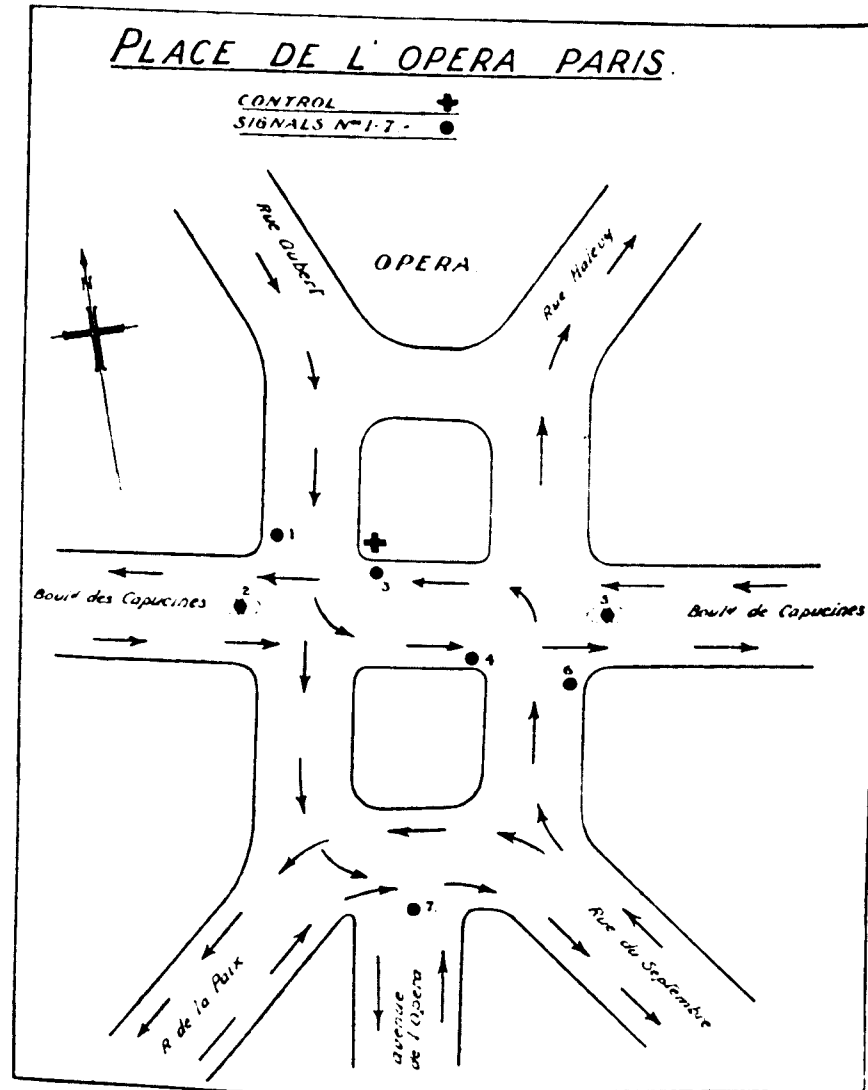
In the autumn of 1927 an installation of traffic signals was set up in Brighton at the T-shaped junction of West Street and the sea front. This installation differs from the signalling which has been previously described in that the indication is given to the traffic by means of semaphore arms which in the horizontal position show the word STOP. It is understood that the adoption of the semaphore arm was decided upon owing to the difficulty which it was thought the public would experience in understanding the meaning of the light signals. It is stated that experience of the use of the semaphore arm signals has confirmed the opinion that the public would readily observe and obey them.

The semaphore arm is made of metal, and the word STOP thereon is sufficiently large to be read at a distance of 200 yards. At night the letters are automatically lighted when in the STOP position. The semaphore arms are at a height of 6 feet 6 inches above the ground. Control is effected by means of a constable on a raised platform in the centre of the crossing. Before him he has a switchboard containing seven lever switches, four in line above and three in line below. Switch No. 1 operates the electric light in the three-signal posts, and switches 2, 3 and 4 operate the semaphore arms of the three signals: the three bottom switches operate a bell on each of the signals for use as an additional warning to motorists, should it be thought necessary.

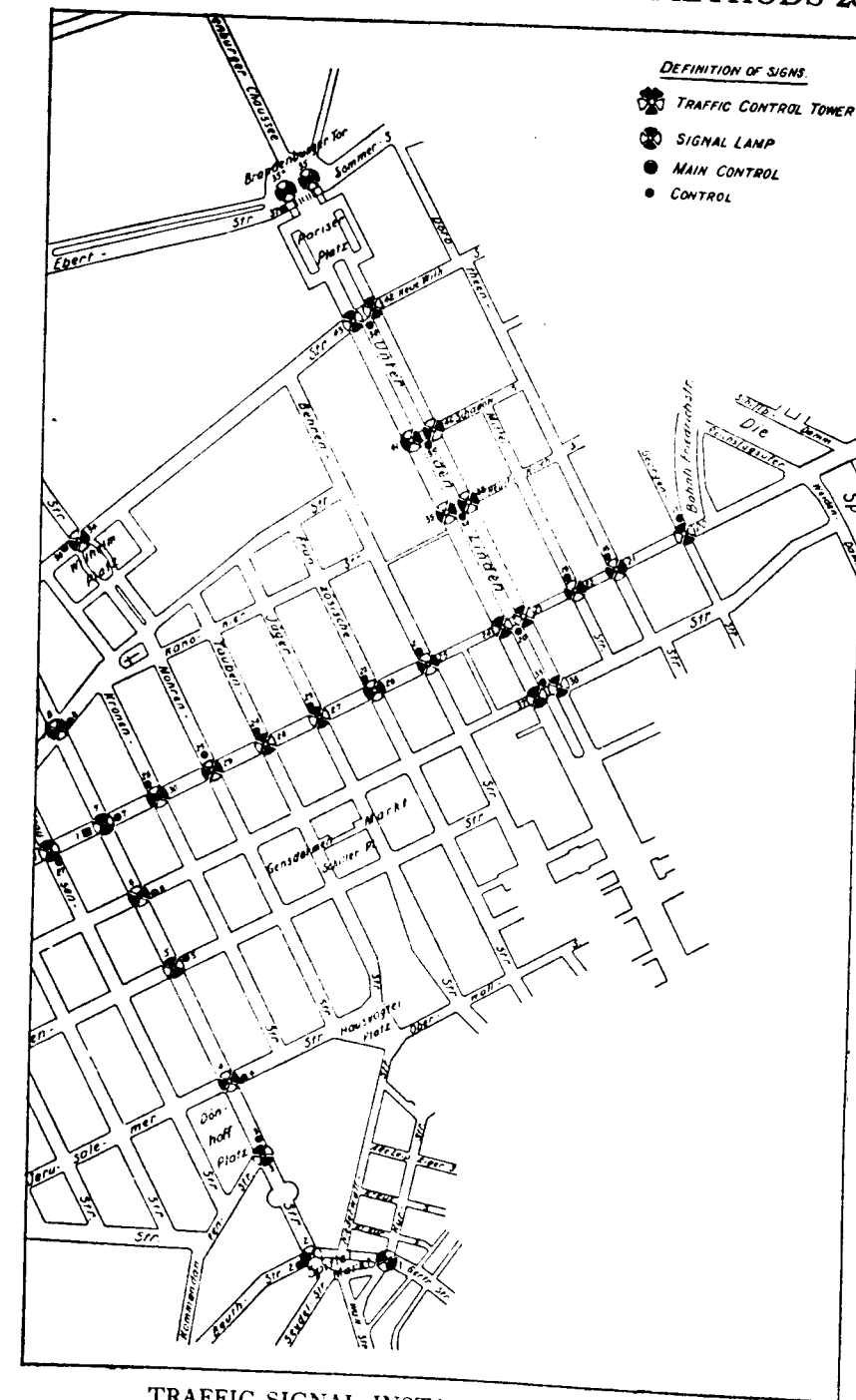
From observations which have been made, this installation undoubtedly has been quite effective in mechanically controlling the traffic at this particular junction; but if mechanical signals are to be used to any extent in this country, the desirability of standardizing the red, amber and green lights for the apparatus is worthy of consideration.

FRANCE.—So far as information is available, it would appear that the only city in France in which mechanical signals are installed is Paris. In each case the signals regulate the traffic only at the particular crossing, and in no way is one crossing electrically co-ordinated with the movement of any other. The most complicated crossing controlled is the Place

de l'Opera, and at this crossing there are seven signals operated from one control (see sketch plan, which shows the position of the signals and the position of the signal control).



The control is by means of light signals ; these signals, however, only give one indication, namely red. The signal consists of a lamp with a face about 12 inches or 15 inches in diameter with the word HALTE in white letters on a red background. When it is desired to stop traffic the red light



TRAFFIC SIGNAL INSTALLATION IN BERLIN

appears: when traffic is released the red light disappears. Warning is given before the red light comes on and before it goes out by means of a bell. The bell rings about ten seconds or so before a visible signal is made. The switch-board controlling the lights and the bell is mounted on the foot of a lamp standard and is operated by a constable. There are several other crossings in Paris controlled by signals, but they are all on the independent system and no useful purpose would be served by describing them further.

GERMANY. —In Germany mechanical signals for the control of traffic have been erected, among other places, in Berlin, Hamburg, and Leipzig.

In Berlin the progressive system of signalling has been adopted, and the plan on page 209 shows the lay-out. The three-colour indications, red, amber and green are given. It is stated that this system of signal has very materially reduced the delays which formerly occurred in the traffic at Berlin.

Recently, bells have been attached to some of the signals, after the example of Paris. The bell operates in conjunction with the amber light, and it is the considered opinion of the Berlin traffic authorities that for isolated installations the addition of a not too shrilly sounding bell would appear to be desirable: experience has proved that the installation of independent signals coupled with the use of a bell has had the effect of keeping the traffic going regularly and continuously under the most unfavourable conditions without the use of police.

U.S.A. —The first part of this paper dealt with street traffic signalling practice in the United States, where mechanical control is exercised in most of the important cities. It would appear from experience which has been gained by actual use of different systems that the progressive system has been found generally to give the most satisfactory results.

In conclusion, it cannot be too strongly emphasized that however carefully a mechanical control scheme is worked out it will not be a success without the willing co-operation of the public.

Bush Rum in British Guiana

By A. D. M. WHITE

County Inspector, British Guiana Police

THE suppression of the illicit distillation of spirit is a problem with which a number of our police forces have to deal. Perhaps the more unsophisticated inhabitants of some of our lesser developed colonies have not yet learnt the gentle art of using a still, nor acquired a taste for liquor, which would hardly be so greatly enjoyed were its manufacture not illegal. But the people of British Guiana have long been adepts, and the manufacture of 'bush rum,' or 'bushy' as it is locally called, may still be considered a minor industry.

Two conditions are essential for its production: the first, that a sugar estate shall be in the district, and the second, that the surrounding country shall be difficult of access. If the district is subject to flooding during many months of the year so much the better. The sugar estate's factory is the happy hunting ground for those who supply the makers with the necessary sugar or molasses. Undoubtedly a good proportion of both these commodities is obtained while the watchmen, like so-called watchmen the world over, are engaged in that never difficult business of sleeping. On the other hand, some of the estates sell a good deal of molasses to various purchasers during the year. It is said to be bought for the purpose of feeding pigs and cattle; but nothing in the appearance of the local stock tends to alter the opinion that most of this honestly-come-by product is dishonestly used. If you see a sugar estate, you see a potential bush rum district.

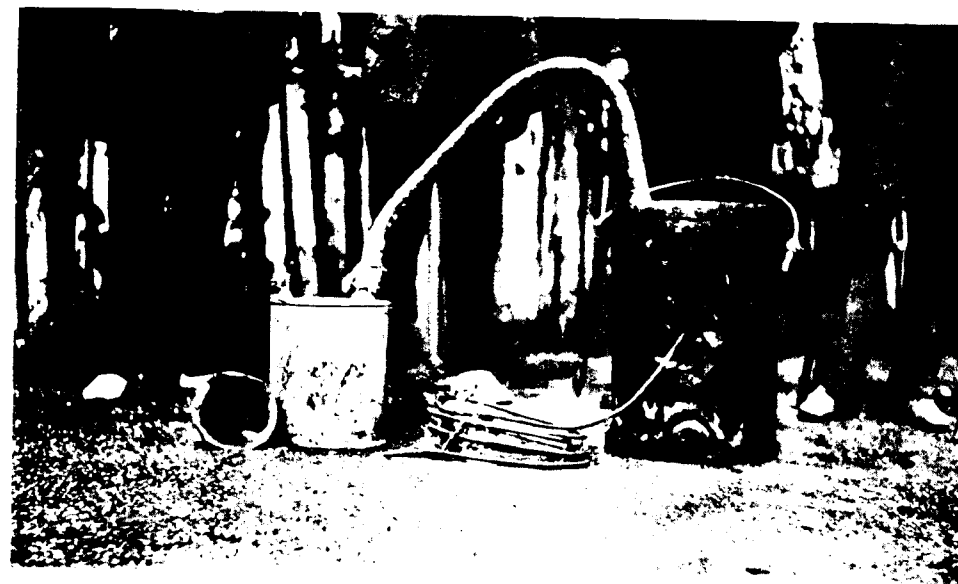
One's idea of a still for the manufacture of spirit is that of a rather elaborate piece of apparatus, but the first sight of a bush rum still is apt to prove disappointing. The essential parts will be there in some form or other; the whole thing,

however, is more likely to resemble a collection of old iron than a still for the production of spirit.

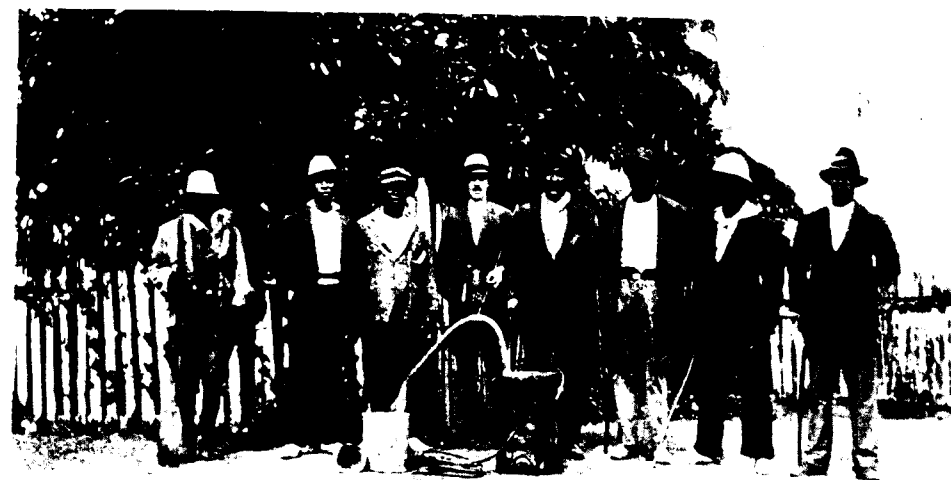
A large or small petrol drum or discarded iron tank will form the main part of the still in which the 'wash' is to be boiled. A piece of bent copper tubing—the 'goose-neck'—is led from this to another piece of coiled tubing placed in a kerosene oil tin or similar receptacle. The lower end of this coil emerges from a hole low down in the side of the tin. The coil and tin, the latter being kept full of water while distillation is going on, condense the spirit, which is caught in anything that can hold it. All the joints and packings of this weird collection of metal are kept water-tight—more or less—by liberal applications of mud, plantain leaves, string, or anything else which may be handy. These stills have no means of separating the low wines and 'feints' from the good spirit, so that 'bushy,' which contains a good proportion of the former, is not very acceptable to a delicate palate.

When a sufficient quantity of molasses or sugar has been bought, stolen, or otherwise obtained, the distiller disappears into the scrub in the back lands of the coast or river and 'sets up' the wash in casks. He mixes molasses and water with a little yeast, or, if he wishes to speed up the ripening process, he adds a certain amount of sulphuric acid and ammonia. The wash may take anything from four to ten days to mature. This process is carefully watched. Some hours before the wash is ripe the still will be unearthed and set up in time to commence distilling as the wash comes to maturity. If our expert is lucky he will complete the process and get away with the spirit. If he is not, it is likely that, as he lights a fire under the still and pours in the first charge of wash, a police officer and half a dozen men will rise in a circle round him, break up his casks and take him off with his still to argue the matter out before the magistrate.

Old reports show that the illicit manufacture of spirits was in full swing during the 'nineties. In fact from Surinam on the east to Venezuela on the west the coast lands must have been littered with stills. Late in that period the Government made very determined efforts to put down the manufacture of, and trade in, the spirit. Very generous rewards



A "BUSHY" STILL



A BUSH RUM PARTY, IN FULL DRESS, WITH THE RESULT OF A RAID



THE BUSH RUM PARTY ON DUTY

have offered for information leading to the capture of a still and the capture of those working it, while various departments pooled information and worked together for the suppression of the traffic. They were to some extent defeated by the state of the law with regard to the possession of spirits. Up to 1898 bush rum, as such, was not contemplated by the law, and action could only be taken against offenders under the existing spirit ordinance. In this, the mere possession of spirit was no offence unless the owner contravened some section limiting the amount of spirit to be in the possession of a person at any one time, or the sections controlling its transport. In spite of this, the police seem to have been very successful in putting a stop to a good deal of the business. Raids and the capture of stills and distillers, and the heavy punishments imposed, made the trade a hazardous one except in the river districts, where the police were handicapped by lack of proper transport.

In 1898 bush rum seems, for the first time, to have had the distinction of a section to itself in the spirit laws, when the possession of it in any circumstances whatever became an offence. This helped matters considerably. Convictions became more frequent, with a corresponding decrease in the traffic. Later, cases occurred where the wily distiller had mixed bush rum with good spirit. The analyst was unable to describe the spirit as 'bushy,' and cases were dismissed. The law was then amended to make the possession of any substance containing bush rum an offence, and the last loophole was stopped.

The execution of a successful raid often involves a considerable amount of discomfort, if not of danger. To make the raid, the men have to leave their stations late in the evening before the day on which it is to take place. The party, sometimes guided by an informer, sometimes not, probably walk five or more miles through mud and bush till they reach their objective. There they take the best cover possible and wait, hopefully, till dawn, bitten by mosquitoes, sandflies, ants and other pests, and more than likely soaked with rain. Sunrise may not bring their quarry. In many cases the distiller does not put in an appearance till after noon; and by then the

members of the party, who have sat with the minimum of movement and without food for twelve or more hours, put up a silent prayer that they may not be required to move with any speed. At one time I was rather sceptical about the ease with which some of the gentry would get away from the men sent after them, but after my first experience of sitting for thirteen hours, first soaked by rain and then stewed by the sun, I found it unpleasant enough to walk, let alone run. It was on that occasion that one of our party sat on an ants' nest in the dark, and spent some hours after the raid in using unbecoming language and applying a cooling lotion.

On two occasions only has serious opposition been attempted against raiding parties, though, no doubt, the possession of arms by the police, and an intention to use them if necessary, have often prevented trouble at other times.

Of the two occasions mentioned, the first occurred when a small party of men, headed by an officer, raided a village. To reach the village they crossed three miles of river. On landing, the party entered the village unseen, searched a house and seized a quantity of bush rum and a prisoner. When returning to the boat they were observed. The alarm was raised and the villagers turned out, attacking the party with sticks, bottles filled with water, and bricks taken from the sides of the kitchen fire. After a skirmish with minor injuries to the police the villagers were driven back with the loss of some of their number as prisoners. So far victory remained with the raiding party, who would probably have made good their retreat with the prisoners had they not, on returning to the landing, found that the boatmen left to watch the boat had taken fright and deserted. It was with some difficulty that the boat was got back to the landing place. Meanwhile the villagers, reinforced, and emboldened by the idea that the retreat of the police was definitely cut off, again attacked; and in spite of the efforts of the officer to cover the embarkation of his men, they broke through, attacked the party half in and half out of the boat, rescued the prisoners and severely wounded some of the party, including the officer in charge.

The decision to leave the villagers with the rescued prisoners could not have been welcome, but as the injuries to

the police required immediate attention the party returned to headquarters. Later, the original prisoner was rearrested, charged and convicted. A number of the villagers who took part in the attack on the police were also arrested and charged, but were found not guilty by an obviously biased jury who had a strongly marked sympathy for these distillers.

The second occasion on which the police suffered was in a raid on a house in a village justly famed for its production of illicit spirit. As the search was to be made in daylight and the country particularly open, it was thought inadvisable for the party to be led by an officer, owing to the ease with which he could be recognized from a distance. There was an unfortunate error made in the selection of the raiding party. One must admit that the men most useful for such work are not necessarily those with the best characters from a disciplinary point of view; not those with the cleanest defaulters' sheets. My own selection included men not remarkable for their saintly dispositions or affection for police regulations, but men who, when trouble seemed imminent, were in their element. This time the party was told off by a non-commissioned officer at headquarters, who chose for the purpose a selection of nicely mannered men who bore good characters, probably because they had not the spirit to misbehave.

The party was defied and attacked by the villagers, who managed to dispossess the non-commissioned officer in charge of his revolver and then beat him till he appeared to them to be dead. His men did not back him up as they should have done: disciplinary action was taken against them later. The non-commissioned officer fired most of the rounds from his revolver in an endeavour to frighten the villagers, not realizing that the time had come to make serious use of it. For this mistake he suffered severely; but in a country where the use of arms is very seldom necessary and is consequently discouraged, he was to be excused. He was absolutely fearless and extraordinarily successful in his efforts to stop the making of bush rum. In fact he was the best hated non-commissioned officer who ever controlled that district. The people had been waiting their chance to put him out of action and, in the absence of an officer, they considered it had come. It is very

much to his credit that, after months in hospital, he returned to take charge of the district at his own request. Many warrants were taken out against men and women of the village, but it was some time before they were all executed. Some weeks after, a party of police arrived at the village at sunrise with the intention of bringing in a dozen or so of the wanted men. They found exactly one man in the whole area. He was a white haired old African, who explained in a terrified voice that, though he had had nothing to do with the attack on the police, he only remained in the village because old age had deprived him of the use of his legs.

Shortly after this a squad of police made a more successful descent on the village. The officer in charge set out in pursuit of a fugitive who was making good time through the thick mud in the direction of the bush. Though not used to such strenuous exercise, the officer was making better time still and had almost overhauled his man when an enthusiastic policeman, with the intention of frightening the man into surrender, fired a round in his direction. The result was not the desired one. The shock gingered up the fugitive to such good purpose that he managed to escape, leaving the officer struggling to regain his path, while he alternately scraped mud from his person and cursed the misguided and repentant marksman.

A good deal of care has to be taken to bring a raid to a successful conclusion, and many a one has proved abortive through lack of precautions which might well make a Boy Scout blush. One day an Inspector with a reputation for past successful raids received the most reliable information of a positive orgy of distilling which was to take place at a spot in the bush some miles inland. Elaborate precautions were taken to keep the arrangements for the raid a secret, and the party of police told off for duty was larger than usual. A novice must have crept in, for, on their way to the place where the bush rum was to be made next day, one of the young constables ate a couple of biscuits which he had with him. By three in the morning the party was well hidden round many barrels of wash. It was ripe, and the quantity gave promise of a record brew. They waited till late the following afternoon but saw no sign of the expected distillers. Hungry and disappointed

they returned to their stations. Later they discovered that early the same morning, their quarry, carrying the still, had followed in their tracks, though unaware that the police were ahead of them. Suddenly the leader stopped and pointed to a small piece of biscuit lying in the path. He broke it and found it still crisp. Not being fools, the men decided that the neighbourhood was unhealthy and scattered to their homes. No doubt, as innocent labourers, they watched with secret joy the return of the disgruntled police.

It will be seen that the history of 'bushy' and its suppression has its amusing side. One young officer, explaining officially the reason for his failure in a raid, reported that his men, having been insufficiently hidden, were seen from afar by the approaching distillers. Further, he reported that he left for the scene in the bright hours of the night, but that 'owing to an unexpected eclipse of the moon' he had had considerable difficulty in finding sufficient cover for his men! Truly, we have trouble enough in coping with the wiles of the misdoer; but when nature also takes a hand against us by playing pranks with the decent and orderly progression of the heavenly bodies our failures must be excused!

Since the 'nineties the manufacture of 'bushy' has gradually decreased, until it is doubtful if very much revenue is now lost to the colony by its production. The causes of this diminution probably are the reduced price of dutiable spirits, the better state of the law governing its manufacture, more energetic measures on the part of Government for its suppression, and the gradual disappearance of many of the smaller sugar estates. In one or two districts distillers are active, but, on the whole, bush rum does not occupy our time to the extent that it did.

Insanity and Crime

BY SIR HARRY L. STEPHEN, LL.M.

THE law of England as to the relation of insanity and crime is that 'No act is a crime if the person who does it is at the time when it is done prevented [either by defective mental power or] by any disease affecting his mind (a) from knowing the nature and quality of his act ; or (b) from knowing that the act is wrong ; [or (c) from controlling his own conduct, unless the absence of the power of control has been produced by his own default].'

These words are taken from the late Sir James Stephen's *Digest of the Criminal Law*, and the author states that the words in brackets are doubtful though he considers that they are correct. There is not enough doubt about the words in the first bracket, referring to mental defect, to make it worth while to consider their correctness. The words in the second bracket which could make what is usually described as an uncontrollable impulse a good defence to a criminal charge, provided of course that the impossibility of control is caused by mental disease or mental defect, raise a more serious difficulty. To the ordinary man it may appear self-evident that if by reason of a mental disease or defect a man could not help committing what he knew to be a crime he ought not to be punished for committing it. The lawyer's difficulty is that he very properly wants the law to be laid down in words ; he wants those words to be as definite as possible ; and he finds any words that can be provided, such as those for example quoted from Sir James Stephen, too vague for practical use. Without ascending into those realms of thought where Free Will is opposed to Necessity, it is plain that the question whether an impulse could or could not have been resisted is a very wide one, and that the words quoted

above might be read either so as to free any one suffering from mental defect or disease from all the restraints provided by the criminal law, or so as to be practically useless. To this I at least would reply that in England the law is applied by juries, or by justices, who act very much as do juries, and that they generally would not have much difficulty in deciding in any particular case whether or not a man ought to be punished ; and further that at present in a case where a man commits a crime under an uncontrollable impulse of the kind suggested a jury will in fact find in his favour the rather cumbrous and unsatisfactory verdict which now replaces the old one of Not Guilty. It has been picturesquely argued that to allow an uncontrollable impulse to rank as a defence is to embark the jury on a boundless ocean ; to which I think it may be replied that if the ocean is boundless the jury are all the more likely not to go far from the land. I may add that I am the more inclined to trust to juries in this matter, because in India the law has been codified so as to embody the law laid down by Sir James Stephen without the words in brackets, which is of course a repetition of the law contained in the answers by the Judges to questions put to them in McNaghten's Case in 1843, and the result is that, as most cases are tried by judges without juries, verdicts of Guilty are often returned which almost as a matter of course result in a pardon by the Executive Government ; from which it may surely be argued that the law is defective. However this may be, while there are definite decisions of the Court of Criminal Appeal to show that an uncontrollable impulse is no ground of defence, the Committee on Insanity and Crime took the other view, namely that 'the law does recognize irresponsibility on the ground of insanity where the act was committed under an impulse which the prisoner was, by mental disease, in substance deprived of any power to resist' ; and that if this is not so already legislation should make it so.

It may appear strange to any one not familiar with the course of legislation in this country that this very important point should have remained undecided in the eighty-three years that have elapsed since the other rules were laid down in McNaghten's Case. The explanation is that all the law on

the subject, apart from procedure, has been made by judicial decisions, that judges will never decide any question of law that is not necessary that they should decide, and that apart from proceedings in the Court of Criminal Appeal, juries have always applied the law, whatever it may be, to the facts in such a way as to give effect to the opinions which I have attributed to the ordinary man.

But, taking the law to be as above described, a body of opinion has grown up that it is defective and should be amended. It has been formed chiefly by doctors, though it is not held by all, nor perhaps by a majority of the profession, and is summarized by a report of the Medico-Psychological Association produced for the benefit of the Committee already referred to. Very shortly the argument put forward is somewhat as follows. Investigations into the causes and course of insanity during the last half-century or more have been at least as successful as those which have been carried on in regard to other human infirmities. The result is that the mental state described as insanity is seen to be the result of a series of causes, physical or mental or both, which may have been in operation for a very long or a very short time. A few of these causes are known and more or less understood. Many more are only apprehended, and there may be others of which we know nothing. Scientific investigation is constantly though slowly extending the sphere of our knowledge; and every step forward has shown, and no doubt will show, that physical or mental phenomena which have hitherto been regarded as insignificant must be taken as symptoms of a state of mind or body that may lead to insanity. It has always been recognized that an unsoundness of mind that leads to a delusion may show that the mind is affected throughout, that if a man believes, for example, that his finger is made of glass, it may follow that he is unable to know the nature and quality of his act; but advancing knowledge has made it clear that the same effect should be attributed to many far less definite symptoms than such a delusion. The practical result of these considerations is that a medical witness in a case where insanity is pleaded as a defence 'should form in his mind a coherent mental picture of mental disorder, and we should be in a position to state that the

prisoner's criminal act is symptomatic of or at least inconsistent with such a condition.' The only questions put to the jury should be, (a) Did the prisoner commit the act alleged? (b) If he did, was he at the time insane? (c) If he was insane, has it nevertheless been proved to the satisfaction of the jury that the mental disorder was not calculated to influence the commission of the act? Such was the case made by the Medico-Psychological Association before the Committee, and it did not meet with their acceptance, partly on the ground that question (c) must always be answered in the negative, partly because they held that a person may be of unsound mind and yet be criminally responsible.

I need not dwell on the effect attributed to the answers in *McNaghten's Case* by the Report of the Committee nor on their analysis of the state of mind that makes a man responsible to the criminal law. But I will attempt to explain how the whole matter appears to me who am no doctor and will do what I can to forget that I am a lawyer.

Insanity, then, is a very vague term, incapable of definition, and on that account unfit for use in what ought to be the precise language of the law. It is not on that account a useless term, in fact it is a highly useful one because of its vagueness, and if the consequent possibility of using it in many different senses is kept in mind.

The question whether or not a man is to be punished is admittedly a legal question, however much the services of doctors may be required to answer it. Insanity has to be considered by the law in four cases, namely, when it has to be decided whether a man is capable of making a contract or of disposing of his property as by a will; whether the control of his property ought to be taken away from him; whether he ought to be shut up or otherwise controlled; whether he ought to be punished; and a different aspect of insanity will have to be considered in each of these cases. I need not consider the first two. In the third, which, remember, has more points in common with the fourth than the other two, the determining question is, whether a lunatic who is not under proper care and control is a proper person to be detained, which raises the question whether confinement is likely to produce a cure. If

a man is suffering from the disease we call insanity (the substantive 'lunatic' produces a little verbal confusion) is not under proper control he may be likely to commit a crime without knowing the nature and quality of his act, or in consequence of an impulse he could not control. The reasons, however, for shutting a man up and for not punishing him are plainly different and are confused because both are derived from questions turning on the effect of insanity. The question whether a man is to be punished must be decided on rules applicable to the case; and it must be decided by a jury like every other question of fact that comes before them.

Eminent writers have laid down that man cannot pry into the hearts of other men, that such an inquiry is for God alone. Nevertheless the task is one which a jury has constantly to execute. Did a man take money dishonestly or believing that he had a right to take it? Did he mean to deceive when he made a statement that was not true? To give answers to such questions is the everyday duty of a jury; and I believe that it is not necessarily a more difficult task to decide whether he knew the nature and quality of his act, or even whether he acted under an impulse he could not control. The doctor who is to give evidence should no doubt form as coherent and complete a history of the case as his materials permit, but the jury are concerned only with one moment of it, the last. The progress of science has added, is adding, and no doubt will add enormously to our knowledge of insanity as a disease; and doctor's evidence is essential to decide questions of insanity, and should be allowed as wide a range as the law relating to relevancy allows. But the jury must have the last word and should be hampered by as few rules as are consistent with a settled body of law. The jury in fact play the same part in deciding about punishment as is played by the Courts in cases of contracts, or a Judge in Lunacy in the appointment of a Committee of property, or by justices in committing a man to confinement. The rules provided as above do no more than supply a simple analysis sufficient for the purpose they are designed for, and do nothing to shut out conclusions that medical science has arrived at to-day, or may reach hereafter.

It follows from what has been said, that, in the words of the

Commission, 'the existing law is sound; that a person may be of unsound mind and yet be criminally responsible,' a conclusion that is practically inconsistent with the case made by the Medico-Psychological Association. Each of the four cases in which the law takes insanity into account represents a degradation of the insane person, and a decision in the second and third, at any rate, should be delayed as long as possible—a very difficult matter where if a man is to be shut up, the sooner he is shut up the better. Would it be tolerable that because a man is not of sufficiently balanced mind to make a contract, he is to be held to have fallen so low that he is not to be punished if he forges a cheque? The evidence that leads to the one conclusion may lead to the other; but nothing is gained and much is lost by considering that this is always the case. There are those who hold that no man ought to be punished merely because he has done wrong. I do not agree with this view; but apart from this question it is admitted that one reason for inflicting punishment is to deter others from incurring it. Is the effect of this deterrence to be withdrawn from any one suffering from mental defect or disease? Surely not. Where a man, in particular where a child, is suffering from the defect of blindness or deafness, it is the obvious duty of those who have to help him to lead him to realize that apart from his defect he is as good a man as anybody else, and that though he may expect consideration he is not entitled to privileges; and the same rule applies as far as possible to those who are afflicted with what we know as mental deficiency. Is the encouragement that this rule, strenuous it may be, but none the worse for that, supplies to be denied to those suffering from what may or may not be symptoms of the worst calamity of all? It is understood that in mental hospitals there are no punishments, but that uncontrolled behaviour necessarily leads to treatment which any man would wish to avoid, confinement or isolation for example. Whether this is punishment or not does not matter. But it is not to be supposed that there is an asylum in the country where all except the most hopeless patients are not led by all possible means, including the prospect of relaxation of control or a speedy release, to control themselves as far as possible and to live according to the

standards of ordinary life. If this is so inside, much more should it be so outside an asylum, where punishment for wrongdoing is a liability of ordinary life, and irresponsibility the attribute of the outcast. It may be that the punishment of a mentally diseased man should not be the same as that of a normal man; that is another question; but that a man should have a license to sin is a degradation that no one who followed out its consequences would be willing to inflict; and it also tends to deprive the community of a safeguard from a peril to which it is especially liable. If the rule that a man may be liable to punishment though he is insane is sound, it follows that it applies to all crimes alike, as much to murder as to shoplifting; but it must be remembered that the fact that a man kills another is in itself a more cogent evidence of mental disease than is the fact that he steals something from a counter. If, on the other hand, the rule is that a man afflicted with mental disease or defect is *primâ facie* not liable to punishment, I cannot imagine any satisfactory method of dealing with such a person who commits a trivial offence.

The question of what effect is to be given to insanity in criminal trials has raised many difficulties, and from time to time leads many persons not conversant either with medicine or law to suspect that the law now in force is archaic and defective. I believe that this is due to the fact that the word 'insanity' is, as I have said before, so vague that it ought to be banished from the language of the law, and that the statement that an insane man ought not to be punished has for the ordinary man a superficial attraction to which it is not entitled. An investigation into mental disease must often be exceedingly difficult because of the obscurity of the facts to be investigated, and the doubt that necessarily exists as to how they are to be interpreted. The difficulty is inevitable and must be faced as such. The advance of scientific knowledge will add to the difficulty as it brings new facts and knowledge into account. There is no finality in medicine. But there is finality in law, and I believe that if the law in question, and as I have stated it, is properly comprehended and applied it will be found sufficient not only to our present state of medical knowledge, but to any state at which we may hereafter arrive.

The Prussian Police

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[Translated]

I. HISTORY AND DEVELOPMENT

IN Germany the policing of town and country has always been a matter for the individual States. So far there has been no uniform, organized, and central State police, and this condition of affairs remained unaltered when the State was transformed in 1918 from an Empire into a Republic. In order to give an account of the German police, therefore, it would be necessary to describe the individual police systems of the separate German States. That is not possible within the scope of this article, so I shall confine myself to describing the police force of the largest State of Germany—Prussia. At the same time I may remark that the organization of the Prussian police has served as a model for nearly all the other German States, and consequently it furnishes a typical example of the police throughout Germany.

From its inception the police force of Prussia has been administered as a State force, its *raison d'être* being to give expression to the State will through State officials. Country districts were policed by so-called mounted police or 'land dragoons,' the forerunners of the later gendarmerie; but in the towns the police force was controlled by the magistracy, an authority appointed by the king.

The development of the Prussian police in the capital, Berlin, is of striking significance. Here as far back as 1742 Frederick the Great appointed a Chief Police Director, who was a magistrate but was completely independent in his functions and responsible only to the king. This 'State Police Monopoly,' which is highly spoken of in Prussia.

remained completely undisturbed by the introduction of the 'State Order' in the year 1808 and the awakening which followed the idea of local self-government on the part of the municipalities, after the English fashion. The police remained a State affair in those States also in which—as in Berlin—no special State official was entrusted with the management of police matters. Here also the mayor or a member of the municipal council controlled the police, not by order of the municipalities as so-called 'Self-governing bodies,' but by order of the State as a 'State-controlled body.' Where, in the ensuing period, the necessity for a strong State police power arose (*e.g.* in industrial centres), the control of the police was made a State affair in accordance with the Berlin model (*i.e.* was vested in special State officials), and in that way a procedure was adopted which, in more recent times, became necessary for internal political reasons.

During the course of the last century the organization of the Prussian Police Executive has undergone a number of radical changes, and nearly always as a consequence of marked internal convulsions. The years 1848 and 1918 are both noteworthy in this respect. In both years the fundamental idea of the reorganizing of the existing police was the same: the reorganization and strengthening of the State's authority and the creation of a closely allied and yet publicly representative police. In 1848 these considerations led to the formation of the Prussian Police Force in Berlin and also, soon after, in a number of important provincial towns. The Prussian Police Force gradually absorbed the district police which had existed hitherto, and became in its constitution a more military force, although it was quite distinct from the army. At the head of the Berlin Police Force there was ultimately a police colonel as commandant. Under him several police majors functioned as brigade commanders, police captains as commanders of police divisions, and lieutenants as district inspectors. In provincial towns with a royal constabulary the organization was similar. Anyone who wanted to become a policeman must have served at least six (in Berlin nine) years in the army. The police officers were nearly always thoroughly qualified army reserve officers.

In the rural areas, meanwhile, a special State police had developed, which, unlike the constabulary, possessed a thoroughly military constitution, *viz.* the gendarmerie. Its inception dates from the time of the occupation of a wide Prussian area by the French troops of the Emperor Napoleon I. The insecurity in towns and villages—especially, however, on open roads—was then continually increasing. The few mounted police or dragoons which existed at that time as country police proved inadequate for coping with crime. Thus the necessity arose for the formation of a strictly organized police force in the country also, for the purpose of restoring order and security. This was done after the fashion of the French police in country districts, by the formation, first of all, of a tested gendarmerie. The edict of the king then occupying the throne, Frederick William III, was signed on the 20th July, 1812, and gave to the new force the character of a military organization. Eight years later, on the 30th December, 1820, the gendarmerie, having proved its worth, was raised to the dignity of a permanent institution. As such it remained until the revolution brought by the War in 1918. Its officers and gendarmes were men of soldier-like qualities and were subject to military discipline. The control of their political activities, on the other hand, lay in the hands of the State administration officials (the sub-prefects).

As in 1848, the State upheaval in the year 1918 showed that the existing police arrangements were no longer adapted to the requirements of modern times. The royal constabulary, in consequence of the privations and exigencies of war, found itself in a position of overwork and senile decay, especially as many officials liable for military service had been called to the colours; moreover the technical equipment of the guardians of the peace in the matter of arms, etc., was insufficient to cope effectively with unruly masses, some of whom had been trained in the war and were provided with the most modern firearms. The continued disturbances and general weakening of the entire State authority demanded a thorough reorganization of the police force and its adaptation to the altered conditions. Born of the necessity of the time, there arose the so-called 'Volunteer Corps,' which (hastily formed for

the most part out of those who participated in the War) placed itself at the disposal of the new State authorities for the restoration of order, and was thus the forerunner of the new police force.

From suitable members of this voluntary corps the Prussian Ministry of the Interior created, in the summer of 1919, the so-called provisional Security Police. This was, in the interests of uniformity, co-operation and convenience, lodged in barracks, and was not subject to the local police administration but to special detachment staffs, whose jurisdiction usually extended over a whole province or even a wider area. This provisional Security Police force existed, however, only for a short time. The Allied Note from Boulogne of the 22nd June, 1920, demanded its disbandment, fixed the number of all police officials for Prussia at 83,700, and forbade central organization for the local police.

Thus arose out of the Security Police the Protection Police. Their chiefs were subject to the local police administrations, everything military was discontinued, the heavy arms (guns and mine-throwers) were abandoned, and the technical companies were disbanded. Lodging in barracks was limited to a small number of officials, and equipment for each official was restricted to blank cartridges, pistols and hand grenades, for every three officials a rifle or carbine, for every twenty officials an automatic pistol, and for every 1000 officials an armoured car with two machine guns. Special barrack and commissariat duties were abolished and the whole economic administration of the police was unified in the general State administration. The remainder of the old policemen, who until then had still remained as so-called Order Police co-existing with the new Security Police, were absorbed in the new Protection Police; but at the same time the new police force was not yet complete, and some considerable time elapsed before it assumed its final organization.

A fresh Note from the Entente, dated 23rd March, 1922, was followed by a considerable limitation of police organization and equipment. The Protection Police had to be removed from places where there was municipal police administration, the number of private police formations was again reduced, the

green uniform replaced by one of blue, and the military intelligence and wireless apparatuses were removed. A further Note in the year 1925 led to the police strength being fixed at 67,000 State officials and 15,000 municipal police officials. It rendered the dismissal of 302 police officers and 8423 sergeants necessary, reduced the number of private police organizations to 200, and stipulated that in Prussia only 65 places should be occupied by Protection Police. Parallel with this was a new arrangement for the official standing of police officials. The requirement, hitherto usual, of a period of service of twelve years was abrogated, and in its place was introduced the idea of life-long service in the police force.

Even the country gendarmerie was not unaffected by the State upheaval of 1918, although the reorganization which it underwent was not so drastic as in the case of the constabulary. On the 10th March, 1919, the Prussian Government issued an Order concerning the legal position of the country gendarmerie by which its subjection to the military authorities and martial law, as then prevailing, was revoked, and the status of its members was altered from a military status to that of civil servants. A further Order of the Prussian Government of the 21st June, 1920, abolished the name 'gendarmerie,' which had originated in military times, and from that time onwards designated the country police as *Landjäger* (country huntsmen).

II. EVOLUTION OF THE PRUSSIAN POLICE AUTHORITIES

The following are the police authorities for the four chief branches of the Prussian police, *i.e.* central police, country police, district police, and local police.

(a) The central police authority for the Prussian police is the Home Secretary (Minister of the Interior). Special branches of the police are under the jurisdiction of the particular Minister concerned with their work: *e.g.* mountain, port, navigation police, and the greater part of the commercial police, are under the Minister of Trade and Commerce; field, forest, hunting, fishing, and cattle disease police are controlled by the Minister of Economy, Domains, and Forests; building

and sanitary police are answerable to the Minister of National Health.

(b) The country police are under the civil head of a district (in Berlin, the President of Police), and his authority extends over all branches of this force, excluding the mountain and railway police. This President of the Government Board (*Regierungspräsident*) superintends the district and local police; separate branches of the police are subject to him as the country police authority in the first place: e.g. the country border police, the navigation police, etc.

The Lord Lieutenant, who acts as administrative chief over several such Presidents, has power over the country police only in such matters as extend beyond the scope of a Government department; in addition, it is his duty to deal with unusual events and danger in police matters.

(c) The district police authority is the sub-prefect as representative of the President of the Government Board. He controls and directs the whole police administration in country districts, including the towns belonging to the district. The control of the road police, cattle disease police and hunting police is, moreover, directly vested in the sub-prefect.

(d) The local police authorities are differently appointed in the individual provinces, in the towns, and in the country. In the more important towns a State local police administration is formed, at the head of which there is a police president as direct State official. In the other towns the local police administrator is the mayor or a town councillor. Local police administrators in the country are either deputy administrators, district commissioners, country mayors or officials (the title of office varies in the different provinces).

In Berlin a police president is at the head of the State police administration, and in this city, contrary to the practice of other large towns, he is also the country police authority. The police presidency is divided into five sections, at the head of each of which there is a Government official. For the working of the central administration twenty divisional stations have been set up, and these are divided up over the whole town, and each, to a certain extent, constitutes a branch of the police presidency. They are named after the part of the

town in which they are situated, and over each of them is a Government councillor or a police councillor.

The cost of the police force, with the exception of the State police officials, is defrayed by the municipalities. In so far as State officials are concerned the State bears all costs arising through the administration of the State police authorities. The local bodies bear a third of these costs and participate also to the extent of a third in the income. This arrangement regarding costs was made by the Police Charges Act of 3rd June, 1908, and 6th November, 1924. In addition, the State makes an annually increasing contribution to the upkeep of the State uniformed police (Protection Police).

The powers of the present-day Prussian police remain virtually the same as they were before the State upheaval in 1918. The duties of the police vary according to their class, i.e. security police, administrative police, and criminal police. By security police is understood that branch of the force which is concerned with the maintenance of the public peace, security and order; the administrative police comprise chiefly the commercial police, the market police, visitors' police, health police, and accident police; they are also concerned with police reports and the issue of police penalty enactments. Contrary to the practice of many other European States Prussia has given the right to its police by law to inflict fines and possibly imprisonment, and therefore to undertake certain judicial proceedings without the co-operation of a legal official being required. There is also the further difference that the Prussian police authorities are empowered to issue police orders and to threaten penalties. In this the Prussian police differs essentially from the police of other European States. It may be said, therefore, to possess certain legislative powers.

The criminal police has the task of inquiring into punishable offences, ascertaining the culprits, and arresting suspected persons. It prepares the indictments for the State Prosecution authorities (State attorney), and so fulfils the same task as that of the criminal police in other countries.

The legal bases for the Security and Administrative Police are to be found in Part II., chapter 17, section 10, of the

Prussian general State Law of the year 1794. According to this, the duty of the police is : to make the necessary arrangements for the maintenance of public peace, safety and order and for the protection of the public or individual members thereof from threatened dangers. In addition to this general principle laid down as the duty of the police, which is probably popularly regarded as a general power of attorney, there exist a large number of special Acts which relate to police powers in particular. To mention these would be beyond the scope of this article.

The legal bases for the special duties of the criminal police are set forth in section 163 of the German State Procedure Order.

III. THE UNIFORMED POLICE FOR WATCH AND WARD

The main executive organ of the State police power is the Protection Police ; and this is split up into district police, emergency police, and technical officials.

The district police perform the usual police service in police districts ; the emergency police form the reserve for the district police ; and among the technical officials are lorry drivers, telegraphists and telephonists, the air superintendence services and also the sanitary and horse-shoeing staff. The aggregate strength of the Protection Police, which amounts to about 53,000 officials, is now distributed among the various towns which are under State police administration, as required by local conditions. The superior officers, who are all subject to their local police administrators (police presidents, and, in the case of small administrations, police superintendents), have, according to the size of their police corps, either the rank of a police colonel, a police lieutenant-colonel, or a police major.

To demonstrate the working methods of the Protection Police, a description of conditions in the capital, Berlin, will best serve the purpose. The commandant of the uniformed force of Berlin is a police colonel (in a special position), who is appointed by the Home Secretary, but is responsible to the Berlin Police President. Under the commandant there are



“OBERLEUTNANT”
(INSPECTOR)



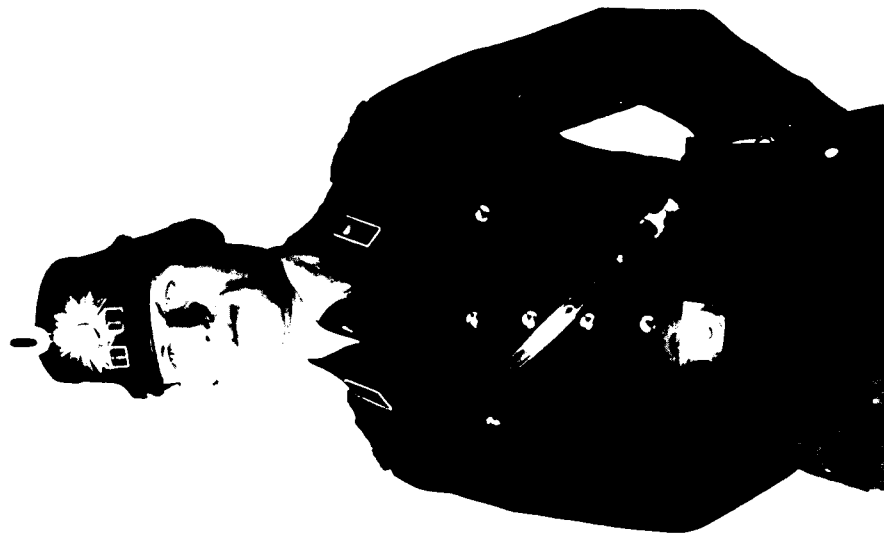
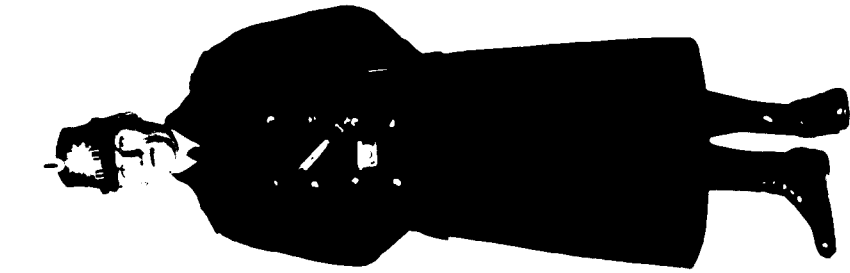
“WACHTMEISTER”
(SERGEANT)

PRUSSIAN POLICE

six police group commandants (police colonels or police lieutenant-colonels), who are responsible for the maintenance of peace, order, and safety in the centre, west, south, south-east, east, and north of the town, including the suburbs. Under the group commandants there are the chief police inspectors (police majors), whose jurisdiction, generally speaking, covers the police department concerned. The mounted police is placed under the command of a special chief inspector and is directly subject to the commandant of the Protection Police. There are from five to eight police divisions (districts), at the head of which are police captains or senior police first lieutenants as divisional superintendents.

The police stations or precincts (at present 162 in Berlin) constitute the lowest units of administration in the city, and are so arranged that the public can obtain advice and help from them in all cases. For this purpose all branches of police activity are here concentrated. The citizen therefore finds, when he needs armed protection, uniformed officials ready to help him; if he wishes to notify an offence or crime, criminal officials take up the clues and the prosecution. He also finds in all administrative matters officials there who either themselves take up these matters or refer him to the competent police authority. The public must apply to the police authorities in all questions relating to notifications of foreigners, the issue of passports, trade-marks, and certificates regarding social insurance, in matters respecting licenses for hotels, public-houses, etc. The number of uniformed constables for patrol work allocated to the stations differs in each case according to the size and importance of the stations concerned, and varies between 30 and 100. These officers ensure safety in the streets by means of posts and scouts. They also regulate vehicle and pedestrian traffic at such essential points as are not already provided with automatic light signals.

In normal times, the patrol constables carry out their duties in three sections, the first from 7 a.m. to 2 p.m., the second from 2 p.m. to 10 p.m., and the third from 10 p.m. to 7 a.m. Every week a change of section takes place. In addition, every patrol constable has one day's holiday per week. In times of disturbance or during special need for police officials (*e.g.*



NEW UNIFORM OF THE PRUSSIAN PROTECTION POLICE

festivities, demonstrations, etc.) this division into three sections is abandoned, and in some circumstances the entire police force is placed on duty.

By way of reserve for the police stations there are the police emergency staffs, which all consist of 100 officials; they are directed by the district police captains and are subject to the police inspectorates. Junior members are posted to them and in this way are trained in practical police duties from the very beginning of their police career. The police emergency staffs supply sentries for special beats in the town, which are changed every twenty-four hours, and, at the same time, constitute the so-called extra reserves, which are kept in readiness for police duty in special cases. The sentries, of which there averages one in each inspectorate, form the first reserve of the police reserve. They are not merely kept in waiting, however, but reinforce the patrol section of the station police at any place where a strengthening of the police scouting service is deemed necessary.

The extra reserves in the police force are the second reserves for the police station, and are pressed into service if the station police and the numbers of sentries available are insufficient.

A new departure of last year is found in the so-called ' Surprise Detachment ' (' Flying Squad '). These are police scouts who move from point to point in motor lorries and hold themselves in constant readiness day and night; in cases of direct danger to life, health, or property they proceed at once to the spot on the telephonic call ' Surprise.'

A special duty of the emergency police in the centre of the town is the protection of the Government buildings, Parliament, and the Government quarter. This quarter is the area around the Government buildings, the legislative buildings, and the most important ministries, into which private demonstration processions are forbidden by law to enter.

For the technical means of communication, *i.e.* the police telephone arrangements and the permanent local wireless stations; for the upkeep and repair of the police motor lorries; for the service of the police ambulance stations; for the commandeering of police horses; and for the staffing

of the police air service there are special officials in smaller numbers.

The strength of the entire police force in Greater Berlin amounts, at the present time, to about 18,850 officials, of which 14,740 are Protection Police officials (district police, emergency, and technical staff police), 2,400 members of the Detective Division, the remainder being indoor staff.

IV. THE ' LANDJÄGEREI ' (FORMERLY STYLED GENDARMERIE)

The *Landjäger* (country huntsmen), as a section of the State police in the country, is, so far as its organization is concerned, closely allied to the State administration authorities. The smallest positions in the *Landjäger* are posts which are filled by one or several *Landjäger* or *Oberlandjäger*. Under their jurisdiction are one or several country districts. The *Landjäger* are self-governed, *i.e.* they are not under any police force as a body. They must keep in constant touch with the local country police administrations and carry out their requests, without, however, being responsible to them. Several *Landjäger* posts (usually five) are attached to one *Landjäger* office under a chief, and several *Landjäger* offices to a *Landjäger* department under a chief of *Landjäger* (first lieutenant). The extent of the jurisdiction of a *Landjäger* department corresponds, as a rule, with the ambit of a country circuit. The highest State administrative official, the sub-prefect, is therefore, as the circuit police authority, also the chief of all *Landjäger* officials in his circuit. The constitution of the *Landjäger* offices and department is only of recent date. Previously, each *Landjäger* received his instructions from the sub-prefect, a condition which did not prevail everywhere. General co-operation on the part of the *Landjäger* was always provided for theoretically, but, in practice, it was left, for the most part, to optional agreement and arrangement of the officials with one another, so that often the unity desired was lacking. To-day, the chief of the *Landjäger* office is in command of his posts, and the chief of the *Landjäger* department is responsible for his administration. In this way it has been possible not only to

fashion the final training and practical, uniform carrying out of the duties of officials, but also if the situation so requires (*e.g.* country workers' strikes, forest fires, danger of inundation, etc.), to concentrate at threatened points, within a short time, a larger number of *Landjäger* under their immediate chief.

The *Landjägeri* of a Government district is attached to one or (in large Government districts) to several inspectorates, at the head of each of which is a *Landjägeri* captain, major, or lieutenant-colonel. On an average a *Landjägeri* inspectorate employs 125 officials. The *Landjägeri* officer sitting on the Government Board is at the same time chief inspector for the whole *Landjägeri* of the Government district and deals with all matters on the Government Board pertaining to that body. The duties of the inspecting officers of the *Landjägeri* consist of making regular tours in their districts, for the purpose of instructing and controlling the officials. They must take part in the monthly conferences of the *Landjägeri*, which are usual in the circuits, and also superintend the final training and maintain the service in readiness as far as possible. For deciding important questions concerning the whole of the Prussian *Landjägeri* the Prussian Home Secretary has a *Landjägeri* colonel at his disposal, whilst ordinary questions of administration are dealt with at the central board of management of the Prussian *Landjägeri* in Berlin. There is nothing in the present-day organization of the *Landjägeri* to recall the former military gendarmerie of the kingdom of Prussia, from which it arose; only the service remains similar. An official in the *Landjägeri*, as compared with his colleagues in the Protection Police, is frequently at a disadvantage, in that, for the most part, he has to patrol his beat unaccompanied, and often in difficult situations he has to rely upon himself alone. The *Landjägeri* officials are therefore, to a great extent, provided with police dogs; the State allows a regular contribution for the upkeep of these animals. In order to increase the mobility of the *Landjägeri*, the whole of its members, in so far as they are not mounted, are provided with bicycles. It is intended to equip them with motor cycles and motor lorries in the near future.

V. THE MUNICIPAL POLICE

Owing to the absorption of the police by the State, in most of the larger towns of Prussia the municipal police has lost much in importance as compared with former times. In middle-sized or small towns and in municipal associations in the country it is now only a nominal institution. Nevertheless the State regards the municipal police now as something like its step-child, exercising not only a far-reaching right of control, but ensuring also that the municipal police officials have as good a training and equipment as possible; for, after all, medium-sized and small towns require a reliable police force just as much as larger communities. Apart from this, the difference between State and municipal police in Prussia is not so striking as in many other European States, as the exercise of police power in Prussia is regarded *everywhere* as a State monopoly; so that even the municipal police official, although he is paid exclusively by his town, yet fulfils State duties. He is therefore regarded as an indirect State official. A further proof of the close connection between State police and municipal police is the fact that the municipal force to-day is still recruited only from senior officers of the Protection Police, and therefore from men who have served for many years in State police administrations.

The organization of the Prussian municipal police is adapted to the smaller State police districts. At the head of the police administration is the mayor or another member of the municipal council, and the executive is directed by a municipal police officer, who here controls the official squad-officer, inspector, chief inspector, or even the town police director. Touch with the public is ensured, as in the case of State police administrations, by one or more police districts. The municipal police administrations do not possess any special provisions for emergencies. In cases of any temporary great need the President of the Government Board is accustomed to call upon the nearest Protection Police section for reinforcement purposes.

VI. THE CRIMINAL POLICE (DETECTIVE FORCE)

In Prussia a distinction is made between the local criminal (detective) police and the country criminal police. For the local criminal service there are local criminal departments in each State and municipal local police administration, the strength of which is regulated by the importance of the district and the prevalence of crime. In large towns the criminal departments have a considerable area, in medium-sized towns they consist only of individual officials, and in small districts the criminal service for the most part is administered by the officials of the uniformed executive in plain clothes. In the country the *Landjäger* is accustomed to carry out the duties of criminal police.

A prominent part is played by the criminal police in the capital, Berlin. During the course of recent years it has considerably extended, has been equipped with all the latest technical apparatus, and serves as an example for other large towns in Prussia and Germany. The control is in the hands of a Government director; under him are a Government councillor as his deputy, three criminal directors as departmental chiefs, 30 criminal police councillors, 25 criminal chief commissioners, 114 criminal commissioners, 130 criminal district secretaries, and 1640 assistants.

With regard to its organization, the Berlin criminal police is under the administrative charge of the police presidency (police council) and the uniformed police (Protection Police). In each police station (or precinct) there is a local criminal office, which has usually from five to eight criminal officials, and is controlled by a senior criminal secretary. The service relations between the local police chief and the local criminal official are regulated by special instructions. The local criminal officials are answerable only to their superior criminal police chiefs, but must carry out requests pertaining to the service of their station chief or his representative. They must of their own accord give him immediate notice regarding important criminal police matters in the local area, and allow him at any time to inspect the data prepared by them. The local criminal officials are, to a certain extent, the executive of

the criminal police; it is their duty to undertake the initial work on a case and the pursuit and arrest of the culprit. If it is a matter of more important criminal procedure which exceeds the scope of the usual criminal police activities, the local criminal police confines itself to routine procedure and leaves the rest to the competent special authority attached to the criminal department at the police presidency. All cases of professional misdemeanours are reserved for the attention of the competent specialist.

The criminal officials of several police stations are attached to criminal divisions (districts) at the head of which are divisional criminal commissioners; several criminal divisions, on the other hand, form a criminal inspectorate under a criminal police councillor or criminal chief commissioner. The heads of the criminal divisions and criminal inspectorates have their seat in the competent police administration and must ensure, by permanent control, a uniform working of the criminal police service in the police divisions.

The criminal police specialists of the police presidency are divided into ten criminal inspectorates, to each of which a special section is allocated. Thus, for instance, criminal inspectorate A attends to cases of murder, manslaughter, robbery, blackmail, etc.

In addition to the local criminal police, Prussia has had at its disposal since the 1st June, 1925, a State criminal police force. This establishment is under the direct control of the Ministry of the Interior, and is divided into the provincial criminal constabulary and thirty-two provincial criminal police offices. These sections form only a new nomenclature; in reality they were formed by larger police administrations already in existence, and in such a way that the criminal officials who were formerly engaged solely in the local area, have now, in addition, to look after a certain limited area of the criminal constabulary. The provincial criminal police office for Prussia was founded by the Berlin police presidency. Its head is the chief of the Berlin criminal police. To each of the thirty-two criminal police offices a smaller or larger working area is allocated. Many offices have only one single Government district to look after; others spread their

activities over a whole province; others again have at the same time to co-operate with neighbouring circuits of other provinces. This organization of the provincial criminal police will have to undergo, in the future, further substantial developments.

The actual powers of the provincial criminal police are limited. According to the Ministerial Edict of the 20th May, 1925, only punishable offences which specially affect public safety come within the scope of the provincial criminal police. More especially it deals with the following matters: high treason, offences against the law for the protection of the Republic, all political offences, serious crimes affecting life, burglary, picking pockets, incendiarism, fraud, etc. All such cases the local police authorities must at once notify to the competent provincial criminal office.

The object of this new arrangement is, first and foremost, to set aside the local jurisdiction of the criminal offices and their limited powers, which in former times rendered extraordinarily difficult any effective pursuit of the modern professional criminal, the area of whose activities is unlimited. The same purpose is served by the German Criminal Police Commission, which was founded in June, 1925, in order to ensure co-operation on the part of all German individual States in criminal areas, and the International Criminal Police Commission, which, under the direction of Police President Schober, of Vienna, has for some years now been successful in furthering and facilitating international co-operation of the criminal police in all civilized countries.

VII. SPECIAL POLICE

As regards special institutions in Prussia, the following should be mentioned: the Rhine police, the airship control, and the women police.

The Rhine police was founded in the summer of 1920, in order to check the pilfering of valuables from the Rhine ships, which was getting out of hand. It is equipped with six despatch vessels, and is under the direction of a police inspector (whose office is at the Chief Presidency, Coblenz), being divided up into four districts (Mayence, Coblenz, Cologne,

and Duisburg-Ruhrort). The districts are again divided up into sub-districts under the control of police officers, to each of which a reach of about thirty kilometres is allotted. The Prussian Rhine police works hand in hand with that of Baden and the Bavarian Hessian and Lower Rhine police, maintaining with their co-operation a special investigation service for the Rhine.

The airship control is superintended by the air force in Prussia. Its staff consists of specially trained technical police officers and police sergeants, and occupies all aerodromes, landing stages, starting points, and night-flying observation posts. Each Prussian province forms an air survey district. The air police have not got any aeroplanes of their own, and must therefore confine their activities to *terra firma*. Among the special duties of the air police are the following: control of the flying schools and aeroplane dockyards, limitation of 'stunt' flights, checking passports in the case of flights abroad, and the superintendence of the arrangements at the aerodromes.

A women police force is now in process of formation in the criminal departments of the State constabulary. It is generally known as the *Gefährdeten-Polizei*, and in Berlin, at present, it consists of twenty-five female officials. At Frankfurt-on-the-Main, Essen, Cologne, Magdeburg, and Hanover also, individual female criminal officials are employed. This section of the force exercises preventive and precautionary powers; it must stop begging by children and young persons, exercise a watch on street trading by children, protect those of tender age from danger, prevent punishable trafficking by young persons, co-operate in the extension of the law for the prevention of sexual disease, watch picture theatres, and, in general, undertake the special protection of youth. At the same time, female criminal officials are entrusted with other special duties also, the carrying out of which is deemed to be unsuitable for male officials. The members of the *Gefährdeten-Polizei* have an official rank, but do not wear uniform as in other States (e.g. Saxony and Baden). Prussia regards the women police corps, therefore, as a part of the police force for the prevention and investigation of crime.

VIII. POLICE SCHOOL MATTERS AND OFFICIAL PRIVILEGES

Even before the War there were in Prussia numerous police schools for the final training of State and municipal police officials, but there was no central management in matters pertaining to the education of the constabulary, and therefore that uniformity which is desirable was lacking. The Prussian State has now taken the training of the members of the constabulary actively in hand. In each province there is a police school under the direct supervision of the lord-lieutenant, which not only forms the training ground for the juniors in the police force, but also provides continuation classes for senior constabulary officials. The curriculum of these provincial police schools provides for simultaneous physical and mental training.

There is also at Berlin-Spandau the police gymnastic school, which makes physical training for all ranks of police officials compulsory. The courses in these schools serve chiefly for the training of such police officers and sergeants as are suitable for teaching gymnastics, who can impart to the officials in other localities what they have learnt at Berlin-Spandau.

The higher police school at Eiche, near Potsdam, attends to the higher education of the police officers and police officer reserves. This institution naturally attaches the greatest importance to the education of sergeants and chief officers, and is therefore attended even by police officials from other German States and, not infrequently, even by higher police officials from abroad. A very great deal is demanded from the pupils at Eiche, and, in particular, the selection of police officer reserves is made with the greatest care and strictness.

Amongst special schools, the following should also be mentioned: the police school for technical matters and traffic at Berlin, which serves for the preparation of all ranks for special police duties (motor traffic, methods of communicating information, ordinary traffic, air superintendence, etc.); the sanitary technical school in Berlin, which sees to the training of the police sanitary officials; and the horse-shoeing

technical school in Berlin, where the blacksmiths of the mounted police obtain their special training. For the instruction of the *Landjäger* officials there are also three special schools, and for the training of the mounted police several courses in riding.

Finally, mention must be made, as the latest departure in the training of the Prussian police, of the Police Institute in Berlin, which has been in existence since 1st January, 1927. This institute, in the first place, carries on extensive scientific research work and, at the same time, arranges special courses of study for chief officials of all branches of the service on a voluntary basis. To the scientific research department of the Institute belong, amongst other matters, inquiry into the basic principles of all police activity from a legal, psychological, and social point of view; the furtherance of criminology and criminal statistics, the elaboration of matters for study by the individual police branches, observation of the development of foreign police systems and rendering available for the use of the Prussian police the experiences gained at home and abroad, the preparation of tests for candidates, systematizing police rights, providing the police authorities with suitable teaching material, the introduction of an exchange of opinions within the force for the maintenance of the connection between theory and practice, etc. At the head of the Police Institute there is a President; as experts, scientifically trained officials specially qualified in their subjects are engaged; moreover, when required, even university professors and recognized experts in police matters outside the force are called upon as instructors and collaborators.

Side by side with this special technical training there is the finishing course for police officials in general education. All junior police officials who have not received a higher education are obliged, on their entry into the force, to attend the police schools for several years for the completion of their general education. A distinction is made between junior, medium, and senior grades, which must be successively attended. Every promotion in the force is dependent upon an advance in technical knowledge coupled with proof of the acquirement of a certain degree of general education. The teaching staff of

the police technical schools is controlled by highly qualified school committees and semi-official teachers in co-operation.

The settlement of the conditions attaching to officials' rights in the new Prussian police originally caused extraordinary difficulties, but a certain agreement has now been reached. The new Prussian Police Officials' Act of the 31st July, 1927, gives uniform rights to all police officials. The Prussian constabulary is now a unified force, *i.e.* all police officials must first of all go through the elementary training in the Protection Police and perform several years' practical service in that body before they are eligible for promotion into the special branch services (*Landjägeri*, criminal police, indoor service, municipal police, etc.). The career of a Prussian police official proceeds, according to the new Act, on something like the following lines :

At about the age of twenty the candidate enters the service and is trained for about a year in the provincial police school. Then he is transferred as a temporary official to a police detachment, where he probably remains until the completion of seven years' service. After this, as a rule, he is promoted to the rank of sergeant, and, according to his wish or qualifications, he either remains on station work or on technical special service of the Protection Police as the case may be, or is transferred to the *Landjägeri*, criminal police, the secretariat, or the municipal police. On the completion of his thirty-second year, generally speaking, he is made a permanent instead of temporary official. On attaining the age of sixty the officials are usually placed on the retired list (for police officers there are special conditions).

The officers of the Protection Police and *Landjägeri* must in future, without exception, rise from the ranks, *i.e.* enter the force as probationers and go through the ranks as constables and sergeants until they are summoned to the Higher Police School at Eiche. Those candidates, however, who have received a superior education receive, on confirmation, the right to quicker promotion. The others (without special education) are not nominated as police officer candidates until they have successfully passed through the higher grades of the police technical school and at the same time shown proof of good



MOUNTED CONSTABLE
PRUSSIAN PROTECTION POLICE

general education. In Prussia every police official may become a police officer provided he displays the necessary knowledge and capabilities. The higher criminal police officials are recruited either from the ranks of Protection Police officers or capable criminal subordinates or from candidates. In Berlin many of the higher criminal officials are lawyers.

The police and *Landjäger* officers are subject, up to ten years' service, to the same term of notice for the cancellation of their engagement as the temporary constables. For the various ranks of officers, certain age limits are fixed, which vary between forty-nine and fifty-five years of age.

The remuneration of police officials corresponds with that of other State officials.

IX. PROFESSIONAL REPRESENTATION AND POLICE UNIONS

Every police chief has special officials' representatives appointed by the State for his guidance, the so-called officials' committees. These committees, which are elected by secret ballot, have to co-operate closely with the chiefs for the advantage of the officials and the benefit of the service. It has been laid down by Ministerial Decree that the officials' committees must be called together at certain regular intervals. At the Home Office there is a so-called Chief Officials' Committee, to which the representatives of the individual branches of officials (Protection Police, criminal police, secretariat, and *Landjäger*) send their representatives. The Officials' Committees and Chief Committee are there to express expert opinions. The superior officers are not bound by the wishes of the officials' committees.

At the same time there is, under the State constitution, which grants to all citizens the right of forming unions, a large number of unions of an unofficial character. Thus there are several police officers' unions and unions for junior police officials. The officials are absolutely free to choose their own union. They are not prejudiced in the service by belonging to any union. It is, however, required that police officials should display the requisite tact in matters pertaining to unions, and they must not have as an objective anything which is contrary to police regulations and State interests.



TWO LAYERS OF THE PRUSSIAN POLICE
(RURAL CONSTABLES)

This short survey of the present-day condition of the Prussian constabulary will serve to show what drastic alterations police conditions in Prussia have undergone during the last eight years, both as regards organization and officials' rights. How difficult was the accomplishment of these fundamental changes can be judged when it is remembered that they took place at a time when the maximum demands were being made upon the Prussian police. The fact that the carrying through of the reforms nevertheless succeeded is due not least to the efforts of the entire Prussian police force, the officials of which devoted their whole energies to the re-establishment of the Fatherland, showing great understanding in their successful endeavour to command the respect and attention of the people. The new Prussian police force is proud to be the people's constabulary in the truest sense of the word.

The Police Force of South Africa

BY SUB-INSPECTOR F. W. COOPER

South African Police

AT the present time, with the exception of the city of Durban which has its own municipal force, the whole of the Union of South Africa, in extent 473,089 square miles, is policed by one force, known as the South African Police.

It will be convenient, in tracing briefly the history of police organization and development from its beginnings, to deal separately with each of the four Provinces which comprise the Union of South Africa.

THE CAPE PROVINCE

Cape Colony was ceded to Great Britain by the Dutch in 1814, and in 1820 the first British settlers to the Colony arrived. Their coming had been suggested by the Governor of the Colony, Lord Charles Somerset, to secure the frontier against Kaffir raids, of which there had just been a very bad specimen in 1817-1819. The British Government regarded the expedition, to which it voted £50,000, chiefly as a means of affording a better livelihood to a few thousands of the surplus population.

This emigration scheme, however, like many others, had wider consequences than its authors contemplated. The settlers, drawn from every part of the British Isles and from every grade of society, thrived and prospered, and their descendants are to-day the backbone of the eastern district of the Cape.

It is not surprising, therefore, that it was in 1825, five years after their arrival in the country, that the first law dealing with police matters appeared. It was in this year also that for the first time ordinances were issued in English, and two years later the use of English was extended to the conduct

of judicial proceedings. This connection between the spread of law and the spread of language, which has its parallel among other colonizing races, is significant, and entitles the police to rank not only among the civilizers, but among the educators of mankind.

This first law was impartial; it decreed the establishment of a small force to protect the settlers, Dutch as well as English, from wrongdoers. It was hampered in this laudable aim by the negrophil, or pro-black, attitude adopted by the British Government, and in 1837 when 7,000 Boers left Cape Colony on the Great Trek to the North-East, the first reason for their action was declared to be:

"We despair of saving the colony from those evils which threaten it by the turbulent and dishonest conduct of vagrants, who are allowed to infest the country in every part; nor do we see any prospect of peace or happiness for our children in a country thus distracted by internal commotions."

The force established under the law of 1825 resembled the old Night Watch rather than a police force as we now conceive it. As with the Vigiles at Rome, however, who began by being a fire brigade and ended as the recognized police, the powers and efficiency of the force were gradually increased until in 1840 a regular police force was created for the policing of Cape Town and district. The members of the force, however, had no power to act outside the boundaries of Cape Town, except when they had crossed such boundary in active pursuit of a fleeing criminal, or when specially detailed for some duty elsewhere by the Commissioner of Police, in an emergency.

In 1847, police forces were established in the settled outside districts, and placed under the local magistrates, each with a Chief Constable in executive charge. It was in 1852 that proper mobile forces of police first came on the scene, when, after the outbreak of the eighth Kaffir War, the Armed and Mounted Police, with a strength of 500, were formed in the eastern frontier districts. In 1855, this force was changed into the well known Frontier Armed and Mounted Police—a semi-military force employed almost continually on punitive work in the native territories of the Eastern Cape Province. This force remained in existence as such until 1878

when the renowned Cape Mounted Riflemen, with an official strength of 750, enlisted for five years' service, were formed to replace it, absorbing those members anxious and fit to be enrolled. The C.M.R., as it was familiarly known, played a valuable part in the Basuto War of 1880-1 and combined military activities with ordinary police work in the Transkei and parts of the Eastern Province until 1913.

In 1860 the Cape Town Water Police were formed, and in 1868, when civilization and colonization had extended to the North-West, men were enlisted for the Northern Border Police. In 1882, the Cape Police, later known as the Cape Mounted Police, were raised, and this force, which absorbed the Northern Border Police, continued to operate in portions of the Province until 1913.

So that on the eve of Union, and even subsequent to Union until such time as the co-ordination of the Provincial Forces was accomplished, the Cape Province was variously policed by the C.M.R., C.M.P., Rural Police, or Urban Police, all serving under different conditions in regard to pay and pension.

NATAL

Ever since 1824 British traders had been settled at Port Natal, but it was not till 1843 that Natal was constituted a British Colony. Many of the Boers who had settled there after the Great Trek were dissatisfied with this arrangement and withdrew. Natal shortly afterwards received a considerable number of emigrants from England, and the white inhabitants have since been predominantly British. At first Natal was dependent on Cape Colony. In 1880 it was constituted a separate Colony, but it did not possess self-government till 1893.

The first police in Natal were formed in 1846, and in 1861 this force was superseded by the Mounted Police of Natal. In 1874 the late Major-General J. G. Dartnell was asked to reorganize the force, and it is from then that the history of the Natal Police as a force dates. It took part in the Zulu War of 1879, and distinguished itself at the battle of Isandhlwana. In 1894, after the grant of responsible government, conditions

of service were changed. The force at that time numbered 300 white men and 100 natives; it remained in existence until 1913. Zululand was at different times policed by a small native force, established in 1883, known as the Zululand Mounted Police. This force was absorbed by the Natal Police in 1898. The cities of Pietermaritzburg and Durban, however, by reason of early rights granted to them, had their own municipal forces.

THE ORANGE FREE STATE

The same hesitation which the British had shown to annex Natal was seen again in their policy towards the Orange Free State. The treaty state policy, begun in 1834, had failed, owing to the weakness of the petty chiefs, and in 1848, Sir Harry Smith, the High Commissioner, deeming no other course open to him, proclaimed the country between the Orange and Vaal rivers British territory, under the name of the Orange River Sovereignty. The home Government, however, were less enterprising, and on hearing of troubles in the Sovereignty they recurred to the former policy of abandonment. In 1854, against the wishes of the white population, the Orange River Sovereignty became the Orange Free State.

In the records of the Republic the first mention of a police force is in 1894, when the Orange Free State Mounted Police were formed. This force existed until the outbreak of the Anglo-Boer War in 1899, when it was mobilized for service in the field. In 1900 a police force was formed after the British occupation, and this was absorbed into the world-famous South African Constabulary, when the latter force was raised by Baden-Powell. At the end of 1908, on the grant of responsible government, the S.A.C. were replaced by the Orange River Colony Police, which existed until 1913. Those of the S.A.C., serving in the Free State, who were not retrenched, were taken into the new force on its formation.

THE TRANSVAAL

The Transvaal was first colonized by Europeans when the 7,000 Dutch left Cape Colony in 1837 in the Great Trek. The

independence of the Boers living beyond the Vaal was recognized in the Sand River Convention of 1852. By 1876 for various reasons the Transvaal was in a condition bordering on anarchy, and in the following year it was annexed to the British Crown. Encouraged by Gladstone's speeches in the Midlothian campaign, the Boers hoped for better things under a Liberal administration. But they were disappointed, and it was only after the battle of Majuba Hill that they were granted self-government, subject to British suzerainty and the control of the foreign relations of the State.

The first mention of police in the Transvaal is in 1880, when a force was formed during the first British occupation. This force was superseded, after the retrocession in 1881, by a Republican force, and, in 1886, the latter was reorganized and called the Zuid Africaanse Rydende Politie, familiarly known as the ZARPs. This force ceased to operate as police in 1899, when they took the field on the outbreak of war.

In 1900, after the British occupation, forces were formed in Johannesburg and Pretoria, and in October of that year, as it was thought that the war would soon be over, Baden-Powell was instructed to form a force to police the two Boer colonies and to be called the South African Constabulary. The Reef and Pretoria were excluded, however, and policed by a force known as the Transvaal Town Police, formed from the original forces raised. At the end of the year 1902, the S.A.C. was approximately 10,000 strong, but retrenchment gradually reduced the force until, when finally abolished after the grant of responsible government, it was only about 2,000 strong.

On 1st August, 1908, the S.A.C. disappeared in the Transvaal, its remnants being taken over by the Transvaal Police which came into existence on that date. The Transvaal Town Police were absorbed in the new force, and from that time until 1913 the Transvaal was policed by one force known as the Transvaal Police.

UNION

Following on the war of 1899-1902 and the grant of self-government to the Transvaal and the Orange River

S.A.P. have been responsible for policing the whole of the Union with the two exceptions of Durban and Maritzburg. In 1926, terms of incorporation were offered to the municipal authorities of both these cities. The Maritzburg force, which accepted, was absorbed on 1st April, 1927; Durban rejected the offer, and is now the only city with a force of its own.

Since the Union, on which date the combined forces totalled 10,169 (European and other), the population of the country has increased by over a million, yet the police force on 31st December, 1926, totalled only 10,447.

Mobility of the Force

The force is divided into three branches: Mounted, Foot, and C.I.D. All men stationed at country posts are mounted. Horses of M.I. cob type are used on all posts except the arid regions of Gordonia and Bechuanaland, where camels are employed. At two of the posts, camel breeding is carried on very successfully. From time to time Egyptian bulls are imported to infuse new blood and improve the stamina of the animals bred.

The success of the immunization of horses against horse sickness, formerly so dreaded in South Africa, has made it possible to place horses on low-veld posts where formerly it was only possible to use mules, or, on some, donkeys. To-day losses from horse sickness are rare, whilst as recently as 1923 over 23 per cent. of the horses in the force died. The use of motor transport, and consequent dropping off in horse breeding, makes it year by year more difficult to find suitable remounts, but de Beers Company, of Kimberley, have now agreed to breed suitable remounts at their stud farm, with a view to meeting the demand. A remount camp has been established near Kimberley for the purpose of breaking the animals purchased.

Rapid motor transport is also provided where such is called for, and every District Commandant is in possession of a motor-car for inspection and other purposes.

Organization of the Force

The force is commanded by the Commissioner, with headquarters at Pretoria. He holds the relative rank of Colonel. Under him at headquarters are one Deputy Commissioner (really Assistant Commissioner) and a Deputy Commissioner in charge of the C.I.D.

The uniform branch of the force comprises 9 Deputy Commissioners (Lieut.-Colonels), 5 Divisional and 5 Senior Inspectors (Majors), 42 Inspectors (Captains), and 72 Sub-Inspectors (Lieutenants) holding commissioned rank, 63 Head Constables (Class I W.O.'s), 295 1st Class Sergeants, 556 2nd Class Sergeants, and 4,810 Constables. The foregoing are European. There are also 3,671 coloured, Indians and natives.

The C.I.D. comprises 1 Deputy Commissioner, 5 Senior Inspectors, 5 Inspectors, 11 Sub-Inspectors, 77 Detective Head Constables, 115 1st Class Detective Sergeants, 117 2nd Class Detective Sergeants and 300 Detective Constables (European) with 350 non-European Detectives in addition.

The force is divided into eight Divisions, two in the Transvaal with headquarters at Pretoria and Johannesburg, one in Natal with headquarters at Maritzburg, one in the O.F.S. with headquarters at Bloemfontein, and four in the Cape Province with headquarters at Cape Town, Kimberley, Grahamstown and Umtata. The Divisions are each commanded by a Deputy Commissioner and the larger Divisions have a Divisional Inspector as second-in-command and Inspecting Officer. The smaller Divisions share a Divisional Inspector.

The Divisions, again, are divided up into districts. Each police district comprises from one to ten magisterial districts. The District Commandants of all but the most important districts are Inspectors. At each District headquarters is a Sub-Inspector as Assistant to District Commandant, to share the work of administering the district as well as to help with the duty of inspecting, directing and supervising the work of the men in the district. Certain districts have additional Sub-Inspectors stationed at the more important centres.

Police Posts are placed throughout the districts, commanded by Head Constables, Sergeants or Constables, according to their relative importance. Constables in command of Posts are appointed Lance-Sergeants whilst in charge, in order that powers withheld from constables under various statutory enactments may be carried out by them, and as a disciplinary measure.

Classification of Stations

All Posts are classified as *A*, *B*, or *C* Class stations. *A* Class Posts are those at the seat of a resident magistrate, *B* Class those which the magistrates visit periodically to hold court, or where special Justices of the Peace or Sub-Native Commissioners are stationed, with power to try cases, and *C* Class are those where no court is held, and which send their cases to the nearest *A* or *B* Class station for disposal.

Arming and Training of the Force

The force is armed with the short .303 rifle (1907 pattern) with bayonets, and .450 Webley revolvers. A certain number are also trained as machine and Lewis gunners at the training depot just outside Pretoria. Mounted recruits go through a course of military and police training lasting approximately six months, and Foot recruits a course of approximately four months, after which they are posted to a district for duty. There is usually a long waiting list of applicants and it is often necessary to cancel all recruiting instructions until the waiting lists are thinned out.

Refresher courses in military subjects are continually on the go, lasting for two months in the case of Officers and Mounted Non-Commissioned Officers, and six weeks in the case of Foot Non-Commissioned Officers.

It should be stated in passing that, with the exception of the South African Air Force, three batteries of S.A. Field Artillery, and a nucleus of Departmental Corps, there is no standing army in South Africa. The police are the only permanent mounted or dismounted force. They are, therefore, and must remain, a semi-military organization.

Provision of Arms, Accoutrements, Stores, Forage and Equipment

To provide a force ten thousand strong, divided up between roughly a thousand stations and posts, scattered over an area the size of the Union, with uniform, equipment, transport, animal rations, etc., is a work entailing considerable labour. This duty is in the hands of the Quartermaster at Pretoria. The appointment of Quartermaster is held by a Senior Inspector (Major) and he is assisted by a Sub-Inspector.

Conditions of Service

Conditions of enlistment are fairly onerous. Candidates must be from nineteen to thirty years old, 5 ft. 6 in. in height for Mounted branch and taller for Foot branch, with a minimum chest measurement of 34 inches. They must produce evidence of having passed Standard VI (Education) at least, be of irreproachable character, of European descent and unmarried (or widower without children), and must pass a stiff medical and physical examination. As recruits are plentiful, a higher standard of physical development is usually insisted on, and a Foot squad just called up consists of men every one of whom is well over 6 ft. in height. Recruits must also have resided in the Union of South Africa for at least three years, and must speak both English and Afrikaans.

Every recruit has to qualify in First Aid before passing out of the Depot. On posting to a unit, instruction in all subjects is continued by the Officers and Non-Commissioned Officers under whom the recruit is serving.

Mobile Squadrons

Two Mobile Squadrons, each comprising 1 Inspector, 2 Sub-Inspectors and 100 rank and file are maintained—one at Maritzburg and one at Umtata. These are under continuous military training. The Maritzburg Squadron patrols the native territories of Zululand and Natal, the other the Transkeian territories and Eastern Cape. These squadrons are used for special service when required, to avoid unnecessarily depleting police posts.

Promotion

Constables with over three years' service, who pass a practical oral examination and are recommended by their District Commandants, are allowed to sit in competitive examination for promotion to the rank of 2nd Class Sergeant, so that every chance is given to keen youngsters desirous of getting on. In the written examination a minimum of 25 per cent. is required in General Service paper; Common and Statute Law; Criminal Investigation; Police Act, Regulations and Standing Orders; and Drill, Musketry and Care of Arms. In the English and Afrikaans educational papers 40 per cent. is required, and over the whole examination an average of 50 per cent. is insisted on for a pass. Those who pass this examination are promoted, subject to a good report and certificate of medical fitness, as vacancies occur. A minimum of three years' service as a 2nd Class Sergeant is required before the examination for promotion to 1st Class Sergeant may be taken. In this examination additional papers are set on Pay and Control, and also on the duties of a Public Prosecutor and Rules of Evidence. After promotion to 1st Class Sergeant a minimum of three years (which may be reduced to one if insufficient candidates are forthcoming) must be served before one can sit for Head Constable. All Head Constables (in case of insufficient candidates 1st Class Sergeants who have passed for Head Constables as well) are allowed to sit for commissioned rank, subject, of course, to the usual oral test and certificates of suitability.

This quick channel of advancement makes it possible for a smart and efficient man to reach commissioned rank in from fourteen to eighteen years. Once commissioned rank is attained, further promotion is by seniority, subject, of course, to fitness for promotion generally as well as medical fitness for service anywhere. It takes approximately eight to ten years to reach the rank of Inspector after first appointment as Sub-Inspector. Promotion to Senior Inspector takes about the same period, and to Divisional Inspector and Deputy Commissioner (if age does not necessitate retirement) much less. It should, however, be mentioned that owing to many com-

paratively young men being appointed to commissioned rank when the S.A.C. was formed after the Boer War, there has been no normal flow of promotion at all until recently.

Native promotions are by selection, on the recommendation of District Commandants, up to the rank of Sergeant only.

Pension Rights

Since all men serving prior to the amalgamation on 1st April, 1913, were guaranteed preservation of their existing pre-Union pension rights, all the older members of the force are serving under different pension laws, according to the force from which they were taken over. Thus, a Cape Rural Inspector with twenty years' total service can retire at fifty years of age on a pension of two-thirds of his last year's salary, whilst an ex-Transvaal officer of the same length of service would only get one-third of his last three years' average at the age of fifty-five, or exactly half the pension with the same service if there had been no increment during the last three years, and a smaller pension if there had. In addition, the Cape officer would have contributed nothing to pension funds, being exempt by his pre-Union pension rights from contribution, whilst the Transvaal officer would have been compelled to contribute 4 per cent. of his annual salary from date of appointment. Again, a Cape or Transvaal officer retires at fifty-five years of age, to be replaced, possibly, by an ex-O.F.S. officer older than himself—the retiring age for the latter being sixty instead of fifty-five.

Of course all these anomalies will eventually disappear. The post-Union man contributes 4 per cent. to pension fund and 1 per cent. to Widows' Pension Fund and retires at fifty-five on a pension of one-sixtieth for each year's service, based on the average salary drawn throughout the whole of his career.

Special Duties

In addition to ordinary police work, the force are virtually the eyes, ears, and limbs of the Government. In the outlying parts of the country members of the force are called on to act

£650, Senior and Divisional Inspectors from £650 to £750 and Deputy Commissioners from £800 to £900. The Commissioner rises from £1,500 to £1,700. The Commissioner is not appointed from within the force. The subordinate ranks of the C.I.D. get slightly higher salaries than the men of equivalent rank in the uniform branch. In addition to pay, men stationed in the more expensive centres draw local allowance; thus, in Johannesburg a constable would get about £60 a year local allowance.

Uniform

The uniform consists of blue tunic and drab breeches. Brown leggings and boots are worn with it. For field service a drab tunic is worn. The Foot police wear blue. Helmets of 'Gypsy' pattern are worn—khaki by the Mounted men and blue by the Foot men.

Criminal Investigation Department

It will be noted from the figures given earlier in this article as to the strength of the force, that the C.I.D. have a much larger proportion of officers and non-commissioned officers than the uniform branch. This makes for fairly rapid promotion in the C.I.D. The C.I.D. are distributed throughout the Union, and, except in the large centres where a Detective Officer is stationed, they are placed under the District Commandant or Post Commander. In the larger centres are stationed one or more commissioned officers of the C.I.D., and every Deputy Commissioner has a Divisional Criminal Investigation Officer to assist him, and to act as his staff officer for crime.

Special Legislation in the Union

The peculiar circumstances of South Africa as a country have made it necessary to tighten the criminal laws in several respects.

Gold and Diamonds

The discovery of gold and diamonds in the country made it essential to frame suitable mining laws, and to-day the

possession of or trading in either unwrought gold or rough or uncut diamonds is a very serious offence.

Liquor

With a preponderant proportion of natives in the population (about five and a half millions out of seven), special legislation has also been necessary in regard to liquor. In the Transvaal the minimum punishment for giving a native a glass of beer or wine is six months' imprisonment with hard labour, and, until 1919, it was not possible for a suspended sentence to be inflicted. A third conviction entails imprisonment of not less than two years. This is almost unbelievable to the inhabitant of Europe, which, of course, has no such problem as that confronting civilization in a country like the Union. It will be more readily understood in the United States.

Last year, the Liquor law consolidating the pre-Union liquor laws of the constituent Provinces was at length, after many earlier attempts to frame a suitable law, passed in the Union Parliament.

Theft of Stock and Produce

The native is fond of helping himself to other people's stock, and the Union is largely a stock-raising country. It has therefore been necessary to legislate specially in regard to stock theft, and to confer increased jurisdiction on the Inferior Courts trying cases of such. The magistrate's ordinary maximum jurisdiction of six months' I.H.L. is increased in the case of stock theft to eighteen months for a first offence, and poultry have been added to the former definition of stock.

Native Pass Laws

Prior to Union the various Provinces had Native Pass Laws varying in kind. It has not been found possible as yet to consolidate these, but the attempt will be made in the near future.

Crime in General

The volume of crime dealt with in the course of a year is large, when the total population of the Union is considered.

It should, however, be remembered that in the population there are five native Africans for every one European, and that many of the offences are transgressions against the Native Pass and Tax Laws.

Unfortunately, owing to the changing systems of recording criminal statistics, it is not possible to make an accurate comparison of one year's results with those of another.

In 1912 the total number of cases sent for trial was 280,115, resulting in 211,533 convictions, or 46 per 1,000 of the population. In 1927 the total number sent for trial was 503,639, resulting in 439,235 convictions, or 65 per 1,000. It will thus be seen that the number of convictions has increased proportionately by almost 50 per cent. There are proportionately eight males convicted to every female and this proportion has varied slightly from year to year, never being more than nine or less than seven to one.

Of serious crime in 1913, 37,517 cases were reported, of which 5,000 were found false and 12,744 undetected. 14,413 persons (1,603 Europeans and 12,810 non-European) were convicted. This was 1.2 per 1,000 of the European population and 2.6 per 1,000 of the native population. In 1927, 55,330 cases were reported, of which 14,356¹ were found false, 11,639 undetected, and 22,653 convicted (2,456 European and 20,107 non-European). This was approximately 1.7 per 1,000 in case of Europeans and 3.8 per 1,000 in case of others.

An average of 400 murders are dealt with in each year and approximately eighty persons are actually convicted of murder annually, the culprits in many other cases being found guilty of the lesser crimes of culpable homicide and assault.

Approximately 150 Europeans and 5,000 others are annually convicted of stock theft.

In conclusion, I may state that the population of the Union is, as near as can be calculated (the last full census was in 1921), 7,600,000. For the year 1926-1927 the total establishment of the police was 10,245 and the total amount of the police vote for the country £2,575,755. Efforts are made to keep the vote down to two and a half millions, but with the continual outcry

¹The large increase in cases found false is principally due to the fact that all losses of stock are treated as stock theft to ensure the best possible results from inquiries made.

for increased police protection it is doubtful if this will ever happen; indeed it is more likely to increase.

During the past few years the abnormal developments in alluvial diamond digging have entailed a severe strain on the available resources of the force. Other parts of the country have had in consequence to be partially neglected in order to maintain a sufficient force on the diggings to ensure efficient control.

After the Rand revolt in 1922, an appreciative public subscribed approximately £30,000 in Johannesburg and on the Reef. When dependents of police who lost their lives, as well as men who were injured, had been compensated, the balance of approximately £23,000 was handed over to the Police Orphans Fund. This Fund, which was started by members of the force, and towards which nearly every man in the force makes a monthly contribution, has a capital of close on £80,000, which it is hoped to bring up to £100,000. Allowances are paid monthly towards the support of minor children of deceased members of the force. This is a splendid result from an entirely voluntary effort, which is in no way aided by the State.

A Double Murder in the Arctic Regions

By C. D. LA NAUZE

Inspector, R.C.M.P.

THE North West Mounted Police was formed by the Dominion Government in 1873 to create law and order in Western Canada. Having accomplished this and having materially assisted in the development of the West it received its title of Royal in 1905 when the provinces of Alberta and Saskatchewan were formed. The Force still continued the active policing of these Provinces upon arrangement between the Dominion and Provincial Governments. In 1917 the Dominion withdrew its Force, and the Provinces formed their own Provincial Police. In 1920 the Force became a Federal constabulary for the whole Dominion, and its title was changed to the Royal Canadian Mounted Police. Its scope is now strictly Federal except that in Saskatchewan the old arrangement has just (1928) been revived. The strength of the Force is now approximately one thousand of all ranks: it is commanded by a Commissioner with headquarters at the Dominion capital at Ottawa and is controlled by the Federal Department of Justice.

The Royal Canadian Mounted Police is kept much before the public by means of sensational novels and short stories and even more sensational motion pictures, so much so that the general impression must be that the Force is composed of a hard-riding, scarlet-coated crowd of supermen who 'always get their man.' This is a false impression: civilization has swamped romance in Western Canada, and the Force is composed of ordinary individuals the same as in any other well-disciplined police force not so favoured with unsought publicity. It does not always 'get its man,' and its problems are no more acute than those of the many forces which police the Empire.

In Canada, the Yukon Territory and the Great North West Territories are administered by the Dominion Government; consequently the policing of these territories is performed by the Royal Canadian Mounted Police. The Force consequently polices the whole of the Arctic regions of North America from the Alaskan boundary to the western shores of Smith Sound and Baffin Bay.¹

During the late war the whole Force, from Commissioner down, felt of course that they should be at the Front. The Government, however, felt otherwise, and while a great percentage of the then serving members left and went overseas the Force was not allowed to raise a unit. The police work of the Force was thus carried on under difficulties, as good men were leaving and recruits were of course scarce.

It was at the height of this period, in May 1915, at Regina, Saskatchewan, that the writer received instructions to outfit at once for a two-year patrol in the Arctic regions.

The reason for the patrol was as follows. In the summer of 1913 two Roman Catholic priests of the Oblate Order, the Rev. Fathers Rouvier and Le Roux, left their base at Fort Norman on the Mackenzie River for the purpose of bringing salvation to the primitive Eskimo of Coronation Gulf. The priests had already made the acquaintance of some of these Eskimo in the country north and east of Great Bear Lake, as the Eskimo were in the habit of coming inland to the wooded country each summer to hunt caribou and get wood for their weapons. The Bishop had now decided to attempt to establish a mission on the Arctic coast, and it was for this purpose that the two priests started for the coast in the summer by way of Great Bear Lake and the Coppermine River. Word was received from them by an Indian messenger about September, 1913, stating that all was well, that they were on their way to the coast with the Eskimo and would not be back for probably more than a year. Nothing further was heard until the fall of 1914, when an explorer named D'Arcy Arden, accompanied by several families of Bear Lake Indians,

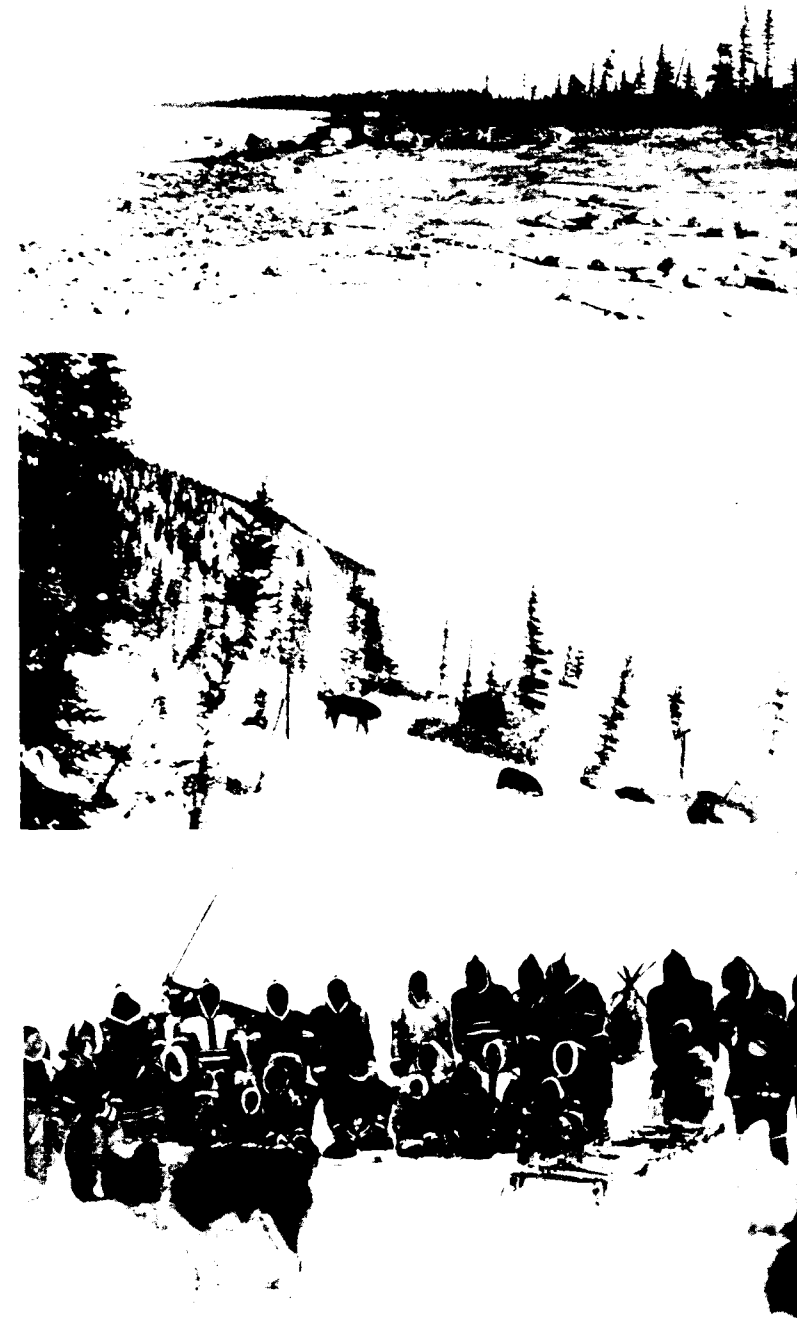
¹ See 'Some Geographical Difficulties of the R.C.M.P.,' *The Police Journal*, vol. ii., p. 37; also the map annexed thereto.

fell in with a large band of primitive Eskimo on the barren lands north-east of Dease Bay on Great Bear Lake.

For centuries the Indian and the Eskimo have had a hereditary dread for each other ; they cannot converse with each other ; and it was generally the rule that when either was thought to be intruding on the other's territory discretion was thought to be the better part of valour and both sides retreated. On this occasion they actually met, and the Indians were horrified to see that two adult male Eskimo were wearing priests' cassocks, and one was seen carrying a rifle that the Indians recognized as belonging to the priests. Arden did his best to hold the Indians together and try to gain some information by the sign language ; but the Indians were anxious to depart as they were outnumbered by the Eskimo, and absolutely no information was gained concerning the priests. This information finally reached the Roman Catholic bishop of the diocese, and he immediately requested a police patrol to find the whereabouts of his now overdue priests.

Previous personal experience in the Mackenzie district made matters easier, and the patrol, which consisted of Constable Withers, Constable Wight and the writer, outfitted in Edmonton, Alberta, and was transported to Fort Norman on the Mackenzie River by the Hudson's Bay Company. As it was quite likely we should have to deal with Eskimo an interpreter was secured from the mouth of the Mackenzie, and it was not until July 23rd that the patrol was actually ready to start from Fort Norman, the point from which the priests set out.

From here we were dependent on our own resources, and with Arden as guide we struggled up the swiftly flowing Bear River, crossed Great Bear Lake in an open boat, and finally, on 8th September, reached Dease Bay at the north-east end of Great Bear Lake, 500 miles from Fort Norman. Here we fell in with a few Slavey Indians who had known the priests well : they had absolutely no news of the priests, and were camped on an island in the bay for fear of the Eskimo. They stated that a few nights previous to our arrival their tepees (Indian wigwams or tents) had been stoned, and the next day they found fresh Eskimo tracks. One of the women was particularly intelligent ; she was the last to see the priests and



Top : LANDING SUPPLIES AT DEASE BAY
Middle : THE POLICE CAMP ON THE COPPERMINE RIVER
Below : ESKIMOS AT BATHURST INLET

remembered that they told her they were going to the 'salt water' with the Eskimo and were to accompany an Eskimo named Hupo. She said the priests had built a small house on the edge of a lake at the extreme 'edge of the woods' about 60 miles north-east of where we were, and should we find that we might find some message the priests had left behind. No Indians had been in that country since the previous fall, as they were afraid of the Eskimo. We had taken many statements, but this was the first definite information we had received.

The winter was already setting in, and with dogs packed and packs on ourselves we started at once for the priests' lake and had not much difficulty in locating it. An arm of the Dease River Valley Woods runs clear into the barren grounds, and here on the edge of a big lake surrounded by high rolling hills we found the cabin of the missing priests. We approached it with mixed feelings. Would our quest end here or should we have to proceed to the Arctic coast? The suspense was quickly lifted; for we found the cabin in ruins and not a clue discernible as to the missing priests. Eskimo had apparently visited the place recently, for we found fresh chips of wood and not far away fresh Eskimo tracks. The Eskimo, however, if they wished to, could easily have avoided us in that great country. They would know of our presence by our fires, a luxury they do not need in their summer life; and unless we actually surprised them they would be hard to find, as their deer-skin clothing blended with the surrounding country.

Winter was rapidly approaching; lakes and streams were already frozen; and it was decided to return to Dease Bay, winter there in its hospitable woods, and when the backbone of the winter was broken continue our journey to the Arctic coast and reach the Eskimo while they were still living on the ice. The chief reason for this decision was the safety of the patrol; the days were shortening rapidly, the caribou were moving south, and as we were practically dependent on our rifles for food it was not wise to proceed to the coast at this season.

What a magnificent country is the Barren Grounds north of Great Bear Lake in the fall of the year! A great brown



*Top: THE BARREN GROUNDS, LOOKING TOWARDS GREAT BEAR LAKE
Middle: THE MISSING PRIESTS' CABIN AS FOUND BY THE PATROL
Below: OUR WINTER QUARTERS AT DEASE BAY*

rolling country intersected with deep ravines and sparkling lakes, great herds of lordly caribou everywhere, ptarmigan in hundreds in the willows, and the blue waters of the Great Bear Lake stretching far to the south surrounded by its dark green spruce woods. The air was like champagne, and at night the Barrens were lit by the brilliant aurora which gyrated and danced playfully in front of us mortals as we gazed in awe at its shimmering rainbow splendour.

Dease Bay was reached early in October, and preparations to winter at once begun. Some old log cabins were rapidly made habitable; fishing, hunting and wood-cutting were religiously carried out; and by the time the sun had disappeared and the cold weather set in the patrol was well housed and well supplied with dog feed and meat.

With the advent of the New Year the real cold weather came. Our small thermometer could only register 60° below zero, and it simply stayed there, for it could go no further. The air was so clear, dry and bracing that we did not suffer, and our cabins were snug; wood-cutting always gave exercise and kept us busy; photography was a god-send. Actually we were wintering well inside the Arctic Circle, two thousand miles north of the nearest railway and five hundred miles from the nearest trading post. We enjoyed the winter, for everyone kept busy and looked forward to the spring journey to the coast and the continuance of our work.

So far we had no occasion to use the services of our Eskimo interpreter Ilavinek. He was employed at jobs he liked, such as hunting and fishing; for an Eskimo does not like hard work, nor can one treat him in the manner of master and servant. Ilavinek was 'consulted' at all times, was made to feel his own importance, that he was the 'mouth' of the patrol, and during that winter his confidence was gained and his somewhat strange English, learned on whaling ships, understood. The mystery of the missing priests was ever before us, and plans were fully discussed and laid as to how we should continue our work on the coast.

On 29th March, 1916, we resumed our journey to the coast, Constable Withers taking charge of the base. The party consisted of Arden, Constable Wight, Ilavinek and the

writer, with two toboggans and two teams of four dogs to each. The Barren Grounds were now white wind-swept plains; we passed the priests' lake and struck north-east to find the Coppermine River, which we knew flowed into Coronation Gulf. The Coppermine was found, and on it there was timber of sorts to within twenty miles of the coast. The spring migration of the caribou had commenced, and our supply of meat and dog feed was assured. On the 30th April we stood on the shores of the Polar Sea; fresh Eskimo sled tracks were seen leading east on Coronation Gulf; now at last we could resume our investigations.

On 1st May we saw a small Eskimo encampment, and as we approached, the inhabitants came out holding their arms well above their heads. We promptly did the same, as Ilavinek explained that this was the peace sign. Ilavinek then went forward and spoke in Eskimo: a scene of wild delight followed as men, women, and children and dogs rushed out from the skin tents and escorted us joyfully into their camp. It took some time to settle down and then began our hardest time, the practice of restraint as to our mission. It is peculiar to some primitive races and especially to the Eskimo that if you want to get definite information you must wait until it is given voluntarily. Our policy was therefore not to 'pump' the Eskimo until in fact there was no other way available. Just at present there was no hurry; we had reached the coast when the Eskimo had gathered in large camps on the sea ice for spring sealing operations; game was plentiful; and we also learned to our surprise that some white men with a ship were wintering west of Coronation Gulf, and that two white men were in camp one day's travel east. We hoped we had fallen in with the Canadian Arctic Expedition.

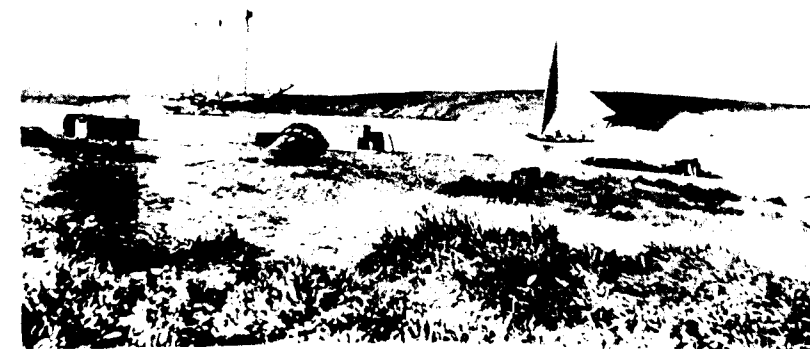
Leaving Ilavinek in camp, we proceeded east and soon came upon a camp of the southern party of the Canadian Arctic Expedition, whose members were a surveyor by name of Chipman and Corporal Bruce of the Herschel Island detachment of the R.N.W.M.P. After cordial greetings, inquiries were made for the missing priests. 'What?' said Chipman; 'are they not back on Great Bear Lake?' When we had informed him of our search, he said: 'Well, they

never have reached the coast ; this is the second winter of the Expedition in here, and our interpreter and ethnologist have heard absolutely nothing from the natives ; they must have perished somewhere between the coast and Great Bear Lake.' Corporal Bruce informed me that after Ilavinek had joined our party at Fort Norman he had been sent in east from Herschel Island by the Canadian Arctic Expedition ship *Alaska* to endeavour to work on the case in Coronation Gulf and if possible connect with the patrol. The move had been a good one, as Bruce knew the country and had quietly ascertained without exciting any suspicion what Eskimo had white men's effects in their possession. He had wisely made no direct inquiries, but naturally had come to the same conclusion as Chipman. Arden then joined Chipman ; Bruce joined the patrol ; and we returned to the Eskimo camp to pick up Ilavinek.

The object of the patrol now was to visit quietly every Eskimo camp in Coronation Gulf, and especially to find the Eskimo named Hupo who was mentioned by the Indian woman on Great Bear Lake.

It must be understood that the Eskimo of Coronation Gulf then knew absolutely nothing about law and order ; of white men they had seen very few, some none at all ; and their conception of the universe was that it did not extend beyond their own country except to the south, where there were Indians whom they did not trust. The Eskimo were natural hosts ; we were their equals ; nor were they unduly curious as to our presence among them. We were simply visitors and should be treated accordingly. The Canadian Arctic Expedition had made no foolish attempt to civilize them or to give them clothing or weapons ; consequently we were working amongst a primitive and unspoiled hardy race who lived comfortably and happily seven months of the year on the Arctic ice. Ilavinek had gained absolutely no information at the Eskimo camp, but by no means had given up hope, and his optimism was an inspiration to us all.

The patrol now travelled north-west across Coronation Gulf and spent the night at an Eskimo village of skin tents pitched on the ice between some islands. The natives were



Top : BOKTON ISLAND, CORONATION GULF
Middle : BERNARD HARBOUR, DOLPHIN AND UNION STRAITS
Bottom : HERSCHEL ISLAND, YUKON

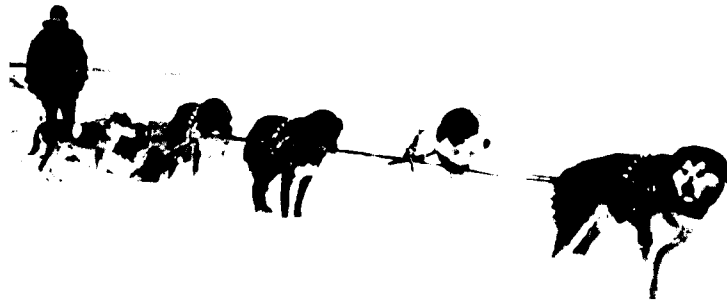
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busy sealing, and we received the usual hearty welcome. When we informed an Eskimo named Koomuk that we came from Great Bear Lake, he told us he had been there, but then shut up suddenly and would not talk any more. Food was produced, and the people talked about the hunting, etc., but of nothing else, and the subject of the Bear Lake country was not pressed. The people's attitude at this camp made us feel that the Eskimo knew something about the priests. It was intensely hard to refrain from questioning.

On the night of 7th May the patrol reached a large Eskimo village situated at the eastern end of the Dolphin and Union Straits. We received the usual hearty welcome, and after we had made camp and finished supper Ilavinek and the writer started out on our usual visit to the people. For a time we were surrounded by the curious, who gradually disappeared until we were left alone with two men, obviously brothers, who seemed genuinely anxious to talk. We told them we had come from Great Bear Lake, and they at once said they had often been there. They were then asked if they had seen white men before, and they said 'Yes'; they had seen Steffanson, and had heard Steffanson's native, a man named Natkusiak, speak of Ilavinek. They were very glad to see Ilavinek and to hear that he had travelled so far to see them and that he came as 'the mouth of the white man.'

It was now about midnight; the sun was setting; and the people and our men had apparently turned in. The brothers then suggested that we should go and sit with them in their house and talk, and the invitation was quietly accepted. We were taken to a small snow house in the middle of the village; we crawled through the opening on our stomachs and soon almost stood up inside its dome-shaped roof. We all sat down on the raised sleeping bench made of snow blocks and covered with soft musk oxen and caribou skins. The seal oil lamp was burning. There was a pause; they waited for us to commence; and then Ilavinek spoke to the writer and said: 'Inspector, I think we can talk straight now; these two brothers trust me; shall I go ahead?' I said: 'Yes, and I won't say one word until you tell me'; and Ilavinek commenced.



Top: WILKES WITH NO. 1 DOG-TEAM AT GREAT BEAR LAKE
Middle: AN ESKIMO SNOW-HOUSE AT ELOOY
Below: ESKIMO EATING AT BORTON ISLAND

I saw him talk long and earnestly. I saw him describe the priests, their height, their cassocks, and the cross they always carried suspended from the neck. There was a dead silence; then the two brothers began to cry softly; still silence, when at last the elder turned and spoke a few words to Ilavinek. I could see Ilavinek sit up and tremble; his mouth was open wide. 'What's that?' he said. They spoke again, then he turned and, trembling with emotion, said: 'Inspector, these men tell me everything; the poor fathers were killed all right; the Eskimo killed them. Now, I find out some more.' I slipped away and aroused Corporal Bruce, and when we arrived Ilavinek and the Eskimo were calmed down and ready to talk seriously. One other Eskimo had arrived, a stout and elderly man named Koeha, and the natives all began to talk at once. Ilavinek said: 'Let the mouth who knows most speak first'; and the brothers replied: 'Let Koeha speak.'

By the flickering light of a seal oil stone lamp in that distant Eskimo camp the story of an Arctic tragedy was slowly unfolded. The priests had reached the coast with the Eskimo when the snow was soft, the sea ice was not yet strong, and the sun was very low, evidently in early November. They had only remained there a few days and stated they would return to Bear Lake and come back next year by ship. They had started back, at the worst time of the year for travel, poorly equipped; they had evidently had some trouble with some of the Eskimo over a rifle which was said to have been promised. A day after they left they were followed up and brutally murdered for their rifles by two Eskimo named Sinnisiak and Uluksak. The murderers had returned to the camp and Uluksak had told all that had happened, and said he had been urged to assist by Sinnisiak. Koeha, who was the first to tell us the story, said: 'At first I did not believe that they had killed the two good white men who were our friends; so I went to see, and by following the tracks I found the two white men dead near the Falls about twenty-four miles south; the dogs were still alive and tied to the sled, so I unloosed them. We never spoke of this before to a white man as we were

afraid they might kill us all; now we speak to you through Ilavinek.'

Taking statements from Eskimo is tedious work; they have practically no conception of time, and it is hard for them to think back, and especially hard for them to recall years. They also soon tire and want to go to sleep. They must be kept interested. Humour interjected at points assisted, and Bruce was invaluable in that he could imitate the bell-like note of the Arctic raven to perfection, and this often restored wakefulness, humour, and train of thought. It took us four hours' patient work to get that first statement, and we turned in with a great load off our minds. Success was coming to the patrol; for we learned that both murderers were at large and in the country. Sinnisiak, the principal murderer, was supposed to be north on Victoria Island. Uluksak was last heard of as being east on the Kent Peninsula.

We travelled west to Bernard Harbour to the Canadian Arctic Expedition base to get some supplies. Many Eskimo were met *en route*, and the news had now quickly spread as to the object of our visit. We met Hupo, whom we had heard of from the Indian woman on Great Bear Lake, who corroborated many points, and we fell in with an Eskimo named Mayuk, who said he had seen Sinnisiak during the early winter and thought he could find the tribe he lived with. At the Expedition's base we were well received and quickly outfitted, and on 12th May we struck north across the Dolphin and Union Straits for Victoria Island. Great difficulty was experienced in finding the old camps of the tribe, for it was by following their deserted snow houses from camp to camp that we expected to find the people. Our efforts were further impeded by forty-eight hours of thick fog. At last, on 15th May, one year from the date of our departure from Regina, we saw the low coast-line of Victoria Island loom up, and on it a large village of Eskimo skin tents.

It had been decided that no display of force was to be shown unless absolutely necessary, and we walked into that camp apparently unarmed. After the usual careful approach Mayuk and Ilavinek went forward, and we were soon surrounded by about forty excited and very primitive-looking

Eskimo. Ilavinek was splendid ; his self-confidence and his importance was increasing, and he had wisely instructed our new assistant Mayuk how to act.

After preliminaries Wight kept the crowd interested, and our new guide quietly led us to a large tent at the far end of the village. In it sat a man and his wife. The man, who was sitting tailor fashion, was literally shaking with fear. He said his name was Sinnisiak, and told us not to dare to kill him. Sinnisiak was formally arrested by Bruce, and as he would not stand up when we asked him we lifted him up and relieved him of the priests' rifle and two large knives on which he was sitting. In the meantime the whole village crowded around us, and those men who could crowded into the tent.

Now was the time for Ilavinek to act, and he did it thoroughly and well. He told the people that we had come for this man, that their own people had told us he was the man, and that he must come with us to appear before the white chief, and that we would promise nothing. The prisoner refused to come and appealed to the people, and a great discussion ensued. Ilavinek after a while resumed, and said we were not looking for trouble, but that Sinnisiak must come with us because we were not going to go without him. Here discussion followed, until an elderly Eskimo spoke up and said : ' The white man does not speak to us with two tongues ; what he says is true. Sinnisiak must go with him, and none of us will put out our hand to help him.' Even then we could not hurry ; obvious haste was not wise nor was it understood ; and we were actually eight hours in that camp before we got the prisoner quietly away.

Sinnisiak was intensely nervous ; he still expected to meet instant death at our hands ; and the first thing he did when he reached the Expedition's base was quietly to steal five butcher knives from the cook and conceal them on his person. At Bernard Harbour he was charged with murder, and after most careful explanation of the procedure in ' the statement of the accused,' he said : ' I want to talk.'

Sinnisiak told everything. He stated that he and Uluksak had accidentally met the priests, and they had insisted on them helping to pull the sled in payment for some traps ; that they



SINNISIAK



ULUKSAK

OHOVILUK, WIFE OF HUPU,
WHO STAYED FOR THE MURDER PRIESTS



THE PRISONERS MEET THEIR CIVILIZED BROTHERS FOR THE FIRST TIME AT BAILLEU ISLAND, CAPE BATHURST, AND ARE ENTERTAINED

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had camped one night with the priests, and next day, being afraid of them, decided to kill them. Sinnisiak said he got behind Father Le Roux on a pretence while Father Rouvier was running ahead of the sled ; he had then sprung upon him and stabbed him with his long snow knife, and Uluksak had finished him while he wounded Father Rouvier with the priest's rifle. Both men then finished killing Rouvier, cut open his stomach and ate a piece of his liver ; then each taking a rifle and cartridges they returned to the coast.

After Sinnisiak had been committed for trial he was left at Bernard Harbour in charge of Corporal Bruce, while the original patrol returned east to the mouth of the Coppermine in the hope of finding Uluksak. Fortune still favoured the patrol ; for Uluksak was arrested on Irokton Island on 22nd May, and later committed for trial. Uluksak's statement agreed with that of Sinnisiak, except that he said he was urged on by Sinnisiak and that they had eaten a piece of the liver of both priests. He said : ' I have carried this in my head a long time and am glad you have come. Are you going to kill me at once ? ' He also stated that Koomuk, the man of whom we were first suspicious in the gulf, had taken the rifle from him.

Our next duty was to convey our prisoners to the nearest police post, and as we had the Canadian Arctic Expedition ship *Alaska* at our disposal it was decided that the prisoners should be taken to Herschel Island by sea. The patrol then separated. Constable Wight and Ilavinek returned to our base on Great Bear Lake, visiting the scene of the murder *en route*, while the writer returned to Bernard Harbour with Uluksak and joined Corporal Bruce with Sinnisiak.

Herschel Island, which lies 700 miles west of Coronation Gulf, was reached safely in early August. From here the Arctic Expedition proceeded to Vancouver and carried the patrol's official reports. Instructions would be received *via* Dawson and Yukon in the following February. Ilavinek reached Herschel Island in September by whale boat from Norman, the party having made a successful trip to Fort Norman. Wight had gone ' out,' and a report from him was received stating that they had found some evidence at the scene of the crime.

Instructions were received in due course to bring the prisoners to Edmonton, Alberta, for their trial. Wight in the meantime had been instructed to return to Fort Norman. The patrol left the Mackenzie delta in July by the Hudson's Bay Company annual steamer, and Constable Wight was awaiting us at Fort Norman. Our good fortune continued, for Koeha, our principal witness, accompanied by a half-breed named Patsey, a former Expedition employee, were at Norman and awaiting us on Wight's request. Koeha and Patsey had bravely ventured that spring from Coronation Gulf to Norman to trade and had arrived at Norman with some Indians on the last ice. The patrol was once more united and reached Edmonton in August, where a special court had been convened to hear the cases.

The first trial commenced on 14th August, when Sinnisiak was charged singly with the murder of Father Rouvier. The trials were the hardest part of the patrol. The faithful Ilavinek proved hopeless as a court interpreter. We, of course, could understand him, and the presiding judge was extremely patient; but the lawyers had not got the patience, and Ilavinek, when questioned by them, would appeal to me for an explanation of what they asked him. Fortunately we had brought Patsey. He was pressed into the breach, and really did very well owing to his experience with the Canadian Arctic Expedition.

The prosecution was conducted by the Federal Department of Justice and the defence by the Department of Indian Affairs. The prosecution submitted the prisoner's statements as evidence, and we felt really sorry for Ilavinek as he was put through a most gruelling cross-examination by the defence as to whether the statements were voluntary or extracted. The statements were admitted as evidence. Koeha was an excellent witness; he had observed the procedure, and when his turn came he walked quietly into the witness-box, placed his hands on the edge, and calmly surveyed the crowded court-room. His evidence could not be questioned, and had more witnesses been available no doubt much additional information would have been gained as to the last days of the missing priests. Constable Wight produced evidence from the scene of the crime, including two empty cartridge cases, a human lower

jaw, and part of the diary of the unfortunate priests. The last page, written in French, contained the following tragic entry: 'We have been disillusioned by the Eskimo; we have little to eat; we do not know what to do.' The defence put Sinnisiak in the witness-box in his own behalf, and called Uluksak for the defence. The prisoners, however, never departed a fraction from the original statements they had made over a year previously in Coronation Gulf.

The case reached the jury on 17th August, and after several hours' deliberation a verdict of 'not guilty' was brought in. It was impossible for the Eskimo to understand this: Sinnisiak merely remarked: 'It's not true: I killed him.' Ilavinek at last said: 'Does it mean this—that we work all these two years for nothing?' The prosecution at once made an appeal in chambers before the Chief Justice for a change of venue for the next trial. This was hotly opposed but was granted, and the second trial took place at Calgary on 22nd August, when Uluksak and Sinnisiak were charged jointly with the murder of Father Le Roux.

The second trial lasted only three days, as both the Chief Justice and the lawyers were getting used to the Eskimo. Excellent speeches were made by both defence and prosecution, followed by an admirable and humane charge to the jury by the Chief Justice. After an hour's deliberation the jury brought in a verdict of 'guilty,' with 'the strongest recommendation of mercy that a jury can make.' The final result was that the prisoners were sentenced to death, and the sentence in a few days was commuted to imprisonment for life, to be served in the Far North. After two years in charge of the police in the Mackenzie the prisoners were pardoned and allowed to return to Coronation Gulf, where they have ever since been apostles of law and order.

Civilization has now reached the Arctic coasts in the guise of fur traders and wireless stations. It was the good fortune of the patrol to see this fine race of Eskimo just as they were from the earliest times and to some extent share their simple lives and thoughts. The Great Bear Lake Patrol had the satisfaction of knowing that they were the first in the Arctic and of solving the mystery of the missing priests.

Police Patrol Systems

(1) PRACTICE IN AN ENGLISH COUNTY

By the late LT.-COL. ALFRED LAW¹
Chief Constable, Hertfordshire

(2) HOURS OF DUTY IN A CROWN COLONY

By J. D. AITKEN
Superintendent of Police, Colombo, Ceylon

(1) HERTFORDSHIRE²

MY attention was first directed to the Police Patrol system in urban districts shortly after I joined the Constabulary in 1911, but owing to the many details with which a new Chief Constable has to deal, I did not take the matter up seriously until much later—then came the War, during which no reforms were practicable.

It may be said that the main concerns of a police constable are the security of life and property, the prevention and detection of crime, and the preservation of the peace. The question then arises whether the present methods in vogue in our cities and towns—small and big alike—are the best that can be devised to achieve these ends.

The problem of police protection in urban districts differs entirely from that in rural areas. In the latter, we put a constable in charge of a certain area, selected according to the requirements of population, floating and permanent, acreage, nature of industries, and so forth. We know that this constable cannot cover the whole of his area during one tour of duty; and, since he must only work eight hours a day, there must be sixteen when the area is policing itself, save that the constable

will usually be in his house, to which people may go in emergency. In urban districts, we are expected to protect the whole area every hour of the twenty-four, and we do try to afford protection—such protection as we deem necessary—in every part of the town. We patrol the town during the day and night. We provide traffic duty men to control the flow of traffic. We keep a small reserve in hand to deal with eventualities.

A certain degree of publicity in these arrangements is unavoidable—nay, perhaps it is desirable—but how much? If the general public is able to know the movements of the police in towns, that part of the general public which is criminal will profit by the knowledge and may act upon it.

It has always been uppermost in my mind that the public ought not to be in a position to know so much of the movements of patrol constables in towns as it obviously does, or can do by observation. To begin with, there are generally three or five distinct 'shifts' or duty tours each day, and at each shift a considerable number of policemen can be seen to go on and off duty at the same time. Anyone who cares to take the trouble can get to know the hours of parade and can therefore be fairly sure of being undisturbed by police in certain parts of the town for a more or less definite period. Then for convenience of relief, and in order to ensure that no man has more than eight hours' duty to do, it is necessary that the reliefs coming off duty shall be fairly near the police station, or at any rate shall be brought from the outskirts of their beats on to the main thoroughfares so that they can move quickly to the police station to enable them to book off duty as soon as they have been relieved. It may fairly be said that for at least half an hour before a change duty hour, and for half an hour afterwards, the outskirts of the town and of the beats are inadequately policed, if indeed they are patrolled at all. Further, if reliefs are marched, a splendid advertisement is provided for the benefit of the would-be criminal, telling him plainly the most suitable time for, it may be, a window to be broken and a tray of jewellery snatched, or other crime of a like nature.

Next we come to the beat system. Why has this been

¹ We regret to announce that Lt.-Col. Law died on Nov. 8, 1928.

² Rewritten and revised by permission of Messrs. P. S. King & Son, Ltd.

adopted? I venture with great respect to suggest that it was because the beat system was considered a convenient basis from which to work in calculating the necessary strength of a police force in an urban district. It is a convenient basis, but having arrived at the number of men required, I maintain that on the ground of economy in numbers alone the individual beats should be abolished and sectors substituted. There are several other important reasons for the abolition of the beat system, but it will be convenient if I explain here where the saving in numbers can reasonably be expected.

When an urban district is divided into a specified number of beats, each allotted to one constable whose whole tour of duty is spent in traversing that beat, there is a strong probability, if not a certainty, that his services will not be required every hour of his duty tour in that locality. It would be singular indeed if every one of say ten beats—some being perhaps fifteen minute beats, other two hour beats—could be so arranged that no time would be spent in unnecessary patrolling. I believe that, as a rule, one or two men can be saved in every ten without loss of efficiency if the men work over the whole sector instead of being confined to individual beats. It is convenient to be able to map out our towns into so many definite beats and to fix the responsibility on a particular constable for that beat over a definite period; but the beat system in towns has all the border-line drawbacks which are felt so much between County and County, and between County and Borough; every separate force with its definite borderline is a disadvantage to the police system as a whole.

Let us take a town of 50,000 inhabitants with fifty miles of streets and policed by seven patrol sergeants and forty-seven constables. Divide the town into say eleven day and fourteen night beats, each worked by one constable. The points are carefully thought out and fixed permanently, that is to say, quarter or half-hour points at which constables on duty may be visited by superiors; the routes are all carefully worked out, and the times—not too fast and not too slow—are enough to keep men moving at a suitable pace for observation. The points, routes and times are all co-ordinated, printed and given

to constables so that each may know every beat in every part of the town: no variation is made except that sometimes the order may be given to work the routes the reverse way. Each constable works the same beat with the same points day in and day out, it may be for a fortnight—usually that is the period—or it may be for a week at a time, or the constable may change his beat daily; for the purpose of my argument it is immaterial, since the successor to the beat will carry on just the same. No matter how the route is varied, the following conclusions can safely be made:—

- (a) That one constable only is perambulating this particular beat (with the exception of superiors visiting their men from time to time, or occasionally of flying cyclist patrols or plain clothes men).
- (b) That this one constable makes points regularly at stated times, so regularly that it has been said inhabitants sometimes set their watches by the policeman's movements.
- (c) That having been seen at one point at a certain time, this constable will not be *at all likely* to be at that point again for a definite period, according to the area of the beat he has to cover.
- (d) That at certain times, usually every four hours, this constable will be at a point of his beat nearest to the Police Station, so that he may be relieved conveniently.
- (e) That at night the constable will go to some pre-arranged spot in order to have his refreshment, and that half-an-hour will be occupied in this way, the beat in the meantime being left unpatrolled.

I claim then that the beat and relief system permits the public to know too much of the movements of the police. There are other disadvantages. Collusion between police and public, however unlikely, is certainly possible under a system which provides for constables knowing for a considerable period before taking up their duties exactly where they are going and where they will be at certain times of the day and night. There is also loss of preventive and detective

value. There is waste of time and loss of efficiency, occasioned whenever it is part of the system to march reliefs to and from their beats. And finally there is extravagance in the number of police units employed.

Under the beat and relief system it is the usual practice to divide the police strength of an urban district into three reliefs: Early, 6 a.m. to 10 a.m., 2 p.m. to 6 p.m.; Late, 10 a.m. to 2 p.m., 6 p.m. to 10 p.m.; Night, 10 p.m. to 6 a.m.; and, where the local reserve will permit, to introduce an extra relief from 6 p.m. to 2 a.m. In forces where this is done a sort of overlapping evening patrol is provided. In practice, as pointed out by Sir Leonard Dunning in 1920, this extra relief is often illusory, since the actual numbers available for duty are not sufficiently large to do more than fill the existing beats. Again, under the beat and relief system where the reserve was insufficient or not available, men were drawn from the beats for any special service and the beats thereby rendered vacant were 'doubled' or sometimes not worked at all. Consequently, it not infrequently occurred that some parts of the town were devoid of police protection.

Prior to 1919, the police in the County of Hertford worked under the beat and relief system and were required to work nine hours a day. When the working hours were reduced from nine to eight the effectiveness of the force was reduced by one-ninth. In order to avoid an increase in the authorized establishment, I decided to put into force the views I had so long held and to abolish the beat and relief system. With the valuable help of my Deputy, Superintendent¹ G. Knight, M.B.E., I established a general patrol system which is now in operation in the principal towns in Hertfordshire. It has proved itself to be effective and economical, and it affords a greater measure of protective, preventive and detective value than was the case under the old system.

I propose to explain briefly my reasons and to give details of the scheme.

I have not been able to trace when the beat and relief system was first introduced, but it appears reasonable to assume that it was adopted soon after the formation of the

¹ Now Chief Constable, Hertfordshire.

Metropolitan Police in 1829. No doubt at the time of adoption the system was suitable to the needs of the community; but since then, conditions of life have changed considerably. People have become more educated; railways, telegraphs, telephones, transport and postal facilities have been introduced and improved; and we have to consider whether the system of police working has kept pace correspondingly.

The introduction of cheap and frequent travelling facilities, amusements and games has altered radically the general mode of living. I do not think it can be accepted to-day that the same number of policemen is needed for duty in the early hours of the day as in the latter part when people, for example, are apt to leave their houses unprotected during visits to places of amusement. But under the beat and relief system that is what we get, and very little provision is made for extra police protection at hours when it may be reasonably thought to be necessary; for instance, during the mornings, in the busiest parts for the regulation of the traffic; during the afternoon, in the residential area, for the protection of unoccupied houses; and during the evenings, in the localities where crowds or disturbances may be anticipated.

I believe it will be generally agreed that burglaries and other serious crimes are usually committed before 3 a.m.; partly because burglars like ample time to make a 'get-away' before daybreak, and partly because people sleep more soundly in the early hours of the night. Again, housebreaking occurs principally in the afternoons and evenings whilst houses are temporarily unoccupied, and street disturbances are more frequent about the hour of closing licensed premises. Yet, I submit, by the beat and relief system provision is not made to strengthen police at these times and places, beyond the practice sometimes followed of 'thickening,' by reducing or not working certain beats and using the men thus gained. Every man on duty when he is not required is wasted. Why, then, have the same number of men on duty during the latter hours of the night tour, say from 4 to 6 a.m., as from 10 p.m. to 4 a.m.?

Moreover, the constable works more or less to a time-table, which is seldom varied. Even if the actual points and times

are varied, it is still open to the public to know that the constable is working a route and to deduce that since he has passed a certain point, he will not again pass it for a definite period. Another serious defect is the change-duty hour. In theory, it may be said that no constable leaves his beat until relieved by the man taking up duty. But, in practice, the whole of the men at each change-duty hour are within a comparatively small radius of the police station, the outer portions of the beats are then unprotected, and it must obviously take some considerable time before matters become normal.

The relief system was doubtless originally based on military ideas, the reasons being the necessity for inspection, and the practice of reading instructions and orders to men on parade. The class of man sworn in at one time as a constable made it desirable, if not a matter of necessity, that he should be inspected in order to see that he was sober, properly dressed, and in possession of his appointments; also that he should be paraded in order to afford an opportunity for instructions and orders to be read to him, as his education frequently left much to be desired. Times have changed, and to-day it seems absurd to say that a man of the class now being enrolled to serve as a constable, in receipt of a wage of £4 or £5 a week, cannot be trusted to book on duty without the ceremony of a formal parade. In any case, with proper supervision, constables must be observed while at their duty, and if they fail in any of the particulars mentioned above, their transgression will not escape notice for long. Further, a system of reporting when booking on duty to an officer in a police station can be arranged without difficulty. I am not aware of any other advantages to be obtained by the system of parading for duty, and I consider that the marked disadvantages which exist interfere with the proper performance of police work and do not make for efficiency.

So far the criticism has been destructive. I propose now to submit details of the general patrol system. In surveying the police requirements of any particular town or locality, regard must be paid to what has gone before over a given period—what crime has occurred, what disturbances have taken place, and what may reasonably be expected to occur in the future.

Sir Leonard Dunning said in his report of 1920 :—

‘ . . . The calculation of the necessary strength of a police force should, as far as possible, follow some logical plan. In the case of an urban district, where constant street duty is necessary, the beat map must be the basis, and this cannot be prepared by merely laying out the districts in equal blocks of so many houses, so many inhabitants, or so many miles of street and road; but beats must be plotted, over which one constable can exercise a reasonable amount of supervision. In doing this, consideration must be had of area, length of street, density and character of population, nature of the property to be protected or supervised, and the history of the past; here a fifteen-minute beat may be necessary, there a two-hour beat may provide the reasonable amount of supervision. The requirements suggested by these considerations vary with the time of day, with the result that day beats may differ in size from night beats, but it is quite possible to prepare a definite scheme for this duty, technically called beat duty. Other forms of duty may be necessary to strengthen the beat duty for particular purposes during particular hours; during the day point or traffic duty must be added for the regulation of road traffic; during the evening hours, when work is over, the streets are full, and public houses and places of amusement are busy or discharge their patrons at closing time, it may be necessary to add another duty, generally called evening duty.’

In the Hertfordshire system, adopted since 1920, the matters to which H.M. Inspector referred are provided for with this difference, that in the calculation of the necessary strength of the police force in an urban district, where constant street duty is necessary, the method used was to take a map of the urban district and to divide it into sectors approximately equal to one or more sergeants' sections as shown on the beat map, according to the character of the district. Each sector then forms a beat in itself to which a number of constables is posted. This number was fixed carefully, regard being had to local knowledge and experience. Some streets required more patrolling than others, and whilst in certain streets the

presence of a constable almost continuously was necessary, it was sufficient for others to be patrolled quite seldom during the twenty-four hours.

In explaining the system, I cannot do better than take a town in the County as an example. The town I have in mind adjoins the Metropolitan Police district. It has a population of nearly 50,000 people, fifty miles of streets, two police stations, and a police force of sixty-three men comprising one superintendent, two inspectors, seven sergeants, two clerks and one groom, with forty-seven constables for patrol duty (including a margin for reserve). The town is on a main line and is also served by an electric railway; there are six railway stations, and several services of omnibuses operating between London and other towns. Under the scheme, the town is divided into three sectors. Each sector has its quota of supervising officers and patrol constables. The constables parade for duty at different times during the twenty-four hours *as and when they are required in the necessity of the public interest.*

An example of one sector will help to make clear the working of the system. In Sector A the number of constables posted in this sector is fifteen. It was obvious that this number would not be available every day as two men at least are always absent on rest. Others may be absent, sick or on leave, or be engaged on special work. Therefore, the first step taken in deciding the number of men to be posted to the sector was to fix the minimum number of men required to be on patrol each day in order to afford the necessary protection during the twenty-four hours. This number was taken at ten, leaving five reserve men for the sector. The hours of duty of these ten men are worked consecutively for a fortnight.

No.	1	-	-	5.30 a.m. to 1.30 p.m.
"	2	-	-	8.0 a.m. to 4.0 p.m.
"	3	-	-	1.0 p.m. to 9.0 p.m.
"	4	-	-	2.30 p.m. to 10.30 p.m.
"	5	-	-	3.0 p.m. to 11.0 p.m.
"	6	-	-	5.30 p.m. to 1.30 a.m.
"	7	-	-	7.30 p.m. to 3.30 a.m.
"	8	-	-	8.30 p.m. to 4.30 a.m.
"	9	-	-	9.45 p.m. to 5.45 a.m.
"	10	-	-	11.30 p.m. to 7.30 a.m.

Excluding the men absent on rest, three men in the sector are available as a reserve. When not required for other duties, these three men perform patrol duty and are used to augment the permanent patrols during the following hours:

No.	1	-	-	6.0 a.m. to 2.0 p.m.
"	2	-	-	10.0 a.m. to 6.0 p.m.
"	3	-	-	4.30 p.m. to 12.30 a.m.

There are no beats in the ordinary sense, and no relieving of men in the usual accepted form. The men, as will be noted, are coming on and going off duty continuously throughout the day, and it is as well to point out here that *each man commences his actual duty from the moment he leaves the police station, and continues working until he re-enters the police station on completion of his tour.* No time is wasted in marching to and from his beat. Each man books on duty independently, reporting to an officer at the police station, and is handed his duty route card. Until this moment the constable does not know what route he will have to follow nor where his points will be. The sector forms one beat and is patrolled by the whole of the men allocated to that sector, less the number required to act as a reserve to meet eventualities. The routes worked by the men are so arranged that every street in the sector is patrolled at irregular intervals *at times uncertain to the public.* The routes are arranged so that the constables meet—cross—or follow as the superintendent has thought advisable. The element of surprise is thus provided.

Traffic control point duty is provided at the necessary points by constables taking up the duty as a part of their route; e.g., Constable 'A' reports for duty at 5.30 a.m. and is handed his duty route card; this brings him to the traffic control point at 9.30 a.m. when he takes up that duty until 11.30 a.m., at which time he is relieved by Constable 'B,' and again takes up his ordinary patrol duty. Under this system, no constable is required to perform more than two hours' fixed point duty on any given day. This I find is an advantage, both as tending to educate men and also because a long period of duty at a fixed point is wearisome.

Refreshment relief is also provided for in that the con-

stable's duties are so arranged that he makes a conference point at the police station varying from thirty minutes to two hours, during which time he has his refreshment and at the same time acts as a reserve available for duty if wanted. This is done both day and night ; and a saving is effected, since no reserve man is specially detailed, and it also lessens the amount of actual outside patrol duty performed continuously.

The practice of reading orders and instructions to the men has been abolished. This duty was usually performed in a most perfunctory manner ; the men were crowded in a guard room not at all suitable for the purpose, whilst the inspecting officer had a very short time to read a number of orders and instructions. It was very questionable whether under these conditions there was one amongst the men who remembered much of the orders which had been read to him. Under my scheme each man has an opportunity of reading the orders and instructions for himself ; it takes no longer than when they were read out on parade ; and as each man is required to initial the books, it tends to make men take a deeper interest.

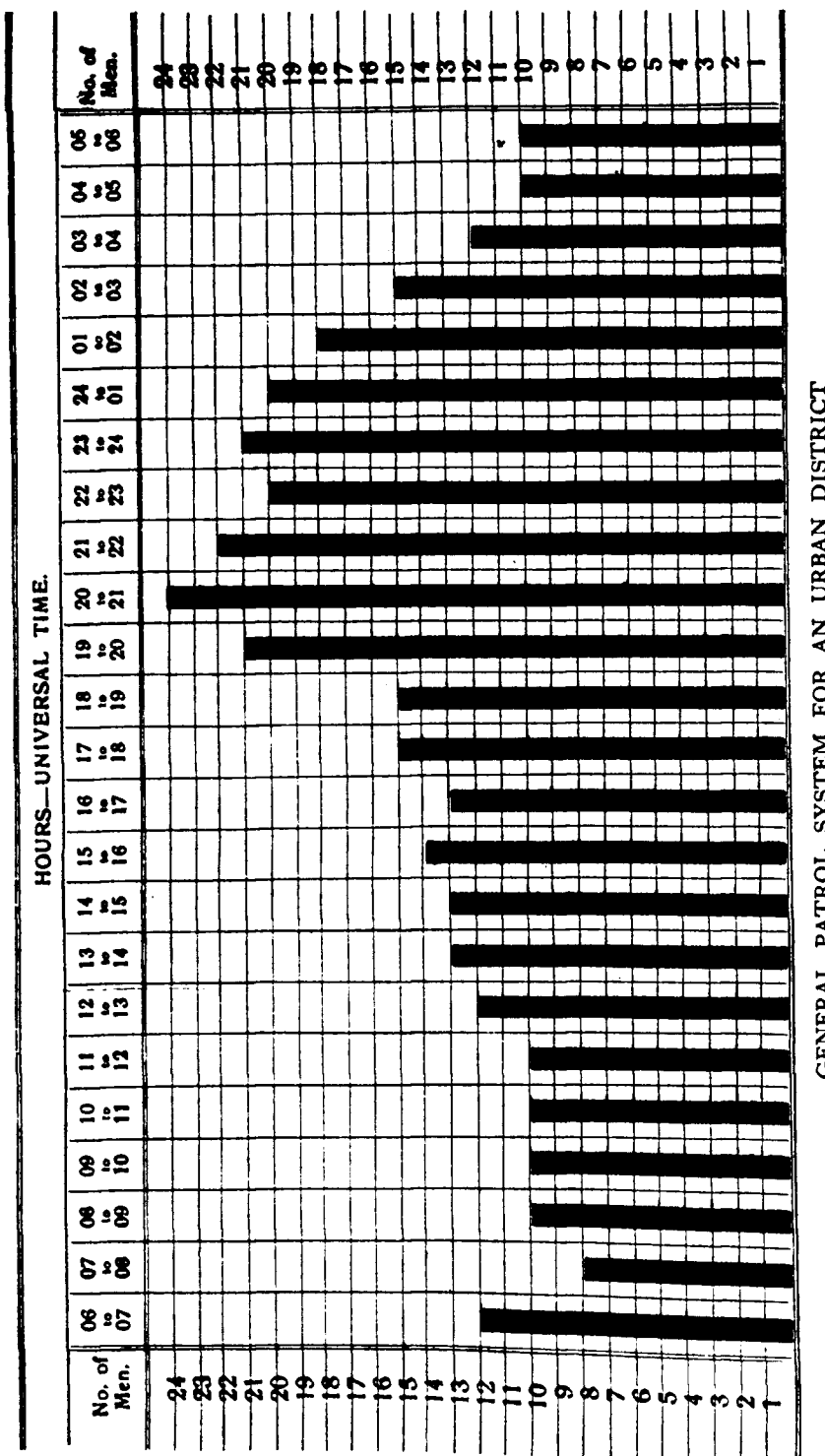
The scheme provides for the maximum number of men at the hours when they are most required (see the annexed chart) ; they book on and off duty at varying hours ; and whilst a man works the same hours for fourteen days, his working route is changed daily. Consequently the police constable himself does not know until he parades for duty the route he will take or the time he will be at any given point ; this not only prevents collusion, but provides an element of surprise which very greatly enhances both the preventive and detective value of the patrol constable. It is a matter of impossibility for any member of the public to check the movements of the police with any hope of success.

The scheme is adaptable to broken periods as well as to a continuous eight-hour day, and has been so applied in other towns in this County.

To sum up the advantages of the scheme :

An element of surprise is provided which is entirely absent under the beat and relief system.

It is economical, since it provides the maximum protection with the minimum number of men.



Great preventive value is afforded by the impossibility of the public knowing the movements of the police.

Collusion between the police and the public is prevented.

The urban district is continuously policed, there being no contraction at change duty hours.

It provides for the comfort of the men without detracting from their value to the public.

Seven years' working experience has shown its value in every direction, and the statistics for the town I have taken as an example speak for themselves, viz., the comparison of the years 1914, 1922, 1927 and 1928.

		1914	1922	1927	1928
Indictable Offences.	Reported	- 458	282	459	364
Indictable Offences.	Detected	- 101	145	146	136
Non - Indictable Offences.	Persons				
	Proceeded Against	- - - 1237	1746	2281	2080

I think it will be agreed, notwithstanding the general decrease in drunkenness, that these figures are noteworthy, and may fairly be attributed in a great extent to the new duty system. Several matters will doubtless require further explanation, and difficulties may arise which have not been dealt with in this article; but I think the system has been found to cover successfully every difficulty that has yet been raised. The Superintendents of the Hertford County Constabulary, who are directly responsible to me for the efficient working of their respective divisions, are all men of long practical experience under the old beat and relief system, and each one has assured me that the scheme which I have outlined is incomparably superior to the old system.

There is one great advantage in the scheme which must not be lost sight of--the method of working tends to compel each individual constable to devote his whole attention to the work. The knowledge that the same streets will be patrolled later by another constable, who is likely to discover any omission of duty, brings home in a marked degree the sense of individual responsibility.

In conclusion, I wish to emphasize that I fully recognize the strength of any police force must always be a matter in

which local experience and conditions will have to be taken into account. The number of men required as a reserve to meet emergency and to conduct special inquiries must be something of an unknown quantity except to the man in charge on the spot, who will necessarily be guided to some extent by what has gone before. My remarks are only intended to deal with what may be called the normal requirements of preventive work. If I have succeeded in convincing any reader that there is something worth investigating, whether on purely economical grounds or in view of possible increased efficiency, I shall be well satisfied.

(2) CEYLON

Every officer who has in his hands the arranging of police duties is faced with the following problems:

1. How to arrange for police officers the hours of duty so that it shall be efficiently performed during the whole of each tour of duty;
2. How to arrange duties so that each man shall get the required amount of sleep to keep him fit and efficient;
3. How to arrange duties so that each man may have at suitable times the meals required to keep him fit and contented;
4. How to arrange duties so that the men will have their fair share of 'off time' and days when they can indulge in their recreations;
5. How to arrange duties so that there is the least possible trouble in relieving men and the greatest possible facilities for a man to know beforehand when he will be free to call his time his own.

In Ceylon many experiments have been tried, and it may be helpful to members of other police forces who are readers of this Journal if the reasons for the various changes and the best system arrived at up to date are placed before them.

The first system adopted was the division of the twenty-four hours into three reliefs of 12 to 4, 4 to 8, and 8 to 12. The same man who did duty from 12 midnight to 4 a.m., did

duty from 12 noon to 4 p.m. and so on. This system was a clock division of the day, and had no reference whatever to the suitable times for men's meals or to their convenience in any other way. It was later improved upon by the men being given one day off in a week.

It was found, however, that there was something wrong with this system, that the men became weary and dissatisfied, and that the consequent number of absentees was large. A man had to clean up and dress twice a day. The dreadful dullness of the routine and the fact that his duties, tiring as they were, took at least ten hours of the day by the time he had cleaned his uniform and accoutrements, dressed, reported for duty, done his duty, reported off, returned to his home and undressed, made this system one which was not conducive to fitness, alertness, and efficiency. 'Sleeping on duty at night,' 'Not being on the alert,' and other delinquencies were all too common.

The next system that was tried was 8 a.m. to 12 noon and 4 p.m. to 8 p.m.; 12 noon to 4 p.m. and 8 p.m. to 12 midnight; and 12 midnight to 8 a.m. (an eight hours' stretch). It was felt that this would give the first two reliefs a complete night's rest, and that the eight hours' continuous duty at night would at least save the men from dressing twice and give them the whole day in which to arrange their sleep.

This was not destined to last long, as in Ceylon it is always daylight by 6 a.m., and the sight of men on duty in daylight dirty and dead-tired after eight hours' continuous duty was more than the senior officers could stand.

Then followed a system from 6 a.m. to 10 a.m. and 2 p.m. to 6 p.m.; 10 a.m. to 2 p.m. and 6 p.m. to 10 p.m.; and 10 p.m. to 6 a.m. (an eight hours' stretch). The men who did the eight hours' stretch were then never seen by daylight and so were not the subject of anxiety; but, as in Ceylon the time when the inhabitant of the country desires his mid-day meal is between 11.30 a.m. and 2 p.m., there were soon complaints from those on duty from 10 a.m. to 2 p.m. that they could not get a good mid-day meal. The bachelors who bought their meals from *boutiques* or meal purveyors were unable to get them supplied at all, and the married men

complained that by 2.30 p.m. they had 'forgotten how to eat.' To remedy this the whole work of police stations was disorganized by sending men on bicycles or foot to relieve men for half an hour for their meals. Men left their points before they were relieved and returned late, and the day's work was obviously unsatisfactory.

A series of night rounds between 2 a.m. and 6 a.m.—a time which is sometimes neglected by night round officers who have to work in the day, but which is the time when most burglaries are committed and most stolen property is on the move—showed that one could count on finding some men not as alert as they should be. Added to this was the fact that the conscientious man who got soaked by 12 midnight was in his wet clothes all night; and, whatever his stamina, the fact that in the hour before dawn when one's vitality is at its lowest he was still cold and soaked meant that sooner or later he was attacked with illness. On the grounds of health or efficiency it is bad for a man to do eight hours' continuous duty at night, and it was interesting to us in the Tropics to read, some few months after this eight hours' term of duty had been abandoned, that the Bradford Police Surgeons had decided that the prevalence of sickness, influenza, colds, etc., in the Bradford Police, had been found due to men doing eight hours' stretches on duty.

The system of duties which has finally been introduced in 1926 is the best that has so far been tried in Colombo. It is not claimed, however, that it could not be improved upon and that it does not require alteration in other countries, if due consideration be given to the time at which the inhabitants of those countries eat their mid-day meal. The following is a short description.

All the men are divided into four reliefs instead of three:

First Relief -	-	7 a.m. to 11 a.m. and 1 p.m. to 5 p.m.
Second Relief -	-	11 a.m. to 1 p.m. and 5 p.m. to 10 p.m.
Third Relief -	-	10 p.m. to 3 a.m.
Fourth Relief -	-	2 a.m. to 7 a.m.

It will be noted that the first relief do eight hours' beat, point or patrol duty; the second relief do seven hours; the third relief do five hours' beat and night patrol duty; and the

fourth relief do five hours. Further, it is seen that between 2 a.m. and 3 a.m. there is an overlap, as there are at that time two reliefs of night patrol and beat duty men out in the streets. As reliefs are changed every week, every man gets his turn of the shorter hours. The system avoids the disadvantage of having to relieve men for meals, and also obviates the undesirable eight hours' continuous duty on beat or patrol.

Experience has shown that this system has worked splendidly. We get better work and fewer absentees. The eight hours' continuous night duty on beat or patrol was obviously too long, and one could not expect men to do it efficiently. Night round officers have found that at all hours of the night it is now the exception to find slackness.

The amount of sickness and malingering is negligible, the health of the men has steadily improved, and fewer men have been admitted into the hospitals. There are actually more men on each relief than there were in the days when the same number of men were divided into three reliefs and each man was given one day off in seven. The men are more happy and contented, and the system has been an unqualified success from everyone's point of view, except the criminal's.

Suttee : A Modern Instance

By R. J. HIRST, C.I.E.

Deputy Inspector General of Police, Bihar and Orissa, India

THIS is an account of a case which is, happily, outside the experience of most police officers. Though devoid of difficulty of detection and criminological subtlety, it may be of interest as an illustration of public apathy, or rather direct sympathy with the law-breaker, and the obstruction which that attitude may offer to the work of the police.

The word *sati* means 'a good woman,' 'a true wife,' and is applied particularly to the Hindu widow who immolates herself on her husband's funeral pyre. In the anglicized form, 'suttee,' its use has spread from the victim to cover the sacrifice also. In theory the sacrifice is a purely voluntary act, whose merit is vitiated by any element of force or even moral pressure; but in practice it must obviously be difficult to fix the point at which strongly expressed approval, inspired by religious conviction, ends and moral pressure begins.

Under the Indian Penal Code the widow who tries and fails to burn herself to death may be punished with simple imprisonment up to a year for attempt to commit suicide. Those who instigate or aid her are liable for abetment of that offence. The code makes special provision for abetment of suicide, so that, if the widow succeeds, those who abet her may receive a sentence of up to ten years' rigorous imprisonment. If they caused her death by setting fire to the pyre, they would be guilty of murder and liable to the extreme penalty.

The rite of widow sacrifice has existed in many parts of the world, widely divergent from India: for example, amongst Scandinavian peoples, amongst the Slavs, in some African tribes, and in certain parts of the Pacific. It was well established in India four centuries before Christ; and through

the ages there are well authenticated references to it by foreign travellers down to the present day. The Portuguese ; the Moghul Emperors ; the officers of the British East India Company ; all these regarded the rite with horror.

In 1808 the appalling record of 839 suttees was officially reported in the Presidency of Bengal : in that year the great Ram Mohun Ray publicly inveighed against the rite. It was left to Lord William Cavendish-Bentinck, the Governor-General of India, to prohibit it by law in British India in 1829 ; and after that date the British authorities steadily pressed for its abolition in the Indian States. But instances of illegal suttee have continued to be reported in some parts of India year after year to the present time. The case I am about to report shows why cases ending in the conviction of abettors are extremely rare, because out of the way places are ordinarily chosen for the sacrifice, and no evidence, or little evidence that is reliable, is forthcoming.

The scene of the tragedy is the small town of Barh, on the Ganges ; it is the headquarters of a Magistrate known as the Sub-Divisional Officer, with a jail, sub-treasury, hospital, police station, and a small force of town police, and distant only a few hours by train from Patna, the capital of a Province. The principal figure is a young Hindu woman named Sampati, whose husband had died the day before and who, escorted by her young brother and brother-in-law and others, had brought the corpse for cremation to the bank of the Ganges at Barh.

Early in the morning of 22nd November, 1927, Lal Bihari Lal, sub-inspector in charge of Barh police station, set out with his junior sub-inspector for the railway station to catch an early train to Patna. On their way they overheard some men talking about a woman of Sartha village who had come to Barh to become *sati*, and on hearing this they turned back at once to the police station. In the meantime the news of the proposed sacrifice had been brought to the station by a constable, Ramayan, who, while passing the Court-house, had learnt of it from a small assembly of persons there. Among them he had seen a woman seated on a litter in which was a man's corpse, with a maid-servant. On hearing this report, Nurul Haq, the head constable who had been left in charge

of the station, went with Ramayan and another constable, Mukhlal, to the Court-house, where they found forty or fifty persons assembled and eight Brahmins seated beside the litter. The woman openly gave out her intention of becoming *sati*. They reasoned with her and with the Brahmins, who supported her, but to no purpose. Then they brought the head constable of the Treasury guard, who was a Brahmin, but he also failed to shake the woman's determination.

The two sub-inspectors, who had learnt on their return to the police station where the woman was to be found, then joined the party. Before leaving the station they had informed the inspector and sent a head constable to the place on the river bank, called the burning ghat,¹ where corpses are burnt. Lal Bihari warned the woman and the Brahmins that they were contemplating an unlawful act, but at first they paid no heed. When he threatened a prosecution, however, and said that he would not allow the corpse to be moved, the woman gave way, got off the litter and in proof of her changed intention broke her sacrificial bangle. He then sent off the corpse to the burning ghat, with the four bearers who had carried it to Barh and some of the Brahmins, and gave orders that two constables should escort the widow back to her village. After that, thinking that all risk of a *sati*, if there ever had been any, had been removed, he went off with his junior sub-inspector to Patna.

The Brahmins who were left then fetched a country trap, on which the widow, the maid and two of the Brahmins seated themselves. Constables Ramayan and Mukhlal escorted it. As the trap started, the Brahmins raised a shout of 'Victory to the *sati*!' in which the crowd, now swollen considerably, joined. One of the crowd, named Ramautar, took charge of the horse. Soon afterwards the Brahmins who had accompanied the corpse returned and joined the procession.² When the trap reached the turning to Berhna, the widow's destination, it did not follow the Berhna road, but turned towards the burning ghat. The constables pro-

¹ A landing place, or path of descent to a river.

² The return of the Brahmins was significant, as it showed that they had not accompanied the corpse for the purpose of burning it.

tested, but were thrust aside. The police station, to which the head constable, Nurul Haq, had returned, lay on the way. When the trap arrived there, the head constable intercepted it and brought it into the station compound. There the argument began again, the widow and the Brahmins persisting in carrying out the sacrifice. At last the inspector, who was taking part in the discussion, lost his temper and told some constables to seize the trap: whereupon the Brahmins appeared to change their minds and promised to take the widow to Berhna. Escorted by the two constables and a crowd now numbering several thousands, amid shouts of 'Victory to the *sati*!' the widow and her cortège left the police station.

The trap followed the road to Berhna for a short distance and then turned into a road which led to the burning ghat without passing the police station. Finding their protests again unavailing, the constables hurried back to the station and told Nurul Haq what had happened. He rang the alarm bell, assembled all the available constables, some seventeen, and set off with the inspector for the burning ghat.

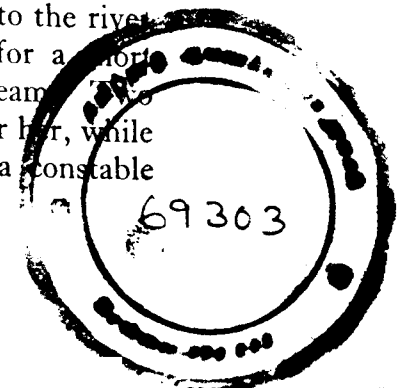
Arrived there they found a considerable crowd. The four bearers and one Raghu Singh, an associate of the Brahmins, were with the corpse. Raghu, told by the inspector to burn the corpse, made excuses and did nothing.¹ Soon afterwards the trap arrived, heralded by the now familiar shout. The inspector went to meet it and tried, but failed, to stop it. His warning that suicide was unlawful went unheeded, the Brahmins and some of the crowd telling him that it was a matter of religion and threatening violence if he interfered. While four of the Brahmins built a pyre, a barber, Ramdhani, shaved the corpse's head, cut the widow's nails and dyed her feet, paying no heed to the inspector's warning that he was making himself an accessory to a crime. The widow then bathed in the Ganges and put on clean clothes, handed to her by the maid-servant, behind a screen of cloth held up by two of the Brahmins. The servant gave her certain things essential to the sacrifice, such as turmeric and

¹ Raghu could not well have fired the pyre, as that has to be done by a near relative of the deceased.

betel nut. Raghu and one of the Brahmins washed the corpse and placed it on the pyre. Then the widow ascended the pyre, escorted to it by the eight Brahmins, and took her dead husband's head in her lap. In her right hand she held a book, handed to her by her brother-in-law, which she read for a short time and then gave back. Her left hand was hidden beneath her clothes. In the meantime the inspector posted a cordon of constables round the pyre, to see that no one set fire to it.

What followed may best be described in the words of some of the witnesses. Constable Mukhlal said: 'About five or six minutes later fire broke out from her clothes in front, as she was sitting on the pyre. Then the crowd broke through, shouting and pushing, and I could not see much. When next I saw the widow, she was in the Ganges. The Pandes (Brahmins) and the crowd were shouting to her to drown herself.' Constable Ramayan's version was: 'Two or three minutes later there was a fire. The fire seemed to begin in the lower part of Sampati's clothing. . . . Sampati's clothes were burnt. I do not remember whether she screamed. When her clothes were burnt she went into the water. Hardeo Pande (one of the Brahmins) gave the dead body to Sampati in the river.' A third constable said: 'After she had been sitting for two or three minutes, fire broke out from below, in front of her body, near the dead man's head. When the *sati* was burnt, she went into the river.' The inspector said: 'About ten minutes later smoke arose. Then flames sprang up from the lower part of the widow's clothing in front. Her clothes were burnt. When the fire touched her, she sprang up. She jumped into the river. I did not see how the fire started. She must have set fire to herself.'

It seems that when the widow's clothing burst into flames there was a rush from all sides of people, who threw sticks on the pyre, which was also burning, and the cordon of police was swept aside. The widow jumped into the river and Hardeo gave her the corpse. She held it for a short time; then, letting it sink, she swam down stream. The constables put out in a boat, which they poled after her, while the rest of the police followed along the bank, a constable



unrolling his turban and throwing her one end to catch. But she showed no wish to be rescued. All the time the Brahmins were encouraging her to drown herself and threatening violence if the police rescued her. After swimming about two hundred paces she came naked out of the water and sat on the bank. Her brother-in-law gave her a piece of cloth for a covering. The Brahmins then helped her to walk as far as a small shrine, near which they laid her on the ground in the shade of a tree. In the meantime the crowd broke up the pyre into souvenirs, even digging up the earth on which it had rested.

Though Sampati's burns were severe, neither she nor the Brahmins would listen to the police, who pressed her to go to hospital. Early in the afternoon a Magistrate¹ was brought to the ghat to record her dying declaration. She told him that she had been burned by miraculous fire and was in pain, but he could not record her declaration, on account, as he said, of the uproar. She refused again to go to hospital. About two o'clock the Assistant Surgeon came and wanted to treat her, but could not do so because those with her threatened him. As no one cared to risk a riot, with which the small force of police would have been powerless to deal, by removing her against her will, she was left lying by the shrine.

The Sub-Divisional Officer was in camp twenty miles from Barh, and, owing to some unexplained delay, the report of the sacrifice did not reach him till the evening of the 23rd. He reached Barh next morning and went to the ghat, where he found a large crowd making obeisance to the *sati*. He ordered the relatives to take her to hospital and the leaders of the crowd to leave the place within half an hour, but neither order was obeyed. Armed police were then sent for from Patna and, on their arrival at the ghat, he had Sampati placed on a stretcher and taken to the jail in a motor bus. She had to be lifted by the police, the Sub-Divisional Officer himself setting the example, as her escort refused to help. All this was done to the accompaniment of a deafening uproar from the crowd and strong protests from the Brahmins. The crowd even pursued the bus for half a mile. When Sampati

¹ This was the Sub-Deputy Magistrate, an Indian officer, who was in charge during the Sub-Divisional Officer's absence. He appears again at a later stage.

was taken away, she had been lying for fifty hours in the open, surrounded by an admiring crowd and jealously guarded from proper attention by her escort.

Sampati died in the early hours of the 26th, almost four days after her burning. There were extensive and severe burns on the back, left arm, left side and left thigh, which, according to the Assistant Surgeon, were fatal from the first. As the cause of death was clear and a post-mortem examination was expected to invite trouble from the still excited people, the Sub-Divisional Officer dispensed with it.

On the 25th the police had charged twelve persons with abetting an attempt to commit suicide and had arrested five, including the maid-servant and Raghu. The driver of the trap, Ramautar, the four bearers and the barber were not mentioned in this charge-sheet. After Sampati's death the charge was changed to abetment of suicide and was made also against Ramautar, the barber and the bearers, and dropped against one Brahmin. In all, sixteen persons were charged, of whom eight were Brahmins. The barber was arrested by the police early in December and the rest surrendered in Court. Bail was refused to all but one of the accused persons, a boy.

The proceedings in the Magistrate's Court were postponed for the arrest or surrender of the absconders, and did not begin till 5th January, 1928. On the 17th, after drawing up charges of criminal conspiracy, abetment of suicide and unlawful assembly in prosecution of the abetment, the Magistrate, a titled Mohammedan officer, committed all the sixteen accused persons for trial in the Court of Sessions, remarking that the evidence disclosed a 'revolting and shocking act of atrocity.' An application to the High Court for bail was refused.

The trial began before the Sessions Judge of Patna, a European member of the Indian Civil Service, on 13th February and continued for eighteen days, ending on 15th March. Three professors, a schoolmaster, and a landowner formed the jury. The cross-examination of Nurul Haq occupied two full days, and that of the two constables, Ramayan and Mukhlal, was almost as lengthy. Although the defence summoned 101 witnesses, not a single one was examined.

Different defences were put forward by the prisoners ; some said that, hearing of the suttee, they had gone to the ghat as mere spectators, and two said that they had been sent for trial because they had declined to give evidence for the police. The maid-servant's plea was that the police had taken her to the ghat. Ramautar said that he had driven Sampati to the ghat at Nurul Haq's request. The barber admitted having shaved the corpse's head, but denied that he had done anything for Sampati.

In charging the jury the judge discussed the matter of the mysterious fire. He said that it had been argued by the defence that it might have been produced by a miracle and the accused, therefore, should be given the benefit of the doubt. But the doubt must be a reasonable doubt, and the consistency of natural laws must be assumed until the contrary was proved. The jury could not find that the accused set fire to Sampati's clothing, because it was not even alleged against them, but if the jury were satisfied with the evidence, they could find that the widow herself had done it. The police theory, that she had done so with her concealed left hand, was supported by the medical evidence, which showed that most of the burns were on the left side of the body. After analysing the evidence against each individual, he directed the jury to acquit the four bearers. About Sampati's escort he said :

'There is a mass of evidence to show that they acclaimed her suicidal intention as something divine or at least inspired, assisted her to reach her objective, instructed her in all the ceremonies required of a *sati*, and overawed the authorities by their own violence and by enlisting the sympathy of a vast rabble.'

If the jury believed that evidence and held Sampati's escort responsible for her death, they must consider whether the accused persons or any of them were among the escort.

The jury retired for an hour and a half and then returned a unanimous verdict of not guilty under all the charges for all the prisoners. In reply to the judge's questions they admitted that Sampati had committed suicide, but denied that there had been an unlawful assembly. This verdict was accepted by the judge in respect of the four bearers, whose acquittal he had directed, and the barber and one of the Brahmins,

with whose acquittal he did not find it necessary to express disagreement ; but he disagreed with the verdict in respect of the other prisoners. There is a provision in the Criminal Procedure Code empowering the judge, if he thinks it necessary for the ends of justice, to refer such cases to the High Court. This power he exercised in the matter of those ten prisoners, on the ground that the evidence was sufficient to support their conviction for abetment of suicide and taking part in an unlawful assembly, whose common object was that abetment. At the same time he ordered that they should remain in custody.

On 13th June the Chief Justice and another Judge of the Patna High Court delivered judgment on the reference. Accepting the police evidence, on which the story of the events which culminated in the sacrifice depended, they rejected the defence that those events were a pure invention of the police. Asked to respect the verdict of a jury of learned men, they answered that learning connoted neither wisdom nor courage, the qualities necessary to a jury. As it was clear that there had been a suicide, they refused to take seriously the argument that, in the absence of evidence to show the cause of the fire, there was no evidence of suicide and, therefore, no scope for a charge of abetting suicide. They convicted all ten prisoners, sentencing Ramautar and the maid-servant to rigorous imprisonment for one year, Sampati's brother and brother-in-law, both boys, for five years, another Brahmin, somewhat older, for seven years, and Raghu and the remaining Brahmins for the maximum period of ten years.¹

The attitude of the public towards this case was the attitude of the crowd at the burning ghat. Except for two Mohammedans, the police could find no witnesses to depose to any of the antecedent incidents ; of the final scene at the ghat, witnessed by several thousand people, the sole evidence was that of policemen. At Sartha, the village from which Sampati brought the corpse, no man, woman nor child, not excluding the village watchman, would say a word about Sampati's intention in making the journey to Barh, or of the manner of her going, or of her companions. In discussing in

¹ A petition for leave to appeal against the sentences passed by the High Court was dismissed by the Judicial Committee of the Privy Council on the 5th Feb., 1929.

his charge to the jury the lack of independent evidence, the judge said :

' The people of Barh considered it a great honour to the town. . . . You will have to consider whether it is likely that any Hindu would care to give evidence for the police in such a case : or that any citizen of Barh would give evidence against men who had conferred such benefit upon his town. It is argued that men of education would be above such considerations. But you have heard the evidence of two men of education, namely the Sub-Deputy Magistrate and the Assistant Surgeon. They have admitted that they were intimidated by the populace and dared not do what they had gone there to do ; over and above that they have said that they could not identify any of the men who intimidated them. The Sub-Deputy Magistrate has said that he was at the ghat for about an hour, but did not even notice whether the demonstrators were men of Barh or men from outside. If the permanent officials bent like this before the storm, can you expect that private persons who live and make their living in Barh would care to stand up against it ? '

The jury's views on this point may be gathered from their verdict. What the public thought of the nature of the sacrifice is indicated in the Indian Honorary Magistrate's evidence. He said :

' It is considered an honour to have a *sati* in one's family. It would also be an honour to a town, to have a true *sati* in it. By a ' true *sati* ' I mean a case in which fire was caused by a miracle. I cannot say whether there was a true *sati* in this case, but all the residents of Barh think it was. They consider it to be a great honour to the town.'

The miraculous nature of the fire, as a plea put forward by the defence for serious consideration, has already been mentioned.

People continued to flock in thousands to the place of sacrifice long after Sampati's death, and to make their small contributions to those who are always on the spot to receive them in like cases. The High Court's judgment made a strong point of this feature of the case ; the stream of coins which began to flow when Sampati, fatally burnt, was put down at the shrine. Such was the eagerness of the crowd to see the *sati* that they swarmed on to a tree, till some of the branches broke beneath their weight and precipitated them to the

ground. Sampati's funeral attracted a large crowd and caused great excitement, necessitating special police precautions. Among the pilgrims there was a brisk sale of pamphlets eulogizing the *sati*, and more than one attempt was made to build a shrine in her honour.

The press reflected the attitude of the public. According to a leading paper of Patna the sentences sent a thrill of horror all over the Province. If the affair at any previous stage caused a thrill of horror, however, it was not recorded. The same paper, taking the line that a purely voluntary *sati* represents to the orthodox Hindu the acme of moral perfection and calls forth his profound reverence, made the significant complaint that the High Court Judges were unfamiliar with Indian social life and outlook and belonged to another civilization. Another paper said that the Chief Justice had given way to sympathy arising from the ' supposed miseries ' of Sampati. Severe comments were passed on the High Court's judgment, which provided more copy than the event itself. From the general tone of the press the Western reader might well be excused for receiving the impression that the only deplorable part of the affair was its end in Court and the only persons to be pitied were the prisoners.

A conviction for a serious offence, on police evidence alone, is not a common event in India, but in this case it was evidence of that kind and no other that secured conviction. Until the Sub-Divisional Officer saw two of the Brahmins at the ghat on the 24th, two days after the occurrence, there was nothing but the evidence of policemen to connect the prisoners with any of the incidents except the departure from the Court-house. Two Mohammedans deposed to Ramautar's appearance in that scene, but could not, or would not, identify any of the Brahmins. The Assistant Surgeon gave evidence about Sampati's burns and his visit to the ghat, but identified no one. There were three witnesses called by the Court ; two village watchmen, who deposed to the relationship of some of the prisoners with Sampati, and the Sub-Deputy Magistrate, whom the prosecution refused to call and were allowed to cross-examine, because he was hostile.

Another noteworthy feature is that all the police witnesses

to the events, except one Mohammedan, were Hindus ; some of them Brahmins and others men of high caste, whose sympathies might be expected to lie with the defence. Whatever may be said of their failure to prevent the sacrifice, their bearing throughout the investigation and trial was staunch. In referring the case to the High Court the judge wrote of them :

'They have given their evidence in a straight-forward manner, and prolonged cross-examination by four lawyers has produced very few discrepancies or contradictions. I myself feel satisfied that their story is substantially true.'

The Judges of the High Court went further ; they said :

'Not one word can be said against the evidence which they have given, which, in our opinion, was given with conspicuous honesty and courage and reflects credit on their service.'

Any police officer who reads this must form his own opinion of the conduct of the police, apart from their testimony. But a few points may be offered for his consideration. It is easy to be wise after the event and to say where the police went wrong. It is easy to say, when there has been a *sati*, that the police should have apprehended one from the beginning and not taken the matter so lightly. They did take it lightly at first, but it must have seemed unthinkable that a threat of *sati* should be carried into effect in broad daylight at Barh. It is easy to say that they should not have allowed Sampati to reach the ghat. But if they had prevented her by force, and no *sati* had followed, and the risk of a *sati* at a place like Barh had been held to be so remote as to be negligible, where would they have been ? In the awkward position of having kept a Brahmin widow by force from her husband's funeral—a position made no less awkward by a flood of evidence to prove the innocence of Sampati's intention. It is easy to say that the police should have kept Sampati away from the pyre. But they could have done so only by force and with much the same consequences to themselves as if they had kept her away from the ghat. Up to that stage their only excuse for interference was their apprehension of a *sati*, and successful interference would have made it most difficult to prove that their apprehension was well founded. With

Sampati's mounting on the pyre, however, the affair reached another stage, because that act put her intention beyond a doubt. For laying hands on her then they could not have been blamed afterwards. But if the police evidence is believed, it must be believed to the extent of accepting their version of the state of the crowd. Any handling of the widow on the pyre, or even while mounting the pyre, would surely have provoked a riot, in which the police would as surely have been overwhelmed. It is not to be believed that they would have been allowed to remove her to a place of safety, in the teeth of an excited crowd which had watched the preparations for the sacrifice and knew well, by that time, that it would take place, if not interfered with by the police. At that late stage the inspector's only chance of preventing the *sati* must have been to prevent the firing of the pyre, which he tried to do by drawing a cordon round it. He could not know that the danger lay within the cordon, in Sampati's own hand. Where the police failed later, in failing to effect her removal for treatment, two Magistrates also failed, until armed police came to overawe the mob.

It would be unfair to leave the impression that the Brahmins' behaviour after the burning connoted any desire to aggravate Sampati's sufferings, or even callousness to her torment. There was evidence that they laid her on cotton wool, gave her a covering at night, fed her with fruit-juice and, according to one witness, put butter on her burns. Sympathy could not take them further because, the sacrifice having been begun, the thing most to be desired was her death. Her recovery would have been an anticlimax of the worst kind : they could not risk it by treating her properly themselves or by indulging a misguided zeal for duty in others. Perhaps it is impossible for the non-Hindu to treat this attitude with sympathy. *Sati* must be one of those things that look quite different from different view-points. If we cannot see it from the orthodox Hindu's side, we cannot know what aspect it shows to him. Nor can we expect to persuade him that our view of it is clearer and truer than his.¹

¹ See *Suttee : a historical and philosophical Enquiry into the Hindu Rite of Widow-burning*, by Edward Thompson (Allen & Unwin, 1928).

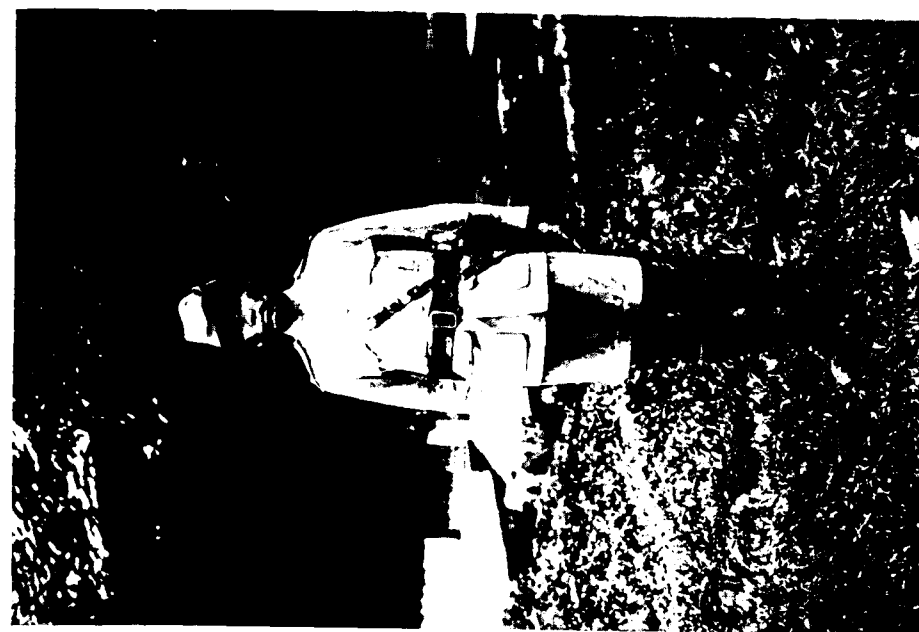
The Constabulary of North Borneo

BY CAPTAIN W. C. ADAMS, M.C.

British North Borneo Constabulary

THE history of the North Borneo Constabulary, although a comparatively short one, is not devoid of interest, and the duties that it has from time to time since its formation been called upon to perform have been many and varied. Combining as it does the dual rôle of police and military, the force has had a large share in the gradual pacification of the wide territory administered by the British North Borneo Chartered Company, during which process its numbers have been considerably increased and its distribution more widely scattered. With the present more peaceful and settled condition of the country, the police in British North Borneo are undergoing a gradual process of evolution similar to that experienced in other countries.

A glance may be given at the gradual development of the Police force as it exists to-day. Looking back to its original formation at the time when the Royal Charter was first granted to the Company in 1881, we find that the strength and composition of the Constabulary at the beginning of 1883 was 3 Europeans, 50 Indians (Sikhs and Pathans mixed), 30 Dyaks, 50 Somalis, and 20 Malays, and that a year later the total force numbered 176. The headquarters of the force at this time was in Sandakan, and during the years 1884-1902 the Constabulary was mainly employed in punitive expeditions against the natives of the country, which it carried through with success and not without a number of casualties among both European and Indian officers and men. In 1897 a contingent of Dyak Police went to England to take part in the celebrations of the Diamond Jubilee of Queen Victoria, and again in 1902 a contingent of the Borneo Constabulary was present at the coronation of King Edward VII in London.



A NATIVE (DUSUN) INSPECTOR

(face p. 310)



A NATIVE (DUSUN) CONSTABLE



THE CONSTABULARY OF NORTH BORNEO 311

Considerable changes had by this time taken place in the strength and formation of the force, and in 1903 the then Governor, Sir Ernest Birch, submitted proposals for the division of the Constabulary into military and district police—the former to number 350 Indians of all ranks and to be stationed in the larger towns, the latter to consist of 200 natives of North Borneo for work in the interior stations and ‘to be more directly under the control of the administrative officers.’ In addition, civil police of various nationalities were to be stationed in the chief towns. The number of European officers was increased to six, and official recognition of the Constabulary by the War Office, as granted to the Malay States Guides, was asked for and obtained. This system of police administration proved to be entirely successful and best suited to the needs of the country and has survived with but little change to the present time.

The experiment of recruiting for the Constabulary from among the inhabitants of the country has amply justified itself; from the educational and health points of view it can have only the best results. The native of North Borneo—Dusun and Murut—is, generally speaking, easily trained and amenable to discipline. In out-stations the native policeman is the right-hand man of the District Officer and needs to be a jack-of-all-trades—part soldier, part civil servant—combining the duties of confidential adviser to the local population with those of prison warder, for, except in the larger towns, the police are called upon to guard prisoners at work and in the lock-ups. On the occasions when they have been called upon to take a part in active operations of a more or less military nature the native police have proved themselves to be in no way less brave than the physically bigger and more imposing Indians. As was seen in the Rundum expedition in 1915—the last serious disturbance among the native population—they could be relied upon when fighting against their own race, and are naturally more suited for conditions of jungle fighting than Sikhs or other Indians. In the bigger towns on the coast more use is now being made of the indigenous police, who show themselves to be well fitted for more purely police work, such as traffic control and beat duty; many promising non-

commissioned officers have been trained from the native ranks, and the two Dusun members of the force who have so far been promoted to commissioned rank as Inspectors have proved their value and set a high standard of efficiency. It is interesting to record that the first Dusun native from Tambunan district (which provides the largest number of recruits for the Constabulary), who was enlisted in 1905, is now the Senior Inspector at headquarters.

In an article on the Ceylon Police that appeared in the *Police Journal* in April, 1928,¹ its author pointed out that the police in that country supplemented the 'headman,' between whom and the police co-operation was essential. This is abundantly true of the Borneo Police: except for the two main towns of Jesselton and Sandakan, they are scattered in out-stations of varying size, and are under the immediate control of the officers in charge of the districts, to whom the headmen are responsible.

The supreme departmental control of the police in respect of discipline, finance, and all other matters, is vested in the Commandant. The staff of European officers under the Commandant consists of the Adjutant and the Paymaster at the headquarters in Jesselton, and of four Superintendents who are stationed in Sandakan and Jesselton. There are, in addition, seven native officers commissioned from the ranks, two of whom are at headquarters and the others in charge of police at out-stations. The total strength of the force at present is just over 600 of all ranks, of whom 200 odd are Indians—Sikhs and Punjabi Mohammedans—and the remainder natives of British North Borneo.

The force is distributed in twenty-six police districts, varying in strength from 110 all ranks in Sandakan to one non-commissioned officer and two police constables in small police posts. The nominal strength at headquarters is 243, which includes the native military platoon, 'refresher course' men, recruits, and instructional staff. There are police barracks in all districts where police are stationed. At Jesselton and Sandakan electric light is installed, and there is an excellent water supply. All police out-stations are connected up to district headquarters

by telephone, or by wireless where the telephone system does not exist.

The Constabulary is armed partly with S.M.L.E. rifles at the headquarters in Jesselton and in Sandakan, and partly with old M.E. artillery carbines in out-stations where the lightness of this arm makes it an ideal weapon for jungle work. Two trained sections of Lewis gunners are always kept at headquarters and Sandakan respectively, and one section at Tawau on the east coast.

A drum and fife band, composed mainly of the sons of members of the force, has been formed at headquarters. Many of these boys on attaining eighteen years of age are enlisted in the ranks as constables, and in this way the band forms a valuable recruiting ground for the police.

There is a small detachment of mounted police at Kota Belud in the Tempasuk district, where much good work in the suppression of cattle theft has been done in the past by patrols. A few mounted men are also kept at headquarters for patrol and escort duty. The hardy little native ponies are used for this work, for which they are admirably suited. The experiment of stationing mounted police in the interior and other districts has been tried, but has not proved a success.

Every member of the force whose conduct has been uniformly good is entitled to a pension after twenty-one years' service, exclusive of leave. The number of pensioners among the native police is at present small, but such men may be considered as a useful factor in village administration. In this respect too the formation of the Constabulary Reserve proves of value. Any native policeman on leaving the force before he is due for a pension is eligible to join the Reserve provided that his character on discharge is a good one and that he has not been invalided from the force on medical grounds. Engagement in the Reserve is for periods of three years, the recommendation of the District Officer and a medical certificate of fitness being required when application to re-engage is made. The total length of service in the Reserve when added to the number of years served in the Constabulary may not exceed twenty-one years. A reservist is liable to be called out in times of emergency to rejoin the force in the rank and with the

¹ Vol. i, p. 203.

pay that he held at the time of his discharge. The strength of the Reserve at the present time is seventy-three.

The Criminal Investigation Department under one of the Superintendents has its headquarters at Sandakan and a small staff of detectives, who are mostly Chinese. This department is as yet only in its infancy, having been started as recently as 1925. The nucleus of a staff of specially trained men has been formed, and liaison with the Straits Settlements Police and the Federated Malay States Police in the matter of finger-prints has been effected and will be of the greatest help.

The training of the police has in the past been of a more or less purely military nature. With the more settled condition of the natives, especially in the interior, the need for permanent garrisons of armed police in many of the out-stations has ceased to exist; a change has now been made by the formation of a platoon of native police trained on military lines, which is kept at headquarters in readiness for active operations whenever required, and the gradual reduction of the strength of regular uniformed police in out-stations and their replacement by village constables. These latter are in many cases ex-members of the Constabulary and, being natives of the district in which they are stationed, prove to be of great assistance in carrying out the many non-essential duties that previously were performed by the regular police. Village constables are provided with an old pattern police belt and a red-and-white duty armlet which are worn at all times when they are on duty. They live near the Government station and report daily at the district office for their orders.

More attention is now being paid in the force to specialized training in purely police work, and arrangements have been made for both European police officers and selected non-commissioned officers to be sent to the depot of the Federated Malay States Police in Kuala Lumpur to receive instruction in general police working. This training will prove most valuable; the assistance of the Federated Malay States Government is greatly appreciated. The formation of a Central Police Training School is an object which it is hoped gradually to achieve.

The amount of crime in British North Borneo is not large,

and that of a political nature is at present negligible. Head-hunting has been stamped out (with very rare exceptions) and cases of murder are certainly not numerous in proportion to the population. The 1927 crime returns for Jesselton and Sandakan show that 684 cases which come under the heading of crime were dealt with during the year as compared with 514 in 1926. With the development of the Criminal Investigation Department and the regular classification of criminals on up-to-date lines, the Police Force will be prepared to cope with the conditions that are likely to arise as the country is opened up and becomes more populated.

Magic and Spells on the Gold Coast

By MAJOR H. E. SMITH, M.C.

Assistant Commissioner, Gold Coast Police

THE employment of Fetish and Juju (charms) plays a prominent part in the life of the inhabitants of the Gold Coast, in spite of modern influences. When something of vital importance occurs, resort to juju is frequently made even by those West Africans who in everything else are orthodox Christians. The subject embraces a vast field which is necessarily obscure to a foreign observer, and in entering it, even on the merest edge, the writer is aware that he is approaching debatable ground. But the following short account of examples which have occurred in his personal experience may be of interest as cases wherein some of the more common charms are affected by offenders against the law.

Whilst many fetish practices are of no general harm to society, the use of juju and fetish as a means to facilitate the commission of, or escape punishment for, a crime is not uncommon. Although cases brought to the notice of the police are not numerous, the fact that such usage occurs is of sufficient importance to necessitate the inclusion of the following section in the Criminal Code of the Gold Coast Colony: 'Whoever deals in or is possessed of any fetish or charm which he pretends has power to protect criminals, etc., is liable (etc.)' The juju employed for criminal purposes frequently contain, amongst other things, texts written in Arabic, and are manufactured by unscrupulous Mohammedan priests and teachers (*Mallami*) who have infiltrated into the Gold Coast Colony from its hinterland and the more northerly parts of Africa. They are mainly associated with burglaries and housebreakings; but resort to them is not confined to

the Mohammedan and pagan element, nor to the two types of cases cited.

An outwardly respectable anglicized chief clerk, who happened to be the deacon and mainstay of a local Church, to the funds of which he had contributed a considerable amount for the erection of a new edifice, was apprehended for extorting large sums of money, over a period of years, from workmen of the Corporation which employed him. The evidence for the prosecution was conclusive, and long before the completion of his lengthy trial he realized that little chance remained of avoiding imprisonment. As a final but faint hope he reverted to the basic heathen state of the African mind. At much expense he procured the services of two *Mallami* of alleged infallibility who, with specially prepared ink, inscribed 'magical' Arabic writings on dried leaves. These were boiled in water, and he then imbibed the resultant unsavoury decoction. It was supposed that the effect would be to ensure the entire belief of the judge in the unsullied truth of any and all of the accused's statements. From the inextricable tangle of careless and too-patent lies made by him in his defence, it is obvious that there was unreserved belief in the efficacy of this particular juju—until, possibly, he heard the passing of an exemplary sentence.

There is another instance of an *Omanhene* (king) who also appeared to have embraced the Christian faith and to have been a devout churchgoer since childhood. At the time of the proceedings for his dethroning—when he was taken off the stool of royalty—he was found to be wearing three talismans round the waist which, separately, contained the names of the two Political Commissioners conducting the case and that of the writer, each name being surrounded by a scroll of Arabic characters symbolizing the life and soul of each of these three officers, which the *Omanhene* in question imagined he thus controlled. He was fully confident that the destruction of all or any of these three juju would similarly affect the sudden demise of all or any of these unsuspecting officers—all of whom, strangely enough, are still flourishing!

Two years ago a woman, who practised the arts of a witch doctress in her spare time, was found to be in possession of a

dried cock's head wrapped in a paper on which Arabic texts were written. This was reputed to render burglars invisible. A Mohammedan priest was called to the police station to translate the writing. Immediately the paper was opened, he rubbed his eyes vigorously and cried that he was unable to see anything. A week later his eyes were closed. Several weeks later, at the Assize Court, they were inflamed and protruding like red golf balls, and to this day he wears smoked glasses. The consequences of exploiting this charm would probably have resulted in temporary blindness to the exploiter, thereby making him as immune from observation as is an ostrich with its head stuck in the sand.

Powers of creating invisibility are frequently associated with the head of a chameleon, but sometimes, as in the following example, not quite in the manner desired or expected by the user. A man was suspected of having stolen a considerable amount of money and jewellery, despite the excellent alibi which he produced. An abortive search was made of his house, during the whole of which he maintained an insolent attitude, supplemented by a defiant grin of challenge. When the police officers were leaving the house, a chameleon's head was noticed in a corner of the compound, presumably to make that particular spot invisible—an ineffectual device, as an astute constable dug beneath it and found all the stolen property buried there. The suspect's grin of challenge then changed to a look of amazement, fostered by the proved impotency of a hitherto believed potent charm.

A further case of fancied invisibility was furnished by a notorious armed burglar, now undergoing a lengthy sentence of imprisonment. He was caught in the very act; and when his somewhat desperate resistance to arrest was overcome, it was seen that he was clad in a fantastic leathern jerkin dyed with blood, suspended from which were numerous talismans, each separately enclosed in a small case of cow or goat skin. These talismans were to create invisibility for the wearer, and also to make the garment bullet, spear, and knife proof. In addition, many metal arrow heads were sewn about the outside of the jerkin, all pointing upwards, these assisting him to

pierce and enter where and what he willed with the silence and speed which they symbolize.

Arrow heads have been met with infrequently, but more common articles representing a like idea are porcupine quills, needles, and pins. A spear, knife, cutlass, crowbar, and other implements with which various burglars have armed themselves, have been found to include a small quantity of one or the other of these symbols, usually bound round the handle of the weapon, but in some cases also secreted inside. By virtue of this, the thing so charmed is claimed to be able to cut, break or enter, noiselessly and swiftly, whatever it may be used against. The care and manner of fixing these juju to most of the implements found has proclaimed the skill and craftsmanship of the makers, whilst the Arabic writings which are usually to be found thereon point to the work as that of the *Mallam*.

After a burglar has forced entry into a house, a knotted cow or monkey tail, if laid under a stone at the place of ingress, is credited with reducing the inmates to such a state of somnolence that they are unable to waken from it during the time the marauder is busy amongst them. The wearing of a small piece of chain, duly 'magically' treated or wrapped in mystic writings, produces a similar result, but has the additional power that should anyone chance to waken, due to the weakness of the previously described juju, and see the burglar committing his crime, it will, in theory, prevent any movement by chaining the unfortunate and unresisting spectator to his sleeping place. A padlock carried by the criminal will lock the mouth of any occupant of the house who may see him at work, so that no cries for help can be made; and, in more serious cases, a padlock in which the key has been turned will lock an observer's mouth for life, so far as any possibility of describing the offence as an eyewitness is concerned.

The last four types of juju are seldom used singly. In the cases which have been brought to the writer's notice they have generally been all stuck together in a mixture of tar, ginger, and soap, tied round with the hair of an elephant or, in less elaborate examples, with thread. Such a combination of charms is regarded as an invincible protection by a certain

type of burglar, a belief which capture and arrest must sadly shatter.

In a case in which several local witnesses had testified to the significance of many of the more common juju, including some of those described above, the head of a large bird resembling a stork was produced in evidence. The open beak of the bird contained a shrivelled baby crocodile, the head of a lizard, half of a pair of scissors, some elephant hair, and a teaspoon! Each time this conglomeration was handled by the prosecuting officer a wave of excitement swept the crowd of spectators in court, and to all the questions regarding it the witnesses remained mute. Up to the time of writing, the meaning of this particular mess has not been ascertained. All inquiries still meet with silence accompanied by no small look of fear. I mention this in corroboration of the statement made at the beginning of this article, namely, that it would be possible to give only a short and superficial outline of the subject.

In conclusion, and in the same vein, the following incident is given without any explanation being vouchsafed or attempted. An Englishman, a newcomer to the West Coast, employed an African foreman whom we will call Jack. On a certain Saturday, Jack informed his master that he would be unable to attend work on the following Monday. When asked to give a reason, he stated, apparently quite unconcernedly, that his mother had put a curse upon him with a very bad juju and that he would be dead by that time. The white man, not yet fully conversant with the strangeness of some things African, gave no second thought to this statement. On the Sunday morning, when he was strolling through the bush, the novelty of which was still fresh to him, he came to a clearing containing a native hut to which his attention was more closely drawn by two small whittled upright sticks placed a short distance apart outside the hut door. A piece of thread was connected to them and was stretched across the narrow path. A small, live, blood-covered chicken was tethered to the base of one of the sticks. Presently his interest in this curiosity was disturbed by a man emerging from the interior of the hut, whom he recognized as Jack. When Jack

was asked to interpret the meaning of this chicken, thread, and sticks, he smiled and said it was juju, and that it was but a portion of the curse that had been put upon him, from which he could only be freed by his death on the coming day.

The astonished white man left this hale, hearty, and self-possessed native and continued his stroll. Having gone some distance, he met a crowd of men and boys carrying drums and other impedimenta. As this was his first introduction to the West African drum, he asked permission to examine one. His amazement can be imagined when, to his inquiry as to its purpose, he received the reply that it was for playing at the ceremonies to be observed on the occasion of Jack's funeral, to take part in which the crowd had come from a far village.

'But Jack isn't dead,' said he, 'I've just left him.'

'He will be to-morrow,' was the remark from one of the crowd.

And so he was.

An autopsy showed the body to be in a perfectly healthy and normal condition, and a pathological examination revealed no trace of poison.

The Golden Pocket

‘INSPECTOR AHMAD to see you, Sir.’

It was late in the afternoon and the plans of Captain Perkins, the Assistant Commissioner of Police, had been somewhat upset through the absence of any report, verbal or otherwise, on the rather audacious theft from the house of a leading notable during the previous night. The *modus operandi* adopted by the thieves in this case was easily comparable with that in the eleven recent cases of theft. Articles of jewellery were undisturbed, and all complaints lodged at the Police Station were examples of the peculiar manner of gaining entrance and that only Turkish liras¹ had been stolen.

Now the town of Harama had for some months been almost immune from thefts by night, but within two weeks eleven successful hauls had been carried out, to the alarm and despondency of the five thousand inhabitants and to the bewilderment of the police. As a number of these thefts had been accomplished by violence, the police were particularly anxious to have the latest developments solved, and having two clues on which to work Inspector Ahmad was deputed to investigate. It was therefore with some feeling of relief that the orderly announced the arrival of this police officer.

For twenty minutes Perkins listened intently to the Inspector's report, at the same time jotting down notes on a pad on his desk.

‘In accordance with your instructions,’ continued the Inspector, ‘measures were taken to preclude the possibility of any person leaving the town after sunset. The house of Hajji Rasul was broken into some two hours before dawn. The watch-dog had been enticed from the courtyard by a piece of poisoned meat ; for it was found dead outside the house with

¹ A lira is a Turkish gold coin, very much the same in size and weight as an English sovereign ; value about 18s.

THE POLICE JOURNAL

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the undevoured portion of the meat on the ground by its side. Hajji Rasul reports an entire absence of any growling on the part of his dog, as being a light sleeper he would undoubtedly have been awakened had the dog growled. No articles of jewellery were removed. A leather bag containing fifty-three liras was stolen from a box lying near the foot of his bed. The lock of the box was undamaged, but open. The only clues to be found at the house were a small skull cap, found on the upper verandah around the courtyard, and a thumb impression on the box which has been photographed.'

'Have you ascertained,' queried Perkins, 'who were the occupants of the house on the night of the theft?'

'The house is divided into two: one half containing Hajji Rasul and his wives, and the other a guest house which was empty except for three men servants sleeping in the basement around the courtyard who have been examined and are under surveillance.'

An examination of the cap revealed on the inside the presence of a number of black hairs of approximately seven centimetres in length. As far as possible these hairs were protected from exterior influences by placing them in a perfectly clean and small receptacle and hermetically sealed and then forwarded to a medico-legal expert for microscopic examination.

As Perkins knew the house in question, it was not easy for him to imagine an entrance being gained when once the large heavy door had been securely bolted; the suggestion then was that the thief or thieves had been hiding in the house.

'I found,' proceeded the Inspector, 'evident traces of deep scratches on the outer wall, probably caused by a ladder, at the base of which the ground had been trodden by an accomplice while anxiously awaiting the safe return of his comrade.'

'I presume you have examined the night watchman in that quarter of the bazaar?' he asked.

'Yes. I do not suspect those on duty; for, as you know, Sir, the head man is bound by security to make good any losses incurred by theft within his jurisdiction. It appears that Hassan, who was on duty from two o'clock to six o'clock,

saw a man and two women proceeding through the bazaar approximately two hours before dawn, and on questioning them was informed that they were setting out on a journey. Foolishly, he neither questioned them further nor ascertained from whence they came. He did, however, state that the man appeared to be an Indian and that he was smelling strongly of perfume.'

'I shall expect you to report at the barge two hundred yards downstream of the bridge at eleven o'clock to-night.'

With these instructions the Inspector took his departure, leaving Perkins to examine the notes before him and complete preparations for the coming night.

The moon was on the wane. The stately palm trees swayed in the breeze and were silhouetted against a clear sky. Scarcely a sound could be heard; an occasional cock crowing across the river, then a jackal with its piercing cry sounding hard by. The savage barking of dogs indicated some movement of the unwelcomed. This set the canine community astir—then all peace and quiet.

Perkins remained hidden at his tryst. A slight sound caused by the snapping of dried twigs in the adjoining garden caused him to turn and expect the arrival of the Inspector, but five minutes dragged by and still no signs of Ahmad. The shrill tones of whistles from the watchmen across the river announced the approach of another day.

As he feared that some mishap had befallen Ahmad, instructions were given by Perkins to his orderly to remain concealed while he proceeded to explore. Although the moon was waning, sufficient light existed for him to wend his way amongst the palm trees and shrubs to the cordon of police, all picked Arabs, around the gardens. He had proceeded but one hundred yards when he came upon a dark object lying on the ground. With feverish haste he stooped to examine and discovered the object to be his Inspector with a large gash over the right temple. Ahmad was breathing but unconscious. Hastily examining the wound, Perkins applied his flask to the parched lips of his subordinate with the result that consciousness gradually returned, but for some minutes the Inspector was unable to speak. Eventually, in broken sentences, he

detailed his story as to how, while proceeding to join his chief, he had received a violent blow on the head, delivered by an assailant whose headgear was of green shrubbery.

Having bound up his head Perkins carried him to the spot he had so recently vacated, to find his orderly in a state of slumber and sitting with his back against a palm tree. One cursory glance sufficed to show that he too had been made unconscious and was suffering from a head wound caused by some blunt instrument.

The situation in which the Assistant Commissioner of Police now found himself was somewhat unpleasant. There was evidence to show that the object of his search was prepared to adopt force to evade capture. Had his instructions been carried out to the letter the chances of this desperado breaking through the cordon were remote. The conclusion arrived at was that these gardens contained some secret place of concealment, although Inspector Ahmad had reported a thorough search of the entire area without supporting this theory. It was essential that action be taken and without delay. The bodies of the Inspector and constable, still unable to move without assistance, were removed by rowing boat to the other bank after assistance had been readily obtained at the Police Station.

After Perkins had returned to the gardens with a Sub-Inspector and two constables, satisfactory reports were made to him by the posted constables that no unauthorised persons had entered or left the gardens, or, indeed, had been observed. To accept these reports would mean that with the approach of daylight interesting developments might be expected. Water channels intersected the gardens, and although these were empty and of no great depth a considerable quantity of grass and undergrowth existed, thereby facilitating concealment.

Each orange tree was carefully examined and shelter of every description was probed, and still the quarry remained untraced. Time dragged on and with the break of dawn all hopes of success were banished. Before sunrise cultivators appeared on the outskirts but were refused entrance. The fact was appreciated that they were rightful tillers and irrigators of the gardens now being searched, but with the customary

nonchalance of their race the report was accepted that important police work was on hand which brooked no interference.

A flash of light on the horizon heralded the rising sun. Each tree and bush was once more examined. Palm branches and fronds were lying strewn on the ground but not a trace of a hiding place. The cultivators, by permission, commenced their respective tasks while, as a precautionary measure, reliefs were arranged for the constables needed for special duty.

As Assistant Commissioner of Police of an area of some ten thousand square miles Perkins found that his duties took him amongst the tribes. Owing to the absence of roads and culverts motor transport was of little assistance, the tours being mainly performed on horseback. The motor launch was convenient for visiting tribal shaikhs whose villages were situated within a short distance of the river.

On the evening following the attacks on the Inspector and the constable, Perkins was returning by launch from visiting a shaikh, and on approaching the gardens he perceived a slight movement on the bank some four feet above the water's edge. With all the foliage motionless it was not a little surprising to see a cluster of fronds move from the bank and suddenly disappear from view. Recalling the statement of the Inspector that his assailant was wearing a headgear of green shrubbery he decided to investigate. Bringing the launch alongside the bank he leapt ashore followed by four constables, and after issuing to them instructions they proceeded in extended order through the gardens examining the ground and trees with care. They had proceeded in this manner for fifty yards when Perkins reached a clump of pomegranate bushes around which were numerous palm branches on the ground and in the centre of which were a number of branches carefully arranged as if guarding or protecting an object. On closer examination the ground was found to be fresh and it was no small surprise that of these trees two came away from the ground with a gentle manipulation. The removal of these branches revealed a hole broad enough to admit the passage of a man. The air at the entrance was foul and quite distinct from the air detected in the holes

of the jackals. There huddled up at a distance of six feet in the passage was the figure of a man.

'The accused person this morning attempted to bribe warder Salih with ten liras.'

Such was the announcement made to Perkins by a Sub-Inspector two mornings later.

'Have you yet received the search slips from the Finger Print Bureau?' he asked.

'Yes, Sir,' said the Junior. 'These were received this morning showing five previous convictions for theft. His antecedents are well known. He, Viroo, came to this country from India in 1917 in a labour corps and within six months of his arrival was convicted and sentenced to six months for breaking into the house of a leading notable. He was discharged from jail one month ago.'

'If the accused had been thoroughly searched on his arrival at the police station, how do you account for his being in a position to offer a handsome bribe to effect his escape?'

'He was sent under escort this morning, Sir, to the civil hospital. His case has proved to be unique in this country; for stretching from the back of the tongue to the clavicle was a pocket containing sixty-five liras. A slight pressure only in an upward direction on the neck was required to empty the pocket of its golden contents.'¹

An examination by the medical jurisprudent of the hairs found in the skull cap and of the hairs from the head of the accused indicated with accuracy that the hairs were from one and the same head and that the same pomade was common throughout.

An enlarged photograph of the thumb impression forwarded to the Finger Print Bureau was returned as 'traced' under the name of the accused.

For five years Viroo remained a guest of the Inspector-General of Gaols, on the expiry of which he was deported to his native land. Who shall know what wealth lies hidden in that secret pocket?

IIAJJI.

¹ Similar instances of concealment by criminals in an anatomical uncharted pouch are known to medical science.—EDITOR.

A Scottish Jack Sheppard

Able and willing you will me find,
Though bound in chains still free in mind;
For with this thing I'll ne'er be grieved,
Although of freedom I'm bereaved.

David Haggart.

PART I.

MOST countries have their arch-escapers. Sheppard, Latude, Trenck, Casanova are the Past Masters of the Craft of Gaol-breaking of their own countries. David Haggart is Scotland's Jack Sheppard—indeed there is a close resemblance between them. Both were thieves from boyhood, both were unusually bold, both had a remarkable ability for prison-breaking, and both came to the scaffold at an early age. Sheppard was twenty-three when he was hanged, Haggart twenty.

He was born at a farmhouse called The Golden Acre, near Canonmills, Edinburgh, on the 24th June, 1801, and his father was a gamekeeper and dog-breeder, with a good *clientèle*. The boy was given a good plain education at the neighbouring school, and before he reached his teens he twice accompanied his father to the Highlands 'to carry the bag.' He was a jolly sandy-haired boy and a favourite with his father's employers. But even at this early age that strange moral kink which we find inherent in all born thieves began to manifest itself, and he was soon in trouble for petty thefts.

It was neither chance nor destitution that made Jack Sheppard a thief; it was not even an uncongenial trade that started David Haggart on a career of crime. For when the Haggart family had increased to such an extent that it was necessary for David to earn his own living, he elected to follow in his father's footsteps and become a dog trainer, and by his father's connection with gentry he was soon in the way of building up an excellent business. He had a way with dogs

which had often been noticed by his father's patrons, and many a sixpence came his way for his skilful handling of dogs on the moor and in the field. He had done well at school, was always top of his class, and had the faculty of learning quickly, though he was in trouble now and then for playing truant. He had therefore had a good start in life, and by all the rules of the game he should have become a useful member of society.

When he was ten, being on a visit to Edinburgh he saw a bantam cock that took his fancy. He approached the owner and offered to buy it; and the owner declining to part with the bird, Haggart immediately laid plans to obtain possession of it. He borrowed another cock, and when the bantam, hearing the strange bird crow, ran to accept the challenge, David popped him incontinently into a bag which he had brought for the purpose. Encouraged by this success, he cast about him for the means of increasing his store of silver, and noticing that the till in the shop of a poor woman in a neighbouring village was easy of access, he broke into the shop at night and carried off the till bodily—a remarkable feat of criminal daring in a boy of ten.

Not long after this, having walked some six miles from home with a school friend to visit a relation, he 'found' a pony grazing by the roadside, and promptly stole it. An old hut was soon converted into a stable, and Haggart added considerably to the enjoyment of his school-mates by providing them with a pony to ride. The owner of the pony, however, saw things in a different light, and having traced the animal, demanded indemnity for himself and punishment for the thief. This exploit caused no little stir in the village, but the women, who, as usual, had a soft place in their hearts for a daring young rascal, appeased the lawful owner by buying up the whole stock of the butter and eggs in which he traded.

At the age of twelve Haggart attended Leith Races and got drunk. A recruiting party of the Norfolk Militia, then stationed at Edinburgh Castle, was also present; and as David found himself, when he became sober, a soldier of His Majesty King George the Third, it seems likely that the recruiting sergeant was not unconcerned with the boy's intoxication. At all events the days of dog training were over, and at the end of three

months David had learnt the use of pipeclay and how to beat a drum, while at the end of a further like period he could blow a bugle with at least sufficient accuracy for the calls to be distinguished. But soldiering is no life for a thief—as we have seen with Nevison.¹ There is no scope for the play of their natural abilities, and the pay is too low. Discipline, too, is a hateful thing to those who have a warped conception of the laws of 'mine' and 'thine.' Haggart would have deserted if any opportunity had offered.

At the end of a year, however, his regiment left for England to be disbanded, and, having got into the good graces of its Colonel, David obtained his discharge before it left Edinburgh. By that time his father had moved into Edinburgh to the South-back of the Canongate, and with him David took up his abode.

He now resolved to turn over a new leaf, and for the next nine months he attended—more or less diligently—a school in the Canongate and acquired a tolerable knowledge of arithmetic and book-keeping. At the end of this period he bound himself for six years to a firm of millwrights and engineers. Unhappily for society the firm became bankrupt in 1817, and David found himself wandering the streets of Edinburgh with no visible means of support beyond that which his father was able to afford him. In a strange autobiographical account of himself which Haggart wrote when in prison awaiting his execution, he asserts that he had no hand in the bankruptcy of his firm and was in fact constantly employed in conveying considerable sums of money to and from the bank. His pocket-money, he coolly informs us, he drew from the trousers' pockets of passers-by in the streets.

Having been unsuccessful in his attempts to obtain employment elsewhere, he began to pick pockets in the street. But he soon found that this is a dangerous trade unless one is extremely expert. So he took to attending the fairs and horse-races in the neighbourhood of Edinburgh. After a few months, feeling that he was now qualified to practise, he began to go further afield, and presently was a regular attendant at the local fairs and racecourses. But as he progressed in the science he

¹ See *The Police Journal*, vol. i., pp. 499-516.

began to feel the need of a 'fence,' for he was unacquainted with any receiver of stolen goods who was in a sufficiently large way of business to dispose of the proceeds which he was so rapidly accumulating.

At this period he made the acquaintance of one Bernard M'Guire, a man who had been brought up to the trade of tailor, in Dumfries, and who, by his own natural abilities, had risen high in the world of thieves. He was by birth an Irishman, of fine physique, something of an athlete, and as a sprinter had no equal in all Edinburgh. An excellent companion, one who played fair with his friends on every occasion it was politic to do so, and entirely free from the hindrance of scruples, conscience and morality, it is no wonder he had earned for himself a position that was the admiration of all the pickpockets in Scotland. In these days he would probably have amassed great wealth by performing before a film camera; in 1817 his great abilities were entirely unrecognized by all save that small section of the population which is concerned with the maintenance of law and order.

M'Guire was a good judge of a thief, and he recognized in Haggart a born pickpocket. No amount of practice can give one that delicacy of touch, that graceful gliding of the forearm, that sinuous turn of the wrist which are so apparent in the work of those who have practised the art from their cradle. Moreover, David was born left-handed, the middle and index fingers of his left hand being of equal lengths—fingers which, as he remarked, 'never failed me in picking pockets.' M'Guire was right-handed. It was obvious therefore that if they worked in double harness those pockets which were temporarily inaccessible to Mr. M'Guire's right hand would be easy of access to Mr. Haggart's left. David was a thief in a thousand. Barney decided to adopt him. But a man of M'Guire's standing cannot be too careful with whom he makes friends. It is always well to make trial of them beforehand. He therefore informed David that he would be happy to admit him to his friendship provided David could satisfy him as to his abilities. David agreed to a trial, and Barney selected his own brother as the subject of the test. Incidentally, I should mention that the M'Guire Brothers had been partners for

some time—a pleasing sidelight on the character of Barney. The test was accordingly held, and Barney and David duly got drunk on the proceeds of David's exploration of the younger M'Guire's pocket. The following day they drew up articles of agreement for a partnership, the basis of this partnership being that they should go fifty-fifty in the proceeds arising from the practice of their unlawful occupations.

Next day they repaired to Portobello races and had not been long among the crowd when they espied an elderly gentleman, with bulging breast-pocket, viewing the races from one of the lower seats in the grand-stand. Making their way towards him, they had the pleasure presently of seeing him get up and come towards them. Barney therefore intimated to his companion that here was an opportunity to put his daring to the test. David, anxious to show off, advanced to meet his victim, and so great was his eagerness that he pulled the pocket inside out and well-nigh removed it as well. However, the pocket-book was safely tipped into Barney's waiting hands, and when the victim had recovered from his surprise the firm was already counting the eleven one-pound notes which their dexterity had earned them.

This test satisfied Barney that David was no ordinary thief, and it also added considerably to David's confidence in his own abilities. He saw, too, that by transacting business in this way they would be enabled to knock off work at a reasonable hour and to devote their evenings to recreation and entertainment. It also reduced their labour considerably and at the same time increased their earnings. A little more practice and they could stride after their victim arm-in-arm, separate, and, as they passed on either side of him, a shove by one of them—followed by profuse apologies—would enable the other to obtain watch, wallet or purse. In fact, it became so easy that on one occasion they were near quarrelling as to whose turn it was next.

The articles of partnership, then, having been duly signed, sealed and delivered, Messrs. M'Guire, Haggart & Co. took the coach to Jedburgh, determined to exploit the trouser pockets of the lowlanders. The 'Co.' was represented by Mr. M'Guire junior, who accompanied the expedition in the

rôle of apprentice. He had, however, to earn his keep, handing over his gross earnings to the senior partners, who then decided what portion of the day's taking should be allotted to him. They did not treat him very well. He was obliged to hand over to them, at once, everything that he stole, without being allowed to examine it. If his takings consisted of a pocket-book containing bank-notes, Barney and David would divide the notes in private, then laugh at their young friend for having made a haul which consisted of nothing but old letters.

They were very well dressed when they mounted the coach, in fact Barney was quite a swell. Doubtless his trade of tailoring stood him in good stead. For, since in his younger days he had made clothes for the gentry among whom he now intended to move, he knew precisely what to wear. Both the cut and material of his coat were impeccable. His nankeen waistcoat was the *dernier cri*, and as for his trousers, they were the admiration of every posting house where the coach stopped. He had been at some pains, too, to furbish up his companions. David was a little uncomfortable in his unusual finery and was thankful for the wide brim of the beaver, so carefully ironed by his partner. Also he found it a little difficult to retain in position the heavy gold watch chain that spanned his florid waistcoat. For whenever the fingers of his left hand chanced to touch it, they instinctively closed upon it and deftly jerked it out of its place. . . . They carried with them £31 in notes and a trunk full of clothes.

At Jedburgh there was no business to be done, so they went on to Kelso fair by post-chaise. Here they soon espied a rider with obvious pocket-book walking his horse about on the outskirts of the fair. Barney at once went up to him and asked politely if the horse were for sale. It was. And what age was it? It was five. 'Looks more than that: show me its mouth.' The owner opened its mouth, Barney gave it a sly prod to make it throw up its head, and while the owner's arms were raised aloft David neatly removed his wallet. It was almost too easy. £20 net.

From here they went to Lockerbie, and at Lockerbie fair the first person they encountered was John Richardson, the extremely active head constable of Dumfries. As Barney had

once fallen foul of him while ostensibly pursuing the trade of tailor in that town, they judged it prudent to mingle with the throng as sightseers only. In the evening, finding that that efficient officer was still present, David and Barney made their way to the principal inn and, refusing the offer of a private room, entered the bar parlour. Here they found a drover and a farmer, both fuddled, quarrelling across the table. A few well-chosen words poured oil on the smouldering fire, and in the rough and tumble which ensued the farmer was eased of twenty-three pounds and the drover of his purse. Whereupon David, shouting in a passion for the landlord, paid for the drink they had had, abused the man for having such company in his house, and left with his partner before the rustics had discovered their loss. M'Guire junior they had left at the fair, to pick pockets and dodge the constable as best he could. His best was quite good—half-a-dozen purses, but all of them containing only a few shillings. This booty was duly shared by David and Barney, who deemed it imprudent to mention the affair of the inn to one so young.

At Langholm fair they made a very careful survey of the population before beginning work. To their disgust they discovered that they were the only firm represented there. Whatever work they did, therefore, no matter how brilliantly it were accomplished, could only be laid to their charge. They decided that it would be highly unprofessional of them to spoil the market by creating an outcry for small losses; so they determined to confine themselves to two pocket-books only—or three at the very most.

No sooner had they taken this generous resolution than the younger M'Guire reported that he had seen a gentleman wandering about with a fat pocket-book in his hand which obviously contained hundreds; and that while M'Guire junior was edging nearer to him, in an endeavour to make the said pocket-book's acquaintance, the owner had transferred it to his 'suck' (which was the euphonious term they employed for the breast-pocket of a coat). Upon receipt of this news the senior partner at once decided on action. The firm moved off in different directions, spotted their quarry, surrounded it, jostled it, and the apprentice 'snib'd the lil'—which he at

once passed to Barney, who promptly disappeared in the crowd.

A little later they met at an appointed rendezvous. Barney, in a dour mood, silently passed the pocket-book over to his brother, and signed to him to open it. It was filled with old letters and odd bits of paper. 'So much for our trouble,' said Barney, 'and so much for your idea of a well-filled pocket-book.' But in their bedroom that night the senior partner quietly placed five ten-pound notes and fifty one-pound notes, with five florins, in David's hand. The wallet had contained £201. 'I never was happier in my life,' wrote David.

After a visit to Dumfries they went to Carlisle, where they put up at a good inn, rode about on hacks in the morning, strolled with the fashion in the afternoon, dined well, and attended the gaming tables at night. Barney was an excellent hand with the cards, and scarcely less skilful with dice. He taught David much.

A slight contretemps, however, caused them to leave Carlisle sooner than they had intended. A gentleman whose pocket-book they tried—unsuccessfully—to steal, suspected them of the offence, and informed the police. Whereupon the bedrooms of the firm were searched one morning while the partners were out riding. They returned from their ride just in time to see their trunks going out at the door in charge of the police, presumably for a further examination. Our heroes, therefore, found themselves minus their wardrobes. This would never do, especially as they had dinner and card engagements in the near future; so they repaired to the best tailor's in the town. For they recollected that there were certain trinkets among their wardrobe which might necessitate awkward explanations. . . . If the police liked to impound their clothes, let them. The firm was of the highest standing, and its bank balance had grown considerably of late. Better to buy new clothes than to argue with a body of men with whom they had never been on very good terms.

The tailor was obliging and promised to let them have the clothes in two days' time. ('That will be market day,' reflected Barney, 'and there will be a good crowd in the streets. . . .') Very well,' he said, turning to the man; 'have them neatly

packed up, for we are leaving that afternoon and our trunks will be already roped.' Their arrangements were soon made. On the morning appointed they left their hotel and went straight to the tailor's shop. There were the two parcels all ready for them. But even while Barney was fingering a thick wad of bank-notes, David insisted on ordering another waistcoat, to be made and sent to him by post. 'No, these patterns are no good—haven't you got any more?' The tailor went into an inner room for more patterns, and David and Barney stepped out into the crowd. . . . A few minutes later, parcels under their arms, they were on the road to Morpeth.

At Morpeth fair M'Guire surpassed himself by a feat that must excite the admiration of every thief. They found 'prigs' there in abundance—in fact, half the thieves of Yorkshire seemed to be gathered on the fair ground. It chanced that Barney and David caught sight of a protruding pocket-book just as two Yorkshiremen marked it down. The Yorkshiremen got there first, and one of them deftly hooked the pocket-book up to the mouth of the pocket. By all the rules of the game his confederate should now have shot his arm across the victim's chest and with his other hand have flicked out the booty. But at this truly critical moment it was Barney's arm that shot out, and even as he rated the unhappy owner of the pocket-book for jostling him, neatly jerked the wallet into David's ready hand. It was all done so quickly that not even the Yorkshiremen knew who had got the prize. A very creditable piece of work.

Newcastle was the next town they visited, and feeling the need of feminine society, they took lodgings in Castle Street with a widow and her three comely daughters, passing as Mr. John Wilson, Mr. James Arkison, and brother—gentlemen of means travelling for pleasure. Here they spent a very jolly Christmas, taking the girls out to dances and theatres, and thoroughly enjoying themselves. But suppers and theatre-going cost money, and the firm was obliged to transact a certain amount of business now and then. For example, one evening at the theatre Barney noted a fat pocket-book in the stalls. Telling the ladies he felt faint, he left the box, went downstairs and, at the interval, mingled with the good folk in the stalls.

Presently he rejoined his companions. 'Yes, much better now,' he said in answer to their inquiries; 'ever so much better now, my dear David,' he continued, tapping him playfully on the arm with the pocket-book. . . . On another occasion when they were sitting in the stalls, a lady came and sat down immediately in front of them wearing a handsome gold necklace. Barney looked at David, and David looked at Barney. 'Toss you for it,' said Barney. He won and the lady lost. . . . They were at Newcastle for a month, and during that period they took only seventy pounds in pocket-books—which did not quite defray their expenses. But I hasten to add that they were holiday-making, and such little *coups* as they brought off were merely to keep their hands in. Had they been seriously at work the result would have been very different.

Having thus spent their Christmas at Newcastle, they departed in January—the year was 1818—for Durham, and arrived there on the evening of the annual fair. After dinner they took a stroll through the town and presently found themselves on the road that leads to York. Having passed the outskirts of the town they came to a large house which stood by itself, and as the grounds were well kept and the whole place had a look of opulence, they at once decided to burgle it. Having entered the grounds, therefore, they proceeded to reconnoitre, and presently found a window that was easily forced. As usual Barney took the lead and was in first, David following immediately after. They had no sooner entered the hall, however, than they came into immediate and violent contact with the owner of the house. Barney, being a man of great bodily strength and something of an athlete, had little difficulty in knocking him down, gagging him with his own handkerchief and tying his hands and ankles firmly together. The rest of the family were elderly women, and being terrified out of their wits at seeing the master of the house so easily disposed of, they offered not the slightest resistance. The total haul amounted to only about £30, but they took the road back to Durham in high fig.

This action, however, created a far greater noise than they had anticipated, and by next morning the whole countryside was in an uproar. The city was flooded with police and escape

was impossible. Long before nightfall on the following day Barney, David, and M'Guire junior were lodged in Durham gaol.

They had taken the precaution not only to change their clothes but to alter their personal appearance. It is not to be wondered at, therefore, that neither the outraged householder nor the women who witnessed the burglary were able positively to identify either of them. Accordingly they were acquitted by the magistrate and set free. But a few days later, chancing to walk abroad in the same clothes in which they had committed the burglary, they were again arrested; for a description of the burglars had been widely circulated throughout the county, and many persons were on the lookout for them. This time the householder recognized them at once, and the magistrates committed them to take their trial at the Assizes. The case lasted three days; they were convicted and sentenced to death.

It is now for the first time that David takes the lead. Hitherto it has been Barney who has been the senior partner and designer of their roguery. David, be it remembered, was but sixteen and a half years of age, and he had been content to watch and learn. But the moment he was placed in prison a trait in his character which hitherto had remained undeveloped began to assert itself. David was, in short, a born escaper.

When, at the end of their trial, they were taken back to Durham gaol to await their execution, at the end of the Assizes, Barney, it appears, resigned himself to his fate. Not so David. The younger man cast about him at once for a means to obtain their freedom.

There were several other prisoners awaiting execution in Durham gaol, and David and Barney were placed with them in a common cell. After a good deal of debate David convinced them that if once they could succeed in piercing through the back wall of the cell they would find themselves in a passage which separated the back of the gaol from its high surrounding wall. It was, as David pointed out, a case of neck or nothing, and any attempt was better than none. Encouraged by him they set to work upon the wall, though I have been unable to discover what tools they had for this task. At all events, they succeeded in making a hole in the wall, and crept through into

the passage. But just as the last man had scrambled through, one of the turnkeys, hearing a noise, came suddenly upon them. Barney literally leapt at him, and before he could give a cry he was on the ground and gagged. It seems most likely that they stunned him, for they immediately made for the wall which, with one another's help, they scaled. But unfortunately, just as Barney was on the point of pulling one of the prisoners to the top, he overbalanced and fell back into the passage. By this time the alarm had been given, and before Barney could mount the wall again he was secured.

Quit of the prison David at once made his way to Newcastle in company of a Yorkshireman who had escaped with him, and set about having a spring saw of his own design made for the use of his partner. It was quickly made, and with this tool in his possession he and his friend took the road back to Durham. They had not gone far on their way, however, when they saw two horsemen coming rapidly towards them, and presently made out that they were constables. The road they were on was a desolate one, and it was impossible to escape. David therefore crouched by the side of the road, and as one of the horsemen made for him took aim with his pistol and fired. The horse reared, and its rider fell in a heap in the road. The other constable was also shot by David's companion. After this adventure they came safely to Durham, and as soon as it was dark David climbed over the back wall of the gaol by means of a rope ladder, and successfully delivered the spring saw into Barney's hands. It says much for Haggart's *sang froid* that he waited patiently inside the prison till his partner had succeeded in sawing through the iron bars of his cell window, when he helped him out, and together they scaled the wall and came safely to Newcastle.

After a brief sojourn at Newcastle they went to attend Coldstream fair, and here the firm was deprived of the services of its senior partner for a time. It was in this way. While walking about the fair grounds Barney espied a farmer whose breast-pocket seemed to him to be a likely receptacle for a pocket-book of generous dimensions. But for once in his life Barney caught a tartar. The farmer's size was deceptive; he was a man of very fine physique. The instant therefore that

Barney tipped the pocket-book out of his 'suck' the farmer seized Barney's coat collar in a grip of iron. Barney hit him as hard as he could, but the farmer did not let go. In a moment there was a fearful fight. Thief and farmer fell to the ground, but the farmer held tight hold of his opponent in spite of the fact that David was walloping him all the while with the butt end of his heavy riding-whip. Barney could not get free, and the crowd which quickly assembled fell upon him and secured him. He was carried off to the lock-up, and next day departed for Jedburgh to serve three months in gaol.

Deprived of his senior partner David returned to Newcastle, and once more adopting his *alias* of Mr. John Wilson, took up his abode with the widow and her three comely daughters. Here for some weeks he did nothing in the way of business, having been tolerably successful at the gaming tables; and having led the festivities at the wedding of one of the daughters, and being within a few days of his seventeenth birthday, he took leave of the hospitable family and went on a tour of the lowlands.

Coming later to Edinburgh, he stayed for two days with a friendly 'fence,' and then went to lodge with a Mrs. Wilson in East Richmond Street. Here he was joined by one William Henry, a well known and accomplished 'snib' of Edinburgh. Henry was able to carry David's education a step further; for the act in which he specialized was the transference to his own pockets of sundry articles displayed upon shop counters. 'This performance was known technically as 'working at the hoys and coreing.' He and David visited several towns in the course of their work, but an accident which prevented Henry from returning from one of these expeditions for three calendar months obliged David to seek fresh assistance.

Being unable to find anyone sufficiently experienced with whom to enter into partnership, he engaged as assistant one George Bagrie, a willing youth but somewhat raw at the trade; and finding that through lack of adequate assistance his earnings fell off considerably, he resolved to return to his father's house and take a holiday. This resolution was strengthened by an illness which came upon him at Perth. Accordingly he returned to Edinburgh, was kindly received by his father, and

promised faithfully to remain at home and apply himself thenceforward to his trade of millwright. But he fell ill again, this time so seriously that he was fain to take stock of his condition and swear repentance. Had he remained ill, doubtless he would have remained respectable for the rest of his life; but unhappily for society he recovered, and with recovery his good resolutions went out at the window.

As soon as he was out and about again the old passion of thieving asserted itself, and while transacting a quite insignificant piece of roguery he was unexpectedly apprehended through the perjury of an assistant and lodged in Calton Hill gaol until he could find someone to go bail for his good behaviour. After ten days two of his uncles became 'cautioners' for him, and he was released. This adventure, following on top of his illness, once more decided him for the nonce to live an honest life, but in January, 1819, happening to meet with his old assistant George Bagrie in the street, that ingenuous youth twitted David on his inactivity. Whereupon David, always anxious to be second to none but Bernard M'Guire, left his father's house and resumed his evil ways. But Bagrie was a thief of a much lower class than M'Guire, and in his company David sank lower and lower. He became unkempt in his appearance, untidy in his clothes, and the resorts which he frequented were of the lowest class. He also began to consort regularly with women of the street, and under the influence of a woman named Kate Cameron he performed many daring acts of shop lifting. But Cameron being arrested *flagrante delicto* immediately betrayed her companion, and he was again arrested, and this time released upon bail. A short time after this a disgraceful scene at an inn in the Canongate was followed by his arrest, and he was sentenced to sixty days' solitary confinement in the Bridewell. He had not been there ten days, however, when Bagrie was apprehended and laid the whole of his crime to David's charge. Accordingly Haggart was taken back to the court and charged with Bagrie's crime. He was offered his freedom if he would say where he had disposed of the goods that he had stolen. But scorning to obtain his freedom on such terms he abused the magistrates, was sentenced to a further sixty days, and was carried off to

serve four months' confinement in solitude. He was released on the 23rd of July, 1819, and at once went home to his father's house, where he lived quietly for about five weeks. About this time his mother died of a broken heart.

He was of course incorrigible. Neither kindness, home ties, nor moral persuasion had the slightest effect upon him. Alas, he is of a type that is common to all our great cities, for, just as we meet with men with deformed bodies, so, even more commonly, do we meet with men whose deformity exists only in their brains. David was from birth a pervert from social conventions, and to act in concert with the laws of society was to act contrary to the law of his nature. Neither the sorrow of his father nor the death of his broken-hearted mother could turn him from the course which his warped mentality had mapped out for him. His mother was but a few days in her grave when he left home again on a professional tour.

At Aberdeen he and one or two of his associates were arrested, and he was sent to prison for two months, at the end of which time he drifted back to the capital. He now took up his abode in Leith, and began a regular career of burglary. 'I generally entered the houses in Leith by forcing in the small window above the front door,' he writes. 'This was an invention of my own, but it is now common.' However, on the morning of the 1st March, 1821, while sitting in his lodgings with his latest partner, Forest by name, Captain Ross, the head constable of Leith, and one of his men, entered the room unannounced. The head constable at once seized Forest and handcuffed him, leaving David to the care of the officer. The officer, however, was not quite sharp enough, for he took his eyes off David for a moment or two in order to explore a bedroom which led out of the room that they were in. David instantly shoved him in, shut and locked the door, and ran downstairs. But he had hardly got to the bottom before he met the head constable returning with another officer. David instantly flew at them, and in a moment there was a rough and tumble. Meanwhile the officer upstairs had broken down the door and now joined the *melée*, and presently David's head was the objective of two truncheons. His scalp cut to ribbons, he was carried off to prison streaming with blood yet putting

up a fight all the way and striking whenever he could get an arm free. He very nearly lost his life; for having given one of the officers a shrewd blow, the officer hit at him with his truncheon with such force that had not a sergeant (who had joined the procession) ward off the blow, it would have broken David's skull.

Haggart was kept in gaol for two weeks undergoing a good many examinations while evidence was being procured against him. He thought at once, of course, of escaping and made one attempt, but his work was overheard by a watching turnkey. One of his companions was able to get him a small file, and on the evening of the 27th March he set to work with this to cut the shackles off his legs. In this he was successful, and with the help of the irons he forced open the door of the cell and got out into the passage. He then set to work upon the thick stone wall on the other side of the passage, and after three hours' work had succeeded in making a hole large enough for him to creep through. Having passed this obstruction he reached the stone staircase of the gaol just as the clock struck twelve. He still had the outer wall of the prison to negotiate, and it was necessary to work with very great care lest he should be overheard. For even while he was operating on the wall a gaoler came several times to the door of the cell immediately below where he was working.

It now seemed to him that his task would be easier if he could obtain assistance. Accordingly he made his way to the debtors' room wherein Forest was confined, and having forced the iron bar which held the door, released him. He also woke up one of the debtors with whom he was acquainted and asked him to help in removing his handcuffs; for he had been working all this time with the darbies still upon his wrists. After considerable labour and no little pain they succeeded in wrenching the chain apart.

Haggart, with his assistant, now resumed operations on the outer wall, and having succeeded in removing a large ashlar, David stepped out into the fresh air a few minutes before five o'clock in the morning. Hardly had he set foot on the outside stair, however, when he saw a man coming up Queen Street, and thinking that it was a policeman he leapt

over the back of the stair to the ground and prepared to give the man battle ; for he had still to liberate Forest. But the man was a friend, and he said, ' Run, Haggart, run ; I won't touch ye.' David therefore ran up the stairs again and assisted Forest to get through the wall. Forest apparently was not of such an athletic build as David, for Haggart had to take hold of his hand and pull him at full speed after him all the way to Dalkeith.

Now began the old, old round of pocket-picking at fairs and villages, a pocket-book here, a purse there. After a little time he returned to Dumfries, and here he met with his old partner Barney M'Guire, whom he had not seen since parting from him at Kelso fair in 1818. But they met only to part, for just as they were going to celebrate the reunion a raid by the police took place, and the old firm decided to leave the town that night for Carlisle. As they were about to enter a tailor's shop to collect some clothes which David had ordered, they ran straight into the arms of the indefatigable John Richardson, who at once collared Barney to such purpose that resistance was futile. Apparently David and not Barney was the quarry, but Barney happened to be wearing David's overcoat. Such accidents, however, were now part of Haggart's life, and he did not allow this one to alter his plans. He departed forthwith for Carlisle ; but he had only got six miles on the road when he was overtaken by four of John Richardson's men and, after a stout resistance, was taken back to the lock-up. In a few days Captain Ross arrived and took him back by stage-coach to Leith, heavily manacled.

The upshot of all this was that Bernard M'Guire now obtained a free passage to Botany Bay, to sojourn in the antipodes for what David colloquially called ' fourteen stretch.' ' He was a joyous spirit,' wrote his partner, ' and a good friend to me. We spent many a joyous hour together, for I had no grief and no sorrow till I lost Barney.'

A.M.P.

(To be continued in our next issue.)

Police Gold Medal Essay Competition

As announced in July, 1928 (vol. i. p. 517), His Majesty the King has been graciously pleased to indicate his intention of presenting annually the Gold Medal for the newly instituted Essay Competition on professional Police subjects announced in the issue of January, 1928.

RULES FOR THE COMPETITION

1. The Competition shall be held annually and shall be open to serving members of regular Police Forces within the Empire or mandated territories. Any question as to the eligibility of any competitor shall be determined by the Council.
2. His Majesty's Gold Medal and a cash prize (of 30 guineas) will be awarded for the essay which is adjudged to be the best, provided it is considered of sufficient merit, and second and third prizes (of 20 guineas and 10 guineas respectively) will be awarded under the same conditions for the essays adjudged to be next in order of merit.
3. (a) Essays must be the original work of the competitor.
(b) Essays must not be less than 8,000 or more than 15,000 words in length, and must be typewritten and submitted in triplicate.
(c) Where a reference is made to any published work the title must be quoted in a footnote.
4. Essays must be submitted anonymously. Each essay must be accompanied by a sealed envelope bearing on the outside a *nom de plume* or a motto, and containing the competitor's name and address.
5. The Council may at their discretion appoint such persons as they think fit to act as Referees or Judges of the Essays under such conditions as they may prescribe.
6. The award of the Council shall be made public in such manner as the Council shall think fit, and any essays submitted for the Competition and adjudged of sufficient merit may be published by the Council in *The Police Journal* or otherwise.

SUBJECT OF THE ESSAY FOR 1929

The co-operation between the Police and the Public in the detection and prosecution of crime.

Essays must be submitted on or before the 1st November, 1929, to—

THE SECRETARY TO THE COUNCIL OF THE
POLICE GOLD MEDAL ESSAY COMPETITION,
HOME OFFICE,
WHITEHALL,

LONDON, S.W. 1.

LEGAL NOTES

PHOTOGRAPHS AND IDENTIFICATION

THE use of photographs for various purposes in the course of the investigation and proof of crime is a matter of practical and almost daily concern for many police officers. There is now quite a formidable body of case law on the subject representing the considered decisions of English judges; and some reference to these decisions may be of general interest. We propose to refer in this note to a few of the cases relating to the use of photography for the purpose of identification.

The most important decision is that of the Court of Criminal Appeal as *R. v. Dwyer* and *R. v. Ferguson* [1925] 2 K.B. 799. One of the grounds of appeal in that case was that before the identification of the two appellants (who were convicted of breaking and entering a house and stealing jewellery), the police showed to the witnesses who were asked to identify them two photographs of each of the appellants. The police officers concerned, in taking this course, had no intention of influencing the persons to whom the photographs were shown in the task of identifying the accused; the police were, in fact, in genuine doubt as to who were the culprits, and as the Lord Chief Justice said in his judgment 'the police officers were seeking only to ascertain who were the proper persons to be arrested.' Nevertheless, as was pointed out by Counsel for the appellants and in the judgment, the witnesses upon whose testimony the subsequent identification depended had seen very good photographs of each of the prisoners before the process of identification was formally entered upon; and had seen those photographs only—not as part of a series of photographs of several persons. The Court, while emphasizing the point that the circumstances of different cases differ greatly, and while declining to lay down any general principles or rules relating to the use of photographs in the detection and punishment of crime, made the following observations:

'One distinction . . . is quite clear. It is one thing for a police officer who is in doubt upon the question who shall be arrested, to show a photograph to persons in order to obtain information or a clue upon that question; it is another thing for a police officer to show beforehand to persons, who are afterwards to be called as identifying witnesses, photographs of those persons whom they are about to be asked to identify. It would be most improper to inform a witness beforehand, who was to be called as an identifying witness, by a process of making the features of the accused familiar to him through a photograph. But even where photographs are employed for the purpose of obtaining information on the question of arrest, it is fair that all proper precautions should be observed.' Photographs should not, therefore, after the arrest of an accused person, be used as a sort of preliminary to formal identification in the ordinary way; but photographs may quite properly be shown to a possible future witness (as in *R. v. Melany* (1924) 18 Cr. A.R. 2) in a case where no arrest has been made, for the purpose of assisting the police to make up their minds whether or not to arrest a particular suspected person: but the police must observe 'proper precautions.' In *Melany's Case* a witness whom the police thought might be able to give information was shown a

LEGAL NOTES

large number of photographs arranged in a series in a book and the witness picked out front and sideface photographs of the accused without any hesitation. This, as the Court said in *Dwyer's Case*, was 'the fair thing' to do: but it is quite evident that the witness who has so acted in relation to a photograph is not a useful witness for the process of identification, or at any rate the evidence of that witness is to be taken subject to this, that he has previously seen a photograph (*per* Lord Hewart C.J. [1925] 2 K.B. at p. 803).

The views of the Court of Criminal Appeal on this subject must commend themselves to all police officers as a matter of reasonable fairness. It is only where failure to act up to this standard has resulted in the point being taken as a ground of appeal that it becomes necessary for a Court to formulate what is, after all, mere common sense. Once formulated, the judicial view is regarded more or less as a rule of law or, at least, as an established test of the propriety of the method followed in any particular case. As those who jeer at the law would find out if they took the trouble, law and common sense, more often than not, go hand in hand.

POLICE AND PARLIAMENTARY ELECTIONS

In view of the certainty that there will be a general election this year it may not be out of place to remind police officers in the United Kingdom of certain points affecting their position and duties under the existing law relating to Parliamentary elections. During the past hundred years at any rate, Parliament has been extraordinarily careful to do everything possible to maintain what is called the freedom of elections. It was not until the Ballot Act, 1872, was passed that anything like real freedom was established; but it is interesting to remember that it was just a hundred years ago that the legislature directed its attention to the possibility of interference by justices and the police with electors in the Metropolis. The enactment in question—s. 18 of the Metropolitan Police Act, 1829—is specific and precise in its terms, and provides that no justice . . . or persons belonging to the Metropolitan Police Force shall 'by word, message, writing, or in any other manner, endeavour to persuade any elector to give, or dissuade any elector from giving his vote for the choice of any person to be a member to serve in Parliament.' Any member of the force offending against this provision is liable to forfeit £100, which may be recovered by a common informer; but the penalty cannot be exacted for any act done in discharge of official duty. The City of London police are subject to a similar enactment and penalty (City of London Police Act, 1839, s. 8); so also are the County Constabulary, except that the penalty is £20 instead of £100 (County Police Act, 1840, s. 9); and similar provisions extend to the Borough Police, subject to a penalty of £10 only (County and Borough Police Act, 1856, s. 9). It would be interesting to know whether the legislatures of other parts of the British Empire have thought it necessary to pass prohibitive legislation specially directed against justices and the police so as to prevent a form of interference which seems, at the present day at any rate, to be directed against a very remote contingency.

The duties of the police to aid in suppressing riot have already been the subject of comment in these notes. Though the danger of disturbances at a general election cannot be said to have disappeared altogether the risk is obviously far less than it used to be, and if any disturbance arises at all it is likely to be the result of circumstances not directly connected with the election itself, but only brought to a head, as it were, by the opportunity which a general election may provide. The ordinary duties of those police who are required to attend at a polling station in the United Kingdom are to maintain order and to carry out such directions as the presiding officer at the polling

station may think necessary to give. The presiding officer is authorized to give directions as to the number of electors that may be admitted to the polling station at any one time (see Ballot Act, Rule 21); and he can order the removal and arrest of any one who misconducts himself in the polling station or fails to obey the lawful orders of the presiding officer (Ballot Act, s. 9); and it is the duty of the constable on duty in or near the station to remove the alleged offender from the polling station when required to do so by the presiding officer. It is also the constable's duty under s. 86 of the Parliamentary Registration Act, 1843, to take into custody any person accused of personation whom the presiding officer may order to be taken into custody; and 'such constable . . . shall take the person so in his custody at the earliest convenient time before some two Justices of the Peace.'

It is also of some importance for the police to remember that it is their general duty under the Ballot Act to maintain and aid in maintaining the secrecy of the voting; to assist in preventing persons communicating information to the electors who have or have not applied for ballot papers or voted, or as to the official mark which has to be stamped on every ballot paper; and to prevent persons from interfering with a voter when marking his vote (Ballot Act, s. 4). Thus the legislature has not only taken steps to penalise any improper action by the police at elections, but to cast upon them specific and rather onerous duties in connection with the holding of elections in the United Kingdom.

APPEALS IN MURDER CASES

It is practically common form nowadays for anyone convicted of murder to appeal. In the case of *R. v. Taylor and Others* reported on page 21 of Criminal Appeal Cases, the grounds of appeal would appear to have been: (1) that the evidence was circumstantial, and (2) that one of the prisoners, when called upon after verdict and before sentence, although he wished to make a statement was not permitted to do so.

In his judgment, the Lord Chief Justice pointed out that: 'Anything a prisoner might say on being called upon before sentence could only refer to points of law and could only be effective in arrest of judgment.' On the facts of the case, there was no point of law to submit. The Learned Judge added: 'It has been said that the evidence against the applicants is circumstantial; so it is, but circumstantial evidence is very often the best. It is evidence of surrounding circumstances, which, by undesigned coincidence, is capable of proving a proposition with the accuracy of mathematics. It is no derogation of evidence to say that it is circumstantial.'

HABITUAL CRIMINALS

There continues to be a crop of appeals in 'Habitual Criminal' cases. The number of instances in which men who are quite obviously 'habituals' manage to get their convictions upset on technical points is distressingly large, and it is the greatest pity that Counsel and police witnesses will not take more trouble to see that these cases are presented strictly within the terms of the Act.

In the case of *R. v. Yarwood* (21 Criminal Appeal Cases, page 25) Yarwood's conviction was set aside because a police officer, in answer to the question, 'Can you tell the jury generally about this man's mode of life,' replied that he was 'associating with thieves,' when, either because he had failed to mention this fact before, or through some mistake, there was no reference to association with thieves in the statutory notice. It cannot too strongly be impressed upon police officers that it is vital that the person

charged with the duty of drawing the statutory notice should be informed of all the facts known to the police before the notice is drawn.

In the case of *R. v. Harry*, reported on page 21 of the same volume of the Criminal Appeal Cases, the conviction was set aside because of 'a curious collection of all possible errors.' The statutory notice was inaccurately drawn and the Deputy Recorder made no reference to the fact that the man had done honest work and admitted evidence to show that warrants were out in cases which the prisoner did not admit having committed. On the jury returning their verdict, the Deputy Recorder said, 'I must give effect to the verdict that the prisoner is a habitual criminal, and to do that I have no alternative but to give a term of penal servitude.' The Lord Chief Justice pointed out that 'it is only if the substantive crime is serious enough to warrant three years' penal servitude that preventive detention can be imposed.'

CONSIDERATION OF ENGLISH CASES IN SCOTTISH COURTS AND *vice versa*

It should be known to all police forces that Scottish Courts decline jurisdiction to take into account in sentence offences committed in England, and equally that Scottish Courts object to Scottish cases being taken into account in sentence by English Courts. In the case of *R. v. MacWilliam*, reported on page 31 of 21 Criminal Appeal Reports, the prisoner had *bona fide* been informed by an English Chief Constable that if he asked the Scots Court to take into consideration his English offence when passing sentence, he would not be further prosecuted for it in England. The Sheriff refused to follow the desired course and passed a light sentence. On his release, the prisoner was re-arrested, tried in England and sentenced to three years' penal servitude. The Court held that there were no grounds disclosed to justify a revision of the English sentence.

Roche, J., in the course of his judgment said: "Now, in England, it is usual where a prisoner consents, to deal with all offences charged against him in assessing sentence on any conviction for one of them, in order that he may leave gaol at the end of his term with 'a clean sheet.' But if for some exceptional reason this course is inadvisable or impossible, the Crown is entitled to proceed with other charges excluded from consideration."

REVIEWS

THE RELATION OF THE SKULL AND BRAIN TO CRIME. By W. NORWOOD EAST, M.D., Medical Inspector H.M. Prisons, England and Wales. 1928. 6d. (Oliver and Boyd, Edinburgh.)

'The Henderson Trust Lecture,' delivered on the 30th November, 1928, at the University of Edinburgh, by Dr. Norwood East, Medical Inspector of H.M. Prisons, demands attention both in view of the lecturer's high professional attainments, and the intrinsic merits of his discourse.

In it the views and researches of Gall, Combe, Laycock and others have been carefully and impartially set forth, and considered conclusions deduced from them. The subject chosen for consideration is one which has been much in the minds of criminologists for the past century at least, and has been subjected to methods of investigation from many angles of approach.

Gall and his followers conceived that they had established by extensive induction 'that the brain is an aggregate of parts, each of which has a special

and determinate function; also, that the form of the brain can be ascertained by inspecting the cranium, and that the functions of the separate parts may be determined by comparing their size, with the power of manifesting the mental faculties.'

Concerning these claims it need only be said that the most advanced investigations up to the present day, and the knowledge obtained from brain anatomy, physiology and pathology do not substantiate a tithe of the claims made by these past observers, and place localization of function in very few and restricted areas, leaving large areas of brain cortex still unaccounted for. Dr. Norwood East quotes Laycock, whose teaching was influenced by Gall's work, as writing forty years later, 'It cannot be denied that, in giving to this physiognomical element so much prominence, phrenology has passed the legitimate bounds of scientific induction, for it is certain that physiognomy being only possible as yet by means of empirical observation, it cannot attain the dignity of a science, or rise above an art.'

One might add that, beyond general deductions, the topography of the cranium, and small variations in actual measurements, are worthless, especially from the point of view of establishing a criminal type. And if to cranial contour be added facial expression, again we are likely to err.

We occasionally hear it said that such a person 'has the face of a criminal,' and although, occasionally, such an opinion may seem justified from appearances, and though it may be true that, to some extent, the face is an index to the mind, yet we must be careful not to fall into grievous error, and inflict an injustice. As one who has for twenty years studied criminals in our Courts of Assize, the present writer is prepared to affirm that, although debased physiognomies are occasionally there seen, yet many instances of crime, and revolting murder, are the work of persons having no cranial or facial indications, and that they were in no way different from normal and harmless members of the society in which they lived.

Dr. Norwood East affirms that 'If we consider that emotional reaction is reflected in part, by an alteration of facial expression, we can believe the features will show characteristic engraving, from a frequently repeated emotion, or its corresponding mood, if long continued.'

'There can be little doubt that in certain cases the facial expression, so impressed, may suggest the nature of the crime and the habit of the criminal.'

'But it is a suggestion only, and estimation of character, by this means, is so frequently at fault, that it is quite unreliable unless corroborated by ascertained facts.'

For any explanation of deviations of mental activities from normal uprightness to abnormal obliquity, the deflection must be sought in the intricate make-up of the 'Sensorium cerebri' itself, and as a whole. Heredity, health, environment, past experiences, and associations have all to be taken into account.

And this spells Psychology—a subject of profound interest and importance, but outside the scope and title of this most interesting and instructive lecture.

EMOTION AND DELINQUENCY: A CLINICAL STUDY OF FIVE HUNDRED CRIMINALS IN THE MAKING. By L. GRIMBERG, M.D. 1928. 8vo. Pp. ix+147. 7s. 6d. (London: Kegan Paul, Trench, Trubner and Co., Ltd.)

PROBLEMS connected with delinquency are of the greatest social interest; and any reliable data towards their solution, from any source, are of correspondingly great importance. In *Emotion and Delinquency* Dr. Grimberg attacks some of these problems from the point of view of the physician rather

than from that of the psychologist, sociologist or statistician; and, though he is obliged to discuss theories of delinquency in the course of his book, his chief preoccupation is to present a study of individual delinquents in such a way that the causes of their anti-social conduct are laid bare.

The cases studied in this volume are those of delinquent girls brought for examination to the New York Neurological Institute. To some extent at least this means that they constitute a 'selected' group of delinquents; for in many respects the structure of the society from which they were drawn is peculiar. For instance, there is a large number of native-born children of foreign parents who not infrequently, even, could not speak English, and otherwise had not become assimilated into the American social organism. Forty-eight per cent. of Grimberg's cases belong to this category. The clash between foreign-bred parents, with their indurated outlook and ideals, and children being educated on American lines not infrequently makes for domestic misunderstandings and conflicts which prove to be fruitful occasions of delinquency.

Dr. Grimberg is led by his case studies to examine the influence of heredity. He concludes that the transmission of taints from the parents, though a potent factor in the make-up of the criminal, is by no means apparent in all of them. His cases fall into two groups. In one, the girls, classified as dullards, low average or border-line cases, during childhood were docile, hard workers and 'good'; but on reaching maturity became delinquent. As to the motives for delinquency of this type, Dr. Grimberg finds that they were invariably home troubles. 'In inquiring into these motives, we found that quarrels at home were always the starting point, and then the deplorable acquaintances. There were always persons to give shelter to these girls, but shelter not for their protection, but for their corruption.' In the second group fell the girls who 'represented an evolutionary back-stroke, morally. They were entirely unable to adapt themselves to society. . . . Heredity played an important rôle.' But there was also the factor of a disorganized family life; alcoholism, bad morals and the like. It is noteworthy that Dr. Grimberg finds no evidence of economic conditions playing a part in the delinquency of either of the two classes of the girls studied. But he does find that irreligion has a large influence upon it.

In common with the overwhelming majority of investigators, the author comes to the conclusion that mental status (intelligence, or the lack of it) is not sufficient to explain delinquency. No doubt many delinquents are morons or feeble-minded. But so are many well-behaved people. Emotionality, suggestibility and other character-qualities, on the other hand, are causes of delinquency. 'The analysis of the material shows, primarily, that the deciding moment of the action was, as a rule, impulsive. It took one moment's action to determine the leaving home, the stealing of an article from a store, or going with a young man into a room. A well-laid plan never existed.' It is not so much lack of intelligence as strength and suddenness of emotion that makes for delinquency. The delinquent is not so much a child as a primitive. The book is illustrated by the records of the case-histories; and it is a useful contribution to the literature of the subject.

DIE POLIZEI ALLER LÄNDER IN WORT UND BILD. (The Police of all Countries: a Descriptive and Illustrated Account.) By PAUL RIEGE, Polizei-Major, Berlin. 1928. 25s. (Metro-Verlag, Dresden.)

MAJOR PAUL RIEGE is a member of the Research Department of the Prussian Police Institute and this work is intended to be used as a book of reference. It gives a description of the Police Forces of many of the principal countries

in Europe, Asia and America, and the author hopes later, in a second edition, to deal with other countries. As far as the British Empire is concerned, it has sections dealing with Canada and South Africa among the Dominions; with Ceylon and Hongkong, of the Crown Colonies; and with India.

The book is divided into three parts, the first dealing with the organization of police in municipalities and of rural police, the second with criminal investigation, and the third part with appointments, recruiting, pay, etc. It is well got up, and illustrated with 250 pictures and drawings.

As a book of reference to the student of police it perhaps falls short of the standard set by Mr. Fosdick in his *European Police Systems*. But as regards the Police Forces of Germany, the portions of the book which deal with them are specially informative, and if Major Riege could have further facilities in regard to some of the other countries, his work would supply a very real need. It is not, however, to be expected that the Police Forces of twenty-five countries can be fully dealt with in 400 pages.

POLICE LAW. An Arrangement of Law and Regulations for the Use of Police Officers. By CECIL C. H. MORIARTY, O.B.E., B.A., LL.B., 1929. 5s. (Butterworth & Co., London.)

THIS book supplies the long-felt want of a comprehensive handbook dealing with all the laws and regulations which it is necessary for a police officer to know in order to discharge his duties efficiently. The need of such a manual was pointed out by Sir C. H. Rafter, K.B.E., who writes a foreword to this work, in 1918, and in doing so he referred to the *Irish Constables' Guide* as the best instruction book then available. Mr. Moriarty is a distinguished graduate of Trinity College, Dublin, and his Irish experience has perhaps helped him in compiling a similar but much more complete and detailed manual of Police Law and procedure for England.

The work is divided into six parts, the first dealing with legal principles, procedure and evidence as given before the Courts. It clearly sets out the duty of the police in recording statements of suspects and prisoners in custody—a most important and difficult proceeding which, in the writer's judicial experience in India, has given rise to the greatest technical difficulties in obtaining convictions in police cases. Having regard to recent experiences in England, it is perhaps to be regretted that the author has not seen his way to give instructions from duly authorized official sources as to the examination of witnesses by the police in preparing a case for the Courts; but this is probably postponed to a future edition in view of the Royal Commission which is dealing with the matter.

Parts V and VI, which deal with Traffic Laws and miscellaneous statutory offences and regulations which are not available in a digested form, are especially useful, and so are the chapters on Vagrancy and the Prevention of Crime to which the public as well as criminologists are giving more and more attention, with a view to extending the practice of probation and remedial detention in an effort to convert potential habituals into useful and self-respecting citizens.

Finally, there is a very full and accurate index which no book, least of all a law treatise, can afford to do without.

Centenary of the Metropolitan Police

1829-1929

IT was in April, 1829, that Robert Peel introduced into Parliament the Metropolis Improvement Bill which was to establish the Metropolitan Police Force and inaugurate the modern police system. The bill passed the House of Commons in May, 1829, and received the Royal Assent in June. In July the first Commissioners of Police were appointed, and on the evening of Michaelmas Day, 1829, the first thousand of the Metropolitan Police marched out to their appointed beats.

The first Commissioner of Police to be appointed was Colonel Rowan, C.B. (afterwards Sir Charles Rowan, K.C.B.), who had fought under Sir John Moore at Corunna, had been wounded in the storming of Badajoz, and had led a wing of the Fifty-second Foot in the famous charge against Napoleon's Old Guard at Waterloo. Before taking charge of the Metropolitan Police he had been a police magistrate in Ireland, in command of some of the original 'Peelers,' as the police established by Peel in Ireland in 1814 were called. With him was associated as joint Commissioner a barrister named Richard Mayne, afterwards Sir Richard Mayne, K.C.B., who became sole Commissioner in 1855 and died in harness in 1868 after nearly forty years' service.

The new police had to face a great deal of hostility in their early days, being known as 'Blue Devils,' 'The Raw Lobster Gang,' and 'The Blue Army,' names which they subsequently exchanged for the more friendly appellation of 'Bobby.' When, in 1833, their first serious clash with the mob occurred (the riot at Coldbathfields) and a policeman was killed, the jury at the inquest returned a verdict of 'justifiable homicide,' and the members of the jury were presented by public subscription with silver cups in commemoration of

this 'glorious verdict.' But this feeling against the new police rapidly died away. Armed as they were with only a short wooden truncheon against the poles and cudgels of the mob, they soon won universal admiration and respect for fair play.

The success of the Metropolitan Police led to the establishment of other police forces on the same model throughout the country and the British Dominions, and in this way the whole Empire Police Service may claim a share of interest in the Metropolitan Police Centenary. At its commencement the Metropolitan Police Force numbered just over 3,000 men. It is now approximately 20,000 strong, and represents rather more than a third of the total strength of the police of England and Wales. The Metropolitan Police District was at first comparatively small, much the same as the present County of London; but in 1840 it was enlarged to six times this size by extending its boundaries to a distance of fifteen or sixteen miles from Charing Cross. The present Metropolitan Police District is 'Greater London,' and its 700 square miles contain about one-eighth of the total population of England and Wales.

Peel's new police were the first to wear a definite uniform. They wore a blue swallow-tailed coat, and blue trousers (white duck in summer) strapped over their boots, and a leather top-hat. In 1863-64 this uniform was exchanged for a helmet, tunic and trousers similar to those worn to-day. Whistles replaced rattles in 1885.

The plain clothes or detective branch of the Metropolitan Police was formed in 1842. It was reorganized as the Criminal Investigation Department in 1878, and has gradually grown from eight men to over 900.

The following sentences which headed the original instructions, have ever since been included in General Orders:—

"The primary object of an efficient Police is the prevention of crime: the next that of detection and punishment of offenders if crime is committed."

To these ends all the efforts of Police must be directed. The protection of life and property, the preservation of public tranquillity, and the absence of crime, will alone prove whether those efforts have been successful, and whether the objects for which the Police were appointed have been attained."

Some Aspects of Training for Police Service

By ARTHUR WOODS

Formerly Commissioner of Police of New York City

THE policeman, to do his work well, must possess courage, integrity, self-control, physical stamina and abundant common sense. In addition to these attributes of character and temperament, he must command a working knowledge of laws, ordinances, regulations and court procedure. Further, a well-developed faculty for observation is necessary, as well as familiarity with the police department's established practices in performing a variety of duties. The policeman may be called upon to play many different rôles, as friend or enemy, counsellor or disciplinarian, rescuer or suppressor. If the recruit is to be adequately qualified for service when he first goes on duty, he must be trained in advance to perform all such diverse duties.

A condition peculiar to police work is that a new man may find himself confronted by the most difficult situations before he has fairly started work. In most occupations a beginner works his way up slowly. He starts at the bottom where duties are simple, and only gradually, as he learns more and more, does he arrive successively at assignments where the duties are more complex and difficult. On the other hand, the most perplexing test is as likely to come to the police recruit patrolling his first beat alone as to the veteran of many a cold winter and hot summer. It is not possible to assign a beginner to a post where he will be called upon to handle only easy thieves and simple problems. He must take the run of things as they come on his beat, where anything may happen unexpectedly. And whatever action he takes becomes the official action of the organization he represents. If he blunders, the very

weight of the authority he represents makes his blunder the more serious. There is no power that can cancel his action, so that he may have another chance. For this reason, before he steps out on the street in police panoply, the recruit must have a solid foundation in training over a wide range of duties. His training should be practical; it should approximate as nearly as possible the fruits of experience. That is, his superiors should have taught him the lessons which they themselves have learned through long years of service.

Practical personal experience in actual police work has always been the great teacher, and will always continue to be. The policeman, no less than the worker in any other special field, learns by doing. Sometimes valuable experience comes from successful handling of police business; sometimes it comes from making blunders. But though much may be claimed for experience as a teacher, preliminary training is essential. Training is the process by which an individual's native powers become sharpened and developed to the end that he may derive the greatest possible benefit from the experiences which later will come to him. It equips him both to meet an issue, and, in meeting it, to get the maximum of insight from it.

One of the first things an older policeman would tell a younger is the practical distinction between different kinds of offences. He might make the distinction in his own terms, but he knows, as well as Blackstone, that there is a vast dissimilarity between a crime that is *malum in se* and one that is only *malum prohibitum*. With reference to the former the policeman has no discretion: he must run down the offender, take him into custody and lodge him in the station house. Crimes of this character are an affront to the conscience of the body politic. They must be prevented if possible. If they occur despite the power of public opinion and the preventive measures of the police, the culprits must be pursued relentlessly and unremittingly by all the resources that the police and detective organizations can muster. From the nature of his job, the policeman learns this early in his career. He never forgets it. No quarter to the murderer, the burglar, the highwayman and their ilk.

On the other hand, if policemen followed the same procedure in cases of *mala prohibita*, bringing the same zeal to the enforcement of regulations which are framed for the public convenience and well-being, but are not necessary to the preservation of life and property, their conduct would be not only futile but menacing. Suppose, for instance, that the platoon of the New York Police Force which goes on duty at 8 a.m. some fine morning were instructed to take into custody the first person they should see offending against any law. What would be the result? Within half an hour the streets would be practically cleared of policemen, every man on duty being either in his station house or on the way there, with a prisoner, and these prisoners would be persons who had been committing such crimes as shaking a feather duster out of a window, carrying a lighted cigar on an elevated railroad stairway, sweeping the dust off the sidewalk after 8 a.m. instead of before, mixing ashes and garbage in the same receptacle, filling a receptacle with ashes higher than four inches from the top, or leaving it without a cover, exposing sliced pineapple for sale uncovered by cheese cloth or some other suitable material, leaving a mattress to air on a fire escape, or other such heinous offences. For the sake of arresting offenders of this character the streets would be swept clear of policemen, thereby leaving the way open for those planning real crimes, serious *mala in se*.

It would manifestly be impossible to police a city by such methods. They would be doubly ineffective—for besides leaving no one to cope with major criminals, they would even fail to gain the desired results with minor offenders. Nothing would be accomplished except the stirring up of the public to practically unanimous indignation and resentment against the police. Accordingly, the recruit must not only be trained to an adequate knowledge of these city ordinances, but he must also be drilled in the most practical, effective and considerate ways to enforce them.

In New York City, with its great variety of races, with its complexity of population, American methods are new to a large percentage of its inhabitants, and it is perhaps especially important that ordinances aimed at maintaining the health and welfare of the people should be observed. No one can ignore

such ordinances without endangering the health and well-being of all, yet many of the dwellers in the city have lived under a totally different set of conditions and requirements. Immigrants may enter the country with intentions which will fit them to become the best of citizens, and yet their customs may deviate sufficiently from those of their new environment to constitute breaches of the law. In some cities, for instance, it is required that ashes and garbage should be in the same container, on the theory that the moisture of one tends to mitigate the dustiness of the other. If the New York ordinance provides that the two shall not be mixed, and if a newly arrived immigrant woman puts them in the same container, she does so with no motive that could conceivably be called criminal intent. She simply does not know our way here, she has not studied our ordinances—how many of the city's oldest inhabitants have studied them?—and she is just doing the thing that is natural for her to do.

What good can be accomplished if the policeman places her under arrest or serves her with a summons to appear at court? She knows she has done nothing intentionally wrong. She feels that she has been misunderstood, has been unfairly treated, and perhaps humiliated. She is taken to court, she understands nothing of the procedure, she is dazed and frightened—and in the end she receives a reprimand, or may even have to pay a fine. She comes out bewildered, disillusioned and resentful. Her resentment is not confined to policeman and magistrate, but includes the whole government of the nation symbolized by them.

But the policeman, instead of acting in this mechanical way, may attempt to do something more than merely spotting wrong-doers and taking them into custody. He may lay the emphasis elsewhere, considering it his duty to secure compliance with the ordinance in a spirit of friendliness and cooperation if possible. If he sees the woman unwittingly violating an ordinance, instead of serving a summons on her, he explains the nature and purpose of the ordinance and shows her in what way she is violating it. He is patient but persistent. And when he finally secures compliance with the ordinance in this way, he has also built up a feeling of friendli-

ness towards himself and a sympathy with governmental authority in general. There is defiance and rancour in the one case, as against compliance and good feeling in the other. By educating, by trying to understand the situation and make it clear to others, the policeman does more than enforce the ordinance—he also breeds confidence in the forces of law and order.

When a policeman discovers some infraction of the law, he finds it much simpler to make the conventional arrest and assume no further responsibility in the matter. Yet such methods are more than merely ineffectual, they are definitely harmful. In New York an experiment was tried whereby a formal order forbade policemen to make arrests for violation of city ordinances except in case of deliberate refusal to comply; and even in these cases the policeman was required to report the matter to his superior officer and act only upon his instructions. This policy had striking results. Once people began to realize that the police were their friends, trying to help them act for the common good, and were not enemies on the alert to pounce upon them because of some unintended negligence, the tone of a whole neighbourhood was altered.

The vital difference between these two conceptions of police work should be firmly impressed upon recruits while they are in training. The stress is shifted; and the policeman is made to feel that the punishment of minor offenders is a secondary aspect of his office. He is not to consider himself merely an observer of conditions who, when he sees violations, takes the offender into custody. He is to be a guardian of the law, aiming to obtain compliance with the law by education and sympathetic understanding.

For the protection of the policeman as well as the public, it is important that he be carefully but practically instructed as to his legal authority in making arrests. Whenever he makes an arrest, he assumes a two-fold responsibility. In the first place, he is responsible to his department for taking into custody persons who, he has reason to believe, are guilty of felonies. Secondly, he bears a certain legal responsibility toward the person arrested; for unless this person does something to justify arrest he is still, so to speak, a client of the policeman. If the policeman be ignorant of the law or of his

legal rights and duties in enforcing it, he is likely to lay himself open to punishment either for acting or for failing to act. Then, what is more, the policeman has to act in the twinkling of an eye. A situation develops on his beat under his very nose, in a moment, and he must take immediate action or it will be too late. Contrast his situation with that of a judge.

His Honour, in the first place, is a highly educated man; he is probably a University graduate. The policeman probably left school in his early teens.

Again, the judge is learned in the law. He has studied it in a school of law; he has practised it at the bar; he has enforced it at the bench; he has long years of legal experience behind him. The policeman knows nothing of law, except what he learned in a police training school and what he perforce has picked up from other policemen and from his own experience.

If a knotty point of law comes up, the judge may take all the time he needs while he thumbs his pages, and the hushed court-room waits with bated breath; or he may adjourn court and at his leisure look up the precedents and discuss the point with his colleagues. The policeman has to decide on the spur of the moment whether to make an arrest or not to make an arrest. He has no one to consult. He is in the midst of hurly-burly and perhaps violence and riot.

If His Honour makes a mistake, what happens? A decorous appeal is taken and a higher court reverses this action. Does he lose his job, is his salary docked, is he disciplined or does he suffer in any way? No; judges probably do not like to be reversed too often—they may feel a certain amount of chagrin—but that is all. With the policeman what a difference! If he makes a mistake, woe betide him. If he fails to make an arrest when he should make one, he is liable to departmental discipline, involving even possible dismissal from the force. If he makes an arrest without legal justification, he is liable not only to similar departmental discipline, but also to a civil suit for damages which may ruin him financially and beggar his family.

To be on the safe side, policemen, understanding this double threat, are likely to proceed over-cautiously. That

recruits may strike a proper balance between the aggressive performance of their duty and the safeguarding of their private interests, they should be given the most careful training. This training should be designed, first of all, to meet the conditions which are likely to confront policemen on the streets. It would be fruitless just to teach policemen statutes and ordinances. They must be trained to take proper action if certain conditions arise. This is particularly important in Anglo-Saxon countries, where we have on our books so many laws nominally in force though they are dead or dying letters. The knowledge which it is important for a policeman to have from the very first day he goes on duty should be so drilled into him as to become part of his automatic thinking. This can be accomplished, in the first place, by not trying to make the recruit absorb too many different things; and secondly, by constant review and repetition.

The Training School in New York was planned to instruct recruits from six different angles, reviewed in different ways.

First of all, there was the textbook lesson. The book was specially prepared to train New York policemen. It was comprehensive and detailed about all matters which a patrolman would most likely be called on to handle. A regular text-book lesson was assigned daily for home work, the instructor explaining the object and significance of the lesson the day before, as well as questioning the class about it the morning after and clearing up whatever difficulties became apparent.

Second, a short written test on the lesson was given. This was valuable both as a written recitation to test understanding, and as practice, which in most cases was sorely needed, in putting thoughts on paper.

Third, the principles in the lesson would be covered in a lecture by some officer who was an expert in that particular subject. The series of lectures was an important factor in the course of instruction. The recruits had already studied the subject of the lecture in their textbooks; their knowledge had been tested and their understanding clarified in the class-room. Under these conditions the talk by a man known throughout

the Department as a tried expert in the subject made a marked impression.

Lectures would be given by the chief of the Homicide Squad on what a patrolman should do when he first comes upon the scene of a murder; by an old-time specialist on pickpockets about the ways pickpockets work; by the head of the Traffic Squad on the problems of traffic and how to handle them; by the head of the Narcotic Squad on dope fiends and dope peddlers; by experienced detectives on fences, night burglars, fire-escape burglars, porch climbers, flat thieves, sneak thieves, safe blowers, hotel thieves, fraudulent beggars, hold-up men, thieves' hang-outs, and so on. Because of the mixed population of New York lectures would be given on the kinds of crime most characteristic of different nationalities. Court procedure, evidence—what constitutes it and how to give it—would be explained to recruits in lectures by judges, magistrates and district attorneys, who were always most cordial in co-operating thus with the Police Training School, and who gave their time unsparingly. High police officers would discuss the right and wrong ways to patrol a post; and the Chief Inspector, the highest ranking officer in the Force, addressed each class of recruits on morale and *esprit de corps*. The Chief Surgeon of the Department would explain the ways to give first aid. One officer, who had distinct linguistic gifts, would lecture on the thieves' *patois*; another, who had specialized in the subject, explained the ways and wiles of the infinite variety of confidence men, and their technique in swindling their victims by wire-tapping, the gold brick, alleged estates in Spain, the handkerchief trick, etc., and the lecturer did not fail to make it clear that all these tempting ways to get rich quickly usually involve a measure of willingness on the part of the victim to collaborate in shady dealings. The chief of the Bureau of Identification would explain the finger-print system, the Bertillon system, and other ways to identify a person; the head of the Automobile Squad would describe the methods of motor-car thieves—both the casual thief, and the organized groups who had regular sales departments and workshops in which to disguise and alter the identity of stolen cars. And the Police Commissioner and the Deputy Commissioners

would talk sometimes on special subjects, more often perhaps on general police work, and the right relationship between policeman and public.

The fourth method of review was histrionic. A scene would be improvised dramatising some unlawful act, with recruits taking the parts of criminal, victim, accessories, and witnesses. Endless combinations and variations could be enacted. There might be a simple scene with a number of citizens standing together waiting for a tram car, when someone raised the cry of 'pickpocket!' Police action would follow, arrests would be made, bystanders questioned, complainants instructed, and the necessary information gathered. Or it might be a confidence man at work, his 'patter' having been carefully designed so as to make the case a close one as to legality or illegality. This play-acting method led inevitably to the next step in the course of instruction, which was court procedure.

The fifth form of review was the mock court. The first, and probably the most striking lesson learned in the mock trial, was the fallibility of evidence. In these mock crimes that have just been described, most of the class would be observers, and from them would be culled the witnesses. Often it was found, greatly to the consternation of the recruits, that although they had all observed the same incident, they all gave different accounts of it, and no one recruit could see how it had been possible for the others to see it except as he himself had seen it. Gradually the recruits were brought to realize the need of most careful observation, and accurate record making. These two methods, the mock crime and the mock trial, are invaluable in the training of policemen; but to be effective, they require very careful preparation.

The last regular method of review came at examination times, when the knowledge and understanding of each man was tested.

As a result of such repetition, or rather through approaching the same subject from different angles and in different ways, the recruit gradually arrived at a fuller understanding of his job, and began to feel confidence in his ability to handle such situations as might arise on his beat; and he began also gradually to evolve principles which would guide him in similar cases.

Training for police service, however, cannot be effective if it stops with the training of recruits, no matter how well that may be done. Training wears off with the years, and unless the initial course of instruction be supplemented at not too infrequent intervals by courses given to men already in the Force, especially to ranking officers, the quality of service is sure to deteriorate. Without the opportunity to brush up what they have learned, and to learn new methods, practices, laws, etc., that would normally come to their attention only accidentally, police officers, even the best, cannot keep abreast of the times, or of the new recruits. A subversive state of affairs exists when subordinates know more about the job than their own superiors.

Therefore veteran patrolmen and higher officers must also go to school, and the Training School should, therefore, provide for them short courses of practical supplementary training, partly in the nature of review, and partly to bring them up to date. This is necessary, both in fairness to the men themselves, and in order to procure their best service for the city.

While it is still the primary duty of each policeman to familiarize himself with the locality in which he is assigned to duty, and with the individuals who live or work there or who frequent the neighbourhood, it is becoming increasingly necessary for police departments to attain a constantly widening vision and to develop co-operative measures which must be world wide in their scope. This need arises from the developments in communication and travel which have so radically changed our habits of living and the cast of our thought. Automobile, cable, telephone, telegraph, radio and airplane, to say nothing of faster railway and steamship travel, have contracted the world of crime as they have the world of commerce.

It seems to me that the police forces in Great Britain and on the continent of Europe have moved more rapidly to meet these changed conditions than we have in America, probably owing to our comparative isolation. The measures adopted abroad, looking to increased mobility and speed of international communication among police units, are laden with

many lessons for us. As criminals operate in different countries and establish connections in them, it is obvious that the various police authorities, if they are to be effective, must have at least equally rapid and practical means of communicating with one another. The stately method whereby police chiefs in different countries communicate with each other through Foreign Offices and Embassies is as completely out of date as the transmitting of messages by sailing ships. All too frequently there have been cases where diplomatic channels have been used to inform the police authorities of another nation that a well-known criminal had embarked on a certain boat, the information arriving several weeks after the criminal had landed.

It was not long ago that the constable in a small hamlet or even in a town of considerable size might with reasonable assurance feel that with the departure of the last train his little community was isolated from the world and shut off completely from any possible source of trouble. Times have changed. Now he realizes that his post office or the home of a wealthy citizen under his care may be looted at any hour of the night by burglars who are undeterred by the lack or infrequency of railway travel. In a couple of hours marauders could reach the town, travelling by fast motor-cars, and if not apprehended in the act could escape by the same means, leaving slight traces.

The problem thus presented is therefore a double one: to perfect the facilities for intercourse and mutual help among police forces of different countries; and, within a country, to provide adequate training for members of small police units, located, in many instances, particularly in America, at great distances from large cities. Such units are coming to realize their need of one another's help, and to see the advantages of giving their members standardized and comprehensive courses of instruction.

In the State of New York a promising experiment is now under way which it is hoped will contribute to the solution of this problem. The State has a population of over eleven millions, and covers an area of almost 50,000 square miles. Excellent training schools have been in operation in New York

City and in at least one other city for some time, but it has not been deemed feasible to gather all the police forces of the State at these points for training, since large financial expenditure would be required, and too great a withdrawal of men from duty would result. To meet this situation training schools have recently been established at some ten different points throughout the State, and these zone schools have been organized under the best available personnel. Instruction classes are so arranged that the officers attend partly in their own time, and partly in the time when they are relieved from duty. In order to secure uniformity the head instructors of each school were assembled in New York City and given an intensive course under experienced officers of outstanding ability. They were then furnished with a syllabus which served as an outline or basis for the instructions that they were to give in their regional schools. It is now planned to correlate this work further by the appointment of State Inspectors, whose duties will, in some respects, correspond to those of His Majesty's Inspectors of Constabulary.

It is not an easy task for police forces to foil lawbreakers. In many respects the advantage is with the criminal. The human tendency is for the police to become mechanical, and just go through the regular motions. It is for Training Schools to resist this tendency. They can make themselves laboratories for research and for the gathering of information as to new ideas and new ways. They can then impart the results of their work to the individual members of their own forces, continually bringing them up to date with the best practice elsewhere. The effect of this on the personnel cannot help being stimulating and awakening. Puzzling crime conditions that come up from day to day in the city can be referred to the staff of the Training School for investigation and for use in instruction. A Training School that works in this way will help to give a police force the professional standards which it must have in order adequately to fulfil its high duty as guardian of life and human welfare.

The Forensic Examination of Firearms and Projectiles

By ROBERT CHURCHILL

Gun Expert to the Director of Public Prosecutions and the Metropolitan Police since 1910

DURING the last thirty years the firearms expert has had to extend the range of his knowledge to an astonishing degree, to keep pace with the revolutionary changes in hand firearms and their ammunition.

In the past, criminal cases where firearms were involved were mostly affairs where revolvers with cartridges loaded with black powder were used. The evidence given by the expert was usually of a simple character: 'I have examined the revolver. It is a so-and-so. I have tested it and found it in perfect working order. I have examined the bullet; it weighs so many grains and is of such-and-such a calibre. The rifling marks on the bullet correspond exactly with the rifling of the revolver produced, and in my opinion it could have been fired from that weapon.' Then came the utility of black powder; for the expert would continue: 'I have fired the revolver with similar ammunition and produce the results showing the blackening caused by powder at various distances.' The medical witness would then state that he had examined the wound and, comparing it with the exhibits, was of the opinion that the weapon had been fired from a distance of so many feet or inches. The degree of wound-zone blackening from black powder was in many instances a sound indication whether a wound could have been self-inflicted.

Black v. Smokeless Powder.—The old black powder was a granulated mixture of potassium nitrate, sulphur and charcoal. The charge was heavier and greater in bulk than its modern condensed smokeless equivalent. (This is usually

from a fifth to a quarter the weight of the equivalent black powder charge.) When black powder was fired in a firearm, a proportion of the charge was blown out unburnt or partly burnt, and these unburnt powder grains possessed sufficient velocity to penetrate skin at close range. This produced a definite appearance of tattooing, the black grains beneath the skin having the blue appearance of tattoo marks. The ink used by sailors for tattooing was as a rule a paste of gunpowder, and the term tattooing is accepted in the literature of this subject as inferring powder grain penetration. In addition there was scorching or surface blackening from gas blast, unburnt small carbon particles in the smoke, and non-penetrative ejecta of the charge. At near ranges this gas blast zone and tattooing were mingled. As the range increased, the concentration and penetration of powder pellets giving true tattooing decreased; but a judgment could be formed of the range at which a shot was fired up to distances of several feet.

Black powder is still met with in old cartridges; but stocks of this nature are rare and becoming increasingly unlikely to be met with. Semi-smokeless powder is used in very few cases and is not very different in its action from the true smokeless. To-day pistol and revolver cartridges are loaded with smokeless powder which is either flake nitro-cellulose, or cordite (a combination of nitro-cellulose and nitro-glycerine), as used in British Service cartridges, while variations of powder ingredients occur in other countries.

No true tattooing is likely to be produced by a flake nitro-cellulose charge, as almost the whole charge is burnt. A few flakes may be projected and adhere to the surface of the skin or clothes, but their mass is not enough to give penetration. Cordite gives a heavier proportion of unburnt powder. At very close range, with the barrel almost touching the skin, substantial scorching or blackening gas-zone effects are produced with smokeless powder; but in some cases this is due not only to the powder but to the percussion cap compounds, and is a mixed deposit of metallic mercury from the decomposition of the fulminate, antimony salts from the decomposition of the antimony sulphide, potassium chloride and other ingredients such as barium salts and powdered glass. If partly consumed

powder particles should actually force their way into the skin, they are, owing to their translucent character, not easily discerned. In the case of common pistol loads no evidence of penetrations is usually found. In the case of rifles or other weapons where the grain size or shape of the propellant is larger and the velocity higher, tattooing might well take place.

Examination of Wounds.—The very delicate nature of smokeless powder traces means that unless extreme care is taken the powder evidence is lost when the body is moved or the wound washed. It is possible to imagine a case where the identity of the powder used might be an important factor if it were found to correspond with that in ammunition in the possession of the suspect. In the case of a shot through clothing at close range there is the possibility that a few flakes of unburnt powder may become entangled or adhere to surfaces and can be recovered. This potential importance of the powder as well as of the bullet might well be brought to the notice of medical men and police officers.

Photographs of direct flesh wounds before cleansing, and the careful notes of medical witnesses of any peculiar markings, are invaluable assistance in determining distance, particularly in double or doubtful cases of 'Murder and Suicide,' in order to make sure that there is no possibility of it being a carefully planned double murder.

Invaluable Evidence.—The favourite weapon of to-day is the automatic or self-loading pistol. An infinite variety of these exist in many different calibres. In addition a wide range of revolvers are made to take standard automatic pistol cartridges. The automatic is less reliable than the revolver, but more easily concealed. Its potential benefit to the criminal is, however, more than counterbalanced by the fact that if it works without jamming it automatically ejects its fired case and thus leaves invaluable evidence on the scene of the crime. The revolver on the other hand does not leave this important link unless emptied and reloaded. It is possible to prove that a given cartridge was fired in a given pistol; and in a case where a weapon, a cartridge-case and a bullet can be produced, the strength of technical evidence is enormous.

Automatic pistols are self-loading and a pistol found on

the scene of the crime may be loaded. As it is important that finger-print evidence should not be obscured and that there should be no inexpert interference with the arm, it should be lifted by passing a rod down the muzzle. If it is loaded the rod will not reach the breech face, but will stop against the bullet a cartridge length from the breech face. The presence of a fresh load in the chamber indicates that the fired case is somewhere in the room. Search should be made for it not only on the ground but on the tops of wardrobes and similar places, as the fired case is ejected with considerable force and is usually thrown to the right and high. In the case of a jammed or defective pistol the empty case may be still in the chamber. This can be ascertained after finger-prints have been sought on the weapon.

In most cases the bullet remains in the body or in the room. Bullets should be removed with as little handling and damage as possible, as the markings on them are, in the case of soft lead, easily blurred. The metal-covered automatic pistol bullet is less subject to deformation or scratching and preserves its markings and shape better.

Weight of Bullet.—A bullet bears on it the rifling marks of the arm from which it was discharged. It then hits something, either the victim or neighbouring structures, and by its impact has been reduced in length and 'set up' in girth; it has also incurred a variety of other marks or abrasions. In such a case the weight of the projectile is probably the most useful indicator, but there are discrepancies between different makes, and the annexed tables must be looked on as guides rather than as definite authorities. The mass and type of bullet tell us a good deal, but the rifling marks may tell more.

The wide variety of pistol loads is not simply confined to the range of calibres, but many include in one calibre a very great range of bullets of different type and weight. There are, for instance, between thirty and forty different cartridges loaded in different ways or by different makers which fit the Service .455 revolver. Arms of less universal application have a more limited zone of potential loads.

The grouping of pistol cartridges according to nationality is not precise, but it is a factor which may on occasions be

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taken into account. Certain cartridges, such as the .25 and .32 Automatic, have world-wide distribution. The 5 mm. Velo-Dog and the French Service revolver cartridge are, however, distinctively continental. The average European revolver is for one of the calibres ending in the cipher 0, such as the .320 and the .380, while the American equivalent is .32 or .38. In the former the bullet is of equal diameter to the case and is compressed or 'heeled' to fit it; in the latter the case surrounds the ball.

The commoner cartridges are relatively well known, but crimes of violence are at times associated with foreigners who use arms of foreign origin little known in this country. In other cases arms and ammunition of unusual or obsolete types may figure. There are also cases where ammunition suited to a different weapon has been adapted for use in one not designed to take it. The criminal is likely to spring surprises in his selection of an armoury, as he probably acquires them in a doubtful market. His ammunition may be a very mixed collection, and it is not always likely to give uniform results.

TABLE OF CARTRIDGES

CENTRAL FIRE REVOLVER CARTRIDGES (ENGLISH STANDARDS)

Arranged in order of calibre, and giving firstly the weight (in grains) of powder in Black and/or Smokeless, and following this the weight (in grains) of bullets. The latter is followed by the letter 'N' where the bullet is a nickel-covered one, or 'L' when bullets are of pure lead.

- 5.5 mm. French Velo-Dog: 1½S and 45N.
- .297/230 Morris Tube: 3½B or 1½S and 37L.
- 7.5 mm. Swedish Nagant: 10B and 105L.
- 7.5 mm. Swiss Nagant: 5S and 105N.
- .300 bore revolver: 6B or 2½S and 80L.
- 7.62 Russian Nagant: 5S and 104N.
- 8 mm. Lebel (French): 11B or 4S and 120N.
- .32 Smith & Wesson: 4½B or 2S and 85L.
- .32 Smith & Wesson Long: 10B or 4S and 98L.
- .320 Revolver: 6B or 2½S and 80L.
- .320 Long Revolver: 8B or 3½S and 80L.
- .32 Colt New Police: 11B or 4S and 100L.
- .32/20 Colt: 19B and 115L, also 6S and 115N.
- .360 No 5 Revolver: 16B and 125L.
- .38 Smith & Wesson: 10B or 2½S and 145L.
- .38 Colt Police Positive: 10B or 2½S and 150L.

.38 S. and W. Special: 18B or 6S and 158L.
 .380 Revolver: 10B or 3S and 124L.
 .380 Long Colt: 16B and 124L.
 .380 Dutch: 10B and 190L.
 .38-40 Colt and S. and W. revolver: 31B and 180L.
 .410 Colt: 12B and 160L.
 .430 Tranter revolver: 13B and 200L.
 .44 S. and W. (American model): 19B or 64S and 220L.
 .44 S. and W. (Russian model): 21B or 7S and 246L.
 .44 Nagant Brazilian: 19B and 240L.
 .440 Nagant Argentine: 19B and 220L.
 .44 Montenegrin: 30B and 300L.
 .442 Tranter: 13B or 5S and 220L.
 .450 Revolver: 13B or 6S and 225L.
 .455 British Service: 18B or 7S and 265L.
 .500 Tranter: 24B and 350L.
 .577 Revolver: 28B and 450L.

PIN FIRE REVOLVER
CARTRIDGES.

5 mm.: 3B and 18L.
 7 mm.: 54B and 63L.
 9 mm.: 8B and 124L.
 12 mm.: 11B and 200L.
 15 mm.: 21B and 450L.

RIM FIRE REVOLVER
CARTRIDGES.

.22 short: 20L.
 .22 long: 30L.
 .22 long rifle: 40L.
 .320 short: 80L.
 .320 long: 80L.
 .410 Derringer: 140L.
 .44 Henry: 200L.

AUTOMATIC PISTOL CARTRIDGES.

ARRANGED IN ORDER OF CALIBRE.

6.35 mm. or .25 calibre for Colt, Browning, Webley, Mauser, Destroyer, Sauer, Walther, Dreyse, Melior, Jeffico, Royal, Steyr, Pieper, Clement, Harrington and Richardson, Victoria, and other pistols, also for certain Continental revolvers. 2 grains of Smokeless powder and a 50 grain Nickel-covered bullet.
 .30 or 7.63 mm. for Mauser pistols. 7 grains Smokeless and 85 grain Nickel bullet.
 7.63 mm. for Mannlicher automatic. 7 grains Smokeless and 85 grain bullet.
 7.65 mm. or .32 calibre for Browning, Colt, Melior, Walman, Selbstlader, Savage, Sauer, Walther, Webley, Mauser, Steyr, Pieper, Clement, Harrington and Richardson, Victoria, and other pistols, also for certain Continental revolvers. 34 grains Smokeless and 72 grain Nickel bullet.
 7.65 mm. for Parabellum Luger automatic pistol. 54 grains Smokeless and 92 grain Nickel bullet.
 9 mm. short or .380 calibre automatic for Colt, Remington, Browning, Webley, Victoria, Bayard, Frommer, Savage, and other pistols. 34 grains Smokeless and 95 grain Nickel bullet.
 9 mm. or .38 calibre for Browning, Webley, Brevetto, Dreyse, and other pistols. 54 grains Smokeless and 110 grain Nickel bullet.
 .38 calibre for Colt and Webley pistols. 6 grains Smokeless and 130 grain Nickel bullet.

9 mm. for Luger-Parabellum pistol. 54 grains Smokeless and 110 grain Nickel bullet.
 .45 Colt automatic. 7 grains powder and 200 grain bullet, or 64 grains powder and 230 grain bullet.
 .455 automatic for Colt and Webley pistols. 7 grains Smokeless powder and 224 grain Nickel bullet.

Bullet Identification.—All weapons firing a conical bullet are rifled with grooves which spin the projectile and keep it point foremost and accurate in flight. These grooves vary, in different makes, in number, depth, direction of rotation and degree of rotation in relation to the length of projectile travel. The twist and pitch of weapons vary, and a bullet bearing obvious characteristics is easily identified and correlated to the one type of arm which discharges it. We may be able to say at once that the bullet was fired from, say, a Colt .32 automatic or a Webley .32 automatic; but to assign the bullet to an individual arm is a very much more difficult task. Weapons are made by repetitive mass production methods, yet every barrel is distinguished by certain minor characteristics which reappear in no other barrel. The cutting edge of a razor alters with every shave and in the same way the cutting edge of a rifling tool alters and leaves a different set of microscopic furrows in the metal of each barrel; therefore it is always possible that an individual arm may leave some outstanding testimony of identity on a projectile fired from it.

Theoretically the bullet takes its final imprint from the muzzle section of the barrel and thus invariably shows the variant marks of the rifling tool. Actually bullets do not always take a definite imprint, and variations may exist in bullets fired from the same weapon. In the case of a bullet slightly large for the calibre we get a perfect record all round its circumference. A similar type of bullet fractionally less in girth might show one or two grooves of the rifling well, or it might tend to strip, twist, or burr. We get cases where a bullet apparently bounces in the barrel and registers a deep record of detailed hair-lines in rifling grooves toward the chamber end of the barrel. As fouling occurs it rolls up before the bullet and cuts grooves. As leading or nickelling occurs, so the width of the grooves decrease on successive bullets until constriction or a tight bullet cleans the grooves. Gas blast

chisels and fuses soft lead; and certainly so far as leaden bullets are concerned results are not always reliable. A bullet may or may not take the full register of the rifling; and where there is no outstanding uniformity, no precision of characteristic detail, the work of the expert is difficult in the extreme; and very many hours must be spent on one examination before a conclusion can be arrived at.

The lack of specific hair-line marking on a bullet is not proof that it was not fired from a particular barrel; but a sequence of definite markings on a bullet corresponding with those on test bullets from the same barrel amount to cumulative proof that the bullet in question was fired from that barrel and no other.

We can divide bullet markings into major characteristics—such as number of grooves, degree of twist and direction of twist—and minor characteristics—such as the marks left by the rifling tool on the surface and corners of the grooves. It is on these minor characteristics that claims for precise identification are advanced.

The basic fallacy in the existing methods of bullet identification is the assumption that all bullets of the same material fired from the same arm will show identical markings. In the case of cupro-nickel covered automatic pistol bullets, identity can often be satisfactorily established in a well-bored weapon. If, on the other hand, the pistol is a cheap one and the barrel varies in diameter, gas blast and irregular movement of the bullet may produce marking effects which are not uniform. If several bullets fired from the case pistol correspond to the case bullet, there is good ground for expressing an opinion; but if an element of variation exists, it is not proof. From a technical point of view the enlarged photograph with its distortion of planes owing to errors in the depth of focus is not quite good enough. The use of a curved film would remove some but not all of these objections.

There are several methods of comparison—microscopic (by the use of the comparison eye-piece), microphotographic, and print record systems. All have their uses and their limitations. The task of reading comparatively the six grooves on bullet *A* in three different sections is a long one, and these

eighteen readings have now to be matched with those on bullet *B* in all the combinations. Let us say three hundred and twenty-four separate readings. If more bullets are involved, the ratio of possible combinations may be of interest to mathematicians but is an enormous endeavour that is wearisome to the expert.

The technique of bullet identification has been met by various methods.

- (1) Analysis of the lead or cupro-nickel. (Lucas.)
- (2) Direct impression on tin-foil and wax. (Locard.)
- (3) Wide angle photography.
- (4) Micrometric measurement and comparison. (Lucas.)
- (5) Microphotographic register and comparison.
- (6) Use of comparison eye-piece in microscope. (Goddard.)

To these six methods of dealing with the bullet we can add other chemical tests for the identification of powder residues and microspectroscopic tests for the identification of even a single flake of unburnt powder. These may be small things in themselves, but jointly considered they may help to build a very substantial structure of scientific proof.

Taking these methods serially, the importance of the first is that it may be applicable in certain instances. It might, for instance, be important in some case such as a poaching affair, where it might be necessary to differentiate between chilled shot pellets containing antimony and the softer ordinary lead alloy.

The second method consists of rolling a test bullet and a case bullet over a prepared plane of glass coated with paraffin wax of low melting point which is covered with thin tin-foil. This translates the cylindrical register of grooves and lands¹ into a long repeating strip. The two strips of the test bullet and the case bullet can then be rapidly brought into adjustment and correspondence or disparity read off. This method is necessarily crude and in the case of a deformed or distorted bullet difficult to apply. Modifications such as registration along the coated edge of a narrow straight-edge could, however, be adapted to special cases.

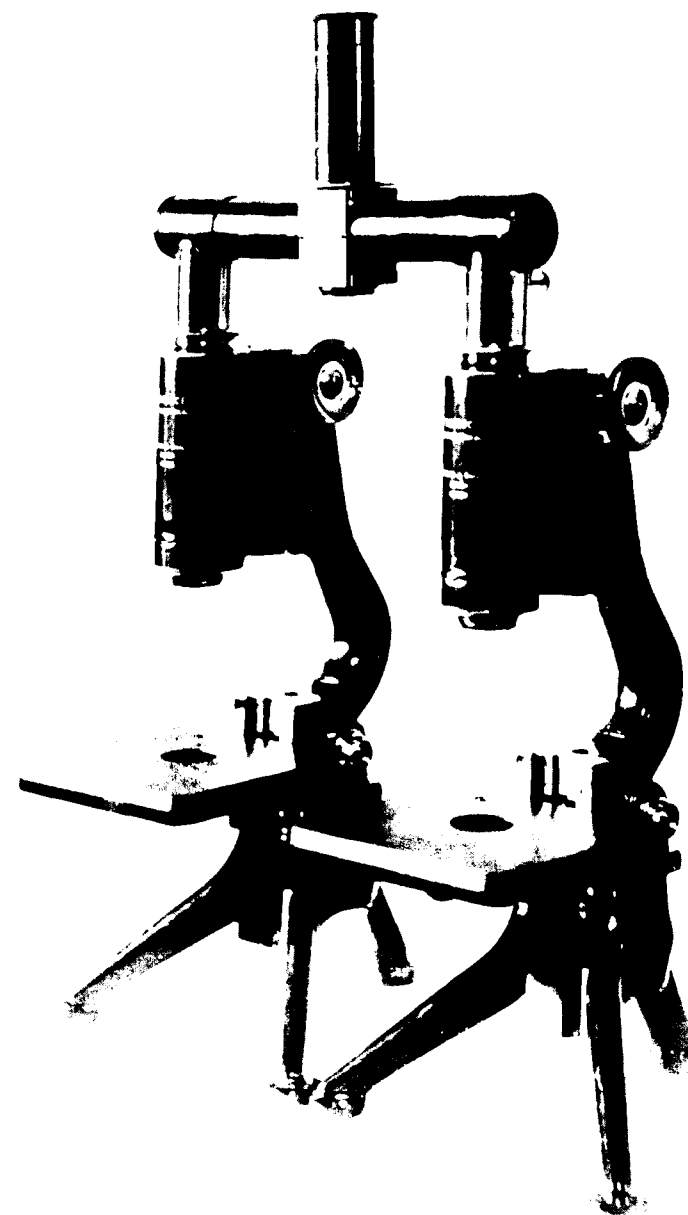
¹The surface of the bore of a rifled firearm between the grooves.

The third system is used by the Liège authorities and possesses certain merits. If a photograph is taken of a bullet or any cylindrical object and the image is registered on a flat plate or film, only a certain plane is in exact focus. This is probably the axis of the face nearest to the lens, and the curves of the cylinder are out of focus to a degree which may not affect the appearance of the object but which distorts measurements. The Liège system uses a special camera in which curved or semi-cylindrical dark slides are used. The measurements of these are calculated so that the semi-cylinder of film is proportionate to so many magnifications of the radius of the bullet. The distance from any point on the visible surface of the bullet to its image point on the curved film is therefore exactly proportional, and distortion is largely eliminated. Special short focus objectives are used, and ratios of magnification up to $\times 10$ are satisfactory for comparison purposes.

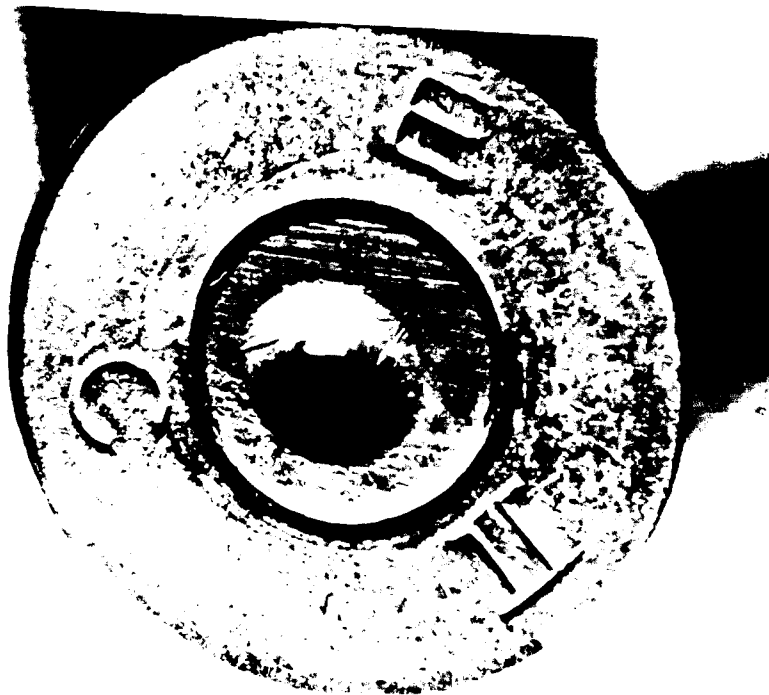
The fourth system, that of micrometric measurement and comparison, is extremely precise but liable to errors of interpretation. A series of exact measurements of every groove and land on the case and test bullets is taken with a microscope fitted with a moving web micrometer. Given a suitable object, this apparatus will measure the hundred-thousandth part of an inch; but a bullet is a large object and its curved surface does not furnish an ideal object for high power microscopy. This system used with low magnification gives us lists of comparative measurements which may correspond and would show any accentuated similarity occurring on two bullets.

The fifth method is simply the taking of enlarged photographs of all grooves on each bullet and superimposing either sections of cut prints or negatives to establish correspondences. It suffers from the inevitable distortion of photographic methods and is open to several objections. Strong lateral light is usually employed to accentuate contrast, and the photograph shows hair-line ridges casting strong shadows which may appear as grooves. Very slight errors in light adjustment or centralization of the object may yield deceptive results.

The use of the comparison microscope is the last and probably the best method we have so far evolved, and it can be used in combination with any of the foregoing systems. The



THE COMPARISON MICROSCOPE



ENLARGEMENT OF A PHOTOGRAPH SHOWING THE BULLET HOLE
ON THE CAP OF A FIRED REVOLVER CARTRIDGE

apparatus¹ consists of two identical microscope stands (see illustration) which are a modification of those used by metallurgists. These are erected side by side on a rigid common base plate on which is carried the essential lighting system, which is so arranged that parallel light of equal intensity reaches each microscope. On the stage of each microscope is attached a special form of holder which enables the bullets under survey to be held in the field of view and in critical focus but to be movable and rotatable so that each groove can be in turn examined. We have thus the case bullet on one instrument and the test bullet from the pistol of the accused on the other. The comparison eye-piece is, however, common to both instruments, and on looking into it we see not the circular field of an ordinary microscope eye-piece but a field cut in half. The top half shows the image of whatever is under the objective of one microscope, the bottom half the image of the object under the other. Both these images are, however, the same way up and in the same optical sense from right to left. In order that exactly similar light should fall on the two bullets each of the precisely matched objectives carries a parabolic speculum. Light, therefore, passes from below round the bullets and is focussed and reflected down upon them in such a way that there is no side light and no exaggeration of light and shadow by oblique rays. Both bullets show precise and evenly illuminated faces.

In theory a groove or land showing a marked characteristic is chosen on one bullet in the upper field, and the other bullet is rotated until the equivalent characteristic land is found. A minor adjustment will bring it into absolute correspondence with the lower half. These grooves are then marked and each bullet is in turn rotated, one groove at a time, and outstanding correspondence noted. Three or four readings may be necessary on each groove. In actual practice a pair of bullets from similar but different pistols may present no outstanding characteristic of difference, and long and patient search is necessary before any correlation can be made.

¹ It is made by Messrs. W. Watson & Sons, Ltd., 313 High Holborn, London, W.C. 1.

The comparison microscope is not easy to use and requires both aptitude and experience. In my own work I have been guided by experienced and qualified microscopists. It has not been easy to learn to distinguish between real and spurious appearances, but I have at least learnt how errors of interpretation may introduce elements of gross inaccuracy. Just as the microscopist working with transparent sections has to learn to interpret structures as seen by transmitted light, so the technique of examination of the rifling on opaque bodies under the comparison eye-piece needs special training and experience before it is really understood. The novice will find many sources of error, and extreme care must be taken to check all mechanical and optical components; for an unnoticed variation in tube length or a fractional error in adjustment may yield false appearances.

The results determined by visual examination with the comparison eye-piece can be measured and recorded with a moving web eye-piece micrometer, or a microphotograph of adequate enlargement can be taken. The exposure is relatively long owing to the great absorption of light by the glass prisms of the eye-piece; but the permanent record is convenient for close study and can be produced in court with greater ease than the erection of this delicate apparatus.

In my experience I do not find that every bullet fired from the same arm necessarily bears the same marking in detail. But I have not yet come across any case in which a bullet from one weapon has corresponded in detail with a bullet from another similar arm. In the present state of our knowledge of these problems I would discount exaggerated claims for either this or any other similar apparatus. A great deal of scientific proof can be deduced from adequate facts; but the facts must be there first, and no apparatus or skill can do more than make apparent evidence which exists. In the case of crimes of violence with firearms evidence may exist and we may have a clear case in which all factors—the weapon, the empty cartridge and the bullet—convey a perfectly established chain of fact; alternatively we may have a case where the cartridge is missing and the bullet either not distinctively marked or seriously deformed by impact.

In conclusion I would say that the situation in regard to firearms evidence to-day is best summarized as 'entirely dependent on the circumstance of the individual case.' Matter of vital importance may be obtained from the exhibits, but on the other hand a most searching examination might find nothing from which an inference may be drawn. The Gutteridge case has amply demonstrated the utility of technical firearms evidence.¹ The problems involved are well understood by experts in this country (both in knowledge and technique), and we approach the whole question from a standpoint which is rather conservative. The onus of proof is on the shoulders of the prosecution; and in my experience of technical evidence, wherever ground for doubt exists the accused is given the benefit.

¹ See also 'The Identification of Firearms and Projectiles' in *The Police Journal*, Vol. I, p. 411.

The Prosecution of Offenders : South Africa

THE illuminative article, *The Prosecution of Offenders : English Practice*, by Sir Archibald Bodkin appearing in the third number of *The Police Journal* (July, 1928) has led me to believe that a brief article on the system of criminal prosecution in the Union of South Africa, so far as it relates to the lower courts, may be of interest, particularly in view of the large and important part played by the police in this connection.

To appreciate correctly the scope of the work done by the police in the actual prosecuting of offenders in court, under the South African procedure, it is essential to outline briefly the various courts having criminal jurisdiction, the extent of their various jurisdiction, and also the law as to the rights of prosecution in criminal matters. The courts exercising criminal jurisdiction are the following :

1. Special Justices of the Peace Courts.
2. Native Commissioners' and Sub-Native Commissioners' Courts.
3. Magistrates' Courts.
4. Native High Court.
5. Special Courts.
6. Provincial Divisions of the Supreme Court, including Circuit Courts and Criminal Sessions.
7. Appellate Division of the Supreme Court.

The Courts of the Special Justices of the Peace are held chiefly in the smaller villages and at selected centres in the countryside. Special Justices of the Peace sit alone : they have only a summary jurisdiction, limited to trying certain specified minor offences against the statute and common law, and may

impose sentences not exceeding a fine of ten pounds or one month's imprisonment with hard labour and, in the case of juveniles only, whipping. All sentences imposed by Special Justices Courts are subject to automatic review by the local magistrate, to whose court appeals also lie.

Native Commissioners' and Sub-Native Commissioners' Courts require no special mention, as their criminal jurisdiction is, in effect, the same as that of magistrates and subject to the same rules as to review and appeal.

Magistrates' Courts in South Africa are the backbone of the judicial system. Every criminal case prosecuted must at one stage or another be dealt with by these courts. In the Union of South Africa all magistrates are stipendiary magistrates and full-time members of the Civil Service. A Magistrate's Court has jurisdiction to try summarily all crimes and offences whatsoever with the exception of treason, murder, and rape, but, as may be supposed, they do not exercise this summary jurisdiction in serious cases obviously calling for penalties beyond the scope of the punishment they are allowed to inflict in summary trials. A further provision is :

'When in the course of any trial it appears that the offence under trial is from its nature or magnitude only subject to the jurisdiction or more proper for the cognizance of a Superior Court, or when the public prosecutor so requests,¹ the presiding judicial officer shall stop the trial, and the proceedings shall thereupon be those of a preparatory examination.'²

In addition to the summary jurisdiction, Magistrates' Courts hold preparatory examinations in all serious indictable crimes and offences, and no criminal trial may take place before any superior court until such preparatory examination has taken place and the case committed for trial by a Magistrate's Court.

The procedure at a preparatory examination is similar to that of a trial, the evidence of the prosecution being led by the public prosecutor, and all the ordinary rules as to procedure and evidence apply. At the conclusion of the hearing the records are sent to the Attorney-General, who decides whether

¹ Italics are mine.

² Section 90 Magistrate's Court Act No. 32 of 1917.

to continue the prosecution or withdraw it and, if the former, he may either indict the accused before the Circuit or Sessions Court or remit it back to the magistrate for final disposal. In remitting a case to the magistrate for trial the Attorney-General may authorize his exercising certain powers of extended jurisdiction. This power is very widely exercised, and a very large percentage of cases committed for trial are remitted to magistrates for summary disposal either under their ordinary or under extended jurisdiction.

The summary jurisdiction of a magistrate as to punishment is a fine not exceeding fifty pounds and/or six months' imprisonment with hard labour, or six months' imprisonment with hard labour and whipping in addition; extended jurisdiction allows a magistrate to impose a fine not exceeding one hundred pounds and/or one year's imprisonment with hard labour and whipping. In addition to the above powers, special statutory authority is given to magistrates to deal with certain offences and impose maximum punishments, amounting in some instances to as much as three years' imprisonment with hard labour.

All sentences of Magistrates' Courts exceeding a fine of twenty-five pounds or imprisonment exceeding three months, and all sentences of whipping, except juveniles, are subject to automatic review by the Provincial Division of the Supreme Court, to whom also all appeals lie.

The Native High Court and Special Courts are branches of the Supreme Court and require no special mention for the purpose of this article.

In the case of Circuit Courts and Criminal Sessions, all cases heard must have been the subject of a preparatory examination before a magistrate. The prosecution of offenders in these courts is conducted either by the Attorneys-General in person or by fully qualified barristers briefed by him, and they are therefore beyond the scope of this article.

Having examined the nature of the courts before whom the prosecution of offences takes place, we now turn to the right of prosecution in criminal matters. In the Union of South Africa this is very jealously guarded by the Crown and is vested in the Minister of Justice.

'All powers, authorities and functions relating to the prosecution of crimes and offences in the name of and on behalf of His Majesty the King are vested in the Minister of Justice.'¹

The extent to which the right of prosecution is regarded as the prerogative of the Crown may be seen by the following provisions of the Criminal Procedure Code:

'The Court may order a person convicted upon a private prosecution to pay the costs and expenses of such prosecution . . . Provided that if such prosecution was instituted after a certificate by the Attorney-General that he declined to prosecute, *the Court may order the costs thereof to be paid by the Crown*,'² and 'In the case of prosecution at the instance of a private party, the Attorney-General or the local public prosecutor may apply by motion to any Court before which the prosecution is pending to stop all further proceedings in the case, in order that prosecution for the offence may be instituted or continued at the public instance; and such Court shall, in every such case, make an order in terms of the motion.'³

The authority of the Minister of Justice to prosecute is exercised through the various Attorneys-General, and by the Solicitor-General in the Eastern Districts of the Cape Province; and these in turn delegate authority to all public prosecutors to act for them in the inferior courts.

The right of private prosecution is determined by the provisions of the Criminal Procedure Code in the following quoted sections:

'In all cases where the Attorney-General declines to prosecute for an alleged offence, any private party, who can show some substantial and peculiar interest in the issue of the trial arising out of some injury which he individually has suffered by the commission of the offence, may prosecute in any Court competent to try the offence the person alleged to have committed it.'⁴

The following also possess this right of prosecution:

- (a) a husband in respect of offences committed against his wife;
- (b) the legal guardians or curators of minors or lunatics in respect of offences committed against their wards;

¹ Section 1 Criminal and Magistrates' Court Procedure (Amendment) Act, 1926.

² Italics are mine. Section 363 Criminal Procedure Code Act 31 of 1917.

³ Section 21 Criminal Procedure Code Act 31 of 1917.

⁴ Section 14 Criminal Procedure Code Act 31 of 1917.

- (c) the wife or children, or where there is no wife or child, any of the next of kin of any deceased person in respect of any offence by which the death of such person is alleged to have been caused;
- (d) public bodies and persons on whom the right is specially conferred by statute in respect of particular offences.¹

Private prosecutions, except prosecutions by local authorities for the contravention of their own bye-laws, are so extremely rare that one is practically correct in saying that all offences whatsoever, however trivial, are investigated and prosecuted entirely by and at the expense of the Crown; even the complainants themselves being subject to subpoena and paid as witnesses by the Crown.

In all the inferior courts in the Union, except in the larger centres comparatively few in number, the duty of deciding upon, preparing and conducting public prosecutions devolves upon the police, a member of which, stationed at or near each court, receives a delegation to prosecute direct from the Attorney-General of the Province. In the smaller courts a constable or lance-sergeant is appointed, while in the more important courts a first or second class sergeant takes on the task.

The responsibility for all summary prosecutions, with the few exceptions at large centres mentioned above, thus rests on the shoulders of non-commissioned officers of the police force, and this not only as to the actual handling of the case in court but also as to the prior consideration of the depositions and the formulating of a decision as to whether a prosecution shall ensue or a *nolle prosequi* entered. The legal provision runs as follows:

'Whenever there is lodged with or made before a local public prosecutor a sworn declaration in writing by any person disclosing that any other person has committed an offence chargeable in the inferior court to which such prosecutor is attached, *he shall determine whether there are good grounds for prosecution or not*: provided that he may refer to the Attorney-General the question whether he shall prosecute or not.'²

¹ Section 15 Criminal Procedure Code Act 31 of 1917.

² Italics are mine. Section 13 (3) Criminal Procedure Code Act 31 of 1917.

The responsibility thus imposed upon the police prosecutor to determine in all summary trials whether prosecution shall take place or not is undoubtedly an onerous and important one when the scope of the magistrate's summary jurisdiction is taken into consideration, but his responsibility extends even beyond this; for it is also his duty to appear for the Crown and lead the evidence in all preparatory examinations into serious indictable offences beyond the summary jurisdiction of the magistrate and conduct them to the stage where the prisoner is committed for trial or sentence or is discharged.

Committed cases if remitted to the magistrate for disposal, either under his ordinary jurisdiction or under extended jurisdiction, are also prosecuted by the local police prosecutor.

The procedure rarely varies, however intricate or technical a case may be: however heavy the legal metal on the side of the defence, the local police prosecutor is expected to meet it alone and unaided. It is true that many years ago provision was made that in highly technical or particularly difficult or intricate cases professional legal assistance could be asked for by the local public prosecutor; but after an experience of over twenty years in the Transvaal and Orange Free State provinces I have never yet come across an instance where such aid was rendered. An examination of the roll of the review and appeal courts will show how excellently the system works: this is an eloquent tribute to the care and ability, to say nothing of the legal acumen displayed, of the police prosecutor. As may be supposed, from the very wide powers of punishment exercised by magistrates, serious cases dealt with summarily or on remittal are very frequent; and it is no uncommon sight to see a police sergeant, without any special legal training, fighting a case with a K.C. and his junior instructed by a solicitor as his opponents.

The abilities of the police prosecutors have been recognised by many local authorities, and in many instances these have appointed the police prosecutor as town prosecutor to act for them in all contraventions of their bye-laws. This means a considerable saving to their ratepayers, as this service is rendered free, and is the more significant when it is remem-

bered that local authorities—as private prosecutors—are liable in costs for unsuccessful prosecutions.

The member of the police acting as a prosecutor receives no extra pay and undergoes no special course of training; usually he graduates stage by stage from the smaller up to the more important courts, and by the time he relinquishes his rôle as prosecutor for higher police rank his knowledge of criminal law and procedure is of no mean order.

The pros and cons of the system by which the police undertake all the criminal prosecutions in the lower courts are beyond the scope of this article; but it may be readily appreciated that where, as in South Africa, every trivial offence, however personal and private, is prosecuted by the Crown, the expense involved in retaining professional men as prosecutors would be prohibitive, while the experience gained after a few years spent as a public prosecutor is invaluable to the police officer when he takes higher rank and has the control of the police work in large stretches of territory.

AFRICANUS.

The Norwich Lads' Club: Welfare Work by the Police

By J. H. DAIN, O.B.E.

Chief Constable of Norwich and Past President of the Chief Constables' Association, England and Wales

WHATEVER differing views may be held about the futility of bringing reforming influences to bear upon the mature and hardened adult, who has formed set habits of life, there will be no difference of opinion as to the hopefulness—may we not say the certainty?—with which we can look for results when dealing with youth. The years immediately following school life are the formative and dangerous years. Released from the school discipline of childhood, the lad starting to work for his living is generally full of a sense of the importance of his freedom in his leisure hours; and the character of his adult life depends in no small degree upon the nature of the opportunities placed in his way for the use of his leisure. In working-class families where the home life and surroundings do not offer much scope for the healthy recreative use of a lad's energies in his leisure hours after the day's work, he falls very easily into evil ways. Unless reasonable means, easily accessible, for healthy recreation, physical and mental, are within his reach, he begins to roam the streets aimlessly, with companions similarly situated; with the evil consequences, which we all know so painfully, in every city with a large industrial population; and nobody more painfully than the police authorities who have to handle the difficulties of the situation in their responsibility for preserving law and order.

Everyone who has had to deal with youths of this class knows that the offences into which they fall under such conditions are very rarely due to evil disposition. I am daily pointing out how easy it is to do things for boys. They are

appreciative and responsive. They are eager to learn and quick to understand. I am convinced that boys who are naturally bad are hard to find. I find their offences consist simply in getting rid of latent energy. It is in that faith in the boy that the members of the Norwich City Police have set about providing other and better opportunities for the expression of this latent energy; and some account of the establishment and the working of the Norwich Lads' Club, and of its resultant influence upon the life of the city, will not only be a record of a very interesting contribution to the general problem of preventive action, but may also be a helpful and instructive guide for other places wishing to follow similar lines.

It was towards the end of 1917 that the Norwich City Police determined to make an effort to deal with this problem and formed a committee under my chairmanship with the object of providing a recreative centre for working-class lads over the age of fourteen as an alternative to roaming the streets during their leisure hours. The idea had been in their minds for some time, and what set action going in the matter was the fact that a derelict building belonging to the Norwich Corporation, well situated in the centre of the city, became obtainable for the experiment at a nominal rent.

Practically the whole of the Force turned in on the job, and undertook in their off-duty hours to put the place in order. Erstwhile bricklayers, plasterers, carpenters, painters and others were discovered in their ranks; and these with the willing help of their less experienced comrades soon transformed the old premises into a comfortable club without a farthing of expense being incurred for labour. Prominent employers and influential citizens became interested in the project; and material assistance, in money and in kind, came in sufficiently to make a good start possible. The premises consisted of two large and lofty rooms, well lighted and well appointed; one being equipped as a general recreation room and the other as a gymnasium with accommodation for about 200 boys. In addition, a small theatre stage was erected under the careful supervision of one of the local theatre owners.

This, the first club in the world to be organized by the

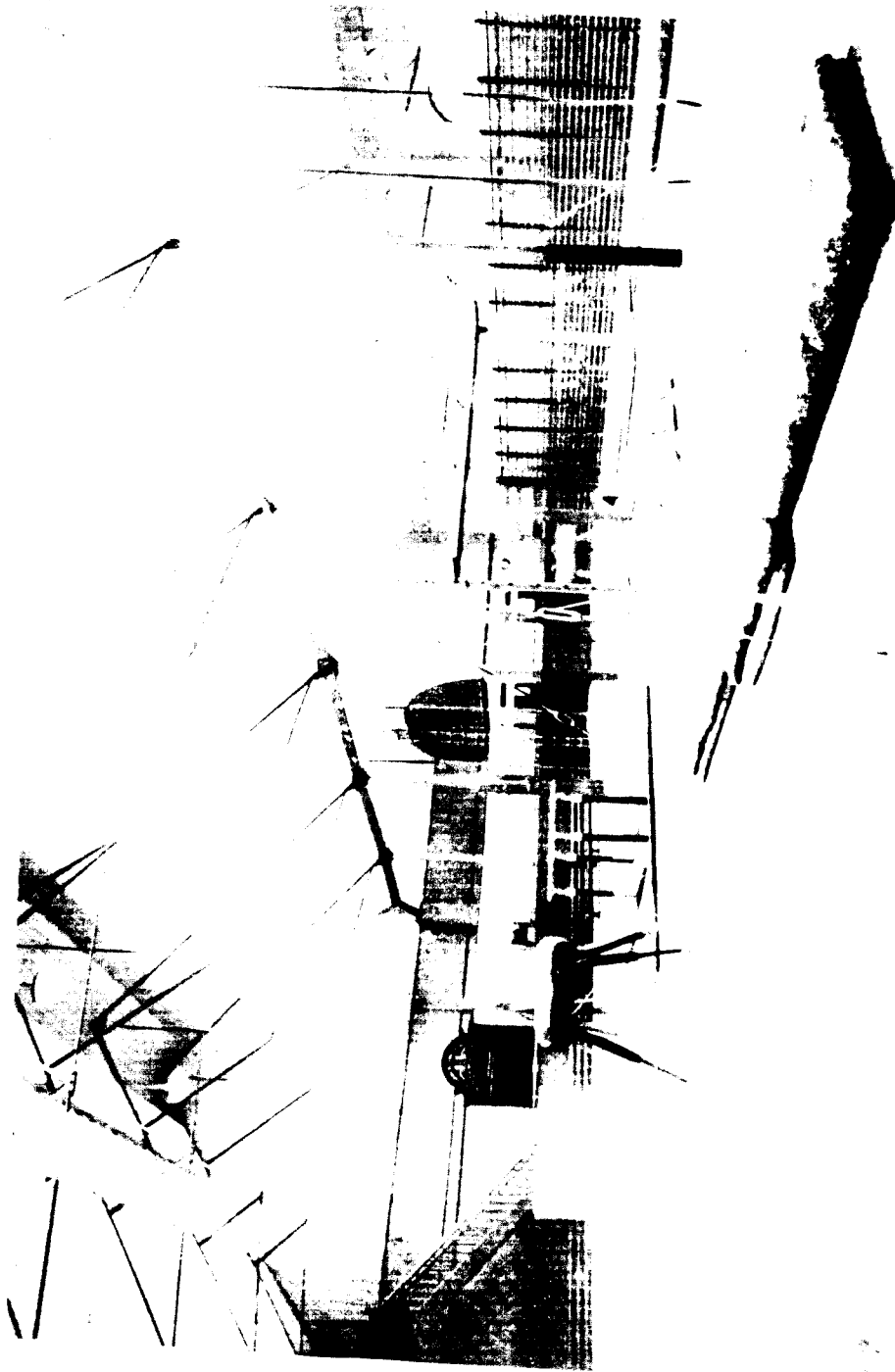


NORWICH LADS' CLUB: VIEW FROM BALCONY

police of a city for the poorest and often the roughest of its young citizens, was opened with civic ceremony by the Lord Mayor on April 8th, 1918. Steps had been taken to let the working lads of the city know what was being done. Hand-bills setting forth the attractions of the club were distributed at every factory and workshop where lads were employed; and at the date of opening between 200 and 300 lads had been enrolled as members.

From the moment of its opening it went with a swing. Before the end of the year the membership had grown to well over a thousand; and its popularity with the lads was so great that the premises soon became quite inadequate to accommodate all who wished to become members. It became imperative to find new and more commodious premises. That is not an easy matter in the centre of a busy city; and it was not until 1924 that really suitable premises came on the market. By this time the value of the club's influence was so widely known and appreciated that a public appeal for funds for the purchase and equipment of the new premises promptly brought almost £4,000 from all classes of citizens; and the club's new home was ceremonially opened in June, 1925, by H.R.H. The Duke of Gloucester.

These new club premises are sufficiently large to meet the needs of six thousand members, which means that practically all Norwich boys who might otherwise have no such opportunities are provided for. The double oak doors of the main entrance in King Street open into a vestibule which gives immediate access to a spacious, lofty and splendidly lighted central hall, round two-thirds of which runs a wide balcony. This balcony floor accommodates an excellent library to which the Carnegie Trust, as a tribute to its excellence as a library and in recognition of the club's good work, last year granted £100 worth of new books. There is also on the balcony floor a general recreation room, equipped with billiard tables, with accommodation for 200 boys at one time; and a delightful room for old boys accommodating sixty to seventy with comfort. The main space of the central hall is devoted to the gymnasium; and the other portion is equipped with boxing-rings, theatre stage, canteen, dressing-rooms with accommodation for 100



boys, and a well-equipped committee room in which the members arrange their various competitions and pastimes. In the basement is the band room, class rooms, doctor's room for first aid lectures, hot and cold baths, plunge bath and central heating apparatus.

But while it is necessary to set out these details of space and equipment, what is of most importance, and will probably be of most interest to readers, is some account of the spirit in which the club is conducted; its methods of management and how it is run.

In the very forefront of the factors making for the success of the club must be set the great fact that from the outset it was realized that any suspicion or trace of preaching to the lads would be fatal. Nothing sets up a mood of antagonism more promptly in such lads than the suspicion that they are being got at for purposes of moral improvement, and that whatever is being done for their recreation is only a device for such moral improvement purposes. It is not merely a matter of trying to keep such purposes hidden. As a matter of fact, you never can keep them hidden from boys, who are quick to detect and to shy off from them, whatever ingenious concealments may be devised for them. What was realized from the beginning was the importance really and genuinely of keeping the 'uplift' idea clean out of it.

The basic idea in the conduct of the club is that the moral sense of the lads themselves is naturally and intrinsically good if it gets a fair chance, and that all it needs is the opportunity for its own healthy growth and development. Given the opportunity of clean and healthy physical exercise and recreation in the jolly atmosphere of comrade-like emulation which exists where a crowd of lads get together under wholesome conditions, the good results follow naturally of themselves. Never for a moment has the club been allowed to become an exercising ground for preaching agencies or any sort of medicated purpose in connection with its recreative activities. The central idea is that a lad brimming over with the vital energy of youth will naturally develop a sound moral sense if he gets the right outlets for exercising that energy healthily, and the right atmosphere in which his own innate instincts of

fair play, good sportsmanship, and observance of the square deal in his association with his fellows, can expand and flourish.

✓ The final and decisive test of such an idea is, Does it work? And by that test the Norwich Lads' Club can claim to have justified its existence very fully. Take such tests as the criminal and health statistics of the city over the period of the club's existence. In 1913, the year prior to the war, ninety-six children and young persons under the age of sixteen were charged at the local police courts, and these figures were maintained at about the same level till 1919, when they were reduced to forty-five. In 1922 they had fallen to twelve, and the figure has remained round about that low level with very slight fluctuations up and down; as low as seven in 1923, and as high as eighteen in 1928; while in some years not a single young person has been sent to either a reformatory or industrial school. This is in a population round about 140,000, with much industrial congestion, a good deal of chronic unemployment, and many still remaining unwholesome housing conditions, poisonous to healthy growth for the young generation. It would, of course, be unreasonable to claim that the whole of this striking reduction in juvenile crime is due to the Lads' Club. There have been general influences at work. But the reduction of juvenile crime almost to non-existence is notably greater in Norwich than the general reduction due to general causes throughout the country; and every competent local observer of the facts is agreed in attributing this result very largely to the work of the Lads' Club, and the good relations it has created as between the police and the public.

For instance, the Recorder of London, Sir Ernest Wild, K.C., when taking the Quarter Sessions in Norwich in 1925, commented on the striking contrast between the work of his own Central Criminal Court, where, he said, 'It is deplorable to notice the number of young criminals committing the most dreadful offences,' and the beneficial effect of the Norwich Lads' Club on the charge-sheets of the Norwich courts. The same tribute to the influence of the club has been repeatedly paid by the Recorder of Norwich, Sir Ellis Hume Williams, K.C., P.C. On several occasions, too, His Majesty's judges, when attending at the local assizes, have called attention to the

reduction in juvenile crime; and have made opportunity to visit the club and expressed their gratification at the great organization for good undertaken by the Norwich City Police.

On the physical health side, tributes no less striking to the beneficial results of the club's work have been paid by those who are best placed to form a sound opinion about it. Dr. Sidney Long, the well-known physician who has been so largely responsible for the local work of combating venereal disease, in a letter to me after a recent visit to one of the club's boxing competitions, says, 'It is one of my jobs in life to try and rid this city of those baneful diseases which are commonly known as venereal diseases; and in this work I apply remedies which you would probably not care to handle. But I would point out to you that your Lads' Club is one of the greatest assets the city possesses in helping the work of the V.D. clinic at the Norfolk and Norwich Hospital. By encouraging a healthy, robust physical fitness in the youths of Norwich you are doing a fine work in the prevention of these diseases, and thus you are lending invaluable aid to those like myself, who are doing their best to eradicate them. It will interest you to know that the incidence of syphilis among our population has dropped 50 per cent. since 1920. Go on and succeed still further.'

To every student of social problems, this aspect of the widespread physical deterioration that so often has its beginnings in aimless street loafing at night by working lads at a loose end for the intelligent use of their leisure, is well-known. Health is not a thing a boy thinks about; he never expects to be sick. The gymnasium gives him a paradise for play; there strenuous games challenge physical strength and health; a strong healthy body becomes a matter of pride; and such play becomes the compelling force calling a boy of his own volition to a standard of clean living. The Lads' Club can unquestionably claim to be a big factor in promoting the health of the youth of the city.

Naturally, an institution achieving these things finds its work made easier by the public recognition and support which follows upon such admitted results. The financing of the club is not the least interesting part of its story. At the outset

the officers of the police force, by their personal service, reduced the need for actual money to a minimum. But as soon as the work began to be known, support commensurate to its needs—still at a minimum because of the continued personal service given by the police—was and has been regularly forthcoming; not merely from a few well-to-do people, but in small subscriptions from large numbers of working people; in some cases through the sympathetic interest of local trade union leaders who see daily the benefit of the club to the poorest life of the city. In the various factories the employers have noticed the greatly improved physique of the lads employed by them who are members of the club, and their influence for good upon the other lads working with them who are not members. The improvement in work and general influence has been so marked that in many cases employers, without waiting to be approached, have asked to become subscribers. The club has now a good list of regular annual subscribers; and its funds are augmented by donations from visitors, by the proceeds of entertainments specially set aside for this purpose by a number of the amusement houses of the city, and by the gate money at an annual football match between the police and special constables, which is now regarded by the public as one of the local sporting events of the year.

After the completion of the purchase of the new premises a deed of trust was prepared, and the club and gymnasium conveyed to trustees under the provisions of the trust. It is provided that the premises shall remain vested in the citizens; and in the event of the police force ever deciding not to continue active interest in the club, the City Council shall be invited to decide what shall be done in the matter.

One provision of the trust is that membership of the club shall remain free. That has been a condition from the beginning. The club is entirely free and open to any lad between fourteen and eighteen years of age. The only condition imposed is in the pledge which each member signs on his membership card: 'I promise that, with the help of God, I will endeavour to be honest, straightforward and manly in my daily life; and that I will do all I can to promote the best

interests of the club.' Set rules and regulations are reduced to the utmost possible minimum; the aim is to give the widest freedom consistent with good behaviour. There have been about 8,000 lads enrolled as members since the club's inception; and the ordinary nightly attendance is from 400 to 500; with much larger numbers on the many special occasions. Sacred concerts in which the club's band and all the principal local artistes take part are held regularly at 8 p.m. on Sunday evenings in the club's premises; and so popular have they become that attendances generally reach upwards of one thousand young people who would otherwise have been parading the streets.

The management committee of the club is representative of all ranks in the police force, with the Lord Mayor as President and the Chief Constable as Chairman. But that is for general management only. The many sectional activities of the club are under sectional committees of the members themselves, who make their own arrangements for sports matches—cricket, football, billiards and the rest. Many of the old boys act as instructors and helpers in these various activities. The general work of club organization and supervision is carried on by the police in their off-duty hours; and so far from there being the slightest difficulty in obtaining this help, there is keen competition in the various ranks as to who shall carry on the work of the Lads' Club.

In these varied sectional activities the club has attained many distinctions. The central interest in the club is of course the gymnasium; 90 by 70 feet, and equipped with every form of apparatus. Members not only give displays at the club, but are in great demand during the summer to help local charities by giving displays at fêtes, sports and garden parties. Senior members not only give instruction to juniors, but attend at surrounding villages as instructors to small clubs opened there. Boxing is very popular; so popular that it takes three nights to work off the bouts at the annual club competitions, and even the spacious club premises are unable to accommodate the parents and visitors who wish to attend on these occasions. One such visitor, Mr. Eugene Corri, the famous boxing referee, stated that he had visited many lads' clubs, but had seen none quite so good as the Norwich Lads'

Club. 'The ring is far and away the best I have ever seen,' he says, 'and many of our larger boxing halls could copy the arrangements at Norwich with advantage.' Various Army championships have been won by old boys. One club representative has got as far as the semi-final in the national Amateur boxing competition, and another old member has won the championship of the L.N.E. Railway for three years in succession. There is a strong cricket section, which takes a good place in the local junior leagues; and the football teams of the club have been very successful. The Lads' league shield has been won twice, and the senior football team has had the great honour of winning outright, from 300 competing teams, the silver trophy for the best record of any amateur team in Norfolk. Trophies have also been won at billiards.

One of the outstanding features of 1928 was the formation of a swimming section. Under the guidance and instruction of the members of the police force, a large number of the lads have been taught swimming and life-saving; several of the members have gained the proficiency certificate and bronze medallion of the Royal Life Saving Society, and five have passed the very difficult test of the Society's Award of Merit. It is in this connection that the club's next extension is contemplated. There is a great need for an adequate swimming bath; and adjoining premises capable of adaption to the purpose have become obtainable. This is the club's present and urgent financial aim.

Members of the club have formed a Division of the St. John Ambulance Brigade and one of the leading medical practitioners in the city gives great personal interest and help in their work. Two senior members in full uniform attend every night at each theatre, music hall and cinema to assist anyone requiring first aid; and similar attendances are made at football matches and other functions at which large crowds assemble.

A band was established shortly after the club was formed, and has now a membership of thirty. They are offered many more engagements than any single band could undertake. For some years they have been engaged by the Norwich City Council for performances in the public parks; and their

services are frequently given free to all sorts of charitable organizations.

In addition to affording opportunities for recreation, social intercourse and physical training, the club also acts as an employment bureau, and work has been found for a very large number of boys and young men. The citizens and firms who have on my recommendation found openings for members of the club speak very highly of them, and rarely have the lads given me any cause to regret having sponsored them and provided for them a start in life.

That this instance of welfare work and the promotion of good citizenship, undertaken directly by a police force, is not an isolated effort, is shown by the fact that the Norwich Lads' Club is affiliated to the National Association of Boys' Clubs, 27 Bedford Square, London, W.C. 1, of which H.R.H. the Duke of Gloucester is President. In June, 1924, a representative group of active workers in the various agencies engaged in the work of boys' clubs—religious agencies, university settlement boys' clubs, and others—spent a week-end together in the discussion of problems in which they had a common concern; and the exchange of views led to a suggestion that a permanent representative body should be set up to act as a clearing-house for information concerning club work and methods, and to encourage the formation of new clubs. This suggestion came to fruition in the formation of the National Association, which seeks to express nationally the team spirit which animates boys' clubs throughout the country. The affiliated units of the national Association have a membership of somewhere about 100,000; and its value as a factor making for healthiness in national life is very great.

Summing it all up, we claim that in all this we are doing a really creative work in citizenship. The work of the police is often supposed to be limited to the enforcement of the prohibitions of the law and to measures against those who infringe it. But is there any reason why it should not be generally supplemented by the more enduring work of fostering the growth and the quality of positive good citizenship?

The Metropolitan Policeman as Coroner's Officer

By A. DOUGLAS COWBURN

One of His Majesty's Coroners in the County of London and for the Duchy of Lancaster

IT has been said that the 'Coroner's Officer' is unknown to the law as such. However that may be, he performs functions of the utmost importance which call for the exercise of a very considerable degree of tact and cautious discretion, and on his efficiency and capacity the usefulness of the inquest largely depends.

Like much else in our history, the office as it exists to-day is the result of evolution gradually developing in accordance with progressive ideas and changing conditions. The well-known statute *De Officio Coronatoris* (Edward 1st, 1276), which was probably declaratory of the Common Law, enacted that 'The Coroner should go to the place where any lies slain, suddenly dead or wounded, or where house is broken or treasure trove is lying, and issue a warrant to bailiffs or constables to summon a jury out of five or six neighbouring townships to make inquiry upon view of the body and inquire into the manner of killing and all circumstances that occasioned the death.' These 'bailiffs or constables' were the original prototypes of the Coroner's Officer of to-day, and Wingate's edition of Briton, published in 1640, states that it was the King's pleasure that 'Our Sheriffs and Bailiffs be attendant upon Our Coroners and be obedient to their Orders and Mandates.' The same author relates that when the Coroner has notice that any have taken sanctuary, he shall send his mandate to the 'Bailiff of the place' to summon the neighbours to appear before him on a certain day and in their presence take acknowledgment of the felony.

In course of time, inquest procedure fell into a deplorably low state of inefficiency, and as recently as the early part of the nineteenth century the methods, surroundings, and practice of the Coroner's Court earned universal and well-merited contempt. While the Coroner was not infrequently a person of little standing and less learning, his 'Officer' was usually the parish beadle or clerk, foolish, ignorant, and corrupt; and occasionally unsuitable persons were selected, undertakers having been appointed in more than one instance. In 1839 a certain Dr. Thomas Wakley, Member of Parliament and founder of the *Lancet* journal, became Coroner for West Middlesex and immediately instituted many reforms in inquest procedure, not the least valuable of which was displacing the 'beadle' by a private 'officer' of his own on whom he could rely, and who communicated his instructions to the 'constables, head boroughs, and parish officers' as to the information they were to obtain and lay before him before applying for a warrant for the holding of an inquest. These functionaries were required to obtain full particulars as to when, where, and under what circumstances any death which might be the subject of an inquest had occurred, also whether the deceased had been attended by a medical practitioner in his last illness; and Wakley required that notice should be given to him of all persons who had died in prisons, poorhouses, asylums, or in circumstances of destitution.

The result of these inquiries was directed to be written on a printed form which was so admirably drawn up that it forms the basis of modern practice at the present day, together with such modifications as have been necessitated by legislation. Wakley's proceedings raised a storm of opposition, but his forceful energy and determination overcame all obstacles, and not the least of the many reforms which he initiated was defining the true functions and duties of the Coroner's Officer. Wakley died in 1862, one of the most fearless, capable, and sympathetic Coroners who ever served the public; but abuses died hard, and it was not until the passing of the Coroners Act of 1887, which was followed by the Local Government Act of 1888, establishing County Councils, that any real reform set in. The London County Council, by agreement with the

then Commissioner of Police of the Metropolis, arranged that future Coroner's Officers in the County of London should be selected from members of the Metropolitan Police Force on the active list, and this wise and salutary provision is the invariable rule at the present time.

The Officer selected is nominated on the recommendation of a senior officer of his Division, subject to the approval of the Commissioner, after which he is sent to the Coroner to whose district he is to be attached for a probationary period, usually one month, when he will undergo instruction in his new work, learning much ordinary routine from his more experienced colleagues in the same district, who will generally have been Coroner's Officers for some considerable time. In London and some other large towns his whole time will necessarily be fully occupied with his specialized duties, while he continues to draw the full pay and allowances of his rank, at the same time retaining his powers as an ordinary police officer and remaining subject to the disciplinary control of his police superiors. If he has shown, after his probationary period is over, that he is likely to be suitable, he will be permanently appointed.

The great majority of Coroner's Officers in London are constables of considerable experience and capacity, though some have obtained the rank of sergeant before appointment. A fair degree of general education and intelligence is essential for the Coroner's Officer of to-day. Once appointed, Coroner's Officers in London generally continue in this capacity until retirement from the Force, as the position is coveted for various reasons and the work is of a special nature calling for the exercise of tact, sympathy, and discretion. Moreover, it is advisable that the office should be regarded as a permanent one, for then the Coroner has the advantage of having proved men of capability and experience at his disposal.

The number of officers who may be attached to a London Coroner will vary according to the size of the districts, which differ to some extent according to the population and other circumstances. But one Officer will usually be appointed for the area of a borough, three or more boroughs being comprised in a particular district.

The newly appointed Officer will find his time during his probationary period fully occupied if he hopes to acquire a sound and comprehensive knowledge of his special duties. Recent legislation¹ has considerably enlarged the scope of the activities of the Coroner with an inevitably corresponding increase in the work of his Officer. Thus all deaths occurring under the following circumstances must be reported to the Coroner of the District in which the body is lying, which means in effect that the notice of such death comes in the first place to the Officer.

1. All deaths of prisoners in prisons, or of lunatics in asylums.
2. Directly or indirectly caused by any sort of accident, violence or neglect.
3. Attended by any suspicious circumstance or unknown cause.
4. Unattended by a registered medical practitioner within 14 days of death.
5. Death after an operation necessitated by injury, or occurring whilst under an operation, or before recovery from the effects of an anæsthetic.
6. Poisoning of any kind, including alcoholism, pyaemia, or septicaemia.
7. In certain circumstances under the Children's Act 1908.

Information may come from a variety of sources, *e.g.* the police, registrars of deaths, friends or relatives of the deceased, midwives, managers of asylums, governors of prisons, or from medical practitioners who are unable or unwilling to certify the cause of death without first consulting the Coroner. Deaths occurring in hospitals from injuries or while undergoing an operation are usually reported by the resident doctor.

From whatever source information of death is received, the Officer must at once commence his investigation in order that he may be in a position to report accurately and concisely the material facts for the information of the Coroner, who will not decide what, if any, action is to be taken until he has the

¹ Coroners (Amendment) Act 1926, 16 and 17 Geo. 5. c. 59. Births and Deaths Registration Act 1926, 16 and 17 Geo. 5. c. 48.

report before him; and it is at this stage that the work of the Officer is all-important. He should immediately visit the place where the body is lying and also the place where the death has occurred, taking with him a pencil and notebook, a magnifying glass, a tape measure, and an old pair of gloves. He should view carefully the body or bodies, noting their exact position, if they have not been moved, whether any lethal weapons or receptacles containing poison are or have been found near them. He should also take careful measurements of any windows, doors, rooms or other places where such are likely to be required; and note the shape, extent, and position of any bloodstains. He should thoroughly search for any writings left by the deceased which may throw valuable light on the cause of death. Inquiries should be made from all who may have knowledge of any circumstances preceding or in connection with the death, especially from the person who last saw the deceased alive. In dealing with relatives he must exhibit much tact and forbearance, remembering that they have lost one who is (probably) dear to them, often under tragic circumstances; moreover, the more sympathy he shows, the more readily will he be able to obtain the information he requires.

Correct identification of the deceased is vitally important, and, whenever possible, the Coroner's Officer should have this done by a near relative, which failing, by a friend or acquaintance of long standing. Accurate particulars must be obtained of the full correct names (in the case of those belonging to the theatrical world both the real and stage names); the age last birthday; last occupation and address of the deceased; whether married or otherwise; if a child, the name and occupation of the father, or if the child be illegitimate, the name and occupation of the mother. Where the deceased has served in any of the Forces of the Crown, particulars as to when, where, and in what branch such service has been rendered should invariably be obtained, as these may have an important bearing at the subsequent inquiry. Occasionally identification will be difficult or not immediately forthcoming, *e.g.* in the case of a 'down and out' taken from water, or one who has died in a common lodging-house. In such and similar cases, the

Officer should arrange to have a police photograph taken of the features, both full and side face, while an accurate description of the clothing together with any articles found therein should be noted in order that a full account may be circulated round the police stations of the districts. Prints of the inner surface of the fingers may be of material assistance in establishing identity, and trouser buttons may afford a clue, as these sometimes bear the name of the tailor who supplied the clothing. Any lethal weapons, ropes, bottles or cups containing poison should be taken possession of for subsequent production at the inquest.

When possible the Officer should always endeavour to obtain an interview with the medical practitioner who last attended the deceased or was called at or after death. Generally speaking, practitioners are willing to assist officers with such information as they may have; but sometimes they prefer to communicate with the Coroner in writing; in such cases the Officer should not betray resentment, but render every facility to the doctor, who will probably be called to give evidence if it appears to the Coroner that his testimony is likely to be of value. While making every endeavour to obtain all relevant information the Officer should himself observe a cautious reticence, scrupulously avoiding any discussion either with the relatives or with others interested, and abstaining from expressing any opinion. Under no circumstances should he give any information to the Press, except to inform them when and where the inquest will be held.

When he has obtained all the information required, he should reduce the whole to a brief, concise, but accurate summary of the facts on the form supplied for the purpose, omitting comments or expressions of opinion, finally concluding with a tabulated list of the witnesses likely to be required, with a brief note as to what they can prove.

It does not necessarily follow that the Coroner will hold an inquest on all cases reported to him. If the information fully satisfies him that the death is purely natural and that there are no suspicious or other circumstances requiring investigation, he will decide that no intervention on his part is necessary. If otherwise, he may order a post-mortem exami-

nation, in which case the body must be moved to the proper mortuary, after which the Officer will communicate with the doctor nominated by the Coroner for this important duty without delay, for it is essential that the autopsy should be carried out as early as possible. When completed, the result should be immediately communicated to the Coroner, for if it is found that the death is due to 'natural causes,' the Coroner may decide that no inquest is necessary.¹ In certain cases an inquest is required by statute, when the body should be moved at once. Experience will enable the Officer to know which cases come under this category; for he should possess a good general working knowledge of the Coroners Acts 1887 and 1926, as well as be familiar with the circular letters issued by the Home Office to Coroners from time to time, which afford much valuable information.

When an inquest is ordered, he will ascertain whether a jury will be required, in which case he should serve the necessary summons on reputable citizens who are not mere denizens of the public-house; at the same time he will subpoena the witnesses required, and it is wise to secure their attendance a good quarter of an hour before the inquest opens. Care must be taken to notify the time, place, and date of the inquest to all who should be officially informed; *e.g.* the Factory Inspector where death has occurred as a result of working in a 'factory or workshop'; the County Council or other supervising authority where a midwife is concerned; his superior police officer where allegations have been made against the police; H.M. Inspectors of Explosives where death has been caused by an explosive substance. As a general rule he will receive specific instructions from the Coroner on these matters. Where the conduct of persons may be involved in the inquiry, either as individuals or collectively, they should be warned to attend; and if allegations have been made, they should be acquainted with the nature of such allegations, as they may wish to be legally represented. Again, they may be indirectly concerned; *e.g.* where defective apparatus is supposed or alleged to have caused death, those who made or supplied the apparatus. In the case of a fire

¹ Coroners Amendment Act 1926, section 21.

causing death, the fire brigade officers, and in the case of a vehicle causing death in the street he will arrange for plans of the site to be prepared and produced at the inquest, and proved by the police officer or other person who made the plan. Where the Coroner desires it he will arrange for a police shorthand writer to be present, who should always be accommodated as near the witness-box as possible.

In cases where crime is suspected or alleged he should not take statements himself but leave this to the officers of the Criminal Investigation Department, who will themselves place their information at the disposal of the Coroner.

Finally, at the time appointed, he should, as Officer of the Court, see that the bodies are ready for the Coroner to view, and satisfy himself that the Court-room is properly prepared for the proceedings to be conducted in order. Most of the Courts in London and other large centres of population are adequately provided for in this respect, but this is by no means the case elsewhere, and he should arrange where possible that counsel or solicitors appearing on behalf of parties interested are conveniently seated before a large table, on the other side of which the Press may be accommodated. Both of these should be near the place where witnesses will give the evidence. Suitable accommodation should also be provided for superior police officers, who will always be present in cases of gravity.

Most modern Coroners direct that eye-witnesses to a fatality which may involve a criminal charge should be kept out of Court until their evidence is required, and care should be taken that this is done where ordered.

When the jury are seated in their places and all is in readiness the Officer will inform the Coroner, on whose entry he will order all to be upstanding, and open the Court in the time-honoured formula, call over the names of the jury, call and swear (or affirm) witnesses in their proper rotation, and generally maintain silence and good order during the hearing of the case. Should the jury retire to consider their verdict, he is to take special care that no one has access to them and return them into Court when they have intimated their readiness to do so, calling over their names before they deliver their

verdict. When the verdict is returned he should see that the jury properly sign the inquisition in full, and finally close the Court, after which the witnesses may be paid the sums allowed by the proper authority, which varies somewhat except in the case of medical witnesses whose fees are fixed by statute.

It has been well said in a previous number of this Journal¹ that the 'Police are becoming more and more indispensable in the organization of society, and in the ordered life and progress of the nation.' The writer of this article would venture to add that in no sphere of police activity is this more apparent than the work quietly and unostentatiously performed by a Coroner's Officer in a large centre of population. Brought as he is into daily contact with the 'manifold frailties' of human nature, culminating only too often in tragedy, he discharges his delicate and responsible duties in a spirit of kindly toleration tempered with shrewd caution, thereby upholding the splendid traditions of the Force to which he renders loyal and efficient service.

¹ Volume I., page 21.

Policing the Federated Malay States

By J. P. PENNEFATHER-EVANS

Acting Director of Criminal Intelligence, F.M.S. Police

THE natural inhabitants of Malaya are the negrito aborigines, who, armed with blowpipes and poisoned darts, live in the depths of the jungle and are seldom encountered. The aboriginal has been ousted by the Malay, who in course of time has come to be regarded as the native of Malaya. Whence the Malay came is uncertain. His reputation as a bloodthirsty pirate still clings to him from the days of Vasco da Gama and Albuquerque. In reality he is a very delightful person; small in stature (the minimum standard of height for Malays in the Police is 5 ft. 3 in.); well built; light bronze in colour; happy-go-lucky in his outlook on life; dandified in his dress; polite in his manners; free and easy in his intercourse with Europeans and others, and essentially a gentleman of leisure. He is a Mohammedan by creed and a pagan by inclination. He is not yet politically minded, but it is scarcely to be hoped that he will escape modern influences.

Malay connotes rubber and tin. The Malay, being, as I have said, a gentleman of leisure, leaves the production of rubber to the Tamil labourer from Southern India and mining for tin to the Chinese labourer from Southern China, while he himself takes his ease and thanks Allah that in His wisdom He has created people in this world who will perform any toil for payment received. Not that the Malay does not realize the benefits of money: he will borrow it from you as frankly as he will forget to repay the loan. He never has sufficient money for his needs. Hence the professional money-lenders, the chetty from Southern India and the Sikh from Northern India. The latter, if he cannot join the Police or the Prisons Department, is generally a watchman or a bullock

carter in addition to being a money-lender: in fact it would be fairer, perhaps, to call money-lending a hobby in his case.

The Chinese are the backbone of the country. The Chinaman will turn his hand to anything and will make it pay. He runs shops, pulls rickshaws, mines for tin, plants vegetables, breeds pigs, or is a deep-sea fisherman, a carpenter, iron-worker or domestic servant with equal facility. You cannot get away from him. At the back of beyond you will find his bamboo hut in the depths of the jungle—and very glad to find him you will be. He always has hot tea going and is usually glad to see you.

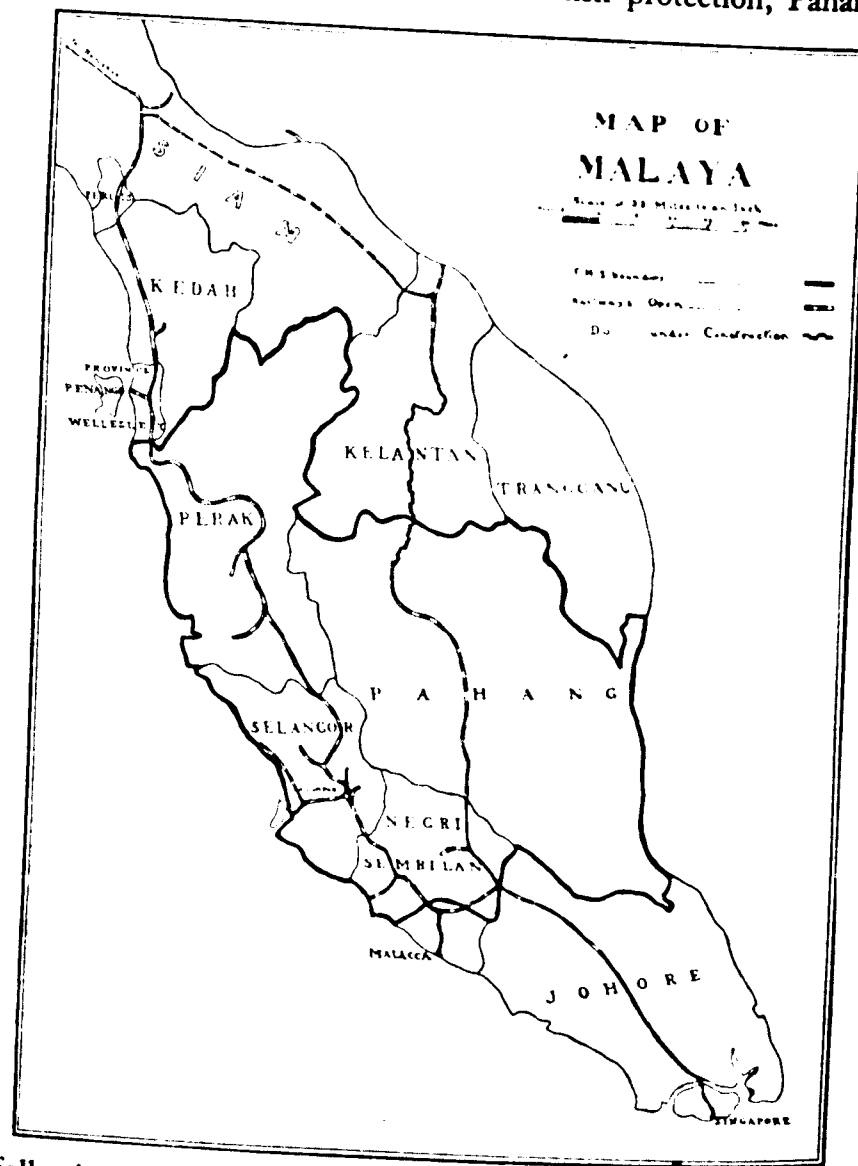
Every known race of the East is to be found in Malaya and most of the Western races as well. They are all sojourners in a strange land except the Malay, and policing such a country presents a problem which in some ways is unique.

The very political organization by which the country is administered is like that of no other country in the world. To-day there are within the Peninsula no less than three systems of Government. The Straits Settlements are a Crown Colony under the sovereignty of the King and directly subordinate to the Colonial Office in London. The Federated Malay States consists of Sultanates under British protection and virtually under British Administration. The five Unfederated States of Johore, Trengganu, Kelantan, Kedah and Perlis are independent States under British protection and to a greater or less extent under British influence.

In 1786 the East India Company bought the island of Penang from the Sultan of Kedah and later acquired the strip of mainland opposite called Province Wellesley. In 1821 Sir Stamford Raffles bought the island of Singapore. In 1824 we exchanged Malacca for Sumatra with the Dutch. These three territories with the Dindings and a few odd islands compose the Colony of the Straits Settlements.

Prior to 1874 Malaya was in a state of chaos. Sultan fought with Sultan, and murder, robbery and rapine were the order of the day. The peasantry, as always, were the chief sufferers. In 1874 matters became so bad that the British intervened. The Sultan of Perak agreed to accept a British Resident and to be guided by his advice. The first Resident,

Mr. Birch, was murdered in the following year. A military expedition followed, and in 1875 the States of Perak, Selangor, and Negri Sembilan came under British protection, Pahang



following suit in 1888. Residents were appointed to all four States. In 1895 the Rulers of the four States agreed to constitute their countries into a Federation to be administered under the advice of the British Government. The Federated

Malay States are ruled by their Sultans, but administered by British officials. The Federal Administration is controlled by the Chief Secretary, who is subject to the supervision of the High Commissioner. This post is always held by the Governor of the Straits Settlements.

The Straits Settlements and the Federated Malay States have separate Police Forces and, in addition, each of the Unfederated Malay States has its own Police, with a British Officer seconded from the Straits Settlements or Federated Malay States Police in command and, in some cases, with one or two British Officers under him.

The strength of the Federated Malay States Police, which is the particular Malayan Force with which we are concerned, is 2,195 Malays and 1,714 Northern Indians, together with 224 detectives of all nationalities. The Force is officered by British and Asiatic officers in the higher grades and by Asiatic Subordinate officers in the lower grades. Officer grades fall into three divisions.

- (i) 'Gazetted' Officers, *i.e.* the Commissioner (1) and Deputy Commissioners (8) and Assistant Commissioners (64). Nine of the Assistant Commissioners are Asiatic. British officers of this grade are appointed by the Secretary of State for the Colonies.
- (ii) 'Superior' Officers, *i.e.* Chief Inspectors (22) and Inspectors (61). These may be either British or Asiatic. British Inspectors are recruited by the Crown Agents for the Colonies.
- (iii) 'Subordinate' Officers, *i.e.* from Chief Sub-Inspector down to Lance-Corporal. These officers are always Asiatic.

Gazetted and Superior officers are appointed on probation in the first instance and before confirmation are required to pass examinations in an oriental language, law, drill, musketry, police duties and regulations. The standard for 'Gazetted' officers is higher than that for 'Superior' officers. In order to pass the efficiency bar at the end of the thirteenth year of service Gazetted officers are required to have passed examinations in two oriental languages. A bonus is offered for every

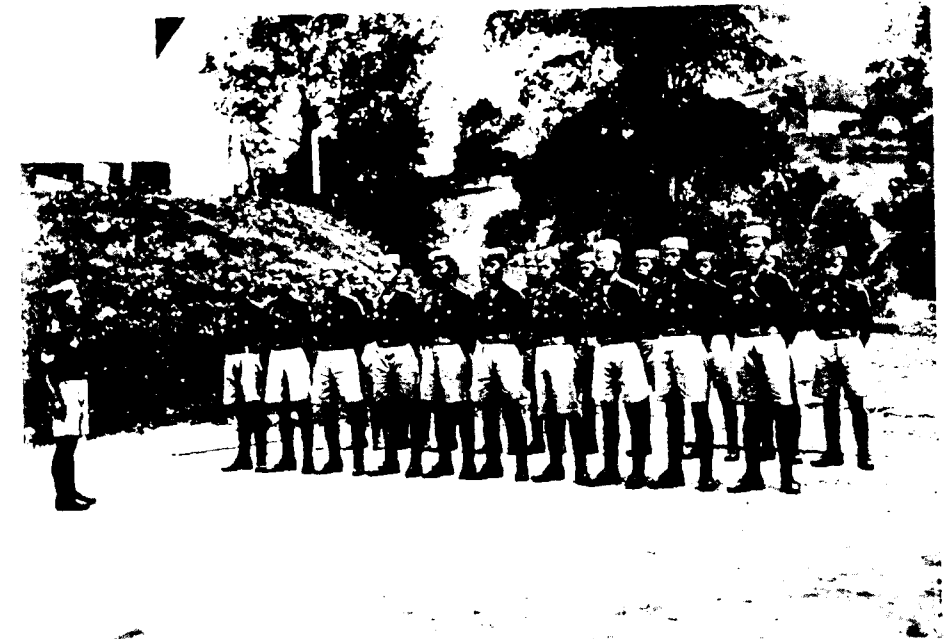
language examination successfully passed after the preliminary compulsory examination.

The training of the Force, officers and men, is carried out at the Training Depôt at Kuala Lumpur, the capital of the Federation. The recruits' course at the Depôt for the rank and file lasts a year. There are also periodical refresher courses lasting three months for which men are drafted in from out-stations.

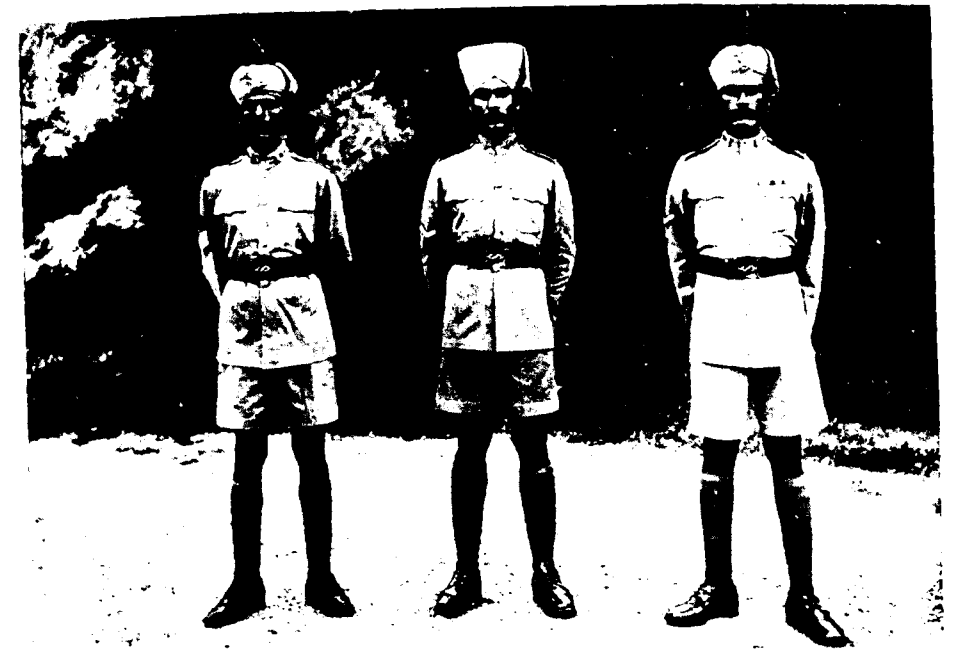
Malays are recruited as they present themselves for enlistment. Indians are recruited as required, generally once every two months. Great care is made in selecting Indians, who may be Sikhs, Punjabi Mussulmans or Pathans. One P.M. or Pathan is enlisted for every three Sikhs. Sikhs must be Jat Sikhs and are only recruited from certain selected districts of the Punjab. As there are generally about eight candidates for every vacancy, it is possible to make a good selection. Men with previous experience in the Army or Police are not as a rule selected. An exception to this rule was made during the years immediately following the War, when ex-service men were freely accepted. Preference is given to Indians who have well-conducted relatives in the Police.

The Malay recruit when enlisted has by no means a military carriage. A few months of physical training and drill at the Depôt makes a wonderful difference to his physique. The lackadaisical, round-shouldered sloucher who applies for enlistment becomes rapidly transformed into a smart, upright individual with a brisk step and swagger to match.

Since the Police is an armed force, our recruit, whether Malay or Indian, has to learn a good deal of soldiering as well as police work. Squad drill, platoon drill, company drill, rifle exercises, fire orders, musketry and physical training keep him busy. Then he has to learn romanised Malay and law and police duties. The Indian has, in addition, to learn colloquial Malay, which is the *lingua franca* of the country. He is expected to know something about traffic control, the use of the telephone and first aid. In the short space of one year the unintelligent yokel straight off his father's land, whether from a Punjab village or from a Malayan hamlet,



MALAY RECRUITS UNDER INSTRUCTION



A PATHAN A SIKH A PUNJABI MUSSULMAN
FEDERATED MALAY STATES POLICE



FIGURE 1. THE POLICE HEADQUARTERS IN KUALA LUMPUR

POLICING THE FEDERATED MALAY STATES 411

attains a degree of intelligence and initiative that will enable him to cope with any emergency, whether performing the duties of a policeman or those of a soldier. The percentage of failures is very small.

Once drafted out of the *Depôt* the erstwhile recruit, who has now attained the rank of third-class constable, goes to a Contingent headquarters for a period before being drafted out to a District headquarters and finally to a minor station. In each of the four States of the Federated Malay States there is a Contingent of Police under a Deputy Commissioner, who is styled the Chief Police Officer: the *Depôt* forming a fifth Contingent, under a Commandant who is also a Deputy Commissioner. Besides these five Contingents there is the Federal headquarters consisting of the Commissioner, his adjutant, the registrar of criminals, who is in charge of the finger-print bureau for the whole of Malaya including the Straits Settlements and the unfederated States, and the Director of Criminal Intelligence for the Federated Malay States. The Federal headquarters are situated in Kuala Lumpur. Each State Contingent headquarters, which consists of the Chief Police Officer, one or more Assistant Commissioners and a Chief Inspector, is situated in the most important town in each State. In Perak and Selangor there is, in addition, a Court Chief Inspector, and in all the States but Pahang there is an Assistant Commissioner in charge of the detective branch who works under the Chief Police Officer, and who co-operates with the Director of Criminal Intelligence at Federal headquarters.

The States are divided into a number of Police Circles, each under an Assistant Commissioner responsible to the Chief Police Officer; and the Circles are again sub-divided into Police Districts, each under a European or Asiatic Police Inspector. The Stations are in charge of Asiatic sergeants, corporals or lance-corporals. The Chief Police Officer in each State is subject to the control and superintendence of the Commissioner of Police and is responsible to the Resident for the efficiency of his Contingent in the prevention and detection of crime, for the preservation of public peace and order, for all public duties imposed by the Police Force Enact-

ment and for all other matters touching offences against the laws of the State.

From the foregoing it will be realized that the prevention and detection of crime in Malaya is fraught with difficulties peculiar to this country. A senior police officer, with many years' experience in India (he had been in the Indian Police) and China, who some years ago accepted a very high appointment in the Straits Settlements Police, expressed the opinion that Malaya, owing to its geographical position between India and the Far East and the consequent admixture of races, presented the most difficult problem from a police point of view, both political and criminal, that he had ever experienced.

If the difficulties of the administrative officer are great, those of the executive officer in charge of a Circle or District are, in their way, no less formidable. For it must be remembered that, in spite of a network of excellent metalled roads connecting town to town and a railway system running throughout the length of the Peninsula with local lines branching off at intervals, the executive officer works in a country of which the greater part is still covered with dense tropical jungle, except where large areas have been opened up for the purposes of tin mining or rubber planting. Owing to the first-class communications which the country boasts, travelling is done almost entirely by motor-car or railway. Once off the main routes, however, recourse has to be had to primitive foot slogging by jungle paths.

Two-thirds of the population of 1½ millions are immigrants, of whom 533 thousand are Chinese and 388 thousand are Indians. The country is bounded on three sides by primitive undeveloped States in which a criminal may find an almost impregnable asylum. Chinese immigration is uncontrolled, and Chinese are pouring into the country at the rate of 200 thousand a year, of whom some 155 thousand every year return to China. Conditions in China being at the present time distinctly uncomfortable, there has been during recent years an increase in the number of Chinese coming to Malaya to start life afresh. Immigration from Southern India is assisted and controlled by Government. Most rubber estates in Malaya are worked by Southern Indian labour. This large

immigrant population from China and India is one of the Malayan policeman's greatest difficulties. Each race brings its own language and customs with which the policeman needs to be tolerably familiar. Most police officers speak two or more oriental languages.

Hitherto this problem has been solved by judicious use of the Banishment Enactment. The immigrant who indulges in serious crime or too frequent petty crime is banished by the Malayan Government to the land of his birth. Rigorous imprisonment and re-banishment at the end of it is his portion should he return, as some do, to Malaya. In former days, there were no returned deportees from China; for on arrival in that country banished persons were duly executed by the Chinese Government to whose tender mercies they were delivered. Banishment was at that time a powerful deterrent to crime.

There is growing up in Malaya, however, a rapidly increasing number of local-born Chinese and Indians and, furthermore, race distinctions are tending to disappear among these locally born youngsters. It is now not uncommon to find Chinese, Tamils and Malay youths working together in crime. The locally born criminal cannot, as a rule, be banished, since there is no country to which he may be sent. This is a new problem which the Malayan policeman has to tackle.

The solution is found in a three-fold system which covers the whole criminal field. This system comprises: (1) Police Supervision, which is a sentence by a Court whereby, in certain cases, the convicted man, after serving a term of imprisonment, is required on release from prison to report himself for a period once a month at the police station nearest to his place of residence; (2) Bad Character Registration, whereby bad characters are registered and kept under surveillance, being reported on by the local police at monthly, weekly or daily intervals, as may be necessary; and (3) Criminal History Records whereby the criminal history of every known criminal is filed for reference. This three-fold system of keeping in touch with criminals is, together with the Modus Operandi Bureau, worked by the Criminal Intelligence branch.

The bulk of the executive work of the police falls on the

shoulders of the Officer in Charge of the Police District, who in all, except very minor, cases is the investigating officer. Occupied as he is with conducting investigations, prosecutions, and inspections, in addition to writing up investigation reports, returns and general correspondence, the O.C.P.D. enjoys but little leisure. The life is, however, varied and interesting. He will ordinarily travel about his district by motor-car or motor-cycle unless he is stationed in a very remote spot, when he will have to rely on 'Shank's mare,' assisted occasionally by a bicycle, to get him about his district.

On receipt of a report of an offence committed the officer in charge of the nearest station proceeds immediately to the scene, followed as soon as possible by the officer in charge of the district unless the case is a very trivial one. A written report has to be prepared of the investigation into every information of a seizable offence, and this report forms the 'brief' for the officer conducting the prosecution. This 'brief' contains a copy of the information, the statements of all the witnesses, the diary of the investigating officer written up day by day, sketches of the scene and any other relevant documents. Asiatic officers in charge of minor stations are being encouraged to investigate and record the evidence in minor cases with a view to relieving the O.C.P.D. of a certain amount of petty investigation.

The officer in charge of the Police District usually conducts his own prosecutions in the local Magistrate's Court, referring serious cases to the Deputy Public Prosecutor for instructions before commencing the prosecution. Cases and appeals heard before the Supreme Court are conducted by the Deputy Public Prosecutor in each State.

The difficulties of the Malayan policeman are augmented by the prevalence of a form of crime imported from China, which has an incalculable influence for evil. I refer to secret societies. Nearly every Chinese belongs to some secret society or other. These secret societies,¹ which in China were originally political in nature, are now in Malaya chiefly mutual aid societies for the assistance of any member who is a fugitive from justice. These societies wield great power and very few

¹See "The Secret Societies of China," in *The Police Journal*, Vol. I, p. 277.

Chinese dare to incur their enmity by giving information to the police. The leaders of the societies make a good deal of money from extortion and from misappropriated funds.

Chinese are responsible for the bulk of the crime in Malaya. Southern Indians, who are hot-headed, are apt to commit murder, generally from motives of sexual jealousy; and Malays (especially Sumatrans and Javanese) commit house-breakings and petty thefts. Northern Indians occasionally commit robberies and brutal murders, their own countrymen generally being the victims. The Japanese are the most law-abiding community.

One great compensation remains to the Malayan policeman. Owing to this same admixture of races in the Peninsula, the dangers of any concerted anti-Government or anti-European plot are greatly minimized. It would be well-nigh impossible to weld the various inhabitants of this land into one homogeneous whole, with a single purpose in view. This is a great comfort in these days of Communist activities among Asiatic races. Communists spare no pains to propagate their doctrines among the labour forces of Malaya; and, as it is liable, owing to its geographical situation, to get the backwash of political agitation from India, China, the Netherlands Indies and other adjacent countries, the situation might well become intolerable were it not for the saving grace of our diversity of peoples.

Crime and Delinquency¹

By W. A. POTTS, M.A., M.D.

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IN all civilized countries the results of treating crime and delinquency by punishment only have been disappointing. In England, it was found recently that sixty per cent. of those who were convicted had been convicted before, while of the more serious cases convicted at the Assizes and Quarter Sessions seventy per cent. had previous convictions. Similar statistics have been collected in America, Canada, India, and most European countries. With the realization that nervous and mental disturbances often manifest themselves by peculiar, unsatisfactory or criminal conduct, the idea has gained ground that delinquency may sometimes be due to some nervous or mental abnormality. With the knowledge that such disturbances are often associated with unsatisfactory physical health, it is gradually being recognized that difficult cases require a thorough investigation both on the mental and physical side. Any general statement in regard to delinquency, however, such as that the majority are either mentally defective or poverty-stricken, is wide of the mark and does not help much. It is only by study of the individual that we can understand the beginning. It is impossible for more than a small proportion of those who come before the courts to be specially examined. If, however, some are investigated and careful records kept, even if at first it may be necessary to adopt the method of treatment by groups, the ways of dealing with these cases will gradually cease to be mechanical and become based on reason. Nothing satisfactory can be achieved by ringing the changes on severity and leniency, or on fines, probation, birching, or

¹ Presented before the People's League of Health in London on 7th March, 1928, and subsequently revised.

an Institution, without thinking out the effect on the individual and what is likely to suit him best.

It will never be possible to dispense with punishment. Punishment will always be required in some cases unless the publicity and disgrace already incurred are sufficient. But it is not unreasonable to suggest that in some cases treatment is necessary and not punishment. Even when punishment is necessary, treatment, especially if it includes education or training of some kind, is often indispensable, if good results are to be obtained.

All investigators are agreed that the majority of delinquents start at an early age, not later than the 'teens. Authorities differ only in regard to the age they consider the most important; a little reflection will show that often their verdict about this depends on their opportunity for examination. It looks as if the more complete the investigation and the earlier it is made, the clearer it is that delinquency often starts at six or seven, and is not infrequently due to the example and environment at an earlier age.

In connection with delinquency, one of the most important innovations ever introduced is the Children's Court, first established in Birmingham and now to be found in many other parts of the world. No one who has visited the Children's Court can have failed to be struck by the kindness of the attitude towards the offender; at the same time it is often obvious that there is no real understanding of the case. It is scarcely likely that it should be otherwise, unless the magistrates rely for a complete investigation on someone else, who approaches the child from an entirely different point of view. It is impossible for a magistrate in court to get close enough to the child, as it were, to appreciate his difficulties. It is impossible to carry out any kind of useful examination when the child is undergoing such an ordeal. That can only be done in a private interview. Such questions as asking the child why he did what was wrong are futile. The reason is bound up in his heredity, in his mental and physical condition, and the environment of his life at every stage since he was born. Can a child appraise these factors? Even if he did understand and know, is it likely that he would say in court with his

parents sitting at his back that he had gone wrong because his mother drank, or because there was friction between his parents, or because there was in his home such unsatisfactory examples as gratifying the desire for pleasure at all costs, or running away from responsibility? The child does not know what is the condition of his bodily and mental health. Sleepy sickness, involving often almost complete loss of the sense of responsibility, explains not a few cases of delinquency. Sometimes neither the child nor his parents know that he has suffered, or is still suffering from this disease, because it is often overlooked and not discovered till careful investigation after unsatisfactory conduct shows it is the most important factor.

It is advisable to discuss the knowledge already obtained of some causes of delinquency. Mental defect should always be thought of first, not because it is a frequent cause, but because it involves a definite abnormality of the brain, which is the cause of the unsatisfactory conduct. Careful investigations in prisons have shown that from two to five per cent. are mentally defective. It is often thought that anyone can recognize mental defect; so far from this being the case, however, the untrained investigator can only recognize a small proportion of cases. There are three grades of mental defect: (1) idiots, (2) imbeciles, (3) feeble-minded. Idiots who are unable to talk and can do nothing for themselves can, of course, be diagnosed by anyone. The next grade, the imbeciles, who are capable of responding to training, but cannot benefit by ordinary education, being unable to learn to read, are sometimes recognized. A great many, however, are missed because they do not necessarily show anything abnormal in their appearance, are able to do a little easy work for a time, and often can carry on a simple conversation. The next grade, the feeble-minded, who are able as children to benefit by ordinary education, even though it may have to be given in a special school and who sometimes can work satisfactorily, are usually overlooked in spite of the fact that they are really incapable of adjusting themselves properly to social life. Many can only be recognized by medical practitioners who have had long special experience. When it is realized that in a group of one

hundred unselected cases of mental defect, only eight are idiots, sixteen imbeciles, and the remaining seventy-six feeble-minded, it is seen to be possible for mental defectives to go through the courts without being recognized. The court officials have had no training in mental defect and have not a sufficiently intimate relationship with the delinquent to suspect that some form of defect may be the explanation of the unsatisfactory conduct. There should be some suspicion of mental defect when there is a history of repeated misconduct, not affected by punishment; when there is a frequent change of situation or inability ever to earn an adequate wage; or other sign of incapacity for ordinary social life.

Mental defect is a condition different in nature to mental disease. Mental disease, or insanity, is practically never seen before fifteen, and usually not till much later in life; it develops in people who have previously been normal, but later become ill, the illness lasting from a few weeks to many months or even years. In exceptional cases there is no recovery, but the majority recover in time. If the brain of anyone suffering from acute mental disease is examined it is usually found to be normal, a very different state of affairs to the condition found in mental defect. In the case of the defective the microscopical structure of the brain differs markedly from that of an ordinary individual. The nerve cells are greatly diminished in number, smaller in size, irregular in shape and have other abnormalities. The idea that the brain may develop satisfactorily as the child becomes older is absurd, because abnormal brain cells do not change nor can they be replaced by new ones. In all the other organs of the body except the brain, cells are continually dying and being replaced. If, however, the brain cells die they are not replaced. Mental defect is therefore an inborn condition, which cannot be altered, though much can be done by proper treatment and training to help the unfortunate sufferer to carry on more or less satisfactorily.

Mental disease should also be always excluded. It is found, however, less frequently among delinquents than mental defect, the incidence being not more than one-half per cent. Although mental disease is found only in such a small proportion of cases, many delinquents are so unbalanced or unsatis-

factory in their psychological development that there is a risk of mental disease arising at a later stage. This is particularly noticeable in the case of sex offences committed by men. Dr. Hamblin Smith, Medical Officer to the Birmingham Prison, who undertook a careful investigation into a group of one hundred persons charged with such offences, found that eighty-three per cent. were mentally abnormal, thirty-four per cent. being actually mentally defective or insane.

It is just as important to examine carefully for signs of physical disability. In the case of a cripple there is not only the physical abnormality, which may interfere seriously with his earning capacity and also with his social life, but also the fact that the inevitable sense of inferiority often has an effect on his mental life out of all proportion to the handicap itself. Both factors must be taken into consideration.

The fact is that any form of weakness may tend towards unsatisfactory conduct. Just as the sense of inferiority has an important influence, so may a sense of guilt, due to a young person having done something unsatisfactory to which he attaches undue importance. Sometimes this is partly due to having been brought up in a hyper-puritanical home, where trivial faults or conduct that would not be considered unsatisfactory in a more normal environment are branded as evil. Among the unsatisfactory are found the offspring of the possessive mother, who is unable to let her child gradually grow away from her and develop his own individuality. He is so precious that she endeavours to keep him close to her; but sheltered from danger in this way he misses the stimulating and salutary influences of an independent life. Bjerre, the Swedish psychologist, who has made a careful study of a number of criminal cases, has noticed that one of the reasons why in those cases the delinquents were unable to adjust themselves properly to life was their difficulty in shaking off the mother influence.

Trouble may occur with those unbalanced characters who have some good capacities and abilities, while other qualities are disproportionately weak. Such persons are more likely to do something unsatisfactory than those who have developed on more even lines. In such cases, the essential treatment is

to tone up the weaker qualities. Important causes of delinquency are strong natural instincts and love of pleasure, without good influences to counterbalance them. It is by no means always sex that is the strongest primitive instinct, but often other natural appetites such as that for sweets or pretty clothes. Such tastes in girls and young women who have not been properly educated and trained may lead to disaster.

Unsatisfactory or uncongenial occupation may be the cause of delinquency. This is most likely to happen when there is some special ability, perhaps on artistic lines, for the expression of which there is no scope in the daily work. Occupational guidance is obviously of great value in these cases. If there is no special aptitude, but it is merely a case of the work being dull and monotonous, such as some kinds of factory work, it is essential that the hours should not be too long either at a time or during the day as a whole. The new science of Industrial Psychology will help. It is also important that there should be suitable opportunities for recreation. In this connection the inquiry carried out a few years ago by the Scottish Committee on Juvenile Delinquency is interesting. This committee found that the days of the week on which most offences were committed were Sunday, or Saturday after working hours.¹

As regards home life, overcrowding is a serious evil. The trouble is not only that modesty is seriously hampered in its development, but even more harm results from the friction inevitable in a crowded atmosphere where no one ever has the opportunity of being alone. It is unnecessary to describe the possible results of such a life. Satisfactory home life is the most important factor in the development of the young. If one or both parents drink, or are themselves delinquent, it is impossible for the child to grow up satisfactorily. Even when there is no misconduct, friction between husband and wife may be a serious difficulty, setting an example, as it does, of failure to adjust to life. The home in which all failure is ascribed to bad luck instead of being investigated and traced to its source has a demoralising influence.

Enough has been said to show that delinquency is an

¹ See *The Police Journal*, Vol. II, p. 54.

extensive subject and can be approached from many different angles. The problem is: Why did the offender act as he did? If that can be solved he may be dealt with satisfactorily. The reason for going wrong cannot be elicited from police reports, by questioning the offender—least of all in court—or by interrogating the parents, or through reports of school attendance and medical officers. It is only possible to get at the roots by studying the delinquent in his environment either oneself or with the help of trained assistants. Briefly, the cause is failure to adjust to social life as he finds it, either from mental or physical inadequacy, or both. Often it can be traced to natural instincts and emotions, which the culprit neither understands nor knows how to control, coupled with ignorance on his own part or on that of those responsible for directing his life.

Two or three examples will show what different roots there are in apparently similar cases, and how inadequate rule-of-thumb methods must be. An attractive little school girl, twelve years old, was found taking pennies out of overcoat pockets in the cloak-room. Physically there was nothing abnormal; she had a capable and successful father and an invalid mother. She was clearly a 'Mary Rose,' the type of child who, without realizing it, does not want to grow up, either because she is too much pampered or spoilt, or because adult life as she sees it is unhappy, or unsatisfactory, or difficult. Some psychologists would say she is held back by an unrecognized mental concept, the formula of which is: 'As long as I take pennies, of which I have no need, you cannot say I am growing up and must accept the responsibilities of adult life.' As she admitted writing fairy stories, I made her write some and we analysed them together; the unexpected ideas and sentiments extracted from her compositions gave her a new conception of herself and her importance and duty in the world. She attended only a few times in three months and there was no subsequent trouble. One item in treatment was to stop her indulgent father asking her, when she started for school in the morning, if she wanted any money, and, if the answer was in the affirmative, handing her half-a-crown or five shillings; instead she had a regular allowance. It was

also pointed out to her that her mother's invalidism was not the lot of all women, but the result of neglected illness.

A little girl of ten had appropriated money, books, pencils, etc., at school. As she appeared to be well, and at once admitted a wish to be a boy, partly, no doubt, because her mother had to divorce the father after a long record of irresponsible and unsatisfactory conduct, treatment began with some psychological talks. Unfortunately, there was a serious recrudescence of the offences. As there was an indefinite account of a possible attack of sleepy sickness two years previously, a bacteriological examination was made of the nose and throat; a profuse infection was found, and vaccines, instead of homely instructions, were administered. A few weeks later the mother wrote to say that the vaccines were doing far more good than the moral talks. Here the vaccines were important, but it is only fair to say that the mother, who was well qualified for the task, was instructed to develop in the child satisfaction with being a girl, and a conviction that to belong to one sex, and wish it were the other, leads to an unsatisfactory state. There was no repetition of the offences.

Another case of stealing, by a little girl of ten with a poverty-stricken home, was partly due to the father, who practised great self-denial in order that his children might have as good an education as possible, but spoilt his splendid example by constantly harping on the hardships he endured in consequence of his family. Another factor was that the little girl had an innate love and appreciation of the beautiful, but no pretty things of her own. A change from home and the gift of one or two dainty articles, together with the suggestion that when she was a little older she might learn to make beautiful dresses, altered her outlook on life with satisfactory results. Again, one young man, convicted of stealing, and found to be in an early stage of consumption, was cured by six months in a sanatorium.

Older adolescents, who have had, and still have many difficulties in their home and school life, and through their own temperament, can sometimes be helped only by some kind of psychological investigation or analysis. One young man who

had served two sentences of imprisonment was helped in this way. When, after leading a satisfactory life for nearly four years, he returned from abroad there was still cause for anxiety for two reasons. One was that he had suffered from malaria supposed to have been treated, and the other that he had no regular profession or business, but just took on one job after another. A specialist in tropical diseases soon dealt with the malaria which, like sleepy sickness, may sap the sense of responsibility and is the cause of more mental disease or unsatisfactory conduct than is generally realized. Securing a good post in a large business with a definite line of advance in front of him removed the other cause for anxiety, especially as he had become physically fit.

Another young man was arrested, but not prosecuted, for stealing. The chief cause of the unsatisfactory and idle life he had led for four years was that, intended by nature to be an engineer, he had been studying medicine, because his father, although ostensibly allowing him a free choice, had, without realizing it, so discredited engineering as a satisfactory and profitable occupation that the son could not see that it was the only satisfactory work for him. This case is a good illustration of the young man supposed to be free but with his eyes turned in the wrong direction by the misleading maxims of a parent. In addition to the change of profession, he had other help, because, when he first came, looking ill, there was a history of repeated nasal catarrhs and an acute infection was found in the nose and throat. Twelve vaccine injections, with a short talk at the time of administration, was all the treatment required in addition to the change of work, which was the core of the whole matter.

Suitable occupation is essential, especially with sensitive natures, but suitable recreation which provides an outlet for any special talent is as important. A married man with a family, in an important position, convicted of indecent exposure, was fined. Imprisonment, which was nearly his lot, would have broken and ruined him. An undeveloped sense of responsibility associated with giving first consideration to his old father, with whom he was tied up in business, rather than to his wife and children, was a factor. But he volunteered

the statement that, though talks about duties and relationships had helped him, this help was as nothing compared with the benefit from my insistence on his going to concerts regularly, and especially playing the piano, a recreation he had not had for several years.

Ignorance sometimes explains stealing. The child brought up in a poverty-stricken home where there are no private possessions, and most articles are common property, may not understand that it is not right at school to take for himself any cap or coat he sees. Every grade of life has its special difficulties. Our financial system is puzzling and difficult to the young. The child, who sees his father or mother take many things out of a shop in return for what appears to be a slip of paper, or without doing more than saying, 'Put it down to me,' may see no great harm in picking up anything it requires or wants.

There are special difficulties for an enterprising young woman doing remunerative work, if she lives in a poor and overcrowded home, with a strict father, who believes in all the family being at home after working hours. Even if she only spends some of the money she has earned in going to a dance in the evening with a group of boy and girl companions, she comes home to hear her father denounce her as a 'bad lot' because she stays out after dark and has been in the company of the opposite sex.

Good home relationships are essential for good conduct in the young. But unless they are hopelessly unsatisfactory or there is bad example and training, home is the proper place for a young delinquent. Institutions are a poor substitute: a better plan is to place the child with a foster-mother or guardian. Suitable persons to fill such posts are hard to find and the system is expensive. An alternative is a hostel or small home, with sympathetic people in charge.

If we think over the requisites in the environment for the healthy development of a child, we find a key to the help, training and instruction required. First, he must have love, and develop the sense of security that love brings. Then he must have an opportunity for developing his own individuality; this freedom must be tempered by appreciation of the rights

of others, a training achieved only by association with other children, preferably brothers and sisters. With other children, too, he gets the opportunity of initiation into team-work, for which games, properly played, are valuable. He must have good examples in front of him in the older members of the household, and through them must get glimpses of the result of training and teaching. He must not be encouraged to accept his father and mother as extraordinary people who have attained heights far beyond him. If his father is a successful man, the child must understand that this is only because he had the proper preliminary training and chose the work for which he was best fitted.

All ordinary instincts, such as curiosity, love of adventure, love of display, fighting, etc., must be guided into satisfactory channels. He must learn that it is not wise to settle a dispute by blows, but by giving due consideration and attention to the claims of both sides and insisting that justice shall be done. In connection with animal instincts, he must gradually understand through his mother, and by simple answers to his questions, from an early age, what sex and life mean.

The problem with delinquents at a late stage is often to find out what earlier training has been faulty or neglected and to see that something is done to compensate for this. Our aim should be prevention of serious misdemeanour. Towards that end much may be achieved by social betterment, including better housing and more public parks and open spaces. The young must have opportunity for games and physical exercise. Joining the Boy Scouts or Girl Guides is often a great help. The School Medical Service requires developing so that it can deal with both physical and psychological difficulties. As teachers, with their large classes and other heavy demands, are often nowadays unable to study individual lives, there must be child guidance work, and organization for help in the choice of occupation. Magistrates should never dismiss the first offender, who has often been going wrong for years, and is probably in an unsatisfactory environment in consequence of which he requires much help.

Emphasis has been laid on the importance of medical and psychological investigation. It is impossible at the present

time to arrange for this except in a limited number of cases. The question is: Which are the cases in which it should be done? As a rough and ready guide it may be suggested that in the case of young delinquents the following require careful investigation and consideration:

1. Stealing £1 or more, or articles of corresponding value.
2. Offences dangerous to the public, such as placing sleepers on the railway or throwing stones at passing trains.
3. All sex offences, because it has been shown that a large proportion of such offenders are either mentally defective or suffering from some mental disorder.
4. All who look ill or who are suspected to have any physical defect or disease.
5. All who are suspected of mental defect or mental disorder.
6. Lastly, all those offenders who are not understood.

In regard to the last group it seems extraordinary that it should still be not uncommon to see in the papers that a magistrate has said to an offender: 'I cannot understand your case, but I am going to deal with you.' Would it not be a help to the magistrate in such circumstances to call to his aid someone who has made a special study of the relationship of delinquency to mental and physical abnormalities?

Probation is one of the most important means of dealing with the young delinquent, and also with a certain number of older cases. At the present time probation fails to achieve anything like as much good as it should owing to the fact that it is often imposed for too short a time. Those who have been for years on the wrong course in unsatisfactory surroundings cannot be expected to make a complete change in outlook, habits, etc., in a period that is not measured by years. It would be a great advantage if there were arrangements, when the time of probation is fixed, for continuing it if the Probation Officer suggests that it is advisable to do so. In such cases, and indeed in all cases, the Probation Officer, who should be a competent man well trained for his work, should be in close association with a medical psychologist, who could help him

in regard to his charges, with or without a special examination, according to circumstances.

All reports indicate that excellent results are obtained in the Borstal prisons. With further experience and extended arrangements there is little doubt that the results will be better still. As regards other forms of treatment it must be recognized that although treatment is preferable to punishment, we have not yet reached the stage, nor are we likely to do so for a long time, when punishment can be dispensed with. It is important, however, that both the form of punishment and its duration should be carefully considered. In this connection it must be remembered that a doctor undertaking the treatment of a sick person is not called in for a fixed period only. No limit can be fixed; the doctor attends as long as his care and skill are required. Something of the same sort should be arranged in regard to some offenders at least; those habitual offenders, who are never likely to become fit to regulate their own lives, should be placed in labour colonies under careful supervision. It is not wise to discharge any offender from an Institution till he has learnt how to earn his living and has an opportunity of getting work.

In conclusion, if treatment, rather than punishment, is to be the aim, the question arises, what treatment? The answer is: it is only possible to tell by individual examination. The difference between the old and new ideas can be explained by saying that the old idea was—'Tell me the crime, and I will tell you the punishment.' The new idea is—'First tell me all about the offender, including what he has done, but particularly his environment, and training or lack of training; secondly, let me examine him (a) physically, (b) intellectually, (c) psychologically; then, and then only, can I tell you the best line of treatment, and its possibilities.'

Crime in Ancient Greece

THE French are a logical people, and when they want to have a disturbance in the streets, they always begin in the same way—by driving off the police. Now the ancient Greeks were just as fond of a scrap as the French, and even more logical, and they thought of a still better way: they had no police at all.¹ And yet some people say that the police are indispensable!

Athens was a city where liberty was very greatly valued, especially liberty to break the law. Even the horses and the donkeys, says Plato, acquired the habit of going about quite freely and haughtily, running into everyone they met in the streets unless he got out of their way: 'and everything else in the city is equally full of liberty.' But this was what the Greeks liked—self-reliant individuals picking their way fearlessly through moving traffic; they would have detested the Safety First League.

A line was drawn, however, at theft. The Greeks objected, just as much as we do, to having their houses broken into or their cattle stolen, and thieves were severely punished in the courts. But the absence of police made it difficult to trace the criminals, and various methods, now obsolete, were employed. On one occasion, following a burglary, twelve men were arrested. The prison authorities had no idea, nor any means of finding, which the culprit was. They therefore gave each of the men a stick exactly six inches long, telling them that the thief's stick would grow an extra inch in the night. The thief met this by biting off an inch of his stick, and next morning——!

Herodotus records the story of a poet and musician named

¹ This statement requires qualification. There was at Athens a force of 4000 Scythian slaves, armed with bows and arrows, but no one seems to have taken any notice of them. Police work was felt to be a menial occupation—like rowing—and only slaves could be found to undertake it.

Arion. He was a man of Corinth, and he conceived the desire, like many artists and musicians after him, to sail west, 'and when he had made large sums of money, he wanted to come home again. So he was setting out from 'Tarentum,' the story goes, 'and trusting to none more than to Corinthians he hired a boat of Corinthian sailors; and they, when they were out in the open sea, plotted to throw Arion overboard and have his money.' He offered them his money if they would give him his life, but this proposition was not so reasonable as it looked, for Arion was a friend of the king's, and when he got to Corinth he could make things unpleasant for the sailors. So the sailors thought it would be better if Arion went overboard, and he agreed to this, only begging them to let him stand on the quarterdeck in his full costume and sing for the last time. The sailors were pleased at the idea of hearing the best singer in the world, and drew back into the centre of the ship. And Arion dressed himself in his robes and took his lyre and sang, and when the song was over he threw himself overboard.

The sailors went on to Corinth, and when they arrived there they were sent for by the king, and he asked them if they could give him any word of Arion. They said he was safe and sound in Italy, and they had left him doing well in Tarentum. At that moment Arion appeared from behind the curtain in his singing costume, just as he had left the ship. He had ridden ashore on a dolphin! This was very rough luck on the sailors, who were marched off immediately to execution.

The dolphin, however, is in every respect a very rare bird, and criminals generally had a much longer run for their money. Herodotus tells another story¹ of a very rich king, who built a secret chamber to store his gold. The entrance was so cunningly devised that unless you knew it you could not find it, and besides the king the builder himself was the only man who knew where it was. So the king thought he was quite safe. But one day the builder died, and on his death-bed he confided to his sons the secret of the king's

¹ Herodotus got this story from Egypt, but it is equally typical of the state of affairs in Greece.

treasure-chamber. Soon the king was horrified to find his sacks of gold gradually disappearing. He set a trap. Next morning, on entering the chamber, he found to his horror a man in the trap, but without his head!

More curious than ever to trace the thieves, the king set guards about his treasure-chamber. The other young man would have been glad now to leave the place alone, but his mother reproached him for leaving his brother's body in the trap, and threatened that if he did not bring it back to her she would report him to the king. So he loaded some mules with wine-skins and drove them along the street where the guards were posted. Just opposite the guards he staged a collision, and some wine-skins burst. The guards rushed up to prevent it all from running away, and he thereon gave them another wine-skin, and another, till they were all as drunk as possible; and then he brought his brother from the trap.

The king was amazed. He dealt of course with his guards, but to catch the thief he resorted to the following plan. He sent his daughter to the baths, instructing her to ask each man what was the cleverest thing he had done, and the man who told her this story of the treasure-chamber she was to seize by the arm. At last the thief arrived, and when she had asked him the question, and he had told her, she seized his arm and cried out. But it was a dead man's arm that she was clutching, and in the darkness the thief had escaped.

The king's anger now turned to admiration, and he made a public announcement that if the thief would declare himself, he would not only be forgiven, but he might have the king's daughter in marriage and half the king's fortune as a dowry. He then came forward, and married the princess.

Such were some of the ways in which criminals were discovered in the land of no policemen. By far the most famous crime in Athens, and one which had the greatest effect on her history, and indeed on the history of the world, took place in a summer's night in 415 B.C. The authors of this crime were never certainly discovered. Just before the great expedition that Athens was sending against Sicily was ready to start, nearly all the busts of the god Hermes which, carved on square pillars of stone, stood in large numbers of shrines and

at the entrances to private houses, were mutilated during a single night. It seems incredible that an enterprise like this, covering so wide a field and involving many agents, should have been possible - not only without detection at the time, but without any certainty afterwards of who the perpetrators were, or what their motive. Witnesses sprung up like mushrooms, all paid to say different things, and the 'Mutilation of the Hermes' remains to this day a mystery for historians. It cast a shadow on the Great Expedition, for the Athenians were intensely superstitious, and since the enemies of Alcibiades accused him of complicity, and were afterwards able to get him recalled from his command in Sicily to stand his trial in Athens, its effect was to lose for Athens not only Alcibiades, but with Alcibiades Sicily, and with Sicily the fleet, and with the fleet the war. It is therefore true that if this crime had never taken place, or, having taken place, had been traced at once to its originators, Athens would not have lost the war, and her empire would have lasted possibly for a century longer, with results incalculable to future ages. This was the heaviest penalty that Athens had to pay for no effective police force.

The best record of Athenian trials is contained in the private speeches of Demosthenes. That great orator, who, even in these days of record-breaking, still holds the field as the greatest orator the world has ever produced, combined the activities of prime minister and leader of the bar. He would deliver a profound and moving address on the League of Greek Nations, and next day he would be using his unrivalled power of invective in a civil suit against some luckless citizen. To have Demosthenes against you was to hear all the most lurid details of your private life brought up in court. With all this he had an immense reputation for respectability, and he never drank wine. He was indeed a formidable man.

One case of his he must have specially enjoyed. His opponent was a man named Zenothemis. 'I ask you all, gentlemen of the jury,' he says, 'if ever you have paid attention to anything, to pay attention to this case; for you shall hear that the daring and villainy of this man pass all records, if I succeed in telling you the things he has done. And I think I shall.'

The story, as Demosthenes went on to tell it, was this. A certain Hegestratos, a ship-master, was hired by a man named Protus to carry a cargo of corn from Syracuse to Athens. The corn belonged to Protus, and like many other merchants engaged in the corn-trade, he desired to carry it to Athens and sell it there. On the security of this corn, which of course did not belong to them, Hegestratos and his friend Zenothemis now proceeded to raise a sum of money in Syracuse. Zenothemis told the people from whom Hegestratos borrowed that the corn belonged to Hegestratos, and Hegestratos told the people from whom Zenothemis borrowed that it belonged to Zenothemis. There was an agreement in either case that if the ship was wrecked (and ships were far more liable to accident then than now) the money should not be recoverable. Instead of putting the money on board ship, however, as implied in the contract, they sent it secretly to their native city Marseilles, and arranged to sink the ship in mid-ocean.

So one evening after night had fallen, when they were two or three days' voyage out from Syracuse, and the passengers were all on deck--Zenothemis among them--a strange sound began to come from down below. Perceiving that something was wrong in the hold the passengers ran down to give assistance. There they found Hegestratos, busily engaged in boring a hole through the bottom of his own ship. Seeing that he was discovered, the gallant master took to his heels, followed up the hatchway by a swarm of indignant passengers. He threw himself into the sea, and failing in the dark to find the cock-boat, was drowned. 'He therefore,' says Demosthenes, 'as was very proper, being a bad man, had a bad death, and into the snare that he laid for others, he fell himself.'

So much for Hegestratos. But Zenothemis, not at all discouraged by his comrade's failure, carried on alone. Rushing up to the chief officer and the crew, obviously in a state of panic, he urged them to abandon ship and take to the cock-boat, as the vessel was certain to sink. How many of the passengers and crew could have got away in the boat is not stated, but room no doubt would have been found for the excellent Zenothemis, who suggested this life-saving plan.

Had his advice been followed, he would have returned to Marseilles and retired, a very wealthy man. His proposal, however, was defeated by Protus, the owner of the corn, who promised the crew large rewards if they would bring the ship safely into port. This they did.

Zenothemis' course was now nearly run, but he made a final impudent effort. He said the corn was his. He said it had belonged to Hegestratos who died owing him large sums of money; he therefore claimed the corn as his property. He bought Protus; but a man, Demon—strangely enough the one just man in the case—who had lent money to Protus on security of the corn, and was therefore ultimate owner of it, engaged Demosthenes to expose the men's unending trickery. Zenothemis' run and his money came simultaneously to an end.

The procedure was to call witnesses at various points in the trial to bear out the orator's argument. In the case under review there would be no lack of reliable evidence, but in general the Greek witnesses in those days were swayed as much by bribes as by the facts. Ultimately, however, in the absence of police, the tracking of criminals was a privilege and duty falling only to the private citizen.

It is a well-known psychological fact that people are readier to be virtuous on their own account when the strong arm of the law is not there to make them virtuous by necessity. This pleasant feature of a non-policeman country crops up from time to time in Greek history. Socrates, when he was condemned to death for subversive teaching and lay in gaol awaiting the day of execution, was urged by his friends to escape. Apparently there was no difficulty about this! But he would not. He said that when our country has made a law, it is our duty to obey it, for it was just as wrong to run away from prison as to run away from the enemy in battle. Many people, it is sad to say, think that Socrates was mad!

A less ingenuous virtuoso was Mæandrios, of Samos. Polycrates, tyrant of Samos, before he died, had left Mæandrios his steward in charge of the island. He wished, says Herodotus, to be the justest man on earth; but he did not manage it. On his master's death he called together the citizens and addressed them as follows: 'To me, as you know, Polycrates

left his sceptre and all his power; it is therefore open to me to be your ruler. But I will not do myself what I disapproved of in Polycrates; and I propose therefore to give you self-government—on this condition, that I am allowed a pension of six talents' (£1,500—then a large sum) 'and the priesthood of Zeus the Liberator for myself and my descendants for ever and ever.'

Shouts of abuse greeted this proposal. 'The likes of you,' they cried, 'rule over us! On the contrary, out with your account-books!' Mæandrios, secretly summoning his guard, professed his willingness to give an account of his stewardship to several of the leading nobles; but herein was illustrated the saying 'curiosity killed the cat'; for those leading nobles, who went in to see the accounts, never saw anything thereafter but their prison-walls.

The love of justice, which was a necessary substitute for a vigilant police, was largely fostered by the oracles. There is a beautiful story told of a certain Glaucus. He was famed throughout Greece for his justice and his word. One day he received from Miletus a sum of money to be held in trust, until the bearer of a given token should demand it. Many years later Glaucus was visited by two men of Miletus, who brought him the token and asked him to deliver up their father's money. Glaucus said he knew nothing about it. The young men were bitterly indignant, and Glaucus finally agreed to consult his memory, and told them to return in another three months. Glaucus then went to the Delphic Oracle, and asked if he need give the money back. The god said, 'Yes.' But, as Glaucus was departing, the god told him that to meditate robbery was as bad as to commit it, and that his family should shortly be extinguished. 'And to-day,' as the moralists were fond of pointing out, 'not a single descendant of Glaucus remains.' How much more effective is plain speaking from a god than from a cabinet minister!

Another story which shows the heights of virtue to which men can scale, when the law provides no ladder, is that of Aristides the Just. He was standing one day for the office of prime minister, and was waiting about outside the voting-office, when a citizen who was competent to vote, but not to

write, asked him to write on his ballot-paper the name of his rival. When he asked him what was his objection to Aristides, the man replied that he was tired of always hearing him called the Just. Aristides, accordingly, wrote on the ticket the name of his rival. He was not elected.

There was one genuine police force in Greece. This was the Spartan secret service, and it existed to guard against a special danger. That danger was the disaffection of the helots—a name given to the serfs who tilled the Spartans' fields. The helots vastly outnumbered the Spartans, and there was every reason why they should revolt and try—as they did more than once—to free themselves from bondage. To meet this danger, the secret police worked noiselessly among the helots, and, without reason given, the villagers might wake up one morning to find all the enterprising men of their district massacred in the night. Terror and secrecy were the two weapons of this police force, which was formed of a select band of Spartan youths.

The effect of this force on the helots may be imagined: for the young men themselves—all of noble blood—it provided a good police-training, inculcating hardiness and vigour. Their work led them through trackless mountains and ravines, among enemies both animal and human, and they learnt the lesson of self-reliance. During their training they were encouraged by all means to steal, and if caught they were punished, not for the theft, but for clumsiness in getting caught! The motto 'Set a thief to catch a thief' was thus one of the leading principles in the only police force which the ancient Greeks possessed.

A. ML.

The Austrian Police

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[*Translated*]

THE police organization of the Austrian Confederation is divided into three branches: (a) the Federal Police—a State force—who carry out the laws passed by the Confederation; (b) the Provincial Police, who are under the Provincial authorities; and (c) the Local Police, who are under the control of the Municipalities.

According to the Constitution, the Confederation is charged with the publication and carrying out of laws in the following categories of police matters:

(1) Regulation and control of ingress to and egress from the federal territory; immigration and emigration; removal, transference, expulsion and extradition from the federal territory, including transit. (2) Prosecution of offenders against the criminal laws. This is a question of general criminal jurisdiction and is therefore the business of the Confederation. (3) The Press. (4) Societies and public gatherings. (5) Foreigners and Registration. (6) Arms and Explosives monopoly. (7) Railway, Shipping and Air transport. (8) Regulations for federal roads. (9) Federal Police and Gendarmerie.

The executive power in Federal Police matters is exercised by the Federal Ministry concerned, as the highest authority. In the provinces¹ and country districts these affairs are controlled by the Provincial authorities as agents of the Federal Government. These authorities are: the Provincial head or his representative, the Office of the

¹The Confederation consists of 9 Provinces, which in accordance with the Constitution of the Republic have almost the rights of separate States.

Provincial Government, the District governing bodies, and the Town Magistrate or Municipal head. Where Federal Police authorities exist, these are, in accordance with regulations, entrusted with executive action in the first instance.

The Federal Police authorities have jurisdiction in Vienna, Graz, Linz, and Salzburg, and there are Federal Police Bureaux in Eisenstadt and Klagenfurt. There is also a Federal Police Bureau, with limited powers, in Vienna-Neustadt.

In the following cases the Federal authorities publish the laws and the Provincial authorities administer them:

- (1) Munitions, ammunition and explosives, so far as the Confederation is *not* concerned.
- (2) Administrative procedure to decree penalties (for neglect), including distraint, and the general regulation of procedure administration, even in cases which are within the competence of the Provinces.

In the following cases the Confederation publishes the laws as general principles, and the regulations for their administration are left to the Provinces :

- (a) Arrangements for the protection of society against criminal, negligent or otherwise dangerous persons, *i.e.* penal and similar institutions. Removal and transference from one Province to another.
- (b) Street regulations, so far as Federal roads are concerned.

Provincial police regulations must be carried out by the Provincial authorities or by the Mayors in such cases as fall within their sphere. In the maintenance of public security and order the Federal Gendarmerie has to act on the instructions of the Provincial or District head.

In towns and large communities where police administration is extensive or important the Federal Government can establish its own Federal Police authorities, which can also undertake part of the duties falling on the local police authorities.

These Federal Police authorities perform the duties of local police in the places mentioned above, while the Police

Commissioner in Vienna-Neustadt only deals with State police matters. The policing of the frontiers (especially control of foreigners and passports) is carried out by the Frontier Police Control Stations.

In accordance with these regulations the Central Police Office in Vienna has to carry out duties in connection with the following matters:

(1) Maintenance of public security. (Here the so-called Political Police also intervene in case of breaches of the peace and act against persons dangerous to the State.) (2) Registration of aliens. (3) Societies and public gatherings. (4) The Press. (5) Protection of person and property. (6) The control of street traffic and intervention in the case of accidents and public nuisances. (There are also Railway police and Aviation police.) (7) Regulations for arms and munitions and protection against explosives. (8) Control of public performances in theatres, public balls, and public dance music. (9) Superintendence of taverns, guest and lodging-houses, coffee houses, hostels, public assemblies and places of amusement. Control of games in public places, especially measures against games of chance, and the supervision of regulations regarding police hours. (10) Supervision of morals. (11) Administration of regulations regarding public vehicles and motor-cars. Administration of criminal law in so far as it concerns the breach of regulations in the sphere of the Federal Police authorities and does not infringe the jurisdiction of the criminal courts. (12) Control of profiteering, adulteration, etc. (13) Control of vagabonds, beggars and other persons dangerous to public security. (These may be recommended for removal or expulsion as well as for police supervision.) (14) Criminal Police who take action in cases of crimes, misdemeanours and offences against criminal law, and assist the criminal court and public prosecutor.

In addition to these duties, the Central Police Office in Vienna performs in many cases the functions of a Central Police Department for the whole Federal territory. It is the Central Department for the following:

(a) The information service (*Erkennungsdienst*), as all Police authorities in Austria must send the fingerprint cards

of all criminals to the information section of the Police Headquarters. (b) Editing of the Central Police *Gazette*, as all Courts and Police authorities in Austria must send all warrants and reports of crimes to the Central Police Office for publication in the *Gazette*. (c) Central control department (*Zentral-evidenzstelle*), as all political criminals and persons dangerous to the State are recorded in Vienna. (d) Control of white slave traffic. (e) Control of immoral books and publications. (f) Superintendence of emigration. (g) Control of foreign motor-cars and drivers. (h) Registration of convicts. All Austrian Courts have to send to the Central Police Office in Vienna, on every conviction, a conviction card, from which the lists of all persons convicted in Austria are drawn up. The Central Police Office is thus in a position to give information in all criminal cases. (i) Measures against poisonous drugs. (j) Measures against international banknotes forgery.

It should be noted that the Police President in Vienna, President Schober, is the head of the Public Security service for the whole Confederation, and is directly responsible to the Federal Chancellor.

ORGANIZATION OF THE FEDERAL POLICE CONTROL IN VIENNA

The Police administration in Vienna is carried on partly by the departments of the Central Police Office and partly by the District Police offices. The Police area comprises the whole municipality of Vienna. It is divided into 22 Divisions (*Kommissariate*). In each there is, for executive action, a Divisional Police station at the head of which there is a police officer of superior rank. (He must be a University graduate, with a training in law.) Each Division is again divided, for the purposes of watch and ward, into a number of smaller areas, in each of which is a post of the Constabulary (*Sicherheitswache*), with sufficient personnel for policing the streets and open spaces. There are 201 such posts in Vienna. Besides these there is a Police Inspection post under a Police official of superior rank at the five railway termini in Vienna, to superintend railway traffic. The Divisional Police Stations are the

executive posts of the Central Office and have to carry out all duties not expressly reserved. A sufficient staff for office, patrol and detective duties is allotted to these posts. The special duty of the Constabulary is the superintendence of streets and public places.

The Central Police Office comprises the following offices and departments:

1. The Police President's secretariat.
2. The State official (*Referat*) who is in charge of the political police.
3. The Officer in charge of the staff of the headquarters office, with the exception of the Security and Detective police.
4. The Bureau for organization and control.
5. The Finance Controller, who advises the Police President in the assignment of the funds allotted to the Central office, the Criminal Investigation Department, the Constabulary and Town Watch (*Stadt-Schutzwache*). He also controls the expenditure of the Central Office itself, and audits the office accounts (*Dienstausgaben*).
6. The Accounts Section.
7. The Pay Office.
8. The Press Bureau. This office keeps the records of the Press Police. Here the documents sent in daily for the information of the President and the sections concerned are read. The Press Bureau further superintends the Theatre Police and the announcements in places of amusement.
9. The Law Press Police section of the Public Prosecutor at Vienna (amalgamated with the Press Bureau).
10. The Societies Bureau which manages the Societies and Public Gatherings Police and controls Societies.
11. The Permit Office where travelling passes are issued. It administers the police regulations for arms and explosives.
12. The Administration Bureau which gives permission for dramatic performances, concerts and speeches in places of public entertainment. This bureau also makes, in consultation with the Magistrate, regulations for preventing fires.
13. The Security Bureau superintends the Criminal Investigation Branch of the Divisional stations, attends to important criminal cases and takes measures against professional criminals.
14. The Information Office. This comprises the Fingerprint and Photographic sections, collections of photographs and handwriting, the Criminal Album and Casts. In this last section the casting or moulding system

perfected by Dr. Alphonse Poller is used: it is of the greatest use for the purposes of identification and instruction. 15. The Department for Prison administration. This section is responsible for the care of arrested persons and criminals, and persons who, as a menace to public safety, are to be deported, removed or transferred. 16. The Control Bureau which keeps the register of convictions and gives information as to previous convictions. 17. The Wanted Department (*Fahndungsamt*). Here the police investigation reports are drawn up and forwarded to the judicial and police authorities. Leaflets are published containing the description of wanted persons, the names of known criminals, the description of unknown criminals, and the description of stolen or embezzled articles. 18. The Police Museum. 19. The Police Department attached to the Public Prosecutor in Vienna, whose duty it is to act as liaison between the Central Police Office and the Public Prosecutor or the Provincial Courts. 20. The Bureau dealing with offences against morality and the white slave traffic. 21. The Police department for the care of young people and control of persons conditionally sentenced or bound over. 22. The Central Office for the superintendence of emigration. 23. The Economic section which controls profiteering and poisonous drugs. 24. The Central Registration Office which controls police registration. 25. The Traffic Office which manages the Traffic Police. 26. The Correspondence Bureau which deals with all matters which are not specifically allotted to the various departments. 27. The Sanitary department which manages the Police medical service and those sanitary matters which come under police control. 28. The Lost Property Office. 29. The Provincial Control Department (*Landvidenzreferat*) of Vienna for the registration of the members of the late royal army and militia (*Landwehr*). 30. The Headquarters Staff of the Detective Police. The Officer in charge (*Referat*) superintends the work and personnel of the department, and maintains discipline. 31. The Central Inspectorate of the Constabulary which superintends their work and personnel, and maintains discipline. 32. Certain auxiliary departments of the Central Police Office, dealing with the receipt and dispatch of correspondence.

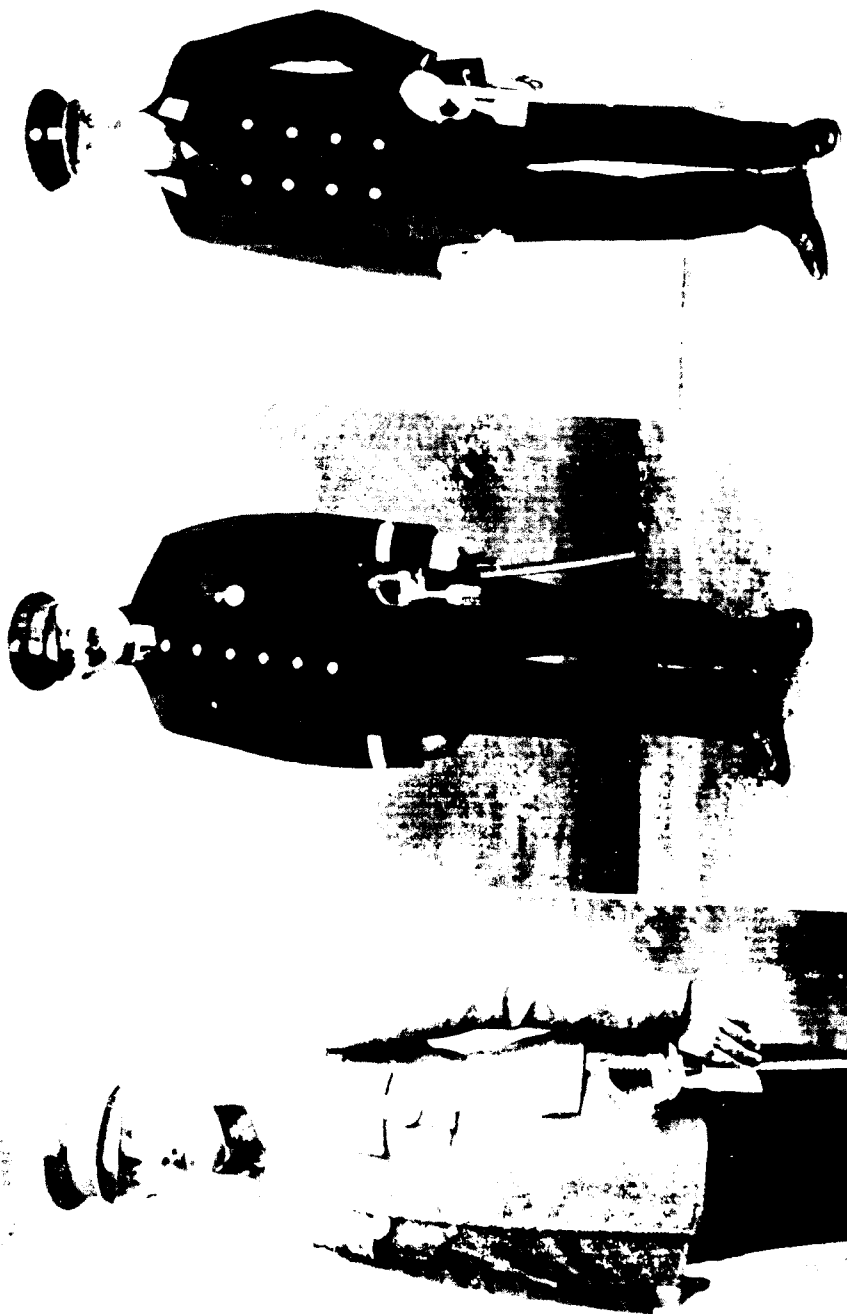
Besides these the Police President controls those welfare institutions which are directly under the Central Office. These are:

1. The Police home for youths. 2. The Police shelter for homeless women and girls. 3. The Police Hospital. 4. Two convalescent homes. 5. Institute and aid funds. 6. The Aid institute. 7. Police lodgings. 8. The Police swimming bath.

For the control of these numerous departments the Police President has at his disposal:

- (a) The legally-trained staff (*Konzeptbeamte*), that is, officials who have taken up the study of law during their university career and have passed the regulation State examinations and the so-called practical examination for political affairs. These transact all the business for which legal knowledge is necessary, that is, enactments and decisions in administrative police affairs. For example, the confirmation (*Fällung*) of sentences and the directing of investigations (*Vorerhebungen*) in Criminal Police matters. The *Konzepts* receive, besides theoretical and practical education in police service, advanced instruction in criminal matters in the Criminal Institute of the Police Direction in Vienna. The Criminal Laboratory too exists for the purpose of undertaking investigations in criminal cases and, if need be, advises the Divisional officers and the Criminal Courts.
- (b) Police surgeons for the purpose of advising in cases which deal with bodily wounds and deaths caused by criminal action, mentally afflicted persons, and also for examination of arrested persons and the medical control of immorality.
- (c) A secretariat.
- (d) Constabulary (foot and mounted).
- (e) Detective Police.

There is also a veterinary surgeon who looks after the horses of the Mounted Police and the police dogs. There are, too, several police photographers and fingerprint officers, and women workers for the care of young people.



In all cases policemen have to use their weapons with the greatest consideration for human life, and therefore, where circumstances allow, to use in the first instance the least dangerous weapon, the sabre. A closed file can only use their weapons on order of their superior officer. Care is to be taken that innocent onlookers are not injured. Every use of weapons against regulations is liable to criminal as well as disciplinary punishment. In every case of use of weapons the policeman must report to his superior and give a full and exact account of the circumstances.

Applicants must be: 1. Austrian citizens. 2. Over the age of 22 and under 34. 3. Of irreproachable character, and possess the necessary mental capacity. 4. Well developed physically and a suitable height. 5. Be sufficiently skilled in languages. 6. Bachelors, or widowers without children.

The recruits are sent to the school section of the Constabulary and quartered in the police barracks at Vienna. During the two years' probation they are divided into groups of 25-30 men under the leadership of an experienced inspector as instructor and commander. After the fourth month they receive uniform and the training proper begins. Three groups are amalgamated for a main course in which further instruction is given by certain legal and administrative officials of the Police.

After sixteen months' theoretical training the practical training in police station service begins. For this purpose two police stations have been established where the candidates can learn, under guidance of their instructor, all details of the executive service. After four months' practical training of this kind there is a refresher course to prepare for the final examination. During the main course the members compose the reserve division of the Constabulary which can be called on for duty in case of emergency, strikes, public disturbances and the like. In the event of serious disturbances a special reserve division, with military arms and equipment, can be called on for the employment of force. This reserve section is at present 300 strong.

Appointment to a post of authority (commandant of a station, control inspector, etc.) follows when the 'Charge'

school and examination have been passed. Specially suitable men are admitted to the Charge school after many years' service, on passing an entrance examination. The work of the school amplifies the instruction received in the main course, and forms a preparation for independent command.

The Constabulary is divided into 27 divisions. There is a separate division in each of the divisional police areas in Vienna, the strength of which depends on the size and importance of the area. Besides these 22 divisions (*Kommisariate*), there is division No. 23, which guards the prisoners in the police cells: No. 24 (mounted) for the regulation of traffic, patrolling the open spaces, and for support where necessary: No. 25, which forms the reserves for the Central Police Office: No. 26, the school division for the recruits: and No. 27, which carries on the police telegraph service.

Each Division of Vienna is divided into a number of police stations (watchrooms): there are 201 in the whole of Vienna. In command of each police station there is a station Inspector who is responsible for order in the streets in his area. For this purpose a number of constables (*Wachmann*) are allotted to him. These men keep order in the streets and public places, control the traffic, draw attention to infringement of regulations, and, when this is ineffective, proceed against the offenders.

In very frequented streets and at crossings with much traffic, constables on fixed-point duty are stationed, whose task it is to regulate the traffic. Besides this the constable on such duty has to give help in case of necessity; stop runaway horses; save passers-by from danger; take care of young children, aged or infirm persons; look after persons taken ill in the streets; take charge of persons who are intoxicated; assist in accidents; protect people against danger of fire, falls, danger of drowning, and so on. Proceedings against offenders are taken at the police stations; information is given, and injured persons receive first aid. Everything is reported to the Superintendent of the Division, who takes any further action necessary.

The whole police force allotted to a Division is under the command of a Police Officer who carries out the instructions of the Superintendent of the Division, and is called the 'Town

Captain.' The police stations are connected with one another and with the Divisional headquarters and with the Central Police Office by a private telegraph line. Besides the police stations there are thirteen stable posts for mounted police. These stable posts are also connected by private telegraph lines. Most police stations are also provided with telephones. They are open day and night. The personnel allotted to each station is divided into three groups which carry on patrol duty in turns. Each group is on duty for 24 hours from 1 o'clock midday. The second group is in reserve and must be ready to go on duty at any moment: it is intended for auxiliary duty, specially for strengthening the patrol service, and for special duties such as keeping order in front of theatres, places of entertainment, etc. The third group is off duty. The first group is divided into two sections which take duty in turns for three hours.

The Vienna Constabulary is commanded by the Konzept officials (p. 443) and Police Officers (Chief Commissioner and Commissioners). The supreme command of the whole executive is in the hands of the Central Inspector of the Constabulary, acting on the instructions of the Police President. The divisions are formed into groups according to their local position. Each of these groups is under the command of a higher grade legally-trained administrative official, the group leader.

When on duty the police are armed with a sabre with basket hilt and polished sheath, a firearm (pistol or revolver) and an indiarubber club. The sabre has to be worn with uniform even when not on duty. It has a brown leather strap buckling under the coat and a silver tassel. By special order of the authorities the policemen may also be armed with rifles, bayonet and cartridge belt instead of or as well as the regular arms.

Detailed instructions regarding the carrying of weapons in service uniform are given by the authorities.

The Town Watch (Stadtschutzwache).—In addition to the Constabulary there is also, in Vienna, the Town Watch. As with the Railway Gendarmerie, this force was formed at the end of the year 1918 on account of the greatly increased criminal activity which followed the revolution. At present the Town Watch carries out the duties of the former *Gewöl-*

bewache, that is, the guarding of business premises from robbery in the District I of the town, and in other important business streets in neighbouring Districts.

The Railway Gendarmerie.—The Central Police Office in Vienna is responsible for order in railway and shipping stations, and there is for this purpose a special corps called the Vienna Railway Gendarmerie, divided into the following sections:

(a) The section that does the actual policing. (b) The investigation section which is not in uniform, and assists the Police Headquarters in all matters concerning the security of railways and shipping, the preservation of public order, and the administration of laws and regulations.

Section (a) is controlled by the Central Inspectorate of the Constabulary and section (b) by the Headquarters Staff of the Detective Police.

The uniformed Railway Gendarmerie service is under the orders of the Police Inspectors at the Vienna stations where such exist; otherwise they are under the orders of the local Divisional Superintendent.

Criminal (Detective) Police (Kriminalbeamten).—The Criminal Detective Police is a plain-clothes civil corps which assists the authorities in the maintenance of public peace, order and security, in the administration of the laws and regulations, and in certain auxiliary services. The special duties are: (a) The Information Service. Observation of all circumstances which concern public order and security and the bringing of these to the notice of the higher authorities. (b) Supervision Service. The supervision of persons and institutions which might endanger public peace and security. (c) Investigation Service. The prevention of illegal acts, and assistance in the detection of breaches of laws and regulations.

The Criminal Detective Police carry on their work in mufti. They are armed with pistol and knuckledusters (*Schlagring*). The same regulations regarding the use of weapons apply as in the case of the uniformed Constabulary. Criminal Detective Police have a right to a yearly clothing allowance and lodging allowance, as well as a special duty allowance (*Verwendungszulage*).

The following are the regulations regarding admission to the Criminal Detective Police corps of Vienna.

(1) Austrian citizenship. (2) Age not less than 23 or more than 25 years. (3) Irreproachable character and good education. (4) Perfect health and physique. (5) Adequate knowledge of languages.

Applicants from the Federal Constabulary and the Gendarmerie have the preference. They have to undergo an examination and are then admitted to a two years' preparatory course. For applicants from the ranks of the Federal Constabulary and Gendarmerie this probation is shortened. During the preparatory course the candidates receive theoretical instruction. To obtain promotion in the Criminal Detective Police service (station or Divisional Inspectorship), a promotion examination has to be passed, apart from general qualifications. Preparation for this examination is in the 'Charge' school, a course of ten hours weekly for six months. There is a special qualifying examination for candidates for the position of Criminal Detective Police Officers, which consists of preliminary and technical examinations. Special courses of preparation for this are held; for the preliminary examination in a secondary school, for the technical examination at the Police Headquarters. The Criminal Detective Police Officers are the immediate superiors of the Criminal Detective Policemen allotted to various posts. They control the executive service and training.

The Criminal Detective Police are distributed partly to the 22 Divisional areas and partly to the Police Headquarters. A large number are allotted to the Heads of the Detective Bureau. These deal with difficult criminal cases. A special brigade is allotted for the control of strangers in hotels (Hotel Brigade). Further, they are allotted to the administrative police, to the office for the control of the white slave traffic, and to the information office (*Erkennungsamt*). The Head of the Detective Bureau controls the executive service, in accordance with the instructions of the Police President. For this purpose they have several legal assistants (*Konzept*) allotted to them.

The Federal Gendarmerie.—The Federal Gendarmerie is

a uniformed and armed civil corps, organized on military lines, for the maintenance of public peace and security. It is not a security authority (*Sicherheitsbehörde*), but an executive guard corps (*Exekutivwachkörper*). There is a Gendarmerie established in every Province under the command of the head of the Province. In every District there is District Gendarmerie Commando, under the District head, which is responsible for the public security in the District. The special Gendarmerie Officers, Federal officials, are responsible for training and service control. The highest authority of the Federal Gendarmerie is the Federal Chancellor, under whom is the Gendarmerie Central Director appointed by the President of the Confederation. The Federal Chancellor controls the whole organization. In the larger towns in every District Gendarmerie Commando posts are established with an adequate number of gendarmes. These posts are arranged by the District Chief in agreement with the District Gendarmerie command. The Gendarmes are under civil law. The District Chief is the controlling authority in his area and, as such, controls and superintends the work.

In each of the eight Provinces there are District Commandos, varying in number from 3 to 23; and from 51 to 444 Posts in each Province. In the Province of Vienna there is no Federal Gendarmerie, for here the executive service is, as already mentioned, in the charge of the Constabulary and the Criminal Detective Police.

The Provincial chief, as well as every District head, has the power, if public order and security are seriously threatened, to concentrate the various posts in the threatened area and to take any legal measures necessitated by local conditions. The Federal Chancellor can order a temporary strengthening of the Gendarmerie in any District by reinforcements from another.

The Gendarmerie are armed with side weapons (sabres) and rifles with bayonet. In certain cases the equipment of sabre and pistol is sufficient. The same regulations regarding the use of weapons apply as to the Constabulary.

The conditions for joining the Gendarmerie are as follows:

(a) Austrian citizenship. (b) Irreproachable character and

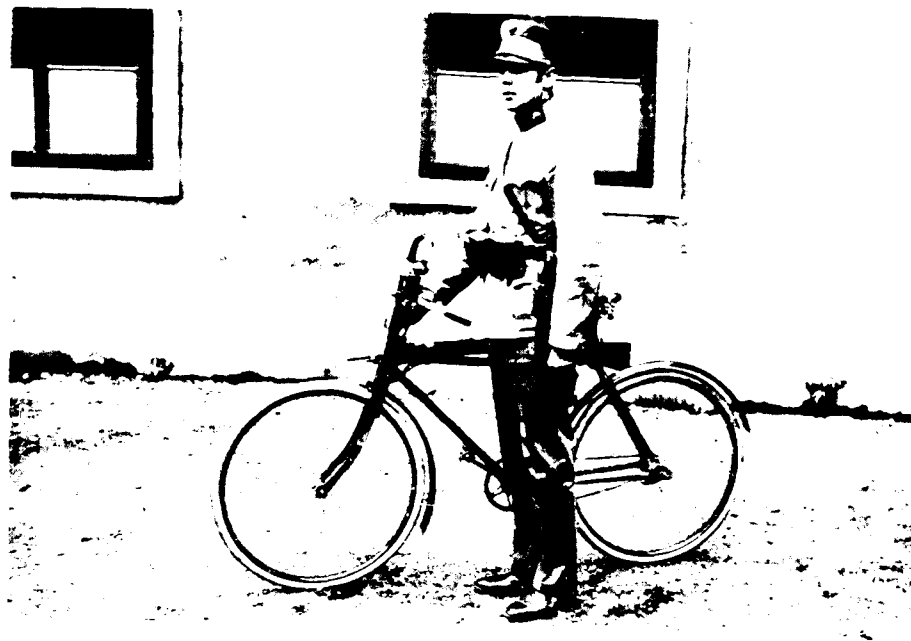


A FEDERAL GENDARME



A FEDERAL GENDARME ON PATROL DUTY

THE AUSTRIAN POLICE



A GENDARME ON DUTY

A GENDARME ON HORSEBACK
FEDERAL GENDARMERIE COMMANDO

mental equipment. (c) Age not under 20 nor more than 40, physical fitness, adequate knowledge of reading, writing and arithmetic. During the first year applicants are instructed theoretically and practically in the Gendarmerie recruiting section and, after passing an examination, have to undergo practical training at a post during their second year of probation. Besides the recruiting section there is also in every Gendarmerie Commando a technical school for the instruction of post Commandants. Gendarmerie officers are educated in the higher Gendarmerie technical school in Graz.

The personnel of the Federal Gendarmerie consists of: Central Inspector, 1; Provincial Directors, 14; Provincial Vice-Directors, 19; Chief Inspectors, 40; Section Inspectors, 29; District Inspectors, 360; Local Inspectors, 1816; Local (Rayon) Inspectors, Patrol Leaders, and Gendarmes, 3575.

Municipal Police (Gemeindepolizei).—Police affairs falling within the independent administrative area of the municipalities are controlled by the Mayor, with the assistance of the police bodies appointed by the municipality, in so far as such local police affairs are not, by law, the prerogative of the Federal Police Authorities (as in Vienna and the other cities mentioned on p. 438). State control of the municipalities is, in general, exercised by the Provincial authorities. Control is exercised by the Confederation itself only in the cases in which the interests of the Confederation require the dissolution of representative municipal bodies or the annulment of resolutions passed by such bodies to the prejudice of the Confederation, or when the laws are broken or perversely administered. State control is thus divided between the Provincial and the Federal authorities.

Matters dealt with by the local police (in so far as these are not dealt with by the Federal authorities as above mentioned), comprise the following heads:

(1) Security of persons and property. (2) Policing of streets. (3) Supervision of markets and provisions, specially of weights and measures. (4) Health. (5) Servants. (6) Morals. (7) Buildings and Fire.

In these cases control is exercised by the elected municipal representatives (committee or council), which has the right of

making local regulations in accordance with law and of punishing infringement of these. Executive power is in the hands of the executive committee chosen by the representative body. Penal jurisdiction in cases of infringement of local regulations is exercised by the head of the municipality (Mayor) together with two municipal councillors.

The necessary funds for the upkeep of the local police are provided by the municipality. The police of the cities and larger municipal areas (with the exception of those cities where the Federal Police are established) are therefore municipal organizations, and are appointed and paid by the municipality.

The Police Recruit

By CECIL C. H. MORIARTY, O.B.E., LL.B.

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THE general public see the police on duty in the streets; they occasionally come into contact with them, either invoking their aid or compelling their interference, and they accept them unthinkingly as a necessary part of the order of things; but they have very vague ideas of the scope of their work and of how they are taught to be able to respond to all the calls made on them.

Even educated persons have but little knowledge of the police and police matters. To a section of the community the police merely mean restraint; restraint on that section from doing what it likes. Others look on the police as a body of men, useful when required but otherwise not worthy of notice. The great majority regard the police as men wearing uniform and standing or walking about, sometimes a nuisance and sometimes a necessity; but they never trouble to consider what police work is and how police officers have to be prepared for its performance.

The police profession is one whose members can never flatter themselves that they have nothing more to learn. A policeman has to deal with every class of society and comes into contact with human nature in all its aspects. He usually has to act alone in dealing with every sort of contingency, without the advice of a more experienced comrade and without being able to refer to any book or other authority for guidance; so it is very necessary that after joining the police a man should at once receive adequate training in order to prepare him for his responsible duties. A good foundation must be laid, and it will then depend on the man himself whether he will continue to increase his knowledge and thus render himself more and more fitted for his position.

The responsibility for an instructed police force rests at first on those in command; later on, it devolves in some measure on the men themselves, whose efforts towards improvement should be encouraged and supplemented by their superiors. No matter how indifferent a policeman he may be, a constable is bound to learn by experience, on the assumption that he has some intelligence and common sense. But experience gained in the discharge of necessary and compulsory duties is not enough, and every policeman worthy of the name should try to improve his knowledge of his duties in every possible manner, urged thereto by pride in his profession as well as by rivalry with his comrades in the race for promotion.

The mind governs the body, but there must be something in the brain to enable it to direct the actions. Mere theoretical knowledge derived from books or lectures will not make a policeman unless it is backed by practical training and experience; but on the other hand correct mechanical performance of outdoor duties without a directing and instructed mind, though praiseworthy, does not constitute the ideal constable. The policeman should know his duties in theory and should carry them out in practice.

The higher command is glad to have correct and efficient constables who can be relied on to carry out their duty properly; but when promotions are necessary it is bound to look for men who, in addition to possessing these qualifications, have an excellent theoretical knowledge of their profession and are likely, through their intellectual qualifications, to do credit to themselves and to the Force in a higher rank.

Modern conditions render it increasingly necessary that a police officer should be a well-instructed man. The public in this country are amenable to reason and are law-abiding, perhaps because deep interest is not now generally taken in particular subjects owing to the multiplicity of interests which is the feature of present-day civilisation; yet people are now more intelligent and more apt to question the why and the wherefore of anything than they were some decades ago.

Nowadays a policeman has to exercise much tact and patience, and to enable him to do this he must possess an intelligent knowledge of his duties. It must also be said that

the modern criminal is far cleverer than his predecessors, and to cope with him the policeman must be an intelligent and well-instructed man. The present age requires well-instructed and well-trained police and the conditions of the police service have been so improved as to render this possible.

When a suitable man has been recruited, the first duty of his superiors is to give him adequate instruction. This instruction must be graduated. The recruit must not be overwhelmed at the start by having a dead weight of unintelligible law hurled at him. Everything must be explained to him in simple terms and its bearing on his new profession must be demonstrated. The police recruit is not as a rule a well-educated man. He is usually a healthy young fellow with an average elementary school education; rather awkward, but anxious to learn and prepare himself for his work as a policeman. In bygone days, when the constable's pay was about twenty-five shillings a week, he had little hesitation about leaving the Force and taking up a more lucrative occupation. Nowadays the recruit intends to become and to remain a policeman, as he is satisfied that the remuneration is adequate and that the conditions of service are reasonable.

The recruit's training should include attention to his body as well as to his mind. He should be well drilled, he should regularly perform gymnastic exercises, and he should be taught how to swim and rescue persons from drowning. Drill improves his carriage and teaches him the advantages of disciplined and concerted action. Discipline to the highest degree must exist in a police force; that discipline which connotes order, regularity and efficient obedience. A policeman usually works alone and in public. His responsibility is great and he must be a highly disciplined man. Drill is his introduction to that discipline which is required of the police.

Gymnastics is an important item in his training. Daily physical exercises, particularly those without apparatus, produce that perfect health which enables the recruit to profit to the uttermost from his police school training. Some instruction in ju-jitsu is advisable to teach the more harmless methods of dealing with refractory prisoners. Training in boxing will afford ability in self-defence and give that self-restraint and

confidence which will enable a policeman to deal competently with awkward situations. Swimming improves the general health, and ability to swim has often enabled a police officer to discharge one of his main duties, that of saving life. A policeman should be able to swim and to effect artificial respiration.

Ambulance training should commence early. Skill in rendering first aid to injured or sick persons is a very useful part of a policeman's equipment, and this requires manual dexterity as well as theoretical knowledge. Bandaging may be taught by police instructors, who may also explain the contents of the standard handbook on first aid. Later on the class should be taken in hand by a medical man, who will deliver the necessary lectures and see that his pupils are fit to undergo the first examination prescribed by the St. John Ambulance Association. First-aid work cannot be 'crammed up.' The recruit must study the handbook, practise the practical work, and thoroughly understand the meaning of all the remedial treatment he may be called upon to administer.

Instruction should be given in the care of uniform; in the care of the feet, those essentials of a police officer which have to bear him many miles during his thirty years' service; on the necessity for a regular and adequate diet; and in general life and conduct.

A man's character must be exemplary before he is admitted into the police service and it should remain exemplary whilst he remains in that service. A policeman is exposed to many temptations and he must be warned very strongly against them. He has to walk a straight and narrow path during his service and every effort should be made to train him to walk that path. Good advice will help him considerably whilst his character is being developed in the training school and moulded to a strength sufficient to enable him, as a well-trained and disciplined constable, to resist those temptations and opportunities for doing wrong, which, in the words of Sir Leonard Dunning, used when addressing a police force in May 1928, surround the life of a policeman.

Precept and example should teach him that a constable, who is ever in the public eye, must be smart in his general

appearance and bearing, courteous and helpful to the public, calm and discreet in his language and demeanour, and a credit to the Force to which he belongs. A policeman, though he has to be individualistic in his outdoor work, is but a unit in his Force. His life and conduct should be to the credit of that Force. His feeling of *esprit de corps* should be strongly formed in the school, and he should be taught to realize that any discreditable action on his part will affect the reputation of the whole police service.

As regards mental instruction, it must be remembered that the mind of the average recruit requires to be developed. It has probably lain fallow since his schooldays, while he has been engaged in earning his living and has had neither the time nor the inclination to improve his education. He has lost the habit of learning from books and his powers of memory may have become rusty. A policeman should have a good memory, and he will find that ability to recollect with accuracy spoken or written words will prove an invaluable accomplishment. Most men can train their memories, and one of the first tasks of a police instructor should be to accustom his recruits to memorise matter. This may be done by selecting certain standard definitions of the crimes and offences about which an officer must be quite clear (or certain selected portions of his instruction book) and setting them to be learned by heart. Each recruit should carefully study these items and should be made to learn them by heart. The instructor in class will explain their meaning and illustrate them by concrete examples. This work will take about three weeks, time well spent in training the memory and laying the foundation of an accurate knowledge of police law.

During his training each recruit should be practised in reading aloud from an instruction book, the instructor explaining to the class the meaning of what has been read out. Reading aloud will accustom the recruit to the sound of his own voice, increase his vocabulary, and improve his pronunciation of difficult words, thereby helping him towards that confidence and distinctness which should characterize his evidence given from the witness box in open court. During the evening hours assigned to 'home study,' which will be spent in

his quarters or lodgings, the recruit should learn his 'definitions' and read his instruction books and the notes he has taken.

Usually the period set apart for the training of a recruit in English Forces is limited, and he should spend all that time undergoing training. In gymnastics and drill he gets sufficient bodily exercise and therefore does not need the exercise of athletic games during his training. The programme of his mental studies is varied and he does not spend a long time during any day at any one subject, so his mind is not overstrained and he does not require the relaxation of places of amusement in the evenings. He is at the school for training and his training should be continuous. Every day he should be at work all day and Sunday will be his 'rest day.'

A recruit will possibly have done but little writing since he left school, and he should be given considerable practice in it whilst at the training school. He will need a good deal of tuition in the art of making out reports; how to gather his facts, arrange them in proper sequence and commit them to writing in the approved form. He should spend about six or seven hours each week during his first three weeks in writing out his standard definitions and in copying specimen reports. Later on the instructor will set the subject or summarize the facts of an occurrence, so that the recruit may write the necessary report thereon. His efforts to make adequate reports should be corrected and mistakes explained to the class. Deficiencies in education will necessitate instruction in what may be termed 'literary subjects,' as distinguished from 'police duties.' A recruit should be given instruction and practice in elementary arithmetic, and about two lessons a week, up to an hour each lesson, should be sufficient. He should have some knowledge of fractions and the rule of three together with the compound money rules. A sound working knowledge of arithmetic is most useful to a policeman, and he should have it if he aspires to become a detective. The knowledge of spelling is often but moderate, and regular practice (say twice a week) in dictation will increase his facility in writing as well as in spelling. Inability to spell correctly is a great handicap to a policeman. He will write a great many

reports during his service, and it is a reflection on his education if he has constantly to refer to a dictionary or to a better educated comrade to enable him to produce documents which will not bring the wrath of his superiors on his head.

A policeman should have a fair knowledge of the geography of his country. He should know the larger towns, the railway systems, the main roads, and the general contour of the country, and he should have some idea of its staple trades and industries. He ought to have a good working knowledge of that part of the country surrounding his own district. During his service he will be called upon to answer many locality questions from passers-by, particularly from travelling motorists. He should also know something about the working of state and local government, the duties of a citizen, and the general conduct of the affairs of the country. Elementary text-books are available and this branch of instruction, which may be termed 'civics,' will prove both useful and interesting. 'General Knowledge' is an item which cannot easily be taught as a definite subject, but all that a recruit has learnt in the course of his life, at school, while at work, reading books and newspapers, and during his police training, will go towards increasing his intelligence and adding to his stock of general knowledge. It may be regarded as a subject affording an opportunity for testing the contents of a person's mind.

Police instructors may, if necessary, give instruction in all these literary subjects. They should certainly give instruction in arithmetic, dictation and spelling, but it may be found more convenient to enlist the aid of professional teachers to afford instruction in the other 'literary' subjects mentioned above, and this special teaching may be given in the evenings, after the recruit has left school, but before he has completed his period of probation. When the recruit has been about a month in the school the police instructor should be able to gauge his abilities and estimate his possibilities as a policeman. If a man does not conduct himself properly and work hard whilst he is in the police school, there is but little probability that he will work satisfactorily and keep out of trouble when he is a constable working under supervision far less than the constant care of the police instructor. A police instructor is

more than a teacher ; he is a trainer preparing men for a life of public service. His work should not be confined merely to instructing recruits in the subjects considered necessary ; it should cover everything useful to and necessary in a policeman. He is the first officer to take charge of the recruit and from him the recruit ought to learn the correct principles and ideals on which his life in the Force should be based. The instructors should take a prominent part in forming the recruit's character as a police officer, as well as in enabling him to discharge his duties with zeal and efficiency.

It has been said that character is destiny. Certainly character, or in other words the sum of a person's mental and moral qualities, is bound to tell, and a policeman possessing high character should do well in the Force. The instructing staff in a police school have great responsibilities and in some measure have the future of the Force in their hands. An untrained policeman is preferable to a badly trained policeman ; the former can be taught, but the latter must be 'untaught' before he can be properly taught. The police instructor has every opportunity of observing at close quarters how a recruit is shaping, and if he is satisfied that a recruit is not likely to become an efficient constable he should report accordingly to his Chief Constable. Unless a recruit is likely to develop into an efficient and well conducted officer he should not be retained in the Force.

After his first three or four weeks the recruit's police education should have advanced sufficiently to justify more intensive instruction in police duties. He has by this time learnt a good deal. He should know his law definitions and should have a fair knowledge of his instruction book. His general education has improved and he has assimilated a good deal of police knowledge. The police instructor should now take him through a complete syllabus of police duties, and he should do this orally, working through a definite list of subjects, lecturing on each subject, and questioning his class as he goes on. In most of the subjects the law on the matter must be his text and he should explain his subject in his own words, illustrating it by practical cases, by which his experience as a policeman will enable him to sustain the interest of his hearers. He is

not now talking over the heads of his class, as they have read their instruction books and have a general idea of police work ; he has now to impress the essentials of police work on their minds. He should encourage the members of his class to ask questions so that they may not remain in any doubt as to the extent of their duties and powers as policemen. He must necessarily teach ' police law,' as the constable must have a working knowledge of a considerable amount of law, and the amount of statute law enforceable by the police is steadily increasing. The instructor, when he lectures his class on police duties, should work, as above stated, on a definite syllabus, dealing with police law and practice. He must not omit essentials but he cannot waste time. He has a wide field to cover and he has many important matters to deal with ; and this must be done in a comparatively short period of time.

If the foundation which he has laid is good, his class will benefit very considerably by this résumé of police duties, which will continue each morning during the remainder of the course of training. In this summary of police work he should first deal with some of the most important general subjects, then take the more serious crimes, and follow on with the remaining items arranged in convenient groups. He ought to work on a printed or typed syllabus which should give, in numbered order, the headings of the lectures with sub-heads attached to each heading, indicating the main points he will discuss. Each recruit should have a copy of this syllabus, that he may read up the subjects in his instruction book and so prepare himself to follow intelligently the progress of the lectures. To illustrate the system of lecturing outlined above, and as a matter of interest to those concerned in the training of recruits, it may be well to give here a brief summary of the syllabus in use in the Birmingham Police School. At full length it would be a formidable list, but the summary will give some idea of the matters a constable ought to know something about.

1. *Conduct.* This embraces about seventy items, all points necessary for policemen, and is a lecture which ought to be repeated at the end of the course.

2. *Legal Principles.* Explaining law, crime and offence, the classification of crime, the essentials of a crime and so forth.
3. *Arrest.* Legal powers and practical execution thereof. The constable at the very start must be instructed in this power and cautioned as to its use.
4. *Prisoners.* This wide subject covers everything in connection with an arrested person and his treatment.
5. *Reporting.* From the notebook to reports, and from statements to depositions.
6. *Evidence.* The law of evidence affecting crimes and offences, concluding with a description of the perfect witness.
7. *Courts and Procedure.* This will supplement the actual experience the recruit may have gained by attending police courts and will explain many legal expressions.
8. *Beat Duty.* This is a lengthy lecture dealing with matters which are likely to come under the constable's notice when on beat, as well as his duties when engaged thereon.
9. *Detection of Crime.* This is a vast subject. The recruit should be told what to do at the scene of a crime, what to look for and what steps he may take towards the detection of the offender.
10. *Assault.* From ordinary assault to wounding and other serious assaults, together with threats and menaces and blackmail.
11. *Homicide.*
12. *Offences against Females.* Including prostitution.
13. *Indecency.* By conduct and by publications, also unnatural crimes.
14. *Breaking In.* This important lecture covers burglary, house-breaking and sacrilege.
15. *Malicious Damage.* Including arson.
16. *Children.* This embraces all the offences against children and the treatment of youthful offenders.
17. *Larceny.* Theft in all its forms.
18. *Conspiracy and Defamation.*
19. *State Offences and Religion.* Treason, sedition, Official Secrets Acts, blasphemy and bigamy are included.
20. *Public Order.* Meetings, breach of the peace, affray, riot and intimidation.
21. *Traffic.* This subject covers highways, footways, obstruction, regulation of traffic, traffic signals, dangerous driving, stray animals and lights on vehicles.
22. *Road Vehicles.* The various types and the regulations governing them.
23. *Coinage Offences.*
24. *Forgery.* Bringing in false accounting and musical copyright.

25. *Public Justice Offences.* Such as contempt of court, escape, rescue, perjury, bribery, extortion and election offences.
26. *Vagrants.* The Vagrancy Act, begging, charitable collections, poor relief and common lodging houses.
27. *Prevention of Crime.* Such as probation of offenders, Borstal treatment, habitual criminals, convicts, special offenders, loiterers and suspected persons.
28. *Dealers.* This subject covers those persons who must have licences, such as pawnbrokers, hawkers, moneylenders, pedlars, etc.
29. *Property.* Including lost property, Police Property Act, public stores and wrecks.
30. *Persons.* Dealing with certain classes of persons affected by legislation, such as husband and wife, landlord and tenant, doctors, clergymen, nurses, aliens, etc.
31. *His Majesty's Forces.* Subjects such as billeting, uniforms, decorations, pensioners, deserters, etc.
32. *Communications.* Post Office, telegraphs, wireless, railways, air navigation and smuggling.
33. *Trade.* Food and drugs, weights and measures, shops, trade marks, hall marks, business names, etc.
34. *Explosives.* Offences in connection therewith, also petroleum, celluloid, and cinematograph films.
35. *Fires and Accidents.*
36. *Firearms.* Also the Gun Licence Act.
37. *Poaching.* Including game laws, fishery laws, and trespass.
38. *Betting and Gaming.* With lotteries.
39. *Public Health.* The Acts thereon, poisons, dangerous drugs, lunacy, births, etc., burials, Coroners and inquests.
40. *Animals.* Diseases of, cruelty to, operations on, injured and performing animals, with horses, knackers, dogs and birds.
41. *Liquor Licensing Laws.*
42. *Public Entertainments.* Theatres, cinemas, billiards, public libraries, etc.
43. *Criminals.* This deals with incitement to crime, attempt to commit crime, accomplices, accessories, together with compounding offences and extradition.
44. *Police.* Sundry subjects of use to a constable are here touched on, such as the Police Acts and Regulations.

Most of these lectures should be given as the first item in the day's instruction, when the recruit's mind is fresh. Some, no doubt, for reasons of time, may have to be given in the afternoon, but the early morning is advisable for oral instruc-

tion. They may be supplemented by special lectures on particular subjects, delivered in the afternoon by officers who are specialists in these subjects, but who are not attached to the school. The matters thus specially dealt with might include the care of uniform (naturally by the storekeeper); conduct in general; the construction of motor vehicles (with practical demonstration); explosives and petroleum; finger prints; the *modus operandi* system; the supervision of criminals; the working of the C.I. Department; housebreaking, etc. It is also advisable to have several lectures (say six in the term) on evidence and how it ought to be given, from a practising solicitor accustomed to police court work. These lectures on evidence, together with regular visits paid to the police court, should enable the constable to make a creditable showing in court when presenting his cases.

Every Saturday morning the knowledge of the recruit may be tested by a written examination in police duties and arithmetic, the questions being set on what he has been taught during the week. There should also be a dictation and spelling test. His mistakes and his ignorance will then come to light and may be displayed to him. It is thus possible to test his progress week by week and his answer papers remain as a record of his work. These weekly examinations too give him extra practice in writing; spelling and composition, for, as referred to above, a policeman must be well skilled in the use of his pen. It will be noticed that no particular instruction book has been named. Some Forces have their own book; the majority use the book considered most suitable. There is no standard instruction book for the British Forces, and one is urgently needed.

A very practical part of the recruit's instructions must now be mentioned; his beat or patrol work. On some evenings each week he should accompany a uniformed constable for about four hours during the latter's ordinary tour of duty. During this four hours' walk he will have the opportunity of seeing what a constable has to do on outdoor duty and will thus gain much practical experience. He should be sent with an experienced constable who is likely to train him in the way he should go. This constable has a great responsibility, and

if he does his duty he will materially assist in making the recruit a credit to the service. Such outdoor training is invaluable to the recruit and emphasizes the theoretical instruction he is receiving in the school.

It is difficult to lay down a hard and fast rule as to the length of time a recruit should be kept in the training school. A good deal will depend on the recruit himself, but a class ought to commence together and if possible finish together, otherwise the instructor's work is put out of gear.

A slow recruit may have to be kept longer in school, but if this course becomes necessary, it raises the question whether he is worth retaining in the Force. The minimum time should be about ten weeks, and three months or more may be preferable. A short concentrated training is perhaps better than a longer and more diffused course of instruction. A recruit is at school to learn the rudiments of his life's work and he should be kept at it all the time he is there. The number of hours spent at each subject each week in the Birmingham Police School are as follows: Police duties (oral), 9; police duties (written), 3; literary subjects, 4; examinations, 3; gymnastics, 6; drill, $4\frac{1}{2}$; swimming, 2; ambulance, 3; attending court, 3; patrol work, 12; and home study on three evenings. The allocation of these hours was given in the article in *The Police Journal* of January 1929 entitled 'The Making of an English Policeman.'

When a recruit has completed his term at school he may be sent direct to duty on the streets. He has presumably learned the elements of his profession and he ceases to be a recruit when he leaves the school, remaining a probationary constable until he has completed twelve months' service and satisfied his Chief Constable that his appointment as constable should be confirmed. After leaving school and during the remainder of his probationary period he should keep up his 'home study' in his spare time, and if possible should receive further instruction in literary subjects, so as to enable him to pass his final examination, which should take place before the termination of his twelve months' probation. The recruit is trained for some months at school, but his training as a policeman continues after he has left school; indeed it never ceases.

He is taught at school how to act as a policeman, but only his practical work out of doors will teach him to be a policeman. The main objects of the school training should be to form his character as a policeman, to habituate him to that discipline which must be the backbone of the service, and to put him in the way of becoming a zealous and efficient constable. What he has learnt in the training school will affect his career in the Force; in the words of Pope, 'Tis education forms the common mind, just as the twig is bent the tree's inclined.' But another quotation, from Lubbock, is also appropriate. 'We advocate education, not merely to make the man the better workman, but the workman the better man.'

Cattle Tattooing against Theft: An Experiment

By R. C. JEFFREYS

Indian Police

THE Karnal district comprises some 3,000 square miles in the Southern Punjab, a little north of Delhi. Karnal itself is a depressing place: an old cantonment where the police, cattle, schoolboys, little shopkeepers and gipsies now inhabit the crumbling ruins of British infantry barracks. The outposts of Empire have moved north; and Karnal was always an unhealthy place. Here died General Anson, Commander-in-Chief in India, a few anxious days after the Mutiny broke out in 1857.

The district is a neglected corner of the Punjab. There are no large towns, and the land has for ages been soured and salted by floods from the river Jumna and by the unceasing seepage of its canals. This unwanted stagnant water poisons the soil, and agriculture wanes. Corn and cotton and sugar cane give place to small but intensely malarial swamp, and later, when cultivation has been definitely abandoned, to a thick coarse growth of reed and thorn and pampas. When this happens the peasant goes for a living to his cattle. He drives his herds loose into the jungle, bulls running free with the cows. There is no control of breeding, but the Indian stock, though steadily deteriorating, keeps curiously true to form. Beef is not in question, for the Hindus eat no meat, and the Mahomedans cannot afford it: only draught and milch animals are in demand. In Karnal the humped Indian cow, when in milk, gives a little less than a single gallon daily, and she produces a bullock which is shapely enough, but decreasing in size and weight. The water buffalo, an enormous uneconomic eater, gives a little more milk

and breeds a draught animal which unfortunately dies quickly of heat and thirst when worked. These, such as they are, are the resources of Karnal. There are over a million animals in the district, about two to every three grazing acres. With such rough, poor pasturage only a third of the stock turned into it can thrive, and those that thrive soon attract the attentions of the cattle thief.

This stealing of cattle has become a regular industry, and the law and the victimised are both helpless. The law demands elaborate proof, which the peasant is unable to produce. So the cattle thief goes his way unpunished, and—as the people are not given to lynching unharmed and unmolested. Many of the peasants in despair buy their stolen cattle back through middlemen, and it is only when these rogues play false with both their unhappy clients, keeping both the repurchase money and the stolen animal, that the police are ever informed.

It is a difficult and harassing problem. Efforts have been made to put down this form of crime, and indeed in 1912 a serious campaign was waged against cattle theft, both British and Indian police officers being relieved of all other duties and specially deputed to deal with it. The public were energetically implored to help; and special magistrates were detailed to try the cases arising out of the campaign. Large gang and conspiracy cases were sent for trial, and in the end about a hundred convictions were obtained. But in India, while it is always easy to arouse enthusiasm, it is much more difficult to keep it going. Most of the convictions obtained were upset by the various courts of criminal appeal; the War intervened; and the successors of the then Superintendent of Police have observed that the only enduring result has been the treatment of a certain local squire by the cattle thieves. This gentleman was a large landowner, and therefore a cattle owner. In the campaign against cattle theft he came out openly and persistently on the side of the police, and—he has never been able to keep a cow since. But the Punjabi is persevering; one might even call him obstinate. Every year this country squire buys a few cows to show the world he is not afraid, and also to milk them.

Every year within a week his cows are all stolen. This performance has its amusing side, and the neighbourhood is amused. But it is a lamentable specimen of deterrent publicity.

After the 1912 campaign nothing very much was attempted until 1923, when a Scot came along. His voice might be heard haranguing the peasants day and night, denouncing cattle theft and exhorting the owners to preventive action. Waving in his hand a most dreadful instrument resembling an enormous pair of toothed flat-ended clippers, he declaimed and gesticulated, rejecting all senior criticism of his new scheme for tattooing cattle, and even in his fervour giving point to the controversy by catching in his clippers a really senior nose! His word—tattooing—was perhaps a slight handicap to his cause, calling up to the more ribald mind the sentimental emblems chosen to decorate the chests and arms of sea-rovers. But jesting with a Scot is a poor pursuit, and his pertinacity won the day.

The scheme was really very simple and astoundingly effective. The great difficulty in dealing with cattle theft is to make any positive identification of an individual beast. Cattle are very much alike to the lay eye, and in a wild and uncontrolled state they tend to revert to one uniform type. Thus in a countryside there is a mass of living property, valuable, removable, and almost impossible to identify individually, and the incentive to cattle theft is obvious. But the new man pointed out that if each animal could be marked with its own number, identification would become possible, and a serious restraint placed upon cattle thieves. So far, all the police had been able to do was to detain an animal suspected to have been stolen; sometimes they would raid in force a whole area of enclosures and jungle land and detain as many as 500 head. Whatever the number, it was necessary to guard and feed them until the case for this particular theft could go for trial—perhaps until the case had been decided and the inevitable appeal heard. All this takes time in India, sometimes six months being expended on a wearisome and expensive business. Animals might have been stolen from almost anywhere, for in this thick country they

could be driven without interference five miles or fifty, as desired, and could be swum across the river Jumna into another province. They might have been stolen from jungles or burgled from a bedroom—for the Indian cow often sleeps in bedrooms, and can be made to leap through a hole in a mud wall like any frightened cat.

No one could say where the cattle might have come from, and men whose cattle had been stolen had to be rounded up from various villages and sent to inspect the beasts now seized. Often two or three men would claim the same animal, and to add to the confusion the thief would put up some of his friends to do the same. The police would then have to take the animal in dispute round to the villages of the various claimants and there turn it loose in the evening to see whether it would of its own accord enter the house or enclosure or jungle which was said to be its original home. Hosts of witnesses were needed to ensure that the animal was not assisted through this test by a prepared line of spilt sugar and opium—a drug much loved by buffaloes—or by surreptitious clouts with a stick. The trouble all this involved can readily be imagined. And then in the end the prosecution would break down in court owing to the hopeless futility of the identification. There was no escape from the fact that as far as the evidence went the animal might belong to pretty nearly anyone of the contending parties.

Indian peasants are trying witnesses, and the townsman has hardly ever seen a jungle. Indian magistrates usually hail from the town, and the appellate courts are immensely impressed by discrepancies in evidence. The evidence in most cases being either a welter of discrepancies or else wholly incomprehensible to the court, the usual result was to confirm the thief in the possession of his stolen property. Meanwhile, most of the beasts had died, while in police custody, from lack of exercise and food, and the witnesses—peasants all—found their crops ruined by neglect. In India a case may conceivably involve fifteen journeys of thirty miles each way; so, with the risk of the theft of the witness's cattle during his absence, all these proceedings were unpopular and unsuccessful.

The remedy so strongly advocated in 1923 was to tattoo a distinctive number in each animal's ear. The operation was said to be cheap, almost painless, and quite simple: and these were indispensable attributes. Anything expensive would not work. You must not cause pain to cows, for the Hindu reveres a cow as part of his religion. And, lastly, if an operation needs any special skill you may rule it out. That, incidentally, was why branding was not suggested. Unskilful branding is a very nasty business.

The scheme, then, had to be cheap, painless, and simple. The instrument to be used resembled a barber's pair of hair clippers, doubled in size and with the two planes of clippers set about two inches apart. One plane was a flat metal surface to act as a pad; the other plane was the receiver, into which four numerals or letters could be slid. These numerals and letters consisted of up to a dozen quarter inch steel needles set into a metal base, each needle head being chisel-ended about one-sixteenth of an inch wide. The two planes were passed one on each side of the animal's ear high up towards the skull, until the needle plane was between, and clear of, the two main veins of the ear. The clippers were then forcibly closed and the numeral and letter teeth bit into the flesh of the ear against the pad of the other plane. A blue tattooing ink was then rubbed into the wounds until the flow of blood ceased. The animal was thus marked for life—say K LW 8. The process was then repeated—or preferably done simultaneously by another man—in the other ear, and the complete mark of that animal was K LW 8.7534. It was estimated that several hundred beasts could be tattooed daily, but that proved to be a mistaken calculation.

It should here be explained what the numeration meant, for it was a really sound invention. The two first letters KL indicated the Karnal district. This is a recognized existing abbreviation. Should more combinations be needed, they could be allotted arbitrarily in the same way as motor-car index marks are allotted. To fix that beast as a Karnal district beast was at least an advance on not knowing whether it came from west of the Jumna in the Punjab or from east of the Jumna in the United Provinces, or even from distant Bengal.

The two next symbols, W8, were likewise taken together. There are 26 letters in the alphabet and 10 numerals. But the letters I and O had to be eliminated because they resembled the numerals one and nought. That left 24 plus 10, *i.e.* 34 symbols. The possible combinations of these 34 symbols taken two at a time is 1156. Every village was allotted arbitrarily a pair of symbols, so that KLAI to KIZO located each of the 1156 villages in the Karnal district. Should a district have more than 1156 villages—which is very rare—the 1157th village would be KNAI, KN being the second index mark for Karnal. The one ear of the beast thus located its home village in its district, and that was a tremendous advance.

The other ear was not worked by pairs of numerals, but by one and three. The first numeral 7 indicated that the beast was tattooed in 1927. You would thus know that this beast was tattooed in a certain village (called W8) of a certain district (called KL) in 1927. The remaining numerals, 534, indicated that it was the 534th beast to be tattooed there in 1927. So instead of being altogether ignorant of the home of a beast you knew at once that it was the 534th beast tattooed in 1927 in village Kheri Singhan, in the Karnal district; and that definitely fixed that particular animal.

But to perfect the scheme something more was needed. Cattle change hands by *bona fide* sale as well as by theft, and a Cornishman at an Exeter fair might well be shy of buying and taking home a cow which every policeman in Cornwall would know by its identification mark as a Hampshire cow. So a system of certificates was arranged. The original tattooing authority kept a record of each animal marked and gave a copy as an 'ownership certificate' to its then owner. And in every village an educated man was appointed registrar of sales to provide each seller and purchaser with a sale certificate of each tattooed animal. On the animal KLW8.7534 being detained on suspicion, a telegram to Karnal told you who owned it when it was tattooed in 1927. In a few days it would be discovered that that owner had since sold it to B, and B to C, and C to D, but that D had never sold it to anyone. D was viewed with suspicion as a man who had failed to report

the theft of his cow, and every possessor after him you could regard as a trader in stolen goods. When this scheme was compared with the existing ridiculous and worthless prosecutions the benefit was apparent.

The tattooing in both ears, together with the registration of the beast, did fix it definitely—also it was to be cheap (about five beasts to the penny), painless, simple, and permanent. This part of the scheme did not work out so well. It was evidently assumed that all the parties—peasants, cattle, clerks, police, were all trained experts! Now in Indian administration the expert is usually removed and replaced by the ignoramus. So the Scot who had worked out the plan and initiated it in practice was removed to a penman's job, and I took his place—a man who needed advice to distinguish a buffalo from a bull.

We set to work. The first difficulty was to persuade the buffalo that the operation was painless. My predecessor had been a man famous for his daring, his size, and physical strength, and he had been severely kicked through a strong railway-girder pen by a small but horned and active cow, who mistakenly thought she was being hurt, and also that her calf had gone for ever and that we intended to drink her blood. Well might lesser men begin to get reflective! If, in the Indian police, to be killed on duty has its glory, to be killed by a mistaken cow is absurd. So people endowed with less courage and physique than my predecessor began to get exceedingly reflective. It was in vain that bullock-cart bullocks accustomed to busy city traffic were taken to the Central Veterinary College in Lahore and there tattooed, with the assistance of the veterinary staff. We in the backwoods replied that the wild-run riverain cow, like the recidivist, stampeded at the mere sight of the police, and almost—but alas not quite—fainted when she was seized. As for rubbing ink into a lot of ear-wounds, that was really a different story. Actually and in fact it did not hurt the cow much. But the preliminary contest was so alarming to both parties that we soon insisted on the operation being restricted to calves before their horns grew. Officers from headquarters rather delightfully came down to be convinced. Our usual procedure, in the absence of the useless and very heavy railway-girder pen, was to tie

the patient to a tree. We selected a rather slender tree, and our seniors were convinced. But my camera was trodden underfoot, and the photographs which the Editor desires do not exist.

All this of course added to the expense: in the livelier moments tattooing ink got upset and clippers broken. And the pay bill was mounting up; if one could do twenty beasts a day and survive for the morrow, it was pretty good. But as for the hundreds daily that had been forecast! So it became unfortunately too expensive a scheme, and that killed it, because expense is fatal. Actually it worked out at two annas, or twopence farthing, a beast; and this sum could be reduced by leaving horned adults alone and tattooing only the unhorned young. In about eight years that would cover the whole stock, and even at two annas it would be worth the trouble a hundred times.

One legitimate objection was that the marks were not legible. Bullocks and cows have pink linings to their ears, and on these pink linings half of the blue tattooings were not legible after a few weeks. Buffaloes' ears range from red through brown to jet black, and here nine in ten of the tattooings were failures. This at first was most distressing, and we experimented without much success with various red inks. Reflection on the good results obtained under ideal conditions at Lahore showed that the fault lay with us and not with the ink: the ink was good enough, but we had not the pluck to rub it right in. We then, ingloriously, selected calves and so registered success. The two secrets were to rub it well in and to select an animal that did not mind massage. Once this was understood all was well.

There was one final difficulty, due mainly to the shape of the clippers. The symbol nearest the tip of the ear was often indistinct, and sometimes the lower part of all the symbols was missing. Thus BEO8 was often BEO, and a blur which might be 8 or o or even G: and in very bad cases the BE might be read as PF or RF. This was the fault of the clippers. The two planes were set parallel; but an animal's ear is thicker near the skull than it is near the tip. So the needles of the outer symbol often bit in very lightly and the marks

were not legible. This could be avoided by setting the planes of the clippers at a slight angle to each other, and so parallel, not to each other but to the surfaces of the ear. The needles would then bite in evenly and all the marks should be legible.

The symbols we used were a little too large, which probably made the top and bottom blurred. This was not definitely proved, though rather smaller symbols would more surely fit the flat surface of the ear before it curves round into the wall. But the importance of the defect should not be exaggerated. At the very worst there are not likely to be more than half a dozen possible interpretations of a set of rather indistinct symbols, and even so that identifies the animal as one of six known cattle out of all the cattle population of North India. To look up those six animals should be quite simple if the sales registration were properly worked.

This experiment in cattle tattooing was carried on for four months. Fifty constables from Karnal and neighbouring districts were employed, the police being chosen because admittedly there was no other agency comparable for cheapness, discipline, and honesty. In the four months they did a little over a hundred thousand tattooings. The constable in India has no weekly day of rest, but days were, of course, lost by bad weather, shortage of ink, and broken instruments. The men worked in pairs and on an average took about eight minutes per beast: a result which is best expressed by saying that a tame beast takes about five minutes and that a wild adult could not be tattooed at all. Probably not more than 25,000 tattooings were successful. Of the tattooed beasts fifty-eight were reported stolen in the next few weeks and subsequently eighteen were recovered and identified by their tattooings. With untattooed cattle nothing approaching such a result could have been attained.

Later, a contractor came forward with a proposal to do the work at two annas a head. This was a fair offer, but I have not heard that it was ever formally accepted. By that time many police officers had been transferred elsewhere and other problems had arisen to distract attention. In India, moreover, it is very difficult to keep enthusiasm alive.

But it would be a thousand pities to let cattle-tattooing

be forgotten. It entertained the constables, and theirs is a dull life. The people were ready for it, and not even the devout Hindu made objection on religious grounds. The expense was not great, and it promised to do more to curb the cattle thief than any other practicable measure. For it is not practicable to suggest the complete redraining and deforestation of three thousand square miles, or the abolition of the courts of appeal, however sound and permanent cures these might be for cattle theft.

The New South Wales Police : A Retrospect

By JAMES MITCHELL, C.B.E.

Commissioner, Police Department, New South Wales

THE history of the development of the police system of New South Wales, the Mother State of the Australian Commonwealth and to-day the most populous, forms an interesting and, indeed, a fascinating study.

For eight years from the foundation of the Colony in 1788 New South Wales was under military control. This proved so unsatisfactory that in 1796 it was replaced by a system of watchmen for the city and constables for the outlying areas. In 1825 a mounted patrol, recruited from the military forces, was added. Later, in 1838, the local justices were empowered to nominate constables, and two years later the body known as the Water Police was brought into existence. Horse and cattle stealing led to the formation in 1849 of patrols in country areas with a central detachment in Sydney. Then, in 1851, consequent on the opening up of the goldfields, it was found necessary to establish a force known as the Gold Police, under Gold Commissioners, who were military officers.

In 1862 a notable reform was effected by men of vision. In that year the police force of the Colony was entirely reorganised and modelled on the lines of the London Metropolitan Police. Captain John McLerie was the first Inspector-General of this body, with headquarters at Sydney. His successors were Mr. Edmund Fosbery, C.M.G., Mr. T. Garvin, Mr. E. C. Day, and the present writer. The senior administrative officer of the present State of New South Wales is now styled Commissioner, Police Department.

The most important work of the reconstituted force was the suppression of bushranging, which had become a menace

to the law-abiding community. The onerous task committed to the charge of the new police was rendered the more difficult by the extent and nature of the country to be protected. The London Metropolitan Police district covers an area of 700 square miles; New South Wales, which embraces an area of 300,000 square miles, is more than six times the size of England, and nearly three times that of Great Britain and Ireland. The city of Sydney, the capital, has a population of a million and a quarter.

The history of the bushrangers of Australia is a record of daring crimes. Men of desperate character formed themselves into gangs of highway robbers; they held up travellers and homesteads; they robbed stores, stole horses and attacked coaches containing consignments of gold, even when these were accompanied by police escorts; and they cruelly murdered officers of the law. The police of that day had not the advantages of the assistance of the telegraph and the telephone, and it often took a considerable time for the news of bush-ranging crimes to reach the authorities. The bushrangers, on the other hand, had many friends who kept them informed of the movements of the police, and they organised an intelligence system known as the 'bush telegraph,' which proved a formidable obstacle to the breaking up of gangs and the arrest of their members.

Many volumes have been written describing the depredations of the Australian bushrangers, their reckless daring and their cynical cruelty. There are, moreover, cases on record in which respectable youths joined these bands of desperadoes from a love of adventure tinged with foolish vanity. The notorious Kelly gang operated mainly in Victoria, but on more than one occasion they crossed the border. Their last desperate fight with the police was at Glenrowan (Victoria), when some of them were captured and others killed. The bravery and devotion of the police in pursuing the criminals and in finally extirpating bush-ranging constitutes a record which the New South Wales police justly regard with pride. It would be impossible to give here anything like a complete history of the operations of the various notorious bandits who afflicted the Colony, but a few instances may be

cited to illustrate the type of desperado with whom the police had to deal and the daring nature of the crimes planned and executed by the gangs.

Frank Gardiner, one of the boldest of the bushrangers, was the leader in a number of daring crimes, culminating in a 'hold-up' which startled the whole of Australia. In 1862 a mail-coach containing gold and banknotes to the value of £14,000 set out from Lachlan for Sydney under the escort of Sergeant Condell and three constables. When the coach was nearing Eugowra, 276 miles from the capital, its progress was blocked by two bullock teams which were pulled up on either side of the road. No suspicion was created at first, since it was customary for teamsters when meeting each other to stop for a chat. But as the coach was moving slowly between the teams it was seen that the road was blocked with stones. Then six armed men with blackened faces, who wore red shirts, stepped out and at the word of command from their leader fired a volley into the coach. As these men stepped back, six other robbers similarly disguised fired a second volley, and as two of the police were wounded the escort was unable to make any effective resistance. The attackers rushed forward with a cheer, secured the plunder and speedily decamped. Sergeant Condell in his report on the outrage said the bushrangers were commanded by one man, who gave the orders to fire, and he believed that this man was Gardiner, as he knew his voice well.

The Eugowra outrage created a great sensation, and a determined hunt for the robbers was set on foot. The Inspector-General was soon on the scene, the police from the surrounding districts were requisitioned, and eventually the pursuit became so hot that the robbers were compelled to abandon a pack-horse with 1500 ozs. of gold. The bushrangers, however, were well mounted on the best horses in the country, and the police were at a disadvantage. After being chased into the mountains Gardiner and his gang escaped. Several of the men were ultimately arrested and placed on trial, and one indeed was executed; but Gardiner himself had disappeared. He was, however, captured in Queensland some time afterwards, mainly owing to the intel-

ligent persistence of Detective McGlone, and sentenced to terms of penal servitude aggregating thirty-two years. He was released after serving half his sentence. McGlone and his companions who effected the arrest managed to mislead Gardiner and his associates by disguising themselves as gold-diggers, carrying their swags; and the detective subsequently showed his astuteness by evading an attempt at serving a writ of *habeas corpus* which would have prevented the prisoner's removal from Brisbane to Sydney.

With Gardiner's disappearance the gang remained quiet for a time, but after about twelve months bushranging was resumed on a hitherto unprecedented scale. Bathurst, now a city and one of the principal centres of the State of New South Wales, was the scene of a daring outrage by the gang in 1863. The bushrangers actually attacked the residence of the Gold Commissioner, Mr. Keightley; and as he refused to obey their command to come out, the gang fired shots at the windows of the house. Mr. Keightley returned the fire and Burke, one of the leaders, crying out 'I am done for,' fell mortally wounded. Being short of ammunition the inmates of the house were compelled to surrender. Mr. Keightley himself was now threatened with death, but his life was spared on condition of his paying a sum of £500, that being the amount of a reward which had been offered by the authorities for the capture of Burke. Mrs. Keightley and a friend actually rode into the township and collected the money, which was handed over to the bushrangers, who decamped with their booty. A man who afterwards attempted to negotiate the banknotes which formed the ransom was arrested and convicted.

Outrage succeeded outrage until the murder of two police officers, Sergeant Parry and Constable Nelson, led to the passing of the Felons Apprehension Act, which authorised the killing of outlaws on sight. Three notorious bushrangers, Hall, Gilbert, and Dunn, were proclaimed outlaws under this statute. Ben Hall was surprised in the bush by a party of police and shot dead while trying to escape. This man's tragic end had a depressing effect on the others. Later, when Gilbert and Dunn were discovered by the police, they made for the scrub, where they took up a position behind trees and

opened fire. The police at once retaliated, and Gilbert was shot dead. At the inquest on the bushranger the jury paid a high tribute to the gallant conduct of the police on this occasion. John Dunn was ultimately captured, found guilty of murder, and sentenced to death.

The worst of the gang was one Daniel Morgan, who, it is said, on more than one occasion fired on unarmed and sometimes on sleeping men. While mad with drink at a sheep station, Morgan wounded a surveyor and shot the overseer who attempted to ride for a doctor to attend to the injured man. A police officer who overtook Morgan was shot dead in seeking to arrest the murderer. Morgan also killed Sergeant Thomas Smyth, who was camped close on his trail. The bushranger, crossing into Victoria, took possession of a station. He met his death by shooting at the hands of neighbouring residents who had surrounded the homestead.

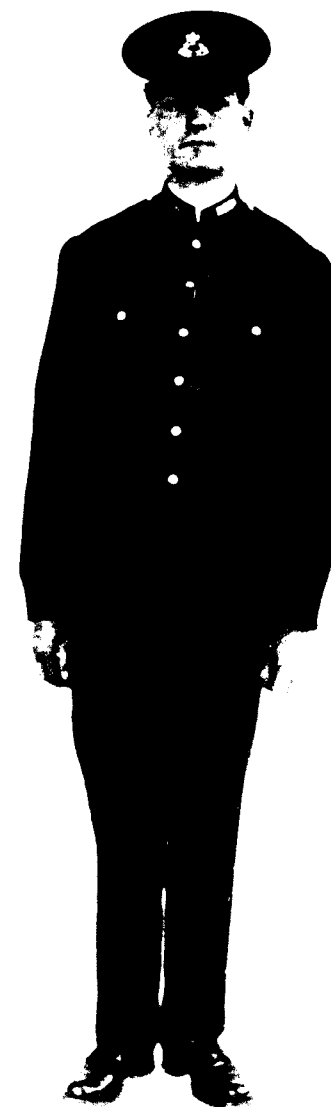
A bushranger of a different type was Frederick Ward—better known as 'Thunderbolt'—the Dick Turpin of New South Wales. Ward was uniformly courteous, and it was said that he never robbed a woman. One of the stories told of 'Thunderbolt' was that he held up a German band and compelled the musicians not only to disgorge their money but to play for him. The unhappy men pleaded their poverty, but 'Thunderbolt,' while declaring that he must have all they had, promised to return their earnings if he backed the principal winner at the coming Tamworth races. With this object in view, he took their names and addresses; and according to the story the Germans on returning to their homes some time later found a remittance of twenty pounds awaiting them. With all his courtesy 'Thunderbolt' was destined to meet with a tragic end. In May 1870 a police constable named Walker was notified that the bushranger was holding up travellers at a hotel near by. Walker, who had just recovered from an illness, at once rode out there. Ward endeavoured to escape. The constable, however, pursued and forced him into a blind gulley, whereupon 'Thunderbolt' dismounted, plunged into a pool, and swam across to the other side, his object being to induce the policeman to follow him into the water, when he intended to double back to his horse and make

for the open road. Seeing through the manoeuvre, Walker decided to shoot the horse, and after crossing the water he eventually brought 'Thunderbolt' to bay. A hand-to-hand encounter followed. The bushranger, a very powerful man, was overcoming his opponent and forcing him into the water when the latter shot him with his revolver, the wound proving fatal. For this gallant feat Constable Walker received promotion, and subsequently rose to the rank of Superintendent. His son, Superintendent W. R. Walker, is at present in charge of the North Coast Police district.

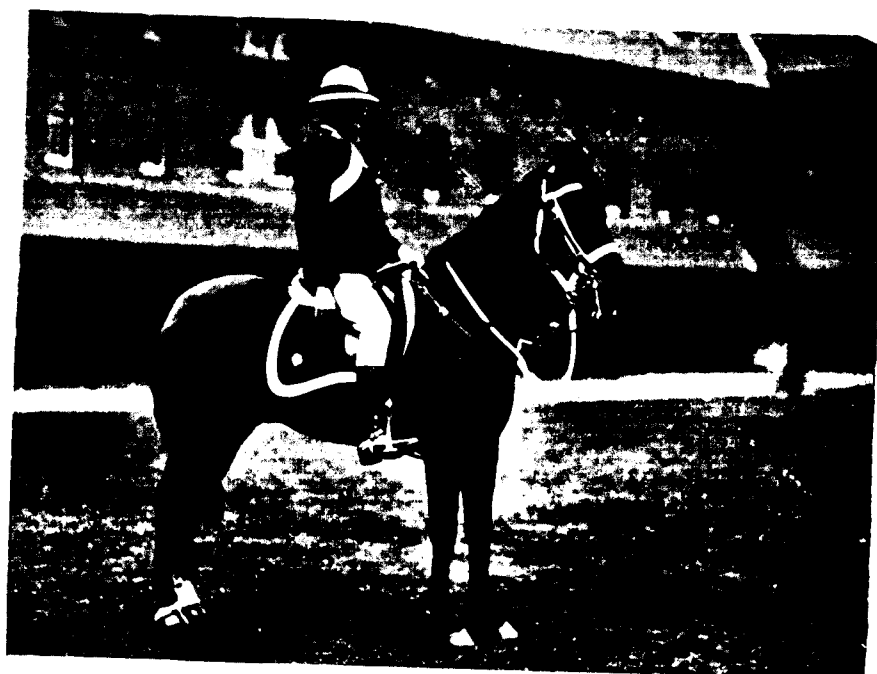
While the activities of bushrangers engaged the energies of the police in the country districts, their colleagues in the metropolis were called upon to deal with many serious crimes. One of the most notable of these was the murder, in 1865, of Henry Kinder by Henry Louis Bertrand.

Kinder was found shot through the head, a revolver lying near his dead body. At the inquest a verdict of suicide was returned, one of the principal witnesses being the actual murderer, who declared that he saw Kinder shoot himself. Subsequently a man named Jackson tried to blackmail Bertrand, and at this man's trial facts were elicited which led to the reopening of the enquiry into Kinder's death, and as a result Bertrand was found guilty of the murder.

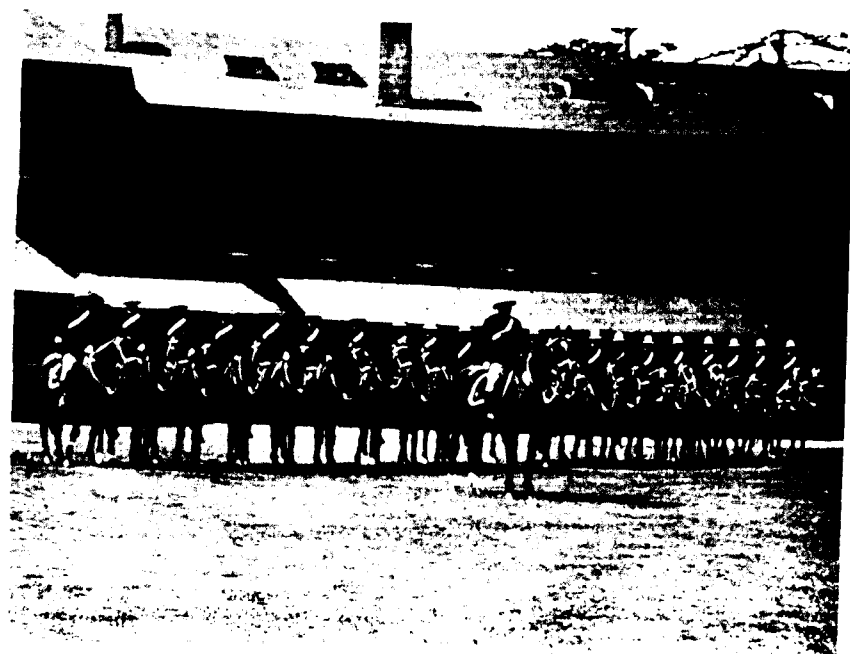
Other particularly cruel crimes were carried out by means of advertisements offering employment to the prospective victims. Two men named Nichols and Lester who resorted to this class of operation were found guilty of the murder of an immigrant whose body they threw into the Paramatta River with a heavy stone attached. Another notorious murderer was one Frank Butler, who attracted almost world-wide attention. His method was to advertise for a mate to go prospecting with him, each party to pay his own expenses. A retired master mariner who had been attracted in this way proceeded with Butler to Glenbrook, about forty miles from Sydney. Here Butler set his victim at work digging a hole, ostensibly for mining purposes. When the hole was deep enough, the murderer coolly shot his companion, who had thus dug his own grave. Two other men met their death at the hands of Butler in the same way. This miscreant was



1901 CONSTABLE J. SYDNEY
NEW SOUTH WALES POLICE



A MOUNTED CONSTABLE, FULL DRESS



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ultimately arrested at San Francisco by Superintendent Roche, Detective McHattie and Constable Conroy of New South Wales. The murderer had left for California by a sailing vessel, the *Swanhilda*, but the officers reached San Francisco before him by mail steamer and there effected his arrest. Butler was brought back to Sydney, where he was convicted and hanged.

An attack in 1894 on the Sydney police by two armed criminals who were breaking into an office led to the members of the force of the New South Wales capital being supplied with revolvers for their protection. In the course of the encounter the officers concerned were at a great disadvantage and were severely wounded. This affair led to a public outcry, and it was then decided that the city police should henceforth be armed. Up to that time only the country police were allowed to carry firearms, but to-day every member of the New South Wales force is provided with a revolver or automatic pistol while on duty.

Police instruction classes were established about fourteen years ago, shortly after the appointment of the present Commissioner. Previously young constables had been drafted from the police barracks to a station without proper knowledge of their powers and responsibilities as policemen. Under the new system they are trained in a knowledge of the law and the requirements of their office. During the first three months recruits receive a good grounding in court procedure and the principal Acts administered by the police. They are also well drilled and go through a course of physical culture, ambulance and life-saving work. After three months' training probationers in the foot branch are attached to divisional stations, while the training course for mounted men extends to six months. All recruits are orally examined by a recruiting committee to test their knowledge of their duties. Twelve months later each probationer is required to pass a further educational test. If this is considered satisfactory and he is found by the police surgeon to be physically fit, he is confirmed in the rank of constable. After a further two and a half years' service the constable is submitted to an educational test and oral examination. By this means it is ascertained whether

he has profited by, and retained, the knowledge gained during his instructional training and from his actual police experience.

Qualifying examinations must be passed before promotion from the various ranks. This system has brought about a high standard of efficiency.

The force consists of 3,500 officers, non-commissioned officers and men. There are over 700 police stations throughout the State, ranging from city divisions carrying a strength of 300 men each, to scores of stations in the back country where only one or two men are posted. In country centres a mounted patrol area may vary from 400 to 6,000 square miles. Even in comparatively settled localities the member of the force in charge is frequently responsible for the police supervision of 2,000 to 3,000 square miles. The mounted police, especially when on ceremonial parade in Sydney, have been commended by visitors from all parts of the world. They represent a body of men with great traditions, who in many instances have given their lives in the performance of their duties.

The Criminal Investigation Branch consists of a body of 40 detectives, supplemented by 120 plain clothes police attached to divisional stations in Sydney. By courtesy of the Commissioner of the London Metropolitan Police three experienced detectives have received a short term of training in the methods employed at Scotland Yard in the detection of crime.

The City of Edinburgh Special Constabulary

BY COMMANDER JAMES STEUART, O.B.E.

IT is strange now to look back at Edinburgh as it was during the early months of the Great War. Battleships gathered in the Forth, there was eerie booming of guns at night, recruits of volunteer regiments were hastily trained, while trenches were quickly dug round the city. The populace was eager to render any service for the public good, and one of the tasks of the authorities was to organise and employ these willing volunteers, incapacitated by age or infirmity from joining the army. Throughout the country, forces of special constables were soon being raised.

The primary idea was to form bodies which should be available in cases of emergency; but when the patriotic members of the public volunteered as Special Constables the title was a mere name, and they had little idea as to how the energies of the new force were to be employed. It would take too much space to record the early difficulties of initiating the groups of amateurs into unknown duties, to tell how well these duties came to be performed, and to detail the individual acts of perseverance, devotion and pluck. The following account of the Edinburgh force may, however, serve to give a general outline of much useful work well done.

The boundaries of Edinburgh have been greatly extended since the war, but in 1914 a force of about 630 police safeguarded the 320,000 inhabitants and patrolled its 223 miles of roads. To assist the regular staff, the new force of Special Constables came into being in December 1914, and about 700 were enrolled. They were divided into foot, mounted, and motor sections. Drills were commenced in the Waverley

Market—a large, covered building, peculiarly ill-adapted acoustically for the drilling of different squads of men. By the end of 1914 no drill sergeants were available: they had all been absorbed by the Army and were actively engaged in training the various units which were being raised locally. For the purpose of training the newly enrolled Specials, therefore, recourse had to be had to anyone who had been accustomed to giving words of command—whether to the old Volunteers or to the more modern Boy Scouts. With many of the recruits the drills were not popular, but they were a necessary part of the training; for, since many members were more used to giving than receiving orders, the drills had the effect of bringing home to them the fact that, whatever their social or business positions, for police purposes John Smith, Esq., was only S.C. 257.

As the war progressed, the ranks of the regular police became rapidly depleted by the absorption of about half their number into the army, and on 31st March, 1915, the Specials were first paraded for duty on the streets. It was necessary for them to be initiated in patrol work so that they might provide the much-needed relief of the members of the regular police, whose Sunday leave had had to be stopped. At this time the equipment of the Specials consisted of their appointment cards, whistles, armlets and batons.¹ As the need of a distinctive headgear for patrol work became evident, individual members supplied themselves with caps. At a later date an allowance was made by the Corporation for boot money, and ultimately uniforms were supplied.

At first the 'policeman's labourers' and the regulars were somewhat shy of one another; but this feeling soon wore off and was replaced by a mutual regard, which developed into admiration when the amateurs realised how well the city was served by its police force; while the regulars for their part soon came to recognise the whole-hearted endeavours of their temporary assistants to give what help they could in the time of national crisis.

In April 1915 the first officers were appointed, and Chief

¹ Known in England as truncheons. The tradition of Scotland's association with France still lingers north of the Border.

Constable Ross asked me to become the head of the foot section. Protests being unavailing I was duly appointed, and I have had the honour to be the Edinburgh Specials' Commander from that date till the present time. The relations between the foot section and the mounted and motor sections were always most cordial. The mounted men horsed and uniformed themselves at their own cost, while the motor section supplied their own cars. I had the good fortune to have associated with me professional and business men of standing in the city as heads of the five police divisions, and I shall ever look back with gratitude to the support and assistance I received at their hands in what eventually proved to be a big undertaking. Hardly any of these departmental heads had had any experience of regimental drill. This had the advantage of freeing the force from any touch of 'militarism,' the majority of the men deprecating any spirit of army methods.

The Special Constables continued to do duty in the busier parts of the town, on Sundays, and also on Saturday nights, until May 1917, when, in addition, they undertook duty nightly all over the city from 6 to 10 o'clock, in order to relieve further the body of regular police which by that time had become greatly reduced in numbers through its members joining the army. The mounted men assisted the foot-sloggers in patrol work. Things continued thus until May 1919, when the Chief Constable relieved the force of its duties 'patriotically undertaken and faithfully carried out.'

The duties of the Edinburgh Specials varied greatly in different parts of the city. The examination of property all over the town was undertaken, as well as the patrolling of dull, uninteresting beats in the suburbs, the keeping of the peace in the poorer parts, and the arrest of certain law-breakers. Apart from difference in physique, in dealing with rough characters the Specials were at a disadvantage as compared with the regulars, for they did not know by head mark the men they were up against. There was many a rough night in the Grassmarket, Cowgate, Pleasance, or Fountainbridge, with very few regulars to come to the assistance of a Special. Many of the Specials saw scenes and parts of the city they had never come across before, and—like Sam Weller—their

knowledge of the city soon became 'extensive and peculiar.' In addition, the war introduced a new element into police work in Edinburgh; the city became the centre of armed camps and the rendezvous of men on leave from the ships in the Forth or the armies overseas. If any sailors or soldiers got into the hands of the military or the civil police, the crowd invariably took the side of the prisoners, and it was quite a common experience to find a hostile mob of several thousands, gathered about the Register House and Leith Street. To effect an arrest under such conditions required pluck and determination. Moreover, the Special Constables had to assist the police in keeping order and lining the streets at countless recruiting marches, at Sunday services on important occasions in the parks, at visits of Royalty or of distinguished naval or military officers, and at various other times when the citizens turned out in their thousands. However, they nobly responded to the calls upon them, and one of the things which helped the organisation more than anything else was the fact that the officers, one and all, entered into the spirit of the work with a will, and were ready not only to supervise but to give practical assistance whether in an arrest or in whatever might turn up in the course of a night's work.

Although Edinburgh was out of the ordinary range of the Zeppelins, the city was visited by one on 2nd April, 1916. (There was another alarm at a later date which, however, did not materialise.) In this raid considerable damage was done to property in different parts of the city, and various casualties were caused. The Specials, as usual, were to the fore, and their experience on this occasion enabled them to realise the hardships of their brothers in London, who had much more frequent and serious calls made upon them in this connection.¹

During the war years the Special Constables received the thanks of successive Lord Provosts on many occasions, and the orders of the Chief Constable contained constant and eloquent tributes to the assistance of the volunteer force. The Town Council presented medals and illuminated souvenir batons to the members, and large numbers of them qualified for the Special Constabulary Medal awarded by the King to

¹ See *The Police Journal*, Vol. I., p. 326.

those who had served for three years and had done 150 duties. It was calculated that the hours of duty performed by the Edinburgh Special Constables approximated 300,000, not including special services, and that in patrolling their beats they covered a distance equal to twenty-four times round the earth!

When in May 1919 the members of the Special Constabulary (both mounted and foot) ceased to do ordinary duty on the return from the war of the members of the regular police, the Corps was not disbanded. On the occasion of large processions, etc., much valuable assistance was rendered by the Specials, and during the railway strike over 400 members intimated their willingness to perform duty if called upon. Their work indeed was by no means finished, for in May 1926 the country was confronted with the General Strike. In view of previous threats of labour troubles, those in authority had for some time been fully alive to the importance of increasing the numbers of the Special Constabulary; but it was felt that no active steps for recruiting were likely to be successful till the need arose. When the strike actually began, the citizens were not slow in coming forward, and on an appeal being issued, recruits began to enrol in hundreds, soon to be counted by thousands. The old members of the force formed a most useful nucleus, being already familiar with patrol duties, and they rendered the greatest service in initiating the recruits in their work. But it was no easy matter to deal with the willing but undisciplined thousands who enrolled. The ranks then, for the first time, embraced large numbers of younger men from all walks in life. The difficulty at first was to restrain these young men, anxious to be where the battle was thickest. Numbers of them were organised as a kind of 'shock battalion' under army officers of experience, and they were transported from their headquarters by motor service to any point where trouble arose.

In Edinburgh the situation was very serious. Huge crowds gathered, there was rioting and looting of shops, and the police were the first to admit that but for the heroic assistance rendered by the Specials in the baton charges in the High Street and neighbourhood, which unfortunately were necessary,

the disorder would rapidly have spread to other parts of the town, and have resulted in considerable damage to property. At this time of stress mention must also be made of the splendid work of the motor section, whose arrangements were models of business organisation, and who worked in the utmost harmony with the men on foot. A new mounted section also came into being, who, when fully equipped, could scarcely be distinguished from the genuine mounted police.

Much of the work during the long war years was tiresome and prosaic, but it was enlivened by incidents now and then, some of them exciting and some humorous. One of our officers was, with his wife, looking out of his drawing-room window when he saw two small boys pelting each other with sand abstracted from a bin across the street. Whereupon his wife jocularly remarked that he was a poor Special if he could not stop this waste of public property. Nettled at this, the officer, who was of gigantic stature, sallied forth and, as he was passing the boys, made a grab at them. He caught one but missed the other, who at once retired to a safe distance. The big man shook the boy as a terrier would a rat, saying: 'Do you know I could have you locked up for this? Do you hear that?' And turning to the other boy he added: 'Do you hear that too?' Whereupon the boy who was not in custody responded: 'Aye, I heere it fine; but he canna, *he's deif an' dumb!*'

It was a curious fact that nothing would disabuse the minds of the populace of the idea that the Specials were paid. One day, when on a beat near his shop, a Special heard a discussion going on between two old women (to whom he was well known) as to whether the Specials received any remuneration. Presently one of them clinched the argument by saying: 'Weel, here comes Maister McNab' (pointing to the Special); 'I'm dömned if *he* does it for naethin'.'

One of the effects of constant association with the regulars was that we of the Specials came to realise the work of the peace-time Force. It brought home to us the fact that a policeman might suddenly, during his monotonous patrol, be called upon to perform some heroic act, or again he might have to come to some decision as to his course of action and incur

grave responsibility, with possibly unfortunate results to himself should he happen to do the wrong thing. But, more than that, we appreciated how, in the course of long years on the streets, a policeman, possibly country-born, with few advantages in the way of early schooling, had learnt how to apply his natural shrewdness in dealing with unexpected points. Many examples we had of their tact and discretion.

With this tribute to the Force with whom we passed the long and dark days of the war, I will bring this paper to a close. It may be claimed—and proudly claimed—that the Special Constabulary movement was one of the successes of the war, and the general public may look back with gratitude to the services rendered by many thousands of men, for the most part no longer young, who 'did their bit' in the time of national crisis.

The Russian Secret Police¹

I. The Secret Police of Czarist Russia.

DURING the nineteenth century European Liberalism gradually began to trickle into Russia. The police countered this with measures designed to suppress the faintest beginnings of any democratic political life. Pressure created counter-pressure and action provoked reaction, so that the whole political history of Czarist Russia during the nineteenth and early twentieth centuries was a ceaseless struggle between the people kindling and rekindling the sparks of political liberty on the one side, and on the other the secret political police ferociously stamping out each glowing firebrand.

It is clear that the secret police employed brutal methods. Every attempt at the mere expression of opinions favouring a democratic constitution was stifled by search, arrest, imprisonment, banishment to Siberia, and even execution.

These police measures naturally evoked equally brutal reprisals. Attempts on the lives of the Czar, the Grand Dukes, ministers, governors, police and prison officials were daily occurrences. Every outrage of this kind was followed in its turn by further and more repressive police measures, which in their turn produced outrages on the part of the public, thus creating a vicious circle of universal terrorism.

Typical of these conditions is a conversation which took place during a secret meeting of the Russian State Council in the reign of Alexander II. The leader of the ultra-despotic party, Count Strogonov, advocated the banishment of several thousand people to Siberia. Loris-Melikov, the Minister-President, replied that to exile several thousand people meant creating several million avengers.

¹ With acknowledgments to Dr. Bernhard Weiss, Police Vice-President of Berlin, and author of *Polizei und Politik*.

The Dekabrist rising (15th Dec., 1825) can be regarded as the beginning of a continuous fight between the revolutionary parties and the police. The cause of the rising was a plot by several officers to depose Czar Nicholas I. in favour of a monarch who would agree to a liberation of the people, and in particular to the abolition of the serfdom of the peasants. The rising was quelled, and five of the principal leaders suffered death by hanging. This screwed down the safety-valve for several years, but peasant riots on a smaller scale continued to take place. According to official statistics, during the reign of Nicholas I. (1828-1854) not less than 547 peasant risings took place, without counting incipient disturbances suppressed by the local authorities.

Following the Dekabrist rising the state political police was brought into being for the express purpose of nipping in the bud every sign of revolt.

This fight between the leaders of revolutionary movements and the political police continued for many decades, but it was not until 1905 that a political conflict came about on a larger scale. On 9th January of that year a demonstration by the workers of St. Petersburg ended in bloodshed. This was the signal for further risings throughout the Russian empire, particularly in the Baltic Provinces and at Odessa. The mutiny of the Black Sea Fleet under the leadership of ex-Lieutenant Schmidt, who was subsequently executed, took place at that time.

The Constitution which was granted by Czar Nicholas on 17th October, 1905, was not sufficient to quench the fires of revolutionary activity, although its advent was greeted with open jubilation by the revolutionary press as a conquest of their arch-enemy the secret police.

Further revolts in 1906 were suppressed, but the revolutionary furnace continued to glow beneath the surface. Before turning to more recent events, let us glance at the position of the Czarist police in the Russian pre-war administration.

For purposes of provincial administration Russia was divided into 78 governments (*guberniya*), 18 provinces (*oblast*), and 1 district (*okrug*). Of these, 11 governments, 17 provinces and 1 district (Sakhalin) belonged to Asiatic Russia.

Of the rest, 8 governments were in Finland, 10 in Poland. European Russia thus embraced 49 governments and 1 province (that of the Don). The Don province was under the direct jurisdiction of the Ministry of War; the rest had each a governor and deputy-governor, the latter presiding over the administrative council. In addition there were governors-general, generally placed over several governments and armed with more extensive powers, usually including the command of the troops within the limits of their jurisdiction. In 1906 there were governors-general in Finland, Warsaw, Vilna, Kiev, Moscow and Riga. The larger cities (St. Petersburg, Moscow, Odessa, Sevastopol, Kertch-Yenikala, Nikolayev, Rostov) had an administrative system of their own, independent of the governments; *in these the Chief of Police acted as Governor.*

As organs of the central government there were further the *ispravniki*, or chiefs of police in the districts into which the governments were divided. These were nominated by the governors. From the time of Catherine II. to that of Alexander II. they had been elected by the nobles. This was changed in consequence of the emancipation of the serfs. They had under their orders in the principal localities commissaries of rural police (*stanovoi pristav*). *Ispravniki* and *stanovoi* alike were armed with large and ill-defined powers; and, since they were for the most part illiterate and wholly ignorant of the law, they proved exasperating engines of oppression. Towards the end of the reign of Alexander II., the government, in order to preserve order in the country districts, also created a special class of mounted rural policemen (*uryadniki*, from *uriad*, order), who, armed with power to arrest all suspects on the spot, rapidly became the terror of the countryside, and were nicknamed *kuryadniki*, the chicken-stealers (from *kura*, hen). Finally, in the towns every house was provided with a detective policeman in the person of the porter (*dvornik*), who was charged with the duty of reporting to the police the presence of any suspicious characters or anything else that may have interested them. The *dvornik* was on duty for sixteen hours at a stretch, during which he was not allowed to sleep or even shelter in the porch.

In addition to the above there was also a police organisa-

tion in direct subordination to the Ministry of the Interior, of which the principal function was the discovery, prevention and extirpation of political sedition. A secret police, armed with inquisitorial and arbitrary powers, had always existed in autocratic Russia. Its most famous development was the so-called 'Third Section'¹ of the Imperial Chancery, instituted by the Emperor Nicholas I. in 1826. This was entirely independent of the ordinary police, but was associated with the previously existing Corps of Gendarmes (*Korpus Zhandarmov*), whose chief was placed at its head. Its object had originally been to keep the Emperor in close touch with all the branches of the administration and to bring to his notice any abuses and irregularities, and for this purpose its chief was in constant personal intercourse with the sovereign. Actually, however, its activity, directed mainly to the discovery of political offences, degenerated into a hideous reign of terror. Its organization was spread all over Russia; its procedure was secret and summary, and included transportation by administrative order. Its instruments being for the most part ignorant and largely corrupt, its victims were counted by thousands.

The 'Third Section' was suppressed by Alexander II. in 1880, but only in name. In fact, it was transformed into a separate department of the Ministry of the Interior, and, provided with an enormous secret service fund, soon dominated the whole ministry. The Corps of Gendarmes was also incorporated in this department; the Under-Secretary of the Interior being placed at its head, and at that of the police generally, with practically unlimited jurisdiction in all cases which, *in the judgment of the Minister of the Interior, required to be dealt with by processes outside the ordinary law.* In 1896 the powers of the Minister were extended at the expense of those of the Under-Secretary, who remained only at the head of the Corps of Gendarmes; but by a law of the 24th September, 1904, this was reversed, and the Under-Secretary was again placed at the head of all the police with the title of Under-Secretary for the Administration of the Police.

The influences of the world war culminating in the revolution of February 1917 ended the Czarist régime, and in

¹ Hence, Third Section or Third Degree police methods.

October of the same year the Bolsheviks, after a previous abortive attempt in July, finally took over the government of the country.

When the Central Office of the political police in 1880 was nominally suppressed by Alexander II., and moved to the Ministry of the Interior, it was re-named the 'Special Branch' of the Police Department. The Central Office directed the activities of the so-called 'Ochrana Sections' (*ochrana* meaning security). Ochrana sections were first established at St. Petersburg, then in Moscow and later in numerous other large cities. The Central Office further took charge of the gendarmerie detachments, whose duties were, as before, principally of a political nature. The distribution of duties between the two police groups was as follows. The Central Office undertook the preliminary work of detecting political crimes, and passed to the gendarmerie the investigation of cases which required further attention locally.

The power possessed by the Russian Ochrana became proverbial, and it is said that not only the revolutionary elements, but even the Czar and his ministers, stood in fear and trembling of this omnipotent organisation. It has been alleged that the Ochrana instigated several political murders, notably that of the Grand Duke Sergius, the Minister Plehve and the Minister-President Stolypin, and that even the person of the monarch himself might not be safe in their hands. These statements may be exaggerated, but they tend to show the opinion which the Russian people had formed of their own secret police.

II. The Secret Police of Soviet Russia.

A well-known Russian writer on political subjects emphasizes the fact that the *Tcheka* was not a Soviet creation, but was built up on the existing framework of the Ochrana, and that in fact the Ochrana and *Tcheka* had many things in common, particularly their methods.

The name 'Tcheka' is derived from the full title of the organisation, the 'All Russian Extraordinary Commission for combating counter-revolution, speculations and sabotage,

attached to the Council of the People's Commissaries,' or in short, 'Extraordinary Commission' (Russian = *Tchresvytch-ainaya Kommissiya*), or still more shortly, 'Tcheka.'

The first duties of the Tcheka were to guard the headquarters of the Bolshevik Government at the Smolny Institute, under the leadership of Felix Edmundovitch Dzerjinski, a Pole, who had been imprisoned and in 1905 exiled under the Czarist régime. Dzerjinski was soon made responsible not only for the security of the headquarters building but for the security of the entire Government, and received extraordinary powers authorising him to combat counter-revolutionary movements throughout Russia. He showed remarkable organizing ability in extending the ramifications of the Tcheka by means of local commissions throughout Russia, thus creating a terror from whose sudden stroke no one, save possibly Lenin, could count himself exempt. He enrolled an enormous staff, which included not only coroners, magistrates, policemen, warders, experts, detectives, and executioners, but also hosts of secret agents, spies, and *agents provocateurs*, working not only in Russia but also in England and many other countries. All these creatures had to be extravagantly paid, chiefly by the proceeds of requisitions and confiscations from persons accused of 'speculation.' When, in March 1918, the Soviet Government moved from Petrograd to Moscow, Dzerjinski and his Tcheka followed.

In February 1922 the Tcheka was disbanded and Dzerjinski was appointed 'Transport Commissary.' This disbanding was as much a political manoeuvre as had been the closing of the 'Third Department of His Majesty's Chancery,' because the Tcheka was immediately replaced by the 'Political State Administration (*Gossudarstvennoe Politicheskoe Upravlenie*), commonly known as G.P.U.

That G.P.U. is simply a different name for Tcheka is proved by the fact that *neither the personnel nor the office buildings were changed*. The change of name took place for external reasons, and the G.P.U. is still popularly spoken of as Tcheka.

The powers of the Tcheka are far greater than were those of the Ochrana. The Tcheka is not only a political organisa-

tion, but it is alleged to control the entire judicial system of Russia, so that the functions of prosecutor, judge and gaoler are combined in one ; for the Prison Administration is also alleged to be in the hands of the Tcheka. Further, this body controls a special military force, in replacement of the Czarist Corps of Gendarmes, numbering more than 150,000 men. These are employed on 'special duties' under the direct orders of the G.P.U. Even elections take place under the auspices of the Tcheka, and in fact there is no secret police force in the world with influence to compare to that of the G.P.U. in Russia to-day.

Although Dzerjinski held at times different titles and high administrative posts, such as Commissary of Transport, etc., he actually remained throughout in charge of the political police until he died at the age of 49 in 1926. He was succeeded by his former co-operator Menshinski, who has since been followed, it is believed, by a commissary named Unschlicht.

Dzerjinski, probably the most fanatical and calculatingly cruel engine of human destruction the world has ever seen, was thus described by one who knew him well at the height of his sinister career. 'He can never be bribed, or assuaged, or talked round, or adulated into lenience. Torquemada himself might have envied those stern eyes, burning with fanatical hatred, those thin, ascetic, bloodless lips, that pale brow, those resourceful brains, enhancing the scourge of cruelty by the scourge of honesty. If the temple of universal happiness is to be cemented by blood, and erected on an enormous pyramid of mutilated corpses, then, indeed, Dzerjinski is the only man to be entrusted with laying out its foundations.'

III. Funds of the Russian Secret Police.

Czarist Russia had more money available for state security and secret police purposes than has the improvident and destructive G.P.U. of to-day. The total sum available is not known, but following the troubles in 1905 the vote was increased by 3,000,000 roubles (£300,000). In 1909 a supplementary grant of the equivalent of £30,000 was made to afford

special protection to the Czar on the occasion of his journey through Russia. In spite of this, a Russian revolutionary succeeded in shooting the Minister-President Stolypin in the presence of the Czar during that particular journey.

The continuous danger confronting the Ministers of Czarist Russia necessitated, in addition to the *Ochrana*, an expensive ministerial security service, and the well-known Minister of the Interior Plehve was protected by a private security service which was even stronger and better than that of the Czar. For this the Minister had at his disposal annually a special police fund of the equivalent of £40,000.

IV. Censorship of the Press by the Secret Police.

During the last century the press of many European countries, particularly Russia, Austria and Prussia, was entirely at the mercy of a police censorship. Frequently newspapers were suspended or entirely suppressed, and editors, printers and retailers punished. Experience, however, has shown these governments that public security is far more endangered by tyrannical muzzling of the press than by a free exchange of opinions, however advanced. The past has proved moreover that even the strictest censorship is unable to suppress the political press ; it merely drives it underground. The following are three glaring examples. In 1878 the Socialist press was entirely suppressed in Germany, with the result that German newspapers were printed in London : *Freiheit*, edited by Johann Most at 6 Rose Street, Soho Square, W., and Zürich : *Sozialdemokrat*, edited by Eduard Bernstein, and smuggled into Germany. Russian revolutionaries were able to defeat the political police censorship of Czarist Russia in a similar way. Alexander Herzen edited and printed the revolutionary paper *Kolokol* (The Bell), in London, and, smuggled wholesale into Russia, it enjoyed wide circulation in spite of the vigilance of the police.

Nowadays, if a political paper is suppressed, it generally reappears immediately under another name, and is distributed amongst the subscribers to its literary predecessor, and if the substituted paper shares a similar fate, another journal is

frequently printed in secret. In fact, it can safely be said that although political police may be able to make the distribution of subversive literature difficult, it will never be able entirely to prevent it. The Germans, for example, were quite unable to suppress the distribution of local patriotic political literature during their occupation of Belgium, and even had a certain amount of difficulty in managing their own home press—especially in Westphalia and Frankfurt.

From another angle of view the Russians found a subversive press to be one of the most important sources of information for their secret police. The contents of political newspapers, and particularly of the extremist papers of political parties hostile to the existing form of government, will invariably give some clear indication of the general trend of the situation and the hopes and fears of the authors. It is, of course, admitted that no revolutionary organisation will publish its most secret plans, but the eye of the officer of political police trained to read between the lines will be able to gather sufficiently useful information on which to base further investigations if considered necessary. For this reason chiefs of secret police always commence their day's work by reading the various political newspapers and periodicals which are hostile to the established laws and constitution of the land.

When using the press as a means of bringing offenders to justice, it is, of course, essential that important details of investigations which may indicate to the criminal that the net is tightening are kept from the press, so as not to defeat police action. For the same reason it may frequently be of advantage to publish either only irrelevant, but nevertheless sensational details of a crime, or even go so far as to throw the press entirely off the scent.

An example of the danger of premature publications in the press occurred in 1921. The Berlin political police arrested two of the three murderers of the Spanish Minister, President Dato. As the third criminal was still at large, the arrest of the other two was not published, but the Spanish Embassy was notified. The latter communicated with the Madrid Foreign Office, where the information leaked out, with the result that two days later the news appeared in the

Berlin papers, having been cabled by their representatives in Spain. Through this the third criminal was warned and escaped to Russia before he could be arrested.

Not only in connection with the apprehension of criminals, but also by *preventing* treasonable offences the press renders valuable service. The Russian police are well aware that in order to upset a secretly planned rising it will frequently be of advantage to publish in the press all the confidential information which has come to hand. As a consequence of such publications, more often than not, the plotters will take fright and abandon their plans. In any case timid hangers-on will back out and stay away. At times, too, particularly in connection with public demonstrations, it has also been found useful to publish details of extensive police preparations as a deterrent to prevent possible rioting.

Lastly, in times of acute political unrest, the Russian secret police make a point of counteracting rumours and news of an alarming or sensational nature, by contradicting such statements in detail in those papers which support their *régime*, and, if necessary, by posters designed to quieten the public and prevent serious breaches of public order and safety.

It is difficult for an Englishman cradled in the traditions of a thousand years of democratic freedom to realise the mentality and psychology of such men as the chiefs of the Russian secret police. It would be in vain to expound to them that in a free nation the police have no legitimate concern with any conduct which neither avowedly nor unconsciously transgresses the self-imposed laws of the people. Above all it is impossible to get such a police to realise that there is absolutely no justification for a national secret police which reacts on behalf of the political government of the day *against the political actions of its domestic political opponents*. This criterion alone will distinguish the true functions of a national security service from those of a corrupt political secret police.

In a free nation, genuine and open expression of disagreement with any national or local law, byelaw or government regulation or policy of the day is the prized and lawful privilege of every citizen. Indeed, no nation is or can be called free whose citizens are penalized for such expressions: so long as

they do not advocate or condone recourse to senseless violence or illegal acts in support of their personal views.

How indeed can any nation become great or receive enlightenment and education from its best thinkers and leaders unless its smallest genuine misapprehensions and ignorances, its higher aspirations and its deepest convictions are at all times openly ventilated, fully known, and sympathetically appreciated by its own chosen and faithful rulers ?

J. R.

THE POLICE JOURNAL

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A Scottish Jack Sheppard

Now all you rambles, in mourning go,
For the Prince of Ramblers is lying low ;
And all you maidens, that love the game,
Put on your mourning veils again.

David Haggart.

PART II.¹

ON his arrival at Leith, Haggart was committed to prison to stand his trial, on the 12th July, for one act of house-breaking, eleven cases of theft, and one act of prison-breaking. It was hopeless to attempt to deny all the charges, so he pleaded guilty. But things went differently from what he had anticipated. The authorities themselves proved that he had entered the house, which he was accused of burgling, by climbing through an open window, whereupon the jury acquitted him of the charge of house-breaking. They found him guilty, however, of theft, but owing to some informality he was sent back to Edinburgh gaol without being sentenced. After lying there for some days he was indicted to stand his trial at the next Dumfries circuit on a number of charges.

Accordingly on the 6th September he was taken in a post-chaise from Edinburgh gaol to Peebles, where he was lodged two days in the quod. These two days, however, were long enough for him to form a plan of escape. He quickly discovered that the iron frame of the window was fixed to the stones with mortar. So he tore up one of his blankets, tied one end of it to the window bar and the other end to the door of his cell. He then broke a short wooden spoke off part of his bed and began twisting the centre of the blanket. By this means he hoped to pull in the whole of the window frame ; but unhappily for him the blankets were so rotten that they broke as soon as he began to get a purchase upon them. Before he was able to elaborate another plan of escape he was removed

¹ Continued from p. 344.

in a post-chaise to Dumfries. Before he left, however, he wrapped a part of the torn blanket round his body in case it might come in useful on some future occasion. It did.

On the 11th September he was taken into the court at Dumfries for his trial, but as the indictment had been improperly drawn up the trial did not proceed, and he was sent back to prison. It was here that he became acquainted with a lad named John Dunbar, who had just been sentenced to seven years'. Dunbar apparently had friends in Dumfries, and presently one of them intimated that he was prepared to assist them to obtain their liberty. Wherefore David, whose acquaintance with the mechanism of locks was intimate, set about examining the locks on the doors which separated him from the street. There were four of these doors: first, the outer door which opened from the yard of the prison to the street; the second at the foot of the stairs leading up to the cells (which were on the first floor), the third halfway up the stairs, and the fourth at the top. David soon discovered that the key which opened the top door also opened the door of his cell. How he did it I do not know, but by some means he contrived to draw plans of these four locks, and these plans he entrusted to the friend who had undertaken to help him. He also obtained from his friend a small hack-saw with which to cut off the back plate of the lock of his cell door; for the keyhole was only on the outer side.

In the cell next to David's was a prisoner named Laurie, who was undergoing a sentence of fourteen years' imprisonment, and one night David heard him talking at the wall. 'You have broken gaol before,' said the voice; 'how do you think one can get out of this?' David, a little nervous of confiding his plan to anyone, replied that he did not think it was at all practicable to escape. Laurie then told him that he had planned to get a stone and tie it up in a handkerchief, and one morning, when they were all standing outside their cells in the passage, to brain the head gaoler with this improvised sling, take the keys from him, and escape. David replied that this was too dangerous, and that he could suggest an easier and better way, namely, to gag Thomas Morrin, the turnkey, in the recess at the head of the stairs in which he usually sat, take his

keys from him and let all the prisoners out. Laurie, however, still insisted that his plan was the better, seeing that even if Morrin were gagged and bound they had still to get through the prison yard and that the turnkey would not be in possession of the key of the outer door. He ended by asking Haggart to get him a stone. This David refused, but told him to try Dunbar.

Dunbar was therefore approached and agreed to obtain the necessary implement, and a little time after he found an opportunity of asking a prisoner who was taking exercise in the yard to get him a stone with which to break a flint for obtaining a light. This the prisoner did, and Haggart passed the stone on to Laurie, David contributing to the making of this murderous weapon by giving Laurie the piece of blanket he had brought with him from Peebles gaol.

Opposite David and Laurie's cells was one containing a prisoner named M'Grory who was under sentence of death for robbery. M'Grory, therefore, was even more anxious than his companions to escape, in fact the time when he was to provide a public exhibition was rapidly drawing near. He therefore entered into Laurie's plan with gusto.

As a prelude to this adventure it was necessary that these choice blackguards should rid themselves of their fetters, and David having obtained a small file from the friend who was to provide him with duplicate keys, contrived a very neat saw out of a table knife. This he managed to pass to Laurie and then to M'Grory, who neatly filed through their fetters to such an extent that they could be removed in a moment by a little force.

This was on Monday evening, the 9th of October, 1821. Next morning the sun rose on a day that was to be remembered in Dumfries for many a year. For on that day there happened in Dumfries gaol a very dreadful event.

I should mention here that fixed to the wall of the prison, at the level of the first storey, was an iron cage into which the prisoners were allowed to go to get fresh air. This cage overlooked the inner yard of the gaol. At ten o'clock on this fateful morning, then, David and Dunbar were put into the cage. They remained quietly there until twelve o'clock, when they

saw the head gaoler leave the prison and heard from a prisoner in the yard below that he had gone to the races. Soon after this Morrin, the turnkey, came up the stairs with two ministers who had come to visit M'Grory, and the turnkey saw them into M'Grory's cell and locked the door upon them.

It now seemed to David that the time had come to make his attempt. Accordingly he left the cage, ostensibly to go back to his cell, but concealed himself in the closet at the head of the stair, and in this closet he had placed, on his way to the cage that morning, the stone tied up in the piece of blanket. Laurie had entrusted the weapon to him overnight when they heard from the turnkey that David was to occupy the cage the following day. How Laurie was enabled to give it to David I cannot say. It is possible that there was a grating between the two cells high up in the wall. Or Laurie may have passed it to Haggart while they were standing at the doors of their cells for the morning inspection. At all events, David secreted himself in the embrasure, and took the weapon in his hand.

At a sign that he was ready, Dunbar called out to Morrin that the ministers wished to go. Morrin accordingly came up the stairs to unlock the door, and with him he brought a plate of potato soup for M'Grory. The moment he came abreast of the closet, David sprang upon him, struck him with all his might with the stone, pushed him down on the stair, and pulled the keys from his pocket. To do this he dropped the stone, whereupon Dunbar immediately picked it up and struck the turnkey again, then fell on top of the man and rifled his pockets for any other keys. A third prisoner, named Simpson, now joined in and proceeded to beat the unconscious turnkey's head on the stone steps. David rushed past them across the yard as speedily as he could, unlocked the outer door, and passed through into the street. Dunbar presently joined him, and they ran round the prison wall till they came to the back of the King's Arms Inn. Here they ran into a policeman, and David had the mortification of seeing his young fellow-murderer secured.

By this time there was an immense outcry, and all the gaol was in a ferment. David made straight for the river, and kept along the waterside till he got to the east of Cumlangan Wood,

having run about ten miles in less than an hour. He then got upon the highroad to Annan, but had not gone a dozen paces before he saw a post-chaise at a gallop coming towards him. It was full of policemen. David instantly leapt the hedge, and by crossing a field and by doubling in Cumlangan Wood, shook off his pursuers. For some moments he lay in a deep ditch covered with briars, and had the satisfaction of seeing his old enemy John Richardson run close past him. Night favoured him, and before the dawn rose he was through Annan and a mile or two upon the Carlisle road. Soon after he came to a farm and rested in a haystack till two o'clock in the afternoon, when he heard a woman close by ask a boy if 'That lad was taken that had broken out of Dumfries gaol?' The boy's answer froze the heart of David Haggart: 'No, but the gaoler died last night at ten o'clock.'

The possibility of Morrin's death had never entered David's mind—so he said; and indeed it is possible that in the excitement of the moment the wish to escape was the dominating thought, the means which he took being the secondary one. But now he saw that if he were taken again it would be on a charge of murder. . . . It would not do to be taken again.

He was still in his prison garb, and until he changed it progression by day was impossible. He therefore robbed a scarecrow of its habiliments, and marched on.

The next night he spent in a barn, and on Thursday evening about ten o'clock he came into Carlisle, where he at once went to the house of an old acquaintance, Mrs. Stubbs, in Riccargate, and she conducted him presently to a 'very snug crib' owned by a former accomplice, and here David broke his fast for the first time since he had left Dumfries. Next day he got some fresh clothes, and also the complete outfit of a young lady in case the pursuit got too hot for him. On Friday evening he started for Newcastle on foot, and reached there on Monday evening, travelling throughout the nights and hiding in plantations during the day.

But in Newcastle he almost ran into his old friend John Richardson, so he determined to return immediately to Scotland; for he doubtless knew that the police would never

suspect him of going back to a place where he was known so well. Accordingly he took the coach to Berwick, and thence to Edinburgh, where he lay very low. One night, however, he ventured to go to Portobello at dusk, and when there suddenly caught sight of Captain Ross within ten yards of him. Their eyes met. For a moment David quailed, then plucking up courage, he plunged his hand into his pocket as though for a pistol. The Captain, who was unarmed, turned and ran, whereupon David ran too, but in the opposite direction.

I suppose the fact of the matter is that when one has gone so far on a career of crime it is impossible to stop. In a very few days the excitement of the Dumfries affair had worn off, and Haggart therefore saw no reason why he should not resume the practice of his profession, but he decided that a tour of fresh woods and pastures new would necessitate less caution than a visit to his old haunts. So he went first to Dundee, where he broke a jeweller's window, cleared it of watches, and got clean away. But he had been seen in Dundee, and on his return to Edinburgh again the first thing that met his eyes was a poster offering a reward of seventy guineas for his arrest. He left Edinburgh in disgust immediately and went to Perth, indulging in wholesale pocket-picking in this and the neighbouring towns.

He was very nearly taken in Perth. Two police officers called on him and charged him with the crime of being David Haggart. Happening to be well dressed at the time, and in the possession of a private room at the hotel, he assumed the air of a gentleman at large, and genially assured the officers that they were mistaken. They, however, were quite firm and pointed out that if it were really a case of mistaken identity David would easily be able to satisfy the magistrates. There was nothing for it, therefore, but for him to accompany them. He called for his overcoat, and with great *savoir faire* followed this up with, 'Dash me, I left it in my bedroom. I will join you in a moment.' He stepped outside, and that was the last the officers saw of him.

Highway robbery was his next exploit. At Perth he had entered into a temporary partnership with James Edgy, a light-fingered gentleman with considerable skill in his profession,

who hailed from Belfast; and having visited Glamis fair without discovering a single client worthy of their attentions, they determined to waylay a farmer whom they espied in the act of returning a thick wad of bank-notes to his trouser pocket as he left the fair. David and Edgy called for their horses and set out after their quarry. When they came up with him they found that he had been joined by two other farmers; and although Haggart at once counselled a frontal attack, his partner thought otherwise, and, on this difference of opinion, turned his horse's head for Perth. Furious at this defection, David rode up alongside his prey, jostled him, got hold of the bank-notes, hit him on the head with the butt end of a whip, and galloped off. Passing his erstwhile partner, he flourished the bank-notes in his face and rode on to Dundee.

Next day, however, he came again to Perth and made it up with his partner. But after one or two exploits of a like nature they found that the police of Perth were becoming tiresomely active. At Edgy's suggestion David agreed to go to Ireland with him. So they made their way to Glasgow, and here they boarded the Belfast packet. On the boat was the Provost of Kirkcaldy. He recognized David and landed at Lamash to send information to the Dumfries police. 'It was well he landed,' says David, 'for it was a dark night and I could easily have put him under the wave.' From which we see that when once a man has committed murder and has 'got away with it,' a repetition of this particular crime becomes of small moment to him.

Arrived at Belfast they proceeded to get drunk, and with such success that for two days they were not sober. It was a foolish thing for Edgy to do; for not only was he well known to the Belfast police, but he was wanted by them on account of several crimes which he had committed in that city before he had gone to Scotland. On the day after they arrived, being too fuddled to distinguish friend from foe, Edgy renewed a somewhat violent acquaintance with a tall policeman, and David was once more without a partner.

Ireland, David considered, was a good and profitable *terrain* for the pickpocket; but so far as playing-cards were concerned, he soon found that he had nothing to teach the

bhoys. In fact, the boot was on the other leg, for in two days they eased him of £9. 'I soon, however,' he remarks, 'got into their way of playing.' But he had barely become proficient in the Irish method when a Dumfries gaol-bird, arrested in Belfast for thieving, gave information that he had seen Haggart, the Scottish murderer, in the market that very day. There was no hue and cry, but the rapidity with which the news was circulated among the Belfast police testifies to the efficiency of that force. In a very few minutes every officer in the city was looking for him.

To the officer who detained him David protested that he was an Irishman. The officer told him politely that if that was so, the best way to clear his character would be to make an affidavit before the magistrate to whom he was taking him. David made his affidavit. The magistrate looked at him over his glasses and had his doubts. He ordered David to be searched and to remain in the court-room pending further inquiries. He also detailed three policemen to keep David company. He then frowned at David and departed.

The time passed slowly, David revolving plan after plan for escape. His companions had no objection to him ordering drinks all round, nor to this proceeding being repeated as long as the thirty shillings found in his pocket lasted. But unhappily—for him—he found that it would take more, far more, than thirty shillings' worth of liquor to effect his purpose. He had not been in Belfast before. . . . The officers were polite, but distant.

At eleven o'clock he obtained their permission for a lady of his acquaintance to bring him some supper. Having shared and disposed of this, he obtained their further permission to have a *tête-à-tête* with the young woman behind the jury-box. Now, behind the jury-box was a large window, and through this window David designed to escape. It was of course shut and locked. But on that morning when he had lain concealed in a haystack and heard that Thomas Morrin had died, Haggart had realized that next time he were taken his life would be in serious jeopardy. He had, therefore, to escape at all costs. And so, having walked quietly towards the jury-box with his arm round the lady's waist, as soon as he came opposite the

window he released the lady, ducked, and took a 'header' through the window.

He alighted in the street right side uppermost, neither hurt by the fall nor cut by the glass, and at once took the road to Newry. Luckily for him it was a dark night. . . .

Making his way to Dublin he entered into partnership with one O'Brien, a good class thief, well practised in the trade, and within a fortnight the new firm had opened up such a large trade in pocket-books that the partners were able to hire a jaunting-car and take two lady friends on a tour of Cavan, Fermanagh, and Londonderry. It cost the firm upwards of £190, but it was a month well spent; for the activities of the Dublin police were beginning to get on David's nerves and he badly needed a rest. It was the last rest he was ever to enjoy.

At Clough Fair, on his return from the tour, David was collared by a drover whom he was attempting to rob, and in spite of all entreaties and offers of bribe was handed over by his captor to the police. He was charged with theft, convicted, and ordered to stand his trial at the Assizes. He was then committed to Downpatrick gaol.

Here a most amazing scene took place. The prisoners awaiting trial were all confined in one room, and over this room was another, occupied by the female delinquents. A hole in the ceiling enabled David to strike up an acquaintance with a young woman on the floor above, and as both male and female prisoners received a supply of food every three days, David suggested that they should barricade the door against possible interruption, break through into the women's room, and have a dance and sing-song. This proposal finding favour on both floors, flagstones from the floor of the men's room were piled against the door, an entry was made into the room above, the door of the upper room was barricaded, and for two days the inmates of the gaol kept their keepers at bay while they enjoyed a continual round of unrestrained debauchery. 'Of all the scenes of my short but eventful life,' wrote David, 'none ever came up to that in the gaol of Downpatrick.'

When the food gave out they surrendered. David was locked up in a cell and kept in close confinement till his trial. He managed, however, to obtain an interview with the drover

who had given him in charge, and wormed his way, via bank-notes, into the man's good graces. It is not surprising, therefore, that Haggart's plea of not guilty at his trial on 29th March, 1821, was unable to be refuted by the drover's evidence. But the judge was of the Hawkins brand, and the jury found him guilty of Felony at Large. He was sentenced to seven years' imprisonment.

A few days later he was removed to Kilmainham Gaol, Dublin, and on his arrival there he at once set to work to escape by digging a hole through the back wall of the cell in which he and some other prisoners were confined. But one of his fellow-prisoners 'peached' and he was caught in the act in a truly Irish way. Having located the spot at which the escape was to be made, a party of soldiers and warders stationed themselves at a handy place, and one of the warders, with a shillelagh in his hand, took up his position beside the rapidly widening hole. David, as usual, was first through; but before he could gain his feet he received such a whack over the head as knocked him all athwart. Those behind him pushed him clear and made for the wall; but before they could climb it the soldiers appeared, rounded them up, and restored them—to separate cells.

Next morning the prisoners were paraded in front of their cells. David thought the parade was merely a disciplinary one, but his heart turned to stone when he caught sight of John Richardson walking slowly down the line of men, scrutinizing each one. He came abreast of Haggart, stopped, smiled grimly, and said: 'Well, David?' David pretended neither to know nor to understand him, but all to no purpose. He was taken to the yard used by condemned men. Here Richardson visited him twice, but David's denial that he had ever seen the head constable before must have confirmed that officer's suspicions—if indeed he had any.

Two days later, David Haggart, his arms pinioned to an iron belt that encompassed his waist, a chain from the front of the belt joining another that connected his ankles, his wrists also chained to his anklets, was taken by John Richardson and an Irish police officer to Dumfries. Three days the journey occupied, and during that time he was never released from his

chains, being spoon-fed by his companions. His custodians treated him with kindness, even tenderness—'Never could man behave better to his own son than they both did to me,' he wrote. And indeed there was much to make a man tender in the thought that they were leading this splendid young specimen of humanity, tall, handsome, athletic, and only twenty years old, to his death.

On their approach to Dumfries, which was after nightfall, they were surrounded by a crowd of several thousands, many bearing torches, and it was with difficulty that the prisoner could be got out of the coach at the gaol door, so pressing was the throng. Some expressed sorrow, many hatred, and Haggart's composure was still more upset when, mounting the stairs, he stepped on the very spot on which he had done his gaoler to death.

The news of his arrest quickly spread throughout the country, and a day or two later the following broadside was sold in the streets of Edinburgh:

We are happy to say that Haggart, the notorious offender, who made first his escape from Leith jail, and then from Dumfries jail, after murdering the turnkey, has been secured, and was on Friday night again lodged in Dumfries jail. This incorrigible offender had twice escaped from confinement in Ireland since that fatal deed was committed, and is now actually under sentence of transportation, for some recent Acts of Depredation. It is supposed that his trial for the murder will take place in Edinburgh.

Chained and watched, there was to be no escape this time. He was kept three weeks at Dumfries and was then taken to Edinburgh to stand his trial on the capital charge. On Sunday evening, the 10th of June, 1821, he was taken from Calton Hill Gaol to the Lock-up House, and the following morning at ten o'clock was placed in the dock. The court was crowded.

The trial lasted most of the day, and after many witnesses had been called, the jury found David Haggart guilty of murdering Thomas Morrin by fracturing his skull with a stone in a bag, when he made his escape from that prison. Whereupon the judge passed sentence of death. This sentence was presently confirmed, and it was ordered that David should be hanged on Wednesday, the 18th day of July, between the hours

of eight and ten in the forenoon, and that his body should be afterwards delivered up to the professors of anatomy in the University of Edinburgh. David made a good appearance in the dock, and preserved a steady composure throughout the trial, but was much moved during the passing of the sentence.

Taken back to Calton Hill Gaol he employed his time by reading and talking to the chaplain, and also by writing verses. One of these verses I print at the beginning of this article, and from the fact that he rhymes 'again' with 'game' it will be inferred that Haggart was not of the first order of poets.

Another verse runs :

Now, for the crime that I'm condemn'd,
The same I never did intend ;
Only my liberty to take,
As I thought my life did lie at stake.

Crime, not poetry, was his *métier*, and in the words of 'An Elegy on the Death of David Haggart' wrote by a Young Woman a native of Edinburgh who was at the School at Canonmills with him where an intimacy commenced which was carried on till his unhappy end'—

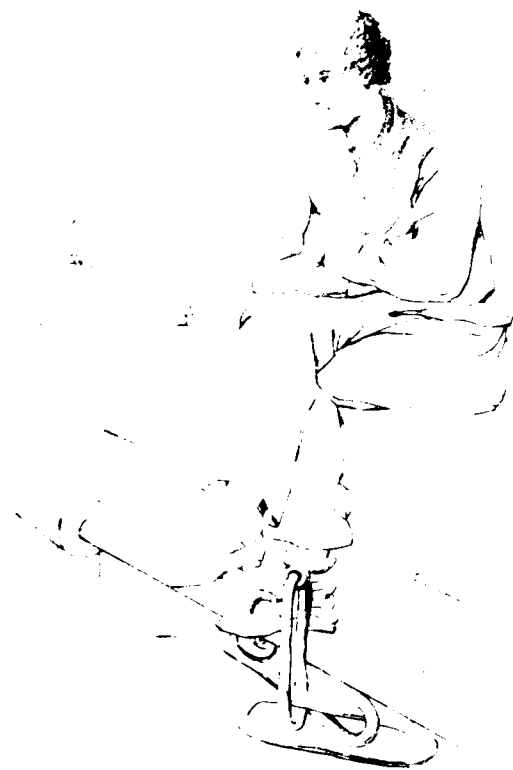
David Haggart, tho' but a youth,
Was very old in sin.

But in his last days at Calton Hill he was gentle and contrite, and grateful for every small kindness done him. On the day following the trial his father came to see him. By now, however, the reader will have formed his own judgment of Haggart, so I will pass over many details, preserved in broadside and news-sheet, of his last hours.

A rare broadside, with the following title, gives an account of the execution :

A Full and Particular ACCOUNT of the Execution of DAVID HAGGART, who was Hanged at Edinburgh, this Morning, Wednesday 18th July, 1821, for the Murder of THOMAS MORRIN, under Jailor at Dumfries, on the 10th of October last, and his Body given to the Professor of Anatomy for Dissection, together with his Behaviour at the place of Execution.

The details of this execution of 1821 do not call for much comment, save that this boy of twenty had what I suppose an



Irishman would have called 'an elegant execution.' At eight o'clock the two officiating magistrates, in their robes and with their rods of office in their hands, came into the hall of the Lock-up. The chaplain offered up a prayer and a procession was formed. This procession, which proceeded slowly up Libberton Wynd to the scaffold, consisted of magistrates, city officers, clergy, executioner, a strong detachment of police, and the man whose death was to provide a public entertainment for several thousand persons. Haggart mounted the scaffold at twenty minutes past eight, a Psalm was sung, and the chaplain having prayed again, David said good-bye to the friends gathered about the platform. A few minutes before nine o'clock, 'in the presence of a great multitude,' he was launched into the next world. After hanging for half-an-hour his body was cut down and carried back to the Lock-up, to be delivered at the University for dissection.

A few days before his trial—on 29th May to be exact—George Combe, the phrenologist, visited Haggart and 'went over his bumps.' He sent David, later, the result of his examination and asked Haggart to write down his comments upon each deduction. From these comments one can glean certain things that will interest those who are concerned with the psychology of the criminal. According to Haggart he was

'Not much given to quarrelling excepting when I was insulted; but if it did come to a fight I seldom left the field till covered with wounds. . . . If I was beaten, I was always ready to try again.

'I never, or at least seldom, would do any thing that was required of me (by my parents). . . . Nor could I endure being ordered, even by my superiors.

'I need not describe my cleverness when I became a young man, as that is well known to the public already.

'There were few that ever knew my secrets. . . . No man could say he saw my countenance grieved, although I was in the greatest trouble of mind.

'To work and be a slave to mankind I could never think of. Money was never my object to make myself rich; but the love of dress and company was my motive.

'I thought that I was no worse than others who had been before me and would come after me. I knew that mankind were

over-reaching each other, but thought they could never over-reach me in their formal style of proceeding.

'Cruel to my inferiors I never was; but I rejoiced to pull the lofty down, to make them on a fair level with their own brethren in the world.

'Whatever I did, I never looked back to my former crimes with regret.

'It was my greatest failing that I had a great inclination to the fair sex; not, however, of those called prostitutes; for I never could bear the thought of a whore, although I was the means of leading away and betraying the innocence of young women, and then leaving them to the freedom of their own will. I believe I was a master of that art more than any other I followed.'

With regard to alcohol: 'A little spirits were always a necessity, although I could abstain from them at pleasure. . . . When in drink I was very quiet, and would think twice before I spoke once.'

On a fly-leaf of a copy of Haggart's 'Life' which once belonged to Lord Cockburn, the great lawyer has written: 'This youngster was my client when he was tried and convicted. He was a great villain. This life is almost all lies, and its chief curiosity consists in the strange spirit of lying, the indulgence of which formed his chief pleasure to the very last.' But an examination of contemporary records bears out a great deal of what Haggart says. Moreover, Combe has told us that before his trial David was 'extremely guarded in his remarks'; and it would have been inconsistent with his character to have 'made a clean breast' of his crime to his counsel. A great lawyer of our own times once told a famous poisoner that he would undertake to save his life if the murderer would confess that the crime was committed in a moment of passion following years of nagging. The poisoner shook his head and said: 'No, no; I didn't do it'—and shortly afterwards paid the extreme penalty for his obstinacy.

So with Haggart. All his life he had confided in no one. The truth could not save him: lies might. Many, reading his 'Life,' will suggest that for Haggart we should read Braggart; but when all allowances have been made for the natural wish for self-glorification possessed by most boys of twenty, the facts remain that David Haggart was a man of action—and a good escaper.

A. M. P.

Police Gold Medal Essay Competition

As announced in July, 1928 (vol. i. p. 517), His Majesty the King has been graciously pleased to indicate his intention of presenting annually the Gold Medal for the newly instituted Essay Competition on professional Police subjects announced in the issue of January, 1928.

RULES FOR THE COMPETITION

1. The Competition shall be held annually and shall be open to serving members of regular Police Forces within the Empire or mandated territories. Any question as to the eligibility of any competitor shall be determined by the Council.

2. His Majesty's Gold Medal and a cash prize (of 30 guineas) will be awarded for the essay which is adjudged to be the best, provided it is considered of sufficient merit, and second and third prizes (of 20 guineas and 10 guineas respectively) will be awarded under the same conditions for the essays adjudged to be next in order of merit.

3. (a) Essays must be the original work of the competitor.

(b) Essays must not be less than 8,000 or more than 15,000 words in length, and must be typewritten and submitted in triplicate.

(c) Where a reference is made to any published work the title must be quoted in a footnote.

4. Essays must be submitted anonymously. Each essay must be accompanied by a sealed envelope bearing on the outside a *nom de plume* or a motto, and containing the competitor's name and address.

5. The Council may at their discretion appoint such persons as they think fit to act as Referees or Judges of the Essays under such conditions as they may prescribe.

6. The award of the Council shall be made public in such manner as the Council shall think fit, and any essays submitted for the Competition and adjudged of sufficient merit may be published by the Council in *The Police Journal* or otherwise.

SUBJECT OF THE ESSAY FOR 1929

The co-operation between the Police and the Public in the detection and prosecution of crime.

Essays must be submitted on or before the 1st November, 1929, to—

THE SECRETARY TO THE COUNCIL OF THE
POLICE GOLD MEDAL ESSAY COMPETITION,
HOME OFFICE,

WHITEHALL,

LONDON, S.W. 1.

LEGAL NOTES

THE LAW OF BRITISH NATIONALITY

The law of British nationality is popularly believed to be too complicated for any ordinary person to understand. Police officers in all parts of the Empire may quite justifiably share this popular view. Unless he is required as officer in charge of the registration of aliens, or unless in the course of his duty he has to make some inquiries as to the character or origin of an applicant for naturalization, a police officer may be quite likely to pursue his career with nothing more than the most general idea of the legal distinction between the status of a British subject and the status of an alien. He may even be unaware that there is in existence an elaborate code of nationality law (the British Nationality and Status of Aliens Act, 1914,) and that this code plays a vital part in the structure of the British Empire, or what we are now growing accustomed to call the 'British Commonwealth of Nations.' We do not propose here to touch upon the existing constitutional problems which are wrapped up in this subject; but it may be of some use to give a very brief summary of the principal points of the law of British nationality, and the rules by which you can decide whether or not a person is a British subject.

Every one is familiar with the term 'allegiance'—the tie which binds a British subject to the King. The rules determining who are the persons who owe this allegiance to the King are laid down in section 1 of the Act of 1914, which defines and determines what persons are 'deemed to be natural born British subjects.' These rules, some of which have existed for many generations, are uniform throughout His Majesty's dominions, and have been re-enacted, or formally declared to be in force, by the legislatures of some of the self-governing Dominions. In other words, the law by which a person claiming to be a British subject is determined is the same in the United Kingdom, Canada, Australia, the Union of South Africa, New Zealand, the Irish Free State, and all other parts of the Empire. For example, the old common law rule that a person born 'within His Majesty's dominions and allegiance' is a natural born British subject is incorporated in this section of the Act of 1914. A person born in British territory anywhere becomes a British subject at birth. The Act of 1914 also incorporates (with some amendment) the pre-existing statute law which conferred the status of British subject upon persons born abroad of fathers who were 'natural born' British subjects (*i.e.* born on British soil). The previous statute which made provision for this was the British Nationality Act, 1730. A later statute of the eighteenth century (the British Nationality Act, 1772) conferred the status of British subject upon children of the second generation born abroad; but this provision was not repeated in the Act of 1914.

It is here that the first element of complication enters and defeats any attempt to give an accurate summary of the law of British nationality in concise form. On looking into the law it will be found that, apart from one exception that may be ignored for present purposes, the claim of every one who is over thirteen years of age to have become a British subject at birth depends not upon the British Nationality Act of 1914, but upon the common law rule or the earlier enactments mentioned above; for the Act of 1914 does

not affect the status of any person born before the 1st January, 1915. Any such person is secure in the status of British subject acquired at birth under the pre-existing law, so long as he or she does not become naturalized abroad, or, in the case of a woman, unless she marries an alien and thereby becomes an alien herself.

Every person who is not a British subject is an alien. An alien may become a British subject by naturalization. Here again, the law has an Empire-wide application for which provision is made in the Act of 1914, Part II. of which contains carefully thought out provisions which were agreed upon with the self-governing Dominions after discussion at Imperial conferences, and which constitute a code of naturalization law which may be adopted, and has, in fact, been generally adopted, by the Dominions. As the result of the application of this code to India and the Colonies and its adoption at various dates by the Dominions—Canada (1914), Newfoundland (1915), Australia (1925), South Africa (1926), and New Zealand (1928), an alien who obtains a certificate of Imperial naturalization in any part of the Empire, is a British subject, not only in that part, but in all other parts of the Empire. Thus in the field of naturalization the idea of uniformity and Empire-wide validity is established for the future. The difficulty, in dealing with this branch of the law of British nationality, is that before 1915 naturalization in any part of the Empire outside the United Kingdom was of *local* effect only—that is to say, a certification of naturalization gave the holder the status of British subject only in the part of the Empire where it was granted. This system of local naturalization continued in the Dominions until the dates mentioned above. A stranger to this subject may well conclude that it is one in which 'a little learning is a dangerous thing.' In England police officers are generally advised to refer doubtful questions of nationality law to headquarters, and the assistance of the Home Office is, we believe, not infrequently invoked. Yet the subject is of such close personal concern to all of us that no 'learning' at all would be, if not more 'dangerous,' at least more inconvenient than the 'little learning.'

THE CITIZEN'S RESPONSIBILITY FOR LAW AND ORDER.

ONE may suppose that every good citizen is aware, to a greater or less extent, that the law puts upon him responsibilities and duties for the maintenance of 'the King's Peace,' quite apart from his duty to refrain from committing any breach of the peace himself and his duty, generally, to observe the law. But the ordinary citizen's knowledge of his position in this respect is apt to be vague rather than precise. He does not know exactly how far it is safe for him to regard himself as a policeman.

It is indeed not surprising that members of the public should be unaware that they possess such rarely exercised powers as, *e.g.* the power of arrest 'in view of a breach of the peace' or the power to arrest a person (where a felony has actually been committed) on a reasonable suspicion that that person is the guilty party. These powers are characteristic of the common law and of our peculiarly British principles on the subject of law and order. Every one is to some extent a policeman, and every police constable is no more than a specialized kind of citizen. The man in the street must help the man on the beat. In the more dignified language of Baron Alderson in *R. v. Brown* (1841), C. & M., 314, 'it is no unimportant matter that the Queen's subjects should assist officers of the law, when duly required to do so, in preserving the public peace.'

But the law has done something more than merely clothe the citizen with powers to help the police in the preservation of order and the observance

of the law. It has prohibited him from doing various things which may interfere with bringing offenders to justice. An interesting example of this occurred recently in a case (*Smith v. Stevens*, reported in *The Times* of April 23rd, 1929) where a detective sergeant, acting as common informer, brought an action to recover a penalty of £50 alleged to have been forfeited by the defendant under section 102 of the Larceny Act, 1861. That section prohibits persons from publicly advertising a reward for the return of stolen or lost property if in the advertisement it is stated that 'no questions will be asked,' or words to that effect. According to the report the facts were that the defendant lost a suit-case on July 24th, 1928; on that evening a sergeant and constable called on the defendant, Mrs. S., who stated that she would advertise for the missing property. The detective sergeant then warned her that she must not state in the advertisement 'no questions will be asked.' In spite of this warning it appears that she did in fact insert in a newspaper an advertisement giving particulars of the loss of her suit-case and saying, 'Reward, no questions, if returned to M. R. S.' The detective sergeant was subsequently directed by the Commissioner of Metropolitan Police to sue for the penalty. It was held by Mr. Justice McKinnon that the plaintiff was entitled to judgment for £50 with costs.

There have been few judicial decisions relating to this section. In one of the cases, *Mirams v. 'Our Dogs' Publishing Co.* (1901) 2 K.B. 564, it was contended that dogs are not included in the words of 'any property whatsoever' in the section. This contention, however complimentary it may have been to the canine race generally, was rejected by the Court, who saw no reason whatever to suppose that the legislature could have intended to exclude dogs when it used so wide an expression as 'any property whatsoever.' It may be added that section 102 is aimed not only at the person who causes an advertisement of this kind to be publicly advertised in a newspaper but also against the printer and publisher of the newspaper. Finally, one curious point should not be overlooked in this connection, viz. that, if a police officer or some other person acting as common informer brings an action to recover the penalty from the person who inserted the advertisement in a newspaper, but the judgment is not satisfied (*i.e.* the penalty is not in fact recovered), he cannot then sue the printer or publisher for a penalty in respect of the same advertisement (*Nutt v. Sol Syndicate*, 19 T.L.R. 192.)

The decision in *Smith v. Stevens*, though proclaiming no new law, is useful in drawing attention to a provision which ought to be, but certainly is not, known to every one. The police would be greatly hampered in investigating cases of larceny if it were lawful to procure, or to attempt to procure, the return of the stolen property by a form of inducement which, from the thief's point of view, might be a highly satisfactory sequel to his activities. The public mischief which results from any such procedure is obvious; and even if it should turn out that no one has stolen the lost property the mischief is almost equally serious. The main difference is that in the case of property actually stolen the person who advertises contrary to section 102 of the Larceny Act may also be guilty of compounding a felony.

THE POSITION OF ALIENS IN INTERNATIONAL LAW.

A CONSIDERABLE stir was provoked in April last by the action taken by the authorities in France to prevent the landing of unvaccinated passengers from England. The public was not unnaturally moved to inquire by what right France could interfere in this way with the movement of British passengers and, on a few hours' notice, impose what was regarded as an arbitrary requirement as a condition of entry into its territory. Such an

inquiry brings us at once into the region of international law. If the action of France, so far as it affected British subjects, was not contrary to the ordinary rules which are considered to be binding by civilized states in their relations with one another, indignation is thrown away.

It is the undoubted right of every state to refuse admission to persons who are not its subjects. 'The reception of aliens is a matter of discretion and every state is by reason of its territorial supremacy competent to exclude aliens from the whole or any part of its territory' (Oppenheim, *International Law*, 4th Ed., p. 549). There is no room for argument about the existence of this rule, though nations may, and not infrequently do, differ as to the reasonableness of any particular measures based on it. It is worth while to consider for a moment how we ourselves apply this rule of international law by measures taken for excluding aliens from our own territory or imposing conditions on their entry. This is a matter with which police officers are closely concerned, and with which some are in daily contact at the ports without perhaps realizing the significance, from an international point of view, of the executive functions which they discharge when assisting immigration officers. Careful and elaborate provision is made by the Aliens Restriction Acts, 1914 and 1919, and the Aliens Order 1920, for keeping out individual aliens whom, for one good reason or another (including public health), we do not want; and for limiting by conditions the period during which those who are granted leave to land may stay. Similar laws dealing with immigration are in force in most, if not all, parts of the Empire. Such laws are not only in accord with international law but are, in principle, endorsed by our highest judicial authority, the House of Lords, who were given the opportunity of pronouncing on this question nearly forty years ago in the well-known case of *Musgrove v. Chun Teeong Toy* (1891, App. Cas. 272). This case raised, in the words of Lord Halsbury (Lord Chancellor), a grave question as to whether an alien had a legal right, enforceable by action, to enter British territory. The appeal arose from an action brought in Victoria by a Chinese immigrant who had been prevented by a Collector of Customs (acting under the orders of the executive government) from landing in Victoria. The Supreme Court of Victoria found in favour of the Chinese immigrant; but the House of Lords declined to hold that he had any legal right of action. Lord Halsbury said that circumstances might occur in which the refusal to permit an alien to land might be such an interference with international comity as to lead to diplomatic remonstrances from the country of which he was a native; but he decided that an alien had no personal right of entry or remedy in the event of refusal. This decision has generally been taken as an authoritative declaration affecting all British territory.

There are, indeed, two sides to every penny. We are not concerned here with the question whether or not the drastic action, or threatened action, of France to protect herself against smallpox was in the circumstances reasonable or not; the fact remains that *prima facie* France was entitled to take what measures her Government considered necessary; that international law would endorse those measures within reasonable limits; and that we ourselves have taken advantage of the rights recognised by international law by erecting, as it were, a kind of legal portcullis which may be dropped whenever we see an alien to whom, for some good reason, we do not wish to extend the hospitality of our shores. International law also recognizes the right of every state not only to regulate the admission of aliens to its territory but also to treat aliens according to discretion after their admission. This rule is the international justification for those provisions of our Aliens Order which require resident aliens to register with the police. As Oppenheim

says in the work to which reference has been made, 'Before the World War there was a tendency within all states to treat admitted aliens more and more on the same footing as citizens, political rights and duties, of course, excepted. . . . But this is no longer the case.' Most police officers will probably agree that the time is not yet ripe for any change so far as the United Kingdom is concerned.

CORROBORATION

In the case of *R. v. Whitehead*, 21 Criminal Appeal Reports, page 23, it was decided that a witness cannot corroborate himself and that it is not corroboration of incriminating evidence that the accused did not deny the charge or was silent about it. Further, that it is not proper for a jury to infer from a person's actions that a particular statement had been made to that person. The judgment of the Lord Chief Justice is as follows:

'This appellant was convicted of unlawful carnal knowledge of a girl under the age of sixteen. At the trial he gave evidence, denying the charge. The judge, in summing up to the jury, used these words: "Then there comes something which you may regard as something important in the way of corroboration. In February the mother took the girl to a doctor, who said the girl was pregnant. It is perfectly clear that the girl must have said that the prisoner was responsible for her condition, because the prisoner was at once charged with this offence. When the summons was served upon him he did not deny the charge. Such silence may be corroboration, and whether that is corroboration is for you to decide. It is for you to say whether a respectable man would at once deny such a charge. All he in fact said was: "I do not want to say anything about it now." That is no sort of denial.'

'It is said that the opening part of that passage might convey to the jury that, though the girl's statement was not admissible, they might infer from the action of the mother what she had said. That would be doubly wrong: the jury ought not so to regard the conduct of the mother; and if they were to infer "that the girl must have said that it was the prisoner" that would not be corroboration. Corroboration should come from another person altogether.'

'When the police officer served the summons, he cautioned the appellant in the usual way, and the appellant said: "I do not want to say anything about it now," and the jury were directed that it was for them to decide whether there was corroboration or not according as they thought whether a respectable man would or would not deny such a charge; if they thought the failure on the appellant's part to make a denial when the charge was sprung upon him by the police officer corroborated the girl's evidence then they would probably accept more readily that evidence as being corroborated to that extent. This is a misdirection.'

CARNAL KNOWLEDGE AND INDECENT ASSAULT

The unfortunate state of the law upon these matters came before the Court of Criminal Appeal recently in the case of *R. v. Lates*, reported at page 45 of 21 Criminal Appeal Reports. The appellant was charged with carnal knowledge of a girl under sixteen years of age and also with indecent assault. As he was under twenty-three and had not been previously charged, the defence left open by section 2 of the Criminal Law Amendment Act 1922, that he had reasonable cause to believe the girl was over sixteen, was available to him upon the counts which alleged carnal knowledge, but not available upon the counts charging indecent assault. Accordingly, he pleaded guilty

to the charges of indecent assault. Mr. Justice Avory, in sentencing him to four months imprisonment, said:

'The law as it at present stands afforded you apparently a good defence to the charge of having had carnal knowledge of this girl, but it afforded you no defence to the charge of having indecently assaulted her. Some day, I hope, somebody will have the sense to remedy this state of things.'

The Lord Chief Justice in the Court of Criminal Appeal quoted Mr. Justice Avory's remarks and then continued:

'It is, indeed, a grotesque state of affairs that the law offers a defence upon the major charge, but excludes that defence if the minor charge is preferred. No more need be said. This Court can only reiterate the hope, if hope be the correct word, which Mr. Justice Avory expressed when he was passing sentence. This Court cannot alter the statute, but it can revise the sentence, and it will do so by reducing it to a sentence of one day's imprisonment.'

PROVOCATION IN CASES OF MURDER

In *R. v. Hall* reported at page 48 of 21 Criminal Appeal Reports, the Court decided to quash the conviction of murder and to substitute a verdict of manslaughter.

Hall was convicted of killing one Belcher Sines by stabbing him with a knife. The case for the Crown was that after a fair fight with one Mark Sines the appellant first stabbed one of his brothers named Shipton Sines, and later fatally stabbed the third brother Belcher. The appellant's case was that he had been attacked by a crowd, kicked on the head, and put into such a state that he did not really know what he was doing. The learned judge at the trial was of opinion that the only issue for the jury was the issue 'Murder or Acquittal.' The Court of Criminal Appeal held that a defence of manslaughter was indicated and to some extent developed in the course of the trial, viz.: 'That when this act of killing was committed the appellant was labouring under strong provocation.'

The Court held that notwithstanding the grave difficulties in the way of that defence, the strong contrast between the evidence of the prosecution and the evidence for the defence, and the interval of time which had elapsed between the acts which were said to have given the provocation and the act with which the appellant was charged, and notwithstanding the fact that the provocation had come from one man and another man had been killed, still the question of whether or not the true verdict should have been one of manslaughter was one which ought, among other questions, to have been left to the jury.

The Lord Chief Justice in the course of his judgment said that, 'notwithstanding the great difficulties in the way of the defence it was impossible to say that if the defence of manslaughter had been left to the jury they would, nevertheless, certainly have found a verdict of wilful murder,' and in the result the appeal was allowed and a verdict of manslaughter substituted for that of murder.

COMMON INTENT IN NIGHT POACHING

In *R. v. Pearce* reported at page 79, 21 Criminal Appeal Reports, the appellant was engaged in poaching jointly with a man named Humphreys. A bailiff who tackled the two men was seriously assaulted by Humphreys with the stock of a gun and the man Pearce, who was undoubtedly present, escaped. Mr. Justice Avory, in giving the judgment of the Court, said:

'The question which ought to have been put to the jury was, was there any evidence that Pearce was a party to the assault with the gun, in the sense of

having arranged with Humphreys that, if they were interrupted in their poaching, they would assault a bailiff or anyone else who interrupted them with a gun or other weapon? And further, was there any evidence from which the jury would properly infer that Pearce and Humphreys went out with a common purpose, not merely to poach, but also to resist apprehension at all costs, even by violence if necessary. There was no evidence that Pearce took any actual part in the assault. In the summing-up there was no direction to the jury on the only principle on which they could convict a man who had run away and had taken no actual part in the assault.

In these circumstances this Court is of opinion that the jury may have been entirely misled into thinking that the mere fact that the two men were out poaching together by night justified them in convicting both of any assault committed by one. The conviction must, accordingly, be quashed.'

AN OBSTINATE JURY

From time to time juries find verdicts in the teeth of the judge's directions. In *R. v. Johnson*, 21 Criminal Appeal Reports, page 66, two prisoners were jointly indicted for receiving. The Judge at the trial told the jury that there was nothing more than suspicion against Johnson and that he would in his summing up proceed, on the assumption that the case had not been made out with that clearness which the law required against Johnson, to deal with the case against the other prisoner. Notwithstanding this direction the jury brought in a verdict of guilty against both prisoners.

The Court of Criminal Appeal held that once the presiding Judge reaches the conclusion that there is no real evidence upon which the appellant could be convicted the proper course is for him to withdraw that part of the case from the jury.

NOTES

PALM PRINTS IN CEYLON

By G. MAINWARING, SUPT. OF POLICE, C.I.D., COLOMBO

ON March 21st 1928 a European boarding house in Colombo was the scene of a burglary; a gold watch, a cigarette case and a purse were stolen. The thief gained entrance through, and escaped by, a window of the room from which he stole these articles. On the sill of this window was a piece of linoleum, and the thief left on it the impression of the palm of his hand. This impression was photographed and the photograph compared with the palm impressions of the household and of suspected burglars. It did not tally with the impressions of any of these people.

Three months later another burglary took place in an adjoining suburb. The offender in this case was arrested while getting out of a ground floor window. His right palm impression was taken and found to correspond exactly with that taken in the former case.

He was charged with burglary and the case was taken before the District Court. On December 3rd 1928 he was found guilty and sentenced to four years' rigorous imprisonment and two years' police supervision.

IDENTIFICATION OF AN UNKNOWN MURDERED NATIVE OF KENYA COLONY
Contributed at the instance of the Secretary of State for the Colonies, by W. BURGESS,
Officer-in-charge, Central Finger-print Bureau, Nairobi, Kenya Colony.

ON the 21st September 1928, the police at Nanyuki discovered the remains of a murdered native in the bush. The body was in such an advanced state of

decomposition that, with the exception of a few ridge characteristics which were visible on the ball of the left thumb, there were no distinguishing or recognizable features. The skin of the terminal phalange of this digit was therefore removed and forwarded to the Central Finger-print Bureau in a match box, where it was received in a hard and rapidly decaying condition. Here it was photographed and at once sent to the laboratory for such chemical treatment as would render it flexible and arrest further decay. This was done by immersing the skin in a solution of glycerine, water, salt and toluol for 24 hours. It was then pliable and to a certain extent preserved, when very good impressions were taken from it in the natural way by folding the skin over the left thumb of an operator.

Now, it is an easy matter to identify a single impression with that of a person whose finger-prints are submitted for comparison, but a very different and much more difficult proposition is presented when a search for the twin pattern of a single digit has to be made through a collection of nearly a million records. We had no orthodox classification to work upon, but by mathematical calculation based on the pattern of the detached skin a definite formula in respect of this particular digit was arrived at, and an organised search made, with the very satisfactory result that the counterpart of the pattern on the skin was soon located. It was then an easy matter to say who the murdered man was and to give the police a definite line along which to pursue investigation.

Within seven days of receipt of this piece of skin in the Bureau it was chemically treated at the laboratory, photographed, searched for; the police were advised of the identification particulars of the deceased; and a native was lodged in custody charged with murder. This native was convicted at the Supreme Court on the 18th March, 1929, and sentenced to imprisonment for life.

I think this may be submitted as a new record in finger-print identification. It certainly is yet another illustration of the value to the native of registration by the Finger-print System. The native in this case had never been in the employment of a European and would probably not have been missed except by his own relatives, and were it not for finger-prints they would never have learnt his fate.

REVIEWS

JUSTICE AND POLICE IN ENGLAND. By ALBERT LIECK. 1929.
5s. (Butterworth & Co., Ltd.)

THIS work, by the Chief Clerk of the Marlborough Street Police Court, gives in less than one hundred and fifty pages a short history of the development of the Criminal Courts and the Police in England from Saxon times to the present day, a description of the present-day Courts and their procedure, and an interesting account of the modern method of keeping police records of criminals and of some of the aids which modern science renders in the investigation of crime. The historical portion is necessarily condensed, but the author has found space to include in it accounts of some old trials and numerous anecdotes. The increase in recent years in the powers of the Justices of the Peace, especially in trying cases formerly triable only by jury, and their other miscellaneous duties, are brought out, and stress is laid on the increase in the work of the Police, partly as a result of the War. In the author's opinion it is little short of miraculous that the country is able to find nearly 60,000 men who approximate sufficiently to the impossible standard

necessarily set for police work and for that work to be carried on as efficiently and with as little friction as it is.

The interesting descriptions given of the system of classifying fingerprints and of methods of comparison of writing may move the reader to a fuller study of these subjects. A Bibliographical Note of Authorities and a useful index conclude the book. As Sir Chartres Biron says, in a Foreword, '*Justice and Police in England* will be a real assistance to all amateurs or professionals interested in either. While instructing the one, it will pleasantly remind the other of much that he may have forgotten.'

A POLICE CONSTABLE'S GUIDE TO HIS DAILY WORK. By Superintendent B. M. GREGG and J. E. LIGHTBURN. Fifth Edition, 1929. 6s. (Effingham Wilson, 16 Copthill Avenue, London, E.C.)

THE fifth edition of this useful book has appeared, thoroughly revised and enlarged. Mr. Gregg is a retired Superintendent of the West Riding Constabulary and Mr. Lightburn the assistant solicitor to the County Council of the West Riding of Yorkshire.

The book starts with general instructions consisting of short notes on matters which daily confront the police officer. The main part of the book deals with offences and the action to be taken thereon. The offences are arranged alphabetically, with abstracts from Statutes, and observations on points that may arise are concisely stated. At the end of the book are examples of summons and apprehension reports, and appendices dealing with fires, motor-car regulations, etc. There is a glossary of legal terms.

The table of contents at the beginning of the book and the index to offences at the end make ready reference a simple matter. It is a handy book of reference for English police officers.

LANDRU. Edited by F. A. MACKENZIE. 1928. 10s. 6d. (Famous Trials Series: Geoffrey Bles.)

MR. MACKENZIE has done his best to freshen up the rather stale story of Landru. His book is admirably planned and written. Landru was at once a petty swindler, a natural wit, a mass murderer who sang a theme from *Manon* when arrested, and a degenerate. It was perhaps because he was so palpably the last that the jury actually signed a petition for mercy after they had brought in a verdict of guilty, which would otherwise be one of the most inexplicable facts in the history of crime. But not even Mr. Mackenzie's lively style can make the repetition of the dreary details of the lives of the plain middle-aged females who were butchered at Gambais anything but dull reading. The case will always be notorious for the fact that though Landru murdered not less, and probably more, than eleven persons, there were only just enough calcined bones and teeth found to secure a conviction.

Bolitho very skilfully attempted to make this dreadful fellow intelligible to the normal man, but he remains an enigma, almost *sui generis*. Mackenzie and Bolitho have now completely covered the ground, and there is no need for any further addition to the Landru bibliography.

TRIUMPHS OF DETECTION by GEORGE DILNOT. 1929. Illustrated, 16s. (Geoffrey Bles.)

THIS book deals in a popular style with our Criminal Investigation Department.

The author begins by describing the main differences between the British and Continental systems. While the Vienna organisation is theoretically the most perfect, London has the largest proportion of successful

investigations. Our detectives are selected from the uniformed forces, a method which incidentally tends to minimize friction between its two branches. They are not specialists but practical men who know how to make use of specialists and where to learn about everything. Our system is characteristically flexible. It allows great scope to individual initiative and relies less upon rigid regulations. We have, for instance, no register of signatures of residents and visitors such as is kept at each police headquarters on the Continent.

Next come some amusing anecdotes of the predecessors of the modern detective, the old Bow Street runners or Robin Redbreasts as they were called from their red waistcoats. This is followed by a description of the "Flying Squad," consisting of some sixty men with twenty cars who are to the Criminal Investigation Department what Destroyers are to a battle-fleet.

The remaining chapters give some account of various famous crimes and their detection. These include the murder of P.C. Gutteridge by Kennedy and Browne, of Leon Beron by Stinie Morrison and of Miss Holland by Samuel Herbert Dougal, together with the careers of Mendell Howard, the master forger, and Thomas Neill Cream, the poisoner. While these tales centre round the individualities of famous detectives, the main lesson in practically every case is that success results from team-work. Rarely except in fiction does the investigator play a lone hand.

The book is well written and may be confidently recommended as entertaining reading for the Police as well as for the general public.

CRIME, THE AUTOBIOGRAPHY OF A CROOK. By EDDIE GUERIN. 1928. 12s. (John Murray.)

CHICAGO MAY, HER STORY. 1928. \$3.00. (Macaulay & Co, New York.)

THESE two books and their authors are a pair in many ways. Guerin is referred to in the introduction to his autobiography as 'King of the Under-world' and Chicago May on the jacket of hers as 'The Queen of Crooks.' They lived together for a time and during this association Guerin got a life sentence and May one of five years for their joint complicity in the American Express robbery in Paris in 1902. As is well known, Guerin managed to escape from the French convict settlement in Guiana and became famous as the man who had escaped from Devil's Island, a feat which he explains has never been achieved by anyone and never could be—it was from the mainland that he got away into Dutch Guiana. He returned to England, and resumed partnership with May, but they soon fell out, and May in revenge gave him away to the police, according to Guerin's story. Then followed Guerin's celebrated extradition case, which lasted for over a year (April 1906 to June 1907), and resulted in his establishing British nationality (thanks to the efforts of Sir Richard Muir) and so evading the clutches of French justice. The day after this success May and her then consort, 'Charlie Smith,' alias Cubine Jackson, tried to shoot him. For this Mr. Justice Darling sent Smith to penal servitude for life and May to 15 years. May's account of the ten years she spent in Aylesbury Prison is perhaps the most interesting part of her story, though probably the least truthful. She wishes us to believe that girls were often killed in Aylesbury owing to faults in the machinery that they were required to work!

The stories of the two thus overlap to a considerable extent but at the same time disagree almost *in toto* whenever they relate the same event. May,

for example, gives a realistic account of the active and all important part she played in the American Express robbery, but according to Guerin she knew nothing about it until afterwards, as he took care that she should be in bed dead drunk while it was going on.

Both claim to be Irish and products of the Chicago 'school of crime,' the graduates of which furnished a large proportion of the international criminals who were 'the big noises' of crime twenty, thirty and forty years ago. 'One way or another,' says Guerin, 'the old city turned out some of the finest crooks in creation.' He expands this later on when he comes to compare crime in London to-day with what it was in the 'eighties and 'nineties. There are no longer, he says, any big men in the criminal profession—largely because life has been made much more difficult for the international criminal. The credit for this on the American side he gives to Pinkerton's. On this side he attributes it not so much to Scotland Yard as to 'all sorts of deterrents,' such as the Prevention of Crimes Act and preventive detention for habitual criminals, the stricter passport system, the telephone, etc.

The moral of both their stories is that crime does not pay, because you are bound to get caught and waste the best years of your life in prison. Lord Lee's Commission might have been interested to hear their views as to how criminals are caught. 'Nine times out of ten,' says Guerin, 'the coppers are bluffing; it is only when they induce you to talk that they can get the evidence they want.' 'With all their modern efficiency nine-tenths of their crime detection,' says May, 'is due to stoolpigeons' (informers). Neither has much reason to love the police, and May is bitterly hostile to everything English (though she gives a kindly mention to Mr. Borstal, 'a philanthropist who gave money to establish two reformatories'), but Guerin testifies to the essential fairness of English criminal justice as contrasted with that of other countries.

Guerin is an example of how criminals are made and May of how they are born. Guerin had much the same start in life as Mr. Gordon Selfridge—at the bottom of the ladder in the Marshall Field Store in Chicago, but, instead of sticking to it and growing up to be a millionaire, he became a telegraph boy, and, having no one to look after him, took to gambling, and then to larceny, and so drifted into crime. May, according to her own account, came of a respectable Irish family. At the age of 13 she stole £60 from her father, ran away to America where, after a short stay with an uncle, she made off with and married a crook at the age of 14. She was left a widow at 15, and her subsequent career of crime she justifies on the ground that 'she owed it to her dead husband to punish the system which had brought him to an untimely end.' Her husband was shot, as a result of trying to hold up and rob a mail train; so that it is not clear what system she is referring to.

The two books are of very unequal merit from a literary point of view. May's publishers tell us that compared with her Moll Flanders was an amateur. Moll might have reasonably objected to her name being coupled with May's, but May has had no Defoe to tell her story and no one would care to deny the statement that it has not been polished up but is just as she dictated it to her solicitor's stenographer. It would be impossible to put any sort of varnish on May's career. To quote Guerin, 'May's profession was the oldest one in the world, but the way in which she carried it on would have got her lynched in any decent society.' Guerin's own story is well written and gives a very graphic account of life in French prisons and of his escape from French Guiana.

Chicago May died in May 1929, a few months after her story was published.

The Primary Course in the Education and Training of the Police Officer

BY CAPTAIN HARRY M. NILES

Supt. of Records and Instruction, Police Department, Portland, Oregon, U.S.A.

UPON the education and training of the recruit in the Police Department depends the future efficiency of the entire organization. If he receives the proper training and education, he will develop into an efficient officer, who will serve honestly and faithfully. If not, he will become a drone, bring discredit and, in many cases, disgrace upon the entire organization. In my opinion there is no field of endeavour which has such an opportunity for advancement ahead of it as the average police organization. Many of the large colleges throughout our nation have given this subject much consideration, and have actually started training courses for prospective law-enforcing officers; but on account of the different conditions in which police work has to be done in the different cities, due to their geographical situation, the population, etc., it is absolutely necessary that each department should conduct its own school of instruction to cover those points which could not be covered in a college course.

The question is asked many times: 'Why are the training and education of the police officer necessary now when they were never thought of a few years ago?' The answer is simple. A few years ago the officer was, in nearly every case, selected on account of his size and fighting ability, because the type of person with whom he came in official contact was the drunk, the vagrant, the thief, etc., while the officer of to-day, through violations of some of the many minor laws and ordinances, and principally the enforcement of traffic regulations, comes in contact with the intentionally law-abiding element and must treat them as such.

The building of an efficient police organization begins with the selection of the officer. This is accomplished in most of the metropolitan cities through civil service rules and regulations, and to a great extent does away with politics so far as the organization is concerned, and assures to some extent the officer's position as long as he attends to his duties and conducts himself as a gentleman. Personally, I do not believe there is another organization in the United States that looks up a man's character and previous reputation as thoroughly as does the police; yet many times a man with a fine record becomes a police officer, and because of lack of will-power, he is unable to resist temptation and becomes a total failure. To help to eliminate this condition as much as possible, it might be well to select several of the most efficient officers of the organization and consider their qualifications, consider whether or not they were raised in the city or country, the extent of their education, their occupation or profession, their temperament, etc. We are surprised when we learn of the environment in which some of our best officers grew to manhood. Applicants who are similar in temperament and who were brought up under the same conditions will, no doubt, make the same type of efficient officers.

After the recruit is selected he enters the training school while on his period of probation, and his permanent appointment depends entirely upon the qualifications displayed in this institution, the higher officials believing that the instructor is far better qualified to pass on an applicant's ability after several months' training than they are after a few minutes' contact with him brought about while holding the civil service examination. Upon entering the school his first instructions will be in the most simple forms of report writing, which embraces all necessary factors to make a complete report, including the full names and addresses of complainants, defendants, witnesses, correct addresses and telephone numbers, descriptions of parties wanted, the time, object, date, etc.

Then we take up the *modus operandi* form of reports. These are form reports and are made in all cases where money or property is obtained by fraud, theft or violence, and their

primary purpose is to record the particular way in which a certain criminal operates. The most important factors of these reports are the kind of property or person attacked, how attacked, means of attack, time of attack, object of attack, trade mark and personal description of suspect. The printed forms of these reports not only aid the officers in report writing, but teach them what to look for at the scene of a crime. The reports are filed in a systematic way, so that when a criminal is apprehended for committing a certain kind of crime it is possible in a short time to locate the reports of all similar crimes, and in nearly every case solve some problems that would otherwise remain unsolved in the hands of the Police Department.

It is appalling when we realize that, if the present rate of traffic accidents continues, in 1946 we shall have more American people killed in that year than the total number of American citizens who were killed and died of all causes during the World War, in addition to the many times this number who were seriously injured. For this reason alone, it is very important that all police officers should be well informed in administering first aid to the sick and injured, as in nearly every case the officer is first, or among the first, to arrive upon the scene; and his knowledge of first aid in many cases saves weeks of suffering in the hospital and in some cases actually saves a life. In the first year after we started first-aid training in our school, four lives were saved, one from drowning and three from poisoning. This work is handled by first-aid instructors who are members of the Department, and who have qualified as instructors under the direction of the American Red Cross Society. They then attend a series of lectures by a doctor who has been assigned to this duty by the Red Cross Society and who also gives them their final examinations. All who pass the tests are provided with a certificate from the Society and wear the Red Cross chevron on the left sleeve of their uniform.

The next subject, which is crime prevention, is a very important one, and the officers are taught to advise the citizen in regard to the locking of doors, windows, the proper care of cheques and cheque books, the handling of money and

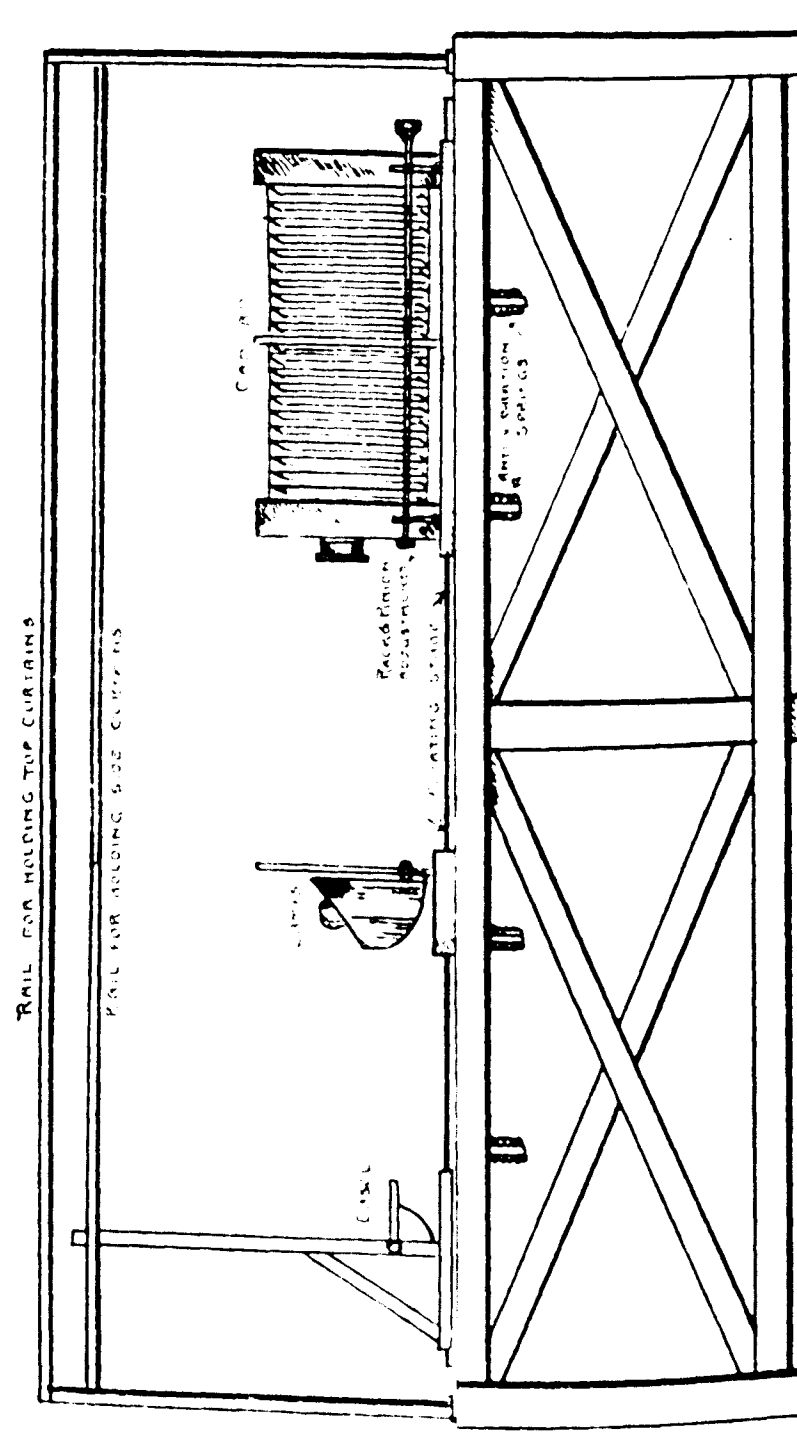


FIGURE 2

is constructed to take a plate carrier to hold the negatives. The interior of the box, to which a door gives access, contains two electric lights; one yellow and one white, which are adjustable, being held by clamps to a rod running the whole height of the box. When the box is in operation the negative is placed on the carrier, and with the help of the yellow light the paper is placed in position without fear of fogging. A hinged lid is fitted, and when this is closed down on to the negative and paper it automatically switches off the yellow light and switches on the white light by means of button presses. By using these boxes many prints can be obtained from a negative in a few minutes; this is a useful facility when a large number of photographs is urgently required.

In the outer room is a lantern fitted with a projector lens which is used both as a lecture lantern and as an enlarging lantern. It and the paper easel move on parallel rails which have been slung on spiral springs to avoid interference from the vibration of the building. At the end of the enlarging bench is a box fitted with an electric heater for the purpose of quickly drying any prints and plates required in a hurry.

STUDIO CAMERA

The studio camera has been made to take plates up to 12 in. $\times$ 15 in. (Fig. 2). It is of ordinary construction, except that the front panels have been fitted with horizontal and vertical rack and pinion adjustments, operated by controls carried to the back of the camera for ease in centring at the time of focusing.

The extension is sufficient to allow the reproduction of documents to the exact size by the use of a lens with a focal length of 18.75 in. By means of screw collars other lenses of shorter focus (8 in. and 5 in.) can be used with the camera so that it is possible to take a direct photograph with an enlargement up to five diameters. A special collar has also been devised to enable a microscope to be fitted for photographing hairs, fibres, etc., which may be useful at times in criminal investigation.

The whole camera moves backwards and forwards on rails, on which are also fitted a platform and easel to hold the

objects which are to be photographed. The rails are slung by spiral springs from a substantial timber framework to prevent the transmission of any vibration to the camera.

In order to maintain a proper control of the lighting, the whole apparatus is enclosed in a series of black curtains, which slide on twin brass rods supported at a convenient height by brass standards fitted to the timber framework. Daylight illumination is secured from roof lights and can be controlled by means of the curtains. Artificial light is provided by two powerful metallic filament lamps and by two spot lights on movable standards. There has also been recently installed a quartz mercury vapour lamp enclosed in a spherical lantern and suitably mounted. Besides being useful as an ordinary illuminant for photography, this lamp is of service for criminal investigation work; it must, however, be used with special precautions. The illumination given is very rich in ultra-violet rays; and by screening out the visible rays the ultra-violet rays are made available for the examination of objects for stains, etc. It is, of course, well known that the ultra-violet rays induce a fluorescent effect in certain conditions, and in this way render visible stains that could not be detected by the eye in ordinary light.

This camera is used for finger-print work whenever possible, and in this connection it may be interesting to state that since 1924, when the first Liverpool conviction was obtained on the evidence of the imprint of a *single* finger, we have had fifteen such cases, in addition to those where finger-print evidence was more extensive or was supported by other evidence.

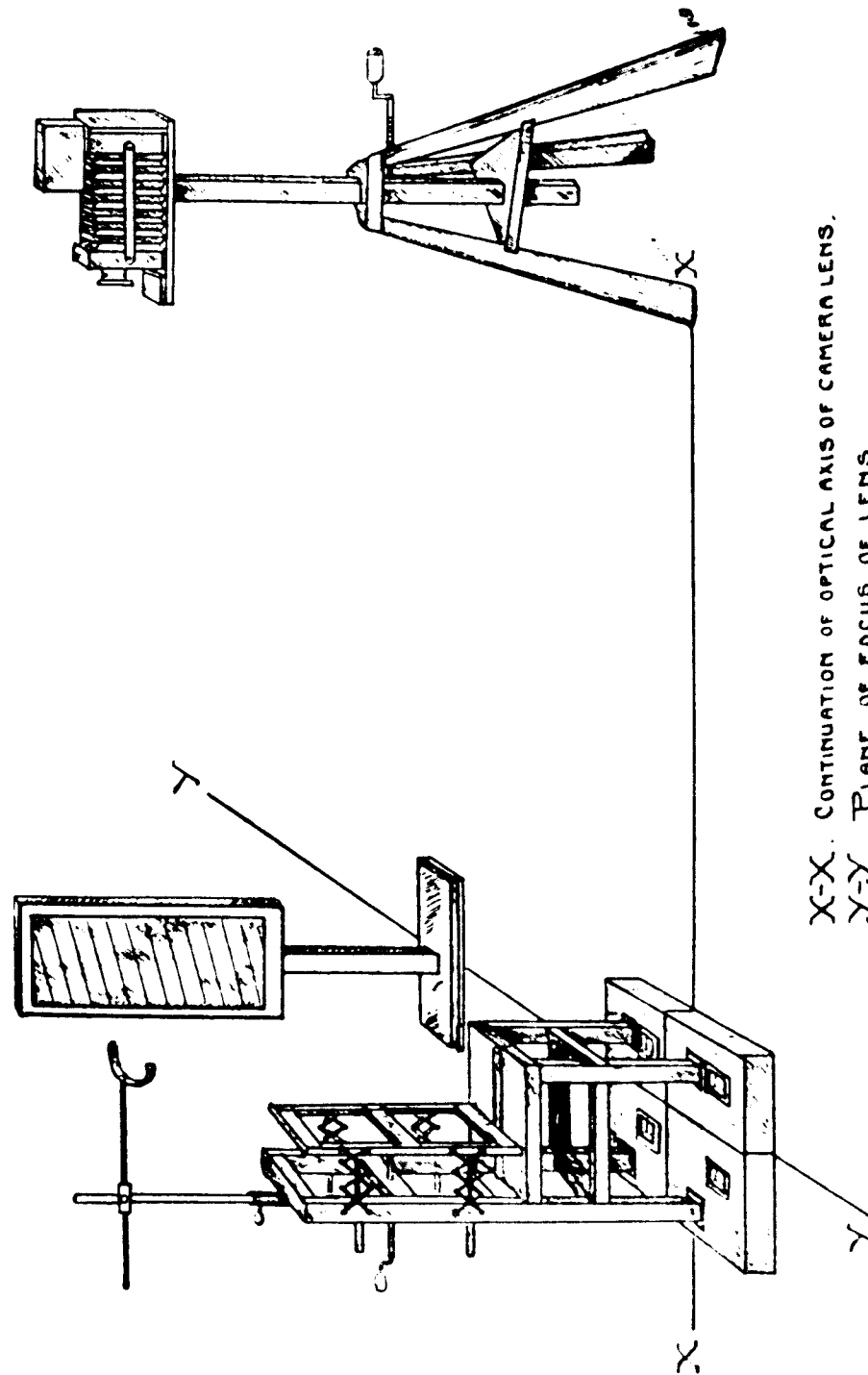
It is sometimes desirable to control the colour of the light passing through the lens in order to emphasize or to lessen contrasts, or even eliminate certain colours. For this purpose a set of eight light-filters is used. They are generally used with panchromatic plates, and a little knowledge of guiding principles soon enables the operator to employ them to the best advantage. Perhaps the commonest practice is to use a dark yellow filter when photographing prints or photographs which have become yellow with age. When such a photograph is taken in the ordinary way the ultra-violet, violet, and blue rays to

which the ordinary plate is most sensitive, are more or less absorbed by the yellow paper, so that the reproduction of the yellow paper will appear dark. If a colour sensitive plate is used in conjunction with a suitable yellow light filter, the yellow stain has no effect and photographs white, thus giving the desired result. Again, the ordinary engineer's blue print gives a poor result with ordinary plates, but if photographed on colour sensitive plates through a red filter or 'screen' the result is highly satisfactory. The guiding principle is the fact that any colour, when photographed through a screen of that colour, is reproduced lighter than the eye sees it, whereas any colour photographed through a screen which only transmits light absorbed by that colour, is reproduced darker than the eye sees it. These screens are a most useful accessory in a police studio.

PHOTOGRAPHY OF PRISONERS

Since the introduction of the finger-print system photographs have ceased to be so useful as a means of establishing the identity of prisoners; but photographs are being increasingly used as the means of establishing the identity of *unknown* persons. There are of course several drawbacks to the use of photographs for this purpose, but in many cases it is the one practical method of starting an inquiry, and every year the intelligent use of photographs results in many criminals being brought to justice. The Liverpool C.I.D. are instructed that they should never use a photograph where personal identification is possible, and that, wherever practicable, photographs should not be shown to the principal witnesses in case the viewing of the photograph should by any chance interfere with their recollection of the offender and so prejudice a subsequent personal identification.

Now, identification by photograph depends upon the memory for features unaided by pigmentation or by any idiosyncrasies of movement, and I think it is generally agreed that for this purpose photographs showing the full face and the profile are the best. It is also desirable that the photographs should be on the same scale and taken from the same angle in order that they may prove of the maximum assistance



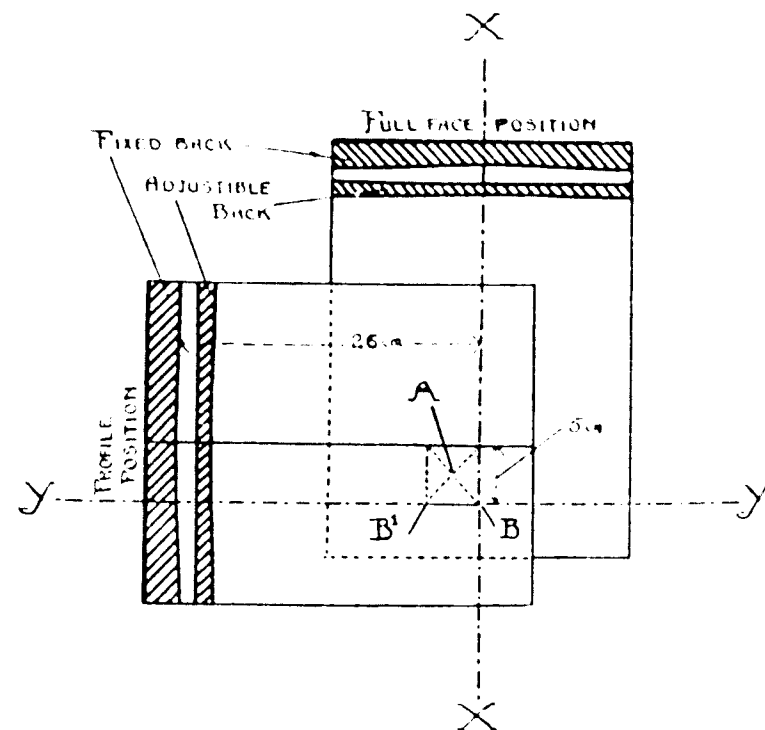
to an officer looking for a wanted man. For the last five years this uniformity has been achieved by adopting the system recommended many years ago by M. A. Bertillon. Incidentally, the system makes the operation of taking the photograph much simpler. Briefly, the method is this. The camera is fixed in front of the chair at such a focus as to give a reduction of exactly one-eighth, and the tripod is secured to the floor with the camera in an exactly horizontal position and capable only of a perpendicular movement. The chair on which the prisoner sits is first placed so that its occupant is facing to the left at right angles to the camera, and its position is determined by four square holes which are just large enough to fit the legs of the chair. For this profile position the plane of focus taken is the corner of the right eye, which is about midway between the two extreme planes in which lie the nose and the ear. This point is also chosen to be the centre of the plate.

Vertical adjustment is made by either raising or lowering the camera, and horizontal adjustment is obtained by means of a false back to the chair which is moved by a screw-thread. As a long focus lens (12 in.) is used, this means that the scale of reduction for the whole head is, for practical purposes, uniform. The operator is enabled to determine when the position is correct by the use of a direct vision view-finder, consisting of a box with glass ends fitted to the top of the camera. The glass ends are each ruled down the centre with a fine vertical line. The end nearer to the operator has a spot in the centre and the one near the subject has a spot in such a position that when the operator sees the corner of the eye in exact alignment with the two spots he knows the subject is in correct position. The uniform tilt of the head is secured by ruling a fine line at an angle of 15 degrees to the horizontal



FIGURE 4.

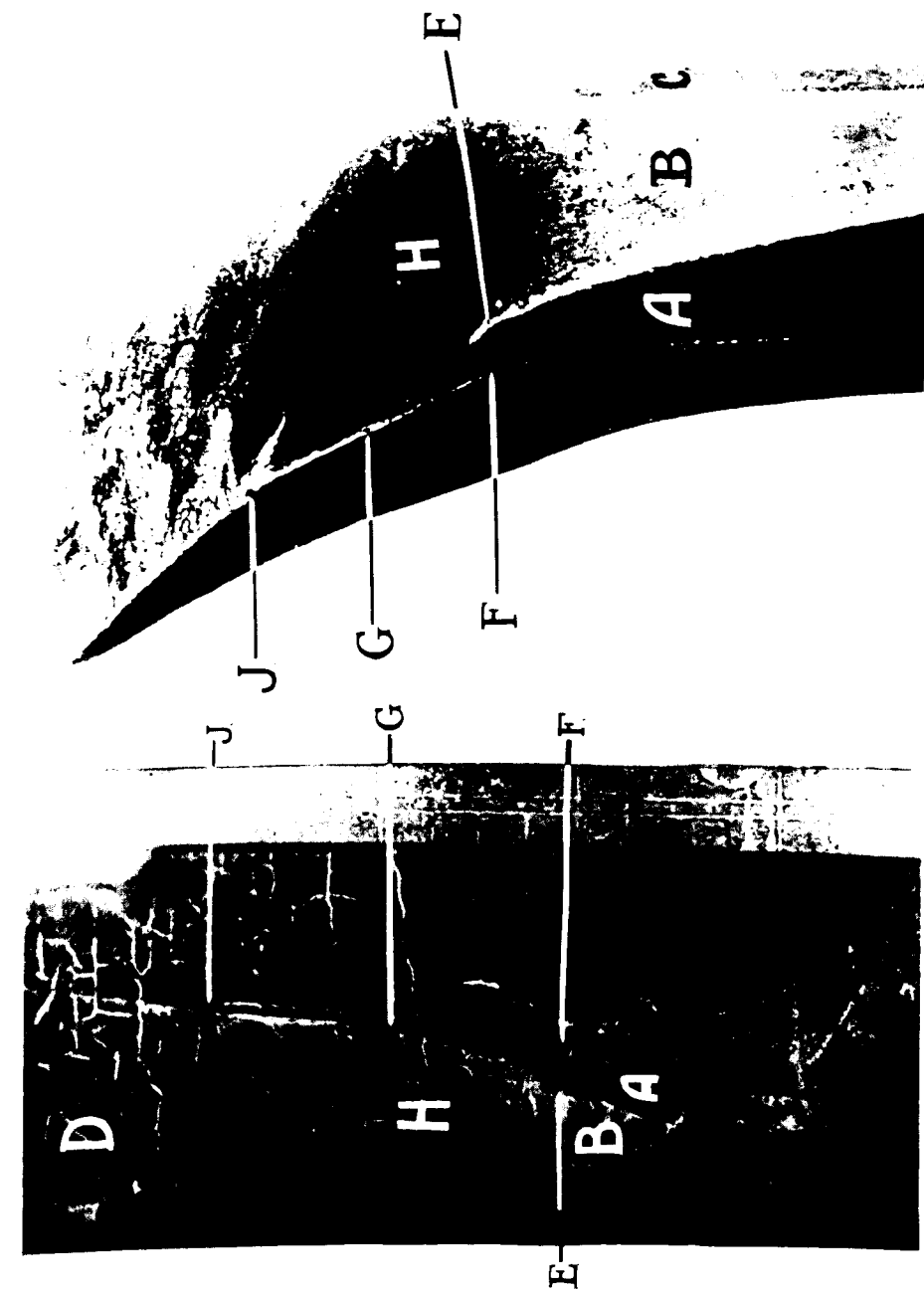
from the centre of the nearer glass, this indicating the site of an imaginary line drawn from the corner of the subject's eye to the top of the tragus of the ear. When the profile position has been taken, the chair is moved into a second series of holes so placed that the subject is brought into a position in which the



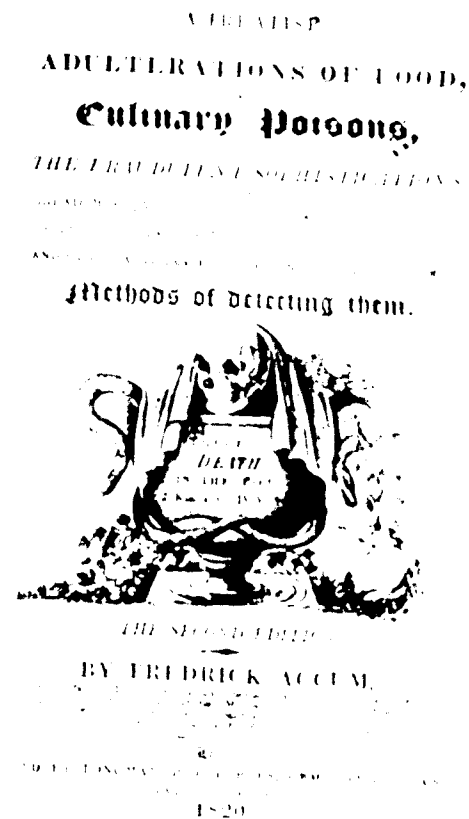
- A. POINT ON WHICH CHAIR REVOLVES.
 B. POSITION OF RIGHT CORNER OF RIGHT EYE IN PROFILE POSITION.
 B'. POSITION OF RIGHT CORNER OF RIGHT EYE IN FULL FACE POSITION.
 X-X. CONTINUATION OF OPTICAL AXIS OF CAMERA LENS.
 Y-Y. PLANE OF FOCUS OF LENS.

FIGURE 5

corner of the right eye is still the plane of focus, but the centre of the nose on a level with the eye becomes the centre point of the plate. The tilt of the head is checked by means of lines at an angle of 15 degrees to the horizontal, ruled on a mirror placed at right angles to the subject. The method although compli-



ENLARGED PHOTOGRAPHS OF A JEMMY AND IMPRESSION MADE ON A DOOR
 THE DISTINCTIVE FEATURES OF THE INSTRUMENT ARE SHOWN BY THE LETTERS E, F, G AND F. THE CHARACTERISTIC MARKS ARE INDICATED BY THE CORRESPONDING LETTERS ON THE DOOR



cated to describe is extremely simple to use, and is shown in the illustrations in Figs. 4 and 5. The ideal way would be to construct a chair fixed to a platform made to rotate on the point 'A' indicated in the drawing, as this would render it unnecessary to disturb the subject at all during the operation.

All the photographs of prisoners are taken in a small room adjoining the cells by artificial illumination given by a mercury vapour two bar light, which allows an exposure of a fraction of a second.

It has been found in practice that after a short instruction an intelligent constable can secure a good negative; and as no focusing is required, several prisoners can be photographed in a very short time.

FIELD CAMERAS

For photographs outside the building an ordinary $\frac{1}{2}$ -plate stand camera is used where circumstances permit. This camera has been adapted to take lenses with a focal length of 8 in. or 5 in.; and for very confined situations, such as small rooms or the interior of vehicles, wide angle lenses are available. A lens with a field of, say, 130 degrees must be used with discretion owing to the unusual perspective which it gives. Properly used the result is very satisfactory.

FINGER PRINTS

When finger impressions cannot be brought to the studio for photographic purposes much time and trouble can often be saved by the use of a camera specially designed and sold for this purpose. The camera is of fixed focus to reproduce the exact size, and is contained in a box at the end of which is an aperture the exact size of the film used, and so placed that it is in the exact field of focus. In use the aperture is held firmly against the surface on which is the finger impression, thus avoiding the necessity of a tripod, and lighting is provided by four small electric bulbs which, with the dry batteries operating them, are contained in the camera case. The opening of the shutter automatically lights the bulbs. By this means the whole operation becomes mechanical.

Food Adulteration and its Prevention

By C. AINSWORTH MITCHELL, M.A., D.SC., F.I.C.

Editor of *The Analyst*, the Journal of the Society of Public Analysts

A HUNDRED years ago the morality of many of the tradesmen who sold food appears to have been somewhat elementary. Although the scope for adulteration was more restricted than it is to-day, since a much larger proportion of the food was home-produced, yet the articles which had to be bought from the grocer were often systematically subjected to the crudest form of adulteration. The public was ignorant and apathetic; the tradesman was so inured to the practice that he hardly realized that his trade customs were dishonest; and the old story of the grocer who told his apprentice to water the treacle and sand the sugar and then come up to prayers, was in all probability a not very exaggerated picture of the times.

From time to time the few who realized the true conditions of the trade in food made attempts to rouse public opinion to the extent of the evil and to check the abuse. Thus, so far back as 1757 Dr. Wilkinson had published anonymously a pamphlet on the adulteration of bread, under the title of *Poison Detected: or Frightful Truths: and Alarming to the British Metropolis. In a Treatise on Bread*. In this he enumerated the various substances used for the purpose, including ground-up bone, chalk, whiting, and alum. In the following year Dr. Peter Markham gave a further shock to the public in a pamphlet with the remarkable title of *Syhoroc, or Considerations on the Ten Ingredients used in the Adulteration of Bread-flour and Bread*, in which he mentioned soap and 'certain ingredients not to be divulged and their evil effects upon human health, sudden death.'

During the early years of the nineteenth century several medical men wrote in strong terms on the adulteration of various kinds of food, but their efforts produced little effect,

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and it was not until 1820, when Frederick Christian Accum wrote his treatise on *The Adulteration of Foods and Culinary Poisons*, that any practical results were obtained. Accum's book, which from its biblical quotation on the title-page * soon became known as 'Death in the Pot,' was effective not so much from the description of the gross forms of adulterations described, such as the substitution of sloe leaves for tea and the addition of gypsum to bread, but from the fact that the names of the delinquents detected of adulteration were also published. The immediate result of this exposure was that the author created a host of powerful enemies, who ultimately, by taking advantage of a moral lapse of Accum himself in the matter of books borrowed from a library, succeeded in driving him out of the country.

The course of adulteration then fell back into its accustomed channels, and though 'Death in the Pot' was still quoted as a proverbial saying, and publication in *The Lancet* of the account of the poisonous pigments used in confectionery created a brief sensation, nothing further was done until 1854, when *The Lancet* appointed a Commission to inquire into the purity of the food of the country. The reports of this Commission (which in reality was another name for Dr. Hassall) were published week by week in the journal, and the practical plan, initiated by Accum, of publishing the names of offenders was followed, the proprietors of *The Lancet* deliberately incurring year by year the risk of actions for libel.

Hassall's findings, which were mainly obtained by the use of the microscope, created so great a stir that at length Parliament could no longer ignore the evil, and in 1855 a Select Parliamentary Committee was appointed to examine and report upon the question of the adulteration of food. The evidence given before this Committee proved that the charges had not been over-stated, and as a result of the recommendations made, the first Food and Drugs Act was passed in 1860. This Act imposed penalties for the sale of adulterated food and drugs, and authorized local authorities to appoint analysts to make systematic examinations of samples.

From the very first this Act was a failure; for while it gave

* See illustration facing p 545.

the local authorities power to appoint public analysts it did not compel them to do so. Few authorities took the trouble to make an appointment, and so in 1872 the first Act was replaced by a new Act, which in 1875 gave place to a still more efficient one. Although this last Act has been modified and extended by other Acts and Regulations, it still forms a large part of the new Food and Drugs Act of 1928, which did not effect any new legislation but merely consolidated into one statute the various surviving Acts and Regulations.

The effect of these successive Food and Drugs Acts from 1860 onwards has been to eliminate most of the dangerous forms of adulteration. As a witness before one of the Parliamentary Commissions to inquire into the working of the 1872 Act remarked, 'Formerly we were both cheated and poisoned, now we are only cheated.' The watering of milk and the abstraction of its fat are still common offences against the pocket, but sweets are no longer dyed with poisonous colours, or bread loaded with alum. Mere traces of harmful metals, such as lead and tin, which at the time of the first Food and Drugs Act would often not have been detected, are now rigorously controlled. Arsenic has been shown to be a normal ingredient of many natural products, but the maximum limits which it must not exceed have been fixed for many commercial articles; should these limits be exceeded, action can be taken under a section of the Act which prohibits the presence in food and drugs of substances injurious to health.

It is not often, however, that cases are brought under this section, for injury to health is more difficult to prove than prejudice to the purchaser who has not received an article of the 'nature, substance and quality demanded.' For example, prior to the passing of the Preservatives and Colouring Matters in Food Regulations, which came into force in 1927, actions were frequently brought against the vendors of tinned peas, the colour of which had been fixed by the addition of a small amount of a copper salt; but the summons was almost always based on the ground that a purchaser had asked for peas and had received peas with the addition of copper, which he had not required. Under the new regulations this practice is altogether prohibited.

Similarly, with regard to preservatives. When, from time to time, actions were brought against vendors of food containing preservatives, the cases were frequently fought under the section of the Act providing that a consumer should get what he asked for and not on the grounds that they were injurious to health. Under the new regulations the permissible amounts of preservatives in various food products have been fixed, and actions are no longer brought under the Food and Drugs Act. This simplifies the procedure and does away with the conflict of opinion in the courts which made the result of an action to a large extent a question of geography, depending upon the views of individual medical officers of health or public analysts, who were not always in agreement on the subject. Now any conflict of opinion on this point has resolved itself into a question whether the article containing a preservative does or does not comply with the regulations, and the principle of whether preservatives should or should not be used is no longer subject to the decision of local benches of justices.

This is only one example of the way in which the control of the food supply of the country by means of analysis has gradually become increasingly complex. The work of Hassall and the other early public analysts was relatively simple; for, as has been pointed out, the processes of adulteration were crude and unscientific, and the materials first used for the purpose were easy to discover. The detection of the addition of alum or gypsum to bread, for instance, or of the substitution of chicory for coffee, or sloe leaves for tea, presented little difficulty and occupied but little time; and the scientific adulterator had not yet arisen to devise methods of baffling the conclusions to be drawn from the data furnished by chemical analysis. Each fresh advance in analytical methods has been countered by corresponding applications of scientific knowledge on the part of the adulterator. His aim has been to make a product which shall be on the border line between a genuine article of poor quality and an adulterated article which might often conceivably be genuine. An analyst may often have strong suspicions that a food is adulterated and yet, owing to the naturally wide variations in the composition of the pure

product, may be unable to bring definite evidence that the sample is not genuine.

Butter, for example, affords a good illustration of this difficulty. When Hassall (in 1874) gave evidence before a Royal Commission appointed to report upon the working of the 1872 Act, he had to admit that he knew of no method of detecting the presence in butter of substitutes made from animal fat. But even then his assistant, Otto Hehner, had discovered a fundamental difference between butter fat and animal body fat, the former being characterized by the presence of a large proportion of compounds of soluble and volatile fatty acids. A method of analysis based on this essential difference was developed, and the analyst was then in a position to distinguish between butter and the products which at that time were sold under names, such as 'butterine,' which suggested an origin to which they had no claim. Moreover, by determining the proportion of these volatile constituents it was possible to form an estimate of the proportion of a given butter in a mixture of that butter with an artificial product made from a body fat.

The application of this new method of analysis soon checked the gross adulteration of butter which had previously been widespread, and for a time it appeared that a difficult problem had been solved. But, unfortunately for the public analyst, the proportion of volatile constituents in milk fat is in fact not constant: the amounts of these fatty acids have been found to vary with different factors, such as the breed of the cow, its food, and the conditions under which it is kept. Dutch cows, for instance, when kept in the fields until a late period of the year yield a milk fat low in the characteristic volatile constituents, and the butter made from the milk of such cows has on more than one occasion been condemned as adulterated by analysts who had no knowledge of its special origin. But if such butter with abnormally low characteristics is to be passed as genuine, it is obvious that scope is allowed to the adulterator to add a considerable proportion of a foreign fat to a normal butter without reducing the analytical figures for the mixture below those of a genuine abnormal product. When this possibility was discovered the scientific adulteration of butter began,

and the samples submitted to public analysts were constantly found to give results which were slightly better than those given by admittedly genuine Dutch butters; and these samples it was not safe to condemn, although the price at which they were sold indicated that they must have been adulterated.

Further difficulties for the analyst were created by the introduction of margarines made from coconut and palm-kernel fats. After experiments extending over many years commercial processes for deodorizing and purifying these fats were devised, and the products were not only used as the basis of cheap margarine, but were also introduced into butter; and since they resemble butter in containing as constituents compounds of volatile fatty acids, though not in so large a proportion, they could obviously be used as adulterants with less risk of detection than margarine with a basis of animal fat. Advantage was quickly taken of this chemical affinity between butter and these vegetable fats, and skilfully blended mixtures were put upon the market as pure butter. For a considerable time the trade in these products met with little analytical interference so long as they complied with the normal values for pure butter. It was an open secret that profitable adulteration was widely prevalent, but the means of preventing it had to be discovered. This led to many chemical investigations of the exact nature of coconut oil and palm-kernel oil, and it was shown that their volatile fatty acids are to a large extent of a different character from the volatile fatty acids of butter, being less soluble; and on this essential difference were based several analytical processes of differentiation, so that it is now possible to detect even small proportions of either of these foreign fats in butter.

The uncertainty caused by the genuine butter of abnormal composition still remains, however, and there are objections to fixing statutory standards for the composition of butter, which would be one way of meeting the difficulty. One objection to such arbitrary standards is that they tend to bring a naturally rich product down to the level of one of average quality, or, in other words, lend themselves to the support of scientific adulteration.

In the case of milk the doubt raised by the natural variations in the product as it comes from the cow has been met by the enactment of a legal standard. Under the Sale of Milk Regulations, 1901, milk containing less than 3 per cent. of fat or 8.5 per cent. of solid matter other than fat is presumed to be not genuine, and the onus of refuting this presumption rests upon the vendor of the milk. Prior to 1916 it was generally accepted that when a cow produced a milk with a composition below this standard, the product could not be claimed to be genuine if it could be shown that the poorness of the sample was due to improper feeding or want of care of the animal. Thus a farmer who deliberately gave his animals such food as caused them to produce an excessive quantity of an abnormally poor milk was regarded as guilty of adulterating the milk 'at the other end of the cow'; but since the case of *Hunt v. Richardson*, which was decided in the High Court in 1916, a vendor may sell as milk any milky fluid which he can induce his cow to produce. If his sample is condemned by the public analyst as adulterated, he may make an 'appeal to the cow,' and if the analysis of this test sample agrees with that of the official samples taken under the Act the case must be dismissed, even if the milk contains only half the amount of fat present in a normal milk. Obviously the law stands in need of amendment in this respect.

It has recently been shown by Dr. Tocher in an exhaustive study of the composition of the milk from Scottish cows that abnormal milks are, as a rule, the product of single cows or of very small groups of cows, and that the mixed milk from an average herd of cows is usually well above the statutory standard of composition.

It has already been mentioned that one effect of fixing statutory standards for the composition of natural products is to lower the general standard to that of the average. Milks rich in fat are not so common now as they were before there was a statutory standard, for the large dairy farmers mix their herds of cows in such a way that those breeds which produce large quantities of milk have their milk improved by blending with the richer milk of Jersey cows which produce less milk. This, of course, is a legitimate practice, but it tends to the

production of milk of only average quality. The standardization also enables an unscrupulous dairyman to add a certain proportion of water to a rich milk, which, even when thus diluted, may still fall within the statutory limits of composition.

In analyzing milk, however, the existence of a legal standard makes the position much less invidious for the public analyst than when he has to report upon certain articles of food for which no standards have been laid down, and where he may have to encounter strong opposition from the powerful trade interests concerned with the sale of these articles. A good illustration of the difficulties which thus arise is afforded by the case of jam.

There is no legal definition for 'jam,' nor is there any generally accepted standard for its composition, but the stress of trade competition and the insistent demand of the public for a cheap article has led to the introduction of jams which, although wholesome enough, are not what the label suggests that the purchaser is getting. For instance, in a recent prosecution a fine was inflicted for the sale of an article labelled 'Home-Made Jam,' whereas chemical examination showed that it was not home-made, but had been made from preserved fruit pulp. The stipendiary magistrate in giving his decision said that the term 'home-made' would suggest to the purchaser that the jam consisted only of the fresh fruit and sugar that a 'housewife' should use in the home for making jam.

Another practice in the jam trade is to describe a preparation which is a mixture of fruits by a name which does not correctly describe it. For instance, a jam consisting largely of apple jelly with a small proportion of raspberry may be labelled 'Raspberry Jam, improved by the addition of a little fruit juice,' whereas the correct description would be 'Apple and Raspberry Jam.' The contention of the jam manufacturer is that with certain soft fruits, such as raspberry and strawberry, which are deficient in the gum-like constituent known as pectin, it is not practicable to make a jam that will set sufficiently for packing and distribution without adding to it a small proportion, say about 10 per cent., of apple juice or of the pectin derived from apple, and that accordingly this should be recognized as permissible. The objection to such recog-

nition is that while the best manufacturers would adhere to such a maximum, others would continue to 'improve' their products (or rather their profits) by the addition of such quantities of the cheaper fruit as would give them an unfair advantage over their more scrupulous competitors. Moreover, any statutory regulation would be difficult, if not impossible, to enforce by means of analysis, owing to the natural variations in the composition of the different fruits.

A similar conflict of opinion and practice has arisen in connection with the sale of lemon cheese. When this was made only in the home it consisted solely of sugar, butter, new-laid eggs, and lemon juice. Some manufacturers still make a product of this kind; but others, who have had to meet competition and supply a cheaper article, have sold a mixture composed of cheaper ingredients, such as citric or tartaric acid, glucose, syrup, margarine, lemon flavour and artificial colour. The question then arises whether a purchaser who asks for lemon cheese ought to be supplied with a product which differs materially from the home-made article. As there is no legal definition or standard for lemon cheese, the manufacturers contend that they are entitled to sell their cheaper product under that name.

From these instances it will be seen that at the present time many of the charges under the Food and Drugs Acts involve questions of correct description and labelling rather than adulteration of the older type. It has frequently been suggested that there should be a court of reference at which questions of this kind, upon which opinions, even of public analysts themselves, are often at variance, might be threshed out. The decisions of such a court, where all interests would be represented, would carry great weight, and although they might not constitute legal standards, it would in practice be found that they would be accepted by all sides. Such a court of reference is all the more necessary, since the Ministry of Health, to which points of this sort have sometimes been referred, takes the view that it is not prepared to formulate standards for food.

The labelling of some other classes of food falls under a different heading from those upon which authorities may

differ. The labels on the so-called 'egg powders,' for instance, are at times fraudulent misdescriptions. These products usually consist of maize starch coloured with a dye, and sometimes containing a small amount of dried egg, as a justification for the claim that they are made from egg. Even when they are described as 'egg substitute powders' or 'custard powders' the labels often claim that they are superior to eggs, and there have recently been numerous convictions for this form of misdescription.

Extravagant claims of the efficacy of some of the so-called vitamin preparations on the market may also be found on the labels and the leaflets that advertise them. Substances which are naturally rich in these accessory food factors are sometimes put up in packets and sold at an enhanced price. In other cases a small addition of a vitamin preparation is made to a natural product. Some of these products are, of course, genuine and have the therapeutic properties claimed for them, but others are barefaced frauds upon the public. The development of the sale of therapeutic foods of this kind has inevitably increased the range of duties of public analysts; and as the tests for vitamins are, to a large extent, of a biological character, feeding experiments on rats have now become part of the regular routine in many laboratories.

The first prosecution in England for the sale of a medicinal preparation deficient in vitamins occurred in 1928, when a firm of druggists was convicted of selling cod liver oil tablets not of the nature, substance and quality demanded, since the small amount of oil present was deficient in vitamin activity, and did not produce the biological effects of normal cod liver oil. This case is also interesting from the fact that the biological tests were supplemented by a chemical colour test for one of the vitamins. A heavy fine was imposed upon the vendors of the preparation.

A study of the Annual Report of the Ministry of Health for the year 1927 suggests that some of the local authorities regard the Food and Drugs Act as a statutory burden. It has already been mentioned that since the Act of 1872 the appointment of a public analyst was made compulsory, but it is still possible for a local authority to administer the Act in such a

way that it becomes almost farcical. For example, in one County during the year only seven official samples were taken, consisting of milks and drugs; of these, three were found to be adulterated. Again, in another County only forty official samples were taken, of which thirty-three were milks and seven were butters. By way of contrast, it may be mentioned that in a certain Borough, with approximately the same population, 725 samples were taken, of which 432 were milks and forty-five were butters. If adulteration is to be effectively repressed it is essential that local authorities should not be allowed to evade their responsibilities by omitting to take the necessary samples. While they may effect a saving in administrative expenses it will be a saving at the expense of the population under their control; for the money which should have been spent in ensuring the purity of the food supply of the district will inevitably go into the pocket of the dishonest tradesman.

The Criminal in Kenya Colony

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ACCORDING to the census taken in 1926 the population of Kenya Colony was 12,529 Europeans, 30,583 Asiatics, 10,557 Arabs, and 2,682,848 Africans. The Colony itself, which prior to 1920 was known as the East Africa Protectorate, extends from 4 degrees north to 4 degrees south of the equator and has an area of some 225,000 square miles.

A study of its criminal class yields much that is interesting. It affords not only considerable food for thought as to some of the effects which an advancing tide of civilization may have on a primitive people, but it opens up a fascinating field for speculation on the beginnings of crime generally and the evolution of a criminal type.

Notwithstanding the European, Asiatic, and Arab population of the Colony, its criminal class may, for all practical purposes, be described as exclusively African. Now and again some European embarks upon a criminal venture; from the Indian come cases enough of cheating, criminal breach of trust, and offences against the person; and, in proportion to the size of their community, there are plenty of Arab offenders. But for the housebreaker, for the thief, the robber, the dacoit, and some 'smooth crooks' too, it is necessary to seek among Kenya's Africans for a number sufficient to make up a class; and, incidentally, for what is in many ways the best of the talent.

The bulk of the criminal class, however, is new. Only in the coastal area, where foreign penetration dates back many generations, is it old-established; and crime there is characterized by features which further inland are only now beginning to make their appearance. Throughout most of

the Colony the class has grown up with the spread of civilization, with the gradual appearance of towns where once there was only veldt and the *boma*¹ was the primitive hub of African life. The Kenya African who can to-day be classed as an habitual criminal was, in most cases, only a few years ago gracing some sky-line naked and unashamed. It may fairly be said of him that he was neither good nor bad, only primitive. His prohibitions were fears, and of ethics he had none. But he had desires, intelligence, and a lively curiosity. In this state he met civilization. His development in crime through successive stages may be followed by any one who cares to take the trouble.

To suggest that there was no crime in Kenya before the spread of civilization would of course be foolish. There was, doubtless, always crime. It was crime, however, which differed in quality from that committed by the criminal class later. It was crime in its generic sense, as relating to acts which are violatory—what I will venture to term 'simple' crime; acts related to impulses of which they were the natural outcome; acts related to desires of which they were the logical attempt at fulfilment by a primitive type; and acts for the furtherance of ends which, as a rule, no well-established code of public morality forbade. They were a part of conditions, those acts, not a result of conditions; and they were not peculiar to any particular section of the tribe or community. This quality still characterizes most of the crime committed in the native reserves, and distinguishes it from the crime committed in the towns in a manner readily discernible to the thoughtful investigator.

It is significant that the Kenya African who is an habitual criminal is invariably detribalized, and that there is no such thing in the Colony as the criminal tribe or the hereditary criminal in the sense in which these terms can be applied elsewhere. Tribal incidence within the criminal class reflects little but the accident of contact with civilization: the Kavirondo, and the Akikuyu, two tribes who furnish between them the bulk of the labour supply of the Colony, furnish also the majority of habitual criminals.

¹ Village; *lit.*, stockade.

There is only the stock thief who may be called an offender by custom; the member of some tribe to whom cattle-raiding is a legitimate business and has been since the beginning of things. With him, cattle-raiding is sport, war, and a family pastime; and it was once a condition of survival as a pastoralist. But it is an honourable adventure in defiance only of the party despoiled and not of any code which he or his kind have ever recognized. Whatever he may properly be called, and however great a menace he may be to peace and to property, this man does not qualify for inclusion in the criminal class, and his tribe is not to be compared with some of the criminal tribes of, say, India. The actual cattle-raiding tribes, indeed, contribute only a very small quota to the criminal class of the Colony, and those members whom they do contribute to it are, like the others, always detribalized. But before proceeding further, I will deal with the Kenya criminal at work, and some aspects of crime in the Colony.

Wherever there is a primitive people, from the simplicity of the native has been argued his likeness to a child, and this is consistently quoted by many professing to know him when anything he does is in question. In Kenya there have been as many exponents of this view regarding the African as there have been in most other places regarding other primitive races. Analogies, however, are frequently misleading, and, whereas to be childlike may well mean to be simple, to be simple is not always to be childlike.

Notwithstanding the fact that the average Kenya African who to-day haunts the towns and is responsible for daring offences was not long ago a very simple fellow indeed, and in some ways still is, he brings little that is childlike to his ventures in crime; not even at the outset. His early activities are only limited by his lack of capacity in certain directions: a lack of knowledge as to ways and means; an ignorance of conditions which are new to him. He takes as readily to forgery when he knows how to write as to theft or to house-breaking when he does not. And in most of what he does there is an adult determination, an adult consistency, and an adult appreciation of the possible issues.

The most common serious offence, and perhaps the

favourite offence with the African, is housebreaking. It is more tempting to him at first than most others : the disabilities of his condition are fewer, the scope is wide, and the prizes are both many and various. As a selected crime, probably as much may be said of housebreaking anywhere else, given a type of potential offender who has daring and courage. These two things the Kenya African usually has, and displays nowhere so much as in this particular kind of exploit. And he is neither stupid nor careless. His ventures are often very well planned.

The old hand will study his ground a long time ahead, he will make friends with personal servants or others employed about the place which he aims to break into, and will pick out with judgment the one among them most likely to be influenced and to further his ends. His method of entry is frequently both ingenious and neat, and, once inside, he knows what he wants, knows more often than not where to look for it, and can display coolness and dispatch in the way he sets about his work. He will use keys he has bought, borrowed or stolen ; he will attempt a safe with hack-saw and cold chisel, and if he cannot open it, will cart it away. He learns very early to appreciate to the full the danger of leaving finger-prints behind him, and he can be fully alive to the value of speed in placing a distance between himself and the scene of his crime ; the use of motor-cars, in fact, threatens to become shortly a feature in house-breaking cases.

The confidence trick in numerous forms and guises is being constantly practised by the Kenya African, and some most ingenious tales are made up for despoiling the unwary of their cash and their produce. The tale told is usually simple enough, and improvised on the spot to meet the circumstances. The value of property involved is never very great because the average native victim has not very much property to lose. But the work is none the less clever for that, and, at times, worthy of higher game than there is.

Very common also is fraud by personation. This attracts all classes and conditions of Kenya Africans from the time they learn enough of some practice or custom which will lend itself to the purpose. It varies widely in form : bribes are obtained

in the character of a plain-clothes policeman ; false permits are sold for things for which a permit may or may not be required ; the delivery of goods is obtained by misrepresenting identity. All is grist to the criminal's mill in Kenya, and only his lack of experience governs the direction and extent of his activities.

A particularly troublesome type of offender to the police is the cycle thief. He is sometimes, in a sense, something of a specialist. He will work a locality and will deal in quantities. He guards against subsequent detection by exchanging the parts of his stolen machines and rebuilding them as much as he can. He disposes of them in due course, preferably to natives from distant places. Cycle theft is one of the most profitable fields for the African criminal in the Colony, and has the additional virtue of being easy of execution. In most town streets bicycles are to be seen leaning up against every kerb ; thousands of natives own them, and thousands more are only waiting to buy them.

The forger, as might be expected, is not so frequently met with. Illiteracy, however, which is the common state, is the cause. In execution, African forgeries are rarely good, although the schemes for making profit out of them are, as usual, clever enough. They are not the work of specialists, but of any who have opportunity and the necessary skill. It may be his master's cheque that is forged by a servant, or an order for stores in some other case, or a postal order ; or the employee in some appropriate office will forge a pass or a permit which later he will sell. The Kenya African, however, has not yet been detected in counterfeiting.

Last, but not least, in this brief review of criminal types in the Colony may be mentioned the professional gambler. In his own sphere, with his own particular tools, he is no less dexterous than are his contemporaries in less primitive communities, and he reaps a very rich harvest. There are just as many hopeful, but dark, simpletons fooled at ' spotting the lady ' in Kenya native circles as there have been fooled by the same old trick anywhere else. And there, too, gambling reacts upon other crime.

So far, armed robbery, dacoity, crime that reveals an

intention to hurt or to kill in the course of any exploit is comparatively rare. This, I think, is directly attributable to the fact that the criminal class is so new, and that viciousness is not yet characteristic of it. Another interesting aspect of African crime in Kenya is that there is so little specialization. There is an occupational incidence discernible in crime: the individual employed on the railway steals from trucks and goods sheds rather than attempt other kinds of offences in spheres with which he is not so well acquainted; the house-boy is responsible for more thefts in a dwelling than anything else; the forger and seller of faked passes is generally an office boy. On the other hand, the housebreaker is usually unemployed and a native to whom no special opportunities are offered. It cannot be said, however, that the housebreaker is exclusively a housebreaker, the confidence trickster exclusively a confidence trickster, or the gambler exclusively a gambler. Only the stock-thief sticks conservatively to his own trade; unless he is detribalized, when he may be found adventuring in other paths too. And this conservatism, together with its qualification, serves very well to mark his difference from the others and to endorse what has already been said about him. But in the criminal class proper, I have not yet met the Kenya African who is so much a specialist that he will not attempt any kind of offence if only he thinks he can do it. A notorious housebreaker recently convicted was also responsible for many thefts from unattended motor-cars as well as a number of cycle thefts.

There is only one class of crime which the Kenya African does not commit—at least not on a scale to be reckoned with yet—and that is receiving. With the exception of the coastal area, where the Arab must be counted, the 'fence' is to be found exclusively among Indians. But the Indian 'fence' is mistrusted and disliked by the African, and their relations are only occasional. This has a most important bearing on crime. For in Kenya as elsewhere, the greatest menace to property is not the thief, not the housebreaker, but the receiver.

It is a peculiarity of the thief and the housebreaker in Kenya that he usually will take only clothing, materials or cash, and will leave behind him much that is far more valuable

than the whole of his haul. I have heard this quoted as indicative of the childlike simplicity of the African, of his desire only for that with which he may adorn himself or for which he can see some ready and immediate use. With modifications, there might be something to be said for this view in the case of a first offender. In the average case there is nothing to be said for it at all. The Kenya African is, in fact, an essentially practical fellow, and quick enough to discern the difficulties in which an impractical cupidity may land him. He has no use for anything that he does not personally want unless he can see how to dispose of it discreetly. For clothes and material he finds a ready market in native quarters, and cash he can use. As a rule he leaves other things alone. In so doing he is only displaying common sense. But with the development of the African, and with the appearance of more African dealers and storekeepers in the Colony, the receiver with whom the African will readily deal must also appear. When that time comes it is certain that the kind of property stolen will change and that its value will rise.

So much for the crime of the Kenya criminal and some few of its features. No study of a criminal class, however, can be comprehensive or of much ultimate value unless it extends to a consideration of the social state in which it has being, and to the consideration of a good deal of other matter which at first sight may seem extraneous to the subject. In order to see the Kenya African aright, and get more than a superficial impression of him as a criminal it is necessary to visualize him clearly in his original state and from that angle review his actions.

I am not a subscriber to the 'childlike native' theory. But there is a vast difference between the African in Kenya and the people to be found in more advanced communities, a difference which places him truly only in the kindergarten of racial development. This is not a merely external state which becomes corrected after a little while by contact with civilization and the benefits of instruction. It is a vital psychological state in which lies the key to every aspect of the African's performance in no matter what sphere; and with only a difference in degree, at no matter what stage. For, regardless of the speed with which his perspective may widen,

fundamentally he does not alter proportionately, and he tends to apply very much the same viewpoint to things at one end of his experience as he did at the other.

To the average Kenya African, to take a thing is a simple and reasonable way of getting what he wants, the principal objection to which lies in the unhappy results which may be attendant upon his action. That, indeed, is the only consideration ordering his conduct in a great many directions; certainly not abstract conceptions of conduct, or respect for other men's rights. Crime in the reserves, together with the general attitude there towards crime, very well exemplifies this.

The eventual criminal comes to the towns and the temptations of civilization with a tendency to steal inherent within him, with a tendency equally inherent within him to gratify most other impulses he may know; and to balance these things he has only his tribal sanctions, designed for very different conditions. All around him there is nothing but the successive new sight of successive new things, all of them desirable, the great majority of them out of his immediate reach; and they grow progressively out of his reach as he learns to want more. This, indeed, is regarded as a desirable condition for the encouragement of effort in him.

He would not be a healthy savage if he did not feel some very considerable promptings; and to expect him to absorb ethics at the same rate as he develops desires would be absurd. That which mainly deters the average individual from offending is fear; and in most cases this is an effective deterrent; but in others it is not, and the individual whom fear fails to deter is, within my experience, the more vigorous, the bolder, and the more intelligent among his fellows. That is the type which furnishes the most recruits to the criminal class.

I have already stressed the fact that the criminal is invariably detribalized. And whatever characteristics may mark the criminal in other places, and whatever may be said as to causes contributing towards crime, defective physique and defective intelligence are not characteristics of the African criminal in Kenya; nor is crime related to economic conditions yielding all to some and denying all to others—the Kenya African can live in comparative comfort in his own reserve with

the minimum of effort. The significance of these facts is obvious.

It might be appropriate here to consider what it is that marks the criminal and distinguishes him from others equally guilty of criminal acts, and distinguishes him from the type which is responsible for the kind of crime in the native reserves, which I have ventured to describe as 'simple crime.'

The difference, clearly, lies not only in performance. The same section of the same law, indeed, will anywhere cover cases which, except for the bare act, are in all respects as different from each other as chalk is from cheese. The difference is entirely one of attitude and is subjective. With the Kenya African, in whom defective intelligence and inherited taint have not to be considered as factors, the distinction, I think, lies in this: with the primitive type in his reserve, and with the occasional offender in the early days of his contact with civilization the criminal act amounts to the *lawless* gratification of a natural impulse expressing chiefly the condition of the individual as a virile and healthy creature desiring something it has not got; whereas, from the criminal type are obtained considered *unlawful* acts, undertaken after the rejection of standards of conduct which he has had ample opportunity to appreciate, and in which, underlying the motive of gain, there is an element of deliberate outlawry, of malice, of retaliation. The criminal type, in short, has passed from the simple to the complex, from the natural to the cultivated state. And it bears, always, the mark of the process.

In Europe, as amongst all more advanced races, the influences responsible for the evolution of the criminal as a type are so deep-rooted in the social state, so various and inter-related, and so much a part of previous conditions, that it is practically impossible to sort them all out, to label and docket them, or to do more than isolate a few of them only.

But the case is otherwise in Kenya. In the aggregate, the African there is nothing but a good-humoured, primitive type. The question of his humour is important, as it flavours his outlook and conduct. His elementary misdeeds bear as little relation to some of the crime which he eventually commits as do the lapses of a good-humoured hound to the aggressions

of an ill-natured cur. But, equally with the hound, he can learn to be vicious—and he can do so by the play of his own impulses alone, without any need of a teacher.

The great majority of Kenya's criminals are, in my opinion, from my personal observations, made in prison. A gaol for recidivists is no more the place for the African first offender than would be a leper colony. Nor, in a great many instances, is it the place for the second and third offender. If there is ever a true comparison possible between the African and a child it can most nearly be found in the readiness with which he yields to his impulses, in the irresponsibility with which he offends, in his undeveloped conscience. The number of cases within my personal experience in which the punishment best fitted to the crime would have been a parental sound good thrashing is legion. Indeed, looking back, I am not sure that the majority of cases I have ever handled did not fall within that category, including the cases of a good many old offenders as well as new. For, whatever has happened to his mind, it is a long time before the Kenya African's heart is changed, and the directest appeal remains ever the greatest appeal with him.

It is not my intention to criticize the Kenya prison system. It is doubtless as good as any other prison system. But, in so far as the Kenya African is concerned, it appears to have no deterrent effect whatever on crime. It is not a stigma in native circles to have been in prison, and to the average African it is not a severe hardship. All the new offender does there which has an important bearing on his subsequent conduct is to meet the habitual criminal; and the ranks of the criminal class are, I am convinced, filled through the gaols and reformatories. In striking corroboration of this is the fact that the unconvicted criminal has not to be reckoned with in the Colony: if a Kenya African is a confirmed bad lot he is a gaol-bird, if he is not a gaol-bird he is not a confirmed bad lot. That, at least, has been my experience.

The establishment, at present receiving attention, of correctional camps throughout the country for certain classes of offenders should do much to remedy this state of affairs, provided they are conducted on the lines of African needs.

There is, of course, no doubt that bad associates do lead some into the paths of crime and are often the cause not only of a first but of subsequent offences. In Kenya, as anywhere else, the innocent may well land in bad quarters. But this is an incident in crime causes, not a serious factor. The criminal class in the Colony is neither so large yet, or so widespread, as to exercise any considerable influence. Moreover, in considering a group, the type of man who matters is not the man who is led into what he does, who started by being more or less of a tool, but the more forceful type of man who wanted no leading.

More indicative of the Kenya African's temperament and character is the one whose first serious offence is the result of some animus, is the reaction to some wrong treatment, real or imagined. Especially among Europeans in the Colony, it is to be observed that certain persons are always being made the victims of thefts and housebreakings whereas others seem never to suffer. There is, in nine cases out of ten, a direct connection between this coincidence and the attitude towards the African of the persons victimized. More often than not, gain is not the offender's only motive; he is actuated by dislike and a desire for revenge on someone. This is a very fruitful cause of crime. This class of offender is not corrected by prison.

It seems inevitable that in all mixed communities there should be considerable prejudice displayed. The result on the inferior race is insufficiently studied. It is productive of much that is harmful; and easy as it is by superior force to deal superficially with that type of thing, it has far-reaching consequences.

Indeed, it is rarely fully appreciated what is the African's position in a hurrying colonial community: how ambiguous it is; how desperately and continually he strives to bridge the gap which divides him from the capacities of another race more advanced; how very sensitive he is of his failures; how he broods on the evidences of his own inferiority. It may safely be said that crime in the Kenya African is frequently the result of a sense of failure, of having his inferiority drummed into him in a hundred different ways in his contact with Western life. Certainly, if you wish to find any real dislike of the

European, you must seek for it in the criminal class. You will find it there ; and find, too, if you know your African and can make him talk, many unsuspected resentments, many very revealing mind-workings.

Apart from this as a consideration affecting crime, it has another aspect which must eventually become important : and that is that the political agitator of to-morrow is being evolved in the criminal class. A very clear indication that such is the case is afforded by an examination of the personnel of the few existing native political organizations in the Colony at the present time. The fact, however, is hardly surprising when it is considered of what the criminal class consists. There it is that sentiment is hottest, that the most personalities are to be found, and that some of the best brains are to be found.

The whole question of the African criminal in Kenya is bound up with the question of African development in Kenya ; of the contact of a primitively organized people living in a primitive state with a highly advanced people living in a complex state ; of affording the African not only the new opportunity which he is getting, but the inward and invisible grace with which to reap advantage from that opportunity.

It would seem only reasonable, in this connection, to look towards the missions for a solution to the problem. Missionary effort has done more for the development of the African than anything else ; the missionary it was who blazed the trail where others have followed, and the missionary who has braved the worst of conditions in order that the good he had should be sown and take root. I am sorry, however, to have to say that, as far as my experience goes, a large portion of the criminal class of the Colony has come from a missionary environment.

The Kenya African will accept almost anything for which he can see some practical use. What he fails to understand does not trouble him, but, like a boy, he will seize on a fact while ignoring all that it stands for. Too often he merely paraphrases Christianity. When he does, he will adopt very readily the doctrine of equality, but be blind to its widest implications. To this type of individual the whole principle

is out of his range and out of his tune. He takes this and leaves that, and the effect of the whole upon him is to divorce him from the sanctions he knew as a savage and give him instead new ideas minus convictions. This kind of African gets much from the missions, but not ethics. He becomes sophisticated, educated, and detribalized ; he is inspired with new thoughts, and many new needs ; he is then launched in a world that is suddenly changed, but in which *he* is only different in mind, not in heart. The type, when you get it, is a potentially dangerous type. But it would, I suppose, be difficult to evolve a philosophy for consumption by some at the bottom and by others only when up at the top.

The criminal in Kenya, however, remains, I think, a singular type. He is mainly a rebel as yet, whose original offence was only some primitive lapse. For what he eventually becomes his environment must be blamed, for neither necessity nor hereditary taint are factors in producing him. But the effect on him of crime, crime as a vocation, is making him gradually vicious where once he was not. He is degenerating by his deeds, and in due course must inevitably produce the degenerate type, the inherently criminal type which is the plague spot in most other communities. Even now he is changing : a more determined element is to be found in juvenile crime, gangs are forming, and, rare as he is, the killer has definitely arrived. Police tactics have had to change in proportion : more modern methods have been called for, higher standards of protective and detective organization. And it is not the quantity so much as the quality of crime which has made needful the change.

Too swift a transition from his own to new conditions the Kenya African might, perhaps, weather ; as well as injustices real or imagined, and the thousand and one other things that must qualify his passing to a wider horizon. But it is doubtful if he will weather laws that were designed for a non-primitive people, prisons ordered on the plan of other necessities, and punishment by measures which rarely correct him, without contributing more and still more to the ranks of the criminal class.

I can, however, with safety commend him to the student

of crime and its causes, and to the sociologist and psychologist. The disease in him is young, the body is healthy enough yet, and the growth not complex. There is an opportunity to begin at the beginning; and material for some absorbing theories. Among others, there is a circular theory: through health to ill; by vigour and daring to crime; and by crime to its fruit, the criminal type, the type which a generation or two later is definitely the decadent type. This theory, if it be true, yields the strange spectacle of the less daring and the less virile passing on to real achievement while the original best type deteriorates.

The English Police System

By DAVID WEBSTER

Chief Constable of Wolverhampton, England

IN the distant past when a man killed his neighbour on the slightest provocation and acted as his own judge and jury, law and order were conspicuous by their absence in the general scheme of existence; but with the growth of civilization in this country came a new science, a science that was to safeguard the honest citizen and suppress the avaricious, the science of—may I coin a word?—Policology. I call it a science because of everything it now stands for, the difficult tasks its members have to perform, and the delicate missions it is sometimes their duty to do.

Its primary objects are well known. They are the preservation of peace, the prevention and detection of crime, and the enforcement of law. Who will disagree with me if I say that it requires a scientific and specially trained mind to accomplish these things with tact and efficiency?

We in England should be proud of our police system. Its chief characteristics, even to its faults, are typical of our race. A system of government, no matter whether it is police or any other kind of public service, to be really efficient and effective must be popular. I do not mean that for the sake of satisfying public opinion its ideals must be sacrificed or the ends of justice defeated to appease a popular sentiment. What I do mean is that its operation must be conducted in such a manner that *the sympathy and goodwill of the public are never alienated*. The voice of public opinion is at all times a delicate instrument, but remains such a deadly weapon that every possible endeavour, consistent with good government, must be made to work in harmony with the sentiment it displays.

In this respect we are fortunate, for the natural tendency of the British public is to lean to our side. I say the natural tendency, because it is inherent of human nature to love law and order. The mind of man is progressive. The child of this generation does not look back to those who gave him being, or the landowner to those who gave him the power of acquisition. Both look forward: the one to gather from life the pleasures and comforts it offers, and the other to enjoy all the privileges of proprietorship. Both also respect the law—not in fear of penalties they may incur by flouting it, but because good government is essential for their success in life. Here then we have a truth, the value of which, when recognized and properly explored, cannot be overestimated. It is an ally to successful administration and forms a pillar of strength in constitutional security.

But what of our system? A child of centuries, it has had for its master the mature hand of experience. The theorists and experimentists play no part in its destiny. I call it a child, because it will grow as the world goes forward. Its step has sometimes faltered and its progress, I know, has been from time to time interrupted; but the trials it has met with have served to strengthen its position in our civil life.

In its earliest days the police system as a civil service met with defeat, and for a period militarism was the all-governing power—a principle of administration, let it be understood, entirely without favour in the eyes of the British nation when applied to civil life. It became a tyranny and was the after-triumph of military conquest over principles of civil government. But a service that does not carry the country with it can never succeed, and the days of the sword were short and ill-famed. With the death of its ruler it came to a natural end, and the victims of its ambition, freed from bondage, returned to their proper spheres.

The nucleus of the English police system was re-established in the time of Alfred the Great. Crude as the method of that period for the preservation of peace undoubtedly appears to us with our greater experience, it was a vast improvement on all previous policies of civil government. Before its advent social crimes, if not allowed to go unpunished, were

treated as private wrongs, and offenders, when caught, were dealt with accordingly, whereby the country was kept in a state of continued unrest. Some of the punishments at that time included the death penalty for petty thefts and banishment for life for offences now triable summarily. But Alfred the Great in his wisdom directed his ministers to make laws for better conditions. The country was divided into counties, which were further subdivided. Sheriffs and bailiffs were appointed to report infringements of the laws of the government. Smaller areas were recognized, and every man was held responsible for his own actions and answerable partly for those of his neighbours. This was the system for preserving the peace during the reign of Alfred the Great. Its progress was hampered by the fact that so many of the laws were hastily conceived, and the ministers of that day were without previous experience to guide them in their legislation.

The system, however, degenerated during the reign of Henry II., and many sheriffs were dismissed. Efforts were made to establish it on a firmer basis, but apparently to no purpose, for in the reign that followed the system was once more in a state of chaos. Some attempt to place matters on a firmer footing was made in the year 1285 when the Statute of Winchester was enacted, which made provision for a watch to be kept in every town. But soon matters became as bad as ever. In the fourteenth century paid constables were appointed and were empowered to arrest all persons suspected of felony. Two centuries later an armed night watch was installed in the City of London, but this new venture soon became an object of ridicule. The payment for services was such that only old and decrepit citizens applied, and these, when on duty, in many cases went to sleep.

At a later date patrols, known as Bow Street runners, were formed in the City of London, and shortly afterwards horse patrols were introduced in certain towns and cities in the provinces. The result here is noteworthy, for many desperate criminals were brought to justice and crime generally decreased. I think it is fairly evident from the records quoted that up to about 1827 the various systems that had been adopted can only be considered in the nature of emergency

measures, and the errors and fundamental weaknesses existing in these systems were still their chief factors. But it is only by the recognition of faults that progress is made, and in the year 1829 the labour of previous years bore fruit.

On appointment as Home Secretary, Sir Robert Peel, acting on the report of a specially appointed Committee, presented to the House of Lords a bill for the policing of the metropolitan area. This was in the latter half of the year 1828, and in the following year the bill was passed and made law. One of its chief characteristics was the *responsibility of its agents*—a point so lacking in the old administrations—and although the system met with severe criticism from all sides it never once wavered in its progress towards the true ideal. Various ranks were created and a remuneration more in keeping with the arduous work to be performed was fixed. All was not well in the metropolitan area, and the Home Secretary cited the provincial forces as an example to be followed.

A point of interest in connection with Sir Robert Peel, and one that demonstrates his influence on the police service, is that the sobriquets 'Peeler' and 'Bobby,' so often applied to policemen even to-day, are derived from his name. This point, however, is only one of many that will for all time connect the name of Sir Robert Peel with the English Police. As pioneer of our present system, he created order out of chaos, and from the wreckage left by his predecessors constructed the framework of a system that has become an example to the world and a credit to civilization. It was not formed in a moment of panic, but was designed to meet immediate needs and to allow for future development.

Scotland Yard was created to supervise the machinery of the metropolis, and soon came the formation of county and borough forces. By the Municipal Corporations Act of 1835 it was directed that in every Municipal Borough a Watch Committee be appointed to have entire control of the Police; and the Municipal Corporations Act of 1882, in which the provisions of the former Act were re-enacted, forms the basis on which the present borough forces are built.

The formation of the various county forces was governed by many Parliamentary Acts. The first work of local Councils

was to appoint Chief Constables. Only men of the highest integrity were considered, and the most suitable candidates were retired army officers. It was not a question of practical knowledge of police duty, but of capacity for enforcing discipline and competence in training the members of the new forces. The practice of appointing retired army officers in county forces has been well maintained; and we find even to-day that, with the exception of Wales, army officers are still preferred when appointments are made in county forces.

In times of emergency special constables play a big part in the work of the service. The great railway strike in the summer of 1911 first brought home to the authorities the urgent need for such a body, and instructions were immediately issued by the Home Office for the formation of a special reserve to be attached to the various forces. The co-operation of the special constabulary was again evidenced during the Great War; and in May 1926, when many organizations were suspended in consequence of the General Strike, the excellent work of this reserve won unstinted admiration.

In the year 1910, the Police (Weekly Rest Day) Act was introduced. This made provision for members of a force to be granted one day's rest in every seven. Undoubtedly the authorities had begun to realize the truth contained in the old axiom, 'You can work a willing horse to death.' In more recent days we have the Lord Desborough Committee, which was appointed in March, 1919, by the Home Secretary to consider and report whether any and what changes should be made in the police service. The result every one knows. There was no hesitation about the Committee's recommendations. The scales of pay then in force were to be abolished, and a higher remuneration with a greater degree of standardisation was suggested. Many other suggestions for improvements were put forward and the general status of the police was raised to a much higher plane.

Like other successful organizations the police service has grown enormously. The old type of policeman, whose physique alone secured his appointment, is disappearing. With the advent of educational facilities the whole character of the service has changed. Fifty years ago it would have been

difficult to have found members of the service, except those who had served in the army, capable of drilling squads of police; but to-day the training is such that members of a force, without military experience, can be called from the ranks, and can drill and take charge of a platoon of men efficiently and creditably. At least half the membership of my force consists of ex-soldiers. I venture to think, however, that the men drawn from civil life compare very favourably with ex-soldiers. The latter miss the sergeant-major, and the army training has a disadvantage. It would be ridiculous to say that, if it results in a man becoming an automaton, as was formerly the case when a man dare not do this or that without a sergeant's permission.

Modern training equips a recruit with a knowledge of his duties and responsibility; he becomes conscious of the necessity of executing his duty with common sense, sound judgment and self-reliance. As a precautionary measure, he is warned of the consequences of any illegal act which might bring him within the scope of the law, and so the modern policeman is fully prepared and armed with the wisdom required for the full exercise of his intricate and delicate duties.

We must pay a tribute of praise to our former comrades who stood the test through the nineteenth century in building up the tradition of our noble calling; and although many had not the privilege of education, they were big-hearted men of integrity and honour. The phrase 'Big Noise' is an Americanism, and we often hear a great deal about the 'Big Four' at the 'Yard.' When they commence investigations crooks begin to quake and wonder when they will be enmeshed within the net. Where did the 'Big Four' come from? The bottom rung of the ladder. They have gained their knowledge in the school of experience, and their ability is appreciated by the public, who feel safe in the hands of such practical police officers.

The practice of appointing retired military officers to the premier posts in the police service, to the exclusion of men who have served not only their apprenticeship in the service, but who, after years of hard work, are looking forward to a

reward justly merited is not, I am pleased to say, so much adhered to as was the case in former times. If the practice of appointing other than police officers applied without exception, what prospects would there be for the student in police knowledge to secure one of the higher positions? I speak as an officer with long and varied experience and one who wishes the recruit well in the noble and honourable calling which he has chosen for his profession. It is for consideration which man is the more suited for the position of Chief Constable—(1) a man who has lived his whole life in the police service, and by hard work, initiative, loyalty and attention to duty has climbed to the rank of superintendent or inspector; or (2) a man who has been trained for a military career, who is first and last a disciplinarian and who has had no first-hand knowledge of police work.

As far as my judgment goes, there should be no hesitation in deciding what the answer should be.

The future, undoubtedly, holds many changes. The idea of grouping the police authorities for purposes of control is one that is growing in favour daily, and the merging of the smaller forces is a matter which must before long receive more consideration. Economy with no loss of efficiency is, of course, a great factor in police administration to-day; and it seems to me that an opportunity for considerable saving would be afforded by the installation of automatic control signals to take the place of traffic police. In the summer of 1927 I paid a visit to France and Germany for the purpose of inspecting the various systems of traffic control in operation there. I was amazed at the smooth working of the automatic signals and the ready manner in which drivers of vehicles obeyed the signs. In connection with that visit I should like to acknowledge here the kindness and courtesy shown to me by the President of Police, Berlin, the President of Police, Cologne, and the Prefect of Police, Paris.

Another American idea, and one which is gradually finding favour in this country, is a telephone system which brings various points into direct communication with the headquarters station. Wolverhampton is equipped with a police telephone call system. All boxes are in direct communication

with headquarters and they are so arranged that there is one, and in some instances two or more boxes, on every beat. If it is desired to communicate with a certain constable, an indicator on the box can be dropped by means of releasing a small lever at headquarters. This is of great value, and means that headquarters and the men on beats are in constant touch. Twenty years ago I advocated the value of a telephone system to the authorities of one of our largest provincial forces.

The past has given the police service a tradition; our present age provides character; and to future generations is left the privilege of carrying it forward from strength to strength.

The Dutch East Indian Police

By A. HOORWEG

Formerly Inspector-General and Chief of the Netherlands East Indian Police Corps

[Translated]

ACCORDING to Article 1 of the so-called Native Statute, *i.e.* the Statute which deals with police and the administration of justice among the inhabitants of Java and Madura, the following were the responsible authorities: (1) The village headmen, including all other native policemen, appointed over a specific territory; (2) the district chiefs, and their subordinates; (3) the native officers of justice; (4) the Governor and Assistant Governors and their staffs; (5) the Residents and Assistant Residents, as well as the various subordinate officers; (6) all others entrusted with the administration of the law.

Geographically, Java was divided into residencies, each of these being subdivided into two or more sections. At the head of each a Resident and Assistant were appointed. The link between the purely European Government and the native population was formed by Regents—the old native chiefs—assisted by their chief officer and the district chiefs.

Article 2 deals with the powers (similar to those wielded by the village and district chiefs) allotted to Moorish and Arabian, Chinese and other Foreign Eastern Chiefs. Since the establishment of the police force these officers have been enrolled and now come under the supervision of the regular police department.

These two Articles formed the foundation on which the whole police administration of Java and Madura was formerly based. The village police, under a headman and usually a member of the village council, undertook the daily police duties. The village headman exercised general supervision.

They had, in accordance with Article 11 of the Native Statute, to provide a night watch—a duty for which all inhabitants were liable. Along the roads ordinary sentry boxes were erected, whilst now and then a squad patrolled the neighbourhood. Outside the ordinary boundaries more sentry boxes were erected, and these were manned by the special constabulary drawn from the native population.

The supervision of the native police was originally exercised by the village headmen, who reported to their superiors regarding those liable for special constabulary duty, calling up in rotation those who became liable for service. By means of the sentry boxes a net was stretched over Java and Madura, which, in those days, sufficed for all needs. No organized police force existed. It is true that certain places were guarded by small detachments of mounted police, which assumed a semi-military character, but their numbers were insignificant.

For the development of the country an annual sum was allowed for each district to the Resident, who utilized it in appointing messengers and police orderlies for the Government officials in his district. These police orderlies were often more ornamental than useful, and merely followed in the wake of their superiors, adding to their dignity and guarding their homes and offices. No training for these police officers (known by the collective name of Administrative Police) was insisted upon.

When the Dutch East Indies began to develop, this state of affairs could no longer be tolerated. As a protection for the Government monopolies, a special police service had to be inaugurated; thus originated the 'opium,' 'coffee,' and 'salt' police. In the more populous centres, especially at places on the coast where trade had increased and where there was an influx of European and foreign Eastern races, it became necessary to reinforce the Administrative Police. Moreover need arose for further European police forces. The appointment of sheriffs and police sergeants was the result. These were under European control, but they were put in authority over a few constables and this gave them a certain amount of independence. In the chief centres of

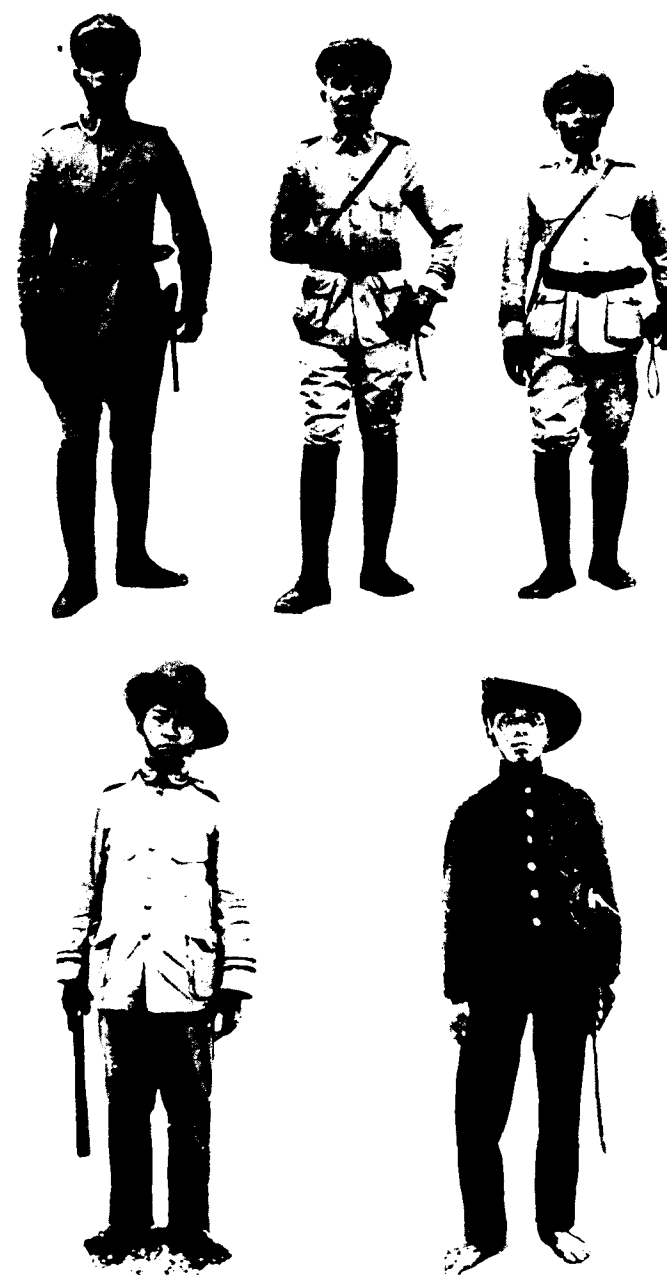


Photo. HEAD CONSTABLE, STATION OFFICER AND CONSTABLE OF FIELD POLICE.
Below. MEMBER AND POLICE ORDERLY OF THE ADMINISTRATIVE POLICE.
DUTCH EAST INDIAN POLICE

Java, viz. Batavia, Semarang and Surabaya, an independent controller of police was appointed, who acted under instructions from the Assistant Resident regarding the daily routine. This Town Police Force outgrew in this way the Administrative Police. All the police forces, in so far as they were State police, were jointly known under the collective name of General Police.

In 1897 a General Police Force was officially established in Java and Madura ; and the small semi-military corps then existing was superseded by eight armed police corps, which varied in strength from about twenty to fifty men, making a total of 261 riflemen, well armed and drilled under army discipline, and following the methods of similar corps which had already been in existence for forty years in parts of the island of Sumatra. They were, however, a force apart from the General Police. Generally speaking, the provisions made by the police did not keep pace with the rapid economic and political development of Java. A little later, the war between Russia and Japan evoked a self-consciousness among the Eastern races, and the influence of this awakening permeated the peoples of the East Indian Archipelago.

More and more the necessity for grappling with facts and handling the police organization with firmness became evident. The Government were, however, still chary of expending large sums of money on development ; but this attitude did not last long. As a result of a special inquiry an entirely new system for the three chief centres, namely, Batavia, Semarang and Surabaya, as well as those outlying districts, was inaugurated in 1911. At the head of each of the large town corps a Commissioner of Police was appointed, while the title of Sheriff was superseded by that of Superintendent of Police. The importance of this reform lay in the fact that it was a complete break from the old *régime*, by which the police were merely agents of the civil authorities. The scheme extended to the reorganization of the country police ; and this resulted in the union of all kinds of police specialists—officers who had been employed for specific duties under the Administrative Police rule, namely for the opium, coffee and salt trades. This, again, gave rise to a desire for the union of all the police organizations, an object which the course of time has defined more clearly.



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The reorganizations of 1911 were, however, too modest ; crime was rife and breaches of the peace increased. At last the Local Government began to realize that the rapid civilization of its people needed a more modern and sound police organization, and that small improvements were of no avail.

Reorganization of police in the large towns.—During the second half of 1912 the East Indian Home Office was charged with the duty of reorganizing the staffs of the three chief centres. The assistant chief of the armed corps was detailed to work out the new plans and put them into operation, and at the same time to study the whole police question in the Dutch East Indies. The Government no longer insisted on economy in expenditure. This is evidenced by the fact that while the expenditure in 1911 amounted to one to two million guilders, in the following year it rose to fifteen times that sum. This new attitude on the part of the Government regarding police matters made it possible to form a new organization in the three headquarters, which came into being in 1914 and is still in force.

What was the foundation of this important police reform ? It consisted of this—that the forces in the three large towns should be properly trained and subject to the strictest discipline. To achieve this purpose : (a) A State police school was founded, with the object of training Superintendents of Police, Sergeants, and first-class Constables (the control being chiefly European) for the whole of the Dutch East Indies. (b) With each of the three town corps a squad of recruits, consisting of 100 well-drilled men, was incorporated. (c) A resolution to house the Town corps in barracks was adopted. (d) Varying terms of service were settled. (e) Rigid disciplinary rules were framed.

The following programme was laid down for the Police School :

1. A two years' course for Cadets for the post of Superintendent (*Commissaris*). Applicants had to possess certificates showing that they had been five years in a secondary school or six years in a grammar school ; that they were at least twenty years of age, not less than 5 ft. 7½ in. in height, of good bearing and physique, and of irreproachable character.



SERGEANTS' CLASS IN POLICE TRAINING SCHOOL
DUTCH EAST INDIAN POLICE

2. One year's training for prospective Sergeants (*opziener*), preferably ex non-commissioned army officers, or young men possessing a certificate of a three years' course at a secondary school. The conditions of appointment were the same as those for a Superintendent's post, with the exception that the age limit in this case was thirty-five years instead of twenty-eight years.¹

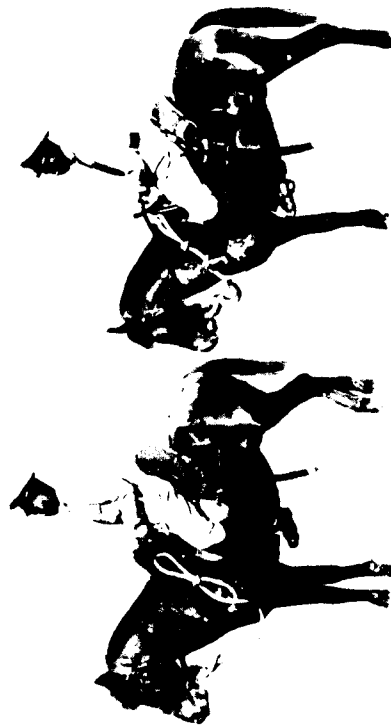
3. Six months' training for the post of Head Constable or First Class Constable (*hoofdagent*), preferably ex non-commissioned army officers or corporals of good conduct and appearance.

The training, which was spread over two years for a prospective Superintendent was very thorough. The Principal of the school, who was a Commissioner of Police, and the Vice Principal lectured on police rules and regulations ; a university graduate lectured on law ; special teachers gave instruction in English, French, and German, so far as concerned police technique ; a retired civil servant initiated them in the Javanese and Malay languages and gave them an insight into the geography of the country as well as the customs of the peoples ; while a native teacher assisted in oral instruction in the case of the last two named languages. Fencing, gymnastics, and the art of self-defence, marching and revolver shooting also formed part of the training. A chemical laboratory formed part of the school, where the pupils learnt chemistry and physics as well as blood analysis. A finger-print office with a staff was also attached to the school. A police museum, too, was opened.

The training of a prospective sergeant was shorter and therefore stood on a lower plane ; but it was, nevertheless, an intensive course. This also applied to the higher grade constables. Those men recruited from the ranks who displayed special competency became eligible for promotion on completion of a few years' service, by taking a course which qualified them for the rank of sergeant.

From the foregoing it is evident that the greatest care was exercised in the training of officers. This system is still in

¹ Note by Translator: The rank of inspector, so-called, between sergeant and superintendent, does not exist in the Dutch East Indian Police.



FIELD POLICE ON PATROL DUTY
DUTCH EAST INDIAN POLICE

force, and improvements have been made after the first few experimental years. The period of drilling for recruits in the Town corps was fixed at six months. They were trained on almost military lines and initiated in police duties at the same time.

As a result of this careful training for the higher and lower ranks, the prestige of the police force and its status in the eyes of the public naturally rose. This indeed had become necessary in the case of the native policeman, in order to give him confidence when dealing with Europeans; for the latter had previously not been impressed by the untrained officers of the Administrative Police. By degrees the trained police force has attained the position which it is justly entitled to occupy; and, after years of patience, it can look back with satisfaction over the period of its training.

The formation of the Town corps may be briefly described. At the head of each corps a Commissioner of Police has been appointed. He is assisted in his duties by a Deputy Commissioner. They are stationed at the head police office, where the administrative and the detective staffs also are housed. The central stores for clothing and arms are adjacent to the head office. The headquarters detective branch is supervised by a Deputy Commissioner or a first grade Superintendent. The general control and traffic police department is also placed under a Senior Superintendent.

In the General Police there are the following ranks:

European staff.—Inspector-General of Constabulary; Deputy Inspector-General of Constabulary; Commissioner; Deputy Commissioner; Superintendent of the 1st and 2nd grade; Deputy Superintendent; Head Sergeant, Sergeant and Probationary Sergeant; Head Constable of the 1st and 2nd grade; Chief Detective of the 1st or 2nd grade.

Locally recruited staff.—Native Superintendent (*wedana*) and Deputy Superintendent; native sergeant (*mantri*); station officer of the 1st and 2nd grade; detective of the 1st and 2nd grade; probationary detective. It is to be noted that the appointments ordinarily held by Europeans are also open to the indigenous and other Eastern races, provided they satisfy all the requirements. The Superintendents can rise to Commis-

sioners and Inspector-General; the Head Constables and Sergeants to Deputy Superintendent.

The headquarters staff of the detective department, apart from the chief, a deputy and an administrative chief, consists of one or more Superintendents of the second grade and Deputy Superintendents, some senior sergeants, some senior detectives, and, finally, a large number of native and Chinese detectives and probationers. The detectives of the headquarters staff assist the departmental detectives in the investigation of crime but act independently in the more serious cases.

The headquarters administrative department deals with the allocation of its staff within its particular section, and is responsible for traffic control and special arrangements made at the time of festivals. This department also exercises control over motorists and motor vehicles, and is assisted by a strong flying squad which acts as a general reserve for patrolling the town. Each town is divided into two divisions, under the direction of a Superintendent of the first grade, each division again being divided into two or more sections, under the control of a Superintendent of the second grade.

The divisional chief issues instructions to, and exercises authority over, the junior section chief. The staff of his office is composed of a Superintendent of the second grade, two Sergeants and some clerks. The divisional chief is now, however, indispensable as an intermediary link. In a few years the Dutch Indian police force has grown from nothing into a great organization, necessitating the appointment of comparatively junior Superintendents. These are not, however, in a position to take independent action of any importance, and at the same time it is impossible to submit everything to the Commissioner and his assistants as these are already overworked. The section chief is charged with the control of the lower ranks, and is responsible for the working of the preventive as well as criminal police. In the more important sections the deputy superintendent often assumes the rôle of deputy chief.

In the detective department of the section two or more sergeants together with a few native sergeants and several detectives are usually employed. Special care is taken in the

employment of the harbour sections. Numerous European first grade constables and detectives are employed in this branch. For the use of the harbour police, the section chief has several fast motor boats at his disposal, whilst at Surabaya, where there are occasional acts of piracy, a floating police station has been installed.

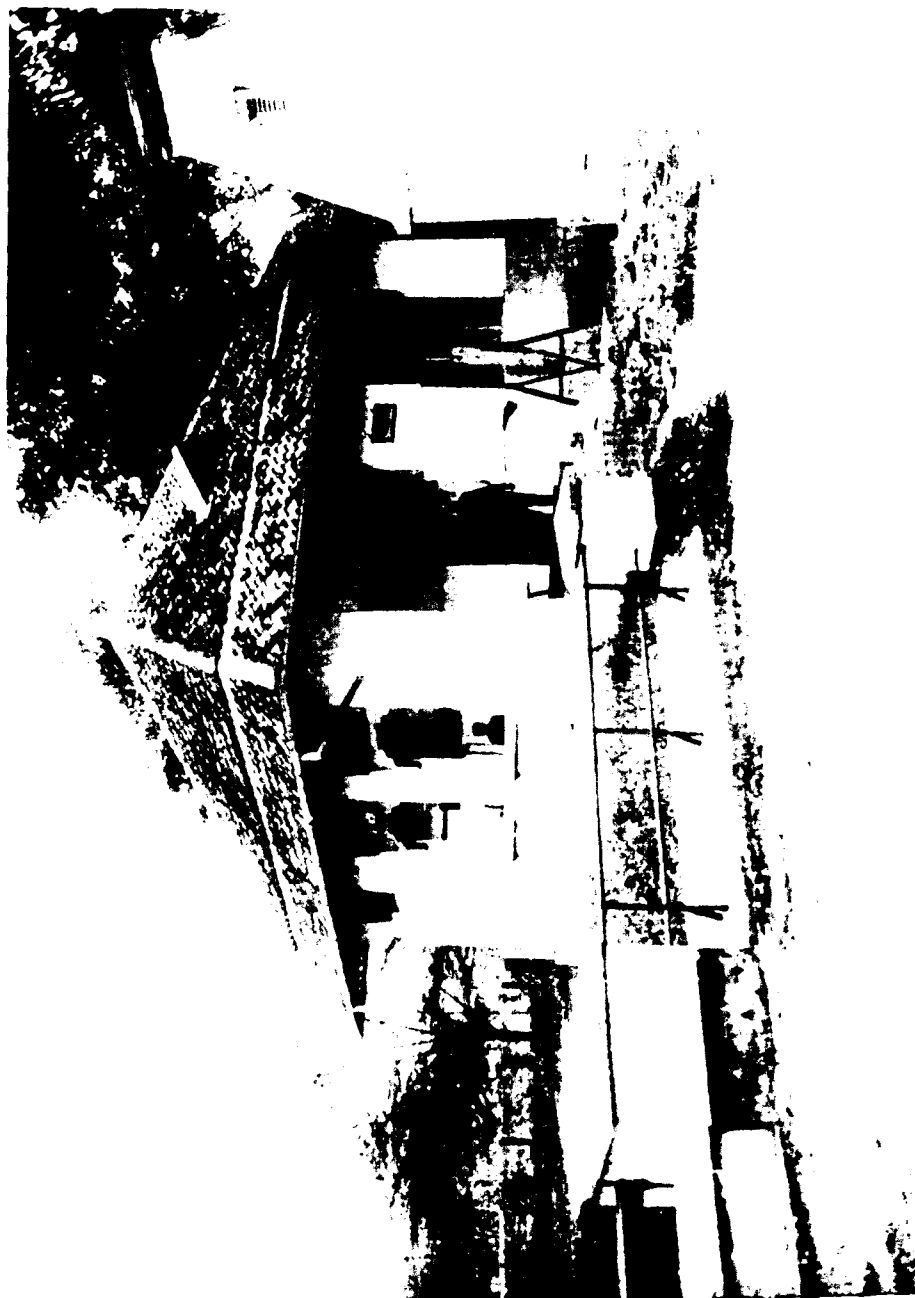
The street patrol service is divided into three shifts, which are so organized that the constables receive a day and a half off every three weeks. The native constables are divided into three shifts, each under a sergeant, who acts as station officer during the period of duty at the section house. Two first grade constables are at his disposal for special duty. The native constables do their allotted beat round the area in the section and spend about six of the eight hours' shifts on street patrol. The outlying areas of the section are supplied with sub-stations of a more modern type than the guard-houses, which, since the reorganization, have been used as sentry boxes, over which a station officer of the 1st or 2nd class is put in charge. It was impossible at the time to arrange for beats outside the towns, where the country is thickly populated; incidentally it would be too expensive. Now and again a uniformed squad is sent, though this is hardly sufficient. As a result, evil-doers have sought refuge outside the patrolled areas.

When the reorganization abolished the watch-service, it was necessary to adopt other methods of defence against the enemies of the State. One solution, which in practice works very well, was found by the institution of police circles, in each of which a native sergeant was appointed, together with several detectives. This officer with his staff has to live in a particular area and keep under observation the conduct of the population, especially all revolutionary and evil elements. This native sergeant is under the direct supervision of the section chief, and is also in touch with the detective section of the head office: a native deputy superintendent acts as a liaison officer.

The constables and the officer in charge live together and under service regulations, thereby enabling theoretical instruction to be given in the barracks instead of at the police station. Life in barracks ensures discipline, and at the same time fosters



ORIGINAL TYPE OF GUARD HOUSE (MADE OF SPLIT BAMBOOS)
DUTCH EAST INDIAN POLICE



A MODERN STREET-ARREST POLICE STATION
DUTCH EAST INDIAN POLICE

THE DUTCH EAST-INDIAN POLICE 587

an *esprit de corps*. In times of disturbance the whole body can be held in readiness and take action at a moment's notice.

The street patrol is organized in accordance with the regulations of this branch of the service. These regulations hold good for the entire Dutch Indian police, so that wherever a force of any importance is established, there is a uniform practice in all areas in Java and Madura.

After the reorganization of the police in the three chief centres it was deemed advisable to place other more or less important towns on the same footing, although perhaps on a more modest scale. This took place in the most important trading centres on the islands of Sumatra, Borneo and Celebes.

*Institution of a Force for rural areas (Field Police).—*All these measures added to the efficiency of the town police, but they unfortunately affected the safety of the rural areas. Malefactors made their plans in peaceful surroundings and menaced the towns. The administrative police were reinforced in an effort to stem the evil, but unfortunately without result. In the meantime the conscript native constables were exempted from service along the main roads, so that only the native watch in the villages and in small towns remained. Some of the members of the administrative police took over the duty previously undertaken by the native conscript police, with a result that a systematic watch on the high roads was neglected.

With the awakening of the East, and the progress of the native movement which consolidated itself into a national society named the Sarikat Islam, and grew in size and influence among the population, the authority of the native and European administration was threatened: in fact the movement began to insinuate itself between the Government and the people. The situation thus caused led to the institution in 1919 of the Field Police Corps (*gendarmerie*) which consists of a force of 3,000 men distributed among eighty-nine detachments over Java and Madura. After six months' training this corps was ready for its task. In every area recruits were placed in temporary barracks and drilled by a superintendent of police and some army officers. The detachments varied in strength according to the density of the population and were all

housed in barracks, well trained, and armed with swords, revolvers and rifles. No less than 350 motor-cycles fitted with side-cars and pillions were pressed into the service, whilst all men were mounted either on horseback or motor-cycles according to the district in which they were stationed. In every Residency a 1st grade Superintendent was put in charge as Commandant of the Field Police.

Thanks to this prompt and decisive action, the Field Police were able to render valuable support to the Government. As by magic the conditions changed in the country areas, and order reigned. Together with the Field Police, numerous detective agencies were established for rendering assistance in tracking down subversive movements. An office had already been established in connection with that of the Attorney General of the Dutch East Indies, where all political reports emanating from the Residents and Governors concerning the state of affairs were received and studied.

The scheme also entailed the erection of a Field Police dépôt and the appointment of a Commissioner. This officer had the assistance of numerous experienced officials who performed their duties with zeal and devotion. In dividing the men among the various detachments the greatest care was exercised from the very beginning. It was a fixed rule that the constables should be of good social standing, and speak the same language, but not be all drawn from the same district.

At first only the personnel for the Field Police were trained at the dépôt, but since 1925 recruits for the Town Police have also been taken, so that the recruit section in the three chief centres could be dispensed with. The writer is of opinion that an important step has been taken towards forming a uniformly trained police force. The recruits for the large towns, the station officers for both corps, probationary police constables, as well as candidates for the detective force for the whole of Java, receive their training and education all together. In 1925 the police school and the central dépôt at Sukabumi were united and brought under one control.

As the training of recruits entails a severe tax on the men's physique, a central cookhouse has been erected to ensure a proper diet. A hospital and a clinic have been added to the

dépôt, and a surgeon and a nursing staff are in attendance. The sleeping quarters in the barracks are not divided into cubicles as are those of the Field and Town Police, but dormitories have been provided. The whole routine in the barracks is based on military lines: care is taken to ensure the necessary rest for the men when they are off duty.

The introduction of the Field Police in Java and Madura led to the abolition of the small detachments of armed police which had become superfluous. The institution of the great Town Corps, the expansion of the police in the smaller towns, and, lastly, the formation of the Field Police, together with the central dépôt and school, led to the demand for a technical centre. The necessity for police reorganization has long been apparent to the writer, and he had striven for years all over the Dutch East Indies to attain this object. What was required was a technical inspection department at the head of the whole police reorganization. In 1920 this object was achieved, with the result that he was appointed the first Government Inspector (*i.e.* Inspector-General) of the General Constabulary for the Dutch East Indies. Another Inspector was nominated as his assistant. At present this department consists of an Inspector-General, an Assistant Inspector-General, and three Deputy Inspectors-General, as well as an extensive office staff. Furthermore, in view of the reformed administration which divided Java and Madura into three provinces, a Deputy Inspector-General was appointed to each of these provinces in order to assist the Governor in the technical control over the police force.

Probable lines of development.—From the foregoing it will be seen that, as regards the formation of the General Police in Java and Madura, the three chief centres, Batavia, Semarang, and Surabaya have at their disposal a modern and well trained police force, under service regulations and subject to the strictest discipline; that the other important towns are under the protection of a police force which corresponds to that of the three chief centres, though these towns cannot boast of constables who have been previously trained at the central dépôt at Sukabumi or of a garrison corps; that the Field Police forms a powerful, well trained, armed and mounted corps,

capable of supporting authority ; and that the rest of the administrative police in the country is still insufficiently organized and trained. Nevertheless, when serious troubles arose in November 1926, it was obvious that, thanks in the first place to our army, authority could be maintained without special effort ; even the administrative police, in spite of its poor equipment, stood its ground bravely during these times and upheld our authority loyally in spite of the casualties amongst them. The situation in the police areas in Java and Madura can certainly be regarded as satisfactory.

This statement must not be taken, however, to mean that we can look on the situation with complacency, as the Dutch Indies are developing rapidly on economic and political lines. The police organization must grow with the country, otherwise it will soon lag behind and fail to fulfil its task.

This system will have to be built up around the Dutch Indian administration, and be supported by well paid and armed policemen in order to fulfil their trust and perform this difficult duty. This object can only be attained by rearranging the administrative police, so as to fit them for their duty on the lines of trained constables. As in the case of the field police and the large town force, they will have to be provided with a training dépôt and come under service regulations, clad and armed like the sister corps, the field police. Although their standard will have to be different from that of the well drilled field police, their trustworthiness and efficiency must not be one whit less than that of the latter. This is only possible if a solution can be found in a healthy spirit of co-operation between the town, field, and administrative police forces, so that the more experienced men from the two former corps who have benefited from discipline and drill may choose a more independent and agreeable sphere in the service of the administrative police.

When the writer commenced his organization work in 1912, he aimed at instituting a well trained police corps for the whole of Dutch India, and contemplated the founding of three large dépôts in Java from which the reserves could be drawn, and also a general police school for the superior officers. The recruits would have to be trained and drilled at those dépôts.

After the reorganization of the administrative police this would become the ideal. The joint training of recruits for the field, town, and administrative police and the ultimate appointment to the different corps would tend to make all police officers feel that they belonged to one great body, irrespective of the branch of service. This *esprit de corps* would by its unity form a mighty barrier of defence for the protection of loyal people in time of trouble.

The outlying areas.—The development of the police force in the outlying areas followed entirely different lines from those in Java and Madura. By the phrase 'outlying districts' the following are to be understood : the great islands Sumatra, Borneo, and Celebes, with their surrounding small islands, the small Sunda islands, the Molucca archipelago and Dutch New Guinea. Except in the areas directly under the Dutch in former days, Dutch authority held little sway : the local rulers, while acknowledging our suzerainty, tolerated little or no interference in their own affairs from our Administration. Often they were unwilling to follow the instructions of our Administration, and therefore great tact and patience had to be exercised in order to avoid conflict with these independent chiefs. Some positions of strategic importance had to be guarded by our troops in order to see that our authority was not overruled. It was in these garrisoned places that a few constables were added to the administration.

An organized police force at that time was out of the question. It was left almost entirely to the Native Chiefs to perform any police duties. Here and there small armed police corps were stationed in the interior, whose duty was described by the Government as follows : The Corps of Armed Police is formed with the object of guarding the administrative centres situated in isolated places which cannot easily be reached by a military force, so that the armed police may be a protection to the officials during any disturbance, when the ordinary police are unable to restore law and order. It would appear from this that the Government of the Netherlands Indies was chary of dissipating the strength of the army in the creation of small outposts.

The period of peaceful occupation.—Wherever a long peace

reigned in the interior there was a tendency gradually to utilize the armed police for work outside their sphere. Little or no attention was paid to training or exercise, and the position became alarming. Meanwhile there intervened the 'Van Heutz period,' named after the great general who was the first to force Atjeh to submission when that country had waged war incessantly against us since 1871. Afterwards, as Governor-General of the Dutch East Indies, he set himself the task of extending the Dutch military frontiers and enforcing our authority; and his successors moved also in the same direction.

In numerous districts the army had to break down opposition in order to enable the administration to pursue its new duties. Wherever this had been done and the trend of public feeling had been ascertained, the army relinquished authority and the armed police stepped into its place. Still greater was the demand when the altered political conditions in the Pacific drew attention to the question of the defence of Netherlands India against foreign invasion. The armed police could, moreover, only perform their new duties satisfactorily after a complete reorganization. This caused the Government in 1910 to entrust a senior staff officer of the Dutch Indian army with the task of preparing a new organization scheme. The writer was appointed by the Army Council to assist him. Squads of armed police were formed, leading up to the foundations of a large armed force which was brought into being in 1912. It is of importance to give a short account of the structure of this Corps.

In all areas outside Java and Madura a division of armed police was stationed, and all the divisions together formed the armed police Corps, at the head of which a Chief and an assistant were appointed. The senior staff officer became Chief, whilst the present writer, after a transfer from the army to the civil service, became Assistant Chief. At Sukabumi large administrative depôt for armed police was founded, with a divisional commander as director. The depôt was divided into three sections, each being placed under the supervision of a section commander. Two of the sections were made up of recruits—about 300 men in all (later 400-500), the third being a drill school, where the new personnel was trained. The period

of training was fixed at from four to six months, and the drill squads at four months. The training staff consisted at the outset of officers; and in the divisions in the outlying districts, the section commanders were usually ex non-commissioned officers, and the divisional commanders captains and staff officers. The recruits were drilled in military fashion, and taught how to traverse jungle paths, and to face native mobs. The equipment consisted of swords and repeating rifles, and the uniform was the field dress, strengthened for rough jungle work.

The divisions in the outlying districts were made up of a number of detachments; each numbered twenty riflemen, among whom were one sergeant and two corporals. All the corps were kept in barracks placed under service regulations, while the discipline closely followed that of the army. To begin with, the whole strength of the Corps consisted of between 4,000 and 5,000 men, but their numbers increased from year to year, making a total of 500 detachments representing 10,000 riflemen.

The chief task of the armed police was the maintenance of law and order in the districts. That this task was by no means a sinecure is proved by the lists of casualties and decorated men. Further duties consisted of escorting officials of the administration on their tours; the guarding of prisons, banks, and other important buildings; the transport of prisoners under trial or under sentence; and the patrolling of the administrative headquarters when the administrative police were unable to control the situation.

The first few years of the Armed Corps were the most arduous. As the population became more accustomed to our authority, the immediate need of the armed police as a semi-military force diminished, and a request was placed before the Administration to slacken the rigid military control. The Government were sympathetically inclined towards this request, and less repressive regulations were enforced. The suggestion arose of allocating police authority to the armed force, but obviously this meant the grant of authority to a body without experience. The first signs of the end of the effective usefulness of the Corps loomed in sight. There was still a task to be

performed in the more primitive areas which are to be found in the more eastern areas of our domain (Celebes, Moluccas, New Guinea, and the small Sunda islands); but in areas where the population had reached a higher plane of culture, the armed police were no longer needed, and were therefore replaced by the field police.

In 1923 the change took place. The temporary prosperity during the first years after the World War was followed by a deep depression in trade, and, owing to the economic conditions, difficulty was experienced in meeting the cost of expansion. Thus retrenchment was necessary. The firm action of our army had established our authority in the outlying districts, and everywhere peace prevailed. A new sphere of employment was found by allotting the duties of the armed police to the army in the more primitive parts of the archipelago and in Borneo. In the west, Sumatra and surrounding islands, their duties were undertaken by the field police, who draw their reserves from the great depôt at Soekamoemi in Java.

The fate of the armed police was thus sealed. Only in Dutch New Guinea and in a small part of North Celebes have they been able to maintain their position. Everywhere else they have been replaced either by the army or by the field police. The total strength has dwindled down to less than 1,000 men, and they have been placed under the Inspector-General of Constabulary. Thus the independent status of the armed police came to an end. Five years have since elapsed and this period has provided an effective test of the new organization for the police control of the outlying areas.

Have the armed police been entirely abandoned? In the opinion of the writer, brighter times are in store for them. Undoubtedly the army, at the moment, efficiently performs the duties which were once those of the armed police. There are, in the writer's opinion, two drawbacks in using the army for this purpose. The first is that its mobility suffers. The second disadvantage is that the civil administration tends to rely too much on the army. It will not be surprising if there be a reinstatement of the armed police.

Thereby we are reminded of the lessons which we have

learnt from the development of the outlying districts, namely, that with the reorganization of the armed police the districts will attain a higher civilized and economic plane, and then the need will arise still more for incorporating the present force with the field police. The tasks of the armed police are not so varied as that of the army and field police, though the duties of both converge ultimately. This will lead to the necessity of training the new armed police and organizing them to such an extent that they may be competent to act as field police without any noticeable break. This decision will set its seal on the training, which should not present any difficulties providing the recruit period is extended for a few months. So they are destined, though possibly after an interval, to be absorbed by the field police. In fact, the name of field police may be attached forthwith to this new police force.

If we assume that these visions regarding the organic development of the police in the outlying districts are destined to be realized, a unity of the same character would also be created outside Java and Madura and police methods would be similar to those of the last two named places, thereby attaining the last step along the difficult road towards a great ideal: namely, one great, well trained, and armed Corps of General Constabulary for the entire Dutch East Indies.

Mock Auctions and Rigged Sales

By JOHN STEVENSON

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MOCK AUCTIONS,' of one variety or another, date back at least to the eighteenth century. A trap for the unwary of all classes, they still remain practically unchecked, as they were a hundred years ago before any proper police organization came into existence. 'Rigged Sales' are a rather more modern invention of the fraudulent, and combine the advantages of less likelihood of detection with greater prizes.

If the above brief statements be accepted as the truth, they are at once an answer to those who allege that no special legislation is necessary for their elimination. Clearly so, because if the ordinary criminal law could have been effectively put in motion, 'mock auctions' and 'rigged sales' would be a thing of the past, whereas in fact they flourish like the green bay tree, although from time to time the light of undesired publicity may force them into temporary obscurity. It is, however, perfectly true that at rare intervals convictions are recorded against 'mock auctioneers' for obtaining money by false pretences, stealing by a trick, or, more rarely still, for common law conspiracy. But it cannot be too strongly emphasized that there is every reason to believe the real principals are practically never involved in these prosecutions.

The object of my Society is to make the holding of mock auctions and rigged sales illegal *per se*, and to divide the responsibility for taking the initiative against them more or less equally between the police, the genuine auctioneering profession, and the public. For four years we have striven to pass a Mock Auctions Bill through Parliament, and though we have not yet been successful we have been assisted in our endeavours not only by commercial organizations such as the

onal Chamber of Trade, the National Association of Goldsmiths, the London and Suburban Traders' Federation and others, but also have had our efforts backed by a large number of Chief Constables of some of the principal cities and towns of the United Kingdom. Our latest Mock Auctions Bill has failed to secure the approval of a House of Lords Select Committee. It is, nevertheless, hoped that before the new Parliament is many sessions old an agreed measure will pass into law.

In describing the procedure at mock auctions—rigged sales I shall deal with separately later on—I do not think I can do better than reproduce the salient portions of a booklet published in 1926 by my Society at the instance of its Chairman of Council, Mr. Ernest K. House, Manager of the Estates Department of Messrs. William Whiteley, Ltd. This booklet was edited by myself from the revelations of an aforesaid 'mock auctioneer,' and in many parts the wording used by this individual is recorded unaltered.

The ramifications of the bogus auction business are vast, and the wonder is that it has flourished for so long without steps being taken for its legal suppression. It has its own code and its own language, chiefly made up of Yiddish phrases and terms used by the 'crook.' The goods advertised for sale by public auction, and generally known as 'swag' or 'gear,' are nine-tenths specially manufactured, imported and supplied. In all cases they are got up to meet the eye. Every 'run-out shop' buys the same lines, which prove, on close examination, to be the veriest trash, particularly with regard to jewellery, cutlery, plated goods, field glasses, etc.

The vendors or suppliers of these 'auction goods' are known as the 'swag merchants.' Their billheads describe them as 'Jewellers and Direct Importers,' the great majority of their cheapest trash, of course, coming from Germany and certain other parts of the Continent. Their warehouses are in Manchester, Birmingham, and the East End of London.

Having secured his 'pitch,' or shop, the boss of the 'run-out workers' starts. The business being a very paying proposition, he can outbid the ordinary retailer, and that to a considerable extent, for the temporary use of the shop; he buys or, if

his standing and credit are good, simply orders from the swag merchants the exact amount of goods he thinks he will require to commence his 'Sales by Auction.' These goods are practically standard, and are grouped under well-defined lines for the successful working of the 'run-out,' as will be explained. Posters or bills are then printed and posted over the windows, also round and about the shop, announcing: 'Stock' (by order of some fictitious jeweller or other fictitious name and address) to be sold by Public Auction, entirely without reserve, consisting of valuable plated goods, watches, jewellery, chiming clocks, etc., etc.' In addition, the shop is dressed with other goods, known as the 'flash.' Needless to say, these goods are of much better quality than the 'running lines,' and sometimes include genuine antiques. In order to spread the 'flash' out, and make a representative show, a leavening of the better-class swag stuff is placed among them.

The status of the 'boss' and the shop, amongst the 'run-out workers,' is determined by the 'flash' he carries, and the strength of the flash or the magnificence thereof is determined by the locality of the shop, it being unnecessary to have an overpowering flash in a working-class district.

Having displayed his flash to the best advantage and billed his windows, etc., he has set the stage for a successful run of gulling and swindling of the public. The staff have already been engaged in readiness, and are all specialists in the game, consisting of two auctioneers or 'hammerers,' as they are known, two 'pitch-getters' and 'floormen,' a doorman and a clerk, sometimes two. Generally speaking, even the meanest shop in the business carries two hammerers, working in reliefs.

The 'hammerers' are paid on a commission basis only—12½ per cent. in the winter months, and 15 per cent. in the summer months at seaside shops. They are the chief actors and mainstay of the business, and when it is known that their average earnings in any good shop range from £10 as a minimum up to £20 and £30 per week, it may be realized what a paying proposition the business is, and to what length a hammerer will go in gulling the public in order to increase his sales and thereby increase his own earnings. Apart from the hammerers, the rest of the staff are paid wages or salaries.

The function of the doorman or commissionaire is chiefly to keep the doorway or entrance of the shop clear, to drive away undesirables whilst the sale is in progress, and to deal tactfully with anyone likely to create a scene as a result of the operations. Sometimes a perfectly honest man is engaged as the doorman, in order to lend an air of substance and respectability to the sale-room, and to help to make the sales appear as proper and legitimate as possible. Of course, in such latter cases the ways and tricks of the business are unknown to him, and nothing appertaining thereto is discussed in his presence, beyond such phrases as are used with safety in the peculiar vernacular of the business, and in code.

The duty of the pitch-getter is to go to the door or entrance of the shop with a wheeled table, on which is spread a representative number of swag lines and 'plunder,' in order to get a 'pitch' into the shop, or, in other words, get a number of people around him at the door, by loud declamations and descriptions of the stock for sale, giving away small articles, 'nailing' them for a few coppers, so that they cannot go away, or asking them to hand up, say, a couple of coppers for a small box or pipe, which will be given free, in addition to other various lots as soon as the sale commences. The pitch-getter then hands them over to the hammerer, and retires out of sight.

Every pitch or sale is attended by one, two or three confederates, known as 'ricks' or 'gees.' To all outward appearance they seem just ordinary members of the public attending the sale, throughout which they are in constant communication with the hammerer and floorman by signs, slang, crook or Yiddish terms, which are shouted quite openly from the top or rostrum by the hammerer, with perfect safety, for the language is just so much Greek to the ordinary members of the audience. While not actually recognized as members of the staff, they generally receive 7s. 6d. per day for their services. In town the ricks generally divide their services between the different run-out shops, putting in one or two different days at each. The more mediocre the hammerer, the more the ricks' services are in demand.

The auction goods of the run-out shop follow clear and

well-defined lines, and may be grouped under the following headings :

(1) The 'flash' used for dressing the windows and adorning the sale-room.

(2) The 'swag,' goods actually for sale by auction, usually concealed at the back of the rostrum, each piece being brought up for the actual 'sales' in much the same manner as a conjuror produces rabbits. These goods are known, also, as the 'running lines,' and are used for 'working the run,' as the swindle is termed by the operators themselves.

(3) 'Plunder,' meaning small lines at a few shillings the gross from the 'swag merchants,' given away at the door by the 'pitch-getter' in order to get people into the shop, and also by the hammerer during his sale in order to create confidence in his audience.

This plunder is given very judiciously, and with due regard to its psychological effect on certain members of his audience.

The actual sale may now be described. It is to be understood that the hammerer has had his pitch handed over to him by the pitch-getter. A number of his audience are successfully nailed for a few coppers on some trifling article in a box which has been promised them free together with their money back. His ricks are in position, and his floorman ready and waiting for him. He then commences to work up his audience, selling 'half straight,' as it is known, and 'creating a good impression.' If the pitch is hard, or not easy to work, he will resort to every artifice of oratory. More and more plunder will be given away, until various members of the audience, according to their temperaments and the exact amount of influence the hammerer has by now attained over them, begin to nibble at small lots and eventually fall altogether. And so, having discovered through his 'gees' who are the wealthier members of his audience, he now devotes himself to these, who are known as 'sarkers.'

The next stage is the 'gazoomphing' of a 'sarker.' For the purpose of a better explanation of the hammerer's mode of working, we will assume that in this instance it is his intention to work one of them only, one who has been reported to him as 'John Peel,' 'help yourself,' or a 'bundle.' He offers this

individual the choice of a small canteen of cutlery, and a 'rolled-gold hunter watch,' costing wholesale 45s. As it is generally the only watch in the shop with a recognized name, the hammerer is able to really let himself go with a long detailed description of this particular watch and its various merits, laying great stress on the well-known name of its maker.

The sarker having evidenced some amount of interest in the watch is eventually induced to give the last bid upon it, and the hammer falls when the bidding has reached, say, £5. He is then induced to tender that amount of cash, which the hammerer holds together with the watch. The hammerer then prepares for his first big 'gazoomph,' and we will assume that it is his intention first to gazoomph the sarker for £20, and then afterwards for £50. A tea and coffee set, third-rate electro-plate, but very nicely got up, is offered. It consists of five pieces, tea and coffee pots, sugar basin and the cream jug, complete with a silver on copper salver. This set, the best used in the business, costs, complete with salver, £4 7s.

Detailed description of this lot is then given, great stress being laid on the fact of the salver being silver on copper, and a highly fictitious value placed upon it and that of the set. The bidding is then run up as before to within one pound of twenty, and the sarker is pressed by every method to go the extra pound and bid the twenty, although the hammerer does not really wish him to do so. In the event of his bidding the £20, this occurrence is known as 'coming on the gazoomph straight,' *i.e.* the sarker has bid the required amount without the process of the gazoomph being resorted to, and to his own disadvantage.

We will assume that the sarker will not bid £20, and the gazoomph is resorted to, as has been all along intended on the part of the hammerer, and it is in this manner. The sarker is asked if it is a question of want of cash with him, and on a non-committal answer being received, the hammerer affirms that it is his intention to make a special discount to this particular gentleman for bidding him £5 on the watch. He then asks the sarker if he will bid £20 if given the money to help pay for it. This sometimes elicits an answer in the affirmative from the potential victim.

The watch, the tea and coffee set and the salver are all placed together, and the hammerer states that he proposes to make the gentleman a present of the watch and the £5, stating and getting his victim to agree with him that £5 in cash and £5 in property equals £10. The cash paid in the first instance for the watch is placed on top of the two lots, and he is asked to bid £20 for the lot. In nine cases out of ten he will do so with alacrity in the confusion of the moment, all the while under the impression that he is getting £5, which is really his own money, for nothing, together with a supposedly valuable watch, by bidding £20 for the tea and coffee set!

A large canteen of cutlery, costing from ten to twelve pounds, and looking a handsome lot, is then put up. The bidding is run up, this time within one pound to £50. All the while the victim has been completely ignored, the hammerer pressing everyone in the sale-room with this one exception, each in their turn, and ricks included, to bid him the final pound to make up the required £50, stating that the canteen should not be sold, owing to its special quality, etc., under £75, or even £100.

Turning to the sarker at last, and stating that he will not let it go to a dealer, and that he would much prefer to let one who has already been a customer have the chance, he presses him to bid the £50. On an answer in the negative, the gazoomph is again brought into play.

After the victim has been informed that he has already treated him very well once, and that, therefore, he will be so treated a second time, the first two lots are put together with the canteen and his cash already handed up to the extent of £25 is placed on top of them, as a present. He is then asked, 'only by way of an advertisement,' to bid £50 for the lot, namely, the first two articles which he has already purchased, the canteen and £25 in cash, his own money.

A gasp of astonishment goes up from the audience, well pandered to and fed by the ricks. Business as before arises from the floorman and the clerk, and finally the sarker agrees to take the lot for £50. Thus we have seen that the hammerer has successfully carried out that which he intended to do when the sarker's potentialities were first reported to him, under the

expressive terms of 'John Peel,' 'help yourself,' etc., namely, to nail him for £5 on the watch, then gazoomph him for £20 on the tea and coffee set, and finally gazoomph him for £50 on the canteen of cutlery.

As a problem in mathematics it is to be wondered how many could say straight away how much the victim has practically given away of his money, it being borne in mind that he has not the slightest idea as to the exact amount of money he has spent, for his mind only retains the impression of the money given back to him—his own money—and the munificence of the auctioneer. As a matter of fact, however, the victim has spent exactly £50 on goods costing, with the last addition of the canteen (wholesale of course) £16 12s.

'Bogey' is the rather apt name which the 'run-out workers' have for dissatisfied customers. It is inevitable that in most cases after every pitch or sale there are bound to be a number of customers not altogether delighted with their 'bargains.' Conviction may come slowly to a few of them that they have been swindled, but in a chastened spirit at their own foolishness they may decide not to take any action in the matter. Again, there is the average Briton's dislike of making a fuss or whining when he has been caught. Needless to say, these factors are greatly relied on by the run-out workers for carrying out their operations.

However, some bold persons have the courage to 'turn bogeys' and return to the sale-room in the hope of getting some satisfaction or the return of their moneys. The hammerer or his confrères are well prepared to receive them. It is most often the women customers who return to the sale-room demanding satisfaction, and on doing so are immediately conducted in a most polite manner to the rear of the shop and behind the rostrum. Once safely round the back of the shop they are immediately dealt with by the relief hammerer or by anyone else available, the owner of the shop being only called in as a last resource.

First of all they are encouraged to state freely why they are dissatisfied, and to say their say in full. If they should ask to have their money returned to them, they are told in a shocked and pained tone that the sale-room is a place of business,

and that they have bought the goods by 'public auction,' and on no account can moneys be returned. If the 'bogey' should then prove obdurate, the 'manager' will then, with the air of rather exceeding his duty and conferring a great favour, affirm that he is willing to take all the goods back as they are dissatisfied with them, and give them goods of equal or more value that may be more useful to them. This method often proves quite satisfactory for dealing with bogeys, especially if they are inclined to be of a timid and diffident manner.

In some cases, if they are nearing the end of their time at this one shop where they have their operations, and the bogey may have spent a large sum of money, they will actually induce the sarker to hand back the goods to be re-sold for him as a special favour because they cannot possibly return any money. *The very last resource and consideration in dealing with 'bogeys' is to give any money back.*

Cases have been known where women out to do their shopping have been induced to enter the 'sale-room,' and during the excitement of the 'sale' have handed up most of, if not all, their house-keeping money under the usual impression of getting something for nothing.

In other cases, at the seaside, many a person's holiday has been ruined and of necessity cut short by almost inadvertent dealings with these 'mock auctioneers.' Young girls still in their teens are inveigled into the 'sale-room' by the blandishment of the pitch-getter and are then worked for whatever moneys they possess by the hammerers. Past-master in the art of working on people's feelings, the hammerer soon induces them to part with their money, and it is only afterwards that realization as to what they have actually spent and as to how their holiday will be affected comes to them. Tearfully they return to the sale-room with the vain hope that they may be able to get some if not all of their money back, *but very rarely do they succeed.* Others may seek the aid of the police, only to be advised by them to return to the sale-room and see the auctioneer who made the sale to them, in the hope of their getting some satisfaction. Legally the police can apparently do nothing in the matter, and therefore unless this advice from the police is coupled with a pretty strong hint, the

run-out workers please themselves as to whether they return any moneys or not.

The reader will now have learnt enough of the *modus operandi* of the 'mock auction' to be able to make up his mind whether the contentions of my Society are made out, and whether there is a strong case in favour of treating mock auctions as severely as, for example, bogus clubs, and for legislative provision to punish those who conduct such mock auctions, and to prevent such persons from using house or business property for fraudulent purposes.

As regards 'rigged sales,' the purpose of those who engineer them is very similar to that of the mock auctioneer, namely, to make people believe a genuine auction is being held of very valuable goods, and so to come and make their bids. The method is as follows.

The gang obtain a short tenancy agreement of an empty house, usually in a fairly secluded position, but within a good residential area. It would be of no use to take a house in a row, or in a thickly populated suburb, as quick-flowing rumour might well take note of the big vans loaded with furniture and bric-à-brac dumping the contents at a well-known house. The best background for a successful rigged sale is in semi-rural Kent, Surrey, Sussex, Hampshire or Hertfordshire. There will be found large numbers of good class houses and a scattered population within whose small exclusive social circles the fact that a certain house, six or seven miles away, has stayed empty for some time, is unknown. They will, however, read with interest the advertisement in their daily or county weekly paper that a sale by auction of the contents is to be held, especially if, as is usual, the announcement is studded with items about the Hepplewhite and Chippendale chairs, mirrors or wardrobes, reputed Old Masters, Crown Derby and Wedgwood china. In the result the sale is well attended. The ricks and gees buy in the genuine pieces with which the catalogue is salted; the rest is foisted on the public; and when later the worthless quality of the purchases is discovered, considerable difficulty is experienced in tracing the 'reputable firm of auctioneers' who conducted the sale. It may be that some people will call on the newspaper which published the

sale advertisements, and then be told that although these were accepted in good faith, the account is still unpaid.

Of the two operations—the mock auction and the rigged sale—the latter, though less frequent, is, as I said previously, productive of greater rewards at even less risk of discovery or punishment. A mock auction, provided there are not too many complaints, may be carried on for months at the same premises, with the principals laughing at any threatened interference from the law. But there is always the risk that the police may be too observant; that an energetic ‘hammerer’ may overstep the mark; or that a Chief Constable will find the crowds outside an ‘obstruction’ and detail an officer both to move them on, and to administer a word of caution to the ‘mugs.’ On the other hand, a rigged sale is all over and done with in a day or two. The promoters are away to the other end of the land, or have gone for a trip abroad on the proceeds. Dissatisfied purchasers and police alike may be wholly without a clue to put them in touch with the astute rigged salesman. After an interval the trick will be tried on again in a distant county. Meantime, those concerned scatter and do not make themselves prominent.

For fraudulent intent and execution, however, there is naught to choose between mock auction and rigged sale. They are a stigma on the genuine auctioneering profession, a cause of loss to the commercial and the general community, and—in my judgment—are not sufficiently controlled by the criminal law. Therefore the sooner this loophole is closed the better for all save rogues.

The Comparative Psychology of Murder by Poisoning

By A. BERESFORD KINGSFORD, M.D.

‘OF all felonies murder is the most horrible ; of all murders poisoning is the most detestable, and of all poisonings the lingering is the worst.’¹ In these memorable words the Lord Chief Justice Coke expressed not merely his own opinion but that of the community, in his charge to the Grand Jury who were trying Weston for the murder by poison of Sir Thomas Overbury in the time of Henry VIII. For the punishment for this offence was boiling to death, and this terrible penalty was actually inflicted on Richard Rowse for poisoning a man and a woman.

And why should society regard this crime with such special abhorrence ? Murder is murder whatever the means employed. But the community feels that this method of murder betrays exceptional turpitude in those who resort to it. ‘It is recognised in the jurisprudence of all nations that injury done to others is the more atrocious the more deliberately it is planned, and the longer the interval between the inception and the execution.’²

The chief motives for all murders are jealousy, vengeance and greed. But the use of lethal weapons does not by any means necessarily or generally involve either prolonged pre-meditation or preliminary torture of the victim. Still less do other means of murder, such as that practised by Burke and Hare—suffocation ; or drowning, as practised by G. F. Smith on his successive brides. All murderers are callous as regards the fate of others, but some pre-eminently so. Some are quite content with getting an opponent out of the way, or with

¹ *Some Famous Medical Trials*, by L. A. Parry, 1927, p. 3.

² *Albutt's System of Medicine*, 1st edition, vol. viii, 1899, p. 290.

acquiring possession of his property, and would shrink from further cruelty. But the demon of greed or jealousy so possesses the poisoner that no consideration for the feelings of his victim or victims influences his choice of means, and remorse rarely if ever enters his soul. 'Those who premeditate and commit crime in cold blood never experience moral remorse.'¹ Less indeed than one per cent. ever express any remorse.

If this be true of serious crime in general it must be true indeed of poisoners whose crime is typically premeditated and cold-blooded. Time after time must the poisoner will to do the deed; again and again must he intend to torture and slay his victim. For even in the simplest case he (or she) as a rule must choose the poison, prepare a plausible reason for wanting it, purchase it, and then contrive the means of its administration. So much preparation is common to murder by other means. Lethal weapons or means of suffocation and the like must be prepared with more or less care beforehand. But these means are generally used once for all when opportunity offers, whereas the poisoner commonly administers his poison again and again and yet again, every time fully intending the death of his victim and that quite regardless of the prolonged torture involved.

In many cases the murderer risks some amount of immediate retaliation on the part of his victim or of others in the vicinity. He makes no secret of his fell intent when the opportune time has come for its execution: he shows his hand. He risks also the probable detection of the crime itself, trusting that the commission thereof will not be brought home to himself. Not so the poisoner for gain. He first takes care to win the confidence of his victim; becomes as intimate as possible with him; and often appears as his devoted and even affectionate friend or relative. By his assiduous attentions he seeks to avoid rousing any suspicion of evil in the mind of his victim; his unselfishness often appears admirable, and hoodwinks not only the victim but also his friends. And so he schemes to gain his end without incurring any risk to himself.

¹ Hack Tuke's *Dictionary of Psychological Medicine*, 1892, vol. i, Criminal Anthropology, p. 290.

From ambush, as it were, he discharges his silent arrow into the back of, maybe, his nearest relative or best friend.

The poisoner may appear to be quite a model citizen till he is found out. Take the case of John Tawell of Berkhamstead, convicted in March 1845 of poisoning his mistress Sarah Hart at Hall Place, Slough. This man was a well known and hospitable Quaker, noted for his charities and outward show of religious observance. He had, it is true, been convicted in the days of his youth of forgery, and sentenced to transportation for life to New South Wales. But there he obtained partial exemption from convict discipline, set up a shop, became the most successful druggist in Sydney, and as a man of property returned to England.

Occupying a respected position in his town and noted through a long and industrious life for his benevolence and straightforward conduct in his relations with his neighbours, he might well say, when first charged with the murder of his mistress, 'My station in society places me beyond suspicion.' Tawell was on good terms with his mistress, whose devotion to him was such that she had agreed to retire in favour of the woman he was about to, and presently did, marry, while Tawell made her (Sarah Hart) an allowance of £13 per quarter. This payment was due on the day that Tawell poisoned her and the sum was found on him when arrested in London. Did he go down to Slough still undecided as to whether to pay or to slay? The question was raised at the trial—'Could the prisoner have committed the crime merely to save this small expense?' In his written confession Tawell stated that he committed the murder for fear his wife should discover his connection with the deceased, and that he had made an attempt on her life in September 1844. Tawell seems to have been on very good terms with his wife, so that the risk of the crime seems out of all proportion to the risk of her displeasure. The motives of concealment and of saving expense—even taken together—may seem quite inadequate to account for the deed.

That a poisoner like Tawell must be utterly selfish wherever and whenever his own interests are threatened almost goes without saying. This man seems to have been unselfish in many of the ordinary affairs of life, but perhaps only so long

as such conduct, while causing himself no inconvenience, ministered to his comfort and self-esteem. Sir F. Mott writes: 'However paradoxical it may seem, nevertheless it is true, that the inborn virtue of an unselfish, confiding, amiable and optimistic nature may be the cause of an acquired vicious character under the influence of evil suggestion and imitation.'¹ Was Tawell's long and respectable life at Berkhamstead all a pose? It seems evident that he must have been very vain of his reputation as a somewhat saintly personage and heartless enough to try to save that reputation at the cost of the life of his mistress.

The *vanity* of criminals is notorious. Like the insane, they nearly all suffer from what the late Dr. Mercier used to call 'a cloudy swelling of the self'—an exaggerated idea of their own importance and capability. 'There is not a set of people in the world more vain than robbers'² says George Borrow, who proceeds to describe their affectation for fine clothes and the like. The vanity of offenders against the person takes a different form.

To be an assassin wins the highest praise among prisoners detained for crimes of violence. The murderer of Lincoln boasted that he had done 'what Brutus was honoured for doing, what made Tell a hero.'³ But the vanity of the poisoner is much less heroic. There is something to be said for the man who risks his own life even for criminal purposes. But the poisoner's method is essentially cowardly; he shuns publicity like the plague. His is the vanity of succeeding in self-gratification without arousing attention, without endangering his own skin. He is vain—not of his intrepidity, but of his skill in avoiding the genesis of suspicion and in evading detection.

Murders by any kind of violence (other than chemical, and we must now add, bacteriological, violence) nearly always arouse suspicion of foul play, and but seldom really simulate genuine illness or accident. But poison works in secret; its effects are very often mistaken for symptoms of ordinary illness,

¹ *Nature and Nurture in Mental Development*, by F. Mott, 1914, p. 81.

² *The Bible in Spain*, chap. xl.

³ *The Criminal*, by H. Ellis, 1890, p. 141.

and many a doctor has unwittingly played into a murderer's hand accordingly by signing a death certificate. The criminal is often vain also of creating a mystery. There is something of childishness in his love of a secret. Many children of a certain age revel in the possession of secrets real, imaginary or fictitious, as the case may be, that are withheld from their elders and betters. Moreover they are naturally egotistic, selfish and indifferent or callous as regards the rights of others, if not downright cruel, especially as regards the lower animals. In all these respects the murderer's mind resembles the child's; but the resemblance of the poisoner's mind is much the most marked and striking because of the cruelty necessarily involved in the practice of his villainous craft.

Success in poisoning seems to fascinate the performer. Or why should the publican Chapman have killed three barmaid paramours in succession with antimony? He seems to have stood to gain £560 from his first victim, Mary Isabella Spink, but does not appear to have gained much if anything from the others. The case of Jeanne Gilbert was remarkable in this respect. She was a married woman and well off, yet without apparent motive, at Varennes in and after 1905, she poisoned at short intervals her father, mother, father-in-law, mother-in-law and seven other persons. Even the monster Landru seems to have committed at least one murder without prospect of gain therefrom. This mania, for such it is, is comparable with the mania for stealing boots, or watches, as the case may be, or for burglary, and displays much the same specialization and much the same lack of what ordinary people would think adequate motive. We all like doing what we do well—or rather, perhaps, what we *think* we do well—few more so than the mass murderers, such as Landru, Haarmann, Burke and Troppmann. Armstrong used arsenic both times; Chapman antimony all three times; and G. F. Smith drowned all his brides in baths.

In the fifteenth, sixteenth and seventeenth centuries schools of poisoners arose where poisoning was reduced to a fine art. The Marquise de Brinvilliers, having failed to poison her husband after repeated attempts, experimented with poison on hospital patients. Thereafter she succeeded in

poisoning her father and two brothers and tried to poison her sister but forbore because suspicion was aroused. All her victims suffered terribly: no wonder it was said that she developed a demoniac temper and inhuman cunning to an almost incredible degree.

Success in poisoning without detection is fatally flattering to the self-esteem of poisoners. They so soon begin to fancy themselves experts in their craft, whereas, fortunately for society, they always remain amateurs and bunglers. They frequently enormously overdose their victims and before long neglect some commonplace precaution. As a rule they avoid attracting attention to themselves, but sometimes their vanity leads them to commit even this blunder. Vanity may lead them to give themselves away in the hazardous rôle of prophet, as Armstrong discovered too late. Had not Armstrong after his first attempt on Mr. Martin's life remarked to him: 'It may seem a curious thing to say, but you will have another attack,'¹ suspicion might not so readily have been aroused. Crippen might possibly have escaped but for his several blunders in allowing Miss Le Neve to wear his late wife's jewellery, in burying his own pyjamas with her remains, and in failing to destroy the most tell-tale part of those remains. It was Neill Cream's attempts to blackmail two doctors that led to his arrest, and the search of his premises that brought to light stray but incriminating notes regarding the very poisonings he had committed. Unfortunately for Bywaters and Mrs. Thompson, Bywaters had kept a number of her letters which afforded fatal evidence of their criminality.

While it would be going too far to say that criminals, as such, have no sense of proportion, it is certain that in them this sense is much blunted or ignored. A daily help robs her employer of a pair of boots, worth perhaps a guinea, and pawns them for a florin. Here the gratification obtained by the thief is but small, and out of all proportion to the injury inflicted on the victim. Moreover, the immediate advantage to the thief is small indeed compared with the risk of discovery, dismissal and prosecution. Such conduct is not only criminal or wrong but also vicious; vicious, in that it manifests an

¹ *Poison Mysteries*, by C. J. S. Thompson, 1923, p. 386.

inability to forgo an immediate advantage for the sake of the future much greater advantage of obtaining a good character and recommendation for further employment.

The conduct of murderers generally is not only wrong in a very high degree, but is often also exceedingly vicious. 'The wrongness of the criminal act is exaggerated by the disproportion between the injury inflicted and the advantage gained.'¹ 'It is the nature of extreme self-lovers, as they will set an house on fire, and it were but to roast their eggs'² So with all murder cases: though the injury is the greatest possible, the gratification secured by the murderer is often small, and sometimes almost trivial.

Of all injuries, murder by poison may be described as the greatest—involving as it does, in most cases, pain and suffering often amounting to torture before death. Moreover, the poisoner often fails several times before he succeeds in killing his victim. According to evidence given at the trial, it is probable that Lamson attempted the life of his brother-in-law several times before he succeeded in killing him. The Marquise de Brinvilliers seems to have given her father poison in repeated doses until he died after eight months in great agony. Tawell admitted having tried to poison his mistress once before he finally succeeded. Mrs. Thompson's letters to Bywaters afforded evidence of sundry attempts to kill Mr. Thompson by poison or powdered glass. Armstrong made more than one attempt to poison Mr. Martin. Henri Girard made three attempts on the life of Duroux in 1909 but only succeeded in making his victim ill.

At every attempt the would-be poisoner runs the risk of detection and prosecution for attempted murder; yet the benefit anticipated, as already stated, may be quite small. At Connecticut in 1913 a Mrs. Monahan was arrested for poisoning a niece whose life she had insured for 1,600 dollars. On inquiry it appeared that, some years before, two husbands had died in suspicious circumstances, and the insurance companies refused to pay. The case as regards the niece was held to be unproven, but there is little doubt that this woman was

¹ *Vice, Crime and Insanity*, by Dr. C. Mercier, 1911, p. 282.

² Bacon's *Essays*, xxiii. (*Of wisdom for a man's self*).

really guilty of poisoning all three. Three years later she was convicted of poisoning her *third* husband. The sums for which her three husbands' lives were insured were only 400, 500 and 250 dollars respectively.

In 1865 Dr. Pritchard poisoned his wife and his mother-in-law: Mrs. Taylor, who died on February 25th, and Mrs. Pritchard, who had experienced vomiting and cramp from the previous December, and died on March 18th—a case of slow poisoning. The counsel for the defence said that the motive suggested was of the most trifling nature—apparently only an amour with Mary McLeod, their servant, of which Mrs. Pritchard was already aware. One witness, however, deposed that Pritchard stood to gain financially by the crime. Pritchard confessed that he murdered both women, and added: "I can assign no motive for the conduct which actuated me, beyond a species of terrible madness and the use of ardent spirits."¹

Inadequacy or absence of motive suggests pleasure in killing for its own sake. The murder of Mary Paterson by Burke was for £8. Landru murdered the penniless servant girl, Andrée Babelay, aged 19, who worked for a palmist in St. Lazare. In what was known as the Dalkeith case, John James Hutchinson in 1911 gave arsenic in coffee to eighteen people, making them all ill and killing his father and a guest. J. J. Hutchinson was very popular, of a generous, kindly, gentle disposition: he had nothing to gain from his father's death nor from that of any of the guests he attempted to poison. Extravagance and social ambition were his faults, and at the time he was heavily in debt owing to unfortunate speculations on the Stock Exchange. To avoid arrest he poisoned himself with prussic acid.

The murders by Burke and Hare were committed for gain. Burke was a ne'er-do-weel—a Jack-of-all-trades—and master of none—but murder! After serving as house-boy to a Presbyterian minister he became by turns baker, weaver and militiaman, acting in the latter capacity as an officer's batman. On his discharge he returned home, quarrelled with his father and went as a navvy to the Union Canal, Glasgow, where he stayed till the work gave out. Thence he drifted to Leith

¹ *Some Famous Medical Trials*, by L. A. Parry, 1927, p. 69.

where he learnt something of cobbling old shoes, and finally settled in Edinburgh, where he added general peddling to that of old boots and shoes.

The early history of Landru was somewhat similar. As a boy he sang in the church choir and later was allowed to serve the Mass. At sixteen he passed the entrance examination for a course of engineering, but was conscripted before he could qualify. In the Army he soon gained his sergeant's stripes. And in 1900, when he was about thirty years old, Landru became transformed from 'a rather model young man, if sentimental and softish, into an impudent swindler.' Of the next fourteen years he spent about twelve in gaol, mostly for frauds on women in his capacity of second-hand dealer—like Burke. In August 1914 he started on his career of murder; his victims were mostly middle-aged widows of more or less means. A man of no particular presence, but of 'hypnotic charm and persuasive manner,' Landru 'gave an impression in his world of a distinguished gentleman who was often the soul of the party.' 'Without ever forgetting he was in the presence of ladies, he poured out jokes, witty retorts, and even juggled for us with the napkin rings in a clever way, all the time garnishing his talk with the most wonderful puns.'¹ This and the fact that he 'knew very well what he was after in life' may account for the attraction he had for the 283 women with whom he had relations. 'The police were able to trace successively ten persons who had disappeared after relations with Landru; several of them elderly widows'; but how he destroyed them all seems not to have been revealed. During his trial, though excited at times, more especially when wordy warfare took place between his own and the prosecuting counsel, Landru often manifested almost ostentatious indifference to the proceedings for hours together, and occasionally even dropped off to sleep.²

With Landru we may compare the poisoner who was known to his friends as Gentleman Girard. He was an insurance agent living in 1909 at Montreuil-sous-Bois. 'Well educated, of good appearance, and apparently a cultured man, with a leaning

¹ *Murder for Profit*, by W. Bolitho, 1926, p. 235.

² *Ibidem*.

towards music, literature and science, he soon became popular among a wide circle in the district . . . and in Paris.' A man of extraordinary charm, he persuaded a weakly neighbour, M. Pernotte, to insure his life for £8,400; the money to pass to Girard himself should M. Pernotte die first. Soon M. Pernotte and his family fell ill with typhoid fever; and while M. Pernotte was slowly recovering, his friend Girard finished him off with a hypodermic injection and secured the insurance money. Girard then took out a joint insurance for £8,000 with M. Godel, the money to go to the survivor, and very soon M. Godel had an attack of typhoid but recovered. Girard thereafter attempted the life of a soldier, Delmas, for gain; and made three attempts on the life of a M. Duroux, whose life Girard had insured in his own interest. Girard finally succeeded in poisoning a widow, whose life he had insured in his own interest; but suspicion was aroused, and Girard died in prison after making a full confession.

When we compare the mass murderers Burke and Landru we find in both a certain cleverness along with industrial or commercial inefficiency for lack of perseverance in training and continuous application to work. So each turns to crime for a livelihood. On comparing Landru with Gentleman Girard the poisoner, we find many points in common. Both were more or less failures in business; Girard passed as an insurance agent, but both were socially attractive and entertaining companions. Their conversation was witty and amusing, their accomplishments striking rather than valuable. Both were men of artistic temperament, yet incapable of making the exertions which alone enable a man to become an artist. In this sense they and their like are out of place in a world of endeavour and an age of civilization. They should have been relegated to the backwoods of bygone centuries.

At his trial Landru at times showed much of the indifference manifested or affected by prisoners such as Waite and Crippen. Dr. Waite had poisoned his millionaire father-in-law Mr. Peck and his mother-in-law. 'The slender young dentist with his small, almost feminine, features, his unwavering smile and his faultless and unwearying politeness and urbanity, sat in the witness chair hour after hour and recited to the jury

the full darkness and inwardness of his life.'¹ The accused told, always in his smiling and polite way, the full account of his plot and intent. He had married Miss Peck in order to be rich and independent. Life without money was a torture—not worth living. He saw that to get the Peck fortune into his own hands, he would have to dispose of his wife's parents, her aunt, and then the wife herself. He had tried to kill the aunt, who had been his best friend and benefactor, after he had also robbed her. But the attempt was a failure. He then decided to kill Mr. and Mrs. Peck first. He placed germs of pneumonia, diphtheria and influenza in Mrs. Peck's food. He told of awakening in the early morning finding her dead, and going back to bed for more sleep (!) in order that his wife and he might find the body and give the alarm. In the same suave and emotionless way Waite recited the story of the murder by the same means of John E. Peck, his 72-year-old father-in-law. Similarly Crippen for three hours 'stood the fire of cross-examination by the leading counsel for the Crown and from beginning to end appeared to be utterly devoid of emotion or fear'; 'he appeared never to be at a loss for a word or explanation, and showed remarkable self-possession all through.'² It is easy to understand a professional burglar saying to the policeman who catches him in the very act, 'It's a fair cop, guv'nor,' as the risk is all part of the game; but a man's vanity must be inordinate or his callousness colossal if it enables him to maintain that pose when his life is at the mercy of his outraged fellow-countrymen.

No greater injury can be done to the individual than the treacherous infliction of lingering and painful death. But why are the prisoner's fellow-countrymen, as represented by the jury, so grievously outraged by his crimes? Ordinary murder in any community threatens its stability and cohesion to some extent. The less firm the organization, the graver the risk of a blood feud and permanent split of the tribe into hostile clans unable to combine against a common enemy. But where ordinary murder tends to shatter the base of civilization, the prevalence of poisoning tends to grind it to powder. Nothing

¹ *Famous American Poison Mysteries*, by E. H. Smith, 1927, p. 269.

² *Poison Mysteries*, by C. J. S. Thompson, 1923, p. 359.

renders human (or even sub-human) co-operation more impossible than an atmosphere of suspicion. Nothing will create that atmosphere more than a prevalence of poisoning. 'Truly,' says a writer of the seventeenth century, 'this poisoning art called *veneficium* of all others is most abominable, as, whereby crime may be committed where no suspicion may be gathered, nor any resistance be made; the strong cannot avoid the weak; the wise cannot prevent the foolish; the godly cannot be preserved from the hands of the wicked. Children may thereby kill their parents, the servant the master, the wife her husband, so privily, so uncurably that of all other it hath been thought the most odious kind of murder.'¹

¹ *Poison Mysteries*, by C. J. S. Thompson, 1923, p. 113.

Science and Detection in Burma

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BEFORE proceeding to give some personal experiences in the detection of crime, I should like to make two observations of a general nature. In the first place, there is nothing in law which requires official recognition before a person can step into the witness box as an expert if he is skilled in any particular branch of art or science. In Court the opinion of no man, whoever he may be, has any value at all unless it is substantiated by facts and reasons, and anyone who can give facts and reasons is entitled to a hearing. Certain facts and circumstances may be pointed out whereby the Court will arrive at its own conclusions. Besides the medical jurist, the Chemical Examiner, the Inspector of Explosives, the Mint expert, experts in handwriting, footprints and photographs, there are now, in India, experts on paper, fibre, ink, cement, oil and the like who are being called upon to give evidence on technical points in connection with criminal cases.

In the second place, it is the mistaken notion of some police officers in India that chemistry, microscopy and the like are useful only in rare important cases. This view I hold to be erroneous; the following cases, mostly of a simple nature, show that investigation is chiefly a process of elimination and that whatever conduces to this, in however slight a degree, is of immense help in narrowing the field of inquiry.

A silver cup—a trophy valued at about 4,000 rupees¹—was stolen from a well-known club. The culprit had entered the room, stabbed the doorkeeper to death, and taken away the cup, leaving his weapon behind him. Inquiries were made in all directions, but without avail; and no definite clue could be found. I happened to visit the place, when the weapon,

¹ £300.

which was originally a new chisel and had been transformed into a dagger by filing away the end, was shown to me. A close examination revealed some pulverised metal in crevices where the steel joined the handle. A chemical examination showed that gold, silver, and copper dusts were there. It was therefore inferred that a goldsmith had had this instrument in his possession. A totally new line of inquiry was started, and it was ascertained that a goldsmith who had lived close to the Club had suddenly left for his native village soon after the occurrence and had not returned. This man had come to that particular part of the country only a few months before the crime. Instead of sending a requisition to the police of the man's native place, the investigating officer went there himself; and on arrival he learnt that the suspect was an untraced offender with some previous convictions. It was then ascertained that the wife and children of the man had recently left this place. He was eventually traced; but instead of the trophy, a small silver medallion, also the property of the Club, was recovered from his possession, together with some cash. The medallion was identified and the man convicted for theft only.

This case illustrates how an article will betray its former environment under the trained eyes of an observer who can use a microscope. Thus pulverised tin will be found in the linings of the coat-pockets of a tinsmith, and pulverised brick and mortar in the coat of a mason, if the coat be carefully brushed inside a properly oiled clothes-bag. Similarly paper-fibres may be obtained from the clothes of a paper-cutter and a bookbinder; pulverised wood from a cabinetmaker or a man working in a cabinetmaker's shop; marks of paint and stains on a painter; pulverised copper on a copper-smith; and pulverised leather fibres from the garments of a boot-repairer. These clues can usually be detected by an examination of any wearing apparel which may be left at a place of crime by a criminal: they are all of importance as giving some indication of the trade of the wearer.

Here is another case which, though not exactly of this nature, is nevertheless of importance. While staying at a police station in the interior, I was talking with the station officer. The latter had that day recovered a small piece of a

bathing cloth, an old one, which had been left beside the hole of entrance made by a burglar in a mud wall. In one corner of this cloth several miscellaneous articles were tied up in a knot. It was with difficulty that we could identify them. There was a small, round, flat black stone, and several pieces of dried roots. After some discussion we concluded that this black stone and these dried roots were either the property of a snake-charmer or purchases made from him during his show by a villager with the object of using them in cases of snake-bite. It was ultimately discovered that one of the ex-convicts of that area plied the trade of snake-charmer and that this man was always called in by the villagers whenever there was a snake-bite case within a distance of even ten miles from his house. Without further delay the investigating officer went to the man's home and found him there. The man was taken aback and the stolen property was recovered intact. Here the identification of the articles left by a criminal helped to give a clue to his identity.

In a recent case a Burma C.I.D. Officer recovered from a room a mould containing the impression of a coin dated 1921. No one was in the room at the time and the room was not in the exclusive possession of anyone, as four persons shared it. The suspect was not there at the time. When found later he had a coin—a rupee—inside his mouth. This was forced out and on examination was found to be a genuine coin of 1921. Both the coin and the mould were brought over to me. There was a tiny hole, such as would be made by the point of a pin, in the coin and a corresponding protuberance on the surface of the mould at the identical spot, both not bigger than a pin point. The C.I.D. Officer drew my attention to this and asked me if I could make anything of it, as there was nothing else found to connect the man with the mould or indeed to connect him with any crime. I examined this hole in the coin under the microscope with a high powered objective. The hole presented a very curious appearance: it had projections and cavities of various shapes and sizes. Under the microscope it looked big enough to contain a full-sized ground nut. I attached the camera lucida to my microscope over the eye-piece and introduced my micrometer inside the eye-piece.

I measured the magnified image of the whole and drew a diagram of it with the help of the lucida. I next examined the mould and the mark in the same way and drew a diagram of it also. There were only slight differences—such as one would expect; for the indentation was in a hard metal surface and the relief was on the surface of dried earth, which is not a very hard substance. These differences excepted, I found that there was positive general agreement in the marking of the diagrams: the angles, the straight lines, the shapes, and the longitudinal and latitudinal measurements. I gave the two drawings to the officer, and conviction was secured on this evidence alone: it was argued—correctly, I think, and with some emphasis—that the fabrication of such a very tiny mark was quite impossible.

In another case of this nature a nickel four anna piece, two moulds, some earth, and some other things were sent to me for examination, in order to ascertain whether that particular four anna piece had been used in the preparation of the two moulds. I may mention here that these two particular moulds were made of very fine sand mixed up with some fibre and a gelatinous solution. The amalgam was exceedingly hard, and there were some places in the surface of the two moulds where the composition was so rough that the figures lacked definite shape. I conjectured that this was due to the fact that some of the material of the mould had adhered to the coin when the latter was removed from the mould and was still in a plastic condition. I examined the coins for some signs of this and found that my surmise was correct. I had an enlarged photograph made of the face of the coin as also of the face of the mould, and later on prepared lantern slides from these. I demonstrated by actual exhibition before the court that the marks of the earth which still adhered to the face of the coin corresponded with the marks on the face of the mould where the surface was rough—where, in fact, the earth had adhered to the coin; and thereby proved beyond any doubt that that particular coin had been used in the making of that particular mould. It should be added that in this case the mould was recovered from a person other than the one in whose possession the coin was found.

Here is another case in which a little knowledge of chemistry helped the police. I was Senior Lecturer of the Bengal Detective Training School at the time. One day I was summoned to an up-country place, about twenty miles from Calcutta. Arriving there I found that the police had been searching a house. The owner of the house—a suspected note-forgèr—had somehow or other become aware of the presence of the police outside his house at 4 a.m., and before they could reach his room he had set fire to a large bundle of currency notes by making a fire of date-leaves in a sheltered place at the top of his house. By the time the police reached this part of the house there was nothing left but a pile of ashes. No other incriminating material was found. When day dawned, some of the burnt pieces showed that they were currency notes, as the serial numbers appeared over the burnt surfaces: some had not been entirely burnt, but were charred fragments. The search party had kept the notes covered, so that no particles of the burnt remains might be blown away.

On arrival, I succeeded, by the application of some chemicals and ice, in withdrawing fourteen of these burnt notes intact. I then placed them between glass plates and bound these tightly together. Later on I obtained from the Currency Office cancelled notes of the same series and of nearly the same figures, and of the same denominations. None of the fourteen that we had collected from the house had been cancelled in the Currency Office, otherwise these could have immediately been pronounced as forgeries, as the design of the notes was now disclosed in almost full detail between the glass plates. I then burnt portions of the notes from the Currency Office, analyzed the constituents of the ash, and found that the ashes of these fourteen burnt notes of different series and numbers were all of the same character and quite different from the constituents of the ashes of the genuine notes of these series. It was also proved in evidence later that the paper of all notes of any one series has the same constituents. It was thus definitely proved that they were forged notes and not genuine ones, as had been claimed by the accused when asked to explain his possession of them.

I shall now refer to a very serious case which occurred

comparatively recently. In a dacoity case in Prome, it was noticed that the earth at a fishery over which the dacoits had passed was of a peculiar colour. Acting on information the police searched a suspect's house. They took possession of a cloth from the house of the suspect to some portions of which earth was found to be adhering. The colour of this earth corresponded with the colour of the earth at the fishery. The police therefore sent the clothing to me together with some earth from the fishery, inquiring whether the earth on the clothing was the same as that of the fishery. After a preliminary examination, I requested the police to send me some earth from the vicinity of the man's house. The first examination was a little disappointing, as the proportion of the mineral matter left after incineration was found to be slightly different, and the specific gravities also of the earth in the clothing and of the earth at the fishery were found not to correspond. Further analysis, however, indicated that they were the same, and we could account for the difference by the fact that the earth which had been sent to us was dried, and hence heavy and solidified, whereas the earth on the clothes was from splashings, the upper part of which was lighter than the layer underneath, and at the same time of a different specific gravity: this also accounted for the difference found on incineration. There was other evidence in this case; and the trial resulted in the conviction of six dacoits.

In another recent case a man had some gunshot wounds in the right shoulder and in the right side below the armpit, also one or two in the chest. He alleged that he had been wounded by a man who had fired at him from a distance of about six feet. The shot had not penetrated deeper than the outer skin. When I drew a diagram of the wounds, I found that they covered an area measuring six inches by five. The Civil Surgeon of the District had found some blackish specks on the surface of the wounds and was under the impression that these were caused by the black lead of the bullets. He consulted me. I was unable to agree with him; for if the lead pellets had made such marks, the wounds would not have been confined to the epidermis only; and I held, also, that the diagram of the wounds could not be six inches by five inches if the shot had

been fired from a range of six feet with such pellets. I therefore asked that the man should be brought before me, for the case presented interesting features and appeared likely to upset all previous ideas. An officer brought the man to me. As luck would have it, the officer brought with him the coat which the man was wearing when he had received the alleged gunshot wounds. I examined the wounds and could imagine nothing which could have caused such superficial wounds from such a short distance, not even in the case of bad black powder or of any fault in the mechanism of the gun or of the gas escaping owing to misfit, as was thought by the Civil Surgeon. I made numerous experiments with different sorts of guns, rifles, revolvers of different calibres with different sort of powders from different ranges; but I was unable to fathom the reason for this strange spread with the strange superficial wounds. However, I made the man put on his coat, and on examining it I found a big tear nearly in a straight line and another smaller tear with an exactly right angular cut. In the small tear there was absolutely no blood on the cloth either inside or outside. In the larger tear there was a peculiar circumstance: the blood was on the raised woolly portion only and there was absolutely none in the main fibres—that is to say, the blood had spread on the raised woolly surface of the cloth without soaking into the cloth at all. Further, much to our surprise, however much we pulled the coat this way or that way, up or down, to this side or that side, there was no corresponding wound on the man's body which could be reached through the tear. Moreover, it seemed impossible to account for the shape of the tear: it was not clear whether the shots had spread or whether they had passed through it in a mass. The tear was more than three inches in length. Again, any shots which would penetrate a cloth of such strength would certainly cause deeper wounds than a slight burning. I therefore gave it as my opinion that the man had concocted this case and had applied the stick of a burnt match in order to produce the black spots seen by the Civil Surgeon. The case ended in the prosecution of the man for giving false information to the police.

In another murder case my evidence saved an innocent

man from the gallows. An influential Mohammedan landlord had been shot while making the usual ablutions before saying his prayers. It was at a place about twenty feet down an embankment. In his dying deposition he stated that after receiving the wound he turned and saw a man running away from the embankment, and he identified the man as an old enemy with whom he had been at law. He was a very influential man and the man he named was rather poor. There were witnesses who stated that they saw this man hastening away with a gun immediately after the occurrence. The police searched this man's house. He had a gun license; his gun and some cartridges were found. These cartridges, together with the gun and the pellets recovered from the dead body, were sent to me for examination. I found that there were signs in the barrel that the gun had been fired at some time previously. I would add here that although there is some difference of opinion between Dr. Taylor and Lucas and Jago, Mitchell and Hans Gross, Atchinson Robertson (in his *Medical Jurisprudence*, 1913, p. 107) and Reiss (*Manuel de Police Scientifique*, Vol. I, p. 492), there is no denying the fact that all absence of sulphates, carbonates, nitrates and the presence of iron—and that in a ferric condition—suggests that there has been no firing within three days.

The examination of the gun was made on the fourth day after the crime. I found much ferric iron in a solution of the barrel contents. Over and above this, the analysis of the pellets from the cartridges sent me showed the same composition; and while the analysis of the pellets extracted from the body exhibited the same composition, they differed materially from that of the pellets recovered from the house of the accused. Moreover, the diagram of the line of fire, as shown from the position of the shots as stated in the post-mortem report, was the diagram of a fire certainly from much beyond fifty feet and certainly not from within twenty feet, which was the distance of the upper part of the embankment from the place where the deceased was hit. Opposing these three inferences, there was much verbal evidence and the dying deposition of the deceased to say that the gun had actually been fired from this distance of twenty feet. Later on, however,

from subsequent investigation it transpired that quite a different man had accidentally shot the deceased through mis-handling of his gun, while he was shooting at some pigeons close by. Some shot which was taken from the possession of this man was found, when examined, to correspond with the shots recovered from the dead man's body; so much so that in the matter of arsenic the quantity agreed to within four places of decimals. This other man confessed, and was convicted of culpable homicide not amounting to murder. The distance of the site of the injury from the place where his gun had been fired was found to be about eighty feet.

The next case to be mentioned was of a very simple nature. A big theft had occurred at a hill station. On making a close examination of the site of the crime a tiny shining bit of steel was found on the gravel underneath the window which had been forced to give the burglar ingress into the house. This shining piece of metal on being examined through a magnifier was found to be steel with a concave curvature. It was conjectured that it might be a piece of a bayonet that had been used to part the two leaves of the window so as to allow the burglar to draw up the bolt. Although this was only a conjecture, an emergency call was sounded and the regiment of the station was paraded, without giving the men any hint why. On their arms being inspected one man was found to be without his bayonet. He explained that he had left it behind by mistake. The Commanding Officer went with him to the barracks; whereupon the man became nervous and began to give various explanations. His wooden box was found open (at first he would not allow it to be touched); and there was the bayonet with a part of it missing, and underneath some newspapers were all the proceeds of his theft.

Another simple case of theft in which I was interested supports the view that an inquiry should never be lightly abandoned. A schoolmaster had a silk shawl stolen from his house. He had had it made on a loom which had been installed in a cellar; and a duplicate had been woven at the same time. He suspected his new servant, a youth of sixteen, and it was known that this youth supported a kept woman in the bazaar. On searching this woman's apartment a silk shawl

was found, which the woman stated she had purchased recently from an itinerant hawker. It seemed impossible to disprove this: there was no identification mark on the shawl, which was almost new, seemingly only four or five days old.

The first thing I did was to examine the fibres of the recovered shawl and of its duplicate, and I found that they were the same. I then counted the number of longitudinal threads in each. They were the same. This, however, was not sufficient, so I noted on paper the thickness and the thinness of each of the threads. There were over 500 of them. The permutation and combination and the relative position in the number of the threads as they were thick or thin, I also noted down. The corresponding position of the thicker and the thinner threads in 500 places with only a few variations left no room for doubt that they had both come from the same loom, and that therefore the recovered shawl was the stolen article.

While comparing the handwriting and signatures of certain suspected documents with genuine signatures in a case of alleged forgery, I came to the conclusion that the writing was not eight years old, as it was alleged to be, but at the most about a month old. There is no hard and fast rule on the subject and there is much that can cause a variation, viz., the state of preservation of the ink and the state of the ink itself at the time of writing, the state of preservation of the document, the character of the ink itself, the atmosphere in which the document has been kept, the way and the means by which it was blotted after writing; all these no doubt influence experiments in determining the age of the writing. In this particular case, however, the paper was palpably new, no attempt had been made to secure an aged appearance, and the ink was noticeably fresh. The ink was of the blue-black variety: after eight years there should have been no trace of the blue, and the black should have turned grey; yet the blue was there, and the black should have turned grey; yet the blue was there, vivid and almost fresh. So in addition to giving my opinion on the handwriting I demonstrated before the Court (with the help of some re-agents) that the diffusion corresponded with the diffusion of a recent writing and that the ink did not at all resist a very weak oxalic acid solution; therefore it was apparent

that the writing could not be as old as eight years. The case resulted in a conviction for forgery.

This reminds me of another case, in which a typewritten document was in question. A man, desiring to approach a high Government official, presented letters alleged to have been written to him by Ex-Governors of the Province. For the prosecution the Ex-Governors' secretaries stated that although the signatures resembled the signatures of the Governors, they were not genuine signatures. This evidence, however, was not enough to convict the man. The case was sent to me for examination. There were four typewritten letters, dated 1912, 1916, 1918 and 1924. The defence demanded that all the four Governors should be examined on commission to say that the signatures on the letters were not their signatures. On examining the four typewritten sheets, I found, in addition to identity of measurement, peculiarities in several of the type letters, and these existed in all the four sheets. The same irregularity of spacing consequent on a defect of two of the letters in the machine was exhibited in all four cases. Enlargements revealed upward and downward tendencies in the combination of another set of two letters wherever they occurred. All this went to show that the same typewriter had been used in typing the four documents. Against this there was the argument of the defence that they had all come from the same Government House, and hence the same typewriter had been used. This was, however, rebutted by the fact that the wear and tear, natural and consequent on the use and age of the typewriter from 1912 to 1924, would show signs of much difference in shape, alignment and measurement; but the wear and tear which was found in all the four letters showed no differences in the margins, no blurring of the edges, no filling up of loops, and no looseness of the machine as exhibited by differences in the spaces between any two letters. Consequently the inference was that these four letters had come from the same typewriter used at the same time. Further, attempts had been made to give the appearance of age to the letter of 1912, and this had been done very clumsily; the bottom edge being more fresh than the rest of the letter. The conviction of the man was secured through this examination of the typescript.

I was recently called upon to examine two tube guns (a gun in which a zinc pipe employed for conveying drinking water is used as the barrel, a contrivance consisting of a spring operating a pointed iron rod striking the cap), a double-barrelled gun, and some fired cartridge cases which had been recovered from different places in different police jurisdictions, to find out whether any of the cartridge cases so recovered had been fired from any of the guns. I made enlarged photographs of the striker indentations on the cartridges. An examination of them revealed that in all probability the same gun was used in three different places in three different jurisdictions, all distant from each other. This enabled the police to show that the same gang of dacoits was operating in all three places.

In another case in which cartridges were concerned I found that there was a distinct mark of about $\frac{3}{4}$ -inch round the brass rim caused by a worn-out extractor. Similar impressions were discernible on two other cartridges. Further, the striker indentations on them were not only the same, but their relative position with respect to other marks and with respect to the letters embossed in the cartridge were the same, and these impressions of the striker-marks were at the same relative positions as the impressions on the rim of the case. Here also I was able to satisfy the Court that these cartridges had been fired from the same gun.

In yet another case a revolver bullet was found at the scene of a crime. There were marks of rifling on this bullet, and also special and individual marks made by the revolver. Later, information came into the hands of the police that a particular revolver had been used. This revolver and the recovered bullet were sent to me for examination. In this case I adopted the device of rolling the bullet on a sheet of plain lead-foil in order to obtain an impression of the marks on the bullet recovered as well as those on a shot which I myself fired from the revolver. There were so many marks in both, identical with respect to their relative positions, their beginning and ending, where they were deep and shallow, their linear or zigzag appearance, that there was hardly any doubt left that the recovered bullet was fired from this revolver. Now, I am no expert in firearms, but the exhibition of the relative position

of the marks and of their characteristics enabled the Court to draw its own conclusion.

Here is another case, a rather important one owing to the position of the suspect. The police received information that the suspect had lent his gun to the dacoits concerned, but when the gun was recovered from him, he stated definitely that it had been fired two months before the occurrence of the crime. I found that the right barrel contained faint traces of both sulphates and thiosulphates, good traces of nitrates and carbonates, no traces of ferrous and ferric oxide, nor of free carbon or sulphur, while, on the other hand, the solution of the left barrel contained absolutely no trace of any carbonate, no deposit of carbon or sulphur, but an abundance of free iron in the ferric condition. In my opinion the owner had made a false statement in asserting that the gun had not been fired within two months of the crime, for the right barrel showed definite evidence of recent firing. A demonstration was made before superior officers of the Province, and they agreed that there was a quite distinct difference between the condition of the right barrel and that of the left one, and that in all probability the right barrel had been fired some time earlier than the period alleged by the accused.

In a certain case in Bengal information was given to a District Magistrate that the headmaster of a certain school was not really a university graduate, and that he had obtained his post by submitting a false certificate—a diploma from the University of Calcutta. This headmaster had been doing his work efficiently for six years, and was very popular. The magistrate did not believe the story, but on its being repeated he asked the police to investigate. The diploma which the headmaster had presented with his application was called for without awaking any suspicion and was sent to me for examination. Through a high-power magnifying glass I found marks of erasure. On examining the diploma under the microscope I found faint traces of writing beneath the surface writing. I found that the ink with which the body of the diploma had been written and filled up (there were printed portions also) was iron-tannate ink. The name of the candidate was certainly written with slightly different ink from that on the other

portions. I photographed the diploma as it was and had the photograph signed by a magistrate, as I proposed to remove the present writing of the name on the diploma. With great care I succeeded in removing the name in most places, though in some parts it resisted my attempts, and I dared not venture upon a more concentrated solution than 10 per cent. of oxalic acid mixed with 5 per cent. of acetic acid (in practice I have found this to be safer than solutions of greater strength). I then took another photograph of this state of the document and had it signed by a magistrate.

Having previously assured myself that the ink was an iron-tannate one, I felt sure that in fourteen years it would certainly have penetrated to the interstices of the fibres of the paper; also I hoped that the erasure (which was indeed a very patient and careful one) had not removed the whole of the iron. I therefore 'developed' the iron by the slow process of suspending the document in a big bell-jar at the bottom of which was placed a small quantity of ammonium sulphide vapour. This successfully brought out the old writing, though not entirely, but in broken curves and figures. Although it could not be very plainly read, I could at least make out that the two words might possibly be any of seven words. With this clue I went over to the Registrar of the University and obtained the addresses, at the date specified on the diploma, of the seven possible names. After eliminating six out of the seven I reported to the police that the name which had been erased would appear to be so-and-so. Inquiry by the police showed that this man was a resident of a place quite close to that of the present headmaster; that he had died about seven years before; that about six months after his death there had been a theft at his house; that the box in which the deceased's papers were kept had been found strewn with other things in a garden on the outskirts of the village; and that his relatives had not given a second thought to the diploma, as it was not considered of any value after his death. Thus chemistry led to the detection of the forgery.

About seven years ago, happening to visit my home on short leave, I found my younger brother very much worried about the affairs of an elderly relative, a Government pensioner, who

was in trouble and likely to lose about 6,000 rupees in a civil case that had been brought against him by one of our litigious neighbours. The old man was receiving about 30 rupees a month as his pension and had a private income of about the same amount. He was in money difficulties, and had been borrowing small sums—15 to 20 rupees at a time—and was making repayment on receipt of assistance from some wealthy relatives. It was alleged that he had borrowed altogether some 4,000 rupees from this neighbour, and that notes of hand had been executed, through two of which he had obtained 3,000 rupees. When the case was instituted against him, he had stated in a senile way: 'I have taken money: I do not remember the details.' The Court did not take into account the fact that his mental condition was such that he would have said 'Yes' or 'No' to anything that might have been asked him, and so was prepared to give judgment against him. Judgment was to be passed on that particular day, and as my brother was a friend of the old man's son, he begged me to do all that I could to help. But help at this stage was impossible, as the old man, without knowing it, had practically admitted the claim. However, I went to the Court, where I found that the Presiding Officer was an old friend of mine. I asked permission to examine the note of hand. After examining it I prayed, more as a personal request than anything else, that judgment might be postponed for two days. I then asked the lawyer who was looking after the case to obtain the Court's permission for me to have the document for three hours; which was granted. We ran to the office of the Superintendent of Government Stamps, and I showed the document to the Superintendent. He closely examined the paper on which the document was written, and made a note, then told the office to ascertain when the paper purporting to have been written on the 16th August, 1920, was issued from his office. It so happened that paper with those particular marks was issued to our District Officer from that office only on the 15th of August. This was sufficient for our purpose. We went to the District Officer and learnt that this paper had been received from the Superintendent's Office on the 15th and kept in the double-lock in the Treasury, and that it had been issued to the single-lock

on the 25th August, after which no note was kept. As the paper had been issued from the Treasury to different stamp vendors at different times after that date, it could not possibly have been used for the purpose of a promissory note on the 16th. On producing this evidence the defendants begged that judgment might be delayed and that the Superintendent of Stamps and Stationery might be called. In the end not only was judgment not passed against the old man, but the very clever plaintiff met with his deserts for forging a document, as was definitely proved by the evidence of a single witness, and was sentenced to three years' rigorous imprisonment, all on account of his slip in ante-dating his writing on that paper.

Another interesting case once came to my notice. The manager of a large jute company at an up-country station reported a fire in his office and warehouse: some jute, the office safe and its contents—about 14,000 rupees in notes and cash—had been burnt amongst other things. I examined this safe and found that the money had been kept in a steel cash-box inside it. My instructions were to discover if possible whether it was a got-up case or not. I examined the safe carefully and noted the following points. There was a cotton net bag lying still inside the iron safe: the netting had been burnt, but the thread of the netting still held together and would not come apart easily, although it was burnt black. The paint inside the safe had melted, but some portions near the joints and at the edges of the bolts still retained a uniform polish, whereas in other places there were trickles of melted paint. Gaps between the trickles in the roof of the safe still showed a uniform painting. On the outside and on the visible interior of the safe the paint had all run. What struck me as curious was that although there is a difference in the melting points of an alloy of silver and copper (of which the rupee is composed) and steel or iron or galvanized tin of which the cash-box was made, there had been no melting in the walls of the box, while there had been melting of the tray on which the money was kept inside the box and of the rupee coins which were on the tray: indeed the silver coins had melted into a mass. This was the more remarkable, as they were inside the box which was inside the safe, and the safe was not a fireproof safe with

double walls. I argued that any heat which was sufficient to make the coins run into a molten mass would have first melted the paint in all parts of the safe more completely and would have put some parts of the box out of shape. Further, the ash that was found inside the box was not of such quantity as would have been produced if so many currency notes had been burnt and reduced to ashes. Hence my inference was that the whole thing was fabricated.

These few illustrations will, I hope, show junior police officers that even a slight knowledge of science is of value in criminal investigation. It is not that we may expect to meet with cases of this nature in our everyday experience, but a knowledge of what is possible is extremely useful, so that when the opportunity occurs, the knowledge may be utilized. In some western countries police laboratories have been installed with up-to-date equipment. The field of microphotography is being steadily extended. The day is fast approaching when in India and Burma also we shall be able to combat crime and up-to-date criminals with an up-to-date knowledge of scientific devices.

Police Training and Education

BY LIEUT.-COLONEL J. HALL-DALWOOD, C.B.E.

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DURING the past twenty-five years great advancement has been made in the general efficiency of the police service of Great Britain. The regulations, conditions of service, pay and allowances have been standardized, and many other privileges, which the police officer of those days only regarded as a dream of the future, are being enjoyed by the present personnel.

Whilst it is true that different local conditions require treatment appropriate to the needs, yet a wide variation in the methods of police administration regarding such matters as dress, discipline, equipment, the training of recruits, office staffs, criminal investigation, drill, as well as in matters of interior economy still obtains. This lack of uniformity may be caused by the heterogeneous mass of Forces, separately governed, and insufficiently co-ordinated, resulting in a state of affairs which is both unsatisfactory and subversive of real efficiency.

The police should, in my judgment, be concerned only with criminal investigation, protection of life and property, and with such other matters as come either directly or indirectly within the scope of its legitimate duties. Therefore, it should not be called upon to perform extraneous duties in connection with Lighting, Weights and Measures, Board of Agriculture, etc. It should be entirely responsible for the management and control of all vehicular and pedestrian traffic on the highway, also for lost property found in public vehicles. No Local Authority should be empowered to instal any system of traffic, tramway, bus, or otherwise, without consultation with the police.

Further, standing orders, punishments for crime, dereliction of duty, and serious breaches of discipline, should, in my

opinion, be codified for universal adoption by the various Forces. The enactment of local regulations (bye-laws) in matters concerning the police require curtailment and control in order that greater uniformity may obtain. This, of course, must be subject to the needs of any particular locality in restricting public liberty, but the spirit of competition between jurisdictions now existing in this respect should be eliminated. A check in this direction would be welcomed by the public generally, because practically the same regulations would apply everywhere, become well known, and incidentally would disarm criticism of police methods.

From the foregoing remarks it will be appreciated that owing to the divergence of opinion which exists among Local Authorities and Chief Officers of Police regarding education, it is extremely difficult to suggest a system of training which would be acceptable to the Forces generally, as well as uniform in effect. Therefore, in order to carry any such scheme into effect, the following fundamental principles would have to be accepted.

(1) That the sanction and co-operation of all Local Authorities throughout the United Kingdom be obtained.

(2) That no promotion to the higher ranks of the police service be made to any member who is not in possession of qualifying certificates, to be granted by a Board of Examiners.

(3) That the possession of the final certificate of such a Board should be the guarantee and only channel by which promotion to the highest rank in the service could be obtained.

If the above principles were accepted, the following benefits would accrue :

(1) Standardization of training and education would be established.

(2) An enormous saving of the expense which is at present incurred by Local Authorities in conducting examinations would be effected.

(3) There would be the assurance that preferment in the service would be the result of merit.

It will be remembered that in the early 'nineties, candidates who presented themselves for enrolment were accepted or rejected principally on physical grounds, and the question

of intellectual fitness in those days was rarely seriously considered. Whilst it is perfectly true that the police officer must possess physical fitness of a very high standard, yet, in addition, he should be so mentally equipped that he can think and act without a moment's hesitation, and be able instantly to arrive at logical conclusions.

In this respect the police officer's responsibilities differ from those of the soldier. On the one hand, the soldier forms part of the military unit to which he belongs, and is called upon to obey the orders of his superior officers *in person*; on the other hand, the police officer is required to execute the instructions which he receives, and to exercise, *on the spot* and *without supervision*, his individual discretion as to what should, or should not, be done in the circumstances. In addition, the police officer is fully cognizant of the fact that any error of judgment on his part will be the subject of investigation by his superiors. Accordingly, inasmuch as the police are *trusted* to bear their responsibilities without supervision, *discipline* assumes a different form; but it should nevertheless be as rigid as in the Navy or Army. Therefore, a well balanced educated mind, coupled with vigorous health, is the ideal standard of efficiency. With this as a foundation, the future training and education of the individual should not be difficult.

Many opinions have been expressed regarding the question of selection for promotion. I am in agreement with those who consider that literary attainments, tested by examination alone, do not provide sufficient guarantee of fitness to command. Any literary test should form only part of the process of elimination, as there are other important constituents, such as power to command, temperament, individuality, which are worthy of consideration before a correct judgment can be pronounced upon the merits of any particular candidate. Again, seniority of service, unless accompanied by exceptional practical experience and judgment evinced by the individual, is not satisfactory as a universal rule, as such a method of selection may create dissatisfaction and loss of interest on the part of younger deserving men.

Apart from the consideration of the methods adopted for the selection of candidates on promotion, at the outset of the

police officer's career some evidence of theoretical knowledge is necessary in order to form the foundation for future superstructure. With this idea in view, some twelve years ago it was suggested that a Police Staff Course, or scheme of examinations, should be established, and that by passing this course serving members might become eligible for the highest positions in the service. If such a system were established, I think that the curriculum to be followed by students should be the same throughout the United Kingdom and that the examinations should embrace the following subjects:

I. *An Entrance or Matriculation Examination*, comprising a knowledge of:

- (a) English (Geography, History).
- (b) Mathematics (Arithmetic, Elementary Geometry).
- (c) French or German.
- (d) Précis Writing—indexing and digesting returns.
- (e) Reading Manuscripts.
- (f) Criminal Law (elementary).
- (g) Law of Evidence (elementary).
- (h) Mercantile Law (applicable to police duties).
- (i) Powers of Observation (written and oral).
- (j) Drill (theoretical and practical).

All the above-mentioned subjects should be obligatory, and fifty per cent. of marks should be required as a minimum for a pass in each subject.

It will be noticed that police drill is mentioned as one of the subjects in the entrance examination. It is submitted that an intimate knowledge of this subject should be acquired and retained by every member of the Force, as it forms a very necessary component of discipline. On many occasions the police are called upon to meet serious emergencies as a combined unit, and their effectiveness is measured very largely by the skill and discretion exercised by them as a disciplined and trained body of men. First-aid is eliminated from all the examinations, as it is assumed that every member of the Force will have received, as a recruit, instruction in this subject.

II. *An Intermediate Examination.*

This examination would follow after a period of about twelve months from matriculation, and would deal with the following subjects :

A. *Obligatory.*

- (a) Mathematics. Arithmetic, including the Metric System, Velocity, Graphs, Mensuration.
- (b) French or German (Dictation, written, conversation).
- (c) Criminal Law (intermediate).
- (d) Law of Evidence (intermediate).
- (e) Mercantile Law (applicable to police duties).
- (f) Précis Writing; indexing and digesting returns.
- (g) Reading Manuscripts.
- (h) Psychology and Criminology (elements of).
- (i) Powers of Observation.

B. *Optional.*

- (a) Civil Procedure and Knowledge of Law Reports.
- (b) Wireless.
- (c) Aviation.
- (d) Photography.
- (e) One extra Modern Language (selected from Spanish, Italian, Portuguese, Russian).

In the obligatory subjects, candidates would be required to obtain at least half of the total marks allotted to each, in order to qualify. In the case of optional subjects, candidates might select any two, proficiency in which would enable the examiners to grade the competitors under Class I and Class II.

III. *The Final or Diploma Examination.*

This should not be taken within three years after passing the matriculation examination. It should consist of both written and oral tests in the following subjects :

A. *Obligatory.*

- (a) Mathematics (Arithmetic, Mensuration, advanced).
- (b) Two Languages (Dictation; conversation) (selected from French, German, Spanish, Italian, Portuguese, Russian).

- (c) Criminal Law (advanced).
- (d) Law of Evidence (advanced).
- (e) Mercantile Law (advanced).
- (f) Reading Manuscripts.
- (g) Précis Writing; digesting and indexing returns.
- (h) Psychology and Criminology (advanced).
- (i) Powers of Observation.

B. *Optional.*

- (a) Civil Procedure and Knowledge of Law Reports.
- (b) Light, Heat and Sound.
- (c) Chemistry (Inorganic).
- (d) Physics.
- (e) Wireless.
- (f) Aviation.
- (g) Photography.

Candidates would be required to obtain fifty per cent. of the marks allotted in all the obligatory subjects. Failure to qualify in any one subject would necessitate re-examination. Not more than three of the optional subjects may be taken by candidates. On the combined result, the examiners would be able to prepare three classes in order of merit.

It is suggested that the conditions governing admission to the proposed Staff Course should be clearly stated, and circulated to every police force in the country, together with the fullest details of the curriculum to be followed and other requirements at each stage of the course. At the inception, a list of those candidates who desire to take the Course should be kept by the Chief Officer of Police in the locality concerned; and afterwards be entered on the roll, as a record of those candidates who submit themselves for examination. A small fee could be charged for enrolment. In the interests of convenience and economy, various centres might be established for the purpose of conducting examinations. To the nearest of these centres the candidates would assemble at stated intervals.

It is not proposed under the scheme to found a residential College, or to establish a course of lectures in the prescribed subjects. The idea is that each student would obtain the

necessary coaching locally. Upon the dates advertised for holding examinations, sealed papers would be dispatched to each local centre, in charge of a member of the Examining Board, who would be responsible for the general conduct of the examination, and the *viva voce* tests at each.

As a result of the various examinations, certificates bearing the signatures of the President of the Board, two Examiners, and the General Secretary would be awarded to the successful candidates. It is recommended that such certificates should be accepted throughout the police service in Great Britain, as the hall-mark of efficiency.

In order to inaugurate and carry such a scheme into effect, it would be necessary to invoke the hearty co-operation of Local Authorities, who would be approached as to the provision of a proportional grant out of public funds, to defray the expenses incurred for rents of examination halls, examiners' fees, travelling expenses, printing, stationery, and other incidental charges.

Serious crime in recent years has assumed a more skilful and insidious form, as it is perpetrated by astute and desperate criminals of all nationalities, who are highly trained and sinister in their methods. In order to trace and frustrate the machinations of such malefactors, the police officer of to-day is called upon to exercise all conceivable ingenuity and skill. As the level of education and intelligence in the police service is steadily rising coincidently with the enrolment of recruits of a high standard, there is every reason to be confident that this profession will be brought into line with other highly technical callings, and that such reforms as are deemed necessary to that end will be accomplished in the near future. It is hoped that the few suggestions which have been outlined in this article may prove helpful in this direction.

An Optical Instrument for Calculating the Speed of Motor-Cars

By J. M. WALTMAN

Police Inspector, The Hague

AND

DR. J. F. SIRKS

Director of the State Marine Institute, Leiden

[Translated]

THE rapid increase in motor traffic has compelled Governments to issue regulations for the general safety. Of these regulations, the one concerning maximum speed is best known to the general public, albeit the least agreeable in the eyes of motor drivers. But every well-meaning motor driver, who is aware of the responsibility he shoulders as the driver of a rapidly moving vehicle, will admit that limitation of speed in connection with local circumstances is necessary on those roads which are not yet adapted to modern traffic.

To uphold these regulations various methods are employed, commonly known as 'police traps,' for the proper application of which at least two, or better still three, men are required. The least reliable method of all is when a single man with a stop-watch measures the speed over a certain section from a distance by watching motor-cars passing two given points. Opinions, however, differ as to the best way of working a 'trap,' each local area applying its own method, but there is no doubt that the most practical and accurate method is as follows. Two points are fixed on a stretch of road, say one hundred metres apart. When a car passes the starting-point, the officer stationed there signals by lifting his hand; the controller at the other end of the hundred yards instantly presses a stop-watch, and does so again as the car passes him.

A third officer stationed some distance beyond can then stop the vehicle, if required, at a signal from the controller.

The instrument we are about to describe is based upon this method, and it enables the last-mentioned officer to replace both the others.

ORIGIN OF THE INSTRUMENT

The idea of ascertaining by an instrument the speed of a motor-car over a measured length of road arose from the fact that a motor-car, seen at a given distance from in front or from behind, is always seen by the observer at a certain angle, formed by the lines converging from the sides of the object to his eye. This angle is larger or smaller as the car is near or far (see Fig. 1). This system, therefore, is the reverse of the



FIGURE 1

system employed in the ordinary range-finder, where the width of the instrument itself forms the base line; for in the present case the base line is formed by the width of the object. Experiments were begun in October 1924, and since then the idea has been further developed and the instrument repeatedly improved, until the device illustrated in the accompanying photographs has been evolved.

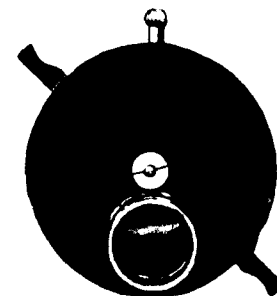
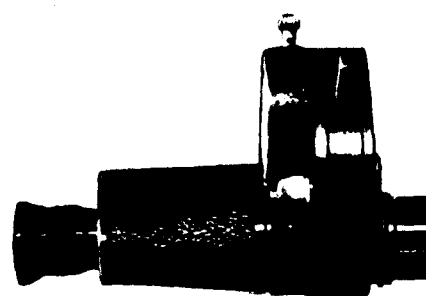
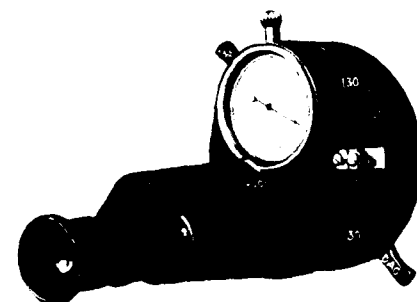
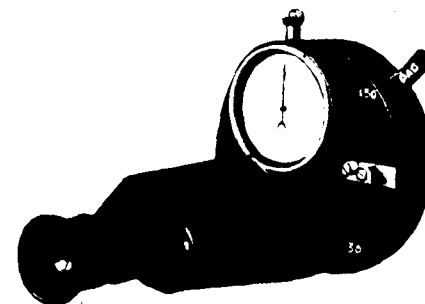
We think we have been successful, judging by the experiments and opinions of such experts as Professors W. H. Keesom and W. J. de Haas of Leyden University, who in a case before the District Court and the Court of Justice at the Hague declared the instrument to be a suitable one. The invention has been patented in various countries, Great Britain among them.¹

OBJECTIONS TO POLICE TRAPS

Experience of police traps has made manifest the following objections to their use:

(a) They are confined to a fixed spot.

¹ No. 264487.

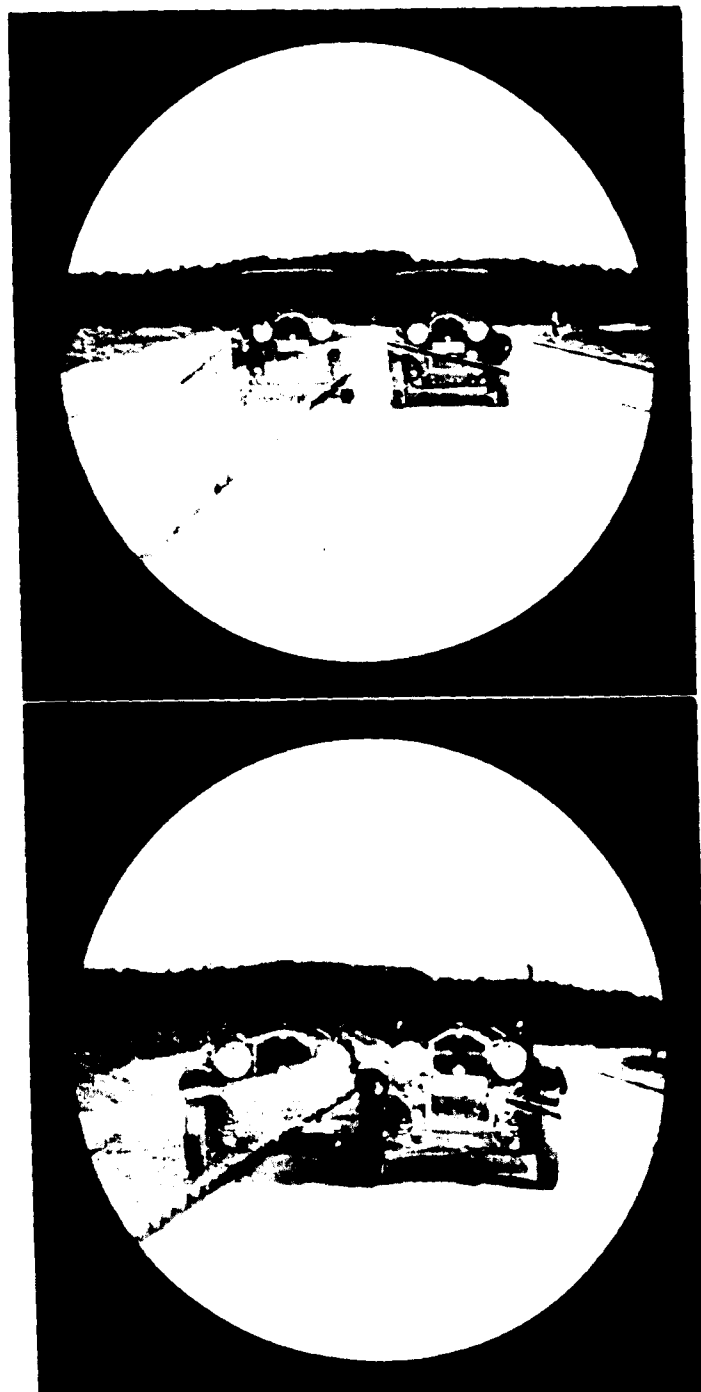


SIDE VIEW

FRONT VIEWS

REVERSE VIEW

(See p. 645)



AN APPROACHING CAR SEEN THROUGH
THE INSTRUMENT

- (b) There is a possibility of error in timing.
- (c) The driver of the car, if warned, may slacken speed.
- (d) It is difficult for the officers to co-operate efficiently after dark.

In order to meet these objections, the officers should be provided with an instrument (a) which is portable ; (b) which can best be used by a single person ; and (c) which allows accurate measurements to be taken after dark. All these conditions are met by the instrument we have designed.

HOW THE INSTRUMENT WORKS

The speed is ascertained by combining measurements of distance with a determination of time.

In the accompanying diagram (Fig. 2), if b represents the height of an object, and if the angle at a is measured, then the unknown distance x can be calculated trigonometrically.

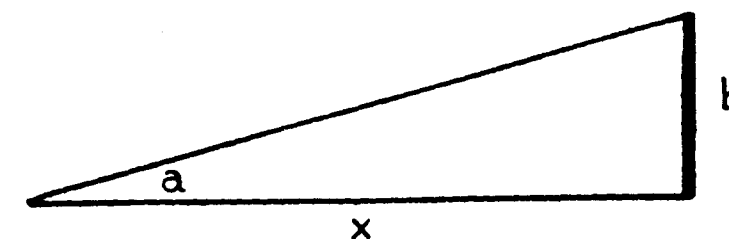


FIGURE 2

When b lies in a horizontal plane, such as the track of an approaching motor-car, and is shown at right angles to the visual line of the observer, the distance x can be calculated. As for the dimension b , the width of the hood, the distance between the centres of the tyres (seen from in front), called the 'track,' or the distance between the centres of the head or side lights can be taken. Thus for a track $b = 1.35$ metres (4'5"), and an angle $a = 92.8'$ (minutes), the distance would be 50 metres (about 55 yards).

A prism held upright before the eye displaces the object in a horizontal direction. At night the image of two head lamps, in relation to the direct image observed without the glass, will be seen moved to the side of the prism. If one looks half over and half through the glass, a direct and also a dis-

placed image, therefore four lights, will be seen. When a motor-car is approaching the observer, the object and the image move nearer to each other until at a certain moment three lights are seen instead of four. The prism then has moved

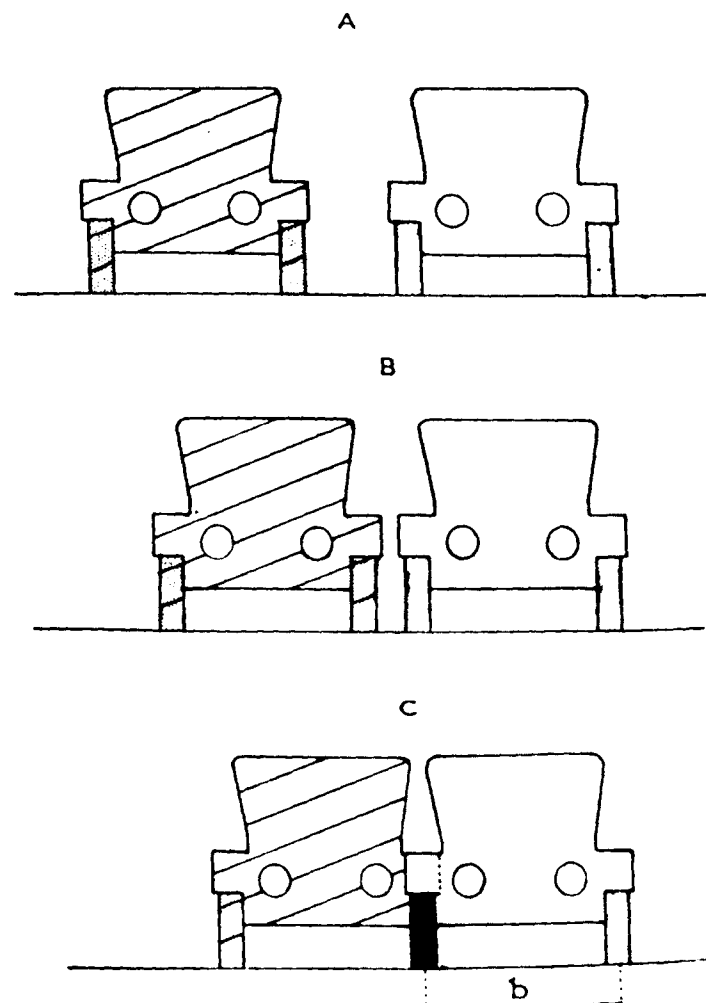


FIGURE 3

both lights over their mutual distance b . When the beams of light are at an angle $a = 26.5'$ (minutes), and the distance between the lamps is 1 metre, the distance of the car is worked out to 130 metres. When the prism is replaced by one with a larger angle of refraction at the distance of 130 metres, four lights are again seen; and when the vehicle has approached to

within 30 metres, the four lights will have again merged into three lights. The time taken in coming from the distance of 130 metres to the distance of 30 metres, *i.e.* in traversing 100 metres, is measured by a stop-watch. From a table giving the speed at various times (with increases of $\frac{1}{8}$ th second) and of different widths of track (or of side lights), the actual speed may be read off.

During the day it is advisable to sight on the tyres. When the right-hand tyre in the moved image is seen coinciding with the left-hand tyre in the direct image, the images are mutually moved over the distance between the centres of the tyres (see Fig. 3c). This can also be exactly observed, especially when a field glass is used in addition to the prism.

The distance traversed varies directly with the track between 1.10 metre (3'7") and 1.80 metre (5'10"), if the angle of deviation has a constant value as shown in the following table:

Width of Track	Shortest Distance	Greatest Distance	Distance Traversed
1.10 m.	22.8 m.	98.2 m.	75.4 m.
1.45 "	30.0 "	129.5 "	99.5 "
1.80 "	37.3 "	160.7 "	123.4 "

If the width between the head-lights is measured, night prisms are used (see Fig. 4), and the following table is obtained.

Width between Lights	Shortest Distance	Greatest Distance	Length of Road Traversed
0.60 m.	18 m.	78 m.	60 m.
0.90 "	27 "	117 "	90 "
1.20 "	36 "	156 "	120 "

The angle of deviation of the different prisms has been chosen in such a way that for the average track of 1.45 m., (about 4'9") and an average distance between the lights of 1 metre (about 3'3"), the length of road over which observations are taken amounts to 100 metres (about 110 yards).

Instead of measuring on the approaching car between 130 metres and 30 metres, this can also be done between 130 m. and 0 m. When the car passes, the watch is stopped. An advantage is that no other prism need be used and that one measures over a longer part of the road. A disadvantage is

that one has no opportunity of bringing the car to a standstill and of warning the driver.

It is also possible to measure, between 0 m. and 130 m., a car when it is going away from the observer. There is then

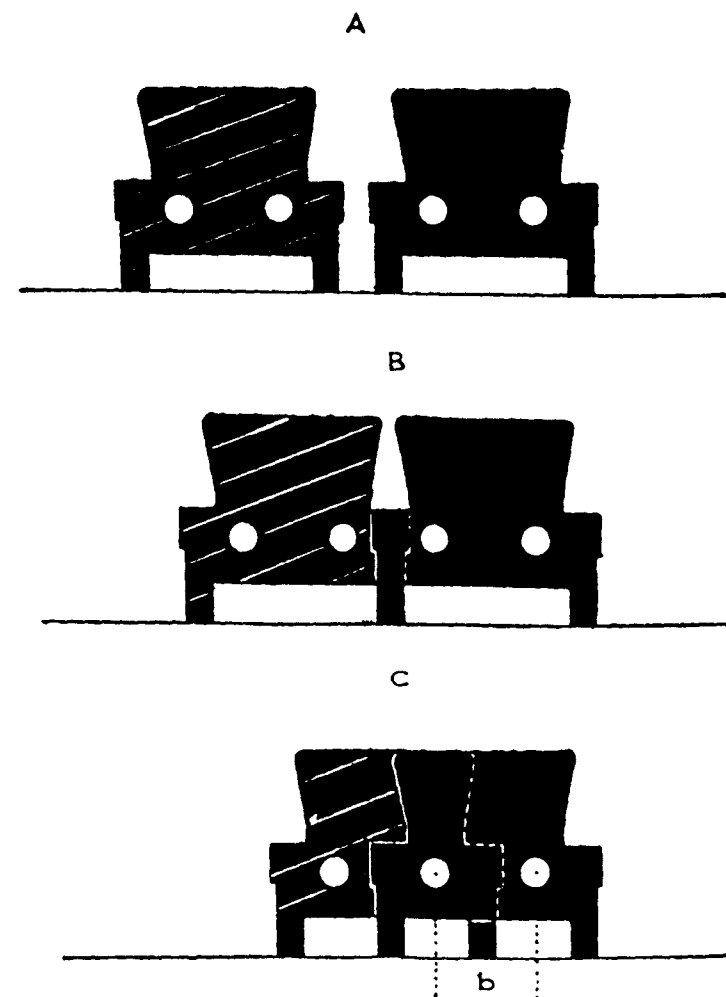


FIGURE 4

plenty of time to read the registration letters and number through the telescope (see Fig. 5).

POSITION ON THE ROAD

The practical application of the instrument would be rather difficult if it were always necessary for the observer to

stand in the road in front of the approaching car, not only because in this case a correct observation could not properly be made, but also on account of the danger to which the observer would be exposed. It is advisable therefore to stand

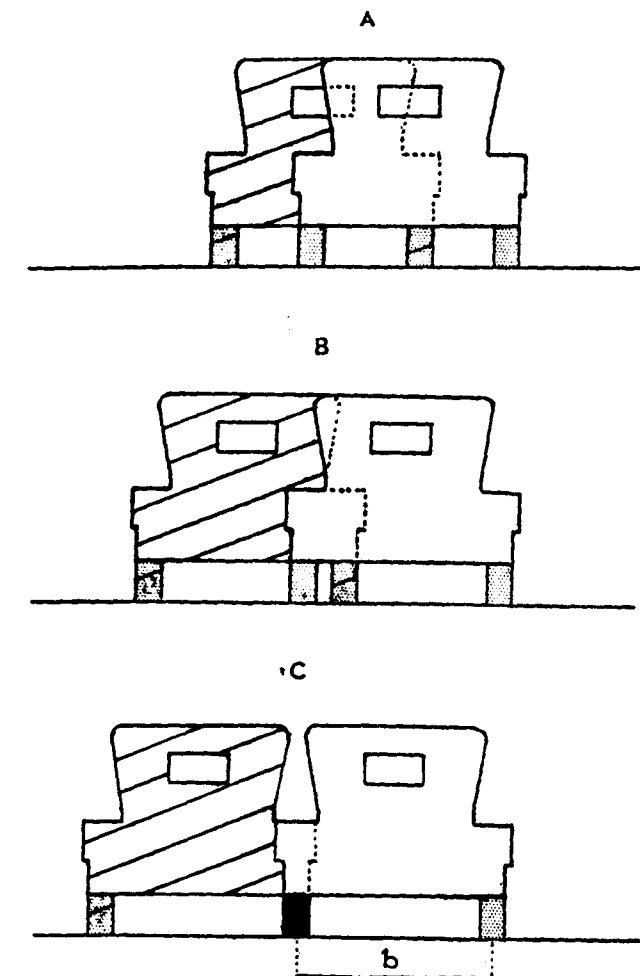


FIGURE 5

by the side of the road and at the right-hand side when watching traffic keeping to the left; but on the left side to watch traffic overtaking on the right.

Posting oneself on the right or on the left does not make any difference worth mentioning in the determination of speed, provided the road has a normal width. Needless to say the

observer should post himself as conveniently as possible, *e.g.* in the neighbourhood of a tree, lamp-post or tramway pole, and at night not under but at some distance from a lamp. The situation of the road itself is of course also of much importance.

The position should, moreover, be such that as many different types of motor vehicles as possible can be observed. For a favourable position a straight piece of road of about 180 metres (say 200 yards) is required. It is necessary that the first of the two sets of images be seen quite distinctly so that the first observation (at 130 metres) can be made without any trouble, and the stop-watch can easily be started. Near a corner one can make observations only in one direction. On a straight road, however, one can, if necessary, make observations in both directions without changing place.

OBSERVING MOTOR-CYCLES

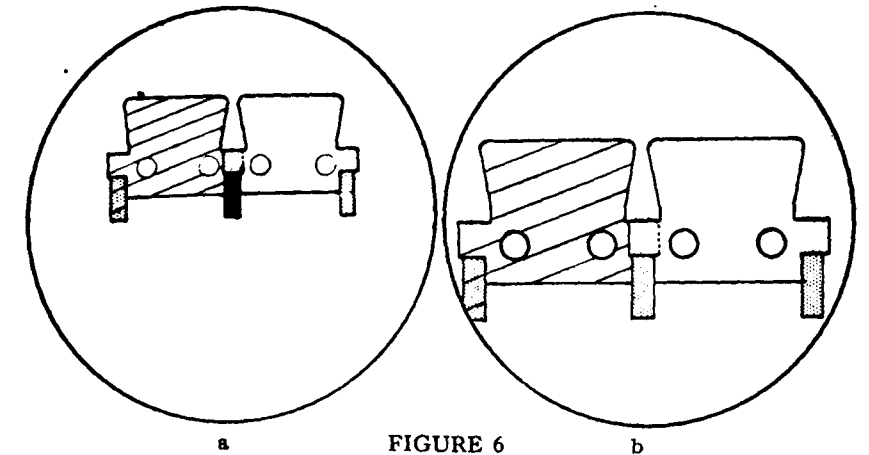
A sight is taken on the extremities of the handle-bar in the case of motor-cycles. As bicycles usually carry only one lamp, it is needless to say that one cannot use the instrument for motor-cycles after nightfall. For motor-cycles the stop-watch is started when the right-hand end of the handle-bar of the displaced image coincides with the left-hand extremity of the handle-bar of the direct image. Therefore after stopping a driver one should measure the width of the handle-bar. Motor-cycles with side-cars, however, are measured on the track, and after nightfall on the two lights. As the distance between the side lamps is practically the same as the track, one can also use the day prisms after nightfall.

USE OF THE TABLES

When using the tables the figures should be rounded off in favour of the motorist. If, for example, the track is 1.47 m., then a speed corresponding to a width of 1.45 m. is looked up in the table.

Similarly with fractions of time— $\frac{1}{10}$ th sec. is rounded off upwards in $\frac{1}{5}$ th sec., so that if the watch indicates a time of $8\frac{1}{10}$ th sec., in the table $8\frac{1}{5}$ th is looked up. The tables are compiled in such a way that for each width, for both day

and night prisms, speeds from 15 kilometres to 90 kilometres are given (9 m.p.h. to 55 m.p.h.). Therefore, after stopping a vehicle, if the time and track-width are known, the speed can



immediately be determined. An extract from the tables for day prisms for widths of 1.10, 1.45, and 1.80 metres, is given below, showing the speed in kilometres per hour.

Observed time. sec.	1.10 m. km. p.h.	1.45 m. km. p.h.	1.80 m. km. p.h.
$8\frac{3}{4}$ th	31.5	41.6	51.6
$8\frac{1}{2}$ th	30.8	40.7	50.5
9	30.1	39.8	49.3
$9\frac{1}{4}$ th	29.4	38.9	48.3
$9\frac{1}{2}$ th	28.8	38.1	47.3

DETERMINATION OF DISTANCES

After many experiments it has been found that the distances of 130 to 30 metres were the most suitable. A road 100 metres long was desirable as an average for the determination of speed; if the starting-point were fixed as far off as 150 metres it would be difficult to make the first observation accurately, the distance being too great; and for practical purposes a straight part of road of about 200 metres would be required, which would make the instrument more or less unsuitable in side streets or between two corners comparatively close.

For very rapidly moving cars the distance of 30 metres (about 33 yards) may perhaps not be sufficient space within which to pull up before they reach the observer; but in practice it has been found sufficient if the observer has an opportunity in such cases to give a signal to stop.

WHAT IS OBSERVED

The illustrations (see Fig. 3) show what is seen through the telescope. The direct image is seen on the right through the field glass, and this approaches the observer in a straight line. The displaced image (hatched) is observed on the left; it moves slowly to the right till the two images (seen from in front) merge into one another or, after nightfall, three lights are seen instead of four. In the first observation (at 130 metres) the merging of the two central tyres of the two images is very clear; and the coinciding tyres are darker than the others (see Fig. 6, a). In the second observation (at 30 metres) this blackening does not take place, and both images can be sharply distinguished (see Fig. 6, b). In Fig. 3 in the case of a car with a normal track, the position A indicates a distance of 150 metres; the position B, of 140 metres, and the position C of 130 metres. At the time of the second observation these positions represent distances of about 50, 40 and 30 metres.

Night-time observations of head-lights are explained in Fig. 4. Dazzling head-lamps do not affect the observations. In a prismatic telescope about forty per cent. of the light is dissipated.

In Fig. 5 a disappearing motor-car is illustrated. Here the time is measured between 0 metre (passing) and 130 metres. It is of course not possible to stop a disappearing car; so such observations are only of use for the purposes of check. For a normal track in position A this car is 60 metres distant, in B at 110 metres, and in C at 130 metres. The reference table indicates the speed in these cases.

Fig. 7 shows what apparently takes place on the road when an approaching motor-car (track *b*) is observed. The observer is at point W. At A (at 150 metres) we see the displaced image of the car (dotted), still at some distance from the direct image; but at B (at 130 metres) the images have coincided to the extent

that the right-hand tyre of the displaced image covers the left-hand tyre of the direct image (see Fig. 6, a.) The stop-watch

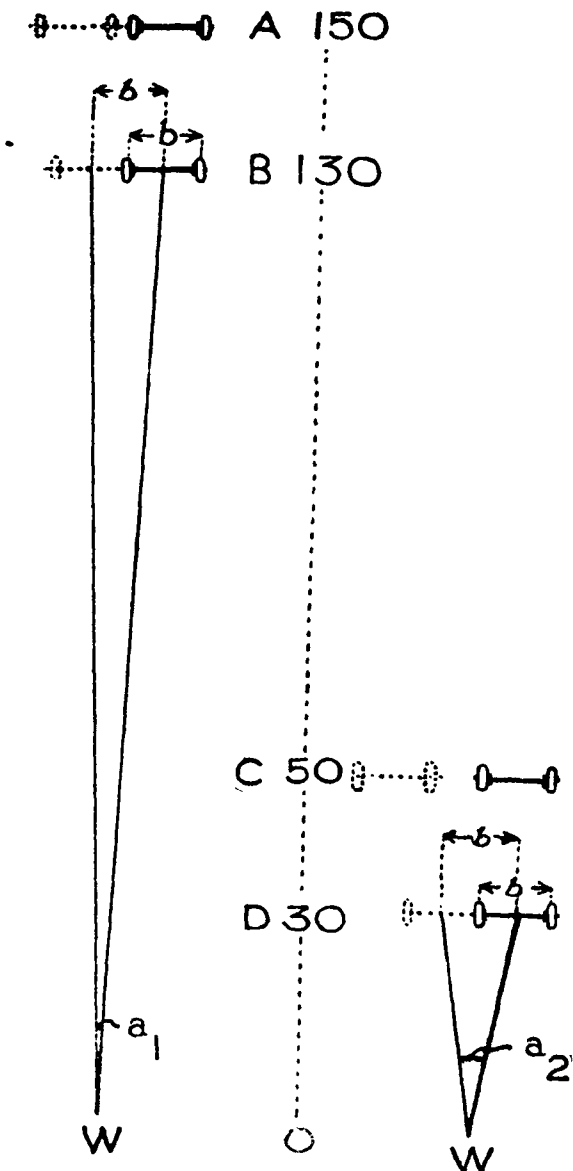


FIGURE 7

is then started. As the car approaches the observer, he prepares for the second observation through the other prism. When the car has reached to about 50 metres (C), he again sees

both images at some distance from each other, but considerably larger, and after a little while one tyre of the right image coincides with one tyre of the left image (D). The car is now at 30 metres (see Fig. 6, b); and at the moment of the merging the observer stops the watch. Between both observations the car has covered a distance of 100 metres. The proportion of the angles of the prisms, which as already said, are of a different size, follows from the dimensions of the angles α_1 and α_2 .

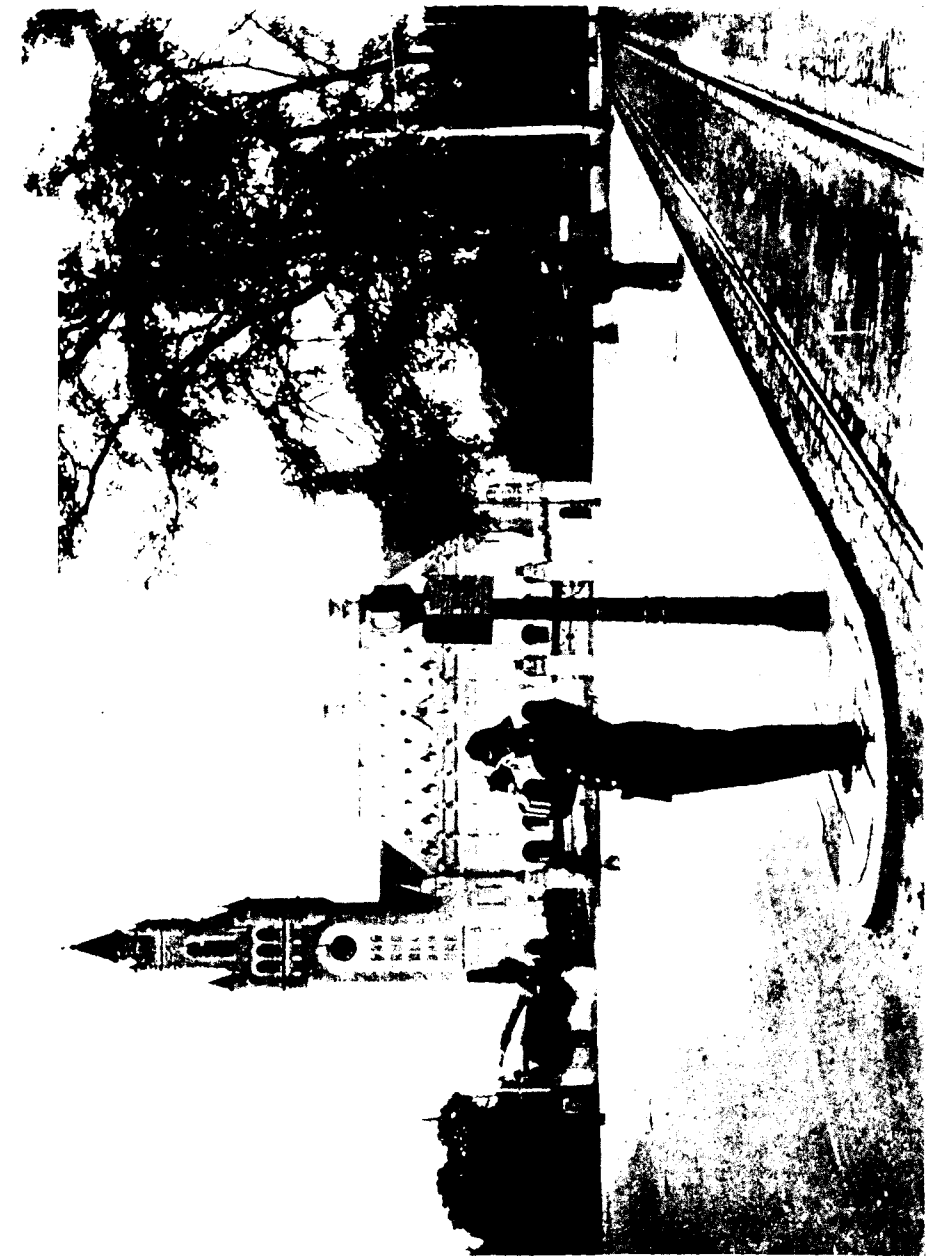
CONSTRUCTION OF THE INSTRUMENT

The device is constructed as follows (see photo., p. 644). In front of a monocular prismatic telescope of six magnifications and 30 mm. (1.18") objective diameter, the four prisms (two for day use and two for night use) are fixed in a revolving disc. The prisms can be turned one after the other in front of the lower half of the telescope objective; the exact position is indicated by a spring. The disc is turned by a lever handle. The stop-watch is firmly fixed to the apparatus. There is a cover over the glass in front of the prism protecting it from rain or sun rays.

In the second photograph (facing p. 644) the position of the lever marked 'DAG' (=day) shows that measurements are being made with the day-prisms.

ACCURACY AT THE OBSERVATIONS

What degree of accuracy can be obtained with the instrument? This is determined by the personal error (time of reaction) of the observer, by which is meant the time that elapses between the moment of observation by the eye and the moment of working the stop-watch. The average reaction does not exceed $\frac{1}{4}$ th sec. Suppose in the most unfavourable case that the stop-watch is started $\frac{1}{4}$ th sec. too late and is stopped $\frac{1}{4}$ th sec. too early, the observer would record, for example, when measuring a speed of 19.9 km. an hour for a track of 1.45 metres a time of $17\frac{3}{4}$ th sec. instead of 18 sec., which corresponds to a speed of 20.3 km. The error made is 0.4 km. on 20 km. At a speed of 40 km. the error is four times as much; a time of 9 sec. in the table for $b = 1.45$ metres





corresponds to 39.8 km., whereas 9 $\frac{2}{3}$ th sec. would indicate a speed of 38.1 km. So we can say that in the one case at 20 km. the speed may be between 19.6 km. and 20.4 km. and in the other between 38.3 and 41.7 km. Other sources of error could be : a mistake in measuring the width (the track or the distance of the lamps) or an error in the angle of deviation of the prisms (by the inexact grinding of the refractive edge of the prisms). If the width is measured with an accuracy of 1 cm. and the prisms are ground with an accuracy of 10 seconds, the resultant error in calculation is negligible.

Repeated measurements with the telescope have proved that even with a short training an observer can obtain a high degree of accuracy in his measurements. The instrument, if skilfully used, is certainly an aid to the control of traffic.

imprison all madmen, and if they die there; why, it is not his fault. He may levy fines for profane swearing; to wit, for each labourer or servant, 1s.; for others under the degree of a gentleman, 2s.; for gentlemen, 5s. per time. If any gentleman swear twice, the fine shall be doubled. Truly the Constable is a potent man, and in addition to all these his powers, it is his prerogative to raise the Hue and Cry.

Now, before the days of police forces, when constables were few and most towns possessed but one or two, the odds were heavily in favour of the criminal who took to his heels. Naturally the victim of the crime was only too happy to join the constable in pursuit, as were all bystanders whose sporting instincts were aroused. But this was a haphazard method of dealing with crime; and as the community grew, the increase of law-breaking demanded better measures for coping with it. I have already mentioned the Statute of Winchester passed in 1285. This statute directed that henceforth each county should be so well organized that immediately upon a robbery or felony being committed the Hue and Cry should be raised and carried from town to town and from county to county till the law-breaker be taken. 'And they that keep the town shall follow with Hue and Cry, with all the town and the towns near; and so Hue and Cry shall be made from town to town until they (*i.e.* the felons) be taken and delivered to the Sheriff.' And in order that the Hue and Cry should be properly taken up, the Hundred (county division) was bound to answer for all robberies therein committed, unless they took the felon. A further statute passed in 27 Eliz. (1585) ordained that no Hue and Cry should be considered sufficient unless made with both horsemen and footmen; while in 1744-5 the constable was made liable to a fine of £5 if he refused or neglected to raise the Hue and Cry properly.¹

I may here interject that *Hue* is derived from the old French word *huer*, which means to shout. Originally 'hue' seems to have signified the complaint of the party aggrieved, and 'cry' the pursuit of the felon. There is a whole parcel of statutes dealing with this particular form of repressing crime; but their

¹ But fines for neglect to raise the Hue and Cry were levied centuries before this. The Pipe Roll for 1176 records that Walter the Taverner was fined half a mark (6s. 8d.) for this neglect.

interest is rather for the legal antiquary than for readers of *The Police Journal*.

An excellent account of raising the Hue and Cry is contained in an Elizabethan play entitled *The Contention betweene Liberalitie and Prodigalitie*, printed in 1602.

Enter a Constable, making hue and cry.

CON.: Thieves, neighbours, thieves! Come forth; beset the country.

1 FEL.: 'Zwounds, we are undone; the constables come after with hue and cry.

2 FEL.: Stand back; lie close, and let them pass by.

CON.: Thieves, thieves! O vile, O detestable deed! Thieves, neighbours! Come forth, away! Abroad with speed.

HOST: Why, what's the matter, friend, I pray?

CON.: Why, thieves, man, I tell thee; come away.

HOST: Thieves, i'faith! Wife, my scull, my jack, my brown bill.¹

CON.: Come away quickly.

HOST: Dick, Tom, Will, ye whoresons, make ye all ready, and haste. But let me hear, how stands the case?

CON.: Marry, sir, here-by. Not far from this place

A plain simple man, riding on his ass,

Meaning home to his country in God's peace to pass,

By certain roisters, most furious and mad,

Is spoiled and robbed of all that he had.

And yet not contented, when they had his money,

But the villains have also murdered him most cruelly.

HOST: Good God, for his mercy!

CON.: It was my hap to come then presently by him

And found him dead, with twenty pounds upon him.

HOST: What became of them?

CON.: They fled this way.

HOST: Then, neighbour, let us here no longer stay,

But hence and lay the country round about:

They shall be quickly found, I have no doubt.

To assist him in his duties the constable had command of a squad known as 'the watch.' Strictly speaking the watch

¹ *i.e.* my 'tin helmet,' my leather jerkin, my pike.

were on duty only at night, their task being to apprehend all rogues who practised their profession after nightfall. By day a squad known as 'the ward' dealt with evildoers. By statute of the realm every city had to furnish a watch between Ascension Day and Michaelmas, with six men at each gate; every borough to have twelve men on watch from sunset to sunrise, to arrest suspected strangers, or make hue and cry after them, and detain them until morning.

Now for the composition of the watch. Justices of the Peace were instructed to require annually from the overseers of parishes a list of those within the parish qualified and liable to serve as watchmen. Every able-bodied man between the ages of twenty-five and fifty-five years rated at £4 per annum was liable. Those appointed were bound to serve or find substitutes, or they could be indicted. Indeed, on refusal, the constable could set them in the stocks. They enjoyed the protection of the law, and if they were killed in the execution of their duty, why, it was flat murder.

It is not to be wondered, then, that the watch was not always taken very seriously. Able-bodied men could always find an excuse for not serving—and indeed it was not every able-bodied young man whom the parishioners cared to entrust with a 'brown bill' and summary powers. So for the most part the watch—I am thinking of Queen Bess's days—consisted of the lesser tradesfolk, their assistants, and harmless unemployed. But their commander, the constable, if he is treated roughly by the dramatists, was at least a man of character, often of intrepidity, always with a good knowledge of the world and its ways, though sometimes burdened a little with the weight of his own importance. But he was such an integral part of civil life that most of the greater dramatists have introduced him into one or more of their plays.

Probably the best known constable in fiction is Dogberry, and certainly in *Much Ado About Nothing* (printed in 1600) Shakespeare has given us the most complete character sketch of the Elizabethan constable that has come down to us. The scene is laid in Sicily, and Dogberry is a native of that country; but he bears about as much resemblance to a Sicilian as a Hottentot does to an Eskimo. He is a Cockney of the Cock-

neys, and he is of a type (with Corporal Bardolph, Nym, and Pistol) that survives to-day and makes the Londoner of the sixteenth century so familiar to us. Dogberry is illiterate, but greatly filled with the importance of his office. Words of three syllables are usually beyond his ken, but he loves the sound of imposing words and uses them on every possible occasion, regardless of their meaning.

Scene : A Street. Enter Constables Dogberry and Verges, in order to inspect the watch, who are drawn up in line, and instruct them in their duties. From what follows we can gather that this particular watch was not a particularly smart body of men, and it is probable that their entry was greeted with shouts of laughter by the audience.

VERGES : Well, give them their charge, neighbour Dogberry.

DOG. : First, who think you the most desartless man to be constable ?

1ST WATCH. : Hugh Oatcake, Sir, or George Seacoal ; for they can write and read.

DOG. : Come hither, neighbour Seacoal : God hath blessed you with a good name ; to be a well-favoured man is the gift of fortune ; but to write and read comes by nature . . . You are thought here to be the most senseless and fit man for the constable of the watch ; therefore bear you the lantern. This is your charge : you shall comprehend all vagrom men ; you are to bid any man stand, in the prince's name.

2ND WATCH. : How if he will not stand ?

DOG. : Why then, take no note of him, but let him go ; and presently call the rest of the watch together, and thank God you are rid of a knave. . . . You shall also make no noise in the streets ; for, for the watch to babble and talk is most tolerable and not to be endured.

2ND WATCH. : We will rather sleep than talk ; we know what belongs to a watch.

DOG. : Why, you speak like an ancient and most quiet watchman ; for I cannot see how sleeping should offend ; only, have a care that your bills be not stolen. Well, you are to call at all the ale-houses, and bid those that are drunk get them to bed.

2ND WATCH. : How if they will not ?

DOG. : Why, then, let them alone till they are sober ; if they make you not then the better answer, you may say they are not the men you took them for.

2ND WATCH. : [Very] Well, sir.

DOG. : If you meet a thief, you may suspect him, by virtue of your office, to be no true man : and, for such kind of men, the less you meddle or make with them, why, the more is for your honesty.

2ND WATCH. : If we know him to be a thief, shall we not lay hands on him ?

DOG. : Truly by your office, you may ; but, I think, they that touch pitch will be defiled : the most peaceable way for you, if you do take a thief, is, to let him show himself what he is, and steal out of your company.

VERG. : You have been always called a merciful man, partner.

DOG. : Truly, I would not hang a dog by my will ; much more a man who hath any honesty in him.

VERG. : If you hear a child cry in the night, you must call to the nurse, and bid her still it.

2ND WATCH. : How if the nurse be asleep, and will not hear us ?

DOG. : Why, then, depart in peace, and let the child wake her with crying. . . . That is the end of the charge. . . . Well, masters, good night ; an there be any matter of weight chances, call up me. Keep your fellows' counsels and your own, and good-night. Come, neighbour.

2ND WATCH. : Well, masters, we hear our charge. Let us go sit here upon the church-bench till two, and then all to bed.

DOG. : One word more, honest neighbours : be vigilant, I beseech you.

What a character sketch it is ! One can picture the whole scene, and the characters too. Dogberry's red nose absolutely shines through the words.

Next comes a truly up-to-date scene : the examination of a suspected man under arrest. Dogberry reports to Leonato, Governor of Messina, that his watch have arrested two suspicious characters during the night.

DOG. : Our watch, sir, have, indeed, comprehended two

aspicious persons, and we would have them this morning examined before your worship.

LEON. : Take their examination yourself, and bring it me ; I am now in great haste. . . .

DOG. : It shall be suffigance. (*To Verges*) Go, good partner, go, get you to Francis Seacoal, bid him bring his pen and inkhorn to the gaol : we are now to examine these men.

VERG. : And we must do it wisely.

DOG. : We will spare for no wit, I warrant you. Here's that (*touching his forehead*) shall drive some of them to a *non com*. Only get the learned writer to set down our excommunication, and meet me at the gaol.

Arrived at the gaol, Dogberry, Verges and a Sexton (!) proceed to examine the prisoners, Conrade and Borachio.

DOG. : Is our whole dissembly appeared ?

SEXT. : Which be the malefactors ?

DOG. : Marry, that am I and my partner.

VERG. : Nay, that's certain ; we have the exhibition to examine.

SEXT. : But which are the offenders that are to be examined ?

Let them come before Master Constable.

DOG. : Yea, marry, let them come before me.—What is your name, friend ?

BORA. : Borachio.

DOG. : Pray write down, 'Borachio.'—Yours, sirrah ?

CON. : I am a gentleman, sir, and my name is Conrade.

DOG. : Write down, 'master gentleman Conrade.' Masters, do you serve God ?

CON. and BORA. : Yea, sir, we hope.

DOG. : Write down that 'they hope they serve God'—and write God first ; for God defend but God should go before such villains. Masters, it is proved already that you are little better than false knaves. . . . How answer you for yourselves ?

CON. : Marry, sir, we say we are none.

DOG. : A marvellous witty fellow, I assure you. . . . Come you hither, sirrah, a word in your ear, sir. I say to you, it is *thought* you are false knaves.

BORA. : Sir, I say to you, we are none.

DOG. : Well, stand aside. 'Fore God they are both in a tale.
Have you writ down ' that they are none ' ?

SEXT. : Master Constable, you go not the way to examine.
You must call forth the watch that are their accusers.

DOG. : Yea, marry, that's the eitest way. Let the watch come
forth. Masters, I charge you, in the prince's name,
accuse these men.

1ST WATCH. : This man said, sir, that Don John, the prince's
brother, was a villain.

DOG. : Write down, ' prince John a villain.' Why this is flat
perjury, to call a prince's brother ' villain.'

SEXT. : What heard you him say else ?

2ND WATCH. : Marry, that he had received a thousand ducats
of Don John for accusing the lady Hero wrongfully.

DOG. : Flat burglary, as ever was committed.

VERG. : Yea, by the mass, that it is.

SEXT. : What else, fellow ?

1ST WATCH. : And that Count Claudio did mean, upon his
words, to disgrace Hero before the whole assembly, and
not marry her.

DOG. : O villain ! Thou wilt be condemned into everlasting
redemption for this.

SEXT. : What else ?

2ND WATCH. : This is all.

DOG. : Come, let them be opinioned (*i.e.* pinioned).

CON. : Off, coxcomb !

DOG. : God's my life ! Where's the sexton ? Let him write
down, ' the prince's officer, coxcomb.' Come, bind them.
—Thou naughty varlet.

CON. : Away ! You are an ass, you are an ass !

DOG. : Dost thou not suspect my place ? Dost thou not
suspect my years ? Oh, that he were here to write me
down ' an ass ' ! But, masters, remember that I am an
ass ; though it be not written down, yet forget not that
I am an ass ! No, thou villain, thou art full of piety, as
shall be proved upon thee by good witness. I am a wise
fellow, and, which is more, an officer ; and, which is more,
a householder ; and, which is more, as pretty a piece of
flesh as any is in Messina ; and one that knows the law,

go to ; and a rich fellow enough, go to ; and a fellow that
hath had losses ; and one that hath two gowns, and every-
thing handsome about him. Bring him away. Oh, that
I had been writ down ' an ass ' !

Another of Shakespeare's constables is Elbow in *Measure
for Measure*, performed in 1604. He is described in the list
of characters prefixed to the play as ' a simple Constable,'
and he too indulges in the luxury of using words he does not
understand. The scene here is laid in Vienna, but Constable
Elbow is no more an Austrian than Dogberry. He presents
himself before Angelo, the Duke of Vienna's deputy, having
' run in ' two delinquents.

ELBOW : If it please your honour, I am the poor Duke's con-
stable, and my name is Elbow. I do lean upon justice,
sir, and do bring in here before your good honour two
notorious benefactors.

ANG. : Benefactors ? Well, what benefactors are they ? Are
they not malefactors ?

ELBOW : If it please your honour I know not well what they
are. But precise villains they are, that I am sure of ; and
void of all profanation in the world, that good Christians
ought to have.

And so on throughout a somewhat tedious scene, dis-
tinguished rather for its coarseness than its wit, in which the
constable continually trips himself up by using the wrong word.

The constable in another play of Shakespeare's day, *The
Heir*, by Thomas May (1620), is clearly a descendant of Dog-
berry ; indeed, the whole scene in which he appears is redolent
of Shakespeare's creation. The scene also is laid in Sicily and
the characters are likewise Cockneys.

CON. : Come, fellow-watchmen, for now you are my fellows.

1ST WATCH. : It pleases you to call us so, Master Constable.

CON. : I do it to encourage you in your office—it is a trick
that we commanders have : your great captains call your
soldiers ' fellow-soldiers ' to encourage them.

2ND WATCH. : Indeed, and so they do. I heard Master
Curate reading a story-book t'other day to that purpose.

CON. : Well, I must show you what you have to do, for I myself, before I came to this prefermity, was as simple as one of you ; and, for your better destruction, I will deride my speech into two parts. First, what is a watchman ? Secondly, what is the office of a watchman ? For the first, if any man ask me what is a watchman, I may answer him, he is a man, as others are ; nay, a tradesman, as a vintner, a tailor, or the like, for they have long bills.

3RD WATCH. : He tells us true, neighbour ; we have bills indeed.

CON. : For the second, what is his office, I answer he may, by virtue of his office, reprehend any person or persons that walk the streets too late at a seasonable hour.

4TH WATCH. : May we indeed, Master Constable ?

CON. : Nay, if you meet any of those rogues at seasonable hours, you may, by virtue of your office, commit him to prison, and then ask him whither he was going.

1ST WATCH. : Why, that's as much as my lord Mayor does.

CON. : True, my lord Mayor can do no more than you in that point.

2ND WATCH. : But, Master Constable, what if he should resist us ?

CON. : Why, if he do resist, you may knock him down, and then bid him stand, and come before the constable. So now I think you are sufficiently instructed concerning your office. Take your stands : you shall hear rogues walking at these seasonable hours, I warrant you. Stand close.

However, in spite of his verbal shortcomings the constable soon shows his mettle and makes an arrest for which the judge subsequently commends him.

JUDGE : What's his offence ?

CON. : Murder.

WATCH. : No, Master Constable, 'twas but poisoning of a man.

CON. : Go, thou art a fool.

JUDGE : What proofs have you against him ?

CON. : His own profession, if it please your Honour.

JUDGE : And that's an ill profession, to be a murderer. Thou meanest he has confessed the fact. . . . You have been

careful in your office, Constable ; you may now leave your prisoner. Murder, I see, will out.

Another London constable, disguised as a Spaniard, appears in Beaumont and Fletcher's play, *The Maid in the Mill* (1623), and here the dramatists have taken every inch of the rope of poetical licence by making the watch hale their victim before the King himself !

KING : What's that ?

CON. : This is a man suspected of murther, if it please your Grace.

KING : It pleases me not, friend. But who suspects him ?

CON. : We that are your Highness's extraordinary officers, we that have taken our oaths to maintain you in peace.

KING : 'Twill be a great charge to you.

CON. : 'Tis a great charge indeed ; but then we call our neighbours to help us. This gentleman and another were fallen out (yet that's more than I am able to say, for I heard no words between 'em but what their weapons spoke, clash and clatter) ; which we seeing, came with our bills of government and first knocked down their weapons and then the men.

KING : And this you did to keep the peace ?

CON. : Yes, an't like your Grace, we knocked 'em down to keep the peace. This we laid hold on, the other we set in the stocks. That I could do by mine own power, without your Majesty.

A later play, *Lady Alimony* (1659), also makes fun of the constable, who, again, is clearly of the Dogberry breed, though not nearly so convincing a character as that immortal officer. The scene here is Seville—how far afield these London constables do travel !

Enter Constable and Watch, in rug gowns, bills and dark lanthorns.

CON. : Come along with your horns,¹ my lads of metal. It was the duke's pleasure before his departure that we should

¹ Lanthorns.

be appointed the sinks and sentinels of the city, and that none shall have ingress, egress or regress but by our special authority and favour. But, harm watch, harm catch; for my part, since I crept into this office I am woven into such a knot of goodfellowship as I can watch no more than a dormouse. Nay, I am verily persuaded, if I hold constable long, the deputy of the ward will return me one of the Seven Sleepers. But let me advise you, my birds of the Capitol, that you walk not after my example: be it your care to watch, while I sleep. Many eyes are upon you; but my eyes grow heavy; my day's society bids me take a nap.

WATCH.: But one word, good master, before you drop into your slumber: report goes that there be spirits that patrol familiarly in this sentry: what shall we say to them if they pass by?

CON.: Bid them stand.

WATCH.: But what if they either cannot or will not?

CON.: Let them then take themselves to their heels, and thank God you are so well rid of them.

Which last sentence is so near Dogberry's words that we are not surprised the author of *Lady Alimony* did not affix his name to the play.

Although the foregoing examples show that the constable was sometimes introduced into their plays by the Elizabethan dramatists in order to provide 'the lighter element,' this was by no means always the case. Often the stage constable was a very efficient officer indeed. Witness the scene in *Eastward Ho* (1605), where the constable has 'run in' a couple of knights and duly parades them before Golding, J.P. Incidentally it shows the constable performing a duty not usually associated with his office—the impressing of recruits for the army.

GOLDING.: What are those, Master Constable?

CON.: An't please your worship, a couple of masterless men I pressed for the Low Countries, sir.

GOLD.: Why do you not carry 'em to Bridewell, according to your order, [that] they may be shipped away?

CON.: An't please your worship, one of 'em says he is a knight; and we thought good to show him to your worship, for our discharge.

GOLD.: And what's the other?

CON.: A knight's fellow, sir, an't please you.

GOLD.: What! a knight and his fellow thus accoutred? Where are their hats and feathers, their rapiers and their cloaks?

CON.: Nay, truly, sir, they had cast both their feathers and hats too before we see 'em. Here's all their furniture, an't please you, that we found. They say knights are now to be known without feathers, like cockerels by their spurs, sir.

So also in *The Witch of Edmonton* by Thomas Dekker (1658). The scene is Sir Arthur Clarington's country house. Revels are in progress. Enter a constable.

CON.: Away with jollity! 'Tis too sad an hour. Sir Arthur Clarington, your own assistance, in the King's name, I charge, for apprehension of these two murderers, Warbeck and Somerton.

SIR A.: Ha! flat murderers?

CON.: The accusation's flat against you, gentlemen. Sir, you may be satisfied with this (*shows his warrant*). I hope you'll quietly obey my power; 'twill make your cause the fairer.

Whereupon Warbeck and Somerton, being model murderers, reply, 'with all our hearts, sir.'

But if Shakespeare has given us a perfect portrait of a sixteenth century London constable of the less efficient sort. Ben Jonson has provided us with an admirable picture of the opposite kind of officer. Constable Turfe, one of the principal characters in *A Tale of a Tub*, is High Constable of Kentish Town and an excellent type of Englishman. Scantily educated, amusing in his efforts to acquire book-learning, nevertheless he stands four-square to the world. He is beset with troubles, and at the most critical moments, such as his daughter's wedding day, warrants arrive from the justices

ordering him, at his peril, to raise the hue and cry immediately.
 Poor man, no wonder he thus apostrophises his fate :

Passion of me, was ever a man thus crossed ?
 All things run arsie-versie, upside down.
 High Constable ! Now, by our Lady o' Walsingham,
 I had rather be marked out Tom Scavenger
 And with a shovel make clean the highways
 Than have this office of a constable.

However, all comes right in the end, and we leave him dancing at his daughter's wedding.

As good a character sketch as any occurs in Ben Jonson's famous play, *Every Man Out of his Humour*, acted in 1599. There is a tavern brawl and the constable is quickly on the scene.

CON. : (calling from outside) Here's the constable ; open the doors.

KNIGHT : Open no door. If the Adalantado of Spain were here he should not enter. One help me with the light, gentlemen. You knock in vain, sir officer.

CON. : Open the door, or I will break it open.

SCHOLAR : Nay, good constable, have patience a little ; you shall come in presently, we have almost done.

Enter Constable with Watch.

CON. : Lay hold upon this gallant and pursue the rest.

BEAU : Lay hold on me, sir ? For what ?

CON. : Marry, for your riot here, sir, with the rest of your companions.

BEAU : My riot ! Master Constable, take heed what you do. Carlo, did I offer any violence ?

CON. : O sir, you see he is not in case to answer you, and that makes you so peremptory.

BEAU : Peremptory ? 'Slife, I appeal to the drawers¹ if I did him any hard measure.

GEORGE : They are all gone, there's none of them will be laid any hold on.

CON. : Well, sir, you are like to answer till the rest can be found out.

¹ Tap-boys.

BEAU : 'Slid, I appeal to George, here.

CON. : Tut, George was not here. Away with him to the Counter,¹ sirs.

A very realistic scene, and a very efficient officer.

The constable in Robert Greene's play, *The Honorable Historie of frier Bacon and frier Bongay* (1594), is also a man of action ; but beyond arresting 'a companie of rufflers that, drinking in the tavern, have made a great brawle and almost kill'd the vintner' he has no more to do. Still, a man of action and an upholder of the law.

An excellent little character sketch occurs in Ford's play, *Perkin Warbeck* (1634). Here again the constable is an efficient officer—a little pompous, perhaps, but clearly a man who means to be obeyed. The scene is Tower Hill, and a crowd has collected to see Warbeck put in the stocks.

CON. : Make room there ! Keep off, I require you ; and none come within twelve foot of his Majesty's new stocks, upon pain of displeasure. Bring forward the malefactor. Friend, you must to this gear, no remedy. Open the hole and in with the legs, just in the middle hole ; there, that hole. Keep off, or I'll commit you all ! Shall not a man in authority be obeyed ? So, so, there ; 'tis as it should be ; put on the padlock, and give me the key. Off, I say ; keep off !

The watch, however, as I have said, is seldom taken very seriously by the dramatists. In nine cases out of ten they appear only to provoke laughter, and on one occasion at least they are the worse for liquor. Here are some lines from John Lilly's play, *Endimion, or The Man in the Moone* (1591).

Enter the Watch.

1ST PAGEBOY : Masters, God speed you.

1ST WATCH : Sir boy, we are all sped already.

2ND PAGE : So methinks, for they smell all of drink like a beggar's beard.

¹ Properly 'Compter' ; a debtors' jail. One was attached to each of the Sheriffs' Courts. The last of them—that in Giltspur Street—was closed so lately as 1854.

Then follows some amusing back-chat, ending with one of the Watch singing the following song :

Stand, who goes there ?
We charge you appear
'Fore our constable here,
In the name of the Man in the Moon :
To us billmen relate
Why you stagger so late
And how you come drunk so soon.

The watch in *Romeo and Juliet* (1594), on the other hand, act with vigour—so much so that one suspects Shakespeare to have had a military watch, a squad of soldiers, in mind when he drew them. The watch is undoubtedly of a military character in Markham's play, *The Dumb Knight* (1608), although, strangely enough, it is a merchant who gives them their charge :

MER. : You must perform your office, or else expect to taste sharp punishment.

1ST WATCH. : Tut, fear not, my lord : we that have had Cerberus' office so many years under a gate are not to learn now to play either devils or tyrants.

From the expression 'under a gate' it is evident that the watchmen in this case were soldiers or at least professional guards. A somewhat unpleasant character is given to the watch in Beaumont and Fletcher's play, *The Coxcomb*, first acted in 1610.

RICARDO : Stand further off, the watch ; you are full of fleas.

CON. : Gentlemen, either be quiet, or we must make you quiet.

A very proper retort.

Throughout the seventeenth century the constable changed very little, if we may judge by the dramatists ; he gave up using the wrong words, but he remained in essentials the Cockney of the type that endures. So I will bring this paper to a close with a quotation from *The Constant Couple*, by George Farquhar, written in the last year of the century and produced in 1700.

The scene is Covent Garden. Clincher, a young man about town, has been painting the city red.

Enter Constable.

CON. : Hold, neighbours, I command the peace.

WIFE : O, Mr. Constable, here's a rogue that has murdered my husband and robb'd him of his clothes.

CON. : Murder and robbery ! then he must be a gentleman. Hands off, there ; he must not be abused. Give an account of yourself. Are you a gentleman ?

CLIN. : No, sir, I am a beau.

CON. : A beau ! Then you have kill'd nobody, I'm persuaded. How came you by these clothes, sir ?

CLIN. : You must know, sir, that walking along, sir, I don't know how, sir ; I can't tell where, sir ; and—so the porter and I changed clothes, sir.

CON. : Very well. The man speaks reason, and like a gentleman.

WIFE : But pray, Mr. Constable, ask him how he changed clothes with him.

CON. : Silence, woman ! and don't disturb the court. Well, sir, how did you change clothes ?

CLIN. : Why, sir, he pull'd off my coat, and I drew off his ; so I put on his coat, and he put on mine.

CON. : Why, neighbour, I don't find that he's guilty. Search him, and if he carries no arms about him, we'll let him go.
(*They search his pockets and pull out his pistols.*)

CON. : What, a case of pistols ! Then the case is plain. Speak, what are you, sir ? Whence came you, and whither go you ?

CLIN. : Sir, I came from Russell Street, and I am going to the Jubilee.

WIFE : You shall go to the gallows, you rogue.

CON. : Away with him, away with him to Newgate, straight.

A. M. P.

Police Gold Medal Essay Competition

As announced in July, 1928 (vol. i. p. 517), His Majesty the King has been graciously pleased to indicate his intention of presenting annually the Gold Medal for the newly instituted Essay Competition on professional Police subjects announced in the issue of January, 1928.

RULES FOR THE COMPETITION

1. The Competition shall be held annually and shall be open to serving members of regular Police Forces within the Empire or mandated territories. Any question as to the eligibility of any competitor shall be determined by the Council.
2. His Majesty's Gold Medal and a cash prize (of 30 guineas) will be awarded for the essay which is adjudged to be the best, provided it is considered of sufficient merit, and second and third prizes (of 20 guineas and 10 guineas respectively) will be awarded under the same conditions for the essays adjudged to be next in order of merit.
3. (a) Essays must be the original work of the competitor.
(b) Essays must not be less than 8,000 or more than 15,000 words in length, and must be typewritten and submitted in triplicate.
(c) Where a reference is made to any published work the title must be quoted in a footnote.
4. Essays must be submitted anonymously. Each essay must be accompanied by a sealed envelope bearing on the outside a *nom de plume* or a motto, and containing the competitor's name and address.
5. The Council may at their discretion appoint such persons as they think fit to act as Referees or Judges of the Essays under such conditions as they may prescribe.
6. The award of the Council shall be made public in such manner as the Council shall think fit, and any essays submitted for the Competition and adjudged of sufficient merit may be published by the Council in *The Police Journal* or otherwise.

SUBJECT OF THE ESSAY FOR 1929

The co-operation between the Police and the Public in the detection and prosecution of crime.

Essays must be submitted on or before the 1st November, 1929, to—
THE SECRETARY TO THE COUNCIL OF THE
POLICE GOLD MEDAL ESSAY COMPETITION,
HOME OFFICE,
WHITEHALL,
LONDON, S.W. 1.

THE POLICE JOURNAL

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NOTES

WELFARE WORK BY THE POLICE

IN the issue of July 1929 (*The Police Journal*, Vol. II, p. 387) there was a description of the welfare work performed in the Lads' Club at Norwich—welfare work which has been directly inspired and accomplished by police officers. Social service of this nature not only gives vent to the natural humanitarian instincts of a body of public servants who are brought into close contact with poverty and misery, but achieves considerable results in what is one of the main objects of the police service, namely, the prevention of crime. It is considered that a record of similar philanthropic work effected by police officers of other places in England and Scotland may be of interest to readers at home and overseas. Welfare work has taken two distinctive forms—Boys' Clubs and Clothing Associations. One of the earliest of the former was at Rochester (Kent) in 1903. As regards the latter, a Police-Aided Clothing Association is a feature common to many Forces, especially in the North; the first was at Edinburgh in 1892; the idea was revived in Liverpool in 1895, and since then the movement has spread.

The following accounts, arranged alphabetically, which have been prepared from material kindly supplied by the various Forces, are given as examples; the list must, of course, not be considered as exhaustive. The descriptions are typical of the spirit of the police officer of to-day.

England.

Cambridge.—In the Borough of Cambridge there is a Police Fund for assisting the poor and needy instituted in 1921 at the instance of the Chief Constable, through donations from the Police Force, Fire Brigade and Special Constabulary. Since then annual appeals have been made to the public. The relief usually takes the form of coal, four cwt. at a time, or of boots for children. In recent years there have been also the issue of grocery tickets, the provision of a meal on Christmas Day for widows with families, an outing for crippled children, the provision of bedding, the payment of arrears of rent, and other forms of relief. Every application for relief is thoroughly investigated by a member of the Police Force before it is brought to the notice of a committee of police officers, with the Chief Constable as president. The Christmas distribution is also carried out directly by members of the Force. The annual outgoings have risen from under £500 to over £750.

Evesham (Worcestershire).—In August 1926 a Boys' Club was founded at Evesham at the instance of the local County Superintendent. The premises were opened early in 1927. The membership, limited solely by the available accommodation, is about 250. There is a regular evening attendance of about seventy boys. There is an entrance fee of 6d. (which includes membership card and badge) and a weekly subscription of 1d. Boys between the ages of fourteen and twenty-one years of age are eligible for membership. In the first few months a rota was formed of regular police and special constables to act as stewards. Later an ex-policeman was appointed as permanent care-

taker of the building and supervisor of the boys. There are two billiard tables, a boxing ring, gymnastic appliances, baths, provision for indoor games, such as cards, chess and draughts. There is also a canteen for light refreshments. Football, running and swimming are very popular among the members. The boys elect their own club captain and house committee, two members of which serve on the management committee. Employers frequently refer to the club when vacancies for boys arise. One result of the club is that there has been no juvenile crime in the borough during the last two years.

Hyde (Cheshire).—In October 1928 the Hyde Lads' Club was founded at Hyde, under the chairmanship of the Chief Constable, to provide a local recreation centre for lads of the poorer classes between the ages of eleven and seventeen years, who, on account of their home conditions, would otherwise have no suitable centre whereat to spend their evenings. At the end of six months' work the club had already 300 members who have benefited physically and mentally: indeed, in so short a time it was found possible to give a public display of boxing and gymnastics by members. At the start the club had no permanent home of its own, but the use of one of the lower rooms of one of the local schools was obtained, where bagatelle and other games could be played; and the police parade ground was used as a gymnasium. The disused County Police buildings have since been purchased at a cost of £2,900 for use as a Club-house. Permission to use the Planters' recreation ground at a nominal rent has also been given, and here in the season as many as six of the club football teams are able to play matches on Saturdays. The club is open on week nights from 7 to 9 p.m. and on Sundays from 7.30 to 9 p.m. The subscription for boys under fifteen is 1d. per week and for older boys 2d. weekly. The management of the club is divided into three Houses (Dickens, Ashton and Hibbert), and these again into sub-divisions of sections of twenty, each with its own captain and secretary. The club has been affiliated to the National Association of Boys' Clubs.

Ipswich (Suffolk).—About seven years ago, in 1922, a Lads' Club was started at Ipswich in small and incommensurate premises which were rented. It was directly under the management of the Ipswich Borough Police, with the Chief Constable as chairman. The membership of the club was open to working-class lads between the ages of fourteen and eighteen years, and was without entrance fee or subscription. It almost immediately attracted 300 members, which rapidly increased to 1,000. The owner of the premises, Mr. J. A. Howells of Ipswich, having become interested in the movement, and realizing the inadequacy of the premises, very generously came forward and built at a cost of £12,000 the present large premises. The accommodation consists of a first-class gymnasium with dressing rooms on the top floor, a large club room with games of every description, a billiard room on the second floor, and a large auction room on the ground floor, which is generally at the club's disposal for evening entertainments. There are also shop premises on the ground floor frontage, and the club, which is in the hands of trustees, is endowed with the rent and also with the profits of the auction room. Monthly dances are held and occasional concerts and boxing exhibitions, which increase the club's income.

There is a canteen attached to the general club room and refreshments are sold at as nearly cost price as possible, any profit going to the maintenance of the sports clubs, which consist of football, cricket, gymnastics, boxing, running and walking sections. The club is open generally from 6.30 to 9.30 p.m. and a police officer of some rank is in charge. The Chief Constable

reports that he finds a marked improvement in the general demeanour and appearance of the members of the club. It has also been possible to assist in starting a number of the lads in good employment; indeed, some are now members of the Ipswich and other Police Forces.

Liverpool.—In 1895 in Liverpool a society was formed by the then Lord Mayor with the assistance of the police to undertake the clothing of destitute children, and a fund was opened to carry out this object. The work of the Liverpool Police-Aided Association for Clothing Destitute Children, which is purely voluntary, has become almost an integral part of the police organization. It receives the sympathy and support of all ranks of the Force, from the Chief Constable downwards. An annual 'Flower Day' is held, which is organized and carried out by the various Police Divisional entertainment committees, resulting in 1928 in a net collection of £4,305. Since the formation of the society 75,000 cases have been investigated and children clothed. In 1928 about 4,900 children between the ages of four and fourteen years were recommended for clothing; in 4,450 cases the recommendations were made by the police. Necessitous cases are inquired into and reported on by the police prior to the supply of clothing, and the greatest care taken not to interfere with parental responsibilities. Cases arising from intemperance or improvidence are referred to the Liverpool Society for the Prevention of Cruelty to Children, and others, in which the parents or guardians are perhaps able to treat the children better, are passed on to the Children's Aid Society; thus only the really deserving are assisted by the Police-Aided Clothing Association.

Each article of clothing or footwear is stamped with an unobtrusive identification mark which is known to all pawnbrokers in the city. At the time of issue parents or guardians are warned by means of a special card which is handed to them that they are responsible for the clothing, and that any attempt to pawn, sell, or otherwise dispose of it is illegal. After each clothing-day particulars concerning the children are forwarded to the Council of Voluntary Aid. This procedure is followed by all charitable organizations in Liverpool and thus duplication of assistance is avoided. The parents or guardians are warned to keep the clothing in good repair, and as far as possible the police see that this is done.

Northampton.—In 1895 a committee of citizens of Northampton conceived the idea of forming a Good Samaritan Society which would be police-aided. The Chief Constable, who took a leading part, became the honorary secretary. The society has a retired police officer who acts as collector, and he like other workers gives his services voluntarily. On an average 300 children a year receive a complete outfit of new clothing, including boots; a large number of adults receive good second-hand garments; and new clothing is given to adults going to Convalescent Homes. Outfits are also in some cases provided for youths proceeding to the Dominions. In every case real need is the only test, and while cases of distress are reported by doctors, schoolmasters, welfare workers, trade union officials and members of the Police Force, the circumstances of each family are immediately investigated by a member of the Women Police Department, who reports to the secretary, who decides if, and to what extent, relief should be granted. The thoroughness of the inquiry and the fact that each home is visited by the women police ensure that only deserving and necessitous cases are helped. Through the agency of the society, cases of hardship, neglect and sometimes cruelty are brought to light and action taken so as to obviate proceedings in the Criminal Court. The society's depot for storing and fitting the clothing is under the

direct supervision of the Women Police Department and its members distribute the garments. All clothing is indelibly marked, and pawnbrokers and dealers refuse to accept any article so marked. A ladies' working party under the presidency of the Mayoress meets in the winter months and makes the underwear given to the children, and so well is the society supported by the public that its activities have never been hampered by lack of funds.

Oswestry (Shropshire).—As a result of the increase of juvenile crime, due principally to lack of parental control during the War period, it was decided to institute a Boys' Club at Oswestry, and this was formally opened in July 1919. The committee consists entirely of the County Police—the Chief Constable being president, the local Superintendent chairman, four sergeants and four constables members, with two police women as honorary secretaries. It started in quite a small way in a loft over a stable, obtained at a nominal rent and furnished to a large extent by means of gifts from local sympathisers. A charity ball organized by the police produced the sum of £70 for running expenses. The membership at first numbered 100 boys between the ages of ten and sixteen years. Billiard and bagatelle tables and facilities for various games were provided, also light refreshments. Outdoor games were also encouraged and annual sports have been held. The weekly subscription was 1d. for younger and 2d. for older boys, but these amounts were later reduced to half.

After a year the applications for membership necessitated larger premises and the club was removed in 1920 to an Army hut which, by permission of the Town Council, was erected on the Oswestry Recreation Ground. Funds for this were also raised by the police through the medium of another charity ball. The club is open every evening between 6 and 8.30 p.m.; a good library has been formed, and various periodicals are available. The club also receives support in the way of gifts from the public, by means of which it is possible to give the members an annual trip, visits to the local annual fairs in March and May, free teas and suppers at intervals during the year, etc. The charity ball, which had become an annual affair, proved so finally successful that in 1923 the committee decided to extend their activities by assisting members with clothing, boots and others necessities to enable them to take up employment. The police have been able to secure employment for the boys in many directions—on farms, on ships, in hospitals, in domestic service in hotels and private houses, and as errand boys to local tradesmen. In 1925 the committee decided to divide the proceeds of the annual ball, one half to go to the Oswestry Boys' Club and the other to the Oswestry and District Benevolent Clothing Fund for Poor Children, which fund enabled the police to include girls as well as boys in their boots and clothing scheme. Since the inception of the fund 700 pairs of boots and stockings, in addition to a large quantity of clothing, have been supplied.

The club has received throughout its existence the whole-hearted sympathy of the Town Council and citizens of Oswestry, and of many ladies who have rendered valuable voluntary help in the working of the club, some indeed since the commencement. Since 1927, when a branch of Toc H was established in Oswestry, the members have assisted in the club.

Oxford.—One form of welfare work is that undertaken by the police in the City of Oxford, under the title of the Police-Aided Association for the Clothing of Poor Children. The area and population covered by this association has recently been greatly increased by the extension of the city boundaries. The Chief Constable is the secretary of the association. During the year 1928, prior to the increase of area, the figures were as follows:

children clothed 143, garments given 700, boots provided 100 pairs. Careful inquiries are made before help is given, and where the parents are thought to be in a position to supply the clothing and are not doing so, the case is passed over to the N.S.P.C.C. The committee, however, see that the children do not suffer, even if the parents are at fault. The police follow to their houses any insufficiently clad children noticed and endeavour to ascertain the causes of the destitution, and report the particulars obtained along with a list of clothing required. The health visitors through the Medical Officer of Health, school teachers, and district visitors also report suitable cases which come to their knowledge. These reports are verified by special officers, and the children are clothed without unnecessary delay.

In order that thriftless parents may not be relieved of their responsibilities and that abuse of the gifts may be made punishable by law, parents or guardians on receiving the clothing for the use of their children are required to sign a declaration that they clearly understand that the garments are only lent, that they are the property of the society, and therefore any attempt to pledge or sell them is an illegal action. All garments or boots supplied by the association are plainly marked in a way which cannot be obliterated without detection, and circulars are delivered by the police to all pawnbrokers and second-hand clothing dealers in the city, intimating that clothing so marked is being lent by the association and that any dealing with it on their part is illegal. The police, so far as possible, do not lose sight of the children who have been clothed on their representation, to make sure that they are wearing the clothes supplied and, if not, to ascertain the cause.

Scarborough (Yorkshire).—The Boys' Club at Scarborough was founded in 1922 by the Chief Constable. At first there were only twenty members. The original intention was to provide a place for recreation for those boys who have been in trouble for various offences and to prevent them from taking part in further escapades of a harmful character. It was, however, quickly decided that it was not wise to segregate such boys; and therefore the club room was opened to any poor boys between the ages of eleven and sixteen, who did not belong to any other club or organization, such as the Church Lads' Brigade or the Boy Scouts. The membership increased in the first year to 100, and had to be limited to that number in view of the club-room space available. The club was controlled by the police during the first two years of its existence. Larger premises were then obtained; and the membership has for several years stood at about 200, which again is limited by the accommodation available. The Rotary Club has for three years generously assisted, both financially and also in the management and training of the boys, and the Tradesmen's Association and other friends also in the earlier stages raised some money for the expenses of furnishing.

The amenities of the club include such games as billiards, draughts, dominoes, and table-tennis. Half the space is devoted to physical culture, such as gymnastics, boxing and fencing for the elder members. The boys are very keen on this phase of the club's work, and the Chief Constable reports that the results of the last six years have shown a gratifying improvement in the physique of the members. Several of the older boys are still attending to assist in the controlling and training of the smaller boys. Lantern lectures are given during the winter on various subjects (including work overseas in the Empire). Community singing is also practised. The club runs two football teams (senior and junior), and has a good ground placed at its disposal. Cricket is played in the summer, but not to the same extent. Sports meetings are held occasionally.

It is rather difficult to measure the influence of the club in regard to

crime, as at no time has there been much juvenile crime in Scarborough, but the good effect has been marked in promoting habits of cleanliness and better behaviour in the street, and in reducing mischievous tendencies which cause harm to others. The members are constantly reminded of the disgrace which they would bring on the club if they committed offences or caused hurt or damage to persons or property; and they seem, after a short membership, to bear this in mind. The fear of being debarred from the club seems to act as a more effective deterrent than being summoned before the Justices, and it is remarkable how few of the boys have to be arraigned for bringing discredit on the club.

(These Notes on Welfare Work will be continued, as regards Scotland, in our next issue.)

LEGAL NOTES

LIQUOR LICENSING LAWS

By the time these notes appear two Royal Commissions with wide terms of reference will have been appointed to inquire into the licensing laws in England and Wales and in Scotland respectively. The proceedings of these Commissions—the first that have been set up since the Commission appointed in 1896—will be followed with a close and personal interest by every section of the community, not least by the police, who have a very special concern in the administration of our licensing laws. Upon them falls the not very pleasant task of seeing that licensees and members of the public observe and keep within the law, and of detecting any failure to do so for which the law provides a penalty. In speaking of licensing law we include, of course, the law relating to the supply of liquor in clubs and the control of clubs generally, a branch of the subject which will no doubt be closely examined by the Commissions.

The development of any code of law regulating the sale and supply of intoxicating liquor is influenced, perhaps more than in the case of any other body of law, by national characteristics, climatic conditions and politics. It is therefore not strange to find that the laws on this subject in different countries differ greatly. The Great War has left its mark on ours and no doubt on the laws of other countries (not excluding the United States), but the extent to which any restrictive measures taken during the War have survived and continued since must in each case depend mainly on special national circumstances. British people do not take very easily to restrictive legislation which affects their personal convenience and habits; but they have the good sense to allow experience to teach them something, and enough altruism to want to retain any reasonable restriction which can be proved to have a definite social value. Police officers have every opportunity of seeing the detailed working of some parts of our present licensing legislation in its application to licensed premises and clubs. The broader social aspects of the law are, of course, no immediate concern of theirs, but there are many points on which their practical experience will be of the greatest value to the Commissions, on questions of principle and future policy as well as the application and effectiveness of the existing law. Whatever changes in the law the Royal Commissions may ultimately decide to recommend, we could hardly, in view of the complexity of the subject matter, look for any developments in the direction of simplification.

Any stranger to the licensing laws of England and Wales could not, when he came to examine them, fail to be struck by the very large number

of judicial decisions on the subject. It is probable that only in the field covered by the Workmen's Compensation Acts and Rent Restriction Acts has recourse to the Courts been so frequently necessary in order to solve doubtful or disputed points. This does not necessarily mean that in framing the enactments about intoxicating liquor and licensed premises Parliament has been guilty of the charge, so frequently made, of failing to express its meaning in intelligible language. There is really no justification for such a conclusion. The language of the Licensing Acts is reasonably clear; most of the difficulties in applying them are inherent in the subject matter. You can, for example, prohibit the 'sale or supply' of intoxicating liquor except under certain conditions, but you cannot define those words so exhaustively as to leave no room for doubt as to their application in all conceivable circumstances. Moreover, Parliament has often more wisdom than it is given credit for. We can find in our statute law innumerable examples of phraseology used with knowledge of the principles which a lawyer would apply in interpreting the words of the enactment. It is often left to the Courts to remind us what those principles are, and the Courts have the opportunity of doing so when some interested party refuses to believe in their application and consequently 'takes the case to court.' As an example one may cite s. 4 of the Licensing Act, 1921, which provides that 'no person shall except during permitted hours, . . . either by himself or by any servant or agent, sell intoxicating liquor.' This looks on the face of it like an absolute prohibition, with the consequence that a licensee might be held responsible for the act of any one whom he employs, irrespective of whether or not the act was outside the scope of the servant's authority or even expressly prohibited by his master. This is substantially the point that arose in the recent case of *Adams v. Camfoni* (1929) 1 K.B. 95. In that case a youth of sixteen who was employed by the holder of an off-licence as errand boy sold, apparently with the best intentions in the world, two bottles of whisky to a customer during other than permitted hours. The boy had no authority to sell anything for his master. The Court decided that the licensee could not be held responsible under s. 4 of the Act of 1921, and they arrived at this decision by applying a principle of law which must appeal to the common sense of every one, viz. that a licensee cannot be made an insurer that no unauthorized person on the premises will do the acts prohibited by the statute. One could multiply such instances of cases in which the Courts have put a reasonable limitation upon statutory expressions by applying sound and established principles. It is the function of the judge and the trained lawyer to know what is the appropriate principle to apply.

THE JURISDICTION OF A CONSTABLE

A POLICE officer not infrequently finds himself in the position of having to decide, on the spur of the moment, whether a complaint made to him by one member of the public about the conduct of another calls for his intervention or not. From the purely legal point of view—with which alone the writer of these notes is concerned—it is usually not very difficult to draw a definite line between those human troubles in which it is strictly proper for the police to take a hand and those from which they should hold aloof. On the one side of the line there are—quite apart from allegations amounting to an accusation of serious crime—all complaints which involve at least a possibility that someone has committed or attempted to commit an offence for which proceedings might be taken in a court of criminal jurisdiction.

On the other side of the line are the complaints, so often a source of

serious embarrassment to the police, relating to matters which lie outside the ken of the Criminal Law. In such cases the remedy, if any, is to be sought in civil proceedings with which the police have, strictly speaking, no concern.

On paper the distinction between these categories of complaint is obvious enough. In actual everyday practice, as every constable knows, it is not always easy to decide. There are many ways in which one human being can annoy or even hurt another without bringing himself within the criminal jurisdiction of the Courts. Mr. Jones in an omnibus treads (accidentally though carelessly) on Mr. Brown's 'best corn' and causes him excruciating, if momentary, pain. Mr. Brown would be very silly if he complained to the first constable he saw on the road that Mr. Jones had assaulted him, and if he did so, the constable would have small difficulty in dealing with the complaint. But suppose that Mrs. Brown, when out for a walk, has witnessed an unprovoked attack on her fox terrier by an aggressive airedale belonging to Mr. Jones, would it be right for her to complain to the nearest police officer, and would it be right for him to take up the affair by appearing at Mr. Jones' house when he returned from business in the evening, and requesting him to see that his dog is kept under proper control? Here we have a problem of some interest which might well cause a constable not fully instructed in his law to hesitate and perhaps, with a generous desire to help Mrs. Brown, to intervene on her behalf. The law gives a more or less clear answer. The owner of a dog has, in general, a duty to keep it under proper control, but whether any failure to do so involves a breach of the criminal law depends upon the circumstances, including the character of the dog as known to its master, and the actual result of the particular failure to control it. A court of summary jurisdiction 'may take cognizance of any complaint that a dog is dangerous and not kept under proper control' (Dogs Act, 1871, s. 2). The word 'dangerous' does not mean exclusively 'dangerous to mankind' (*Williams v. Richards* (1907) 2 K.B. 88), but it seems clear that no dog should be dealt with under this provision as a 'dangerous' dog merely by reason of an attack made by it upon another dog, or even by reason of the fact that it had in past attacked other dogs to the knowledge of its master. The effect of the Dogs Act, 1906, s. 1 (4) and the Dogs (Amendment) Act, 1928, s. 1 (1) is that where a dog is proved to have injured cattle or poultry or chased sheep it may be treated as a dangerous dog under the Act of 1871. The law recognizes that it is the nature of dogs, on occasion, to attack one another; and it would be unreasonable that the criminal law should enable A, the owner of a dog, to set in motion criminal proceedings against B, the owner of another dog, merely because the latter animal was the aggressor. In any such case the remedy, if any, is a civil one. If A's dog has been injured by B's dog, the most that A can do, if he has thereby been put to some expense, e.g. veterinary charges, is to bring an action for damages against B. It follows that in such circumstances police officers have really no legal justification for intervening; and any readiness on their part to do so may lead to unfortunate consequences.

ORDER ON A PRISONER TO PAY COMPENSATION TO AN AGGRIEVED PERSON AFTER A CONVICTION OF FELONY

It is curious how seldom an order for payment of compensation under Section 4 of the Forfeiture Act, 1870, is made. One was made in the case of *R. v. Jones*—reported on page 59 of Volume 21 of the Criminal Appeal Reports. Jones, after being convicted of uttering a forged cheque, agreed that £90 should be paid to the prosecutor. The learned Judge approved the arrangement, but no formal Order of Court was at that time made. The

prisoner then repented of his bargain, and the matter came before the same Judge again two months later, when a formal Order was made. The Court of Criminal Appeal held that the appellant was estopped from contending that the Order was not made 'immediately after conviction,' having regard to the fact that the Order was orally made and was not recorded because of the conduct of the prisoner, from which he afterwards endeavoured to recede. It was also held that such an Order is a 'sentence' within the meaning of Section 21 of the Criminal Appeal Act, 1907, and accordingly that an appeal could be properly made to the Court of Criminal Appeal against such an Order.

LOST PROPERTY ADVERTISEMENTS—'NO QUESTIONS ASKED'

It frequently falls to the lot of police officers to point out to persons anxious to recover their property that it is improper to advertise offering a reward and asking for a return of the property upon the condition that no further questions will be asked, but it is perhaps not generally known that if the person so warned persists in inserting such a notice, the only way in which the matter can be dealt with in Court is by a civil action for a penalty under Section 102 of the Larceny Act, 1861. The penalty is £50 for each offence 'to any person who will sue for the sum.' Such an action was recently successfully brought in the High Court—see *Smith v. Stevens*, 45 *Times Law Reports* 429.

SEPARATE OR JOINT TRIALS IN CASES OF CONSPIRACY

R. v. Meyrick and Ribuffi, 21 Criminal Appeal Reports 94. Mrs. Meyrick and Luigi Ribuffi were convicted at the Central Criminal Court, together with ex-Police Sergeant Goddard, of conspiracy and corruption under the Prevention of Corruption Act, 1906. The conviction was appealed against on the ground that an application for separate trials was wrongfully refused and that the count in the indictment charging the appellants together with ex-Sergeant Goddard and another person who was not before the Court with 'conspiracy to contravene the provisions of the Licensing Acts by the unlawful sale of intoxicating liquors and to effect a public mischief by obstructing the police of the Metropolis in the execution of their public duty and by corrupting officers of that Force' was bad in law. The Lord Chief Justice, in the course of his judgment, quoted the words of Mr. Justice Fitzgerald in *R. v. Parnell and Others* reported in 14 Cox, *Criminal Cases*, page 515: 'It may be that the alleged conspirators have never seen each other, and have never corresponded. One may have never heard the name of the other, and yet by the law they may be parties to the same common criminal agreement. Thus, in some of the Fenian cases tried in this country, it frequently happened that one of the conspirators was in America, the other in this country; that they had never seen each other, but that there were acts on both sides which led the jury to the inference, and they drew it, that they were engaged in accomplishing the same common object, and when they had arrived at this conclusion, the acts of one became evidence against the other,' and later in his judgment, after dealing fully with the facts, he said: 'It seems to us that it was clearly put to the jury that in order to find these persons, or any of them, guilty of the conspiracy charged in the first count of this indictment, it was necessary that the prosecution should establish, not indeed that the individuals were in direct communication with each other, or directly consulting together, but that they entered into an agreement with a common design. Such agreements may be made in various ways. There may be

one person, to adopt the metaphor of counsel, round whom the rest revolve. The metaphor is the metaphor of the centre of a circle and the circumference. There may be a conspiracy of another kind, where the metaphor would be rather that of a chain; A communicates with B, B with C, C with D, and so on to the end of the list of conspirators. What has to be ascertained is always the same matter: is it true to say, in the words already quoted, that the acts of the accused were done in pursuance of a criminal purpose held in common between them? Now, if that is the true view, it seems to us that that view was made plain to the jury. . . . The further criticism that this indictment could not fairly be made to comprehend a charge of conspiracy fails. The attention of the Court has been directed to a well-known passage in which judicial remark was made upon the unfairness that flows from the inclusion of a count for conspiracy in an indictment in which there ought to be no such count. The unfairness in such a case is, of course, manifest. But the criticism has no relation at all to a case where the circumstances are such as to call for the inclusion of a count for conspiracy, and to call for it in the public interest for the due administration of justice. No doubt, if one may follow an illustration which was suggested, if two persons are about to be charged with the substantive crime of larceny, and the evidence is that they did in fact steal something, unfairness might arise if they were charged with a conspiracy to commit that crime. But that criticism does not apply to the present indictment. What is alleged here is something far more than the individual acts referred to. What is referred to here is a conspiracy not only between Ribuffi and Mrs. Meyrick and Goddard, but also between them and other persons—a widespread conspiracy for the accomplishment of a purpose going beyond the giving or receiving of a bribe. The object of the conspiracy was to secure the results which the bribes were intended to secure. The object of the conspiracy was not to bribe; the bribe was a means to the end. The end of the conspiracy was of a more far-reaching character than the individual act. Finally, it is said that here there was no evidence upon which this conspiracy could properly be found to exist. In our opinion the evidence was ample.

In the result, the appeal was dismissed.

ADMISSIBILITY IN EVIDENCE OF AN ADMISSION MADE BY A PRISONER BEFORE TRIAL

In *R. v. Williams* reported on page 121 of 21 *Criminal Appeal Reports*, evidence was admitted at the trial of Williams upon a charge of being a habitual criminal of an admission made by him to the effect that he had committed sixty-five other offences since his last release from prison. It was objected that this admission was only made for the purpose of having the offences taken into account when sentence was passed. Mr. Justice Avory, in the course of his judgment, pointed out that the report of the decision, given in *R. v. Jones*, 16 *Criminal Appeal Reports*, page 124, was incorrect and misleading. The headnote in that case reads as follows: 'Evidence that a person alleged to be a habitual criminal has committed a specific crime for which he has not been tried, is not admissible to prove that he was leading a dishonest life during the statutory period.' He went on to review facts of that case and then stated his conclusion, that 'The Court never held in that case that if a man has admitted an offence before his trial on the charge of being a habitual criminal, that evidence is not admissible merely because he made the admission for some particular purpose in his own mind. The admissibility of evidence does not depend upon the purpose which the man has in his mind when he makes a statement

or admission; it depends solely on the question of whether that statement is relevant to any issue before the court; and assuming that the admission has not been obtained by improper means, such as by threat or promise by a person in authority, the mere fact that a person has some particular reason for making an admission cannot affect its admissibility in evidence.'

PUNISHMENT AND REFORM

During the last quarter of a century there has been a remarkable change in the outlook of Courts upon the difficult question of making the punishment fit the crime. The old idea—once in penal servitude always in penal servitude—is gradually disappearing. The modern tendency is most carefully to consider—some persons may think too carefully—the possibility of reforming the criminal.

Three interesting cases have recently been heard in the Court of Criminal Appeal. In the first, a lad of eighteen, named Armstrong, was sentenced to two consecutive terms of six months' hard labour for housebreaking. The Court of Criminal Appeal in putting him on probation for two years as a first offender said that, in all the circumstances, it was not a case for prison treatment.

In the second, the Court described as 'quite excessive' a sentence of two years' hard labour, passed on a man named Smith who was aged twenty-one, for shopbreaking and larceny, and reduced the sentence to one of nine months.

In the third case, an old criminal with six previous convictions had been sentenced to five years' penal servitude for obtaining by false pretences various small sums of money amounting in all to about £5. In reducing the punishment to nine months' hard labour, the Lord Chief Justice said: 'We have said again and again and we now repeat that in sentencing a prisoner regard must be had to the intrinsic nature of the offence. It is all wrong to send a man to a long term of penal servitude because at some time for some other offence he has received heavy punishment.'

One cannot help wondering what would have happened to some of the old Chairmen of Quarter Sessions now departed, had these sentiments been expressed to them.

REVIEWS

SCOTLAND YARD AND THE METROPOLITAN POLICE. By J. F. MOYLAN, C.B., C.B.E., Receiver for the Metropolitan Police District and Metropolitan Police Courts. 1929. 7s. 6d. Metropolitan Police Edition, 5s. (The Whitehall Series, Putnam, London.)

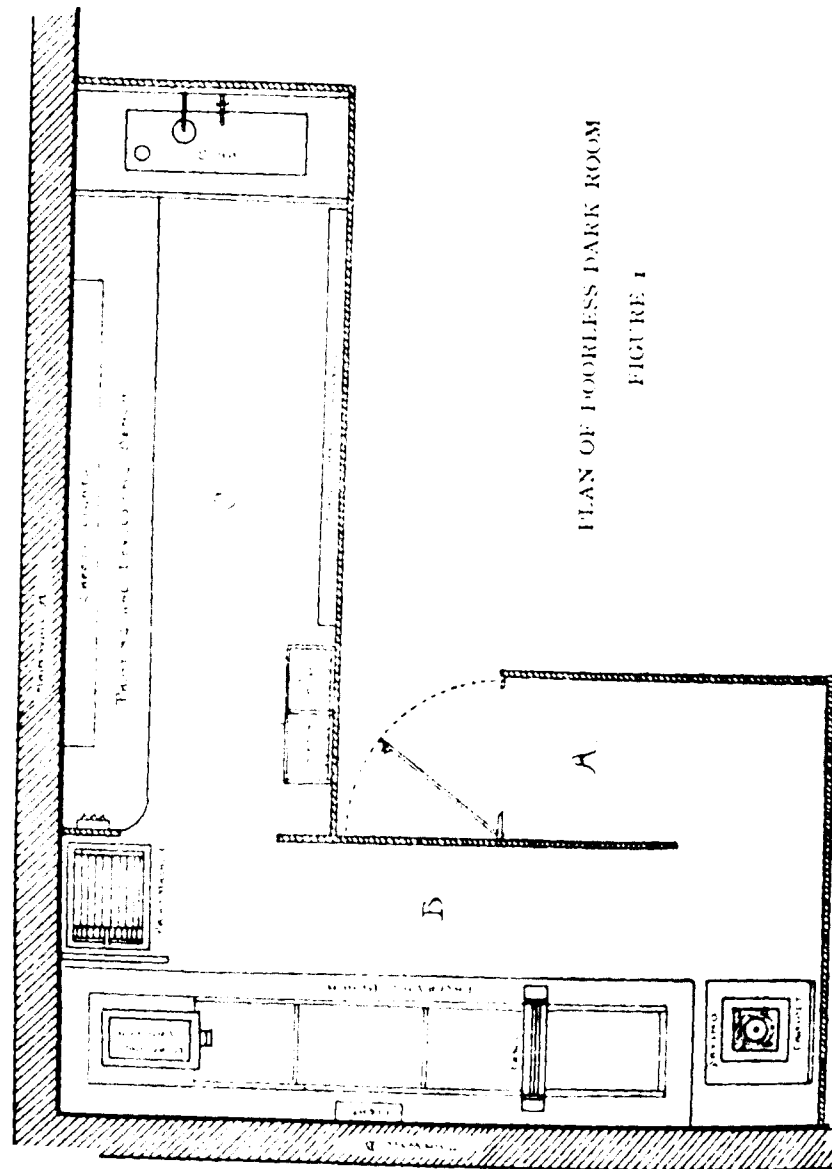
THIS is the tenth of a series dealing with the Departments of Government, the first of which was *The Home Office* by Sir Edward Troup, a book which should be read along with the present one. Mr. Moylan is well equipped for the task of writing this book, as he is in close touch with all the various departments of police administration and is not without knowledge of foreign police organisations. In addition to his duties as administrator of the Metropolitan Police Fund he is also the business manager of the Force, controlling the buildings, engineering, clothing and printing departments.

The book has opportunely appeared in the Centenary year of the Metropolitan Force, and it takes a high place in the literature of the English police in general and of the Metropolitan Police in particular.

The opening chapters form the historical section and give, first, an

was of very material assistance to the prosecution, which resulted in conviction.

Instances might be multiplied, but these two will serve as some excuse for describing the photographic equipment of the Liverpool City Police. It is by no means contended that this equipment is all it might be, as considerations of available space and finance have imposed stringent restrictions. It is,



however, possible that some information may be gleaned by those who have not so far directed their attention to a photographic department.

DARK ROOM

The dark room is of the first importance. When the photographic department was started in 1880, the dark room was little bigger than a sentry box, but some years ago it was rebuilt in accordance with the plan given in Fig. 1. It will be seen that the dark room is divided into: (A) a vestibule; (B) an outer room in which is situated the enlarging lantern; and (C) an inner room where development takes place. The great advantage of this plan is that the door need never be closed except when it is desired to lock the dark room up, and operators can freely enter and leave without hindrance even when the most sensitive plates are being developed. No light can reach the inside room directly, and as the walls of the outer room are painted red and those of the inner room black, no actinic light can be reflected. This arrangement also facilitates ventilation, which is further helped by an intake through the outer wall and an outlet in the roof.

The working lights of the inner dark room are situated in a row of five boxes above the bench, thus not interfering with the bench room and also avoiding awkward shadows. The lights inside are electric and the tint is obtained by means of non-actinic fabric or glass. There are two ruby lights, two yellow lights, and one special green light for use with panchromatic or colour plates.

The bench is lead covered, with raised beading at the edge, and slopes to a porcelain basin, where there is an ordinary tap and also a swing rose tap. There is an under bench, illuminated separately by a yellow light, which is used to hold hypo-solution dishes. A large washer consisting of a perforated zinc cylinder, rotated on the principle of a water wheel, within a tank emptied by syphon pipes, is installed at the other end of the bench.

In order that printing can be carried on rapidly and without interfering with any other work which may be in progress two printing boxes have been installed. The top of each box