

Policing in 18th Century England: The Rise and Fall of the Thief-Taker, 1680-1730

By

Scott R. Hartshorn, Esq.

A thesis submitted to the graduate faculty in
Partial fulfillment of the requirements for the degree

MASTER OF ARTS IN HISTORY

University of Central Oklahoma

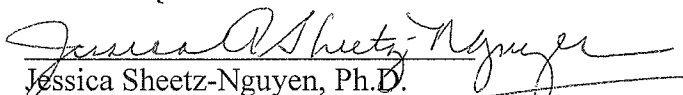
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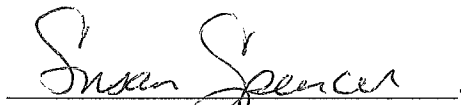
THESIS APPROVAL

This abstract and thesis of Scott R. Hartshorn, Esq., for Master of Arts in History was submitted to the graduate college on 9 May, 2016 and approved by the undersigned committee.

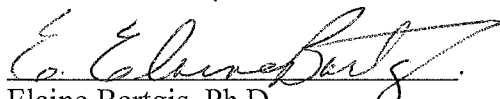
COMMITTEE APPROVALS:



Jessica Sheetz-Nguyen, Ph.D.
Committee Chairperson



Susan Spencer, Ph.D.
Committee Member



Elaine Bartgis, Ph.D.
Committee Member

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ABSTRACT OF THESIS

University of Central Oklahoma

Edmond, Oklahoma

NAME: Scott R. Hartshorn, Esq.

TITLE OF THESIS: Policing in the Eighteenth-Century: The Rise and Fall of the Thief-Taker, 1680-1730.

DIRECTOR OF THESIS: Dr. Jessica Sheets-Nguyen

ABSTRACT: This thesis will examine the issue of policing in England from the incursion of the Anglo-Saxon peoples in the 600s through the end of the Stewart reign. The story will discuss the beginning of self-policing in these communities with the simple use of Hue and Cry and how the influence of German Saxon expanded this tradition with the adoption of tithing and the growth of the Frankpledge system of honor and justice. The article speaks further on how the Anglo-Saxons made no distinction between civil and criminal law as well as how these groups depended on Germanic Weregild and Oath-helpers system to determine and hand out justice. The thesis will then go on to show the significant changes brought about by the Norman invasion and specifically how Henry II influenced and developed the very modern concept criminal justice. Henry's concept of a fair and justice system that has become the basis for the American and English legal philosophy based upon the idea of inspection, evidence and inquiry to determine justice. The article then will provide a historical frame work of the first concepts of self-policing and why the English preferred this to a governmental entity enforcing communal justice. The discussion will explain the growth of a permanent policing structure of constables and London night watchmen. It will then dwell into how with the increase of crime in the larger English cities incurred a public demand for something better than volunteer constables, but with no increase in

their taxes. The lords thought they had a solution to meet both these demands, Thief-Takers, private policemen detecting and tracking down felons controlled by the local Magistrate courts. The article will explain how the idea had some modern criminal justice merit, but was doomed from start because of built in faults that would bring embarrassment to the realm and an end to the thief-takers.

List of Abbreviations

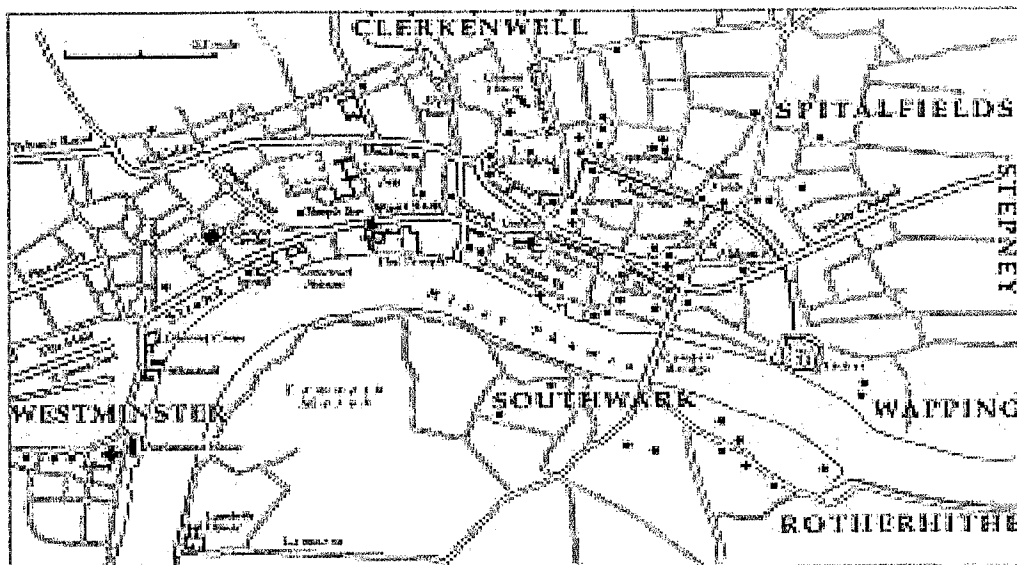
Works frequently cited in the notes have identified by the following abbreviations. The place of publication is London unless otherwise cited.

CLRO	Corporation of London Records Office
CSPD	Calendar of State Papers Domestic
CTB	Calendar of Treasury Papers
Jor	Journals of the Court of Common Council
LMA	London Metropolitan Archives
OBSP	Old Bailey Session Papers
PRO	Public Record Office

English Currency in the Eighteenth Century

- 4 farthings = 1 penny
- 12 pence (d.) = 1 shilling (s.)
- 5 shillings = 1 crown
- 6 shillings, 8 pence = 1 noble
- 13 shillings, 4 pence = 1 mark
- 20 shillings = 1 pound (£)
- 1 pound, 1 shilling = 1 guinea (gold coin)

Source: <http://www.oldbaileyonline.org/static/Coinage.jsp>



INTRODUCTION

Throughout early English history, tithingmen, night watchmen, and constables provided the primary system of maintaining public order. Britons founded these offices based on a social obligation to insure the good conduct of others and generally to keep the peace of the realm. Over time, separate groups evolved into the single term of “constable.” The question herein is how did the development of the thief-taker, in the seventeenth century, and specifically after 1692, when it assumed the duties of the previous private policing subgroups, overcome the public’s fears concerning the deployment of a nationalized policing unit, growing crime and the cost of safety. Further, why did the demise of the thief-takers in 1725 set back the establishment of law enforcement in England by 104 years?

Prior to Sir Robert Peel’s enactment of the Metropolitan Police Act of 1829 and establishment of the Metropolitan Police headquartered at Scotland Yard, the British relied on private subjects to keep the peace.¹ The use of Sir Robert Peel’s “Peelers” in the policing of the city marked a distinct change in the British attitudes towards policing. Historically the English believed that the business of catching wrongdoers was best left to private enterprise, historically composed of night watchmen and constables. Starting with the reign of Queen Elizabeth a new system of apprehending criminals developed along the lines of private enterprise: thief taking. These thief-takers, a new term used to describe such men, were assistant keepers of the gaols (jail) who went out to catch felons based upon warrants issued by magistrates. However, the practice and the name did not become formalized until the passage of the Act Encouraging the Apprehending of

¹ 10 Geo 4 c. 44: Metropolitan Police Act of 1829.

Highway Men in 1692.² By contrast, a highly institutionalized administrative system for dealing with matters of crime and punishment had been in place for several centuries on the Continent.

The primary monographs on the general question of policing in the eighteenth century are significant and rich in the analysis. The first true social history of note appeared in 1975, *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* by Douglas Hay. Among other things, this book examines "Poaching and the Game Laws on Cannock Chase. One should note that Hay's book revolves around class too much to have significant input on the cause and effects of crime and crime prevention.³ Following on Hay's work, is a project that started as a seminar paper; but must be read by any historian dealing with crime in the eighteenth century. E. P. Thompson's *Whigs and Hunters: The Origin of the Black Act* covers what the title suggests the Black Act of 1724 and its significant impact on society.⁴ Donna T. Andrews builds on Hay and Thompson's work and adds to our understanding of the situation of the poor in eighteenth century London, and how it connected to the crime.⁵ *The London Hanged: Crime and Civil Society in the Eighteenth Century*, by Peter Linebaugh whose work addresses the bleak account of life in the "Age of Reason" that asserts the importance of crime and class control. Tyburn, an English village, is presented as the center of the urban class contention, hanging as a means to reinforce respect for private property. The book also

² 4 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692.

³ Douglas Hay, *Albion's Fatal Tree: Crime and Society in Eighteenth Century England* (London: Allen Lane, 1975).

⁴ E.P. Thompson, *Whigs and Hunters: The Origin of the Black Act* (Harmondsworth: Penguin Books, 1985).

⁵ Donna T. Andrew, *Philanthropy and Police: London Charity in the Eighteenth Century* (Princeton: Princeton University Press, 1989).

shows few of the pilferers executed and questions the contention that severity of punishment induces terror as a means of crime prevention.⁶ *Policing and Punishment in London: 1600-1750* and *Crime and the Courts in England: 1660-1800*, both by John M. Beattie, explores crime and its prosecution in pre-industrial England. *Crime and the Courts* examines the offenders and the legal process; indictment, the trial, sentencing, and punishment. Whereas *Policing and Punishment* delve into how the City of London authorities adopted a range of measures in their struggle against crime, and more specifically property crime, in the metropolis. He examines the measures used to prevent crime; ways of improving detection and prosecution of offenders, and measures to ensure convictions as well as more effective punishments.⁷ The focus of these scholars has not been on the question of English resistance to an institutionalized police force, rather on the development of a criminal justice system with descriptions of concurrent law enforcement.

Recently published journal literature specifically addresses the important question of sources. “Early Crime Writing and the State: Jonathan Wild, Daniel Defoe and Bernard Mandeville in 1720s London” by Andrew Pepper specifically argues that Jonathan Wild sparked the emergence and development of crime writing. The article identifies the writers Daniel Defoe and Bernard Mandeville’s works from the 1720s, specifically noting that they are most likely fictional accounts. Nonetheless, Defoe and Mandeville offer details generally known to the public and provide insight to the rise of

⁶ Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (London: Verso, 2003).

⁷ John M. Beattie, *Policing and Punishment in London: 1660-1750* (Oxford: Oxford University Press, 2001); *Crime and the Courts in England: 1660-1800* (Princeton: Princeton University Press, 1986).

crime writing during this era.⁸ The piece by F. M. Dodsworth, “The Idea of Police in the Eighteenth-Century England: Discipline, Reformation, Superintendence: 1780-1800,” takes its cues from Michel Foucault and his work *Discipline and Punish*. Dodsworth examines the emergence of modern governmentality, the “disciplinary society,” and “social control,” and the use of a police force to accomplish these goals.⁹ Another piece addressing eighteenth century crime stories includes an article by Mary Lindemann, “Eighteenth-Century True-Crime, Legal Histories, and the Literary Imagination.” This article looks at two genres, true-crime writing and legal history, and how they intertwine to provide valuable information to criminal justices. She concludes that crime stories may represent current events; it is important to see the accounts as both political and literary.¹⁰ The work by Christopher A. Casey “Common Misperceptions: The Press and Victorian Views of Crime,” provides a later historical context on true-crime writing during the nineteenth century and its development as the subject grew because the public appetite for shocking violent murder expanded. Therefore, the highly inflammatory press spurred people to read more and more, increasing sales.¹¹

This thesis will address the issue of policing and explore the following additional sources: Old Bailey records, seventeenth-and eighteenth-century pamphlets, and *Blackstone’s Commentaries on the Laws of England in Four Books, 1765-1769*. The research will pay particular attention to a discussion of English perspectives on local

⁸ Andrew Pepper, “Early Crime Writing and the State: Jonathan Wild, Daniel Defoe and Bernard Mandeville in 1720s London,” *Textual Practice* 25 (2011): 473-91.

⁹ F.M. Dodsworth, “The Idea of Police in Eighteenth-Century England: Discipline, Reformation, Superintendence, c. 1780-1800,” *Journal of the History of Ideas* 69 (2008): 583-604.

¹⁰ Mary Lindemann, “Eighteenth-Century True-Crime, Legal Histories, and the Literary Imagination,” *Daphnis* 37 (2008): 131-52.

¹¹ Christopher A. Casey, “Common Misperceptions: The Press and Victorian Views of Crime,” *Journal of Interdisciplinary History*, 41 (2011): 367-91.

policing and specifically on a historical resistance within English communities to the institutionalization of anything, especially an armed police force. In particular, they were opposed to any police force that took on the attributes a quasi-military type organization versus the self-policing concept based on a social obligation to insure the good conduct of others and generally to keep the peace of the realm. The paper will examine England's first attempt to balance these two concepts of law enforcement with a close study of the development, rise, and fall of the thief-taker in the development of criminal justice.

The earliest published material on thief-takers comes from a contemporary piece written just ten years after the height of the thief-taker phenomenon, by the Bow Street magistrate judge Henry Fielding, a satire titled *The History of the Life of the Late Jonathan Wild: The Great*.¹² Modern historical monographs that explain the history and persons involved in the eighteenth-century policing methods of thief-takers include *The Thief Takers* by Patrick Pringle; *The Thief-Takers Hangings* by Aaron Skirboll; *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London* by Lucy Moore, and *The Thief-Taker General: The Rise and Fall of Jonathan Wild*, by Gerald Howson.¹³

The scholars who wrote the most about a thief taking relied on contemporary pamphlets; they did not distinguish between fiction and non-fiction. This distinction emerged much later in the century. The sources used in this thesis represent the world in

¹² Henry Fielding, *The History of the Life of the Late Jonathan Wild: The Great*. 1734, reprinted, (London: Hesperus, 2004).

¹³ Patrick Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners* (London: William Morrow and Co., 1955); Lucy Moore, *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London* (London: Harcourt Brace & Co., 1997); Aaron Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal* (Guilford: Globe Pequot Press, 2014); Gerald Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild* (New York: St. Martin's Press, 1970).

which the validity of the printed word was based on common knowledge. Most readers from that era could separate fact from fiction, satire from serious reporting.

CHAPTER ONE provides a chronological history of policing in England since the eighth century. This chapter discusses the varied examples of policing the English people tried until the eighteenth century as well as the varying thoughts on how to achieve safety and justice while still balancing costs with the best results.

CHAPTER TWO analyzes the criminal problems of the proceeding centuries leading up to the introduction of thief-takers as agents of public safety. It also explores the social issues that contributed to the increased criminality of peoples in late seventeenth-century London. The chapter also views private social groups' attempts at addressing these issues.

CHAPTER THREE explains the chronological development of thief-takers, both in concept as well as historical events. The chapter develops the character background of the type of men and women who pursued this career. The chapter explains what it took to be a thief-taker.

CHAPTER FOUR examines the life of Jonathan Wild (e) as the premier thief-taker of the eighteenth century. The chapter further explains how his endeavors set back the development of law enforcement through an organized police force over a hundred years in England. It also analyzes his downfall and its effect on English society.

CHAPTER 1
HISTORY OF ENGLISH SELF-POLICING
THE ANGLO-SAXONS

Within chapter one, we examine the history of law enforcement in England since the time of Anglo-Saxon rule and how these traditions contributed to the general psychology of the nation, and the aversion to governmental police forces over the preference of community volunteers as peacekeepers. English kings, since the end of the tenth century, ruled with the expectation that the people would maintain good order, commonly known as “Keeping the Peace,” as opposed to a system of a governmental police force.¹ The earliest known form of “Keeping the Peace” in English history was established in the reign of Anglo-Saxon Kings. This system aimed at preventing crime and was called the “Hue and Cry.” The practice of the “Hue and Cry” evolved during the reign of King Canute II the Great of Denmark and England (c.1035).² Custom dictated that bystanders be summoned to assist in the apprehension of a criminal when a subject witnessed an individual in the act of committing a crime. All able-bodied men, upon hearing the shouts, were obliged to assist in the pursuit of the criminal. Those who raised a “Hue and Cry” falsely were themselves guilty of a crime.

The more structured form of “Keeping the Peace” under early Saxon law involved the joining together of the community with all its members bound by a social obligation to maintain general security, which was described in writing in the twelfth century (c.1120s), as the term “Firth-borh” or “Frankpledge.” The term “Frankpledge” in

¹ Frederick Pollock and Maitland, Fredric William, *The History of English Law before the Time of Edward I* (Cambridge: Cambridge Press, 1898), 42.

² William Stubbs, *Lectures on Early English History* (London: Longmans, Green and Co., 1906), 12.

linguistic usage can be found within the *Leges Henrici Primi*, an early compilation of Anglo-Norman laws and the earliest authority on the subject. The Latin form is *plegium liberal*; the literal translation of which the Norman-French *franc pledge* becomes the origin of the ordinary English term “Frankpledge.”³ The concept began in England as early as the sixth century; it was most prevalent in the area under Danelaw (Danelagh; 865-954) from Essex to Yorkshire.⁴ This system of “Frankpledge,” literally meaning “Peace Pledge,” was the joining together of the community, usually with persons connected through kinship or a tie through an oath of fealty to a local lord, which bound all its members to a social contract to maintain general security and safety. “Frankpledge” was best described by King Canute II (1016-1035) when he declared that every man, serf or free, must be one (1) part of a hundred (100) men, and put up a surety in money for insurance of his good behavior.⁵

The “Frankpledge” system of justice evolved into the Saxon concept of “Tithingman,” whom the community held responsible for ensuring the public justice. Anglo-Saxon subjects were responsible for ensuring the King’s laws were not broken and to catch the offenders when they were. All men over twelve years of age were joined in groups of ten men in ten households, known as “Tithing” or the hundred. The unit, under a leader known as the chief-pledge or “Tithingman,” became responsible for producing any man of that “Tithing” suspected of a crime. The “Tithing” judicial process was entirely at a local level. The courts were held in shires (counties) and hundreds (a division

³ William Alfred Morris, *The Frankpledge System* (New York: Longman, Green and Co., 1910), 2.

⁴ Frederick Levi Attenborough, *The Laws of the Earliest English Kings* (Cambridge: Cambridge University Press, 1922), 2.

⁵ Stubbs, *Lectures on Early English History*, 12-3.

of a shire) which under an Anglo-Saxon law meant a gathering made up of the defendant's "Hundred Men," with the hundred holding court in their lord's house. The sheriff (shire reeve) administered this system.⁶ The Anglo-Saxon courts used a body of law consisting of written rules and customs adopted from the earlier continental Germanic law, and written in the Anglo-Saxon language instead of the customary Latin.⁷

Anglo-Saxon courts made no distinction in determining punishment between criminal and civil law. The modern concept of criminal law whereby the state detects an offence, takes the individual to court, and demands and imposes punishment did not exist in early medieval society. Every subject appealed to the local court not for punishment but recompense for the damages done to his household. The only topics of general importance to the Anglo-Saxon court were man slaying, wounding and cattle stealing. The primary mode of proof consisted of an oath, which did not go to the truth of a fact but to the justice of the claim.⁸ Each crime had a proper number of "oath-helpers" required to prove innocence. An early form of legal representation began with the practice of using "oath-helpers." The accused's "oath-helpers" appeared with him and were prepared to swear to his innocence and further give credibility to the oath of the defendant. The value of a man's oath depended on his social status and determined the number of "oath-helpers" he may need in his defense. The accused that failed in his oath or fell short in presenting to the court the customary required a number of "oath-helpers" would be found guilty.⁹ These early Anglo-Saxon courts were more interested in compensation for the family or the clan of the victim rather than punishment. To

⁶ Toulmin Smith, *The Parish: Its Powers and Obligations at Law* (London: H. Sweet, 1857), 230.

⁷ Morris, *The Frankpledge System*, 6-7.

⁸ Pollock, *The History of English Law Before the Time of Edward I*, 41.

⁹ Pollock, *The History of English Law Before the Time of Edward I*, 42.

determine an appropriate fine the Saxon courts drew on Germanic law within which the concept of “Weregild” was well established. “Weregild,” also known as man price, marked the value placed on every human and every piece of property.¹⁰

When a defendant appeared before an Anglo-Saxon court and was found guilty of a man slaying or wounding someone, he would be liable for a public fine. Corporal or capital punishment would be administered in cases dealing with sexual crimes of incest or homosexuality. The size of the fine or “Weregild” was largely conditional upon the social status of the victim. Law and custom set a base fee for a standard “free man” that could be multiplied according to the social rank of the victim and the circumstances of the crime. An aristocrat’s life (thegns) was worth six times that of a common person. The “Weregild” for women relative to that of a man under Anglo-Saxon tradition was half the value.¹¹ The wounding of a man in an assault also had an established system of “Weregild.” Anglo-Saxon compensation-codes calculated ever damage like a modern insurance policy. Similarly, eighteenth century law codes recalculated damages on a sliding scale. Under the laws of Ethelbert, King of Kent (560-616) the act placed damages upon the body as follows:

- If an ear be struck off, twelve (12) shillings
- If the other ear hear not, twenty-five (25) shillings
- If an ear be pierced, three (3) shillings
- If an ear be mutilated, six (6) shillings
- If an eye [struck] out, fifty (50) shillings
- If the mouth and eye be injured, twelve (12) shillings
- If the nose be pierced, nine (9) shillings
- If the nose be otherwise mutilated, for each six (6) shillings
- Fifty (50) shillings for a foot
- Ten (10) shillings for a big toe

¹⁰ Pollock, *The History of English Law Before the Time of Edward I*, 33, 47.

¹¹ Lisi Oliver, *The Beginnings of English Law* (Toronto: Toronto Press, 2002), 72-7.

- Let him who breaks the chine-bone pay for it with twenty (20) shillings
- If the victim only lost teeth in a fight, he would be awarded six (6) shillings each for the four (4) front teeth; for the tooth which stands next to them four (4) shillings each; for those that stand next to that three (3) shillings; and for the remainder for each a shilling.¹²

When an accused individual failed to appear before an Anglo-Saxon court on three (3) successive occasions or fled instead of appearing and entering a plea, the court declared the accused an “Outlaw.”¹³ This legal declaration of outlawry referred to the formal procedure of declaring a person an outlaw, thus putting himself outside of the sphere of legal protection. Once a person was declared an “outlaw,” he could not use the legal system to protect himself from any matter henceforth and could be killed on sight.¹⁴ In English common law, a judgment of formal outlawry was one of the harshest penalties in the legal system. To be declared an outlaw was, in effect, a form of civil death. No one in the realm was allowed to give a declared outlaw any food, shelter, or any form of support without themselves being charged with the crime of aiding and abetting, hence endangering themselves of being declared an outlaw.¹⁵

Outlawry was principally a pre-Magna Carta phenomenon.¹⁶ The sealing of the Magna Carta by King John in 1215 provided the legal precepts of due process and habeas corpus concurrently, beginning the eventual enshrinement in English judicial procedure of requiring a person suspected of a crime to be judged guilty before punishment could be legally rendered. The sealing of the Magna Carta effectually abolished the legal status of being an outlaw in England.¹⁷

¹² Oliver, *The Beginnings of English Law*, 20-32.

¹³ Pollock, *The History of English Law Before the Time of Edward I*, 42-3.

¹⁴ Pollock, *The History of English Law Before the Time of Edward I*, 43.

¹⁵ Pollock, *The History of English Law Before the Time of Edward I*, 43.

¹⁶ Magna Carta of 1215, The Great Charter of the Liberties of England.

¹⁷ Pollock, *The History of English Law Before the Time of Edward I*, 43-4.

THE NORMANS

The Norman invasion in 1066 did not drastically change the English system of self-policing known as “Tithing.” However, the position of “Tithingman” thereafter slowly transformed into the term constable. The constable was still the leader of the “Tithing” and responsible for maintenance of social order and good conduct from the subjects of the realm. During this time, a local lord appointed the constable, which remained an unpaid position. The Normans stiffened the “Frankpledge” system by requiring sheriffs to hold special courts known as the “View of Frankpledge” at which the “Tithingman” or constable presented to the court details of crimes committed and other matters and was required to produce wrongdoers.¹⁸ After the Norman conquest judges ceased to use the money payments or “Weregild” as a form of punishment in the sentencing of criminals.¹⁹ Prior to the reign of Henry II of England (1154-1189), determination of guilt for the most serious crime brought forth by the “Tithingman” fell under the legal procedure of “Trial by Ordeal.” Trial by combat was apparently unknown to the Anglo-Saxon judicial procedure; as it was only sanctioned on the continent, the practice followed the Normans to England.²⁰ Trial by Ordeal was an ancient judicial practice by which guilt or innocence of the accused was determined by subjecting the defendant to an unpleasant and usually dangerous experience. Classically, the test was one of life or death and the proof of innocence was survival. The primary test; however, was when accused individuals were considered innocent if they escaped injury or if their

¹⁸ Smith, *The Parish: Its Powers and Obligations at Law*, 230.

¹⁹ Pollock, *The History of English Law Before the Time of Edward I*, 74.

²⁰ Pollock, *The History of English Law Before the Time of Edward I*, 39.

injuries healed.²¹ The most commonly used examples of trial by ordeal are described below and as illustrated by Plates 1-6:²²

- Ordeal by Bread: A piece of bread was blessed by a priest and then ingested by the accused; if he choked on the bite he was found guilty. This later transformed into Ordeal of Eucharist, whereby the accused professed his innocence and if the oath had been false the accused would die within a year.²³
- Ordeal by Combat: This was used by a noble who had been accused of something. The accused would fight in combat with his accuser. Whoever won was right.²⁴
- Ordeal by Cross: The two parties with opposing claims stood on either side of a cross and held out their hands horizontally. The one first to lower his hands lost.²⁵
- Ordeal by Fire: The accused was required to hold a red hot iron bar and walk three paces. His hand was then bandaged and left for three days. If the wound was healing or improving after three days, the accused was considered innocent. If the wound had clearly not healed or improved, the accused was determined to be guilty.²⁶
- Ordeal by Water: An accused person was tied up and thrown into water. If the accused floated the court determined he was guilty of the crime.²⁷
- Ordeal by Fire and Water: The combination of the fire and water ordeal consisted of the accused placing a hand in scalding hot water and if the wounds failed to heal after three days the community determined the accused was guilty of the crime.²⁸

Henry II, believing these methods of justice to be unfair, enacted the Assize of Clarendon in 1166.²⁹ With the creation of this act, Henry II began the transformation of English law from one that decided the prevailing party with trial by ordeal or trial by compurgation, giving of oaths by oath-helpers of the accused, to an evidentiary model. Determination of justice in this system included the aid of evidence, inspection, and inquiry made by laymen, knights, or ordinary freemen, under oath, in establishing guilt or

²¹ Robert Bartlett, *Trial by Fire and Water* (Oxford: Oxford University Press, 1986), 4-9.

²² See Appendix-Plates 1-6.

²³ Sir William Blackstone, *Commentaries on the Laws of England*, IV (1769), 339.

²⁴ Bartlett, *Trial by Fire and Water*, 7.

²⁵ Alfredus Boretius, VII, *Hludowici Pii Capitularia 814-837, Monumenta Germaniae Historica: Capitularia regum Francorum* (in Latin) (Hanhover: Societas Aperiendis Fontibus Rerum Germa, 1883), 279.

²⁶ Bartlett, *Trial by Fire and Water*, 4.

²⁷ Bartlett, *Trial by Fire and Water*, 7.

²⁸ Bartlett, *Trial by Fire and Water*, 8.

²⁹ Assize of Clarendon of 1166.

innocence of the accused. The transformation became complete by 1219 when trial by jury replaced trial by ordeal. This measure fostered the methods of discovery and adjudication that would eventually become known in common law as trial by jury by twelve good and fair men of the community. However, the enactment of the Assize of Clarendon did not lead to an immediate change in the English judicial system. Superstitions and speculation remained the law and its punishment for more than seven centuries. Trial by combat would not be officially rescinded in England until 1819.³⁰

This English system of self-policing under Norman kings was formalized in the thirteenth century when Henry III (1216-74) enacted the Ordinance of 1233. The ordinance required the appointment of night watchmen in every village assigned to kept watch throughout the night by four men at the least.³¹ Henry III further formalized the ordinance with the establishment of the Assize of 1252, requiring the appointment of constables to summon men to arms, quell breaches of the peace, and deliver offenders to the sheriff.³² The Ordinance of 1252 decreed that every township should appoint a constable. The ordinance further required that a chief constable would be appointed in each hundred.³³ Edward I's reign (1274-1308) saw an increased interest in enforcing law and order. Hence, Edward enacted the Statute of Winchester of 1285.³⁴ The statute decreed that each district or hundred would be held responsible for unsolved crimes. The act formalized the system of "Hue and Cry" and legally required anyone, either a constable or a private citizen, who witnessed a crime, to make "Hue and Cry." In

³⁰ 59 Geo III c. 46, Appeal of Murder; see also, *Ashford v. Thornton*.

³¹ Pollock, *The History of English Law before the Time of Edward I*, 565: Ordinance of 1233.

³² Assize of Arms of 1252.

³³ Pollock, *The History of English Law before the Time of Edward I*, 565.

³⁴ 13 Edw. I c. 1, Statute of Winchester of 1285.

addition, that the “Hue and Cry” be kept up against the fleeing criminal from town to town and from county to county, until the felon was apprehended and delivered to the sheriff.³⁵ The act further set requirements for the night watch,

Commanding that from the day of Ascension, forty days after Easter, until the day of Saint Michael, the 29th of September, in every city six night watchmen were set at every gate; in every borough, by twelve night watchmen; and in every town, by six or four night watchmen, according to the number of inhabitants of the town, and they shall keep the watch continually all night from sun-setting unto sun-rising, and any wrong-doer shall be arrested until morning, and if they find cause of suspicion, they shall forthwith deliver him to the sheriff.³⁶

These ordinances eventually caused the use of “Frankpledging” to decline in England during the thirteenth century and by the fourteenth century; the local parish constable superseded the post of “Tithingman.”³⁷

These statutes and the requirements for keeping the peace entrenched the duty of the parish constable so that by the mid-1400s, it became the duty of every free male citizen to take his turn as a local constable; this was a subordinate post to the Justice of the Peace under whose direction he would normally work. These parish constables were expected neither to be paid nor experienced and served for one year. The law expected them to combine these duties with their ordinary work as best they could, fulfilling their civic obligation as defined in the Statute of Winchester of 1285.³⁸ The City of London passed a separate if similar statute at the same time and to the same effect. This statute required and ordered every male housekeeper, except the elderly and very poor, since they might be easily intimidated, to take a turn policing the community, at least during

³⁵ 13 Edw I c. 1 and 4, Statute of Winchester of 1285.

³⁶ 13 Edw I c. 4, Statute of Winchester of 1285

³⁷ Benjamin Thorpe, *A History of England under Anglo-Saxon Kings: Vol. III* (London: John Murray, 1845), 334.

³⁸ Beattie, *Policing and Punishment in London: 1660-1750*, 114.

the summer months.³⁹ The constable had no uniform, instead he carried an official staff of office. By the seventeenth century, the Common Council of London made additional laws that established the varying guidelines to the position of a constable in London.⁴⁰ Constables were required to apprehend anyone accused of a felony and bring them before a Justice of the Peace.

Despite their numerous and cumbersome duties, including the general responsibility to keep the peace, constables were surprisingly restricted in their powers to arrest and there was no expectation they should investigate or prosecute crimes. In some precincts of their wards, they had no jurisdiction at all. They could not enter, pursue, or arrest. In other places, they needed official clearance. They could seldom leave the boundaries of their ward division except by agreement of the neighboring constabulary. Constables were liable for wrongful arrests and loss of prisoners. They could be penalized by having their property repossessed or by forfeiting their business to pay off court debts.⁴¹

The men of the night watch aided the constables in the City of London. The watchmen were charged with a different range of duties with their principal tasks centered on maintaining order on the streets; controlling vagrancy, prostitution, and begging; and preventing disorderly behavior in general.⁴² In addition, the watch had to assist constables in keeping the peace, imprisoning offenders, guarding public morals,

³⁹ Beattie, *Crime and the Courts in England: 1660-1800*, 68.

⁴⁰ Acts of the Common Council: re. Constables: 1621, 1630, 1640, and 1655.

⁴¹ John L. McMullan, *The Canting Crew: London's Criminal Underworld, 1550-1700* (New Brunswick: Rutgers University Press, 1984), 81.

⁴² Beattie, *Policing and Punishment in London: 1660-1750*, 114.

and the admonishing and fining of neighbors, while constables were expected to make court presentments and oversee public punishments.⁴³

By the mid-fourteenth century, the use of stocks and pillories had become common in the punishment of these minor offenders that included petty thieves, unruly servants, wife-beaters, hedge-tearers, Sabbath-breakers, revilers, gamblers, drunkards, ballad-singers, fortune-tellers, and traveling musicians as well as a variety of other offenders. In 1351, Edward III introduced the Statute of Laborers after the Black Death, requiring every English town to set up stocks. These stocks were made of a wooden or metal framework, with holes for securing one's feet and sometimes one's heads and hands as well. A pillory is a set of stocks erected atop a post, which only secures the prisoner's head and hands as illustrated by Plate 7.⁴⁴ The stocks were commonly used as a public punishment of lesser or moral crimes of the lower class. Stocks were positioned in the most public place available, as public humiliation was a critical aspect of the punishment. From the reign of Queen Elizabeth and until the mid-nineteenth century, the English continued to use stocks as a form of public punishment. Plate 8 illustrates humiliation, an example of stocks.⁴⁵

Patrick Pringle remarks that the public spoke out in favor of a police force by stating, if we here in London had a body devoted to apprehending criminals, what the French call "police," crime would go down. Government policy makers attempted to address the crime problem by suggesting the institution of a police force, the populace

⁴³ George Meriton, *A Guide for Constables, Churchwardens, Overseers of the Poor*, (London, 1668).

⁴⁴ Edward III, Statute of Labours of 1351. See Appendix Plates 7.

⁴⁵ English statutes never formally abolished the use of stocks and pillories, though the English courts decreed their use is cruel and unusual punishment. Magistrates last used stocks and pillories as a form of criminal punishment in 1872 in Newbury, England. See Appendix Plates 8.

cried infringement of freedom, and, not quite so loudly, economy.⁴⁶ Whenever there is more than one motive for any political action or inaction it is always difficult to determine which public statement is genuine and which is a political excuse. As freedom makes a nobler battle cry than the economy, it is perhaps reasonable to think that parsimony was a stronger motive than it appears. However, there is no doubting the sincerity of their belief that a national police force would destroy the freedom of the individual and that a nation could not have a police force without becoming a police state.⁴⁷ Individual freedom in Britain was far greater than in any other country in Europe. According to British standards, the countries that had police forces were despotic. There existed at the time no evidence to show that a country could have the police force and remain free; on the contrary, an examination of the police systems of other countries led inevitably to the conclusion that a state that had the police force was bound to be what we would call a police state. Every European nation at that time used their police system as an inquisitorial instrument of political espionage.⁴⁸ The eighteenth-century Briton regarded the French gendarmerie, as his descendants were to regard the Nazi Gestapo and the Soviet Security Police.⁴⁹ Considering the influence the French gendarmerie had on the course and results of the French Revolution, one can understand why the British were slow in organizing a national police force.⁵⁰ As stated in Sir Arthur Bryant's *The Age of*

⁴⁶ Pringle, *The Thief-Takers*, 14: citing Dr. Leon Radzinowicz, *A History of English Criminal Law*, vols. 1-3 (London: 1948-56).

⁴⁷ Pringle, *The Thief-Takers*, 14.

⁴⁸ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 13.

⁴⁹ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 13.

⁵⁰ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 13.

Elegance, “the seventeenth-century Englishman believed in freedom with a passion, almost to a point of religion and possessed a hatred of power that was an obsession.”⁵¹

While Britons and their government were resolved not to have the police force, and preferred to suffer more crime, they did not give up the ideal of checking crime; nor did they place all their faith on increasing the severity of punishment. They put forward a remarkable armory of weapons for use against criminals, none of which infringed upon basic liberties, much, and most of which cost nothing. They were based on the simple principle that all human beings act primarily out of self-interest. Criminals were not alone in being moved by greed and fear. Honest people reacted similarly to the same incentive moreover, a deterrent. All that was needed was to channel these instincts for the suppression of crime. It must be made profitable to bring offenders to justice and unprofitable to tolerate crime. This was not just a cheap substitute for the police force, but an honest belief by eighteenth-century Britons that private enterprise, properly stimulated by incentives and deterrents, could do a better job than a paid force. A detective was more likely to catch crooks if authorities paid him by piece-rates rather than a regular salary. He was more likely to be successful if paid based on the results of his investigation.⁵²

In October 1663, the London Common Council passed an act known as the “Robinson Act,” named for the sitting lord mayor confirming the duty of all householders in the City to take their turn at the watch in order “to keep the peace and apprehend night-walkers, malefactors and suspected persons.”⁵³ For the most part the Common Council

⁵¹ Sir Arthur Bryant, *Age of Elegance 1812-1822* (London: Collins, 1950).

⁵² Pringle, *The Thief-Takers*, 15.

⁵³ Acts of Common Council, 1663.

Act of 1663 reiterated the rules and obligations that had long existed.⁵⁴ These men came to be nicknamed “Charlies” after the sovereign of the time, Charles I.⁵⁵ The type of equipment they carried included a rattle, a lantern, and staff, which provided their only form of defense, as illustrated in Plate 9.⁵⁶ “Charlies” patrolled the streets between 9 P.M. to 7 A.M. in the winter months and 10 PM to 5 AM in the summer, and the public expected them to examine all suspicious characters.⁵⁷ As the population of England grew in the late seventeenth century and the jobs became more demanding, many wealthy householders avoided their obligation by paying deputies to do their turn in service. As this practice increased, some men were able to make a living as substitute deputy constables or as paid night watchmen. In the case of the night watch, The City of London through the Common Council formalized this practice with the passage of “Watch Acts,” in 1663, which replaced householders’ duty of service by a tax levied specifically for hiring full-time night watchmen.⁵⁸ The table that follows represents the number of active constables working in the greater London area after the passage by the Common Council of the “Robinson Acts” in 1663.

⁵⁴ Beattie, *Policing and Punishment in London: 1660-1750*, 174.

⁵⁵ “The History of the Night Watch,” *The Munster News and Limerick and Clare Advocate*, 4 January 1899.

⁵⁶ See Appendix plate 9.

⁵⁷ Beattie, *Policing and Punishment in London: 1660-1750*, 176.

⁵⁸ Acts of Common Council: re. Constables, 1621, 1630, 1640, and 1655.

TABLE 1: NUMBERS OF NIGHT WATCHMEN, CITY OF LONDON, 1663 VERSUS 1700

Ward	1663 Act	c. 1700 Numbers in Practice
Aldgate	34	25
Bassishaw	12	5
Billingsgate	30	14
Bishopsgate Within and Without	80	28
Bread Street	26	13
Bridge	25	20
Broad Street	39	23
Candlewick	24	12
Castle Baynard	40	17
Cheap	25	18
Coleman Street	32	18
Cordwainer	24	10
Cornhill	16	10
Cripplegate Without ⁵⁹	90	21
Dowgate	36	11
Farringdon Within	50	28
Farringdon Without	130	51
Langbourn	34	22
Lime Street	11	8
Portsoken	60	27
Queenhithe	40	11
Tower	40	28
Vintry	34	11
Walbrook	20	14
Total	952	445

Journals of the Court of Common Council: Jor. 45, ff. 435-6; Misc. MSS 3, 9, Corporation of London Records Office (CLRO).

Though constables and night watchmen continued their duties, England was about to undergo a transformation from a rural agricultural to an industrial society. Thousands of people left the countryside and sought work in the cities, especially in London. Enormous numbers could not find employment, which resulted in the growth of deep pockets of poverty and an environment that bred crime. Only a rudimentary poor law system was in place and most of it depended on having identity papers because Londoners did not want to pay for strangers.⁶⁰ In response to these growing public issues,

⁵⁹ Including Whitefriars, Bridewell, St. Bartholomew's the Great, and St. Bartholomew's the Less.

⁶⁰ 13 & 14 Car 2 c. 12, The Poor Relief Act 1662 or the Settlement Act.

Parliament passed the Act Encouraging the Apprehending of Highway Men in 1692.⁶¹ This act offered a reward of £40, plus the offender's horse, arms and money if they were not stolen, for the conviction of highway robbers and other serious felons.⁶² This was an enormous sum for the average English subject and contributed to the development of what would be called "thief-takers," men and occasionally women, who earned their livelihoods from the rewards paid upon the conviction of offenders under the 1692 statutes.⁶³ These thief-takers, some of whom were even constables, also supplemented their income by receiving private rewards offered by the victims for the return of their stolen goods, no questions asked. Because this required the thief-taker to have a working knowledge of the criminal underworld, thief-takers flourished on the edges of what was legal and illegal. Thus, the thief-takers profited in turn from both arresting serious felons and brokering the return of stolen goods for a fee. Though widely acknowledged by both the public and the courts to be corrupt, they were allowed to continue this nefarious trade because of their prominent role in the arrest of dangerous criminals.⁶⁴

In the early 1720s, Jonathan Wild combined all aspects of the thief-taker's trade to establish one of the first crime organizations composed of both thieves and thief-takers. He styled himself the "Thief-Taker General of England and Ireland."⁶⁵ Concerns regarding the practice of Wild's men accepting rewards for the return of stolen goods

⁶¹ 4 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692.

⁶² Robert Gardiner, *The Complete Constable, Directing Constables, Headboroughs, Tithingmen, Church-Wardens, Overseers of the Poor ... in the Duty of Their Offices* (London, 1692), 1724.

⁶³ 4 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692.

⁶⁴ Charles Hitchin, *A True Discovery of the Conduct of Receivers and Thief-Takers in and About the City of London; to the Multiplication, and encouragement of Thieves, House-Breakers, and other loose and Disorderly Persons* (London, 1718), 5.

⁶⁵ W. Dicey, *The Life of Jonathan Wilde, Thief-taker General of Great Britain and Ireland, From Birth to his Death, Containing his Rise and Progress in Roguery* (London, 1725); "Thief-Taker General of Great Briton," *Weekly Journal or Saturday's Post*, 28 February 1719.

without prosecution led to an adoption of a clause in the first Transportation Act of 1718, which became to be known as “Jonathan Wild’s Act.” Moreover, in 1725, Wild landed himself in Newgate prison, and the judge sentenced him to hanging under this act.⁶⁶ The Middlesex Justice Acts, which passed in 1792, provided judicial oversight and salaries to constables, marked the end of the independent thief-taker.⁶⁷

In 1748, Henry Fielding, almost penniless, appealed to his friend Lord George Lyttelton to procure a job for him. Lyttelton approached the Duke of Bedford, William Russell, who was Secretary of State for the Southern Department, Minister in Charge of Home Affairs. He nominated Fielding as commissioner of the peace for Westminster or Chief Magistrate for Westminster. In modern terms, this office is referred to as Commissioners of the Metropolitan Police, with an office located at 4 Bow Street, near Covent Garden.⁶⁸ In 1753, Fielding realized that London needed a more permanent and efficient police force to replace local constables and thief-takers; therefore Fielding hired six former thief-takers and constables for more than the usual term of one year to become the first detective force. Fielding did not go as far as to suggest they were a professional police force. In establishing his cadre, Fielding did not ask the government for new legislation or extension of powers, only the funds to operate this new organization.⁶⁹ These officers still had no uniforms. Nonetheless, they received a salary for working full time, became known as the “Bow Street Runners,” and have been referred to as London’s

⁶⁶ 4 Geo I cap. XI, The Transportation Act of 1717.

⁶⁷ Middlesex Justice Act of 1792.

⁶⁸ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 77-8.

⁶⁹ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 105.

first professional police force.⁷⁰ Contrary to popular belief, the Bow Street Runners were not nicknamed “Robin Redbreasts,” an epithet reserved for the Bow Street Horse Patrol. The horse patrol, organized in 1805 by Sir John Fielding’s successor at Bow Street, Richard Ford, wore a distinctive scarlet waistcoat under their blue greatcoats.⁷¹ The Bow Street Runners, themselves, referred to their office as the “Principal Officers” of Bow Street. Runners were identified by carrying a tipstaff, a short club with the Royal Crown on it. The crown, which, when unscrewed revealed a warrant for arrest inside the hollow staff.⁷² Because of the heavy workload, Henry appointed his brother John Fielding his personal assistant in 1750, and when Henry died in 1754, the Home Secretary appointed John as the new magistrate. This transaction further promoted the professionalization of policing by the end of the century. With the adoption of the Metropolitan Police Act of 1829 the policing responsibilities of the Bow Street magistrates was greatly diminished and the Bow Street patrols were gradually absorbed into the new Metro police force. The Bow Street group finally disbanded with the passage of the Metropolitan Police Act of 1839.⁷³

One of the greatest areas of crime in late eighteenth-century London was on the River Thames, especially in the warehouse district where shipping firms stored expensive cargo from around the world. By the late 1790s, merchants were losing an estimated £500,000 (equivalent to £46,247,981 in 2015) of stolen cargo annually from the Pool of

⁷⁰ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 111.

⁷¹ Fitzgerald Percy Hetherington, *The Patrols, Chronicles of Bow Street Police-Office: With an Account of the Magistrates* (London: Chapman and Hall, 1888), 90.

⁷² Archives of HM Courts & Tribunal Service: Ministry of Justice, Glossary of Terms.

⁷³ 2 & 3 Vict. c. 47, The Metropolitan Police Act of 1839.

London along the river by the late 1790s.⁷⁴ The losses occurred due to the inability of ship and warehouse owners to prevent organized gangs from looting ships.

In 1798, in an attempt to prevent further losses, London merchants purchased land for one penny per acre in what is now the up and coming East London region. They proposed to build a state of the art docks and warehouses for the storage of all kinds of precious and expensive goods. The merchants expanded the East and West India Dock, built the new London and St. Katherine Docks, and surrounded the warehouses with a twelve-foot high brick wall with the intent of preventing pilfering.⁷⁵ The losses also encouraged a sea captain named John Harriott and a local magistrate, Patrick Colquhoun, to establish the “Marine Police Force” sometimes known as the “Thames River Police” in 1798.⁷⁶ On their creation, they took possession of premises on the current site of the Wapping Police Station and appointed a Superintendent of Ship Constables with five surveyors to patrol the River, day and night. The force was also comprised of four surveyors who visited ships being loaded. The Marine Police Force controlled the ship constables; and ship owners paid to supervise gangs of dockworkers. Impressed by the economic impact of the initiative, the government passed the Marine Police Bill in July 1800, making it one of the first publicly funded police forces, and the first uniformed police force in the world.⁷⁷ In 1839, the government brought the force into the newly

⁷⁴ Dick Patterson, *Origins of the Thames Police*, www.thamespolicemuseum.org.uk/h_police_1.html; The Pool of London is a stretch of the River Thames from London Bridge to Limehouse.

⁷⁵ Metropolitan Police, “History of Marine Policing,” <http://content.met.police.uk/Article/History-of-Marine-Policing>.

⁷⁶ Metropolitan Police, “History of Marine Policing.”

⁷⁷ Patterson, *Origins of the Thames Police*.

created Metropolitan Police Force. It is interesting to note, however, that the marine patrols had only rowboats as a means of controlling crime on the Thames until 1905.⁷⁸

The lack of efficiency of these early law enforcement entities was a growing source of public outcry from the beginning of the nineteenth century. Rising public concerns forced Parliament's hand. They formed a committee to investigate the state of policing. In 1822, Sir Robert Peel, 2nd Baronet, entered the cabinet as Home Secretary under Prime Minister George Canning. He established a second and more effective committee, and acted on its findings.⁷⁹ In an effort to standardize the policing of the populace, Peel developed an organization that supported an official paid profession, organized in a civilian fashion and answerable to the public. He presented these ideas to Parliament, which codified them under the Metropolitan Police Act of 1829. The English "Peeler" or "Bobby" was born.⁸⁰

⁷⁸ Metropolitan Police, "History Marine Police."

⁷⁹ Metropolitan Police, "History of the Metropolitan Police."

⁸⁰ 10 Geo IV c. 44, Metropolitan Police Act of 1829.

CHAPTER 2

THE RISE OF CRIMINALITY IN SEVENTEENTH CENTURY ENGLAND

This chapter examines the rise of crime in the seventeenth century and how it contributed to the public's demand for better protection and how the government endeavored to balance the English conflict of a distain for a national police force against a demand for the communities to feel safe at a reasonable cost. The chapter delves into how in attempting to do so the government developed the idea of the thief taker. Near the end of the sixteenth century, the hue and cry no longer managed to sustain an extended policing response to the crimes of local felons. It is usually at this point that modern citizens look back and say, how foolish these people and their concepts were. It is unfair to sneer at them for continuing to try to fight crime by increasing the severity of punishment. Precinct night watchmen and the citizen constabulary declined in numbers. The local government refused to support these essentially unpaid and volunteer officers. The already heavy workloads of watchmen and constables were further compounded by the medley of contradictory charters, passports, edicts orders, and privileges issued from the time of Queen Elizabeth I (1558-1603).¹ According to an early historian of policing, W. L. Melville Lee, "the accession of Queen Elizabeth inaugurated a period of great activity for the police departments, magistrates, and constables who were kept busy administering the statutes dealing with apprentices, wages, disputes in service, hours of labor, and regulation of industrial trade, laws for the suppression of rogues and vagabonds and other enactments".²

¹ McMullan, *The Canting Crew: London's Criminal Underworld: 1550-1700*, 80.

² W.L. Melville Lee, *A History of Police in England* (London: Methuen, 1901), 99.

Constables had to patrol unknown and ever-increasing hostile territories infested with gangs of thieves and robbers, and investigate the ever-enlarging multitudes of base tenements. They also oversaw the hidden and concealed lanes and alleys where the low end of prostitution was conducted by the growing number of poor women, mostly former servants and abandoned wives, and managed the severances of huge numbers of vagrants.³ Such duties placed the volunteer constables and night watchmen at considerable physical risk especially in the criminal precincts where walled sanctuaries and traditions of defiance and force challenged the jurisdiction of the night watch and constables.⁴ These constables had to be prepared for “inquiries into the activities of felons, vagrants, and recusants as also about the decay of houses and husbandry, the tillage of land, alms houses, engrossing and forestalling, molesters, the relief of the poor, sufficiency of petty constables, masters who had retained servants out of the justices; the erection of cottages, drunkenness, whoredoms and incontinency, discharging of servants, and thereby increasing rogues and idle persons, poulterers and purveyors who buy victuals, and resell at unreasonable rates and alehouses erected and maintained by persons out of town.”⁵

To complicate policing, London lacked any central command to oversee the quagmire of ambiguous jurisdictions. The ward was the customary communal unit, so much so that by Stow’s time (1598), it was already more four hundred years old.⁶ In effect, the parochial institutional arrangement of wards in London made it difficult for the

³ Lee, *A History of Police in England*, 99.

⁴ McMullan, *The Canting Crew: London’s Criminal Underworld: 1550-1700*, 81.

⁵ Great Britain, Public Record Office, *Calendar of State Papers, Domestic, of the Reign of Elizabeth and James I*, Addenda 1580-1625, 547; Recusant is a person who refuses to submit to an authority or to comply with a regulation.

⁶ John Stow, *The Survey of London* (1603 reprint; London: J.M. Dent, 1958), 108.

night watch and constables to oversee. Policing remained the responsibility of an amalgam of uncoordinated bodies with an array of heterogeneous rules. The separate policing entities patrolled areas where boundaries meant nothing to the criminal; and the varying policing agents lacked the communicational and organizational abilities to pursue criminals from ward to ward. The best these policing agents could do was form periodic large raiding parties in an attempt to purge the city of specific problems within a district.⁷

The modern day Britain would have considered the late seventeenth century to be a police-less state. In the seventeenth century, the victim of a robbery would never dream of calling in the police if he could afford to employ a private detective instead. The Victorian whodunit, in which the private detective solves the mystery brilliantly while the police plod on behind, is not untrue, simply out of date. Even two hundred years later when the London authorities created the Metropolitan Police force, it had only eight detectives in a force of 6000. The public did not think much of them and reinforced the English belief that the business of catching thieves was best left to private enterprise.⁸

The seventeenth-century Englishmen believed that the reason they, unlike their counterparts on the Continent, had never had a professional police force was that Englishmen loved personal freedom too much to allow the establishment of an organized police force on their soil.⁹ The truth of the matter; however, may lie in the fact that the simple geography of being an island in the English Channel between Britain and a hostile neighbor allowed this feeling to exist. Continental Europe had land-frontiers, needing standing armies to protect them or extend them. When these governmental forces were

⁷ McMullan, *The Canting Crew: London's Criminal Underworld: 1550-1700*, 82.

⁸ Pringle, *The Thief-Takers*, 9.

⁹ Pringle, *The Thief-Takers*, 9.

not engaged in fighting their neighbors they were convenient armed bodies that the crowns of Europe could use to enforce domestic laws.¹⁰ The first French police officers were soldiers, or men of arms, *gens d'armes*, later spelled *gendarmies*. Britain had no land-frontiers and hence never required a standing army; so English kings had no soldiers to use as police. In 1655, Oliver Cromwell tried to establish a national gendarmerie, by then it was too late; the no-police ideal had now been formed in the Englishmen's consciousness and public opinion forced him to abandon the idea.¹¹ The Second Protectorate parliament also feared a permanent military state and voted down the legislation in 1656.¹² The traditional principle was, and theoretically still is, that every citizen was a police officer. If you were assaulted, robbed, or burgled, you arrested and prosecuted the offender yourself. If you wanted physical help in catching and holding the offender, you called on all other citizens by raising a hue and cry.

The secondary problem was that national police officers cost money, requiring increased taxation, and it's never easy to persuade the public that the time has come to pay for a service that has previously been free.¹³ Further, the public may have tolerated and even cherished their local constable or night watchmen, as long as they had little authority and little or no wages. Charlies or night watchmen of the late seventeenth century received less than a shilling a night and were technically Britain's first official professional police officers,¹⁴ and it was the intent of the government, as well as the

¹⁰ Pringle, *The Thief-Takers*, 9.

¹¹ Pringle, *The Thief-Takers*, 9.

¹² Pringle, *The Thief-Takers*, 10.

¹³ Pringle, *The Thief-Takers*, 10.

¹⁴ Pringle, *The Thief-Takers*, 10.

public, that this would be the last. No one wanted to extend an institution that the public perceived as faintly repressive and placing a heavy burden on the tax rates.¹⁵

Though these constables and night watchmen continued their duties, the country itself was transforming from a rural agricultural to an industrial society. Thousands of individuals left the countryside and sought work in the cities. It is not surprising that London was the most crime-ridden place in all of England. Its population in 1500 was estimated to be roughly 40,000 people.¹⁶ The growth of London in the sixteenth century was due to the change in farming techniques arising from a loss in population caused by the ten (10) different plagues that had swept the country throughout the century. A reduced population caused a rise in the use of skilled farmers receiving higher wages over a system of unskilled serf farming. These unskilled, landless, and desperate farm workers had no other option but to seek employment in the larger cities.¹⁷ In 1708, when Jonathan Wild arrived in London, it was the largest and most populous city in the whole of Europe.¹⁸ The city boasted a population of 600,000, more than twenty times larger than that of Norwich, the second-largest city in Britain.¹⁹

Much of the City center was destroyed in the Great Fire of 1666, and the old timber buildings had been replaced hurriedly and cheaply in the rush to re-house London's new homeless. The cobbled streets were full of mud and dust because of the building work that was constantly underway, dust, which combined with the clouds of

¹⁵ Pringle, *The Thief-Takers*, 10.

¹⁶ Peter Clark and Paul Slack, *English Towns in Transition: 1500-1700* (London: Oxford University Press, 1976), 63, 83.

¹⁷ Clark, *English Towns in Transition: 1500-1700*, 83.

¹⁸ C. de Saussure, *A Foreign View of England: 1725* (Translated by Van Muyden, 1902), 16.

¹⁹ Moore, *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 3.

sooty smoke that hung over the city to coat the buildings and inhabitants with a layer of dusty grime.²⁰ These conditions, as well as the growth of poor and desperate individuals within the city, provided no shortage of opportunities for the criminal, whether a professional or an up-and-coming opportunist, to work his trade. The streets were thronged with people, unsuspecting citizens, and visitors, with plump purses hanging from their belts providing motive to the growing number of thieves.

The urban criminal was not a new phenomenon. For centuries, the towns and cities had offered certain kinds of crooks the best refuge and prospects. A greater density of population provided cutpurses, cheating gamblers, and various kinds of confidence tricksters with the cover their activities required, as well as more lucrative pickings. Moreover, in many urban centers there had long been people, often alehouses, or tavern keepers, who routinely encouraged crooks to use their premises and who undertook to fence the stolen goods.²¹ This huge influx of people to London meant that many could not find employment and lived in the most appalling of slums around Seven Dials and in the Soho parish.

By the end of the seventeenth century, following the accession of William of Orange, a powerful and addictive alcoholic drink was introduced to London: Gin, first imported from the Netherlands in the 1690s, soon began to rival beer as the single most important alcoholic drink in England. At a penny a glass, it was substantially cheaper than beer. William Hogarth created two engravings titled *Beer Street* and *Gin Lane* in 1751 depicting the evils of gin and its effect on the populace against the merits of

²⁰ Moore, *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 3.

²¹ Gillian Spraggs, *Outlaws & Highwaymen: The Cult of the Robber in England From the Middle-Ages to the Nineteenth Century* (London: Pimlico, 2001), 89.

drinking beer.²² Hogarth issued prints to support the Gin Act, which is illustrated in Plate 28.²³

In 1689, because England was involved in the continental wars, the government attempted to protect the domestic economy by encouraging the industry of distilling, as it aided in propping up domestic grain prices and help the war effort.²⁴ The government put a heavy duty on the import of spirits, and lifted restrictions on domestic spirit production.²⁵ Gin became the patriotic alternative to drinking French brandy. This created a healthy market for poor quality grain, greatly benefitting wealthy landowners sitting in parliament, which created a rich source of tax revenue.²⁶ In the heyday of the industry, there were no quality controls whatsoever and gin was frequently mixed with turpentine. Largely due to its cheapness and the prevailing social conditions in the City of London, there was a large increase in drunkenness in the first half of the eighteenth century. So wide spread was this increase, that by 1721, even Middlesex magistrates decried gin as “the principal cause of all the vice and debauchery committed among the inferior sort of people” in London.²⁷ Politicians and religious leaders argued that gin drinking encouraged laziness and criminal behavior. Though many drinks were available, and alcohol consumption was considerable at all levels of society, it was gin, which caused

²² See Appendix Plate 28.

²³ 24 Geo II c. 40, Sale of Spirits Act of 1750.

²⁴ Patrick Dillion, *Gin: The Much Lamented Death of Madam Geneva: The Eighteenth Century Gin Craze* (London: Thistle Publishing, 2002), 155.

²⁵ Peter Earle, *A City Full of People: Men and Women of London, 1650-1750* (London: Methuen, 1994), 224.

²⁶ Dillion, *Gin: The Much Lamented Death of Madam Geneva: The Eighteenth Century Gin Craze*, 155.

²⁷ Dillion, *Gin: The Much Lamented Death of Madam Geneva: The Eighteenth Century Gin Craze*, 155; Gin is produced when juniper berries are added to simple distilled white alcohol from grains usually. In early eighteenth century England many cheap bars just added turpentine to replace the juniper flavors. Gin was know by many colorful names: Mother’s Ruin, Madam Geneva, Ladies Delight, and Cuckold’s Comfort.

the greatest public concern. The ready availability and low cost of gin led to the massive rise in consumption in England known as the Gin Craze. So much so, the government was forced to act. In 1729, Parliament passed the first Gin Act, which increased the retail tax to 5 shillings per gallon.²⁸ With the Gin Act of 1736, the government imposed a high license fee for gin retailers and a 20 s. retail tax per gallon, but by the end of the year, only two licenses had been purchased.²⁹ These activities were to no avail, drunkenness, and crime continued to rise in tandem with the expanding city.

The influx of rural folk also had a negative effect on women moving to the city whether single or married. In rural communities, men who ably provided enough income for the family faced new hardships when these families moved to the city. Their earnings were drastically less in large part due the numerous people arriving in the city, creating an oversupply of labor. The reduction in these men's incomes no longer met the requirements of their families, requiring women to seek an income to maintain and acquire the necessities they no longer produced for themselves. As a result, both men and women believed they were losing control of their lives. In addition, for some women this change in circumstances required them to turn to petty jobs or prostitution. A woman living poorly in the city might follow "sometimes the business of picking up rags and cinders, and at other times that of selling fruit and oysters, crying hot pudding and grey-peas in the street, and the like."³⁰ Their cries filled the busy streets, each item with its own individual, recognizable song.

²⁸ 3 Geo II c. 12, Gin Act of 1729.

²⁹ 10 Geo II c. 7, Gin Act of 1736; Dillion, *Gin: The Much Lamented Death of Madam Geneva: The Eighteenth Century Gin Craze*, 156.

³⁰ Quoted in P. Earle, *A City Full of People*, 224.

In early eighteenth-century London one in 10 women were employed as prostitutes.³¹ It should be noted that prostitution was a legal activity in Great Britain at this time and would not be addressed legislatively until 1751 when the Disorderly Houses Act banned brothel keeping, as a public nuisance.³² The actual criminalization of prostitution in England did not occur until the passing of the Vagrancy Act of 1824.³³

The choice of prostitution is a life best told in the story of Martha Stracey or Tracey who was a poor, ignorant woman, not yet nineteen years of age. At the time of her hanging, she confessed that she had been a “common strumpet and thief” for five years.³⁴ She became a domestic servant after moving from St. James Westminster at age fourteen, but her mistress left London and placed her with another woman. The woman was a drinker who neglected the girl and pawned her clothing. Martha left and tried to set up for herself but fell into bad company and became a prostitute, boosting her earnings through petty theft. Theft brought her to Newgate for hanging at Tyburn Tree for the confessed robbery of Mr. Humphreys.³⁵

Another example, *A Harlot's Progress*, is found in a series of contemporary paintings produced between 1731 and 1735 by English artist William Hogarth, illustrated on Plates 10-15. The series shows the story of a young woman, Moll Hackabout, who arrives in London from the country and becomes a prostitute. The first painting portrays pox-ridden old women praising Moll's beauty and suggesting a profitable occupation,

³¹ Earle, *A City Full of People: Men and Women of London, 1650-1750*, 111.

³² 25 Geo II c. 36, Disorderly House Act of 1751

³³ The Vagrancy Act of 1824, 5 Geo IV c. 83; the act sentenced women up to one month hard labor. The act also made it a crime for a man to live on the earnings of a prostitute, ‘known as living off immoral earnings.’

³⁴ “Prostitution,” *General Evening Post*, 14-16 March 1745

³⁵ Jerry White, *London in the Eighteenth Century: A Great and Monstrous Thing* (London: The Bodily Head, 2012), 345-6.

procuring her for the gentlemen shown towards the back of the image. She is a mistress with two lovers in the second, has become a common prostitute on the point of arrest in the third, and is beating hemp in Bridewell Prison in the fourth. By the fifth, poor Molly is near death from the venereal disease. At age 23, she is dead.³⁶

This new London was an environment that bred crime. However, to Englishmen of the time, poverty or social conditions did not contribute to the cause of crime. In their view, there was only one cause, and that was a strong desire for material gain. They did not regard thieves as abnormal or socially broken but assumed that they stole because this was an easier way of getting money than working for it. The prevailing sentiment of the time attributed juvenile delinquency to using bad language and not going to church. Most people believed these thieves would be honest if they thought it would be profitable. They were dishonest because they believed the mainspring for all human behavior was self-interest; and so, irrespective of the social, economic, and moral context, the only important cause of crime was greed. This was bound to act as the foremost incentive for these people unless it was offset by the only possible deterrent, fear of punishment.³⁷

As London and other towns grew, crime steadily increased, and the obvious means of reducing crime was to make punishments more severe. This, however, was rather difficult when for even a slight offence like soliciting, one was sentenced to be “stripped naked from the middle upwards and then whipped until her back be bloody,”³⁸

³⁶ The original paintings were destroyed in a fire at Fonthill House in 1755, the country house of William Beckford. The originally engraved plates survived and were sold by Hogarth's widow, Jane, to John Boydell in 1789; by him to Baldwin, Craddock and Joy in 1818; and then to Henry Bohn in 1835. Each produced further copies. Sean Shesgreen, *Engravings by Hogarth: 101 Prints* (New York: Dover Publications, 1973). See Appendix Plates 10-15.

³⁷ Pringle, *The Thief-Takers*, 11.

³⁸ Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 11.

with a crowd watching to make sure that the law was carried out in all its majesty. For other offenders there was the pillory, where men and women would be publicly humiliated and possibly lost the sight of one or both eyes from the debris was thrown at them. There were even instances of women being raped while in the pillory. For more serious offences, like highway robbery, the penalty was death. The government's first use of the death penalty to prevent felonious acts started in 1669 with the passing of Benefit of the Clergy Act, which extended the list of crimes that deserved the death penalty.³⁹ These attempts to reign in crime had little or no effect on the level of crime in the country. So parliament doubled down on the theory that severe punishment was a deterrent to criminal acts and proceeded to increase the range of felonies deserving the ultimate punishment with the introduction of the Black Act of 1723 that increased the penalty of over fifty (50) criminal offences to death. These new crimes included being found in a forest while disguised or blacken and attempting to hunt, kill, wound or steal deer or fishing, hunting for hares, destruction of fish-ponds, destroying trees or killing cattle.⁴⁰ An offender could also be executed if he set fire to corn, hay, straw, wood, houses or barns, or shot another person. Some of the first offender crimes carried a fine while the second carried penal transport. Penal transportation became a punishment with the passing of the Transportation Act of 1717, which established a seven-year convict bond service in the form of penal transportation to North America. For more serious crimes, judges meted out a fourteen-year convict bond of service in lieu of capital punishment, which could only be gained through commutation via royal pardon.⁴¹

³⁹ 22 Cha 2 c. 5, Benefit of Clergy Act 1670.

⁴⁰ 9 Geo I c. 22, Black Act of 1723.

⁴¹ 4 Geo I c. 9, The Transportation Act of 1717.

Parliament continued to increase the number of capital offences from about 50 in 1669 to 223 by 1823; while in France the total had by then, been reduced to six.⁴²

These extended offences for which hanging was the punishment for convicted men and women covered crimes that had earlier allowed individuals to escape with relatively minor consequences of the benefit of clergy.⁴³ In English law, the benefit of clergy (*Privilegium clericale*) was originally a provision by which clergymen could claim that they were outside the jurisdiction of the secular courts and could only be tried in an ecclesiastical court under canon law. There were two systems of law existing side by side, one for the clergy and the other for everyone else. Subsequently minor or moral violations of the law could be handled by the ecclesiastical courts to lessen the burden on the King's judicial system. In 1575, Elizabeth I enacted a statute that radically changed the effect of the benefit of clergy. Whereas before, the benefit was requested before a trial began, transferring the case to an ecclesiastical court, under the new statute the benefit of the clergy was to plead after conviction but before sentencing. This did not nullify the conviction, but rather changed the sentence for first-time offenders from hanging to a lesser sentence of branding or up to a year's incarceration; the crimes were called "clergyable" ones.⁴⁴ As these capital laws increased in number, more men and women convicted of capital offences were being brought into court at the conclusion of the session to hear the recorder pronounce the words that threatened them with the terrifying prospect of being hanged at Tyburn Tree. The manipulation of the number of executions

⁴² Pringle, *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*, 11.

⁴³ John Hamilton Baker, *An Introduction to English Legal History* (London: Oxford University Press, 2002), 513-5.

⁴⁴ Pollock, *The History of English Law Before the Time of Edward I*, 112.

at Tyburn by the royal power of pardon as a means of adjusting levels of terror to the needs of deterrence continued to be an important aspect of criminal administration.⁴⁵ Capital punishment, as Linebaugh and Gatrell point out, retained a central place in the English penal system well into the nineteenth century.⁴⁶ The following chart gives a representation of the type of crimes people were hanged for in the City of London at the end of the seventeenth century.

TABLE 2 PROPERTY OFFENCES FOR WHICH OFFENDERS WERE HANGED: CITY OF LONDON CASES AT OLD BAILEY, 1663-1689⁴⁷

Crime	Men N	%	Women N	%	Total N	%
Grand larceny	13	28.3	9	64.3	22	37
Burglary	19	41.3	3	21.4	22	37
Pick pocketing	5	10.9	2	14.3	7	12
Housebreaking	4	8.7	0	0	4	6
Horse theft	3	6.5	0	0	3	5
Robbery	2	6.5	0	0	2	3
Total	46	100.0	14	100.0	60	100

During this time, crimes continued to increase, especially those punishable by death. Hanging, even modern critics admit, is one method of reducing future crimes.⁴⁸ Others believed that alternatives existed to reduce crime. The more certain the punishment, said Jeremy Bentham, the less severe it needs to be; the higher you can raise the criminal's chances of being caught, the less you need to punish him. Strong police, moderate punishment: the stronger the one, the more moderate the other can be.⁴⁹ They knew this in the eighteenth century and Britons of this time were well aware they could solve their crime problem by the continental solution of establishing a police force. They

⁴⁵ Beattie, *Policing and Punishment in London: 1660-1750*, ix.

⁴⁶ Linebaugh. *The London Hanged: Crime and Civil Society in the Eighteenth Century*; V.A.C. Gatrell, *The Hanging Tree, Executions and the English People, 1770-1868* (Oxford: Oxford Press, 1994), 101.

⁴⁷ Beattie, *Policing and Punishment in London: 1660-1750*, 299.

⁴⁸ Pringle, *The Thief-Takers*, 12.

⁴⁹ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (London, 1789).

knew about the gendarmerie in France and other countries, and believed that Britain was the most lawless nation in the civilized world.⁵⁰ This was not because the British were too soft with criminals, although they naturally thought they were. In fact, Britain not only had the most criminals; it also had the harshest criminal code. Men, women, and children were liable to be hanged for offences that other countries considered quite trivial: associating with gypsies or cutting hop-binds for example, or entering the land with the intent to kill rabbits; impersonating a Chelsea Pensioner, or chipping bits out of Westminster Bridge proved a minor disruption to society. A boy or girl of seven could be sentenced to death for stealing a pocket-handkerchief. They knew all this, and yet refused to take the necessary steps, because they thought the price too high.⁵¹

One of the earliest proposals for private enterprise was a law giving any traveler robbed on the highway the right to recover damages from inhabitants of the district in which the crime occurred unless they could catch the robber within forty days. There existed many variations based on this concept of collective liability, which was extended to cover a multitude of offences from murder to cutting hop-binds. The burden of suing the community fell upon the aggrieved party, so these laws cost nothing to administer. In addition, under some circumstances they could raise money for the crown. To discourage Sabbath breaking and keep people in the pews the law excluded any traveler robbed on Sunday, but if he raised a hue and cry and the local inhabitants failed to conduct a proper pursuit they had to pay damages to the King.⁵²

⁵⁰ Pringle, *The Thief-Takers*, 14.

⁵¹ Pringle, *The Thief-Takers*, 14.

⁵² Pringle, *The Thief-Takers*, 15.

The common informer was the epitome of the whole system of law enforcement by private enterprise. He cost the public nothing, and helped bring in revenue; he acted out of self-interest, for personal financial gain; and the effect of his wholly selfish actions was, in theory, for the public good. This was so successful that his scope was steadily extended to include a multitude of minor infringements of the law. These included blasphemy, gambling, shopkeepers' offences like selling short weight, dumping rubbish, throwing fireworks, defrauding the revenue, obstructing traffic, stealing dogs, and sheltering vagabonds.

The common informer prosecuted simply to gain a share in any fine the offender might be ordered to pay. Information that provided for the successful conviction for some offences could bring profit to the common informer of as much as £200. The amount was the average sum a single man needed to live the life of genteel gentlemen in London for a year. This system was a deliberate encouragement by the government to the common informers to earn their living as private officers. They were in many ways the forerunners of the thief-takers. There was just one important difference between the two, and that was the source of their income. The fact that the common informer reaped his reward from his victim defined and restricted his sphere of activity. His interest was not to be drawn beyond offences that could appropriately be punished with fines that the offenders might be able and willing to pay. This in effect limited the common informer's line of law enforcement to diverse but distinctive non-indictable offences or misdemeanors. Nearly all other offences were either too serious to be punished by fine or were committed mainly by persons too poor to pay.⁵³

⁵³ Pringle, *The Thief-Takers*, 16.

Serious crimes or felonies were always outside the common informer's domain, for a fine was not considered an adequate punishment. However, one other weapon against felons was without public cost. This was the free pardon, which was a legal action designed to encourage one felon to betray one of his fellow felons in order to gain immunity for himself. It could be claimed as an absolute right by any offender, not in custody (an offender that was already in custody had no absolute right to a pardon, but was encouraged to expect one, or at the least receive a more lenient punishment, in return for betraying an accomplice or turning King's evidence, i.e. testifying against said accomplices). An informer who secured the conviction of one or more of his accomplices in crime could expect a pardon. The usual standard to obtain a release was for the informer to give evidence, which resulted in two convictions. The immunity or pardon covered all his crimes of the same nature that he committed before bringing his accomplices to justice: if the offence was housebreaking it covered every kind of crime except murder or treason.⁵⁴

The government offered private or public rewards that led to the arrest and conviction of the offenders. Private individuals, insurance companies, prosecution societies, municipal and parochial societies, property owners' associations, and municipal and parochial authorities provided the monetary wherewithal for the awards. The purses were often big enough to tempt one of the conspirators in the criminal enterprise to betray his accomplices, but a conspirator was unlikely to do this unless offered a pardon as well. Therefore, before a large private reward was published, the Home Office would be asked to supplement it with a promise of impunity. Royal Proclamation or other means, with the

⁵⁴ Pringle, *The Thief-Takers*, 17.

government's guarantee of a free pardon, would announce these joint rewards. At first, the joint rewards concerned themselves only with offences against the state, like trying to kill the king; but later they were extended to crimes against the persons and property of individuals. Though not always granted by the government, in most cases the Home Office was only to please to encourage private offers of rewards.⁵⁵

All the private enterprises in policing mentioned above cost the Crown nothing, and therefore these were fully exploited, extended, and adapted in numerous and inventive ways before the Government reluctantly decided that it would have to put something into the bargain. In response to these growing public issues, Parliament passed the Act Encouraging the Apprehending of Highway Men in 1692.⁵⁶ This Act offered a reward of £40. If more than one person had a claim, the reward was to be proportionately distributed as the trial judge thought fit. The claimant under the act would also be given the highwayman's horse, harness, arms, money, and other goods unless they were stolen. For the purpose of the Act, the term highway was held to include the streets of London and all other towns. The £40 received by the claimant became known as a "parliamentary reward" or more commonly to the Briton on the street "blood money": for it was paid only on a conviction for a capital offence. People fairly assumed most of the claimants of blood money would be criminals informing on their accomplices.⁵⁷ However, its appeal was not restricted to the criminal class; night watch men and constables were also entitled to the reward, and as it was already, their duty to catch criminals and the reward might increase their zeal in crime detection. This also

⁵⁵ Pringle, *The Thief-Takers*, 17.

⁵⁶ 4 & 5 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692

⁵⁷ Pringle, *The Thief-Takers*, 19.

furthered the government's position that private enterprise encouraged by ones' self-interest provided the best police force and best protected individual freedoms. The whole business of London thief-taker was based on that article of faith.

CHAPTER 3

THIEF-TAKERS

Herein, is the examination of the actual history of the profession known as thief-taker and how it evolved after the passing of the Act Encouraging the Apprehending of Highway men in 1692. The chapter also discovers how the weakness of the act and the government's inability to solve the crime and policing problems led to the rise of men like Jonathan Wild and delayed the establishment of a truly professional police force by 100 years. Men had been engaged in some aspects of thief-catching a hundred years before the passing of the Act of 1692. The term of thief-taker appeared in the "rogue" or "coney-catching" literature at the end of the sixteenth century and it seems unlikely that thief-taking activity would have been entirely invented for the purpose of these pamphlets. Coney-catching was an Elizabethan slang for theft through trickery, a criminal practice common in Renaissance England whereby devious people patrolled the street and attempted to con or cheat vulnerable or gullible pedestrians out of money or items.¹ Further, there is no reason to believe that the self-interest that encouraged groups of men to seek out offenders, facilitate the return of goods, and mount or manipulate prosecutions in the late seventeenth century had not evolved from the time of Elizabeth I's reign. Indeed, there appears to have been, in the late sixteenth century, something very like thief-taking centering on Newgate prison, where the turnkeys, or assistant keepers,

¹ Beattie, *Policing and Punishment in London: 1660-1750*, 228-9. Coney-catching was an Elizabethan slang for theft through trickery. A coney-catcher was a conman. The term appears in *The Taming of the Shrew* and *The Merry Wives of Windsor* by William Shakespeare. The term was first used by Robert Greene in a series of 1592 pamphlets. The titles of which include *The Defense of Coney-Catching* and *A Disputation between a Hee Coney-Catcher and a Shee Coney-Catcher*.

along with other gaolers (jailers), were given warrants that authorized them to arrest known thieves and other suspicious people, and to go in search of such felons.²

The term thief-taker was also known and used as early as 1609 when one John Pulman, who had been engaged by the victim of a crime to find the man who had stolen from him, was labeled a thief-taker by a magistrate drawing up a recognizance.³ John Pulman, who was labeled a thief-taker by a Jacobean magistrate, can be found playing various roles in the Middlesex court sessions and was named sixty-seven times in the recognizance's and indictments of that court in the decade of 1606-16.⁴ The state also began to offer rewards in the early seventeenth century for the prosecution of felons, and there is evidence that such rewards became more and more common in the thirty years after the Restoration in 1660.⁵

Forms of thief taking were thus being practiced in the early seventeenth century. Ministers of the government of Charles II's also employed thief-takers after the Restoration. They were not only concerned about the threat of republicans and religious dissenters to the stability of the restored crown but more broadly about the threat of crime, particularly of gangs, and their links to political dissidents.⁶ The phrase "thief-taker" further appeared in the governmental *Calendar of State Papers Domestic* in 1670 when a judge reported on Pulman's efforts to apprehend a gang of thieves who had

² Ian W. Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge: Cambridge University Press, 1991), 236-7.

³ Alexandra F. Johnston and Robert Tittler, "To Catch a Thief" in *Jacobean London*, cited in *The Salt of Common Life*, by J. Ambrose Rafftis and Edwin Brezette De Windt, eds. (Kalamazoo: Medieval Institute Publications, Western Michigan University, 1995), 233-69.

⁴ Rafftis and Windt, *The Salt of Common Life*, 245-6.

⁵ Beattie, *Policing and Punishment in London: 1660-1750*, 230.

⁶ Tim Wales, *Thief-takers and Their Clients in Later Stuart London*, cited in Paul Griffiths and Mark S. R. Jenner (eds.) *Londinopolis: Essays in the Cultural and Social History of Early Modern London* (Manchester: Manchester University Press, 2000).

travelled back and forth from England and Ireland, committing numerous offences. One of the gang members, a Francis Martin, who among other things was suspected of stealing from the Duke of York, had been caught and employed by the judge as a thief-taker and granting him a warrant to arrest some of the thieves he knew.⁷ Further, it appears that *ad hoc* or specific payments had long been paid to individuals at the suggestion of judges and governmental secretaries to encourage felony apprehensions.⁸ Additionally, following the lead of the Rump Parliament, which was established in 1652, local law enforcement officials offered a £10 reward for the conviction of highwaymen, burglars, and housebreakers.⁹ The government also began to make standing rewards of £10 to be paid by sheriffs to anyone who gave evidence that could convict robbers and burglars.¹⁰ These rewards were not offered per a parliamentary act but rather by royal proclamations as a way for the new king to reassert royal power.

The payment of rewards by the crown also expanded after the Restoration to counter the very large increase in coining offences in the 1680s. These included counterfeiting and the numerous offences of clipping. Individuals who informed on coiners (counterfeiters) and clippers or were instrumental in their arrest and conviction were given gratuities in the 1660s, not by right but rather by petitioning the Treasury and on the strength of the judge's confirmation of their role in the conviction of said felons.¹¹

⁷ CSPD: 1670, 393.

⁸ CSPD: 1665, 203.

⁹ J. M. Beattie, *London Crime and the Making of the "Bloody Code," 1689-1718*, cited in Lee Davison, et. al. (eds.), *Stilling the Grumbling Hive: The Response to Social and Economic Problems in England, 1689-1750* (New York: St. Martin Press, 1992), 52.

¹⁰ CSPD: 1661, 189, 194, 262; CSPD 1677, 203-4; CSPD 1680, 410; CSPD 1683, 35.

¹¹ CTB 1667-8, 386, 604; CTB 1669-72, 259, 483, 630; Clipping is the act of shaving off a small portion of precious metal from the coin's circumference or removing physically precious metal from a coin and then passing it on at the original face value, leaving the debaser with a profit. Over time, the clippings could be saved up and melted into bullion to make new coins.

The prevalence of coining offences directly affected increasing rewards. It should be noted, however, that payouts during the reign of Charles II were irregular and occasionally offered long after the event.¹² Under Charles's reign, there never really existed the sums of money necessary to prosecute property offenders like robbers, burglars and housebreakers, the government remained committed to combating these crimes. However, after the Revolution of 1689, resources for the prosecution of property crimes became more plentiful, especially when Parliament began to address the issue of crime and the weakness of the justice system at the local level of government.¹³ At the end of the seventeenth century, a beginning salvo can be seen from different pockets of the government. One example was when a magistrate overseeing Newgate gaol (jail) authorized warrants to the keeper of Newgate granting him the power to arm a party of his turnkeys and other officers to ride about the highways to seek out robbers.¹⁴

Examples within the State Papers provide evidence of government efforts to encourage the detection and apprehension of serious offenders of crime. There is further evidence of rewards being offered by victims of theft and robbery to induce private individuals to search for stolen goods. An investigation by Chief Justice Holt in Hertfordshire in 1688 regarding the theft of two silver tankards from an inn revealed that a man called John Whitwood had been "employed to find out ye Tankards" and that an agent of his had apprehended a man who was charged before a London magistrate and committed to Newgate goal (jail).¹⁵ Holt's investigation revealed that Whitwood was a

¹² CTB 1672-5, 427; CTB 1681-5, 531-2; CTB 1685-9, 673, 1330, 1379.

¹³ Beattie, *Policing and Punishment in London: 1660-1750*, 231.

¹⁴ Beattie, *Policing and Punishment in London: 1660-1750*, 229, CSPD 1678, 41; CSPD 1685, 56-7. On the latter occasion a similar warrant was issued to the keeper of Warwick goal, CSPD 1685, 57.

¹⁵ CLRO, London Sess. Papers, July 1691.

receiver who controlled a number of thieves and occasionally returned stolen goods to their owners for rewards; this appears to be a similar example of Jonathan Wild's network in London twenty years later. The crooked thief-taker combines receiving goods from organized thefts, earning rewards for detecting offenders and making arrests, and at the same time using bribery, intimidation, and perjury to arrange outcomes at trial, either acquittal or conviction, as it suited his interest.¹⁶

The Revolution of 1688 that brought about the reign of William and Mary provided Parliament an opportunity to direct attention to domestic social policy, especially the question of crime. A large number of bills on crime and related matters were introduced under William and subsequently Queen Anne's reign; much more than had been passed in the previous hundred years.¹⁷ Some of these acts addressed the important solution of preventing crime by improving detection and prosecution. Of particular importance was the introduction of the statute offering a range of rewards that would be paid at the local level by sheriffs on the presentation of a certificate signed by the trial judge.¹⁸ Awards included £40 rewards for the conviction of highwaymen (1692), coiners and clippers (1695), and burglars (1706). Another statute granted a certificate of exemption from a local office, popularly known as a Tyburn Ticket, for the conviction of burglars, horse-thieves, and shoplifters (1699).¹⁹ In addition to the reward offered from within the government, the far more pervasive and general encouragement of prosecutions arose not from parliament, rather than from the vigorous activity of the

¹⁶ Beattie, *Policing and Punishment in London: 1660-1750*, 230.

¹⁷ Beattie, *London Crime and the Making of the "Bloody Code," 1689-1718*, 49-76.

¹⁸ Beattie, *Policing and Punishment in London: 1660-1750*, 231.

¹⁹ 4 & 5 Wm and Mar c. 8 (1692); 6 & 7 Wm III c. 17 (1695); 10 & 11 Wm III c. 23 (1699); 5 Anne c. 31 (1706).

Societies for the Reformation of Manners in the years following the revolution. These reformers offered rewards for the prosecution of blasphemy and Sabbath breaking, of prostitution and gambling, indeed vice and immorality of all kinds, which led far more men into the life as a thief-taker than did the governmental rewards.²⁰

In 1699, Charles Hitchen defined thief-takers as those “who made a trade of helping people (for a gratuity) with the return of their lost goods ... and sometimes snapping the rogues themselves, being usually in fee with them, and acquainted with their haunts.”²¹ Two activities are described here: the one illegal and corrupt, since it was against the law to compound a felony; the other legal, however, apparently rare in Hitchen’s eyes, and only practiced against those the thief-taker had been dealing with as receivers. This 1699 definition was accurate but incomplete. Arranging for the return of stolen goods was a useful service to victims provided by the thief-takers. There was more than that to the thief-taker business in 1699. Thief-takers’ sights were also on the money that could be earned by apprehending and convicting robbers, coiners, and other offenders, especially after parliament enlarged the fines during the 1690s. No surviving records, however, exist to determine how many informants were individuals reporting on their neighbors and how many were genuine thief-takers.

The focus here is on the men, and the few women, who acted on inside information and on their own knowledge of the criminal world to arrest and prosecute offenders whose conviction would bring financial rewards from the thief takers. Their

²⁰ Beattie, *Policing and Punishment in London: 1660-1750*, 232.

²¹ Hitchen, *A True Discovery of the Conduct of Receivers and Thief-Takers in and About the City of London; to the Multiplication, and encouragement of Thieves, House-Breakers, and other Loose and Disorderly Persons* (London, 1718), 5.

rewards came mostly from the victims and not from the state.²² In the 1690s and the first few years of Queen Anne's reign, some thirty to forty men and a few women can be found in the court records of the City of London acting in ways that suggest that for a longer or shorter period of time and to a greater to lesser degree they were engaged in thief-taking.²³ The following account of some of the best documented among them provides a way of illustrating the prosecuting activities of thief-takers in this period and proposes to lead to the discovery of those aspects of their business that contribute to the important history of London metropolitan policing.

Thief-takers got involved in this seamy business by a variety of routes, one being that they arose from the criminal world itself. Both Anthony Dunn and Anthony St. Leger pardoned felons when they took up the trade of thief-taker. St. Leger was said to have been associated with the receiver and thief-taker, John Whitwood, and to have taken part in the burglary of the Countess of Portland's house in March 1688. They removed more than £300 of silver plate and gold from the home. In August 1689, St. Leger came before the court at the Old Bailey and was tried and acquitted of burglary. He was back before the court in January 1690 on a similar charge. This time, however, the court convicted him of a lesser charge of grand larceny and released him on a pardon by the clergy. Upon his release, he resumed his career of breaking into houses. Subsequently he was caught by some magistrates men and indicted on a large burglary charge but was again acquitted.²⁴ He then again appeared before the court in 1692 for breaking into the house of Henry de Nassau-Overkirk, the king's cousin and his master of the horse. On this

²² Beattie, *Policing and Punishment in London: 1660-1750*, 233.

²³ London Session Papers: July 1691, CLRO.

²⁴ Beattie, *Policing and Punishment in London: 1660-1750*, 233-4.

occasion, St. Leger was granted a free pardon in return for being instrumental in discovering his accomplices thus saving his life.²⁵ It appears St. Leger was arrested on at least six occasions and either acquitted or granted a pardon. One can assume witnesses were paid off or he worked for someone as an informant.

Achieving success, St. Leger became a thief-taker, possibly also a condition of his pardon, putting to use his knowledge of the world of gangs and of the men on the run of which he had been so much a part. He appears in subsequent court documents in dozens of cases prosecuting a range of accused offenders. This was obviously a dangerous life, as previous colleagues perceived him as an informer; hence, a broad section of the public disliked him. There is little doubt that because of the dangers thief-takers tended to work in pairs or even larger groups. St. Leger's partner for much of his thief-taking career, as well as his criminal life, was a man called Anthony Dunn.

This character, Dunn made his first appearance in the records of the Old Bailey in 1686, and he was tried with two others on the charge of theft from the house of the Countess of Orrery.²⁶ At some point after being acquitted, he took up robbery and housebreaking again. In 1690, a royal proclamation named him a highwayman and burglar. In early 1691, a gang of thief-takers caught Dunn with five other men and charged them with burglary; the dire consequences, by which he dodged the charges, by giving evidence against his accomplices, earned him £20 for each conviction of the five men he sent to trial.²⁷ Dunn dropped out of the offender side of the court ledgers in 1691 and began to appear frequently on the other side, along with his associate, Anthony St.

²⁵ Beattie, *Policing and Punishment in London: 1660-1750*, 234; CSPD 1691-2, 110.

²⁶ May 1686, 3: OBSP.

²⁷ LMA, MJ/SP/1691/April/67 (confession of Anthony Dunn).

Leger. Within a few years, they were both styling themselves as gentlemen.²⁸ Dunn and St. Leger established themselves in the 1690s by taking on the relatively soft targets of coiners and clippers, though they did pursue and receive rewards for convictions of robbers and burglars.²⁹

Dunn and St. Leger carried out prosecutions of coiners and clippers in expectation of being rewarded by the Treasury. They appeared as witnesses in at least nine additional clipping and coining cases within the city of London in 1693.³⁰ Along with John Gibbons, the partners avoid charges even though a great deal of evidence was collected against them in 1696 by Sir Isaac Newton, the new warden of the Mint and noted seventeenth century scientist and depicted on Plate 17.³¹ Newton claimed that they had been illegally hiding away clippers and bringing them to compositions, under the color of apprehending them, an accusation that other evidence up holds as accurate.³²

The shady career of John Gibbons illustrates opportunities for corruption among those who prosecuted coiners and clippers in 1690s London. Most were accused of profiting by way of a protection scheme. The most damning evidence brought against Gibbons was by an Irish coiner named William Ivey or Ivie and his wife, gathered by Isaac Newton in a deposition, while they awaited their trial. Ivey claimed that Gibbons

²⁸ Beattie, *Policing and Punishment in London: 1660-1750*, 235.

²⁹ Beattie, *Policing and Punishment in London: 1660-1750*, 235.

³⁰ OBSP, CLRO, 1693, 391-8.

³¹ Beattie, *Policing and Punishment in London: 1660-1750*, 235. See Appendix plate 17.

³² See W. Richard, "Isaac Newton," *Oxford Dictionary of National Biography*. In a coining case deposition before Newton in 1698, it was said that a women arrested with counterfeit money had been persuaded to give evidence against her four associates 'by means of Dunn and St. Leger,' presumably because they had something on her they had not reported, PRO, Mint/15/17, no.19. Another women seeking help for someone charged with coining in 1698 was put in contact with St. Leger (PRO, Mint 15/17, no. 42).

made it his “business is to take up Clippers and Coyners.”³³ Further, he knew a great many of these culprits, but he mainly used this knowledge to collect protection money from them. He was especially anxious to save them from arrest by giving them prior notice of raids planned by London constables, the king’s messengers, or agents of the Mint.³⁴ If Gibbons possessed prior knowledge of raids, it is probable that he obtained it from his position as a porter at Whitehall Gate and as a messenger for the secretaries of state.³⁵ There existed further deponents who confirmed the charge that Gibbons was able to give notice of raids on coiners’ houses and lodgings, and that a number of coiners and clippers were his pensioners.³⁶

The road to becoming a thief-taker had many avenues. Several of the most active thief-takers, during William’s reign, had been active for some years prior to the prosecution of offences. They worked in accordance with the Societies for the Reformation of Manners, a group that attempted to remove vice, immorality, and irreligion. Two important members of the society included Bodenham Rewse, an embroiderer who lived on Bow Street, and James Jenkins, a clockmaker in Exeter Court, off the Strand. Both of these men had been joint secretaries and fully employed informers for the original Society for the Reformation of Manners in Tower Hamlets.³⁷

³³ Beattie, *Policing and Punishment in London: 1660-1750*, 242.

³⁴ Beattie, *Policing and Punishment in London: 1660-1750*, 242; PRO, Mint 15/17, nos. 31, 91.

³⁵ Gibbons doubtless owed these positions to political contacts deriving from his earlier career as a footman for the Duke of Monmouth, and to his having been implicated in the plots against Charles II. Narcissus Luttrell noted that Gibbons played in the tracing and apprehension of Count Conigsmark for the murder of Thomas Thynne in 1682, and his being charged with involvement in a plot in 1683. Narcissus Luttrell, *A Brief Historical Relation of State of Affairs: from September 1678 to April 1714* (Oxford: Oxford Press, 1857), 165.

³⁶ PRO, Mint 15/17, nos. 88, 97, 99, 198.

³⁷ For the prosecuting activities of the societies, see Faramerz Dabhoiwals, *Prostitution and Police in London, 1660-1760*, D. Phil. thesis (Oxford, 1996), ch.5.

Rewse and Jenkins were among the most engaged agents in the society's efforts to eradicate vice and immorality.³⁸ Between 1693 and 1695, they brought numerous prosecutions before varying judicial bodies that dealt with vice and immorality, sometimes separately or with other men, most often together. They appeared at the City sessions of the peace, before the lord mayor sitting as a magistrate, and before the Bridewell court. The Lord Mayor's waiting books and the Bridewell court books disclose that, together, separately, or with others, they were responsible for charging at least twenty-two women as prostitutes or nightwalkers, or as lewd or lascivious persons, or on suspicion of pocket-picking, and at least fifteen owners of disorderly houses or bawdy houses.³⁹ It is clear that Rewse and Jenkins were very active in pursuing the prosecutorial ambitions of the reforming societies who aimed to take vice off the streets and to close down disorderly alehouses and bawdy houses. Jenkins proved sufficiently active in his pursuits as an informer and sufficiently resented by the community at large to be attacked on the street as reported in a complaint of assault he brought against two men before the City sessions.⁴⁰

Rewse and Jenkins also developed targets outside the realm of the moral reform crusade. For example, Jenkins was a witness in a larceny case tried at the Old Bailey in 1693. In the following year, he joined with Rewse and a constable to bring a clipping case, helped to prosecute an attempted rape. In 1695, Rewse gave further evidence in three additional clipping cases.⁴¹ He appeared from time to time in coining cases in the

³⁸ Dabhoiwals, *Prostitution and Police in London: 1660-1760*, 155-6, 169-70.

³⁹ Beattie, *Policing and Punishment in London: 1660-1750*, 238.

⁴⁰ CLRO: SF 494, August 1694, recog. no. 1.

⁴¹ CLRO: SF 398, December 1693, Goal Delivery ind. (Katherine Moore); SF 495, October 1694, Goal Delivery, ind. (Elizabeth Harris); SF 402, May 1694, Sessions of Peace, recog. 32; SM 66, July 1695, Goal Delivery, recog. 13.

succeeding years and for the most part, associated with Rewse. In information before a magistrate in August 1696 Rewse gave evidence about apprehending a coiner with Jenkins and John Dawes, a constable. They stopped and searched him in the street, finding, as they must have anticipated, equipment used in the making of counterfeit half guineas.⁴² Jenkins was never as active a thief-taker as Bodenham Rewse, who had moved more easily from prosecuting “loose” women on behalf of the reform societies to other targets. Around early 1694, Rewse became more involved in the prosecution of coiners and clippers. He was involved in such cases in 1694 and 1696, and even more active towards the end of the decade, when counterfeiting rather than clipping was at the heart of the Mint’s concerns. By 1699, Rewse was one of the several theft-takers employed by Newton at the “Royal” Mint to seek out and arrest coiners.⁴³ Evidence Rewse pursued more serious felons was found in testimony he gave in 1695 before the Old Bailey when he attempted to prosecute a highwayman, who had been acquitted. However, the following year he made up for his lost reward in that case when he shared in a reward of a £1000 with four other theft-takers for the part he played in the arrest of one of the conspirators in the plot to assassinate William III.⁴⁴

Rewse worked frequently with Robert Saker (occasionally spelled Seger or Segars), who was a thief-taker during this period. In March 1699, Saker testified before Newton that he had learned from an informer that one John Ellis had given a woman

⁴² CLRO: London Session Papers, 1696.

⁴³ Beattie, *Policing and Punishment in London: 1660-1750*, 239.

⁴⁴ CTB, 1696-7, 277.

counterfeit money to put him off track. He, Rewse, and a constable lay in wait and apprehended Ellis in Aldersgate, searched him and found him carrying counterfeit coin.⁴⁵

Rewse had acquired a considerable knowledge of the coining networks in London and in the country, and by the end of the decade deposited numerous cases before Newton during the closing years of the 1690s. Newton clearly put a good deal of faith in him. It is perhaps through this connection, or because he had been in and around the London prisons so much in the course of hunting coiners and that, he had made sufficient money to leave the business. He did not make his money as an embroiderer, which he continued to be called in court documents. Rewse had enough cash to buy the post of head turnkey or deputy keeper of Newgate Gaol (jail) by 1701.⁴⁶ The position of deputy keeper proved lucrative because, at the time, prisoners had to pay to be in prison or to acquire upgrades in their living conditions and food.

As one of Rewse's frequent collaborators, Robert Saker was an active thief-taker in his own right and well-enough known to be referred to casually by the ordinary of Newgate as "Mr. Segars, the thief-taker."⁴⁷ Like many thief-takers in the 1690s, Saker was an active prosecutor of coiners and clippers. He made numerous depositions before Newton, the Warden of the Mint, about arrests he made on his own along with arrests made with others, including Dunn and Rewse, as well as with another thief-taker, John Bonner.⁴⁸

⁴⁵ PRO, Mint 15/17, no. 164.

⁴⁶ Beattie, *Policing and Punishment in London: 1660-1750*, 239.

⁴⁷ Ordinary's Account, 21 June 1704, 1-2. Saker's son was alleged in 1712 to be a well-known pickpocket, suggesting the possibility that, like Dunn and St. Leger, Saker came by his knowledge of the crime world first hand: CLRO, Papers of the Court of Alderman, October 1712; information of Henry Benson against Charles Hitchen, 9 October 1712.

⁴⁸ PRO, Mint 15/17, nos. 19, 60, 62-3, 75, 164, 167, 252, 270, 443.

Not all of Saker's partners were men. Saker expanded his activities with the help of his family. Saker and his wife worked together from time to time to entrap and arrest offenders. On one occasion, Mrs. Saker was used occurred when Mr. Saker had offered to receive a number of counterfeit gold pistols from one, Mary Miller. Miller, had been asked to distribute them by a coiner named, Francis Ball. Mrs. Saker set up a meeting with Miller and Ball in an alehouse in Smithfield, at which time her husband and other men burst into the room at the crucial moment of transfer and arrested them.⁴⁹ Mrs. Saker was not the only wife who collaborated with her husband in thief taking.

Those couples who prosecuted for profit had one thing in common, especially if they survived for a number of years, that being knowledge of the most important and most serious offenders, their associates, their favorite taverns and alehouses, and the receivers with whom they dealt. To some extent thief-takers had to be part of that world themselves, or at least have good contacts in it.⁵⁰

A case in 1701 involving John Connell (or Connelly) and Mary, his wife, illustrates some of the possibilities that a position poised between the authorities and criminals gave rise to. The Connells were involved in thief taking through the 1690s with several associates, with John appearing as a witness for the prosecution in cases involving highway robbery, coining and clipping. He also shared in at least one reward payment of £280 from the sheriff of Surrey in 1702.⁵¹ In the previous year, the Connells had been accused of extorting money for agreeing not to prosecute. They had been employed by a victim of theft to find three rolls of cloth stolen from a wagon, which they subsequently

⁴⁹ PRO, Mint 15/17, nos. 6, 12, 14-5, 24, 141.

⁵⁰ Beattie, *Policing and Punishment in London: 1660-1750*, 240.

⁵¹ PRO, T 1/80, no.71, fo. 236.

found in the shop of Gavin Harding. The wagoner was willing to pay for the return of the cloth, but it appears the Connells agreed not to tell him that they had already discovered the stolen cloths at Harding's shop. Mrs. Harding later complained to a magistrate that in the first of two meetings in a public house, Mary Connell "menac'd her and threatened to have her gaoled," whereupon she gave four guineas: On the second occasion "by threatening and canting upon her, sometimes giving her sweet words and sometimes sower," Harding paid over another four guineas, Mary Connell promising "you shall never here noe more of it."⁵² Corruption of this kind added to public suspicions of theft-takers as a whole.

If there was an increase in such mediation between thieves and their victims in the first quarter of the eighteenth century, it was almost certainly vacillated by the growth of the London press in this period, for the advertising columns of the newspapers made it possible for thefts to be publicized and contacts to be established. There was a widely held impression that thieves and victims regularly and systematically forged such contacts in the first quarter of the eighteenth century. This also derives from the activities of Charles Hitchen and the more notorious Jonathan Wild, see illustration Plate 18.⁵³

Charles Hitchen was the under-marshal for the City of London, a position he had purchased in 1712 for the sum of £700.⁵⁴ Hitchen, a cabinet-maker by trade, had taken on the job with intentions of squeezing every penny he could out of it. He squeezed a lot by various blackmail, extortion, and receiving schemes. Part of his income came from rewards for thief taking; much more came from not taking thieves. He took their money

⁵² LMA, MJ/SP/1701/April/28-9.

⁵³ Beattie, *Policing and Punishment in London: 1660-1750*, 252. See Appendix plate 18.

⁵⁴ The money had come from his wife, who had raised it by selling land she had inherited from her father. Jor 57, fo. 207.

instead.⁵⁵ Mary Milliner, a nightwalker, told a story to Wild when in prison together, that she had paid Hitchen for his protection like all the other girls: They regarded it as a street-trading license fee, just as today's sex workers regard their periodical roster fines. Milliner also told him that Hitchen was a receiver of stolen pocket books on a large scale.⁵⁶ People who had their pocket books stolen received this standard letter:

Sir,
 I am informed that you have lately had the misfortune to be deprived of your pocket-book. It is not long since I laboured under the same calamity, and perhaps to a greater degree than you, I having notes for very considerable sums enclosed in the same; but upon applying myself to Mr. Charles Hitchen, in St. Paul's Churchyard, whom I was informed was the greatest proficient in the business of thief-taking in England, he took care to serve me effectually. There is no doubt he will serve you likewise to the extent of his abilities, and I can assure you he has a universal acquaintance with and influence over all persons in the town employed in thefts of this nature. But I must give you this caution, that you are to go to him with your pocket well lined or he'll have nothing to say to you, I am, Tho' unknown,
 Your friend, etc., (signed) A. B.

A.B., of course did not exist. Hitchen himself sent the letter.⁵⁷

This was sound business policy, for a pocket book was usually of more value to its owner than anyone else was; and pickpockets who did not go to receivers often tried to sell them back to their victims, which led to this ingenious racket. The thief informed the victim that if he did not pay a certain sum for the pocket book, he would send the information to his wife, another relative, or if unmarried an acquaintance, with the detailed information on the circumstances in which he, the thief, had taken the purse from him. Since prostitutes were responsible for many thefts of pocket-books and the fact was

⁵⁵ Pringle, *The Thief-Takers*, 23.

⁵⁶ Pringle, *The Thief-Takers*, 23.

⁵⁷ Jonathan Wild, *An Answer to a late insolent libel, entitled. A Discovery of the Conduct of Receivers and Thief-Takers In and About the City of London: to the Multiplication, and Encouragement of Thieves, House-Breakers, and Other Loose and Disorderly Persons* (London, 1719), 5.

so notorious that a gentleman hardly dared say his pocket-book had been stolen, the pickpockets sent the same threatening letter even when the man concerned had not been anywhere near a prostitute.⁵⁸ The year of 1713 was at the time that the soon to become notorious Jonathan Wild met Charles Hitchen and became his assistant.

One example of how reckless Hitchen conducted business occurred when Hitchen took Wild on his rounds of the brothels, all of which paid him not to prosecute them. One evening he took Wild to a more specialized kind of brothel, a Molly-House, and it was not a business call.⁵⁹ Hitchen was greeted as “Madam” and “Your Ladyship,” and inside it was men only; “calling one another ‘My Dear,’ hugging and kissing, tickling and feeling each other as if they were a mixture of wanton males and females, and assuming effeminate voices, female airs, etc., some telling others that they ought to be whipped for not coming to school more frequently.”⁶⁰ Hitchen joined in on the fun and thoroughly enjoyed himself.⁶¹ Eventually the two quarreled and Wild left to set up his own network, Wild had worked with Hitchen for about two years, and this period might be regarded as his apprenticeship to thief taking after the style for which he and not Hitchen became famous. However, we will hear more of Jonathan Wild later on.

Within a few months of taking office, Hitchen was accused of receiving and concealing stolen goods and of encouraging thieves and pick-pockets. In 1712, the Court of Aldermen was inquiring into the disgraceful activities of the new Under City-Marshall,

⁵⁸ Pringle, *The Thief-Takers*, 24.

⁵⁹ Molly-House was a term used in eighteenth and nineteenth century England to define a meeting point for homosexual men. These meeting places were generally taverns, public houses, coffeehouses or private homes where men could either socialize or meet sexual partners. They were highly illegal.

⁶⁰ Pringle, *The Thief-Takers*, 27.

⁶¹ Pringle, *The Thief-Takers*, 27.

Hitchen, who was trying to organize wholesale dealing in stolen goods as a side-line to his duties as a senior police officer. Two young thieves from his retinue, Christopher Plummer and William Field, (Field would later gain immortality as the man that betrayed Jack Sheppard) were committed to prison in September on suspicion of picking pockets. On 8 October, they were taken to the Guildhall, where they gave information against their employer Hitchen, and were granted their freedom in exchange.⁶² These claims arose multiple times throughout Hitchen's career as under-marshal of the city; none ever came to a prosecution level. However, in 1718 he wrote a pamphlet entitled *A True Discovery of the Conduct of Receivers and Thief-Takers In and About the City of London; to the Multiplication, and Encouragement of Thieves, House-Breakers, and other Loose and Disorderly Persons*, whereby he attacked Wild's more effective system of procuring stolen goods and their return to victims. It is believed he wrote it mostly in an attempt to eliminate a business rival, but it was also written in an attempt to repair bridges with his employers, the Court of Alderman, with many claims within the pamphlet that he had planned to rid the city of crime, as illustrated on Plate 19.⁶³

An important person in the history of thief taking connected to the ever-evolving business of Jonathan Wild was his trusted and loyal lieutenant Abraham Mendez Ceixes. Mendez had the longest tenure in Wild's thief-taking operations and was his most reliable confidant. Diligent, committed, and the brains of the operation, Mendez kept a keen eye on the books, earning the title of clerk of the western roads. A Portuguese Jew, his

⁶² Pringle, *The Thief-Takers*, 27.

⁶³ Beattie, *Policing and Punishment in London: 1660-1750*, 256. See Appendix plate 19.

religion always mentioned prominently along with his name, Mendez lived on Berry Street in the parish of St. Katherine Cree-Church.⁶⁴

Berry Street was and is a narrow L-shaped street between Leadenhall Street and Houndsditch at the eastern end of the City of London. In the early eighteenth century, a colony of Portuguese Jews inhabited the neighborhood, whose wealth and good taste at the time is attested to by the large and elegant redbrick synagogue still in a little courtyard off Bevis Marks. Its interior has not changed since the days when Abraham Mendez worshipped there with family and friends. Mendez was a small man but a brave enough to go thief-taking expeditions, and competent enough to run the office when Wild was away. He was also clever enough in this dangerous game to be arrested only once; on April 1, 1725 he was committed to the New Prison, as Prisoner No. 86, by Justice Leonard Street, having been charged on the oath of William Field with receiving stolen goods, however he was soon enough discharged.⁶⁵ One cannot prove a negative, of course, and in trying to say, why Mendez would bring one of Wild's accomplices would only be a guess. The guess that best fits the facts is that Wild's empire was collapsing, and now that everyone was trying to get into the act, Field decided to join the rush to impeach Wild and his men.⁶⁶

The second assistant of Wild's was Quilt Arnold, who, had he not worked for Wild, would have made a typical bailiff. Being the brawn of the group, he held the position of clerk of the northern roads. Other records listed him as Wild's "Secretary, and

⁶⁴ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 65.

⁶⁵ Middlesex, SPR 2441.

⁶⁶ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 246.

Groom of the Chambers.”⁶⁷ A petition among the Sessions documents for April 1725 shows that he was illiterate, being signed “Quilt M. Arnold, his Mark,” an “x.”⁶⁸

The last person of note was Wild’s antagonist and thorn in his side, the housebreaker Jack or John Sheppard. In 1702, Sheppard was born to Thomas, a carpenter, and Mary Sheppard in the parish of Spitalfield in London’s East End. They named John Sheppard after his two-year-old brother, who died just five months earlier. His father Thomas died at his workbench in 1706, and a baby sister followed in 1708.⁶⁹ When he was ten years old, Jake’s mother found him a place as a shop-boy. After Sheppard’s father had died, she had gone to work for William Kneebone, a woolen draper whose house and office were in the Strand; and Kneebone agreed to provide Sheppard with home and work. Five years later, he arranged for Sheppard to be apprenticed to his friend Owen Wood, a carpenter who lived in Wych Street, Drury Lane, as illustrated by Plate 20.⁷⁰ On April 2, 1717, Sheppard was bound apprentice to Wood for seven years, the usual period of service, in the presence of Sir William Fazakerley, a Chamberlain of the City of London.⁷¹

By the time Sheppard was apprenticed to Owen Wood, apprentices were increasingly seen as no more than servants or skivvies. Henri Mission, writing in 1719, called an apprentice “a sort of slave,” tied to his master by his indenture, but bound by no

⁶⁷ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 65.

⁶⁸ OBSP: *Select Trials* (1735 ed.) vol. I., 558-9.

⁶⁹ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 120.

⁷⁰ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 121. See Appendix plate 20.

⁷¹ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 34.

loyalty or gratitude.⁷² A century earlier, the master had given his apprentice a home, looking after him both materially and emotionally, providing lodging, food, clothing, laundry, and doctors if necessary. Apprenticeship at that time had been seen as a positive force for the betterment of society. Daniel Defoe noted that in the mid-seventeenth century, apprentices were less rebellious, less scornful, easier to control, and more pious than they had become by 1726.⁷³ The hard work demanded of an apprentice had been seen as an investment in his future; but more and more, apprentices were asked to do work that bore little relation to the trade they were supposed to learn.⁷⁴

Increasingly, apprentices were paid wages instead of merely living as part of the master's family, a practice unheard of in Elizabethan times. This meant that they had pocket money to spend on drinking, whoring and gambling. The taste for luxury and licentiousness that spending money encouraged drew apprentices and domestic servants towards crime. Money only relieved them from boredom, drudgery and frustration in the short term, and they often turned to petty crime to supplement their incomes.⁷⁵

For the first four years of his servitude, Sheppard proved to be a very orderly servant, minding his business very well, and was so expert that he became a perfect master of it in that time, which made his master grant him greater liberty in his spare hours.⁷⁶ Sheppard's extraordinary skill as a carpenter and engineer was evident

⁷² Henri Mission, *Memoirs and Observations of His Travels over England* (London, 1719).

⁷³ Daniel Defoe, *A Tour through the Whole of Great Britain*, (London, 1724-7).

⁷⁴ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 35.

⁷⁵ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 36.

⁷⁶ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild's Death* (London, 1725), 120.

throughout his criminal career; after a few years working for Wood, he must have felt that his contract was a restraint on his abilities.⁷⁷ Sheppard would later state that he looked upon his liberties as the cause of all his latter misfortunes, for if his master had kept him closer to business, he never would have had an opportunity to have fallen into bad company. This led him from one evil to another, until at length there was no villainy he was unable to undertake.⁷⁸

The ruinous first step was going along with some young people to see an old neighbor, Joseph Hynd, who owned a public house called the Black Lion, a house of ill repute, which was pervaded by an “atmosphere of uninhibited pleasure and hap-hazard controlled violence.”⁷⁹ Loose and disorderly patrons frequented Hynd’s public house. This is the place where Jack became acquainted with one of the vilest prostitutes of hundreds, named Edgeworth Bess.⁸⁰ This ‘She-Lyon,’ as she was known, was a blowsy “Buttock-and-File” (whore-pickpocket) who “lived a wicked and debauched life,” Defoe ascribed the “foundation of Jack’s ruin,” to Bess, “that vile strumpet,” of whom “our young carpenter” was quickly enamored.⁸¹ In 1723, this infatuation caused Jack to begin his life of crime when Bess told him she needed money to pay a bailiff, whereupon Sheppard stole two silver spoons from the Rummer Tavern at Charing Cross, where he was working as a carpenter. Thus securing his affection, she never left him, until she

⁷⁷ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 35.

⁷⁸ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 120.

⁷⁹ Christopher Hibbert, *The Road to Tyburn: The Story of Jack Sheppard and the Eighteenth-Century London Underworld* (London: Longmans, Green & Co., 1957), 36.

⁸⁰ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 120.

⁸¹ Daniel Defoe, *The History of the Remarkable Life of Jack Sheppard* (London, 1725, 139).

brought him to his fatal end.⁸² His confidence boosted and encouraged by Bess and her friends, he became bolder and at the end of July 1723 stole a large bolt of fustian cloth from Mr. Bains. Mr. Woods, tipped off by his other apprentice, found the bolt of cloth and informed Bains, who confronted Jack. Jack insisted that his mother had given it to him. She lied. The matter was dropped.⁸³

On August 2, Sheppard left Owen Wood for good, with only seven months of his seven-year indenture left. He moved first to Fulham, where he and Edgworth Bess lived together as man and wife at Parsons Green. He then moved to the house of a Mr. Charles working as a journeyman to a carpenter called Panton who lodged there as well. During this period, he took silver cutlery, gold rings, suits, linen, and cash from his landlord, but never formally accused of a crime. Throughout the winter of 1723-4, Sheppard continued his association with Bess, drinking and gambling away the money he stole. He joined forces with his brother Tom, who had recently been burned on the hand for stealing carpenter's tools from his master. The brothers robbed an alehouse in Southwark, and Sheppard let Tom keep the proceeds. William Field, one of Jonathan Wild's minions, sold the goods.⁸⁴

In February 1724, the two conducted their first profitable heist. Sheppard and Tom took Bess with them when they broke into the house of Mary Cook, a Clare Market linen draper, and procured £55 worth of property. Subsequently when Tom was tried for robbing Cook's linen shop, to save his neck he gave evidence against Jack and Bess, who

⁸² Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild's Death* (London, 1725), 120.

⁸³ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 99.

⁸⁴ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 99.

had been his accomplices.⁸⁵ Thus, Sheppard became a fugitive, his life worth £40 to anyone who laid hands on him. Sheppard and Bess found refuge at the Queen's Head on King Street in Westminster and bided their time. Sheppard knew £40 would attract attention.⁸⁶ Jonathan Wild took it upon himself to find the impudent young robber who had yet refused to have anything to do with him directly. Sheppard, recounting his life story to Defoe while in Newgate, declared he had never had any dealings with any thief-catcher (thief-taker):

I was indeed twice at a thief-catcher's levee, and must confess the man treated me civilly; he complimented me on my success, said he had heard that I had both a hand and a head admirably well-turned to business, and that I and my friends should always be welcome to him: but caring not for his acquaintance I never troubled him, nor had we any dealings together.⁸⁷

Later, despite courteous treatment by Wild, Sheppard offered a less than flattering thought on Wild's trade, when he condemned thief-takers roundly and bitterly:

I have often lamented the scandalous practice of Thief-catching, as it is call'd, and the publick manner of offering rewards for stolen goods, in defiance of two several Acts of Parliament; the Thief-catchers living sumptuously, and keeping of publick Office of Intelligence: these who forfeit their lives every day they breathe, and deserve the gallows as richly as any of the thieves, send us their representatives to Tyburn once a month: thus they hang by proxy, while we do it fairly in person.⁸⁸

⁸⁵ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 129.

⁸⁶ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 129-30.

⁸⁷ Daniel Defoe, *A Narrative of all the Robberies, Escapes, etc., of Jack Sheppard, Giving and Exact Description of the manner of His Wonderful Escape from the Castle in Newgate... Written by Himself*, London: Printed and sold by John Applebee, (London, 1724), 164.

⁸⁸ Defoe, *A Narrative of all the Robberies, Escapes, etc., of Jack Sheppard, Giving and Exact Description of the manner of His Wonderful Escape from the Castle in Newgate... Written by Himself*, London: Printed and sold by John Applebee (London, 1724), 164.

In April of 1724, Wild sent James Sykes, alias “Hell and Fury,” to capture Sheppard. Sykes had been a running footman to the notorious Duke of Wharton⁸⁹ until 1720 and was of the fastest and most celebrated athletes of his day; he also used his experience in one of England’s grandest ducal households to help train Wild’s Spruce Pigs. Playing on Sheppard’s love of games, Sykes challenged him to a game of skittles⁹⁰ at a tavern near Seven Dials.⁹¹

Instead of his anticipated game of skittles with Hell-and-Fury Sykes, Sheppard was thrown into a cell on the top floor of St. Giles’s Roundhouse, from which a few months before he had rescued Bess. Within three hours, he had broken through the roof, his only tool an old razor, using a feather bed in his cell to muffle the sounds of masonry falling onto the floor as he bored through the ceiling as illustrated in Plate 21.⁹² He lowered himself down the outside of the building with a blanket and sheet tied together, and lost himself in the crowd that gathered, attracted by the sounds of falling tiles and the

⁸⁹ Philip Wharton, 1st Duke of Wharton, (1698-1731) was a powerful Jacobite politician who helped Nathaniel Mist publish *Mist’s Weekly Journal* and wrote the infamous “Persian Letter,” that caused Walpole’s government to respond violently with arrests and the destruction of the presses. Wharton had enormous debts, which were impossible to overcome, reducing him to stealing food from acquaintances and seeking money anywhere he could get it. He sold his title back to George I and took a position as lieutenant colonel in the Jacobite forces fighting England in Spain that resulted in a warrant on a charge of treason in 1729.

⁹⁰ Skittles is an old European lawn game, a variety of bowling from which ten-pin and candle bowling are descended. Skittles is usually played indoors on a bowling alley, with one or more heavy balls, usually spherical but sometimes oblate, and several (most commonly nine) skittles, or small bowling pins. The general object of the game is to use the balls to knock over the skittles, either specific ones or all of them, depending on game variant. Rules vary widely based on regional bias.

⁹¹ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 101.

⁹² See Appendix plate 21.

prospect of witnessing a gaol-break.⁹³ Still wearing his irons, he tapped one of the throngs on the shoulder as he pushed his way through the mob, and pointed up at the prison roof: “Look! Up there behind the chimney! Isn’t that him?” The unsuspecting man shouted out, and Sheppard slipped away unnoticed as the crowd scanned the roof.⁹⁴ He was pleased with his success and the new- found notoriety: “I was well enough diverted with the adventure.”⁹⁵ The magistrate indicted Sheppard for the robbery of Clare Market. He avoided trial because he escaped; his brother was tried for the same robbery in May, convicted, and transported to America.

Sheppard’s afternoon in jail had not filled him with any sense of trepidation about continuing his life in crime or his ability to escape if caught. He was soon again required to escape from confinement. Soon after passing through Leicester Fields with a friend, Benson, he saw a man arguing with a woman, holding a gold watch out in front of her and were apparently accusing her of stealing. They took the opportunity, Benson grabbed the watch, and he and Sheppard ran into the crowd. The Hue and Cry were raised, and Sheppard was caught and taken to St. Ann’s Roundhouse in Soho. Edgeworth Bess visited him there the next morning, and the gaoler threw her into prison with him when it was found she had brought him the spike of a halberd as a tool. They were taken to New

⁹³ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 122.

⁹⁴ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 104.

⁹⁵ Defoe, *A Narrative of all the Robberies, Escapes, etc., of Jack Sheppard, Giving and Exact Description of the manner of His Wonderful Escape from the Castle in Newgate... Written by Himself*, London: Printed and sold by John Applebee, (London, 1724), 163.

Prison, where the gaoler recognized them as man and wife and allowed to share the same cell.⁹⁶

Visiting friends smuggled tools in to them, and Jack planned their escape. He sawed through his heavy iron fetters, and then set the iron bar and nine-inch thick oak bar at the window. He tied their cloths and sheets together to form a rope, and first Bess and then Sheppard lowered themselves twenty-five feet out the window. To their dismay, they were not yet free, merely in the yard of the neighboring House of Correction. Using the locks and bolts of the gate for footholds, Jack, carrying Bess, scaled the Bridewell Yard's twenty-two foot-wall and dropped down to safety on the other side as illustrated in Plate 22.⁹⁷

This feat was hailed as the most miraculous escape in history. Sheppard's determination, bravery and chivalrous treatment of his lover made him a hero. His achievement was doubly remarkable because while Sheppard was slim and small, Bess was a big, buxom woman; helping her out the window and then over the wall had been a challenge for Jack,⁹⁸ Bess "being more corpulent than himself."⁹⁹

⁹⁶ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild's Death* (London, 1725), 124.

⁹⁷ Defoe, *A Narrative of all the Robberies, Escapes, etc, of Jack Sheppard, Giving and Exact Description of the manner of His Wonderful Escape from the Castle in Newgate... Written by Himself*, London: Printed and sold by John Applebee, (London, 1724), 163; See Appendix plate 22.

⁹⁸ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 105.

⁹⁹ Defoe, *A Narrative of all the Robberies, Escapes, etc, of Jack Sheppard, Giving and Exact Description of the manner of His Wonderful Escape from the Castle in Newgate... Written by Himself*, London: Printed and sold by John Applebee (London, 1724), 163.

“Like a dog to his vomit,” Sheppard returned to the area around Wych Street.¹⁰⁰ His peers in *The Quaker’s Opera*, a popular musical based on his life, celebrated his fame: a young boy approaches him and asks to be taken on as an apprentice in thievery. Jack replies, “Ours is not a trade, it is a calling.” His peers hotly sought out his company. “Jack was now become so eminent, that there was not a prig in St. Giles but thought it an honor, as well as an advantage, to be admitted to his company.”¹⁰¹ Sheppard railed against the bonds that restricted him; however, he had little awareness of the power of his example to others and was uninformed by a political education and indeed unconscious of his own latent insurgence. His resistance was manifested in a glorification, through his own life, of living outside society’s constraints.¹⁰²

Sheppard began stealing with Joseph “Blueskin” Blake, who had a prior connection to Wild, another acquaintance made at the Black Lion. Blueskin had had an early inclination towards roguery and had been involved in crime since his childhood. Blueskin was one of those promising youths who from an early age had been singled out by Wild as a promising criminal genius in need of his encouragement. His nickname was derived from his dark countenance. He had been in and out of prison since the age of fifteen. In addition, although he was described as fat and lazy, if only a tenth part of the stories about Blueskin are true, he seems to have had enormous success with women.¹⁰³

Despite his apparent willingness to take advantage of the female sex, Blueskin drew the line at prostitution. Mother Wisebourne was returning from Hampstead in her

¹⁰⁰ Defoe, *The History of the Remarkable Life of Jack Sheppard*, (London, 1725), 141.

¹⁰¹ Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century*, 27.

¹⁰² Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 106.

¹⁰³ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 107.

coach with a young girl whose virginity she had just sold for twenty guineas when Blueskin held up the coach. Mother Wisebourne, furious, swore she recognized him, and that she would see him hanged for robbing her. Blueskin calmly replied,

You double-poxed salivating bitch, you deserve hanging more than I, for ruining both body and soul of many a poor man and woman, whom you procure to work iniquity for your own profit; there is nobody your friends, but the beadles and justice clerks who for a bribe may work your peace with their masters: Come, no dallying, deliver your money, or else your life must be a sacrifice to my fury." At which she delivered her money, calling him a thousand names... and for her sauciness he stripped her stark naked.¹⁰⁴

The year before he met Jack Sheppard, Blueskin had testified for Jonathan Wild against his partners in a robbery. He expected a share of the cash reward for turning in evidence, on learning he would receive only his liberty, or release from gaol, he flew into a violent rage, wounding himself in his frenzy, and was arrested again and taken to Wood Street Compter. During his stay there, Wild paid him a weekly allowance of 3s. 6d. as well as paying for the treatment of the cut Blueskin had inflicted on himself. Blueskin may have been acting as Wild's agent in the gaol, or the money may have been being a recompense for failing to secure Blueskin a share of the reward. Either way, it is clear that Wild valued him in some way.¹⁰⁵

On July 12, 1724 Sheppard and Blueskin robbed Mr. Kneebone's house in the Strand, taking goods worth £50. Kneebone, determined to recover his belongings, went straight to Jonathan Wild, who promised him he would find out what he could. Sheppard and Blueskin stowed their booty in a hired warehouse near the Horseferry in

¹⁰⁴ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild's Death* (London, 1725), 82.

¹⁰⁵ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 110.

Westminster, and offered it, as usual, to William Field to sell for them. Field went to their warehouse, removed the cloth they had stolen from Kneebone, and brought it to Wild as evidence against them.¹⁰⁶ Defoe, speaking for Sheppard, wrote that Field's act was "one of the greatest of villainies that could be acted, for another to come and plunder them of things for which they had so honorably ventured their lives."¹⁰⁷

Wild knew, through Field, that it was Sheppard he wanted for the Kneebone robbery; so he sought Edgeworth Bess, knowing that she would lead him to Sheppard. Wild tracked down Bess, took her to a tavern, and plied her with a drink. Bess soon let slip that Sheppard was staying at Blueskin's mother's brandy shop in Rosemary Lane, and the following day, July 23, Wild sent Quilt Arnold to arrest him. Jack "snapped a loaded pistol, and designed the present of the plumb that was in it for Arnold, for his good intentions,"¹⁰⁸ the "popp" mis-fired, and Quilt arrested him easily. Jack was taken to Newgate to await trial as illustrated in Plate 23.¹⁰⁹

Sheppard's arrest was noted in the press, whose interest in him had been excited by his escape with Bess from New Prison. "Yesterday, 24 July 1724, one Sheppard, who lately made his escape from New Prison, was committed to Newgate, having been re-taken by Jonathan Wild; he is charged with several burglaries." On the same day, the Covent Garden madams Mothers Needham and Bird were arrested for having "two women in bed with two gentlemen of distinction" in their houses; the "gentlemen were

¹⁰⁶ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 110.

¹⁰⁷ Defoe, *The History of the Remarkable Life of Jack Sheppard*, (London, 1725), 143.

¹⁰⁸ G.E., *Authentic Memoirs of the Life and Surprising Adventures of John Sheppard by Way of Familiar Letters from Gentlemen in Town* (London, 1724), 177.

¹⁰⁹ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 112. See Appendix plate 23.

bound over to the sessions and let go for trial, and their mistresses were sent to Tothill Fields Bridewell to hard labor.”¹¹⁰

On August 13, 1724, Sheppard was tried for three robberies. He was acquitted of breaking into the houses of William Phillips and Mary Cook and robbing them, because of insufficient evidence. The third count was an accusation of stealing 108 yards of woolen cloth, worth £36, and sundry other goods, from William Kneebone’s house in the Strand. Kneebone took the stand first, identified Sheppard, and said that he had visited him in Newgate, “and asked him, how he could be so ungrateful as to rob me, after I had shown him so much kindness? He confessed he had been very ungrateful in doing so, but said he had been drawn into it all by the ill company.”¹¹¹ Kneebone sounded more disappointed in Sheppard than angry with him; he had been fond of him.¹¹²

Both Jonathan Wild and William Field gave evidence against Sheppard, as they later did against Blueskin in October of that year.¹¹³ Wild corroborated Kneebone’s evidence, adding only that he had persuaded Field to confess, knowing he had been involved, in order to procure Sheppard’s capture and conviction. William Field testified that Jack had approached him and Blueskin and told them he knew a “kenworth milling” (a house worth robbing) and had taken them to Kneebone’s house. On the one hand, Field said that he and Blueskin thought the job might be too difficult. On the other hand, Sheppard assured them that because he had once lived there he knew the house inside

¹¹⁰ “Two Women in Bed with Two Gentlemen,” *London Journal*, 25 July 1724.

¹¹¹ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 128-9.

¹¹² Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 112.

¹¹³ “Jonathan Wild Gives Evidence,” *Daily Journal*, 15 October 1724.

out.¹¹⁴ The court convicted Sheppard of a capital felony based on the evidence and condemned to death. On a Monday morning following the trial the Death Warrant came to Newgate for the execution of Jack and two others on the Friday as shown in plate 24.¹¹⁵ Asked if he had heard he was going to be hanged, he replied, “Yes, so my great Lord and Master say, but, by God, I’ll do my best endeavours to prove him a false prophet.”¹¹⁶

Although Sheppard was undoubtedly guilty of robbing Kneebone, this trial was a set-up, engineered by Wild to rid himself of a cocky upstart who refused to toe the line he had drawn. The following chapter will show the ends Jonathan Wild would go in order to maintain his thief-taking and criminal empire.

John Sheppard’s Epitaph

Sampson of old was a strong man, ‘tis true, but Sampson was a boy, bold Jack to you. When once confin’d and chain’d, he never fled, but pull’d his prison walls upon his head, with malice in his heart, his strength he tries, and, to destroy his keepers, with them dies, but he has shown superiour strength and brains, tho more confin’d, and bound in stronger charms: He forc’d his prison walls, by dint of Arm, and then took care, to do himself no harm; from this stone castle mounts the lofty church, and leaves his watchful guardians in the lurch, from thence with resolution takes flight, and like a Christian bids his fellow rogues good night.¹¹⁷

¹¹⁴ Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 112-3.

¹¹⁵ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 131. See Appendix plate 24.

¹¹⁶ G.E., *Authentic Memoirs of the Life and Surprising Adventures of John Sheppard by Way of Familiar Letters from Gentlemen in Town* (London, 1724), 178.

¹¹⁷ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 144.

CHAPTER 4

JONATHAN WILD: THIEF-TAKER GENERAL

The final chapter is an examination of the life of Jonathan Wild as the first of many thief-takers in London and how his rise to such exalted places within social circles of the London elite along with his eventual downfall led to the public's total distrust in the government's ability to provide a safe and reliable law enforcement agency. This prevented lawful national policing efforts to arise in England for a hundred years. The first important result of the government's passage of the Act Encouraging the Apprehending of Highway Men, which was an attempt to encourage private law enforcement, was Jonathan Wild.¹ Had he begun life in a higher social class he might have finished life as Lord Chancellor, as the Earl of Macclesfield,² who was convicted of selling places and accepting bribes and of conniving at the embezzlement of Chancery funds to the sum of over £100,000. In the same year, Wild was convicted of receiving a reward of ten guineas for procuring the return of fifty yards of stolen lace. Macclesfield was fined £30,000, which he paid within six weeks. The King, who was a friend, promised to pay

¹ 4 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692

² Born in Stafford, c 1666; educated at the free grammar school at Newport, Shropshire, and in Derby; admitted to the Inner Temple, 1684; Trinity College Cambridge, 1685; did not take a degree; called to the bar, 1691; attended the midland circuit; appeared for the defense in the Crown v Tuchin libel case, 1704; Whig MP for Derby, 1705; Recorder of Derby; bencher of the Inner Temple, 1705; raised to the order of the coif and appointed one of the queen's sergeants; knighted, 1705; on the committee to draw articles of impeachment against Dr. Sacheverell, 1709; made a vehement attack on Sacheverell and the high church clergy, 1710; Lord Chief Justice of England, 1710; Privy Councilor; declined the office of Lord Chancellor, 1711; Fellow of the Royal Society, 1713; following Queen Anne's death, acted as one of the Lords of Justices until the arrival of George I in England; member of the new Privy Council, 1714; filled various public offices; a favorite of the King; created Baron Macclesfield, 1716; granted life pension; Lord Chancellor, 1718; Viscount Parker of Ewelme and Earl of Macclesfield, 1721; implicated in financial irregularities, 1724; resigned as Lord Chancellor, 1725; continued in favor at court; impeached; tried in the House of Lords, 1725; the articles of impeachment included allegations of corruption, which he denied; found guilty unanimously; fined 30,000 pounds, to be imprisoned in the Tower until payment; struck off the roll of the Privy Council; took no further part in public affairs, spending his time after his release chiefly at Shirburn Castle, Oxfordshire, visiting London occasionally, died at Soho Square, London, 1732; buried at Shirburn. *Dictionary of National Biography: National Register of Archives*, 2001.

him back out of the Privy Purse, however, he died after the first installment of £1000. The courts hanged Wild for this same deed.³

The story of Jonathan Wild has been told many times; however, many doubt if his evil reputation is entirely deserved. It would be perverse to pretend that he was not a proper villain and that he did not terrorize the underworld or double-cross his fellow-criminals with quite the reckless abandon that is often suggested. He could not have survived as long if he had. Nor, on the other hand, was he such an original genius as some have made him out to be. Finally, there is the possibility that he did more public good than harm, as many of his contemporaries thought. Jonathan Wild was the most famous criminal in London of the eighteenth century; and probably the most famous in Britain for his time. Wild was the godfather of organized crime in the eighteenth century, the Al Capone of his day. He controlled every known criminal in the City. Nothing of any significance was stolen without him first giving the nod and everything that was stolen made his money in one way or another.

The majority of Londoners believed Jonathan Wild to be the model of respectability. A man with connections to the government and the law, Wild was so famous that a hundred years later Charles Dickens based his Fagan character in *Oliver Twist* on aspects of Wild's persona, and the Artful Dodger's on Jack Sheppard, Wild's apprentice.⁴ Wild was famous even in his own time: the writer John Gay wrote a satirical ballad opera in 1728 with Jonathan Wild and Jack Sheppard as two of the main characters. The opera deals with social inequity on a broad scale by comparing the low-class thieves and prostitutes with the aristocrats. Later in the nineteenth

³ Pringle, *The Thief-Takers*, 20.

⁴ Moore, *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, xi.

century, Arthur Conan Doyle's Sherlock Holmes compared his archenemy, Moriarty, to Wild.⁵ Known to posterity as the "Director of a Corporation of Thieves," or as "the Prince of Robbers," he made a successful living with the running of a gang of thieves, while posing as a thief-taker or private detective. Many historians have compared 1720s London with 1920s Chicago, making Wild the first modern gangster and racketeer, out pacing Al Capone by over two hundred years.⁶

Jonathan Wild, the first of five children, three sons and two daughters, was baptized at St. Peter's May 6, 1683, born some weeks before.⁷ His father, John Wyld or Wyldy, was a carpenter/joiner; and his mother sold herbs and fruit in the local market.⁸ They were poor, but for the most part, they had enough food to eat. Wild's birth occurred during the reign of Charles II, in the town of Wolverhampton, which was the second largest market town (pop. c. 6000) of Staffordshire and favored because of the peoples support for the Royalists in the Civil War.⁹ The eldest of five children, Jonathan learned to read and write at the Free School in St. John's Lane, though he never really excelled in grammar or spelling. His two sisters grew up and married respectable tradesmen in Wolverhampton. Nonetheless, the Wild boys lived up to their name. His brother John set out life on the straight and narrow, becoming a public officer and then the crier of Wolverhampton. In the end, Jonathan, John and Andrew all saw the inside of a prison cell.¹⁰

⁵ Moore, *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, xi.

⁶ John Van Der Kiste, *Jonathan Wild: Con-Man and Cutpurse* (Chalford: Amberley, 2009), 9.

⁷ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 10.

⁸ Daniel Defoe, *The True and Genuine Account of the Life and Actions of the late Jonathan Wild: Not Made Up of Fiction and Fable, But Taken From His Own Mouth, and Collected from Papers of His Own Writing*, (London, 1725).

⁹ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 10.

¹⁰ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 25.

In 1698, at the age of fifteen, Wild became apprenticed to a Birmingham buckler-maker. His father died shortly thereafter. He worked and lived in the country, and in all likelihood would grow and die in the country, like his father. His mind wandered and he sought out eccentric characters, which led him to the local alehouses, where he met not only interesting folk but also those who did not particularly obey the law. In particular, troupes of actors who wandered past Wolverhampton enthralled him.¹¹

In the time of his apprenticeship, Wild would commit a thousand little rogueries, in those years, however, he was never charged with robberies and he served out his time cheerfully and dutifully to his master. Not long after serving his seven-year apprenticeship, he began a new career. Wild met a young girl, Amy, whom he married, and fathered a son. This lifestyle did not ease his mind, and his interests drifted elsewhere. The body soon followed his mind, and in less than two years, he borrowed a horse and left the country behind for life in the city.¹²

He traveled to London in 1704 and found employment with an attorney from Staffordshire, whose surname was Daniel. For reasons undocumented, Counselor Daniel fired him, and Wild took employment as a “setter.” In this case, he worked with some bailiffs from Clifford’s Inn, Fleet Street. A setter, or bailiff’s follower, was empowered to chase debtors. The job was fraught with danger, and it did not pay much. Wild returned to Wolverhampton a failure.¹³

On his return home, Wild had to cough up for the horse he had borrowed, because he had sold it when he was low on funds in London. The owner allowed him to set up a payment plan to

¹¹ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 2.

¹² Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 25.

¹³ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 25.

stay out of prison, paying a shilling a month until the debt was settled. Wild made good on two payments. When pushed for a third, he boldly told the owner that he was finished; no more payments would follow.¹⁴

In 1725, a pamphlet by H.D. titled *The Life of Jonathan Wild. From his birth to his Death: Containing His Rise and Progress in Roguery* gave an early instance of his talent for double talking that would benefit him so well in the future. To the above situation, he answered that the creditor had it right: Wild had run off with his horse, sold it, and then pocketed the money. The agreement they had entered into settled the affair.¹⁵

The conversation continued:

‘Very well,’ said the horse’s owner, ‘why don’t you pay me according to that contract, then?’ ‘No,’ said Wild, ‘that contract is obsolete and of none effect.’ ‘How so?’ asked the owner. ‘Why, you’ll allow that Articles of Agreement, or Contracts, not full’d, are broken, for I have made two payments, when there are three due long ago. Therefore I owe you Nothing.’¹⁶

To summarize: Because they had agreed to a contract together, their business had to be settled according to the contract, which once broken no longer applied, and therefore, Wild had fulfilled his obligations. The quick-tongued declamation amazingly succeeded. Wild made no further payments on a debt he obviously owed.¹⁷ Wild decided that there had to be a better way of making a living than making buckles. He therefore set out for London again, to try the city.¹⁸

¹⁴ Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from several papers found since Jonathan Wild’s Death* (London, 1725), 3-4.

¹⁵ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 26.

¹⁶ H.D. *The Life of Jonathan Wild: From his birth to his death: Containing his rise and progress in Roguery*; By H.D. late clerk of Justice R--- (London, 1725), 5-6.

¹⁷ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 26.

¹⁸ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 27.

Outside Wolverhampton, he came across a well-heeled woman traveling on horseback. She agreed that he could walk alongside her for a few miles, during which time the two learned about each other. A traveling doctor, she was visiting different parts of the countryside as a healer, while on her way to Warwick.¹⁹ When Wild learned of her medical background, he figured he would ask her opinion on his trick hip, which he was able to pop out of its socket and by doing so could turn his leg around nearly 180 degrees. The result was a sickly mangled sight, his foot turned in the opposite direction, dragging along. Wild had been doing this trick for years, and used it frequently to evade the Duke of Marlborough's recruiting officers, who at this time were drumming up 'volunteers' for the war against France.²⁰ Wild disliked the thought of military service even more than manual labor. He had used his hip trick to conjure compassion instead of recruitment.²¹ Such ability is extremely rare and depends on the shape and depth of the hip-socket. There is nothing abnormal about the socket of the skeleton that is reputed to be Wild's in the Royal College of Surgeons, so the story may well have been made up by H.D. as a picaresque amusement, or by Wild himself to cover up the true nature of his misfortune.²² However, as mentioned earlier Wild, in his youth, spent time with groups of travelling actors who visited his town. It is possible that he learned this trick of how to limp in a convincing manner from them and that later he elaborated on the story with each telling.²³

¹⁹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 27.

²⁰ Queen Anne's War or War of Spanish Succession: (1701-1714).

²¹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 27. Several pamphlets written at the time of his hanging said that he was lame or in some way deformed. Most of the tales were intended to raise a laugh at the expense of their subject. It was further hinted that his deformity was a result of misapplied salivation (a dangerous and painful mercury-ointment cure for syphilis) or that it was merely the outward sign of his evil nature.

²² H.D. *The Life of Jonathan Wild: From his birth to his death: Containing his rise and progress in Roguery*; By H.D. late clerk of Justice R---, (London, 1725), 5-6.

²³ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 11.

As the story goes, after learning of Wild's deceptive acts, the healer revealed her own treachery. She knew as much about medicine as he did. She was a quack. Wild's pain-free malady inspired her. She concocted a scheme and asked him to participate. He agreed, mostly because the bulk of his duties in her plan had him lying in bed, eating and drinking as much as his heart desired. Off they went to Warwick, with Wild disguised as a beggar and limping behind.²⁴

The scheme was to have Wild examined by the town's doctor, who no doubt would find his condition incurable. Then the quack doctor would come along and produce a miraculous cure. This healing would not occur until she had placed a wager with the local physician that she could heal this unknown beggar. Prior to the cure, Wild would lie in bed for ten days, acting the part.²⁵ The doctor would then go about working on him while he theatrically screamed and then recovered waxing lyrically about his lack of pain, and describing beautiful dreams, complete with angels, flowers, gold and ivory. With healing touch, Wild's bone had settled back into place. He was completely again and the doctor fifty guineas the richer. Following Wild's testamentary recovery, the doctor then went to work for the poor sick folk of the town, cooking up all manners of placebos to heal their ailments, graciously only charging what the medicine cost her. Wild provided the muscle behind the operation, crushing bricks and using the dust for their medicine.²⁶

These two tales of a young Jonathan Wild, true or not, exemplify traits that later informed his reputation. First is an overwhelming belief in himself. He had an uncanny ability to make

²⁴ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 27.

²⁵ H.D. *The Life of Jonathan Wild: From his birth to his death: Containing his rise and progress in Roguery*; By H.D. late clerk of Justice R--- (London, 1725), 8-9.

²⁶ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 27-8. Frederick J. Lyons states in *Jonathan Wild, Prince of Robbers* that Wild and the doctor bilked the people of Warwick of £150.

others believe he was right and cause them to put their trust in him largely based on his secondary trait: his acting chops.²⁷

Following their Warwick interlude, the doctor and her muse packed up and departed for London, after which the partnership dissolved. Wild presumably wasted no time in spending his part of the bounty, presumably on wine women and song. Because the doctor became so jealous of the attention, he paid other women she took out an action of debt against him, a common revenge in the eighteenth century, whereby, because he was broke, he was thrown into Wood Street Compter for debt.²⁸

Therefore, in 1708, the newly arrived Jonathan Wild recently from Warwick was sitting in debtors' prison at Wood Street Compter. The Compters, or "Counters," were two ancient prisons where people in the City of London were held to account for their debts. The older, in Poultry at the east end of Cheapside, had been there since time immemorial. The second had been transferred from Bread Street in 1555. The building at the time of Wild had been put up in 1670 after the Great Fire. The front opened on to Clement's Court, a narrow alley leading from the east side of Wood Street, which runs between Cheapside and London Wall.²⁹

Like all prisons then, the Compter was divided into "Sides" (sometimes called "Wards") of varying conditions of discomfort, and a prisoner was put into the Side he could afford. The best was the 'Master Side', where a prisoner had his own cell, with bed, chair, table, and any

²⁷ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 28.

²⁸ Howson, *Thief-Taker General: The Rise and fall of Jonathan Wild*, 14.

²⁹ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 13-15; The Compter was finally closed in 1791 and the prisoners moved to Giltspur Street. The site is commemorated now by a concrete block of offices called "Compter House" at the southern end of Wood Street, built after the area was burned down for the second time in its history during World War II. Behind Compter House is Mitre Court, beneath which are the three remaining dungeons of the old prison. They are used as wine cellars by the firm of Norton & Langridge, and the proprietors will hospitably show around anyone who wants to see them.

possessions he could bring with him. Then, in descending order, came the Knight's Ward, Two-penny Ward, and Common Ward. At the bottom, as a part of the Common Ward, was the Hole.³⁰

All accounts of prisons at this period speak of "garnish." This was the money, gaolers (jailers) demanded of new prisoners on arrival. The garnish determined on which Side you would be doing your time. A certain amount of garnish, under the name of Fees, was legal. The rates were published from time to time on official broadsheets called *Fees of the Sheriff's Court*. One of these, dated 1709, shows that a prisoner entering the Master Side had to pay 22s. 6d, (or about \$50 in modern terms) and 12s. 6d. for the Common Ward.³¹

Starvation or gaol-fever, the common name for typhus, took the lives of Compter inmates weekly. Gaol-fever made the rounds via lice and fleas, which were legion, as were bedbugs. Bugs popping under-foot held the unexpected benefit of alerting the prisoners that someone was approaching.³² No place on earth bore a closer resemblance to the Christian notion of hell than did the pit, with its rotted, wretched bodies, stripped of all dignity.

Wild suffered along with the rest. He had never seen such conditions, and his fellow inmates were anything but accommodating. He worked to make his situation better. He took any job the Compter had to offer, no matter how awful, debasing, or downright disgusting. He worked for the turnkey and the highest-class prisoners on the Master's Side. He listened. He learned. Most importantly, he made friends.³³

In time, he rose through the system. By 1711, he had gained some freedoms and greater responsibilities from keeps. One such privilege was the "Liberty of the Gate," or a prison trustee.

³⁰ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 13-15.

³¹ *Fees of the Sheriff's Court... Wood Street, Poultry & Ludgate*, 1709.

³² Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 30.

³³ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 30.

At night, whenever pickpockets, prostitutes, or other rats (low level prisoners); the name associated with, Wild guarded them until morning, occasionally chaperoning them to their next stop, whether it be the courthouse, magistrate's quarters, or elsewhere. At the Compter, Wild spent time with thieves of all sorts.³⁴

One rat particularly caught his eye. She was a true professional. Mary Milliner, the wife of a Thomas Waterman, was a notorious "buttock and file" prostitute and he took her as a mistress. Wild states that she initiated him into the secrets of the underworld, and that by their combined resourcefulness they bought their freedom. The *London Gazette* announced Wild's pardon on November 4, 1712.³⁵ The first thing he did was to set up the house with Milliner in a small brothel in Lewkenor's Lane, Covent Garden. She was his "buttock" and he was her "twang," usually a male protector. The job of the "buttock" was to distract the client with her feminine charms while her partner, her "twang," hit the victim on the head with a blunt instrument, whereby they robbed the client.³⁶

Before meeting Milliner, Wild had been stockpiling knowledge of the underworld. Now he realized how little he knew. She revealed a completely new world to the young debtor. Milliner's world consisted predominantly of thieves and whores. She introduced her new buck around, and soon he was learning a myriad of new techniques for making money and with Milliner, Wild made many friends and associates. His aptitude concerning thievery had grown to

³⁴ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 30.

³⁵ "Debtors Freed," *London Gazette*, 4 November 1712.

³⁶ Defoe, *The True and Genuine Account of the Life and Actions of the late Jonathan Wild: Not Made Up of Fiction and Fable, But Taken From His Own Mouth, and Collected from Papers of His Own Writing* (London, 1725), 4-5.

the point others called on him for advice.³⁷ One contemporary account referred to him in his new role as “a kind of Oracle amongst the Thieves.”³⁸

After his release, in the spring of 1713 Jonathan Wild met Charles Hitchen who became his assistant. Hitchen was the under-marshal for the City of London, a position he had purchased in 1712. Many purchased their jobs at this time; decades would pass before the City unveiled its first police force. In the meantime, the province of law enforcement fell to the patchwork efforts of the marshal’s office. Part of his income came from rewards for thief taking; much more came from not taking thieves. He took their money instead.³⁹ Hitchen took Wild on his rounds of the brothels, all of which paid him not to prosecute them. When addressing the women of the night, according to Wild’s account, Hitchen stated the motive for his investment in becoming under marshal, warning the prostitutes that if all of the stolen pocketbooks were not delivered to him, there would be trouble. He then presented Wild to the women and made them understand that he was his man in assisting in these endeavors and that in the future, if they refused to yield up the watches, books, etc. to him or his new servant, they would all be sent to Bridewell, where they would be forbidden to walk the streets.⁴⁰ Due to his position as under marshal, Hitchen had the added threat of sending the prostitute to prison if she did not turn over the goods to him at a drastically reduced price. Hitchen also added to his income when he worked out a system of returning stolen goods to the rightful owner for a fee.

³⁷ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 31.

³⁸ H.D. *The Life of Jonathan Wild: From his birth to his death: Containing his rise and progress in Roguery*; By H.D. late clerk of Justice R---, (London, 1725), 14.

³⁹ Pringle, *The Thief-Takers*, 23.

⁴⁰ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 53.

Wild's house on Cock Alley attracted thieves from all across London, all eager to obtain his assistance. Wild abandoned the "Trap" as a way of earning a living. The "Trap," defined in canting dictionaries from the period as "He that after a 'Buttock and File,' has bit a Cull of his Pocket-Book, makes it his business to find out where the man lives, and extort money from him to prevent his being exposed" for his visit to a prostitute.⁴¹ Who would want a particular item back more than the person who owned it in the first place and who in addition would pay to prevent his wife and family from learning that his nighttime hobby really was and in what part of the city he had lost it?⁴² Such gentlemen were very happy to pay a reward for the return of such personal items, especially if it came with a promise to keep mum regarding the circumstances of its lost in the first place.

Wild went to honest businessmen who might have been robbed of important pocketbooks, receipts, account books-known as waste books or daybooks-or other items integral to their business, and worth the hassle of buying back. Wild's prigs preferred the theft of ledgers and pocketbooks and other items of value only to their owners, for if such thefts went to trial, goods without an estimable value could not command a hanging penalty.⁴³ Unlike Hitchen, who tried to gouge his customers, Wild learned that making his clients feel as if they had made a good

⁴¹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 53.

⁴² Charles Hitchen, *The Regulator, Or, A Discovery of the Thieves, Thief-takers, and Locks, Alias Receivers of Stolen Goods in and About the City of London: With the Thief-takers Proclamation, Also an Account of All the Flash Words Now in Vogue amongst the Thieves, with an Explanation of Each Word: With an Exact List of Convicts' Names That Was Condemn'd in the Year 1717, That Now Lies in Newgate to Plead to His Majesty's Transportation Pardon* (London, 1718), 34.

⁴³ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 57.

deal was well worth taking a little less in exchange.⁴⁴ By now in his mid-twenties, Wild had built up a profitable business based on his three principals: theft, bribery and extortion.

Late in the year of 1713, Jonathan Wild came upon a big idea. A close look at the law revealed that the crime of receiving stolen goods was punishable by death. After returning them to their rightful owners, as long as no one could prove you had nicked them, hence, the act was not considered illegal. Wild called a meeting of the City of London's top thieves. Eager to hear about the possibility of improved profits, the band of miscreants met and offered their attention. Wild shared what he had in mind:

You know, my Bloods, that as Trade goes at present, you stand but a queer Chance; for, when you have made any Thing, if you carry it to the Fencing Culls and Flash Pawn-Brokers, these unconscionable Dealers in contraband Goods will hardly tip ye a quarter of what it is worth; and, if ye offer it to a Stranger; its ten to one but you are hobbled (arrested), So that there's no such Thing as a Man's living by his Labour; for, if he don't like to be half-starved, he must run the Hazard of being scragg'd, which, let me tell ye, is a damn'd hard Case. Now, if you'll take my Advice, I'll put ye in a Way to remedy all this. When you have upon any Lay (enterprise), and spoke to some Purpose (made a good score), let me know the Particulars; and I'll engage to pay-back the Goods to the Cull that owns them, and raise ye more Cole upon the Account, than you can expect from rascally Fencers, And at the same time take care that you shall be all Bowmen (safe).⁴⁵

Hence, with the parties agreed, Wild began keeping track of all illicit action going on in the city. Wild religiously recorded every detail in a logbook: name, inventory, location, etc. Wild's techniques were not ground breaking. Some elements of his method came from Hitchen, while other aspects dated a century or so back to the days of Mary Frith, also known as Moll Cutpurse, who ran a shop on Fleet Street and monitored the underworld. Still, Wild had a few

⁴⁴Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 55.

⁴⁵ OBSP, *Select Trials at the Sessions-House in the Old Bailey for Murder, Robberies, Rapes, Sodomy, Coining, Frauds, Bigamy, and Other Offences to Which Are Added Genuine Accounts of the Lives, Behaviour, Confessions, and Dying Speeches of the Most Eminent Convicts, from the year 1720 to this Time*, vols. 1-3 (London, 1742), 229-30.

points in his favor that neither Hitchen nor Cutpurse had. With regard to Hitchen, it was tact, and with Cutpurse, it was the weekly and daily newspapers.⁴⁶

Londoners used the *Daily Courant*, for example to place advertisements for items lost or stolen. Wild perused these daily ads, and after ascertaining the particulars of a crime, he reviewed his account books. When he identified the location of the stolen goods, he called on the victim.

I happen'd to hear that you have lately been robb'd, and a Friend of mine, an honest Broker, having stopp'd a parcel of Goods upon Suspicion, I thought I could do no less than give you Notice of it, as not knowing but some of them might be yours, and, if it should prove so (as I wish it may), you may have them again, provided that no Body is brought into Trouble, and the Broker has something in Consideration of his Care.⁴⁷

Other times, he acted solely on a thief's word, with or without a newspaper account of the stolen goods. Wild himself never possessed the stolen goods; he just made it his business to know their location. In fact, Wild did not even handle the merchandise when the exchange took place. Instead, either he had the thief and the victim do so on their own, or in many cases, he arranged for a proxy as a go between.⁴⁸

The scheme succeeded. Thieves were making money again, and the people of London were getting their purloined items returned. Wild posed merely an "honest broker." He was said to be jealous of his reputation as an honest man. Wild was not starving from the scheme he made

⁴⁶ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 58-9.

⁴⁷ OBSP, *Select Trials at the Sessions-House in the Old Bailey for Murder, Robberies, Rapes, Sodomy, Coining, Frauds, Bigamy, and Other Offences to Which Are Added Genuine Accounts of the Lives, behaviour, Confessions, and Dying Speeches of the Most Eminent Convicts, from the year 1720 to this Time*, vols. 1-3 (London, 1742), 230.

⁴⁸ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 59.

money initially by sharing in the thief's loot, which the public did not know. He had broken no law and everyone was happy.⁴⁹

He soon developed a severe ruthlessness, a trait that would serve him well. To be a successful crime lord, he had to be feared. Wild masterfully played criminals off against each other to exploit the Highwayman Act of 1692 and the £40 reward for the apprehension of felons. These rewards meant that more people were on the lookout to secure criminals. Notable were other thief-takers.⁵⁰

In 1714, Queen Anne, the last Stuart monarch, died, giving way to Protestant King George I and the Hanoverian dynasty who would rule for the next two hundred years. Because of Hitchen's lowbrow work, Hitchen and Wild concluded their business and parted mutually. At about the same time his reliance on Mary Milliner's underworld instruction began to wane and Wild parted company with her before the New Year.⁵¹

Because Wild saved the thieving trade by making it profitable again, he rarely faced the same pushback that other thief-takers encountered. Criminals never bothered to point a finger at Wild, not only out of respect for him, but because he had made himself indispensable to them. When he was not arresting them, he was still helping them to find money for their stolen goods. Ads started appearing in the newspapers advancing Wild's services such as the one that appeared in the *Daily Courant* in 1714 read as follows:

Lost on Friday Evening 19th March last, out of a Compting House in Derham Court in Great Trinity Lane, near Bread Street, a Wast Book and a Day Book; they are of no use to anyone but the Owner, being posted into a Ledger to the Day they were lost. Whoever will bring them to Mr.

⁴⁹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 59.

⁵⁰ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 60.

⁵¹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 57.

Jonathan Wild over against Cripplegate-Church, shall have a Guinea Reward and no Questions asked.⁵²

The money rolled in. In the winter of 1714-15, Wild earned at least £200, roughly \$25,000 in today's money, through seven arrests and the conviction of five people. Jonathan Wild was a man of his word, for better or worse. To thieves working under him, this honesty presented a double-edged sword. If you did as Wild said, he would be a loyal friend, but if you opposed him, you would find yourself behind bars or swinging from the gallows. Wild had three fundamental rules: First, if he knew about a robbery, then the thief had to leave it to Wild to deal the goods; second, the thief had to agree to a reasonable and fair price when an offer was made by the object's owner. Third, no member would trash fellow thieves or make threatening speeches against their comrades.⁵³

Wild plied his trade from the Blue Boar Tavern to Little Old Bailey making a name for himself by impeaching highwaymen like James Goodman, a renowned villain of his day, and by breaking up the robbery gang of the most notorious Obadiah Lemon. He brought these blackguards to justice as he later did his own blackguards, by betraying their trust and leading them to believe he was one of the brotherhoods of thieves and not working for the local magistrate. Even in the early days of Wild's power, most everyone suspected what this man was. Crime had grown so rampant, with armed gangs of men, even aristocratic ruffians referred to as "Mohocks," prowling the streets like hungry dogs, and old ladies and pensioners fearing to step outside lest they are brutally knocked down, that all who lived in the metropolis wished for a hero, and Wild proved flamboyant and ruthless enough to announce himself to precisely that.⁵⁴

⁵² "Lost on Friday Evening," *Daily Courant*, 26 May 1714.

⁵³ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 63.

⁵⁴ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 76-7.

In January 1717, Wild's name appeared in the *Weekly Journal or British Gazetteer* with the grandest of titles, "Head Thief-Catcher in England."⁵⁵ The following year, his titled was refined to "Thief-Catcher General,"⁵⁶ and, finally in 1719, "Thief-Taker General of Great Britain and Ireland."⁵⁷ His business choices and how he conducted the same as well as his larger than life personality brought about changes in the law that materialized in the passing of the Transportation Act of 1717.⁵⁸

The law intended to regularize the rather haphazard system of transporting felons to the royal colony of Virginia. The growing crime wave and an increasing number of criminals who had escaped hanging had brought matters to a crisis. Henceforth, all people over fifteen years old convicted of clergyable offences were to be transported for seven years, and non-clergyable (non-capital) offences for fourteen years. In Virginia, governmental employees sold the prisoners to planters at £10 a head. Jonathan Forward, the agent who had bought the shipping concession of prisoners in London, received £40 a head to meet his shipping costs. His relationship with Wild seems to have been cordial, because the two co-operated with each other in arresting felons who returned to England before their sentence was completed. Their sentences completed, the felons could either stay on as settlers or return to England, provided they could pay their discharge fees to their masters and two local magistrates. As they were paid no wages, such fees were hard to come by. Prisoners serving seven years who returned before their time were given another fourteen years, and those serving fourteen years who returned prematurely were hanged.

⁵⁵ "Head Thief-Catcher in London," *Weekly Journal or British Gazetteer*, 19 January 1717.

⁵⁶ "Thief-Taker General," *Weekly Journal or Saturday's Post*, 15 March 1718.

⁵⁷ "Thief-Taker General of Great Britain," *Weekly Journal or Saturday's Post*, 28 February 1719.

⁵⁸ 4 Geo I c. 9. Transportation Act of 1717; An Act for the further preventing Robbery, Burglary, and other felonies, and for the more effectual Transportation of Felons, and Unlawful Exporters of Wool; and for declaring the Law upon some Points relating to Pirates.

A second Transportation Act of 1719 offered a £40 reward to anyone who arrested and convicted a returned transport.⁵⁹

This was a great help to Wild, for despite the dangers of the voyage, the difficulties of finding money, and even the greater danger in London, many felons returned and consequently, made ideal employees. If they became troublesome, he had no need to invent false evidence against them, which always cost money, for he had only to declare their identity and commit them to Newgate to become eligible for the £40 reward.

William Thomason, a prominent lawyer who succeeded Sir Salathiel as the City Recorder in 1713 and hence the sentencing officer at the Old Bailey, was mainly responsible for the passage of the Transportation Act. He had long sought more flexible sentencing provisions for judges and saw transportation as an effective means of dealing with persistent offenders who could not support themselves and would likely return to crime repeatedly.⁶⁰

In writing the Transportation Act, Thomason had included two sections, 5 and 6, which dealt with other matters altogether. These sections specifically aimed to curtail the organized activities of Jonathan Wild, the notorious thief-taker and receiver of stolen goods. They were so obviously pointed at Wild that they soon became to be called The Jonathan Wild Act in their own right. These provisions made it a crime for anyone to take a reward for returning stolen goods to his or her owner without at the same time capturing and giving evidence against the thief. Failure to turn in the criminal could subject the person taking the reward to the same punishment as the offender. For instance, if the thief were condemned to death, the taker-of-the-reward would likewise be condemned to death.⁶¹

⁵⁹ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 91-2; 6 Geo I c. 23, Transportation Act of 1719.

⁶⁰ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 92.

⁶¹ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 92.

Though known as the “Thief-Taker General” to the public, Wild was also known by many as the godfather of the underworld. Wild had just moved over to the tavern called the Cooper’s Arms, where he set up his Office for the Recovery of Lost and Stolen Property. One of the keys to power in the criminal world throughout his career was that he had kept a detailed record of the thieves in London: who had been robbed, what had been taken, and who had perpetrated the crime. Occasionally, Jonathan would have to dispose of one of his gang; perhaps they had kept something back from him, or they had become too big for their boots, or Wild just did not like the look of them anymore. He then marked an X in his book next to the crime he would have the culprit tried for; after that, the judge and the hangmen did their job. He then returned to his book and put a second X next to their name. Hence, this practice is the origin of the term “to double cross someone.” By the end of his life, there were no less than sixty-seven double x’s in his book.⁶²

In 1720, the Privy Council attempted to stem the rash of increased robberies on the highways. They turned to Wild, who advised that the answer to solving the problem was a matter of paying him more, £100 more. The Council agreed. A Royal Proclamation, which went into effect in 1722, increased the reward for highwaymen apprehended within five miles of London to £140.⁶³ Subsequently Wild purchased a large new sloop for £500; he intended to ferry his stolen goods to the shores of Belgium. To head the ship, Wild selected Captain Roger Johnson, who besides not being a captain also had precious little sailing experience. He had been one of

⁶²Anon., *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph Blake, alias Blueskin, foot-pad; and John Sheppard, housebreaker...Taken from several papers found since Jonathan Wild's Death* (London, 1725).

⁶³ “£100 More,” *Daily Journal*, 26 September 1721

Wild's top thieves previously. This would be the first of major missteps that would lead to Wild swinging from the gallows.⁶⁴

In fifteen years, Wild had grown from petty criminal to the undisputed underworld boss of London. However, his empire was getting out of control. Both the criminal world and the legal world had grown tired of Mr. Wild, his lost property shop and his nasty little book of crosses. The year 1724 did not begin on an auspicious note for Wild. In June, he had petitioned the Court of Alderman for the Freedom of the City of London. This distinction stemmed from a medieval honor, which conferred rights of freedom from serfdom and hence stood as a mark of the city's respect. Wild still held no official position in the City⁶⁵. The Court of Aldermen and Lord Mayor declined to honor Wild; however, they bestowed a handsome gratuity upon Wild for his services to the city.⁶⁶

The next misstep by Wild marked a series of events connected to the robbery of Mr. Kneebone's house on July 12, 1724 by one of his star but arrogant pupils, Jack Sheppard and his associate Joseph "Blueskin" Blake. Kneebone, determined to recover his belongings, went straight to Jonathan Wild, who promised him he would find out what he could. Jack and Blueskin stowed their booty in a hired warehouse near the Horseferry in Westminster, and as usual offered it to William Field to sell for them. Field went to their warehouse, removed the cloth they had stolen from Kneebone, and brought it to Wild as evidence against them.⁶⁷ Wild knew, through Field, that it was Sheppard he wanted for the Kneebone robbery; therefore, he

⁶⁴ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 209.

⁶⁵ LMA microfilm, X109/249.

⁶⁶ "Jonathan Wild, Receives Handsome Gratuity," *Parker's London News or The Impartial Intelligencer*, 8 June 1724.

⁶⁷ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 110.

sought Sheppard's mistress, Edgworth Bess, knowing that she would lead him to Jack. After acquiring the knowledge, he sent Quilt Arnold to arrest him. On August 13, 1724, the court tried Jack Sheppard for three robberies. Both Jonathan Wild and William Field gave evidence against Sheppard, as they later did against Blueskin in October of that year. Although Sheppard was undoubtedly guilty, this trial was a set-up and engineered by Wild to rid himself of a cocky upstart who refused to toe the line he had drawn. After Blueskin was sentenced to death for the burglary in October, he pleaded with Wild in the courtroom to have his sentences commuted from hanging to transportation, but Wild refused. The enraged Blueskin attempted to murder Wild there in the courtroom, slashing his throat in the process; Wild collapsed and concerned witnesses took him to a surgeon for treatment as illustrated in Plate 25.⁶⁸ On November 11, 1724, Blueskin was hanged. Five days later Sheppard was similarly executed at Tyburn.⁶⁹

The third event that led to Wild's downfall began in January of 1725 when Jonathan did something he always had tried to avoid. He ordered two of his cronies, Margaret Morpew and Henry Kelly, to rob a linen shop owned by Mrs. Katherine Stratham and her daughter, both blind. Wild decided to take part acting as watchmen, strange for a man who never liked to get his hands dirty. Kelly and Morpew stole the lace and took it back Wild's shop, whereby he paid them three guineas and four broad pieces for it. Mrs. Stratham subsequently consulted Wild whereby he promised to see what he could do.⁷⁰

By the spring of 1725, authorities and the public despised Wild. Still, the length of his run had been extraordinary. The second bad omen of things to come was when Thomas

⁶⁸ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 159. See Appendix plate 25.

⁶⁹ Moore, *The Thieves' Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 233.

⁷⁰ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 232.

“Country” Edwards swore vengeance against his Captain Johnson; it was destined to become a prolonged affair, pulling Wild into the middle to aid his captain. Edwards was the owner of The Goat Tavern. In February of 1725, Edwards stumbled on his prey six miles east of London, in Stratford. Edwards apprehended Johnson and, with the help of a constable, held him at the Three Crowns Alehouse. Johnson, however, got word to Wild of his capture. Wild and Quilt Arnold grabbed their weapons to free their ally from peril. When the two men arrived in Stratford, they intentionally caused such a disturbance that Johnson was able to flee in the confusion. This obstruction of justice had been too flagrant and when London officials learned of Wild’s misconduct, they issued warrants.⁷¹

Wild knew he had to take a defensive posture and responded, as always, with flair. He went to the press and went on the attack. He placed an intimidating offer of a reward for the slanderers who had besmirched his name. Then he paraded around London to contradict reports that he had fled the city.⁷² On February 15, 1725, however, following a visit from Mrs. Catherine Stratham about a piece of stolen lace, Wild was arrested by Thomas Jones, the high constable of Holborn, and two city constables from near Wood Street. A separate raid grabbed Arnold. The constables brought Wild before Sir John Fryer, justice of the peace and former mayor of London. He examined the thief-taker at his home over the course of several hours, whereby he ordered the pair to be retained in custody and placed in Newgate prison.⁷³

The justice of the peace committed Wild to Newgate on an initial charge of interfering with the arrest of Roger Johnson. However, three justices charged him with a separate felony

⁷¹ Skirboll, *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*, 210.

⁷² H.D. *The Life of Jonathan Wild: From his birth to his death: Containing his rise and progress in Roguery*; By H.D. late clerk of Justice R--- (London, 1725), 73.

⁷³“Committed to Newgate,” *Parker’s London News or The Impartial Intelligencer*, 17 February 1725.

involving stolen lottery tickets and a £50 bank note. It was not the last time that evidence against Wild changed course. Gerald Howson notes, “Nothing more is heard of these charges and it looks as if they had been improvised to stop Wild from getting Bail.”⁷⁴ The government tried to find a crime that would stick.⁷⁵

A letter dated February 23, 1724, from Secretary of State Townsend to Recorder Thompson, shows that the government was lining up a potential witness against Wild, with Thomas Butler in play as a pawn.

Sir,

The Justices of the Peace, who committed Jonathan Wyld to Newgate, having acquainted me that there is in that Prison one Butler who can be a good Evidence against this Jonathan Wyld, and stands committed only foar a crime that is Bailable, his Majesty who would have the said Jonathan Wyld prosecuted with the utmost rigour, as a most notorious and dangerous Offender, would have you admit the said Butler to Bail, if his crime be bailable, as is reprinted. Townsend⁷⁶

Legal expert John Langbein refers to this tactic, in which “the monarch and the government...provided episodic reinforcement for criminal prosecution,” as “Prosecution by the Executive.”⁷⁷ Thomas Butler was in Newgate for “Preaching the Parsons,” or appearing as an alias, “the Passing Lay.” In fact, “Preaching the Parson” and the “Passing Lay” were not the same thing, and Butler was not in prison for either of them.⁷⁸ John Wells pardoned Butler for stealing 12s. He had been convicted and sentenced to transportation on December 4, 1724.⁷⁹ The

⁷⁴ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 235.

⁷⁵ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 235.

⁷⁶ Townsend and Walpole, National Archives: SP, 44, 81, f. 390.

⁷⁷ John Langbein, *The Origins of Adversary Criminal Trial* (Oxford: Oxford University Press, 2003), 120.

⁷⁸ “Preaching the Parson” was palming false money while disguised as a clergyman; ‘the Passing Lay’ was a form of card sharping, similar to hustling in pool billiards. Success depended on pretending to be less skillful than you really were, your opponents suitably softened, winning everything. One other accomplice was needed.

⁷⁹ A pardon had been granted for Thomas Butler so he may make evidence against Jonathan Wild. Great Britain, Public Record Office: *Calendar of State Papers, Domestic, of the Reign George I, 1714-27*; Justices of Middlesex and Westminster, vol. 55, 63, Feb.24, 1725.

magistrate Sir John Fryer released Butler on bail based on documents signed and dated 12 February. This meant that his pardon had already been arranged at least three days before Wild was arrested. It shows that if Wild had not rescued Johnson and been charged with a crime, he would have been arrested on one of several other charges. There remains the mystery of where Thomas Butler was until December 4, when he was sentenced to transportation and February 12, when he was released from Newgate on bail, and how he had come to be at Wild's house on Christmas Eve.⁸⁰

By February 24, it was clear that the government had the goods on Wild. The case went far deeper than Butler did. They had discovered Wild's Secrets. Recorder Thompson read the Warrant of Detainer aloud in court:

1. That for many years past he had been a Confederate with great numbers of Highwaymen, Pickpockets, Housebreakers, shoplifters, and other thieves.
2. That he had form'd a Kind of Corporation of Thieves, of which he was the Head or Director, and that notwithstanding his pretended Services, in detecting and prosecuting Offenders, he procured such only to be hang'd as concealed Booty, or refused to share with him.
3. That he divided the Town and Country into so many Districts, and appointed district Gangs for each, who regularly accounted with him for their Robberies. That he had also a particular Sett to steal at Churches in Time of Divine Service: And likewise other moving Detachments to attend Court, on Birth-days, Balls, Etc., at both Houses of Parliament, Circuits, and County Fairs.
4. That the Persons employ'd by him were for the most Part Felons Convict, who had returned from Transportation before the Time, for which they were transported, was expired; and that he made choice of them to be his Agents, because they could not be legal Evidence against him, and because he had it in his Power to take from them what part of the stolen Goods he thought fit, and otherwise use them ill, or hang them as he pleas'd.
5. That he had from Time to Time supplied such convicted Felons with Money and Cloaths, and lodged them in his own House, the better to conceal them; particularly some, against whom there are now Information for counterfeiting and diminishing Broad Pieces and Guineas.⁸¹

⁸⁰ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 238.

⁸¹ A coin could be diminished by sweating or clipping. Sweating meant shaking gold coins in a bag, collecting the dust rubbed off and making another coin from it. Clipping was the same thing done with a file or clippers.

6. That he had not only been a Receiver of stolen Goods, as well as of Writings of all Kinds, for near 15 Years past, but had frequently been a Confederate, and robb'd along with the above-mention'd convicted Felons.

7. That, in order to carry on these vile practices, to gain some Credit with the ignorant Multitude, he usually carried a short Silver Staff, as a Badge of Authority from the Government, which he used to produce, when he himself was concern'd in robbing.

8. That he had, under his Care and Direction, several Warehouses for receiving and concealing stolen Goods; and also a Ship for carrying off Jewels, Watches, and other valuable Goods, to Holland, where he had a super-annuated Thief for his Factor.

9. That he kept in Pay several Artists to make Alterations, and transform Watches, Seals, Snuff-boxes, Rings, and other valuable Things, that they might not be known, several of which he used to present to such Persons as he thought might be of Service to him.

10. That he seldom or never helped the Owners to the Notes and Papers they had lost, unless he found them able to exactly to specify and describe them, and then often insisted on more than half the value.

11. And lastly, it appears that he has often sold human Blood, by procuring false Evidence to swear persons into Facts they were not guilty of; sometimes to prevent them from being Evidences against himself, and at other Times for the Sake of great Reward given by the Government.⁸²

Prison did not stop Wild from conducting business. According to the *London Journal* of March 20, 1725, "Mr. Jonathan Wild's Confinement in Newgate, we hear, has not prevented his serving the Publick, as he terms it; for which it is not doubted but he will meet a Reward, Several Person have lately applied to him for Things that have been stole(n); and we are told, he gives his Advice Gratis."⁸³

Speculation mounted in the press. The *Daily Journal* on 4 March crowed. "We hear that a pardon is passed for a Person who is capable of making great Discoveries against Jonathan Wild."⁸⁴ Even by now Wild was beginning to despair as he sat in Newgate. On March 23, 1725 he penned a letter to the Earl of Dartmouth begging for his protection and release from Newgate.

⁸² Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 238-40.

⁸³ "Mr. Jonathan Wild's Confinement," *London Journal*, 20 March 1725.

⁸⁴ "We hear that a Pardon," *Daily Journal*, 4 March 1725;

In the first week of May the pamphleteers began to circle like vultures. A ‘biography’ of the ‘Thief-taker General’ had appeared on the streets of London the title *An Authentic Narrative of the Parentage, Birth, etc... of Jonathan Wild*.⁸⁵

On 15 May 1725, the trial of Jonathan Wild began at the Old Bailey. The court could have proceeded on eleven separate indictments, but in the end, they prosecuted him on two indictments for privately stealing 50 yards of lace from Mrs. Stratham’s shop valued at £50. He was acquitted of the first charge, but with Mrs. Stratham’s evidence against him on the second count, he was convicted. On May 18, 1725 Jonathan Wild received a sentence of death as illustrated in Plate 26.⁸⁶ So famous was Wild that tickets for his hanging were the hottest items in town and it was considered the social event of the summer as illustrated in Plate 27.⁸⁷ Always anxious to take control of his life, at two o’clock in the morning of May 24th Jonathan Wild in fear of death consumed a great quantity of liquid laudanum that had been secretly conveyed to him. He had been fasting and had taken such great a dose that he vomited the drug back up and sank into a coma from which he did not awaken.⁸⁸

⁸⁵ Howson, *Thief-Taker General: The Rise and Fall of Jonathan Wild*, 245; Anon., *An Authentic Narrative of the Parentage, Birth, Education and Practices of Jonathan Wild, Citizen and Thief-taker of London, together with an Account of his Marriages, Issue etc., with his Effigy* (London, April 1725).

⁸⁶ “Sentence to Death, Jonathan Wilde,” *The Caledonian Mercury*, 25 May 1725; Moore, *The Thieves’ Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*, 252; See Appendix Plate 26.

⁸⁷ See Appendix Plate 27.

⁸⁸ “Jonathan Wilde, Takes a Quantity of Laudanum,” *Stamford Mercury*, 27 May 1725.

CONCLUSIONS

The death of Jonathan Wild marked the end of the professional thief-taker, but his death did not signal the end of crime in England either. Wild in either his arrogance or his foresight penned a poem in Newgate in which he saw the public regretting his demise when he wrote the following:

But sure, e'er long, the Time will come again, When Watches shall
be lost

In Drury-Lane; Snuff-Boxes, finely painted, miss their Way, And
Rings, and Pocket-Books shall go astray; When *Phyllis* at the Ball
or Masquerade

Shall lose a Present from some Lover made: Then you-unthinking
Monsters!—you that now Exult at my unpitied Overthrow, Then
you'll repent too late: you then in vain, Will wish to have
JONATHAN again!

The Funeral Procession of Jonathan Wild¹

For many his prophecy was fulfilled. Thieves were hanged in 1725 and 1726, but so few in comparison to the droves under Wild's watch that the public and the press started to take notice and worry. However, the public started stating that his services may have done more public good than harm. The institution of thief-takers, however, died with Wild. In the following decades, the Fieldings in their positions as magistrates attempted to install a new variation of detective police work that sought evidence of the crime and pursued felons to final prosecution in the years to come with modest success. Inevitably, the English fell back onto the concept that capital punishment would prevent crime more than policemen. Whereby, they increased crimes punishable by death to 223 before they rethought the issue and brought the institution of the London Bobbie. The

¹ BM Print Room: *Satirical Prints*, vol. 9, No 1751. No 1752 is the *Funeral Ticket*. See Appendix plate 26.

failure of the thief-taker concept also forestalled the concept of 100 percent conviction as a proper deterrent to crime until the end of the twentieth century.

There is no doubt, however, that even today that Jonathan Wild had an impact on his contemporaries as well as writers and historians for centuries to come both as a villain and as the first true detective. Few who pass through life can hope for that much. The downfall and death of the Thief-Taker General marked the end of the government's attempts to establish a professional governmental backed police force for another 100 hundred years. Wild had risen into the highest social circles of the London elite and had gained the trust of the public. With the exposure of the depth of evil and corruption Wild had been responsible for there was again arise in the sentiment that all nationalized police forces were corrupt and bad, hence public sentiment drifted backed to the age-old English belief that every citizen was a policeman and the business of catching thieves was best left to private enterprise. The communities sought reassurance in the institutions of district constables and city night watchmen; though some may have argued that the idea of a national police force was questionable, it was prudent to tamp down the growing serious crime pattern of thief-taking, and that system in and of itself was corrupt. The public was in no mood to see an increase in their taxes to establish a truly professional police force. Further, the public was not ready to allow such a governmental institution they viewed as repressive to their individual freedoms. Hence, Jonathan Wild's adventures and demise in many ways was a victory for the criminal element in society. For crime would continue to grow throughout the decades to come. However, this growth was not wholly unchecked, largely due to the emergence of the Bow Street Runners and the London Marine Police. The importance of Wild and the corruptness he represented

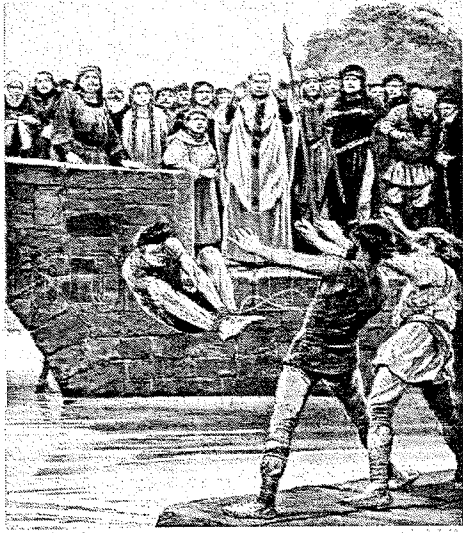
nonetheless took a toll on the national conscious requiring more time for the British to recognize the need for a publically funded police force.

APPENDICES

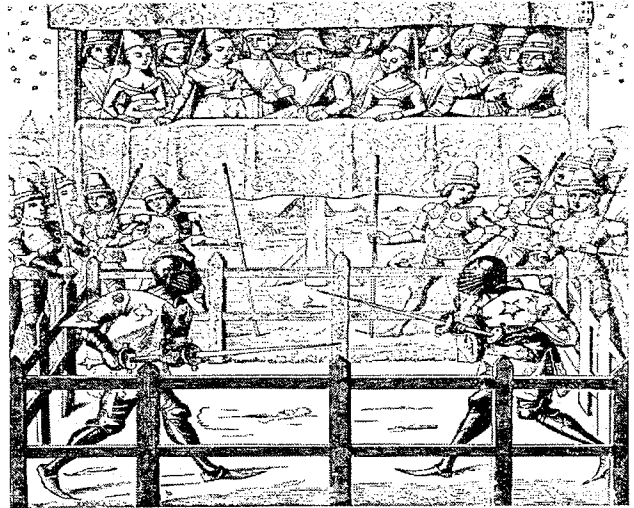
PLATES 1-4



PLATES 5-6



[Small, illegible text caption for Plate 5]



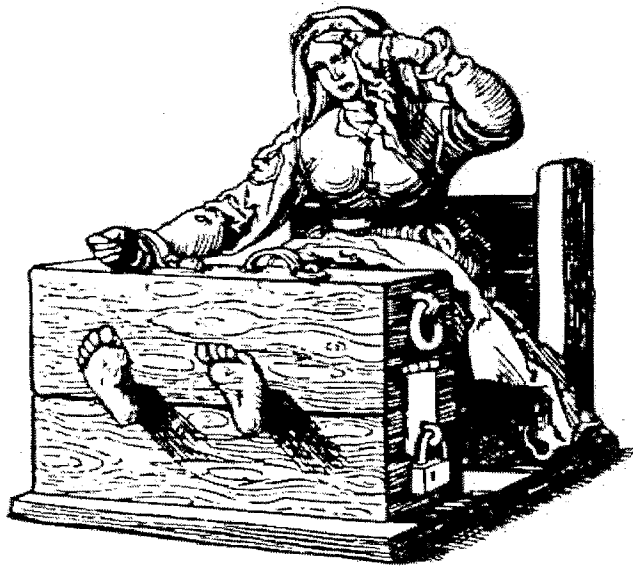
[Small, illegible text caption for Plate 6]

PLATE 7



DEFOE IN THE PILLORY FOR SEDITION IN 1703
Engraving by James Charles Armytage after Eyre Crowe

PLATE 8



Stocks

PLATE 9
NIGHT WATCHMEN



PLATES 10-16



PLATE 17

SIR ISAAC NEWTON

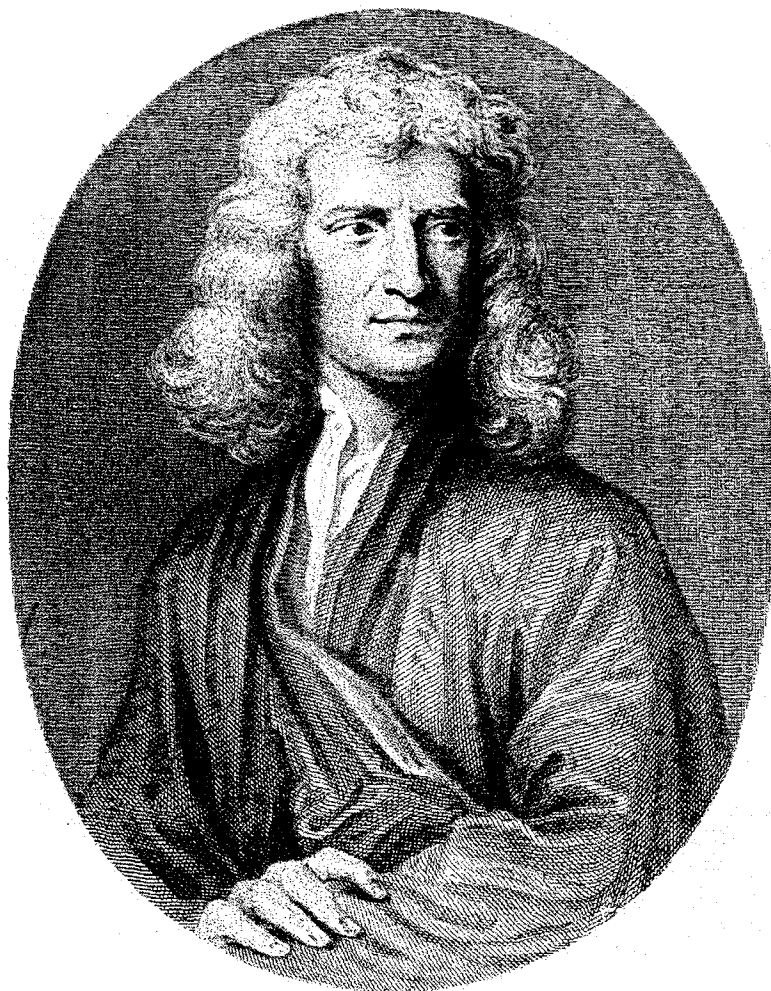


PLATE 18



JONATHAN WILD IN AN EIGHTEENTH-CENTURY ENGRAVING.

PLATE 19

The Right Honorable Sir John Mordaunt, Lord Mayor
 of the City of London, to the Right Worshipful Aldermen
 of the same City.

Methods humbly offered by Walter Hitchen one of the City Marshalls for
 deterring & suppressing of Thieves, rogues, House-breakers pursuant to an order of
 the said Lord Mayor & Aldermen.

That the City Marshalls do once a month give an account in writing to the Court
 of Aldermen or in such other method as they shall think fit of all Sumptuous
 within the Bills of Mortality as shall exceed such limits as are now to be kept.

That the City Marshalls, their Officers do make it their business truly to
 inform the Justices of all Robbers, House-breakers, & other persons that do
 take from our neighbours or receive such things, Disorderly persons or buy or take
 to pawn or store goods.

That the City Marshalls or their Deputies do daily attend all times and
 places of most general resort within London to take notice of apprehensions of persons.

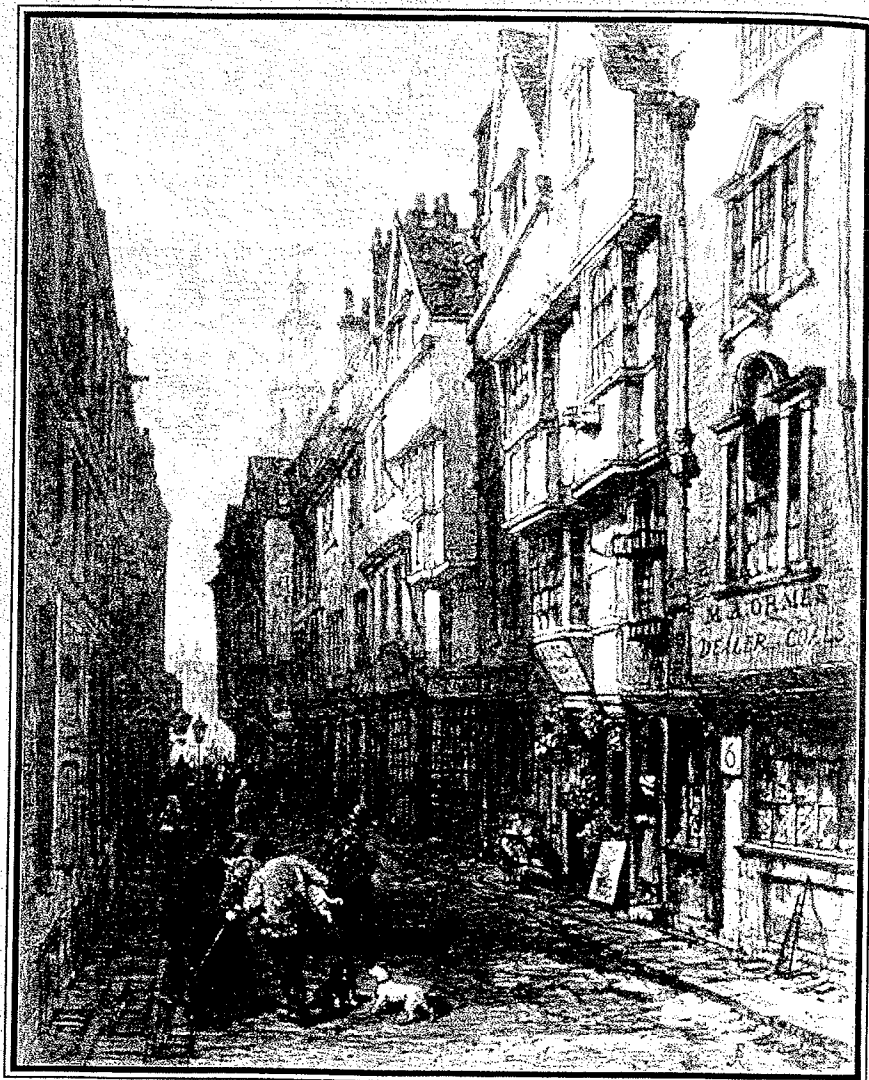
That the said Officers be armed with proper Warrants for apprehending and
 taking such Robbers for receiving or storing of stolen goods in order for to bring
 both Thieves & Receivers to justice.

That publick admonition be given in print to retailers, Barbers, & all others
 not to suffer their Customers or servants to resort to such places where disorderly
 persons most frequently spend their times & gaming houses.

That if diverse methods used in robbing & hiding the most probable means
 to prevent the same be publickly laid open & discovered for the better avoiding
 of such persons and practices.

That for the better deterring & deterring such Thieves a Bill be brought in
 Parliament to give or allow a part of the value of such goods & money as shall
 be stolen to such person or persons as shall stop or buy any goods or money
 stolen or if persons offering it same to sale or pawn or bid the like reward to any
 person who shall discover a Receiver or Buyer of stolen goods & prevent him
 thereof which will be a means of great dissension between Buyers
 and Sellers of stolen goods.

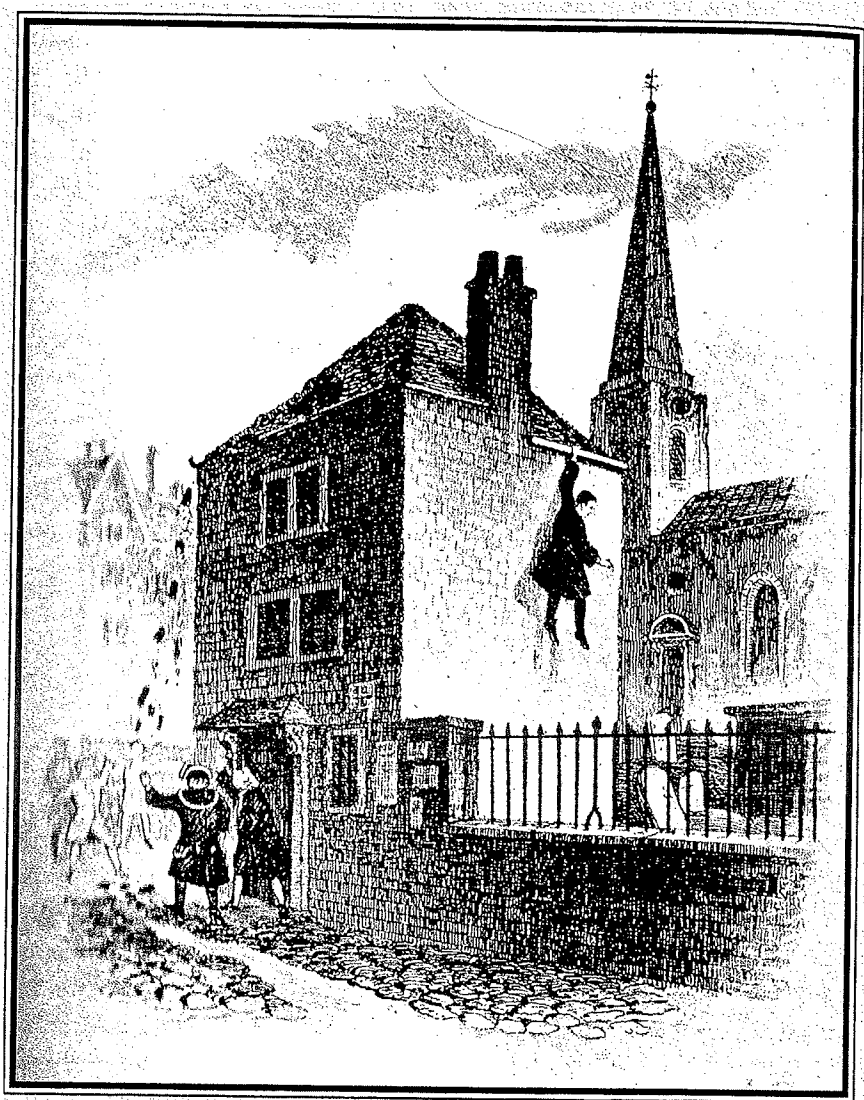
PLATE 20



AN 1870 ENGRAVING OF WYCH STREET, WHERE SHEPPARD
APPRENTICED

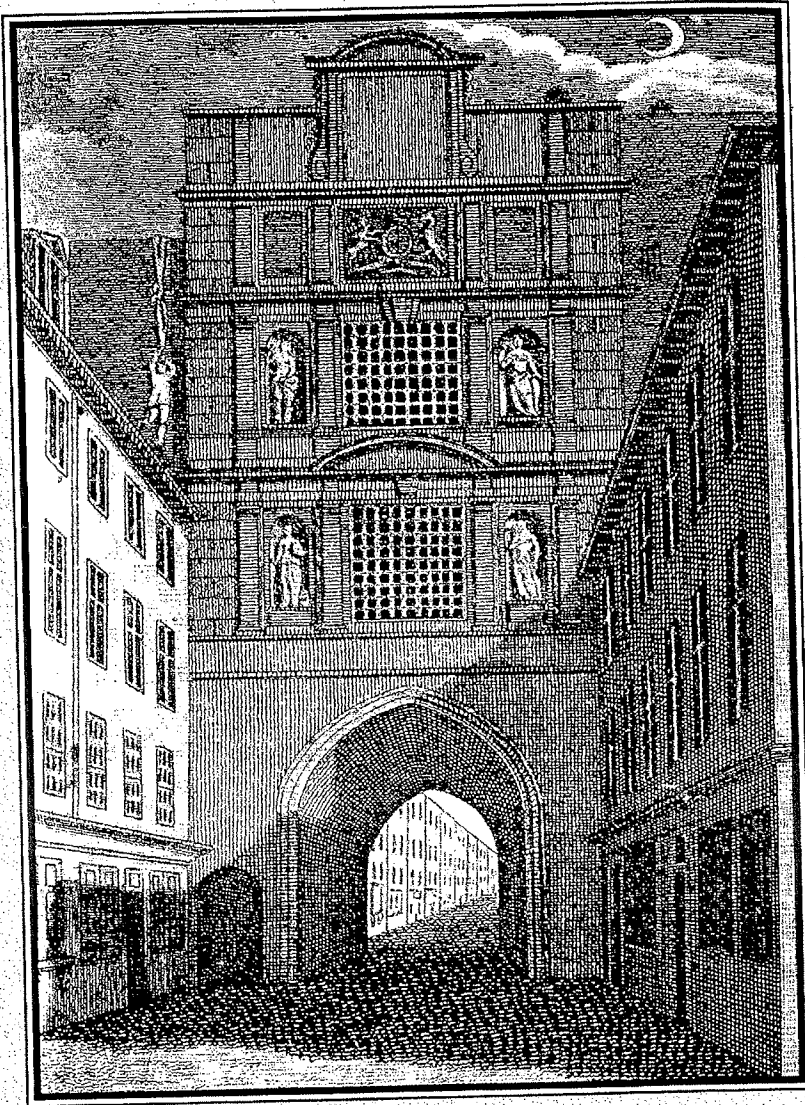
Courtesy of the Theatrelands London Metropolitan Archive

PLATE 21



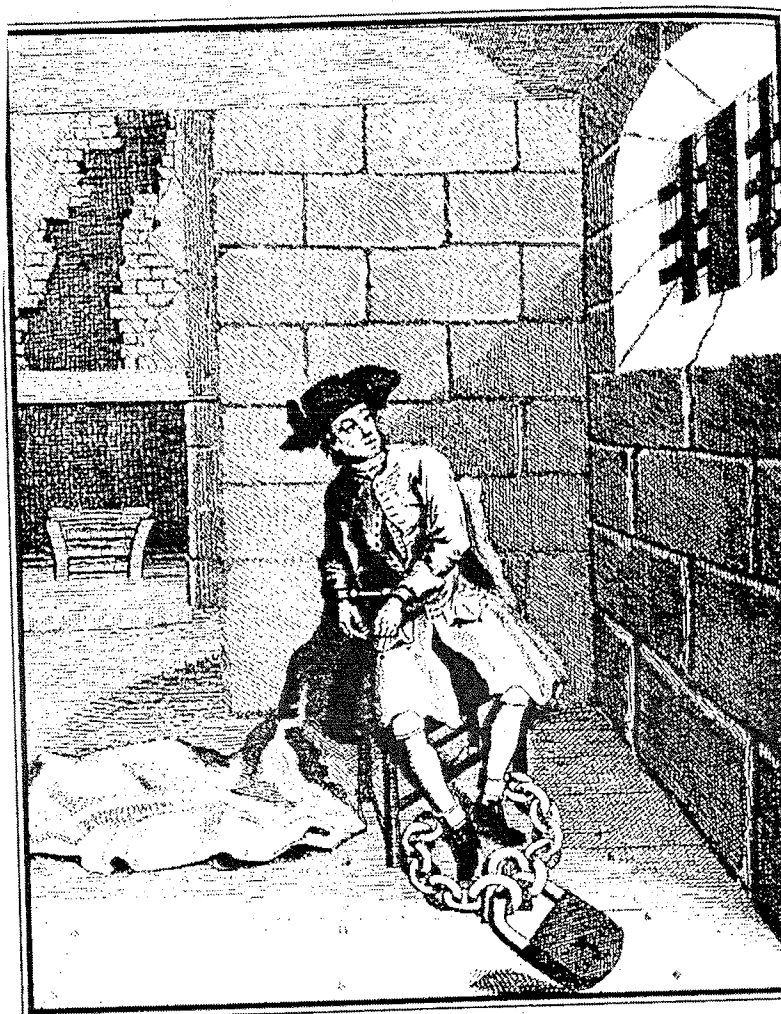
JACK SHEPPARD ESCAPES FROM ST. GILES'S ROUNDHOUSE

PLATE 22



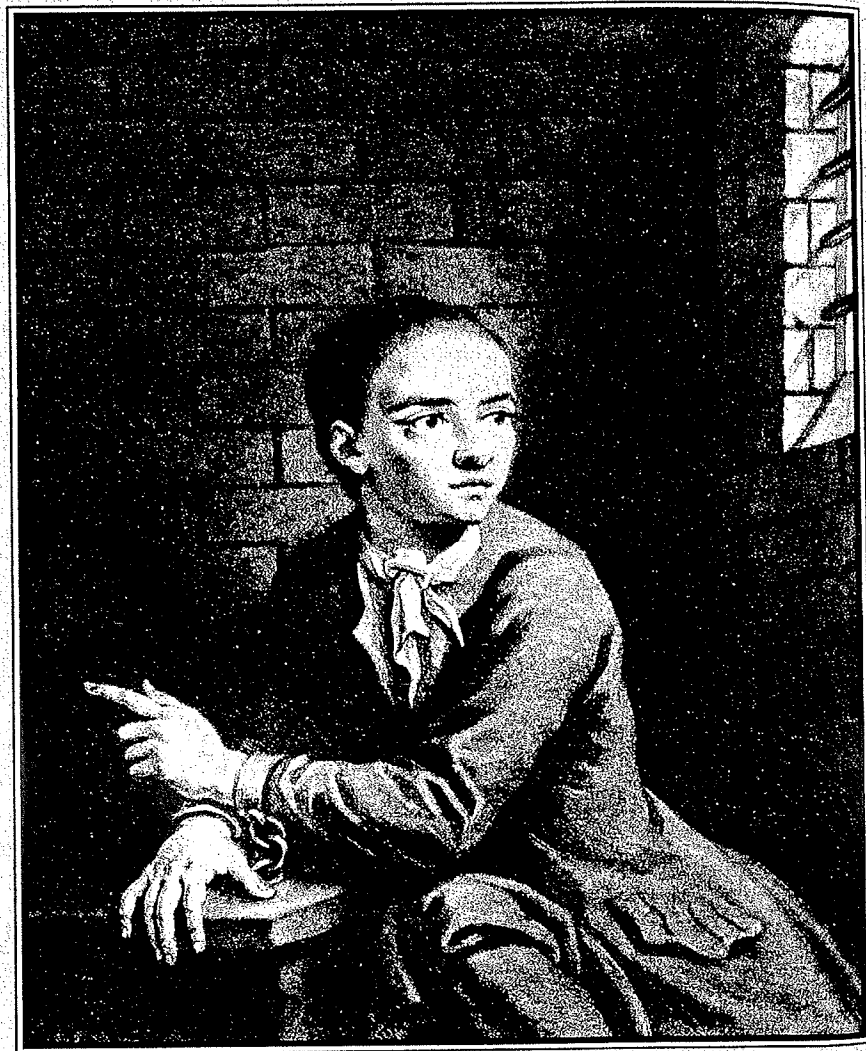
SHEPPARD'S ESCAPE FROM THE CASTLE

PLATE 23



JACK SHEPPARD IN CHAINS IN NEWGATE PRISON
Frontispiece to Daniel Defoe's 1724 narrative of Sheppard's life, published by John Appl.

PLATE 24



JACK SHEPPARD 1724, IN NEWGATE PRISON, BY SIR JAMES THORNHILL

PLATE 25



BLUESKIN BLAKE ATTEMPTING TO CUT THE THROAT OF
JONATHAN WILD

Courtesy of the British Museum

PLATE 26



AN INVITATION TO WILD'S HANGING

Plate 27



WORKS CITED

ARCHIVAL SOURCES

A. ACTS AND REPORTS

Acts of the Common Council; re. Constables, 1621, 1630, 1640, and 1655.

Acts of the Common Council, 1663

Assize of Clarendon of 1166

Assize or (Ordinance) of 1233

Assize or (Ordinance) of Arms of 1252

Magna Carta of 1215, The Great Charter of the Liberties of England.

Middlesex Justice Act of 1792

13 Edward I cc. 1-6. Statute of Winchester 1285

Edward III. Statute of Labourers of 1351

13 & 14 Car 2 c. 12 Thee Poor Relief Act 1662 or Settlement Act

22 Cha 2 c. 5, Benefit of Clergy Act 1670

4 & 5 Wil & Mar c. 8, Encouraging the Apprehending of Highway Men Act of 1692

6 & 7 Wm III c. 17, 1695

10 & 11 Wm III c. 23, 1699

5 Anne c. 31 1706

9 Geo I c. 22, Black Act of 1723

4 Geo I c. 9, Transportation Act of 1717

6 Geo I c. 23, Transportation Act of 1719

3 Geo II c. 12, Gin Act of 1729

10 Geo II c. 7, Gin Act of 1736

10 Geo II c. 22, Rules and Orders to be observed by Constables, Beadles, and Watchmen, pursuant to the Watch Act of 1737

24 Geo II c. 40, Sale of Spirits Act of 1750

25 Geo II c. 36, The Disorderly Houses Act of 1751

59 Geo III c. 46 Appeal of Murder

5 Geo IV c. 83 The Vagrancy Act of 1824

10 Geo IV c. 44, Metropolitan Police Act of 1829

2 & 3 Vict c. 47, The Metropolitan Police Act of 1839

B. PUBLIC RECORDS OFFICE (KEW)

1. SECRETARY OF STATE PAPERS

Great Britain, Public Record Office, *Calendar of State Papers, Domestic, of the Reign of Elizabeth and James I*, Addenda 1580-1625, 547.

Calendar of State Papers Domestic, Charles II, 1660-85.

Calendar of State Papers Domestic, Anne, 1702-14.

Great Britain, Public Record Office, *Calendar of State Papers, Domestic, of the Reign George I*, 1714-27.

State Papers, Domestic, George II, 1727-60.

2. OTHER GOVERNMENTAL PAPERS

Archives of HM Courts & Tribunal Service, Ministry of Justice, Glossary of Terms.

Calendar of Treasury Papers.

Corporation of London Records Office.

Fees of the Sheriff's Court

Journals of the Court of Common Council.

London Metropolitan Archives.

Metropolitan Police History Archives.

Old Bailey Session Papers.

Public Record Office.

C. CONTEMPORARY LITERATURE

Anon. *An Authentic Narrative of the Parentage, Birth, Education and Practices of Jonathan Wild, Citizen and Thief-taker of London, together with an Account of his Marriages, Issue etc., with his Effigy.* London, April 1725.

Anon. *The History of the Lives and Actions of Jonathan Wild, Thief-taker; Joseph alias Blueskin, foot-pad; and John Sheppard, housebreaker... Taken from the papers found since Jonathan Wild's Death.* London, 1725.

Anon. *Select Criminal Trials at Justice Hall in the Old Bailey: With Opinions of the Judges on Points Reserved for Their Decision, Volume I,* 1742. 1746.

Bentham, Jeremy. *An Introduction to the Principles of Morals and Legislation.* London, 1789.

Blake, Joseph, alias Blueskin. *The English Rogue Revised: or, The Lives and Actions of Jonathan Wild, Thief-taker.* London, 1725.

Defoe, Daniel. *The True and Genuine Account of the Life and Actions of the late Jonathan Wild: Not Made Up of Fiction and Fable, But Taken From His Own Mouth, and Collected from Papers of His Own Writing.* London, 1725.

_____. *The History of the Remarkable Life of Jack Sheppard.* London, 1725.

_____. *A Narrative of all the Robberies, Escapes, etc., of Jack Sheppard, Giving a Description of the manner of His Wonderful Escape from the Castle in Newgate. Written by Himself,* London: Printed and sold by John Applebee. London, 1725.

_____. *A Tour through the Whole of Great Britain.* London, 1724-7.

Dacey, W. *The Life of Jonathan Wilde, Thief-taker General of Great Britain and France, From Birth to his Death, Containing his Rise and Progress in Roguery.* London, 1725.

G.E., *Authentic Memoirs of the Life and Suprising Adventures of John Sheppard, together with a Collection of Famiar Letters from Gentlemen in Town.* London, 1724.

Gardiner, Robert. *The Complete Constable, Directing Constables, Headboroughs, Tithingmen, Church-Wardens, Overseers of the Poor, ...in the Duty of Their Offices.* 1692, 1724.

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George, Meriton. *A Guide for Constables, Churchwardens, Overseers of the Poor*. London, 1668.

H.D. *The Life of Jonathan Wild. From his birth to his death. Containing his rise and progress in Roguery; By H.D. late clerk of Justice R---*. London, 1725.

Hitchin, Charles. *A True Discovery of the Conduct of Receivers and Thief-Takers in and About the City of London; to the Multiplication, and encouragement of Thieves, House-Breakers, and other loose and Disorderly Persons*. London, 1718.

Hitchen, Charles. *The Regulator, Or, A Discovery if the Thieves, Thief-takers, and Locks, Alias Receivers of Stolen Goods in and About the City of London: With the Thief-takers Proclamation, Also an Account of All the Flash Words Now in Vogue amongst the Thieves, with an Explanation of Each Word: With an Exact List of Convicts' Names That Was Condemn'd in the Year 1717, That Now Lies in Newgate to Plead to His Majesty's Trnasportation Pardon*. London, 1718.

Mission, Henri. *Memoirs and Observations of his Travels over England*. London, 1719.

Moore, A. *An Authentick Narrative of the Life and Actions of Jonathan Wild, (citizen and thief-taker of London) with the crimes*. London, 1725.

Lambarde, William. *The Duties of Constables, Barsholders, Tythingman, and Such other Lowe Ministers of the Peace*. London, 1583.

Wild, Jonathan. *An Answer to a late insolent libel, entitled. A Discovery of the Conduct of Receivers and Thief-Takers in and About the City of London; to the Multiplication, and Encouragement of Thieves, House-Breakers, and other Loose and Disorderly Persons*. London, 1719.

D. PUBLISHED MATERIAL

Fielding, Henry, *The History of the Life of the Late Jonathan Wild: The Great*. 1734, reprinted, London: Hesperus, 2004.

II. EIGHTEENTH AND NINETEENTH CENTURY NEWSPAPERS AND MAGAZINES

"£100 More," *Daily Journal*, 26 September 1721.

"Committed to Newgate," *Parker's London News or The Impartial Intelligencer*, 17 February 1725.

"Debtors Freed," *London Gazette*, 4 November 1712.

"Famous Thief-Taker, Jonathan Wild" *Original Weekly Journal*, 26 September 1719.

“Head Thief-Catcher in London,” *Weekly Journal or British Gazetteer*, 19 January 1717.

“The History of the Night Watch,” *The Munster News and Limerick and Clare Advocate*, 4 January 1899.

“Jonathan Wilde, Takes a Quantity of Laudinum,” *Stamford Mercury*, 27 May 1725.

“Jonathan Wild, Gives Evidence,” *Daily Journal*, 15 October 1724.

“Jonathan Wild, Receives Handsome Gratuity,” *Parker’s London News or The Impartial Intelligencer*, 8 June 1724.

“Mr. Jonathan Wild’s Confinement,” *London Journal*, 20 March 1725.

“Lost on Friday Evening,” *Daily Courant* 26 May 1714.

“Prostitution,” *General Evening Post* 14-16 March 1745.

“Sentence to Death, Jonathan Wilde,” *The Caledonian Mercury*, 25 May 1725.

“Thief-Taker General,” *Weekly Journal or Saturday’s Post*, 15 March 1718.

“Thief-Taker General of Great Britain,” *Weekly Journal or Saturday’s Post*, 28 February 1719.

“Two Women in Bed with Two Gentlemen,” *London Journal*, 25 July 1724.

“Wife of Jonathan Wilde,” *Newcastle Courant*, 24 April 1725.

III. MONOGRAPHS, EDITED COLLECTIONS AND JOURNAL ARTICLES

Andrew, Donna T. *Philanthropy and Police: London Charity in the Eighteenth Century*. Princeton: Princeton University Press, 1989.

Archer, Ian W. *The Pursuit of Stability: Social Relations in Elizabethan London*. Cambridge: Cambridge University Press, 1991.

Ashton, T.S. *An Economic History of England: The 18th Century*. London: Methuen, 1959.

Attenborough, Frederick L. *The Laws of the Earliest English Kings*. Cambridge: Cambridge University Press, 1922.

Baker, John Hamilton. *An Introduction to English Legal History*. London: Oxford University Press, 2002.

- Bartlett, Robert, *Trial by Fire and Water*. Oxford: Oxford University Press, 1986.
- Beattie, John M. *Crime and the Courts in England: 1660-1800*. Princeton: Princeton University Press, 1986.
- _____. *The First English Detectives: The Bow Street Runners and the Policing of London, 1750-1840*. Oxford: Oxford University Press, 2014.
- _____. *Policing and Punishment in London: 1660-1750*. Oxford: Oxford University Press, 2001.
- Blackstone, Sir William. *Commentaries on the Laws of England, IV*. 1769.
- Boretius, Alfredus. *VII, Hludowici Pii Capitularia 814-837, Monumenta Germaniae Historica: Capitularia regum Francorum* (in Latin). Hanhover: Societas Aperiendis Fontibus Rerum Germa, 1883.
- Bryant, Sir Arthur. *Age of Elegance 1812-1822*. London: Collins, 1950.
- Clark, Peter and Paul Slack, *English Towns in Transition, 1500-1700*. London: Oxford University Press, 1976.
- “Criminal Organization in Sixteenth and Seventeenth Century London,” *Social Problems* (1982): 311-23.
- Dabhoiwals, Faramerz. *Prostitution and Police in London, 1660-1760*, D. Phil. thesis Oxford, 1996.
- Davison, Lee, Tim Hitchcock, Tim Keirn and Robert B. Shoemaker. *Stilling the Grumbling Hive: The Response to Social and Economic Problems in England: 1689-1750*. New York: St. Martin Press, 1992.
- Dean, Trevor. *Crime in Medieval Europe: 1200-1550*. London: Longman, 2001.
- De Saussure, C. *A Foreign View of England, 1725*. Translated by Van Muy-den, 1902.
- De Windt, Edwin Brezette. *The Salt of Common Life*. Kalamazoo: Medieval Institute Publications, Western Michigan University, 1995.
- Dillion, Patrick. *Gin: The Much Lamented Death of Madam Geneva: The Eighteenth Century Gin Craze*, London: Thistle Publishing, 2002.
- Earle, Peter. *A City Full of People: Men and Women of London: 1650-1750*. London: Methuen, 1994.

- _____. *Making of the English Middle Class: Business, Society and Family Life in London: 1660-1730*. London: Methuen, 1989.
- Gatrell, V.A.C. *The Hanging Tree, Executions and the English People, 1770-1868*. Oxford: Oxford University Press, 1994.
- Griffiths, Paul and Mark S. R. Jenner. *Londinopolis: Essays in the Cultural and Social History of Early Modern London*. Manchester: Manchester University Press, 2000.
- Hetherington, Fitzgerald Percy. *The Patroles, Chronicles of Bow Street Police-Office: With an Account of the Magistrates, Runners, and Police*. London: Chapman and Hill, 1888.
- Hibbert, Christopher. *The Road to Tyburn: The Story of Jack Sheppard and the Eighteenth-Century London Underworld*. London: Longmans, Green & Co., 1957.
- Howson, Gerald. *Thief-Taker General: The Rise and Fall of Jonathan Wild*. New York: St. Martin's Press, 1970.
- Kent, Joan R. *The English Village Constable, 1580-1642: A Social and Administrative Study*. Oxford: Clarindon Press, 1986.
- Langbein, John. *The Origins of Adversary Criminal Trial*. Oxford: Oxford University Press, 2003.
- Lee, W.L. Melville. *A History of Police in England*. London: Methuen, 1901.
- Linebaugh, Peter. *The London Hanged: Crime and Civil Society in the Eighteenth Century*. London: Verso, 2003.
- Luttrell, Narcissus. *A Brief Historical Relation of State of Affairs from September 1678 to April 1714*. Oxford: Oxford Press, 1857.
- McMullan, John L. *The Canting Crew: London's Criminal Underworld, 1550-1700*. New Brunswick: Rutgers University Press, 1984.
- Moore, Lucy. *The Thieves Opera: The Mesmerizing Story of Two Notorious Criminals in Eighteenth Century London*. London: Harcourt Brace & Co., 1997.
- Morris, William Alfred, PhD. *The Frankpledge System*. New York: Longman, Green and Co., 1910.
- Oliver, Lisi. *The Beginnings of English Law*. Toronto: University of Toronto Press, 2002.

- _____. *The Body Legal in Barbarian Law*. Toronto: University of Toronto Press, 2011.
- Pollock, Fredrick and Fredric William Maitland. *The History of English Law before the Time of Edward I*. Cambridge: Cambridge Press, 1898.
- Pringle, Patrick. *Hue and Cry: The Story of Henry and John Fielding and Their Bow Street Runners*. London: William Morrow and Co., 1955.
- _____. *The Thief-Takers*. London: Museum Press, 1958.
- Radzinowicz, Dr. Leon. *A History of English Criminal Law, Vols. 1-3*. London: 1948-56.
- Rafftis, J. Ambrose and Edwin Brezette De Windt (eds). Kalamazoo: Medieval Institute Publications, Western Michigan University, 1995.
- Reynolds, Elaine A. *Before the Bobbies: The Nightwatch and Police Reform in Metropolitan London, 1720-1830*. Stanford: Stanford University Press, 1998.
- Sharpe, J.A. *Crime in Early Modern England: 1550-1750*. London: Longman, 1984.
- Shesgreen, Sean. *Engravings by Hogarth: 101 Prints*. New York: Dover Publications, 1973.
- Skirboll, Aaron. *Thief-Takers Hangings: How Daniel Defoe, Jonathan Wild, and Jack Sheppard Captivated London and Created the Celebrity Criminal*. Guilford: Globe Pequot Press, 2014.
- Smith, Toulmin. *The Parish: Its Powers and Obligations at Law*. London, H. Sweet, 1857.
- Spraggs, Gillian. *Outlaws & Highwaymen: The Cult of the Robber in England From the Middle-Ages to the Nineteenth Century*. London: Pimlico, 2001.
- Stow, John. *The Survey of London*. London: J.M. Dent, 1958.
- Stubbs, William. *Lectures on Early English History*. London: Longmans, Green and Co., 1906.
- Thorpe, Benjamin. *A History of England Under Anglo-Saxon Kings, Vol. II*. London: John Murray, 1845.
- Van Der Kiste, John. *Jonathan Wild: Con-man and Cutpurse*. Chalford: Amberley, 2009.
- “Violence and the Law in Medieval England,” *History Today* (2008):53-9.

White, Jerry. *London in the Eighteenth Century: A Great and Monstrous Thing*. London: The Bodily Head, 2012.