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PURPOSEFUL INSTITUTIONS FOR DISPENSING LAW AND JUSTICE: Devonport Magistrates

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PURPOSEFUL INSTITUTIONS FOR DISPENSING LAW AND JUSTICE

Devonport Magistrates' Court and Quarter Sessions

Devonport Magistrates' Court

Dating from 1828, the local magistracy included The Mayor or his Deputy who acted as Chair of the Bench, civilians of good standing and a number of active and retired naval and marine officers making it a very unusual court (along with Chatham and Portsmouth). There were no female magistrates until 1920. Such officials were drawn from a small pool of prominent citizens with a sense of civic responsibility willing to volunteer their time several mornings a week including Saturdays. In addition, as a permanent shore position, the Surgeon General of the naval base was an automatic member of the Bench (again highly unusual) and along with Serving Admirals and Captains dealt with all cases before them not just those that were Service related. This is a recognition of how significant the Royal Navy and Marines were to Devonport's daily life,.



The Guildhall, Devonport, where the Bench met daily

List of Borough Magistrates – this shows Sustained Purpose of the legal community via a Continuity of Devonport's most respectable commercial elites, senior Dockyard naval personnel and local gentry!

In 1840, Devonport Council virtually unanimously agreed NOT to appoint a professional, paid stipendiary magistrate – but to keep the arrangement whereby the local elites dispensed justice. *The Times*, 15 July 1840.*

For indictable crimes, like murder and rape, the Devonport magistrates would refer a case to the Exeter Assizes, usually sending the prisoners to be held in the County Gaol there to await trial.

BOROUGH MAGISTRATES

1878

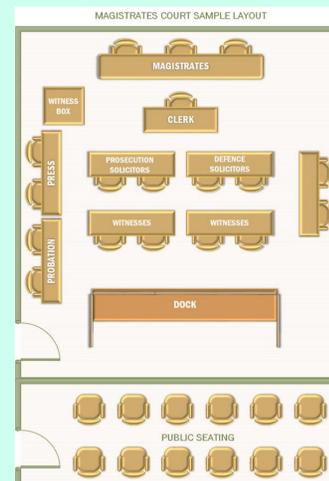
Whites Directory of Devon

Joseph May,
Thomas Crossing,
Richard John Laity,
James Bowen Somerville,
John Lane Cutcliffe,
Alfred Norman,
Frederick Row,
Paul William Swain,
Charles Row,
George Stephens Brown,
Timothy Carew,
William Oliver,
Edward St. Aubyn,
Richard Clarkson Smith,
William Peek,
John Rolston,
James Joll, Esqrs.

Except for murder and rape prosecutions, private citizens brought and funded most prosecutions on behalf of the community up to 1885 in the Higher Courts and 1914 in the Magistrates' Courts.



From 1848, a prosecution in the magistrates courts cost a guinea (£1 1shilling).



Typical court layout

Devonport Magistrates were community activists to a considerable extent! They would bring prosecutions before their fellow magistrates, and undertake investigations on their own account. For example, in 1864, when PC Dyer's evidence led to the conviction of 3 lads of robbery, the magistrates themselves conducted a second investigation and discovered the real culprits. They then organised the release of the wrongly convicted lads from Devonport Jail.

Western Morning News, 24 January 1864*



The Exeter Assize Court building visible through the old castle gateway



Plan of Exeter including Exeter Castle, showing the Assize building

BOROUGH MAGISTRATES

1850

Whites Directory of Devon

Edward St. Aubyn
John Beer, jun.
Wm. Hodge
Wm. Hancock
Jonth. Ramsey, sen
Cornls. Tripe
G. F. Somerville
Edw. Abbott
Thos. Sanders
Timothy Carew
Geo. Glasson
Saml. Kerswill
Jno. Williams, Esqrs.

Cracking Down on False News: the Devonport Bench ordered the local constabulary to apprehend and bring before them three men selling pamphlets 'purporting to be an account of a dreadful riot at Birmingham', with 500 killed. The riot did NOT take place, and so they were imprisoned for a fortnight, without the option of a fine!

Devonport Journal, 10 July 1839.*



*Newspaper extracts (c) British Library Board



**Kim Stevenson and
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