



**Crime, Justice,
and Discretion in
England 1740–1820**

Peter King

OXFORD

Crime Justice And Discretion In England 1740 1820

Leigh Yetter



Crime Justice And Discretion In England 1740 1820:

Crime, Justice and Discretion in England 1740-1820 Peter King, 2000-09-28 The criminal law has often been seen as central to the rule of the 18th century landed elite in England This book presents a detailed analysis of the judicial process of victim s reactions pretrial practices policing magistrates hearings trials sentencing pardoning and punishment using property offenders as its main focus The period 1740 1820 the final era before the coming of the new police and the repeal of the capital code emerges as the great age of discretionary justice and the book explores the impact of the vast discretionary powers held by many social groups It reassesses both the relationship between crime rates and economic deprivation and the many ways that vulnerability to prosecution varied widely across the lifecycle in the light of the highly selective nature of pretrial negotiations More centrally by asking at every stage who used the law for what purposes in whose interests and with what effects it opens up a number of new perspectives on the role of the law in eighteenth century social relations The law emerges as the less the instrument of particular elite groups and more as an arena of struggle of negotiation and of compromise Its rituals were less controllable and its merciful moments less manageable and less exclusively available to the gentry elite than has been previously suggested Justice was vulnerable to power but was also mobilised to constrain it Despite the key functions that the propertied fulfilled courtroom crowds the counter theatre of the condemned and the decisions of the victims from a very wide range of backgrounds had a role to play and the criteria on which decisions were based were shaped as much by the broad and more humane discourse which Fielding called the good mind as by the instrumental needs of the propertied elites

The Bloody Code in England and Wales, 1760-1830 John Walliss, 2018-03-09 This book is a comparative quantitative analysis of the administration of justice across four English and three Welsh counties between 1760 and 1830 Drawing on a dataset of over 22 000 indictments the book explores the similarities and differences between how the so called Bloody Code was administered between on the one hand England and Wales and on the other individual English and Welsh counties The book is structured in two sections that trace the criminal justice process in England and Wales respectively The first chapter in each section examines the pattern of indictments in the respective counties and explores the crimes for which men and women were indicted the verdicts handed down and the sentences passed The second chapter then explores patterns of sentences of death executions and pardons for those capitally convicted of serious crimes against the person and forms of property offences

Cornish Wrecking, 1700-1860 Cathryn J. Pearce, 2010 Shows how the image of Cornish wreckers as villains deliberately luring ships on to the rocks is a myth Highly Commended in Class 6 Non Fiction History and Creative Arts of the Holyer an Gof Awards 2011 Although the popular myth of Cornish wrecking is well known within British culture this book is the first comprehensive systematic inquiry to separate out the layers of myth from the actual practices Weaving in legal social and cultural history it traces the development of wreck law the right to salvage goods washed on shore and explores the responses of a coastal populace who found their customary

practices increasingly outside the law especially as local individual rights were being curtailed and the role of centralised authority asserted This groundbreaking study also considers the myths surrounding wrecking showing how these developed over time and how moral attitudes towards wrecking changed Overall the picture of evil wreckers deliberately luring ships onto the rocks is dispelled to be replaced by a detailed picture of a coastal populace poor and gentry alike who were involved in a multi faceted sophisticated coastal practice and who had their own complex popular beliefs about the harvest and salvage of goods washing ashore from shipwreck CATHRYN J PEARCE holds a PhD in Maritime History from Greenwich Maritime Institute A former associate professor of history with the University of Alaska Anchorage s Kenai Peninsula College she is now with University Campus Suffolk where she continues to research on the relationship of coastal people with the sea

Cultural Histories of Law, Media and Emotion Katie Barclay, Amy Milka, 2022-07-21 Cultural Histories of Law Media and Emotion Public Justice explores how the legal history of long eighteenth century Britain has been transformed by the cultural turn and especially the associated history of emotion Seeking to reflect on the state of the field 13 essays by leading and emerging scholars bring cutting edge research to bear on the intersections between law print culture and emotion in Britain across the eighteenth and nineteenth centuries Divided into three sections this collection explores the public as a site of legal sensibility it demonstrates how the rhetoric of emotion constructed the law in legal practice and in society and culture and it highlights how approaches from cultural and emotions history have recentred the individual the biography and the group to explain long running legal historical problems Across this volume authors evidence how engagements between cultural and legal history have revitalised our understanding of law s role in eighteenth century culture and society not least deepening our understanding of justice as produced with and through the public This volume is the ideal resource for upper level undergraduates postgraduates and scholars interested in the history of emotions as well as the legal history of Britain from the late seventeenth to the nineteenth century

Sir William Garrow: His Life, Times and Fight for Justice John Hostettler, Richard Braby, 2011-01-17 Sir William Garrow His Life Times and Fight for Justice Paperback 17 January 2011 by John Hostettler and Richard Braby With a Foreword by Geoffrey Robertson QC In stock Usually despatched within 24 hours Price 22.95 FREE Delivery in the UK Ebook versions also available How will I read it Buy Kindle Apple Books Google Play external links Plus other sellers search the web by format EPUB PDF Click for a free online preview of this book Paperback ISBN 9781904380696 Published 17 January 2011 352 pages Edition New Format Publisher Waterside Press Book description A comprehensive account of lawyer William Garrow s life career family and connections Sir William Garrow was born in Middlesex in 1760 and called to the Bar in 1783 He was the dominant figure at the Old Bailey from 1783 to 1793 later becoming an MP Solicitor General Attorney General and finally a judge and lawmaker within the Common Law Tradition Sir William Garrow is a generous work in which well known legal historian and biographer John Hostettler and family story teller Richard Braby a descendant of Garrow combine their skills and experience to produce a gem of a book Without the

pioneering work of William Garrow the legal system would be stuck in the Middle Ages Radio Times Right hands up all those who have heard of William Garrow Hmm thought so me neither That will all change Frances Gibb s Law Section The Times Aside from BBC1 TV s prime time drama series Garrow s Law the story of Sir William Garrow s unique contribution to the development of English law and Parliamentary affairs is so far little known by the general public This book tells the real story of the man behind the drama Garrow is now in the public eye for daring to challenge entrenched legal ways and means His gifts to the world include altering the relationship between judge and jury the former had until then dominated over the latter in criminal trials helping to forge the presumption of innocence and ensuring a general right to put forward a defence using a trained lawyer He gave new meaning to the forensic art of cross examination later diverting skills honed as a radical to help the Crown when it was faced with plots treason and revolution The lost story of Sir William Garrow and its rediscovery will prove intriguing for professional and general readers alike and will be an invaluable missing link for legal and social historians It is also a remarkable work of genealogical research which will register strongly with family historians

Policing the City Andrew Todd Harris,2004 In *Policing the City* Harris seeks to explain the transformation of criminal justice particularly the transformation of policing between the 1780s and 1830s in the City of London As utilitarian legal reformers argued that criminal deterrence ought to be based on certain and rational punishment rather than random execution they also had to control the discretionary authority of enforcement This meant in theory and practice the centralization of policing in the 1830s and the end of local policing which was seen as corrupt inefficient and unsuitable for rational criminal justice Revolutionary changes in policing began locally however in the 1780s Such local changes preceded and inspired national reforms and local policing up to the centralizing measures of the 1830s remained dynamic responsive and locally accountable right until its demise Anxiety about policing had as much to do with the social origins of the police as it did about the origins of criminality and control over the discretionary authority of watchmen and constables played a larger role in criminal justice reform than the nature of crime The national metropolitan and City police reforms of the late 1830s were thus the culmination of a contentious argument over the meanings of justice efficiency and order rather than its beginning Harris s evidence reveals how what we ve come to think of as modern policing evolved out of local practice and reflects shifts in wider debates about crime justice and discretionary authority

Armed with Swords & Scales Sascha Auerbach,2021-02-04 Explores how local courtrooms have been a common feature of everyday life and culture since the eighteenth century

Crime and Society in England, 1750-1900 Clive Emsley,1996 Clive Emsley examines the changes in crime and the criminal justice system against the larger changes in an industrialising society and challenges such simplistic views of crime as the work of a criminal class and changes in the justice system as solely due to humanitarian reformers

Fighting for Justice John Hostettler,2006-10-19 Adversary trial emerged in England in the 18th century Its origins and significance had tended to go unrecognized by judges lawyers jurists and researchers until relatively modern

times Even now there is considerable dispute as to how and why adversary trial came into existence and little connection has been made with the fact that its existence contributed to the genesis of a the modern doctrine of human rights whereby citizens are able to make a stand against the power of the state or vested interest Fighting for Justice focuses on the birth and meaning of adversary trial including the key role of Sir William Garrow The book assesses how deep rooted is the notion of opposing parties in the common law and the English psyche generally and that of countries such as the US that have followed the same pattern whereby legal representatives champion the cause of individuals The book touches on moves through restorative justice around the world to alter adversarial systems in favor of a less conflict based approach Because justice and the rule of law are frequently nowadays under attack Fighting for Justice will be a valuable aid to understanding the contributions that have been made to the overall development of criminal justice and common law systems

Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763 Markus Eder,2004 In all this volume will be invaluable not only to scholars of the Royal Navy but to all those with an interest in crime and punishment in wider eighteenth century British society Jacket

Policing and Prosecution in Britain, 1750-1850 Douglas Hay,Francis G. Snyder,1989 English law was almost unique in that most prosecutions were brought by the police rather than by public prosecutors This book examines why they acquired that power what was its social significance and what was distinctive about its evolution compared with policing in Scotland and Ireland

Law and Disorder in Early Modern Wales Sharon Howard,2008 Focusing on the period from 1660 to 1730 this book is based on a detailed study of the court records of the county of Denbighshire in north east Wales

Forgery in Nineteenth-Century Literature and Culture Sara Malton,2009-02-15 In Forgery in Nineteenth Century Literature and Culture Sara Malton insists that we fully account for the prominence of forgery in the nineteenth century cultural imagination Examining a range of works from Dickens to Wilde she considers how social and legal contexts inform the shifting representation of the crime and its varied perpetrators throughout the nineteenth century Distinct in its historical attentiveness Forgery in Nineteenth Century Literature and Culture illuminates the breadth of cultural issues to which this crime of the first magnitude is linked

Public Execution in England, 1573-1868: 1778-1868. v. 5. Introduction to Part III ; Public execution in England, 1778-1868. v. 6. Public execution in England, 1778-1868 Leigh Yetter,2009

Tyburn's Martyrs Andrea McKenzie,2007-12 Tyburn is the most famous killing field in London Here s its story in all its bloody glory

The Eighteenth Century Kevin L. Cope,Robert C. Leitz,2007-09

Parents of Poor Children in England 1580-1800 Patricia M. Crawford,2010-02-18 The first sustained study of the mothers and fathers of poor children in early modern England drawing upon a wide range of archival material including quarter session records petitions for assistance applications for places in the London Foundling Hospital and evidence from criminal trials in London s Old Bailey

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