

## *The Class of 1851*

Our title for this piece is a bit tongue in cheek, because the students in the 'class' were members of the Enrolled Pensioner Force who became involved in the burgeoning constabulary system of WA in the early years of the Convict Establishment. In the process of research over the last few years we have been examining the pensioner guard/policing linkages from several angles and some interesting patterns have emerged. The results of one key pattern are still very much amongst us - the descendants of families which emerged from marital alliances between the children of pensioner guards and police in colonial times.

There are other patterns to consider, the most obvious being at the beginning of the Convict Era. To the future dismay of many colonists, pro-convict labour lobbyists got their way and by late 1849 a newspaper editor warned folk to expect the worst (1). It would be fair to say that one obvious result when the 'Scindian' arrived in June 1850 was the speedy collapse of some prior arrangements for the local constabulary. The Legislative Council passed a Police Ordinance on May 11, 1849 outlining the work and duties of police, arrangements for maintaining the public peace and the prosecution of a range of offences. Soon afterwards, the appointments of 18 existing or new constables were confirmed to support the Ordinance. They were scattered among eight key towns or districts (2). All well and good, but what to do in the Convict Era?

The authorities may have been treading water in 1850, watching and waiting to see what issues evolved. A 'Scindian' pensioner guard named James Caldwell, formerly a sergeant in the 57<sup>th</sup> Regiment of Foot, pointed the way to one solution. In a first tentative move he was hired as a constable and street keeper for Perth in October 1850. He resigned soon afterwards and eventually obtained employment in the Convict

Establishment. His replacement, George Rewell, took office in January 1851(3). Caldwell became the first of many pensioners to join the police and law enforcement problems later opened the gates quite speedily. A dramatic attempt by some convicts to escape by sea led to the establishment of the Imperial Water Police in January 1851. Pensioner John Kenny, late a private of the 19<sup>th</sup> Regiment of Foot, was a founding member. Like Caldwell, he went on to serve in the Convict Establishment (4).

During 1851 a steady police recruiting programme led to the induction of up to 26 new constables from various walks of life. The turnover rate was high, as suitable men were hard to find and the work could be demanding. There can be no doubt the colonial authorities recruited pensioner guards when they could, for such men tended to be more used to routine and respectful of chain of command issues. Some of them had problems, such as lingering ones related to wounds and fevers, while other employment options and the continuing attractions of some aspects of pensioner guard life led to several speedy life changes. In summary form, here is a list of pensioner guards who engaged in constabulary work from particular dates in 1851:

**Joseph Bolton**, former private in the 73<sup>rd</sup> Regiment of Foot, constable in Fremantle from 9/12/1851;

**John Kirwan**, former sergeant in the 30<sup>th</sup> Regiment of Foot, sergeant in charge of the Perth police from 7/10/1851;

**Peter McGlade**, former private in the 51<sup>st</sup> Regiment of Foot, constable in Fremantle from 9/12/1851

**James Quirk**, former private in the 54<sup>th</sup> Regiment of Foot, constable in Perth from 6/9/1851;

**Thomas Ryder**, former private in the Royal Marines, constable in Fremantle from 6/12/1851;

**John Sullivan**, former private in the 10<sup>th</sup> Regiment of Foot, constable in the Swan valley from 22/11/1851; and

**Richard Trayhorne**, former private in the 96<sup>th</sup> Regiment of Foot, constable in Perth from 16/8/1851(5).

The proportion of pensioner guards among new recruits for the police was thus about 26% for that year. The use of those former soldiers as police officers seems to have been regarded as a generally successful experiment; the percentage of them among new constables in 1852 rose to about one third. During 1853 the sergeants in charge of the critical Perth and Fremantle police stations had both served in the Enrolled Pensioner Force, adding further weight to our general impression.

### **Notes**

- (1)Perth Gazette, 9/11/1849
- (2)Government Gazette, 5/6/1849
- (3)Government Gazette, 15/10/1850 and 10/1/1851; Broomhall, F.H. *The Veterans* (Hesperian Press, WA, 1989), B41; Barker, D.J. *Warders and Gaolers* (Western Australian Genealogical Society Inc, 2000), pp29-30
- (4)For John Kenny, see our article in the *EPG Gazette*, Vol.12, No.3 (July, 2011), pp5-6
- (5)The appointment dates are from the Government Gazettes of 22/11/1851, 14/8/1852 and 28/8/1852. Further career information was drawn from Broomhall, individual WA Police Records of Service and our own database entries on pensioner guards who served in the WA Police.

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