

Liverpool Mercury, March 2nd. 1852

Mr. Dowling And The Police

The discussion at the meeting of Magistrates, upon the proceedings that took place in the police-court with reference to the conduct of Mr. Dowling, and other police officers, leaves no room for doubt or hesitation in pronouncing that the present police force to be utterly disorganised. Upon evidence so strong and convincing, that the only answer the head constable appears to have made to it was full confession of the offence and a plea of justification on the grounds of ill-health.

With every disposition to give the most favourable consideration to that plea, we can not avoid the conclusion, that it affords no shadow of a defence for the very discreditable act which he has committed. The falsifying of a public record, by tearing out the leaves of a police report, was the charge proved against him and Superintendent Towerson who appears to have been an accessory before the fact. The motive for the offence was no doubt, to conceal from the authorities the misconduct of some police-officers, in striking indiscriminately with their sticks a terrified crowd, who were rushing out of a Catholic chapel, some of the beams of which were reported to have given away, Sergeant Tomlinson, who seems to have done his duty on the occasion (however censurable he may be for lending himself to the alteration of his report, and his prevarication before the magistrates in attempting to justify his conduct in that respect), endeavoured to restrain the violence of his comrades; and after the affair was over, reported, in the course of his duty, the circumstances of that transaction. That report condemnatory of the police, was duly entered into the usual report book in the station. One of the Priests of the Chapel, on the Wednesday following the event, made an application through Mr Aspinall, the barrister, to the stipendiary magistrate, sitting in the Police-Court; and in pursuance of that application the police magistrate ordered Superintendent Clough to inquire into the case and make a report to him of the circumstances; and

at the same time, fixed the following Friday to hear any charge of assault that might be brought against the officers.

At the hearing of the charge, it appeared that the Sergeant had made two reports, one of which he said he had torn up and substituted with another. The report book was handed up to Mr. Mansfield, who then discovered a hiatus in the book, measured by the figures 886-890; the intervening numerals being missing. Upon further enquiry, it turned out that Superintendent Towerson, Tomlinson's superior officer, had met him on the Tuesday evening, the next after the occurrence and expressed to the sergeant his disapprobation of his report in the Holy Cross affair. He complained that it reflected too strongly upon the police. Nothing further transpired until Thursday, the day after the application to the police magistrate, when Sergeant Tomlinson was summoned into the presence of Mr. Dowling and Superintendent Towerson and the result of that interview was, that the sergeant consented to make another report, omitting from it all the passages offensive to Superintendent Towerson, as conveying censure upon the police. The next thing was, how to get rid of this inconvenient original report, for it had passed the preliminary stage of existence upon a loose sheet and had been fairly entered in the stubborn and more enduring pages of a book. And here the case presses with irrosistible weight on upon Mr. Dowling's defence and crushes it altogether. Mr. Dowling alleges, in "extenuation and by way of appeal, *ad misericordiam*" to the magistrate, that he had been taking Opium and was so stupified by the medicines that he did not know what he was doing. But, unfortunately for such a defence, he resorted to the most ingenious expedients to get rid of the unpleasant document, first suggesting a new volume, then a new leaf upon which to have the altered report copied, so as to agree with the sequel on the following page, and finally to the plan of removing several leaves, and for that purpose he sent for one of his clerks, who, it was suggested, would do the job neatly, having been a bookbinder, and to him he entrusted the delicate operation of taking out the pages. The clerk said "*he could do it without it being noticed.*" The clerk took the book down stairs and returned with it in a trice, having accomplished his task with so much dexterity that it would have altogether escaped detection but

for the remaining awkward feature of the absent numbers, which no ingenuity could obviate. The impropriety of all this was so flagrant, that Mr. Cowan, one of the clerks, seem to have remonstrated with his chief and told him it was improper, and would have " *a very ugly appearance.*" Notwithstanding this reasonable and judicious admonition, Mr Dowling yielded to his evil genius and has placed himself in a most discreditable and painful position before the public. It is somewhat remarkable, as indicative of the peculiar characteristic of Mr. Dowling's moral infirmity, his offence in this, as in the Joughin case, has one common feature, a desire and determination to shield the guilty from detection.