

Health, Comfort and Convenience: Public Health and the Scottish Police Commissions, 1800–70

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The history of nineteenth-century public health is one of the cornerstones of the history of medicine: the beginning of significant and continuous state involvement in the lives of populations. In Britain, much of the research has focused on the major cities of London and Manchester in England, and Glasgow and Edinburgh in Scotland.¹ However, in recent years, the topic has fallen out of fashion, perhaps because historians have become uneasy with public health as a story of medical progress. By contrast, research into nineteenth-century urban history has flourished. In Scotland, biographies of Aberdeen, Dundee and Glasgow have explored the development of the urban landscape, economy, society and governance.² This work provides a context for the reconsideration of public health, looking at its relationship to the wider process of civic reform.

The main players in nineteenth-century Scottish urban government were the police commissions. They were concerned with ‘police’ in the European sense of the word: responsible not only for police forces to deal with crime, but with a wider government of the community in the name of the public good. The Scottish police commissions maintained and improved the public spaces of the town, provided a range of services to residents such as the provision of water, and ensured orderly behaviour by byelaws which set out codes of behaviour for public areas, as well as organising police forces. There are few studies of the work of the police in public health. Rosemary Tyzack’s study of the Aberdeen

¹ D. Porter, *Health, civilization, and the state: a history of public health from ancient to modern times* (London, 1999); C. Hamlin, ‘Muddling in Bumbledom: On the Enormity of Large Sanitary Improvements in Four British Towns, 1855–1885’, *Victorian Studies*, 32 (1988), 55–83; *idem*, *Public health and social justice in the age of Chadwick: Britain, 1800–1854* (Cambridge, 1998); E. Robertson, *Glasgow’s Doctor: James Burn Russell, MOH, 1837–1904* (East Linton, 1998); W. H. Fraser and I. Maver, ‘Tackling the Problems’, in (ed.) W. H. Fraser and I. Maver, *Glasgow Vol. II 1830–1912* (Manchester, 1996), 394–440; S. Blackden, ‘The Development of Public Health Administration in Glasgow, 1842–1872’, PhD thesis, Edinburgh University, 1976; H. MacDonald, ‘Public Health Legislation and Problems in Victorian Edinburgh, with special reference to the work of Dr. Littlejohn as Medical Officer of Health’, PhD thesis, University of Edinburgh, 1971.

² Fraser and Maver, *Glasgow Vol. II 1830–1912*; W. H. Fraser and C. H. Lee (eds.), *Aberdeen, 1800–2000: A New History* (East Linton, 2000); L. Miskell, C. A. Whatley and B. Harris (eds.), *Victorian Dundee: images and realities* (East Linton, 2000).

Police Commissions presents public health as a separate activity within this broader remit, pursued mainly through the provision of water.³ This paper argues that Tyzack underestimates the scope of disease prevention and its place within the work of the police commissions.

In the nineteenth century, threats to health were perceived to be scattered throughout the urban landscape – dirt within the general environment, specific accumulations of filth, and infected people. While the police had few powers which explicitly concerned public health, many of their activities combined disease control, civic amenity and aesthetics. This paper looks at four initiatives where the goals of better public health and urban reform converged: street cleaning, the provision of public conveniences, the control of epidemics, and regulating lodging houses. They show how the pursuit of health fitted into an established programme of civic reform and, over time, helped to drive the expansion and development of that broader agenda. The results also challenge the accepted progression from sanitary reform aimed at cleaning the environment to expert-led public health targeting sources of infection, which is based on work of central government in Whitehall. In Scottish communities, the police commissions pursued both programmes from midcentury, absorbing responsibilities for the environment from older local government bodies and for the control of infection from charities.

While there is a substantial body of research into the police commissions' work on policing,⁴ the broader range of their activities has been surprisingly underresearched given their significance in setting the agenda of modern urban administration and the survival of records in regional archives.⁵ The first police commissions were created in the major population centres from the late eighteenth century, under local acts of parliament. By 1826 there were a total of thirty, spread across Scotland from Inverness and Dingwall in the north to Dumfries in the south.⁶ Getting a local act of parliament was an expensive process, requiring town authorities to employ lawyers to guide a bill through Westminster. Smaller towns created police authorities by adopting the Burgh Police Acts. Passed in 1833, 1850 and 1862, these acts provided a template for

³ R. Tyzack, “‘No Mean City?’ The Growth of Civic Consciousness in Aberdeen with particular reference to the work of the Police Commissioners”, in (ed.) T. Brotherstone and D. J. Withrington, *The City and its Worlds. Aspects of Aberdeen's History since 1794* (Glasgow, 1996), 150–67.

⁴ D. G. Barrie, *Police in the Age of Improvement. Police Development and the Civic Tradition in Scotland, 1775–1865* (Cullompton, Devon, 2008); W. G. Carson, ‘Policing the Periphery: the Development of Scottish policing 1795–1900’, parts 1 and 2, *Australia and New Zealand Journal of Criminology*, 17 (1984), 207–32 and 18 (1985), 3–16.

⁵ The sheer scale of their undertakings is daunting and makes research on any aspect of their work very time consuming, although the recent digitisation of newspapers, which carried detailed reports of commission meetings, makes their work more accessible to scholars.

⁶ Barrie, *Police in the Age of Improvement*, 94.

new authorities and greatly expanded the number of commissions: the 1862 Burgh Police act was adopted wholesale or in part in over 180 towns across Scotland.⁷

Police commissions were created as a response to rapid urban growth, which put pressure on the urban environment and generated a need for more basic services such as water and drainage, and to the shift to a market economy which led to social unrest and civil disorder. The old burgh councils had attempted to tackle some of these problems through schemes to clean, light and pave streets, but their efforts were limited by incomes based on medieval forms of taxation, and the unwillingness of residents to contribute to voluntary subscriptions.⁸ The new commissions, which were funded through local rates, took over these tasks and placed the improvement and maintenance of all public spaces on a rigorous and systematic footing. For example, increasing numbers of streets were lit, with much greater numbers of lamps, lit and extinguished at set hours. They also greatly expanded the remit of local government, adding new tasks such as the planned provision of drains and sewers, regulating the provision of water in new houses, the creation of public parks, and controlling businesses such as slaughtering and hackney cabs. Ever-expanding lists of byelaws specified which forms of behaviours were not acceptable in urban areas, ensuring the smooth and safe flow of people and traffic through the streets. While commissions in different towns tended to have very similar powers (since most came through the Burgh Police Acts), the scale and range of their endeavours varied with the size of communities and the amounts of revenue raised through local rates. Police in the large towns and cities were the first to launch major programmes of paving, drainage and sewerage, had larger police forces patrolling more frequently, and more rigorous regulation of building and trading. The administration of smaller towns took on such tasks later, and on a smaller scale.

The police commissions also reflected a shifting balance of social power within towns, and new expectations of urban governance. The growing ranks of the urban middle classes were excluded from the old burgh councils which often had very restricted entry.⁹ At the same time, it was increasingly accepted that responsible citizens should endeavour to create a polite, civil society.¹⁰ The police commissions governed on behalf of all residents, attempting the difficult task of balancing the rights of private citizens to go about their lives

⁷ R. M. Urquhart, *The Burghs of Scotland and the Burgh Police (Scotland) Act 1833* (Motherwell, 1989); *idem*, *The Burghs of Scotland and the Police of Towns (Scotland) Act 1850* (Motherwell, 1989); *idem*, *The Burghs of Scotland and the General Police and Improvement (Scotland) Act 1862*, Parts I and II (Motherwell, 1991).

⁸ B. Harris, 'Towns, improvement and cultural change in Georgian Scotland: the evidence of the Angus burghs, c.1760–1801', *Urban History*, 33 (2006), 195–212.

⁹ Barrie, *Police in the Age of Improvement*, 97.

¹⁰ D. Barrie, 'Police in Civil Society: Police, Enlightenment and Civic Virtue in urban Scotland, c.1780–1833', *Urban History*, 37 (2010), 45–65.

and businesses with the collective public interest. Residents were represented by commissioners, elected for wards within the town on a wide franchise. The resulting bodies provided a fair reflection of local economies: in Edinburgh, significant numbers of doctors and lawyers served as police commissioners; in towns and villages, the commissions were dominated by small businessmen – fishermen, farmers and shopkeepers. Serving as a police commissioner was very much a part-time post: members attended weekly meetings but for the rest of the time they were effectively private citizens and they reflected the concerns and sensibilities of respectable residents.¹¹

Controlling disease in towns clearly fell within the general remit of the police commissioners to promote the collective interests of their community: epidemics threatened the health of residents and the functioning of the local economy, as travellers avoided infected or unhealthy locales.¹² In the early and mid-nineteenth century, when police commissions were established, central government policy on public health focused on sanitary reforms. Edwin Chadwick's *Report on the Sanitary Condition of the Labouring Population* of 1842 established that disease was generated by dirty environments and left little room for other possible sources of infection.¹³ Chadwick's work set a narrow agenda for public health policy but many doctors, particularly those trained in Scotland, had a broader understanding of disease causation. They placed a greater emphasis on the role of contagion – the passing of infection directly from person to person – when explaining epidemics. A few went so far as to claim that contagion was the only means by which disease was transmitted, and that efforts to clean the urban environment would have no effect on epidemics. Scottish practitioners also maintained a belief that a poor diet, inadequate clothing and filthy housing conditions predisposed inhabitants to fall victim to epidemics.¹⁴ Thus, for the Scottish police commissions there was a range of potential strategies for dealing with urban disease, not just cleaning up the environment but isolating the victims of disease and providing aid to the poor. Over the middle decades of the century, police commissions in towns across Scotland put all of these strategies into action to combat disease.

Strategies to control disease could simultaneously improve the urban environment. Street cleaning was an important part of the commissioners' work and a central part of their responsibility to maintain public spaces in an orderly

¹¹ D. Brunton, 'Policy, Powers and Practice. The Public Response to Public Health in the Scottish city', in (ed.) Steve Sturdy, *Medicine, Health and the Public Sphere in Britain, 1600–2000* (London, 2000), 171–88.

¹² R. Deuchar, *Observations on the prevalence of epidemic fever in Edinburgh and Glasgow: and means suggested for improving the sanitary condition of the poor* (Edinburgh, 1844), 3.

¹³ C. Hamlin, *Public Health in the Age of Chadwick: Britain, 1800–1854* (Cambridge, 1998).

¹⁴ C. Hamlin, 'William Pulteney Alison, the Scottish Philosophy, and the Making of a Political Medicine', *Journal of the History of Medicine and Allied Sciences*, 61 (2006), 144–86; *idem*, 'The "necessaries of life" in British political medicine, 1750–1850', *Journal of Consumer Policy*, 29 (2006), 373–93.

state. Residents saw cleansing as highly desirable: virtually every new police commission was given powers to undertake cleaning (the rare exceptions were towns where cleaning was organised by other means). Streets full of dirt and filth hampered the free passage of people and goods and they were unpleasant for both residents and travellers. In their minutes the Edinburgh police commissioners noted that ‘the comfort and security of the citizens depends greatly on the manner in which the streets are cleaned’.¹⁵ Street cleaning was also an important means of attracting people to towns. The commissioners in the nearby resort of Musselburgh noted that an ‘indifferently cleaned locality ... will at once be a sufficient preventative to strangers and visitors from coming into the neighbourhood.’¹⁶ Regular, frequent street cleaning is rarely identified as part of sanitary reform (by contrast, the removal of dirt by sewers is seen as a key nineteenth-century sanitary reform), but it was an important response to an unhealthy environment. Glasgow’s Police Act of 1843 allowed the commission to ‘make regulations for watering, sweeping, and cleaning ... for the purposes of disinfection and otherwise promoting the Health of the inhabitants’.¹⁷

Cleansing took up a substantial part of the police commissioners’ budgets and, in larger communities, required considerable administration. Commissions employed a staff of ‘scavengers’ to sweep the streets, either directly or through a contractor. In large cities, this could be a staff of over a hundred men, plus supervisors to ensure that the work was properly carried out. Street-cleaning equipment was simple and cheap – brooms, wheelbarrows and horses and carts. In cities and large towns where large amounts of horse and pedestrian traffic created large volumes of refuse, cleaning was frequent and scheduled so as to avoid disruption to the movement of people and goods. Streets were swept every day and rubbish collected twice daily, morning and evening, except on Sundays. (To avoid breaking the Sabbath, there was extra cleaning on Saturday evenings.) In many large towns, the dust carts had to have completed their rounds by 8AM in the summer and 9AM in the winter. The police authorities removed huge amounts of refuse from the public spaces of towns: the Edinburgh Police Commission shifted over 40,000 tons of refuse every year in the 1850s and the Perth commission around 7,000 tons.¹⁸ In small burghs, such as Anstruther in Fife, a single scavenger was employed to clean the streets less frequently – once or twice a week – and they set their

¹⁵ Edinburgh City Archives, Edinburgh Minutes of General Commissioners, ED9/1/4, 5 November 1821.

¹⁶ National Records of Scotland, Edinburgh (hereafter NRS), Musselburgh Town Council Minutes, B52/3/11, 26 February 1861.

¹⁷ An Act to Consolidate, Amend, and extend the Provisions of Several Acts for the Better Paving, Watching, Lighting and Cleansing, and for the Regulating the Police of the City of Glasgow, 6 & 7 Vict., cap. xcix (hereafter Glasgow Police Act, 1843), cl. cxlviii.

¹⁸ *Report by the Cleaning and Lighting Committee of the Town Council of Edinburgh, regarding the Cleaning Department of the Police Establishment* (Edinburgh, 1859), 11; Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 13 July 1868.

own schedules.¹⁹ Even in small communities, the scavengers' work came under scrutiny: from 1858, the Kilrenny scavenger had to keep a time book²⁰ and those who failed to clean the streets to an acceptable standard were warned or sacked.²¹

The provision of regular, efficient street cleaning was made possible through a commercial transaction: dirt from streets and homes was disposed of by selling it as agricultural fertiliser. This meant that although commissioners and residents were clearly concerned by levels of urban dirt, they were highly selective in which forms of refuse were removed by the police authorities. Legislation gave the police commissions the right to remove dust, ashes, and dung or 'fulzie' from public spaces and commissions also collected refuse from homes and from businesses such as fish processors and slaughterhouses. Other forms of rubbish, such as building rubble or refuse from industry remained the responsibility of private citizens and businesses, who had to organise for its proper disposal. The careful distinction between different forms of refuse partly reflected concerns for health and aesthetics – dung and rotting offal smelt bad and were linked to disease – but also commercial issues. Only organic material was suitable as fertiliser, and fish and animal offal was thought to add to its potency. Sales brought considerable sums into the police commissions' coffers. Towns could raise a few hundred pounds each year: the Inverness Police Commission's dung sales realised over £575 in 1877.²² Big cities raised thousands: Glasgow brought in £17,000 from manure sales in 1872–3.²³ Such profits required the careful management of street cleaning: in Stornoway, the police manure was so full of ashes and cinders that it was unsaleable and had to be given away.²⁴

Providing public conveniences was another strategy to maintain and improve public spaces and protect the public health. Promoting health was an important rationale: conveniences stopped people urinating and defecating in public spaces, producing dirt which formed a nuisance and was a possible cause of disease. Conveniences promised to make towns more pleasant and were also a source of comfort for residents and travellers. They also improved public morals, preventing men (and virtually all public conveniences were built for men) exposing themselves to the gaze of passers-by as they relieved

¹⁹ St Andrews University Library (hereafter StAUL), Special Collections, Anstruther Police Commissioners Minutes, B3/6/3, 16 December 1842.

²⁰ StAUL, Special Collections, Kilrenny Police Commissioners Minutes, B3/6/1, 29 June 1858.

²¹ *Ibid.*, 27 December 1849.

²² Highland Archive Centre, Inverness, Inverness Police Commissioners Minutes, 1/4/2, 9 May 1877.

²³ Mitchell Library, Glasgow, 'Abstract Statement of Income and Expenditure, Police Board of Glasgow', E3.3.2.

²⁴ Museum nan Eilean, Stornoway, Stornoway Police Commissioners Minutes, R1.473, 11 April 1870.

themselves in public spaces.²⁵ Public conveniences appeared in towns from the 1820s, their numbers gradually increasing over time. Montrose had one ‘necessary’ in 1834, Prestonpans boasted two in 1863, and Kelso had a single public necessary in 1843 but at least three by 1848. Glasgow had almost 200 urinals by 1875.²⁶ The structures aimed to create a space which exemplified the virtues of the civilised town – light, clean, and healthy, visible to the public yet offering privacy – and was the antithesis of the dim, dirty, disease-ridden corners used for unregulated defecation. They also made use of modern technologies. Initially housed in buildings, by midcentury standardised urinals were mass produced by ironworks, made of highly decorative pierced metal. They were lit by gas lamps, were supplied with water to wash away smells, and were well ventilated. To protect the morals of residents, the structures were designed to ensure that the interiors were screened from the public gaze.²⁷ Conveniences were made of impermeable materials such as stone or iron which could be readily cleaned and the police authorities’ cleaning staff were responsible for regularly removing excrement, washing out and periodically scrubbing and disinfecting the structures.

Providing public conveniences was a small part of the work of the police commissioners. They required relatively small amounts of money to construct and maintain: it cost just over £10 to build an eight-seat public privy in Montrose in 1846.²⁸ However, decisions on where to site the facilities took up a disproportionate amount of time and energy, as members of the public frequently objected to plans for new conveniences. The authorities aimed to site conveniences in three areas. First, they were positioned near those out-of-the-way spaces where pedestrians often relieved themselves. Secondly, they were placed in areas with high volumes of pedestrian traffic. In Glasgow, for example, there were urinals at the ends of bridges over the Clyde. Finally, a few conveniences were built in working-class neighbourhoods at the request of residents, apparently to supplement private privies in densely populated areas, such as in Causewayside in Edinburgh. While public conveniences promised to advance the public good by helping to maintain the condition of public spaces and provide for the comfort of travellers, they focused dirt, smells and moral hazards into small areas. Conveniences therefore sacrificed the interests of residents living in the immediate vicinity to the good of the wider public. Given the openness of the commissions to comment and scrutiny, it was not

²⁵ D. Brunton, ‘Evil Necessaries and Abominable Erections: Public Conveniences and Private Interests in the Scottish city, 1830–70’, *Social History of Medicine*, 18 (2005), 189–91.

²⁶ NRS, Prestonpans Police Commissioners Minutes, B76/2/1, 11 May 1863; Scottish Borders Archives, Hawick, Kelso Police Commissioners Minutes, TD5/15/1, 13 March 1843, 15 November 1848.

²⁷ Brunton, ‘Evil necessities’, 192–3.

²⁸ Angus Archives, Forfar, Montrose Police Commissioners Minutes, M1/2/2, 26 June 1846.

surprising that local residents often challenged plans to build new conveniences and even went to court to obtain interdicts to halt construction. As a result, the police authorities had to seek compromises, shifting the proposed facility, agreeing to reorient the structure, or even painting it a colour which would blend into the background. Sometimes this was not enough, and plans had to be abandoned.²⁹

Street cleaning and providing public conveniences were public health strategies which readily fitted into the police commissions' responsibilities to deal with public space. At first glance the control of repeated outbreaks of 'fever' (probably typhus) and cholera throughout the century did not. However, epidemics were generally associated with poverty, dirt and overcrowding, and from the 1830s, police commissions began to make substantial efforts to control infectious disease. In the cholera epidemic of 1832 the Edinburgh Police Commission took on the task of cleaning up public areas, employing thirty extra scavengers who helped to remove 3,000 cartloads of rubbish from cellars and houses.³⁰ In subsequent cholera outbreaks in 1848, 1853 and 1866 the police commissions of many towns increased the frequency and scope of street cleaning with a view to – as the authorities in Kelso put it – getting the town into a 'more cleanly' condition.³¹ Extra staff were employed and dust carts made extra rounds to collect up filth.³² Accumulations of dirt were also removed, drains and gutters were disinfected, and pigs were removed beyond the boundaries of the town.³³

As well as cleaning up public space, police authorities in many towns began to extend their work into the semi-public space of the closes which led from streets into homes.³⁴ While it was never clear in law which public body was

²⁹ Brunton, 'Evil necessities', 193–201.

³⁰ R. Christison, 'Account of Arrangements by the Edinburgh Board of Health', *Edinburgh Medical and Surgical Journal*, 37 (1832), supplement on cholera, cclvi–cclvii.

³¹ Scottish Borders Archives, Hawick, Kelso Police Commissioners Minutes, TD5/15/1, 12 October 1848.

³² StAUL, Special Collections, Kilrenny Police Commissioners Minutes, B3/6/1, 24 September 1853; *idem*, Elie Police Commissioners Minutes, B24/12/1, 18 June 1866; NRS, Musselburgh Town Council Minutes, B52/3/11, 2 August 1866, 9 October 1866; NRS, Prestonpans Police Commissioners Minutes, B76/2/1, 14 May 1866; Scottish Borders Archives, Hawick, Kelso Police Commissioners Minutes, TD5/15/1, 20 September 1849; Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 18 July 1866.

³³ StAUL, Special Collections, Kilrenny Police Commissioners Minutes, B3/6/1, 12 November 1866; NRS, Musselburgh Town Council Minutes, B52/3/11, 2 August 1866. Urban pig keeping was conducted on an extensive scale: in 1866 there were 363 pigs kept in Musselburgh (NRS, Musselburgh Police Commissioners Minutes, B52/3/11, 6 September 1866).

³⁴ NRS, Musselburgh Police Commissioners Minutes, B52/3/11, 8 May 1866; StAUL, Special Collections, Anstruther Police Commissioners Minutes, B3/6/3, 22 August 1866; StAUL, Special Collections, St Andrews Police Commissioners Minutes, B65/13/4,

responsible for the condition of closes, their proximity to public space and the possibility of using street-cleaning staff and the hose of the police fire engine to wash them out meant that these areas could readily be absorbed into the police commissions' work for the duration of epidemics.³⁵ In the 1840s, the police commissions further extended their work into private domestic space by cleaning, disinfecting and lime-washing infected or simply dirty houses. In the early decades of the nineteenth century, charities had taken on this work. Edinburgh, for example, had a very active Fever Board and a Destitute Sick Society. During the typhus epidemic of 1818–9 these charities organised temporary hospitals, distributed food, clothing and fuel to help the poor to resist infection and tried to reduce the spread of disease by cleaning and fumigating infected homes. Work was conducted on a huge scale: the Fever Board dealt with 2,470 fever cases and fumigated 985 homes.³⁶ The commissions' willingness to move into private homes is surprising but the police had the staff, equipment and experience suited to the role. It also reflected a shift in public expectations about who should be responsible for urban disease: in the 1830s and 1840s, the existing charities lost public support and struggled to raise funds. In the 1843 typhus epidemic, the Edinburgh police authorities took over responsibility for cleaning interiors, dealing with over 5,000 stairs, rooms and closes in just four months.³⁷ They continued to do this even after 1845, when the Scottish Poor Law gave parochial boards formal responsibility for dealing with the sick poor. The city's parochial boards lacked the staff to undertake the task, and approached the police for help.³⁸ Such efforts were not confined to the big cities; in Kelso and in Montrose the police commissions cleaned and disinfected the interior of homes 'for the preservation of the health and comfort of the inhabitants'.³⁹

Epidemics prompted the police commissions to engage in a range of other actions, some of which appear to have few precedents. During cholera epidemics, a number of commissions tried to educate residents by issuing handbills of advice on how to avoid infection, a practice which was not dissimilar to issuing of byelaws or notices about nuisances.⁴⁰ However there was no parallel for the commissions' work in setting up temporary cholera

12 December 1860; Angus Archives, Forfar, Montrose Police Commissioners Minutes, M1/2/3, 5 September 1852, 19 September 1853.

³⁵ Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 1 February 1865.

³⁶ Deuchar, *Observations on the prevalence of epidemic fever*, 9.

³⁷ Edinburgh City Archives, Edinburgh Police Commissioners Minutes, Cleaning Committee, ED9/3/4, 29 September 1843, 9 October 1843.

³⁸ *Ibid.*, 26 February 1848, 4 November 1848.

³⁹ Angus Archives, Forfar, Montrose Police Commissioners Minutes, M1/2/2, 2 January 1844; Scottish Borders Archives, Hawick, Kelso Police Commissioners Minutes, 1/1/3, 9 March 1868.

⁴⁰ NRS, Linlithgow Police Commissioners Minutes, B48/10/1, 16 August 1866; Highland

hospitals, sometimes independently, sometimes in conjunction with the local parochial board.⁴¹ The police also carried out traditional practices which are usually thought to have died out by midcentury. As late as 1866 the Perth Police Commission made donations of food and blankets to cholera patients and organised the burning of tar barrels, which was supposed to clear the air of infection.⁴² This can be interpreted as a faith in traditional measures or as acts of desperation, trying absolutely anything in the face of a terrifying disease. By the 1870s, the police commissions' role in dealing with infectious disease by cleansing public and private space had become an established part of their responsibilities, confirmed by powers granted under the 1867 Public Health Act. The commissions began to take action in the face of a wider range of familiar infections such as smallpox, fumigating homes and washing infected clothes and bedding.⁴³

Around the middle of the century, police authorities began to bring other private spaces such as slaughterhouses and common lodging houses under their scrutiny in the pursuit of health and good order. Common lodging houses were perceived to pose a particular disease threat: the poor travellers who used such houses were blamed for bringing infectious disease into towns and the crowded and dirty accommodation within lodging houses provided a perfect medium for infection to spread.⁴⁴ The concern with common lodging houses also reflected a wider concern with vagrancy. The police commissions tried to discourage vagrants wherever possible because they demanded help from local charities, putting a strain on their finances, and caused disorder on the streets by begging.⁴⁵

Clauses regulating common lodging houses first appeared in the police act for Edinburgh in 1822. These required lodging-house keepers to seek aid for any inmate suffering from an infectious disease within six days. In 1832, the time was reduced to two days and keepers were required to clean their lodgings. Similar clauses appeared in the Dundee Police Act of 1837.⁴⁶ By the 1840s the

Archive Centre, Inverness, Inverness Police Commissioners Minutes, 1/4/1, 14 August 1866.

⁴¹ NRS, Prestonpans Police Commissioners Minutes, B76/2/1, 8 September 1871; Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 19 October 1866; Aberdeen Archives, Peterhead Police Commissioners Minutes, 1/2/3, 6 August 1866; Museum nan Eilean, Stornoway, Stornoway Police Commissioners Minutes, R1.473, 31 August 1866; Highland Archive Centre, Inverness, Inverness Police Commissioners Minutes, 1/4/1, 22 August 1866, 3 January 1867.

⁴² Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 19 October 1866, 3 November 1866.

⁴³ *Ibid.*, PE 1/3/4, 10 June 1872; StAUL, Special Collections, Anstruther Police Commissioners Minutes, B3/6/3, 9 December 1871.

⁴⁴ Glasgow Police Act, 1843, cl. clxxxii.

⁴⁵ Barrie, *Police in the Age of Improvement*, 192–7.

⁴⁶ An Act for Watching, Cleansing and Lighting the Streets of the City of Edinburgh, Geo. IV, cap. lxxviii, cl. lxxviii; An Act for Altering and Amending certain Acts for regulating

regulations had been greatly expanded. The police authorities now licensed lodging houses, restricting the number of lodgers accommodated in any house, requiring keepers to report cases of infectious disease and specifying when and how lodging houses were cleaned.⁴⁷ They were incredibly precise. The Glasgow regulations issued in 1846 specified that floors should be washed on Wednesdays and Saturdays before 6PM. Houses should be thoroughly cleaned and lime-washed on the first day of January, April, July and October (unless these dates fell on a Sunday), while all blankets were to be cleaned on the eighth day of these same months.⁴⁸ The byelaws for Aberdeen and Edinburgh stipulated that the windows should be opened for two hours each day at stated times, and that the floors should be swept daily and washed every Saturday.⁴⁹ Over time, further rules were added. Those passed in Perth in 1865 and Helensburgh in 1868 required one chamber pot to be provided for each bed.⁵⁰

Rules were supposed to be enforced by regular inspection by members of the police force, or inspectors employed by the police commissions.⁵¹ Evidence of the implementation of this legislation is rather thin: possibly because it rapidly became a routine matter, and was reckoned not worthy of comment in the commissions' minutes, or possibly because it was implemented in a rather desultory way. In Kelso, the town's lodging houses were reported to have been licensed in 1849, but in 1868 the minutes noted that they were not licensed and in 1870 they were described as overcrowded.⁵² Authorities put more effort into regulating lodging houses when disease threatened. In Edinburgh in late 1852 as cholera approached, notices were distributed reminding lodging-house keepers of the rules, which resulted in a surge of applications for licenses.

Until the 1860s, with the passing of the Public Health Act and the appointment of the first Medical Officers of Health, preventing and controlling disease was never established as a separate function within the police commissions' responsibilities. Instead, a range of actions designed to

the Police of the City of Edinburgh, Gul. IV, cap. lxxxvii, cl. xxxv; An Act for the Better Paving, Lighting, Watching and Cleansing the Burgh of Dundee, 1 Vict. (hereafter Dundee Police Act 1837), cl. cli.

⁴⁷ Glasgow Police Act, 1843, cl. clxxxii-clxxxv; An Act for more effectually Watching, Cleansing, and Lighting the Streets of the City of Edinburgh, 11 & 12 Vict. cap. cxiii (hereafter Edinburgh Police Act, 1848), cl. cc-cci.

⁴⁸ *Glasgow Herald*, 12 December 1846.

⁴⁹ Aberdeen Archives, Aberdeen Police Commissioners Minutes, vol. 9, 19 January 1857; *Caledonian Mercury*, 20 December 1849.

⁵⁰ Perth and Kinross Council Archive, Perth Police Commissioners Minutes, PE1/3/2, 21 December 1865; Argyll and Bute Archives, Lochgilphead, Helensburgh Police Commissioners Minutes, BH/2/1, 4 July 1868.

⁵¹ StAUL, Special Collections, St Andrews Police Commissioners Minutes, B65/13/4, 15 October 1853; Dumfries Archives, Moffat Police Commissioners Minutes, GC1/1, 20 June 1866.

⁵² Scottish Borders Archives, Hawick, Kelso Police Commissioners Minutes, TD5/15/1, 17 October 1849; *ibid.*, 1/1/3, 9 March 1868, 14 March 1870.

deal with disease were well established within their work, pursued alongside the goal of improved civic amenity. The mix of motives was made clear in appeals for actions to promote the ‘health, comfort and convenience’ of the citizenry (it is interesting that ‘health’ usually came first in this list). In addition to the public health strategies described here, similar formulations were used to legitimate tackling nuisances; forms of dirt which were described as ‘prejudicial to the health or comfort of any inhabitant’⁵³ or ‘injurious to health or comfort’.⁵⁴ They were also used in response to a range of other environmental problems such as defective drains and gutters, inadequate water supply and a lack of water closets.⁵⁵ In these examples, appealing to a need to improve health may have served a rhetorical function, giving additional weight to claims on police time and finances.

The records of the Scottish police commissions show that the health agenda was broad and complex. Rather than shifting from sanitary reform to disease control, as edicts from Whitehall suggested, for most of the century, the Scottish police commissions simultaneously pursued strategies to prevent disease through environmental action and through measures to control contagion, some of which were taken forward by Medical Officers of Health after 1863. As these case studies show, the scope of public health activities was not static: police commissions gradually expanded their sphere of activities from public space, their established area of responsibility, into private space within homes and businesses. This shift in public health practice mirrored and helped to drive a more general resetting of the boundaries of action of the police commissions. Instead of being guardians of public space, concern for the health and living conditions of the population drove the commissions to take on responsibility for the condition of private space – for example, by setting minimum requirements for the size of and facilities within dwellings. Public health then was not a minor part of the police commissions’ work: in many respects it encapsulates the concerns, the shifting responsibilities of urban bodies, and changing limits of action within local government.

⁵³ Glasgow Police Act, 1843, cl. clv, clxi; An Act for better Paving, Cleansing, Lighting, Watching, and Improving the Streets, Lanes and other Public Places and Passages within the City of Aberdeen, 10 Geo. IV, cap. xli, cl. cxlii; Edinburgh Police Act, 1848, cl. cxcii.

⁵⁴ Dundee Police Act 1837, cap. cix, cl. cxiii.

⁵⁵ See for example Highland Archive Centre, Inverness, Inverness Police Commissioners Minutes, 1/4/1, 13 January 1869; Mitchell Library, Glasgow, Glasgow Police and Statute Labour Committee, E.1.2.2, 1 March 1849; *idem*, E.1.2.4, 1 July 1850; Aberdeen Archives, Peterhead Police Commissioners Minutes, 1/2/2, 29 September 1853; Edinburgh Archives, Leith Police Commissioners, Committee Minutes, SL80/4/13, 30 January 1864.