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| Boulton and ParkA Story based on FactBy Maryanne PetersSodomy is a crime against God and the Laws of England, as I trust we all know. I was told that King Henry VIII signed the first Buggery Act into force. For myself, it was not a subject I gave much thought to, being concerned with more practical matters, like food on the table for my two motherless children. | https://upload.wikimedia.org/wikipedia/commons/thumb/9/9e/Ernest_Boulton_and_Frederick_Park_leaving_Bow_Street_Magistrate%27s_Court.jpg/220px-Ernest_Boulton_and_Frederick_Park_leaving_Bow_Street_Magistrate%27s_Court.jpgA crowd watches Boulton and Park leave Bow Street Magistrates' Courton the morning after their arrest (*The Illustrated Police News April 1870*) |

But I earned enough as a Sergeant in the London Metropolitan Police to keep my household – my son and my daughter and my aging mother who could mind them while I worked.

But everything changed when I was asked to accompany Superintendent Markham in the arrest of Messrs. Boulton and Park.

He was my superior, but I had no concern with this case which had been ongoing for some time. These two persons had been under investigation for some time by junior officers. They were gathering evidence for charges that were not disclosed to me, and I was told that was why I would be present should there be an arrest.

“I may well let my disgust dictate my actions,” warned the superintendent, although I had no idea what he was talking about.

It was the evening of 28 April 1870, a pleasant spring evening. Superintendent Markham and I had been called to the Strand Theatre in West End and were met there by an officer out of uniform acting as a “detective”. This officer confirmed that he had followed a party of three men from a house in Wakefield Street, near Regent Square to the theatre and that there were now two other “gentlemen” in the box with them. We waited outside until we heard the applause for the end of the performance, before entering.

I confess that I was confused when I did enter, for it seemed to me that there had been a mistake and we had entered the wrong box. There were five people in the box as we had been told, but they were (as it appeared to me) two men and three ladies. The older man became known to me later, but I decline to identify him for this story. The younger man was Hugh Alexander Mundell. The youngest of the ladies I will also not name for reasons I shall explain, but the other two ladies identified themselves as Stella Boulton and Fanny Winifred Park.

“They are not women,” said Superintendent Markham. “These two definitely not. The girl I am not so sure. Arrest them all for indecency, sergeant.”

I have always followed orders so I did what I was told and placed a hand on each of Boulton and Park, as is required for formal arrest, while reciting the words “I arrest you”, but I still did not have the true names. That would come later. They both seemed unperturbed, and even giggled in a very feminine way as I went about the formalities.

As it turned out, these were people of the upper middle class. Thomas Ernest Boulton was the son of stockbroker. Apparently he had worn female clothing from Childhood and his mother had given him the nickname "Stella". Frederick William Park was the son of barrister and later judicial officer Alexander Atherton Park, and had joined his father in legal practice, but preferred another life living largely as a woman. They were both educated and well-spoken and totally convincing as women.

While I attended to these two, Superintendent Markham was in animated conversation with the older man who then left with the younger “lady”. Later reports were that they had escaped, but there is no doubt in my mind that Superintendent Markham directed it and instructed the “detective” securing the door to let them pass. However, I noted that the gentleman carried a cane embossed with the insignia of the Blues and Royals Household Cavalry.

I had also noticed that the “girl” that he had claimed was his niece, just before he decamped. I thought that it must be madness to suggest that such a pretty thing was in fact a boy. While it did not absorb my thinking at the time, I became intent on proving that this was not the case.

But for now we had three “men” in our custody and a police carriage on the way. We bundled out Mundell protesting innocence, and Boulton and Park in their hoop-skirted finery and wigs, into that carriage to be taken to the Bow Street Police Station.

No doubt Superintendent Markham chose me for my attention to the legalities, and for putting my job ahead of any prejudices, but as I said, I followed orders because my job was essential to me. Nevertheless, to see people treated as Boulton and Park were was deeply offensive to me. Their consent was never obtained to the physical examination that took place, and the nature of that examiniation was demeaning. Then there is the question of forensic evidence compromised by the search for a predetermined state of affairs.

Dr. James Paul’s report found in the case of both men that “The anus was dilated, and more dilatable, and the muscles surrounding the anus easily opened”. His conclusion was that they had both committed sodomy. Having found that there was no offence of dressing in women’s clothing, and that any charges of obtaining by false pretences required a transaction, the only charge that could be laid was one of sodomy. And (as I have said at the very beginning) this is an old and serious crime.

Quite what was behind all of this may be harder to understand, but the fact is that it quickly grew into something much greater. How this happened remains a mystery, but the following morning, when Boulton and Park were escorted across the road to Bow Street Magistrates Court to face charges, a large group pf people had gathered. They were still wearing their dresses from the night at the theatre, and with the spotlight upon them, both took some care to appear presentable, where Mundell hid his face.

There had been no report in the paper, so quite how this happened is for anybody to guess, but there were rumours that Boulton and Park were seeking attention in order to launch the theatrical career that was to take them to the United States the following year. But for now, the charges read before a packed public gallery, were serious.

The first charge was that all defendants “did with each and one another feloniously commit the abominable crime of buggery”. The second charge was that they “did unlawfully conspire together, and with divers other persons, feloniously, to commit the said crime” and “to induce and incite other persons feloniously with them to commit the said crime”. The last charge was that they did “disguise themselves as women and to frequent places of public resort, so disguised, and to thereby openly and scandalously outrage public decency and corrupt public morals”.

This last one seemed to me to be an invented charge, and it led to a wider discussion which scandalised polite society in London at the time.

The press played a large part in stoking the fire. One headline was “The Gentlemen-Women Case” another “Men in Petticoats”. There were description of their clothing and hairstyles, in place of the more lurid details contained in the more serious charges.

Then a series of illustrated pamphlets appeared, almost all portraying Boulton and Park as feminine and glamorous, some in praise of their beauty, and others excoriating them as perverts.

They were remanded for trial and the police were directed to gather more evidence. A large part of that task fell to me, working under Superintendent James Thompson, who had received the added remit that he should “uncover further perversion of this nature and bring it before the Courts.”

Everybody may have appeared shocked by the behaviour of these men, but I have been a policeman for a long time, and even then I had seen my share of odd behaviour of a sexual nature. Not was this confined to the upper classes. It is just the poor cannot afford the costumes. Fantasies are not uncommon. I have heard a woman ask her man to blacken his face and body with soot because she wanted sex with a negro. One disturbance I attended was a couple in coitus with him barking like a dog and her squealing like a cat. Some men will place their member in many an odd place, and often the police are called to rescue him. Not much surprises me.

Perhaps the upper classes can pursue their depraved behaviours in their own homes, which is well and good. But Boulton and Park had stepped into the public eye. They had opened Pandora’s Box.

Superintendent Thompson needed to find proof of sodomy. One of the first things was to turn Hugh Mundell for the Crown, but as this man pointed out (as would be expected) he thought both Boulton and Park were women. He was released on condition that he be a Crown witness, but he had nothing to add.

So the search was on for anybody who associated with these very sociable and well-connected “ladies”. As it turned out, the list was large. Superintendent Thompson himself travelled to Scotland to interview and then arrest and charge John Safford Fiske, The American Consul in Scotland. Love letters from Fiske had been found in a search of material addressed to Stella Boulton. Fisk was forced to resign as consul and his career in public service in the United States was destroyed even though he was later acquitted.

I myself interview one William Somerville, another associate of Boulton and Park who arrested and charged but not by me. My investigation had discovered that Mr. Somerville also ventured out in public in women’s clothing in the company of that much prettier pair “for support”. He stated that he had no intention of buggering anybody, and that when I came to sexual relations he preferred women.

Still, higher ranks in the police were intent on eliminating depravity. Charges were laid. Reputations were destroyed. One major casualty was Lord Arthur Clinton, a prominent Member of Parliament who was also charged and then promptly died, although some say that he disappeared into exile. Others, including Somerville absconded before the trial, and with no charges against Mundell, that left Boulton and Park to face the court alone.

I decided to seek out the couple who had been at the theater on that first encounter. They was no real difficult in going through the lists at Knightsbridge Barracks and finding the man I was looking for by description. He proved to be a retired officer of the Blues and Royals who was most keen to remain anonymous given the growing furore in polite circles at the time.

He insisted that arrangements were in place to do just that, which I was not party to, but he offered (with a total lack of chivalry – I thought) to surrender to me his “ward” who went by the name of Emily Chilcott. He explained that Emily was a boy who had been encouraged to dress as a girl first by his mother, and latterly by Boulton and Park. She lived with him, but he swore that he had not sodomised her. She was, he said “A feminine escort for an old retired soldier”.

This poor girl, for that is what she appeared to be, was summoned from a room at the top of the house, and promptly delivered to me, for arrest and punishment. I am sure that what was expected of me was that I arrest this creature then and there, but as I was on my own I decided that an interview was required, and not at the police station. There was a tea shop nearby.

Poor Emily was close to tears. She was came from a well-to-do family in Kent and was a favorite of her mother, who had (as her patron described) dressed her as a girl for longer than is customary. But when she insisted that she would never dress as a boy her father effectively ejected her from the family home. She made her way to London and found support from Fanny Boulton and her friends. She was placed with her patron, whom she said to no advantage of her and did indeed, treat her as his ward.

Where is the offence in any of this? There is no buggery; no unlawful conspiracy, no inducement or incitement, no intention to deceive for improper ends. How could the presence of such a pretty young girl outrage public decency or corrupt public morals?

But it seemed to me that now that she was ejected by her patron and not wanted at home, what was to become of her? I consider myself a man of conscience. I would not have been a good policeman were I not. I my domestic situation had its own problems. My mother had recently become quite ill, and I was facing an imminent emergency at home.

Her evidence was not required at the trial of Boulton and Park. That trial began on 9 May 1871 before a grand jury presided over by the Lord Chief Justice Sir Alexander Cockburn. The prosecution was lead by the Attorney General Sir Robert Collier and the Solicitor Sir John Coleridge. It is difficult to imagine a Court of this scale. There were two others appearing with Boulton and Park and all four defendants were represented by Sir George Lewis, a friend of the Park family.

The prosecution opened with fire and brimstone, and talk of sin and depravity, as evidenced by a trunk full of women’s clothes presented to the jury. This was clear proof of homosexuality.

The defence said that Boulton and Park were both naïve young men inclined towards the theatrical. Their crime was not knowing when a performance ends. As for the medical evidence – the evidence of dilated or dilatable anuses, that was debunked with a flourish. There were medical experts who had examined both men in a proper setting and found no evidence of sodomy.

On the contrary, evidence was called that both Boulton and Park were “coy and even chaste”. While in the guise of women, and purely as a theatrical exercise, they encouraged romantic love, of the type expressed towards them in letters by the late (so it was supposed) Lord Clinton and the recently resigned John Fiske.

The crowning witness for the defence was Boulton’s mother Mary Boulton. She said that her son “has had a hankering for the stage since he was a child. He always excelled in imitation, of male characters as well as female ones. But when off the stage he had friends who encouraged him to remain in costume for their private amusement. Ernest and his friend Freddy and some others who admire his skills are just a cozy domestic circle of young men enjoying and extended performance.”

The judge was also highly critical of the Police, and in particular the conduct of Superintendent Thompson outside his jurisdiction in Scotland. He criticized the physical non-consensual examination of Boulton and Park, and the decision to prosecute, all of which I had protested internally.

The jury deliberated and all defendants were acquitted in less than an hour. The public gallery erupted into spontaneous applause

Boulton and Park went on to continue performing as women across Britain and also the United States, but they also appeared on stage in male attire.

That was not the case with Emily. I contacted her past patron and had all of her other belongs sent to my house soon after my mother died. I was promoted to Inspector in the metropolitan Police a short time later. It was only possible because I have a wife, of a sort, to care for my children and to love and support me as only a woman can.

Well, not only a woman, I suppose.

The End

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