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1

Introduction: Urban Growth, Social Order and Policing

This is the story of an initially small but rapidly expanding community in the north-eastern corner of the north riding of Yorkshire, and the way in which its founding fathers and their successors set about creating and maintaining an acceptable degree of order and decorum in a town which, especially in its earlier days, had many of the qualities of a frontier settlement. More specifically, it is the story of a police force, from its creation and early vicissitudes to later, more stable times, and the work of its members. In part, this is an unashamedly local study that seeks to recount in detail the experience of a small group of men in one particular part of England over a period of some seven decades. However, despite its local focus, this book also throws light on the wider process of the creation of a policed society in the Victorian and Edwardian periods.

Over the last twenty years or so there has been an upsurge of interest in crime and policing in modern England and Wales. Emsley and Steedman have established the broad picture of police development while others such as Swift have provided valuable insight into local variations.¹ Similarly, the broad pattern of recorded crime has been delineated, notably in two important articles by Gatrell, while the creation of a policed society has been placed in a broader context of the rise of respectability.² Notwithstanding the recent spate of publications, our understanding of the evolution of policing and its impact upon crime is still dominated by two outstanding books that first appeared twenty years ago or more. David Philips' *Crime and Authority in Victorian England*, if not the first, was and is an outstanding study, firmly rooted in a detailed analysis of the Black Country, that provides an authoritative refutation of the highly-charged interpretations of crime in nineteenth-century England that relied too heavily and uncritically on literary sources such as Dickens.³ This ground-breaking

study was complemented by David Jones's insightful *Crime, Protest, Community and Police in Nineteenth-Century Britain*, which contained a series of studies that considered crime and police in rural and urban contexts and also in parts of Wales as well as England.⁴ Although he and Philips share a common concern for the complex inter-relationship between criminals, the police and their wider community, not least in his work on Merthyr Tydfil, Jones modified Philips' emphasis on the relatively low levels of violence in mid-nineteenth-century Britain.

It is into this broad context that the study of Middlesbrough should be placed. It will be argued that, although in the long term a stable police force was created that contributed to the 'civilising' of a town that can rightly be considered to be a frontier settlement in its earliest days, the process was slow and that significant parts of the local community remained turbulent and threatening well into the last quarter of the nineteenth century. Middlesbrough was unusual in being a new town. Its growth from a negligible 'out-of-the-way place' in the 1820s to a town of some 120,000 inhabitants on the eve of the First World War unsurprisingly caught the popular imagination. The frontier town of the early-Victorian years – the 'British Ballarat' as Briggs described it – never entirely cast off its rough-and-ready image.⁵ The town was clearly atypical and the experience of its police force necessarily unusual. However, the town's dramatic growth brought out in stark relief the problems faced, albeit in less extreme form, in many other parts of the country. Discussion of nineteenth-century urbanisation is enriched by a consideration of the distinctiveness of Middlesbrough, but the history of the town and of its police can only be fully appreciated when set in the wider context of Victorian urban and industrial development.⁶

During the nineteenth century the long-term processes of urbanisation and industrialisation accelerated at a rate that brought about a fundamental transformation of the country. Not only did the overall population grow but also the balance between town and country shifted significantly and irreversibly. People moved away from the hamlets and villages of England to the towns, especially the new industrial towns, as the centre of gravity of the country's economy shifted from agriculture to industry. Bolton and Burnley, or Halifax and Huddersfield, such were the exemplars of the new urban-industrial centre spawned by the classic 'industrial revolution'. At the micro level certain communities were transformed, though there is a danger of overstating the rate and extent of change in macro terms. Agriculture was still the largest single employer of male labour in the mid-nineteenth century, while in the late-nineteenth century the services

sector was as important as the industrial to the well-being of the nation. But there can be little doubt that by the early twentieth century a series of profound and inter-related changes had taken place that had changed the face of the country, the nature of society and, perforce, the ways in which it was governed.⁷

The growth of towns and cities evoked mixed emotions. There was a very positive side: urban life was associated with wealth and culture. The town embodied the human triumph over nature. Here could be seen the visible signs of progress, order and civilisation that underpinned a tradition of civic pride. But there was an equally negative side: towns were associated with major threats to order. To many respectable men and women, not just of the middle classes, they were 'physical and moral sewers' from which emanated threats to the well-being of the nation – disease, crime and disorder – that aroused considerable and continuing concern. There was something of a paradox in the fact that the town (or city) was living testament to progress, order and civilisation but created its own problems that threatened the existence of these virtues. The paradox could only be resolved by developing new ways of organising and governing society. The policeman with his bull-dog lamp, casting light into darkness, became a very apt symbol of the new urban order and the wishes of its ruling elites. Indeed, he was intended to be more: he was to be the embodiment of that wish to civilise urban society.

The association of towns and cities with crime and disorder has a long tradition but there was a qualitative change in the nineteenth century produced by the interaction of a number of different factors. The first has to do with the scale and pace of urban growth. Awareness and discussions of urban problems, even in the mid-eighteenth century, were dominated by the situation (real or imaginary) in London. The 'Great Wen' was of a size that set it apart from all other towns and cities. London never lost its absolute dominance in terms of brute size, but its relative importance in public perception declined as provincial centres burgeoned. Although their continuing dependence upon London meant that no genuine provincial 'capital' developed, the spectacular, distinctive and well-documented growth of Manchester and Liverpool, the emergence of medium-sized industrial towns in the west riding of Yorkshire, south Lancashire and the midlands, the expansion of old and new ports, and the appearance of sizable spa towns, transformed the face of England. The town, with its potential and problems, was an inescapable living presence across most of the country by the mid-nineteenth century.

The growth of towns and cities, lightly regulated in many ways, brought a variety of problems, of which the maintenance of social order is the most relevant to this study. The expanding towns, especially in the first half of the nineteenth century, grew because they attracted large numbers of people, often young and unmarried, lacking roots in the locality and less subject to normal social discipline. It is important not to exaggerate the disruption that took place: most migration was short-distance, many incomers had family or friends. However, it is equally important not to overstate the smoothness with which the transition from rural to urban took place, nor to underestimate the fears that were engendered by these unprecedented developments. A sudden influx of 'strangers' not only put pressure on physical resources but also put pressure on the social fabric of a town. There could be resentment between 'natives' and 'comers-in' as well as tensions between different migrant groups. Overcrowding in clearly defined parts of town could exacerbate these frictions. Small communities, characterised by face-to-face contact and codes of behaviour, often informally enforced, were gradually replaced by larger communities which were more impersonal and in which the informal 'ties that bind' were less secure, or at least, so many contemporaries believed.⁸

This situation was further compounded by the transition from a society characterised predominantly by vertical links to one characterised by horizontal links. Although less fashionable than some years ago, the question of class in modern English society remains a complex and contentious issue.⁹ Historians will continue to differ in their assessment of the emergence, extent and nature of class in the eighteenth and nineteenth centuries and of the relative importance of class compared with gender or ethnic divisions. Few would contest, though, that there had been a shift from a world in which orders and interests were seen as the central notions around which the social order was structured to one in which class (however imprecisely defined) played a major role. For many influential (that is propertied and educated) Victorians there was little doubt that the lower orders or working classes were not just a group apart but represented a serious threat to the civilisation which they, the elites, embodied. The toiling classes were an essential element in the generation of wealth but they were also (potentially at least) a major threat to civilisation. There was a perceived need to control and discipline the public activities of the working classes in particular that dated back to the late eighteenth century but which was felt more keenly in the 1830s and 1840s. The 'new police' were undoubtedly seen as a defence for the law-abiding

against the anti-social and criminal, and had an important and growing part to play in this process of social disciplining.

The emergence of larger, more impersonal, less cohesive urban communities was problematic enough in itself but the situation was further complicated by the emergence of new values and new expectations. At least four elements are worthy of note. First, attitudes towards personal security and public order changed. Behaviour, individual or collective, which once had been acceptable (or at least tolerated), was no longer so. There was less tolerance of interpersonal violence and growing criticism of boisterous and disruptive group behaviour. This impacted on society, and particularly working-class society, in a number of ways. Traditional forms of protest, for example food riots or mass demonstrations, were reconceptualised with greater, almost exclusive, emphasis on threats to order rather than expressions of the rights of free-born Englishmen.¹⁰ Traditional recreational activities, bull-running in Stamford, Shrovetide football and so forth, were similarly stigmatized. Even long-established work practices, notably for street-traders and itinerant salesmen, came under threat as order in public places became increasingly prized, at least among certain of the opinion-formers and law-makers of Regency and Victorian England.¹¹ Second, ongoing changes in the construction of masculinity were intimately related to the increasing intolerance of violence. A reaction against the libertine discourse of the Regency aristocracy led to greater emphasis being placed on male gallantry and protectiveness towards weaker members of society. The dismantling of the 'Bloody Code' in the 1820s and 1830s was accompanied by a growing critique of 'barbaric' violence by parliamentary reformers and judges. Self-control was increasingly seen as a distinguishing feature of English men. Violence between men and, even more so, violence perpetrated by men on women, children and the elderly, was correspondingly condemned.¹² Third, and also closely linked to the new attitudes towards order, there was a growing desire to improve standards of public behaviour, thereby bringing respectability and decorum to the streets. Again, once-acceptable behaviour came under attack from those who wished to suppress vice and reform morals.¹³ Finally, there was also an economic dimension to the new desire for order and decorum. Ill-disciplined, immoral men and women with their irregular lifestyles were unsuited to the increasingly structured and disciplined work practices of the factory and workshop. It is no coincidence that a reforming employer such as Wedgewood saw the reform of his workers' morals outside work to be related to and as important as the creation of a work discipline for them when employed at work.

The desire to re-moralise society was part of a wider religious revival dating from the late eighteenth century. This crusade was given added urgency by the growing awareness that religion – at least organised religion, especially in the form of the Church of England – played but little part in the lives of large numbers of ordinary men and women. Indeed, here was to be found, or so it was argued, the source of the problem. Lacking the saving influence of religion, growing up little better than the heathens of Africa or Asia (as they were seen), the working classes of urban England could hardly help but be immoral, ill-disciplined and given over to a life of crime!¹⁴

Crime, like the poor, was an ever-present phenomenon, but perceptions of crime were not unchanging. During the last decade of the eighteenth century and the early years of the nineteenth, perceptions of and attitudes towards crime appear to have shifted significantly. Put simply, an older view, that crime was an inevitable but relatively marginal and unthreatening part of the natural order, was replaced by a newer view in which crime was a central (if soluble) problem of society.¹⁵ The concept of crime was re-created and in the process of reconstruction took on a far greater significance. The multifaceted anxieties of a society undergoing fundamental change were displaced onto ‘the criminal’ who became folk devil and scapegoat.

The coming together of these different elements – more and larger towns, less cohesive communities, demand for new standards of security, order and discipline, the diminishing impact of Christianity and the new threat of crime – led to a reconsideration of the means of preserving order and their underlying principles. Unsurprisingly, this debate was initially focused on and largely restricted to London. Arguments about police reform in the capital rumbled on from the second quarter of the eighteenth century, if not before, and culminated in the debates and decisions of the 1820s from whence emerged Peel’s Metropolitan Police in 1829.¹⁶ However, it was obvious that the debate was not simply about London. It is a measure of the scale of the problem in the eyes of the political leaders of the time that the Whig government in 1832 considered a bill that would have introduced a national and centralised system of policing. The bill was never introduced to parliament and police reform took a different form but unmistakably this was a major political issue of the day. The extent of the provincial debate on policing has often been overlooked but, as Philips and Storch have recently demonstrated, this was a major issue in local politics across the country.¹⁷ The precise significance of the 1839 Rural Constabulary Act will remain a matter of

debate, but it cannot be denied that this piece of legislation was an important step in the evolution of modern policing during the second quarter of the nineteenth century, culminating in the 1856 County and Borough Police Act, which provided a framework of policing across the country.

The rapid growth of existing towns created a worrying range of difficulties, but the dramatic growth of a new town (Middlesbrough) posed problems of a different magnitude.¹⁸ Here, old structures (of whatever nature, physical, social or political) were not swamped by growth, as happened in other fast-growing towns, they simply did not exist but had to be planned and created *ab initio*. The Owners of the Middlesbrough Estate, the town's founding fathers, undoubtedly had a plan for the physical layout of the new community and a vision of how that community was to be regulated. The physical environment was to be laid out symmetrically and growth was to take place in an orderly and regulated fashion. In addition, conditions were to be laid down governing the conduct of public life. Middlesbrough was to be an ordered and orderly place. The reality was starkly different. The original settlement (see Map 1) was soon swamped by the flood of workers who poured into the town. People lived in temporary accommodation – in mud huts and tents, on keelboats and steamboats – as infilling of the original site took place. The original gridiron pattern was subverted as streets were extended eastward and, more importantly, as the town sprawled southwards and westwards. Within a generation a new town was growing up south of the railway line (see Maps 2 and 3). Urban growth was not ordered and the new community was not orderly. Disorder and disease – made manifest in the dock riot of 1840 and the cholera and smallpox outbreaks of 1852 – presented very real threats. The original committee set up to govern the new town soon proved inadequate to the task. An Improvement Act was petitioned for and was passed by parliament in the summer of 1841.¹⁹ This act was a statement of intent made in the face of great adversity. It would provide a framework within which the town was to be run (a framework that was further developed on acquiring borough status) but in itself did not guarantee success. The creation of a safe and healthy, well-run community depended upon the ability and determination of the founding fathers and the growing number of people employed by them. This study examines the way in which one part of the wider problem, the threat of crime and disorder, was tackled.

The book is divided chronologically into two sections, reflecting two distinct long phases in the development of the town. The first concen-

trates on the years from *circa* 1840 to 1870. These were years of long-term expansion in demographic and economic terms. They were also the years in which the founding fathers had to tackle a range of major problems which, while not unique in themselves, had occurred on an unprecedented scale. More specifically, these were the early years of policing in the town. The town's police force was founded in the early-1840s and effectively refounded in the mid-1850s. Unsurprisingly, these were years that witnessed considerable difficulties in the creation of a stable and effective police force and that also witnessed considerable anxiety for the moral well-being and future of the town. There was a brittle confidence about the town and its future. The second period from the 1870s to the Great War saw continued economic and demographic growth but at a slower rate. The town's heavy industries faced greater competition, which tempered the boom of the mid-nineteenth century, but at the same time the local economy also diversified and matured. The original political elite, dominated by the iron and steel trade, was augmented by new men, many from retailing. Maturation also characterised the general governance of the town and the development of the police. The second and third generation of policemen who tramped the streets of Middlesbrough in the late nineteenth and early twentieth centuries were a less volatile, more disciplined group as policing became a recognised long-term career for a small number of men. The brash and often brutal 'British Ballarat' gradually succumbed to the forces of order. The anxieties and fears, clearly visible in the 1830s and 1840s, and so close to the surface in the 1850s and 1860s, were gradually, though partially, dispelled. The town never entirely threw off its reputation for violence but, even though it had spilled over its original borders, it gradually lost its frontier characteristics. Fears and anxieties were less apparent or more deeply buried by the last quarter of the century.

The Middlesbrough police are the main focus of this study. Consequently, certain aspects of the town's life are relegated to the periphery. The wider socio-political development is treated only as contextual material. This is not the place to write at length on the temperance and anti-gambling movements in the town, nor of the broader political evolution of Middlesbrough, except in so far as it impacts directly on the central issue of policing. Similarly, while the threat of criminality is of central importance, there is not here a systematic analysis of the ways in which Middlesbrough's criminals were punished. Once again, this is an issue that is touched upon only when it impacts directly on policing.

The account that follows is in many important respects an 'official' history, looking from the top down, because it depends heavily upon such sources as the minutes of the committees of the Improvement Commission and later of the borough of Middlesbrough as well as the various reports and statistical returns produced by the chief constable. The archival evidence reflects varying needs and perceptions. At any one time the central government sought annual information on particular issues (habitual criminality or habitual drunkenness, for example) that reflected its particular concerns; the watch committee had its own agenda, as did the chief constable. Indeed, the response of the latter had a significant impact on the surviving historical record. The earnestness with which Edward Saggerson produced his reports contrasts with the more minimalist approach of his successor William Ashe.

The statistical evidence of crime in the town is particularly problematic. Recorded crime is not a record of actual crime and changes in the level of recorded crime cannot be assumed to reflect changes in the true incidence of crime. The recorded crime rate was affected by changes in the definition of crime as well as by changes in policing and prosecution behaviour. In a legal system that still depended upon the action of the victim in prosecuting an offence, there was considerable scope for the exercise of discretion and, as a consequence, there was considerable and fluctuating variation between the incidence of crime and its prosecution through the courts. This was particularly true of petty crime where the actions of a crusading individual, a determined watch committee or a zealous chief constable could have a significant short-term impact on the official figures. Finally, the situation is further complicated by changes in the administration of justice. Summary justice was extended significantly over the course of the nineteenth century, notably through the 1847 and 1850 Juvenile Offenders Acts, the 1855 Criminal Justice Act and the 1879 Prevention of Crime Act. There were also important changes in the collection of official crime statistics, in 1833 and 1856, and later in 1893, that make long-term analyses highly problematic.²⁰

Although varying in the level of confidence they place in the statistics, historians as diverse as Gatrell and Hadden, Jones, Rudé, Philips and Williams have all argued that useful conclusions can be drawn not simply about the working of the criminal justice system but also about the state of crime.²¹ The validity of crime statistics (and thus their value to the historian) has most recently and most provocatively been challenged by Howard Taylor, who has argued that they 'largely reflected supply-side politics'.²² The muted enthusiasm of ratepayers

for financing prosecutions, the parsimony of the Treasury and an underfunded police that had 'a great disincentive to prosecute and a strong motivation to keep the crime figures down' resulted, to all intents and purposes, in a conspiracy that created a fraudulent 'English miracle' of declining Victorian crime rates. On closer examination the argument is less compelling than first appears to be the case. There is little or no evidence either of direct Treasury interference or of the actual (as opposed to alleged) impact on prosecution. Indeed, Howard Taylor concedes that 'further detailed research is necessary, both at the local and national level, to determine the full effect of Treasury and local parsimony on prosecutions level'. Similarly, the bold assertion that 'chief constables were forced to cover up and do nothing about the true extent of crime in their localities' and that 'they had to produce figures of recorded crime that confirmed the number of prosecutions brought' is unsubstantiated. There is also, in general terms, an inherent implausibility in the argument. It is difficult to believe that, at a time when concern for the protection of person and property was increasing rather than decreasing and when the local press provided detailed coverage of events, that police chiefs would have been able to maintain a 'public illusion' if in fact there were 'vastly more offences [being committed] but most criminals got away without prosecution'. More specifically, there is no evidence to suggest that prosecutions in Middlesbrough were seriously constrained by financial considerations, nor that successive police chiefs during and after the 1850s were powerless to act and merely compiled figures that perpetuated comforting myths. This is not to say that all crimes were prosecuted. Clearly they were not and there were people in the town who wished to see more done, especially against drunks. Nor is it to say that all the crime statistics are beyond question. Clearly certain series had major flaws, but the preoccupation with indictable offences is misleading, as by far the greater part of police intervention was for non-indictable offences.²³ Rather it is to argue that, while the criminal statistics were the product of a complex interaction between criminals and prosecutors (and as such reflect the determination and ability to prosecute as well as the level of offending behaviour), they provide valuable, if approximate, information on the state of crime. In other words, it will be argued that the decline in crime rates in nineteenth-century Middlesbrough reflects a real change and was not a confidence trick played on a gullible public by the local police and other local and national actors in the criminal justice system.

There are other problems with the official record, not least its incompleteness. The minutes of the Improvement Commission are tantalisingly sparse. At times they hint at heated debate about the state of the police but merely record the bare bones of a decision. At a more mundane level they do not provide a complete record of the men who served as police in the town. Indeed, this problem remains serious until the 1860s. The documentary coverage is more complete for the later years, though there remain some surprising omissions – most notably the absence of annual reports for certain years – and the approved destruction of old police records by chief constable Riches, acting as a new broom in the 1890s, is a sorry loss.²⁴ None the less, there is a greater volume of material for the latter part of the nineteenth century but it retains its official, and therefore inherently limited, quality.

As a consequence, the voice of the ordinary policeman is rarely heard, or at least rarely heard directly. The policeman appears in the record more often as a problem, a man to be disciplined or dismissed for some breach of regulations. Less commonly he appears as a success, a man to be praised for bravery or devotion to duty. But what the ordinary policeman thought of his job or his position in society is beyond the surviving record. Indirectly he expressed his dissatisfaction by demanding more pay or resigning for better-paid or less-arduous employment; indirectly he expressed his commitment by making a career of policing or by acting in ways that put him in danger. Very rarely did he express himself directly, or, if and when he did, it went unrecorded. Similarly, the voice of the policed occurs infrequently in the official record. To some extent this can be offset by consulting the local press. Editors and correspondents undoubtedly commented on the way in which the town was policed, but the opinions thus expressed were drawn from a narrow section of society. Those who felt most directly the force of policing – the working classes in general, the unskilled and the Irish in particular – rarely, if ever, wrote to the local press. Consequently, they also appear most commonly as problems: threatening figures accused of serious crime and sent to assize or quarter sessions, or faintly comic figures whose pathetic criminality provided humorous copy for the journalist dispatched to the town's petty sessions. Once again, their experience and opinions can only be reconstructed indirectly.

The story that unfolds in the following pages does not follow a simple 'whiggish' pattern of progress. The model of an efficient new police introduced to combat rising lawlessness and quickly and warmly accepted by the public has but a partial application to Middlesbrough.²⁵

That there were major threats to law and order in the town during the 1830s and 1840s is beyond dispute but the response, in terms of policing at least, was half-hearted and parsimonious. New policing in Middlesbrough effectively dates from the mid-1850s but the creation of an effective body of men took several years. Progress was made, especially after the 1860s, but improvements in policing did not go unchecked. Indeed, the early twentieth century was to witness a minor crisis in the town force as suitable recruits became more difficult to find. Turnover rates, which had been falling steadily for 30 years, began to rise again in Edwardian Middlesbrough. At the same time, though not simply as a consequence of the difficulties of recruitment, there was an upturn in the incidence of crime in the first years of the twentieth century, which contrasted with the falling rates of the Victorian years. Furthermore, there was from the outset considerable opposition that manifested itself in collective and individual hostility to the police, which declined over time but never disappeared.

The history of policing in Middlesbrough, however, does not conform precisely to 'revisionist' interpretations of police history, much in favour in the 1970s and 1980s, with their emphasis upon social control and class conflict. There was more to policing than social control. The rhetoric of 'the fight against crime' had some substance and was not simply a cover for more partisan, class-based actions. There was also a welfare dimension, formal and informal, to police work in the town. However, there is little doubt that the police were seen by many local politicians and local citizens to be key agents in the disciplining of the working classes and especially the 'poor Irish' of Middlesbrough. For all that, intention did not guarantee outcome, and it is clear that the wishes of the watch committee, for example, were mediated by the more pragmatic considerations of chief constables and, perhaps more so, of ordinary constables. Furthermore, attitudes did not always divide along class lines. Indeed, in the middle decades of the nineteenth century there were persistent complaints about the conduct of the police expressed by middle-class critics on behalf of working-class victims of police insensitivities and brutality. Similarly, it is clear that the working-class response to the police, even in the earlier years, was not uniformly hostile. That said, nineteenth-century Middlesbrough was a town with deep divisions – class, ethnic and gender – and the police, charged with enforcing order and thus effectively preserving the *status quo*, were (and were seen to be) agents of an elite which sought to discipline and even improve the behaviour of the population at large. The tensions thus engendered were not fully

resolved but, partly as a result of the development of policing within the town and partly as a result of broader changes in society, conflict lessened and Middlesbrough, not unlike many early twentieth-century towns and cities, became accustomed to being a policed community. This creation of a policed community, this creation of a *modus vivendi* between police and policed, over a relatively short period of time and in such distinctive and difficult circumstances, was a considerable achievement. The credit for it rests largely but not exclusively with those charged with the responsibility of policing the town; and within that group due credit must be given to those who implemented policies on the streets of Middlesbrough and not simply to the senior officers who supervised them. Victorian policemen can easily be caricatured and their importance overlooked. They were more than loyal servants of the local watch committee, more than insensitive 'domestic missionaries' or arbitrary enforcers of class-based legislation, and more than avuncular and jovial (and rather jokey) bobbies. They were also men, often with limited training and skills, performing, albeit imperfectly at times, a difficult job in difficult, even dangerous, circumstances. Certain individuals were 'heroes', others 'villains' but as a body of men they emerge from the historical record as a less than perfect group but one increasingly characterised by a willingness and ability to contribute to the development of the town as a community. These were the men who were to play a major role in the transformation of the 'British Ballarat'.

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