

little more disgraceful in the Fleet than in other prisons. There is, however, one hardship which belongs to a later period. It is this. The Act (32 George II.) for the Relief of Debtors provided that every debtor could obtain from his detaining creditor the sum of 4d. a day. The law was intended benevolently. It is only another of those cases in which there was no provision made for the enforcement of the law. The unfortunate debtor, if he wanted his 4d.—his "groats" they were called—had to sue for it; where could he find the money for lawyers



JOHN HOWARD

Walker and Cockerell.

From the painting by Mather Brown in the National Portrait Gallery, London

and fees? Howard found in one of his journeys over 600 prisoners for debt, none of whom owed more than £20; not one among them all could get "their groats."

In all England he found no more than twelve debtors who got the money due to them by their detaining creditors. The debtors, therefore, but for the assistance they received from those in the prison who were possessed of some means, and for the alms of charitable persons, would have starved. In Newgate the case was better. There the felons received daily a penny loaf. But what is a "penny" loaf? Howard says that in 1557 a penny loaf weighed 20 oz.; but in 1782 only 9 oz. However, through the help of the penny loaf they were only half starved, not wholly.

In many prisons there was actually no water; the inmates were restricted to any allowance of water that the gaoler chose to make them. In one prison they were allowed three pints a day for drinking and all purposes of washing—whether of floors which never were washed, or of their persons, which were like the floors in that respect, or of their linen, of which most of them had none.

The air in all prisons was close and confined. If one visits Newgate at the present day, it becomes apparent that if the prison was crowded, there would be something of the same closeness of exhausted air that was found a hundred years ago. Not so much, because ventilators have been put up. The walls were high and the space was narrow. The courts were small; the air below remained unchanged. So fetid were those courts when Howard visited the prisons, that on coming out of them he could not bear to sit in a post-chaise with the windows up, and found it necessary to travel on horseback for the better ventilation of his clothes; nay, he says that the very leaves of his memorandum book were often so tainted that he had to lay it before the fire, while the vinegar itself which he carried became intolerably tainted. In a word, the stench of the prison was indescribable, and, at the present day, inconceivable.

Now the prisoners were confined in close cells, breathing this horrible air and that of the narrow courts, all day and all night; in some of these cells the floor was the bare earth, unpaved, and damp; the bedding or the straw had to be laid upon this damp floor. Often the prisoners were kept in their rooms all day, as well as all night, because the wall outside was ruinous, or because there was no court, or because the gaoler wanted the court for himself. There was no allowance made for straw or for bedding. Consequently, unless the keeper provided it at his own expense, the prisoners slept on the floor.

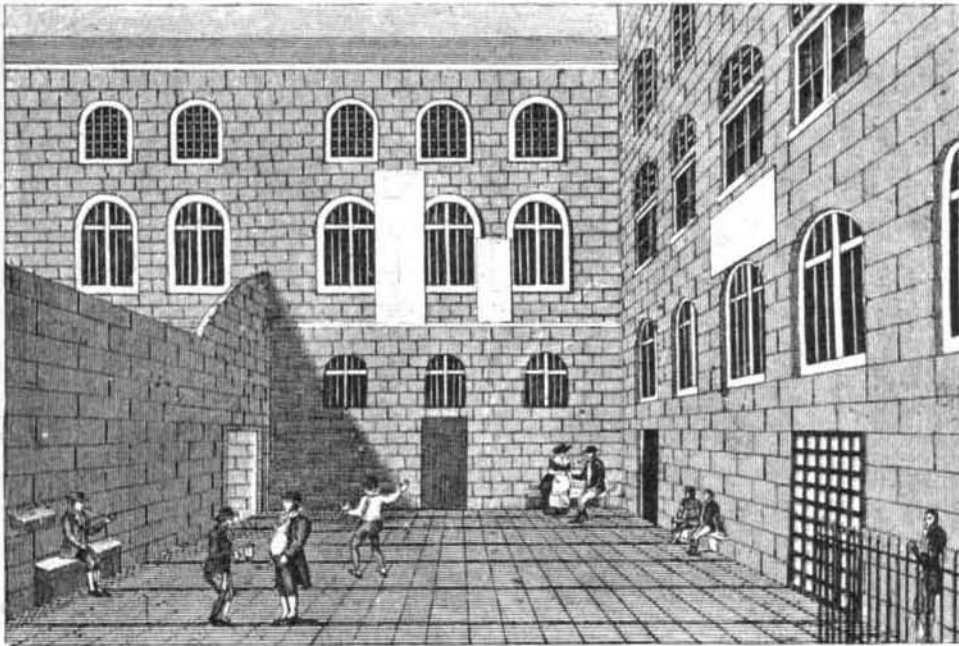
The prisoners were all put together, without the least attempt at separating the debtors from the criminals, the young from the old. The women and the men were together all day, and were only separated at night. In some, the insane were put in the cells with those who were sound of mind. The result of this promiscuous intercourse was the utter ruin of the young. Who could expect a lad or a girl, innocent at first, to herd with habitual criminals of the most depraved kind without themselves becoming depraved?

The demand for "garnish" gave rise to a most extensive system of robbery. "Garnish" was a fee demanded on entrance; if the prisoner had no money, they took some of his clothes. In 1730 four gaolers were found guilty of robbing a certain prisoner under pretence of garnish. To deter others, they were hanged, but it does not seem that they were worse than the rest of their tribe.

The prisoners committed for trial had to walk, sometimes ten or fifteen miles, to the assize town. A gaol delivery occurred generally but once a year. At

Hull it was once in seven years. A certain murderer, named Peacock, was in prison waiting trial for three years. Then the principal witness died and he was released.

Perhaps the most amazing fact is that already noticed, that, even after the prisoner was acquitted, he was detained until he had paid certain fees. The gaoler used to demand his fees; when he was forbidden to detain the prisoner on account of his fees, the Clerks of Assize and the Clerks of Peace continued to



NEWGATE, INNER COURT

From a contemporary print.

be entitled to demand their fees. The following is the table of fees for the Home Circuit (Howard, p. 475):—

	s.	d.
Burnt in the hand	4	8
Whipped	4	8
Acquitted	8	4
Discharged by proclamation	8	4
Recording every felony	6	4

The place of Clerk of Assize was bought sometimes for as much as £2500. Debtors crowded the prisons by bringing in their wives and children, and, in many cases, women who were not their wives. There were sometimes as many as ten or twelve people crowded into one room.

The total number of persons in England and Wales confined in the various prisons in the year 1776 is set down at 4084. For our purpose it is sufficient

to note that there were confined in London, Westminster, and Southwark 228 felons, 194 petty offenders, and 1274 debtors—a total of 1696 out of a population of about 900,000.

In a word, the prison system during the last century was radically inhuman and vicious; the laws made for the benefit of the prisoners were neglected; the prisoners were hardened and instructed and perfected in crime, and their places of confinement were so insanitary that they died like rotten sheep.

Let us now consider Newgate Prison itself, and Bridewell.

Why Newgate was so called, is quite unknown. The old story that it was first opened in the wall to relieve the traffic through Ludgate, is quite easily refuted by considering the nature of the site. Thus, it will be seen that Ludgate opened upon the bed of a broad, tidal stream with a marsh beyond; there could have been no reason at all for constructing a gate at such a point in early times. Ludgate (the "Postern") was not constructed until houses began to be built along the river west of the Fleet. On the other hand, Newgate opens upon a shallow valley, with a stream navigable for barges, yet fordable at low tide, with rising ground in front, and the great Northern road only a mile or so distant along a ridge or upland way.

Every gate was used on occasion as a prison. Newgate, for some reason now unknown, began very early to be used, not occasionally, but always, as a prison. Henry III. ordered the sheriffs of London and Middlesex to keep the prison of Newgate in repair. Whittington left money for repairs so extensive as to mean rebuilding. On this gate was carved a bas relief of his cat—the cat which began his fortune. It was twice repaired before the fire of 1666 destroyed it. It was rebuilt in 1672; the gate was taken down in 1767; the Gordon rioters set fire to the prison in 1780. The present structure, however, had already been commenced, and was finished in 1784.

Of the prison as it stood in 1754, Strype speaks in words of the strongest condemnation. Maitland so far agrees with him, that he copies word for word, and, probably to give greater weight to his opinion, without acknowledgment:—

"It is a large prison and made very strong, the better to secure such sort of criminals which too much fill it. It is a dismal place within. The prisoners are sometimes packed so close together, and the air so corrupted by their stench and nastiness, that it occasions a disease called the Jail Distemper, of which they die by dozens, and cartloads of them are carried out and thrown into a pit in the churchyard of Christ's Church, without ceremony; and so infectious is this distemper, that several judges, jurymen, and lawyers, etc., have taken it off the prisoners when they have been brought to the Old Bailey to be tried, and died soon after, of which we have an instance within these seven years. And to this wretched place innocent people are sometimes sent, and loaded with irons before their trial, not to secure them, but to extort money from them by a merciless jailor; for, if they have money to bribe him, they may have the irons as light as they please. The City have been so good lately as to introduce a ventilator on the top of Newgate, to expel the foul air and to introduce fresh, to preserve the prisoners' health, and the prisoners are many of

them kept in distant and more airy prisons, till within a few days before their trials. Sweet herbs, also, are strewed in the court and the passages of it, to prevent infection; and the snuffing up vinegar, it is said, is the most likely way to preserve the healths of those that are obliged to attend such trials."

The regulations of the prison were gradually improved, but there was little attempt made to reform the prisoners or to maintain order. Towards the end of the century there were sometimes as many as 800 prisoners here, of whom a large number were still debtors; among them were more than a hundred women. These, it is true, had their own side, but when Mrs. Fry visited them she found them "swearing, gaming, fighting, singing, dancing, drinking, and dressing up in men's clothes." On the men's side there was no interference to prevent them from gambling and drinking. The Press Yard preserves the memory of the *peine forte et dure* inflicted on prisoners who refused to plead. They refused because they could not be tried without pleading; because they could not therefore be found guilty; therefore their goods could not be confiscated.

In earlier times those who refused to plead were treated as those whom the judgment of God had condemned through an ordeal; they were hanged. They then instituted penance, *i.e.* solitary imprisonment in a cell and starvation.

It is hinted, however, that the keepers sometimes took pity on a prisoner and gave him food, so that a miracle was proclaimed and the happy prisoner, sustained miraculously through a fast of forty days, was released. Some doubt having arisen as to the genuineness of these miracles, the *peine forte et dure* was substituted. In this terrible torture the victim lay on his back, and heavy weights were placed upon his chest until he expired. It is not known how many cases of this punishment took place. One Major Strangeways, early in the last century, chose to die in this way rather than by the gallows, and so saved his fortune for his children.

The pressing of William Spiggot and Thomas Phillips is thus described (*Place Collection*):—

"William Spiggot and Thomas Phillips were brought to the Bar to be arraigned, when they both declared they would not plead, till the Court had ordered the horses, furniture, and money and other things (which were taken from them when they were apprehended) to be returned. The Court informed them that what they desired was more than could be granted. But notwithstanding this, the prisoners still refused to plead, and the Court gave orders that the judgment should be read, appointed for such prisoners as shall stand mute, or refuse to plead:—

'That the prisoner shall be sent to the prison from whence he came, and put into a mean room stopped from the light, and shall there be laid on the bare ground, without any litter, straw, or other covering, and without any garment about him, except something to hide his privy members. He shall lie upon his back, his head shall be covered, and his feet shall be bare. One of his arms shall be drawn with a cord to one side of the room, and the other arm to the other side of the room, and his legs shall be served in like manner. Then there shall be laid upon his body as much iron or stone as he can bear or more, and the first day after he shall have three morsels of barley bread, without any drink; and the

second day he shall be allowed to drink as much as he can at three times, of the water that is next the prison door, except running water, without any bread; and this shall be his diet till he dies; and he against whom this judgment shall be given, forfeits his goods to the King.'

This having no effect on the prisoners, the executioner (as is usual in such cases) was ordered to tie their thumbs together, and draw the cord as tight as he was able, which was immediately done, but neither this nor all the admonition of the Court, being sufficient to bring them to plead, they were sentenced to be pressed to death. Pursuant to this judgment they were carried back to Newgate. As soon as they entered the press room, Phillips desired that he might return to the Bar and plead, but Spiggot continued obstinate and was put under the press. He bore 350 pounds weight for half an hour, but then 50 pounds more being added he begged that he might be carried back to plead, which favour was granted him.

While he was lying in the vault upon the bare ground, with 350 pounds upon his breast, the chaplain went and prayed by him and advised him not to hazard his soul by such an obstinate kind of self-murder. But all the answer he made was, "Pray for me, pray for me!" He sometimes lay silent under the pressure as if insensible of pain, and then again would fetch his breath very quick and short. Several times he complained of the cruel weight they had laid upon his face, though it was covered with nothing but a thin cloth, which was afterwards removed and laid more light and hollow, yet he still complained of the prodigious weight upon his face which might be caused by the blood being forced up thither. When he had remained half an hour under this load and 50 pounds more were laid on, being in all 400 pounds weight, he told those that attended him that he would plead. Immediately the weight was at once taken off, the cords cut asunder, and he was raised up by two men, and some brandy was put into his mouth to revive him, and so he was carried to his trial. He was very faint, and almost speechless for two days, and then he seemed to recover strength for a little time, but then he grew worse, and desired to receive the Sacrament as thinking he should not live to execution day. But before that time he again recovered strength. He said that he did not desire to live for he could hardly fetch his breath, and could only be a weak and unhealthy man. He was hanged at Tyburn, 8th February 1720, in the 30th year of his age."

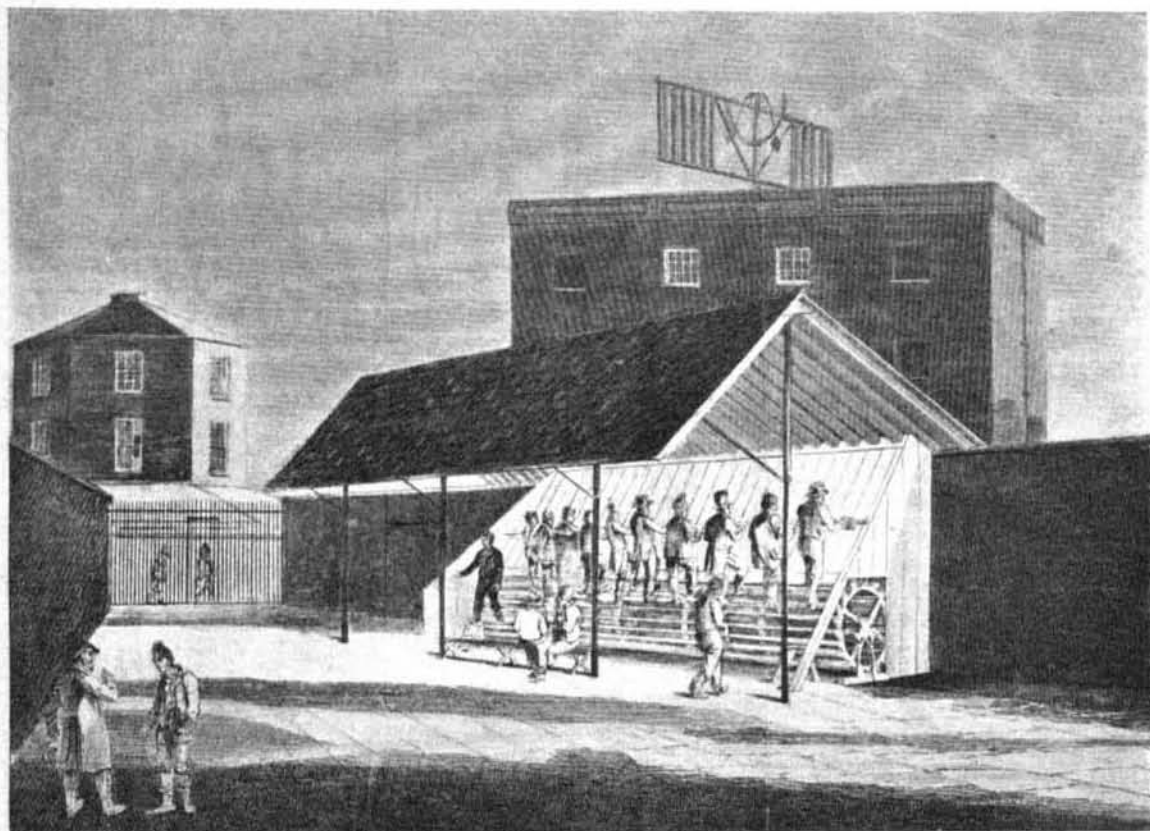
When Howard visited the prison in the year 1782 he found the governor or gaoler no longer dependent on the fees which he could extort from the prisoners. Yet the abominable system of fees had not entirely departed.

Debtors to pay on leaving	8s. 10d.
Felons	18s. 10d.
Misdemeanour or fines	14s. 10d.
Transports	14s. 10d.

Besides these fees there was "garnish" for entrance—for debtors, 5s. 6d.; for felons, 2s. 6d.; the gaoler had a licence for beer but not for spirits. These, however, were brought into the gaol freely by friends who came to visit the prisoners. Access to the prison was quite free to the friends of the prisoners, and there was apparently no limit to the amount of drinking, gambling, etc., that went on every day and all day long. There was a small allowance of food—for debtors one penny loaf of bread weighing in 1782 9 oz., and for felons a three-halfpenny loaf. As for the numbers on the 18th of December 1781 there were only three debtors and 291 felons. Why there were so few debtors in that year is not explained; the year after, in 1782, there were 113 debtors. The chaplain read prayers daily with the condemned, held two services on Sunday, and he administered the Sacrament once a month; the surgeon received £100 a year and attended on all the

prisoners. The prison was destroyed by the Gordon rioters in 1780, but it had already been condemned. Of the 291 felons in 1782 66 were women; 100 were transported; 89 were fined; and 21 condemned to death.

There were fifteen condemned cells; they were all vaulted, 9 feet high to the crown, and were 9 feet by 6 in area. The doors were 4 inches thick; the stone walls were lined with planks studded with broad-headed nails; there was a small window high up; a barrack bed formed the greater part of the furniture.



THE TREADMILL

From a contemporary print.

For the debtors there were certain legacies, amounting on the whole to £52:5:8 a year, together with other gifts in food, etc. Under the old system the women's side contained sometimes as many as 100 crowded together in three or four rooms,—many of them young girls, just commencing their career of vice, many old and hardened and ready to corrupt the younger sort. The mixture of young and old was also followed on the men's side. The men's infirmary had only seven bedsteads. These were all occupied, and other sick men lay on the floor naked, in a miserable condition, covered with sores and sheltered from the cold by a single rug. The women's infirmary was only 15½ feet by 12; there

were no bedsteads; there was but one window; four sick women lay on the floor; the sewers were most offensive.

In every prison there was formerly a taproom. When that was taken away from Newgate a public-house outside had the privilege of sending in beer; it sold a butt of beer, and sometimes two, every day to the prison. The gaoler had a fee for every gallon taken in. In 1730 the Ordinary, then the Rev. James Guthrie, relates without comment, and as an occurrence of quite an ordinary character, that he had been to visit a person named John Bennett, twenty-seven years of age, and found him unable to move by reason of a swelling in his legs and feet caused by the irons on his feet and the extreme cold. The man died a day or two afterwards.

Among the bequests to Newgate is a gift of £1:6:5 a year for the bellman or sexton of St. Sepulchre's for pronouncing solemnly two exhortations to the condemned prisoners, the night before their execution and on the day of execution.

The prison is only now used for persons about to be tried, or for persons condemned to capital punishment. It is a place of singular interest to the visitor: he will see the irons with which prisoners were formerly loaded, the condemned cells, the old exercising grounds and yards, the gallows, the instrument in which a man is placed when he is about to be flogged, the way to and from the Old Bailey, which is also the burial place of the poor creatures hanged within and without the prison; their initials alone mark the place where they lie together, murderers all. A dreadful place!

An incident in the history of Newgate occurs under the date of 1726. There were lying in gaol, under sentence of death, certain malefactors, a circumstance that was always happening in Newgate. These men, considering that they had to die, and that they could not get out except for the purpose of being hanged, resolved to keep their turnkeys and warders out. They therefore barricaded the doors, and being provided with arms of some kind, they stood upon their defence. It was a hopeless undertaking, because at the worst their warders could starve them into submission. However, the sheriff was sent for. He addressed the prisoners from the first floor,—the chapel floor,—exhorting them to submission, and then, finding his words produced no effect, he caused them to be fired upon from above. They then submitted. On their way to Tyburn it must have been some consolation to feel that they had done something to mitigate the monotony of prison. Moreover, even if the sheriff had given word to fire upon them—whereby some lay in the fatal cart with bandaged arms and legs—they died revenged, because the breath of the prison went up to him as he stood over them and sent him home with gaol fever, so that he, too, though not by the cart and the gallows tree, was bound for the same bourne as themselves.

There was a more successful mutiny in 1748. Seven prisoners were in Newgate on a charge of smuggling; they were confined in a cell together. One evening, after dark, when the turnkeys opened their door, they all rushed out together, armed with pistols and clubs—where did they get them?—and made for the gate, which they got through, and so out into the street. Five were taken in the adjacent streets, known, one naturally supposes, by their fetters; the other two escaped and—one cannot help expressing some satisfaction—were not caught, though high rewards were offered for their apprehension.

Those who to-day for curiosity visit Newgate and walk about its deserted courts, can with difficulty realise its crowded condition during the whole of the eighteenth century. Thus, for the year 1772 there is given a classified enumeration of the occupants during that one year. They are divided into felons, sheriff's debtors, County Court debtors, and Excise debtors. Felons are subdivided into four classes: those charged with felony and awaiting trial; those already condemned and waiting for the day of execution to be named; and those sentenced to be transported. The list is as follows:—

Felons	1475
Sheriff's debtors	138
County Court debtors	115
Excise debtors	7
Total	1735

Of this total, thirty-two died in prison during the year and about fifty were hanged.

We have already learned that the number of those actually hanged was by no means the number sentenced to be hanged. The executions had become, shortly before this date, so numerous, that public opinion was awakened. For instance, in 1776 there were 223 persons hanged; the practice of respiting the less hardened criminals began about that time and increased every year; so that sometimes juries would not convict of the lighter charges which carried a capital sentence, and sometimes those who were condemned knew that they would get off.

In 1772 there were tried and sentenced at the Old Bailey as follows:—Sentenced to death 87 (the list, however, is apparently incomplete); sentenced to transportation, 210 (again the list appears incomplete); to be branded 11; to be whipped, a number uncertain.

One of the cases brought into the courts this year was an action against the keeper of a private madhouse for confining two women perfectly sane, brought there by their husbands. This case opens out a field of wickedness which could be carried on almost with perfect safety. In this case, however,

the thing was happily brought home to the keeper, who was fined £50 for each detention.

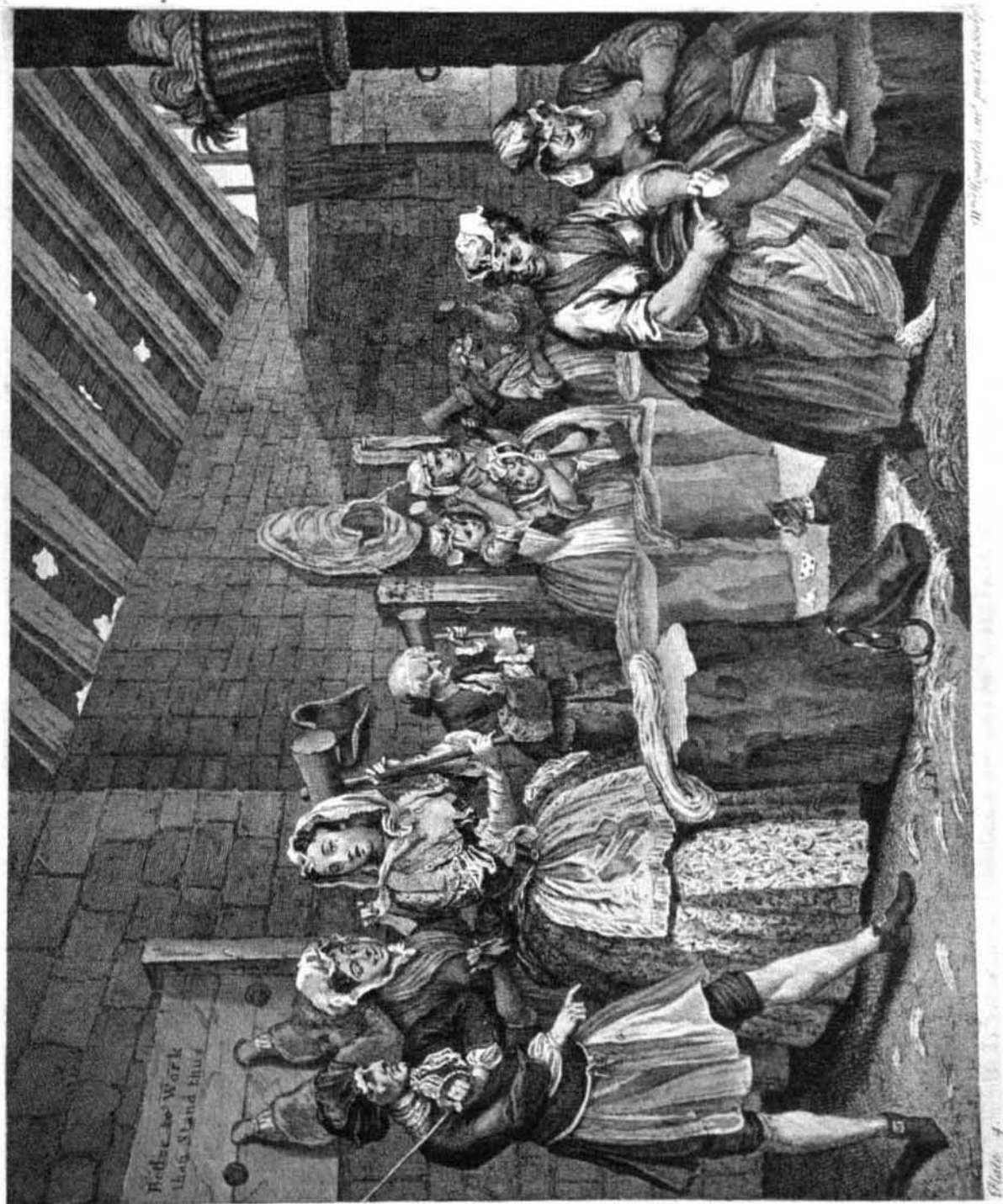
The old palace of Bridewell—the history of which will be found in another place—formerly consisted of two square courts running back from the bank of the river. After the fire, which destroyed the two courts, Bridewell was rebuilt but not on the same foundations. The new Bridewell was completed in the year 1668, partly as a school for trades to which poor boys were apprenticed, and partly as a prison for vagrants, masterless men, prostitutes, and disorderly persons of all kinds. Bethlehem and Bridewell were under the same Board of Governors.

The second Bridewell consisted of one large quadrangle, one side of which was occupied by the hall; another side by the chapel and offices; and the third and fourth side, by the prison. When the City prison of Holloway was completed, Bridewell ceased to be a House of Correction, and the prison was cleared away. All that now remains is a part of the hall, a very fine room, and a part of the Governor's house. There are cells beneath in which are imprisoned from time to time refractory apprentices. So few trades in London now take apprentices that these young prisoners are generally printers. The School of Arts and Trades was removed by the governors to the back of the New Bethlehem. Here 200 poor boys and girls are still taught useful callings. In 1750 the hospital was used as a place "where all strumpets, night walkers, pick-pockets, vagrants, and idle persons that are taken up for their ill tricks, as also incorrigible and disobedient servants, are committed by the Mayor and aldermen, and being so committed, are forced to beat hemp in public view with due correction of whipping according to their offence for such a time as the president and court shall see cause."

Earlier in the century the flogging of the women in Bridewell was one of the sights of London to which anyone could go. The alderman present held a hammer in his hand and the flogging was continued until the hammer fell. "Knock, good Sir Robert, knock," cried the wretched woman.

The School of Arts and Trades taught poor boys the making of gloves, the dressing of flax, weaving, and other trades. After they had served their apprenticeship they received £10 each to enable them to start in the world. These lads were known in the City by their dress of blue doublets and breeches. As regards the prisoners it was long a reproach to the City that no woman was brought to this place except those who could not afford to bribe the watchmen; they were therefore only the lowest, poorest, and most wretched, but by no means the most vicious or the most mischievous. Pennant thus speaks of the place:—

"The first time I visited the place, there was not a single male prisoner, and about twenty female. They were confined on a ground-floor, and employed in beating of hemp. When the door was opened by



BEATING HEAD IN BRIDEWELL PRISON.
From Hogarth's engraving, "Scene in Bridewell" (*The Harlot's Progress*).

the keeper they ran towards it like so many hounds in kennel, and presented a most moving sight ; about twenty young creatures, the eldest not exceeding sixteen, many of them with angelic faces, divested of every angelic expression, and featured with impudence, impenitency, and profligacy ; and cloathed in the silken tatters of squalid finery."

The Women's Ward, larger than the men's, contained a day-room on the ground floor apart from the day-room of the men. In Hogarth's picture the men and women are beating hemp in the same room. The women had two night-rooms above their day-room. There was an infirmary in the prison, and the room was provided with a ventilator. The fault of the prison was that the inmates were never let out into the open air, which made them unhealthy and the rooms offensive. Apart from the flogging, the treatment of the prisoners was far more humane than at other prisons. They worked from eight till four in winter and from six to six in summer. On four days in the week they were allowed a penny loaf, ten ounces of dressed beef without bone, broth, and three pints of beer. On the other days, a penny loaf ($8\frac{1}{2}$ ounces, 1783), four ounces of cheese, a pint of milk pottage, and three pints of beer. The rations were served at twelve o'clock. All the night-rooms were supplied with rye straw ; in winter, the women, not the men, were allowed some firing.

Bridewell also performed a more pleasing function in relieving the distressed by charitable gifts. In this work, however, it was found necessary to proceed with caution, as the knowledge of such doles brought vagrants to London.

The "Bridewell Boys," already spoken of, sometimes gave trouble. They had the privilege of going to fires in order to help with the buckets and to work the Bridewell engine. They behaved with so much disorder at the fairs of Bartholomew and Southwark, that the governors in 1755 took up the matter seriously. The boys were deprived of their uniform, put more closely to work under trade masters, kept within the hospital, and in other ways curtailed in their privileges.

CHAPTER IV

THE MARCH TO TYBURN

WHEN sentence of death was passed, the unfortunate man was taken back to prison, where he lay with the others, sentenced or waiting for trial, until the day appointed for his execution. There were long delays between sentence and execution; there were frequent respites; the uncertainty of a capital sentence caused the thing itself to lose most of its terrors. The condemned prisoners were not till late in the century separated from the rest; their friends could visit them as much as they pleased. They were, of course, heavily fettered with irons, which can still be seen in Newgate.

Here is a fact which proves the incredible licence allowed to condemned criminals. It was in the year 1746. One Henry Simms, a notorious thief, was committed for trial, tried, and sentenced to death. We are told that "he behaved very undauntedly, especially before he was certain of death. He quarrelled with Mary Allen, another convict, and beat her very much." So that a woman condemned to death was allowed on the same side as the men condemned to death; and the discipline of the prison was such that one convict was allowed to beat "very much" another convict—and a woman!

The service in chapel, the day before the execution, was the last occasion but one of exhibiting their courage and their carelessness. They sat in the condemned pew, round the coffin in the middle, with a show of recklessness. They were encouraged by the other prisoners who sat in two galleries, the men in one and the women in the other, opposite to each other. These prisoners, not yet sentenced, called upon them to hold up their heads and kick off their shoes at the gallows—a thing which was actually done when the cart moved away and the hanging began.

They were allowed what they chose to pay for. Jonathan Wild, for instance, the night before the execution, offers the Ordinary a bottle of wine when he expected a bowl of punch. Visitors were allowed into the Yard where the prisoners took their exercise; ladies of fashion crowded to see a famous highwayman; artists came to paint their portraits; the prisoners dressed themselves

as finely as they could, sometimes in silk with powdered wigs and rings. There was so much curiosity, bustle, admiration, pity, encouragement from the visitors, that the gallant robber's head was turned with vanity, and he marched out of Newgate, when his hour arrived, with all the glory of a conquering hero.

At one o'clock on Sunday, chapel over, the friends of those about to die were allowed to see them for the last time. They brought with them the materials for making a decent and a creditable show—there seems to have been as little feeling of shame among the family of the hanged man as there was of pity among the spectators. The last gifts consisted—it was the right thing in all such cases—of a white cap with black ribbons, a prayer-book, a nosegay to stick in his waistcoat, and an orange to hold in his hand. Why an orange I know not, but it doubtless had some symbolical meaning.

On Sunday night the sexton, or beadle, of St. Sepulchre's church stood in the street or in the gateway of the prison, and read or spoke the following exhortation in hearing of the prisoners:—

"You prisoners within, who for your wickedness and sin, after many mercies showed you, are now appointed to be executed to death to-morrow in the forenoon. Give ear and understand, that to-morrow morning the great bell of St. Sepulchre's parish shall toll for you from six till ten, in order and manner of a passing-bell, which used to be tolled for those which lie at the point of death, to the end that all godly people hearing that bell, and knowing it is for you going to your deaths, may be stirred up to hearty prayer to God to bestow His grace and mercy upon you, whilst you yet live. Seeing the prayers of others will do you no good, unless you turn to God, in true sorrow for your sins, and pray with them for yourselves also, I beseech you all, and every one of you, for Jesus Christ's sake, to keep this night in watching and hearty prayer to God for the salvation of your own souls, whilst there is yet time and place for mercy, as knowing that to-morrow you must appear before the judgment-seat of your Creator, there to give an account of all things done in this life, and to suffer eternal torment for your sins committed against Him, unless upon your hearty and unfeigned repentance you obtain mercy, through the merits and death and passion of Jesus Christ, your only Mediator and Redeemer, who came into the world to save sinners, and now sits at the right hand of God to make intercession for you, if you penitently return to Him. So, Lord have mercy upon you, Lord have mercy upon you all."

On the Monday morning the prisoners were all brought out into the room adjoining the gate. Here, one after the other, their irons were knocked off, the rope placed round their necks, and their elbows pinioned, leaving the hands free. Meanwhile the chaplain went about from one to the other exhorting them to repentance. Most of them scoffed openly; some "snivelled," as it was delicately put—one hopes that such poor-spirited creatures were few in number; the sheriffs, with a large number of visitors, looked on—it seems as if anybody could go in by "tipping" a turnkey. The prisoners, when all were ready, were then led out and placed in the cart or carts, the Ordinary going with them.

The procession consisted of the sheriffs, in a carriage, or perhaps a deputy sheriff, who led the way. He was followed by the cart or carts in which the

criminals sat beside their coffins; with them sat the chaplain, exhorting. When, as generally happened, there were many persons taken out for execution, the chaplain either went in the sheriff's carriage or chose one of the carts. I quote the following from the *Place Collection* :—

"It required some address in Mr. Akerman, or the master of the ceremonies, to place his departing customers in the cart in due order of precedence. An highwayman formerly was entitled to the pre-eminent seat; but robbers of the mail now enjoy that distinction. The difficulty of regulating these points is when both sorts of culprits are travelling to Tyburn. I remember having seen two gentlemen taking their last journey on this road in a two-wheeled vehicle hung with solemn sable, who quarrelled as they went along on the question of precedence."

Outside, on the steps of St. Sepulchre's, the friends of the *morituri* waited with nosegays to stick in their waistcoats. Here, too, the sexton, or beadle, pronounced another exhortation to the prisoners :—

"All good people, pray heartily to God for these poor sinners going to their deaths, and for whom this great bell doth toll; and you that are condemned to die, repent yourselves with lamentable tears, and ask mercy of the Lord for the salvation of your own souls, through the mercies, death, and passion of Jesus Christ, your only Mediator and Redeemer, who came into the world to save sinners, and now sits at the right hand of God to make intercession for you, if you heartily return to Him. So, Lord have mercy upon you, Lord have mercy upon you all."

A number of constables walked beside the carts or rode after them. The journey lasted over half an hour; during the whole way the road was lined with a crowd of all the scum and riff-raff of London. There were barrows or stands where gin was dispensed at the cheap rates of which we have heard; there were stalls for gingerbread, nuts, and apples; there were ballad-mongers bawling the latest song on the most interesting of the criminals; there were boys crying the last dying speech and confession; the following is also from the *Place Collection* :—

"Formerly every ragged man, woman, and child bawled dying speeches about the streets. Some blowed horns during the morning, and indeed till the middle of the afternoon. They all used the same words and the same tone in chanting them; they were the following :—'Here's all the right and true last dying speech and confession, birth, parentage, and education, life, character, and behaviour of the three or six or ten unfortunate malefactors who were executed this morning at Tyburn' or, 'this morning opposite the Debtors' door in the Old Bailey.'

Frequently—'also a copy of the letter which the noted —— sent to his sweetheart or wife—the night before his execution.'

These speeches were printed before the execution took place, and were cried in distant parts of the town before the criminals were actually executed. The sale of speeches, at a halfpenny each, must have been very great, for the number of those who hawked them about was enormous; no one can form a conception either of their number or the discordant chant and noise they made. Their number was indeed so great that, in going along the streets, there was no cessation, no interval when the ear was relieved from the sound of their voices."

A detailed black and white engraving depicting a large crowd gathered in a town square, likely for a public execution. In the foreground, several men in period clothing are visible, some holding pikes. A large wooden gallows stands on the left, with a crowd of people gathered around it. In the background, a large building with a clock tower is visible under a cloudy sky.

[illegible]

ON THE ROAD TO TWENTY

From Hogarth's engraving, "The Idle Drunken Farmer at Tyburn" (*Industry and Idleness*).

There were fellows fighting in extemporised rings and women applauding; and when the carts passed with the crowd of young fellows following and shouting, the spectators applauded or hissed, loudly praised or loudly cursed, the principal actor in the scene. He was generally a highwayman, young of course, sometimes a handsome ruffian with an impudent swagger and a very fair assumption of recklessness. With his elbows tied fast it was difficult for the most interesting highwayman to be perfectly easy; still, he could hold the prayer-book in his hand with a negligent grace which showed that he had no connection with the snivellers beside him; he could shake hands with the lads who shouted and ran beside the cart; he could bow gracefully to the ladies; while the black strings of his cap were like the pirate's flag of defiance.

Beside him, in the same cart, perhaps, sat a young girl on her coffin; she was bent and crouched down; in her arms she clasped a baby. Alas! Alas! it was for her baby's sake that she became a shoplifter; and now her baby would be given over to the cold mercies of the parish; she felt no shame; she was thinking of her baby. "Repent, woman!" cried the Ordinary, "repent while there is still time left!" She could not repent; she was thinking of her baby, not of her soul; she was thinking of her baby, not of the fearful wrench from life that awaited her at the end of this dreadful journey; it was with a shriek of agony unspeakable that she suffered her child to be taken from her; it was an insensible form that hung from the rope when the cart moved slowly away.

Who were the others in the cart? None that the crowd cared about. The forger had been a respectable tradesman; his face was white; he could not pray for the misery of the thing; he could not pray for thinking of the folly and madness of it. The young fellow who tried to laugh was a convict returned before his time; the others were murderers, footpads, and common thieves.

When they arrived at the gallows, which stood opposite the Marble Arch, the crowd was dense; stands were erected as at Epsom races; there was more drinking of gin, more fighting, more bawling of ballads. The cart drew up under the gallows; the caps were pulled down; the highwayman kept the smile upon his lovely face to the end, yet, I think that when the cap was down, he smiled no longer; the ropes were adjusted; and the cart moved slowly away, leaving them, without a drop, to dangle and be slowly choked. The highwayman, game to the last, kicked off his shoes. Thus every great man should die.

Then friends of the wretches made haste to hang on by the legs so as to bring their sufferings to a speedy end. Women in black moved about to claim as near relations the bodies of those who had no friends; they were resurrection women, who carried off the bodies to the dissection rooms.

It was considered that a man might hang for twenty minutes or half an hour before he died. His friends could have the body if they pleased at the

expiration of one hour. But many of the gallows birds found their way to the surgeons.

Here is a contemporary account:—

“With much difficulty I forc’d my way up the Stone Stairs which lead to the *Hall*, where these unhappy Travellers have their *St. Pulchre’s Boots*, as they are call’d, taken off before they set out upon their journey. I had here no sooner recover’d the use of my Arms and Hands, but found myself in the state of a stript Bankrupt, before the Commissioners in the *Irish Chamber*; my *Watch, Keys* and *Tobacco Box*. Having made the tour of my Pockets, however, finding Means to pacify and pass the *Cerberus*, posted at the great Iron Door, I was no sooner enter’d but fancy’d myself at a *Tennis Court* or the *Tilt-Yard* Guard-room, from the delightful Conversation that pass’d between the good Company, waiting to see the Ceremony of the *Investiture* of the *Halter*.

A *Turnkey* kept jostling me to take notice of the Behaviour of a little rough-fac’d *Sailor*, with a speckled Handkerchief, hanging down to the Knees of his Breeches. That Man, said he, will turn out the Hero of the Tree, and do Honour to our Execution; observe how negligently he *palms* his Prayer-Book, how disdainfully he treats the Exhortation, how steadfast are his Eyes on his *Mawks*, and how regardless of the Minister. *Ah!* adds he with a deep sigh, *what a fine thing it is to die well, and what would I not give to be certain of making so good an End.*

A *Butcher*, who seem’d to be as busy about the Place, as a Bailiff at a Horse-Race, or an Adjutant at an Exercise, threw himself into the most violent Agony I ever beheld a Man, to find that his *dear Friend Joe*, who was going to suffer for about a score of Robberies on the Highway, should, after all his boasted Courage, snivel to the Ordinary, and die a Dunghill at last.

A Fellow of a genteel Deportment, who was most deplor’d by the better sort of the Spectators, complained grievously of the Verdict that had pass’d against him, saying, that had it been given for £40,000 instead of 40s., in the room of passing in a dirty Vehicle to *Tyburn*, he had been flying in his Coach and Six to *Bath* or *Tunbridge* to receive the Compliments of the *Beau Monde*.

But a *Youth* that had receiv’d the Benefit of some School-Learning, appear’d to be under a deep Melancholly, because, as he said, he apprehended their Sufferings were not to terminate with the Execution; and when he express’d himself in this Manner, I observ’d his Eyes were pretty earnestly fix’d upon the Writer of the *Dying-Speech* Paper.

Two *Street-Robbers* received much comfort, in the Assurances given them, by one of their Doxys, that she had engaged a sufficient Number of her Friends from the *third Regiment*, to secure their Carcases from being *Atomis’d*. . . .

A *Printer’s Boy* was grovelling behind me, and muttering out, that the *Men stood still for Copy*; upon which I perceived a *slender Gentleman* address himself to

one of the *Criminals* in a low tone to the Effect, That he would *tip him* as handsome a Coffin, as a Man need desire if he would *come down* but half-a-dozen more Pages of *Confession*. The Prisoner *mighty elate* at the Proposal, answered with an audible Voice, *Sir, strike me as stiff as an Alderman's Wife in a Church Pew, if I don't oblige you.*

On a sudden, a Fellow like a *Prize-fighter*, proclaim'd with a bloody Oath, that a Reprieve and free Pardon for one of the Prisoners was just arriv'd. In an Instant a Spirit of Joy and Geneva diffused itself over the Place; but a *Serjeant* of the *Foot Guards* appear'd to be under great Anxiety, saying it was little matter of Joy to him, in that his *Kinsman* had discover'd such a pusillanimous Behaviour under his Condemnation, as had already render'd him the Jest of all the *Geneva Shops* in *St. Giles's*, and that he would never be able to shew his Head again, on the *Parade* or at *Stokes's Amphitheatre*: What, says he, to refuse a *Dram* for the sake of *Drelincourt*, and sink an Oath to oblige the *Ordinary*! He was going on in this manner, when a *Smithfield Horse-Courser* interfer'd in behalf of the *Delinquent*, and said, he could no longer bear to hear poor *Jemmy* abus'd in such a manner; and offer'd to rap an Affidavit, that being one day in the Cells with him, he actually heard him outswear a Captain of a Fourth-Rate Man of War, or a Company of drunken Bailiffs in a Tavern Kitchen. This was acknowledg'd by one of the *Myrmidons*, or *Runners* of the Jail to be true; but then indeed, the Man cou'dn't deny but that it was a full Fortnight before the Dead Warrant came down. Next, a *Brandy Smuggler*, a good sort of a Man, used his kind Offices for composing the Difference, and reconciling the Relations to one another; he own'd *Jemmy* had been highly to blame, in bringing a *Slur* upon himself and Family, by his timorous Conduct, but hoped that as he had now seen his *Error*, he would neither want Sense nor Leisure, to *Repent* of his *Repentance*.

Two elderly Women decently dress'd in *Black Crape*, with their Faces veil'd over like a Woman of Quality, when she drives by the Door of her *Mercer*, were curs'd like a Box and Dice at a Hazard Table, as they pass'd down the Stairs, by a Surgeon; who withal said, they had lain as long in Bed as a *Welch Dean* and Chapter, so that there was hardly a possibility of their getting time enough to the *Gallows* to do their Duty. A pretty corpulent Man that stood near me, whose *Plate Button Coat* denoted him the Master of some *publick House*, was so kind as to inform me that these *Gentlewomen* were the Agents of the *Surgeons*, who gave them pretty good wages, for personating the Parents of the dying Malefactors; for which purpose they attended in Hackney Coaches, as constantly at every Execution, as *Rain* at a *Review*, or *Ladies* at a *Rape-Trial*, and seldom fail'd to bring off a Brace or two of Bodies, for the use of their Masters the Gentlemen of the Faculty; while the real Mothers, who have waited near the Tree, with scarce any Cloaths at all on their Backs, have not only had the mortification to see the Remains of their

unhappy Children carried off in Triumph for Dissection, but also run a risque of being massacred by the Mob, on a false Suspicion of their being in the Interest and Pay of the Surgeons.

At last out set the Criminals, and with them a Torrent of Mob, bursting through the Gate, like a *West Country* Barge with a *Flash of Thames* Water at her Tail. Thousands are pressing to mind the Looks of them. Their *quondam* Companions more eager than others, break through all Obstacles to take Leave; And here you see young Villains, that are proud of being so (if they know any of them) tear the Cloaths off their Backs by squeezing and creeping thro' the Legs of Men and Horses to shake Hands with them; and not to lose before so much Company the Reputation there is, in having had so valuable an Acquaintance. All the way from *Newgate* to *Tyburn*, is one continu'd Fair. Here the most abandoned Rascals may light on Women as shameless. Here Trollops all in Rags may pick up Sweethearts of the same politeness; where the Croud is the least, which among the Itinerants is nowhere very thin, the Rabble is the rudest; and here, jostling one another, and kicking Dirt about, are the most innocent Pastimes. Now you see a Fellow, without Provocation, push his companion in the Kennel, and two Minutes after, the Sufferer trip up the other's Heels, and the first Aggressor lies rolling in the more solid Mire. No modern Mob can long subsist, without their darling Cordial the grand Preservative of Sloth, *Geneva*. The Traders who vend it among them, on these Occasions, are commonly the very Rubbish of the Creation, the worst of both Sexes, but most of them Weather-beaten Fellows, that had misspent their Youth. Here stands an old Sloven in a Wig actually putrify'd, squeezed up in a Corner, recommends a Dram of it to the Goers-by. There another in Rags, as rusty as a Nonjuring Clergyman's Cassock; with several Bottles in a Basket, stirs about with it, where the Throng is the thinnest, and tears his Throat like a Flounder Fellow, with crying his Commodity; and further off you may see the Head of a Third, who has ventur'd in the middle of the Current, and minds his Business as he is fluctuating in the irregular Stream. Whilst higher up, an old decrepid Woman sits dreaming with it on a Bulk, and over-against her in a Soldier's Coat, her termagant Daughter sells the Sots Comfort with great dispatch. It is incredible what a Scene of Confusion, all this often makes, which yet grows worse near the Gallows; and the violent Efforts of the most sturdy and resolute of the Mob on one side, and the potent Endeavours of rugged Sheriffs Officers, Constables, and Headboroughs, to beat them off on the other; the terrible Blows that are struck, the Heads that are broke, the Pieces of swinging Sticks and Blood that fly about, the Men that are knock'd down and trampled upon, are beyond Imagination. After all, the *Ordinary* and *Executioner* having perform'd their different Duties, with small Ceremony and equal Concern, seem to be tired, and glad it is over." (*A Trip through the Town*, pp. 26-31.)

The following is an account of a State Execution, but not of a noble lord. The writer early in the morning found a young woman beside Rosamund's Pond about to drown herself, because her husband was to be shot that morning for fighting under the enemy's flag. The writer did his best to dissuade her:—

"Thus we chatted till about eight o'clock, when I perceived a great Party of the Guards, under Arms, moving slowly towards us. I requested to know where I could see her again; 'To oblige you, Sir,' answered she, 'you may see me Tomorrow morning at *Islington Church*.' By this time she plainly saw the Guards, followed by a prodigious Croud of People; then her Outcries and Lamentations were affecting beyond Expression, frequently saying, 'My dear, dear *William* is the Occasion of that Croud, they are now going to tear him from me for ever.' She instantly ran to them, and I kept as close to her as possible till we came up to the Croud.

To give you a Description of this melancholy Sight, the Guards were taking five Prisoners to Execution to *Hyde-Park* to be shot, who were dressed in white and attended by Chaplains, unbraced, and Mourning Drums dismally beating; Sadness appeared in every Part of this Scene; not all the Pageantry used at great Funerals can for Sorrow equal this, where unfortunate Men behold their own Obsequies; they moved a slow and solemn Pace, when my Morning Acquaintance threw herself at the Feet of her beloved *William*, and distractedly cried, '*William*, my Dear, my Husband, where are you going? they are leading you to Destruction; you shall not go with them; sure they do not mean to shoot my *William*. The King has not such a Man in his Army.' The Guards halted a little, *William* had a fine Person; he stoop'd and kiss'd his Wife, who was still at his Feet, and desired her to bear all with Patience. They were ordered to march; he bade her adieu, and she was gently taken away, piercing the Hearts of her Hearers with her Cries, saying, '*William! William!* are you going to leave me?' and then made an outcry of 'Murder! Murder!' these were the last Words I ever heard her speak.

I walked with the Guards to the fatal spot, which was close to *Hyde-Park* Wall; there were five Graves and five Coffins ready prepared; they were to be shot at the End of their Graves. The five who were to suffer spoke above twenty Minutes to different Persons; after they prayed half an Hour they were put on their Knees, and their Caps drawn down on their Faces; the youngest Men were draughted out of the Party of the Guards who came with them, for the Execution; they had Orders to proceed by a Signal, which was a white Handkerchief tied to a Halbert; the first Motion of it in the Air was for them to make ready, the second to present, and the third to fire. The Prisoners prayed with great Fervency in this Situation, till they heard the well-known noise of Soldiers, within four Yards of them, preparing to fire; all in the Assembly round them were as silent as the Dead; then, I believe, they could be heard as far as ever human Voices were, invoking God for

Mercy, till the last fatal Signal was given, the hasty Forerunner of ending their Miseries in this Life: Their Faces and Breasts were all tore to Pieces by the Balls, and all dead before they fell.

What makes me so particular about this Execution, is, because they were the first who suffered this way on account of the Rebellion.

Next morning I went to *Islington Church*, to meet poor *William's Wife*, according to her Promise to me; I walked a considerable Time in and about the Church-yard, but could not see her; I perceived greater numbers going more hastily into this Church than common, which roused my Curiosity, and made me also go in; there, in a Shell (a Thing made like a Coffin, but larger, kept on purpose for sudden Deaths) did I see the Corps of the unfortunate but constant Wife of *William*, who, two Hours before, had been taken out of the *New River*."

The horrible procession to Tyburn was abolished in the year 1783, after which, until execution began to be conducted within the walls, capital sentences were carried out in front of Newgate.

There were other places occasionally used for execution. That most in use after Tyburn was Kennington Common, then a neglected waste, now a pretty little park. Among others executed there were two wretched youths named Salmon and Mills in 1739. They had robbed a man named Harvey on the high road, taking from him a handkerchief and a few trifles worth altogether a few shillings. The robbery and the sentence present nothing remarkable, except that the man Harvey was allowed to ride after the cart, jeering and insulting the unfortunate criminals on their way to execution.

Of state executions the eighteenth century saw happily but few, though there were two revolutions, and materials enough for hundreds of executions had Henry VIII. been on the throne. The only persons who were beheaded on Tower Hill were Lords Derwentwater and Kenmuir after the '15 rebellion; Lords Kilmarnock and Balmerino, on the 8th of August 1746; Charles Ratcliffe, brother to Lord Derwentwater, on the 8th of December 1746; and Lord Lovat on the 9th of April 1747. These executions belong to the history of the country. Of crimes the century possesses a long and interesting roll, most of which are very well known. The case of Lord Ferrers is the most celebrated; the others may be left to the Newgate Calendar.

Here is an episode of the war. One Thomas Rounce, able seaman, was found on the capture of a Spanish privateer, with the crew, fighting against his own countrymen. The particulars of the case are not given, nor those of his trial. All we can see is the end of this traitor; an end carefully prepared for the edification of that quarter where sailors mostly resided. It was, in fact, a show designed to emphasise both the enormity of the crime and the horror of the punishment, a sight of which the London mob had not enjoyed for more

than thirty years. The criminal was placed on a hurdle and dragged by four horses adorned with ribbons, showing the triumph of Justice and the gladsome gratitude of Man. One of the sheriff's officers marched in front carrying a silver oar. Behind him, also on the hurdle, sat Jack Ketch, dressed in a white frock, with a knife and steel by his side, as the Butcher of the Law, and a drawn scimitar in his hand. The wretched man was hung for fifteen minutes—ten minutes less than were commonly thought necessary to destroy life—he was then cut down; and with one or two excepted details, was treated after the manner of Henry the Eighth's favourite medicine for traitors.

I am indebted to Mr. Austin Dobson's charming *Eighteenth Century Vignettes* for the meaning of the tall lean figure with the lank hair who sits in the cart with the condemned criminal, exhorting him to repentance, while the chaplain lolls in his carriage prepared to read the funeral service at the gallows. The lank hair denotes the dissenting preacher; the figure, as is always the case with Hogarth, is a portrait; the man was Silas Todd, formerly a sailor. He occupied himself for many years with attending the malefactors of Newgate; he prayed with them and exhorted them in prison; he climbed into the cart and went with them to Tyburn. Among others, he took care of the dreadful Elizabeth Brownrigg, whom he led contrite and penitent to the gallows. Nor did he confine himself to Newgate; he visited all the London prisons and all the workhouses. This remarkable man died in 1778. John Wesley's *Journal* laments his departure—

"I buried what was mortal of honest Silas Todd. For many years he attended the malefactors in Newgate, without fee or reward; and, I suppose, no man for this hundred years has been so successful in that melancholy office. God had given him peculiar talents for it; and he had amazing success therein. The greatest part of those whom he attended died in peace, and many of them in the triumph of faith."

In 1784 an event of the very greatest importance to the morals of London took place, when, for the first time was held outside Newgate, instead of Tyburn, an execution. There was a vast crowd, of course; instead of the cart and the coffin and the chaplain rolling about along the uneven road, the astonished crowd beheld a quiet and solemn procession, consisting of the chaplain reading the funeral service, followed by the criminals, pale and serious,—there was no orange in one hand and prayer-book in the other; there was no kicking off of shoes as the cart went off; there was no cart; awestruck, the crowd looked on; nor was it till the wretched man was swinging that the crowd recovered its ribaldry. And, for the first time, the people went home with a shudder. An execution, of which the crowd saw, so to speak, no more than the end, leaving the rest mysterious, was no longer a thing to laugh at.

Seventy years later it was wisely determined to make even the end itself mysterious. The people now, who only know of an execution from the papers, have ceased altogether to regard the hanging of a man as otherwise than horrible, terrible, awful. Therefore the crime which led up to this awful punishment is itself horrible and terrible. The lesson taught by the unseen and the mysterious, is deeper than that which was taught by the open and public exhibition of a gallows and a doing unto death.

There were, of course, other punishments besides that of hanging. There was transportation for a term of years, or for life, with execution if the convict returned before his time. There was pillory; there was imprisonment; there was branding with a hot iron; there was flogging; in the case of women there was even burning alive.

The method of procedure with the convicts lying for transportation before the American War, was as follows:—They were handed over to a contractor who was under obligation to produce vouchers for their safe arrival in certain colonies of North America—the Carolinas, Maryland, Virginia—and for their sale to the planters for the whole time of their transportation, which was seven years, fourteen years, or for life. The contractor received £5 a head for their passage and their food, while at sea. Their diet was strictly prescribed. So far, the Government showed humanity, in the interests of the unfortunate convicts. It cannot be called luxurious, but it can be proved that those convicts who happened to have friends, or money, or the command of money, could procure additions and improvements. The convicts were divided into messes of six each: for every mess was provided every day 4 lbs. of bread; 3 lbs. of pork on Sunday, and 4 lbs. of beef on Thursday; 3 lbs. of peas were served Sunday and Thursday; on Monday, Tuesday, Wednesday, Friday, and Saturday, 2 lbs. of oatmeal and 1½ lb. of molasses; 1 lb. of cheese was served out on four days in the week; and on Saturday there was allowed, for each mess, 2 gills of gin. Of cocoa, coffee, tea, or beer, there is no mention whatever.

On their arrival in Virginia they were taken to some public place and put up for sale, exactly like the negroes, generally realising at the rate of £2:1s. each, and 1½ lb. of tobacco. Their work in the fields was neither better nor worse than that of the black slaves; they were under the lash; they were scantily fed and roughly housed; those of them who could escape, did so, at the risk of being executed for returning before their time. I have no means of learning—Defoe, of course, only speaks at second hand—how they fared; whether the work proved healthy or not; whether they worked well or ill; whether they settled down and became the ancestors of many Virginians of the present day. We may form our own conclusions, however, from what knowledge of the convicts we do possess. First, it is certain that there were very few white

women, and that white women of any social consideration would not marry the convicts; next, there were thousands continually escaping and getting back to London; thirdly, their sentences were for seven or for fourteen years; fourthly, they were a wretched lot at all times, their constitutions ruined with drink and disease. The open-air life may have restored them to strength, but we must remember that they were mostly the scum of the London streets; men and women who had never learned a trade; that they could not use their hands; that they had never been accustomed to work and could not work; that they were mostly like those brute beasts and wild creatures who find their food day by day by prey and violence; and that for months before they were placed on board ship they had been confined in a fetid crowded prison, their vital powers lowered by bad food, bad drink, bad air, and no exercise.

It is certain, from these considerations alone, that they went on board the convict ship in a condition most unfit for a rough voyage or for work in the fields. I have before me the lists of three ships belonging to 1740 or 1741 which took out convicts. On board one of them were placed 153 convicts; the voyage to America generally lasted two months or thereabouts; during this short voyage 61 out of the 153 died, and 8 were landed sick; the remaining 84 were put up for sale. One would like a picture of this auction; one would like to see the poor wretches, ragged, filthy, cowed, cowering together, fetid and foul and dangerous with the gaol fever they took on board with them.

On the second ship 108 were put on board; of these 37 died on the voyage.

On the third ship 50 were put on board; and 15 died on the voyage.

We have seen what their diet was,—low, but sufficient; it was not to the contractors' interest that they should die, but quite the reverse. The normal condition of the average convict was pretty clearly shown when the hulks were established. Most of them, it was found, had never done any work in their lives. In fact, they could not do any work.

We have, I have said, very little information as to the history of the convicts of Virginia. We do not know how many of them wasted away and died under the hot sun and the hard work and the lash of the driver. One can only hope, that as they were clearly unfit for work in the sun, they were spared the lash that was so liberally bestowed upon their negro comrades.

In the year 1776 a new mode of punishment was devised and attempted. The country, and especially the City, was greatly distressed and alarmed at the increase of robberies, and acts of violence; and this in spite of the wholesale executions and the cruel floggings. Mere imprisonment, it was understood, was useless as a preventive or a deterrent; moreover, it was costly. It was thought that some new

mode of punishment should be attempted which would at once frighten and deter criminals and utilise their time and labour for the public benefit.

Transportation to the American Colonies had been stopped by the War of Independence. It was then proposed that the convicts should be neither flogged nor imprisoned, but should be set to hard labour on the hulks. A vessel was fitted for the purpose, with sleeping accommodation for the convicts and their guards; the men were dressed in a coarse and squalid uniform; they were fed on coarse food. They were not allowed to receive any visits or any gifts. The work they were set to do was dredging—hard, laborious, ungrateful kind of work. In this employment the convicts of the hulks continued for a great many years.

The convicts were at first astonished at the prospect before them. Imprisonment had always been a time of idleness; a time of purposeless waiting in the yard of Newgate—until the procession to Tyburn or the release. Now they were called upon to work. At first they could not understand that henceforth imprisonment was actually intended to mean being chained to another man and to work under penalty of the lash at the most monotonous and most disagreeable job that could be found for them. They could not work; their muscles were flabby; the spade was too heavy for them; they could not lift a spadeful of earth; they laid down the instrument and refused to work. They were stripped, tied up, and lashed into obedience. They ran away; they were caught and lashed again into terrified submission; they rose on their keepers and killed one or two, and were hanged. Those who were not hanged were lashed again. We are not told how many were killed by this sharp discipline. Finally, it was noised abroad among the criminals of London that convict labour was more grievous than any form of honesty; less to be desired than the worst kind of work outside; and, for the first time, punishment became terrible—therefore deterrent. At the same time an honest life remained impossible; therefore the criminal found himself between the "Devil and the Deep Sea." Here he has ever since remained. For if he did not rob he starved; and if he did rob, he was in danger of the most awful life—the most terrible life—that his imagination could conceive—a regular life; hard work all day; poor food; obedience; and the continual ringing of the lash in the ears of the poor wretches working in the mud. Did they form parties—those professionals who were "out"—and go down the river in order to gaze from a distance upon their brothers—their brothers who were "in," clad in hideous garb, working subdued and meek, down in the mud and filth of the dredges?

We know that the pillory was a favourite form of punishment in the thirteenth and following centuries for petty cheats and thieveries; in the seventeenth century it played an important part in awakening and maintaining the popular hatred of the Star Chamber, Laud, and King Charles himself; it taught the advocates of free speech and free thought that the shortest way to convince the people was

to stand before them all in that place of shame with undaunted brow and smiling face.

We hear little of minor offenders—rogues and cheats—in pillory in these later times; but the punishment continued; and, when the popular indignation was fierce against the crime or the criminal, it was sometimes as fatal as the gallows, and far more terrible. On the other hand, it might be a time of triumph. Titus Oates was taken down on his first day of pillory, nearly dead. Defoe, standing in the Temple, was pelted with flowers instead of stones. Four thief-takers in 1756 were taken down nearly dead after an hour of pillory. In 1763 a man was killed at Bow while in pillory; in 1780 another man was killed in the same way by the stones thrown at him, in Southwark.

It seems incredible that so late as 1814, Lord Cochrane, charged with Stock Exchange frauds, was actually sentenced to pillory. He was saved from it by Sir Francis Burdett, who told the Government that if Cochrane were put in pillory he would stand beside him. The punishment of pillory was only abolished in 1837.

Whipping, either in public or in private, was the most common of all punishments. The vagabond was whipped through the town; the cheat was whipped at the cart's-tail for a hundred years, two hundred years, or more; women were whipped as well as men. It has been mentioned that it was one of the sights of London to visit Bridewell on whipping days, when the women, stripped to the waist, were flogged in the presence of an alderman. The law ordering that women should be flogged for certain offences was formally enacted, 4 George I. c. 57. It had been, however, a practice long before. Thus Shadwell in his play, *The Woman Captain*—1680—says, speaking of disorderly women, "There are none but such as are poor and beat hemp, and are whipped by rogues in blue."

This whipping of prostitutes was in force all through the eighteenth century. Fielding in his *Coffee-House Politician* says, "If you are not a woman of virtue you will be whipped," and in his *Grub Street Opera*, "Smaller misses for their kisses are in Bridewell banged." Edward Ward in his *London Spy* (circa 1730) describes how women were flogged in Bridewell.

The whipping was also for other offences than prostitution. There is an entry in the *Public Ledger* of 1764 to the effect that a woman, who was an old offender, was conveyed from Clerkenwell Bridewell to Enfield, where she was publicly whipped at the cart's-tail by the common hangman, for cutting wood in Enfield Chase. "She is to undergo the same discipline twice more," says the report.

"This degrading punishment was continued in England until early in the present century; and doubtless there are readers of *Notes and Queries* who have witnessed its infliction. I remember (written in 1852) when young, that the servants went to see such a spectacle, and related all its disgusting particulars

after their return. It was abolished by Act of Parliament 1 George IV. cap. 57, 15th July 1820. This Act is usually called "General Thornton's Act." (*Notes and Queries*, 1st series, vol. vi. p. 281.) . . . "Women were liable by law to be whipped, both publicly and privately, till the year 1817; when, by stat. 57, George III. c. 75, the public infliction of that punishment was abolished. It was not till 1820 that the exemption from their being privately whipped was enacted by stat. 1 George IV. My father told me that Sir John Perring, when he was sheriff of London (in 1800, I believe) was so shocked at the sentence for private whipping being pronounced on a female prisoner, that he took the cat from the executioner and, with his own hands, laid it gently over the back of the culprit once, saying, "Now I have executed the sentence." (*Notes and Queries*, 2nd series, vol. xi. p. 477.)

The punishment of flogging went out of use in our courts of criminal law, and would have disappeared altogether but for its revival in cases of garrotting and robbery with violence. Since garrotting disappeared at once with the renewed application of the lash, and since it has been found that there is nothing a robber dreads more than a flogging, it has been retained. The floggings ordered at the Old Bailey are administered at Newgate, where the instrument can be seen. The malefactor stands in a small semicircular pew stripped to the waist and his hands tied up. The effect of the scanty number of lashes now administered is such that one cannot choose but marvel how men endured the hundreds of lashes inflicted in some cases.

Another punishment which went out of use towards the end of the eighteenth century was branding. Whenever the prisoner could find money to bribe the executioner, the iron was cold. Probably the knowledge of this—Ben Jonson could have revealed the ease with which the sentence was evaded—caused the abolition of the practice.

The use of the stocks was continued much longer. In country villages and county towns the stocks were standing until well on into the nineteenth century. Those of Rugby remained till 1865. In London the stocks were like the pillory. They might become a place of execution or a bed of roses. Given an unpopular criminal, or one whose crime was odious to the people, and stones took the place of dead cats. The last stocks standing in London were those of St. Clement Danes, which were taken away in 1821. I myself can remember a man put in the stocks about the year 1848 in a certain country town. Nobody threw dead cats at him, or anything else; he was a hardened villain, and instead of weeping, or hanging his head, he looked round and laughed cheerfully during the whole time of his incarceration.

Imprisonment, as formerly carried out in Newgate, when it did not mean death by gaol fever, might be made tolerably comfortable. If the prisoner had money, he could enjoy a cell sufficiently furnished, with a fire for cooking and for warmth, not more than half a dozen messmates, and plenty of visitors to relieve the tediousness of captivity. Wine and beer might be brought in, but not spirits. They were introduced by women, in flat bottles concealed about their persons. Debtors,

criminals under sentence, and prisoners committed for trial, were all mixed up together. Those who could pay had little to complain of except the confined air of the narrow courts; those who could not pay were thrown into a part of the prison where they had no comforts at all, and nothing to live upon but the charities and doles of the prison.

Later in the century it was understood that debtors ought not to be imprisoned with criminals, and that those under sentence of imprisonment should be kept in a prison by themselves. Cold Bath Fields House of Correction was a step in this direction.

CHAPTER V

DEBTORS' PRISONS

THE system of imprisonment for debt was attacked over and over again long before it was at length abolished. The same arguments were repeated year after year, generation after generation; they failed because the injuries inflicted on every class of society by those who incur debts which they cannot pay are so great that it seems as if imprisonment is the least and lightest form of punishment that should be inflicted on the debtor. The landlord whose tenants cannot or will not pay, the professional man who cannot get his fees, the merchant who will be ruined if his tradesman breaks, the tradesman who must break if his customers do not pay,—all alike go mad with resentment against the man whose extravagance, or folly, or misfortunes will not allow him to pay his debts.

The law gave them the power of revenge, full, and terrible, and lifelong. The law said to the debtor, "Whether you have wilfully incurred these debts or not, whether you are innocent or guilty, you shall be deprived of pure air; you shall lose your means of subsistence; you shall have no allowance of food; you shall have no bed; you shall have no fire; you shall have to sleep upon the boards unless you can buy bedding; you shall be forced to horde with a promiscuous crowd unless you can afford to pay a high rent for separation; you shall enjoy every possible chance of catching gaol fever, smallpox, rheumatism, and every other disease or ailment to which confinement and starvation expose you." And whereas the criminal gets off with a short sentence of two or three years, the law says to the debtor, "You shall be imprisoned for life."

Now read the following utterance of Defoe on Debtors' Prisons (*Life*, etc., by William Lee, p. 11):—

"For debt only, men are condemned to languish in perpetual imprisonment, and to starve without mercy, redeemed only by the grave. Kings show mercy to traytors, to murtherers, and thieves; and general pardons are often passed to deliver criminals of the worst kinds, and give them an opportunity to retrieve their characters, and show themselves honest for the future; but in debt, and we are lost for this world. We cannot obtain the favour of being hanged or transported, but our lives must linger within the walls till released by the grave; our youth wastes away inactive, grey hairs cover us, and we languish in

all the agonies of misery and want, while our wives and children perish for mere hunger, and our creditors themselves see themselves paid by death and time; and oftentimes the posterity of those very creditors receive the just retaliation of their father's cruelty, and perish in the same prison; nay, as it may be prov'd, have perished in the very same chambers where their haughty, unrelenting ancestors had caused a miserable debtor to starve before them. Tell me, what nation condemns poor, incapable debtors to perpetual imprisonment, for no offence but not being able to pay what they owe?"

Neild, in his *Observations on the Law of Civil Imprisonment* (p. 24), says:—

"Suppose that an unfortunate man, unable even to pay a debt of 10s., is arrested on the eve of a law term, and thrown into prison for his inability; and that, in the same number of days as he owes pounds, he will be involved in a fresh debt, of equal or greater amount, for the costs of his detainer in prison; what will be the exclamation of the voice of Reason? But, carry the inquiry a little further, and let us suppose that his attachment by one creditor alarms the rest (nor is it unnatural that it should do so), and that he has ten detainers laid against him for debts of the same amount; what will then be his situation? Why, he will in a few days be encumbered with additional debts put together, at the very time that he is immured in prison, without subsistence, or the means of earning any for himself, or the wretched dependents on his affections, and, without having done a single act to occasion the expenses, which he is wholly unable to prevent. And what then will be the exclamation? and where, as the law now stands, is he to look for mercy? The Bankrupt Laws, which, to the fair trader who has had the good fortune to deal with humane creditors, afford relief, are not open to his assistance; he has been too modest in all his transactions in trade to have ventured sufficiently to come within their purview; his debts are not of the required amount to entitle him to their relief; his creditors—most probably of the same class in life with himself, and who can but ill afford to pay the expenses that have been incurred—will they commiserate his sufferings and restore him to liberty? or will they not rather be acted upon in the fulness of their resentments at the loss of their debts, and having, as they unfortunately experience, thrown away good money after bad, and (apprehensive if they liberate the prisoner, they can have no pretence for suspending the payment of their attorney's costs) be more likely to continue his confinement, and endeavour to throw the odium of the expenses being incurred upon the pretended obstinacy of the unfortunate victim, for whom no one considers it his interests, or feels any incitement to drop a word of kindness or mitigation? And yet, in a country boastful of its laws and its freedom, these are the persons who are to pronounce on this imprisonment of their fellow-subjects, perhaps for the period of their lives, without the right of appeal to their country or the hope of relief. Power in the hands of man is always subject to abuse; but what is to be expected from him, when he is suffered to judge his own cause, under the influence of conceived injuries and agitated by resentment?"

He then appends a table of the allowed and ordinary Bills of Fees for arrests of £10 (p. 27):—

"IN THE CASE OF AN ARREST, WHERE THE DEFENDANT IS TAKEN TO PRISON

Hilary Vacation

19th April.	£	s.	d.
Instructions and warrant to sue	0	12	1
Affidavit of debt	0	7	2
Drawing precipe for original fol. 25	1	5	0
Copy for the cursitor	0	12	6
Paid for original	0	5	6
Fee thereon	0	6	8
Carried forward	3	8	11

	£	s.	d.
Brought forward	3	8	11
Paid the King's fine and attending to compound it	0	10	0
Returning and filing original	0	2	4
Capias and fee	0	16	0
Warrant and messenger	0	2	4
Attending to instruct officer	0	3	4
Paid officer for arrest	0	10	6
Letters and messengers	0	2	0
<i>23rd April.</i>			
Motion for a rule to return the writ	0	3	4
Paid for the rule	0	6	6
Copy and service	0	2	0
Instructions for declaration	0	6	8
Drawing same, fol. 25	0	16	8
Entering on the roll, and paid prothonotary	1	5	0
Copy declaration on stamps to deliver to defendant and duty	0	9	8
Attending to deliver same	0	3	4
Affidavit of service, duty and oath	0	7	2
Copy declaration to annex to affidavit and duty	0	9	8
Copy affidavit and declaration and stamps	0	13	4
<i>29th April.</i>			
Paid filing affidavit and declaration	0	2	0
Attending to file same	0	3	4
Term fee, letters and messengers	0	12	0
	11	15	8

And in the country, if the arrest is made at a considerable distance from the county gaol, they will perhaps amount to £20 in the same period of time."

But the creditor was bound to pay something—fourpence a day—towards the support of his prisoner. This was by the "Lords' Act." How did it work out? The plaintiff was allowed five terms to proceed against his debtor. The attorney took care to spin out the case for the whole time, during which the prisoner might languish in semi-starvation with nothing but the doles of prison food, where there were any (see also pp. 535 and 540).

There was a society established with the laudable object of relieving persons imprisoned for small debts. In January 1778 the quarterly court of this society met to have a report of relief effected during the last three months; it appeared that 218 debtors had been discharged by the society; of these 113 were married men with 382 children. The debts of these persons amounted in all to no more than £399:19:3, which is just over £1:10:0 for each debtor. For such wretched, paltry debts a man might be shut up for life. This society afterwards became one for the release of poor prisoners. In 1808 it expended £2000 a year upon them and released 800 prisoners.

As for the number of prisoners, in 1792 there were 1957 prisoners for debt

in the different gaols of the kingdom. Of these 1251 were "a mesne process," i.e. no judgment obtained; 326 on demands under £20; 392 on demand upon £20 to £50; 215 on demand from £50 to £100. Many of the men had large families with them in the prison. In the King's Bench of 520 prisoners, 340 had wives and children. Among the whole number there were 1300 wives and 4088 children. The larger number of prisoners were quite humble persons—handicraftsmen and journeymen.

An Act for the Relief of Insolvent Debtors was passed on the 23rd of May 1776. It was not an Act for the Abolition of Imprisonment for Debt by any means, but an Act, apparently, for the clearance of the prisons. It is said that 8000 debtors were ready to get their discharge in accordance with this Act.

It exempted all debtors who owed more than £1000 to one man; it admitted to discharge all those who were arrested, imprisoned, fugitives, or bankrupts on or before the 22nd day of January 1776; but fugitives and bankrupts were to surrender. The only condition is that every debtor shall give in a complete list of all his possessions 'at the time,' and that his release does not make him free from liability for the old debts should he inherit an estate or money in the funds. If a creditor opposed a prisoner's discharge he had to pay him 3s. 6d. or 4s. a week for maintenance, in default of which for a fortnight the prisoner may obtain a discharge.

Great care was taken to prevent fraudulent returns as to property. The main point, however, to note in this Act, whose operation was to cease on the first day of August 1778, is that it was essentially a gaol delivery. Thanks to this Act the number of prisoners was greatly reduced. Twenty years earlier, in the year 1759, a writer in the *Idler* estimates there were 20,000 prisoners for debt in Great Britain and Ireland. The heaviness of sorrow, the corruption of confined air, the want of exercise and sometimes of food, the contagion of disease, the severity of tyrants, and all the complicated horrors of a prison, killed yearly one in four in these prisons. Again, the misfortunes of the father affect his family. Every prisoner for debt represents the ruin of a whole family, or part of a family. The loss of his labour at a shilling a day means £300,000 a year. The misery of gaols does not lie in their confinement alone, but in the horrid corruption of morals and the profligacy that goes on openly at every prison. The writer was before his time; there were eighty years more of debtors' prisons before they were finally swept away.

"It is but too common a saying with creditors, that they expect no benefit or interest from throwing their unhappy fellow-creatures into a gaol, but they do it by way of punishment, and that they will at least have that satisfaction."

This, no doubt, was the chief motive which actuated the detaining creditor.

One must make every allowance for a tradesman. A few such defaulters and he is ruined; but, says the writer:—

“The law might surely interpose to limit the extent and duration of that punishment which, as things stand, is now left to the creditors, who will suffer their debtors to languish out their lives in a gaol, while every day's imprisonment lessens the prospect of their payment by increasing their disability.”

In order to mitigate in some degree the penalties of debt, courts were instituted, anciently denominated Courts of Request (Neild's *Account of Debtors*, p. 550):—

“They had their origin in 1518, when the Common Council of the City of London issued an Act for the recovery of debts under forty shillings due to citizens, by a court to be called a Court of Conscience, and to be held in Guildhall; those debtors who failed to obey the award of that court were to be imprisoned in one of the City Compters until they complied with such award, even though it were *durante vita*. In 1605 (the third year of James I.) the powers of the court so formed in 1518 by the Common Council of London were established by Act of Parliament. In 1750 Alderman Dickenson brought in a Bill for extending similar powers to the whole county of Middlesex; but with this difference, that all persons refusing to submit to the decision or award of the court were rendered liable to imprisonment in Newgate for three calendar months, which cancelled the debt.”

The unfair and iniquitous condition of the law in the year 1808 was further shown by Neild, in a table which proved that a man who owed 1s. only immediately on arrest had that amount run up to a sum varying, according to the place, from 14s. 11d. to £1:5:7. If he could not pay this whole amount—a man who could not pay 1s. certainly could not pay 14s.—he was either detained for life, or for forty days, or for three calendar months. The following is the table (Neild, p. 552):—

“At the City Compters in Wood Street and the Poultry—	£	s.	d.
Debt of 1s.	0	1	0
Expenses to recover it as above	0	8	11
Fees exacted by the gaoler when cleared	0	15	8
	1	5	7

which the debtor must pay or be imprisoned for life with felons.

At the Borough Compter, Southwark—	£	s.	d.
Debt as above	0	1	0
Expenses ditto	0	8	11
Fees exacted by the gaoler when cleared	0	7	0
	0	16	11

which the debtor must discharge or incur imprisonment for life with felons.

At Newgate, the County Gaol—	£	s.	d.
Debt	0	1	0
Expenses	0	8	11
Fees exacted by the gaoler when cleared	0	8	10
	0	18	0

which the debtor must pay or be imprisoned with felons for three calendar months.

At Clerkenwell—

	£	s.	d.
Debt	0	1	0
Expenses	0	8	11
Fees exacted by the gaoler when cleared	0	5	0
	0	14	11

which the debtor must pay or be imprisoned with felons forty days.

At Tothill Fields—

	£	s.	d.
Debt	0	1	0
Expenses	0	8	11
Fees exacted by the gaoler when cleared	0	5	0
	0	14	11

which the debtor must pay or be forty days imprisoned with felons."

If prison was miserable and degrading, even the release from prison could be shameful and equally degrading. Thus, it was no unusual thing in the last century to meet men and women marching along the road escorted by constables, the men in irons. They were on the way from the town where they had been confined, to the town where they were to be tried; it was no small part of the ignominy of their trial, and perhaps punishment, that they had to undergo this open disgrace, this kind of prolonged pillory along the high road. Perhaps to some it was a relief after the confinement; irons did not gall some, nor did the character of the company oppress them. The danger to those whom they passed, or to any house in which they rested, was that they carried about with them the breath of the prison, and scattered gaol fever around them wherever they went. When they reached the place of trial there was very often no prison for them. Thus at Reigate, whither sixteen were marched from Kingston, there was no prison, and they were all crammed into a single small room where they were nearly suffocated. In this case they were not only marched from Kingston to Reigate, but also back again.

In the year 1766 a very remarkable procession started from the King's Bench Prison and the Marshalsea for Reigate, thirty miles distant. They were going to attend the Sessions there and to obtain their discharge, according to the last Insolvent Debtors' Act. The procession was six hundred in number; they were not in irons because, if they wished to escape, they could only anticipate their discharge by a few hours. They were escorted by officers; they were mostly poor prisoners; they were bare-footed and bare-headed; the clothing of all was in rags, and in many cases so bad as to be kept together by skewers instead of buttons. We find it difficult to understand the rags of the eighteenth century; they were, indeed, appalling; they were never changed; they were full of vermin; they were useless for the sake of keeping off the cold and almost useless for any other

purpose. These poor wretches had a starved and hungry look; their eyes were wolfish; their hair was long and uncombed; their beards were, to use the language of the day, horrid; they were weak from insufficient food, cold, and bad air; many of them were old men who had been confined for many years; they looked forward to liberty with no joy, because liberty would only take them out of semi-starvation to complete starvation; they had long since forgotten their handicraft; what remained for them but to beg their bread? For one of the worst effects of a debtors' prison was that it deprived a man of his power of work; it kept him idle so long that his sleight of hand left him; it made him incapable of work. Then again, these people had been so long accustomed to the flags and smooth boards of the prison that the roughness of the road made them footsore; presently they limped along; they sat down by the wayside; they dropped out of the ranks; only the youngest and the strongest covered the distance of thirty miles in two days; the rest kept dropping in, day after day, till all were at last arrived and all were set at liberty. But what afterwards became of them, this great army of martyrs, history sayeth not.

I have put together a few leading cases to illustrate the abuse of the law of debt and the imprisonment of debtors. A certain lady, in the year 1780, discovered that her husband was engaged in courting another woman, pretending to be unmarried. She naturally resented this treatment and stopped the courtship. The husband, in revenge, found a scoundrelly attorney who showed him how to get his wife locked up by swearing a pretended debt of £70 against her in her maiden name. When she was taken to the spunging-house, this worthy limb of the law brought her a paper which he wanted her to sign as a condition of discharge. In this paper the woman was made to renounce all claim to her husband. She absolutely refused. After a confinement of twelve days she made a representation of the business to a certain captain, at whose house her husband lived. He found an honest attorney, bailed the action, and applied to the Court for relief. The Court granted relief, released the lady, expressed indignation, hoped that the attorney would be punished, and said nothing as to the conspiracy of husband and attorney.

The next is the case of another lady; she lived in Clerkenwell, and was about forty years of age, unmarried, and with a fortune of about £1000, which, considering the class of neighbourhood in which she resided, was a considerable sum of money. She was also totally blind. The next house to her own was occupied by a shoemaker who had an apprentice. This lady, sitting with her window open, or in her doorway, listening to the sounds of the street, became aware of a steady and continuous hammering of the shoemaker's apprentice while he sat at his work. She argued from this steadiness that the young man must be industrious and of a good disposition. When, therefore, his apprenticeship came to an end she sent

for him and made him a present of a new suit of clothes, a silver watch, and £10 in gold.

He thanked her very much, and two or three days afterwards came to say that he had heard from his friends in Leicestershire, and that he was encouraged by them to go down to his native place and there open a shoemaker's shop. He assured her he would, at the earliest opportunity, repay her the money she had so kindly advanced him. He then left her, but next day he was stopped from continuing his preparations for going into the country by being arrested for debt at the suit of the lady, the amount of the debt being not only 10 guineas advanced, but also the attorney's bill and the cost of admission, or what was called "garnish," to the lock-up house to which they took him. The unfortunate young man, who could not possibly pay the money then, received a visit from the lady. She told him that he might do one of three things. Either pay the whole of the money immediately; or go to the debtors' prison, and stay there for the rest of his natural life; or marry her.

It is needless to say that the young man chose the last of the three courses. He was, however, kept in the spunging-house until such time as arrangements for the marriage could take place, when the officer who served him with the writ escorted him to the church, and would not let him go until he was fairly married to the lady who had played him this trick.

The third case shows the ease with which frauds could be perpetrated. There was no Charity Organisation Society in 1761, otherwise the following trick would not be possible:—

A clergyman in charge of a London parish, in which there was a debtors' prison, received a letter from a certain physician in the country, asking for an account of the number and circumstances of the prisoners in the gaol. The clergyman replied that there were sometimes thirteen, sometimes fifteen, the number varying, but said the sums for which they were imprisoned were very small, and that the whole number might be set free for a comparatively small amount. The physician replied that he was acting for a noble lady who would not like anyone but himself to move in the matter. A few days after he wrote to say that he had been to the prison and had released the whole, five-and-thirty in number.

The clergyman then learned that it was by no means the first time that the worthy physician had been there on a similar errand; that the gaoler had always notice of the doctor's coming in order to get the discharges ready; that the honest gaoler, on the mornings of his arrival, got twenty and thirty poor neighbours to be locked up as prisoners; these received their discharge with the rest, their liabilities being placed at anything the gaoler pleased; these prisoners got a crown a piece for their trouble; and the gaoler's wife was always one of these fictitious prisoners.

Another case is that of a lady hopelessly in debt. To avoid imprisonment she went to Newgate and found a man under sentence of execution. In return for certain allowances during the few days left to him the man consented to marry the lady, and, in so doing, he took over all her debts. Then followed complications: for the man was respited and his sentence commuted into transportation for life. However, he could not be arrested for debt, and was duly carried across seas to Virginia. After a time he was either pardoned or he escaped and returned to London. Naturally he looked about for his wife and presently found her, but she was married to another man. The story breaks off here. I commend it to any novelist in search of a plot; he can furnish his own conclusion.

The joys of a debtors' prison are suggested by the history of one John Hutchinson in the year 1771. He was a poor prisoner lying hopelessly in the Castle of Leeds for a debt to the Crown. He had to take his turn with the rest of the common side, in begging at the grate; and one day, having attracted the attention of a gentleman's servant, he picked his pocket of a watch and concealed it so quickly that although it had been seen in his hand it could not be found. In a day or two he wrote to the servant offering to give back his watch and to pay any charges, not if the servant would keep silence, but if the servant would prosecute him. He was prosecuted, tried, found guilty, and sentenced to seven years' transportation. He received his sentence "with the greatest joy." Better far to be a slave on a Virginian plantation than to enjoy the liberties of Old England as a prisoner for debt on the poor side.

Of course no person could be carried off to prison without the proper forms; but there were abuses, as will be seen presently. There were cases in which persons were arrested and taken to prison simply by asking a constable to take them there. Thus on Saturday evening, 2nd March, 1809, a maidservant, named Hannah Dunn, was carrying some crockery in a basket for her mistress, on Ludgate Hill. The ground being frosty and slippery she fell, and with her basket broke a window in the shop of one Louis, combmaker. The girl and her mistress went into the shop and offered to send a glazier, leaving, meantime, the basket as security. Louis refused the offer, and said that the girl must instantly pay him 4s. 6d. or he would send her to the Compter, and, as a constable was passing by, he called on the man and ordered him to take the girl to the Compter. He obeyed, against the law. On her way she met her master, who went to the man Louis and offered, as he had no small money, to leave his watch for security. Louis again refused; then the constable who, though a fool, was a person of humanity, got up a little collection outside the shop. It amounted to 2s., which was not enough. Therefore the girl was taken to the Compter and kept there till nine o'clock that evening, locked up with the most degraded creatures of the town.

The gaoler of the Compter, considering her story, bailed her out. On Monday she appeared before Alderman Boydell, who severely reprimanded the combmaker and advised the friends of the girl to bring an action. The action was brought and the girl got £150 damages. Further, the constable was discharged from his office.

The pitiful story—I do not know one more pitiful—of Richard Smith, is one of the tragedies of the Debtors' Prison. He was a bookbinder by trade—has a mere bookbinder the right to have a tragic story?—and he resided within the Rules of the King's Bench with his wife and their infant child. But the man and his wife were young; they were industrious; they bore an excellent character; they



FLEET PRISON 1807

From a drawing by Pugin and Rowlandson.

were temperate and sober; but they were prisoners for debt, and they were under the disadvantage—a very grievous disadvantage in such a trade as bookbinding, which is carried on in workshops by division of the work—of being unable to leave the place where they lived. One day this hapless couple was found hanging in their bedroom; in another room was their child—murdered. A letter lay on the table in which they gave the reasons for this terrible murder and suicide. The letter professed their belief in the wisdom and goodness of Almighty God; they believed that He could not take pleasure in witnessing the misery of His children; that He would consider with mercy the reasons why they had done this thing; they declared themselves willing to submit to whatever the Lord might order for them in the next world; they said that poverty and misery, want, cold, hunger, were inevitable, and

that they simply withdrew from these evils; but it was less miserable to kill their child than to leave her to the wretchedness of destitution, and they called their neighbours to witness that they had done everything possible to earn an honest livelihood.

Attempts to escape were very rare, probably because the debtor had no other place which would receive him, and no money. If he had money he could live in the Rules, where he was quite free from annoyance by his creditors. There is one incident in the history of the prison in which the debtors tried to effect an escape. They might, one would think, have marched out of the gates if they were strong enough in number and resolution. These persons, however, preferred to blow up the wall. They were caught in the attempt, arrested, and tried. Four were imprisoned in Newgate for four years, six in the Surrey Bridewell for two years, and three in the House of Correction for the same time.

Lord Cochrane, however, added to his long list of achievements an escape from the King's Bench. He was imprisoned on the charge, afterwards proved to have been false, of being concerned with certain Stock Exchange transactions of a fraudulent character. He had been imprisoned about eight months. In the interval he was re-elected for Westminster. He managed to escape by means of a rope introduced in short lengths, which he threw from his window to the spikes of the prison wall, letting himself down on the other side. He fell, however, when half way down and nearly killed himself. He recovered consciousness and took refuge with an old servant, and the next day appeared in his place in the House of Commons. Of course he was arrested and taken back to prison. Four months afterwards he was released.

There were five principal Debtors' Prisons: the Fleet, the King's Bench, the Marshalsea, Ludgate—for freemen of the City, and later, Whitecross Street. Besides these, there were the two City Compters, the Southwark Compter, Tothill Fields Bridewell, and small prisons in the Whitechapel Road, Stepney; at Well Close Square; and at St. Katherine's Precinct.

The Debtors' Prison was a favourite subject for writers, and one sure to arrest attention and interest so long as it lasted. The life there, so full of contrasts, so full of pity, so full of contempt, invited the hand of the novelist. Dickens was never tired of it; he laid one set of scenes in the Fleet, another in the Rules of the King's Bench, another in the Marshalsea. There is an extraordinary mass of material about the Debtors' Prison in literature. The number of litterateurs themselves who have been confined in a Debtors' Prison is surprising. Indeed, to the Bohemian poet the prison was a place of residence which one could look forward to with tolerable certainty, either as an episode of life, or as the fitting and natural residence for the evening of life.

Of all these prisons the Fleet has been made the subject of by far the greatest

amount of literary illustration. We are able to learn, from the literature of two hundred years, exactly how a prisoner lived. For those who had money it was a very expensive and most uncomfortable hotel. Those who were poor were maintained by bequests, doles, small endowments, weekly gifts from the Mayor and certain companies, by baskets of broken victuals, and by the alms of the passers-by, who were solicited by a man at a grille: "Pity the poor debtors, think of the poor debtors!" All the doles and gifts together made but a poor provision when the prison was full. It seems as if those who were better off must have been called upon every day to help the prisoners on the common side.

The Fleet Prison—the old prison which was burned down in the Great Fire of 1666, not that built in 1781—is said to have contained the prison proper, with a kind of small precinct or close walled round. In the close were messuages like those in the Temple, divided into chambers, and let out at so much a week to those who could afford to pay the high rent demanded. Some prisoners lived in suites of rooms, like a flat. Some had their wives and families with them; some, like Howell, carried on their literary work here. In fact, if one could get over the inconvenience of never changing the air, of never going abroad, and of being cut off from active participation in affairs, there was very little hardship in living within the walls of the Fleet, provided one could live on the Master's side. Many of the residents in this part of the prison were bankrupts, who took care to turn all their effects into money before their bankruptcy was declared; in this way they secured the means of living in comfort within the inevitable Fleet or King's Bench. Nor does it appear that there was any stigma or disgrace attached to residence in the place; the disgrace—the irretrievable disgrace—for a man in trade was bankruptcy, not the Debtors' Prison.

On the common side, if one had nothing at all, the misery of the place was intolerable. For instance, if a man had a bed and bedding he could bring them into the prison; if he had none he must pay twopence a night for a bed, or a penny for half a bed. If he had no money he must lie on the floor; one prison in London, and only one, provided dry straw for bedding. There were, however, many little offices to be done in the prison by which money could be made. Some trades, such as cobbling, mending, and repairing, could be carried on; actual starvation was extremely rare, though many were underfed and suffered from low vitality and liability to sickness.

The prisoners on the common side were often as well off in the way of food, drink, and lodging, in the prison as they had been outside. The place, it is true, was noisy; there were continual brawls and continual fights; but outside the prison these people were well accustomed to noise, brawling, fighting, and drunkenness. They were accustomed also to sleep two or more in a bed; they were accustomed to dirt, vermin, and unwashedness of things. Thus the prison was no

worse than their own houses. To be sure, when a prisoner of this kind—of the twopenny ward—happened to be a scholar or a gentleman there was no doubt a great deal of suffering. But we do not hear of many scholars or gentlemen in the twopenny ward.

On the common side, lower than the twopenny ward, was the Beggars' Ward, in which there were no beds, no blankets, no fire in winter, not even the means of getting drunk. One knows not how many as a rule inhabited the Beggars' Ward; we hope but few. In a word, it must be admitted that while for the better sort the Debtors' Prison must have been a noisome, unclean, and miserable place, we must not judge of the seventeenth or even the eighteenth century with the eyes and feelings of the twentieth. The people who occupied the poor side were far less sensitive than ourselves to cold, dirt, hunger, confined air, unwashed clothes, and stinking surroundings; they were in all respects far harder. What to our own people of all classes would be misery intolerable, was to them only part of the general unpleasantness of this episode in their earthly pilgrimage.

The history of the Fleet Prison is a long record of complaints against the tyranny and oppression of the wardens, or the persons by whom the care of the prisoners was farmed. One of the most interesting of the Camden Society's publications is a book called the *Economy of the Fleet*, in which the prisoner's hard case is set forth very clearly. It is proved that every form of exaction was practised upon the unfortunate residents. Other pamphlets from time to time exposed, but mostly in vain, the cruelties and the extortion of the wardens. It took a hundred years of complaint before action was taken, viz., from 1597 to 1696. In the latter year a committee of the House of Commons was appointed to examine into the management of the Fleet. Their Report showed that the warden underlet or farmed out the prison for £1500 a year, a sum which the sub-warden had to raise out of the prisoners before he received any profit for himself. Part of the money was raised by allowing certain prisoners to live in the Rules; part by allowing prisoners to escape.

It has never been the custom in a trading city to extend much sympathy towards persons who fail to meet their liabilities. Still, the facts brought out by the Report startled some people; it began to be whispered that even a debtor has rights, and that the law which imprisoned defaulters did not order them to be fined, over-charged, robbed, laid in irons, clapped into dark and noisome cells, and treated with systematic cruelty, not in the interests of justice, or by order of judges, but solely in order that the farmer of the prison might receive his enormous rent and speedily get rich. The whole system was shameful to any civilised country. The debtor, on being arrested, was carried to a "spunging-house" belonging to the warden or farmer of the Fleet, and kept for him by one of the tipstiffs. Here he was charged the most exorbitant sums for everything; if he demanded to be transferred to the prison he was told that he must pay a

fee for permission; if he refused to pay he was put into a cellar or garret until he gave in and paid the fee. He was then taken to the Fleet and there presented with the bill of fees for admission. There was a fee payable for every action or detainer against the prisoner. If there were four, the following was the bill which the poor man had to pay for the privilege of being a prisoner.

	£	s.	d.
For four surrenders at the Judge's chambers to his clerks.	9	11	6
To the tipstaff, four fees	2	2	0
To the warden, "	16	12	0
The previous fee for turning into the house	10	10	0
Fee for occasional "liberty" to leave the spunging-house	6	6	0
	<u>45</u>	<u>1</u>	<u>6</u>

In 1727, another committee, made immortal by Hogarth, sat to investigate the conduct of the Fleet. They found that the above fees were charged and had to be paid. Moreover, the prisoners who had paid so much were continually reminded that a present to the warden would be acceptable. In the case of a certain Roger Castell, an architect and artist, this demand made over and over again was at last refused. He was then transferred to a spunging-house where smallpox was raging. The warden, Bambridge, refused to receive him back, and the poor man caught the disease and died, leaving a wife and family in the utmost distress.

Another method of extortion was to keep on the books prisoners who were entitled to a legal discharge. The method of working this trick was simple. The men had been living in the Rules; being discharged they went away; the warden, however, having them still on his books, was able to declare that they had made an escape. He therefore arrested them, clapped them in the spunging-house, and got these fees out of them before they could prove that they were legally free. In one year the sum of £2828:17:4 was extorted from prisoners in this way.

Another method of making money was simply to let them go. Bambridge actually cut a door through the prison wall and suffered those to escape who could pay. Probably inquiry was seldom made about any prisoner; if it was, it would be easy to say that he was dead.

The case of Thomas Darnay shows what could be done, and was done by these officers of the law. He was a prisoner in the Fleet. He made interest, however, with the warden, and was allowed out, not to live in the Rules, but to carry on his trade of importer of French wines; he made three voyages to Bordeaux, and paid for the wine he bought by drawing bills on Richard Bishop, a tipstaff to the prison. These bills were accepted and paid. Darnay then

bought more and again tendered bills on Richard Bishop. He sold his wine and returned to the Fleet. But Richard Bishop refused to accept the bills, and, as they could not prove a conspiracy, the creditors had no redress.

As for the poor side, the prisoners there were treated with the greatest



BAMBRIDGE, DEPUTY-WARDEN OF THE FLEET PRISON

From a contemporary print.

barbarities—thrown into dungeons, manacled, ironed, starved; it would seem as if the man chiefly concerned was confident that no one would interfere or examine into his conduct. Bambridge kept, for the unfortunate poor debtors, a dungeon called the “Strong Room”—a prison within a prison. Here he threw those who would not, or could not, pay his extortions. The room had no

fireplace and no window, with only such light as could struggle through a hole in the wall eight inches square; it was neither paved nor boarded; and it lay close to the sewer and the stinking sink into which everything was thrown. "The vault," says one, "is like those in which the dead are interred; and wherein the bodies of persons dying are deposited till the coroner's inquest hath passed them."

The result of the Committee's report was the trial of Bambridge and Huggins. Unfortunately, they were acquitted. Twenty years later, however, Bambridge cut his throat. The prison was burned down in 1666, rebuilt four years later, destroyed in the Gordon Riots of 1780, rebuilt in 1781, and finally taken down in 1844.

On Howard's visits in 1776 he found the prison governed by a warden and two sub-wardens. The fees payable by the prisoners were £1:6:8 to the warden, and 2s. to the turnkey; there was also 2s. for garnish. There was a taproom with a licence for beer and wine. Admission was freely granted to any one; some of the butchers and people in the neighbourhood used the court as a public racquet-court and the taproom as belonging to an ordinary public-house. There were 243 prisoners, many of whom had with them their wives and children; of these, thirty only were on the common side. If a prisoner swore that he was not worth £5 and had no means of subsistence, he was put on the common side, where he paid no rent and received what doles of food and money came into the prison. The wives and children were 475 in all, so that the prison contained 718 without counting the officers. Howard gives an exact account of the buildings and disposition of the chambers:—

"At the front is a narrow court. At each end of the building there is a small projection or wing. There are four floors; they call them galleries, besides the cellar-floor, called Bartholomew Fair. Each gallery consists of a passage in the middle, the whole length of the prison, 66 yards; and rooms on each side of it about 14½ feet by 129 and 9½ high. A chimney and window in every room. The passages are narrow (not seven feet wide) and darkish, having only a window at each end. On the first floor, the hall gallery, to which you ascend by eight steps, are a chapel, a taproom, a coffee-room (made out of two rooms for debtors), a room for the turnkey, another for the watchman, and eighteen rooms for prisoners. Besides the coffee-room and taproom two of those eighteen rooms, and all the cellar-floor, except a lock-up room to confine the disorderly, and another room for the turnkey, were held by the tapster, John Cartwright, who bought the remainder of the lease at public auction in 1775. The cellar-floor is sixteen steps below the hall gallery. It consists of two rooms just now mentioned, the tapster's kitchen, his four large beer and wine cellars, and fifteen rooms for prisoners. These fifteen, and the two before-mentioned on the hall gallery, the tapster lets to prisoners for from four to eight shillings a week.

On the first gallery (that next above the hall gallery) are twenty-five rooms for prisoners. On the second gallery twenty-seven; one of them, fronting the staircase, is their committee-room. A room at one end is an infirmary. At the other end, in a large room over the chapel, is a dirty billiard table, kept by the prisoner who sleeps in that room. On the highest storey are twenty-seven rooms. Some of these upper rooms, viz., those in the wings, are larger than the rest, being over the chapel, the taproom, etc. All the rooms I have mentioned are for Master's side debtors. The weekly rent of those not held by the tapster is 1s. 3d. unfurnished. They fall to the prisoners in succession, thus:—when a room becomes vacant,

the first prisoner upon the list of such as have paid their entrance-fees, takes possession of it. When the prison was built the warden gave each prisoner his choice of a room according to his seniority as prisoner. If all the rooms be occupied a new comer must hire of some tenant a part of his room; or shift as he can. Prisoners are excluded from all right of succession to the rooms held by the tapster, and let at the high rents aforesaid. The apartments for common-side debtors are only part of the right wing of the prison. Besides the cellar (which was intended for their kitchen, but is occupied with lumber, and shut up) there are four floors. On each floor is a room about 24 or 25 feet square with a fireplace; and on the sides, seven closets or cabins to sleep in."

The prison, however, was not entirely given over to Bambridge and misery. There was another side, alluded to with pity by Howard, the side of clubs, merriment, drinking, and singing. It is of this side that the author of *The Humours of the Fleet* speaks in that sprightly poem. His name was William Paget: he is described as a comedian; he says that his father was a well-known architect and mason, whose principal work was Guy's Hospital; that he himself received an education such as was then "usual for reputable tradesmen to give their children"—an architect, observe, was at that time reckoned a tradesman. He served his apprenticeship; married a girl with some fortune; and embarked in trade. In a few years he had lost all; he therefore went to Ireland and became an actor. After a time he again engaged in trade, with the same disastrous result—bankruptcy and arrest. He was first taken to the spunging-house:—

"Then seized and hurried to a spunging-house,
Where, when they've fleec'd your purse of ev'ry souce,
You're dragg'd remorseless to some dismal place,
Where never cleanliness displays its face;
Where beds of musty straw o'erspread the floor,
Through gaping chasms blasting vapours pour;
Where vermin crawl, and pining sickness dwells;
A state unriyall'd, but in Newgate cells.
This must your unavoi'ded portion be,
Unless your friendly pocket sets you free;
A recipe that's seldom known to fail,
'Twill bring a Habeas, and you chose your jail.

Near this commodious market's miry verge,
The Prince of Prisons stands, compact and large,
Where, by the jigger's more than magick charm,
Kept from the pow'r of doing good,—or harm,
Relenting captives inly ruminate
Misconduct past, and curse their present state.
Tho' sorely grieved, few are so void of grace,
As not to wear a seeming cheerful face,
Therefore, cabals engage of various sorts,
To walk, to drink, or play at different sports.
Here on the oblong table's verdant plain,
The ivory ball bounds and rebounds again:
There at backgammon two sit tête-à-tête,
And curse alternately their adverse fate;
These are at cribbage, those at whist engag'd,
And as they lose, by turns become enrag'd;
Some of a more sedentary temper, read
Chance-medley books, which duller dulness breeds;

On politicks in coffee-room, some pore
 The papers and advertisements thrice o'er;
 Warm'd with the alderman, some sit up late
 To fix th' Insolvent Bill, and Nation's fate;
 Hence, knotty points at different tables rise,
 And either party's wond'rous, wond'rous wise;
 Some of low taste, ring hand-bells, direful noise,
 And interrupt their fellows' harmless joys;
 Disputes more noisy now a quarrel breeds,
 And fools on both sides fall to loggerheads;
 'Till wearied with persuasive thumps and blows
 They drink as friends, as tho' they ne'er were foes.
 Without distinction, intermix'd is seen,
 A squire quite dirty, a mechanick clean;
 The spendthrift heir, who in his chariot roll'd,
 All his possessions gone, reversions sold,
 Now, mean, as once profuse, the stupid sot
 Sits by a runner's side, and shules a pot.
 Some sots ill-manner'd, drunk, a harmless flight
 Rant noisy thro' the galleries all night;
 For which, if justice had been done of late,
 The pump had been three pretty masters' fate.
 With stomachs empty, and heads full of care,
 Some wretches swill the pump and walk the Bare:
 Within whose ample oval is a court,
 Where the more active and robust resort,
 And glowing exercise a manly sport.
 (Strong exercise with mod'rate food is good,
 It drives in sprightly streams the circling blood),
 While these with rackets strike the flying ball,
 Some plan at nine-pins, wrestlers take a fall.
 Beneath a tent some drink, and some above
 Are sily in their chambers making love;
 Venus and Bacchus each keeps here a shrine,
 And many vot'ries have both love and wine."

But to arrive at this Paradise requires money. Your Habeas costs four guineas; you have to pay the Master's fee in addition to that; next, you must tip the turnkey, who, on receipt of half a guinea, suits you with a good room which you may have to share with another collegian.

The prisoners had access to the "Hall," a public place free to all the collegians; there were billiard-tables and a tennis- or racquet-court; the upper floors were accounted the best, "for the same reason as they are at Edinburgh," *i.e.* because there is no danger of things being thrown out of the window above (the suggestion makes one shudder in thinking of the condition of the courts and pavements); the rent of a room, with a chum, was 1s. 3d. a week. There were always messengers waiting to go on errands: they were called runners. When a messenger or a friend brought money, it was said that the ship had arrived. The stairs were crusted with dirt so old and so immovable that it was "knotted." The costume of those prisoners who had been long in the prison was ragged and slovenly to the last degree. The poem is illustrated by a picture of the Fleet in which we see the new comer, the old collegian, the tapster, the turnkey, the cook, and the players at racquets; in

the foreground the filth and dirt of the place are indicated by the two kites—then London's best scavengers—tearing at a piece of offal. The old prisoner wears a beard of a month's growth; his stockings are in holes; his shoes are worn out; the buttons are mostly gone from his ragged coat; he has no waistcoat; and his breeches are kept in place by a skewer instead of a button or a belt. The faces of the four figures are most clearly portraits; the date of the poem and the drawing is 1749.

The prison had its own slang. The gate was the "Jigg"; the open court was "the Bare"; fine ale sold at the tap was called "an Alderman" because brewed by Alderman Parsons; "to tip" bore the same meaning as now; a guinea is "half a piece"; a shilling is "a hog"—it is also a "twelver"; the prison itself was the "Place"—it was also the "College"; the cellar, where were tables for dining, was called "Bartholomew Fair"; one set of rooms was "Mount Scoundrel"; to spend money was to "kick it down"; to "cole it" is to have money; to "shule" a pot is to beg one; to "raise a Yaffle" was to provide a meal; a halfpenny was "half a win"; a "Flitch" was sixpence; to call for "a dozen" was to call for two quarts of beer; a "dram of bob" was a glass of gin; many of these terms may be found in the poem.

At half-past nine the watchmen prisoners begin crying, "Who goes out? who goes out?" to warn visitors. At the last stroke of ten by St. Paul's clock they cry, "All told!" and the gates are locked for the night.

We have spoken of the Rules of the Fleet. They were bounded by the Old Bailey on the right; Ludgate Hill on the south; Fleet Lane on the north, and down that lane by Fleet Market southward to Ludgate Hill. The Fleet marriages, described elsewhere, originated in the chapel of the Fleet, at which, for a time, clergymen who were prisoners for debt made a little money by marrying without banns or licence.

The prison was sometimes used as a place of concealment for "run" goods. On August 9, 1778, some Custom-house officers, with a file of musqueteers, entered the Fleet Prison and began to search for certain goods. There was some resistance offered by the prisoners, but after the soldiers had knocked down two or three there was no further opposition. They found, conveniently stowed away, 2491 lbs. of tea, 1874 lbs. of coffee, 1020 lbs. of chocolate, and £1500 worth of lace—a very considerable haul. The contraband goods, they found, had been lowered into the prison from the outside, while the prisoners received money from the smugglers for storage.

A pamphlet—on the title-page of which is written in ink the date 1710—entitled, *The Present State of the Prison of Ludgate in London*, provides us with an excellent account of the place of that time, if this date be correct. The type and the paper both belong to the early part of the eighteenth century, when the commoner

kinds of type and printing were execrable. The prison, the writer explains, was first assigned as a prison for freemen of the City, for debts, trespasses, accounts, and contempts, in the year 1377, Nicholas Brembre then being Mayor. This Act was confirmed by the Common Council in the year 1382. In the year 1464 the prison was enlarged by certain buildings on the south side of the gate, given to the City by Dame Agnes Forster (see p. 586) on condition that the prisoners should henceforward pay nothing for lodging or for water. Dame Agnes's part of the prison was called the Common Side; the roof was flat and covered with lead, on which the prisoners could walk for fresh air. The prison was entered by a postern on the south side. Here was a small room where prisoners were received on entering. Within this place was a large room "for people to drink in"—such was the humanity of an eighteenth-century prison—formerly free to all the prisoners, where there was a good fire kept all the winter through; but the deputy-keeper curtailed that privilege by charging an extra halfpenny a pot for beer called for in that room. This halfpenny was a perquisite of the turnkey, who also was allowed to sell spirits in "unsealed" measures, *i.e.* in any measure he pleased. By this arrangement the turnkey was enabled to buy his place from the deputy-keeper, who formerly had to pay him wages. Any prisoner, therefore, who could call for drink might use this room, and might further have the opportunity, if he was a good customer, of standing below at the outer door and conversing with the people in the street.

The hatch which led into the prison itself was always attended by a turnkey; on entering, one found a large room called the "Lumbry," at the window of which stood one of the prisoners all day begging money of those who passed in Blackfriars. Three times a day the steward took account of the money collected. At another grating which opened under the gate, another prisoner begged of those who passed. Of course, the number of passengers through Ludgate was very much greater than that of the Blackfriars window. On the first floor was a large room called the White Room, furnished with a table and benches. Every Sunday a broth was made here of beef; of this broth the prisoners were all entitled to a portion. This room served also as a council-chamber or chapter-house. Here the prisoners elected their own steward and his assistants from their own body once a month. And here was hung up the table of fees. These were moderate enough, but why there should be any fees at all for debtors who came to the prison very much against their will, and only because they were bankrupt, no one ventured to ask.

On admission the prisoners paid 1s. to the turnkey; to the officer who brought him, 2d.; on discharge, 2s.; for all actions and writs, 1s. each; for sheets, if the prisoner chose, 8d. a month; for beds and blankets, 3d. a night for the best lodging, and 2d. for the second best; when the prisoner found his own bed and bedding, 3d. a week; if the prisoner could not afford a bed, 1d. a week for chamber room; 1d. a week for lamps and candles. So that the prisoner had to pay 2d. a week at least

for chamber room and light. How if he could pay nothing, not even the penny a week for chamber room? You shall see.

On the same floor was a room called the Lower Ward, wherein were a fireplace and a chimney. This room was furnished with six bedsteads, but the beds and bedding were at the time of writing well-nigh worn out. It was, however, accounted the best ward in the place.

On the second floor was the Chapel Ward, so called from being near the chapel. This room was also furnished with six bedsteads, the bedding quite worn out. On the same floor was a smaller room, called the "Odd Men's Room," with three beds and a window looking into Ludgate Street. The chapel was on this floor. This is described as lofty and capacious, furnished with all things suitable; and, which is very curious and interesting, "beautified by the present churchwarden with greens and flowers according to the season." This is the only mention that I can remember of flowers in a church at that period. Prayers were read twice a day by one of the laymen in the house, if there was no clergyman; the reader had a salary of 4d. a day allowed him out of the boxes; every Sunday a clergyman appointed by the Lord Mayor preached a sermon to the prisoners.

On the next floor was a Charity Ward, because here slept the men who could pay nothing. It was their duty to stand at the windows over the boxes, begging the charity of the passers-by. These poor men had no chimney, and were therefore allowed to draw their provisions in the White Room. They had half a bushel of coals allowed them once a week in the winter. An agreeable fiction was kept up in this room concerning an imaginary Monsieur Shawney, who demanded a fee of 1s. 6d. The "flooridge" of every new prisoner was the money to be expended among the others. If the prisoner refused to pay either his footing or other fines imposed for petty offences, he found his hat or his coat kept from him till he procured from somebody the money for the deputy of Monsieur Shawney.

A small dark room stood next. It was formerly called the Chamberlain's Store-room, but as there was nothing left to store—no sheets or blankets or bedding—it was let as a bedroom to two men who slept on rags. "Should they live to obtain their liberty," says my author, "the keeper will exact 14d. a week from each of them for their lodging." That is to say, he will be able to keep them in prison until they have paid his dues as well as their debts.

On the top floor is the Women's Ward. They have a bushel of coals allowed them every week and one candle every night. There is another ward called the Upper Ward, but it is not stated whether it is kept for the women or not. The top of the house was flat, covered with leads, and on the leads oaken planks where the prisoners could take the air, and look down upon the City, contemplate the distant hills of Hampstead on the north and Norwood on the south, and play at ninepins.

The "Master's Side" was that part of the prison which was over the gate. Here there were four rooms on the floor immediately above the gate and six on the second floor, making ten rooms in all; there was also formerly a large room where the prisoners could work at their trades, but this room had been taken from them by the under keeper.

The official protector of all the freemen of the City was the Lord Mayor; he was therefore the master of this prison. As he was too great a person to look after the prison himself, he appointed a keeper. Then the usual developments followed: the post being found lucrative, the keeper became too grand to look after it, and appointed a deputy-keeper; he in his turn appointed a turnkey; the turnkey appointed a deputy-turnkey; and they all lived upon the poor prisoners. The deputy-keeper bought his place and paid a yearly rent as well; he received the admission fees and the chamber and bed money; he also took upon himself to let out such of his prisoners as could pay him a guinea down, and two shillings a week, and find security besides. It is not stated how many of the prisoners enjoyed this privilege; that of living within the Rules was afterwards another form of the same enlargement. The custom was winked at, probably because if men cannot work they must always be fed, and the charges of finding food for a prison full of debtors would be extremely onerous. Therefore, it was better to let those out who could find work to do. Moreover, if a man is locked up without the means of work, his wife and children become chargeable to the parish. This relaxation shows that the City was beginning to understand how expensive and useless a thing it is to lock up a man for life because he cannot pay a debt. The deputy-keeper was supposed to make more than £500 a year by the many emoluments of his place. He found it necessary, however, to retain certain messengers who collected the weekly dues from the "Ludgate Pigeons," *i.e.* the prisoners out on security.

The house was nominally governed by its inmates. They chose once a month a steward, whose duty it was to administer the charities, gifts, and endowments of the prison; to receive, at stated hours, the contents of the boxes; to defend the prisoners from insults of the keeper; to relieve the poorer prisoners by a daily allowance of food given out at noon; and to provide mops, brooms, and pails for keeping the place clean. For his services he was allowed a shilling a day.

The steward had seven assistants, or constables, under him, one for each day in the week: their duty was to check the steward's accounts; to see the orders of the house executed; to put down uproars; to clap mutinous prisoners in the stocks, and, if need be, to call in charity men to assist him in keeping order.

The out-steward was appointed originally from among the prisoners; his duty

was to collect the rents and endowments. The turnkey, however, took over the office.

The churchwarden looked after the chapel, made the scavenger ring a bell for prayers, and wound up the gate clock; for which he received 4d. a day and something on account of the clock.

The reader was appointed to read the prayers daily. The running assistant directed visitors to the prisoner they came to see; and he gave notice to the steward at the hours appointed to clear the boxes.

The kettle-pot man made the Sunday broth out of meat sent in by the Butchers' Company. In one place we read that the prisoners were entitled to this weekly dole of food; in another place it is said that the kettle-pot man sold it to the prisoners.

The scavenger swept and cleaned the wards; rang the prisoners to prayers; rang out visitors at eight in the evening; summoned the steward and assistants to their meetings; made proclamation about things lost; cleaned out the cistern of water; and was "Yeoman of the Nut Crackers," *i.e.* was in charge of the stocks, when any one had to be put in them. On the whole a useful and a well-paid office.

More useful still were the "Box Men." Eight of them were appointed from the charity men; their duty was to stand at the grating over the boxes, imploring the charity of the passer-by. There were, as we have seen, two boxes—one in the gate, the other in Blackfriars at the south of the prison. The boxman for the gate began at five in the morning; he of Blackfriars side at seven, because there were fewer passengers. If the man did not bawl loud enough and could not move the compassion of the people, he was turned out of the place, which, among the poorer side, was greatly envied. When the boxes were opened, the boxman of the gate received a fourth part, and he of Blackfriars, which contributed much less, three-fourths. It was reckoned that a boxman usually made a shilling a day; therefore, since there were six men employed every day, the average takings would be at the gate 24s. a day, and at the Blackfriars side 8s. a day. Sometimes a piece of gold would run up the day's takings. The whole amount thus received was about £600 a year.

The secretary kept the steward's books and wrote the petitions and the private letters for those unable to write. There were also two men whose duty it was to walk upon the leads all day in order to prevent the prisoners from escaping.

Such was the constitution of the Ludgate Prison. The freedom of election degenerated into a mere form: the steward went through the form of election, but was appointed over and over again for years; he exercised power almost absolute; he could put a prisoner in the stocks and keep him there for days—nay, he refused to let him out at all, until he had received a signed paper of

submission; he claimed and exercised the power of flogging the prisoners; he always kept an account against the house showing the prisoners to be in his debt; if charitable gifts of money were sent to the prisoners he received them, put them in his pocket, and set the amount against the debt. Other charges are made against the deputy-keeper and the steward, the whole amounting to a system of turning the charities of the prison into the private advantage of the officers, and the assumption of arbitrary power in spite of a constitution meaning self-government.

Sometimes a wedding took place in the prison. When one prisoner married another, the woman was set free and became an assistant to the man in procuring him work or necessities, while the man took upon himself his wife's debts and obligations. As his own were far beyond any means at his command, this made little difference. On such occasions the prisoners welcomed the bride with a concert upon frying-pans, tongs, gridirons, keys, etc., and after the serenade demanded half a crown in the name of Monsieur Shawney. They then went to the steward and demanded a fee of 4d., and visited each ward, asking 2d. per head of every prisoner who had not seen such a wedding before. The money thus collected they spent in drink, merry-making as long as the funds allowed. In case of a death, the body was conveyed to the Bethlehem burial-ground beside Moor Fields, at the cost of the prison stock.

Such was the life in Ludgate Prison in the year 1710. In the house we have described, there were always from seventy to a hundred prisoners. We have found a very small number of beds, not enough for the fourth part of the residents, unless two or more slept in the same bed, which was probably the custom. We see the prisoners in the receipt of doles in money and food; the Lord Mayor's basket goes to the prison every day; the beef comes on Sundays; bread was sent in by some of the companies; coals were provided by charity; the boxes waited all day long for the receipt of alms. What we have not seen, but may imagine, at Ludgate as well as all the other prisons, is the crowded bedroom, with the prisoners lying about in rags between the beds; the noisomeness of the prison; the dirt and the noise and the stench of it; the drinking wherever there was any money; the idleness; the frying and the boiling over the fire all day long; the wretchedness of some, the recklessness of others, the hopelessness of all; and for those who had neither money nor work, the pangs of hunger and the debility and low vitality of the half-starved.

When the gates were removed the old Ludgate Prison was demolished. A new prison, however, for freemen of the City, clergymen, proctors, and attorneys, was fitted up in Bishopsgate Street; it had been a bridewell to the workhouse there. It was quite a small place, and contained only eleven rooms for

Master's Side debtors, and two garrets for the Common Side; there was a very small court; no infirmary, no bath; the chapel common to the prison and the workhouse. The City allowed these prisoners 140 lbs. of beef every week, or 20 lbs. a day; a twopenny loaf, weighing 21 oz.—in the year 1783—every other day to each prisoner; the Lord Mayor and sheriffs sent coals every year; Messrs. Calvert and Co. sent every week two barrels of small-ale. There were also bequests amounting to about £140 a year. The fees in this prison were much more moderate than those in the Fleet. The number of prisoners, in seven visits paid by Howard, was 29, 31, 29, 13, 15, 20, and 15. On the average it was 22, so that by reference to the statement of charities it will be perceived that each prisoner ought, on an average, to receive daily a pound of beef, 10½ oz. of bread, three pints of small-ale, and about 4½d. in money. A luxurious prison.

In the year 1794 the Ludgate prisoners, as they were still called, were removed from Bishopsgate Street to a new prison adjoining to, and partly encircled by, the compter in Giltspur Street. The prisoners continued to be freemen of the City, clergymen, proctors, attorneys, and such other persons as the Lord Mayor and aldermen should send there. The fees on admission were: to the clerk of the compter, 2s. 6d. if in execution, and 1s. 4d. if in mesne process; to the sergeant-at-mace, 5s.; the prison fees were 1s. on admission and 3d. a week during confinement. A discharge cost 5s. 4d. if there was only one writ; more if there were several; to the clerk, 3s. 8d.; to the messenger, 1s.; to the prison, 2s. The number of prisoners averaged, from 1800-1807, nine to twenty-eight. This prison, alone among prisons, actually had a bathing-tub. There were many small legacies and charities, and something of the old order and discipline of the Ludgate Prison were maintained.

There was a tradition as regards Ludgate Prison which must not be forgotten. It is of one Stephen Forster, who was confined within its walls. He had to take his turn at the grate to beg for the poor prisoners. Stephen Forster attracted the attention of a wealthy widow, who asked him how much would be sufficient to set him free. Having ascertained that point, she paid the money, set him free, took him into her service, and married him. After this he prospered exceedingly, and became in the end Lord Mayor of London and received the honour of knighthood. In the midst of his prosperity Sir Stephen did not forget his old prison-house. His lady and himself (see p. 581), to enlarge the prison, caused several of the houses near the gate to be pulled down, and in their stead erected a strong square stone building, containing the following rooms, viz. the porch, the paper-house, the watch-hall, the upper and lower lumbries, the cellar, the long ward, and the chapel. In the chapel there was the following inscription:—

"This chapel was erected and ordained for the divine worship and service of God, by the Right Hon. Sir Stephen Forster, Knight, some time Lord Mayor of this honourable city, and by Dame Agnes his wife, for the use and goodly exercise of the prisoners of this prison of Ludgate. (Anno 1454.)

Devout soules that passe this way
For Stephen Forster, late Maior, heartily pray ;
And Dame Agnes his spouse, to God consecrate,
That of pitie this house made for Londoners in Ludgate,
So that for lodging and water prisoners here nought pay,
As their keepers shall all answer at dreadful domesday."

In Lamb's *Specimens* (Leigh Hunt, p. 70) is quoted a scene from a play by Rowley, in which there are introduced two brothers Forster, one rich and the other a prisoner in Ludgate. The latter has a son who is strictly forbidden by the rich man to relieve his father. In the following scene the father is begging at the grate:—

Forster.—Bread, bread, one penny to buy a loaf of bread, for the tender mercy.

Rob.—O me! my shame! I know that voice full well ;
I'll help thy wants, although thou curse me still.

(*He stands where he is unseen by his father*)

Forster.—Bread, bread, some Christian man send back
Your charity to a number of poor prisoners.
One penny for the tender mercy—

[*Robert puts in money.*]

The hand of Heaven reward you, gentle sir.
Never may you want, never feel misery ;
Let blessings in unnumbered measure grow,
And fall upon your head, where'er you go.

Rob.—Oh, happy comfort! curses to the ground
First struck me: now with blessings I am crowned.

Forster.—Bread, bread, for the tender mercy; one penny for a loaf of bread.

Rob.—I'll buy more blessings! take thou all my store ;
I'll keep no coin and see my father poor.

Forster.—Good angels guard you, sir, my prayers shall be
That Heaven may bless you for this charity.

Rob.—If he knew me sure he would not say so :
Yet I have comfort, if by any means
I get a blessing from my father's hands."

There were two City compters, one in Wood Street and one in the Poultry. One sheriff had charge of the former; the other, of the latter; they received prisoners committed or sentenced by the Lord Mayor or the aldermen. They were, in fact, prisons for all who were arrested in the City. Stow's account of them is as follows (bk. iii. p. 51):—

"The charge of those prisons is committed to the sheriffs, who always enter into their office on the 28th of September, which is the eve of St. Michael the Archangel, and are accordingly sworn to the charge of the said office.

Under the sheriffs there are divers other officers belonging alike in both counters, who give security to the sheriffs for their true and faithful execution of their several offices:—

1. The first and principal officer next to the sheriff, is the secretary, whose office is to return writs, mark warrants, impanel juries for the courts both above and below, and also for the Sessions.

2. The clerk of the papers, whose office is to impanel juries for the sheriff's court; he enters up judgment and makes out all processes for the sheriff's court.

3. Four clerk sitters, who enter actions, take bails, receive verdicts after trials, etc.

4. Eighteen serjeants at mace; and every serjeant hath his yeoman. Their office is to arrest, execute all processes, serve writs and executions upon actions, and summons from above, as well as from the courts below. And each of these serjeants gives £400 security to the sheriff, for the due execution of their office. They wear blue coloured cloth gowns, which are allowed them by the sheriffs yearly, which they always wear upon their waiting days. Four of these serjeants, and as many yeomen out of each counter, wait upon their respective sheriff daily; and during the time of Sessions, double the number. At which time, in the mornings, they bring the prisoners down from Newgate to the Sessions-house, and put them in the dock; and wait there all day, and return the prisoners back to the gaol at night; and upon the execution days, see the condemned prisoners executed.

Unto each counter also belongs a master keeper; and under him, two turnkeys and other servitors."

The Wood Street Compter succeeded an earlier prison situated in Bread Street.

Stow affords very little information as to the condition of the prison in his time. From Strype's map, it seems to have been approached by a court or passage on the east side of Wood Street, south of Fryers Alley, and to have then consisted of a single court.

The Wood Street Compter served both for debtors and for felons. Latterly, it had become a most noisome and filthy place. The average number of debtors was about seventy; of felons about twenty-eight. The debtors had one room—12 feet high, 33 feet long, and 15 feet broad—for the men, which was at once their day-room, night-room, and kitchen; the place swarmed with vermin. The prisoners slept on shelves put up against the wall, the highest being reached by steps; no bedding or straw was allowed. Their victuals were dressed at a large fire in the same room, which had only one door and no other opening but the chimney. No provision was made for sickness—not even an apothecary attended them. The General Dispensary (established 1770 with 100 subscribers; in 1773, 600 subscribers) supplied these poor captives with medical attendance, which they could not otherwise have obtained.

This prison was closed in 1791, when the prisoners were transferred to the new compter of Giltspur Street, which was appropriated for debtors, felons, vagrants, and disorderly persons. The night charges of the City were all taken to Giltspur Street, and in the morning marched out to the Lord Mayor or one of the aldermen. The average number of debtors in this place between 1800 and 1807, both years inclusive, was thirty-six. The prison was a great improvement on any of the older places of confinement. There was plenty of water, and the rooms and wards were kept clean. The compter was pulled down in 1855.

The Poultry Compter stood between Grocers' Hall and the Poultry, between Nos. 31 and 32. This prison was of great antiquity. It possessed many small endowments, and the broken meats were sent daily from the sheriff's table. Neild complains (1803) of the ruinous condition into which the Poultry had been allowed to fall. It contained a separate ward for Jews, of whom in that year—1803—there were two, not felons, but debtors. In 1804, on account of its dangerous condition, the debtors were removed to Giltspur Street. Two years later, that place overflowing, the criminals were taken from Giltspur Street back to the Poultry. In 1815 the place was cleared out again, and in 1817 taken down. The new prison of Whitecross Street, which had been recently built, held 500 prisoners, and was closed and pulled down in 1870.

The uses of the compters appear very plainly in the mediæval pages of Riley and others. Thus, in the year 1377 (*Memorials*, p. 413) one John Roos, Esquier, was arrested on the charge first of debt and of conspiracy afterwards. He was brought before John of Northampton, one of the sheriffs of London, and committed to the "compter of the same sheriff in Milk Street," that is to say, to Wood Street Compter, having at that time an entrance by Milk Street as well as Wood Street. In the next year there was a dispute between one of the sheriffs and the Mayor regarding the compters belonging to the former. It was a very serious dispute, involving the authority of the Mayor, then Sir Nicholas Brembre (*Memorials*, p. 415):—

"On Sunday, the feast of Saints Perpetua and Felicitas [7 March], in the first year, etc., before the hour of noon, a conflict arose in Westchepe, between certain persons of the trade of goldsmiths and others of the trade of pepperers, from a certain rancour that had existed between them; by reason of which conflict, no small affray arose throughout the whole city; and that, too, while the Bishop of Carlisle was preaching in St. Paul's Churchyard; in which place, because of such conflict, and the wounded fleeing thither with very great outcry, no little tumult and alarm ensued. Upon which, Nicholas Brembre, the then Mayor, being informed thereof, together with other aldermen, immediately went to Westchepe, to restore peace there, and to maintain it; and after he had so restored order, he convened his aldermen on this matter, to meet, after dinner on the same day, at the Guildhall.

And when they had met there, as also Nicholas Twyford, one of the then sheriffs, at the mandate of the said Mayor, there came with the said sheriff one of his suite, John Worsle by name, who was publicly accused before the said Mayor, of being a principal mover of the strife; by reason whereof, the Mayor forthwith personally arrested him, and ordered him to be sent to the compters of Andrew Pykeman, the other sheriff. Upon which arrest being made, the said Nicholas, the sheriff, went to the serjeant-at-arms, who so had him in custody by precept of the Mayor, and said that he was to be taken to his own compters, in Mylk Street; alleging that he had been arrested by himself and his fellow sheriff. It was accordingly whispered to the Mayor, that the person who had been so arrested by him, could not be taken to the place named by him, as the said Nicholas, the sheriff, was opposed thereto; wherefore, the Mayor, going up to him, asked why the man so under arrest, was not taken to the compters of the said Andrew, the other sheriff, as he had ordered. Whereupon the said Nicholas answered him as above stated; for which reason the mayor there bodily arrested him. In consequence whereof, as also for other reasons which had arisen in quelling the said disturbance, and for having more mature deliberation thereon, and confirming the preservation of the peace for the future, the said Mayor caused a Common Council to be summoned,

together with the other wiser and more influential men of the City, to be on the Tuesday following at the Guildhall."

In the end the sheriff was dismissed his office, imprisoned, and all his goods and chattels sequestered.

In the year 1388 the porter of one of the compters got into trouble for speaking evil of Adam Bamme, alderman. It is not stated which of the compters.

In 1390 the compter of John Fraunceys, sheriff, was in Wood Street. In 1413 the compter mentioned in the case of John Askwythe seems to have been Wood Street.

In 1382 it was ordered that common women of the town should wear hoods of ray only; and that any one wearing hoods of budge, perreil, or revers, should be committed to the compter, *i.e.* to either compter. In 1418 it was ordered that one William Michen, for offence to the Court, should be confined in "the compter," meaning the one which belonged to his sheriff.

In 1419 we learn that one John Selby was the clerk of "the compter," but it is not stated which.

Early in the reign of Henry VI. the following regulations were enacted on the treatment of prisoners in the compters (*Liber Albus*, p. 447):—

"That the compters from henceforth shall not be to ferm let by any sheriff, or by any other person in their name, unto the porters of such compters, or unto any other officer of the sheriffs; but that the sheriffs shall be bound to bear the charge of the rent, candles, and other such costs as the porters of the compters have borne in time past, by reason of their ferm.

That prisoners who are staying in the compters shall pay nothing for the customary fees unto the porters, or unto the sheriffs, for one night, by reason of their so staying in the said compter, save only for a bed, one penny the first night.

And if such person shall wish in preference to stay in the compter rather than go to Newgate or to Ludgate, whether for debt, trespass, or any other cause, felony and treason excepted, in such case it shall be fully lawful for the said sheriffs to leave such prisoners in the compter, for their comfort, they paying to the use of the said sheriffs four pence, six pence, eight pence, or twelve pence, per week, each person towards the rent of the said house, without more; and this, by assessment of the clerks of the compter, who shall take into consideration their arrest and also their estate.

That if a prisoner shall make such agreement with the sheriff or his clerks, to wait in the compter, as before stated, it shall be fully lawful for such prisoner to have his own bed there, if he has one; and if he had not, then it shall be fully lawful for the said porter to find him a bed, taking each night one penny for the same, as the manner is in all lodging-houses.

That neither the porter nor any other officer of the said compter shall sell unto the prisoners bread, ale, charcoal, firewood, or any other provisions whatsoever, under pain of imprisonment and of paying a fine at the discretion of the Mayor and Aldermen—except by [due] measure, and at a reasonable price."

The Tun of Cornhill, according to the opinion of Neild, was the predecessor of the Bread Street Compter. But they existed at the same time. For in 7 Rich. II. it was ordained (*Liber Albus*, p. 396) that an incontinent priest should be taken to the "Tun on Cornhill, with Minstrels"; that a person impeached of

adultery shall be taken, with minstrels, first to Newgate and then through Chepe to the Tun in Cornhill; any adulteress found with a priest or a married man was to be taken "to the compter of one of the sheriffs," and thence to the Tun, with minstrelsy; and a single woman found with a priest was to be taken in like manner to one of the compters, and thence to the Tun.

In the year 1425 the sheriffs were ordered to keep their compters in "a certain place," meaning, I suppose, that the prisons were not to be shifted about, *e.g.* that Wood Street Compter was not to be transferred to one of the City gates, or to a private house. It was also ordered, which I do not understand, that no bedel was to be porter of a compter.

I am possessed of a tract or pamphlet—said to be rare—printed in the year 1616, which affords a glimpse of the conduct of Wood Street Compter at that date. It is written by one William Fennor, a prisoner in that place. The style is something like that of the illustrious Tom Brown, with spirit, yet with extravagance and with a constant straining after effect, which is less noticeable in the successor of William Fennor a hundred years later. He was arrested by a brace of bandogs, belonging to one of the compters:—

"The thought of my arrest did not so much affright me as the countenances of those peuter-buttoned, shoulder-clapping catch-poles that seized on my body. The one had a face ten times worse than those Jewes that are pictured in Arras-hangings whipping Christ; his black hair hung dangling about his ears like elfelockes, that I cannot be persuaded but some succubus begot him on a witch; his nose was precious, richly rubified, and shined brighter than any Sumner's snout in Lancashire."

The indication of the pewter buttons is one of a hundred instances in which the writer affords information as to those mean matters which make up the life of a time, yet are so difficult to discover, because they are beneath the notice of writers, and, indeed, beneath their observation. How many living men could describe the ordinary costume of a cab-driver?

They conducted him first to a tavern, where they ate and drank at their prisoner's expense; they then led him to the compter, the gates of which instantly flew open at their arrival.

"Noctes atque dies patet atri janua Ditis."

His name entered, he was asked whether he chose the Master's Side, the Knights' Ward, or the Common Side. He chose the first—and the dearest. For this choice he paid one shilling; and was then led into a spacious room, beyond which was a hall decorated with the Story of the Prodigal Son. He was then made to pay two shillings garnish. This done, he was taken to his chamber and locked in for the night. In the morning he found that he had several chamber-fellows, among whom was an attorney. This benefactor to his kind endeavoured,

unsuccessfully, to fleece him out of what he had, under pretence of doing him a service. Some of them began the morning with tobacco "to expel noisome savours." From all we learn about the noisome savours it would seem the best and safest thing to do. They then began to drink, and so passed the time till morning service, which they appear to have attended regularly. The other prisoners demanded garnish from the new-comer. It took the form of claret, which, we learn, then cost sixpence a quart.

After breakfast the new hand walked into the forerooms where the keepers and servants were taking their dinner. Again he had to pay garnish; and again he had to send for a quart of claret. A friend called upon him and gave him two angels, by the aid of which, and other gifts and loans, he rubbed along for three weeks. This kindness coming to an end, he was fain to leave the Master's Side, and to seek the cheaper hospitality of the Knights' Ward. Here he made acquaintance with the "Cellar," the drinking-place, where a goodly company made music all day long with cans of beer, and where the smoke of tobacco ascended unto the heavens, like incense. Here, too, he came across an old prisoner who entertained him with an account of the trickeries and cheateries practised not only on the unfortunates lying in the prison, but by the unfortunates themselves. Here are two or three of his cases:—

The young gentleman newly come to London. He is carried away by pleasures and amusements of the town; he longs to plunge into them: there are the women to be courted, as he thinks—to be bought, as he learns; there are the gallants of the tavern whose fine dress and swaggering speech he would imitate if he could. But he wants money. He goes to a shop in the City and tries to borrow. He fails. Then an honest broker—there is always an honest broker—calls upon him and says plainly that he can manage his affair. They go off together to the same tradesman who had refused before, but is now standing in with the broker. He will advance the money if the borrower will sign a deed and get some one to be bound for him. The broker kindly agrees—the money is advanced, in goods which have to be sold for what they will fetch, and the broker takes half for his share. When the time agreed upon in the deed arrives, the writ is issued and our young friend is clapped into the compter.

When the young gentleman leaves the compter, his education is so complete that he is generally able to set up for himself in the profession of hawk. The pursuit of the pigeon by the hawk is not unlike later histories to the same effect, except that the hawks of the seventeenth century hunted, like weasels, in companies.

Many of the prisoners were brought there by their own contrivance and wish. Thus, a tradesman, when he found himself secretly in difficulties, yet openly in credit, went round the town and bought a thousand pounds' worth of goods here,

and another thousand pounds worth there; and so on. Then he sold the whole, not in his shop, but privately, and put the money in his pocket. He then shifted his lodging and sent round a private friend to his creditors, begging them to take the goods he left behind him in discharge of his liabilities. Perhaps they did, in which case he was clear, with all that money to the good. Perhaps they arrested him. It mattered little to him. He had got that money. After a year or two the creditors grew tired of waiting; they then took what they could get and let him go.

Another trick, practised this time by young gentlemen, was to get arrested for a pretended debt of five or six pounds. Their friends paid it; the prisoners came out, and received the money for which they had been put into prison.

Another class of prisoners was those who got arrested a little before Easter or Christmas for a pretended debt of thirty shillings or so, and went into the common side, because at this time of year the legacies dropped in. It must be remembered that in the bequests of the time, it was as much the fashion to remember the poor debtors as it had been two hundred years before to remember the five orders of friars. They then came out with their share of the bequests.

A fourth class was that of the gallant gentlemen who were in request for some brave deed on Newmarket Heath, and contrived to be brought here, where no search was made, until the storm blew over.

As regards the legacies, the keepers made use of them to get their debts paid; for though the money was left for the poorer debtors only, they took some of it for the Knight's Ward, on the pretext that the residents there were in debt to them. Sometimes the keepers themselves were hoist by their own petard. For instance, they were liable for the custody of every prisoner to the full amount of the debts for which he was incarcerated. At the same time it was their custom to go abroad with the prisoners, one at a time, charging two shillings for a single walk; in order that the latter might call upon his friends and get money. Now on one occasion, a young fellow was brought in until he should find bail; it was a case of paternity and the parish wanted the father of the expected child to bear the burden. The man persuaded a keeper to take him out in order to look for bail; ran away; made good his escape; and left the keeper, with whom was associated the book-keeper, to settle matters with the parish. The event brought twins; it is pleasant to relate, that the keeper had to pay for one child and the book-keeper for the other.

The New Prison, Clerkenwell, first built toward the end of the seventeenth century, was rebuilt in 1775, on the site of the older prison; again rebuilt in 1818 and in 1845. It was closed in 1877. Howard describes it as it was in the year 1776. The night-rooms were furnished with barrack beds; the day-room for the men in their ward—and also for the women in theirs—was a long low

shed with a fireplace in it. The women slept in unventilated cabins or cupboards; the windows had no glass; there was plenty of water. The chapel was common to the prison, and the Bridewell stood beside it; there was no infirmary. In the keeper's house there was a bath. The tap-room was not open to prisoners, who took their drink at a wicket. The number of prisoners varied from fifty to ninety.

The Bridewell was a crowded and miserable place. In 1753 there were 191 prisoners, as many women as men. The women had to sleep in dark and unwholesome night-rooms; many of the prisoners were debtors committed for forty days by the Court of Conscience. In the men's infirmary in January one man was dying, with little or no covering; five more were sick; in the women's infirmary twelve were lying sick in their clothes, either on the



NEW PRISON, CLERKENWELL
From a contemporary print.

bare barrack bed or on the floor. Many of them complained of sore feet, which had turned black.

The history of the Poultry Compter has already been given (p. 589), but I give here in addition some details as to its internal arrangements. It was for debtors and felons both. The number of felons (average in seven visits) about eight; the number of debtors about fifty-eight. There was a tap-room in the prison; there was an infirmary; there was abundance of water; the prison was kept quite clean. The prisoners were allowed to walk on the leads; the felons were kept separate from the debtors; they had a day-room for men and women both; and two sleeping-rooms for men and women separate. In 1776 there were 52 debtors who had their wives and 163 children with them in the prison. The prisoners had each a penny loaf a day; the sheriffs sent in 32 lbs. of beef every Saturday; and Messrs. Calvert and Co. sent in two barrels of small ale every week.

At the beginning of this century there were, on an average, about 33 debtors in this place beside the felons. On Neild's visits at that time he found living in the prison ten women, wives of the debtors, and fifteen children. Drink was flowing all day long. The leads were used, as in the old Ludgate prison, for exercise. The house, as has been said, was in a most ruinous condition in 1803; it was then shored up with props in many places, and in 1804 it became so dangerous that the prisoners were removed to the Giltspur Street Compter, while their own prison was put into repair. The criminals and felons, however, were soon sent back to their old quarters, of which a large part had been pulled down. In 1813 the building was finally taken down and the debtors removed to Whitecross Street, now also pulled down. Boyse, the poet, was a prisoner in this wretched place.

Whitechapel Prison was a debtors' prison for Stepney and Hackney. In it were confined persons whose debts were over £2 and under £5, all poor and miserable men; there were generally about twenty-five prisoners. They hung out a begging-box in front of the house, and this brought them in a few pence daily, but no one could share who had not paid the keeper's fee of half-a-crown. In 1777, out of twenty-seven persons, only three had paid this amount. By an act of Parliament 1782, it was ordered that no debtor should be confined to this prison for more than one week for every pound of debt. This act virtually closed the prison. In April and December 1782 there were no prisoners; in August and October 1783 there were no prisoners. The keeper had a licence, and used to allow men to come in from the outside, drink, and play skittles, in the court, as if he kept a common public-house.

In Well Close Square used to exist a most remarkable prison. It was a public-house kept by a Swede. The house contained a court-room for the Tower Hamlets; the garden of the house was converted into a prison-yard, 116 feet by 18, latticed overhead. The prison rooms consisted of a day-room (or closet, Howard adds) of the liberal dimensions of $5\frac{1}{2} \times 3\frac{1}{2}$ feet "with a doorway." Overhead were three night-rooms. Allowance from a penny to twopence a day. No straw. Only an occasional prisoner was found here, and in 1782 the prison was ruinous.

Another small prison was that of St. Katherine's Precinct. It consisted of two rooms, one above and one below, but there were seldom any prisoners. The Savoy was a military prison.

Newgate prison belonged especially to the criminal side, but there were always a large number of debtors confined in it. Let us here consider only the debtors' side. Between 1800 and 1807 the average number of debtors was 201. By the Insolvent Act of 1793 some 25 to 50 per cent were year after year discharged. There were charities and doles to a considerable amount for the relief of the debtors. Many of the City Companies gave money and victuals. Writing in 1808 Neild gives a short list of debtors still in prison for debts of the most insignificant description. Thus:—

		Debit	Costs
		s. d.	s. d.
1797	John Allen	3 5	8 8
	William Gough	3 10	8 4
	Thomas Blackburn	2 0½	6 10
	Deloe	1 5	6 10
	Ann James	2 3	8 10
1798	Charles Burnet	3 10	8 10
	Thomas Blackburn	2 6	8 10
	Elizabeth Irvine	3 9	8 8
1799	Caleb Only	3 9	8 10
	T. Dobson	1 6	8 10
	John Hyder	3 10	8 8

Two of the eight separate wards were allotted to debtors: (1) the main yard 49 feet long by 32 feet wide, with three wards and a long room capable of accommodating ninety persons; (2) the women's yard with two wards capable of receiving twenty-two persons. There had been known to be 285 men and forty women on the debtors' side.

Tothill Fields Prison contained—1800-1808—on an average fifty-seven debtors. There were also wards for vagrants, for cases of assault and battery, and for the punishment of apprentices. The prison was well washed and cleaned with plenty of water. There was a male and a female infirmary. Tothill Fields Bridewell, contained a number of prisoners varying from thirty-eight in 1774 to ninety-two in 1783. The prison is well spoken of as clean, regularly washed, and airy; the prisoners themselves were made to wash. There was no infirmary for the women, and sick women were lying on the floor. Adjoining this Bridewell was another small prison appropriated to women, but originally put up in place of the old Gate House, Westminster.

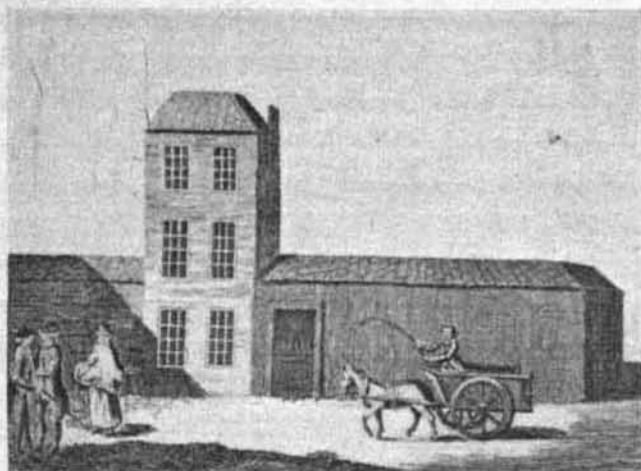
Let us now cross over the river and visit the prisons of Southwark. Truly the Borough was liberally provided with prisons as with taverns. In the words of the Water Poet:—

Five jayles or prisons are in Southwark placed;
The Counter, once St. Margaret's Church defaced;
The Marshalsea, the King's Bench, and White Lyon.
Then there's the Clinke where handsome lodgings be;
And much good may it do them all for me.

The King's Bench Prison, though a larger place than the Fleet, and perhaps as old, for there was a prison here from time immemorial, plays a less important part in history and literature than the Fleet. Why this should be so it is impossible to explain, except that the Fleet was at first considered as a part of the King's Houses of Westminster. We have seen that the warden of the prison was also warden of the gate of the palace, and that prisoners of the Star Chamber were taken to the Fleet. The King's Bench Prison stood in low and marshy ground, but had the advantage of open fields at the back; fields that were included in the Rules, so that

those who enjoyed the liberty of the Rules could walk in the open country. It was possible, and a common practice, to exchange one prison for another, so that a debtor could get change of air and of companions by payment of certain fees.

The list of worthies who illustrate the annals of the King's Bench is meagre compared with that possessed by the Fleet. Tradition gave to the King's Bench Henry, Prince of Wales. History gives it John Bradford, the martyr; Edward Cocker, arithmetician; Lord Rushworth, Clerk of the Parliament, died in 1690; Christopher Smart, the poet, died here; Theodore, King of Corsica, was a prisoner here; Baxter was confined here; Smollett; Combe, author of *Dr. Syntax*, was confined here; here Wilkes was imprisoned for two years, and here were imprisoned



TOTHILL FIELDS BRIDEWELL

Cochrane, afterwards Lord Dundonald, Haydon, and William Hone. On this prison we find the following notes in Stow and Strype (1720), vol. ii. pp. 18, 19:—

"The prisoners in this prison of the King's Bench were formerly not only restrained of their liberty but were further punished by reason of the straitness of room; there being a great many more about the middle of Queen Elizabeth's reign, committed there than before, as well for debt, trespass as other causes by reason of which, straightening and pestering one another, great annoyances and inconveniences grew among the prisoners, that occasioned the death of many. So that within six years last past (it was now about the year 1579) well near an hundred persons died, and between Michaelmas and March about a dozen persons; besides others that had been extremely sick and hardly recovered; and some remained still sick and in danger of their lives, through a certain contagion, called the sickness of the house; which many times happened among them, engendering chiefly, or rather only of the small or few rooms, in respect of the many persons abiding in them; and there, by want of air, breathing in one another's faces as they lay, which could not but breed infection; especially when any infectious person was removed from other prisons, thither. And many times it so happened, namely, in the summer season, that through want of air, and to avoid smoldering, they were forced in the night-time to cry out to the marshal's servants to rise and open the doors of the wards, thereby to take air in the yard for their refreshing. Whereupon these prisoners, about March 1579, put up a petition to the Lords of the Queen's Privy Council, setting forth