

REMEMBERING THOSE IN LINCOLN'S PRISONS: 1774-1872

by Terry Nowell

When John Howard first visited Lincoln in 1774, he found there were two prisons in the city - the County Gaol in the Castle, and the City Gaol in the Stonebow. Howard, who was the Sheriff of Bedfordshire, was compiling a survey of every prison in England and Wales by visiting and recording details of each place, to compare them with the conditions of prisons in his own county. He noted that the County Gaol in the Castle in Lincoln had twenty-two prisoners who were debtors, and eleven who were felons, under the care of the gaoler, one Isaac Wood. The chaplain was the Reverend Mr Simpson, who was paid £40 a year, while the surgeon, a Mr Parnell, received £20 per year. On the other hand, the City Gaol at the Stonebow held three debtors and two felons given in to the charge of the gaoler, Francis Toyn, and they were without the care of a chaplain or a surgeon. A narrow lane, now widened to form Saltergate, ran alongside the prison, and a grated window in the wall enabled prisoners to talk to passers-by and beg for food and drink. There was no court to use for exercise, no water supply. A visitor in 1802 said the prisoners were half-starved, half-suffocated, and in a state of continual intoxication. In 1809 the inmates were transferred to a new prison that had been completed near Clasketgate - the Sessions House - which was used until 1878 when all former city prisoners were transferred to the new county prison on Greetwell Road.

Howard recorded all this evidence in his book on the "State of the Prisons in England and Wales, with Parliamentary Observations, and an Account of some Foreign Prisons" published in 1777. Many people believe that it began a process of reform and change in the prison system in England and Wales that culminated a century later in prisons being taken under government control in 1877. This was just a few years after the prison at the Castle had been closed, and a new prison opened, on Greetwell Road in 1872. This is the building still in use today. Probably as a result of Howard's visits and remarks, a new prison was built in 1788, and renovated again in 1848.

A prison was probably first provided in the Castle in 1068, when William I planted a Castle, taking over most of the south-west portion of the former Roman legionary fortress. This building then became part of the property of the Earl of Lincoln, and became the living quarters for successive sheriffs and their constables, and held the papers that made up the workings of the county. The sheriff was also responsible for keeping the property in good repair.

The running of the County Gaol in 1774 was in the hands of the Magistrates for the three Divisions of the County - Lindsey, Holland and Kesteven, and the costs were shared amongst these three areas. The Castle Deeds Grant dated 4 May 1814 records that a yearly rent of forty pounds would be paid for the use of the buildings in the Castle by the County.¹

There were often disputes between the three Benches of the Magistrates over the running of the prison - for example, when it was time for a new chaplain to be appointed in 1843, each bench put forward its own candidate as follows. The Reverend John Osmond Dakeyne was proposed by the Reverend Charles Boothby and seconded by General Reeve for Kesteven; the Reverend Henry William Richter proposed by Sir Robert Sheffield Bart, and seconded by George Fiesch Heneage Esquire for Lindsey; and Reverend George Rigg was proposed by Reverend Thomas Fardell and seconded by Samuel Russell Collet Esquire for Holland. In the election that followed Mr Richter obtained twenty one votes and was appointed, Mr Dakeyne gained sixteen votes, and Mr Rigg one vote.² Within each Division of the County there were also smaller prisons - houses of correction - and each Bench tried to keep its house of correction open as long as possible. Throughout the County as a whole there were nine separate Commissions of the Peace, and Quarter Sessions were held in twelve towns.

Mention has already been made of the election of the chaplain in 1843. He was one of the key figures in the prison, along with the governor, also called the keeper and gaoler at various times, and the surgeon, and each of these three officers was obliged to keep a journal which had to be presented to the justices at each quarter sessions, to be examined and approved. By 1835 inspectors were appointed to supervise the work in each establishment. The keeper's journal for 18 April 1836 records

Captain Williams, an Inspector of Prisons, examined the whole of the establishment, and expressed his entire approbation of the very clean state of the Gaol. He informed me that he should have

*to report to Lord John Russell that two men for trial were placed with two Convicts, and that the men who had been tried and death recorded against them were allowed tobacco, which was contrary to the Gaol Act, and highly improper.*³

Even then, little lee way was allowed the keeper - perhaps he thought that some tobacco was the least two condemned men should be allowed! The governor was paid the most - £400 per year in 1824 - but he carried the most responsibility for the prisoners in his charge, and also had to employ and pay two turnkeys from his allowance. He also had to be on duty most of the day - unlike the chaplain and surgeon who only attended for part of each day.

The chaplain was being paid £200 per year in 1824, and he had quite clear duties laid upon him by Act of Parliament, which required attendance at certain times, and could be fitted in around parish duties. The chaplain's journal for 25 October 1823 has as its first entry:

*Duty performed in the Chapel according to the New Gaol Regulation Act: Prayers, selected from the Liturgy of the Church of England with proper lessons, approved and sanctioned by the Lord Bishop of the Diocese and the Magistrates of the three Divisions of the County, are read by the Chaplain each day at 12 o'clock. On every Sunday and on Christmas Day and Good Friday the appointed Morning and Evening services of the Church of England are performed at the hours of half past nine and two o'clock, and one sermon preached.*⁴

The chaplain had to be a clergyman from the Anglican Church - it was not until the Prison Ministers Act of 1863 that Roman Catholic priests and Methodist clergy were to be appointed by the magistrates. But an entry for 1831 in the Chaplain's report, detailed below, records that a Roman Catholic priest attended a condemned prisoner, and in 1860 the governor records that a Wesleyan minister, Reverend Weight Shovelton, visited another condemned man, Thomas Richardson, whose execution was respited just one day before sentence was due to be carried out.

Mr Edward Franklyn was surgeon when rates were fixed in 1824, and his pay was £50 a year, out of which he had to find the cost of any medicines prescribed. Gaol fever was a constant threat at that time, being caused by bad drainage, and being no respecter of persons, often killing judges as well as inmates. As late as 1851 gaol fever was still prevalent, continuing throughout most of

that year, with peaks on three occasions - early February as the prisoners were being held for the Winter Assizes, when there were twenty cases; the middle of July for the Summer Assizes with fourteen cases reported; and at the beginning of October with sixteen out of the eighteen crown prisoners reported. The Grainger enquiry found that the chief cause of the fever was the lack of any effective means of disposing of the sewage - when the prison was rebuilt in 1848 there was no effective sewerage in the city and a large cesspit was constructed. This tank still allowed gas to seep back in to the prison and in particular the infirmary.⁵

In addition to the infirmary referred to above, there was also a chapel. There are details of its construction from an entry for 1790 in the Grand Jury Book:

*Resolved that a Chappell (sic) be fitted up over the four Solitary Cells in the following Manner (the seats being divided into four classes, Male Convicts and non Convicts, Female of those descriptions and Debtors.) The Floor to be of Leeds Common Flag Stone, the walls and ceiling to be of a two coat drawing. The separation between the different classes of Felons and Debtors to be plain strong framed partitions with spikes where necessary. Forms and Kneeling Boards for the different classes of Prisoners, a plain framed Pulpit and reading Desk, a raised Pew for the Gaoler, and the Stair Case to be wood except the bottom step which is to be of stone.*⁶

Later, when the Separate system was introduced in all prisons, a new chapel was added in 1848, after directions from Major Jebb, the Surveyor General of Prisons. Under this regime each prisoner was kept in a separate cell, which measured four by two feet, by three metres high. Whenever prisoners left their cells they had to wear a special cap. This had a peak, with holes through which the wearer could see where he was going, but not the face of any other prisoner. During their exercise period in a large yard to the south of the prison block, they walked together in a circle holding an endless rope knotted at intervals. They had to hold the knots which were spaced to prevent them whispering to the next prisoner. After this exercise period, and twice on Sundays, prisoners attended the chapel for service. Once in their seats they were allowed to remove their caps, as the design of the pews prevented them from seeing anything other than the chaplain in the pulpit. During the period of the Separate system all British prison chapels were built in this way. However as the system fell in to disuse they were

all, except Lincoln, converted to traditional seating. Lincoln prison chapel is therefore now unique, though the Victorian prison at Port Arthur, Tasmania has a similar but smaller chapel. This is a replica, the original having been destroyed by fire some years ago.

The chapel at Lincoln had 78 enclosed seats for male felons, female felons sat on the front row and the bench at the back was reserved for those condemned to death. Debtors were not subjected to the Separate system; males sat in the gallery and the females below. The governor and his family would occupy the seating between the pulpit and the gallery and a curtain was drawn across to prevent those sitting in the gallery and on the governor's pew from seeing the main part of the chapel.

There is another part of the prison complex at the castle that played its part in the nineteenth century, and that was Cobb Hall, where public executions took place. Up until 1815 this part of the castle had been derelict, but in that year E J Wilson, a county surveyor, renovated Cobb Hall, and in particular the roof, to provide a site for executions. When needed, a scaffold could be erected which was visible from the streets below by the public. This scaffold was given the name of the Long Drop to distinguish it from the Old Drop which previously stood at the corner of Westgate and Burton Road. Cobb Hall was in use for 42 years, from 1817 to 1859, when a total of thirty-eight prisoners were hanged, among them three women. Public executions were abolished by the Capital Punishment Amendment Act of 1868, and Priscilla Biggadyke became the first woman to be hanged inside the castle on 28 December 1868, and at the same time the last woman to be executed in Lincoln.

The chaplain often referred to the number of executions in his annual report to the Justices - Reverend George Kent wrote this in 1831:

Saturday March 12 1831 Michael Lundy was executed for Murder, confessing his guilt. He was attended in his religious devotions by a Roman Catholic Priest.

Friday 18 March 1831 John Greenwood was executed for House Breaking, confessing his Guilt. He received the Sacrament with seven other Prisoners on the morning of his Execution.

Friday 22 July 1831 William Hall was executed for the wilful murder of Wm. Button, confessing his Guilt. During the time he was under sentence of Death, he was very much troubled, and distressed in his mind, and in his last moments great fearfulness

and trembling came upon him. I believe a more distressing and heartbreaking scene never was witnessed.

Friday 29 July 1831 Richard Cooling and Thomas Motley were executed for Arson. Richard Cooling denied the crime for which he suffered, though he acknowledged that he was present when Motley set fire to Mr Cherry's Beast Sheds. Thomas Motley confessed the justice of his sentence and acknowledged that he set fire to Corn and Straw Stacks belonging to Mr Cherry, Mr Thompson and Mr Wilson.

It is my duty to state that on these solemn and awful occasions the greatest possible order and regularity prevail, and that the Gaoler and all other officers of the Prison do everything in their power to alleviate the sufferings of the wretched criminals. ⁷

In 1824 the gaoler had problems with the execution of one James Wetherill, as his journal records. On 5 August, a respite was received by Mr Merryweather, the then gaoler, to delay the execution of Wetherill for murder, because the prisoner had tried to take his own life, and damaged his trachea. On 17 August, Mr Merryweather was given instructions by the magistrates to fit up the in the best manner he could the ground floor room under the execution tower for the dissection of the body of James Wetherill. Because light was needed for this task, the arch above the door was taken out and replaced with a window. This work was finished by 19 August and approved by the surgeons. The execution took place on 20 August, and Mr Merryweather reports '*everything connected with it properly done.*' ⁸

This particular entry tells us a great deal about how condemned prisoners were treated - execution normally happened within three days of the end of the Assize at which the death sentence had been passed - there was no time for appeal. After death the body was often used for dissection purposes. Often the family never received the remains of the deceased. Another entry for July 1831 records that the bodies of Thomas Motley and Richard Cooling were interred in the Keep on the day of their execution.

Also by 1831 the keeper's journal was recording the names of those prisoners who had been capitally convicted, but had their sentence commuted to transportation for the term of their natural life to Australia. The keeper had to arrange the movement of these prisoners to the disused ships, the hulks, moored off the coast, to hold them until a transport ship was available. So the journal shows for 13 May 1831:

I made arrangements for removing Twelve Male convicts this evening for the Retribution Hulk at Sheerness in the River Medway. I have this day received an order for the removal of Martha Hendley, a Convict under Sentence of Transportation, to be removed on board the ship Mary lying at Woolwich in the River Thames on or before the 30 May. ⁹

From time to time the governor had also to deal with prisoners attempting to take their own life. An entry for 14 March 1857 records:

William Leach, convict. Appeared in a very excited state of mind at 7am - sent for the Surgeon who saw him at 8am. At 11.30am on looking through the inspection plate, I saw the prisoner fasten his handkerchief and stock round his neck and endeavour to suspend himself by the bell handle, but the cotton of the stock gave way.

I then went in and removed from his cell everything likely to afford him facilities for committing suicide. On visiting Leach at 3.30pm I found him apparently suffering from great mental depression which was caused by the sentence passed upon him on Thursday viz. Transportation for 25 years.

I ordered Leach to be removed to the Infirmary ward and that Francis Laurence and John Barker, two convicted prisoners who associate together, with instructions not at any time to allow Leach out of their sight, or to do anything to himself. ¹⁰

By 26 March, Leach was sufficiently recovered, and considered by the surgeon in a fit state of health. He was again placed in separate confinement and removed from the infirmary ward to his own cell, but the warders were given directions to watch the prisoner, and for the present time he was to have a gas light all night. By this time the Separate system was in full operation, as evidenced by Leach's return to his own cell. Also around this time, a convict Joseph Ward was reported by warden Smith for talking to Thomas Linton at the pump.

By this period transportation had been stopped and replaced by penal servitude - prisoners had to go through a period of up to a year of separate confinement before proceeding to the longer part of their sentence. In other prisons, but not at Lincoln, convicts were often put to work on quite meaningless tasks - for example, the treadmill, or short drill, which involved lifting a pile of heavy shot from one place to another, and then bringing it back again.

The Caernarvon Committee recommended sweeping changes to the prisons of England and Wales, and by 1877 all prisons had come under the control of central government, taking away the local authority of magistrates. This resulted in a uniform system throughout the country. This is no doubt why the new County Prison was built on Greetwell Road in 1872 and was in full use by 1878.

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Notes and references:

- 1 County Archive material Co. C.1/1/1 - Castle Deeds Grant, 1814.
- 2 County Archive material Co. C. 2/4 - Gaol Sessions Minute Book, 1842 - 49, page 127.
- 3 County Archive material Co. C.5/13 - Keeper's Journal, 1836-1848.
- 4 County Archive material Co. C.5/1/20 - Chaplain's Journal, 1823-1839.
- 5 County Archive material Co. C.5/1/17 - Surgeon's Journal, 1851-1854.
- 6 County Archive material Co. C. 2/1 - Grand Jury Book 1741-1891, page 205.
- 7 County Archive material Co. C.4/1/5 - Gaol Sessions Papers, October 1830 to October 1831 - Chaplain's report - item 349.
- 8 County Archive material Co. C.5/1/1 - Gaoler's Journal, 1824-1831.
- 9 County Archive material Co. C.5/1/2 - Keeper's Journal, 1831-1835.
- 10 County Archive material Co. C.5/1/5 - Governor's Journal, 1856-1860.