

SECOND EDITION.

A

FURTHER ACCOUNT

(BEING PART II.)

OF THE

Cruelties Discovered

IN THE

COLDBATH-FIELDS PRISON,

AS

REPORTED IN THE HOUSE OF COMMONS,

ON TUESDAY, THE 22D JULY, 1800,

IN THE

S P E E C H E S

OF

SIR FRANCIS BURDETT, BART.

AND

R. B. SHERIDAN, ESQ.

IN WHICH IS INCLUDED

A LETTER FROM JAMES WILLIAMS,

DESCRIBING THE MELANCHOLY CASE OF PETER CHENU, WHO DIED
JULY 13, AND THE SEVERE TREATMENT TO WHICH HIMSELF
AND SEVERAL OTHER PRISONERS WERE EXPOSED.

TO WHICH IS ADDED,

AN AFFIDAVIT OF JOSEPH BURKS,

WITH A STATEMENT OF FACTS RESPECTING THE DISCIPLINE
OF THE HOUSE OF CORRECTION IN COLDBATH-FIELDS.

L O N D O N :

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IMPORTANT DEBATE
ON THE
STATE OF THE PRISON
IN
COLDBATH-FIELDS.

PART II.

SIR FRANCIS BURDETT said, He thought it would not have been necessary for him to take up one minute of the time of the House; as the Papers which had been laid before the House contained such various, strong, and incontrovertible proofs, that the grossest abuses had been committed; and as every one testified an eager desire to have the affair sifted to the bottom; but, from some conversations which he lately had, he became less confident. He was told, that, unless a very strong case of abuse was made out, and unless it could be proved that the Magistrates had shewn backwardness to redress the grievances which were complained of to them, and that applications to the inferior courts would be ineffectual, it would be improper for the House of Commons to interfere. Even these Gentlemen, however, he hoped to convince of the necessity of immediate interference. The existence of numerous and flagrant abuses was clearly demonstrated by the Papers lying on the table, as was likewise the negligence and misconduct of the Magistrates. The Honorable Baronet here read over several of these Papers (See

page 7, 8, Part I.), and commented upon their contents with great animation and ability. It was stated, he said, in the Report of the Grand Jury, that the prisoners had not enough bedding for the summer season. What then must be the wretchedness of their situation in winter; shut up in a cold damp cell, without even a fire-place? To this abode of misery many were sent before they were convicted; and, even some not charged with a crime!

The case of Mary Rich was too shocking to be described. She was the prosecutrix, (not the defendant) in an indictment for felony. From the unparalleled barbarities of her keepers, she had even become incapable of the purpose for which she was confined, and was unable to give evidence against the man who had attempted to violate her. The manner in which these proceedings were justified added to their enormity. She lay naked, because her blanket had been taken to cover an unfortunate woman in labour in the same yard. She was stated to be a worthless girl, and to have said to a nurse, that she never would have complained if the gentleman had given her the money he had promised. But was this nurse to be believed, who was one of the *double-allowance* prisoners whom the Governor uses well that he may maltreat the rest with impunity?—and, admit that the poor child was really unprincipled, was this any excuse for the barbarities she had experienced?—*She was poor, and her parents in extreme indigence.* So, poverty was a reason for inflicting cruelty upon the person it weighs down; and, it was praise-worthy to add to its evils.

Did not this circumstance afford a glaring proof of the negligence and insensibility of the Magistrates? Yet such was the profligacy, such was the want of feeling, and sycophancy of the
Gaol

Goal Committee, that, shocking to relate, twelve Magistrates had been found *venal* enough to return a verdict that Mary Rich, prosecutrix (and not a criminal), *had been duly and properly treated!!!*—Nay, they had *prostituted* themselves to the lowest abyss of infamy. They had, like the inhabitants of Sodom, gloried in their shame, and endeavoured to extract an apology for their misconduct, their negligence, and delinquency out of the poverty of the parents. This was heaping the measure of their crime till their cup ran over.

And, further to provoke general indignation, general detestation and abhorrence, it appeared from the evidence of the Head Inquisitor, Dr. Glasfe, that the visiting Magistrates made a mockery of their functions. They pretended to give a Report to the Court of General Sessions, relative to the economy of the prison, which turned out to be founded on corrupt evidence, to wit, on the sordid, mercenary, self-interested report of the gaoler, Aris; the surgeon, and the chaplin. Surely this was trifling with a sacred duty, and called for severe reprehension. What excuse could this self-same Dr. Glasfe make for his culpable neglect?—Not ignorance; for he was, or at least ought to be, better informed respecting his duties! His profession, as a clergyman, ought to teach him not to be callous to the sufferings of his fellow-creatures. He was a priest, but this part of his conduct, it was to be hoped, was not characteristic of the sacerdotal order. Well would it be for him to bear in mind the precepts of his illustrious Master; “Do to others as ye would that others should do to you.”

This certainly attached the highest degree of culpability to the conduct of the Gaol Committee.

Nay, to such a degree did their negligence extend, that the Prison Committee disregarded even the explicit charges of the body of Magistrates in general, who expressly had pointed out certain articles of grievance, which the Committee afterwards thought proper to scout.

The Justices concluded their Report by saying, that, upon the whole, Mary Rich appeared to them *to have been properly treated during her confinement!!!* This assertion was the completion of injustice. A scene of iniquity hardly to be paralleled was declared by twelve Magistrates to be innocent, and not to attach the smallest blame to its author. They had examined Mr. Aris; but was he the proper person to examine concerning his own atrocities? or the ——— committed by his son? Why did they not examine the person from whom the handkerchief was stolen; and those who were eager to give evidence of similar abuses? However, since they were of opinion that there was nothing wrong in the case of Mary Rich, it was probable they would even then have declared the conduct of the Governor to be immaculate.

Next came, what the Committee called the Report of the Grand Jury, of the 11th of July; concerning which he had just learned a most extraordinary circumstance.—About ten minutes ago he was called out into the lobby, and there told by the Foreman of that Jury, and one of his colleagues, that **THEY HAD NEVER MADE ANY SUCH REPORT**, either written or verbal; (if they had, they said they must have made a Report very different to what was given to the House by the Magistrates). He respected their feelings too much to say one word of its contents. He regretted exceedingly that the Report of the Traverse Jury, of the 4th of June (*Vide page 8, Part*

Part I.) had not been laid before the House, as it contained several facts of the greatest importance; and he regretted this the more as he now found that it might have been called for; had the least regard been observed to regularity and form. He could prove that, notwithstanding what had been said to the contrary, it had been sent in a regular manner, directed to Wm. Mainwaring, Esq. Chairman of the Quarter Sessions for the county of Middlesex.

The following was a Copy of the Letter which enclosed it—

“ SIR,

July 12, 1800.

“ IN consequence of some remarks in the House of Commons, concerning our inspection of the Coldbath Fields Prison, the heads of which we presented to you in open Court, on Thursday the 5th of June last, accompanied with verbal remarks on the state of that Prison, by our foreman, who also informed you and the Court that the Jury would, at any time, attend the Prison Committee, to explain more fully to them the condition of the prisoners as we had not time to draw up a full presentment; therefore we take the liberty of presenting a full Report of our Inspections (*Vide page 8, Part I*); a copy of which we have presented to the Grand and Traverse Juries of this present Sessions, for Middlesex, held at Clerkenwell Green.

(Signed)	W. DICKIE. Foreman,	ROBT. SCOTT
	W. WATSON	THOMAS M'ALPINE
	W. DOBSON	JOHN THOMAS
	JOHN LLOYD	JOHN BEALE.”

*To William Mainwaring, Esq. Chairman
of the Sessions, Clerkenwell-Green.*

And delivered for him (he not being present) to the Deputy Clerk of the Peace at the Sessions House, in open Court, on Monday, July 14th, 1800, by Mr. Beale.

The first day's inspection of the Gaol was extremely defective, as many of the prisoners, who were in the most deplorable condition, had been kept out

out of view. He should state a few circumstances, every one of which he could verify by the most incontrovertible evidence, and which would shew to what an extent the Jury had been deceived ; and what a loud call there was for the interference of this House :

A man of the name of George Hart died upon the 3d of June ; and though he must have been ill in the prison on their first visit on the 30th of May, he never was produced to them ; nor did they know that he was dead in the prison on the 4th of June, on their second visit to that place.—Another unfortunate man, named Peter Chenu, died on the 13th July, and proof was repeatedly offered that he had been starved to death, and as often rejected.—Luke Early, another prisoner, expired on the 15th, and though it was told the Coroner that he died of want, none of the sailors were called, who could have substantiated this charge ; and one, who had been questioned before, and found to depose that this had been the case, was not allowed to give evidence, nor to be one of the Jury, but another was substituted in his stead, who was perfectly ignorant of the whole transaction.

Sir Francis said, he hoped this was sufficient to prove that great enormities were perpetrated within the prison, and that the Magistrates had been shamefully deficient in their duty. He hoped to make it clear that the House should interfere without delay. The Courts below were pointed out as the proper places to be applied to. How could a man apply to a court of justice whose last shilling had been extorted from him ; who smarts beneath cruel oppression, and, who trembles for oppression still more cruel ; who is perfectly unknown, (for one may be easily murdered there
without

without the world being acquainted with the foul crime), and, who has no way of informing his friends of his sufferings.

At Hicks's Hall, on Monday *the 14th July*, when Mr. Dickie, the Foreman of the Traverse Jury, and Mr. Beale, one of his colleagues, were present, a man of the name of Williams, who was then discharged from the prison, came in and told the Justices, that the man who died the day before had, to his knowledge, been starved to death; and that many, pining for want, were concealed in the remote cells. As he was going away, the jailor's-clerk (Nicholson) ran behind him, put his hands into his pockets, and tried to rifle him of his papers. He was carried back, and then Aris and the clerk actually robbed him of these documents. These Gentlemen represented to the Court that it was their duty to protect him, but their Worships paid little attention. Upon the representation, however, of Mr. Agar, a barrister, they returned him all the papers, except one, which was a letter of great consequence: that was retained by one of the Justices. Was there ever a more nefarious proceeding?—Did not this prove that applications to the Magistrates would be perfectly ineffectual; and that it was impossible for the wretched prisoners to convey their complaints to a higher tribunal? But, admit they had the means of applying (as they have not), the inferior courts were quite inadequate to correct the abuses he complained of:—they take cognizance of particulars, not of generals; they can redress the grievances of a single individual, but they can in no way redress those of the Public. A great, an enormous, an unspeakable public grievance existed, and it could only

only be removed by the interference of this House.

He had only given a few, out of many instances of abuse which he could have mentioned; these he should prove at the bar, if an opportunity should be afforded him, by the authority of many besides the inmates of the prison—by the authority of Magistrates, and others of the greatest respectability. Several Magistrates, it would appear, had complained, though the Prison-Committee turned a deaf ear to their complaints. The House stood in a most delicate predicament:—one of the arguments for smothering all enquiry he knew to be, that it would be a libel upon the House of Commons, if, after what had happened, the Governor should be found guilty. He did not demand redress for individuals, but he demanded a vindication of the rights of the Community.

He hoped that, when abuses of this nature had come to this height, the House would shew that, whatever differences might exist on political subjects, all were unanimously resolved to protect the injured; to rescue the wretched from oppression, and to shew that cruelty was not to be inflicted with impunity, even on the lowest and most profligate.

Sir Francis concluded, by moving.

“ That the House do to-morrow resolve itself into a Committee of the Whole House, to consider the state and management of the Prison, in Coldbath-Fields.”

Mr. SHERIDAN having seconded the Motion,

The ATTORNEY GENERAL entered into a vindication of the Coroner and of the Jury who had investigated into the case of Chenu. The result of that investigation was, that the man had
been

been a long time in a decline, and that he died of a consumption:—an opinion that was countenanced both by the scrophulous habit of his body, and the mode of life he was known to have pursued. There could consequently be no hesitation in pronouncing that the person in question died in the ordinary course of nature, accelerated by the causes alluded to. As to the accusations urged against Aris and his sons, he had only to say, that if any of them had been guilty of a felony, as the Honorable Baronet had asserted, he ought to be indicted. Complaints were also made that summary justice had been resorted to in the prison, and that many other abuses of a similar nature had been known to exist in it. Were Gentlemen to consult those who preside over these places of confinement, they might soon learn that summary punishment was often indispensably necessary to preserve rule and good order in them. The representations, therefore, of the Honorable Baronet of cruelties exercised in these instances, were, it must appear to every dispassionate observer, rather highly coloured. Was this a matter for the House to interfere in? Surely not. For if they did interfere, what would be the result of their inquiry, unless it was to vote an address to his Majesty, that such prosecution might be entered into as the crimes alluded to might call for and justify? This the Executive Government were always ready to do, without any interposition of the authority of the House to stimulate them to do their duty. If the jailor, or any person under him, appeared to have been accessory to the death of a prisoner, or even of having wantonly maltreated him, he was liable, like any other person, to be indicted for his bad conduct, and it was open to the prisoners to indict him in the courts of justice. If

due attention was not paid to their complaints in that quarter, then a representation might be made to the Executive Government, who doubtless would be ready to bring any such acts of cruelty and oppression to condign punishment. It was, he believed, the over-ardent zeal of those who interfered in these cases, that had led them astray.

Had Mr. Dickie, for example, been properly advised, instead of acting as he had done, he would have gone before the Grand Jury, and stated upon oath to them what he had observed in this prison. But, perhaps, he was not aware of the proper mode of conduct which he ought to have pursued. If the Magistrates had acted improperly, it was for the Executive Government to enquire into that misconduct, and, if found to be really such, then his Majesty would erase their names from the list of Magistrates. It therefore appeared to him, under every view of the motion, that it was not such as was worthy of the House to accede to. The Executive Government would not fail to take every step that was necessary to enquire into, and punish the negligence of the Magistrates, should they be convicted of negligence or misconduct. But until the Executive Government had declined making such enquiry, it was not proper for the House to interfere.

Mr. SHERIDAN contended that his Honorable Friend (Sir F. Burdett) had made out an irresistible case, and that the Learned Gentleman had not advanced a single syllable to disprove it. The Learned Gentleman appeals to old usages, and tells us that the prisoners may have redress in the King's Bench, if they applied for it; but in this appeal he forgets the nature of the prison of which he had been speaking; he forgets that it is a place of solitary confinement, not known in former times,

or

or authorised by ancient usages, but an institution of yesterday. He forgets that the very rules that were prescribed for its management and regulation, had been shamefully neglected, and left wholly unexecuted too.

The Learned Gentleman, when he argues against bringing such a question before the House, should recollect that his very arguments tend to libel the House, as it had even last Session entertained the same question; and what was the result of the motion in the last Session? At first, the discussion of it was deprecated; but an Hon. Member, (Mr. Burdon) thought proper to move for a Select Committee, and his motion was unanimously agreed to. It was previously asserted that no reason of complaint could be shewn against the conduct of the prison, yet a scene was afterwards disclosed of murder, extortion, cruelty and theft. But the Committee, as well as the House, were misled in this point, and his Honorable Friend was furnished with documents completely to prove that they were so imposed upon; for none of the regulations that should guide the arrangement of the prison, were attended to. First, it was to be visited by two Magistrates; they neglected their duty; and then a Visiting Committee was appointed, who superseded the functions of the former. But it was always known when their visits were to take place, and every grievance was removed that might attract their observation and censure.

Mr. Sheridan here read part of the Report of the Committee, upon which he very pointedly animadverted, and shewed the House how much they should regret ever having given it their sanction. When the enquiry was instituted whether the beds, medicines, and other necessaries were properly attended to, who were the persons examined? Why,

the Jailor, the Doctor, and the Parson; who all, no doubt, answered that every thing in their respective departments was sedulously attended to; and what other answer could such persons make without criminating themselves?—The rules for the regulation of the prison should have been hung up in the prison: no such thing was done. Medical aid was to be given to the prisoners when they called for it: no such aid was afforded in the case of Early, &c. A third regulation required that a journal should be kept by the Governor for the inspection of the Visiting Magistrates, but it was confessed by that Governor that he had kept no journal for several months, and that on the most material occasions. The three regulations were thus then most grossly violated, and that by a man who, to the *eternal shame* of the *justice* and *humanity* of the *country*, was still continued in an office, the regulations of which he had so frequently and so flagrantly violated.

Mr. Sheridan here entered into a detail of the various acts of misconduct of which the jailor of the prison had been guilty: his borrowing money from the prisoners by means of intimidation; his ill usage of those who had none to lend; his refusal, without money, to allow the sick to have the benefit of the sick ward; and his procuring the liberty of many persons upon false pretences, who were able to gratify his avarice.—All this had been proved to the Committee, and that by his Hon. Friend, against whose humane interference the foul slanders of that jailor, whose character he had just described, had been so far attended to by the Secretary of State, as to have him prevented in future from visiting any of the prisons.

The Learned Gentleman says, that the prisoners might apply to the King's Bench. How was it possible

possible, even had they the regular means of such an application, that prisoners could convey their complaints against a man who was their head jailor, and who had two of his sons for his turnkeys? The very attempt might draw upon them worse treatment than they had experienced before.

Mr. Sheridan next adverted to the case of Peter Chenu, &c. &c. and read the following

LETTER FROM JAMES WILLIAMS,

DESCRIBING THE MELANCHOLY CASE OF THAT UNFORTUNATE MAN, AS WELL AS THE SEVERE TREATMENT TO WHICH HIMSELF AND OTHER PRISONERS WERE EXPOSED.

“ SIR,

“ THE first of my being committed to the New House of Correction, in Cold-bath fields, was on Wednesday the 11th of June, 1800, to the 14th of July, being 33 days; from the 11th to the 23d of June, I had no other support than bread and water; three days after I fell sick and could not eat bread and water; I desired the turnkey to send me the doctor, but he never did; there were TEN of us ready to faint away in the yard; we made application to the turnkey to speak to the Governor, to let us have some broth: but he would not let us have any for a week after, until we were almost dying for want; but twelve days before the Sessions, we were served with a little broth every other day. One CHENU was a prisoner with me in the same yard for 16 days, and had no support but the same as I had, bread and water; about eight days before the Sessions he fell ill, and told me his illness was for want of food; he said his inside was quite perished, and told the turnkeys his starving situation; they said, they could not help it, there was no more allowed in that yard but bread and water. He told the turnkey to send the doctor, but he did not come for three or four days after, until he was too far gone; we told the doctor's man, that Chenu was dying, but he said he would lie in bed half a year if he would let him; however, on the 12th of July, he was admitted in the sick ward, but he died next day, 13th of July, at night. Mr. Kyhn was prisoner at the same time,
and

and was two months there before me, and he had no allowance but bread and water; he was hardly able to crawl about the yard, and no person permitted to see him.

(Signed)

July 21, 1800.

JAMES WILLIAMS."

Would not the House interfere in a case of this black nature? or if they refused must they not seem not only to neglect their duty, but to make a common cause with Mr. Aris? (Mr. Pitt appearing to admit the enormity of this case), Mr. Sheridan rejoiced at the auspicious omen, and confessed that the feelings of Ministers must be shocked by it, as he was confident they were as much as any of those who were anxious for their investigation, and he therefore augured that some good must arise out of it. It was impossible the thing could continue as it now stood: to a system of solitary confinement there must be some end or modification. Its existence, as it was now regulated, was inseparable from the most crying abuses.

Mr. Sheridan now animadverted on the shameful want of necessaries; such as beds, rugs, &c. which had been acknowledged to exist in the prison; but observed, that the paper that was first read by a worthy Magistrate (Mr. Mainwaring) was wholly different from that which was now before the House.

The Hon. Gentleman then commented at large on the Case of Mary Rich (*Vide, page 6, part I.*), and shewed how strangely it was represented by twelve Gentlemen, whose names he read*; while he wondered

* COLONEL WILLIAMS, in the Chair;
 William Mainwaring, Esq.
 Frederick Matthew, Esq.
 John Bond, Esq.
 Hammond Crosse, Esq.
 William Bleamire, Esq.
 David Dean, Esq.
 Thomas Bennett, Clerk
 Millington Buckley, Clerk
 James Hebert, Esq.
 William Marmaduke Sellon, Esq.
 and
 William Spencer, Esq.

wondered how such a paper could have been signed by any twelve human creatures. Upon the whole, it was evident that no redress could be expected from the Magistrates. All the iniquities he had described were going on when the Committee were sitting; but still, both the Committee and the House were deceived, and the Report stated, that there was no room for any reprehension of the conduct of the prison.

The House must now be sensible that they had been imposed upon; and, whatever might be the mode adopted by them, whether a direct enquiry, or an Address to his Majesty, they must be convinced, that no mode of enquiry could have any effectual weight, without the concurrence and approbation of Parliament.

Mr. W. DUNDAS, as Chairman of the Committee of the House of Commons, who made a visitation to the prison in Coldbath-Fields, recapitulated the proceedings of that Committee, and argued that, from every appearance in the prison at that time, nothing could be more favourable than its being a place well conducted, and in every respect healthy and convenient.

He admitted that the Committee were extremely surprised when they found the Governor had neglected to put up the regulations of the prison, as required by Act of Parliament. But, notwithstanding this, he could not see that the Hon. Gentleman who brought forward the present motion, had adduced any reason why Parliament should interfere.

Mr. SHERIDAN, in explanation, said, that the Committee did not sift thoroughly into the business; that they contented themselves with Dr. Glaspe's representation, and examined no one but the Chaplain, Doctor and Jailor himself; and, with this

this information, the Committee had thought themselves justified in winking at all these regulations.

Mr. W. DUNDAS explained.

Mr. MARTIN said, the person who first conceived the idea of this prison was a most amiable man; but the most wicked could not have suggested a worse. The nature of the confinement was such, that he was sure if he were to suffer one month of it, he never should be fit for any other place but a cell while he lived.

These extraordinary severe punishments, he contended, were contrary to the spirit of the laws; and he hoped, from what had now passed, that some salutary regulations would be adopted to soften, if not entirely do away, all solitary confinement. He therefore thanked the Gentlemen under him (Mr. Sheridan and Sir F. Burdett) for the noble stand which they had made, and was happy to see the Gentlemen on the other side struck with their observations.

Mr. TIERNEY said, that as there was a Report on the Journals of that House, justifying the system, which no man could now stand forward to defend, it was evidently necessary that something should be done by Parliament to counteract that mention on the Journals. It was, perhaps, too late for that House to enter upon a full enquiry. He would, therefore, recommend it as a mild and middle course, to move an Address to his Majesty, praying him to order such an enquiry to be instituted.

Mr. PITT did not consider the character of the House at all implicated. The Committee of last Session might have reported correctly, and yet the facts stated by the Honorable Gentleman might also be genuine. The report of the Committee

was

was made several months ago; the statements of that evening were founded, on the contrary, on occurrences which had taken place very recently. Thus might both the Reports of the Committee proceed on undoubted and incontrovertible facts. But, with respect to the statements of the Honorable Gentleman, he begged to be understood as not adopting them in all their scope. *Much certainly appeared that called for the attention of Government, but nothing, in his mind, to justify the interference of the Legislature. No man would think of justifying, the conduct of the Magistrates, who had shewn a want of that feeling and circumspection so essential to form the genuine character of a wise, upright, and humane Magistracy.*

As to the motion for an address, he saw no necessity for it; yet, *it being acknowledged on all hands, that there existed ground of investigation on the part of Government, it being quite clear from the documents on the table, that the Magistrates were to blame, if the motion for an Address should be pressed, he would not oppose it.*

Sir F. BURDETT consented to withdraw his motion; hoping, however, that the House would not think it enough to redress the grievances, but to prevent the like in future. The original motion was then withdrawn, and he moved:

“That an humble Address be presented to his Majesty, praying that he be pleased to order an inquiry to be made into the state and management of his Majesty’s Prison in Coldbath-Fields.”

which was agreed to, and ordered to be presented by such Members of the House as were of his Majesty’s Privy Council.

That the same system has been uniformly pursued in the COLDBATH-FIELDS PRISON since its first institution, we have many instances which might be attested; but, in consequence of the intended investigation, we shall at present decline giving any further particulars respecting that gaol, except Joseph Burke's Affidavit, before Alderman Watson, on the 24th December 1798; and his Statement of Facts on that occasion.

AFFIDAVIT of JOSEPH BURKS.

JOSEPH BURKS, of Jewin-street, in the City of London, Bookseller, maketh oath, and saith, That he was confined in Newgate near five months subsequent to his being convicted for selling a work, entitled, the "*Duties of Citizenship*," and, prior to judgment being passed on him for having sold the same work. And this Deponent further saith, that he was sentenced by the Court of King's Bench to two years solitary confinement in the House of Correction, Coldbath-Fields, from which place he has only been liberated about a month. And this Deponent further saith, that, having read in one of the public newspapers, a speech, said to have been delivered by Mr. Wilberforce, on the second reading of the Bill for the further Suspension of the Habeas Corpus Act, in which said report Mr. Wilberforce is stated to have informed the Honourable House of Commons, that a letter of this Deponent's had been intercepted, expressive of his sorrow for any unguarded language, or misrepresentation of the regulations of the aforesaid prison. And this Deponent further saith, that he never, directly, or indirectly, intimated any contrition for any account which he gave of the severity of his treatment, nor did he ever write, or cause to be written, any letter to such effect as stated in the said reported speech. And this Deponent further saith, that so far from being disposed to write, or cause any such letter

letter to be written, that, on the contrary, whenever he had an opportunity to write, he always felt himself disposed to describe to his friends and the public the unprecedented severity of his treatment (*See page 27*). And this Deponent positively saith, that he hath not only been misrepresented by the above-mentioned Mr. Wilberforce, but this Deponent has been misrepresented by another Member of the Honorable House of Commons, namely, Mr. Mainwaring, one of his Majesty's Justices of the Peace for the County of Middlesex. On another occasion, and in another place, by the Rev. Dr. Glaspe, who represented this Deponent as satisfied with the regulations of his place of confinement; in consequence of which said pretended report, he this Deponent hath been informed, and believes, the Court of King's Bench was induced to commit John Smith to the said prison; who was also convicted of having sold the aforesaid work. And this Deponent positively saith, that he never gave any account expressive of his approbation of the regulations of the said prison; on the contrary, this Deponent saith, that he told the said Mr. Mainwaring and Dr. Glaspe, that he was highly dissatisfied with his treatment, the rigidity of his confinement, and above all, with the smallness of the allowance on which he subsisted. And this Deponent further saith, that so far from being ill at the time of his confinement, as he has been informed, and believes the said Mr. Mainwaring and the Rev. Dr. Glaspe, in their aforesaid report to the Court of King's Bench, represented this Deponent's health to be; and that in consequence of the airiness of the said prison, this Deponent's health was completely restored. Now, this Deponent positively saith, that he never enjoyed a better state of health than when he was first confined in the said House of Correction, but, that in consequence of the closeness of his confinement, the scantiness of his nourishment, and the dampness of his cell, his health became dangerously impaired shortly after his being sent to the said Prison, and continued so for a very considerable period. And this Deponent further saith, that the treatment which he and other prisoners experienced in the said prison, was so rigid and severe, and the gloomy tyranny of the place, such to well entitle it to the epithet, —, which has been

given to it by the public. And this Deponent further saith, that, however the Junta of Magistrates who preside over such prison may represent it, and describe the beneficial effects resulting from it, that he does not think it by any means calculated to reform the manners of the culprits confined in it; on the contrary, from the conversations which he repeatedly overheard, he is convinced that it only tends to render them more desperate, ferocious, and cruel. And lastly, this Deponent saith, that he never conducted himself with any impropriety at the place of worship or chapel of the said prison, unless his refusing to sing when Nature had denied him a voice, can be deemed such. And that whatever his religious opinions may be, he would not, on any account, so flagrantly violate the laws of propriety and good behaviour, as to have conducted himself in so sacred a place in the manner represented.

Sworn before me at Guildhall, this 24th day of
December, 1798. (Signed)

BROOKE WATSON, Alderman.

JOSEPH BURKS.

*The following STATEMENT of FACTS will enable the
Public to determine how justly I have appreciated
the Character of the Place.*

AFTER having been confined in Newgate, previous to two years imprisonment in the House of Correction, for the space of five months, I was taken from thence on Monday, the 21st of November, 1796, to the said Prison.—As I was removed from Newgate before dinner, and was detained two hours at the Court of King's-Bench to receive sentence, I did not arrive at the House of Correction until two o'clock, which is two hours after their dinner, consequently I had no food on the remainder of that day, but was turned into a yard until four o'clock, when I was led to my cell. On my way, I passed through another yard, crowded with a set of miserable looking wretches, who had been convicted of misdemeanors. The horrid prophane-ness of their discourse gave me no very favourable idea of the people with whom it was probable I should associate; thence I was conducted through a long dark passage, arched over, about four or five feet wide, with cells on each side. When I
arrived

arrived at the further end of this passage the turnkey who attended me opened a door, and in a very surly tone, said, 'Damn you go in here.' As soon as I had entered, he locked the door upon me. As the cell was completely dark, I felt about to discover what was the nature of my abode, which I found to be about 8 feet by 6, very damp, the walls were of brick, and covered with moisture, the floor of stone, which in very severe weather is crusted over with ice. On one side of this miserable tenement, I found about three feet from the floor, three planks projecting from the wall, so as to form what is there called a bedstead; on this was a straw mat, a small thin rug, and a most filthy blanket. I pulled off my coat and laid down, endeavouring to compose myself to sleep, but the cold was so severe, and the vermin from the blanket and rug were so troublesome, that I was obliged to get up and walk backward and forward, in hopes that, after a time, I might obtain a little rest, which proved abortive. About seven in the morning, I heard the door unlocked, but by some forgetfulness it was omitted to turn me out; but about eight o'clock a person in a rough surly voice, and venting an horrid oath, threw me in a loaf. A few rays of light were now scattered in my cell, I was able to determine my situation more exactly than before—this scanty light was afforded by a hole in the wall, perhaps, denominated a window—it was about eight feet from the floor, was unglazed, and defended by iron bars. This miserable place was my abode from 4 o'clock in the afternoon until 7 in the morning for the first week: when I was removed to another cell of the same description, near to a yard where myself and a few other prisoners were turned out in the day to perform the hard labour*, allotted to us by our sentence, but were prohibited from practising any amusing exercise, under the threat of being locked up for such offence. Three days in the week my allowance was a pound of bread, and water daily; on the other four days, four or five ounces of meat of bad quality, and a quart of what is called broth, which nothing but extreme hunger could force a man to swallow. The meat is cut into small pieces, as no knife is allowed, it is put into a tin pot with the broth, and in that state served to the prisoners. During the two years of my confinement, I was not permitted to purchase or receive any provisions from my friends—nay, more, one time on my mother's making an attempt to supply me with food, I was struck by the turnkey, confined to my cell, and only released by the Governor, on promising not to be guilty of a similar offence in future!!! Justice Ford was applied to by my mother

* Picking of cable-ropes to pieces.

mother to use his influence with the Magistrates for permission to provide my own food on those days when nothing but bread and water is allowed; but with that urbanity for which that Gentleman is distinguished he declined interfering in the discipline of a prison, which is governed by the *private* regulations of a Committee of Magistrates responsible for their conduct to themselves alone. When the few friends, who were *permitted*, visited me, the following useless and mortifying parade was adopted;—I was conducted to a railed iron gate, attended by a turnkey, who, during conversation, stood behind me. Opposite, and at the distance of about eight feet, is a wooden, latticed gate, where the visitor stands, with another turnkey, or gatekeeper; in the space between these two gates is a third turnkey, each of these turnkeys in succession, accurately examine the cloaths or linen (which are the only articles permitted to pass) lest letters or food should be transmitted. My mother on Tuesday, the next day, brought me some food, this I was not permitted to receive, it was contrary to the regulations, it being one of the bread and water days, I addressed the Committee for relief, but was informed, it was not a place of *indulgence*, but of *punishment*.

A Gentleman, Fellow of the University of Cambridge, soon after my arrival, waited on the Rev. Dr. Glasse, for the purpose of procuring me some accommodation, but was refused and treated in a manner unbecoming a *Gentleman*, a *Clergyman*, or a *Christian*.

It would be superfluous to dwell on the sufferings arising from cold, hunger, damp unwholesome air, from scorn and insult, from the prohibition of pen, ink and paper, knife and fork; in short, from the privation of the necessaries allowed, and the mockeries forborne even to the worst felon in the worst goal in the kingdom; suffice it say, that the oppression became so intolerable, that, even under the apprehension of brutal violence, I complained of my hardships, and petitioned for an increase of food and light, and was coolly told by the Rev. Dr. Glasse, that such allowance was incompatible with the regulations of the house, that 'it was a place of *punishment*, not of *indulgence*;' that the discipline was intended to mend the morals, and to accustom its inhabitants to temperance.

Gracious God! Are these the mild and merciful laws of England? and is this conduct befitting a preacher of that religion, which recommends peace and good-will to mankind?

When I returned to my cell after this refusal, all the horrors of that place came upon me with accumulated force, and in the bitterness of my anguish and despair, I prayed for death as a release from my sufferings.

The mind of man shudders at the idea of suicide, of rushing into the presence of his Creator, his hand stained with his own blood; but that man must be a rare instance of fortitude, who, a prisoner in Coldbath-fields, possessing the means of self-destruction, should at all times resist the impulse; and would find some excuse for the act, from the consideration, that they who urge a fellow-creature to such a state of despair, perhaps of phrenzy, are the real authors of the crime.

I can adduce instances of wretched beings in that dungeon, who became frantic, and of some who destroyed themselves. O fortunate Englishmen, who did not live to see the close of eighteenth century!—This is not the caricature of romance, nor the picture of remote danger; it is a plain statement of evils seen and felt, of evils present, imminent, and staring every Englishman in the face.

Where is the Englishman who can secure himself and his children from the desolation of this public calamity? perhaps even he who now, either actively or passively, encourages this inhuman scourge, may by a reverse of fortune endure its torments; or if he himself should escape, could he rise from the grave a few years hence, might see his family immured in this burial place of the living, this vault of artificial death, almost without food, lodging in a damp and contracted cell, shut out from the light of day; and to finish the catastrophe, exposed to the brutality of the lowest of human beings,—a turnkey of the House of Correction in Coldbath-fields*.

I do solemnly declare, that, rather than undergo a repetition of my captivity, I would submit to the most cruel death that human malignity could inflict.

No. 59, Jewin Street, (Signed) JOSEPH BURKS.
Aldersgate-Street.

* To the credit and honor of one who was in that situation, he was discharged from his employment, for the shocking crime of secreting some provisions, for the use of some of the prisoners, who were subjected to a more than ordinary diminution of food.

The following Letter was sent by me to my Mother, on Jan. 20, 1797, and afterwards appeared in the London Corresponding Society's Magazine, Feb, 1797.

Extract of a Letter written, by a person confined in the Prison Coldbath-fields.

" IT is divided into separate yards; in each of these yards are a number of cells, about six feet wide, with stone floors, unplastered walls and no windows, only a hole grated with iron bars over the door to admit the air; the place on which the bed lies is formed by three planks fixed against the wall, and in damp weather is covered with wet; the bed which is allowed the prisoners, is a straw mat with one blanket and a rug. Thanks to your kindness for sending me my own, or I must have died with cold; as it is, I lie very warm, except that in rainy weather my cell is like the street, and the rug which covers the bed is just as if it had lain out all night on the grass, and had imbibed the morning dew; but this is not the whole of the inconveniencies I suffer, for, next to the distress of not seeing my friends, is the scanty manner in which the prisoners live. —It is thus:

" On Monday morning, a loaf that should weigh a pound is served out, with a pint bowl * of what is called broth, with four ounces of half stewed meat. At 12 o'clock this meat is cut into small pieces, and put into as many bowls as there are prisoners, to serve about two hours before the broth is distributed, which prevents the meat from being half stewed.

" None of the prisoners are permitted to have a knife; if they have one on entering the prison, it is taken away by the turnkeys.

" On Tuesday, bread and water only.

" On Wednesday, bread, water, and broth, with four ounces of meat.

" Thursday, the same

" Friday, bread and water only.

" Saturday, bread, water, and broth, with four ounces of meat.

" Sunday, O Lord! bread and water only; no beer being allowed, not even small beer!

" Let your imagination picture to yourself my condition—a cell without a fireplace, locked up at half past four, without a light, until 7 in the morning; and to arise without any thing to recruit my strength but a little bread, which I am afraid to eat, lest it should not last the day—then you will judge the necessity I have of sum-moning all the fortitude I possess to enable me to support myself from sinking into absolute despair."

* This was afterwards altered by the Committee to tin pots.

FINIS.

Davenport, Printer, 6, George's Court, Clerkenwell.