

S E C T I O N I I I .

P R O P O S E D I M P R O V E M E N T S
I N T H E S T R U C T U R E A N D M A N A G E M E N T
O F P R I S O N S .

HOWEVER sanguinary the wish of an angry creditor may be when he arrests and imprisons his debtor; there is no doubt but every one who listens, not to his passions, but to reason, must know, and will own, that it is a flagrant crime to take away the life of a man for debt: and as to felony, a Gaol is not designed for the final punishment even of that; but for the *safe custody* of the accused to the time of trial; and of convicts till a legal sentence be executed upon them. The laws of England do not suffer private executions. No condemned malefactor may be secretly put to death; nor murdered in a prison directly or indirectly: much less ought those to be destroyed there whose sentence does not affect their life. Their destruction is not only unjust; it is inconsistent with
prudence.

S E C T . I I I . P R O P O S E D I M P R O V E M E N T S .

39

prudence and sound policy. They might no doubt be useful at home or abroad; if proper care were taken in prison, to keep them healthy and fit for labour: but certain it is, that many of those who survive their long confinement, are by it rendered incapable of working. Some of them are grievously affected with scorbutic distempers; others have their toes mortified*, or quite rotted from their feet; many instances of which I have seen.

If one who has turned King's Evidence, or has been barely acquitted upon trial, terrified by his narrow escape, seeks for honest employment; he is commonly such a sickly miserable object that no one will set him to work. That, I believe, is the principal cause of his being rejected; for there are several sorts of labour that require but little confidence: yet the poor acquitted prisoner shall go from door to door asking for work, in vain. Is it not to be lamented, that every spark of good intention, instead of being cherished, should be thus *extinguished*? And that the penitent should by an almost irresistible necessity be driven again, though reluctant, to the practice which soon brings him

* MESS^{RS} Stephenson and Randolph of Bristol, Contractors for Transport Convicts, complained of this to Mr. Biggs, gaoler at Salisbury, in their letter to him Sept. 13, 1774. "Sore feet prove very fatal. The mortality we met with in our last ship, if repeated in this, will so surfeit us, that we shall never take another. We lost an immense sum by them; and our ship is detained to this moment under quarantine."

back

PROPOSED IMPROVEMENTS.

back to his former mansion; and shortens a wretched life, that might have been, that fain would have been, an useful one?

IN order to redress these various evils, the first thing to be taken into consideration is the *Prison itself*. Many County-Gaols and other Prisons are so decayed and ruinous, or, for other reasons, so totally unfit for the purpose, that new ones must be built in their stead. Others are very incommodious, but may be improved upon the ground about them, which is occupied by the keeper, or not used at all. Some need little more than a thorough repair. In order to give what little assistance I can to those who must build a new County-Gaol, I will take the liberty to suggest what hath occurred to me upon this head, in hopes that some more skilful hand will undertake the generous and benevolent task of carrying to perfection a scheme of which I can only draw the outlines. I shall first say something of the

S I T U A T I O N.

A COUNTY-GAOL, and indeed every prison, should be built on a spot that is *airy*, and if possible near a river, or brook. I have commonly found prisons situated near a *river*, the cleanest and most healthy. They generally have

SECT. III. PROPOSED IMPROVEMENTS.

have not (they could not well have) subterraneous dungeons, which have been destructive to thousands: and by their nearness to running water, another evil, almost as noxious, is prevented, that is, the stench of sewers.

I SAID a Gaol should be near a stream; but I must annex this caution; that it be not so near as that either the house or yard shall be within the reach of floods. This circumstance was so little thought of at Appleby in Westmoreland, when their new Gaol was built, that I saw the walls marked from nine inches to three feet high by floods.

IF it be not practicable to build near a stream, then an eminence should be chosen: for as the walls round a prison-yard must be so high as greatly to obstruct a free circulation of air; this inconvenience should be lessened by a rising ground: and the prison should not be surrounded by other buildings, nor built in the middle of a town or city.

P L A N.

THE annexed engraving represents such a plan for a prison as, according to my ideas, unites the greatest advantages with regard to health, order, and security. By the assistance of the references it will explain itself better than can be done by a verbal description. I shall only sub-join a few general remarks on some particulars in the structure.

ARCADES. **T**HAT part of the building which is detached from the walls, and contains the men-felons ward, may be square, or rectangular, *raised on arcades*, that it may be more airy, and leave under it a dry walk in wet weather. Wards over arcades are also best for safety, for I have found that escapes have been most commonly effected by undermining cells* and dungeons. If the felons should find any other means to break out of this raised ward, they will still be stopt by the wall of the yard.

* WHEN I went into Horsham Gaol with the keeper, we saw a heap of stones and rubbish. The felons had been two or three days undermining the foundation of their room, and a general escape was intended that night. We were but just in time to prevent it; for it was almost night when we went in. Our lives were at their mercy: but (thank God) they did not attempt to murder us, and rush out.

I WISH

I WISH to have so many small rooms or cabins in this ward, that each criminal may sleep alone*. If it be difficult to prevent their being together in the day-time, they should by all means be separated at night. Solitude and silence are favourable to reflection; and may possibly lead them to repentance. Privacy and hours of thoughtfulness are necessary for those who must soon leave the world; and in the Old Newgate there were *fifteen cells* for persons in this situation, which are still left standing, with the design of annexing them to the new building. The like provision for such as return to society, cannot be less needful. One of the writers cited in the note, Bishop Butler, affirms that it is much more so, "since it must be acknowledged, of greater consequence in a religious, as well as civil respect, how persons live than how they die."

SMALL
ROOMS.

THE separation I am pleading for, especially at night, would prevent escapes, or make them very difficult: for that is the time in which they are generally planned, and effected. Another reason for separation is, that it would free gaolers from a difficulty of which I have heard them complain: they hardly know where to keep criminals ad-

* SEE the importance of this separation strongly urged in a letter to Sir Robert Ladbroke, printed for Oliver, 1771. See also a Spital Sermon of Bishop Butler preached before the Magistrates of London, April 14th. 1750, particularly page 20th, &c. And Mr. Hanway's 8th. 10th. and 22d Letters in his book entitled *The Defects of Police the Cause of Immorality*, &c.

G 2

mitted

KING'S
EVIDENCE.

mitted to be evidence for the King. These would be murdered by their accomplices if put among them; and in more than one prison, I have seen them, for that reason, put in the women's ward.

WHERE there are opposite windows they should have shutters; but these should be open all day. In the men-felons ward there should be no glass; nor should the prisoners be allowed to stop the windows with straw, &c.

WOMEN-
FELONS.

THE women-felons should be quite separate from the men*: and young criminals from old and hardened offenders. Each of these three classes should also have their day-room or kitchen; and their court-yard and offices all separate.

PUMP.

EVERY court should be paved for the more convenient washing it; and have a good pump, or pipes laid in; both if possible: and the *Pump and Pipes* should be repaired as soon as they need it; otherwise the Gaols will soon be offensive and unwholesome, as I have always found them to be in such cases. A small stream constantly running in the

* By an Act made in Ireland, 3d of his present Majesty, it is enacted, "That in all Gaols hereafter to be built, there may be distinct apartments for the men and women; and that all Gaolers, whose Gaols will at present admit of such a distinction, may be obliged to separate and keep apart the different sexes."

yard

yard is very desirable. In a room or shed near the pump or pipe, there should be a *Bath** (as there is in County-Hospitals) to wash prisoners that come in dirty, or grow dirty afterwards. It should be filled every morning, and let off in the evening through the privies into the drains. There should also be a copper in the shed, to heat a quantity of water sufficient to warm that in the bath; for washing those that are sickly. There should likewise be an *Oven*: nothing so effectually destroys vermin in cloaths and bedding, nor purifies them so thoroughly when tainted with infection, as being a few hours in an oven moderately heated †.

BATH.

OVEN.

THE *Infirmary* or sick wards should be in the most airy part of the yard, quite detached from the rest of the Gaol, and raised on arcades. In the middle of the floor of each room there should be a grate of twelve or eighteen inches square, for a current of air; covered with a shutter or hatch at night. The same contrivance might also be convenient in the other wards. Besides the grate, it is necessary to have in the wards, but especially in those of the infirmary, *Hand-Ventilators* to freshen them every day. This machine is of excellent use when most wanted; and when the wind or sail-ventilator is of no service, that is, in calm weather.

INFIRMARY.

VENTI-
LATORS.

* 14th George III. Cap. XLIII.

† See Dr. Lind's Essay on the Health of Seamen, p. 320 and 336.

Doctor

PROPOSED IMPROVEMENTS.

Doct^r Hales, on the subject, page 12, shews that it will supply seventy-five tons of air in a minute.

THE infirmary and sheds will not render the yard unsafe, provided the walls have parapets, or small *chevaux de frise*.

SEPARATION
OF DEBTORS
AND FELONS.

DEBTORS and felons should have wards totally separate: the peace, the cleanliness, the health and morals of debtors cannot be secured otherwise. The Act 22d and 23d Charles II. Chapter 20, requires this separation at night; that debtors may not be disturbed by the curses and other profane language of felons: "Be it enacted,-- That they shall be put, kept, and lodged separate and apart one from another, in distinct rooms." These words do perhaps in the strict construction imply no more than nocturnal separation. But surely it is a far greater mischief for debtors to be annoyed and corrupted by the wicked conversation of felons all day long, than to be disturbed by it in the night-time. I am not designing to infer from hence, nor yet from the character of the Gentlemen who composed that Parliament, that the Act should be construed according to my view of the argument; or to what I conjecture was their intention. I know it is wrong to explain laws by such a vague principle as the supposed spirit of them. But it seems to me necessary that there should be a total separation. These different sorts of prisoners are indeed generally separated at night. I do not recollect more than two or three Gaols where

SECT. III. PROPOSED IMPROVEMENTS.

where they lodge together, viz. Brecon, Portsmouth, the Borough-Compter, and Clerkenwell Bridewell. I must now add Tothillfields Bridewell, where petty debtors are confined, because Westminster Gatehouse is taken down. Constant separation is desirable: the Gaol will by that means be kept cleaner: and if the small-pox, or the gaol-fever, should infect one ward, the other at a distance may be free from it. This would also remove the objection that is now made against permitting debtors to work: that is, the danger of their furnishing felons with tools for mischief, or escape.

IN the debtors ward there should be a day-room or kitchen; also a large *Work-shop* for such as are willing to WORK-SHOP. work. Some few Gaols have the latter; and in them I have seen chair-makers, shoe-makers, &c. employed in their several trades; preserving their habit of industry; contributing to the support of their families; and lightening the burthen that by their imprisonment falls on the respective parishes.

PRISONERS indicted for felony should not be compelled to work. But I have heard many of them wishing they might be permitted to earn something for their more comfortable support. In some few Gaols they have this privilege, as at Exeter, Norwich, &c.

WOMEN-

PROPOSED IMPROVEMENTS.

WOMEN-
DEBTORS.

WOMEN-DEBTORS should have a ward, a court, a pump, &c. to themselves: and no communication should be allowed between the two sexes.

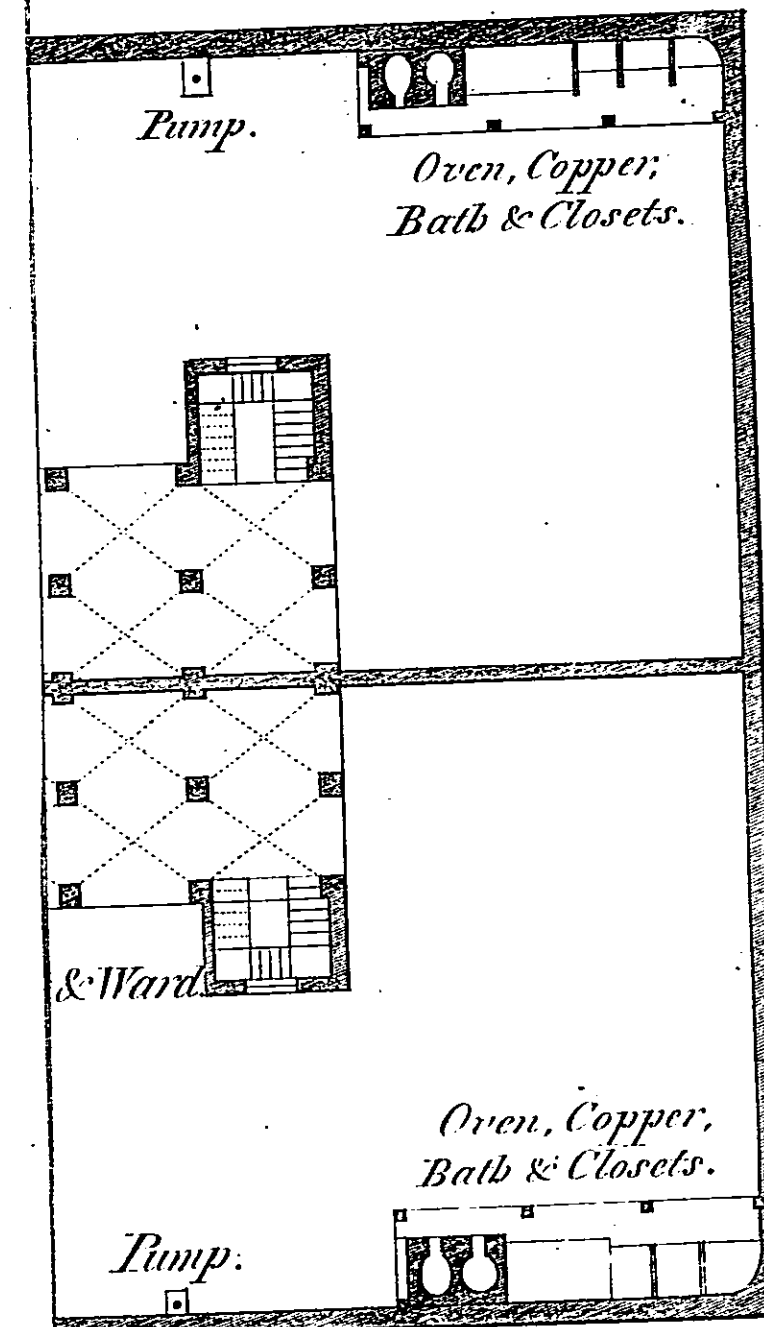
DEBTORS
WARD.

THE *Ward for Men-Debtors* should also be over arcades, and placed on one side of the gaoler's house. This house should be in or near the middle of the Gaol, with windows to the felons and the debtors court-yard.

CHAPEL.

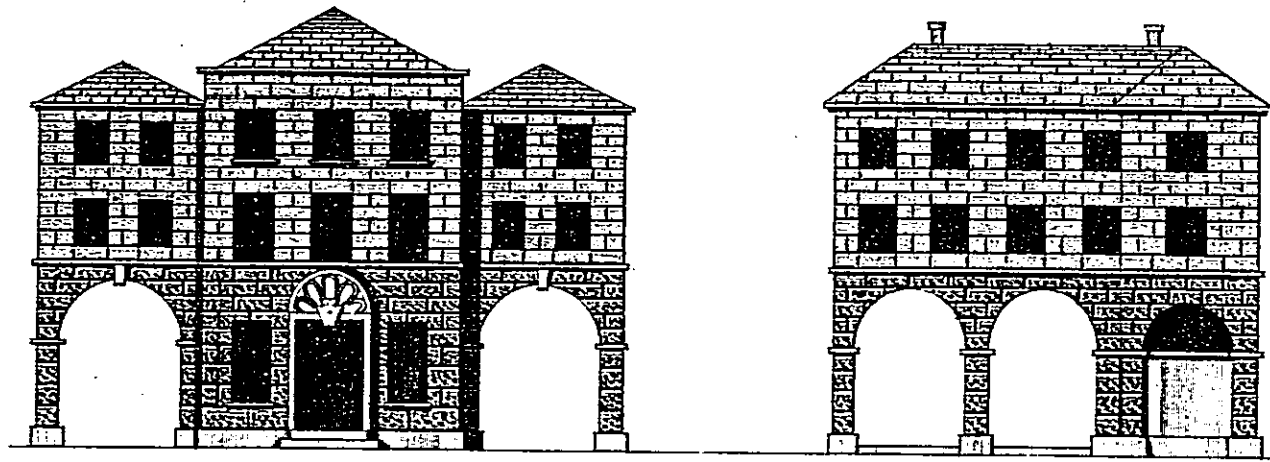
A CHAPEL is necessary in a Gaol. I have chosen for it what seems to me a proper situation. It should have a gallery for debtors or women; and the rest may be separated below. Bibles and prayer-books should be chained at convenient distances on each side: those who tear or otherwise damage them should be punished.

REGULA-



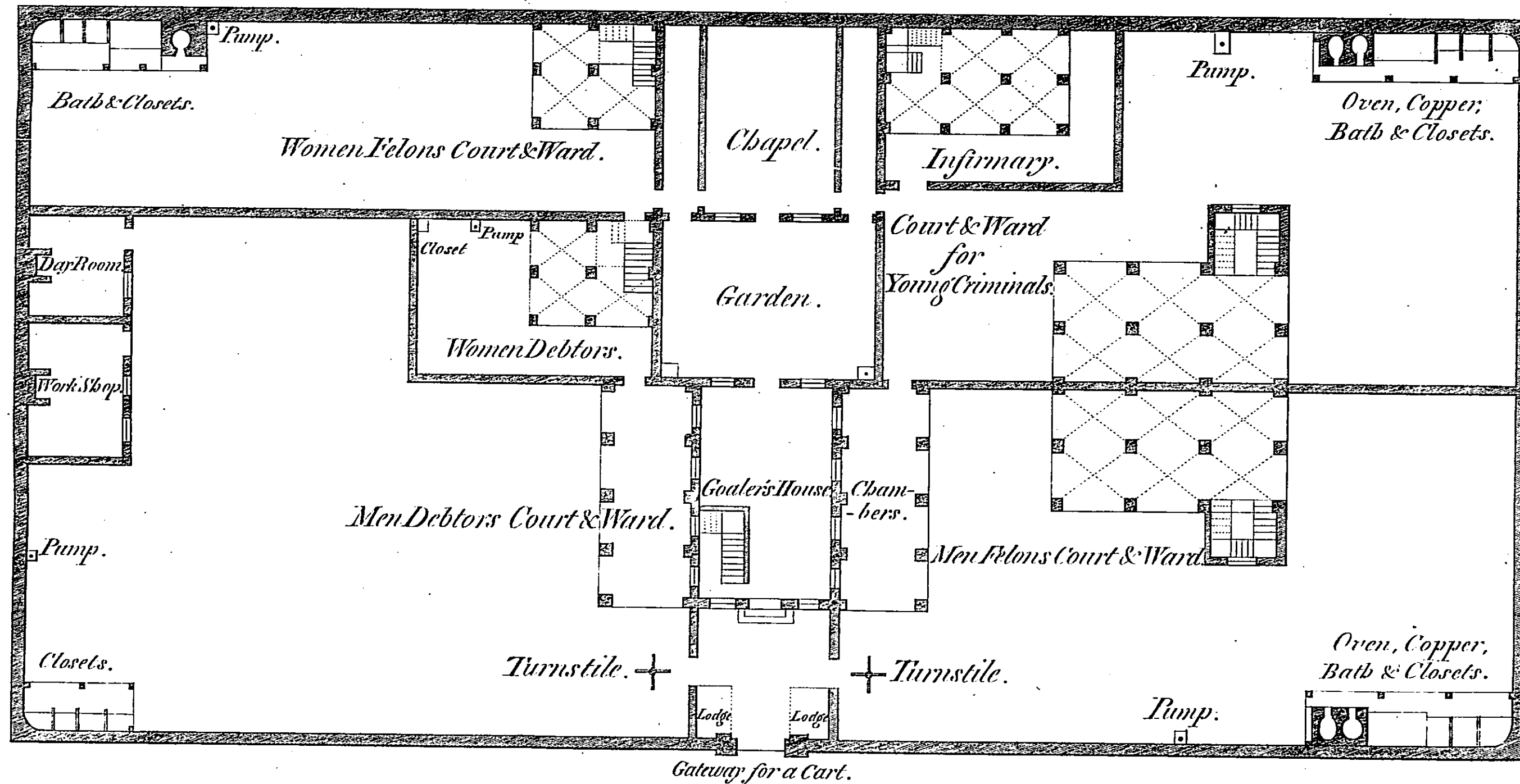
Number of Prisoners.

A PLAN for a COUNTY GAOL.



Front of Gaoler's House & Debtors Ward.

Front of Men Felons Ward.



Size of the Whole, & Proportion of the Parts, to be determined by the general Number of Prisoners.

R E G U L A T I O N S.

WITHOUT a due attention to the œconomy and government of a Prifon, it is evident that no contrivance of ftructure can fecure it from being the abode of wickednefs, difeafe, and mifery; I fhall therefore offer a few hints for the better regulation of a Gaol.

THE firft care muft be to find a good man for a Gaoler; GAOLER. one that is honeft, active, and humane. Such was *Abel Dagge*, who was formerly keeper of Bristol Newgate. I regretted his death, and revere his memory.

THIS officer muft be fober himfelf, that he may, by example, as well as authority, refrain drunkennefs, and other vices in his prifon. To remove a ftrong temptation to the
H contrary,

contrary, it is highly requisite that no Gaoler, Turnkey, or other servant be suffered to hold the *Tap*; or to have any connexion, concern, or interest whatever in the sale of liquors of any kind. Gaolers who hold, or let, the tap, find their account in not only conniving at, but promoting drunkenness and midnight revels. What profligate and debauched company of both sexes, do we see let into our Gaols, that the *TAP* may be kept running! Besides this, the Gaoler's interest in the sale of liquors, may prompt him to be partial in his behaviour to his prisoners; to treat at least with neglect, those who are poor and have nothing to spend; which is the case of far the greater number: while he shall care for dishonest debtors, who take shelter in a prison, in order to live there in riot upon the property of their creditors.

I KNOW that by the statute of 32d George II. a Debtor has a right to send out of the Gaol for liquor and other necessaries*. This is a very judicious provision; and very beneficial to prisoners where they have the full and free use of it. But some Gaolers there are, who find ways to restrain this privilege, for the profits of their tap: whereas if Gaolers were prohibited from all concern in the sale of liquor, this would not only remove that check, and restore to prisoners the free enjoyment of the liberty they are entitled to;

* "At his free will and pleasure, to send for, or to have brought to him--- at seasonable times in the day time, any beer, ale, victuals, or any other necessary food."

but

but would also be the means of suppressing much *Intemperance*; and perhaps of entirely abolishing *Garnish*, as well as *Clubs* or night associations.

THAT it is necessary to deprive Gaolers of all profits arising from the *Tap*, I am convinced, not by mere speculation, but by what I have learned from conversation with *Gaolers* themselves. I asked two of them, whom I found candid and intelligent, "what they thought would be the most likely means of effecting a thorough reformation in *Gaols*." The answer I had from both, was to this purpose, "Let no licences be granted for selling beer or wine in *Gaols*: let it be made some other way worth our while to keep them."

GAOLERS should have salaries proportioned to the trust and trouble; since no office, if *faithfully* and *humanely* administered, better deserves an adequate encouragement: yet not so much as to raise them above attention to their duty, and the daily inspection of their *Gaols*.

THE *Gaol-Committee*, which I have mentioned before, in their Report of the Marshalsea Prison, 14 May 1729, after enumerating many mischiefs which they found had been occasioned by the Gaoler's holding or letting the tap, draw the following conclusion; "This shews the inconveniency of the Keepers having the advantage of the Tap-house, since to advance the rent thereof, and to consume the li-

H 2

" quors

PROPOSED IMPROVEMENTS.

“ quors there vended, they not only encourage riot and
 “ drunkenness, but also prevent the needy prisoner from
 “ being supplied by his friends with the meer necessaries of
 “ life, in order to encrease an exorbitant gain to their
 “ tenants.”

WHEN I was in Ireland (January 1775) I found, not without some surprize, that no liquors were sold in any of the prisons which I saw. Upon inquiry, I learned that there is an Act against it, made in the third year of his present Majesty*.

No Prisoner should be a Turnkey. It is the Gaoler's duty to inspect the wards himself every day, and not to leave this to servants †. The *Magistrates* of

* THE preamble runs thus, “ Whereas many frauds and abuses have been committed by Gaolers---brewing of drink, and baking of bread, which they oblige their prisoners to take from them at their own rates---Be it enacted---that no Gaoler or any person in trust for him, shall brew or bake in the Gaol---or in any place---for sale, or keep any shop for the selling of bread, or beer, or ale, or other liquors, under the penalty of five pounds for every such offence.”

† IN my first journeys many County-Gaolers excused themselves from going with me into the Felons Ward. In one County-Gaol the Felons told me once and again that the Gaoler had not been in their ward for months. I would not have quoted a report from Felons, if the Turnkey, who was present, had not confirmed their testimony.

Glasgow

SECT. III. PROPOSED IMPROVEMENTS.

Glasgow* have expressly ordered that “ The Gaoler every
 “ morning and evening, at the opening of, and before the
 “ shutting up the prison, shall personally visit every room
 “ and place therein.”

HE must encourage and promote cleanliness. For this reason an old or infirm man should not be a Gaoler: when that is the case, all is commonly dirty. He should be compassionate to the sick. If he is ordered to distribute the allowance, he must do justice to the county or city, and to his prisoners, by giving to the latter the full stated quantity.

I HAVE said before, a Gaoler should not live at a distance from his prison †. He should not only reside on the spot, but be constantly at home. Prisoners generally take advantage from his absence. For this reason, no Keeper of a Prison should be a *Sheriff's Officer*. Such are very often abroad; and some of them have acknowledged to me, that

SHERIFF'S
OFFICER.

* I OUGHT not here to omit my grateful acknowledgment of the politeness and civility of these Gentlemen, who, on my visit to the place in January 1775, did me the honour of presenting me with the freedom of the city, in a manner truly hospitable and obliging.

† THE bad consequences of a contrary police I have often seen and lamented; particularly at Dublin Newgate.

their

their business as Officers was incompatible with their duty as Gaolers.

CHAPLAIN. I HAD the pleasure to find a Chaplain appointed to most of the County-Gaols; in consequence of the Act made 13th of his present Majesty. When this office is vacant, it behoves Magistrates not to take the first Clergyman who offers his service, without regarding his real character. They should choose one who is in principle a *Christian*: who will not content himself with officiating in public; but will converse with the prisoners; admonish the profligate; exhort the thoughtless; comfort the sick; and make known to the condemned that *Mercy* which is revealed in the *Gospel*.

In the Life of *Bernard Gilpin*, page 173, the writer, speaking of his labours, informs us, that "where-ever he came, he used to visit all the Jails and places of confinement; few in the kingdom having at that time * any appointed Minister." And by his affectionate address "he

* In the reign of Queen Mary, this *faithful Minister of the Gospel* was to have been a sacrifice: but in his journey from Durham to London, where he expected to suffer, his leg was broken by a fall from his horse; and by that circumstance Providence saved him from the fiery trial: for the bigotted Queen died before his recovery. In the next reign he was promoted to the rich living of Houghton in Northumberland: and it was there he laboured, as is said above.

" is

" is said to have reformed many very abandoned persons in " those places."

In some prisons where there is a Chaplain appointed, no worship is fixed for Sunday: in some where that day is fixed, the Chaplain, choosing his hours, comes sometimes too soon in the morning, sometimes between morning and evening service, at the prisoners dinner-time: in some there is no fixed day at all. It would be proper to have sermon and prayers once at least on the Lord's Day: and prayers two fixed days in the week besides. And if a Chapter of the *New Testament* were read daily in order by one of the prisoners to the rest, or by the Gaoler *, before the distribution of prison allowance, the time would not be mispent. The reader, if a prisoner, might be allowed a small weekly pension. The Gaoler should not, as some do, hinder any prisoner from attending divine service. He ought to remove every hindrance: and, on Sunday especially, no visitants should be admitted during that time. Visitants who are there before, should go out or attend.

UPON asking at more places than one, " why there were so few prisoners at prayers," I have been answered, " they are drinking with their friends." The Gaoler should be constant at Chapel with his prisoners; and set a good exam-

* See Mr. Smith's Practice at Tothillfields, Westminster.

ple

PROPOSED IMPROVEMENTS.

ple for them to follow. The Chaplain who officiates in the Gaol may also be employed at the *Bridewell*, where the distance will allow; and preach once a Sunday in each prison.

It perhaps will be said, that I propose a great deal of duty to these gentlemen. The Act just recited allows a sum *not exceeding fifty pounds a year* for their services. Many counties have fixed that salary; but I should hope that Clergymen might be found who would act from a much nobler motive, a regard to the most important interests of their fellow-creatures.

SURGEON. THE late Act for *preserving the health of prisoners* requires that an *experienced Surgeon or Apothecary* be appointed to every Gaol: a man of repute in his profession. His business is, in the first place, to order the immediate removal of the sick to the Infirmary. Their irons should be taken off; and they should have, not only medicines, but also diet suitable to their condition. He must diligently and daily visit them himself; not leaving them to journeymen and apprentices. He should constantly inculcate the necessity of cleanliness and fresh air; and the danger of crowding prisoners together. I need not add, that he must report to the Justices at each Quarter Sessions, a state of the health of the prisoners under his care.

AT Newgate there are commonly about two hundred prisoners.

SECT. III. PROPOSED IMPROVEMENTS.

foners. Here the danger to them, and to the city from them, is great. To this capital prison in the metropolis, the Magistrates would, in my humble opinion, do well to appoint a *Physician*, a *Surgeon*, and *Apothecary*. One of the two latter to visit each ward in the prison *every day*. The two Compters are near enough to be taken care of by the same gentlemen; and they need to be visited as constantly. This attention would, in all probability, prevent the spread of any infectious disease in those Gaols; and stop the mouths of County-Gaolers, who, when their prisons are infected, tell you (as I have often heard them) "The distemper was brought from *Newgate* by prisoners removed from thence by *habeas corpus*."

NO Prisoner should be subject to any demand of *Fees*. The Gaoler should have a salary in lieu of them; and so should the Turnkeys. Their wages should not be included in the Gaoler's salary: and not only their pay, but the number of them necessary for each prison, should be determined by the Magistrates. Neither of those articles should be left to the interested appointment of a Gaoler. If fees be not abolished, I am sure they should be reduced; and so should the Chamber Rents for Master-side Debtors. In this matter (of the Chambers) another regulation is also needful; that is, no middle-sized room should have more beds than two. The bedding and other furniture should be specified as to articles and value.

FEES.

I

FOR

FREE
WARD.

FOR *Common-side Debtors* there should be a ward entirely free: they should not be subject to any demand of rent; as in many prisons they are. These prisoners should either be alimented by their creditors without expence and delay; or have from the county the same allowance of every kind (at least) as felons: food, bedding, and medicine.

CLEANLI-
NESS.

IN order to CLEANLINESS, than which scarce any thing in the whole oeconomy of a Gaol is of more importance, every ward and room should be well scraped; and then washed with lime and water during the act of effervescence*, at least twice a year; just after the Lent and Summer Assize. Each ward and room should be swept, and washed, *every day*, by the respective inhabitant; and some times with hot vinegar. Idle Gaolers affect to excuse their negligence in this respect, by pretending that daily washing would make the rooms too damp, and endanger the health of prisoners. This is mere pretence: the effect is directly contrary. There is not in England a prison more healthy, considering the number of prisoners of the lowest sort, than *Totbillfields Bridewell*; where the rooms are washed every day. The prisoners do the work by turns: and the healthiness of the prison is a demonstration, that no inconvenience, but great benefit, is the consequence. In *Newgate*, the prisoner who sweeps the ward has a double allowance of bread. Every

* THIS is called Lime-white, although whitening is not an ingredient in it.

prisoner

prisoner should be obliged to wash his hands and face before he comes for his daily allowance; and to keep himself as neat as circumstances will admit*. I have said before, there should be plenty of water in a prison; and need not add now, that prisoners should constantly have free and easy access to it.

EVERY prisoner who comes to Gaol dirty, should be washed in the cold or warm bath; and his cloaths should be put into the oven, in a sack on a pair of iron dogs. He should be provided with coarse washing cloaths to wear while his own are thus purifying: washing cloaths should be kept ready in the Gaol for this purpose. Each prisoner should have a clean shirt once a week. There should be in each ward a towel on a roller clean every day. Pails, mops,

* SIR JOHN PRINGLE, in his last Anniversary Discourse at the Royal Society, on the subject of Captain Cook's successful care of the ship's crew in his Voyage round the World; and the medal deservedly adjudged to him on that account, has the following passage at page 26. "It is well known how much *Cleanliness* conduces to health; but it is not so obvious how much it also tends to good order and other virtues. That diligent officer was persuaded--that such men as he could induce to be more cleanly than they were disposed to be of themselves, became at the same time more sober, more orderly, and more attentive to their duty." This remark is confirmed by an observation in the *Spectator*, No. 631, "Several vices, destructive both to mind and body, are inconsistent with the habit of *Cleanliness*."

I 2

brooms,

brooms, soap, vinegar, and fuel for the oven, should be supplied by the county or town: otherwise Gaols will never be kept clean and wholesome.

No stable or dunghill should be suffered in the yard*; nor any fowls kept there, which I have often seen not only in the yards, but also in the rooms of many prisons. Sweepings, ashes, &c. should be taken away every week.

BEDDING. IF the bedding is straw, it should be put in coarse canvases; if it is not so enclosed, it ought to be changed every week. Each bed should have a coarse coverlid or two.

PRISONERS should not remain in the day-time in the little rooms or cabins in which they sleep: they should have a common ward, day-room or kitchen.

FOOD. THOSE who drink only water, and have no nutritious

* THE ACT of Parliament in Ireland, which I mentioned in a former note, orders that "No Gaoler or any person employed by him, shall presume on any account to keep in the said Gaols, or the yard, or the houses adjoining thereto, and provided for the use of such prisoners, any hogs, cows, or other cattle, under the penalty of forty shillings for such hog, cow, or other beast kept in the said Gaol or Prison."

liquor,

liquor, ought to have at least a pound and half of bread every day. The bread should be one day old, and then honestly weighed to them. If once a week (suppose on Sunday) some of the coarser pieces of beef were boiled in the copper, and half a pound of the meat without bone given to each prisoner, with a quart of the broth, and then only one pound of bread, this *Sunday Dinner* might be made an encouragement to peaceable and orderly behaviour: the turbulent and refractory should not have it. Such an allowance, might help to remove a bad custom that obtains too generally, the pretence of refreshing prisoners with better food and drink on Sunday; upon which many are admitted into the Gaols, and keep the prisoners from Chapel.

I STATE the allowance in *weight*, not money, because of the variable price. Besides that quantity of bread, each prisoner should have a penny a day in money for cheese, butter, potatoes, pease, or turnips: or he should have a pennyworth of one of those articles.

HERE, as in the tap, I must insist upon it as highly necessary, that every Gaoler, Bridewell-Keeper, Turnkey, &c. be excluded from all concern in the prisoners allowance; from all profit arising *directly* or *indirectly* from the sale of their bread, or other food. Whoever distributes it, should be free from all temptation to fraud; and be subject to a strong;

strong check*. The whole allowance of prisoners should never be given them in money.

THE Reader will plainly see, that I am not an advocate for *extravagant and profuse allowance* to prisoners. I plead only for necessaries, in such a moderate quantity, as may support health and strength for labour. The law allows the *poor* debtor who is detained in prison, two shillings and four-pence per week † (I wish it were more easily obtained) and the government allowance to assize convicts under sentence of transportation is a little more, viz. two shillings and six-pence; which the Sheriff charges to Government in his bill of cravings, presented at the expiration of his office. And I believe upon the average price of bread, potatoes, &c. the allowance I have mentioned does not exceed those sums. I presume it may be thought rather incongruous to allow prisoners before trial (on which some of them may be found *not guilty*) less than is given to those that are convicted.

No
QUARRELS.

NO FIGHTING should be suffered in a Gaol: no quarrelling, or abusive language; nor the frequent occasion of them,

* In Ireland the Minister of the Parish where the Gaol is, orders the felons bread; and keeps (should keep) the account of it: for he is allowed by Act of Parliament a sum not exceeding ten pounds a year for the trouble.

† 32d George II.

gaming.

gaming. If any one be injured, let him complain to the Keeper, who should hear both parties face to face, decide the matter, and punish the aggressor by closer confinement. Faults that deserve more severe animadversion, should be reserved for the cognizance of the Magistrates, or an inspector: of whom presently.

MONEY sent, collected, or bequeathed, should be distributed by the Magistrates. Some of it might be laid out in tools, &c. for such debtors as will work.

DONATIONS
AND
LEGACIES.

THE mention of LEGACIES reminds me of the need there is of a list of them painted legibly on a board; which should be hung up so as to be read by the prisoners. Very few Gaols have such a table: and for want of it many Legacies have been entirely lost; and the charitable intention of the Testators frustrated. Yet care of legacies is expressly required by the Act 32d George II.

IN the like conspicuous manner should be hung up in every Gaol an authentic TABLE OF FEES, till they are abolished. This also is expressly required by the same Act. Yet in many Gaols it is totally disregarded, and they have no such tables.

TABLE
OF
FEES, &c.

IN the Act 24th George II. which prohibits the use of spirituous liquors in Prisons or Workhouses, it is expressly required,

PROPOSED IMPROVEMENTS.

required, that every Gaoler, Keeper, Master, &c. shall procure one or more copies of the three clauses* which contain the several articles of the prohibition, to be printed or fairly written, and hung up in one of the most public places of the Prison or Work-house, and renewed as occasion required, under the penalty of forty shillings for every default.

THERE should also be a list of the ALLOWANCE to prisoners: for want of which I have known them defrauded of a considerable part of their food: the whole of which is no where more than sufficient. The same list should exhibit the particulars of bedding, or straw.

THE Act for preserving the health of prisoners requires that it be painted on a board, &c. as aforesaid: not merely written or printed on paper, because that is more perishable,
and

* IN the prohibiting clauses, a fine of one hundred pounds is laid upon any Gaoler, Keeper, Master, &c. who shall sell, use, lend, or give away any such liquors; or knowingly permit them to be sold, used, &c. in the House; except they be prescribed by a regular Physician, Surgeon, or Apothecary, to be used medicinally. And a fine of ten pounds to twenty pounds, or any time not exceeding three months imprisonment, for any person who shall bring such liquors into the House. One moiety of these fines, as well as of that mentioned above, to the informer: the other moiety of each of the two smaller fines to the prisoners; or, in the Work-house, to the poor.

I DO

SECT. III. PROPOSED IMPROVEMENTS.

and liable to be torn*. The Rules for Cleanliness, and Orders against Garnish, Gaming, Drunkenness, Quarreling, Profaneness and Obscenity, should also be visibly exhibited; with the penalties for each of those crimes. The penalties should be fixed by the Magistrates, or by law. The table should also shew the hours of opening and shutting the several wards; and of attending public worship. Besides setting down these hours in a table, notice should be given of them by a bell, as in the dock-yards. I have known prisoners absent from Chapel, who said they would have been there, but did not know the service was performing.

IT is expressly required by the Act 32d George II. that Rules and Orders made, signed, and confirmed, as the Table of Fees, be drawn up for every Prison †, and hung up *conspicuously* in it for inspection of prisoners. Yet in many

I do not remember to have seen the clauses hung up in any *Work-house*. I shall in the sequel mark the numerous prisons that have the same defect: I could also have mentioned prisons in which, notwithstanding the Act, spirituous liquors are used: and I could even name Gaolers who find ways to evade the Act; and do themselves sell such liquors to their prisoners.

* I MENTION this circumstance, that may seem trifling, as I know the disposition of prisoners to destroy the copies of the clauses against spirituous liquors.

† “ BE it also enacted---That the Judges and Justices of Assize---shall, at all
“ Assizes---make inquiry whether such Table of Fees, and Rules and Orders---
K “ are

many Prisons neither Fees nor Orders are to be seen: the latter in very few.

INSPECTOR. FINALLY, The care of a Prison is too important to be left wholly to a Gaoler; paid indeed for his attendance, but often tempted by his passions, or interest, to fail in his duty. To every prison there should be an Inspector appointed; either by his colleagues in the magistracy, or by Parliament*. Sheriffs and Magistrates have indeed this power already; and prisons are their immediate care. But some Sheriffs excuse themselves from attention to this part of their duty, on account of the short duration, expence, and trouble of their office: and those Gentlemen, as well as Gentlemen in the Commission of the Peace, have no doubt been fearful of the consequence of looking into prisons. But the danger from such inspection is in great mea-

“ are hung up and remain publick---and shall inform themselves---and supply
 “ and redress---and shall expressly give in charge to every Grand Jury
 “ impanelled and sworn before them respectively, to make inquiries concerning
 “ the same.”

* THE Vagrant Act 17th George II. requires that Two Justices visit the Houses of Correction “ twice, or oftener if need be, in every year; and to examine into
 “ the estate and management thereof, and to report, &c.” And that the Justices at Quarter Sessions impose fines and penalties on the Governors or Masters who do not keep their prisoners to hard labour, and punish and correct them according to the directions of the warrants, &c.

sure.

sure removed: and it may be expected that Sheriffs will now engage in this business; and that among Justices, and Town-Magistrates, there may always be found one man generous enough to undertake this important service. Or if the constant trouble be thought too much for one person, it may proceed by annual, quarterly, or monthly rotation. The Inspector should make his visit once in a week, or at most in a fortnight; changing his days. He should take with him a memorandum of all the rules, and inquire into the observance or neglect of them. He should (as is done in some of our Hospitals) look into every room, to see if it be clean, &c. He should speak with every prisoner; hear all complaints; and immediately correct what he finds manifestly wrong: what he doubts of, he may refer to his brethren in office, at their next meeting. A good Gaoler will be pleased with this scrutiny: it will do him honour, and confirm him in his station. In case of a less worthy Gaoler, the examination is more needful, in order to his being reprimanded; and, if he be incorrigible, to his being discharged. This Honourable Delegate should have *no salary*: he should engage from the noble motive of doing justice to prisoners, and service to his country.

I HAVE often inquired of Gaolers whether the Sheriffs, Justices, or Town-Magistrates inspected their Gaols. Many of the oldest have answered, “ None of those Gentlemen
 “ ever looked into the dungeons, or even the wards of my

K 2

“ Gaol.”

PROPOSED IMPROVEMENTS.

“Gaol.” Others have said, “Those Gentlemen think that if they came into my Gaol, they should soon be in their graves.” Others, “The Justices think the inside of my House too close for them; they satisfy themselves with viewing the outside.” Now if Magistrates continue thus negligent of their duty, a general thorough reformation of our Prisons must be despaired of: what has been already obtained will soon be lost, and all will sink again into the former dreadful condition*.

B R I D E W E L L S.

IF our Bridewells be not more properly conducted, sending prisoners from them to County-Gaols will defeat all the care of the most attentive Gaolers, and the whole intention of the Act for preserving the health of prisoners; and discharged offenders will spread disease and vice where-ever

* THE author of *Telemachus* elegantly remarks, “The prosperous turn away their eyes from the miserable, not through insensibility, but because the sight is an interruption of their gaiety.”

they

they go; and instead of being amended, become an aggravated evil to society.

IT is a shocking thing to destroy in prison the morals, the health, and (as is often done) the lives of those whom the law consigns only to *hard labour* and *correction*. One is charged with bastardy: another is abusive in a drunken quarrel: a young creature, who perhaps was never taught a moral lesson, is guilty of some petty theft: send them to Bridewell for a year, or two, which they must consume in idleness, hunger, dirt, with companions much improved by such education — If that prison be not secure, send them into still worse company, that of abandoned felons in the County-Gaol — What is this but devoting them to destruction?

EVERY county and town that has a Bridewell should be careful to see, first of all, that it be suitable to the purpose. In many places the County-Gaol is also a Bridewell. But this prison ought to be quite separate from the Gaol; at least not within the same walls: nor should even the courtyard be common to both. The building must be proportioned to the general number of delinquents. None of the rooms for confinement should be lower than the ground-floor: rather a story above it. Each work-room should have a thorough-fare for air: but the opposite windows need not be equal; the back windows half the size of those in front, and

PROPOSED IMPROVEMENTS.

and six feet from the floor. Few or none of the windows should have glass; only shutters; and these should be open several hours in the day. In the court-yard (for such is necessary in every prison *) there should be a pump, or some other provision for water in plenty. And prisoners should be permitted to walk about, when they have done working.

FOR in work they ought, most certainly, to be employed. This is indispensibly requisite. *Not one* who is not sick should be idle. Where the prisoners are numerous, there should be several work-rooms; and but few prisoners in one room. Those who work by compulsion are more likely to be seduced to idleness in large companies, than when they are more by themselves. The Keeper should be a master of some manufacture †; a man
of

* BY an Act 7th James I. Cap. IV. it is required that there be in every county "One or more fit and convenient House or Houses of Correction, with convenient Backside thereunto adjoining----Every Justice of Peace within every county---" where such House and Backside shall not be erected or provided," (within about two years) "shall forfeit for his said neglect, five pounds of lawful English money;" one moiety to the informer, the other towards erecting, building, &c. the said House and Backside.

AND an Act made in Ireland the 10th and 11th of Charles I. requires the same, under the like penalty for neglect.

† THE Acts cited in the preceding note require that Houses of Correction have "Mills, Turns, Cards, and such-like necessary implements, to set rogues or other idle persons on work." And the Act 17th George II. quoted in a former note, requires

SECT. III. PROPOSED IMPROVEMENTS.

of activity †, prudence, and temper. And he should keep his prisoners at work ten hours a day; meal-times included.

FOR women, especially those that have children with them, and sometimes at the breast, there should be a chimney in one or two rooms: and in winter firing should be allowed. I have known infants starved to death for want of this. In some prisons the smoke has no vent but at the doors and windows. In some Bridewells there should be a separate little room or two for faulty apprentices, as at *Totbillsfields*, and *Clerkenwell*. In all, two airy wards for the sick, with medical relief. Men and women should have work-shops, as well as night-rooms, separate †. There should be baths, and an oven, for the same purposes as in the Gaols. In some County-Bridewells there are from twenty to thirty prisoners, and

requires that the Justices at their Quarter Sessions "take effectual care that the "Houses of Correction---be duly fitted up, furnished, and supplied with sufficient "implements, materials, and furniture, for keeping, relieving, setting to work, "employing, and correcting all idle and disorderly persons, rogues, vagabonds, &c."

* It was remarked that a *Gaoler* should not be an old or infirm person; the same caution is requisite with regard to the Keeper of a *Bridewell*; since such an one would neither be able to keep the prisoners properly at work, nor to prevent their making their escape at the time of locking up, as I knew to happen at Preston in Lancashire, and other places.

† In all Prisons, it would be an excellent improvement to have little crib bedsteads for each person to lie upon separately. These have been introduced at the county Gaol of Suffolk, to my account of which I refer for a more particular description of them.

in

PROPOSED IMPROVEMENTS.

in Tothillfields and Clerkenwell many more. Great care should be taken to prevent infection; to keep the House clean, and well aired; and invariably to adhere to strict rules of sobriety and diligence, in order to correct the faults of prisoners, and make them for the future useful to society. Gentle discipline is commonly more efficacious than severity; which should not be exercised but on such as will not be amended by lenity. These should be punished by solitary confinement on bread and water, for a time proportioned to their fault. The Keeper should, by all means, reside in the House. He should not be suffered to farm any part of the allowance; nor to sell liquor, or any thing else. The whole management should be frequently inquired into, in the same manner as that of a Gaol, and by the same Inspectors.

I KNOW not any reason why a House of Correction may not be conducted with as much regularity, as any other house where the family is equally numerous. Some foreign Bridewells are so conducted. Let the sober and diligent be distinguished by some preference in their diet, or lodging; or by shortening the term of their confinement; and giving them, when discharged, a good character. This last will be a strong incitement to good behaviour. The common diet should be *at least* as good and as much as that of felons in a Gaol. The hours of rising, of reading a chapter in
the

SECT. III. PROPOSED IMPROVEMENTS.

the bible, or prayers, of meals, of work, &c. should all be fixed by the magistrates, and notice of them given by a bell.

A BRIDEWELL under proper regulation would contribute not a little towards its own maintenance. An exact account should be kept of the profit of the work; and all of it applied to common benefit; not left to the disposal of Keepers: for some of them in the few Bridewells where work is done, keep to themselves a sixth part, some half and some the whole of the prisoners earnings; giving them only the short county-allowance, and sometimes but part of that. When I said all the earnings should go to common stock, I meant it of the stated hours for working. Those who will employ themselves in extra-hours, should have the profit to themselves. And perhaps it might be an encouragement to diligence in the stated hours, to give them some small portion of the profit of these also. With regular oeconomy, Prisoners would be better nourished, and fitter for labour, than they now are; and yet the county not burthened with much, if any, additional expence. But a building fit for the intention ought first to be provided.

THE charge of this, as well as of a proper Gaol, will no doubt, be complained of. But if that be weighed against the benefit that will accrue to the public, it will be found but light. Besides that ought not to be allowed as a valid
L objection,

objection, the occasion of which should have been removed long ago. Why have some Prisons been suffered to become ruinous; so that many rooms in them are unsafe, and prisoners are crowded together in the few that remain? Why were not the walls of the yards repaired in time, that prisoners might with safety be allowed the proper use of them? Money, to the amount of thousands is not withheld when Shire-halls and Town-halls are wanted. These we often see grand and elegant Edifices. Why should it be spared when the morals and lives of multitudes are at stake; and when it is impossible the design of the Legislature should be answered without it? I mean amending the manners of Petty Offenders; preventing the increase of felonies, and the spread of diseases. That the two latter, instead of being prevented, are promoted by the present irregularity of Bridewells, is notorious*. Prescription founded on culpable negligence should not be admitted in bar of a demand, which every principle of equity, humanity, and utility conspires to enforce.

I HAVE only farther to add under this head; that the

* THE Marquis *Beccaria* closes his 30th chapter with this maxim. "The punishment of a crime cannot be just, (that is necessary) if the Laws have not endeavoured to prevent that crime by the best means which times and circumstances would allow."

management

management of Bridewells is now a matter of more than ordinary concern, since offenders are at present committed to them for terms so long as from *three to ten years*. Most of these persons would probably have been sentenced to *transportation* when that mode of punishment was in use.

I HAD taken some pains to make inquiries concerning the state of *transports*, with regard to whom many cruelties and impositions were commonly practised, and whose condition was in many respects equally contrary to humanity and good policy: I flattered myself that I had discovered means of remedying these evils in a considerable degree, and of disburthening the counties of a heavy expence with which they were charged; and was preparing to lay them before the Public, when a new turn was given to the matter by Act of Parliament*.

* 16th of George III. Cap. XLIII. An Act to authorise, for a limited Time, the Punishment by hard Labour of Offenders who, for certain Crimes, are or shall become liable to be transported to any of his Majesty's Colonies and Plantations.

I WENT one Sunday in October last to see the Men-Convicts on board the *Justitia* near Woolwich. I wished to have found them more healthy; and their provision good of the fort; and to have joined with them in divine service. But as the scheme is new, and temporary, I am not willing to complain.

L 2

SINCE

PROPOSED IMPROVEMENTS.

SINCE this has taken place, I suppress what I had written; and shall only give, at the end of my book, a list of the numbers delivered from Newgate for transportation in the course of three years. This will shew, in a very alarming light, the danger there may be in future of crowding our prisons, so as to produce the most destructive consequences.

I CANNOT conclude this Section without attempting to obviate some objections that may occur to the improvements proposed in it. It may be said, that from the many conveniences suggested in the structure of Gaols, and the removal of those hardships which rendered them so terrible, the dread of being confined in them will in great measure be taken off, and the lower classes of people will find them more comfortable places of residence than their own houses. But let it be considered, in the first place, that although I have indeed recommended such attentions in the construction and management as may free them from the *diseases* and *hardships* under which they have laboured, I have proposed nothing to give them an air of *elegance*, or *pleasantness*. On the contrary, I have censured the plan of some modern Gaols as too showy and splendid; and nothing abroad struck me more with regard to these buildings, than the perfect *plainness* and *simplicity* of their appearance. Then, with respect to the more humane treatment of the prisoners
in

SECT. III. PROPOSED IMPROVEMENTS.

in the articles of food, lodging, and the like, I venture to assert, that if to it be joined such strict regulations in preventing all dissipation and riotous amusement, as I have inculcated, confinement in a prison, though it may cease to be destructive to health and morals, will not fail to be sufficiently irksome and disagreeable, especially to the idle and profligate.

SECTION