

Gaslight Gazette Chapter XIII Crime and Punishment.

No one depicted the Victorian criminal classes so vividly as Charles Dickens, who in a way was not only fascinated by them but in the ultimate fate of the worst of their kind ...' the 'black ghastly gallows' (although his own attendance at one of the public hangings sickened him). Henry Mayhew in the 'London Poor' is only concerned with the pettiest of criminals, the pickpockets, dog stealers and handkerchief snatchers, many of whom were children. His later work in 1862 dealt with prisons.

Lord Shaftesbury had estimated that there could be no less than 30,000 roaming, filthy, lawless boys and girls in London alone. Such children were likely to be trained to crime as Magin trained his urchins as to come into the practice by accident of birth, although born to thieves and vagabonds it was unlikely that they should become anything different

The House of Correction, which became the destination of most of them, was a public school of crime rather than having any improving influence and the path to it could be easy enough, throwing stones, breaking windows with an improvised wooden ball or some other boisterous lark was as likely as petty theft to land a lad up in the company of more experienced miscreants in one of these awful places.

That described by Mayhew stood in the Devils Acre, a notorious slum near the Houses of Parliament in Westminster. There he found nearly three hundred boys, more than half of whom would be shut up at night in tiny stone cells, unheated and unlit after a day spent mainly in picking oakum. The place might be called a 'house of correction' he said but it was simply a criminal preparatory school where students are qualified for matriculation at Millbank or Pentonville. Here we find little creatures of six years of age branded with a felons badge, boys not even in their teens, clad in prison dress for the heinous offence of throwing stones, obstructing the highways or knocking on doors unlawfully, crimes which the very magistrates themselves who committed the youths must have assuredly perpetrated in their boyhood and which if equally visited would consign ^{almost} every child in the kingdom to gaol. 'A Dormitory in the House of Correction' was shown in 'The Illustrated Times' of 1861 with three rows of truckle beds watched over by a warder with rows of primitive washing troughs.)

Child crime could be divided into three classes, those who stole or otherwise misbehaved out of childish mischief, those put up to their misdeeds by adults or who were forced to steal food or money out of desperate necessity.

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The latter was the case in the report of a juvenile crime by Dickens in his Household 'Narrative of Current Events'. Two little children whose heads scarcely reached the top of the dock were charged at Bow Street with stealing a loaf of bread out of a baker's shop. They said in defence that they were starving and their appearance showed they spoke the truth. They were sentenced to be whipped in the House of Correction.

One can detect a certain humorous sympathy (perhaps founded on his own country childhood in Kilburn) in the way that Strutt reported the crime of two youngsters apprehended in a Kensington orchard.

'William Chandley aged 11 and James Vincent aged 7 were charged with stealing apples on Friday last. Vincent was in the garden and he had on his person 28 apples and 3 pears. Chandley was on the wall directing the theft and watching for the police. Unhappily 237 T appeared, the little fellow was taken and Chandley made off. However the vigilance of 237 was not to be subdued, so poor Chandley was nabbed. He got three weeks hard labour and Vincent was discharged with a recommendation to his parents to whip him and watch his future condition.'

Even the magistrates may have been aware in another case in which a child was involved that it was really her parents who should have been in the dock and so she escaped with a fine. Mary Callaghan, aged 12 of 3, The Vale of Health, Kensal Green, had been charged with stealing coke from the premises of the Western Gas Light Company there.

The Clerk of Works said that the company was constantly robbed of coke but he did not see the offence committed. The supervisor, while going his rounds on the Tuesday night had seen the prisoner and another little girl helping themselves to coke from a coke heap and the prisoner was given in charge. An officer said he was with the supervisor and saw the prisoner take half a peck of coke. Afterwards the witnesses searched the premises of the prisoner's mother, which were at the back of the gasworks, and found there six sacks of coke and coals of which the mother refused to give any account but they could not identify the coke. The girl was fined ten shillings or 17 days, but in the course of the day her fine was paid.

The attitudes of parliament to the reform of criminal law in the early part of the 19th century is typified by its response to the efforts of the liberal Samuel Romilly to repeal a statute which made the theft of five shillings from a shop a capital offence. Although the Commons passed the Bill, the Lords threw it out, those opposing it including the Archbishop of Canterbury and the Bishop of London.

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Romilly had died before any headway was made with his reforms and a redommendation was made to remove from capital crimes such offences as 'damaging bridges or impersonating a Chelsea pensioner' .

Penalties in those days may have been harsh but the business of keeping law and order was a haphazard one. 'Thief taking' was left to the jurisdiction of the various parishes, overseen by the High Constable of the county with parish constables, all giving voluntary service in theory, but in practice liable to appoint paid substitutes to carry out their vague and usually very inefficiently performed duties. In towns and cities, law and order, such as it was, was kept by watchmen and beadles appointed by the burgesses and only in the case of serious rioting or insurrection, by the military.

These old days are recalled by "trutt in the 'Gazette' in March 1854 writing on 'the habits of watchmen in the last century. '

'The office of High Constable was one of great labour and no salary but much sought after, principally by coal merchants, who soon made the public house keeper aware that that the liberty of the subject did not include the liberty of purchasing coals when he pleased. No infamy of conduct prevented the renewal of a publican's licence if he paid blackmail to the headburgh or beadle. In some parishes, to keep down the poor rates, they employed as watchmen old and worn out paupers. In Cambridge the watchmen were provided with Welsh wigs and night watch boxes in order to insure a vigilant watch and armed with blunderbusses that they might keep the peace .

'The watchhouses, instead of being a terror to thieves, were often turned into receiving houses for stolen property . Deptford, with 20,000 inhabitants had not a single watchman and as the City magistrates' warrant had no force in the county, and the county magistrates' warrant none in the City , the apprehension of criminals was extremely difficult. Kensington took a middle course, it had three drunken constables, and three drunken beadles, who having no pay but their fees did no duty at all, except that of making out very long bills, bewildered parishioners had no night watch of any kind, and the principal protection of the inhabitants, so the Secretary of State for the Home department officially declared, was the honesty of the thieves ! '

A Parliamentary Committee of 1816/ 1818 began to move towards the idea of a police force and in 1822, another Committee , chaired by Sir Robert Peel, suggested that such a body, controlled by the Home Office, might be set up in London but it was not until 1829 that the Metropolitan Police Act set up such a force with headquarters at Scotland Yard in Westminster with a Commissioner and Assistant Commissioner .

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Peel was aware of the danger that a new group of powerful office holders might provide opportunities for jobbery and nepotism . He wrote to the Duke of Wellington, in reply to a letter of congratulation on his new force, ' the chief danger of the failure of the new system will be if it is made a job , if gentlemen's servants and so forth are placed in high office , I must frame regulations to guard against this as effectively as I can.'

The new force was not popular although its officers were soberly and non-militarily dressed and unarmed, apart from truncheons . Their first serious clash with the public came within two years during the riots against the Reform Bill . On Monday November 8 1830 Orator Hunt addressed a Reform Meeting at the Rotunda in Blackfriars Road, and the crowd ^{as much} enflamed by a man who waved a tri-colour flag (it was the year of the Paris Revolution) as by the rhetoric of the speaker, rushed across Blackfriars Bridge a thousand or so strong , shouting Reform ! Down with the Police ! No Peels ! No Wellington ! The rioters making for the House of Commons were halted by the police hastily re-inforced by reserves from nearby Scotland Yard and three arrests were made during the skirmish with several heads broken. The trouble continued during the next three days , the following evening three or four hundred boys ran down the Strand shouting ' No Peel ! Down with the raw lobsters ! (the police thus named for their blue uniforms) In Pickett Place the mob pelted the police with stones and pieces of wood broken from the scaffolding surrounding the newly-built Law Institute in Chancery Lane.

Although a police force had been established in London it was still a novelty and other parts of the country were slow to follow suit. The Act of 1839 allowed Justices of the Peace to appoint a Chief Constable and form a police force if they wished but many did not wish to do so at all, firstly because they did not want to delegate their powers and perhaps more importantly, the parishes had no wish to support such a body financially from the rates and it was not until 1856 that a police force became compulsory nationally.

With the reform of criminal justice by the mid 19th century hanging was reserved only for murder , the popular punishment for serious crime being transportation . Before the Declaration of Independence America was the favourite destination , some 50,000 convicts being sent there . In the 1850s Australia was the most frequent recipient although very soon that new country was objecting to being made to accept the dregs of English society. Abel Magwitch in ' Great Expectations ' had been sent to New South Wales .

He was one of the convicts lent out to settlers as labourers when it was found impractical to maintain complete penal colonies.

The alternative to transportation, long term imprisonment, was a more fearful fate for although the journey to Australia was a hell in which only the fit could survive and at the other end might lead to work in a chain gang, it was at least in the open air, unlike the foul cells of Newgate, the ancient prison in the heart of London vividly described in 'Great Expectations' as well as in 'Barnaby Rudge', 'A Tale of Two Cities' and 'Oliver Twist' (who visits Fagin there). Just as terrible were the great black hulks, the prison ships, moored in mid stream alongside the marshes of the Thames estuary.

In the first half of the 19th century the prison system had favoured the housing of prisoners in separate cells where it was hoped they might have time to repent, and if sufficiently educated, to read their Bibles. (Uriah Heap was such a prisoner in 'David Copperfield' and making the most of his humility finding himself more comfortable than he was outside!) The alternative was the 'silent system' where prisoners led a communal life during the day but were forbidden to communicate with each other. The work they did, however, was as likely to be some soul-destroying monotonous occupation, such as the treadmill, oakum-picking or stone-breaking, rather than anything instructive to improve their chances of employment on release.

Robert Peel may have been the founder of the police force, but he did not forget those at the receiving end of their efficiency, the rogues they caught and it was through his efforts that some improved standards of health and hygiene were introduced in prisons with inspections and reports. Warders were to be employed, not made dependent on bribes, chaplains and surgeons to be allowed to visit inmates and the prisoners graded

Some idea of the terrible conditions in prisons is given by the 'Gazette' report of the lengths to which some prisoners would go to gain some relief from the terrible treadmill and other forms of hard labour using self-induced sickness or injury to gain them admittance to the prison hospital. One young man went too far as the item 'Sick in prison' demonstrates. Patrick Battle, a lad of eighteen, was reported to have died in Parkhurst Prison from swallowing poisonous pills with intent to get admitted to the infirmary and its comforts.

Evidence was given by a fellow prisoner, James Limb, who said he had been in prison since he was eleven for stealing a horse four years ago, and had known the deceased ever since he had been there.

' He told me he wished to get himself into the infirmary for the winter and asked me the best way he could manage it . I told him if he was to take some of the pills it would make him sick. I told him to get some of the stuff off the pump and swallow it , and if it was made round he could swallow it like a pill , and so he did. He took the green stuff off the brasses with a bit of tin and I made it into pills for him . I mixed it with soap from his cell into pills with oil from the top of the pump . I made it into six pills about the size our doctor gives us . He got a drink of water and swallowed them one at a time and in the afternoon he told me he had got a pain in his head . I saw him the next morning when he said it had not made him quite bad enough and he would take some more pills. I think he did , for he had stuff in the box to make six more and there was none left in the box the next morning. Then his cocoa got on his stomach and it made him sick and he told the officer who put him in his cell.

Limb said he had taken the oil himself when he tried to get in the infirmary but he did not put any verdigris in it , but it made him very sick. He said he thought the verdigris would make it all the better. Limb said it was a common practice in prison to ' make our eyes and legs sore to get into hospital. Some eat ground glass and put copperas (ferrous sulphate) into the sores . I can't say if the deceased knew of the pills before I told him but last time he got into hospital by running a stocking needle right through his leg above the knee . It was full of thread and he did it to make his leg sore but he almost lost his leg by it . He got in all last winter and he often tried the same thing over again when he did not succeed at first, but he got in every winter somehow . He asked me what to do and I told him what I had done , you must mix soap with it to make it stick , but its two years since I took any. He also said that he would like to try the experiment that No 17 did of eating powdered glass. '

The prison surgeon, a Mr Dabbs , told the inquest that he knew of some of the tricks prisoners used to make themselves ill and told of one man whose disease he could not diagnose although he seemed to be wasting away. He then discovered that he had somehow got hold of a lancet and was regularly bleeding himself.

Indicative that the times were moving , slowly perhaps, but nevertheless noticeably , towards a greater humanity, was Charles Strutt's editorial on the death penalty , which apart from its ponderous language expresses sentiments that were to be echoed a century or more after his time.

Is the taking of human life as a punishment , or as a deterrent /

compatible with the Christian religion, and if the death penalty COM

were abolished, how does one treat those who have wilfully taken another's life ? Naturally it took Strutt a couple of small print columns to debate this but he did so with considerable thought and at times remarkable eloquence.

The editorial was prompted by the execution of ' the murderer Brunelli this, said 'strutt, 'made the moment apt for the consideration of the efficacy of that kind of punishment. '

' The annals of all ages make it appear that the price of life is its own equivalent and the time has come to enquire whether the point in history has arrived when the judicial right to pass a death sentence should be tolerated. Yet to 'expunge the sentence of death from the criminal code would be to rob the law of its worst terror and the law was established to prevent the commitment of crime'. [On the other hand, he says, the indifference to the solemnity of the occasion which drew thousands of lewd and lusty spectators to the scene of every execution, was frequently cited to prove that it failed to provide any sort of warning example. [Those who approve this stern firman (edict) of fate are not the witnesses of it nor the originators of its failure in effect. The levity which is observed outside the gallows at such a time shows the inefficiency of the motive for which our laws consign the murderer to the gallows.

[Is it not well to consider whether the mode and manner of punishment is not too slight'. (Was he perhaps thinking of the guillotine ?) Or is it horribly sufficient ? The spectators of the scene go to witness the behaviour of the convict, to narrowly watch if he blanch or not at the first sight of the instrument of death, if he shrinks from the gaze of those hungry eyes which multiply so terribly below, or at the awful hush which holds the multitude who have come to see his condition in the presence of that great change of which he was the delegate elsewhere. If he submit heroically to the prostitution of existence, they will commend him bye and bye. If he goes to death with the common cowardice of a manslaughterer, the lesson will be mighty in its teaching.

' The instant death ceases to be the penalty for murder the criminal is on equality with the robber. Therefore if the felon who has taken life is to be looked upon by an amended system of justice as having done nothing to merit a worse reckoning than he who steals a dog, how comes it that the taking of life by law is so repulsive ?

Some years earlier in 1846, a far more famous journalist, Charles Dickens, had written four letters to 'The Daily News' expressing his opposition to capital punishment. These were not so much concerned with taking the murderer's life as the psychological

effect of public executions and the morbid fascination they had for thousands of people who congregated to see the ghastly operation treating it as a fairground spectacle and holiday.

In 1849 Dickens had accompanied John Leech who had been commissioned by 'Punch' to portray the hanging of Mr and Mrs Manning who had been condemned for murdering their lodger at Bermondsey and burying him under the kitchen floor. 'Punch' was running a campaign for the abolition of capital punishment. Dickens was sickened by the behaviour of the crowd and wrote to 'The Times' urging that in future executions should be carried out inside prisons and in private, but it was not for nearly twenty years that public executions were discontinued.

Dickens had seen two other public executions, one a beheading in Italy and another in 1841 when he saw the murderer Cœrvoisie hanged, his reactions to this occasion are chronicled in 'Darnaby Rudge' with the brutal hangman Denniss, who comes to the same horrible end being 'worked off' by another hangman who he knows will regard the task as a treat as he once did himself!

Murder gets little coverage in the 'Gazette' in factⁱⁿ the two years of its surviving pages there are very few mentions of death (other than formal obituaries) and only half a dozen or so inquests. Less sensational crime was occasionally reported such as the complaint made at Guildhall on Tuesday August 28 1855 by a gentleman that persons he believed to be members of the Towzery gang were holding sales of drapery in a house at Ludgate Hill which their placards styled 'The House of Lud'. They announce that they are selling bankrupt stock at ruinous sacrifices. Among others they pretend they have the stock of Sir J.D. Paul who never was a linen draper. Poor servants are the chief victims in buying 'extraordinary bargains' of the most valueless goods sold. The complainant's servant had laid out thirty shillings of her wages there and a responsible tradesman said the articles she purchased were too dear by half. The House of Lud was also said to have annoyed its respectable neighbours by quoting their names (with a slight variance in spelling - such as Killicke instead of Killick) as being the origin of some of their bankrupt bargains. Alderman Finnis said, however, that it would be no use bringing an action against the gang of swindlers as they would be here today and gone tomorrow and he was astonished that the public could so long be gulled by them. ~~Stuart~~ added his own homily. 'These itinerant tricksters are a wandering pest and their temporary success is a libel on the intelligence of the feminine sex. Let ladies profit from the

experience and forbear to purchase dear ' bargains ' in these dens where impudence and insult is added to chi anery '. ' For the benefit of our fair readers ' he adds ingenuously ' we intend to publish a few names and addresses of our local drapers known for politeness and honest dealing .'

The Sir J.D. Paul to whom the Guildhall complainant referred was the central figure in a sensational City scandal that year .

Sir John Jean Paul, banker and old Etonian, a man described as having strong religious principles and who had written a number of books of Christian homilies, fell from grace when he was involved in a bankruptcy action concerning enormous sums of money.

A partner in the bank Snow, Paul and Paul in the Strand he succeeded his father to the Baronetcy . In June 1855 the firm in which he was now a partner, with William Strahan and Robert Makin suspended payment During the bankruptcy proceedings it was alleged that a list of securities amounting to £113, 625 belonging to clients had been fraudulantly sold or deposited by the bankrupts, although voluntarily handed to the court signed by three members of the firm. Criminal proceedings were taken against them and on October 26 1855 they were indicted at the Old Bailey for having illegally converted to their own use Danish bonds valued at £ 5000 entrusted to them for safe custody by the Canon of Rochester, Dr. John Griffith.

The other two partners laid all the blame on Paul who admitted he had disposed of the bonds but said he intended to replace them with other bonds of similar value, although these too were sold.

The three accused were found guilty and sentenced to fourteen years transportation, the business was taken over by the London and Westminster Bank with debts of £7 million which were paid off at 3s 2d in the pound.

Nearer home than the scandal involving these bankers was the civil action brought in the High Court by members of the Kensington Vestry against four men they accused of causing damage to their coats during an uproar following the election of new members. This prosecution was severely criticised by many Kensington residents, particularly newspaperman Strutt, not only because they considered it a waste of public money to soothe the injured pride of a few petty officials but also for the financial embarrassment it would cause the accused. The Commissioner of St Johns and St James Ward protested officially against the proceedings being held. The accused men were Mr Henry R Rhodes, Mr William Duggett, Mr William Sutherland Hanson and Mr William Dunnett and the protesters considered that substantial justice could have been obtained by summary proceedings before a magistrate.

rather than an expensive High Court action. 'Great and serious expenses would be incurred they said, which would fall on the parties selected for prosecution and on the ratepayers. What is more no evidence had been laid that the parties prosecuted had been guilty of any offence. Rhodes was one of the candidates for election and had polled 400 votes which they felt showed him to possess the confidence of a large number of ratepayers. A subscription list was opened to aid defraying the enormous expense to which the residents were being put unnecessarily by the Commissioners who intended paying their own costs out of the public rates.

Early movements towards the detection of crime included a 'blackguards portrait gallery' which was in course of formation in Glasgow according to a 'Gazette' item. 'The chief constable proposed to daguerreotype all the principal thieves and desperadoes of both sexes with whom the city is infested. It is thought that such a collection when completed will freshen the recollection of plundered people and materially forward the ends of justice.....'
