

A letter to the justices of the peace for the county of Surrey, on the cases in the House of Correction at Guildford, presented by Mr. Briscoe to them at their general quarter sessions, on the 13th of January, 1824 / by Henry Drummond.

Contributors

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LETTER

A LETTER

JUSTICES OF THE PEACE

THE COUNTY OF BUNREY

THE CASES
January, 1884

GENTLEMEN

For my purpose of appearing before you upon the cases in the House of Correction at Guildford, which have been selected by Mr. [Name] and presented by him to you at your last General Quarter Sessions, after the Resolution which you came to unanimously at that time upon the subject, that I might, your own experience was sufficient to convince you that his statements must be correct, even if their inherent fallacy had been [Name] obvious, I think I ought to say before you a few words in regard to the case, in order to prove to you still further that the laws, together with your own regulations for the government of the [Name] have not been improperly administered by those [Name] to whom you dele-

Printed by J. Brettell,
Rupert Street, Haymarket, London.

A LETTER,

&c.

*Albury Park,
25th January, 1824.*

GENTLEMEN,

IT may perhaps appear superfluous to address any observations to you upon the cases in the House of Correction at Guildford, which have been selected by Mr. Briscoe, and presented by him to you at your last General Quarter Sessions, after the Resolution which you came to unanimously at that time upon the subject. But although your own experience was sufficient to convince you that his statements must be erroneous, even if their inherent fallacy had been less obvious than it was, I think it right to lay before you a detailed account of each case, in order to prove to you still further that the laws, together with your own regulations for the government of the prison, have not been improperly administered by those Magistrates to whom you delegated the office of seeing them carried into effect; and that even supposing the opinion of Mr. Briscoe respect-

ing the consequences of labour on the Tread-wheel, should be ultimately found correct, he has no evidence, from the cases here selected, by which he is justified in coming to such a conclusion.

It is impossible to collect from the account delivered to you, whether Mr. Briscoe is of opinion that offenders should not be subjected to any species of hard labour, or whether he only objects to that species of hard labour imposed by working on the Tread-wheel. For although he has in his note, inserted in the Visitors' Book of Guildford Jail, recommended the Capstan-mill in preference to the Tread-wheel, and approves of malefactors being put to hard labour of some sort in Houses of Correction; yet many of his remarks are as valid against any sort of hard labour, as they are against the particular sort occasioned by the Tread-wheel.

Persons who have been unused to labour, will certainly find inconvenience, aches, and pains, upon being compelled to work hard. This inconvenience and pain will also vary in kind and degree according to the nourishment taken; so that any particular labour may be painful and exhausting to a man who is indifferently well fed, although it might be on the contrary wholesome and beneficial if he could obtain as much food as he could eat.

In order that the hard labour of a House of Correction may operate as a punishment to those whose portion it is in this world to work for their daily

bread, it is necessary that the food should be so moderate, and so proportioned to the labour, that it may be made in fact, that which it is required to be in law, namely, Hard Labour. Hard Labour must produce more stress to the frame than light labour. It is not possible by any general regulation so to proportion food to labour in a House of Correction, that there shall be an equal measure of exertion to every criminal, irrespective of varieties in constitution and previous habits. But if your regulations in your judgment attain the desired end in the greater number of instances, you may rest satisfied with having done the best that the nature of the circumstances will admit of, and safely leave to the visiting magistrates and surgeon of each separate House of Correction to make such trifling, and occasional, modifications as particular cases may require.

I now proceed to give Mr. Briscoe's cases verbatim: I shall then supply to each such information as is necessary to make you acquainted with the whole case, and offer any observations that may seem applicable.

It is very possible that the following cases may contain small inaccuracies, although much endeavour has been used to prevent any.

The magistrate by whom they are drawn up, in the words of the prisoners themselves, submits them to investigation in the hope of candour and liberality from those for whose information they are

printed; convinced that all, equally with himself, are only desirous to ascertain the truth concerning the effects of the Tread-wheel discipline. They are not, however, the only cases of prisoners who have complained to the writer of the bad effects which they have suffered from the labour of the Tread-wheel. Others at least as strong may be added; but these are considered, in his opinion, sufficient to excite serious inquiry on the subject.

JOHN IVATT BRISCOE.

*Edwards Street, Portman Square,
January 7th, 1824.*

“ The following cases” not only “ contain small
“ inaccuracies,” but such omissions and imperfect
statements as preclude the possibility of “ ascertaining
“ the truth concerning the effects of the Tread-
“ wheel discipline.” The statement is dated on the
7th January, 1824, and declares its object to be
“ to ascertain the truth concerning the effects of the
“ Tread-wheel discipline;” but in the December pre-
ceding Mr. Briscoe has recorded in the Magistrates’
Book in the House of Correction at Guildford, “ his
“ opinion that in all cases it impairs the constitution
“ of the prisoner, and if long continued that it tends
“ to disable him at the expiration of his sentence
“ from obtaining a livelihood by his labour.” The

statement therefore is made, not to enable Mr. Briscoe to ascertain truth, but to justify his previously recorded opinion: if it be made to enable you to ascertain the truth, you will perceive that its errors preclude the possibility of your doing so. He resembles a judge who passes sentence first, and examines the evidence afterwards.

CASE 1.

SAMUEL TOWERS.—*Age 35.—Sentence, three months.*

On the 24th of November, Samuel Towers stated:—

‘ I have worked three weeks at the wheel. I feel my strength going fast. I am very much ruptured, and was born so.’

On the 25th of December, I found that the surgeon had since examined him, and though, as I understood, he admitted the fact of rupture, yet conceived that he might still work on the wheel. He stated to me, ‘ I am sometimes swelled in size equal to my two fists.’

Samuel Towers was committed as a vagrant last spring for two months, during the whole of which time he worked upon the Tread-wheel; he never mentioned the circumstance of his being ruptured, nor was it known to the surgeon, nor to any of the turnkeys, nor to any of his fellow-prisoners at work on the wheel with him.

On his present and second committal he again never mentioned the fact of his rupture until Mr. Briscoe talked to him about it at his first visit in November; and although the governor in consequence named it to him, he never made it a matter of complaint until after Mr. Briscoe's second visit in December.

He weighed on the 29th of November, 1823, 10st. 8lb., on the 13th of December, 10st. 9½lb., and on the 10th of Jannary, 10st. 5½lb. It is impossible to learn from Mr. Briscoe's statement what inference he intends to draw from it: but supposing that he means to assert that ruptured persons should not be put to work on the Tread-wheel, he ought to state whether in his opinion they should be exempted altogether from hard labour, or whether there should be some other kind of labour expressly for them. Now, it is well known that rupture is a very common complaint, particularly among the labouring classes. To persons conversant with the state of those classes it is also known that a very considerable number of agricultural labourers are afflicted with it, and that some are inconvenienced by one kind of work, and some by a different kind, without there being any fixed rule upon the subject. Some men can dig, although they cannot walk any great distance; others can walk, or do any labour that does not require them to stoop: there are endless varieties in the effects of different sorts of labour upon sufferers

under this complaint, arising no doubt in a great degree from the part which is affected. Whatever tends to exert the muscles of the abdomen or groin must be more hurtful than that which leaves those muscles in comparative relaxation. There is no ordinary agricultural labour which does not draw those muscles into action more than the act of walking up stairs (which is the whole labour of the Tread-wheel): nor is there any labour in which the stress on these muscles is so continual as at a capstan, the use of which Mr. Briscoe recommends as a substitute for the Tread-wheel. Whether the state of a criminal's rupture be or be not such as to preclude his working upon the Tread-wheel, must be left to the judgment of the surgeon of the prison. If the surgeon be not a humane man he is not fit for his office, nor indeed to practise at all in his profession. If he be not fit, dismiss him; but if he be, all such matters must be left to him. I know nothing personally of the surgeon to the House of Correction at Guildford but from having met him on duty there, and from having heard him spoken of by the poor in the neighbourhood, by whom he is invariably mentioned as a kind and humane man.

With regard to the capstan, it is very inapplicable to prison discipline; the prisoner would hang upon the capstan bars, and thus either impede its work, or be compelled to move by other means. The distin-

guishing advantage of the Tread-wheel is, that its action does not depend upon either the will or power of the prisoner, but upon his weight.

CASE 2—Is discharged; I therefore can make no inquiries of him.

CASE 3.

EDWARD BROUGHTON.—*Age 20.—Sentence, twenty-four months.*

On the 25th of November, Edward Broughton stated:—

*‘ I have worked twenty months on the wheel.
‘ I was quite well on coming in. I am now
‘ drawn almost double, so that I can hardly move.
‘ I have a great pain and weight on my stomach,
‘ and pain in my loins and legs. If I sit down I
‘ can hardly get up again. My arm, you see, is
‘ not larger than a child’s arm.’*

The veins of his legs were becoming varicose.

*On the 25th of December I found him in the
‘ Infirmary, his body dreadfully swelled, and with
‘ a degree of hardness I could not have imagined.
‘ I both saw and felt his stomach; he complained
‘ also of a great pain in his side, for which he had
‘ been cupped.’*

Edward Broughton has been before confined for

four months at Brixton, where he worked on the Tread-wheel for the last two. If he has *worked twenty months* on the Tread-wheel at Guildford, he must have done so for five months previous to its existence, for it has been erected there only fifteen months prior to last November. He fell out of a tree when taking a bird's nest about five years ago, and broke his arm so badly, that the surgeon who attended him thought he would never recover its use. It has never been well since, but it does not give him more pain now than it has done at all times since it was broken. I abstain from making any remarks upon the fairness of Mr. Briscoe's statement about this arm, or on the motives which induced him so to do. He never knew that he had any thing the matter with his legs,—never felt the least inconvenience in them, nor mentioned them to any medical man, until a gentleman came into the jail (he believes with Mr. Briscoe) and told him that his “ legs were “ bad.”

His weight on the 1st of January, 1823, was 8st. 1½lb., and notwithstanding the alleged horrors of his treatment, it had increased on the 10th of January, 1824, to 8st. 4lb.

He is a countryman from the neighbourhood of Dorking: and countrymen do not in general lose so much in weight as criminals from London.

CASE 4.

ROBERT WILLY.—*Age 17.—Sentence, twenty-four months.*

On the 24th of November, Robert Willy stated:—

‘I have worked nine months on the wheel. I was quite well on coming in. I now suffer greatly from a pain in my side.’

On the 25th of December I found him in the Infirmary. He had been taken off the wheel from inability to work upon it any longer. He added:—‘I am very bad indeed. I have been both blooded and cupped, and I am taking medicine.’

Thomas (not Robert) Willy was a silversmith’s boy, who never did a day’s hard work in his life. He boarded with his master, lived at his table, and always ate and drank what his master did. It is impossible but that a boy of seventeen, wholly unused to labour, must feel pains and aches on being compelled to work hard for the first time in his life. But Mr. Briscoe, in order to make out his case, should shew that there are other kinds of hard labour to which a boy of seventeen, unused to labour, has been put, which did not give him aches and pains, while the labour of the Tread-wheel did, being alike kept upon the jail allowance. This boy is quite well now, of a ruddy complexion, although working hard upon a fourth part of the food to which he has been all his life accustomed. He weighed on the

12th of November, 1823, 8st. 3lb., and on the 10th of January, 1824, 7st. 12lb. It was to be expected that he would have lost more.

CASE 5.

JOHN DOWLEY.—Age 19.—Sentence, eighteen months.

On the 25th of November, John Dowley stated:—

‘ I have worked three months on the wheel. I was very well on coming in. I suffer now from excessive weakness and fatigue, and from great pain round my loins and legs.’

On the 24th December, I found him in the Infirmary, when he added:—

‘ I grew worse, and I was taken bad on the 28th with such a pain in my side, that I could not fetch my breath. I have been blooded, and I have had a blister on. I am extremely sore between my legs and in my groin. The wheel has brought me to this state.’

John Dowley fell from a horse, which trod on his side; about eighteen months ago his side was so painful, that he was obliged to go into St. Thomas's Hospital, where he remained three months, during which time he was bled and blistered. His present complaint is the same as that for which he was in the Hospital, and appears, as far as the prisoner's account can be depended on, to be treated in the same manner.

He told this to Mr. Briscoe: yet Mr. Briscoe's statement is intended to shew, that this complaint has been brought on by the Tread-wheel, and that it would not have been brought on by hard labour at a capstan. Between the time of his leaving St. Thomas's Hospital, and his present committal, he lived idle at his sister's. He is also a great boxer. His weight on August 29th 1823, was 9st. 10lb.—January 10th 1824, 8st. 13½lb.

CASE 6.

EDWARD MESSER.—Age 25.—*Sentence, two months.*

*I found Edward Messer in the Infirmary on the 25th of December, when he stated:—‘ I have worked
‘ ten days on the wheel. I was quite well on coming
‘ in. I have now a great deal of pain in my head,
‘ back, and side, and became so weak, that I could
‘ not stand up on the mill.’*

Edward Messer worked eight days upon the wheel, and not *ten*, when he caught a violent cold, for which he was put into the Infirmary. The statement declares that ten days' labour on the wheel was the cause of his illness, suppressing the fact of a violent cold, which might have attacked him if no Tread-wheel had been in existence, and is therefore calculated to give an impression directly the reverse of the truth. Edward Messer is a stout farm labourer, who ran away from the Parish of Cranley, leaving his wife and children chargeable to it. His age is 35, not 25.

CASE 7.

RICHARD BELL.—Age 52.—*Sentence, twelve months.*

On the 24th November, Richard Bell stated:—

‘ I have worked on the wheel eight months. I was very well on coming in. I work now in great misery. I can scarcely stand on the wheel at times.’ The fleshy part of the muscle of his legs was so reduced, that the tendon only remained. On the 24th December, he added—‘ I now also feel much pain in my stomach and left side.’

Richard Bell is nominally a bricklayer, and is supposed on good grounds to be a regular dealer in stolen horses for the nackers: as a cloak for carrying on this latter trade, he walks about the country with straw-plat. His leg was hurt twenty-three years ago by the falling of a scaffold, which confined him to his bed three months, ever since which time his leg has given him more or less pain. The Tread-wheel, however, does not give him so much pain as he has often experienced from long walks in his vocation of straw-plat selling.

When he first came into the jail, he worked only one month upon the Tread-wheel, and was then taken off to level the ground round the Governor's house. He then went on again for six weeks, which is the longest time at once that he ever was on it, and he was again taken off to help the bricklayers in white-washing the cells, &c.; adding all the times

together, he never worked on the wheel in the aggregate more than four months. So much for “working on the wheel *eight months!*”

The variations in his weight, which are as follows, shew in his, as in almost all other cases, that men of wandering dissolute habits, being accustomed to live much upon beer, spirits, &c. appear fat, but are in reality rather bloated, than healthily robust. Their greatest falling off in weight is therefore on first being put to labour, afterwards the variations are less. The different periods are at intervals of about three weeks. 14th April, 1823, 10st. 12lb.—9st. 9lb.—9st. 5lb.—9st. 3lb.—9st. 6lb.—* 9st. 9½lb.—9st. 7lb.—9st. 5lb.—9st. 7lb.—9st. 3½lb.—9st. 3lb.—9st. 1½lb. At * he began to be put upon an increased allowance of food. He thinks that if the prisoners had more food, they would not suffer the pains of which he and the others have complained to Mr. Briscoe, because he finds that when he feels faint from the labour, the pains are most severe.

Mr. Briscoe's statement conveys an impression very far from the truth.

CASE 8.

THOMAS HART.—Age 21.—*Sentence, twelve months.*

On the 24th of November, Thomas Hart stated:—

‘ I have worked on the wheel four months and fourteen days. I was very well on coming in. I

‘ *suffer now great pain in my legs and loins, and bend of my arm, and wonderfully about my hips. I turn over twenty times at night with pain and shivery cold.*’ He works in bandages. On the 24th he added, ‘ *I am much the same, sometimes worse. It is owing to the wheel.*’

The father of this lad is a smuggler. He was not brought up to any labour, but has a booth, and is a regular frequenter of fairs, races, fights, and similar scenes of iniquity. In driving a cart one night, three years and a half ago, when he was drunk he fell, and the wheel passed over his two shins, since which time, he has always felt more or less pain, particularly after a long walk.

He worked on the wheel only *three* months, when he was made wardsman; since which time, he sometimes goes on the wheel in the afternoon.

He weighed on the 19th of July, 1823, 9st. 12lb. —31st of October, 1823, 9st. 4½lb.—10th of January, 1824, 9st. 7lb.

CASE 9.

THOMAS SMEA.—Age 55.—*Sentence, twelve months.*

On the 24th of November, Thomas Smea stated:—

‘ *I have worked upon the wheel nine months. I was as hearty as a man could be on coming in; but now my body is so swelled, and I have such a*

' violent cough. I have got a blister on.' Do you find the labour severe? ' Yes, Sir, it tears a man all to pieces: my limbs, too, get so stiff on coming off, and then the cold strikes to me.'

Instead of Thomas Smea working on the wheel *nine months*, he was never at work, in the aggregate, above four months, and that at different times. Instead of being *as hearty as could be on coming in*, he was asthmatic, for which reason, but chiefly on account of his age, he was put very little on the Tread-wheel, but employed at other work, such as breaking flint stones for the walks within the jail, helping the bricklayers, &c. He was such a thief, however, that he was always pilfering either in the garden or from his fellow-prisoners, so that there was no possibility of making him work but upon the wheel. He and his wife both say, that he has drank very hard all his life; it is therefore not surprising that such a man, considering his previous mode of life and his age, should suffer from being reduced to drink water instead of spirits; he became weak, and subsequently dropsical: he died on the 21st of January, not having been at work for three months previous to his death. He went into the Infirmary on the 16th of November, where he had mutton chops, porter, puddings, tea, or any thing else that was ordered by the surgeon.

CASE 10.

WILLIAM MILFORD.—Age 28.—Sentence, twelve months.

On the 25th of November, William Milford stated:—

‘ I have worked on the wheel eight months. I was well on coming in. I suffer now from great pain in my loins and breast. I find myself so reduced, and in so weak a state, that I shall not be able to get my bread.’

On being asked why he did not complain to the surgeon,

‘ I do complain, Sir,’ he replied; ‘ but the surgeon tells me, it is the effect of the wheel, and there is no remedy for it.’

On the 24th of December, he added:—

‘ I now feel myself worse. My constitution is entirely decayed.’

William Milford is a carver and gilder, a single man, earning thirty shillings per week. When a boy he was at sea, but has been at home ever since 1814. It is quite natural, that a sedentary occupation, with thirty shillings’ worth of food weekly, should make a man fatter than hard labour, with only three shillings’ worth of food. He has worked constantly on the Tread-wheel: and though there is no doubt but that he would express himself in the way that he is above stated to have done, to an

inquirer, who was anxious that he should make the most of his grievances, he distinctly declared to me, that he did not consider that the labour would be hurtful to him if he had more to eat.

To say that his *constitution is entirely decayed* by labour on the Tread-wheel, so that he will not be able to return to his former sedentary occupation, is absolute nonsense. He weighed in April 1823, 7st. 5½lb. : he was reduced in June following to 6st. 3lb; ever since which time he has been gaining, and now weighs 6st. 10lb.

CASE 11.

EBENEZER OAKLEY.—Age 22.—*Sentence, twelve months.*

On the 24th of November, Ebenezer Oakley stated:—

‘I have worked on the wheel four months. I was perfectly well on coming in. I am now extremely weak. I can scarcely stand in the morning, and can hardly keep myself on the wheel. Every joint is weak. I feel a severe pain in my loins, and great shortness of breath.’

On the 24th of December, he added:—

‘I am continually in pain all night, and I keep getting a great deal weaker across my loins. I have had extra food.’

Ebenezer Oakley was for seven years a clerk in a public office, in which he did no hard work, and

earned forty shillings per week: he subsequently kept a grocer's shop. He told me that he felt no pain from the labour for the first three months, about which time he did do so, but they went off: these pains have returned again lately. His weight on the 28th July 1823, was 8st. 1½lb. and on the 10th of January, 1824, 7st. 13lb. It was to be expected that he would have lost more, and his not having done so, is a proof that there is great exaggeration in the statement given to Mr. Briscoe.

CASE 12.

THOMAS WEBBE.—Age 51.—*Sentence, twelve months.*

On the 24th of December, Thomas Webbe stated:—

‘ I have worked on the wheel five months. I was quite well on coming in. I have now a violent pain in my left side, on which I have not been able to lie for three months: and I suffer much in my back and hips, when at work on the wheel. I take pills by the surgeon’s directions.’

Thomas Webbe is a plumber; a widower with one daughter, grown up and in service: he earns twenty-eight shillings per week all the year round, which he spends wholly on himself. He is subject to gout, which he usually had twice every year, until he came to the Tread-wheel, since which time he has had no attack of it. He has had some pains

about the back and loins, which have gone off. At one time he had gouty pains, or rheumatic gout in his knees, at which time he was taken off the wheel. It is not true that he *has worked on the wheel five months*. He has not been upon it, in the aggregate, above three months, and that at broken intervals.

I do not accuse Mr. Briscoe of intentional deception in these exaggerations of the times that many of these prisoners have actually worked; but such inaccuracies shew how carelessly the subject has been inquired into, and with what eagerness expressions are caught hold of, and recorded, when there is an anxiety to support a pre-conceived opinion. J. Webbe weighed on the 28th July, 1823, 10st., 10th January, 1824, 8st. 8lb.

CASE 13.

Robert Warner has been discharged, and I do not wish to make any statement where I have been unable to converse with the prisoner himself.

CASE 14.

GEORGE WHITMORE.—Age 22.—*Sentence, eighteen months.*

On the 24th of November, George Whitmore stated:—

‘ I have worked on the wheel sixteen months. I was well, and hearty, and strong on coming in. I am now nothing but skin and bones. I am not

'fit for hard labour. I shall never be good for any thing again, and I have had extra food. I know not how I shall get my bread. I can hardly fetch my breath in the morning, or at night. I have much pain in my loins and chest.'

On the 24th of December, he added:—

'All my bones ache, and cold chills fly over me.'

George Whitmore went into the 51st regiment at fourteen years old, and subsequently into the 57th. He has marks of floggings all over his back, and, judging from the thieving propensities which he has shewn since he has been in prison, it is probable that his floggings were for similar practices: he has been perpetually attempting to make away with his stockings, stealing his fellow prisoners' bread, or some such dishonesty, besides being as insolent as he dared to be to the governor, and exciting the other prisoners to insubordination. A disposition to insubordination has been generally more prevalent in the prison since the visits of Sir J. C. Hippisley and Mr. Briscoe than it was before, which shews, that let the intention of their inquiries be what it may, there was great deficiency of wisdom in the mode in which they were carried on.

G. W. could not *have worked on the wheel sixteen months* in November last, for it had not been erected above fifteen, and even since it was erected he has never worked constantly on it, having been a wardsman for above two months at one time; but his

insolence and pilfering were so great that it was impossible to continue longer to him that indulgence.

He declared to me that he told Mr. Briscoe that he did not think if he had had more food that the labour would hurt him; and that he thought the pains arose from the cold which succeeded the perspiration into which the labour threw him. So that there are not only exaggerations in some parts of Mr. Briscoe's statements, but suppressions in others.

The variations in this prisoner's weight are great. On the 1st of January, 1823, 11st.—10st. 2lb.—10st. $\frac{1}{2}$ lb.—9st. 11 $\frac{1}{2}$ lb.—9st. 10 $\frac{1}{2}$ lb.—10st.—10st. 4 $\frac{1}{2}$ lb.—9st. 9 $\frac{1}{2}$ lb.—9st. 4lb.—9st. 2lb.—9st. 5 $\frac{1}{2}$ lb.—9st. 1 $\frac{1}{2}$ lb.—10th of January, 1824, 9st. 3 $\frac{1}{2}$ lb.

CASE 15.

CHRISTOPHER LAMBORN.—*Age 31.—Sentence, twelve months.*

On the 24th of November, Christopher Lamborn stated:—

' I have worked on the wheel seven months. I was quite strong and well on coming in; but I shall never be so again. This wheel pulls me down so. I am extremely weak in my loins and calves of my legs, and I have a great shortness of breath.'

On the 24th of December, he added:—

' I am sore all over, and my bones ache so, I am

*' obliged to get up two or three times in the night.
 ' I have a pain too at the pit of my stomach, when
 ' at work on the wheel, but I have most pain
 ' altogether at night on leaving it.'*

Christopher Lamborn is a farmer's son in Oxfordshire: he has an uncle who is a horse-dealer, with whom he has been in the habit of travelling backwards and forwards to London with horses. He is confident that the hard labour of the prison has given him pains in his loins and stomach, but he has no idea that the labour would be prejudicial to him if he had as much to eat now as he used to have in his father's house.

This case totally fails in proving the expediency of the capstan over the Tread-wheel, but it may suggest some reflections on the mode in which severity of labour may be modified or regulated by the quantity of nourishment taken at the time.

He weighed on the 3rd of May, 1823, 10st. 4lb., and on the 10th of January, 1824, 8st. 12lb.

CASE 16.

JOSEPH COHEN.—*Age 18.—Sentence, twelve months.*

*On the 24th of November, Joseph Cohen stated:—
 ' I have worked on the wheel nine months. I was
 ' stout and hearty on coming in. I have now great
 ' pains in my insteps and calves of my legs, and I*

*' am very short of breath. I am troubled with a
' swimming and giddiness in my head, and I have
' frequent pains in my stomach, chest, and loins.'*

On the 24th of December, he added:—

*' I have most pain in my loins when on the wheel,
' and most shortness of breath at night. I am very
' restless too at night, and I often do not get more
' than three hours sleep.'*

Joseph Cohen, who gives himself out now as eighteen years old, was in the House of Correction in Guildford, three years ago, under the name of Macarthy, and seventeen years old. He told me that his age was twenty-one. He has also been confined at Brixton. His parents are Irish, purveyors of milk. He once worked as a blacksmith's boy, but has been latterly a regular thief, and seems inclined to continue so: he is determined, however, not to get again into a House of Correction where there is a Tread-wheel, but that his next offence shall be of such a magnitude as will transport him. He was very fat when he came into the House, and weighed on the 3rd of May, 1823, 8st. 12lb., and on the 10th of January, 1824, 7st. 10lb. He has latterly tried to impose upon the surgeon by fictitious illness. I do not think that any thing he says is to be depended on; but he told me he did not consider that the labour would have given him pains if he had had better food.

CASE 17.

JOSEPH LAY.—*Age 26.—Sentence, twelve months.*

On the 24th of November, Joseph Lay stated:—

‘ I have worked seven months on the wheel. I was badly when I came in. I am extremely weak, and suffer greatly from pains in my legs and loins.’

On the 24th of December, he added:—

‘ I do still. I shall not be able to do a day’s work when I come out. The surgeon tells me that my weakness and pain is owing to the mill.’

Joseph Lay was formerly at sea for seven years, but has been at home eight years. He has a wife and one child, has done very little work, and has been much in the habit of gathering water-cresses; to thus being constantly wet he attributes his liability to lumbago, which has afflicted him at times for some years; all his family are likewise subject to similar pains. He had lumbago when he came into the House, and was put into the Infirmary, where it was discovered that he was endeavouring to impose upon the surgeon. He then went to work, and had another attack two months afterwards, which lasted about three days; since that time he has worked regularly on the wheel without any return of his complaint. He weighed on first coming in, 9st. 2lb., and on the 10th of January, 1824, 7st. 10½lb.

It seems probable that a man afflicted with lum-

bago would suffer particularly from sudden cold following great perspiration, yet that does not appear to have been the case in this instance.

CASE 18.

THOMAS FARRAGE.—Age 18.—*Sentence, twelve months.*

On the 24th of December, Thomas Farrage stated:—

‘ I have worked on the wheel four months. I was well on coming in. Now my bones ache all over. My knees pain me greatly. I turn over and over again, and I can get no rest.’

Thomas Farrage is a silk-weaver in Spitalfields, where he earned eleven shillings per week. He says he never had any work but the sedentary occupation of weaving; that he never at any period of his life had much appetite, and always ate very little; that since he has been at the Tread-wheel, his appetite is so much increased, that he could eat double his allowance: his allowance in the prison being much more than he ever could eat before he came into it. As it is the first time in his life that he ever did any hard labour, he has found it very severe, but has been relieved by having an extra allowance of food. He weighed on first coming in 8st. 11lb. and now weighs 7st. 10lb.

CASE 19.

JOSHUA GAUSHY.—Age 21.—*Sentence, twelve months.*

On the 24th of November, Joshua Gaushy stated:—

‘ I have worked on the wheel four months. I was very well in health on coming in. I am now so weak, that I am often ready to drop off the wheel.’

Joshua Gaushy is a paper hanger, a single man, earning thirty-five shillings per week: he generally lived in the shops where he worked, and never did any hard labour; he says that he always lived well, and never knew the want of a meal. ‘ In point of health,’ he added, ‘ I am as well as ever I was in my life, but low living and hard work give me pains all over me.’ His pains are sometimes in the hips, sometimes in the legs, sometimes in the chest.

He weighed on the 28th of July, 1823, 9st. 9lb.—and on the 10th of January, 1824, 7st. 12½lb.

CASE 20.

WILLIAM NASH.—Age 27.—*Sentence, two years.*

On the 24th of December, William Nash stated:—

‘ I was weak on coming in. I then got better, and

*' recovered my strength as well as ever I was in my
 ' life, before the mill began. I was then pulled
 ' down to a very low degree, and was sent into the
 ' Infirmary as wardsman; and being off the wheel
 ' I got stouter. I have now been at work again.
 ' I am getting weak and losing flesh. I want to
 ' recover my health so as to be able to go to work on
 ' leaving the prison.'*

William Nash is a native of the North of England, he went to sea at the age of fourteen, and quitted it five years afterwards, since which time he has travelled about the country dealing in Cairn gorum, and other Scotch pebbles, which he collected for the lapidaries in Edinburgh. When he first came into the prison, he was in a very bad state of health from venereal disease, which had been imperfectly cured; he was also troubled with gravel. Since he has been at work on the Tread-wheel, he has experienced pains different from those he ever felt before, and he thinks that the pains proceed probably as much from cold after being overheated, as from the labour of the Tread-wheel. He considers the labour as severe punishment, but does not think that it would be prejudicial, if the prisoners had a greater quantity of food.

This man has evidently had a superior education, and from the candor with which he spoke about the justness of his own punishment, the necessity of rendering prison discipline severe, and the incon-

veniences which he himself experienced, I consider his representation deserving the fullest confidence.

He weighed on the 1st of January, 1823, 8st. 11lb. —10th of October, 9st. 11lb.—and on the 10th of January, 1824, 8st. 12lb. He was not weighed when he first came into prison.

CASE 21.

CHARLES ETHERINGTON.—Age 68.—*Sentence, twelve months.*

*‘ I have worked on the wheel since last July.
‘ I have almost constantly a swimming in my head,
‘ and great pains in my left side.’ On the 28th of
December, I found that he had been spared, and
had worked since but little.*

It is not true that Charles Etherington worked from July to November on the Tread-wheel. When he first came into the prison, there was very little employment for the mill (grinding corn), and therefore several of the prisoners worked only part of each day: of this latter number was Charles Etherington, and in this way, that is, for parts of days, did he work only five weeks. Adding together all these parts of days and whole days, which he has worked on the Tread-wheel since he came into the prison, they would not amount in the aggregate to six weeks. He is a native of a village near Guildford, and from

being well known to the Governor, and his age precluding the possibility of his escape, he has been employed in the garden outside the walls.

On the 8th of July, he weighed 9st. $\frac{1}{2}$ lb.—and on the 13th of December, he weighed 8st. $13\frac{1}{2}$ lb.

It is a curious circumstance, that it never seems to have occurred to Mr. Briscoe, that his statements impute precisely the same effects to all degrees of labour, whether performed for one week, as in the case of Messer, or for twenty months, as in the case of Broughton: by a strong healthy young man, or by a decrepit old one; ce qui prouve trop ne prouve rien, but, “he has as much to say upon a Ribbon, as upon “a Raphael.”

CASE 22.

WILLIAM REDMAN.—Age 28.—*Case of an untried prisoner.*

I found William Redman in bed in the Infirmary on the 25th of December, when he stated:—

‘I was very hearty on coming in. I have worked on the wheel a fortnight, but I worked in so much pain, that I was taken off. I have a great pain in my head and chest, with a violent cough.’

William Redman could not be obliged to work, but requested as a favour to be allowed to go on the Tread-wheel, in order that he might have an additional

quantity of food. It would be supposed that those on the wheel with him, would soon warn him to quit it; would shew him their arms withered till they were no larger than those of little children; their legs from which all muscle had fled, leaving nothing but tendon; their varicose veins; their hard bellies; their swimming heads; and all that long et cetera of ills produced by this ingenious Tread-wheel. Strange however to say, nothing intimidated by such appalling prognostics, he continued voluntarily to work, till he caught a severe cold, which obliged him to desist.

If the foregoing cases were such as every person must suppose them to be, from Mr. Briscoe's statements, it is impossible to exempt the visiting Magistrates of the House of Correction at Guildford, from great inattention to their duties, and the Surgeon, (as well as the Governor, who is one of the most humane men I ever knew,) from wanton cruelty and neglect. I acquit Mr. Briscoe of any intention to insinuate such charges; but if he had intended to insinuate them, and to mislead your judgment, he could not have proceeded in a manner better calculated to produce such an effect.

An anxiety to examine into, and correct all errors in prisons, is most laudable, and however indiscreetly

it may have been shewn upon the present occasion, it would be much to be regretted if it should be suppressed. The state of our prisons has been long so infamous, that those who were magistrates before the present generation, have much to answer for. It is to such anxiety, as that manifested by Mr. Briscoe, that we owe their present improvement; but if he would condescend to listen to a suggestion from me, I would endeavour to direct his philanthropy to a quarter where it is much more needed, and that is the state of the honest, hard working, agricultural population: he will find them reduced to live upon far less food than is allowed to convicts in our jails: he will find magistrates suddenly giving new interpretations to the poor laws, which are directly the reverse of the interpretation that has been given to them for upwards of two hundred years; and hastily doing of their own will, that which the Legislature dared not do, namely, refusing parochial relief to any but those who are incapable *by sickness* of maintaining their families: he will find overseers obtaining allowance from the fathers of bastard children for their support, appropriating the money to the relief of their own parishes, and not supporting the children: he will find an Act now in progress, through the House of Commons, to throw all the burthen of personal service in the militia off the rich, and to let it fall exclusively on the poor: he will find honest and industrious fathers of starving children, able and willing to cultivate land, at a

greater rent than a farmer pays, refused the permission to do so by the landlord, at the instigation of the farmer, lest the labourers should become independent of their controul. From my own personal knowledge, I can point out to him instances of all that I have here named, and if these be not sufficient to absorb the whole exuberance of his philanthropy, I can indicate many more.

I will not swell this Letter to a greater length, by introducing other evidence than that which has been brought forward by Mr. Briscoe; but I think the present occasion is a suitable one for submitting to your consideration the following observations: It appears that the quantity of food, or perhaps the nature of that food, allowed by your regulations, is such as to render the labour of the Tread-wheel severe: but there is no reason to suppose that hard labour on the Tread-wheel produces any injury to the constitution, nor any more inconvenience than must attend it under any circumstances. The prisoners, even in very cold weather, perspire profusely. Are not the pains with which they say the labour afflicts them, the effect of hunger, occasioned by exercise, rather than the effect of the mechanical action of the Tread-wheel? Does not the lowness of the diet increase the debility, and consequently the perspiration of the labourers? and does not the profuseness of the perspiration render them liable to severe colds?

Women in general seem to suffer less than men. The allowance of food is such as cannot be purchased for three shillings per week in Guildford Market: a large majority of the honest and industrious agricultural labourers have not at this present time throughout England, so large a sum to spend on their food, and yet they are not so exhausted by their labour: which shews, that the labour of the Tread-wheel is considerably more exhausting than agricultural labour, and more so than the increased quantity of food which the criminals consume, can compensate. If, however, this exhaustion be not found to be ultimately injurious to the constitutions of the criminals, it does not appear to be necessary to increase generally, the quantity or the quality of the food. Whether the exhaustion occasioned by the joint operation of the labour and the diet, be permanently detrimental or not, is the point assumed by Mr. Briscoe in the affirmative. It is a point, to determine which, I am not in possession of sufficient evidence; but as far as the above cases may be considered, and as far as I have hitherto been able to examine others, I incline to Mr. Briscoe's opinion, that the criminals ought to have more nourishment. The fact of the greater number of women increasing in weight, rather than diminishing, and even when they do diminish, the diminution being so much less in proportion, than that of the men, seems to indicate, that the food is sufficient for those who are accustomed

to worse living, but not sufficient for those who are accustomed to better.

The principal evils in our old jails, were the promiscuous intercourse of criminals of all degrees, and a want of employment, which evidently gave the young the most favourable opportunities for receiving instruction in iniquity from the hardened Separate wards, and the Tread-wheel, have mitigated both these evils, but have not eradicated them. Sunday is still a day on which much mischief may be communicated. It would perhaps be better, that all the prisoners who can read, instead of being allowed to associate together in their ward rooms, should be kept in their cells, and a New Testament or Bible, and other religious books, at the discretion of the chaplain, allowed to each prisoner for that day: that all those who cannot read, should have the option of attending a Sunday school in the jail, in which, besides teaching them to read, some religious instruction should be given them. There is probably no town in Great Britain, in which there are not many persons to be found, who would gladly undertake this office gratuitously; and if otherwise, there are provisions in the Act of last Session, applicable to the purpose. A very large majority of persons who come into jails, were scarcely ever inside of any place of worship; never took the name of God into their mouths, but to profane it: and are utterly ignorant of Jesus Christ, as the

“ only name given under heaven by which any man
 “ can be saved.” The terrors of the Tread-wheel
 may do something; but as the Gospel is the only
 means by which a sinner can be converted into a
 Saint, so is it the most likely way of inducing a
 profligate to become a moral man.

I have the honour to be,

GENTLEMEN,

Your obedient humble Servant,

HENRY DRUMMOND.

POSTSCRIPT.



As many of you, Gentlemen, as were present at our last General Quarter Sessions, were informed, by the Supplement to the Report of the visiting Magistrates of the House of Correction at Guildford, of the cases of two women, who were at work on the Tread-wheel with infants at their breasts. Since an attempt has been made to work upon your feelings through these cases, by distorting some facts, by suppressing others, and by inventing what never occurred, it may be proper, for the satisfaction of those among you who were not present at the above-mentioned Sessions, to give an accurate account of these cases for your information.

Elizabeth Loder was complained of by the overseers of Godalming, of having given birth to her third bastard child, all three of whom were chargeable to that parish. She was convicted of this offence by the Petty Sessions at Guildford, and the overseers pressing for her to be made an example of, she was sentenced, according to the law, to the mitigated punishment of three months hard labour in the House of Correction. When she came into the House, she was so weak and ill as to be obliged to

live in the Infirmary: as soon as she felt herself a little stronger, she requested to be allowed to go upon the Tread-wheel, rather than remain alone all day in the ward room. She accordingly did go on each day for as long a time as she pleased, and no longer, until she was sufficiently recovered to be able to do the same work as the other women. She weighed on the 31st October 1823, 8st. 2lb., on the 26th November, 8st. 6½lb., on the 13th December, 8st. 11lb. Shortly after this she drank some cold water when she was much heated, which made her ill, and she was again obliged to go into the Infirmary. She weighed on the 3rd January, 1824, 8st. 8½lb. Thus during the whole time that she was at work, she increased in weight continually: when from illness she ceased to work, she decreased in weight. Her child came in so weak that it was not expected to live; the mother had very little milk, in consequence of her having been in great distress, without any other nourishment than a few potatoes and water, for several days previous and subsequent to her delivery. The child had 1oz. of sugar, and as much bread as it could eat, made into pap daily, and it went out with the mother perfectly strong and well.

Hannah Halls was committed by the Petty Sessions of Guildford, for one month, as a vagrant. She was not weighed. Lest it should be falsely insinuated, that it was the labour of the Tread-wheel, that was the

cause of Elizabeth Loder not having milk enough for her child, it is particularly worthy of remark, that Hall's milk increased so much, that she frequently suckled Loder's child, in order to relieve herself of a greater quantity than her own child could take; and when Loder was ill, she offered to suckle her child altogether, as well as her own. It is, therefore, past dispute, that the health of these two women was essentially benefited by their labour and food in the House of Correction.

FINIS.

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