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# Bridewell's Fall: Summary Justice in London, 1730-1800

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**Bridewell's fall: Summary Justice in London, 1730-1800**

by

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A thesis submitted to the graduate faculty

in partial fulfillment of the requirements for the degree of

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Program of Study Committee:

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**ABSTRACT**

Bridewell house of correction had been essential in dealing with vagrancy and all sorts of petty offending since the day it first took in prisoners in 1555. Its purpose was to clear disorder from streets and monitor virtually all aspects of private and public life. Reforming offenders through work was key to its operation. A royal charter granted in 1553 gave Bridewell sweeping powers to police the city and neighbouring built-up Middlesex. It also set up a court inside its walls that would prove to be very controversial. Bridewell was a faint shadow of its former self by 1800. There was not a single committal to this once full prison in 1791-1800. There were three principal reasons for this. (1) Changes in prosecution that saw a large swing towards summary justice – hearing cases before justices without formal trial – in the Guildhall and Lord Mayor’s Mansion House that took cases away from Bridewell. (2) Increasingly negative attitudes that cast doubt on Bridewell’s rationale and effectiveness. And (3) changing conceptions of female sexualities on the one hand and the treatment of juveniles on the other that made it possible to see ‘fallen’ women as objects of sympathy and reform and wayward juveniles as a potential asset working for the good of the country.

## CHAPTER 1. INTRODUCTION

My title has a double meaning and significance. 'Bridewell's Fall' is on the one hand a fall in eminence for a London penal institution that struck fear in criminals and reassurance for Londoners. It is on the other a representation of the autumn of Bridewell's 302 yearlong existence. No longer the principal destination for London's petty criminals, it slid into its winter still a place of work but no longer a prison.

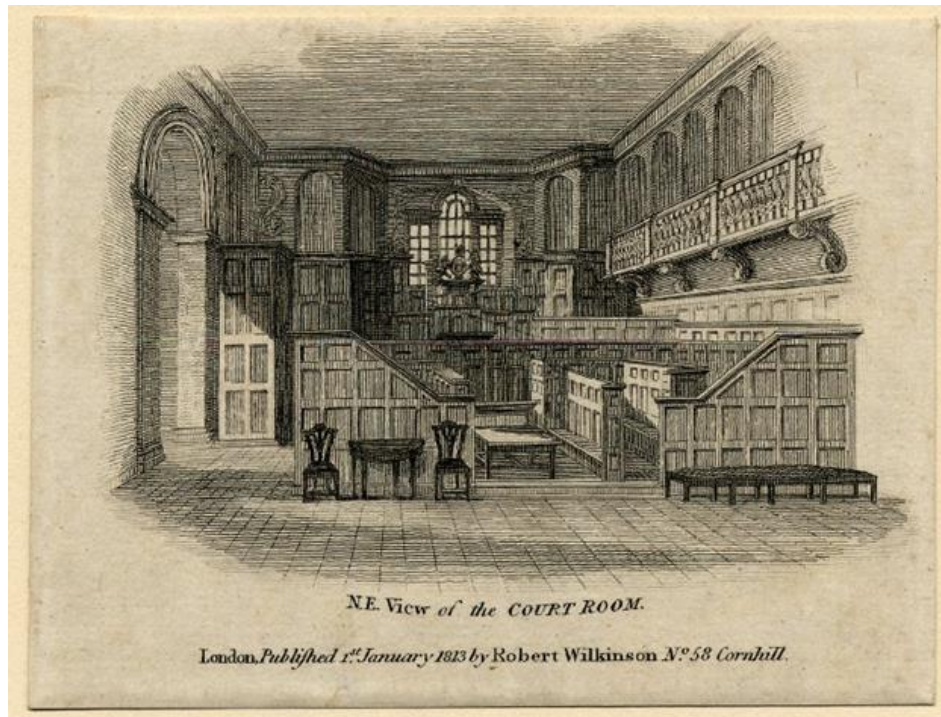
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Bridewell looked more like a 'Stately Edifice' and a 'Princes Palace' than a house of correction, Ned Ward commented in 1700. Each of its structures was 'Magnificently Noble'. It was only when Ward saw the 'Ill-looking Mortals...Pounding a Pernicious Weed [i.e. beating hemp]' that he realized that he was standing in a prison. The prisoners were doing tough work. It seemed to 'threaten their Destruction'. Ward prompted one of them to speak and tell him how he had arrived here. A 'Surly Bull-neck's fellow' was committed for verbally abusing and insulting a justice of the peace. Turning away from this work room, Ward and his companions found themselves in Bridewell's confinement room. Whereas the previous room was a picture of industriousness, this chamber was a 'frightful' and





possessed the 'Spirit of Idleness' and 'smelt as frowzily as so many *goats in a Welsh* gentleman's stable'. Ward shifted quickly to the court room. It was filled with 'great Grandure and Order' as a 'Grave gentleman...Arm'd



### **View of the Bridewell Courtroom (1819)**

with a hammer' sat in judgment. Today, he condemned a 'poor Wench' to 'gentle Correction'. As this scene unfolded, Ward and his companions left Bridewell and quickly made their way back out onto the streets.<sup>1</sup> Ned Ward's account of London Bridewell certainly did not paint a pretty picture. What began with a hopeful image of prisoners morally improving themselves

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<sup>1</sup> Edward Ward, *The London-Spy Compleat*, in *Eighteen Part* (1709), *Eighteenth Century Collections Online*, 136-142.

through labour quickly descended into questions about Bridewell's overall utility and ability to reform its prisoners. His charge of administrative corruption and Bridewell's 'Dog-like Usage'<sup>2</sup> of plebeian Londoners is one that will appear again throughout the eighteenth-century. His experience left him with a bitter taste in his mouth. London's foremost house of correction seemed shoddy to him; its practices appeared to be at best second-rate.

The importance of London Bridewell fell over the eighteenth-century. Committals that had once been a stream became a trickle in the court books at any rate. Bridewell retained a place in law enforcement but it was greatly diminished. Significant jurisdictional changes in summary justice and policing strategies explain this apparent slump. In the eyes of many Londoners it was no longer a 'bulk comfort' and more philanthropic enterprises seemed to be better options to change petty offenders for the better.

One thing is apparent. There was no let-up in concerns about crime and poverty in this fast-growing city that numbered nearly 600,000 in 1700. London continued to grow and became Western Europe's first one-million-person city in 1800. Crime soared. Immigrants, many who might be considered vagrants, continuously poured in through the gates. If anything, the eighteenth-century posed more difficulties for magistrates than

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<sup>2</sup> Ward, London-Spy Compleat, 136-42.

Bridewell's first years in the sixteenth-century. Yet committals to Bridewell slowed down dramatically in the same conditions that made magistrates ask for the former palace in the first place. Had Bridewell failed? Was part of the responsibility for London's continued vagrant and crime waves laid at Bridewell's large doors making necessary revisions of strategies to control crime?

This thesis will dig beyond 1737 to closely examine Bridewell and its operations within wider jurisdictions and policing systems in the capital city. The development and practice of summary justice provided alternatives to Bridewell committals. The lion share of committals to Bridewell had always been made by 'public' officers and officials and any fundamental alteration in policing and prosecuting would have had deep and lasting impacts on Bridewell if its court books do not mislead us.

The fourth section of this thesis will examine the structures and jurisdiction of summary justice in eighteenth-century London. The one after will examine the impact of this on Bridewell. But before this I will discuss the role and significance of Bridewell before 1700 and spend some time describing the eighteenth-century city.

## CHAPTER 2. BRIDEWELL BEFORE 1700

Bridewell began life as a palace. It was constructed in the 1510s to give Henry VIII yet another palace. Located a hairbreadth from London's western wall on the banks of the 'foul' Fleet River, Bridewell occupied land previously described as a 'vacant and unenclosed waste' strip within the ward of Farringdon Without.<sup>3</sup> It was a commanding structure. John Stow called it a 'stately and beautiful house of new'.<sup>4</sup> But its 'insalubrious' location next to the Fleet drastically contrasted with the sort of opulence and splendour expected by a monarch.<sup>5</sup> The king spent only seven years (1523-1530) in sporadic residence there. He gave it up altogether when divorce talks with the papacy collapsed in his new palace.

Bridewell sat largely empty for the next few decades until 1552 when a delegation of City officials along with Bishop Nicholas Ridley petitioned King Edward VI for permission to take it over for an ambitious scheme of civic and moral regulation. Edward VI accepted their proposal and on June 26, 1553 a royal charter handed the City rights to the Palace along with other land and tenements. Bridewell was intended to house and control London's

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<sup>3</sup> William G. Hinkle, A History of Bridewell Prison: 1553 - 1700. (2006), 49-51.

<sup>4</sup> John Stow, The Survey of London (1598), ed., H.B. Wheatley (revised edition, 1986), 351.

<sup>5</sup> Joanna Innes, 'Prisons for the poor: English bridewells 1555-1800', in Francis Snyder and Douglas Hay, eds., Labour, Law, and Crime: a Historical Perspective (Oxford, 1987), 42-122; Hinkle. History of Bridewell Prison, 51

'problem' poor and growing migrant streams. It was London's house of correction dealing with the 'vicious' or 'idle' rather than the needy.<sup>6</sup> Bridewell had wide-ranging powers to police London and its north-west Middlesex fringes. Its beadles could 'search all suspicious houses, alehouses, skittle-alleys, cock-pits, dancing saloons, gambling dens, and the like' and arrest those they might find in such locations. 'Ruffians and masterless men' were shipped to Bridewell. A court of governors sat in judgment and could 'lawfully' punish 'without impeachment's by the successors of the king'.<sup>7</sup> This court would soon become controversial. There was no jury. Offenders could be sent without a justice's warrant. The court's broad discretionary powers coveted by the governors but viewed suspiciously by others would become a bone of legal contention.

Bridewell's conversion into a house of correction was the direct result of a changing London. The city population quadrupled over the sixteenth century reaching 200,000 in 1600. Deaths outnumbered births and growth depended on migrants.<sup>8</sup> These migrants were poor and often young. Many were in fact provincial young men coming to London to take up an apprenticeship. Ian Archer notes that as many as 10 percent of London's

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<sup>6</sup> Innes, 'Prisons for the poor', 54.

<sup>7</sup> Hinkle, History of Bridewell Prison, 35-36.

<sup>8</sup> Paul Griffiths, Lost Londons: Change, Crime, and Control in the Capital City, 1550-1660. (Cambridge, 2008) 2.

population were apprentices.<sup>9</sup> Joanna Innes argued that London was 'a magnet for all the aspiring and predatory of the kingdom'.<sup>10</sup> Rapid transformation and social polarization made even Londoners feel a lack of familiarity with their home. Archer and Griffiths both comment on the marked sense of 'nostalgia' for an older more stable London. This is the overwhelming tone in John Stow's Survey of London (1598).<sup>11</sup> London was a city in flux.

Bridewell was the last in a sequence of hospital openings in the middle of the sixteenth century that dealt with poverty, crime, and sickness. As early as 1538, citizens petitioned the king to allow them to take over the medieval hospitals of St. Bartholomew's in West Smithfield and St. Thomas's over the river in Southwark to relieve the 'miserable people' on their doorsteps.<sup>12</sup> St. Bartholomew's was chartered to the city in 1547 – one year after Bethlem asylum for 'lunatiques' was reopened – and St. Thomas's became another part of this metropolitan institutional grid five years later. London's orphanage Christ's Hospital first opened its doors in the same year.

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<sup>9</sup> Ian W. Archer. The Pursuit of Stability: Social Relations in Elizabethan London. (Cambridge, 1991), 242.

<sup>10</sup> Innes, 'Prisons for the poor', 55.

<sup>11</sup> Griffiths, Lost Londons, 2; Archer, 'The arts and acts of memorialization in early modern London' in, J.F. Merritt, ed., Imagining Early Modern London: Perceptions and Portrayals of the City from Stow to Strype, (Cambridge, 2001).

<sup>12</sup> Paul Slack, 'Hospitals, workhouses, and the relief of the poor in early modern London', in Ole Peter Grell and Andrew Cunningham, eds., Health Care and Poor Relief in Protestant Europe, 1500-1700 (1997), 235-6.

Bridewell was the last piece of the jigsaw in 1553. John Howes, in the first history of these London hospitals written in 1582, categorized six groups of individuals who might be housed within their walls. They included 'fatherless children...Sore and sicke psons...poore men overburdend wth their children....aged persons...decayed householders [and] ydell vagabonds'.<sup>13</sup> These royal hospitals, aptly called 'superstructures' by Paul Slack, together encompassed a 'central focusing on charity on secularly defined and carefully discriminated social targets'.<sup>14</sup> The opening of five 'hospitals' in a short seven-year span was a strategic response to 'momentous' growth.

Each hospital dealt with aspects of broken and suffering humanity in a city swollen by sudden growth. Bridewell's territory was the 'idle and disorderly' throng who congregated in large numbers on London's streets. The court had the power to imprison them for a period of time. Bridewell was intended to reform 'lustie Rogues and ydell vagabonds' through the fruits of their labour. While the 1553 indenture and royal charter between Edward VI and the City explicitly mentions only the handling of 'idle and lazy vagabonds' and 'ruffians', a host of moral offenses like sabbath-breaking, drunkenness, and prostitution were dealt with by the court.<sup>15</sup>

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<sup>13</sup> Howes' MS, 1582, Being A Brief Note, 21

<sup>14</sup> Slack, 'Hospitals, workhouses, and the relief of the poor', 236, 248.

<sup>15</sup> Hinkle, History of Bridewell Prison, 34-6.

This attack on vagrancy and vice stemmed from two veins of rhetoric. The first comes from a more moralistic and philosophical standpoint. Work was the 'best panacea'<sup>16</sup> for the idle poor and potentially a way to reform corrupted humanity. A stint in Bridewell might transform the sturdy beggar into a morally upright citizen. Lee Beier additionally points to a combination of humanism and Protestantism as leading philosophies behind Bridewell's transformation. Between 1576 and 1577, six of the 10 governors who attended at least 30 per cent of meetings were puritans.<sup>17</sup> These men were strong-willed in their desire to morally reform the offenders who came before them. Humanists, emphasizing a person's individual ability to be rehabilitated, believed in the 'utility of punishment'. Protestants also hoped that prisoners might 'walk in the fresh field of exercise'.<sup>18</sup> The result if everything went according to plan—which was never guaranteed—would be an individual now set on the straighter path of righteousness.

The second vein of foundational thought stems from more secular and pragmatic reasoning. While London officials hoped that a prisoner might be morally transformed, both Beier and Innes pointed towards economic reasoning. Beier argued there were four economic explanations informing

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<sup>16</sup> Griffiths, *Lost Londons*, 18.

<sup>17</sup> Archer, *Pursuit of Stability*, 253.

<sup>18</sup> A.L. Beier, 'Foucault Redux?: The roles of humanism, protestantism, and an urban elite in creating the London Bridewell, 1500–1560', *Criminal Justice History*, 17 (2002).



Bridewell's various roles. It would 'increase the productivity of labour by creating a disciplined work force'; 'police labour in transition from unfree to free status'; protect centres of capitalism, and help negotiate 'medium- and short-term crises' such as inflation in the 1550s to soften 'increased hardship among the poor'.<sup>19</sup> Innes argued that compulsory labour within Bridewell simultaneously 'correct[ed] the faults of a servant class' and fuelled the growth of national wealth and public works through 'sheltered employment'.<sup>20</sup> Both Beier and Innes agree that London's urban and manufacturing base was a catalyst for Bridewell's inception. Prisoners would act as a labour force. They might, according to its royal charter, 'honestly exercise themselves some good faculty' for both their benefit and the 'advantage and utility of the commonwealth'.<sup>21</sup> It was to be a house of reform, a house of occupation, and a house of correction in one structure.

Bridewell quickly became the most active court in the metropolis. Thousands passed through the court. Its court books, recording only cases heard on specific court days, show numbers shooting upwards. From 1559-60, 467 cases were heard before the court and that number soon rose to 722 (1576-77) and 954 (1600-1). Many more passed through Bridewell without being recorded. The governors' annual report for 1600-1 indicated

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<sup>19</sup> Ibid., 35-6.

<sup>20</sup> Innes, 'Prisons for the poor', 47, 53.

<sup>21</sup> Hinkle, History of Bridewell Prison, 35.

2,730 passing through.<sup>22</sup> Bridewell's numbers rose as London grew. While the court sat once or twice a week in its initial years, it was meeting three times weekly as committals soared in the second quarter of the seventeenth-century. But sessions were reduced in the last decades of the century when typically the court would meet once weekly on a Friday.

Courtroom procedures and protocols remained largely unchanged over Bridewell's first century. There was no jury—all deliberations, decisions, and sentencings were left to the governors' powerful hands. Verdicts were often reached very speedily. The accused were for the most part truly alone. They had no representation and in the majority of cases that involved 'simple' vagrancy or character flaws like being 'lewd' or 'idle' no support at all. No one would be present to speak on their behalf. 'Prisoners' were often held overnight to appear in court early next morning. Porters and beadles would frog march them to the court and make sure that nothing went wrong during sittings.

The court was controversial from the start and would remain so for the greater part of its life. Newly crowned catholic Queen Mary held particular disdain for the newly minted institutions that emerged from the ruins of former monastic and church properties. Christ's Hospital bore the brunt but

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<sup>22</sup> Archer, Pursuit of Stability, 238-9.

all of them suffered in some respect. Bridewell barely functioned as a prison in Mary's five-year reign (1553-8). Bridewell was acutely 'linked in catholic minds with loss of church lands and protestant bigotry'.<sup>23</sup> Critically, starting in Bridewell's infancy and continuing for a long time after, ecclesiastical authorities and courts were deeply unhappy about what they felt to be Bridewell's trespass on their age-old responsibility to prosecute immorality. John Howes remarked that these offended ecclesiastical dignitaries felt this new authority 'did somewhat abridge the ecclesiastical courts of their jurisdiction'.<sup>24</sup> Queen Mary's death in 1558 and unwavering Protestantism all the way through Elizabeth's long reign gave Bridewell time to become an indispensable tool in London's campaigns to control rising crime and vagrancy. However, the legal challenges to the running of Bridewell's court did not come to an end with the death of the catholic queen.

Bridewell in its early decades was the target of harsh words from some Londoners. They saw Bridewell, with its 'distinctive' power to summarily commit people as an 'overmighty intrusion into everyday life'.<sup>25</sup> It was a 'by-word for control'. Bridewell needed to be thought of as a commanding institution if its attacks on vagrancy could ever be effective. Beadles could

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<sup>23</sup> Griffiths, Lost Londons, 13.

<sup>24</sup> Howes' MS, 71-2.

<sup>25</sup> Ibid., 20; Paul Griffiths, 'Contesting London Bridewell, 1576-1580', Journal of British Studies, 42 (2003).

arrest without warrant and its governors 'who claimed to occupy the moral high ground' sat in judgment without immediate oversight. But Bridewell's powers were not supported by Parliamentary legislation and in the eyes of many, including Sir Francis Bacon, it 'lacked legitimacy' and was 'repugnant' to the rights spelled out in Magna Carta.<sup>26</sup> Charges of administrative corruption and mishandling of committals were frequently heard. There were 'dark rumours' of misuse of funds and accusations of maladministration behind Bridewell's walls.<sup>27</sup>

Some Londoners took Bridewell to task claiming that the court trampled on their rights. Goldsmith Anthony Bate accused of 'whoremongering' in the late 1570s challenged Bridewell's governors in the Star Chamber in an ugly drawn-out affair (1577-80) by questioning their extensive legal powers used he said in ways that ignored legal protocols. Bate thought of himself as guardian of civil rights and spokesperson for citizens but he lost his case and ended up on his knees apologizing to the City and Bridewell's governors. His case was illustrative of sometimes tricky relations between Bridewell and Londoners that more commonly took the form of hostile words uttered on streets and inside alehouses.<sup>28</sup>

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<sup>26</sup> Griffiths, Lost Londons, 213, 217, 225-226, 230.

<sup>27</sup> Innes, 'Prisons for the poor', 55.

<sup>28</sup> Griffiths, Lost Londons, 217-18.

These quarrels surrounding Bridewell's jurisdiction were only compounded by offences and mistakes its staff committed. Beadles and constables were reprimanded for bad arrests, as in the case of Elizabeth Vaughan in 1560 was 'forcibly' arrested by a Bridewell beadle and left in a cage overnight without cause. The beadle paid for her release himself but the damage was done. There were 'malicious' committals also. Thomas Frank was imprisoned by his father without 'cause' in 1575 for almost three weeks after promising to bring evidence of 'lewde' behaviour against him. Bridewell was not exactly the golden example of morality that Bishop Ridley and the other founders imagined.<sup>29</sup> It was also on the receiving end of severe words from some Londoners. These words were often levelled at Bridewell officials. Treasurer Winch was called the 'rankest' of Bridewell's employees as he was accused of frequenting 'lewd women'.<sup>30</sup> The hospital housed criminals whose words could not always be trusted but it did not emerge from this period unscathed. Griffiths writes that:

Stories of wrongdoing were believable, even in the mouths of slippery characters, because similar charges circulated at other times. Bridewell was rocked by sloppiness and scandals of its own making down through the years: irregular discharges of prisoners, bribes, fee-fiddling 'house' officers, matrons skimping on diets, stewards cooking the books, 'inhumane crueltie' to 'poore and sicke prisoners', 'house' officers stealing prisoners' possessions, having sex with others, and mixing with thieves and 'old whores' in and out of the building.<sup>31</sup>

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<sup>29</sup> Griffiths, Lost Londons, 237.

<sup>30</sup> *Ibid.*, 219.

<sup>31</sup> *Ibid.*, 220.

While these charges were 'openly aired with highly embarrassing consequences', there was little question that Bridewell was an appealing tool for dealing with petty offenders.<sup>32</sup> The grumbling against Bridewell mellowed in time perhaps because as Griffiths suggests it had become accepted as a necessary tool to tackle the adverse consequences of population growth. Bridewell was allowed to perform its role because it was 'a new penal option adaptable' for combatting petty crime. It had passed the vetting process and had become 'a comfort for the bulk of Londoners'.<sup>33</sup>

Bridewell was an innovation of the highest degree for early English penal culture and it spawned many more houses of correction, colloquially called 'bridewells', across the country. Norwich, the biggest city next to London, opened its own house of correction at the time of its great Census of the Poor in 1570. Most major south-east and east-Anglian towns had one before the end of Elizabeth's reign in 1600. There were others opened in other parts of the country most notably in south-west towns like Dorchester, Exeter, and a little east in Salisbury. One was fashioned in Westminster (1604). But until the 1610 Act, which required each county to have at least one house of correction, their spread was a highly individual affair. A house

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<sup>32</sup> Archer, *Pursuit of Stability*, 232.

<sup>33</sup> Innes, 'Prisons for the poor', 61; Griffiths, *Lost Londons*, 213.

of correction in Middlesex was soon constructed in 1614 and another sprung up at Westminster in 1622.<sup>34</sup>

The 1610 Act created England's first nationwide system of incarceration. Houses of correction quickly became fixtures of a city's or town's 'physical and mental landscapes'. London Bridewell was distinctive because of its size. The greatest number of prisoners by far spent time inside its walls. In a thirty-six-year period (1598-1634), 34,357 offenders were brought before its court.<sup>35</sup> Prisoners were put to work 'spinning, knitting, weaving, beating hemp, threading beads, and making buttons, gloves, nails, pins, points, shoes, hats, caps, cards, clothes, thread, wire, and tennis balls'. Sunday was the only day of rest. Bridewell had a chapel for compulsory divine service and an appointed minister who also catechized inmates.<sup>36</sup> These inmates were the human debris of a city that grew so big so quickly. It was hoped that their improvement would be a signal and symbol of progress in the world outside Bridewell's high walls. This world in the eighteenth century is the subject of the next section.

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<sup>34</sup> Griffiths, 'Inside walls', 2-3.

<sup>35</sup> Griffiths, Lost Londons, 465.

<sup>36</sup> Griffiths, Lost Londons, 17-18.

## CHAPTER 3. EIGHTEENTH-CENTURY LONDON



### John Rocque's map of London (1746)

'London, the *Metropolis* and glory of the kingdom...' bragged John Strype in 1720 in his update of John Stow's original Survey, 'may boast itself to be the largest in Extent and fairest built, the most Populous, and best inhabited...of any [city] in the world'. London was the 'most Famous metropolis' William Stow commented in 1722.<sup>37</sup> Eighteenth-century London was an eclectic mix of old and new, established and strange, comforting and unsettling. The metropolitan population leaped from near 600,000 in 1700 to over one million in the 1801 national census. London headed a 'plutocracy of wealth'

<sup>37</sup> John Strype, A SURVEY OF THE CITIES OF London and Westminster, Volume 1 (1720), 67; William Stow, Remarks on London (1722), title page.



that stretched across the globe. Its 'middle class was the principal beneficiary' of blossoming shops selling exotic goods and the 'cultural and cognitive gulfs' of social and economic inequality. It was a monstrous place, Daniel Defoe said in 1726, that 'consumes all, circulates all, exports all' and also degrades and destroys.<sup>38</sup> Population exploded and the City boundaries expanded. Eighteen parishes characterized as 'extremely large' and as populated as 'a significant provincial town' were redrawn to accommodate an influx of people.<sup>39</sup> Most citizens now lived outside the City's ancient walls. These figures fail to tell the whole story as London's growth was not necessarily driven from within. Mortality was 'cripplingly high' with deaths outnumbering births.<sup>40</sup>

London's growth was dependent on outsiders – provincial men and women and international immigrants – swarming to the city to get work. London's prime place within the British Empire meant that trade and finance, along with a strong textile industry, were leading areas of employment. Men often found themselves on the dockside working as 'sailors, lightermen,

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<sup>38</sup> John M. Beattie, Policing and Punishment in London: 1660-1750: Urban Crime and the Limits of Terror, (Oxford, 2001) 9; Lee Davison, Tim Hitchcock, Tim Keirn, and Robert B. Shoemaker, eds., Stilling the Grumbling Hive: The Response to Social and Economic Problems in England, 1689-1750 (New York, 1992), xxviii; Defoe is quoted in Drew D. Gray, Crime, Prosecution and Social Relations, 7.

<sup>39</sup> Elizabeth McKellar, Landscapes of London: The City, the Country and the Suburbs, 1660-1840 (New Haven and New York, 2013), 7.

<sup>40</sup> The Bills of Mortality, London's 'demographic seismometer,' documented 19,443 burials and only 14,639 baptisms in 1720: Hitchcock and Shoemaker, London Lives, 30-1.

wharfingers, porters, coopers, sugar refiners, and ship builders'. Domestic service was the chosen employment for women finding themselves in an urban environment that 'offered a relative degree of freedom' compared to rural locations. Paula Humfrey's analysis of early eighteenth-century London found that female migrants comprised approximately 70% of female servants in a highly mobile labour sector.<sup>41</sup>

Eighteenth-century London was a vibrant city. According to records consulted by Shoemaker there were '207 inns, 447 taverns (which sold wine), 531 coffee houses, 5955 alehouses, and 8659 spirit shops' within London in 1737. New methods of street lighting promoted the expansion of public space and further highlighted London's place as a 'twenty-four-hour city'. Streets were 'adorn'd with dazzling Lights', wrote Ned Ward whose 'ears were Serenaded' with the jingles of hubbub.<sup>42</sup> This vitality extended outside the walls to suburbs that – according to Elizabeth McKellar– were characterized by 'masculine' outdoor sports and were in effect an 'urban playground' for socialization. The Vauxhall Gardens in Kensington represented what Miles Ogborn calls 'a "modern culture of commodity

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<sup>41</sup> Robert B. Shoemaker, The London Mob: Violence and Disorder in Eighteenth-century England (2004) 12; Paula Humfrey, 'Female servants and women's criminality in early eighteenth-century London' in Greg T. Smith, Allyson N. May, and Simon Devereaux, eds., Criminal Justice in the Old World and the New: Essays in Honour of J.M. Beattie (Toronto, 1998), 62.

<sup>42</sup> Shoemaker, London Mob, 7, 10; Beattie, Policing and Punishment, 208; Ward, London-Spy Compleat, 5.

consumption", where fashionable Londoners might walk, talk, and show off or enjoy 'sex misadventures' under trees and moonlight.<sup>43</sup> But the city was also 'scattered' and 'elusive'. Its settled inhabitants had a difficult time fitting the city into their mental landscapes. Ned Ward tried to topographically map London at the turn of the eighteenth-century in his London Spy. Conducted as a walk-through of the city, a reader obtains a snapshot of street life and architecture that enveloped inhabitants and visitors alike. Ward's London was a city where the coarse meets the pleasantly refined. According to Cynthia Wall, this work is 'relentless' in presenting the 'teeming, boiling, noisy, crowded, churning London, a jumble of loose signifiers awaiting redefinition' after the Great Fire. His hopeful conclusion was in part instructive, so as to 'Expose the Vanities and Vices of the Town' through his observations and therefore prevent the 'Innocent' reader from experiencing them first-hand.<sup>44</sup> Although full of descriptions of streets, buildings, and people with a characteristic 'delight in bodily excesses, in grotesque figures, and in ribald humour',<sup>45</sup> The London Spy did not construct meaningful uniform snapshots of the landscape. London remained ethereal and fragmented as 'Ward's relentless similes behave like the over-elaborated

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<sup>43</sup> McKellar, Landscapes of London, 112-113; Miles Ogborn, Spaces of Modernity: London's Geographies, 1680-1780 (New York, 1998), 118-19.

<sup>44</sup> Cynthia Wall, The Literary and Cultural Spaces of Restoration London (Cambridge, 1998), 137-8; Ward, London-Spy Compleat, 3-4.

<sup>45</sup> Ogborn, Spaces of Modernity, 107.

street signs, layering contradictory or simply peculiar “devices” over a simple point until the sense of meaning itself shreds away’.<sup>46</sup> The London Spy represented just one example of a Londoner hoping to map out the city and grasp the twists and turns of its streets and neighbourhoods.

It takes time for a city’s people to fully understand their home’s nooks and crannies and condense them in some readable fashion. William Stow tried to accomplish this feat with his Remarks on London (1722). Eulogizing London’s post-Great Fire (1666) growth, Stow condemned the old London architecture as ‘ordinary and irregular’. The rebuilt London was seemingly aesthetically superior. Stow charts what he considers the complete public walkways and sections of the city from Abchurch Lane to York Street. His hope was to provide an easy to follow map that would allow a ‘meer stranger’ to travel from one ‘publick Edifice’ to another with relative ease.<sup>47</sup> But other than brief descriptions of landmarks such as churches, Stow simply lists locations without the infusion of information of sometimes humorous but always critical commentary. Neither Ward nor Stow could provide adequate guidebooks for London. Their works made for good reading but ultimately lack full awareness and analysis. Tim Hitchcock and Heather Shore succinctly sum up these would-be city guides as failing to

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<sup>46</sup> Wall, Literary and Cultural Spaces of Restoration London, 140.

<sup>47</sup> Stow, Remarks on London, i, vi.

Do more than provide a schematic outline of totality. These writers were mere cultural magpies, collecting bits and shards of a recognizable city, and attempting to mould them into a guide for the professional and polite society; guides to the still new and raw post-fire buildings and the ever-expanding suburbs to the west.<sup>48</sup>

Ward and Stow might have failed to capture the city in its entirety, but one thing was starkly depicted: London's harshness. Hidden under the veil of splendour and opulence was a savage city waiting to take unsuspecting individuals into its deadly clutches. An anonymous letter to a Member of Parliament in 1726 describes the author walking through London's streets and being 'put to the Halt, sometimes by the full Encounter of an audacious Harlot, whose impudent Leer' was used to draw his gaze. The author hoped that justices of the peace might one day 'cleanse' this 'Snare to the Innocent'. When the German Georg Christoph Lichtenberg visited London in 1770 he was amazed that 'above this din and the hum...you will see a bonfire of shavings flaring up as high as the upper floors of the houses in a circle of merrily shouting beggarboys, sailors and rogues'. Meanwhile thieves bided their time for an opportunity of 'prigging for themselves, perhaps, a watch or purse'.<sup>49</sup>

Those who would be considered a 'vagrant' or another sort of petty offender were often said to be young. Ward describes meeting a 'Young

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<sup>48</sup> Tim Hitchcock, and Heather Shore eds., The Streets of London: From the Great Fire to the Great Stink. (2003), 4.

<sup>49</sup> Some Considerations upon Street-walkers (1726), 2; Georg Christoph Lichtenberg, Lichtenberg's Visits to England, translated and annotated by Margaret L. Mare and W.H. Quarrel (Oxford, 1938), 63-5, quoted in Shoemaker, London Mob, 1-2.

Crew of diminutive Vagabonds' identifying themselves as the 'City Black-Guard'. 'What a shame it was', one of his companions remarked, 'that such an infamous brood should be train'd up in Vilany, Lazines, and Prophanedelity' under the eyes of lax officers and officials. While this group of urchins might be considered a 'product of the paranoia of London life', according to Tim Hitchcock, their lives were 'more mundane, more vicious and more tragic' as they characterized London's young beggar population.<sup>50</sup> Writers, whether they were established citizens or foreign travellers, were struck by glaring poverty and crime as they walked along streets. Poverty and disorder were popular topics for fictional depictions of the capital city. John Gay's popular Beggar's Opera (1728) offered audiences sardonic looks into the antics of London's criminals complete with a vagrant narrator who states that 'If Poverty can be a title to Poetry...no one can dispute mine'.<sup>51</sup>

William Hogarth's engravings A Harlot's Progress (1732) captures the corrosive nature of what Peter Earle calls the 'forest of houses and the choking atmosphere' of the metropolis.<sup>52</sup> Hogarth's engravings followed a rural girl as she arrives, doe-eyed, to London and her subsequent rise as a

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<sup>50</sup> Ward, London-Spy Compleat, 11; Tim Hitchcock. Down and out in Eighteenth-century London (2004), 40.

<sup>51</sup> John Gay, The Beggar's Opera (1729), v.

<sup>52</sup> Peter Earle, A City Full of People: Men and Women of London 1650-1750, (1994), 7

mistress and fall to common prostitute and disease ridden 'whore' dying impoverished and quickly forgotten. Bridewell and the hope of reform plays



**William Hogarth, The Harlot's Progress (1732), plate 4**

a prominent role within her story as she is sent there in plate 4. The scene depicts her beating hemp, an activity designed to promote industriousness and good morals. But the ensuing engravings are indicative of her failure to turn towards the path of righteousness and powerfully capture the hidden

perils of London life. This girl, Moll Hackabout, was lost within the city. A city so fluid and exotic demanded a certain attitude. According to the German sociologist Georg Simmel, 'the metropolitan type...creates a protective organ for itself against the profound disruption with which the fluctuations and discontinuities of the external milieu threaten'.<sup>53</sup> This growing London created a labyrinth of decision-making. Moll Hackabout failed to achieve this and like many freshly arrived immigrants, she was quickly overwhelmed by the utter weight of London.

Londoners looked for ways to shield themselves as they travelled along streets that were quickly becoming 'unsuitable places for interpersonal contact'. While John Gay capitalized upon London crime in his ballad opera, he was doing the same with navigational safety guides for pedestrians in Trivia: or, the art of walking the streets of London (1716). Susan Whyman calls Gay's London 'filthy [and] congested...[where] crossing the street is dangerous, and the competition for space can degenerate into brutal warfare'. Promising to teach his readers how to 'walk clean by Day or safe by Night', Gay advised them to 'Let constant Vigilance thy Footsteps guide; / And wary circumspection guide thy Side'. The May 6, 1780 edition of the London Magazine: or Gentleman's Monthly Intelligencer expanded upon

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<sup>53</sup> Georg Simmel, 'The Metropolis and Mental Life' (1903), in Gary Bridge and Sophie Watson, eds., The Blackwell City Reader (Malden, 2002), 103



Gay's warnings even more forcefully. Readers should not be like the 'lazy Spaniard' with their walking, but walk with purpose and authority while additionally being 'cautious' of looking at a passer-by like some 'inquisitor general' and drawing their ire.<sup>54</sup> It was the duty of 'street-smart' pedestrians to walk with both trepidation and composure to arrive at destinations safely.

Although London population growth resulted from in-migration, migrants were not readily accepted in their new place. They usually put down shallow roots in suburban extramural parishes. Elizabeth McKellar argues these spaces were a 'realm of relaxation' and 'a bucolic paradise' for the city elite who looked to escape from the constricting interior. Yet the outskirts were also 'a human dumping ground' for marginal individuals. Employment was typically 'seasonal and casual by nature' and therefore competitive.<sup>55</sup> These migrants often moved from one location to another in search of a wage, only sharpening fears of the 'vagrant', 'idle', 'disorderly', and 'lewd'. Women got harsh treatment disappearing it could seem from one 'irregular' domestic service position to another. They were 'strangers

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<sup>54</sup> Shoemaker, London Mob, 24; Susan E. Whyman, 'Sharing public spaces', in Clare Brant and Susan E. Whyman, eds., Walking the Streets of Eighteenth-century London: John Gay's Trivia (1716) (Oxford, 2007), 44; John Gay, Trivia: or, the art of walking the streets of London. By Mr. Gay. (1716), 60; London Magazine: or Gentleman's Monthly Intelligencer (1780), quoted in Shoemaker, London Mob, 24.

<sup>55</sup> McKellar, Landscapes of London, 21-2; Beattie, Policing and Punishment, 41.

encroaching on patriarchal norms and undermining affective familiar traditions... [and] were readily equated with vice'.<sup>56</sup>

These tensions were exacerbated by the 'gin craze' in the second quarter of the eighteenth-century. Gin like other spirits in earlier times was, according to Peter Clark, 'very much a minority drink' whose main usage was for 'medicinal purposes'. But the Anglo-French wars of the 1690s 'encouraged' domestic production rather than the importation of French brandy. Spirits in general were 'inexpensive' both to produce and in the words of an observer in 1737 their consumption was 'a practise among the poorer sort'. According to Excise figures provided by Nicholas Rogers, the production of British spirits from 1723 to 1757 averaged above 3.5 million gallons compared to the paltry half a million gallons' during the 1680s. Gin soon became the 'poor man's cordial and city justices quickly grew concerned with drink-related disorders'.<sup>57</sup> Gin was an inflammatory beverage that carried many down a criminal path. When Hannah Wilson, seemingly a 'Woman of Pretty good Breeding', appeared before Newgate's Ordinary in 1753 and gave her tale of how she came to be imprisoned for assault and robbery, she proclaimed that it was the 'cursed Liquor, called Gin' that was

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<sup>56</sup> Paula Humfrey, 'Female Servants and Women's Criminality in Early Eighteenth-Century London' 68 and 77.

<sup>57</sup> Peter Clark, 'The 'Mother Gin' controversy in the early eighteenth century', Transactions of the Royal Historical Society, 38 (1988), 64, 65; Nicholas Rogers, Mayhem: Post-war Crime and Violence in Britain, 1748-53, (New Haven, 2012), 132, 133, 134.

to blame for her crimes. The Gin Craze reached inside Bridewell's walls. Bridewell's porter John Elliot was suspended in November 1743 after he 'much injured' a licensed alehouse owner by selling gin to at least three prisoners without a license.<sup>58</sup> Gin Acts were introduced in 1729, 1736, and 1751 to regulate distribution and reduce damage caused by excess. But as Rogers points out, the Acts were largely unsuccessful and consumption was 'ultimately contained by changes in consumer taste, not by regulation'.<sup>59</sup>

Crime and disorder increased when wars ended. War boosted London's economy as things needed to be produced to fight on land and sea but when peace arrived large numbers of demobilized soldiers came to the city in a flood that was 'commonly accompanied by violence'. Nicholas Rogers argues that the years 1748-53 were a crisis period following the War of Austrian Succession, when 'some 80,000 soldiers and sailors, most of them in their twenties and most of them unable to find work' headed for London in droves. Anxieties deepened with a sharp increase in theft especially when violence was used. Soldier James Aldridge was sentenced to death on December 9, 1749 for assaulting John Piercer on the King's highway and making away with 'one pair of silver shoe buckles, value 5 s. one silk handkerchief, value 2 s. one pair of leather gloves value 6 d. and 10 s. in

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<sup>58</sup> Ordinary of Newgate's Account, 1st October 1753 (OA17531001); Bridewell Hospital Courtbooks (hereafter BHC), 21, fo. 203.

<sup>59</sup> Rogers, Mayhem, 157.

money'. William Corbee and John Ayliff, who had both served in the Army together in Germany and Flanders, collaborated to commit robberies in Hyde Park and were both sentenced to death for highway robbery and placing their victims in potentially 'bodily' and 'corporal' harm. During a three-year period (1748-51), sailors comprised a significant portion (approximately 1/3) of hangings at Tyburn. The result of this crisis was an aggravation of social tensions within London which led to a sense of 'imminent degeneration' that magistrates felt pressure to resolve.<sup>60</sup>

Unrest and unhappiness also boiled over in June 1780 in the Gordon Riots. The catalyst was the campaign for the repeal of the Catholic Relief Act of 1778 that granted Catholics relief from some restrictions limiting participation and administration of worship. This offensive against Catholics was led by Lord George Gordon who presented 44,000 signatures to Parliament to stop the legislation reaching the statute book. On the 'hot' day of June 2, between 40,000 and 60,000 demonstrators met on St George's Fields to support him. While he debated inside Parliament, there was growing unease on the streets. The crowd's 'temper flared' when news of Gordon's defeat in debate arrived. A week-long period of destruction

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<sup>60</sup> Beattie, Policing and Punishment, 42-3; Rogers, Mayhem, 5, 209; Old Bailey Proceedings Online, 9th December 1749, Trial of James Aldridge (t17491209-3); 9th December 1749, Trial of James Aldridge (t17491209-3); Ordinary's Account, 6th August 1753 (OA17530806).

followed that left 'at least' 285 killed and 173 injured. Twenty-five rioters were hanged and countless buildings were attacked and burned. Catholic institutions were the first to be attacked, but others associated with criminal justice were also targeted. The riots were only quelled after the government intervened with military force, an action that the Lord Mayor and many justices in London and built-up Middlesex had previously refused to sanction. The rioters seemed to be those 'from all the varied communities of London'. George Rudé argued that many participants were 'sober workmen', usually lawful citizens whose tempers had run over rather than mere unthinking 'riff-raff'. These were plebeian Londoners airing their social grievances in a violent manner, to the detriment of the city and its governors.<sup>61</sup>

Concerned Londoners who did not participate in the riots clamoured for a response from officials. City magistrates had tried to address the 'problem' of rising crime in the metropolis for a long time before 1780. Henry Fielding in 1751 blamed the 'vast Torrent of Luxury' for rising crime rates. 'Bad Habits are as infectious by Example', he said, and individuals will 'emulate' those in higher socio-economic status. London's elites needed to provide a better moral example to create a trickle-down effect upon the lower classes. When it came to managing the policing of the streets, surgeon William

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<sup>61</sup> Ian Haywood and John Seed eds., *The Gordon Riots: Politics, Culture and Insurrection in Late Eighteenth-century Britain* (Cambridge, 2012), 1-15; Hitchcock and Shoemaker, *London Lives*, 345

Blizard was especially apprehensive. Blizard in 1785 argued that should the aldermen, a 'tight oligarch', become 'supine' in fulfilling their duties then the 'integrity and efficiency of CONSTABLES will be disregarded: the WATCHMEN will prove old or infirm; will sleep instead of watch... [and will] suffer felony' and other crime to be committed.<sup>62</sup>

Policing streets was the paramount concern for City officials. Past generations of historians have pointed at the Metropolitan Police Act of 1829 under Robert Peel as 'the decisive breakthrough that swept away old and long-decayed machinery'. These historians were especially critical of London's policing apparatus—its constables and watchmen whose position had 'fallen from its once proud place of honour, that it was thought fit only for the "old, idiotic, or infirm"'. John Beattie argues that the focus on the issues of the old system and the reforms of the new system under Peel appear 'too dramatic'. Ruth Paley's analysis of the origins of the Metropolitan Police Act (1829) argues that it was passed under 'a rising tide of order rather than disorder' that occurred during the eighteenth-century. Elaine Reynolds found in her examination of the development of the Metropolitan Police (1720-1830) that eighteenth-century London 'was not so unpoliced as

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<sup>62</sup> Henry Fielding, *An Enquiry into the Causes of the Late Increase of Robbers* (Dublin, 1751), 3; Beattie, *Policing and Punishment*, 87; Sir William Blizard, *Desultory Reflections on Police: With an Essay on the Means of Preventing Crimes and Amending Criminals* (1785), 57.

previously thought' but was instead a flexible institution whose reforms were marked by 'diffusion' and relations with individuals and central and metropolitan governments.<sup>63</sup> Current views highlight police reforms in the eighteenth century in their own right and not as some sort of high road to the 1829 legislation. Policing London back then was not 'unprofessional'. It was sometimes creative and adaptable and able to respond to evident needs and pressures.

Constables and watchmen were the leading figures on the front lines. They were joined by beadles and marshals and together these four were the 'basic foundation upon which urban law enforcement rested'. Beattie points at four intersecting objectives behind law enforcement: 'maintenance of order in society', prevention of 'vice' and promoting right behaviour', and surveillance to prevent crime and detect offenders. Constables formed the bulk of individuals policing the wards. Drew Gray notes that constables were responsible for committing 67.7% of offenders to the Old Bailey (277/409) in the period 1779-1820 in cases where the committing officer is listed; 'watchmen' were in second place (14.9%).<sup>64</sup> The powers of constables were

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<sup>63</sup> Beattie, Policing and Punishment, 79-80; Ruth Paley, 'An imperfect, inadequate and wretched system'? Policing London before Peel', Criminal Justice History, 10 (1989), 96; Elaine A. Reynolds, Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720-1830 (Stanford, 1998), 4

<sup>64</sup> Beattie, Policing and Punishment, 81-5.; Drew D. Gray, Crime, Prosecution and Social Relations: The Summary Courts of the City of London in the Late Eighteenth Century. (Basingstoke, 2009), 55

clear-cut. They could 'detain' and arrest and bring a suspect before magistrates or if it was night imprison offenders until morning. They were supposed to be householders 'of some means, independent...and able to act without prejudice'. The reality that both Beattie and Gray note was 'problematic' as the position attracted some people of fairly low status who served as an 'amateur [over the] short term'. Some wealthier people paid a fine so a substitute 'hireling' filled their shoes. It was not uncommon, however, for constables to serve two years with the first as a deputy.<sup>65</sup>

While some constables might be considered 'old', 'infirm', or generally 'unfit' for duty, there were always exceptions. Many constables were highly motivated and a good number of them served for longer than two years. William Payne is the most notable figure here. He gained 'notoriety' as a 'reforming constable' with the support of the societies for the reformation of manners as he patrolled the bustling beat of 'Temple Bar eastwards along Fleet Street, up Ludgate hill, through St Paul's churchyard, along Cheapside to the Mansion House and the Guildhall'. His name was often found in Bridewell's courtbooks. He is there making committals as early as 1760 and as late as 1782. He was a policing 'zealot', Henderson notes, who was responsible for around three-fourths of all prostitution arrests in the City

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<sup>65</sup> Smith, ed., Summary Justice in the City, xxiv, 47; Beattie, Policing and Punishment, 114; Gray, Crime, Prosecution and Social Relations: The Summary Courts of the City of London in the Late Eighteenth Century (Basingstoke, 2009),46-9.



between 1762 and 1782.<sup>66</sup> The distribution of constables among wards varied. What was supposed to be a fairly representative system of distribution was instead a disparity that 'bore no relationship to the size of the ward or the population'. Wards within the walls had the most constables per house while wards on London's peripheries usually had a much higher ratio. Farringdon Without, Bridewell's home ward, had twenty-three constables for 4,278 houses in 1683. Cripplegate Without had a paltry four constables for almost 2000 houses in 1741. These were, according to Beattie, some of the 'largest and most crime-prone' wards yet had fewer constables than wealthier places near the heart of the city.<sup>67</sup>

While constables were an important piece of the City's police force, night watchmen also had a large role to play. Their duties, which they were not paid for, included surveying streets for 'disreputable characters', keeping an eye out for 'open doors and windows', and listening for disarming noises or disturbances. It was imagined that that 'few people would have legitimate reason' to be on the streets after dark. Watchmen policed beats with power to apprehend all manner of petty offenders to 'enforce conformity'.<sup>68</sup>

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<sup>66</sup> Joanna Innes, 'The Protestant carpenter: William Payne of Bell Yard' in her Inferior Politics: Social Problems and Social Policies in Eighteenth-century Britain (Oxford, 2009); BHC 22, fo. 340; 24, fo. 29; Tony Henderson, Disorderly Women in Eighteenth-century London: Prostitution and Control in the Metropolis, 1730-1830 (1999), 123, 132.

<sup>67</sup> Beattie, Policing and Punishment, 114-153.

<sup>68</sup> Gray, Crime, Prosecution and Social Relations, 40; Beattie, Policing and Punishment 170; Henderson, Disorderly Women, 106.

Watchmen could arrest and convey an offender to a watch house or one of the compters till morning when they were taken before a justice or the mayor. Mary Gunn in 1731 was committed to Bridewell and sentenced to hard labour upon the oath of the watchman Charles Raven for being a 'loose idle & disorderly Person & a comon Night walker & for insulting' him.<sup>69</sup>

Watchmen were supposed to be householders but like constables the position was sometimes a struggle to fill. Philanthropist Jonas Hanaway, one of the leading lights behind the creation of the Magdalen Hospital which tried to reform prostitutes, disparaged those who saw these positions as 'a *drudgery* below the dignity of a gentleman' and as men who will not 'exert his patriotism' to protect the streets. Common Council had established how many watchman each ward should have but oversight was done at parish level. Watches therefore varied in 'character' and size.<sup>70</sup> Most residents valued the work of the watch keeping streets safe if they followed their orders. Nightwalkers and prostitutes would have felt differently. The 1737 Watch Act had further ordered night-watches to 'apprehend all Night-Walkers, Malefactors, Rogues, Vagabonds, and all disorderly people' including large numbers of prostitutes.<sup>71</sup> Some watchman did neglect their

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<sup>69</sup> BHC, fo. 250.

<sup>70</sup> Jonas Hanaway, The Defects of Police the Cause of Immorality (1775), 8; Beattie, Policing and Punishment, 172-4.

<sup>71</sup> Henderson, Disorderly Women, 106, 109.

duty by not arresting offenders or failing to bring them before a magistrate. Tony Henderson's analysis of London prostitutes (1730-1830) found that interactions between prostitute and watchman were based on 'informality'. Some prostitutes were arrested and detained; others were 'conceded a privileged use of the streets' by watchmen to greet customers. Watchmen who did arrest prostitutes might simply keep them in the watch house for a few hours before releasing them or fail to appear as a witness before the justice of the peace.<sup>72</sup>

The Night Watch Act of 1705 tried to set new quotas of 'strong and able-bodied' watchmen but money was not forthcoming and its 'lack of flexibility' was not appreciated by many. Greater urgency was expressed in the 1730s as a flurry of acts were passed that organized watches into new and expanded organizations better equipped to prevent crime. Watchmen were to patrol their specific beats calling out time as they walked the dark streets from 10pm to 5am in the summer and 9pm to 7am in the winter. Most improvements were made by local government. Andrew Harris argues that local developments 'preceded' national action and that 'local policing remained dynamic, responsive, and locally accountable'. The result by 1800

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<sup>72</sup> Ibid., 110-13, 129.

was a vastly expanded force that had, according to Reynolds, 'evolved into police forces in the modern sense'.<sup>73</sup>

A critical point was the formation of the Bow Street runners at the height of the demobilization crisis in 1749. Led by brothers Henry and John Fielding, the force was tasked with the mission to 'investigate offences and to seek to arrest and prosecute serious offenders'. This was a departure as constables and watchmen were not expected to detect criminals. They 'mainly responded to information; they did not develop it'. The runners could travel across parish and ward boundaries to seize offenders and convey them to Bow Street to be examined by a justice of the peace. Beattie argues that the benefit to the greater criminal justice system was that:

It was an outgrowth and extension of the culture of prosecution created by the reward system—less corrupt, more effective, more acceptable to the public, but a culmination nonetheless of attempts to deal with the periodic violence that characterized London crime in the eighteenth century.<sup>74</sup>

Along with the Bow Street runners, the 1780s brought important changes to policing. Reynolds argues that the Gordon Riots were a 'key factor' behind reform as they created a 'general sense of crisis concerning crime and punishment'. Granville Sharp believed 'the People themselves ought to be their own guards by rotations of service' along with a militia taking over

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<sup>73</sup> Beattie, Policing and Punishment, 186-7; Andrew T. Harris, Policing the City: Crime and Legal Authority in London, 1780-1840 (Columbus, 2004), 1. ; Reynolds, Before the Bobbies, 27, 83

<sup>74</sup> John M. Beattie, The First English Detectives: The Bow Street Runners and the Policing of London, 1750-1840 (Oxford, 2012), 2.

Watch duties. Blizard, remembering the 'folly and fanaticism' of the riots, advocated the use of arms in the 'suppression of sudden and *felonious* riots'. William Pitt the Younger argued for 'enhancing accountability and impartiality' within the watch along with increasing its overall efficiency in preventing crime. Above all, reformers called for 'more numerous and vigilant forces of constables, and watchmen'.<sup>75</sup>

To accomplish this, authorities took to 'more hierarchical' methods of using salaried officers to supervise the watch and new officers were put under the watchful eye of a constable. Qualifications for watchman became stricter with 'minimal requirements' of age, physical ability, and education. In 1784 the under-marshal Mr. Preston brought a new policing plan to the mayor. Under his authority, a 'patrole' consisting of four men, would police wards. These men would be 'moderately respectable, or at least sober, between twenty-five and forty years of age, armed with a staff and cutlass' and paid between 15 shillings and 1 guinea each week. On patrol, they had power to inspect watch-houses, arrest 'vagrants' and 'disorderly' individuals and 'endeavour to quell any disturbance, or riot'. The plan went before the Common Council who gave £300 for ten men. Harris notes that while the duties of this Patrol were little different to that of marshals and marshalmen,

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<sup>75</sup> Reynolds, *Before the Bobbies*, 59-60, 62-3; Sharpe is quoted in Harris, *Policing the City*, 39; Blizard, *Desultory Reflections on Police*, v, 63; Pitt is quoted in Reynolds, *Before the Bobbies*, 60-61.

their emphasis on public disorder highlighted the Corporation's 'general anxiety' about troubles on the streets. These men were chosen not by the ward leaders but by the mayor and upper marshals. According to Harris, while this centralized group did not make a 'splash' during their short tenure (1784-1791), it remained as a reminder to innovate and improve policing.<sup>76</sup>

But policing is only one piece of the City's response to the adverse consequences of soaring population growth. In the next section we will turn to the administrative and prosecutorial side of criminal justice to examine summary justice, another arena of reform that critically relied on Londoners themselves to become more widespread and effective.

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<sup>76</sup> Harris, Policing the City, 46-9.

## CHAPTER 4. SUMMARY JUSTICE

Ann Brown's day was not going well. It was Thursday May 6, 1762 and she and Joseph Pinkney had been brought before a rotating magistrate at the Guildhall Justice Room. This was one of several stops. A constable spotted the pair in Aldgate and thinking that they 'strolled' 'uncouthly' took them into custody. Their specific crime was unclear, but their actions warranted further inspection. They were brought to the Poultry Compter to wait for the morning petty session at the Guildhall. Alderman Cokayne presided. Justice or lack thereof arrived quickly for both Ann and Joseph. Pinkney being a 'Man of Character' fared better and received more sympathetic treatment; he was simply chastised and discharged. Brown, who was 'disorderly', was committed to Bridewell to receive further punishment. Her commitment and subsequent punishment cannot be found in Bridewell's courtbooks. But it seems likely that she was a common face in court. On June 30 in the same year she was committed to Bridewell by the mayor for 'Indecent Posture with a Strange Man' and four months later she was returned there by Alderman Dickinson for being an 'Idle disorderly Person & Picking up Men and having no Visible way of Living'. She was discharged by the court on both occasions.<sup>77</sup>

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<sup>77</sup> Smith, Summary Justice in the City, 57; BHC 23, fos. 24, 40.

Ann Brown's experience before justices was one chapter in an intricate system of policing and punishment. Changes in jurisdiction and implementation of the law occurred mainly in the second half of the century through wider resorting to summary justice. It was the most powerful weapon in the war on petty crime. This gave a justice of the peace 'authority to discharge a range of administrative, criminal, and civil matters' but outside the formal trial. The 'expectation' was that justices would 'exercise their good judgment to arbitrate and mediate when necessary, and adjudicate or punish' when needed. Summary justice 'operated as a field of negotiation in which most conflicts involved several social groups' and involved a wide range of petty offenses that entitled either a short term stay in a house of correction (which had its own method of summary justice) or a whipping or a fine. Peter King sees summary justice as an 'arena in which the vast majority of the population experienced the law'. Its discretionary nature let justices reach decisions 'to suit the individual circumstances of each case'.<sup>78</sup> It was defined by speediness, cheapness, and flexibility as justices met without juries. Summary justice was a critical tool for social order.

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<sup>78</sup> Smith, Summary Justice in the City, xi; Peter King. 'The Summary Courts and Social Relations in Eighteenth-Century England', Past & Present, 183, 1 (2004), 168, 128; Shoemaker, Prosecution and Punishment, 192.



Summary justice was 'formally recognized' in the mid-1400s when Henry VI signed charters allowing London's mayor, recorder, and selected aldermen acting as justices to utilize it.<sup>79</sup> But there were developments in the seventeenth-century that expanded its usage. The 1631 Book of Orders issued by privy councillors contained specific instructions for the 'relief and regulation of the poor' along with setting 'individual precedents' for informal meeting of justices to hear cases out of court meetings. A shortage of 'qualified' aldermen in 1638 led to three senior aldermen being selected to deal summarily with offenders in London. Further measures followed in 1692 and 1704 until in 1741 every alderman became eligible to hear such cases.<sup>80</sup>

Summary justice was attractive for those who used it. 'Justice was swift', according to Ruth Paley, 'but it was also rough' as a defendant was at the mercy and 'disadvantage' of a justice's sympathies. No one spoke in their defence, not even themselves. But for many it was an appealing option. King and Gray consider summary courts to be the 'people's court'. In his analysis of summary courts in Essex, King found them 'highly paradoxical' as they were 'a vital resource for the propertied' yet 'the social profile of those who used them was often fairly similar to that of the population as a whole'. Gray

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<sup>79</sup> Shoemaker, Prosecution and Punishment, xiii.

<sup>80</sup> Paul Slack, 'Books of orders: the making of English social policy, 1577-1631', Transactions of the Royal Historical Society, 30 (1980); Beattie, Policing and Punishment, 92.

argues that summary justice 'offered Londoners a fast, inexpensive and community based arena in which to air their grievances'.<sup>81</sup> This apparent duality of summary justice with some using it and others on the receiving end can be found within the court books especially when examining the initial charge. Rarely did city officials bring the charge personally. Ann Sanderson was committed to Bridewell for 'being a loose disorderly Person begging making great Disturbance & greatly Misbehaving herself' in 1752 by Alderman Alsop. Alderman Kitcher committed Thomas Daffny in 1781 being a 'known' disorderly person and suspected pilferer. More often individuals were committed by citizens and under the oath of constables and watchman. But much of the initial prosecutorial task was left in Londoners' hands. Shoemaker notes that detecting and apprehending offenders by victims or others was 'an officially sanctioned aspect of public participation in street life'. When Ruth Jurgis was committed to Bridewell in 1737 on 'violent suspicion' of pilfering it was in part due to a charge filed by William Fielder and 'confirmed' by his witness John Hystead. Howell Jones was sent to Bridewell in 1744 for pilfering by Charles Franks whose shop he robbed.

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<sup>81</sup> Ruth Paley, 'Introduction', in her edited Justice in Eighteenth-Century Hackney: The Justicing Notebook of Henry Norris and the Hackney Petty Sessions Book (1991), ix-xxxiii; Drew Gray. "The people's courts? Summary justice and social relations in the city of London, c.1760-1800," Family & Community History, 11, c1 (2008), 8, 12.

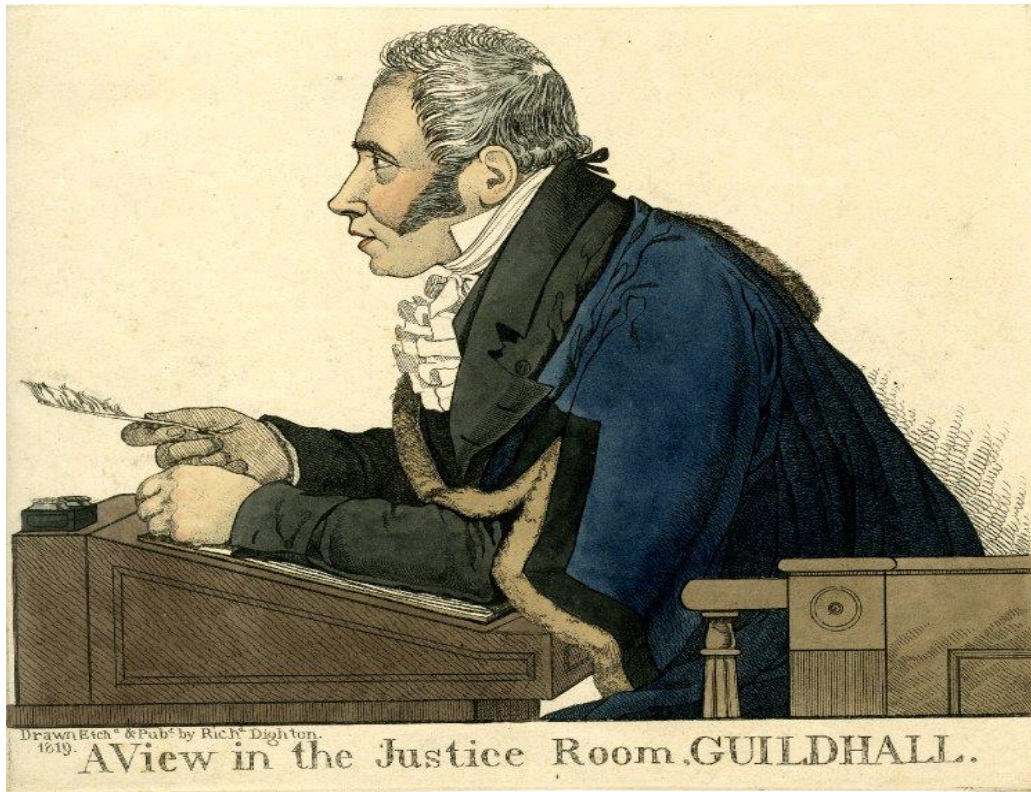
Shopkeeper Mary Hudson's word was enough to land Mary Addison before the Bridewell governors for vagrancy and disorderliness in 1744.<sup>82</sup>

Although the mayor, recorder, and alderman could hear summary cases not all were keen to do so. The crime waves of the 1690s made some of them 'unwilling' to participate. Typically, a small group of energized individuals would hear a majority of cases. The mayor with daily sittings at the Guildhall was prolific in this respect. Beattie has found that Mayor Ashhurst dealt with 216 cases between January and June 1694 of which fifty-six—mainly pilferers, the 'idle' and 'lewd', and 'nightwalkers'—ended up in Bridewell. Sir Richard Brocas and Sir William Billers are examples of individual aldermen hearing the majority of cases. Brocas alone was responsible for 90 percent of Bridewell committals in 1737. But his death in the same year paved the way for 'the emergence of the first consciously created magistrates' court' at the Guildhall. The court was defined as 'an institutional and more bureaucratic' magisterial system. It provided an organized and regular venue as a justice presided there every weekday from 11 a.m. to 2 p.m. to hear social disputes and accusations of crime. The year 1737 marked the start of a period of crisis, but also signalled a revolution of

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<sup>82</sup> BHC 22, fo. 83; 24, fo. 1; Shoemaker, London Mob, 28; BHC 21, fos. 24, 221.

originality and innovation towards policing and prosecuting within the metropolis.<sup>83</sup>



### **The Guildhall justicing room (1819)**

The Guildhall was an integral part of the City's prosecution of petty crimes and 'public administration of justice'. Continuity and routine were quickly established under this 'semi-compulsory' system with each alderman presiding two weeks each year with a clerk at his side recording the daily business and one of the Mayor's four attorneys at hand. While the mayor served as one of the rotating justices he left the rota with the opening of the

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<sup>83</sup> Beattie, Policing and Punishment, 96-100

Mansion House to serve as both his residency and a magisterial court over which he presided. There was very little secrecy. The court's participants and any decision-making were in full view with only a thin partition separating them from offenders yet to appear. Each case was heard speedily as the magistrate briefly examined the evidence against and character of the accused and a decision quickly reached.<sup>84</sup>

The Guildhall (along with the Mansion House) dealt with a wide range of crimes and peoples. 1294 cases were heard there in November 1784-March 1785 and November 1788-March 1789: 463 theft cases, 420 more involving violence, and 411 regulatory offences grouped by their character and lifestyle dimensions including 'disorderly conduct', begging, vagrancy, or being 'lewd', 'idle', 'disorderly' or 'drunken'. Prosecutors came from all walks of life. Londoners of all classes used summary courts, along with magistrates and officials. The majority of prosecutors in the period 1761-1800 were of middle to lower rank (excluding City officials and unknowns). Tradesmen/artisans brought 35.8 percent of cases; people in 'poverty vulnerable trades' 22.9 per cent; and labourers/paupers 17.5 percent respectively.<sup>85</sup> Men greatly outnumbered women in the ranks of the prosecuted: only twenty-one percent of property offenders were female (1784-96); prostitution

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<sup>84</sup> Gray, Crime, Prosecution, and Social Relations, 7; Beattie, Policing and Punishment, 108-10.

<sup>85</sup> Gray, Crime, Prosecution, and Social Relations, 20, 30.

charges filed at the Guildhall 'varied' each week but the total was never 'great'.<sup>86</sup>

Most cases heard at the Guildhall or Mansion House finished with a 'satisfaction' for victims and discharges for accused. Prostitutes not known to be 'old offenders' with no other crime to their name were mainly discharged: 622 cases heard at the Guildhall between 1752-96 (57.8 percent) led to 'unconditional dismissals'.<sup>87</sup> Fines were dished out too. George Morgan, for example, was fined one shilling for uttering 'one prophane Curse'. Samuel Beaumont was fined nine shillings for abusing a constable and swearing 'profanely 9 oaths'. The third-ranked option was imprisonment in Bridewell or a Compter. Sixty-five trouble-causers were sent to Bridewell from the Guildhall in 1752-1781. They usually spent a week or so there. But others faced longer periods. Edward Bradley spent six weeks inside in 1781.<sup>88</sup> The expanded role of summary justice after 1750 resulted in what Elaine Reynolds argues is a 'new discourse on criminal justice and reform'.<sup>89</sup> The choice of how to proceed and prosecute was larger than it had ever been.

Bridewell's role in dispensing summary justice was revised and reduced at the same time. In this sense Bridewell was a 'victim' of these

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<sup>86</sup> Ibid., 69; Henderson, *Disorderly Women*, 130.

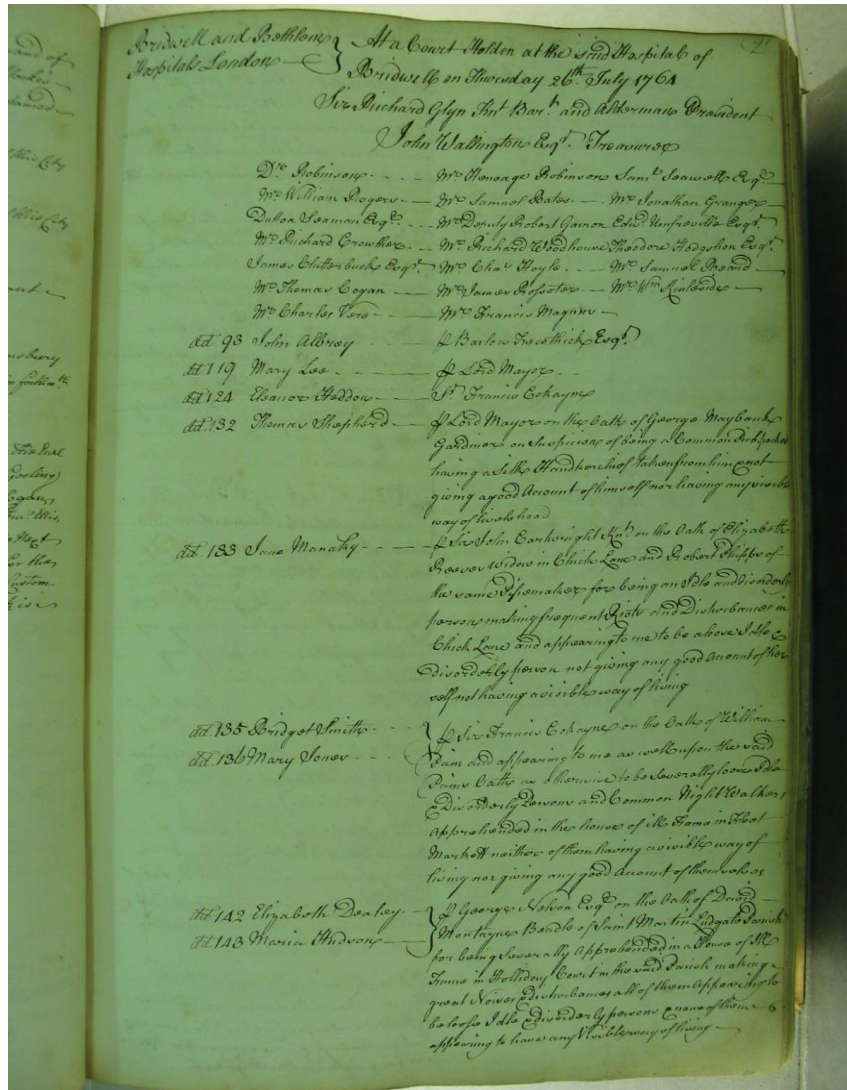
<sup>87</sup> Smith, *Summary Justice in the City*, xxvi; Henderson, *Disorderly Women*, 135.

<sup>88</sup> Smith, *Summary Justice in the City*, 9-10, 293.

<sup>89</sup> Reynolds, *Before the Bobbies*, 83.

jurisdictional shifts. It is time now to return to Bridewell to examine these transitions and their largely negative impacts on Bridewell's place in systems of summary justice in the second half of the eighteenth-century.

## CHAPTER 5. BRIDEWELL



**Bridewell courtbook, July 26 1764**

Bridewell's first historian E.G. O'Donoghue tells the story of Bridewell in the hustle and bustle of the Gordon Riots in 1780. Newgate Prison was 'burning fiercely' and 'masses of stonework and redhot bars of iron were falling every moment, amidst roars of triumph and defiance'. Prisoners had been released. The streets rocked with cries of 'No Popery'; a 'pretext for



plundering', O'Donoghue remarked tartly. The Sessions House of the Old Bailey, the King's Bench Prison along with the Surrey house of correction were all burned. Mobs called at the homes of government officials. Some rioters made their way down to Christ's Hospital but people pleaded with them to leave this orphanage alone. They did so. 'Now, my lads, for Bridewell' rang loud. It was afternoon when 'in a tumultuous manner' a crowd gathered outside the former palace. But they were sent packing. They left muttering that they would return later. Unlike Newgate, Bridewell emerged from London's most intense rioting of the century without a scratch.<sup>90</sup> There is irony here as Bridewell's role and influence had dwindled since 1700. We might even ask if much would have been lost if Bridewell had burned down that 'hot' day instead of getting a reprieve.

132 men and women appeared before Bridewell's Court In 1737. That number plummeted to just a handful of cases fifty years later. The committals of 'loose idle [and] disorderly' James Barrell and George Jones in 1790 are the last recorded cases in the eighteenth century.<sup>91</sup> The same sort of instability behind the expansion of both summary justice and the City's police force also contributed to Bridewell's 'fall'. I will first chart the course of Bridewell's committals from what had been a relatively steady stream to a

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<sup>90</sup> E.G. O'Donoghue, Bridewell Hospital; Palace, Prison, Schools, From the Death of Elizabeth to Modern Times (1929), 204-6.

<sup>91</sup> BHC 24, fo. 348, 369.

trickle by the last quarter of the century and how its role in the greater criminal justice system changed. The rest of the section will seek reasons for this decline.

**Table 1 – Bridewell committals, 1737-1790** <sup>92</sup>

Year	Men	Women	Total
1737-1750	1009	757	1766
1751-1765	358	972	1330
1766-1780	335	701	1036
1781-1790	64	85	149

The Bridewell Court was meeting on average ten times one year by the middle of the eighteenth century.<sup>93</sup> It was producing fewer books over longer periods. What we see is a sudden drop in recorded committals recorded in the court books after 1752. Whereas the court averaged over 100 annual committals in the first half of the century, that figure was reached in just five years between 1750-1800 (1761, 1762, 1773, and 1778). Average annual committals hovered around fifty committals in 1750-

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<sup>92</sup> BHC 20-24.

<sup>93</sup> Faramerz Dabhoiwala, 'Summary justice in early modern London,' English Historical Review, 492 (2006), 806

70. Just sixty-nine people were brought to Bridewell's court in the 1780s. There were merely five cases heard in 1788: three thieves, someone said to be 'loose idle and disorderly', and William Duffield who was found to be in an 'indecent Posture with another Man'.<sup>94</sup>

**Table 2 – Offences prosecuted at Bridewell, 1737-90**

Year	Idle Disorderly	Night Walker	Pilfering or Pickpocket	Disturbing the Peace	Fraud	Pawning	Vagrancy	Prostitution or Lewdness
1737-1750	1051	198	1111	215	50	12	405	9
1751-1765	1136	395	292	224	47	10	352	20
1766-1780	604	174	271	64	6	31	303	211
1781-1790	135	6	64	9	0	4	10	28

The majority of committals were for being 'idle and disorderly', stinging words that were often attached to other offenses. Richard Brocas committed Mary Holloway in 1737 for 'swearing & Rioting in a gross manner' and for being an 'idle and disorderly' woman. Pickpocket William Fidd was punished in 1750 and he was said to be 'a loose Disorderly Person not having any Vissible way of living'. 'Idle and disorderly' Eliza Backaley

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<sup>94</sup> BHC 23, fo. 294.

admitted claiming to be 'a Soldiers wife' to get a pass to allow her to beg.<sup>95</sup> Men outstripped women from the late 1730s to the early 1750s. Male committals were twice that of women in the 1740s. But women made up the majority of committals after 1750 outnumbering men by 741 to 124 in 1760-7. They would do so in each remaining year when committals were made. Women were charged with a larger range of crimes. One-third was identified as 'Common Nightwalkers'. Sarah Emery and Eliza Cropper were charged in 1753 for being 'loose Idle & disorderly Persons plying backwards & forwards in the Streets as Comon Nightwalkers at all home in the Night & being Comon Disturbers of the Peace'. Eleanor Evans turns up in next entry for 'making a great Noise & Disturbance there & for being a loose Idle disorderly Person & Comon Night Walker'.<sup>96</sup>

Almost sixty percent (1312/2270) of committals were for pilfering or pickpocketing in the period 1737-1755. One reason behind this was a changing approach to dealing with theft. John Beattie comments:

it seems reasonably clear that such committals resulted from the magistrates' decision to take advantage of the grey areas on the borderland of larceny and of the vagueness of the vagrancy acts to punish those suspected of small thefts by sending them for a brief period of hard labour and perhaps corporal punishment rather than committing them for trial at the quarter sessions or assizes.<sup>97</sup>

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<sup>95</sup> BHC 20, fo. 457; 22, fo. 440; 22, fo. 441.

<sup>96</sup> BHC 22, fo. 128; 23, fos. 166, 167.

<sup>97</sup> John M. Beattie, Crime and the Courts in England, 1660-1800, (Princeton, 1986), 269.

Instead of sending offenders to Newgate for trial where there was reason to believe that charges might have been dropped or offenders acquitted, many thieves were sent to a house of correction to be punished with 'idle and disorderly' added to their charge sheet for good effect. This all had a great deal to do with shifts in the overall role of houses of correction. Joanna Innes argues that there was a 'convergence' between bridewells and gaols during this period. The 1706 Hard Labour Act permitted judges to sentence clerghed felons to six months to two years imprisonment in a house of correction. Beattie believes that this use of houses of correction 'previously a means of coercing the poor' could be seen as something 'positive' with hopes of reform through work.<sup>98</sup> The impact of the 1706 Act softened with the passing of the Transportation Act in 1718. Quite simply, courts preferred to transport thieves rather than imprison them.

Declining Bridewell committals also resulted from more pessimistic or inquiring attitudes about its effectiveness. Opposition was voiced in Bridewell's first years but as time passed and Bridewell's vital role in policing 'environmental' crimes that were both symptoms and symbols of hazardous growth' became 'readily realized' as Londoners became more accepting of

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<sup>98</sup> Beattie, Policing and Punishment, 28; *ibid.*, Crime and the Courts, 492-3; Innes, 'Prisons for the Poor', 94.

their house of correction.<sup>99</sup> Opposing voices never disappeared but there does seem to have been an escalation after 1700. Lawrence Braddon wrote in 1717 that 'our common Gaols and Bridewells (as now managed) rather harden than reform' the prisoner. Jacob Ilive, former inmate of Clerkenwell house of correction, observed the 'debauched, starving and oppressed state' of his fellow prisoners during his stay and called upon the Middlesex justices to reform the institution. William Fuller, who spent time in Bridewell in a 'DISMAL HOLE' in 1703 for concocting a "'false and Scandalous Libel'" against the kingdom, his ministers and parliament', prayed for the 'Patience' for better times to arrive. That did not happen. Moll Hackabout in Harlot's Progress left Bridewell in the same 'lewd' state as the day she first walked in through the door. Bridewell in fact was a part of literary vernacular as an insult. A female character in the 1755 English translation of Roman playwright Terence's comedy Phormio was angrily called a 'Bridewell-cur' by one of her male compatriots. Jonas Hanway declared that Bridewell 'is known to be the instrument of corrupting manners [which] has cherished and let loose a multitude of thieves'. Surgeon William Blizard argued in 1785 that Bridewell inmates, especially women, lost 'the little sense of Shame or Delicacy' they had. They left Bridewell for crimes of 'a higher degree'. Henry Fielding blasted Bridewell and other houses of correction for being 'Schools

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<sup>99</sup> Griffiths, Lost Londons, 232.

of Vice, Seminaries of Idleness, and Common-Shores of Nastiness and Disease'. 'A Commitment to which place, tho' it often causes great Horror and Lamentation in the Novice', writes Fielding a page later concerning a house of correction's ability to reprimand offenders, 'is usually treated with Ridicule and Contempt' by the recidivist. The effect is that the 'worthiest' magistrates have been loath to commit offenders to houses of correction.<sup>100</sup>

In his 1777 inspection John Howard found Bridewell's inmates generally 'provided for', including straw bedding that was absent in many other lock-ups. But he could not help but wonder if the 'considerable Gifts and Legacies' openly hanging in the hall and courtroom might not be better used to make Bridewell more 'commodious' and keep prisoners separated from each other.<sup>101</sup>

Some believed that the workhouse was a better option for dealing with vagrants and 'idle' people. This was nothing new. Workhouses had been in use since the sixteenth- and early seventeenth-centuries but they received renewed attention in the last years of the century. Tim Hitchcock argues that

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<sup>100</sup> Laurence Braddon, *The Miseries of the Poor are a National Sin, Shame, and* (1717), xxxiv; Jacob Ilive, *A Scheme for the Employment of All Persons Sent as Disorderly to the House of Correction in Clerkenwell* (1759), 4; William Fuller, *Mr. William Fuller's Trip to Bridewell, With a True Account of His Barbarous Usage in the Pillory...Written by His Own Hand* (1703), 2, 29; Terence, *Terence's Comedies, Translated Into English, Together With the Original Latin, From the Best Editions* (1755), 255; Hanaway, *Defects of Police*, 73; Blizard, *Desultory Reflections on Police*, 52; Fielding, *Enquiry*, 48-9.

<sup>101</sup> John Howard, *The State of the Prisons in England and Wales: With Preliminary Observations and an Account of Some Foreign Prisons*, (1777), 178-9.

workhouses served as a 'deterrent' and 'abhorrence' for the labouring poor who placed financial strain on parishes. In the late 1690s and early 1700s, fifteen cities formed Corporations of the Poor whose purpose was to open and operate workhouses. Stephen Macfarlane argues that in London officials recognized that poverty was not only a 'moral' condition but a 'social' one also. The 'discipline of regular work was a moral not merely [an] economic necessity'. 'If the punishment of vagrancy was twelve-months imprisonment in such a workhouse', Jonas Hanway argued, 'we would not have so many begging in the streets'. Blizard agreed, suggesting that by sending a 'miserable' person to a workhouse, 'the elegance, convenience, and peace, of the city, both by day and night, would be promoted; the national character of humanity justified; and the sum of vice and misery lessened'.<sup>102</sup> Shoemaker argues that after the passage of the Workhouse Test Act (1723) 'idle and disorderly' offenders might have been 'siphoned' into parochial workhouses rather than bridewells. Innes believes that this Act allowed parishes to deny relief to any refusing to enter the workhouse.<sup>103</sup>

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<sup>102</sup> Tim Hitchcock, 'Paupers and preachers: The SPCK and the parochial workhouse movement' in Davison, Hitchcock, Keirn, and Shoemaker, Stilling the Grumbling Hive; Stephen Macfarlane, 'Social policy and the poor in the later seventeenth century,' in A.L. Beier and Roger Finlay eds., London 1500-1700: The Making of the Metropolis (1986); Hanaway, Defects of Police, 76; Blizard. Desultory Reflections on Police, 50-1.

<sup>103</sup> Shoemaker, Prosecution and Punishment, 196; Innes, 'Prisons for the Poor', 93.



Bridewell directly competed with the workhouse of the London Corporation of the Poor in the first half of the century. This institution was 'resurrected' in 1701 and was in effect London's second house of correction. Its officers made committals along with parishes and magistrates who made summary rulings. Dabhoiwala has found that Bridewell and the Corporation of the Poor split committals along roughly equal lines: 16,667 to Bridewell in 1701-59; 16,432 to the workhouse. Together they operated on a 'model of symbiosis' in which geography split where an offender might be committed. But the Corporation of the Poor's influence quickly fell. The workhouse stopped taking in parish children from poor families after 1751. The keeper's side was closed and by the 1760s it was recast as somewhere whose purpose was to employ vagrant children. From that point onwards Bridewell was once again the City's sole house of correction.<sup>104</sup> The irony was that the number of its prisoners continued to fall.

The workhouse was a factor in Bridewell committal rates for only the first half of the century. Something else must have been having a large impact. We now need to go back to the workings of summary justice. The creation of summary courts at the Guildhall and Mansion House explain the fall over the rest of the century. The most common form of punishment in these courts was imprisonment in Bridewell or a compter (62.8 percent). But

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<sup>104</sup> Dabhoiwala, 'Summary justice', 802-804.

as we have seen punishment/imprisonment was a minor option in the wider scheme of things. 45.6 percent of assault cases heard at the two summary courts finished with defendants being discharged after settlement; 38.9 percent were dismissed altogether; while only 6.8 percent of cases resulted in imprisonment. Prostitutes were rarely imprisoned. Over 60 percent of them were either reprimanded or discharged. In Drew Gray's analysis of the Guildhall minute books for 1762, 1778, and 1780, over three-quarters of prostitutes were discharged and just fourteen percent were imprisoned. With the exception of property offenders, imprisonment at Bridewell was not the primary choice made by magistrates sitting summarily.<sup>105</sup>

Bridewell was falling out of step with changing attitudes that informed decision-making in courts including importantly the nature of female sexuality. The key change here was an emerging view of 'fallen' women that suggested that they could be reformed. Age-old perceptions of a female sexuality that was unrestrained, rampant, and pervasive were being swept away. It was now possible to see 'fallen' women as victims of men and/or circumstances who with the right sort of supervision could lead better lives. Donna Andrew comments that proponents of the Magdalen acknowledged that young girls were regularly confronted with 'insurmountable difficulties, and that good fortune as much as rectitude separated the innocent from the

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<sup>105</sup> Gray, *Crime, Prosecution and Social Relations*, 83-5, 107, 128.

fallen'. In the eyes of Sir John Fielding these girls, such as fictional Moll Hackabout, did not fall through 'viciousness' but rather that they are 'young, unprotected...[and] become the Prey of the Bawd and Debauchee'. Robert Dingley, a major champion of the Magdalen, wrote in 1758:

What act of Benevolence, then, can there be greater than to give these truly compassionate objects, an opportunity to reclaim and recover themselves from their otherwise lost State; an opportunity to become of pest, useful members of society, as I doubt not many of them may and will?

The founder of the Foundling Hospital Thomas Coram 'lamented this harsh attitude toward the fallen woman and criticized as unjust and unchristian her subsequent exclusion from most of the comforts of human society'.

Dabhoiwala writes that many philanthropists and 'political arithmeticians' came to comprehend prostitution as a 'social phenomenon rather than a person failing'.<sup>106</sup>

This possibility of character change seemed at this point in time to be something that Bridewell was not well equipped to do. Bridewell was now perceived first and foremost to be a punitive institution. Other institutions seemed more promising, the Marine Society and the Magdalen Hospital more

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<sup>106</sup> Donna Andrew, Philanthropy and Police: London Charity in the Eighteenth Century, (Princeton, 1989), 120, 121; John Fielding, An Account of the Origin and Effects of Police...to Which is Added a Plan for Preserving Those Deserted Girls in this Town, who Become Prostitutes from Necessity (1758), in Randolph Trumbach ed., Prostitution Reform: Four Documents (New York, 1985), 45; Robert Dingley, Proposals for Establishing a Public Place of Reception for Penitent Prostitutes (1758), in Trumbach, Prostitution Reform, 5; Faramerz Dabhoiwala, The Origins of Sex: A History of the First Sexual Revolution (2012), 272.

than any others. Donna Andrew argues that they were intended to teach 'neglected section[s] of the populace [to be] more useful in the service of the nation' and more able to provide for themselves.<sup>107</sup> Some magistrates preferred to send male offenders to a place where they might receive useful schooling in London but sometimes through service on the seas. Cases in the past that might have been dealt with at Bridewell were now going elsewhere. We find many examples of this at the Guildhall justicing room. Thomas Shute was charged with being an 'idle and disorderly Apprentice' in 1761 after running away from his master at least eight times. He was sent to Wood Street Compter until he could be sent to sea. Alderman Wooldridge sent four 'felonious' thieves to sea in 1781.<sup>108</sup> This idea of being sent to sea was realized through the Marine Society that was directly aimed at helping impoverished boys. Established in 1756 by London merchant philanthropists its purpose was to recruit for the Navy and provide boys with clothes and equipment necessary to serve.<sup>109</sup> Jonas Hanway was its founding father. He argued that the society would 'relieve' parishes or 'indigent parents' of the 'burden of idle or useless boys' destined for a life of crime. Fifteen of Smith's selection of cases heard at the Guildhall Justice Room resulted in boys being sent to this Society. James Birch requested his son James be sent there in

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<sup>107</sup> Andrew, Philanthropy and Police, 109.

<sup>108</sup> Smith, Summary Justice, 38-39, 279.

<sup>109</sup> Hitchcock and Shoemaker, London Lives, 257.

1777 after he stole a £100 bank note and '10 Guas in monies numbered'. Pickpockets Lewis Smith, William Malone, and his brother Marcus followed him the next day. Few boys were sent to the Marine from Bridewell: thief Bartholomew Brown in 1757 and an 'idle and 'disorderly' vagrant who was caught 'pilfering Sugar on the Keys'.<sup>110</sup>

While the Marine Society helped boys to hopefully lead better lives, the Magdalen opened in 1758 tried to reform girls caught in prostitution's web. It was a voluntary institution where 'penitent' prostitutes or girls who had been seduced would, for a period of isolation that might amount to three years, be given plain clothes and work in laundries. The hope was that it 'saved souls as well as bodies'. Dabhiowala comments that Magdalen inmates were 'infants, to be sheltered from the world' under the watchful eyes of the governors or 'fathers' and the matron or 'good mother' to enable their 'regression and rebirth' into a reshaped person.<sup>111</sup>

There is a good chance that this also affects what we see in Bridewell's court books. Only eighty-seven women were brought before the court for being 'Common Prostitutes' in 1737-75. Very few accused prostitutes appear

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<sup>110</sup> Jonas Hanaway, An Account of the Marine Society, Recommending the Piety and Policy of the Institution (1759), 73; Smith, Summary Justice in the City, 96-7; BHC 22, fos. 256, 324.

<sup>111</sup> Stanley Nash, 'Prostitution and charity: The Magdalen Hospital, a case study'. Journal of Social History 17, 4 (1984); Dabhiowala, Origins of Sex, 247-8.

there over the next decade. This was the result of the Magdalen and the changing attitudes towards sex and prostitution that were instrumental in its foundation. Yet there was a notable surge in committals of prostitutes from 1776 to 1780 that was instrumental in the overall absolute majority of female committals after 1750. 158 'prostitutes' were brought to the court in these five years. Prostitution is the only crime that prosecuted in greater numbers at Bridewell in the late 1770s. Quite typically Mary Chetham, Alice Coe, and Ann Davis were committed together as 'Common Prostitutes' after they were seen by Robert Croft 'Picking up Men'. The reason for this increase was the zealous efforts of constable William Payne working with the 'newly reformed' Society for the Reformation of Manners. Payne was very active in the war on vice. Other officers might have 'tolerated' the movements of prostitutes but not Payne. On a single day in January 1776 he was responsible for the committals of seven women. Five charged with 'severally picking up Men'; two with being 'Common Prostitutes'. As a paid agent of the Society for the Reformation of Manners, Payne was in a position to act on what the Society thought of as the 'promulgation of a revitalized morality' that through prosecution was 'essential to a nation's best interests'.<sup>112</sup>

Payne's heavy-handed five years apart, the numbers of prostitutes inside Bridewell fell. Respective attitudes towards Bridewell and the

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<sup>112</sup> BHC 23, fo. 654; Henderson, Disorderly Women, 122; BHC 23, fo. 501; Andrew, Philanthropy and Police, 50.

Magdalen had a clear impact here. 'Fallen' women quite literally streamed into the latter. 5,558 women were taken in to the Magdalen between 1758-1829: 3,808 were 'reconciled' to friends and family or 'placed in service, or other reputable and industrious situations'; 942 left of their own accord; 604 were dismissed for 'improper behaviour'.<sup>113</sup> At least on paper the Magdalen was a success in reforming prostitutes and supplying them with life skills necessary to maintain their livelihood and maybe marry one day. But it was just one of many factors that led to the fall in prosecutions at Bridewell. Bridewell in 1800 was a shadow of its former self. The court continued to meet but business was exclusively administrative and financial for the most part. The courtroom was often empty.

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<sup>113</sup> Nash, 'Prostitution and Charity', 622.

## CHAPTER 6. BRIDEWELL'S FALL



### **Commemorative plaque**

I chose the name 'Bridewell's Fall' because evidence suggests that Bridewell was no longer the key tool for punishing petty offenders in London. Missing here, however, due to circumstance, are important records chiefly the records of the Court of Aldermen that determined policy and prosecuted some offenders. They might allow us to determine if the dropping rate of Bridewell committals could be connected to City policies. Also unavailable currently are the annual Spital Sermons that gave numbers of offenders imprisoned at Bridewell that were often at odds with what we see in the courtbooks. But the overall trend of falling committals remains convincing.



This in turn was the result of compelling causes: the expansion of summary justice and changing cultures of sexuality that directly affected an institution already under the microscopic eye of critics. Particular concerns focused on thinking about the best way to deal with petty offenders. Criticism also homed in on the sense of 'shame' that many first-time prisoners felt and the 'ridicule' that recidivists seemed to represent. For some officials, Bridewell did not halt the downward slide towards habitual criminality and maybe the gallows. Philanthropists, like Jonas Hanaway, Sir William Blizard, and Robert Dingley, felt that a different direction needed to be taken if crime was to be cracked and offenders reformed. They believed that petty offenders – especially young people – should not be sent to Bridewell where they would mingle with hardened criminals. Instead, they should be educated and trained in skills that would provide them with services to profit by and improved senses of morality. The result was the creation of 'rival' institutions in the Marine Society and the Magdalen Hospital. A voluntary stay in the Magdalen behind her a former 'fallen' woman might leave the Magdalen for the last time with a clean slate and a reputation now 'wiped clean and her character reshaped'. This was a promise that Bridewell was not able to make.<sup>114</sup>

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<sup>114</sup> Dabhoiwala, Origins of Sex, 249.

Bridewell in 1800 had come full circle from its inception as a house of correction in 1553. Poor migrants still swarmed to London looking for work. Magistrates and citizens still complained about disorder on the streets. But there was unhappiness with the tools available to rectify things. These considerations led to the opening of Bridewell in the first place. The ambition was that vagrants and thieves and other wrongdoers would be reformed through work discipline. These same considerations were in large part behind Bridewell's fall two centuries later. What had once been London's main weapon to combat petty crime became an afterthought in crime-control. Bridewell's winter set in.

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