

BIRMINGHAM BOROUGH GAOL.

(From the Birmingham Journal.)

This important inquiry, which commenced on Tuesday week, is still proceeding, and the disclosures of each day add some new phase of cruelty to this revelation of horrors. We shall abstain from any comment on the evidence, excepting where the facts are not disputed, and we resume our analysis by referring to the case of Andrews, whose suicide in April last gave rise to the inquiry.

It appears from the evidence that this boy, who was 15 years of age, had been three times in prison—once for garden robbing, once for throwing stones, and again for stealing a piece of beef. According to the admission of the governor, his manner was "not disrespectful," the chaplain said he was a "mild, quiet, docile boy," and Brown, the warden, admits that he was "quiet and respectful." This boy was put to labour upon the crank, having to make 10,000 turns a day, the weight of the crank being nominally 50, but in reality 150, a weight too great for the strength of a robust labourer. This confessedly docile lad, not having performed his impossible task, was sentenced to bread and water, and for shouting and breaking his crank he was punished with the strait waistcoat, in addition to the deprivation of his regular food. As this jacket figure rather prominently in the inquiry, it may be well to say that it is a linen garment, into which the arms are thrust, and is fastened by a series of straps behind; a strong leather belt is passed over the arms, restraining them as if they were pinned, and fastened to the wall. Round the neck is buckled a leather collar, 32 inches in depth, a quarter of an inch in thickness, and the edges unbound. Upon this the chin is supported. In this pillory, with the straps so tight that the chaplain could not insert his finger between the leather and the skin, this "docile" lad was placed time after time for several hours together, according to Brown's statement and Freer's confirmation, drenched with water to keep him from fainting, or "abstaining," as it seems to be the fashion, from the justice downwards, to consider and designate every struggle of nature against the physical and mental tortures of the system. While in this condition, famished with hunger, and shouting with pain, and fainting or affecting to faint (he could not do so, for his head was too secure for that), Freer affords him relief by dashing buckets of water over him, and allowing him to stand in the wet. When released from this torture he is again placed upon the crank, to do what Mr. Heston calls "the work of a quarter of a horse." With a famished stomach, and embosomed with the restraint and privation of peevish punishment, he is, of course, unable to do the work, and is left in the cell in the dark, to labour at his dreary task. One punishment alternates with another, until the mind and body are prostrated, and at last he "exerts the utmost effort," and seeks escape in self-murder. And by his destiny what it may, it can scarcely be worse than that from which he so "inconsiderately" freed himself. Be it, it appears that not only were those punishments administered, but some of them were wholly without cause, as the entries in the crank-book show that the lad sometimes performed more than his task. Nevertheless, the punishments go on, until, irritated by a sense of injustice, famished with hunger, pained and tortured by the jacket and Mr. Freer's universal restorative, cold water, his strength overtaxed by the crank labour, his bed and light taken from him, and over him the threat of further punishment hanging, he rides himself of life as the preferable alternative. Will anybody but the surgeon say that the lad's death was not the direct and necessary result of this aggregation of tortures?

This is the last of the six cases upon which the Home-office was memorialized, but as the inquiry proceeds, a considerable number of others equally gross present themselves. We shall refer to one or two. A man named Hunt, who was not of very sound mind, so palpably insane that even the surgeon admits he had some doubt about his perfect sanity, is ordered by the governor to be put in the strait jacket for some offence not specified. The governor, the surgeon, and three wardens are present. Naturally enough, the man did not relish the punishment, and he expressed his irritation or his sense of pain by shouting. This gross insubordination in the presence of the governor could not be tolerated, and must be prevented. With an abstinence singularly remarkable, there was no gag in the gale, so the governor, or the surgeon, or both, ordered salt to be brought, and as the poor half-crazed man shouted, these two gentlemen amused themselves for ten minutes by stuffing his mouth with salt. We have assumed this to be true, for though the surgeon "does not remember it," and the governor is not very positive in his denial, three wardens who were present, one of whom fetched the salt, another received some of it on his face as the prisoner spat it out, confidently assert that the fact is as we have stated. If this be true, it eclipses any scene in Uncle Tom's Cabin, those in which Negroes figure not excepted.

The case of Webb, a lad 15 years of age, is a striking pendant to the foregoing. It appears that he had committed the offence of saying "good by" to a fellow prisoner, and for this he was strapped to the wall—legs, arms, and head fastened in the infernal machine. He had eight ounces of bread a day; his humane gaoler fed him with this, bit by bit, as if he had been a beast, and he ate it the best way he could. Not a drop of water accompanied this meal. He was put upon the crank at 6 in the morning, and remained till 10 at night, and then, by way of relief, he was strapped in the jacket all night. It is due to the governor to say that this treatment was unknown to him, but how it could be inflicted without his knowledge does not clearly appear. It is not surprising that the commissioners should depart from their abstinence from comment, and characterize the treatment of the lad as "monstrous and diabolical." Shaw and Scott, two men, were treated to like severities, with addition of buckets of water thrown over them, and being left to lie and get dry as they best could.

Another case we must give in the words of the chaplain, in that remarkable letter addressed to the prison inspector:—

"The other case is a young man undergoing a second imprisonment, of two years; he is the person who (the first of the fourteen cases of attempts during his first confinement) endeavoured first to hang, and once to throw himself. The punishment to which this man (of very questionable state of mind) was subjected, about three months ago, was, to say the least, very injudicious. He had conducted himself very well for a long period, industriously making nearly all the brushes used in the prison. He then committed himself, by making for one of the wardens a little shaving brush, (previous offence,) for which he was sentenced to fourteen days' hard labour, and three days' bread and water. He underwent this quietly, but was then told he had a similar period of labour and fasting to complete his sentence. He had not so understood it, and his former frantic temperament revived. He broke all before him, and then became calm; he submitted unobtrusively to the following treatment:— He was compressed with severity in the strait jacket from half-past 5 till 10 o'clock at night; he was then stripped by two men (two others, head warden and principal, standing by), and plunged in a cold bath; then placed in an empty bath, and had 14 buckets of water thrown upon him, his skin violently scrubbed with a hard brush, and his hair driven back against the grain. When the executioners were fatigued by this pastime he was again braced up in the strait jacket, and left so all night. The governor, I am told, denied his knowledge of the night-strip, but afterwards, when his memory was refreshed by a particular circumstance, he acknowledged it."

This case requires no illustration from us, and no comment.

Yesterday's proceedings brought out another extraordinary element in the punishment—viz. deprivation of food; and they throw some more light on the practices of

the surgeon and governor. Maiden, a young man about 19 years of age, was imprisoned for the heinous crime of running away from his employment. He was treated by the surgeon for fever, but, notwithstanding this, was put to the crank, and failed to perform his task. He was immediately placed in the jacket and collar (the day being Saturday), and kept in it from 9 in the morning till 8 at night. He was deprived of food from breakfast time on Saturday till dinner time on Sunday, and then regaled with 6oz of bread and a can of water. On one occasion he was nearly strangled in the collar, having fainted, and recovered when a warden found him and revived him with cold water. Consider the lad's crime, the venial offence of neglecting his work, his illness, his inability to perform so hard a task when under treatment for fever, the visit of the governor to increase the weight of the crank when he found the lad unable to do the work, and the horrible accumulation of punishment that followed the unperformed task, we shudder when we read of the comparatively humane treatment of political offenders in Neapolitan prisons. It is a mild despotism compared with this revolting cruelty. In the course of the examination yesterday Freer, the chief warden, who has recovered the use of his memory since Friday week, admitted, in opposition to all previous oaths and protestations, that inability to perform a task was invariably followed by the jacket, deprivation of food, and of bed and light.

But we cannot particularize every case. A batch of them came out on Thursday, when several of the boys in the Reformatory School detailed their experience of prison life. One named Abner Wilkes, a boy of 14, was strapped to the wall for breaking his crank; he was unable to feed himself, and even with Mr. Sherwin's assistance he was unable to bite the bread for the collar. A second, William Taylor, quite a boy, was kept without food from Wednesday night till Friday morning; a third, named William Barnes, 11 years old, accidentally rang his bell, and was put into the collar for this offence; a fourth, Thomas Lloyd, 10 years of age, for rapping on the wall, was sentenced to three days in the collar, three days with bread and water, and 14 days without bed and gas; a fifth, Isaac Gittings, 11 years, for writing on his tin can, had three days in the jacket, three days' bread and water, three days' deprivation of chapel, three days no dinner, and 14 days without bed and gas; for a still more trivial offence three days' more bread and water. When we commenced these analyses of the evidence we intended to have given an epitome of every case. But they have gone beyond all handling, and the task would be as wearisome as it is unnecessary. The specimens we have given are more than sufficient to show the nature of the discipline.

With that portion of the evidence relating to the dismissal of Captain Macconochie, and the causes which led to it, we shall not at present interfere. From his statements, which, until the justices be heard, is to be received as *ex parte*, it would appear that one or more of the magistrates allowed themselves to be influenced by Mr. Austin while he was deputy-governor; that Captain Macconochie was overruled in his suggestions and arrangements; that he was not consulted upon subjects properly coming within his province; that his deputy was taken by the chairman of the visiting justices on an expedition to Leicester to examine the mode of discipline therein; and that his family were subjected to a series of indignities perfectly inaudible. It must at the same time be stated that the discipline pursued by Captain Macconochie, and some of the punishments, were illegal, though he had an impression that as his views were well known they were sanctioned both by the Home-office and the magistrates. These departures from the prison rules Mr. Austin assents were followed by him, and at the time he was not aware that they were illegal. The evidence wholly failed to show that the system of Captain Macconochie was equally cruel with that subsequently adopted. Mr. Austin, indeed, swore that men were strapped to the wall by order of Captain Macconochie; but not only was his statement wholly unsupported, but he was specially made to confess that he had spoken an untruth when he asserted that such proceedings were known to and sanctioned by the captain. In this respect the character of the late governor is completely vindicated from any participation in the odium that attaches to these scandalous exposures.

With respect to the general question of the discipline, it is proved, by the evidence of Mr. Sherwin and the admissions of Mr. Blount, that the returns made to the Home-office were falsified. This is especially the case in respect to the suicides and attempts at suicide. Where a man, as in the case of Cartwright, was driven to desperation by hunger and fear of punishment, he is reported to be suffering from the pangs of conscience; when bullied and threatened with an intensity of punishment that would make a man's life "a second hell," and suicide is again resorted to, the man is "strange, not insane," and of course it is an "attempt at imposition." The falsifications become more glaring in the case of the deaths. Entry after entry is made that such and such a person died in the infirmary, while the poor wretch was left to drag out his existence in his cell, without a bed to rest his weary frame upon, but sore and cramped in a hammock. The infirmary, indeed, seems to have been nearly unused, the prisoners generally dying in their cells, and the returns falsified to gloss over this departure from a duty, not only required by law, but surely demanded by every consideration of humanity. Then, insane prisoners were left alone in their cells, supposing they were not strapped up and set out of mischief, to do as they pleased with themselves, and so far was this system of carelessness carried that prisoners have been known to die in their cells without a creature beside them to receive their last breath, and soften the intensity of the last sad sigh that carried their souls to God.

So much for the surgeon's share in this sad business, and it need not be pointed out that for these things, falsifications included, the governor is responsible, and was no doubt a consenting party. In addition to the instances of severe punishment at which he assisted, and which had his sanction, it appears that he was in the habit of ordering punishments without examining into the offences with which prisoners were charged, but, sitting in state, with the report of the wardens before him, he issues orders to strap, fainch, or otherwise hand over to the wardens for punishment, without giving himself the trouble to inquire whether the representation was correct, or if there might not be extenuating circumstances to soften the rigour of his decrees. There seems also to be no doubt about the fact that he sometimes, if not habitually, threatened the prisoners with some refinement of unheard of punishment, and these practices, as Mr. Sherwin remarks, threw an atmosphere of austere gloom continually over the prison, produced by the constant habit of prisoners being addressed in a tone of threatening. Even the best disposed prisoners were continually told how they would be punished if they happened to misbehave. Like master like man. Swearing was a common accomplishment of the officers, and Mr. Sherwin took the unpardonable liberty of preaching against the vice; he got into bad odour with the officers, and even one of the justices considered that he had exceeded his duty in preaching against swearing without asking the permission of the governor! Certainly a new view of a clergyman's duty. Of course the chaplain had received the governor's permission to call him "a miserable sinner," according to the Litany, and to read the decalogue without omitting the third commandment.

The inquiry on Saturday referred chiefly to the discipline enforced in the prison for women, and in which it appears that the strait-jacket, handcuffs, and cranks were used by the orders of the governor.

The visiting justices will be examined on Monday, and this will close the inquiry.

Birmingham Borough Gaol.

The Times (London, England), Monday, Sep 12, 1853; pg. 9; Issue 21531. (2829 words)

Category: News

© Times Newspapers Limited

Gale Document Number:CS151947564