

LET THE PUNISHMENT FIT THE CRIME

by Celia and Martin Cartwright

We tend to think of the Victorians' treatment of convicted offenders as unremittingly draconian. The ruling classes had gained their power through the ownership of property and consequently crimes involving property tended to be punished even more harshly than crimes against the person.

Two larceny cases have recently come to light at The National Archives involving two local workhouses, the first in Ruislip and the second in Uxbridge, where convicted prisoners were treated quite differently. The latter showing that sometimes at least those responsible for the offences might be treated with compassion.

On the 12 May 1831 at the Old Bailey, Uxbridge shoe maker Henry Bradfield was tried before Mr Justice Bosanquet and convicted of burglary. He had been indicted for feloniously breaking and entering the dwelling house of one Martin Webber and stealing his property, namely 6lbs of cheese of value 3 shillings and three loaves of bread of value 2s 3d. Martin Webber was the governor of the Ruislip Workhouse.

It was fairly common practice at this time for the churchwardens and overseers of the Poor to outsource the running of local workhouses. The churchwardens of St Martin's Ruislip, Mark Clayton and Edward Long, and overseers Daniel Matheson and Joseph Lawrence had entered into an agreement on the 7 October 1829¹ with Mr Webber, a yeoman from West Ham in Essex, for the management of the workhouse and the care of the inmates. The contract had been renewed in March 1830.

Webber would live rent free and have the benefits of the garden and the land of the poorhouse and the work of the paupers. In turn he was to provide the inmates with four hot dinners of good butcher's meat each

week, together with plenty of vegetables and broth only on the day it was made. For each of the inmates, there were around forty at this time, Webber was allowed 3s 9d to buy provisions, which puts the loss of the cheese and bread into perspective.

The trial of Henry Bradfield, which is documented in the Proceedings of the Old Bailey², describes how Webber had locked eleven fresh loaves in the pantry on the night of the 9 April but came down next morning to find evidence of a break-in. Three loaves and a piece of cheese weighing about 6lbs had gone. Bradfield, aged 27, was described as 5ft 5ins tall, stout with dark hair.³

Labourers Daniel Collins, John Weatherley and George Aires, who came forward as witnesses, described how they had been sold bits of the cheese and bread. Then Edward Sceeny the local Constable went with the prosecutor and found the cheese in the bar of what used to be the 'Bell' and was 'now a beer house without a sign'. Webber said he could identify the cheese because he had put his name on it.

Henry Bradfield admitted his guilt but said he was driven to theft by starvation, and that he had refrained from stealing the ham and bacon which were also in the pantry. He threw himself on the mercy of the jury and hoped they 'will pity a man who has been driven to this'. Despite his pleas, Bradfield was convicted and Mr Justice Bosanquet duly sentenced him to death.

However, such capital cases were routinely reported to the King in Council, at this time William IV. These reports can be studied at The National Archives⁴. In the May session, recorded on the 29 June 1831, Bradfield had his death sentence commuted to six months imprisonment with hard labour in the notorious Middlesex House of Correction at Coldbathfields (Fig 1).

*List of Capital Convicts to be Reported
to His Majesty in Council the 29th
day of June 1831.*

May Session

<i>Name</i>	<i>Crime</i>	<i>Substance of Petition</i>	<i>By whom recommended</i>
<i>Henry Bradfield</i> <i>House of Correction for six months - to be kept to have labour</i>	<i>Roads Breaking</i>		

Fig 1.

Abstract from Judges' & Recorders' Returns May Session, 1831

Bradfield was fortunate, for although unlikely to lead to his actually being hanged, his conviction could easily have resulted in transportation.

Contrast Bradfield's case with that of Samuel Weedon who, in March 1838, was committed by the Uxbridge Magistrate Sir William Saltonstall Wiseman to Coldbathfields for three months after he had absconded from the workhouse with stolen clothing belonging to the Uxbridge Poor Law Union. This had formally come into existence on the 20 June 1836, covering ten constituent parishes, including Ruislip. The Uxbridge Union workhouse opened in December 1837.

The Home Office Criminal Petitions Series 1 (HO17) at The National Archives, which contains thousands of petitions from convicts and their supporters begging for mercy, includes a letter about this case sent by Messrs Riches and Woodbridge⁵, clerks to the Uxbridge Magistrates, on behalf of Sir William asking for Samuel Weedon to be discharged.

The letter made clear that Sir William felt three months was too long a sentence in proportion to the 'peculiar circumstances' of the crime.

Sir William Saltonstall Wiseman was also one of the guardians of the Uxbridge Union and was thus in a good position to understand the background to Samuel Weedon's case. Entries in the minutes of the weekly meetings of the guardians of the Uxbridge Union⁶ may shed light on what the 'peculiar circumstances' referred to in his letter might have been.

It is here on the 23 March 1838 that we find that it was resolved that S. Weedon, an inmate of the Workhouse be allowed to have her infant all night and as often as necessary in the day time. Was this S. Weedon the wife of Samuel? Had their infant been born in the workhouse and been separated from its mother in line with the usual practice whereby the inmates were segregated into men, women and children?

Perhaps Samuel Weedon ran away in desperation at not being able to provide for his family. Whatever the reason, he had absconded in the only clothes available. On admission to the workhouse, paupers were undressed, washed and then made to wear workhouse clothes, often a coarse blue uniform which would identify them if they absconded. Their own clothes were taken away, fumigated and labelled, only to be returned when the owners were authorised to leave.

Samuel Weedon's punishment was remitted on the 1 May 1838. A further entry in the guardians' minutes on the 4 May records that a letter from Lord John Russell, Home Secretary, relative to the discharge of Samuel Weedon from the Coldbathfields House of Correction had been read out. By this time Weedon had, of course, served two months of the three months' sentence, but at least the efforts made on his behalf do demonstrate that the approach of the authorities could occasionally be softened.

By the time of the 1841 census, there is no longer any reference to the Weedons in the list of inmates at the Uxbridge Union

workhouse. Until further details come to light, this is the last we hear of this family.

While legislation to consolidate the administration of poor relief from parish level to Unions covering much larger districts was clearly designed to cut costs, we read in the first Annual Report of the Uxbridge Union, dated the 22 March 1839 and signed by Sir William Wiseman, that the guardians had not lost sight of the need to cater to the individual as far as possible, and to do so with compassion and humanity.

*'The Guardians have no hesitation in confidently declaring that the practical working of the new law in it has been eminently successful. The Poor have been much better attended to, and their wants more judiciously relieved, than under the old system: attempts at imposition have been more effectually defeated and more provident habits formed; whilst, in many instances, individuals who would have formerly thrown themselves upon the parish fund have, unwilling to submit to the restraints of the House, contrived to find work. All who have been admitted into the workhouse have been treated with the greatest kindness, have had every attention, and every reasonable indulgence granted.'*⁷

References

- ¹ DRO 19/C1/6 (London Metropolitan Archives)
- ² Old Bailey ref; t18310512 - 6 (www.oldbaileyonline.org.)
- ³ PCOM 2/201 Newgate Prisoners Registers: 1830 July - 1832 April (The National Archives)
- ⁴ HO6/16 Judges' and Recorders' Returns 1831 (TNA)
- ⁵ HO17/75/NY22 Samuel Weedon (TNA)
- ⁶ BG/U/001 Uxbridge Board of Guardians' Minutes (LMA)
- ⁷ MH 12/7876 (TNA)