

VARIOUS

A black and white photograph of a stone archway with a barred window. The archway is made of dark, textured stone blocks. The window is arched and has a metal grille with vertical bars. The background behind the window is bright white, creating a strong contrast with the dark stone.

***SIX YEARS
IN THE PRISONS
OF ENGLAND***

Various

Six Years in the Prisons of England

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SIX YEARS IN THE PRISONS OF ENGLAND.

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CHAPTER I.

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MY COMMERCIAL ANTECEDENTS—HOW I GOT INTO PRISON.

In the beginning of the year 1856 I commenced business on my own account, as a merchant in a Northern City. Previous to that time I had been engaged in an unsuccessful partnership, but I paid my creditors in full with the small capital advanced to me by my friends for the purpose of my new adventure. When I began operations, therefore, I was literally without a shilling in the world, but I had a spotless character, enjoyed good credit, and possessed a thorough knowledge of my business; advantages which I easily persuaded myself would enable me to succeed without the actual possession of capital.—My business connections were scattered over various parts of the world, and generally ranked among the very best class of foreign merchants. I usually received orders by letter, sometimes I gave open credits to houses whose orders I could not otherwise secure, but frequently I had remittances long before the merchandise could arrive at its destination. The trade was one of confidence, requiring both character and position for its development, and had I been prudent enough to confine myself strictly to this branch of the business, I would now, without doubt, have been a wealthy and successful

merchant. At the end of my first year's operations my ledger showed a satisfactory balance to my credit. The year 1857 opened auspiciously, and I continued to prosper almost to the end of it, when a storm swept over the commercial world, which involved hundreds of firms in bankruptcy and ruin.

From the nature of my business it was scarcely possible I could escape, and although I succeeded in avoiding bad debts, I incurred indirect losses to a very considerable amount. In May, 1858, I paid a visit to the Continent, in order to ascertain on the spot how my connections there had weathered the recent storm. This visit resulted in a large increase of legitimate business, and up to this point I had taken no false step. Shortly afterwards, however, I was induced to embark in two different and distinct branches of trade, which led to my ruin. The first was the manufacture of novelties, which, after a large expenditure, I was obliged to relinquish, in consequence of my not having sufficient capital to make it profitable. The second was a mercantile business, managed by an agent resident on the Continent. This agent was without means, and, as I afterwards found, without the abilities necessary for the position. He had not long commenced operations when a war broke out in Lombardy, which furnished his customers with an excuse for rejecting the goods they had ordered before prices began to recede. The consequence was that I had thousands of pounds' worth of goods thrown upon my hands abroad, which resulted in large direct and still larger indirect losses. It was at this juncture that I ought to have stopped payment, but, being of a sanguine disposition, and my regular business continuing to prosper, I hoped the successes in the one branch would balance the losses in the other, and I resolved to struggle on. I paid a second visit to the Continent about this time, which resulted in the formation of a partnership with my agent, the business to

be carried on in his name. The new firm was debited with all the stock on hand at cost prices, and in all future business the profits were to be divided. I thought, by giving my friend an interest in this branch of my business, that I would lessen my losses on rejected stock and facilitate my escape from impending bankruptcy. I arranged to draw bills on the firm at three months' date, payable abroad, for such amounts as my partner could see his way to meet at maturity. I also had a private arrangement with my partner for obtaining what I called accommodation bills. These were in the form of promissory notes, issued in my favour, and payable in London by myself; they were not to enter into the books of the firm, and I was to be entirely responsible for them. I may here also explain that the partnership between me and my agent was not known, except to the customers of the firm abroad and to my own clerks at home. Thus, under the pressure of large obligations I was not at the moment in a position to meet, joined to an extreme horror of the very idea of bankruptcy, involving as it did the loss of a lucrative and steadily-increasing branch of my regular business; I resorted to an expedient to preserve my character and position which I afterwards found the laws of my country declared to be a serious crime, to be expiated only by the complete and utter ruin of both.

During all this time my private and social relations were without reproach; neither was I without opportunity, gladly embraced, of doing good service to the trade with which I was connected, and also to my country. In the year 1860 I was chosen a director of the Chamber of Commerce in the city where my business was chiefly transacted. In connection with the international treaty between Great Britain and France, I was selected by my co-directors to classify and place average permanent values on the manufactures of the district, in order to regulate their admission under that treaty with France. I performed the

task to the entire satisfaction of the Chamber, and was afterwards sent to Paris as one of a deputation appointed for the purpose of giving Mr. Cobden the most efficient aid towards the completion of his glorious, and happily successful, project. Owing to the very strong protectionist feeling on the part of the French manufacturers, great difficulties were encountered; but, after the deputation had made two visits to Paris, they were finally overcome. It was universally acknowledged that if it had not been for the presence of practical men in Paris on that occasion, the treaty would have been completely inoperative, so far as concerned the important manufactures which I as one of the deputation represented. For my share in these transactions I received the thanks of the Lords of the Committee of Privy Council for Trade, also the commemorative medal from the French Government, with accompanying letter,^[1] acknowledging my services, from M. Rouher, then Minister of Commerce and Agriculture at Paris.

During my second visit to Paris, in 1860, on public duty, I formed the resolution of breaking off my connection with the partner previously referred to, and of starting a business in Paris. I entered into negotiations with a gentleman highly recommended to me with a view to partnership, and received from my father the promise of cash to assist me in my new undertaking. Once fairly clear of the losing branch of my business I hoped very speedily to make up my previous losses, and the spring of 1861 was fixed upon for the opening of my Paris establishment. But my hopes were not destined to be realised. On looking into my affairs at the close of the year, I found, notwithstanding the satisfactory character and position of the legitimate branch of my business, and notwithstanding that my private expenditure did not amount to a tenth part of the profits on that branch, I had otherwise become almost hopelessly involved, and I accordingly resolved to stop payment. With this view, I

disclosed to my principal creditor my position and intentions. Taking the manager of the firm into my confidence, I informed him of the assistance I expected to receive from my father, and the hopes I entertained of the results of my Paris business when once in operation. The consequence was that the firm offered to forego 1000/. of their claim against me, and to give me occasional assistance in cash to meet any other engagements if I would continue to carry on my business. At this time I owed them about 10,000/., covered to a considerable extent by the accommodation bills I have already referred to; I must, however, explain that the character of these bills was known to the manager of the firm, and any banker or discounteer could have readily satisfied himself as to their value by simply writing to the house in London where they were domiciled.

There were many considerations urging me to accept the offer now made to me. The present of 1000/., the probable success of my Paris business, the approach of my money making season, joined to my horror of bankruptcy, all combined to induce me to alter my resolution to stop payment, and to inspire me with the hope that I would yet be able to retrieve my position and retain my good name. In a fatal hour I yielded to the temptation and closed with the proposals made to me, with the additional obligation that I was to pay off the 10,000/. due to the firm I have mentioned during the approaching season, and to give them good bills in exchange for the accommodation paper held by them. No sooner was this arrangement completed than I set about preparations for opening my Paris house. I refused to send any more goods to my old partner, and ordered him to wind up the business by the following May. I moreover resolved to having nothing more to do with accommodation bills, tore out all the leaves in my private letter book referring to these documents—a very fatal error, as I afterwards found—and

exerted myself to pay off the claims of those of my creditors who knew my position. So well did I succeed, that by the end of April I had reduced the 10,000/. claim to rather less than 5000/., or rather to 4000/., taking into account the 1000/. conceded by the firm previously mentioned. But before this I had begun to suspect that my friends did not mean to adhere to the arrangement I had entered into with them, one part of which was, that they were to retire and return me the accommodation bills, on getting good paper in their place. I had at this time placed good bills in their hands to the extent of 3500/., but they refused to give up those they were intended to replace until they arrived at maturity.

I began to fear that they would now compel me to stop payment just when they supposed I should be in possession of fresh funds for my Paris partnership, and at a time when (with the bills in their possession, which ought, according to agreement, to have been in mine) they could rank on my estate for about 7000/., when with less than 4000/. I could have settled the account. This, by the way, is what they ultimately did, and had my estate yielded the respectable dividend they expected, instead of losing even the 1000/. they promised to concede to me, they would have been gainers to that amount by the operation.

My transactions with this firm were in the position I have described when I started for the Continent with the view of opening my Paris business, and of winding up my previous unlucky partnership. This was the most successful journey I ever made. I visited Bremen, Hamburg, the interior of Germany, crossed through Switzerland to Lyons, where I appointed to meet my French traveller; visited with him all the large towns in France, and with my pocket-book full of valuable orders I found myself in London in less than four weeks from the time I left home. I arrived in London on a

Wednesday, and telegraphed to the firm to which I have referred that I would call on them personally on the following Friday morning, to settle their claim and receive the bills they ought to have returned before. * * * On the Thursday evening, as I was preparing to leave the hotel for the railway station, I was suddenly and most unexpectedly arrested, and have not yet reached the spot I once loved to call my Home.

CHAPTER II.

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MY FEELINGS ON FIRST ENTERING PRISON— TREATMENT AND EMPLOYMENT BEFORE TRIAL—MY TRIAL AND SENTENCE.

It is impossible to give the faintest idea of my state of mind on finding myself a prisoner. The circumstances of my arrest, while in the midst of my arrangements for a long night journey to Scotland, flushed with success beyond my most sanguine anticipations, and impatient to accomplish my freedom from a burden which had long oppressed me, and which had latterly threatened to utterly bear me down, gave an overwhelming force and severity to the shock. Indeed, the sudden and undreamt of change in my destination, the sharp and complete extinction of all my hopes and plans, stunned me for the time, and I felt it must be a hideous dream. I refused to credit the evidence of my senses: the detective's touch, which still burnt upon my arm; the words of arrest, which still rang in my ears; his actual presence by my side—were but "false creations of the mind." I continued to think, as I walked along in that strange company, that I must still be on my way to the railway station; that I saw the glare of the lights, and mingled in the bustle of the platform, when the dark outline of a London lock-up met my bewildered eyes. We entered its grim and

silent gates, the cell door was closed behind me, the lock was turned, and I and the reality were left alone. About that dark cheerless cell, its cold bare walls, its grated windows, its massive door, there was to me an awful certainty.

In an access of astonishment and grief I threw myself on the solitary bench, for they had not sought to mock my misery with the presence of a bed, and as thoughts of my wife and friends came upon me, I covered my face with my hands and wept. How long that flood of hot and bitter tears continued I know not, but they partially relieved my almost bursting head. I arose, and in the darkness paced my prison floor. Even in these terrible hours hope did not utterly forsake me. The swift revolution of Fortune's wheel had indeed left me crushed and mangled in its track, but I was not actually ground to powder. As I became more familiar with the reality of my situation, I began to take a calmer and more hopeful view of the future. As morning dawned, I had almost persuaded myself that I had only to see the manager of the firm who held the bills, for uttering which I had been arrested, and make certain explanations and proposals, to regain my liberty. With impatience, therefore, I awaited the hour, which I knew must come, when I would be removed from London to Scotland; and when, at last, the detective who was to accompany me opened my cell door, I almost welcomed him as a friend. We booked at Euston Square Station for the place which I intended to have gone to, under such widely different circumstances, the previous evening. My guardian performed his duty during this long and painful journey with kindness and consideration, and did not propose to put handcuffs upon me.

Arrived at our destination, I was marched through the police and sheriffs office to the common prison, and, to my utter astonishment and dismay, was prohibited for nine or ten days to have any communication with my friends. The

single ray of hope which had sustained me on my weary journey, and illumined my darkest hour, was thus pitilessly excluded, and for the first time since my arrest I began to realise my true position. When I learnt that my arrest and incarceration in jail was noticed in all the newspapers, I felt that I was utterly and hopelessly ruined. No language could describe the anguish I endured as I thought of my wife and my friends, of the disgrace and humiliation which I had brought upon them, and of the separation, worse than death itself, which was in store for us. Yet, strange as it may appear, amid all the mental torture I then and afterwards endured, I also experienced a certain sense of relief in my mind from considerations which would scarcely be expected to operate on one in my situation. Those only who have been in difficulties in business, who have borne the ceaseless strain on body and mind which the burden of obligations, each day rushing forward with ever increasing velocity for liquidation, entails upon those who are honestly striving to stem the ebbing tide of fortune, can fully understand how relieved I felt at the thought that I had no longer any bills to pay. Then a strong sense of indignation towards my prosecutors mingled with the wild and bitter current of my thoughts, and prevented me from being overpowered and destroyed. It was now but too clear to me that I was the victim of a premeditated and heartless scheme, the successful issue of which was to protect my creditors from loss indeed, but to involve me in utter ruin.

I saw, with feelings I cannot and dare not utter, and which I now confess it was sinful in me to cherish, that they had lured me on to the centre of a great sea of ice; that they had, when their opportunity came, broken it around me, and left me alone and helpless to struggle against inevitable doom. Three of the six long weary months during which I waited for trial were thus passed in a state of agony bordering on the madness of despair. The hours seemed

magnified into days, and the weeks into years; and, as they dragged their slow length along, my mental anguish received a new and terrible ally. Although I was as yet in the eye of the law an innocent man, the miserable allowance of oatmeal which constituted my chief food, and which was in all respects inferior to the penal diet of the worst-behaved convict I ever met with in the English prisons, became loathsome to me, and the pangs of hunger were added to the mental torture I had till then alone endured. My cup of misery was surely filled to the brim!

With the recollection of what I suffered then, burnt, as it were, with a hot iron on my memory, I thank Almighty God that no fiend was ever permitted, even in my worst and weakest hour, to whisper suicide to my ear; but I now can understand how some have listened to the fell deceiver, and welcomed him, as friend and deliverer, to their arms. Fortunately for me, my early training and subsequent mode of life preserved me from any thought of this fatal solution to the problem of my life. I read my bible almost constantly, although my reading seemed only to add to the bitterness of my regrets and self-reproaches. These questions would constantly suggest themselves to me: "Could I ever have been a Christian?" and "What will the enemies of Christianity think and say about my fall?" Until one day about noon, as I was gazing through the window of my lonely cell, I saw, or fancied I saw, a solitary star, and my thoughts were gradually lifted from the cross of suffering to the throne of Mercy, and (let philosophers and theologians explain it as they may) instantaneous peace of mind followed the sight, or fancied sight, of that noon-tide star! The load was removed which threatened to crush my brain into lunacy, the "salt surf waves of bitterness" were stilled, and within me there was peace.

The preparations for my approaching trial now occupied the principal share of my attention. I had already consulted a solicitor, and without telling him the whole of my case, I learned from him that I could not be tried at all if the Continental witnesses refused to come to Scotland. So advised, I began to flatter myself with the belief that my case would ultimately be abandoned for lack of evidence. I certainly wished that my late partner would come over and testify to my partnership with him, which would have cleared my name from dishonour so far as related to the bills with which we were jointly concerned; but, knowing there were other bills of a similar character of which he knew nothing, I thought it would be useless to attempt to clear myself on one set of bills when I was unable to do so on them all, and I consented to my friend being instructed by my solicitor to remain at home. As, of course, it was of the last importance to me that the witnesses in connection with the other set of bills should also be absent, my solicitor wrote to them to the same effect. I will here explain the reasons which induced me at this crisis to adopt a course which many of my readers, no doubt, will regard as an attempt to defeat the ends of justice. I did not for a moment desire to justify myself with regard to the bills in question. To utter bills of exchange for which no real value has been given is not justifiable, however common it may be, and to tender such bills in exchange for merchandise, and dishonour them at maturity, is flagrant dishonesty. Whatever may have been the amount of my guilt, of the intention to defraud any man I was as innocent as an unborn child. If I had had any such intention, the Bankruptcy Court would have been the safe and easy way to gratify it. Neither in these transactions did I ever suppose that I was offending the statute law of the country, since by the exercise of the same caution which enabled, and still enables, other men to tread very closely upon, but never to overstep, the limits of legality, I too might have kept myself

secure from criminal prosecution. I considered myself justified, therefore, in availing myself of such means as were in my power to evade the operation of laws I had never consciously violated. But in all this I may have been, and probably was, in error; I have no wish to extenuate or explain away any fault or crime of which I may have been guilty; I choose, rather, the language of penitence and confession; and although I may never perhaps be forgiven by society, I shall cherish the hope of being more mercifully dealt with by Him who said, with reference to a greater sin than mine, "Go, and sin no more."

Thus the days and weeks passed away, while I still hoped and believed that no one would appear to witness against me. The prison diet now, however, began to tell seriously upon me.

In England and America I believe a prisoner is allowed to maintain himself, under certain restrictions, whilst he is waiting for trial; but in Scotland he is compelled to subsist on a diet which is considered the main ingredient in the punishment of the very lowest class of offenders whose sentences do not exceed a few months' imprisonment. The sense of punishment involved in this treatment—which would kill me now—was to some extent forgotten in the greater mental suffering I then endured, but the pangs of hunger and painful dreams about food frequently compelled me to think of my health. On making a complaint to the medical officer of the prison, he told me that as I was in good health he could only give me the choice of coffee and a slice of bread in lieu of the oatmeal breakfast; but on seeing the small quantity of bread I was to be allowed, compared with the bulk of the oatmeal porridge, I decided on not changing for the worse. I did not wish to be treated differently from other prisoners, and therefore did not appeal to any higher authority. Indeed, I then imagined that

as I was stronger and heartier than the majority of my miserable companions, I could subsist upon a meagre diet as well, if not better, than they. I now know from experience that I was wrong in this opinion, and that the man of strong digestion, accustomed to a generous diet, is likely to sustain more injury to his health by a sudden change to a very low scale of dietary, than those of weak digestion who have not been accustomed to any other. The only concession made to me was a slight addition to the time for exercise in the open-air cribs provided for that purpose. My legs, accustomed to much exertion, began to get stiff, and after I had been incarcerated for four or five months, one of my ankles occasionally pained me. The day fixed for my trial at last drew nigh, and so confident had I become that I should be liberated without a trial, that I had my clothes packed and ready to take abroad with me. I intended to leave the country for ever, and seek a new home in a distant land, where the prejudices of friends and society would not debar me from all the channels of honour and usefulness. I was removed a few days previous to the date fixed for my trial to the prison in the city where it was appointed to take place, and I then had my first experience of handcuffs.

At length the eventful morning arrived that I was led to believe would set me free. I entered the court with a beating heart, and was placed in the dock between two policemen. I felt ashamed to lift my head or to look around me, but I had seen as I entered that the space open to the public was crowded with the better class of citizens. The judges, of whom there were three, soon appeared and took their seats upon the bench, and began conversing with each other upon my indictment. One of them was overheard saying, "It would be a very difficult case to prove." Meanwhile some consultation was taking place amongst the legal gentlemen in front of me, when my agent and counsel came and, for the first time, informed me that my trial might take place

without the continental witnesses, and that supposing I was acquitted I could be tried again on two of the bills; that already there was a warrant out against me, and I should be arrested a second time on leaving the dock! The crown was willing, however, they said, to accept a limited plea of guilt; that I would be sentenced to only a few months' imprisonment, not longer perhaps than I would have to endure in suspense, waiting a second and perhaps a third trial, and that it would be better for me to tender the plea of guilt the crown was willing to accept!

This advice, so unexpected and so different from what I had formerly received, given at the very last moment, had the effect of entirely unhinging my mind, and for the moment I seemed paralysed.

Of this I was conscious, however, that the continuance of suspense, that most painful of all suffering, combined with the compulsory oatmeal treatment of remanded Scottish prisoners, would kill me; still I could not bring myself to utter the words placed in my hands for that purpose; I waited, and hesitated, and wondered where the jury were, and why they were giving me so long to consider before going on with the business of the court. Time seemed to have been given me on purpose to confuse my mind, for the longer I pondered the more bewildered I became. At last, like a child who does almost mechanically as his parents bid it, I read from a paper these words: "I plead guilty to uttering two bills of exchange, knowing them to be fictitious." The judge in the centre asked the counsel for the crown if he accepted the plea, and on getting an answer in the affirmative, he whispered a second or two with his brother judge, whose son I believe prepared the case against me, and then pronounced sentence of penal servitude for a term of years that then seemed eternity to me. I was removed from the court to the prison, stripped of my clothes, clad in the garb

of the convict, and turned into a cell, there to writhe in tearless agony, and to indulge in bitter and unavailing regrets.