

## **Treatment of debtors in the city goal.**

**Lancaster Gazette 2 March 1861**

Report of Sir John Kincaid.

A meeting of the Visiting Justices of the Manchester City Goal was held on Monday morning when the report made to the Home Secretary by Sir John Kincaid, inspector of prisons, as to the result of his investigations at the City Goal, into the complaints made by debtors confined there, was read. In the letter from the Home Office enclosing the report, there was a request that the Visiting Justices would favour Sir G.C. Lewis with any observations which they might have to offer upon the document. The following is Sir John Kincaid's report:-

Home Office, 30<sup>th</sup> January 1861

Sir, - I beg to acquaint you that, on the 22 inst., I went to Manchester to inquire into the truth of some complaints that has appeared in the different newspapers regarding the treatment of debtors in the goal of that city.

Charles Patrick Esq, sub-inspector of factories, having met me by appointment, I, with his assistance, commenced the investigation as soon as I arrived.

As we could only examine a few of the debtors on that afternoon, I instructed the Governor to keep them apart from the others I had not seen, in order that I might the better be able to judge the truth of their statements.

On the 23<sup>rd</sup>, I completed the examination of the remaining debtors, and on the morning of the 24<sup>th</sup>, I inspected every part of the prison and saw every prisoner.

The City Goal of Manchester may be considered one of the best in the kingdom as a prison for criminals, but it is very defective in its debtors' department.

The debtors committed from the Court of Record and those from the County Court, being totally distinct classes of debtors, ought to be provided for separately; but they occupy in common one day room and one dormitory – the former imperfectly supplied with the necessary requirements, the latter too much crowded with beds, whereas they should have separate sleeping cells.

The debtors cannot be compelled to work, and few of them do so from choice. Every game, except quoits, is prohibited by the rules of the prison, and there is not a regular library for the use of the prison generally.

If a debtor commits a prison offence, he is necessarily removed to a cell on the criminal side, which is contrary to rule, for the punishment as well as the reception cells for debtors ought to be within the precincts of that department. It is not correct, however, representing the criminal cells as well as the chapel to be cold; for that complaint refers to a period when intense frost visited most gentlemen's houses with frozen pipes, and it was scarcely reasonable to expect

that a prison should escape the same inconvenience; but at other times the cells as well as the chapel are warm and well ventilated.

Every person who is committed to prison, whether through misfortune or otherwise, must make up his mind to undergo certain annoyances; and complaint that the debtors are seen by the criminals when entering the chapel, is one of these annoyances, as sitting in the dark in a reception cell until the gas is lighted may be another. But, without putting the community to great expense in altering the chapel, those who wish to avoid being seen during their passage of a few yards between the door and their seats might have the option of wearing a mask.

The storm of indignation raised against Captain Lane, personally, in the city of Manchester, appears to have been the result of a too-ready credence given to the published *ex-parte* statements of the debtors, without considering what might be adduced on the other side; for it will be seen that what with the absence of proper prison accommodation for debtors, and the necessity of his carrying out rules laid down for his guidance, and the other causes over which the Governor has no control, I have not been able to discover, in the course of my investigation, that he has exceeded in any case the duties which, as governor of the prison, he was bound to see carried out. By referring to the evidence of the debtors, and to that given by the warders, and to the circumstances which I have now stated respecting the causes of complaint, which cannot attach to the Governor personally, it will be seen that the opinion I have just given is amply borne out. The most prominent of complaints is perhaps the case which occurred on the morning of Sunday the 6<sup>th</sup> instant, in which four of them were sentenced to punishment for not being out of bed at the proper time.

The debtors to a man maintain that they were all in bed except one, and that the whole ought to have been reported instead of the four; while the warder, on finding them in bed contrary to his expectation, ordered them to get up. He went out, and on his return, having given them time to dress, he found that the four he reported were the only ones still in bed.

It appears that a bell on this floor is the understood signal by which they ought to rise; but the debtors deny that they always heard it, although the Governor says that it may be heard distinctly in the directors' room at all times, and still more distinctly when all was still in the morning. I am of the opinion that it is not sufficiently near for the purpose; for my experience in soldering has shown me that there are many men who are not readily awakened, however willing they may be.

Having endeavoured to weigh the conflicting evidence of the debtors and of the warder on this part of their complaint, I am bound to state that there is so much truthfulness on both sides, that I cannot express an opinion upon the facts in dispute between them.

It is difficult to understand how appearing before the Governor should inspire such dread in the minds of the debtors; for Captain Lane is quiet and

gentlemanlike in his appearance and demeanour; and the evidence of the warders goes to show that on all occasions he listens patiently to every statement the debtors wish to make.

When I inspected the criminal side, containing about 500 criminals, every one of whom I saw, and whom I invited to make complaint, I received only two – one from a prisoner under restraint for an assault upon the Governor, and the other was of too excitable a temperament to be understood or reasoned with. With such a total absence of complaint among the hundreds of prisoners now in confinement, it is not easy to comprehend why such dread should exist in the some half dozen debtors now in the prison; for, out of fourteen debtors, six stated that they had no complaint to make against the Governor, the alleged severity of whom is also refuted by the following statement of the number of debtors reported during the year 1860:-

	From the Court of Record	From County Courts
Total number of debtors	41	318
Offences reported	8	8
Punished	4	0
Cautioned	3	2
Dismissed	1	1

If, instead of imagining that they had only escaped punishment by their own caution, they had trusted to his forbearance, their complaints would have carried more weight after having put him to the proof, whereas they are now unsupported by other circumstances and refuted by the warders.

The rules for the guidance of prisons require all debtors to attend divine service, from which they can only be excused by reason of illness or other reason satisfactory to the Governor; and there is no evidence whatever that he has abused his authority.

Some of the debtors have complained of being required to hold their hands by their sides when in the Governor's office; but the evidence of one of the warders proves that it was found to be a necessary precaution, for a prisoner attempted to draw a knife secreted in his sleeve by holding his hands behind him; but it would appear that the Governor only enforces that order when a debtor forgets himself and leans familiarly over his table and official papers.

There are some annoyances to which some of the debtors complain that they have been subjected needlessly; but a perusal of the evidence of the officers of the prison will show that every reasonable indulgence, consistent with the rules of the prison, has been granted to them; and it appears to me, that the conduct of the officers in the discharge of their duties has been quite satisfactory.

While engaged in the investigation of the complaint of the debtors, I had the honour to receive your letter of the 22<sup>nd</sup> instant, enclosing a communication you had received from the Visiting Justices, reporting the reply in detail of Captain

Lane and various officers of the goal to these complaints. It is due to the Visiting Justices to remark, that they lost no time, after the publication of the debtors' complaints, in courting a full investigation by some person appointed by the Secretary of State, rather than being a party to it themselves; and on the morning of my arrival I was waited on by the chairman, Mr Alderman Field; by the Stipendiary Magistrate, Mr Ellison; and by the Clerk of the Visiting Justices, M Higson; for the purpose of offering me every information and assistance I might require at the same time leaving the investigation entirely within my hands, without the presence of a single individual connected with the prison.

I may further add that, upon examining the minute book of the Visiting Justices, I found that there had been a full attendance of them all at the monthly meetings; and the extracts from their minutes, since February 1856, which I annex, in appendix No 5, show that every memorial or complaint addressed to them by the debtors has been amply considered.

The letter from the Visiting Justices, sent me in your letter of the 22<sup>nd</sup> inst. contained Captain Lane's reply to the allegations which had appeared against him in the newspapers, which is returned herewith. My remarks have been confined to the subject of the evidence which I received from the debtors themselves; and since my report was written, I have received the documents specified in appendix No 6, being a letter from Captain Lane, together with fuller evidence from the officers of the prison, in refutation of the complaints which the debtors had made to me personally.

In conclusion, I beg to add that if the alterations which I have suggested be made in the debtors' department of the prison, I conceive it would put an end to all complaints from that body. I have &c

(signed) J Kincaid

The Right Hon the Secretary of State, &c.

The Visiting Justices resolved that an application be made to the Home Office for an inspection of the documents referred to in the report of Sir John Kincaid; and that in the meantime a copy of such part of the report as refers to the defective accommodation for debtors be transmitted to the Goal Committee of the Town Council, and that a conference on the subject between the Committee and the Visiting Justices be suggested.

We understand that the City Goal was not originally designed for the detention of debtors: and that the determination not to have them there was preserved in until the county authorities refused any longer to receive city debtors. Then the Home Office required that provision should be made for 30 County Court debtors, and the much smaller number committed from the Court of Record had to be accommodated. This, we believe, it was considered had been done satisfactorily; but no doubt changes will now be effected.

Manchester Guardian, Tuesday.