

THE NEW GAOL IN BATHWICK, 1772-1842

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Ye men of Bath who stately mansions rear,
To wait for tenants from the devil knows where,
Would you a plan pursue which cannot fail:
Erect a mad house and enlarge your jail !

Introduction

These lines of Christopher Anstey's epigram serve as an apt introduction to the history of the New Gaol at Bathwick.¹ They seem to be both relevant and prophetic. Anstey (1724-1805) lived in Bath from 1770 until his death, and his writing lampooned the city's society and manners. He implied that there was another aspect of Bath to that of fashion, genteel manners and prosperity. The men of Bath did replace, rather than enlarge, their gaol, but the New Gaol that they built resembled their stately mansions rather than the old gaol.

The Old Gaol before 1772

In the mid-eighteenth century, Bath had little need for a prison: the prisoners who had to be confined were a small number of debtors and those waiting to appear before the Justices for minor offences. The serious offenders, the felons, were sent to the County Gaols at Ilchester and Shepton Mallet. Bath's prisoners were held in the tower of St. Mary's Church, by Northgate (fig.1). St. Mary's had been redundant and in secular use since 1583, and the Northgate had been pulled down in 1755.² John Wood, writing in 1765, described the city prison thus:

that structure is the very Tower of St. Mary's Church ; and, next to the Abbey House, is the oldest Building of Bath: it was an ancient Steeple even in Leland's time, who speaks of it as part of a Parish Church ; but no sooner had Queen Elizabeth ... by her Charter of A.D. 1590 Granted the citizens the privilege of a Prison, or Gaol, than they ... impiously turned the tower of it into a den for thieves !³

The City Chamberlain's records show examples of the modest expenditure which was required to run the old gaol. For example, in 1769 Mrs Sarah Sherston was paid £6.2s.7d for a year's supply of bread and cheese for the prisoners.⁴ Her bill records her daily expenditure and on the basis of the allowance of

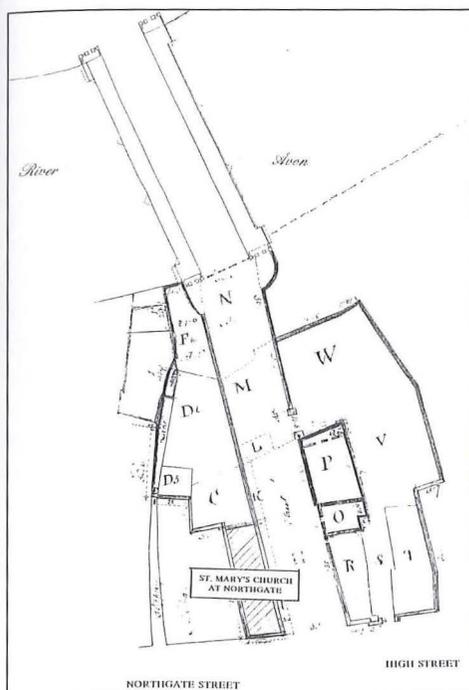


Fig.1 Extract from the plan from the Deed of Conveyance, Bath Corporation to William Pulteney, 1769, showing the site of St. Mary's church. (reproduced by courtesy of Bath Record Office)

The city's responsibility for its prisoners is also shown by a 1767 bill for the burial of a 'Woman from the Prison' for £1.13s followed by one for 10s.6d for the expenses of her inquest.⁶ This probably represented the failure of the Council to trace a parish from which to claim the cost.

Why build a New Gaol in Bath?

No contemporary source suggests any interest in replacing the city's ancient and decrepit gaol on utilitarian grounds, whether because of overcrowding or as the result of new and enlightened ideas of penal reform. What we see is a New Gaol built as a direct consequence of the interest of the speculators in developing their land for profit. By 1726, William Pulteney, later 1st Earl of Bath, had acquired nearly all of the 600 acres of the Bathwick estate, still a rural

two pence per head per day a daily gaol population of between one and eight is suggested by her accounts. Contemporary entries in the press suggested that the city did not choose to use its discretionary power to feed the debtors, who were dependent on their friends and families or appeals to charity:

BATH PRISON, 1771. Right Worshipful, – The Humble Petition of a Bro(the)r in extreme Distress, Confined almost a Twelvemonth, having no Allowance but from some Acquaintance, no bed to Lay on and often have not bread, nor victuals, nor money. Shall be Glad if my Bretherin will Consider my Deplorable Condition by Contributing something towards my Support, and as I am in a very Dissponding way hopes you will be Inclined to Reli(e)ve a Poor Unfortunate Bro(the)r.⁵

parish, open and undeveloped by building. Though close to the centre of the city it was separated from it by the river Avon, and accessible only by ferry. Pulteney, wanting to develop his land for profit, had, as they came to a natural end, converted the existing lifehold tenancies into short leasehold tenancies. By the time of his death in 1764, he had achieved direct control over three-quarters of his land either through its being subject to leasehold tenancy or through managing it directly.⁷ However, Pulteney had failed to arouse interest in developing his land for housing because the only crossing of the river was by the bridge at Southgate, some distance from the city centre, and his two earlier attempts at securing a new bridge had failed.⁸ The estate passed to his brother, General Pulteney, who in turn died in 1767. It then passed to Frances, the daughter of a cousin, and a new William Pulteney entered the scene. He was William Johnstone, who in 1764 had married Frances Pulteney, the niece and future inheritor. When she inherited the estate in 1767 he took the name Pulteney in addition to his own, becoming William Johnstone Pulteney. He is described as the senior and most important administrator of the Bathwick estate, and he set his considerable energy and skill to making it much more profitable, drawing up plans for a 'New Town' in Bathwick.⁹ The first sign of his possible success was seen in the minutes of the City Council for 6th February 1768:

Shall a committee be appointed to confer with Mr. Pulteney on his proposal for building a bridge over the river to Bathwick, and to report the same from time to time.

Votes recorded: 15 in favour, 3 against.¹⁰

In 1769 Pulteney sent this proposal to the other trustees of the Bathwick estate:

If a Bridge is built over the Avon somewhere near the City prison, it is expected that a good deal of the Ground near the Bridge will be taken by Builders for erecting Houses and that they will agree to pay considerable Ground Rents.¹¹

This is the first recorded occasion on which there is a hint that the old gaol might have to be replaced. The Act of 1766 had given the Council powers to buy property compulsorily, and as it set about planning the re-development of the city centre around High Street and the old Guildhall which R.S. Neale describes¹², a proposal from the Bathwick side of the river must have proved attractive.

Nearly a year after the meeting in February 1768, on 2nd January 1769, the City Council minutes record:

Shall Mr Pulteney have liberty to build a bridge from Bath to Bathwick at or near the present ferry, the corporation allowing him a way thereto from High Street provided he purchase at his own expense from the present possessors such houses and land as interfere with the said way and are not in the possession of the Corporation. This vote to take place only on

condition that the article here produced, dated 24th December 1768 and signed William Pulteney be complied with and on further condition that the corporation may have liberty to insert at their own expense such clause or clauses in the said bill for other purposes as they may think fit.

Votes recorded: 14 in favour, 6 against.¹³

The old gaol was not mentioned, but as it was the one building that was in the possession of the Council, the inclusion of 'the corporation allowing him a way' can be taken to refer to its site: it stood on the approach to the planned bridge (fig.1).

The Council realised that in letting William Pulteney acquire the land that he needed for his bridge they would lose their prison, and so the 'further condition' was employed to ensure that the city would acquire a new site on which to build a new gaol. They resolved at the Council meeting on 26th June, 1769 that:

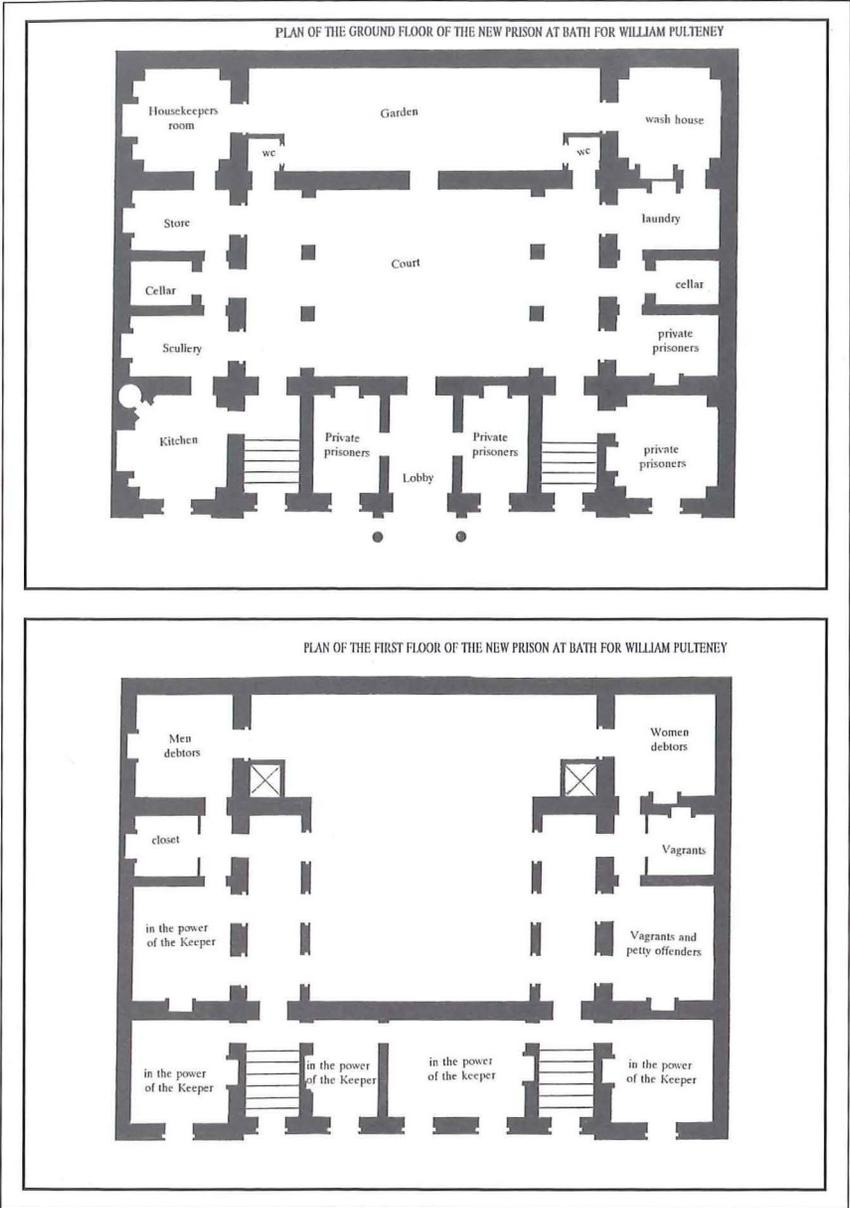
Shall the ground on which the City prison now stands be granted to Mr Pulteney upon condition that he shall promote under the authority of the late Act of Parliament concerning the late General Pulteney's estate in Bathwick, a conveyance to the city of a piece of ground eighty feet in length by sixty feet in breadth, next to the river and within 300 yards of the East end of the intended bridge for the purpose of building a new prison providing that the present prison shall not be removed in less than two years except a new prison be built before that time.

Votes recorded: unanimous in favour.¹⁴

Councillors ensured that the City was not to be left without a gaol. In exchange for giving up the site of St. Mary's church and their gaol the Corporation would gain a good sized plot of land in Bathwick which would be reached across the new bridge. The agreement can be seen as an early example of 'planning gain', a term introduced at the time of the post Second World War schemes of large-scale comprehensive re-development of town and city centres, to describe the supposed public gain in the form of car-parking space, housing units or open space, incorporated in the developer's schemes to secure planning consent. The site of the old gaol was the key to Pulteney's plans for a New Town for Bath in Bathwick. On the 25th August 1770 the Council appointed a committee 'to consider the plan of a new prison now produced' and on the 24th September 1770, they:

resolved that a new prison to be built, the committee to have power to draw upon the Chamberlain for money to pay expenses, and any member of the committee may attend the meetings on Tuesday evenings at 6 pm.¹⁵

At this time Thomas Warr Atwood was Mayor as well as architect to the city's estates, and the minutes also recorded the approval of his design for the prison.



Figs. 2&3 Adam's plans of the ground and first floors of the New Prison for William Pulteney. (reproduced by courtesy of the Trustees of Sir John Soane's Museum)

Atwood's was not the only plan for a New Gaol. William Pulteney, who had engaged the architect Robert Adam to design the new bridge to Bathwick, also engaged him to prepare a design for the New Prison. Robert Adam's first plans for the prison, dated February 1771, may be seen at the Soane Museum (figs.2 and 3). They give an indication of what was then thought necessary for a prison. They would use the whole site, eighty feet by sixty feet, and showed on the ground floor, four rooms for 'private prisoners,' a wash house, laundry, housekeeper's room and store rooms, a courtyard and garden. On the first floor was a small room each for men and women debtors, two rooms for vagrants and petty offenders and five rooms 'in the power of the keeper', presumably for his own accommodation. Adam's elevations have not survived. Robert Adam was paid £33.12s for 'a design for the west front of a new Gaol for the New Town of Bath, a design for the south front, a plan of ground floor and one pair storey,' and 'another plan of a smaller design'¹⁶, but the Corporation favoured its own architect's design. Bath lost the opportunity to have a building which like Atwood's prison would probably have survived, but been much more widely admired. Pulteney Bridge remained Adam's only work in Bath. There is no evidence that the Bath Council were sympathetic to, perhaps even aware of, the new philosophy about imprisonment that was to lead to purpose-built gaols of separate cells in the small Sussex towns of Horsham, 1779 and Petworth, 1789, and in the city of Gloucester in 1791. On the evidence of the design chosen it could be suggested that the men who were elected to the Corporation of Bath would have seen only the need for a handsome building to fit in with the fashion in design, big enough to house the gaoler and his family, with communal rooms for a dozen or so prisoners.

The New Gaol at Bathwick

The gaol's newly-built appearance may be seen from early prints (figs.4 and 5 overleaf). At sixty feet by thirty feet, the prison built by Atwood covered less than half the size of the plot which the Council had requested from Pulteney. There is no explanation for the missing land. The foundation stone was laid by the Mayor, James Horton, on the 7th May 1772. The City Chamberlain's record shows regular payments of between one and three hundred pounds variously made to 'the Prison Committee', or 'Atwood for the Prison Committee', during 1772-1774. These payments total £2,400 plus a final sum of £78.6s.9d paid to Atwood. Building the new gaol represents the greatest single expenditure by the City during those three years.



Fig.4 View of the New Gaol, Bathwick, 1808. From the Chapman Collection. (reproduced by courtesy of Bath Central Library, Bath and North East Somerset Council)

Pevsner comments:

- < The building is from outside like any other Palladian mansion ... The interior was not designed specially as a prison either, that is without any effect of Howard's teaching yet.¹⁷

In fact the gaol pre-dates John Howard's work¹⁸, although by only a few years, and it was obsolete as a gaol even as it was completed. The New Gaol, however, is a rare example of a public building erected at a time when most of the expenditure on building listed in the Chamberlain's records was on the Baths and the Guildhall.

The new thinking on both the purpose and proper conditions of imprisonment initiated by John Howard's writing were only a few years in the future. Bath's New Gaol showed so little of its original purpose that Meehan, writing in 1901, stated that 16 Grove Sreet was built as a private house for William Pulteney.¹⁹ Drawings of the interior arrangements of Atwood's gaol have not been found, though the building itself survives, its appearance and proportions significantly altered by two major changes. John Howard had reported on his first visit of inspection in 1774, 'the ascent to

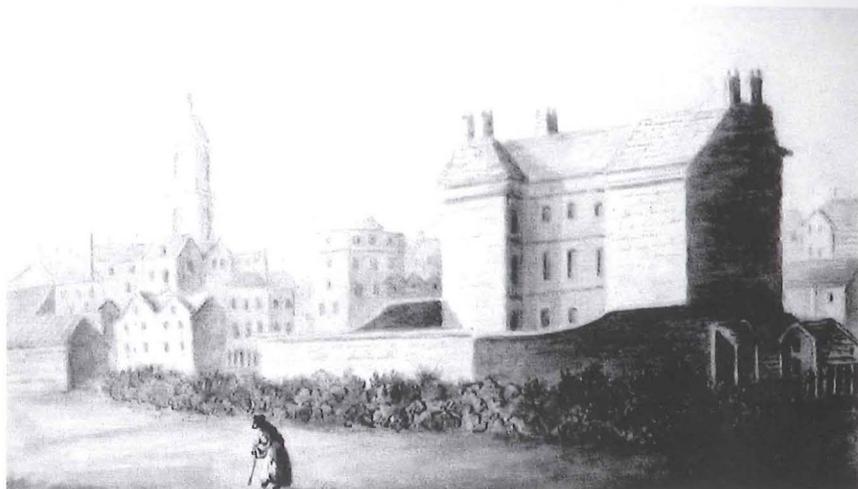


Fig.5 Rear view of the New Gaol, Bathwick, 1780. From the Chapman Collection. (reproduced by courtesy of Bath Central Library, Bath and North East Somerset Council)

this prison ... is by a fine flight of steps' and the closest to a contemporary plan shows a flight of steps leading up to a 'front court' from Grove Street (fig.6 overleaf). Subsequently Grove Street was lowered. Ison reported that 'the formation of Grove Street, intended for warehouses and made almost level with the river bank, has brought the original basement above street level, greatly detracting from the effectiveness of the design'. As may be seen from figs.4 and 8, the original front entrance was altered to become a window on the first floor and the basement level became the ground floor and entrance. Cotterell's large-scale map of the 1850s for the City Council²⁰ shows the gaol (by then closed and identified there as the police station) on Grove Street with Grove Cottage standing opposite. The front court and steps have gone. The New Gaol was completed by 1774 but sat alone in the fields for more than ten years. The Bathwick estate was slow to develop and produce income. Neale comments that the gaol was

the only substantial building built in Bathwick between 1774 and 1788. It sat incongruously ... a few hundred yards away from the pleasure resort of Spring Gardens, an organisation of space intended by no one!²¹ (see fig.7)

Development in Bathwick did not start until 1788, under the guidance of Thomas Baldwin, the city architect. Today Pulteney Street and Laura Place bear witness to the result of the 'Prison deal', and by the end of the century the financial returns were good. Through this property deal William Johnstone Pulteney became one of the most successful of Bath's developers.

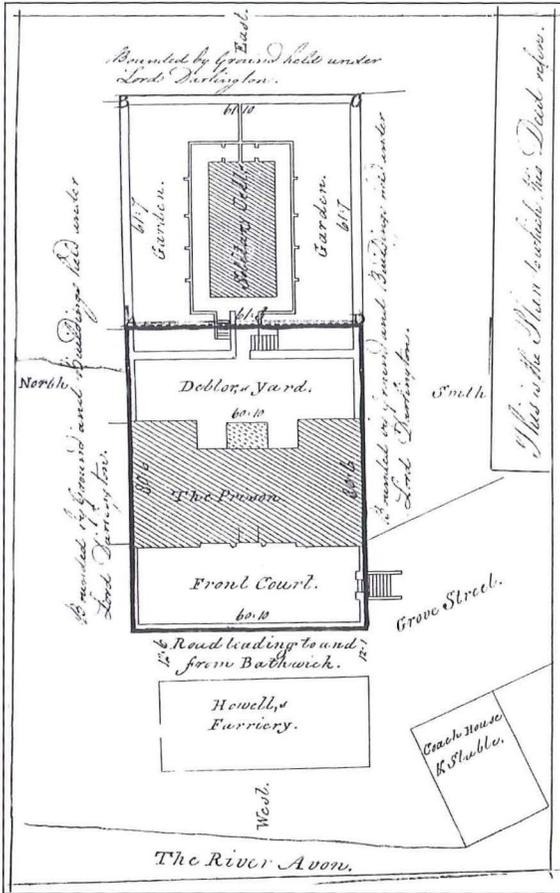


Fig.6 Plan of the New Gaol Bathwick, 1814, showing the front court and the block of solitary cells, built 1801. From the Conveyance, Lord Darlington to Bath Corporation, 1814, leases no. 2533. (reproduced by courtesy of Bath Record Office)

He received generally favourable comment for his designs, but critical comment for the manner in which he was seen to succeed and profit as a developer. Later writers have echoed these judgements. Bryan Little describes him as 'Wood's competent rival' and considers that 'houses laid out under Wood's direction are rather tamer than those built by local plumber cum City Councillor Thomas Atwood, better placed than Wood to muscle in on the jobs available on Corporate land.' He comments: 'Atwood's prison of 1772 is a dignified work.'²²

Thomas Warr Atwood (c.1733-1775), architect of the New Gaol, became a man of some importance and power during the third quarter of the eighteenth century in Bath. He was first elected a Common Councillor at a meeting of the Corporation on 20th September 1760. The office of Mayor was held by an Atwood for twelve of the years between 1724 and 1769, twice by Thomas Warr Atwood. For many years four Atwoods were on the Council: Thomas, his son Thomas Warr, Henry and James. One or more were usually Mayor, Chamberlain and a Justice: if they worked together they would have been a power to be reckoned with. Thomas Warr Atwood was variously described as a plumber, builder, glazier, banker, surveyor and architect.

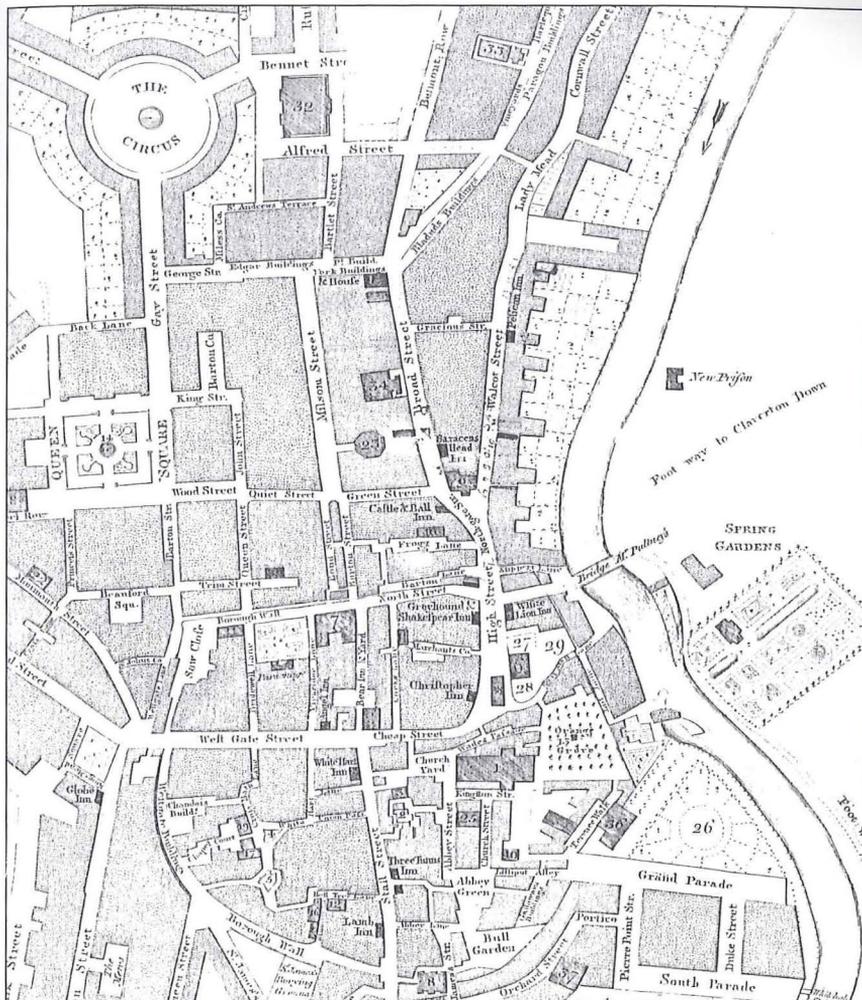


Fig.7 The Gaol stands alone in the fields. From a 'A New and Correct Plan of Bath' by Gilchrist, c.1776. (reproduced by courtesy of Bath Record Office)

Mowbray Green's view is that 'Attwood [*sic*] had far stronger feeling in his work than some of his contemporaries ... for his style and his mouldings are those of the elder Wood. Neither Attwood nor his building have ever received the attention which they deserve'.²³ Walter Ison considers the prison to be 'a scholarly essay in the Palladian manner, using the motifs

commonly applied to domestic buildings erected at that time in the city.²⁴ However on the critical side Atwood is seen by Gadd as the central figure in 'an extraordinary tale of vacillation and intrigue, behind-the-scene jobbery over contracts and acrimonious public controversy ... a leading member of the Building Committee as well as ... City Surveyor', but he goes on to observe that 'The new prison which he built for the Corporation across the river in Bathwick ... has ... an excellently designed Palladian frontage in an appropriately heavy idiom.'²⁵

Atwood's influence on the building of Georgian Bath was substantial. Among the buildings which are wholly ascribed to him, built between 1755 and 1773, are the Paragon, Walcot Parade, and Oxford Row, and in partnership with Thomas Jelly or with Wood the Younger, Milsom Street (west side), Bladud Buildings, Rivers Street, and Axford Buildings. On the basis of this list Mowbray Green's plea is justified. But Atwood was a controversial figure, described as having enriched himself by obtaining leases of council property which he developed. His considerable success attracted criticism in the Bath press. A letter from 'Citizen' accused him of being scandalous, malicious, deceitful and dishonest. He is compared with MacHeath and Vitruvius.²⁶ The Council defended its fellow member from these allegations, resolving on 3rd July 1775:

that the thanks of this Court be given to Mr Thomas Warr Atwood for his assiduity and attention in the management of such business relative to the public improvements of the city as had been entrusted to his care and that the plans already begun as well as those this day by him produced for completing the market and building the Town Hall be carried into execution, his employers being hitherto perfectly satisfied with his conduct therein, notwithstanding the scandalous and malicious insinuations in a paragraph in the Bath Chronicle, Twenty Ninth June last, reflecting on his judgement and integrity. Ordered, signed by the Town Clerk and for the justification of Mr. Atwoods character be inserted in both Bath papers.²⁷

'Citizen', evidently undeterred, wrote again in September that year to complain of Atwood:

For promoting the building of a Prison at enormous expense and in such an infamous situation that it cannot answer the end intended ... The present new prison is a disgrace to humanity, as it is often six feet deep in water, and a still greater evil is, that the unhappy objects confin'd in it do not experience the relief that was and often still would be administered to the sick and needy prisoners, if the cruelty of the people in power had not plac'd them in their present solitary situation; an instance scarce known but in the city of Bath.²⁸

It is hard to reconcile this dramatic complaint with what the conditions must have been like for those confined in the old gaol housed in the tower of St Mary's church, but later accounts suggest that the comment of 'Citizen' was accurate as far as the problem of flooding was concerned.

Atwood was also embroiled in controversy over the building of the new Bath Guildhall, seemingly determined to promote his own design. The erection of the new Guildhall to his plans had actually started, but came to an unexpected conclusion with Atwood's death in November 1775 when part of a building collapsed on him. His part-built Guildhall was taken down and replaced by the design of his rival and successor, Baldwin.

The New Gaol in use

No daily records or journals, which might have been kept by the Keeper and later the chaplain and surgeon, have been found. They were not required by Government, and there may have seemed to be no purpose in keeping records beyond those of expenditure and warrants of committal. The City's good intentions for its New Gaol may be seen in an extract from the Bond of Indemnity, dated 5th October 1778, for John Fisher, Gaoler:

he shall well properly behave and demean himself as a gaoler ought according to law, the gaol to be clean, wholesome, in good order, no damage and the prisoners safely held without oppression, cruelty or hard usage, and not to permit escape.²⁹

John Howard's journal gives not only the first, but the only full account of the Gaol. He records five visits between 1774 and 1782, and the third edition of his journal gives the following description:

The ascent to this prison, built in a meadow which is sometimes overflowed, is by a fine flight of stone steps. On the ground floor is the keeper's kitchen etc., and four rooms for petty offenders. Above are three stories; five rooms on each: one or two used by the keeper: the rest for debtors; one bed in a room, in which two prisoners sleep, they pay two shillings a week each; if one has it to himself, he pays four shillings a week. Two rooms on the second floor are free wards, one for men, one for women; on the upper floor is their workshop. There is a small court with offensive sewers. Keeper, a sheriff's officer: no salary: fees, if from the Court of Requests, 3s.6d. Debtors for large sums, 7s.8d. No table. Licence for beer. Allowance, to debtors, none (they are liberally supplied by voluntary donations); to offenders 2d a day. Clauses against spirituous liquors, and the act for preserving the health of prisoners not hung up. No chaplain or surgeon.³⁰

This description suggests a total of fourteen rooms, excluding the Keeper's. Four rooms were for petty offenders and two were 'free wards'. Of the rest one at least was set aside for labour, leaving a small number which contained one bed which might be shared. The accusation of 'Citizen', above, was supported by John Howard's note of floods and offensive sewers, and by the carved inscription seen on the façade, three feet above today's street level: FLOOD LEVEL November 1, 1823.

Howard found that not all prisoners were being fed, and that the Acts of 1773 (13 Geo III,c.58, Appointment of Chaplains to County Gaols) and 1774 (14 Geo III,c.59, Health of Prisoners) were not being observed. Although he had arranged to have copies distributed to all gaols, Bath gaol was one of many where he found they were not displayed as required by the Act. There was no chaplain or surgeon.

Howard's table, below, listing the numbers of prisoners he found on each of his five visits, is a rare glimpse of how many were actually confined. This was very few in comparison with what was to follow in the next century.

	Debtors	Offenders	
1774: Aug 6	16	2	
1775: Dec 12	14	1	
1776: Dec 16	11	0	Deserters 3
1779: Feb 10	10	2	
1782: Feb 28	3	5	

A few years later, in 1785, the entry in Gye's *Pocket Guide in Cases of Arrest* repeats Howard's description verbatim, but adds:

Several Regulations will shortly be made by the Corporation for the convenience of prisoners, by conveying a constant Stream of soft water by means of a feather join'd to the main Pipe which supplies the City. Also, it is intended that the keeper's room be at the right Hand on the entrance of the Gaol, as a security to prevent escapes.³¹

In contrast to the rest of the county, Howard gave the Bath Gaol a generally positive report in his survey conducted in 1789 when he wrote that:

conditions in Somerset prisons are most unsatisfactory, there is no classification and debtors and felons are herded together. Bath City Gaol is an exception to the rule of general mismanagement. It is clean and quiet, with a separate room for debtors and a workshop for the employment of prisoners.³²

However it should be noted that judging by Howard's own figures, Bath was holding mostly debtors, with very few criminal offenders. In the later 1770s items from the *Bath Chronicle* show that debtors were still dependent

on family, friends and charity for their survival:

debtors and other prisoners in Bath prison return their grateful and unfeigned thanks to Mr. John Palmer, Sheriff of the City, for bread cheese etc., which proved a very comfortable relief, many of the prisoners being in the most indigent circumstances and labouring under a long and tedious confinement. No donations had been sent to them for upwards of three months so that their situation is really deplorable.

And on Christmas Eve, 1778:

for the relief of our distressed fellow creatures who in this cold and un pitying season are shut out from the joys of society, and through the unfeeling hand of oppression are confined to a gaol and debarred the means of providing for themselves and helpless infants, a subscription is opened at Mr. George Chapman's in Cheap Street for the purpose of liberating all those in Bath Gaol whose debts may be compounded so as to restore them to their indigent families who require their daily assistance and to the public also which from their liberty may derive some benefit. To a sympathizing breast no motive can be more pleasing than having contributed to such good intentions.³³

What is striking about these sentiments is the public sympathy expressed for debtors who many would have felt were the author of their own misfortunes and for whom gaol was seen as a necessary deterrent. What is also of interest is seeing that the City Corporation could act in an honourable and humane way, as may be seen some years later by a large payment authorised by the Corporation on 29th May 1801:

Silvester White, lunatic vagrant, settlement unknown, found wandering, was confined by order of the Magistrates in the City Gaol, to the end that proper care might be taken of him, was placed in the care of Arthur Spencer for recovery in the expectation that costs would be paid, and the man being cured, agree to pay £48.15s.9d.³⁴

Although in 1773 the Gaol Chaplains Act, noted earlier, had allowed the appointment of a chaplain to gaols, the cost to be met from the rates, Bath did not act on this until thirty years after the new gaol opened. In 1803 the Council minutes reported the decision 'to take into consideration the present state of the City Prison and to resolve on the propriety of appointing a chaplain and a medical man to attend to the prisoners confined therein and on what terms'.³⁵ The Rev. William Marshall, chaplain, and George Kitson, surgeon, were appointed, both on a salary of twenty guineas. The Chaplain's duties were 'to perform a service and read a lecture every Sunday'. In 1812, at the request of the Keeper, the Bailiffs reported on the 'bad state of the gaol', and found that it had many problems with both the building and the management of the prisoners. The

ironwork was decaying and needed painting, the locks were defective, the water supply inadequate, 'with a cistern no larger than in a private house'. Turning to their wider responsibilities the Bailiffs reported that 'We conceive it to be as much the duty of those who have authority over it to promote the health and amend the morals of the prisoners as to provide means for their confinement'. They recommended a wall to divide the male from the female cells for:

At present the most abandoned of both sexes are allowed to mix together and even enter into each others cells by which evil communication is kept up and opportunity offered of continuing that prostitution which has been the principal cause of their imprisonment. In vain will the Chaplain exhort while these things are permitted.³⁶

In 1816 a report by the Bailiffs to the Mayor requested some very basic items: beds, mattresses, blankets, rugs, dresses, shirts, shifts and towels, and asked if two baths could be supplied. Through this period a budget of sorts can be determined by the regular appearance of sums in the Chamberlain's Records. The considerable expenditure that was anticipated through the 1823 Bill (which became 'Peel's Gaol Act' 4 Geo. IV c.64), so alarmed the Council that a campaign was mounted to lobby for the city's exclusion. Their reasoning was that 'in the peculiar circumstances of the city, including its liability to pay the county rate, the bill would not carry sufficient powers to enable the mayor and justices to put it into effect'.³⁷ The Council minutes for 16th March 1823 recorded that the town clerk, Philip George, had attended a committee of the House of Lords, and with the support of the city Recorder, the Marquess of Camden, Bath was excluded from the Bill.

The New Gaol is outgrown

Events in its history suggest that the pressure to enlarge the gaol was two-fold: first from the realisation that individual cells were needed as opposed to rooms, and later from the sheer numbers of prisoners. The Council had decided in 1801 to build a block of separate cells on the ground behind the Gaol, the record stating that:

Mr John Palmer, city architect, having prepared plans for solitary cells in the middle of the courtyard of the gaol of this city, to consider and resolve what is fit and ought to be done therein. Resolve that such plans be forthwith carried into execution under the direction of the committee.³⁸

The block of cells was built but it appears only once on a plan of the gaol (fig.6) and no details of its appearance or capacity have been found. This building featured in subsequent reports when concern was raised about the ability of different classes of prisoner to see each other, converse, and worse.

It also featured again when George P. Manners, now the city architect, was asked in 1840 to prepare a plan and estimate for raising the cell block by adding two storeys.³⁹ It would have added 36 cells, which suggests that the existing block held 18 to 20 cells. Although the original gaol building survives, no trace of the block of separate cells can be seen for it was to be removed from Grove Street to the second new gaol, completed in 1842 in Twerton. The Gaol Governance Committee (set up as the Gaol Superintendence Committee in 1837), faced with the problem of providing hard labour, had resolved that it should be by breaking stone, and had instructed Manners to seek estimates for removing the cell block to Twerton, the stone to be used to build sheds where prisoners could work in conditions of separation.⁴⁰

The freehold of land adjoining the Gaol was purchased in 1814⁴¹ and in 1818 plans were produced at Council for enlarging the Gaol, and a committee set up to consider them. In 1819, four months on, the committee reported, the matter was deferred, and another three months on the committee was told its plans were too expensive. They were told to try again. Again the committee reported, only to be told that the matter was postponed to await the Government's reply to the Bath Justices' request for a Court of Quarter Sessions. The Government's response was clear and specific: such a court will not be proposed until a suitable court-house and gaol are ready.⁴²

The last years: the pressure of numbers mounts

By 1837 the gaol population, though still manageable, was double the number seen by Howard on his first visit. The return compiled by the Prison Inspector in that year supplied statistics of which the following is a brief summary.⁴³

Maximum number held on one day 42 of which 31 were male
and 11 female

Number of children held during year,
aged between 11 and 16 years 44 of which 24 were boys
and 10 girls

Annual Costs:

The total cost of running the gaol £1,140. 3s.1d.

The greatest cost was transport

to the courts and to the prison hulks £ 407.12s.4d.

The second highest cost was pay £ 225

The third highest cost was food..... £ 177.10s.3d

or £ 7.12s. per head

Total cost per prisoner per day 2s.8¹/₄d

Bath was one of only eight gaols which had a daily cost per prisoner over two shillings. Among the 241 gaols listed, life was perhaps better at the Rutland County Gaol and House of Correction, Oakham at 3s.1d a day, and much poorer at Lincoln County Gaol at only 4¹/₂d a day.

By the late 1830s the evidence shows that the City Council was facing a crisis with its prison population. Between March 1833 and March 1835, 350 debtors were committed for debt, amounts ranging from £10 to 2s.9¹/₂d. Committals were on a scale from twenty to two hundred days in gaol. Minor offenders received sentences from seven to forty days for offences such as breach of the peace, assault, keeping a disorderly house, and selling from the footway.⁴⁴

Pressure from the numbers of inmates, and already existing pressure from government led the Corporation to decide on a whole list of strategies. They would see if neighbouring gaols would assist by taking Bath's prisoners if they were held there just for their trial; seek to alter the existing court-house to allow a Quarter Sessions to sit; and set up a committee to look for a site in order to build a new gaol to replace the one in Bathwick.⁴⁵ During 1836 the Council negotiated with the Shepton Mallet justices for the use of their House of Correction to take Bath prisoners, and at the end of the year agreement was reached at 11d. per head per day. In 1838 Ilchester and Shepton Mallet agreed to renew the contract, but at the rate of one shilling per day, plus one shilling on release for the return of prisoners. On 27th April 1840 the Council learned that Shepton Mallet declined to renew the contract.⁴⁶ Comments from Shepton Mallet gaol in 1835 gave a different perspective on Bath from that of the elegant and fashionable city:

During this quarter a large proportion of prisoners have as usual been sent from Bath ... the boys from the vicinity of Bath are very numerous, Bath furnishes a never ending supply of juvenile offenders.⁴⁷

The Council's letter to the Prison Inspectors in 1837 explained the problem. They were having to house an increasing number of prisoners. They had accepted the long drawn out demand to build a new gaol but were at a loss to know how to finance it. They were also anxious to raise the status of the city by getting their own Court of Quarter Sessions. The answer given to the financial problem was to issue bonds which must be signed by the mayor and two councillors or aldermen.⁴⁸

The day-to-day evidence suggests that the considerable pressure being felt was leading to thoughts of desperate measures. In July 1838 the mayor suggested using the former Walcot Poorhouse as a gaol, the new Bath Union Workhouse at Odd Down having opened in May. In August, Manners, city architect, was asked to estimate the cost of adding accommodation for a hundred prisoners, and negotiations were being held with the Duke of

Cleveland's steward to purchase land adjoining the Grove Street gaol to enlarge it. In April 1840 the gaol committee wrote to Devizes whose new House of Correction had been opened in 1816. Their request, for the use of their old gaol to house 'a hundred prisoners', met with no response, and they wrote through the town clerk to Bristol to ask if twenty prisoners could be housed, and at what cost. Manners was once again asked to estimate the cost of housing more prisoners, by raising the block of separate cells behind the Grove Street gaol. As the Council moved towards the final stages of building a new gaol at Twerton the pressure on the Grove Street gaol was serious, and overcrowding must have made life difficult for all concerned. Early in 1841 the Bailiff, Edridge, reported to the gaol committee that the gaol was overcrowded, and that there were 'dangerous characters' who had made attempts to escape. He asked for an extra guard, and for increases in pay. It was agreed to raise the Gaoler's salary from £100 to £150, the principal turnkey's weekly wage from 21 to 23 shillings and that of the turnkeys from 18 to 21 shillings.

The first accurate piece of evidence since Howard's reports of the size and composition of the gaol population is to be found through the entry for the Bath City Gaol in the national census.⁴⁹ The return was completed on Sunday, June 6th 1841, by John Pike, Keeper of the gaol. His list commences with himself, his wife who is matron, and their six young daughters, together with two female servants. There is a principal turnkey, his wife, and two more male turnkeys. In summary:

Staff and family members:	total: 14
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Criminal prisoners, listed as follows:

22 men aged 20 to 70 years

31 boys aged 9 to 15 years.

19 women aged 20 to 65 years

2 girls aged 15 years

prisoners total: 74

plus the infant children of prisoners with their mothers	3
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Debtors:

12 males, one of whom is aged 15,

1 female

debtors total: 13

Total number living in the gaol: 104

The ages given seem somewhat arbitrary, for instance there are no prisoners listed who are aged between 16 and 19 years, although it appears that well



Fig.8 16 Grove Street, formerly Bath New Gaol. (© Crown Copyright, National Monuments Record)

over half of the sentenced male prisoners were aged 15 or less. All but 20 of the prisoners were listed as having been born in Somerset and the two originating from outside England were from Ireland. In 1841 unemployment was not a state identified in the census so all prisoners had an occupation recorded. Nearly three-quarters of the men were labourers, and the skilled men were all in the food or building trades. The proportion of unskilled women was lower at two-thirds, and the seven with skills were all in one of the clothing trades.⁵⁰ These figures conjure up a disturbing picture, the gaol population being more than twice that of four years earlier. While there is no evidence of the extremes of abuse and neglect that were being reported from gaols around the country, with the best will in the world and with the chaplain's best endeavours, it is hard to imagine how even the most primitive and elementary level of care, of privacy, hygiene and feeding can have existed for the ninety men, women and children held as prisoners in the last year of the gaol at Grove Street. In 1837 the council set up a Gaol Superintendence Committee whose first concern was the search for a site suitable for a New Gaol and the means to finance it.

The pressure from the Home Department was intense:

four among the most defective jails so far as regards their construction and adaptation to the number of their inmates, namely ... the City Gaol, Bath ... are rebuilding and I believe that representations I have made to the Magistrates have contributed to that result⁵¹

The Gaol Committee set up a sub-committee to look at several other sites, limited by their belief that it must be within the City boundary. However once they were advised that this problem was overcome through Peel's Gaol Act of 1823, noted earlier, they finally recommended in September 1838 the purchase of land just outside the City, at Twerton, close to the Turnpike Road to Bristol, now the Lower Bristol Road. Mr Hale's land was described as offering:

quiet seclusion, open, but not bleak or unprotected, with no obstruction to the free circulation of air. A kind of raised platform, where the neighbours stated that the water from the wells was good.⁵²

It was to become the site of Bath's second New Gaol (1842-1878). Their positive assessment of the site was to prove ominously misinformed, but it must have been a moment of some relief when the agreement to build the new gaol was signed on 24th October 1840. The New Gaol at Twerton was completed and opened in 1842, a few months before the national penitentiary at Pentonville, on which design it was modelled. The gaol at Bathwick was to become a police barracks, later degenerating into 'sleazy tenements.' But it escaped the post-Second World War 'Sack of Bath'⁵³ and although nothing came of a proposal to convert the building into an Arts Centre,⁵⁴ it survived to become an attractive block of flats (fig.8).

The chance date of its origin, a direct consequence of William Johnstone Pulteney's ambitious plans for the development of Bathwick, led to the City building a gaol that although purpose-built according to the understanding of its time, was obsolete by the date of its opening. It was designed in the style of a Palladian mansion holding a collection of various sized rooms, whilst within a few years all new gaols would be utilitarian blocks of individual cells as the theory of separate confinement became universally applied. The Twerton New Gaol, opening in 1842, would be designed exactly as the Home Department demanded.

Notes

Sources listed in the notes:

BCL Bath Central Library
 BPP British Parliamentary Papers
 BRO Bath Record Office, Guildhall
 PRO Public Record Office

- 1 BCL, *Bath Weekly Herald*, letter 18.7.1908, and Richard Phillips, *Public Characters 1802-3* (1803), quoted in his chapter on Anstey.
- 2 Meg Hamilton, *Bath Before Beau Nash* (Kingsmead Press, Bath, 1978), p. 50.
- 3 John Wood, *A Description of Bath* (1765; Kingsmead Reprints, Bath, 1975), p. 318.
- 4 BRO, Bath City Chamberlain's account, 1768-1769.
- 5 George Norman, 'The Masonic Lodges of Bath: Minute Book VII of the Lodge Meeting at the White Hart, No.49' in *Transactions of the Somerset Masters Lodge*, N0.3746, Bath (1922), p.404, quoted in Trevor Fawcett, *Voices of Eighteenth-Century Bath* (Ruton, Bath, 1995) p.156.
- 6 BRO, Chamberlain's Accounts, 23.12.1767.
- 7 R.S.Neale, *Bath, A Social History 1680-1850, or A Valley of Pleasure, yet a Sink of Iniquity* (Routledge and Kegan Paul, 1981), p. 227.
- 8 *Ibid*, p.227.
- 9 *Ibid*, p.228.
- 10 BRO, Bath City Council Minutes, 6.2.1768.
- 11 R.S.Neale, *op. cit.*, p.228, n.5, (from Pulteney Estate Papers, BCL).
- 12 R.S.Neale, *op. cit.*, p.230.
- 13 BRO, Bath City Council Minutes, 2.1.1769.
- 14 *Ibid*, 29.6.1769.
- 15 *Ibid*, 24.9.1770.
- 16 BRO, Chamberlain's Accounts, February 1st and December 3rd 1771.
- 17 N.Pevsner, *The Buildings of England: North Somerset and Bristol* (Penguin Books, Harmondsworth, 1958) p.136. The Italian architect Andrea Palladio (1508-80) recreated the style of the architecture of Greece and Rome. Eighteenth-century classical architecture in Bath (and elsewhere) was based on his buildings and his writing.
- 18 John Howard (1727-1790) prison reformer, appointed Sheriff of Bedfordshire in 1772. A conscientious man who on inspecting the Bedford County Gaol, was disturbed by the conditions that he saw. He visited neighbouring gaols to seek a

- precedent for employing a paid gaoler at Bedford to improve conditions there. He then set himself the task of visiting every gaol in England and Wales, then throughout Europe, to describe the conditions that he found. His journals were published and achieved some local success in improving conditions. His theories of the purpose and proper practice of imprisonment, while less widely known than his descriptions, were more influential, becoming the basis for the first prison rules. He visited Bath New Gaol on five occasions between 1774 and 1782.
- 19 J. F. Meehan, *Famous Houses of Bath and District* (Meehan, Bath, 1901), p.71.
 - 20 BRO, Cotterell's map, prepared for the City Council, 1852-54.
 - 21 R.S. Neale, *op. cit.*, p 237.
 - 22 Bryan Little, *Bath Portrait*, (Burleigh Press, Bristol, 1961) pp.60-61.
 - 23 Mowbray A. Green, *The Eighteenth Century Architecture of Bath* (George Gregory, Bath, 1904), pp.172-174.
 - 24 Walter Ison, *The Georgian Buildings of Bath from 1700 to 1830* (Faber, 1948), p. 88.
 - 25 David Gadd, *Georgian Summer: Bath in the Eighteenth Century* (Adams and Dart, Bath, 1971), p.111.
 - 26 BCL, *Bath Journal*, 21.8.1775. MacHeath was the villain in John Gay's *Beggars Opera*, first performed in London, 1728, and later in Bath on forty occasions between 1750 and 1805. The play was seen as an allegorical attack on the government, by portraying the villain, MacHeath, a highwayman, as a hero to be admired. Vitruvius, a Roman architect of the first century AD who 'desired that his name be honoured by posterity' *Encyclopedia Britannica* (15th Edn., 1993) was one of the influences on Palladio.
 - 27 BRO, Bath City Council Minutes, 3.7.1775.
 - 28 BRO, *Bath Journal*, 4.9.1775.
 - 29 BRO, Schedule no. 4: 5.10.1778, Bond of Indemnity for John Fisher, gaoler.
 - 30 John Howard, *The State of the Prisons in England and Wales* (Warrington, 1777), p.360.
 - 31 BCL, W. Gye, *The Gentleman, Merchant, Tradesman, Lawyer and Debtors' Pocket Guide in Cases of Arrest* (Bath, 1785).
 - 32 John Howard, *Account of Prisons and Houses of Correction in the Western Circuit*, 1789, p.37, in *Victoria County History, Somerset*, Vol.2, (1911, reprint Dawson 1969), p. 326.
 - 33 BCL, *Bath Chronicle*, 17.7.1778 and 24.12.1778.
 - 34 *Ibid*, 29.5.1801.
 - 35 BRO, Minutes of Bath City Council, 3.10.1803.
 - 36 BRO, Bath City Council Appointed Committees, report book, 1794-1837, Bailiffs report, 20.12.1812.
 - 37 BRO, Minutes of Bath City Council, 5.8.1823. Peel's Gaol Bill prescribed the statistical returns required from gaols, allowed Justices to use revenue from the rates to fund gaols, and adopted Howard's four fundamental principles: sufficient and secure accommodation, a salaried keeper (now Governor), a reformatory regime and inspection by the Justices.
 - 38 BRO, Bath Council Minutes, 2.1.1801.
 - 39 *Ibid*, 2.7.1840.
 - 40 BRO, Gaol committee, 16.8.1843.
 - 41 *Ibid*, 8.7.1814.
 - 42 *Ibid*, 3.5.1836, reporting letter from Lord John Russell.

- 43 Digest of Gaol Returns, Home Department, 1837, private collection, Colin Mills.
- 44 John Wroughton, ed., *Bath in the Age of Reform (1830-1841)* (Morgan Books, 1971), p.101.
- 45 BRO, Bath City Council Minutes, 14.6.1836.
- 46 *Ibid*, 3.8.36, 25.10.36, 6.12.36, 24.12.38.
- 47 BPP, Report of the Select Committee, House of Lords, 1835, on the Present State of Gaols and Houses of Correction in England and Wales, 1835 (Irish University Press Series, Dublin, 1968).
- 48 PRO, HO: 20:4.
- 49 BCL, Census return for 1841.
- 50 R.S.Neale, *op. cit.*, p.56. Neale identifies clothing, housing and feeding as the most popular trades in the city at this time.
- 51 PRO, HO:45:127.
- 52 BRO, Gaol list no.16.
- 53 Adam Fergusson, *The Sack of Bath* (Michael Russell, Compton Chamberlayne, 1973) described the widespread destruction of the less prestigious areas of Georgian Bath by radical clearance of sites for re-development.
- 54 *Bath Chronicle*, 18 and 25.9. 1965.