Fashioning Freedom: 
British Prison Fictions, 1718-1780

by

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I, Lucy Powell, confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.
Abstract

This thesis explores the form and function of representations of the prison in the prose literature of the British eighteenth century. It demonstrates the prevalence of incarceration across a wide range of British novels, and argues that imprisonment speaks to the novel’s core concerns as an emergent genre: its persistent engagement with themes of rebellion and resistance, constriction and freedom, and concepts of identity. I argue that our understanding of eighteenth-century prison experience has been overly determined by readings of the nineteenth-century penitentiary, both in literary criticism and much historical analysis. Aiming to rectify this, I contextualize eighteenth-century, fictional representations of the prison amid renderings of the prison in other discourses: legal and reformist, biographical and artistic.

The thesis is structured around four, legally and culturally distinct forms of eighteenth-century prison: the criminal prison; the debtors’ prison; the bridewell; and the state prison. I establish divergences and connections between these types of prison, and examine the areas of cultural contestation they illuminate. My aim is to better understand the articulation of imprisonment in eighteenth-century fiction, and to offer an argument about the place of the novel in wider cultural discourse. The period I cover is from 1718 and the Transportation Act, to 1780 and the Gordon Riots. These riots, sacking London’s oldest prison, the Clink, its foremost felon’s prison, Newgate, and its largest prison, the King’s Bench, demonstrate the prison’s fomenting
locus as a site for the expression of public discontent, nine years before the scaling of the Bastille. Occurring in the aftermath of the Penitentiary Act of 1779, in which British prisons were legally remodelled as instruments of state-sanctioned penalty, I argue that the sacked gaols ushered in a new era of prison design, and that fictional expressions of incarceration subsequently altered in character.
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4: William Hogarth, *A Rake’s Progress*, 8 Plates (London, 1735), Plate VII. Reproduced from Tate Britain Copy, T01793 ................. 181


List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>BL</td>
<td>The British Library, London</td>
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<tr>
<td>BM</td>
<td>The British Museum, London</td>
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<tr>
<td>JHC</td>
<td>Journals of the House of Commons</td>
</tr>
<tr>
<td>LMA</td>
<td>London Metropolitan Archives, City of London</td>
</tr>
<tr>
<td>NA</td>
<td>National Archive, Kew</td>
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<tr>
<td>ODNB</td>
<td>Oxford Dictionary of National Biography</td>
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A Note on the Text

The place of publication for all pre-1800 publications is London unless stated otherwise. Short titles are given in the footnotes; longer titles and publishing information can be found in the Bibliography. Where appropriate, the date of the initial publication of a text is provided in square brackets in both footnotes and bibliography, in addition to the date of the edition cited. All ellipses in quotations are my own unless otherwise stated. All references to Acts of Parliament are from the Statutes at Large unless otherwise indicated. All spelling, capitalization and grammar are relayed as in the original text unless otherwise stated. All online sources were last accessed on December 26\textsuperscript{th} 2014. Where the title alone does not indicate the edition cited, I have additionally provided the publisher of the edition referred to. For reasons of consistency, I cited eighteenth-century editions throughout. Where critical editions of primary sources exist, I have consulted these where available and referenced them where relevant.
Chapter I: Introduction

All these Reflections are just History of a State of forc’d Confinement, which in my real History is represented by a confin’d Retreat in an Island; and ‘tis as reasonable to represent one kind of Imprisonment by another, as it is to represent any Thing that really exists, by that which exists not.

Daniel Defoe, *Serious Reflections [...] of Robinson Crusoe* (1720) Sig. A5 v.

I.i: British prison fictions

British novels of the eighteenth century return with obsessive frequency to the experience of imprisonment. This is true across genres ordinarily understood to be distinct. The realist fiction of, for instance, Daniel Defoe, sentimental novels such as Oliver Goldsmith’s *Vicar of Wakefield*, Laurence Sterne’s *A Sentimental Journey*, or Henry Mackenzie’s *Man of Feeling*, picaresque novels like Tobias Smollett’s *Roderick Random*, *Peregrine Pickle* and *Ferdinand Count Fathom*, or the Quixotic, like *Sir Launcelot Greaves*, amorous fiction such as Eliza Haywood’s *The Fair Hebrew*, or Penelope Aubin’s *Life of Charlotta du Pont*, Henry Fielding’s first work of prose fiction, *Jonathan Wild*, his best known, *Tom Jones*, and his last, *Amelia*, all turn around experiences of incarceration. As Defoe’s enigmatic reflection on *Robinson Crusoe* above indicates, the novelist’s engagement with the motif of imprisonment is densely allusive. It figures a relationship between what ‘really exists’ and ‘what exists not’, between ‘just history’ and ‘real history’. It is difficult to determine whether it is Crusoe who authors this ‘serious reflection’ or Defoe himself who delivers the description of the prison’s metaphoric function, and the prison in the novel also undermines stable distinctions between the figure of the author, narrator and
incarcerated character. As literary motif, the prison repeatedly blurs the epistemological limits of the fictional world.

No work of literary criticism has attempted to analyse the presence of the prison across such a wide range of eighteenth-century novels; this thesis will do so. In it I contextualize eighteenth-century fictional depictions of the prison amid portrayals of those prisons in other forms of public discourse, illuminating thereby a clearer view of eighteenth-century prison culture as lived experience, legal entity, and cultural construct. Eighteenth-century writers’ and readers’ assumptions about the prison in the novel have been obscured by the influence of the nineteenth-century penitentiary on our understanding of the historical prison. My analysis will recover the particularity of the eighteenth-century prison, which was far more plural and porous than its Victorian successor, and articulated very different cultural concerns. I will demonstrate how the novel borrowed from “factual” narratives of the prison and then, in turn, influenced and shaped them. Historically contextualizing eighteenth century novels also enables me to interpret previously opaque prison scenes in some of the most influential novels of the period.

The prison has always been read as a socio-cultural space of extremes, containing both saints and the most unrepentant of malefactors. Perhaps the two most influential works of prison literature in Britain were Boethius’ *Consolation of Philosophy* (524) and Bunyan’s *Pilgrim’s Progress* (1678). Both texts illustrate a potential means of resistance to an incarcerating authority through the particular ontology of the prisoner. The imprisoned body, as Elaine Scarry has explained, is

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quintessentially revealing of the human condition. Analysing Sartre’s *The Wall*, Scarry notes that Ibbieta begins to experience his own death, not because he has sustained the wound that will kill him, but because ‘he has begun to experience the body that will end his life, the body that can be killed’.

The prison illuminates mortality in this way. Unable to move freely through the world, the prisoner is made aware of the materiality of his or her bodily self. It is this body that can be imprisoned, this body that can be chained or wounded, and this body which will die. But, as the works of Boethius and Bunyan both exemplify, it is only the body that can be imprisoned. The prisoner’s identification with the life of the mind, or of the spirit, occurs not in spite of, but precisely because of the physical bondage of the prisoner.

The prison motif remains important to nineteenth- and twentieth-century literature; it is of central significance to the works of Charles Dickens, Albert Camus and Jean Genet, among others. But neither before nor since has the prison been so prevalent or so particularized in fiction, visual art, opera, philosophy and legal debate as it was in the period under discussion in this thesis. The most performed play of the eighteenth century was John Gay’s *The Beggar’s Opera* (1728), his ‘Newgate Pastoral’. The most widely reprinted artist was William Hogarth, and as his biographer Ronald Paulson notes, ‘no English artist painted more prison interiors than Hogarth’. The prison provided a dramatic backdrop for many of Handel’s most influential operas: *Ottone* (1723), *Giulio Cesare* (1724) and *Tamerlano* (1735). And

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3 Bunyan is more declarative on this effect in his autobiography, where he writes: ‘Christ also was never more real and apparent than now; here have I seen him and felt him indeed […] in this my imprisoned condition.’ John Bunyan, *Grace Abounding to the Chief of Sinners* (1666) p. 87.
while the prison was also influential on the work of artists on the continent, particularly evident in Piranesi’s Carceri sketches (1750), it was more pervasively prevalent in the British novel than in any other form of artistic discourse in the period.

The prison became the subject of a national debate over the nature of penalty in the eighteenth century, culminating in 1779 with the passing of the Penitentiary Act. This Act called for the construction of two institutions to house 900 convicted felons in separate cells with the express aims of punishing and reforming them for a prescribed period of time, most of the cost being met by the state. Inmates were to sleep in separate cells, be subject to a strict disciplinary routine of hard labour and religious instruction, wear uniforms, and be fed a ‘hard diet’. Before 1779, the standard legal position on imprisonment was largely understood to be that of the thirteenth-century jurist Henry De Bracton who, after the third-century Roman jurist Ulpian, argued that ‘a prison ought to be used to detain men not to punish them’. The prison was largely deployed as a holding cell. It was at trial that the legal punishments of the state were meted out. These included fines, branding, whipping, transportation to the colonies or hanging at Tyburn. After the passing of the Penitentiary Act, the prison began to assume its modern status in legislative practice as the foremost secondary, or non-capital, punishment of the state for every criminal infraction bar murder, for which the death penalty remained. The prisons in the novels of the eighteenth century were radically receptive to these socio-political developments in

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6 19 Geo III (1779) c.74.
the wider world in ways that prisons in the works of Shakespeare, or Richard Lovelace, or Bunyan were not. Moreover, I will demonstrate that fictional depictions of the prison in the novel also shaped the development of the penal reform debate in the eighteenth century.

The period I cover is from 1718 to 1780. As I discuss in chapter II, the prison came under unprecedented strain from 1718 as a result of the passing of the Transportation Act, which returned large numbers of convicts who had been sentenced to transportation back to prison while awaiting passage to the colonies. I end in 1780 with the Gordon Riots, when, as I discuss in my conclusion, many of London’s most iconic prisons were sacked. After this period I argue that novelistic depictions of the prison alter in character and become less frequent. The thesis is structured around the four, distinct types of prison that preceded the nineteenth-century penitentiary: the criminal prison; the debtors’ prison; the bridewell; and the state prison. In chapter II, I demonstrate the ways in which novelists adapted pre-existing narratives of the criminal prison, and illustrate the influence of Defoe and Fielding’s fiction on prison reform discourse. Chapter III depicts the prevalence of the incarcerated debtor in a range of eighteenth-century novels, explains the impact of the debtor on prison reform discourse, and how this challenges critical interpretations of the character and causes of prison reform. It ends with an analysis of the debtors’ prisons in Tobias Smollett’s novels, particularly Roderick Random. In chapter IV, I analyse the bridewell, demonstrating the specificity of that type of prison, both in fiction and in penal practice. I explain how the bridewell challenges critical assumptions about the chronology of prison reform, and posit an argument for the causes for its distinct but marginal presence in the novel. In chapter V, I summarize the depiction of the state
prison in British fiction, particularly Sterne’s *Sentimental Journey*, and analyse the use of this novel in two of the most influential prison reform documents of the 1770s and 1780s.

This thesis does not examine fictional depictions of the eighteenth-century prison as a means to explain the ‘rise’ of either the novel or the nineteenth-century penitentiary. Instead, I analyse cultural expressions of the eighteenth-century prison in their own terms and in their printed plurality. Hence, the analysis offered here is synchronic and thematic in character, and is not rigorously chronological. Following Michael McKeon I understand the early novel to be a fluid discursive field rather than a stable literary category. I would also concur with Paul Hunter that ‘no single word or phrase distinguishes the novel from romance or from anything else, and to settle for “realism” or “individualism” or “character” as the defining characteristic diminishes the very idea of the novel’. While I understand all forms of literary discourse to shed light on cultural constructions of the prison in the Augustan period, I focus in depth on those novels which are the most demonstrably influential on subsequent renderings of the prison, and which are also the most rewarding of close reading. The laws under discussion relate largely to England and Wales, but the novels I interpret are British, and it is with the novel that the focus of my study lies.

Each chapter delineates what Pierre Bourdieu has termed the ‘*habitus*’ of a particular type of prison. The *habitus* refers to a range of possibilities enabled by different spaces, and within this range the individual’s embodied responses are neither entirely random, nor thoroughly pre-programmed. Bourdieu explains, ‘the

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conditioned and conditional freedom [the \textit{habitus}] provides is as remote from the creation of unpredictable novelty as it is from simple mechanical reproduction of the original conditioning'.

Lived expressions of the experience of the prison are born out of the \textit{habitus}, and also contribute to its continuation as a cultural structure, just as the novel as a form is understood to reflect and also to generate Augustan ideologies of the prison.

Dividing my analysis of prison fictions in this way already challenges much modern critical thinking on the eighteenth-century gaol. As J.C.D. Clark has observed, for far too long ‘the eighteenth century was made to seem important chiefly as a seed bed for the nineteenth’. This is true of many aspects of eighteenth-century culture, but it is particularly injurious with regard to the prison. In the nineteenth century the gaol was pre-eminently a criminal prison, in which all distinctions between inmates were obliterated. The criminal prison has dominated historical and literary analysis of the prison in the Hanoverian period, and it has long been assumed that all eighteenth-century prisons were also essentially indistinguishable. John Bender writes: ‘Commonality was central to the experience of the old prisons […]. Newgate, the major strong house for accused felons and condemned criminals, contained numerous debtors too. Equally indiscriminate were the bridewells’, and Robin Evans agrees.

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It is true that all criminal prisons contained areas in which to house debtors. More expensive lodgings (for both types of inmate) were available in the ‘master’s side’, and cheaper, less salubrious accommodation in the ‘common side’ of the prison. Newgate contained three master’s side debtors’ wards for men, and one for women, and four common side debtors’ wards, and one for women. In county gaols, many of which were little more than a single room appended to the keeper’s house, demarcation between debtors and felons was either rudimentary or altogether lacking.

Furthermore, the mixing of different kinds of inmates was the subject of frequent complaint in the period. Alexander Smith, in his collection of criminal lives, observes that in Newgate, ‘There is mingling the noble with the ignoble, the rich with the poor, [...] and debtors with the worst of malefactors’. The philanthropist and physician William Smith, in his tour of London’s prisons in 1776, complained that in Tothill Fields bridewell ‘Debtors, felons, fines, and disorderly people, are all huddled together’. The following year John Howard, in his exhaustive survey of the prisons of England and Wales, bemoaned the practice of ‘confining all sorts of prisoners together: debtors and felons; men and women; the young beginner and the old offender’.

But Howard and Smith’s reports on the gaols were designed to persuade readers of the need for the comprehensive, national reform of the prisons. As such, their conflation of different types of prison into one deplorable whole was a necessary rhetorical trope. In fact, as I demonstrate in the forthcoming chapters, in this period these four types of prison — criminal, debtors’, bridewell and state — retained distinct

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13 Batty Langley, *An Accurate Description of Newgate* (1724), pp. 4, 8, 32.
14 Moses Pitt, *The Cry of the Oppressed* (1691), see, for example, p. 23.
identities in legal practice, in first-person accounts, and in literary renditions. The debtors’ prison is commonly depicted in tragic, sombre tones, for instance, and the imprisoned debtor is frequently portrayed surrounded by his family; the criminal prison, by contrast, is often described in a defiant, sarcastic register and is a riotous and unruly space; in the bridewell, inmates are forced to perform demeaning hard labour; while in the state prison, the inmate is commonly deprived of any mental or physical stimulus. The aim of this thesis is to recover the particularity of the eighteenth-century prisons from the distorting influence of the nineteenth-century penitentiary, which has for too long obscured our understanding of earlier prison experience and expression.
I.ii : Literary histories of the novel

Two major critical works exist on the motif of imprisonment in eighteenth-century literature: W.B. Carnochan’s *Confinement and Flight* (1977), and Bender’s *Imagining the Penitentiary* (1987). The emphasis of Carnochan’s study ‘falls more on metaphysical than epistemological prisons’. As a result, he is more concerned with the metaphoric sense of constraint which he detects in eighteenth-century poetry than with the state-sanctioned, walled imprisonments of so much of the period’s prose fiction. Carnochan’s contention is that metaphysical imprisonments function as a protective retreat from the terrifyingly wide open spaces that the discovery of ‘the infinite universe’ had opened up in the Enlightenment mind. Prison imagery in Carnochan’s argument is concerned with ‘domesticating infinitude’.18 This study’s interests, then, are almost entirely the reverse of Carnochan’s. In a recent essay on the prison motif throughout English literature, however, Carnochan writes: ‘A history of the prison theme in eighteenth-century Britain could come remarkably close to being an account of the literature of the age’.19 The scope of his totalizing essay prevents him even from gesturing towards such an account, however.

It was Bender who first noted that ‘when the form of story-telling now called “the novel” emerged in the 1720s, it at once evinced an intimate self-consciousness concerning prison and confinement’.20 Bender’s study brilliantly outlines a series of subtle, ideological shifts in prison philosophy and architecture from 1719 until the Penitentiary Act of 1779 and is a lucid and probing account of the prison reform

20 Bender, *Imagining the Penitentiary*, p. 5.
movement in England. However, Bender views the eighteenth-century prison entirely through the lens of the nineteenth-century penitentiary, the first of which, Millbank, only opened its doors in 1821. He searches in the cultural expression of the eighteenth-century for the causes of the ‘birth of the prison’, to use Michel Foucault’s expression, as a penal instrument.21 Bender argues that ‘fabrications in narrative of the power of confinement to reshape personality contributed to a process of cultural representation whereby prisons were themselves reconceived and ultimately reinvented’.22 Bender concludes that the novel bears a proleptic relationship to the penitentiary, in that realist narrative techniques generated a ‘structure of feeling’ out of which the cultural practices of the penitentiary were able to arise.23

Starting with Defoe’s Robinson Crusoe in 1719, Bender argues that novelists introduced ‘time, sequence, and developing consciousness of character’ into the cultural consciousness.24 Just as a fictional character is capable of moral reformation over a period of time, as a demonstrable consequence of a specific sequence of events, so an inmate could be subjected to character remodelling through a carefully controlled penal environment of hard labour and religious instruction. The prison sentence is thus the penal equivalent of the novel’s narrative arc. Bender uses the prison-centred works of Gay and Hogarth to demonstrate the causality and moral sequencing of eighteenth-century art. Fielding is understood to provide the final piece of cultural apparatus necessary to the penitentiary idea through his omniscient narrators, who control the novel’s characters and events. In the narrator, the penitentiary finds its analogue for the panoptic prison warder: omniscient, largely

22 Bender, Imagining the Penitentiary, p. 1.
23 Ibid.
24 Ibid., p. 2.
invisible and in ultimate control of the penal environment. Bender concludes that the novel and the penitentiary are ‘comparable social texts’, which share an epistemology. Irrespective of its content, then, for Bender the (realist) novel is innately concerned with ‘the containment of heterodoxy’ since ‘narration itself invisibly controls, contains and becomes authoritative’.25

I will argue that Bender’s argument is beset with fundamental theoretical and methodological problems. At the outset, it is already clear that he does not read eighteenth-century novels for the particularity of the prison experience that they relay, but for signs of the potential, nineteenth-century penality that they encode. As a result of this bias, Bender is only concerned with novels that feature interned criminals, who account for a small minority of eighteenth-century inmate populations both in actuality and in the fiction written about them. Additionally, he is only concerned with realist novels, which is again a highly selective and distorting view of eighteenth-century prose fiction. His theory cannot account for, and does not acknowledge, the marked generic diversity of prose renderings of the prison throughout the period.

Moreover, the novel and the prison are not comparable cultural structures. Narrators cannot logically be said to ‘control’ and ‘direct’ characters, because characters are only as real as their narrators. There are no other possible actions available to a fictional character than the ones that they enact in the novel, which is also the only space in which they can exist. This is fundamentally not the case of the prison warder and the inmate. Narratologist Dorrit Cohn has concluded that the relationship Bender supposes between the realist novel and the penitentiary is ‘entirely spurious’ and adds that a narrative technique ‘cannot be understood as

25 Ibid., pp. 4, 213.
bearing a single, fixed ideological cultural meaning’. Jan Alber similarly asserts: ‘No direct link exists between purely narrative features and Jeremy Bentham’s plans for a Panopticon (1791)’ adding that novels ‘may all critique or support the prison, and do not in themselves correlate with pro-prison ideologies’.

Moreover, Bender’s argument is in certain respects self-defeating. The new inmate of the nineteenth-century penitentiary was stripped of his clothes and belongings, his head was shaved, and, having waded through a waist-high bath of disinfected water, he was henceforth identified by a number. The starting point of the penitentiary as a cultural structure was to obliterate all traces of an inmate’s individual (deviant) identity, starting with his name. This is the very point at which so many of the ‘realist’ novels of the eighteenth century begin, with a name, and the novelistic iteration of the individual identity that it signifies. If anything, Mikhail Bakhtin’s argument for the inherent heterodoxy of the novel, its ‘everyday language’, polyphony, novelty and radical receptivity to contemporaneity seems more persuasive as a totalizing view of the novel as a form than Bender’s argument for the novel’s essentially penitential nature.

In recent years, semiologist Monika Fludernik has focused in unrivalled detail on the metaphor of imprisonment in a range of fictional works. Fludernik offers no connection between the novels she studies and the wider social or literary context in which they were generated; her essays on the prison motif range indiscriminately

across centuries and continents. Her work is based on cognitivist metaphor theory, from which she extracts two essential metaphors of the carceral experience, the ‘container’ metaphor and the ‘bondage’ metaphor.\textsuperscript{30} Since many eighteenth-century novels do not readily deploy either, Fludernik’s work is largely silent on the corpus of texts I study here. She writes, for instance, ‘I have so far not found any metaphors specifically relating to the eighteenth-century debtors’ prison’ and therefore, despite the large number of eighteenth-century British novels which depict those prisons, Fludernik is unable to include them in her analysis.\textsuperscript{31} Her work is ‘primarily concerned with universal constants of the carceral experience’, where this study illustrates its historical specificity.\textsuperscript{32} Fludernik argues that ‘few texts are concerned with imprisonment as such, whereas many situations in our lives are experienced as confining’.\textsuperscript{33} This is manifestly untrue of eighteenth-century British novels, a substantial proportion of which are clearly concerned with ‘imprisonment as such’, and historically specific forms of imprisonment at that.

My work also engages with critical theories on the emergence of the novel form, understood by Ian Watt as being tied to the rise of self-determining individualism, the

\textsuperscript{31} Ibid., p. 155.
urban middle classes, and industrial capitalism.\textsuperscript{34} Watt’s contentions have since been qualified by critics who have argued, for instance, for the importance of journalistic writing, puritan autobiography, and amorous fiction to the generic identity of the early novel.\textsuperscript{35} In addition, Michael McKeon has argued that the period witnessed a crisis in the cultural markers of truth and virtue that the novel was best placed to negotiate.\textsuperscript{36} Recent criticism has ceased to search for an over-riding, explicable narrative for the causes of the ‘rise’ of the novel, but critics — such as Hal Gladfelder on the criminal narrative, Michael Mascuch on autobiographical writings, and Nancy Armstrong on domestic-centred novels — continue to identify the eighteenth century as a period that witnessed the emergence of the self-determining, autonomous individual, now more commonly referred to as the ‘subject’, and argue that the novel was central to this development.\textsuperscript{37} These works build on the understanding of both Watt and Georg Lukács, that the novel as a form traces the ‘via dolorosa of interiority’ for the first time.\textsuperscript{38} Most recent criticism on the early novel has tended to stress that the novel generates a new, ‘private’ sphere, both through its domestic plots and through the privacy of the act of reading novels, while at the same time articulating a


new conception of ‘public’ space. McKeon’s latest work, and the criticism of Cynthia Wall and Patricia Meyer Spacks all contend this to be the case.\textsuperscript{39}

My findings qualify this tendency in current literary criticism. The prison in the eighteenth-century novel functions, to use Gaston Bachelard’s distinction, phenomenologically, not psychoanalytically.\textsuperscript{40} It affects the inmate from the outside in, and does not enable an exploration of the innermost recesses of an individual psyche. The state of being no inmate seems able to access in the English prison is solitude. Prison is perhaps the least lonely space in eighteenth-century fiction. Rather than retreating within themselves, into an inviolable, unique interiority, eighteenth-century inmates are repeatedly depicted as being highly porous to an immersive, social environment. The prison is not deployed in the novel as a means to explore interiority, privacy and individualism, but to illuminate instead the perils and at the same time the vital necessity of sociality and interdependence. Its pervasiveness illustrates ‘the difficulty which a polite culture was having in imagining the nature of social relations’.\textsuperscript{41}

This is not to argue that the novel is not concerned with individualism, or with the related concept of privacy. Rather, this thesis will demonstrate that the prison is very rarely conceived of in eighteenth-century fiction as a space that is conducive to the exploration of either thing. This differentiates ‘the prison’ as a structuring idea from


‘imprisonment’. Samuel Richardson’s *Clarissa* (1747-8) traces the contours of a unique, self-authoring individual with unprecedented narrative attention, and it is a novel that is entirely structured around the experience of incarceration. Clarissa’s imprisonment — in her own rooms in her father’s house, and later in the brothel in London — is the reason why the characters write the letters that constitute her novel, and it is also what enables Clarissa to examine her own feelings and beliefs in such unrivalled detail. Her incarceration can be seen to foster her expression of individualism, which is also a demonstration of her attempt at self-determinism. *Clarissa* is the fullest example of this, but others include Penelope Aubin’s *Life of Madame De Beaumont* (1721), Eliza Haywood’s *The British Recluse* (1722) and *The Distress’d Orphan* (1726). As I will demonstrate, British novelists depict the experience of incarceration in a prison very differently. In the fictional prison, the capacity of the inmate to transcend their carceral environment through a Boethian retreat into a self-authored interiority is almost entirely lacking. The novels I analyse below are as concerned with sociality as with the concept of privacy, and are as concerned to delineate the relational and the political as the interior, domestic aspects of selfhood. Just as they qualify many recent studies on the generic identity of the early novel, my findings will also be shown to challenge many modern historical narratives on the nature of prison reform in the period.
I.iii : Histories of the prison

Much historical work has focused on the causes of the rise of the prison as a penal instrument in the last quarter of the eighteenth century. The reasons why the criminal prison should have moved from being regularly represented as the worst canker on the face of British jurisprudence, to being heralded, in the absence of any evidence at all, as a penal panacea, remains one of the most curious and contested areas of eighteenth-century cultural history. It is not the work of this thesis to resolve this question. However, it is necessary to outline the theories that have been put forward about the causes for the ascendance of the prison as a penal instrument, in order to situate my findings within them.

Traditional histories of the prison, such as those propounded in the seminal works of Sidney and Beatrice Webb and Leon Radzinowicz, understand the birth of the penitentiary as heralding the long-overdue triumph of humanitarianism over the gothic horror of the bloody code. In this picture, which is still dominant in general cultural histories, the person of John Howard and the fact of the American War of Independence, in 1775, are depicted as the pre-eminent drivers of a penal revolution which is understood to have occurred with the passing of the Penitentiary Act. The war threw the practice of transportation into crisis. Between 1718 — when the courts were empowered to award a punishment of transportation directly for the first time — and 1775, around 50,000 British convicts were transported to the American

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colonies. J.M. Beattie charts the rise in popularity of transportation as a secondary punishment in the eighteenth century: between 1663 and 1715, of 334 men convicted of non-capital felonies in Surrey, 4.5% were transported. From 1722 to 1749, by contrast, of 332 men convicted of the same felonies, 59.6% were transported.

The war with America interrupted the transportation of convicts and sparked fears of a crisis in prison overcrowding. In order to alleviate this, before the first ships set sail for the new penal colony in Botany Bay in 1787, the government passed an interim measure, The Hulks Act of 1776. This allowed for convicts designated for transportation to be set to hard labour on prison hulks moored in the Thames, dredging sand from the river for terms of between three and ten years. The Justitia and The Censor received their first prisoners in 1776, and the national scandal that ensued did little either to ameliorate the appalling living conditions on board or to get the Act repealed. Out of 632 prisoners confined there between 1776 and 1778, 176 died, a rate of almost one in three. Yet, partly in response to the Hulks experiment, in 1779 the Penitentiary Act was passed, authored by the young MP and penologist William Eden, the prison reformer John Howard, and the foremost authority on

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43 Pieter Spierenburg, ‘The Body and the State: Early Modern Europe’, in *The Oxford History of the Prison*, ed. by Morris and Rothman, pp. 49-77 (p. 76). Before this time, transportation was employed as a conditional pardon from the death sentence.
46 16 Geo III (1776) c.43, Par.1.
English jurisprudence, Justice William Blackstone. The Penitentiary Act, calling for the construction of two national penitentiaries to house 900 inmates, ushered the modern penal institution into statutory law for the first time.

The question remains as to why the transportation crisis should have been met by the expensive, experimental measure of the penitentiary in the 1770s. The answer most often suggested by traditional histories is John Howard, the redoubtable, Calvinist son of an upholsterer who was appointed Sheriff of Bedford gaol in 1773, and dedicated the rest of his life to prison reform. In the words of the Webbs, ‘Unlike all previous sheriffs he did not stop at the ceremonial part of his office. He unquestioningly assumed that he was, really as well as legally, the keeper of the county gaol’ of Bedford. Inspecting the gaol for which he held legal responsibility, Howard discovered a number of acquitted prisoners who were unable to leave the prison because they could not pay their discharge fees. He applied to the justices of the county for a salary for the gaoler; they agreed but required a precedent, and Howard spent the next two decades scouring the prisons in fruitless search of one. It is Howard’s unprecedentedly systematic chronicle of the prisons that is commonly understood to be responsible for pushing the Penitentiary Act through parliament; as

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50 Millbank’s construction cost of £400,000 made it one of the most expensive public buildings in the country, U.R.Q Henriques, ‘The Rise and Decline of the Separate System of Prison Discipline’, Past and Present, 54 (Feb. 1972), 61-93 (p. 64).
51 Webb and Webb, p. 34.
52 Howard, State of the Prisons, p. 1.
R.S.E. Hinde concludes: ‘There must be few men, indeed, who have left their mark on Europe as John Howard has done’.\(^5\)

However, on closer inspection, the American War of Independence loses centrality as a driver of change in penal practice. Government subsidies of transportation had terminated in 1772, and Beattie records that sentencing patterns had already begun to shift towards imprisonment at that point.\(^4\) Laurie Throness’ study of the genesis of the Penitentiary Act reveals that

> Justices intended to replace transportation with hard labour as a matter of internal policy rather than international politics, and to spend vast amounts of money on a new prison to make it possible at least three years before the Americans forced the government to act, and a full seven years before penitentiaries were mandated in law.\(^5\)

Additionally, it is manifestly not the case that Howard brought prison conditions to light for the first time in the 1770s, and thereby demonstrated the need for systemic prison reform at a time when transportation was adventitiously in crisis. Beattie’s archival work has demonstrated that debate over the function of the prison, experiments in its deployment as a penal instrument, and successive waves of its reform had been taking place since at least the 1660s.\(^6\)

Foucault and the radical historians who followed him — most persuasively Michael Ignatieff and Robin Evans — refuse the ‘humanitarian’ argument for the causes of penal change in the eighteenth century. They agree with the traditional historians, however, that a revolution in penology occurred in the wake of the passing

of the Penitentiary Act. Foucault argues that the penitentiary, with its individual cells, ‘hard’ diet, strict timetabling and rigorous insistence on the discipline of the workplace, is not indicative of, but generative of, the new power relations of an industrial capitalist era. The penitentiary works to create a docile, submissive, socially and materially excluded worker out of the flexible and independent agrarian labourer. Bentham’s radical, radial designs for the Panopticon, published in 1791, are understood by Foucault to represent the apogee of this: it ‘is the diagram of a mechanism of power reduced to its ideal form’.57 Through its architectural encoding of a principle of unblinking surveillance, it replaces the public spectacle of the power relations of the ancien régime, which were enacted on and through the body of the malefactor in full, public view. The invisible and omnipresent surveillance of the Panopticon forces inmates to police themselves, and in this, Foucault concludes, it is ‘a design of subtle coercion for a society to come’.58

The preamble of the Penitentiary Act states that incarceration ‘might be the means, under providence, not only of deterring others from the commission of like crimes’ which hangings at Tyburn, whippings and brandings had also aimed at, ‘but also of reforming the individuals’. This is the clause that traditional historians stress as the most ideologically important of the act. For radical historians, by contrast, it is the final clause of this sentence that is of paramount importance: ‘and inuring them to habits of industry’.59 The reformers of the 1770s, Foucault writes, did not aim to ‘punish less but to punish better [...] to insert the power to punish more deeply into

57 Foucault, p. 205.
58 Ibid., p. 209.
59 19 Geo III (1779) c.74, Par.v.
the social body’. While the penalty of the penitentiary might spare the prisoner’s body, Foucault argues that it did not herald an amelioration of punishment. Rather, it redirected the point of application of this punishment beneath the prisoner’s body, towards his ‘soul’.

Ignatieff concurs with Foucault, locating the cause of the ascendance of the prison in English penalty in the birth of industrial capitalism. His study attempts to apply Foucault’s findings more closely to the English penitentiary, as opposed to French reformatories. He identifies the penitentiary as the end point of a century-long ‘attempt to “criminalize” the customs of the poor in the name of work discipline’. Like Foucault, Ignatieff rejects the traditional historian’s position, that the penitentiary resulted from the dawn of humanitarianism over Europe, and instead argues that it was a necessary precondition for the punitive class relations of the industrial era. Evans also locates in the prison designs of the late eighteenth century a blueprint for insidious forces of normalization and social control over the working classes:

Later in the nineteenth century, in schools, housing and town planning a similar sort of design [...] was more hesitantly applied to the central task of fabricating normality, rather than the peripheral task of rectifying abnormality. Still, it was in the prisons that these techniques achieved their most perfect, elaborate and unrelenting expression.

Recent archival research into the history of the prison has challenged what anthropologist Clifford Geertz has called Foucault’s ‘Whig history in reverse’, which charts the march of insidiously oppressive, normalizing, exclusionary mechanisms of

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60 Foucault, p. 82.
61 Ibid., p. 74.
63 Evans, p. 8.
power where historians once located positive forces of humanitarianism and progress. The work of Beattie in particular has revealed a far more ‘dense and complex pattern of early eighteenth-century legal and institutional change’ than is identified by either of the broad historical narratives outlined above. In the words of Joanna Innes and John Styles, recent histories of the prison have undermined the ‘glib assumptions about the all-transforming character of an “industrial revolution,” that, it is increasingly clear, is incapable of bearing the explanatory demands placed on it’. My analysis lends credence to these archivally-oriented historical works, qualifying both the chronology, the reach and the ‘industrial capitalist’ character of the prison reform movement.

Beattie, Innes and Styles all agree with Foucault and the radical historians, however, that the principle of maximum severity, which had reigned throughout Europe since Roman times — whereby few offenders were punished with extreme rigour in a theatrical display of state power — gave way during this period to one which relied on the more extensive application of a less violent, more proportionate and private punishment. This shift was encoded in law in the Penitentiary Act, in which branding on the thumb was made illegal, replaced by a ‘moderate fine’. In part, the rise of the penitentiary as a penal instrument can be seen to meet the demands for proportionality and certainty in state punishments. The importance of

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66 Ibid. p. 387.
67 Foucault, p. 82.
68 19 Geo III c.74 (1779) Par.III.
Proportionality in penal philosophy is first stressed by Montesquieu who, in *The Spirit of the Laws* in 1748 writes that ‘[i]t is an essential point that there should be a certain proportion in punishments, because it is essential that a great crime should be avoided rather than a lesser, and that which is more pernicious to society rather than that which is less’.\(^6\) Samuel Johnson in *The Rambler* three years later bemoans the ineffective inflation of the bloody code in England, whereby more and more offences were punishable with the death penalty, and proposes instead ‘relaxations of the Law, and a more rational and equitable Proportion of Penalties to Offences’.\(^7\)

Proportionality is also a central tenet of the Milanese philosopher and pioneering penologist Cesare Beccaria, in his influential *Essay on Crimes and Punishments*, first published in Italian in 1764. Beccaria likewise concludes that in a humane penal system ‘there ought to be a fixed proportion between crimes and punishments’.\(^8\)

William Blackstone in his *Commentaries on the Laws of England* (1765-9) notes:

> It is a kind of quackery in government, and argues a want of solid skill, to apply the same universal remedy, the *ultimum supplicium*, to every case of difficulty. It is, it must be owned, much easier to extirpate than to amend mankind: yet that magistrate must be esteemed both a weak and a cruel surgeon, who cuts off every limb, which through ignorance or indolence he will not attempt to cure. It has been therefore ingeniously proposed, that in every state a scale of crimes should be formed, with a corresponding scale of punishments, descending from the greatest to the least.\(^9\)

William Eden, in the first full-scale work of English penology in 1771 similarly concludes: ‘If the crime be of an inferior nature, it seems certain, that the punishment

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\(^7\) Samuel Johnson, *The Rambler*, No. 114 (20 April 1751), reis., 6 vols (1752), iv, 117-26, (p. 121). For a list of non-clergyable felonies in the period, see Radzinowicz, i, 49-77.

\(^8\) Cesare Beccaria, *An Essay on Crimes and Punishments*, 4th ed., trans. by Anon ([1764], 1775), pp. 25-6, 21. All future page references given in the body of the text are to this edition.

proportioned to it should be immediately inflicted’, adding to the imperative of proportionality the importance of a swift and certain penal response to a criminal infraction.73

The infinite gradation of punishment made possible by the temporal divisions of the prison sentence was vital to the growing appeal of the penitentiary as a penal instrument. In 1778, Bentham concluded that imprisonment was a superior punishment to transportation in precisely this regard: ‘that of superior divisibility; by which means the quantity of it is capable of being proportioned with greater nicety to the different offences’.74 The principle of ‘certainty’ was related to this, referring to the increasing certainty on the part of the malefactor that they would be both caught and punished for an infraction. A penalty of certainty requires the development of more rigorous and systematic mechanisms of law enforcement than had been in place in the early modern period, the inauguration for instance of a police force, better street-lighting, the growth of the profession of the lawyer, a more pervasively litigious culture in which more infractions of law are processed through the courts, an evidentiary as opposed to a providential model of guilt and innocence, all of which have been shown to have occurred during the period under discussion.75

Additionally, the concept of ‘certainty’ referred to the notion that, when a malefactor was found guilty at trial, the sentence of the law would in every case be executed on him or her. Beccaria writes, ‘Crimes are more effectually prevented by the certainty, than the severity of punishment. [...] The certainty of a small punishment will make a stronger impression, than the fear of one more severe, if attended with the hopes of escaping’. Eden similarly urges ‘that the guilty be conducted with certainty to [...] punishment’. As Blackstone explains, under a penalty of maximum severity, the criminal’s ‘hope of escaping’ issues from the excessive nature of the punishment:

It is a melancholy truth, that among the variety of actions which men are daily liable to commit, not less than an hundred and sixty have been declared by act of parliament to be felonies without benefit of clergy; or, in other words, to be worthy of an instant death. So dreadful a list, instead of diminishing, increases the number of offenders. The injured, through compassion, will often forbear to prosecute; juries, through compassion, will sometimes forget their oaths, and either acquit the guilty or mitigate the nature of the offence: and judges, through compassion, will respite one half of the convicts, and recommend them to the royal mercy.

The royal pardon was deployed with surprising frequency in the period. Beattie has calculated that between 1660 and 1800, 61% of those convicted of property offences in Surrey were pardoned, which amounted to 1,139 convicts. Beccaria also argued that the ‘flattering hope’ of a pardon was in fact a cruelty to the criminal, since it could be seen to act as an enticement to crime. In 1751, Fielding concluded definitively that ‘Pardons have brought more Men to the Gallows than they have saved from it’.

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76 Beccaria, p. 98.
77 Eden, pp. 281, 284.
78 Blackstone, iv, 18-19. See also King, p. 1.
80 Beccaria, p. 175.
81 Henry Fielding, An Enquiry into the Causes of the late Increase of Robbers, (1751), pp. 186-7. The same sentiment is found in the anonymous pamphlet, Hanging Not Punishment Enough (1701), p. 4.
A penitentiary sentence, in lieu of the gallows, would remove the necessity for justices and juries to refrain from executing the sentence of the law, and for the use of the royal pardon, because it was deemed ‘humane’ and proportionate to the severity of the crime. In relinquishing the power to pardon, however, the monarch receded from the visible surface of the practice of punishment. In Foucault’s words, ‘the right to punish has been shifted from the vengeance of the sovereign to the defence of society’.\footnote{Foucault, p. 90.} This is a reformulation of Emile Durkheim’s earlier understanding of the causes of the rise of the prison as a penal instrument. Durkheim writes that penalty

no longer consists of that petulance, that explosive suddenness, that indignant stupefaction incited by an outrage directed against a being whose worth is incomparably greater than that of the aggressor; it is, rather, the calmer, more reflective emotion provoked by offences which take place among equals[...]. Hence, the necessity of new punishments which are in accord with this new mentality.\footnote{Emile Durkheim, ‘Two Laws of Penal Evolution’, in \textit{On Institutional Analysis}, ed. and trans. by Mark Traugott (Chicago and London: University of Chicago Press: [1899-1900] 1978), pp. 153-80, (p. 179).}

The shift from a monarchal to a parliamentary society in the wake of the Glorious Revolution is understood by Durkheim to have necessitated a shift in the practice of punishment away from the scaffold and towards the penitentiary.

No single factor can account for this alteration in the character of penalty. In addition to the growing importance of proportionality and certainty, Beattie has identified an increasing distaste for public displays of violence in the third quarter of the eighteenth century.\footnote{Beattie, \textit{Crime and the Courts in England}, p. 139.} Margaret De Lacy has demonstrated the importance of changes in scientific understandings of the causes of disease, particularly gaol fever,

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\footnote{Bernard Mandeville, \textit{An Enquiry into the Causes of the FrequentExecutions at Tyburn} (1725), p. 25; Beccaria, p. 175, and in the Justice Richard Perryn’s \textit{Thoughts on Executive Justice} (1785), p. 73.}
\footnote{Foucault, p. 90.}
\footnote{Beattie, \textit{Crime and the Courts in England}, p. 139.}
\end{footnotesize}
to the development of prison reform discourse from the 1750s. ‘Industrial capitalism’ is as inadequate an explanation for the shift away from the scaffold and towards the prison as ‘humanitarianism’ proved to be. Foucault understands the eighteenth-century prison as an embryonic structure; it is of interest to his study only in so far as it sheds light on the nineteenth-century penitentiary and Victorian economic practice. This position, which is repeated in the works of Evans and Ignatieff, has obscured our view of eighteenth-century prison culture.

The flattening effects of this teleological reading of prison history are evident even in the critical narratives that I have outlined above. They are concerned only with the criminal prison. No mention is made in them of the debtors’ prison, the radical experiments in social control that the bridewell represented, or the form and function of the state prison. Moreover, it is manifestly untrue that all eighteenth-century prisons were essentially alike, even within the broad typology outlined earlier. The Marshalsea, for instance, was a prison specifically for pirates, and additionally was widely represented as housing the prostitute segment of the debtor population; the Fleet, meanwhile, the ‘Prince of Prisons’, was regarded as a refined, gentleman’s prison. The prisons were generally located in the heart of the city, and were open at all times to fee-paying visitors; in debtors’ prisons, inmates also frequently chose to live with their wives, children, and servants. Eighteenth-century prisons were markedly porous structures and their inmates were repeatedly depicted as being highly responsive to their particular carceral environment. I will demonstrate that

87 Howard, State of the Prisons, p. 33; Bernard Mandeville, An Enquiry into the […] Frequent Executions at Tyburn, (1725), p. 16
cumulatively, representations of these types of prison explored related but distinct cultural concerns in the period which have not yet been particularized in literary criticism. Due largely to the structuring influence of the nineteenth-century penitentiary, our understanding of the eighteenth-century prison, and of the fictions that were written about them, has been badly distorted. This thesis will recover the plurality of the eighteenth-century prison, beginning with the criminal prison, which was a fertile source for narrative experimentation in the novel.
Chapter II: Criminal Prisons: Questions of Character.

But without considering Newgate as no other than Human Nature with the mask off, which some very shameless writers have done, a Thought which no Price should purchase me to entertain, we may be excused from suspecting, that the splendid Palaces of the Great are often no other than Newgate with the Mask on.

Henry Fielding, ‘Preface’ to the Miscellanies, (1743) ¹

In this chapter, I begin by outlining two important factors which can be seen to influence the depiction of the criminal prison from 1718. I then describe the rhetorical character of the prison in the Accounts of the Ordinary of Newgate and the unofficial criminal biography, and illustrate where these forms overlapped and where they differed in the presentation of the criminal life. I then examine Daniel Defoe’s development of the literary conventions of the Newgate narrative in Moll Flanders, and argue that his portrayal of the prison influenced the shape of prison reform discourse. I end this chapter with an analysis of the Newgate novels of Henry Fielding, demonstrating the ways in which Fielding not only deployed but also influenced the contemporary cultural construction of the criminal prison in print.

The centrality of the figure of the criminal to the eighteenth-century novel has long been noted. Lennard Davis traces the origins of the genre to a ‘news/novel matrix’, an urgent, factual discourse generated by news sheets and criminal biographies in the late-seventeenth century, concluding that ‘There seems to have been something inherently novelistic about the criminal, or rather the form of the

novel seems almost to demand a criminal content’.² Lincoln Faller, in his study of criminal biography, concludes that ‘the most valuable way to relate criminal biography to the novel, it seems to me, is [...] in terms of the “occasion” it made for the reading and writing of extended narratives about (to use Lukács’s term) “problematic” lives’.² Similarly, J.J. Richetti suggests that travel narratives and criminal lives created ‘a new kind of market-place for a newly aggressive fictional product’.⁴ Novels and criminal biographies shared writers, printers and readers, and both fuelled and were propelled by a newly voracious market for ‘real’ printed lives.

Richetti also noted that in the genre of the criminal biography, ‘the criminal’s sin is individualism’, a concept which echoes another of Ian Watt’s contentions: not that the novel is necessarily ‘realist’, which underlies Davis’ critical stance, but that it is newly concerned to delineate the contours of an emergent individual.⁵ This notion has since been explored by Hal Gladfelder and Ian Bell. In distinction to Bender’s assertion that the novel anticipates the penitentiary, Gladfelder argues for its innate radicalism, suggesting that ‘the singularity of the individual is transgressive *in itself*, inescapably deviant in its origins and enactment’.⁶ He finds that the genre is marked by an inherent conflict with regard to criminality, a valorisation which is counterbalanced by an attempt at containment.⁷ Bell similarly concludes, antithetically to Bender, that ‘the confrontation of literature and law is [...] not a collaboration but a “battleground”, to use Foucault’s term, a prolonged skirmish of

² Davis, pp. 34, 125.
⁵ ibid, p. 31. Watt, p. 17.
⁶ Gladfelder, p. 6.
⁷ Ibid., pp. 7-8.
ideologies in which the inner tensions and contradictions of Augustan society are replicated, intensified and made manifest’.8

The findings of this chapter will amend both of the broad critical positions outlined above. I concur that the writing of the criminal life demonstrates at the moment of rupture areas of contestation in the relationship between the will of the deviant individual and that of the community. My analysis lends weight to the argument that the public appetite for criminal lives is one that is exploited in form and content by early novelists. Yet I qualify the notion of the valorisation of the ‘individual’ in the print narratives of criminal lives by arguing that it is the related but distinct concept of the criminal ‘character’ that the Newgate narratives are concerned to authenticate, rather than the interior and isolationist epistemology of the ‘individual’. I demonstrate, additionally, that even professedly ‘low’ criminal prison narratives display rhetorical tropes that cannot readily be identified as ‘realist’, complicating Davis’ view of the relationship between the novel and the figure of the criminal.

II.i Transportation and criminal character

Beattie has demonstrated that the Transportation Act of 1718 marked a watershed in the history of the English criminal prison. Through that statute, Justices were enabled to sentence ‘persons convicted of [...] property crimes’ to transportation for terms of seven years, fourteen years, or for life. Thereafter, transportation rapidly became the foremost secondary, or non-capital, punishment of the state for felons convicted of property crimes. Peter Spierenburg has estimated that:

by 1772, three fifths of male convicts were transported (women were transported less during every period). Imprisonment, meanwhile, was statistically insignificant during the first half of the century; even in the third quarter of the century, no more than one-tenth of convicts received prison sentences.

However, Beattie has argued that transportation placed the prison system under unprecedented strain, since all of the convicts sentenced to transportation would have been returned to gaol while awaiting passage to the Americas. Moll Flanders, for instance, ‘Lay in the Prison near fifteen Weeks after this order for Transportation was sign’d’. Batty Langley, in his Accurate Description of Newgate, reports in 1724 that ‘Twice a year or oftener’ the keeper of Newgate would deliver transportees to Captain Forward, who was responsible for their passage. Forward was paid 3l. from the state

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9 Beattie, Crime and the Courts in England, p. 300; 4 Geo I (1717) c.11. The Statute passed in January, 1718, but this month is incorporated into the previous legal year.
10 Langbein, p. 57. Prior to this date, transportation had been awarded as a conditional pardon for hanging offences. From 1661 to 1700, Langbein estimates that approximately 4,500 convicts were dispatched to the colonies prior to 1700. Ibid., p. 56. Spierenburg calculates that 50,000 convicts were sent to the Americas under the terms of the Transportation Act between 1718 and 1775, p. 76.
11 Ibid.
12 Daniel Defoe, Moll Flanders (1722), p. 363. All page references given in the body of the text are to this edition. Liz Bellamy notes that ‘Convicts in London were usually held in jail for two months before transportation, so Moll’s fifteen weeks would have been longer than average’. Daniel Defoe, Moll Flanders, ed. by Liz Bellamy, The Novels of Daniel Defoe, (London: Pickering and Chatto, 2009) VI, p. 309, n.741.
for each criminal transported.\textsuperscript{13} The resulting prison over-crowding, Beattie concludes, meant that ‘transportation helped to make the prisons seem inadequate before the invention of imprisonment confirmed it’.\textsuperscript{14}

At the same time as the criminal prison experienced exceptional logistical strain, housing more felons for longer terms, it was becoming increasingly visible and rhetorically coherent in print.\textsuperscript{15} Print narratives of the criminal prison overwhelmingly focus on Newgate, where felons condemned to hang at Tyburn were held. Initially through the convention of the confession of the condemned felon to the priest of Newgate prison, the Ordinary, the criminal prison was repeatedly presented as the site in which the criminal would fully and finally reveal previously concealed details of their life and crime. These were then published by the Ordinary, as his ‘Account’ of the criminal in question. The criminal biographies which situated themselves in competition with the Ordinary’s Account claimed to be better placed to unearth an ‘authentic’ criminal character. Again these purported to be based on interviews with the prisoner in Newgate. Cumulatively, these renderings of the criminal life depict the prison as the pre-eminent space in which to reveal the truth of the criminal character.

This desire to establish a correct, coherent and publicly legible criminal character had important legal ramifications at this time. Following Foucault, historians have

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\textsuperscript{13} Langley, pp. 50, 52.
\textsuperscript{15} There were two main types of criminal court in England at this time: the Quarter Sessions and the Assize. The former were held quarterly, presided over by Justices of the Peace for the county, and dealt with petty crimes like riot, fraud and petty larceny. The latter, held twice yearly by Judges of the High Courts, dealt with more serious crimes like homicide and felonies. Beattie, \textit{Crime}, (1986), pp.4-5. Blackstone calculates that the maximum amount of time a malefactor would spend in gaol was six months: ‘one way or other, the gaols are cleared, and all offenders tried, punished, or delivered, twice in every year’. Blackstone, iv, 267. He does not consider returned transportees in this estimate.
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identified a broad cultural transition from the concept of crime as a sin to one in which it is a social transgression.\textsuperscript{16} Malcolm Gaskill, for instance, argues that from the end of the seventeenth century, the reliance on providence to establish guilt was replaced by an ‘increasing judicial insistence on higher evidential standards to prove murder at law, a requirement which called for more thorough investigative methods’.\textsuperscript{17} However, Beattie has shown that it was the establishment of character that was the mainstay of the eighteenth-century criminal trial: ‘As the courts became more impersonal, knowledge of the character of the offender remained centrally important and the trial was designed in the middle of the eighteenth century to elicit it’. His research into Surrey court proceedings reveals that ‘most defendants [...] relied not on exposing the flaws in the prosecution’s case but on bringing evidence to their own good character’.\textsuperscript{18}

‘Character’ in this context is both publicly legible and established relationally. It is evidenced in court in three ways: through reference to a defendant’s public deeds; through the testimony of ‘character witnesses’, who claim to know the defendant intimately; and on the basis of how the defendant appears under questioning at trial. Character, then, is a public construct, both in that it is constituted in a public, juridical space, and in the means of its establishment. It expresses a private, individual identity, but only relationally. In Johnson’s \textit{Dictionary} definition, it is the ‘\textit{representation} of any man as to his personal qualities’ (my emphasis).\textsuperscript{19} With the decline of providence, and before the full emergence of the evidentiary procedure that would come to define the nineteenth-century trial, the correct establishment of

\begin{itemize}
\item \textsuperscript{16} Foucault, pp. 46-51.
\item \textsuperscript{17} Gaskill, p. 242.
\item \textsuperscript{18} Beattie, ‘Crime and the Courts in Surrey’, pp. 171, 170.
\item \textsuperscript{19} Samuel Johnson, \textit{Dictionary} (1755-6), I.
\end{itemize}
criminal character took on an unprecedented juridical importance. Yet, as I will demonstrate below, it was also a process that was repeatedly depicted as being fraught with difficulties.

The significance of Newgate as a site in which to unveil the criminal character is evident in the quotation with which I open this chapter, from Fielding’s Miscellanies. He begins: ‘But without considering Newgate as no other than Human Nature with the mask off, [...] a Thought which no Price should purchase me to entertain’. The clause is overburdened with negatives and modifiers: ‘But’, ‘without’, ‘no other’, ‘no Price’. Newgate, Fielding asserts, does not represent ‘Human Nature with the mask off’, though some ‘very shameless writers’ (probably here referring to Mandeville) have claimed otherwise. He thus raises the possibility, even as he disavows it, that Newgate is indeed universally revealing of the true nature of humanity. He also establishes a congruity, even as he denies it, between his own text and those of the ‘very shameless writers’ who have so portrayed the prison. Having established what Newgate is not, Fielding appears to clarify his position on what it is with the assertion that ‘we may be excused for thinking’ that ‘the splendid Palaces of the Great are often no other than Newgate with the Mask on’. But this, too, is more rhetorically resonant than explanatorily sound. If wealth, power and privilege might be understood to constitute a public ‘mask’ with which to conceal criminality, we are no nearer an understanding of what is revealed through the unmasking of the Palaces of the Great. They are ‘Newgate’, Fielding writes, which is itself only a ‘mask’. What Fielding unequivocally reveals here is the dense representational power that the criminal

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20 Mandeville’s philosophy, as espoused in The Fable of the Bees (1714), is denounced in Amelia. Captain Booth tells Miss Mathews that Mandeville has ‘represented human nature in a picture of the highest deformity’. Henry Fielding, Amelia, 4 vols (1751), i, 205. All future page references, given in the body of the text, are to this edition.
prison had accrued by 1743. Guilt, innocence, ‘truth’ and character are all understood to be hidden by, and additionally, therefore, discoverable within, the criminal prison. The ensuing analysis will establish both the written character of the prison, and detail the unmasking of the individual, criminal character that occurs within its walls.
II.ii : The Ordinary of Newgate, his Account, and the criminal biography

In the early decades of the eighteenth century, the most numerous print narratives of the criminal prison were those authored by the Ordinary of Newgate, the priest whose parish constituted the souls in Newgate, and whose particular concern were those condemned to death. 237 ‘Accounts’ of the Ordinary have been identified, most dating between 1700 and 1760. They describe the lives, behaviour under sentence of death and hangings or pardons of 1129 men and 58 women.21 The earliest example is by the notoriously unpopular Ordinary Samuel Smith in 1679.22 Until 1712, the Accounts were published as folio broadsheets, after which they appeared as six folio pages, and were again enlarged in the 1720s, selling for between 2 and 3d. In 1734, the Accounts became a pamphlet, selling for between 4 and 6d, a reflection of their popularity and consolidation as a literary genre. 23 Under the Ordinary John Villette, the Accounts were collated and published as a four volume set in 1776, which later became known as the Newgate Calendar. At that date, Ordinaries’ salaries still amounted to only £35 a year; the sale of the Accounts considerably enlarged this stipend.24

Despite slight shifts in tone depending on which Ordinary authored them, the Accounts contain a predictable mixture of biographical information of the inmate, depictions of their crimes, and descriptions of sermons, prayers, and their apparent

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22 Samuel Smith, An Account of the Behaviour of the Fourteen Late Popish Malefactors whilst in Newgate, […] (1679).
23 Linebaugh, p. 247.
24 McConville, A History of English Prison Administration, p. 75. Batty Langley estimates in 1724 that the Accounts would have more than doubled the Ordinary’s income, to a total of £100 a year. Langley, p. 52.
penitence or intransigence in the face of death.\textsuperscript{25} Details of the malefactor’s crime are occasionally starkly rendered. Rachel Beacham, a 47-year-old from Hull, was hanged for the murder of ‘Henny, a toddler, whose throat she cut with a case knife while her nine year old daughter sat up in the bed’.\textsuperscript{26} Such details serve to particularize and identify the criminal, but the guilt of the malefactor is never questioned in the tacitly providential world-view of the Accounts. They are pre-eminently narratives of the containment of the criminal element, a circumscription, from birth and early childhood, through sin and crime, to a potentially redemptive death.

From the first, however, the Accounts exhibit unease about the moral probity of publishing details of deviant lives. In 1684, Samuel Smith defends his decision to publish his Account by stating the hope that ‘it will be a means to reclaim Vice in Youth’.\textsuperscript{27} This assertion of the morally redemptive potential of the Accounts is repeated throughout the ensuing century. Samuel Rossell’s first Account tellingly conflates the publication of his narratives with the act of executing the condemned on the scaffold: ‘ Truly sorry I am, that there should be any occasion for these sad examples of justice; but the extreme wickedness of the age calls aloud for them’.\textsuperscript{28} Villette, in 1776, prefaced the Malefactor’s Register with the assurance: ‘The whole tending, by a general display of the progress and consequence of vice, […] to convince

\textsuperscript{25} See also, for instance, the Account of 19-year-old William Holmes in John Taylor, The Ordinary of Newgate’s Account of […] six malefactors who were executed at Tyburn, on Monday 11th of November 1751 (1751) p. 2.
\textsuperscript{26} Ibid., p. 19.
\textsuperscript{27} Samuel Smith, The Behaviour of Edward Kirk, after his Condemnation for Murdering his Wife […] (1684).\textsuperscript{5}
\textsuperscript{28} Samuel Rossell, The Ordinary of Newgate his account […] on Friday the 1st August, 1746 (1746), p. 1.
individuals of the superior excellence of those laws framed for the protection of their lives and properties’.  

The Accounts are blatant in their hegemonic ideological work, partly as a means of obviating the criticism that they might be read as patterns to emulate. Some Ordinaries did allow their subjects to intrude into their narratives. In 1716, Paul Lorrain describes the deaths of two Jacobite rebels, executed for treason at Tyburn who ‘persisted tenacious in their way [...] neither would they kneel at my prayers’ at the last. On another occasion, Lorrain confesses that he was unable to persuade a pirate to penitence, reporting that ‘he hated to see my face’, threatened to kick the priest down the stairs, and to rip up the bible the Ordinary left for his perusal.

In spite of these occasional rebuttals of an officially sanctioned narrative of humility and penitence, the Ordinary’s Accounts accorded the criminal life a social context and a religious trajectory, in an effort to narratively circumscribe and culturally contain criminality. It was within Newgate that the criminal character was understood to yield up its meaning for contemporary readers. Cumulatively, the Accounts generated a concordance between the space of Newgate prison and some of the most popular prose narratives in the period. Tonally uniform and pious, the narrative of the criminal life is mediated through the authenticating figure of the literate priest. Yet they remain morally ambiguous, as is made clear by the depictions of the Accounts that appear in unofficial criminal biographies of the period.

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The criminal biography tended to position itself in direct competition with the Accounts, frequently referencing and directly ridiculing the figure of the Ordinary. One of the most influential prison narratives of the period was the *History of the Press Yard*, purportedly written by a Newgate inmate, published in 1717. It lists as part of its contents ‘An Interview with the Ordinary’, a decisive turning of the narrative tables on the priest.\(^{32}\) Bemoaning Lorrain’s capacity as a spiritual guide, the narrator is informed by a long-term denizen of the prison that he is ‘a very Tertullian’ (p. 49) in comparison with his predecessor, Samuel Smith. There follows the report of a lengthy, sardonic exchange between Smith and a condemned felon who refused to confess to that priest’s satisfaction: ‘He will neither own himself a Sabbath-breaker, a Drunkard, nor a Whore-master; the only three Topicks I can any ways enlarge upon, [...] Sirrah, you must be one of these three, that you must; therefore recollect your self; [...] or I shall be at a Loss to say any Thing of you in my Paper’ (pp. 50-51).

The narrator then undermines the Ordinary’s stock moral defence of the Accounts:

> the Characters of the Persons employed to induce them [to a confession], are as low, as their Salaries, and under the Pretence of Benefiting others by the Terrors of Offenders Punishment, and the Odiousness of their Example, they only consult their own Interest, by committing those Confessions to the Press, for the Lucre that is obtain’d for so doing; and violating their own Consciences in the Publication of what their Holy Profession enjoyns them to keep Secret. (p. 52)

He urges the City to provide Ordinaries with a salary generous enough to remove the necessity of their turning author to augment it.

This challenge to the capacity of the Accounts to convey the criminal character correctly was clearly important in opening up a space for the contesting ‘authentic’ narratives offered the public by the unofficial criminal biographer. Captain Smith’s

\(^{32}\) *The History of the Press-Yard* (1717), title page. All further page references are to this edition.
popular *Lives of the Highwaymen*, first published in 1714, emphasized the fact that unlike the Ordinary, the criminal biographer was under no obligation to re-render criminal speech in Christian rhetoric, or to elide a professionally embarrassing refusal to repent. Smith describes his text as ‘the first impartial piece of this nature which ever appear’d in Europe’. He states, without apparent irony, that the Accounts had become too ‘low’, for most malefactors to wish to be included in them. Criminals ‘wou’d not have their friends and relations expos’d by those papers which are disper’sd abroad under the title of, An Account of the Behaviour, last dying speeches, and confessions of the malefactors who were executed this day at Tyburn’. Smith, and the criminal biographers who followed him, clearly position their narratives as superseding the Accounts.

Rhetorically, however, the criminal biographies of Smith and the anonymous *Lives of the Pirates* are very similar to those of the Ordinary: brief biographical accounts of the malefactor together with the journalistic relation of their crimes. Moreover, the proposition that the Accounts restate throughout the century, that the narration of a criminal life was a spiritually redemptive public service, is repeatedly appropriated by the unofficial Newgate biographer. The memoirs of the condemned thief, John Hall, hanged at Tyburn in 1708, are offered to the public as an ‘Act of Oblation, such as doing Service to God and my Country’. The use of this narrative

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34 Ibid., p. v.
35 The author of the life of the condemned forger John Barry similarly reassures his reader that: ‘The following short Narrative is not calculated to deceive Mankind under the Character of a Confession, or last dying speech, but only to give some satisfactory Account who the Man is, and of his Behaviour while under Sentence of Death’. *A Short Narrative of John Barry* (1746), p. 1.
36 *The Lives of the Pirates*, (1725).
service is made explicit in the title page, which promises to provide the reader with ‘Rules to avoid being Robb’d or Cheated’.37

The relationship between Newgate, confession or revelation, and the public narration of crime as an act of penance, is already evident in the earlier picaresque novel by Richard Head, The English Rogue, first published in 1665, and reprinted throughout the eighteenth century.38 In his second sojourn in Newgate, the petty thief and picaro Meriton Latroon’s conscience ‘started out of its dead sleep’.39 The ‘first fruits’ of his character ‘reformation’ is the text we hold in our hands. He is impelled to give ‘something to the world that might serve as a guide for travellers, how they might pass in safety on their way’ and avoid the snares of the highwayman.40 With ‘the accommodation of a candle, pen, ink and paper, &tc.’ he begins, within Newgate, to script the novel we now read.41

The prison enables the text in two, distinct but related ways: firstly, it provides the static physical environment necessary for the creation of an extended prose narrative. Secondly, it is indicative of a socially and legally constituted narrative of punishment, retribution, and penitence, through which to judge and constrain the criminal life. The fact of the prison thus legitimizes the rogue narrative. Because he is under the public sentence of the law, with its inherent moral disapprobation of his deviancy, he is free to enlarge the text of his criminal life. Under sentence of death, Latroon is visited by ‘a charitable physician of the soul’, the Ordinary, who encourages him to ‘a

38 Richard Head, The English Rogue, 2nd edn ([1666] 1668). At least nine eighteenth-century editions of Head’s novel were published: 1700; 1701; 1710; 1715; 1723; 1741; 1759; 1776; and 1786.  
39 Ibid., Chapt. LIX, Sig. C2, 6f.  
40 Ibid., Sig. C2, 6f-v.  
41 Ibid.
general ingenious confession [...] Finding this person to have no other design, but merely for my soul’s sake, I dissected the actions of my whole life’. Latroon is thus driven to forge a narrative of his life as a narrative of his rogueries by the presence of the Ordinary of Newgate. This prison narrative exchange is, in that sense, a prototype of the novel form itself.

The criminal biography’s combative claim to convey an ‘authentic’ criminal life is most clearly evident in The Narrative of John Sheppard, which has been insecurely attributed to Daniel Defoe. Sheppard executed a series of spectacular escapes from London prisons in 1724; his crimes and daring escapes, from what were held to be the strongest prisons in the country, formed the subject of a number of articles, pamphlets, engravings, and biographies, as well as two, ill-fated plays. He was hanged on 16 November of that year, aged twenty two, for a series of robberies committed in and around the capital. According to the Newgate Calendar, his hanging was attended by vast numbers of spectators, he ‘died with great difficulty’, and was ‘much pitied by the mob’.

The Narrative of John Sheppard begins with the apparently self-authored reflection that:

As my unhappy Life and Actions have afforded Matter of much Amusement to the World; and various Pamphlets, Papers, and Pictures relating thereunto are gone abroad, most or all of them misrepresenting my Affairs; ‘tis necessary that I should say something for my self, and set certain intricate Matters in a true

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42 Ibid., Chapt. LXV, Sig. D2, 4v.
44 John Thurmond, Harlequin Sheppard (1724); The Prison-Breaker (1725).
45 Villette, I, 266. Villette states that Sheppard was 23 when he was executed.
Light; every Subject, how unfortunate or unworthy soever, having the Liberty of publishing his Case.\(^\text{46}\)

The biography is cast as a narrative reclamation of Sheppard’s ‘Life and Actions’ and ‘Affairs’, it being ‘necessary’ that ‘I should say something for my self’ in order to arrive at the ‘Truth’. His act of self-authorship is additionally cast in political terms. He is the ‘Subject’ not only of a raft of Newgate narratives, but of the political state that has forged the ‘Case’ against him, and so the imprisonment of which, and from which, he now speaks. Furthermore, the act of authoring his own biography is a ‘Liberty’ available to all such politically and narratively constituted subjects, the form in which his ‘representation’ is able to travel ‘abroad’, not in spite of, but precisely because of his bodily containment in Newgate.

In *The Narrative*, Sheppard is made to state his hope that his example ‘will prove a Warning to all young Men’ of the dangers of emulating his criminality.\(^\text{47}\)

Cumulatively, however, the Sheppard narratives undermine the official narrative of Newgate, since to varying degrees they celebrate the fact of his repeated escapes from that prison, and from his state-authored punishment. This is particularly evident in reports on Sheppard in the newspapers. *The Weekly Journal*, relaying the story of Sheppard’s incarceration in Newgate, notes that ‘We hear that on Saturday Night the Keepers found a small File conceal’d in a Bible which was lent him for his Preparations. And on Wednesday they wen[t] into the Condemn’d Hold and found two Files, a Chissel, and a Hammer’.\(^\text{48}\) The use of ‘we hear’ conveys a sense of secrecy and urgency around Sheppard’s plots to escape, emphasized by noting the discovery of the tools without detailing how Sheppard came by them. The condemned prisoner is not

\(^{46}\) [Defoe] *John Sheppard* (1724), p. 3.

\(^{47}\) Ibid., p. 29.

\(^{48}\) *Weekly Journal* (19 Sept. 1724), p. 4; see also *The British Journal*, issue 104 (12 Sept. 1724), p. 5, which celebrates Sheppard’s talent for disguise.
conveyed as contrite or remorseful but on the contrary, as refusing to submit to his punishment.

The Sheppard narratives’ celebration of his capacity to escape the sentence of the law is also evident in the unusual illustrations which accompany his criminal biographies. The following is a large, insert frontispiece of the *Narrative of John Sheppard*:

The caption reads, ‘John Shepherd, *Drawn from the Life*. A. The Hole he made in ye Chimney when he got loose’. The standard, brutal prison iconography of chain, lock, stone walls and barred windows are all exaggerated and set against the romantic cast of the prisoner with his delicate, limp fingers, his slim calves, and his wistful glance at the window. The hard facts of his confinement are juxtaposed against the loose, flowing cloth of his cape, and the almost anatomical, fleshy opening in his chest, formed by the unbuttoning of his coat, which is allusively mirrored in the gaping hole in the fabric of the prison wall behind him. Additionally, the illustrator deploys the character ‘A’ to explicate the image. This is a prison scene which requires a ‘key’ to unlock. Moreover, the section of the image that is decoded by the key is itself an undoing of the capacity of the prison to contain the criminal. The image thus visually replicates the subversive impact of the Sheppard narratives as a whole: breaking through the state-authored narrative of criminal containment.

This is more pronouncedly the case in the *Authentic Memoirs of the Life ... of John Sheppard*, published in the same year. It contains ten illustrations which foreground not the person of the felon, but the prison walls and doors which constrain him, all of which boast explicatory keys. The final image of the text reads as follows:
The representation of five, consecutive, barred doors take up the entire page of the volume, and block the reader’s progress through the narrative, just as their wood and iron analogues had prevented Sheppard’s illicit progress through the prison space. The author/artist has here exhausted every letter of the alphabet in creating a key with which to unlock the images of his text, the last five of which are concerned solely with breaking through the seemingly impregnable locks, bars and bolts of Newgate’s doors. The act of reading the narrative is thus made analogously subversive with

50 Authentic Memoirs of the Life and Surprising Adventures of John Sheppard (1724) Sig. G10f.
51 Ibid., Sig. G6f.-G10f.
Sheppard’s repeated escapes from the confining judgement of the law. The Sheppard narratives particularly depict Newgate as a space of narrative contest over the ‘authentic’ criminal character, and one which is uniquely enabling of a ‘low’ form of public celebrity. Sheppard complains in *The Narrative* of being made a ‘publlick Spectacle’ in the condemned hold, and it has been estimated that Newgate’s Keeper William Pitt charged visitors up to two hundred pounds to see him in the days before his death.

The notion that the reader must engage in an act of textual translation in order to grasp the prison narrative’s meaning is evident in the ‘keys’ to the images of the Sheppard narratives, cited above. It is also frequently signalled through appending a ‘cant dictionary’ to criminal biographies. John Hall’s 1708 Newgate biography advertises on its title page a dictionary of ‘the Cant generally us’d by those Sort of People’, with which the reader might decode not only Hall’s language in the Newgate biography, but criminal speech in the world at large. These dictionaries form the most blatant indication of the need to translate the criminal prison portrait in order to arrive at its ‘true’ meaning. The concept of textual translation is present in the majority of unofficial Newgate narratives, however, through the stock recourse to a strenuous strain of sarcasm. The 1708 thieves’ biography cited above, for instance, is authored by ‘The Right Villainous John Hall’, which topsy-turvy logic satirically elevates the common thief to a position of social standing, while denigrating as faintly

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52 This is also evident in the key which explains the broadsheet print: *An Exact Representation of ye Holes Shepherd made [...] in making his wonderful escape out of Newgate* (1724).
criminal the officially titled gentleman whose status he has filched. Batty Langley of Twickenham appends to his unusually detailed *Description of Newgate* a biography of ‘Honest Jonathan Savage’, who was executed for theft, describing the ‘Means [by which] he acquired the reputable Title of Thief–Catcher’. In 1730, the same tone is brought to bear in the lives of another ‘Great man’, the infamous, Scottish gentleman and ‘rape-master general’, Colonel Francis Charteris. ‘Honest master Francis’, was twice arrested for committing a rape on his female servants, in 1722 and in 1730, and despite being found guilty at trial was in both instances issued with a royal pardon.

These sardonic appellations of ‘honest’, ‘great’, or ‘reputable’, require that the reader invert them in order to arrive at the ‘true representation’, and correct, condemnatory moral stance of the narrative. A measure of the rejected, celebratory meaning is retained in the ironic discourse, however. Moreover, the invitation to the reader to invert the surface meaning of a Newgate narrative is in itself subversive, since the larger socio-political narrative of Newgate is of the correct and necessary containment of criminality by the state. Finally, the gallows humour that is common to these portraits constitutes a challenge to the official prison narrative at the level of vocabulary, by suggesting that the criminal is emboldened rather than humbled by his incarceration.

When the subject of the criminal biography is a woman, Newgate biographers commonly deploy a sarcastic register through the comically inappropriate use of romance tropes. The biographies of the prostitute Sally Salisbury glory in this dissonance between romantic style and criminal substance. Salisbury was indicted for

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55 Langley, pp. 57, 69.
56 *Authentick Memoirs of […] Colonel Ch——s. Rape-Master-General of Great Britain* (1730), p. 3.
57 *The History of Col. Francis Ch-rtr-s*, 4th edn (1730) p. 34.
stabbing a client, John Finch, in the breast with a bread knife because he hadn’t
bought her a ticket to the opera.58 Finch recovered from the wound, and Salisbury was
sentenced to a fine of £100 and a year in Newgate prison, a rare but not anomalous
instance of the prison being deployed as a punitive instrument at this time.59 At least
nine separate biographies and ballads about Salisbury were printed in 1723, one of
which, by Anthony Boles, is entitled:

The Genuine History of Mrs Sarah Prydden, usually called,
Sally Salisbury, and her Gallants. Regularly containing the
Real Story of her Life. As well the Adventures not yet known, as
those Matters which are True in the Songs, Accounts and
Memoirs, already Published of her; and Rectifying what in
those Papers is related Wrong.

Again, the Newgate narrative is specifically concerned with ‘rectifying’ what is ‘wrong’
in other print narratives of the criminal life. It contests the ‘genuine’ character, the
‘real’, ‘true’ ‘life’ and ‘adventures’ of the criminal. Additionally, Boles comically casts
Salisbury as ‘the heroine of our history’, compares her to ‘Venus’ attending ‘Paris [...]’
in Homer’, and describes her clients, as twenty ‘golden angels’ who ‘appear’d to the
keepers of the cage’ to demand her enlargement.60 Charles Walker’s life of Salisbury is
similarly couched as a mock-romance. Walker compares her to ‘the whole Current of
Antiquity’, from famous courtesans like Lais of Corinth to Ovid’s Rhodope.61 Her
clients, cast as her ‘gallants’, are named in the Italianate style of romance: Curalio,
Ornotus and Polydor, and Salisbury is referred to within the text as ‘Astrea’, which, as

58 Charles Walker, Authentick Memoirs of […] Sally Salisbury (1723)Sigs, U4r–, U5r.
59 Ibid., Sig. U7v. Salisbury died in Newgate before serving out her sentence, London Journal, issue
238 (15 Feb. 1724), p. 2. Beattie found that in Surrey, between 1722 and 1749, of the 332 men and
women convicted of non capital felonies for property offences, 2 were imprisoned as a punishment.
60 Antony Boles, The Genuine History of […] Sally Salisbury (1723).
61 Walker, Sigs, A2r–v, B2r, C2r.
well as being a stock romantic appellation, is also a literary pseudonym of Aphra Behn.\textsuperscript{62}

Irony is the most pervasive narrative marker of unofficial Newgate narratives, and this extends beyond the person of the inmate to descriptions of the chaotic confusion of the prison itself. John Hall’s Newgate biography proclaims itself on its title page as ‘Containing [...] a lively Representation of Newgate, and its Inhabitants, with the Manners and Customs observed there’. The narrative, as much as the prison, works at ‘containing’ the ‘thief’ and ‘those sort of people’. Again, the criminal prison is presented as the revelatory space in which to uncover the ‘Exact life and character’ of the criminal John Hall. Here, however, the ‘Thief’ in question is extended to the ‘thief in general’, and the condemned cell, to the criminal prison. Hall’s biographer describes Newgate as a perverse school in which thieves are trained in villainy:

[T]here are as many Orders to pass thro’ as at any other of our Learned Universities. He that has been once at the Bar may be said to Commence Batchelor, Twice at the Cart’s Arse, makes him a Master of Arts, Three times in the Jugler’s Box, makes him at least Fellow of a Coledge; but to have been Once under the Ordinary’s Tuition, the very Merits of a Condemn’d Sermon Institutes him Head of his Order, be it in what respective Function it will.\textsuperscript{63}

This description is a bold inversion of the hegemonic narrative of the law; the more extreme the legal punishment, the more garlanded the criminal within the prison. Indeed, he earns his qualification ‘as at any other of our Learned Universities’ through the processes of legal retribution. He is warned and then whipped, branded, and finally condemned to hanging and ‘under the Ordinary’s Tuition’. This satirical representation of the prison as an unorthodox school is extremely common, as is the

\textsuperscript{62} Ibid., pp. 20, 62, 100; See, for instance, An Elegy upon the Death of Mrs Behn, the Incomparable Astraea (1689)
\textsuperscript{63} Hall, pp. 9-10.
description of the prison as a ‘terrestrial hell’. It conveys a critique of the prison both because it actively encourages lawlessness, but additionally carries with it the more radical implication that the graduates of other, seemingly respectable ‘Learned Universities’, ‘Fellows of a Coledge’ and ‘Heads of’ an ‘Order’ of any ‘Function’ are all just as criminal as the Newgate inmate.

The figuring of Newgate as a radical enclave is abundantly evident in the anonymous History of the Press Yard from 1717, which describes the incarceration and attempted escape of seventy Jacobite rebels, imprisoned after the failed 1714 uprising against Hanovarian rule at Preston. The History is replete with the lexical markers of the unofficial criminal life outlined above. Unusually, however, it is given narrative shape not by the birth and death of the malefactor who forms its subject, but by the period of the author’s incarceration in the prison. This is in itself a measure of the text’s uncommonly subversive stance, since the prison’s mute promise of the imminent death of the malefactor, the fatal retribution for their deviancy, is not met in the text. The prison ceases, then, to perform its customary authorization of the printed criminal life, and its concomitant, if complicated, sanction of the ruling hegemony. The author begins his tale of incarceration with the assertion that the prison is a manifestation of a malfunctioning political system, as he has been wrongly imprisoned: ‘it being my Misfortune, amongst other Brethren of the Quill, [...] to fall under the Displeasure of the Government, for pretending to be displeas’d at their Proceedings’ (p. 2). Though the pretence is clearly that the government’s displeasure was misplaced, the disavowal of the crime for which he is committed nevertheless

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64 John Hall, p. 4. See also, for instance Head, Chap. xii, Sig. H8v; or T.H., A Glimpse of Hell: or a Short Description of the Common Side of Newgate (1705).
65 For a historical account of the imprisonment of the conspirators, see R.B. Pugh, ‘Newgate between two fires’, Guildhall Studies in London History, 3:3 (Oct. 1978), 137-63, (pp. 146-51).
constitutes an unusually strident critique of the legal system that has incarcerated him. He compares the prison in the opening paragraph to the ‘Bastile’ (p. 1), which similarly acts to situate the reader in terms of the political ballast of the narrative. As I discuss in chapter V of this thesis, the Bastille was widely represented in English prose as the architectural embodiment of the tyrannical excesses of the absolute monarchy of France, and the abject enslavement of the French people to a fundamentally flawed political system. To apply this critique to the English prison, and through it to the Hanoverian monarch and Whig government constitutes a radical, nationalistic strain of political criticism.

The author coins resonant phrases that would recur in prison narratives throughout the period, glossing the prison as a ‘House of Oppression’ (p. 2) a ‘House of Bondage’ (p. 14), a ‘Mansion of Sorrow and Despair’ (p. 137), and, most redolently, an ‘Enchanted Castle’ (p. 12), a pun on the area of Newgate known as The Castle. He details with novelistic aplomb the architecture and customs of the prison, which he hopes, in the coy narrative style typical of the French romance, ‘may not be unacceptable to the Curious’ (p. 1). Our introduction to the prison involves the exposure of the corruption of the prison officers, who plot in cant to extort his money, and threaten him with accommodation in the condemned hold, a dismal cell illuminated only by ‘Glimmerings of Light’ from the roof, and a ‘Candle, which you must pay through the nose for’. Looking up, ‘you see the Order of Nature

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66 See Langley, p. 55 for a description of this area of the prison.
67 This negative construction is extremely common in French romances, where the advances of lovers are ‘not displeasing’ rather than welcome, and where love is expressed as ‘not hate’. In the words of La Calprenède’s Roxana: ‘If my affection be not odious to you, […] do not hate a Princess, who commits faults only for your sake’ Gaultier de Coste La Calprenède, Cassandra, a Romance, trans. by Charles Cotterell, 5 vols ([1642-5]1725), i, 154. This formal style is the source of much amusement in Charlotte Lennox’s Female Quixote. Arabella’s feelings towards Mr. Glanville are unveiled ‘in the Language of Romance’ ‘she did not hate him’. Charlotte Lennox, The Female Quixote, 2 vols (Dublin, 1752), i, 57.
inverted’, with a common cellar above you; looking down ‘all things are equally surprising and unnatural’ (p. 8). The author then agrees to the Turnkey’s extortionate fees to hire a room in the most salubrious area of the prison, officially part of the Keeper’s house, ‘The Press-Yard’ (p. 30). The typical, topsy-turvy ‘unnatural’, ‘inverted’, ‘Order’ of the prison is here made more potent by the repeated use of the pronoun ‘you’, which yokes the prison experience, not to an exotic other world, but to that of the reader.

The narrator is led through the prison by a Virgil-like guide, who is a long-term prisoner of state. This ‘Valetudinarian’ (p. 36) again deploys lexical markers from the seemingly inappropriate genre of romance, naming the narrator ‘Philander’ and himself ‘Florimel’ (p. 37), and inserting his extended history into the text in the manner of a courtly romance.68 This effect is enhanced when the defeated Preston rebels enter the prison. The narrator notes, ‘the Enchanted Castle’, of Newgate was ‘properly so called, from the many Knights Errant that lay incarcerated in it’ (p. 132). He details the unnatural social and economic inversion that this reversal entails through a comic dialogue that anticipates John Gay’s Beggar’s Opera, between a Newgate bedmaker, an executioner, and a deputy turnkey:

*Exect:* Two or Three Hundred Prisoners for High Treason! Drink a Bumper to their Sudden Arrival; they’ll be your Tenants very speedily.

*Bed.* How! Two or Three Hundred; where shall we stow them?

*Dep.* [Turnkey] Never heed that, we shall find Room for them, provided they have wherewithal to pay for it.

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 Exec. Pay for it! Most of them have very great Estates, and are topping Gentry, [...] we shall all of us make a Penny of them.

 Dep. I for Fees to lighten their Irons

 Bed. I for keeping their Chambers sweet and clean at so much each per week.

 Exec. And I for Civility Money, in placing their Halter’s Knot right under their Left Ear, [...] I shall not only purchase the Title of an Esquire, but the Estate too. (pp. 61-2)

This exchange stresses the corruption of the prison authorities, who materially profit from the internment of the criminal. William Pitt, who paid £4,000 for the keepership of the prison in 1707, is estimated to have made between £3,000 and £4,000 in four months during 1716 from fees paid by the Preston rebels.69 The narrator here uses the prison as a lens through which to view the desecration of the order of the country as a whole following the defeat of the Stuart uprising. Low-born, avaricious executioners and bed-makers will supplant the traditional landed gentry, and their debased cultural values will henceforth rule the great ‘Estates’ of the country.

This dialogue is one instance of the pervasive formal inventiveness which marks this early prison text. It incorporates a philosophic ‘Ode upon Imprisonment, by the Author’ (pp. 22-29) as well as the more typically sardonic ‘Last Dying Speech of J——B—— [...] come hither to hang like a Pendulum to a Watch, for endeavouring to be Rich too soon’ (p. 45), which dismisses as politic hypocrisy the public repentance of the criminal on the scaffold (p. 46). In fast-paced, journalistic style, the narrator also celebrates the repeated attempts at escape by the rebel inmates James Radcliffe (p. 135), Thomas Forster (pp. 86-7), George Flint (p. 136-7), and by Brigadier McIntosh, his son, and fifteen other inmates (p. 88). So many of the rebels escaped, The History

relates, that the keeper was himself taken into custody under suspicion of facilitating them (p131). Deploying the rhetoric of autobiography, crime journalism, dramatic dialogue and last dying speech, and the generic identity of farce and romance, The History's stylistic range also incorporates the fully tragic in the letters between Colonel Oxburgh and Richard Gascoigne under sentence of death (pp. 94-119). These are followed by a lengthy digression on the legal terms of the ‘surrender at discretion’, which the narrator argues ought to have shielded the rebels from criminal prosecution (pp. 102-12).

The History opens by detailing the corruption, not of the criminal, but of the prison officers who wield state-sanctioned power over them; it ends with the romanticised deaths of two inmates and the author’s own ‘Enlargement’ (p. 137) from gaol. The prison, as the embodiment of the legal process of the state, is shown to be entirely corrupt, and is conveyed in a cacophony of literary styles. This text is unusual in the blatancy of its attack on the ruling hegemony, but the tropes outlined above can also be seen to issue a subversive challenge to the official narrative of Newgate. The persistent use of sarcasm invites the reader to invert the ordinary (Ordinary’s) presentation of the prison and to interpret it anew. The clash of incarcerated voices and literary styles is a lexical representation of the ‘confusion’ of the prison, which demonstrates that criminality and its containment are open to multiple readings, in direct contrast with the insistently monotonal, repetitious descriptions of the deaths of Newgate inmates that continued to issue from the Ordinary of Newgate throughout the period. This profusion of literary styles is an expression of the contested nature of the printed representation of the criminal life, a staging of the conflicting voices that claim to convey its truth and entirety. Cumulatively, both in terms of literary style and
in particular, resonant phrases, these representations of Newgate form a topos of the criminal prison which would be appropriated by the novelist.
II.iii : *Moll Flanders*: from Newgate to the novel

Daniel Defoe develops many of the literary conventions outlined above in fashioning *Moll Flanders* from the stuff of Newgate narratives. The particularized experience of his 1722 ‘Newgate Bird’ also, however, adumbrates the shape of prison reform discourse that would emerge in the ensuing decades. Newgate marks Moll’s ‘Life of continued Variety’ from the title page, holding out the culturally established promise of Newgate’s curtailment of the criminal life. Defoe’s preface deploys the stock moral defence of both the Ordinary’s Account and the criminal biography. Every ‘wicked Action in any Part of it, [...] is first and last rendered Unhappy and Unfortunate’ and every ‘superlative Villain [...] brought to be a Penitent’, and it is ‘Upon this Foundation this Book is recommended to the Reader’ (pp. viii-ix). Beyond which, the detailing of Moll’s nefarious activities is glossed, just as Richard Head’s *English Rogue*, or the Right Villainous John Hall’s had been, as ‘so many warnings to honest People to beware of them, intimating to them by what Methods innocent People are drawn in, plunder’d and robb’d, and by Consequence how to avoid them’ (p. x). Defoe, as Head, John Hall and T.H. had all done, describes Newgate as an ‘Emblem of Hell’ (p. 337) and twice figures it as a perverse school in which the criminal perfects the art of deviancy. Moll’s mother reflects to her in Virginia that: ‘there are more Thieves and Rogues made by that one prison of *Newgate*, than by all the Clubs and Societies of Villains in the Nation; ’tis that cursed Place, says my Mother, that half Peoples this Colony’ (p. 192). Once inside the prison Moll, like Hall, reports that Newgate is known to inmates as ‘the College’ (p. 339).

This last is one of very few examples of ‘*Newgate wit*’ (p. 340), the heavy-handed irony that lexically marks the unofficial criminal biography, to be found in *Moll*
Flanders. Moll herself only properly indulges in it once, at the start of her narrative, when relating the crime for which her mother was condemned: a theft ‘scarce worth naming, (viz.) Having an opportunity of borrowing three Pieces of fine Holland, of a certain Draper in Cheapside’ (pp. 2-3). When Moll is incarcerated in Newgate, she states, rather than demonstrates, that the inmates are ‘impudently Chearful and Merry in their Misery’. Despite becoming a ‘mere Newgate-Bird, as Wicked and Outragious as any of them’ (p. 344), Moll relays only one instance of gallows humour to the reader, at second hand, through the ditty of ‘Poor Jenny’, who demands ‘what signifies being sad?’ turns away ‘Dancing, and Sings’:

† The Bell at St. Sepulcher’s which Tolls upon Execution Day.

If I swing by the String,
I shall hear the †Bell ring.

And then there’s an End of Poor Jenny. (p. 340)

The easy, bouncing rhythm of the ditty is disrupted, lending the passage the ugly, jerking ‘dance’ of the dying body on the gibbet. Jenny allusively likens this body to the clapper of the bell at St Sepulchre’s, which sounds twice through the repetition of ‘Bell’ in both the ditty and its editorial gloss. The bell is given textual prominence, too, by being preceded in both columns by an explanatory symbol, which in the ditty creates a hiatus in the meter of the line. That this symbol, in the description of a public, state-sanctioned execution, should be a cross, incongruously imbues the page with echoes of the crucifixion, visually perhaps alluding to the two thieves crucified on either side of Jesus, one of whom he promised would be saved.70 Publicly ringing out the fact of her own demise, Jenny swings on the end of the improbably fragile ‘String’, though both bell and gallows would in fact be hung with the same, thick hemp rope. ‘String’,

with jarring grandiosity, alludes to the classical image of the threads of life, traditionally cut by the Fates at the moment of death.

The whole is also rendered strange and staccato by its odd, temporal disjunction. The night before an execution, the bellman of St Sepulchre’s would enter Newgate via an underground passage (the buildings were contiguous), and ring twelve double tolls outside the condemned hold on the hand-held execution bell, which was used only for this purpose, while reciting verses exhorting the condemned prisoners to repent. On execution day, the great bell of that church would ring ‘in the morning’ and accompany the prisoner procession from Newgate to Tyburn. Jenny would hear the bell toll before her execution then and not, as here, during it, the temporal sequencing of the segment implied by the insistent ‘and then’ of the final line. Moll later describes an execution day: ‘the first thing I was saluted with in the Morning, was the Tolling of the great Bell at St. Sepulchres, as they call it, which usher’d in the Day: As soon as it began to Toll, a dismal groaning and crying was heard from the Condemn’d Hold’ (p. 359). The first two lines of the ditty ought logically to be reversed in sequence, then: If I hear the bell ring, I shall swing by the string, and then there’s an end of poor Jenny. Their inversion constitutes a rare instance in *Moll Flanders* of the ungainly and ideologically radical world-upside-down rhetoric that marks the unofficial Newgate narrative. The segment is typical of the Newgate narrative too, in that it typographically demonstrates the fragmentation and dissonance of the prison, its

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71 This had been the practice since 1605, when Robert Dowe donated fifty pounds for the bell to be rung on execution mornings. Defoe, *Moll Flanders*, ed. by Bellamy, n. 688, p. 306. The text recited to the prisoners read: ‘You prisoners that are within, who for wickedness and sin, after many mercies shown you, are now appointed to die tomorrow in the forenoon, give ear and understand that in the morning the greatest bell of St Sepulchre’s shall toll for you in form and manner of a passing bell, to the end that all godly people, hearing that bell and knowing that it is for your going to your deaths, may be stirred up heartily to pray to God to bestow His grace upon you while you live’. Henry Chamberlain, *A Survey of London* (1769), p. 14.
discordant clash of registers and voices which insists upon the multiplicity of cultural readings of the criminal, and carceral character. Finally, this ‘Newgate wit’ is presented as being opaque to the ‘Chastest reader’ (p. v), requiring a gloss to decode. It remains unclear, however, whether this translation is supplied by Moll, or by the shadowy textual presence of her editor, who has ‘Put’ the narrative we read ‘into a Dress fit to be seen’ (p. iv) precisely because in its unedited form, it is too redolent of Newgate (p. iv). The reminder of the presence of the editor here works to undermine the narrative’s transparency and ‘authenticity’ at the very moment when it purports to be unambiguously elucidating the text.

With *Moll Flanders* Defoe develops the cultural construct of the prison as the pre-eminent space in which to explicate and unmask the criminal character in print. Both the Ordinary’s Accounts and the unofficial criminal biographies reiterate this notion, in competition with one another, and Defoe evokes this tension in his novel. Moll aligns her text with the unofficial criminal biography by deriding the self-interested hypocrisy of the Ordinary of Newgate, who ‘came to me, and talk’d a little in his way, but all his Divinity run upon Confessing my Crime’ (p. 342). She adds that to see ‘the poor Creature preaching Confession and Repentance to me in the Morning, and to find him drunk with Brandy and Spirits by Noon’ made her ‘Nauseate the Man’ (p. 342). This moral and narrative vacuum is filled by another ‘Minister’, sent to the prison by Moll’s governess who ‘told me he did not come as Ordinary of the Place, whose business it is to extort Confessions from Prisoners, for Private Ends’ (p. 355). Moll then stages her ‘conversion’ as both a prison break and an instance of house-breaking. The Minister
unlock’d all the Sluces of my Passions: He broke into my very Soul by it; and I unravell’d all the Wickedness of my Life to him: In a word, I gave him an Abridgement of this whole History; I gave him the Picture of my Conduct for 50 Years in Miniature. (pp. 355-56)

The fruits of this prison break, or theft, is the novel that we now read. It is ‘this whole History’ that Moll is driven to create, as a chronicle of her ‘Wickedness’ in the space of Newgate prison and in dialogue with a minister. The coherence of this narrative does indeed then ‘unlock’ Moll, freeing her from Newgate and its promise of her death. When she meets her Lancashire husband, incarcerated in the Press Yard and also liable to a capital sentence, Moll ‘conceal’d my Face’ and ‘Counterfeited my Voice’ (p. 365) before flamboyantly unmasking herself again, physiologically and psychologically, with an already précis-ed narrative of the exploits that lead her to Newgate. Her Lancashire husband relays his life story to Moll, just as she had to the minister, and Moll additionally reflects on this as a potential print narrative: ‘he gave a long History of his Life, which indeed would make a very strange History, and be infinitely diverting’ (p. 369), following which, both are transported to Virginia, wealth, and security.72

But the extent to which Moll ultimately slips the noose of the narrative structure of the Accounts is famously and persistently kept in question in Defoe’s novel. The moral stance of her criminal narrative is considerably complicated by the fact that Newgate does not presage her death, as it does in the Accounts and many of the criminal biographies outlined above. The death of the subject of the criminal narrative legitimizes the ideological challenge that the publication of a deviant life might be seen to pose. Moll’s narrative is not legitimized in this way. Even in Defoe’s title page,

72 Two additional criminal narratives are promised in the preface, one of her ‘Transported’ husband, the other of her ‘governess’. Defoe, Moll Flanders, pp. xi-xii.
Newgate’s promise to contain Moll and her criminality is inverted. The prison references not her death, but the place of her birth. Her story is taken not from her mouth, in the condemned hold, but from her ‘memorandums’, after her legally questionable return from her transportation sentence. It ends not in public, on the scaffold, but in private, unhurried old age, as she ‘at last grew rich, lived honest, and died a penitent’ — a highly unorthodox coupling of material gain and spiritual abnegation. As such, Moll herself must provide the moral gloss on her own story, while at the same time elaborating the diverting history of the criminal life of continued variety that is promised to the reader on her narrative’s title page. An anxiety about the ability of the narrative to shed Newgate through the penitence and humility of the condemned shadows Moll from the first to the final pages of her novel. The claim of the title page that she ‘died a penitent’ is questioned in the third paragraph of the preface. Her narrative, we are told, was ‘written in Language, more like one still in Newgate, than one grown Penitent and Humble, as she afterwards pretends to be’ (p. iv).

This fundamental moral equivocation occasions a persistent see-sawing quality to the novel. When her Lancashire husband is brought to Newgate, Moll is ‘struck Dumb’ with guilt: ‘I plac’d all to my own Account’ (p. 346) since it was his lavish courtship, when he presumed Moll to be wealthy, that ruined him financially. Yet Moll immediately adds: ‘I never told him that I was a Fortune, and so did not actually Deceive him myself’ (p. 346). This admission of guilt followed by a refusal of it threads right through the novel. When Moll gives her child over to a governess to raise, she is told: ‘A Fine Story! [...] you would see the Child, and you would not see the

73 Defoe, *Moll Flanders* (1722), title page.
Child; you would be Conceal’d and Discover’d both together’ (p. 214), an accurate description of the texture of Moll’s entire narrative. It is a full disclosure of her life that is riven with evasion, equivocation and omission.

This is particularly evident in the enduring confusion around Moll’s name. She is ‘the famous Moll Flanders’ whose ‘True Name is so well-known in the Records, or Registers at Newgate’ (p. 1) that she cannot reveal it. When she brings a suit against the Mercer for wrongfully detaining her, however, she gives her name to the Justice as ‘Mary Flanders’ which she then regrets: ‘my Name was so well known among the People at Hick’s Hall where sessional trials took place, ‘and the Old Baily’, where the Assize was held, ‘no Court would give much Damages, for the Reputation of a Person of such a Character’ (pp. 305-306). She tells her Lancashire husband that ‘I far’d the worse for being taken in the Prison for one Moll Flanders, who was a famous successful Thief, […] but that, as he knew well was none of my Na [335x386]me’ (p. 367). She is famous and anonymous, marked by fortunes and misfortunes, penitent and profiting from her life of crime, conceal’d and discover’d both together.

Defoe expands the narrative possibilities of the criminal biography as a first person relation of a ‘deviant’ life in his novel. But he also fashions a new literary convention that would come to mark prison reform discourse. When Moll describes her surroundings in Newgate she does so, not in the flamboyant, defiant sarcasm of the unofficial Newgate narrative, but in a sustained pious tone:

‘tis impossible to describe the terror of my mind, when I was first brought in, and when I look’d round upon all the horrors of that dismal Place: … the hellish Noise, the Roaring, Swearing and Clamour, the Stench and Nastiness, and all the dreadful crowd of Afflicting things that I saw there; joyn’d together to make the Place seem an Emblem of Hell itself. (p. 337)
The prison is figured as an assault on Moll’s senses. It is dark, literally and figuratively, it is ‘dismal’. It is loud: full of ‘Roaring, Swearing, and Clamour’ this ‘hellish noise’. It emits a ‘Stench’ and the allusive ‘Nastiness’ which references Christian’s incarceration at the hands of Giant Despair in the dungeon of Castle Doubting, in Bunyan’s *Pilgrim’s Progress*, which is ‘very Dark […], nasty and stinking to the spirit’.74 In contrast to both the Ordinary’s Account and the criminal biographer, however, Defoe then insists on the ineluctably degenerative effects of this environment on all inmates of the criminal prison:

[L]ike the Waters in the Caveties, and Hollows of Mountains, which putrifies and turns into Stone whatever they are suffer’d to drop upon; so the continual Conversing with such a Crew of Hell-Hounds [...] had the same common Operation upon me, as upon other People, I degenerated into Stone; I turned first Stupid and Senseless, then Brutish and thoughtless, and at last raving Mad as any of them were; and in short, I became as naturally pleas’d and easie with the Place, as if indeed I had been Born there. (p. 343)

Moll is so alienated from herself she has forgotten that, as she has only just reminded us, she *was* born in Newgate. She describes an almost physiological, Lockean process of character deformation through the sensory apprehension of the environment of the prison. She ossifies into a part of the prison tableau entitled ‘emblem of hell’, peopled, perforce, by the unrepentant condemned. In later editions the peculiar putrifies reads ‘peterifies’, but if it is a mistake in the first edition, it is an illuminating one.75 Moll’s degeneration, and Defoe’s critique of the prison, is presented in terms of an infection,

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75 See, for instance, Daniel Defoe, *Moll Flanders*, 3rd edn (1722) p. 294. As Bellamy notes, the 3rd edition was in fact a corrected reissue of the 2nd edition, in which the word first appears as ‘peterifies’ *Moll Flanders*, ed. by Bellamy, pp. 313-14. Bellamy gives the word as ‘petrifies’ ibid., p.227; see also tn. 227a, p. 317.
a moral, physical and spiritual contagion that is not contained by, but necessarily occasioned by the criminal prison. Her ‘repentance’, partial and unconvincing as it remains, is not caused by anything endemic to the prison space. The chance arrival of her Lancashire husband occasions the ‘Surprize’ through which Moll is ‘perfectly chang’d’, from her unregenerate defiance of the law. She is ‘become another Body’ (p. 346). This process is then apparently perfected by the exhortations of the nameless minister, sent to Moll by her governess. The causes and conditions of Moll’s penitence are driven by chance, and are therefore unique and unrepeatable. Defoe thereby novelistically employs the redemptive overarching structure of the criminal life, from birth, through sin, crime, and eventual containment in Newgate, that is deployed by the Accounts. However, he does so without at the same time restating their ratification of the criminal prison and the state-sanctioned punishment that it enables. In demonstrating the degenerative effects of that prison on its inmates, Defoe also vitally adumbrates the form and content of much prison reform discourse in the decades that followed the publication of Moll Flanders.
II.iv : The criminal prison and the impulse for reform

The Accounts established Newgate as a reliable source of narratives of deviant lives; unofficial Newgate biographies exploited and expanded the public market for such narratives, and furthermore, constructed the prison as a space of subversion, contestation, and stylistic inventiveness. The prison also appeared, however, with increasing frequency, in reform tracts throughout the period, culminating in its being redrafted in print, some four decades before it was constructed in stone, in the 1779 Penitentiary Act. The legal and reform discourse that increasingly surrounded the criminal prison in these years lent it a socio-political freight, placing it at the centre of an increasingly vociferous debate over the architecture of English law. Prison reform discourse added a sense of political urgency to the representation of the criminal prison in print, and this, too, was then exploited by later novelists.

Reformist tracts commonly reused the metaphor of the prison as an inverse school, training inmates in the art of criminality. The author of an anonymous pamphlet in 1701, *Hanging Not Punishment Enough*, notes the ‘Scandalous Wickedness and Corruption of Prisons [...] known to be the Sanctuaries of Villains, from whence their Emissaries are dispatch’d, and a regular and settled Correspondence is said to be fix’d and carried on, through the whole Fraternity of Rogues in England’.76 The prison is figured as a criminal haven and radical political epicentre, a perverse, counter-cultural court of the ‘whole Fraternity of Rogues’ from whence ‘Emissaries’ are regularly ‘dispatch’d’ into the world of the reader. He concludes: ‘so much Roguery is learn’d among Numbers, that I think ‘twere well, if, as in the Inquisition [...] Every one, at least of the most notorious ones, had a Box or Cell to himself, that they might

76 J.R., *Hanging not Punishment Enough* (1701), Sig. A2v.
not improve each other in wickedness’. Barring the positive reference to the Inquisition, which is extremely rare, this call for prisoner separation would sound with increasing frequency throughout the century, culminating in the only truly novel stipulations laid down in the Penitentiary Act, that ‘offenders ... be kept entirely separate and apart from each other, and be lodged in separate rooms and cells’. The pamphlet is prophetic in other ways, too. It gestures towards the notion of a prison uniform — inmates ought to wear a ‘Particular Habit’ in ‘Black’ — and proposes that the condemned be fed a hard diet with no access to alcohol. Both directives were also encoded in law in the Penitentiary Act of 1779. In 1699 a committee was formed by the Society for the Promotion of Christian Knowledge under Thomas Bray to inquire into conditions in Newgate — it also returned the recommendation of prisoner separation, along with the imposition of silence and hard labour, the banning of alcohol and the abolition of prison fees.

In 1725, the influential Dutch physician and political philosopher, Bernard Mandeville, published an *Enquiry into the Causes of the Frequent Executions at Tyburn* added to which was *A Proposal for some Regulations concerning Felons in Prison*. In his critique of the criminal justice system, Mandeville similarly complains that Newgate encourages rather than curtails a dangerously coherent criminal fraternity: ‘it is wrong to suffer such Numbers of them to be and converse together; for nothing but the utmost Corruption can be expected from [it]’. Mandeville similarly proposes the untried expedient of prisoner segregation as a solution to this:

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77 Ibid., p. 20.
78 19 Geo III (1779) c.74, Par. XXXIII.
79 J.R., p. 21.
'First, I would have every one of the Malefactors lock’d up by himself’, to which end he recommends rebuilding Newgate to provide solitary accommodation for a hundred felons. In line with the reform writings cited above, he also suggests imposing a ‘hard’ diet on the condemned, and that, after a stipulated date, no pardons should be issued to them.\textsuperscript{82}

Calls for prison reform markedly increased between 1750 and 1752 for two distinct but related reasons. The first, as I explain below, was in response to a virulent outbreak of gaol fever. The second was due to the perception of a ‘crime wave’ publicly thought to be overwhelming the capital. Douglas Hay has demonstrated that times of peace repeatedly coincided with dramatic increases in indictments throughout the period.\textsuperscript{83} At the end of the War of Austrian Succession, in 1748, in the words of J.A. Sharpe, ‘peace was accompanied, as was usual in the eighteenth century, by an upsurge in crime and sharpened media interest in law and order’.\textsuperscript{84} Whether property crime itself spiralled, or whether — with an influx of young, ‘unsettled’ men to the capital — a surge in public anxiety over criminality meant that the numbers of prosecutions increased is, for my purposes, immaterial: both would have resulted in an increase in traffic in the courts and, consequently, the prisons. Beattie describes the years following the end of the war as witnessing ‘a crime wave of unexampled proportions [...] Gaols were suddenly overcrowded and the courts overburdened’.\textsuperscript{85}

Contemporary accounts abound with references to an unprecedented spike in crime that the legislature seemed powerless to address. Horace Walpole memorably complained to Horace Mann in 1750 that ‘Robbing is the only thing that goes on with

\textsuperscript{82} Ibid., p. 32.
\textsuperscript{85} Beattie, ‘Crime and the Courts in Surrey’, p. 155.
any vivacity’. Two years later he comments that in London, ‘One is forced to travel even at noon as if one was going to battle’.\textsuperscript{86}

Additionally, the king’s speech of January 1751 called on both Houses to ‘suppress [...] those outrages and violences which are inconsistent with all good order and government, and endanger the lives and properties of my subjects’.\textsuperscript{87} This precipitated a raft of radical proposals to redraft the legislature. A House of Commons committee was formed to ‘revise and consider the laws in being, which relate to felonies, and other offences against the peace’.\textsuperscript{88} The committee concluded that ‘by the late Increase of Felonies, Robberies and other enormous Crimes [...] it is manifest that the Punishments inflicted by the Laws [...] are by no means effectual to suppress the same; and that it is therefore requisite to appoint some other exemplary Methods of punishment for those Crimes’.\textsuperscript{89} The solution they recommended was presented as a Bill to the Lower House in February 1752. It proposed to ‘change the Punishment of Felony in certain Cases [...] to Confinement, and hard Labour, in his Majesty’s Dock Yards’.\textsuperscript{90} Mirroring the earlier proposals by Mandeville and ‘J.R.’, outlined above, prisoners would be fed a hard diet, wear a uniform, and be kept to hard labour.\textsuperscript{91} The Bill was defeated by the House of Lords, but its proposals are no less radical for not having been mandated in law, and anticipate the measures of the Penitentiary Act

\textsuperscript{87} \textit{Parliamentary Papers; Consisting of a Complete Collection of King’s Speeches}, 2 vols (1797), ii, 39.
\textsuperscript{88} \textit{JHC} vol. xxvi (1750-4), p. 27.
\textsuperscript{89} \textit{House of Commons Sessional Papers Section I}, (1715-60), 19 vols (Delaware: Wilmington, 1976) ix, 358-59.
\textsuperscript{90} Ibid., pp. 358-59.
\textsuperscript{91} Ibid., pp. 357-67.
twenty five years later. In 1751, the London barrister Joshua Fitzsimmonds similarly suggested that ‘such punishments as Branding, Whipping, and even Transportation, might be very properly changed to Hard Labour and Correction, suitable to the Nature of the crime’, reflecting a newly resurgent belief in the reformatory powers of industry, and a growing doubt about the efficacy of current secondary punishments.

In the same year Henry Fielding, as a Justice of the Peace for Middlesex and Westminster, entered the public debate over criminal justice with his *Enquiry into the Causes of the Late Increase of Robbers* which title echoes Mandeville’s earlier *Enquiry*. The only piece of juridical reform Fielding counsels in 1751 is the abolition of the royal pardon, as discussed in the introduction to this thesis. Instead of legislative reform, he advises restraining the ‘extravagance of the lower sort of people’, where Fielding locates the incipient causes of crime, regulating the production and sale of ‘that poison called gin’, and proposes a more vigorous deployment of the laws as they then stood: ‘Something at least, ought to be done to strengthen the Laws already made, and to enforce their Execution’. In fact, as I discuss in chapter IV of this thesis, Fielding’s later, legislative proposals were directed more towards the poor, the idle and the refractory than the felon. But his influence on criminal prison reform discourse was nevertheless pronounced. He complained in 1751 that the bridewells were indistinguishable from criminal gaols: ‘no other than Schools of Vice, Seminaries of Idleness, and Common-shores of Nastiness and Disease’. With ‘Nastiness’,

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92 Beattie has argued that this Bill is not as radical as it appears, because it aimed to replace transportation with hard labour, rather than the death penalty. Beattie *Crime and the Courts in England*, pp. 522-23, however, this distinction does not undermine the innovative nature of the suggestion to punish felons (as opposed to misdemeanants) with incarceration at hard labour.


95 Ibid., pp. 103, 6, 102.

96 Ibid., p. 96.
Fielding refers to Bunyan’s depiction of the prison in Castle Doubting cited earlier. With ‘seminaries’, Fielding adds a Catholic, religious inflection to the common depiction of the prison as a school for villainy, as well as the oxymoronic notion that the inmate is apprenticed to a profession of inaction.

Variants of this phrase reappear in many of the most important prison reform documents of the period. In 1777, John Howard, in his *State of the Prisons*, also describes the gaols as ‘seats and seminaries (as they have been very properly called) of idleness and every vice’ adding the by now commonplace observation that ‘confinement doth notoriously promote and increase the very vices it was designed to suppress’. In 1784, the highly influential prison reformer, George Onesiphorous Paul uses the phrase in his address to the Grand Jury of Gloucester, through which he attempts, successfully, to raise funds to rebuild the county’s gaols along the lines laid down by the Penitentiary Act. He describes the prison on the title page of his address as ‘a Seminary of Vice’ and later elaborates that in this ‘Seminary of unwholesome Instruction: [...] the most ignorant may be initiated and the Novice ascend to the higher Mysteries of Infamy and Vice’, which again stresses the perverse, Catholic character of the moral deviancy of the unreformed prison.

William Smith, physician and philanthropist, visited the prisons of London and Southwark with a view to treating inmates in 1776. In his almost gothic depiction of the suffering he encounters in the gaols he also describes them as ‘dens of filth and nastiness’ and borrows the phrasing of the *History of the Press Yard* in additionally calling them, ‘mansions of misery’. He concludes that, ‘by the present mode of

98 Sir G. O. Paul, *Considerations on the Defects of the Prisons* (1784), title page, p. 44.
confinement, we [...] convert them into schools of vice'.

On the basis of this reflection, Smith urges his readers to follow the suggestions of ‘the worthy and very ingenious Mr. Hanway’ of prisoner separation and solitude. Next to Howard, Jonas Hanway was the most influential prison reformer of the century. A successful merchant turned travel writer and philanthropist, in 1758, he and Robert Dingley founded a Magdalen House, in which prostitutes were accommodated singly, fed on a spare diet, given religious instruction and set to a strict daily timetable of work and religious instruction. Between 1758 and 1786, 2,451 women were voluntarily resident there, of whom 900 left, either as ‘incorrigibles’ or at their own request.

On the basis of the apparent success of this institution, in 1776, Hanway published his reformist pamphlet, entitled *Solitude in Imprisonment with Proper Profitable Labour and a Spare Diet, the most [...] Effectual Means of bringing Malefactors [...] to a Right Sense of their Condition*, proposing that solitary incarceration be extended to all the criminal prisons of England. He begins his argument with the reflection: ‘It is on all sides confessed, that our prisons are schools of villainy, though intended, to be dreary abodes of sorrow and repentance’. So familiar had this reflection become that Hanway was able to appeal to ‘the common-sense of my fellow-subjects’, when asking ‘if it be possible to carry on the business of correction and amendment, in this nation, whilst felons are congregated’. Assuming the negative response to be resounding and unanimous, Hanway exclaims: ‘For Heaven’s sake, let us try the experiment of solitary imprisonment!’

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100 Smith, *The State of the Gaols*, p. 73.
103 Ibid., p. 75.
104 Ibid., p. 99.
This pamphlet would find powerful endorsement from within the space of Newgate itself. The celebrated preacher William Dodd was priest-in-charge of Hanway’s Magdalen House. Walpole describes attending one of Dodd’s sermons there in 1760, at which many of the fashionable visiting congregation were moved to tears. Sensationally, in 1777, Dodd was himself incarcerated in Newgate, for having forged a bank draft for £4,200 of the Earl of Chesterfield. Dodd wrote a number of poems and pamphlets from Newgate in which he confessed his guilt, and argued for the reform of the legislature. His contrition as much as his status made the case notorious; Samuel Johnson helped Dodd craft his prison prose, and a petition was presented to the King requesting a pardon which carried 20,000 signatures. He was nevertheless hanged for fraud on 17 June 1777, and, despite his having argued in print against the practice of prison tourism, his cell was kept as it was while he inhabited it, and became a popular Newgate attraction. His poem, *Thoughts in Prison*, published immediately after his death, is dedicated to Hanway. Dodd here lends the considerable, emotive power of his confined voice to the call for prisoner separation in gaols. He writes:

Hail generous Hanway! To thy noble plan,
Sage, Sympathetic *; let the Muse subscribe
Rejoicing!

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Glossed with the note: “Mr. Hanway’s Pamphlet, intitled “Solitude in Imprisonment”. In a postscript ‘to a friend’ Dodd adds:

I earnestly press [Hanway], as a Christian and a Man, to pursue that Improvement with Zeal: [...] And that while the State of Prisons remains as it is, the Legislature has some reason to charge itself with the greater part of the Robberies, &c. committed. For the Offenders of petty crimes are here harden’d in almost every species of vice; and turn’d out, necessary Plunderers of the Publick.109

The reformist writings outlined above confirm the criminal prison as a space of ideological inversion and perverse congregation. The repeated presentation of the criminal prison as an inverse ‘school of villainy’ connects the discourse of reform with that of the Newgate biographies. Like the Accounts, however, reformist discourse is monotonal, legally inflected, and uniformly condemnatory in its presentation of the criminal prison. Reformist writings detail the prison not through the lens of the individual prisoner, guilty of a specific crime and possessed of a singular fate and personal history, but through the notion of the prisoner as type: ‘fallen’ and sinful, ‘diseased’, ‘hardened’ in the ways of ‘vice’, and yet notably permeable to the degenerative environment of the prison. This shift from the particular to the general, the individual to the type, is a necessary rhetorical step in advancing the argument for government investment in prison reform on a national scale. In this way, reform discourse deploys the prison in order to illuminate the faulty functioning of the legislature and juridical procedure.

The prison in reform discourse is dismal and squalid in character, shockingly irreligious and undifferentiated. But it is also, as is evident even in the pamphlet quoted above from 1701, a repository of invention, socio-political experimentation

109 William Dodd, Thoughts in Prison (1777) p. 84.
110 Ibid., p. 207.
and possibility. Foucault has noted that Bentham’s Panopticon is often read as a ‘dream building’, since despite its flawless utilitarian design, it was never realized in stone, iron and glass. But it is no more a dream building than the newly reconfigured Newgate that Mandeville imagined for 100 individually housed inmates in 1725, or the carefully drafted architectural drawing of a model prison that John Howard inserted into his description of the prisons in 1777. In reform discourse, the prison is not only a space of deviancy, disease and degeneracy, it is also, increasingly, a space of radical possibility and invention.

The reformist figuring of the infectious nature of the criminal prison took on a pressing urgency in 1750. In that year an outbreak of gaol fever, which was a virulent form of typhus, killed not only forty inmates, but two judges, forty court officials, and the Lord Mayor of London, in what became known as the ‘black sessions’ at the Old Bailey. Evans has argued that this marked the starting point of a revolution in English prison rebuilding, and the first stirrings of the practice of modern architecture. The Aldermen of London issued an invitation for the submission of architectural designs for the rebuilding of Newgate. In 1755, they selected the designs of the respected city architect George Dance the Elder, but hesitated over commencing the prison’s construction. Dance’s ‘New Newgate’ was only completed by his son, George Dance the Younger, in 1780, when it was immediately burnt down in the Gordon Riots, as I detail in the conclusion to this thesis. Evans argues that Dance’s designs were important in that they attempted to uphold divisions within the

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111 Foucault, p. 205.
112 Henry Fielding, A Proposal for Making an Effectual Provision for the Poor (Dublin, 1753).
114 Evans, p. 104.
prison not – as had traditionally been the case – on the basis of purchasing power (Master’s and Common sides), but on moral and gendered grounds: ‘A step had been taken to assert moral authority through architecture’ he writes, ‘it was a faltering step’, since with every redraft of his designs, Dance’s plans became less innovative (and expensive), ‘but the direction was unmistakable’. Evans claims that the end point of this new direction in building design was Pentonville, the ‘model prison’, which opened in 1842.

In the wake of the ‘black sessions’, prison reform writings placed as much, if not more emphasis on the pressing need for salubrity as on security in the prisons, and repeatedly entwine ideas of the moral and physical contagion of the criminal prison.

The centrality of health to prison reform discourse is clearly evident in Howard’s *State of the Prisons*, where the pervasive ill-health of the gaol population is often at the forefront of his descriptions. Howard describes ‘a complication of distress’ that he encountered in the prisons, ‘but my attention was principally fixed by the gaol-fever, and the small-pox, which I saw prevailing to the destruction of multitudes’. Introducing his designs for a new prison, Howard hopes that they unite ‘the greatest advantages with regard to health, order and security’.

The wording of the Penitentiary Act reveals a similar preoccupation with safeguarding the health, as well as the morals and the bodies of the prisoner: ‘In the choice of the ground, regard shall be especially had to healthiness’.

By 1784, Paul could conclude that ‘not only the Sickness of the Prisoners, but, also, the General Increase of Immorality, and Outrage,

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115 Ibid., p. 105.
116 Ibid.
119 Ibid., p. 42.
120 19 Geo III (1779) c.74, Par.v.
is in a great Measure owing to [...] the indiscriminate Mode of Confinement in the County Gaol'.

Thus, when Jonas Hanway in his impassioned plea for national prison reform exclaims ‘‘Til we go deep into the cause of the disease, we shall be arrant empirics in the cure’, he does more than restate a tired metaphor of the reformer as physician to the diseased body politic. He identifies both physical disease and moral rot as endemic to the unreformed prison, and implies that eradicating one will be an impossibility without providing the conditions in which to extirpate the other. Howard similarly notes in the following year that: ‘the general prevalence and spread of wickedness in prison, and abroad by the discharged prisoners, will now be as easily accounted for, as the propagation of disease’. The proposed solution to this moral and physical contagion, for both reformers, is the untried penal experiment of prisoner segregation.

These reform writings collectively demonstrate the association of the criminal prison with concepts of corruption, infection and degeneration. The need to reform the criminal prison became increasingly urgent in the aftermath of the gaol fever outbreak in Newgate in 1750, which demonstrated that the ‘infectious’ prison threatened not only the criminal inmates, but also, as had been dramatically enacted during the ‘black sessions’, the procedure of criminal law itself. The prison was additionally, however, re-imagined in the reform discourse outlined above as potentially providing a space for cure and character reformation, and through this, of redrafting the entire architecture of English jurisprudence. By mid-century, then, the

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121 Paul, title page. See also Smith, *The State of the Gaols*, p. 68. Smith similarly concludes that the prisons must be rebuilt in order to eradicate disease.
criminal prison was a resonant cultural and socio-political space, the subject of some of the most strident and inventive social policy of the age. It is to this fraught and fertile criminal prison that the Newgate novels of Henry Fielding speak.
II.v: Fielding’s Newgate: *Jonathan Wild* and *Amelia*

Fielding’s prison fictions bookend his novelistic career, and exploit all three of the prison literature discourses examined above. Both works problematize the reading of Fielding as a patrician conservative, ‘making the world safe for what we now call the *ancien régime*’, as George Sherburn argues. On this view, Fielding’s narrative authority is understood as the structural realization of his desire to impose moral authority on the world at large. Fielding the author and Fielding the city authority comfortably converge. This leads Bender to argue that Fielding’s omniscient narrative technique is crucial to the development of the penitentiary idea. As Fielding’s narrator exerts control over every character in his fictional world, so the prison warder of Bentham’s panopticon would control the behaviour of inmates from the unidirectional vantage point of his central tower. Yet when he comes to represent the space of the prison, Fielding’s narrators are at their most generically unstable and narratologically fragmented. Situating *The Life of Mr Jonathan Wild* and *Amelia* in the context of the prison writings outlined above reveals the reach, and the limits, of Fielding’s radicalism, and illuminates the ways in which he developed the generic possibilities of the novel from existing forms of prison writings.

*Jonathan Wild*, first published in 1743 but thought to have been drafted three years earlier, has been called a ‘difficult book’ and a ‘bleak thesis-novel’, and it remains the least studied of Fielding’s prose fictions. If it contains too many of the

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125 Bender, *Imagining the Penitentiary*, pp. 139-63.
historic facts of Wild’s life to be easily identified as a novel, Fielding’s invention of the
everly fictional, Heartfree subplot means that neither can it be comfortably
classified as pure criminal biography. Understood to represent a ‘remarkable
exception to all the rest of his known work’, it is Fielding’s extreme irony in *Jonathan
Wild* that is said to grate on his readers, exploiting the strenuous sarcasm of the
 unofficial Newgate narrative.¹²⁷ Wild is continually referred to as a ‘Great Man’ in
Fielding’s text, while the honest, hard-working jewellers whom he persecutes, the
Heartfrees, are ‘silly’, ‘weak’ and ‘poor spirited’.¹²⁸ In the estimation of Ian Donaldson,
it is the neatness of the satire that undoes the work as a novel: *Jonathan Wild* is too
‘comfortably predictable’ to constitute successful fiction: ‘Those who are wicked are
wicked and those who are not are not’, resulting in the text’s ‘insipidity’.¹²⁹ But the
identification of who is ‘wicked’ and who is ‘not’ does not close down the novel’s
interpretive possibilities. Questions remain about who is engaging, adroit and alive to
circumstance which are not resolved by, and indeed are rendered more pressing by
the work’s apparently unilateral ‘picture of complete vice, unrelieved by any thing of
human feeling’.¹³⁰ *Jonathan Wild* is, I would argue, Fielding’s least ‘comfortable’
prose fiction.

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point is made by Pat Rogers, *Henry Fielding: A Biography* (New York: Charles Scribner’s Sons, 1979),
p. 137.
¹²⁸ Wild is referred to as ‘Great’ even on the title page. The Heartfrees are introduced as ‘Silly’ on pp.
95, 99, and as ‘weak’ and ‘poor spirited’ on p. 145. Henry Fielding, *The Life of Jonathan Wild the
Great, Miscellanies*, 3 vols (1743) iii. All further page references given in the body of the text are to this
volume and edition of the Miscellanies.
¹²⁹ Ian Donaldson, *The World Upside-Down: Comedy from Jonson to Fielding* (Oxford: Clarendon,
The other charge commonly laid against Jonathan Wild is that it is, in the words of Paula McDowell, a ‘tired joke’. Wild had established an office for the recovery of lost and stolen property in the Old Bailey, and claimed to have personally broken up four criminal gangs in the capital in the early 1720s. By 1725, Wild’s biographer Gerald Howson asserts, the lost property office was ‘a national institution’ and newspapers would routinely report on crime ‘from Jonathan Wild’s at the Old Bailey’. It was Wild’s testimony that resulted in Jack Sheppard being condemned to death in 1724; however, this had the effect of turning public opinion against him. When he accused another of his associates, ‘Blueskin’ Blake, of theft, Blake attempted to cut Wild’s throat with a pen-knife in open court. Following this incident, Wild was arrested and his office investigated. Within Newgate he committed the crime for which he would be hanged. He was visited by Mrs Stetham, and accepted ten guineas from her to recover some stolen lace, the theft of which he himself had orchestrated. It subsequently transpired that Wild was masterminding the ‘crime

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133 Ibid., The newspaper Howson cites is the Universal Journal.
134 The incident was widely reported in the press. See, for instance, The Daily Journal, issue 1166 (15 Oct. 1724), p. 1, where Wild is described as ‘the famous Thief-taker’.
135 Howson, Thief-Taker General, p. 6.
137 Andrea McKenzie, ‘Wild, Jonathan (bap. 1683, d. 1725)’, ODNB. <http://www.oxforddnb.com/view/article/29394>. Though he has the 1742 Select Trials to hand, Howson misquotes Stetham’s name as ‘Statham’, Howson, Thief-Taker General, p. 261, and gives the sum for which Wild was hanged at ten pounds, rather than ten guineas, ibid., p. 6. The first error, though not the second, is repeated in McKenzie’s entry on Wild in the ODNB. There is confusion over the witness’s name in the press, The Daily Journal calls her ‘Mrs. Brookes’, issue 1352, (17 May 1725), p. 1, for instance, and the Weekly Journal calls her ‘Mrs. Stretham’, Issue 4 (22 May 1725), p. 4. I have not uncovered an instance of the witness’s name being given as Mrs Statham, however. The Select Trials, based on court records, names her as ‘Catherine Stetham’, resident of ‘the Parish of St. Andrew’, ‘Jonathan Wild, for Felonies’, in Select Trials at the Old Bailey, 4 vols (1742), ii, 212-88, (p. 207).
wave’ popularly thought to be overwhelming the capital, and that the thieves he brought to the gallows — many of whom Wild had himself trained up to the art of thieving — had fallen foul of his favour. He was found guilty at trial and hanged for ‘taking Money’ from Stetham ‘on Pretence of restoring the stolen Goods’ on 24 May 1725.

The sarcasm so often attendant on the Newgate narrative takes on a gleeful robustness in the lives of Jonathan Wild which proliferated in the aftermath of his arrest. At least eighteen separate publications concerning Wild appeared in 1725 alone, including ballads, criminal biographies, last dying speeches, and an enlarged Account of the Ordinary of Newgate. In many of these biographical accounts Wild is described as ‘honest’ or ‘great’, the irony of which takes on a heightened significance due to the fact that Wild himself had publicly aped these titles, and been sensational unmasked of them within Newgate prison itself. The notion that the unregenerate villain might be masquerading as an upstanding citizen — and that, moreover, his public office might be enabling of his villainy — was immediately hit upon by contemporary satirists as a potent political metaphor. Fielding repeatedly describes Wild in his mock-biography as a ‘great man’, which would have immediately alerted Fielding’s readers to an analogy between Wild and the prime minister, Robert Walpole. From 1725 until 1742, the critic John Edwin Wells writes, the “Great Man” in England was Robert Walpole [...] hundreds of pamphlets and thousands of

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138 Howson, Thief-Taker General, p. 6.
139 Select Trials (1742), ii, 215.
140 See, for instance, H.D., p. 10.
periodical writings had habituated the public to the association of the term “Great Man,” [...] with “Robin” Walpole.\textsuperscript{142}

Like Wild, Walpole was accused of accelerating the moral rot he publicly claimed to be staunching. His career was dogged by accusations of infidelity, cronyism, embezzlement and running the House of Commons like a criminal gang. The association between the villainy of Wild and Walpole was most fully exploited by Gay in \textit{The Beggar’s Opera}, which ‘Newgate pastoral’ opened on Drury Lane in January 1728, and remained one of the most performed plays of the century.\textsuperscript{143} The figure of Peacham was immediately understood by contemporary audiences to refer both to Wild and to Walpole, and there are shades of Jack Sheppard in the lovable rogue Macheath, sold to the scaffold by his corrupt paternal figure.\textsuperscript{144}

However, Walpole had resigned from office on 2 February 1742, a year before the publication of Fielding’s Miscellanies, which renders the savagery of the irony of Fielding’s text strange because seemingly redundant. As I will now demonstrate, however, far from exhausting a worn joke, Fielding’s text is radically inventive and newly novelistic in its engagement with the generic identity and historicity of the criminal biography. In the Preface to the \textit{Miscellanies}, Fielding wryly rejects his work’s textual affiliation with every other form of Newgate narrative. He does not wish to supplant the criminal biography, the ‘Account of the Life and Actions of this Great Man’, nor does he attempt to correct the ‘short Memoirs’ published in ‘News-

\textsuperscript{142} Wells, p. 14.
\textsuperscript{143} The phrase is Swift’s. ‘IV. Dr. Swift to Mr. Pope’ (30 Aug. 1716) , in \textit{Swift’s Literary Correspondence} (1741), pp. 7-10 (p. 10).
\textsuperscript{144} For a cogent summary of the play’s success, and the parallels therein between Wild and Walpole, see Loughrey and Treadwell, pp. 7-31.
Papers’ at the time of Wild’s arrest. The ‘Ordinary of Newgate his Account’ also falls short of successfully relaying the criminal character since, Fielding dismissively states, it is more concerned to relay ‘what the Heroes are to suffer in the next world, than of what they did in this’ (p. xvi). His novel is, he explains, ‘not a very faithful Portrait of Jonathan Wild himself’, but ‘neither is it intended to represent the Features of any other Person’ though the reader immediately and unavoidably detects the features of Walpole in the figure of the ‘great man’ Wild. ‘Roguery’, Fielding explains, ‘and not a Rogue, is my Subject’ (p. xviii).

Even as he disclaims the association, however, by citing these texts in his preface Fielding situates Jonathan Wild within the tradition of the Newgate narrative. The novel’s clearest textual affiliation is with the ebullient satire of the criminal biography. As in the History of the Press Yard, Newgate is referred to as ‘the Castle’ on five occasions in the text, which likens the prison, if not to the palaces of the great, then to the traditional seat of the squirearchy. ‘The Castle’ is described as being: ‘very far from [...] an improper, or misbecoming Habitation for any Great Man whatever’ (p. 284). Once Wild is incarcerated there, the narrator notes: ‘all Newgate was a complete collection of Prigs’ or thieves:

> every Man being desirous to pick his Neighbour’s pockets, and every one was as sensible that his Neighbour was as ready to pick his; so that (which is almost incredible) as great Roguery was daily committed within the Walls of Newgate as Without. (p. 382)

This Dantean vision of a den of thieves, each man unable to prevent his own pockets being picked because his hands are delving into his neighbour’s, is presented as a satirical mirror, illuminating the ills not of an exotic other- or under-world, but of the

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146 Additionally, Fielding, Jonathan Wild, pp. 290, 295, 301, 305.
‘truth’ of the readers’ own. Ordinarily, the narrator insinuates, the world ‘Without’ is more corrupt than that ‘within’ the walls of Newgate, since their equivalence in this instance ‘is almost incredible’. This extreme inversion of high and low, criminal and lawmaker, thief and ruling elite threads through Fielding’s text. The enforced transportation of the convicted criminal is likened in Book I to the grand tour of the gentleman, though it is less corrupting, since a penal colony in America is ‘freer from Vices than the Courts and Cities of Europe’ (p. 43).

Structurally, Fielding’s narrative also borrows from the Accounts and the criminal biography. Like the Accounts, it opens by detailing Wild’s parentage and childhood, followed by his first steps towards criminality, his eventual arrest and incarceration and concludes with his hanging. Furthermore, following Wild’s condemnation we are told:

The Ordinary of Newgate had frequent Conferences with him, and greatly would it embellish our History, could we record all which that good Man delivered on those occasions; but unhappily we could procure only the Substance of a single Conference, which Mr. Wild committed to Paper the Moment after it had past. We shall transcribe it, therefore, exactly in the same Form and Words we received it. (p. 385)

The ‘good Man’ is revealed as an abject hypocrite: an ambitious, amoral priest who refuses to drink wine with Wild only because he prefers punch. At the close of their interrupted dialogue, the narrator relates: ‘Nor could we obtain of Mr. Wild any further Account of the Conversation which past at this Interview’ (p. 399). These references to what it was possible to ‘obtain’ from Wild in the condemned hold, assurances of verbatim transcripts of ‘Conferences’ held there, and the appropriation of the word ‘Account’ position Jonathan Wild in the experimental, subversive
tradition of the unofficial Newgate narrative, in direct competition with the Ordinary of Newgate’s hegemonic Account.

Wild’s speech, along with that of his wife Laetitia, is additionally peppered with cant phrases, which further identifies Jonathan Wild as an unofficial Newgate narrative. Wild notes that: “the same Capacity which qualifies a\(^a\) Mill-hen, a\(^b\) Bridle-cull, or a\(^c\) Buttock and File, to arrive at any Degree of Eminence in his Profession would likewise raise a Man in what the World esteem a more honourable Calling”.

The cant is glossed at the bottom of the page, ’\(^a\) A Housebreaker, \(^b\) A Highwayman, \(^c\) A Shoplifter, Terms used in the Cant Dictionary’ (p. 33). ‘Mill-hen’, from the first editions, is given in the corrected 1754 edition, and from the 1775 edition onwards as ‘Milken’, which does appear in cant dictionaries, where it is translated as ‘housebreaker’.\(^{147}\) A ‘Buttock and File’ is again not Fielding’s invention, though the phrase is not ordinarily used to describe a male ‘Shoplifter’. John Hall’s 1708 Newgate biography translates the term as designating a theft that occurs during an act of prostitution, as does Nathan Bailey in his cant dictionary, where a buttock and file is ‘a Whore and a Pickpocket’.\(^{148}\) This explanation makes more immediate sense, since a woman in the act of baring the first is more able to employ the second to cut purse strings on her distracted partner. The use of cant demonstrates the rejection of hegemonic concepts of ‘goodness’ and desirability. This is repeated in Wild’s

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\(^{147}\) In the second edition of the Miscellanies, (1743) the word remains “Mill-hen” (p. 33), as it does in the 1758 edition of The Life of Jonathan Wild the Great (1758) p. 19. In the corrected 1754 edition the word first appears as ‘Mill ken’ on p. 22, and in the 1775 edition the word is given, and thereafter remains, as “Milken” p. 17. “Millken” is used in Hugh Amory’s recent edition of the text: Henry Fielding, The Life of Jonathan Wild the Great, ed. by Hugh Amory (Oxford: Oxford University Press, 2003) p. 20. ‘Mill Ken’ given as ‘House-Breaker’ occurs in the list of ‘Flash Words’ added to the trial of Jonathan Wild, for Felonies in Select Trials (1742), II, 234.

sentiment in this sentence, that the skills required to make a successful thief are identical to those required to succeed in the ‘honourable calling’ of a statesman.\textsuperscript{149}

\textit{Jonathan Wild} expands the narrative possibilities nascent in the unofficial Newgate narrative. First, he revels with unprecedented aplomb in the generic instability of the Newgate narrative, particularly evident in the \textit{History of the Press Yard}, and his experimentation on this score generates some of the most accomplished comedy in all of Fielding’s fiction. His incorporation of five letters from Heartfree’s clients conveys with flawless idiomatic assurance the base evasions of ‘Roger Morecraft’, and ‘Cath. Rubbers’, who refuse to meet their financial obligations to the incarcerated merchant (pp. 147-49). Wild woos Laetitia in similarly revealing, idiomatic style: his proposal is directed to the ‘Most Deivine and adwhorable Creture’ (p. 226).\textsuperscript{150} In the same book, the narrator inserts a ‘verbatim’ transcript of the fractious ‘Dialogue matrimonial’ between Wild and Laetitia shortly after their marriage (pp. 235-45), and later inserts the ‘Maxims […] of Greatnes’ (pp. 411-13) into the narrative, which it is claimed Wild left behind after his execution, and which are likened, with astonishing audacity, to those left by ‘King Charles the first’ (p. 413) after his public execution.

Elsewhere, Fielding derails the forward movement and cohesion of his narrative with digressions so adroitly elaborate that they anticipate Sterne. Deriding the


\textsuperscript{150} Fielding repeats this effect in his satirical criminal biography of the cross-dressing bigamist Mary Hamilton, \textit{The Female Husband} (1746) p. 17.
gullibility of readers, the narrator doubly asides: ‘this being a Sub-digression, I return to my Digression’ (p. 263). This delight in the tangential is most notable in the irreverent ‘Chapter on Proverbs’ (bk. II, ch.xii). Proverb IX reads: ‘A young Fellow who falls in Love with a Whore, may be said to fall asleep in a Hogstye,’ which the narrator glosses with wide-eyed seriousness: ‘Here is observed the likeness or Resemblance between a Whore and a Hogstye’ (p. 177). The gloss reveals only the bare fact of its own, unrevealing nature; undoing by comically repositioning the proverb’s pretence at pocketable wisdom. In this sense it constitutes in miniature a description of the entire text’s epistemologically radical narrative practice.

In book IV, Wild vies with the verifiable, if historically anachronistic, Newgate inmate Roger Johnson for control of the prison, styled as a defence of the oxymoronic ‘Liberties of Newgate’ (p. 302). This contest, relayed as a spoof of a parliamentary debate, has long been identified as ironizing Walpole’s parliamentary overthrow by his long term political rival, William Pulteney. Here, then, Wild represents Pulteney, and Johnson represents Walpole. This unexampled slippage of Wild’s representational function in the narrative — the fact that, in the words of Aurélien Digeon, ‘the same mask conceals a different face’ — is perhaps the boldest demonstration of Fielding’s declared fictional purpose, that ‘Roguery, and not a

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151 Goldgar notes that Fielding has taken all of these proverbs from Joe Miller’s Jests, 5th Edn. (1742) p. 42. The satirical commentaries on them are Fielding’s own. Fielding, Miscellanies, ed. by Amory, commentary by Goldgar (1997) n.1, p.83.

152 Johnson held a position analogous to that which Fielding gives Wild in Newgate, but not until 1729, four years after Wild’s death. Gerald Howson relates that Johnson ‘used to hold rehearsal trials’ in the prison and that ‘under his rule, Newgate became quite orderly’. Howson, Thief-taker General, pp. 289-90.

Rogue, is my subject'. Additionally, Wild’s triumphal speech in his contest with Johnson, which the narrator claims to relay verbatim, is unfinished: the ‘only Copy which we could procure of this speech breaks off abruptly’ (p. 304). Later, the remainder of the Ordinary’s sermon on the Greeks is also lost, and the flawlessly crafted comic dialogue between Wild and the Ordinary (which is again the only one committed to paper), is stippled with starred omissions. A note glosses the first such interruption with the explanation that ‘This Part was so blotted that it was illegible’ (p. 388). Fielding wildly over-inflates this effect on the following page:

The Ordinary’s attempt to persuade Wild of the folly of sin is textually relayed as an uninterrupted and meaningless stream of stars. The comic inference of this narrative fragmentation works on a number of levels, as the reader is left hypothesising about why Wild was unable to transcribe this section. Perhaps the conversation made so little impact on him that he was unable to recall it, or he was so resistant to it that he blotted his letters beyond readability. Possibly the Ordinary’s sentiment was so far removed from the words he used that a string of symbols in fact constitutes the most accurate transliteration of the exchange. The symbols thus convey the notion that the Ordinary spoke to Wild for a long time, and that he said nothing. Wild’s retort
appears to be fragments of an argument about the far more pernicious sinfulness of the clergy. Just as Sterne would with his suggestive aposiopesis, Fielding comically forces the reader to own the moral responsibility of such an interpretation, making us aware that it is our own opinion that we are imposing on a text capable of supporting an alternative, less bawdy or radical reading.

In the close of his narrative, Fielding deploys Newgate as the Accounts had: the prison becomes a reliable and authenticating space in which to unmask villainy and establish truth. The ‘good Magistrate’ of the final book is as his appellation intimates, and the savage irony of the Newgate biography thus falls away. The Heartfreeds’ innocence is uncovered within the prison; Wild’s perfidy is publicly established there; Fireblood’s affair with Laetitia is unveiled; and the hypocrisy of the Ordinary is additionally laid bare. Yet the ‘authentic’ and liberating narrative of a deviant life, forged in dialogue between a Newgate inmate and an authority figure is in Fielding’s text the extended relation of the impossible travel adventures of Mrs Heartfree, delivered to her husband and the good magistrate in the condemned hold of Newgate (pp. 327-381). This narrative, during which Mrs Heartfree explains how she was able to recover her husband’s lost jewels and uncover the fact of Wild’s hypocrisy, convives the magistrate of Mr Heartfree’s innocence. On the strength of Mrs Heartfree’s relation he ‘now plainly discovered’ Wild’s accusation to be ‘a barbarous and false imputation’ (p. 381).

Yet Mrs Heartfree’s narrative, with snakes measuring a ‘Quarter of a Mile’ long (p. 350) and mythical beasts the size of ‘Windsor Castle’ (p. 348) is a manifest series of untruths, and this makes something of a mockery of the good Magistrate’s judgement. Fielding amplifies the oddity of this effect in the final pages of the novel. We are
informed that Heartfree’s ‘Wife and he are now grown old in the purest Love and Friendship; but never had another Child’ (p. 418-19). At the very apotheosis of the comic resolution of the novel, then, Fielding gestures towards the possibility that their sexual relations ceased with Mrs Heartfree’s too free-ranging, solitary adventures. Her chastity had been attacked on five separate occasions in her narrative (pp. 164-65, p. 333, pp. 355-58, p. 364) the relation of which had made her husband repeatedly grow ‘pale’ (p. 335) and betray symptoms of the ‘utmost Disquietude’ (p. 357). In this, Fielding undermines the narrative deployment of Newgate as a space of resolution and ‘authenticity’. It is, confusingly, also here depicted as a space of evasion, omission and concealment.

It is difficult on this reading to find with Ian Donaldson that Jonathan Wild is a ‘comfortably predictable’ novel. Nor is it easy to concur with John Richetti that ‘the energetic resistance to the dominant culture [...] is in effect missing or neutralized in Fielding’s fiction’.\textsuperscript{155} Jonathan Wild constitutes an extraordinarily inventive attack on ‘dominant’ legal and literary ‘culture’ which repeatedly defamiliarizes the Newgate narrative conventions that it employs. We can see this in the way, for instance, that Fielding mis-spells and mis-translates cant, incorporates historical figures into his fiction anachronistically, and relies on the common reading of Wild as representing Robert Walpole, but then switches his satiric resemblance to that of another politician. In these ways, Fielding insists on the instability of the narrative of Newgate itself.

Similarly, the incorporation of ‘authentic’ letters, speeches and verbatim dialogues would ordinarily be understood to render the criminal biography more ‘real’,

complete and convincing. In *Jonathan Wild* verbatim transcripts are lost, torn, truncated or else illegible. They demonstrate the Newgate narrative’s elisions and incompleteness, that prison’s deracination of meaning and character, where what is revealed is the interchangeability of the ‘mask’ of power and corruption, both between inmates (Wild and Johnson vie for power in the prison), and with respect to the politicians they are understood to represent. The untimeliness of Fielding’s fiction functions in just this way. In its publication after both the death of Wild and the resignation of Walpole from political office, it radically insists that though the villain might be dead, or else retired from office, villainy is alive and scandalously at large. Just as the unofficial Newgate narratives cited earlier had, Fielding’s textual experimentation and polyphony in *Jonathan Wild* also radically insists on the multiplicity of cultural readings of the criminal prison, and undermines the hegemonic narrative of Newgate of the Ordinary’s Accounts, and also of the law. It would seem more apt to conclude with Byron that Fielding’s text constitutes so unsafe a place for the *ancien régime* that he might have been mistaken, half a century later, for a ‘grand Mouth-piece and Factionary of the [French] revolutionists’.  

In many ways Fielding’s first work of prose fiction anticipates his last. Both *Jonathan Wild* and *Amelia* can be read as portraits of a marriage under strain. In both, a loving family unit is nearly destroyed through the unjust imprisonment of its patriarch for both a crime and debt. *Amelia* does not ask, as *Jonathan Wild* does, to be read as a Newgate narrative. But whether Booth is in Newgate or Bondum’s Sponging house, the verge of court or encased in a hamper of wine, from the opening pages of the novel he is never free of carceral imagery: ‘everything that happens to the

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hero’ Peter LePage has noted, ‘takes place in prison or one of its analogues’. Fielding’s interest in *Amelia* is not the stylistic experimentation of the unofficial Newgate narrative, however, but rather the prison’s narrative association with the unmasking of an ‘authentic’ and publicly legible character. Additionally, in *Amelia* Fielding uses the prison as a lens through which to scrutinize the faulty functioning of the legislature at large, as the prison reform discourse outlined above has been shown to do. Finally, in the penologically critical year of 1751, Fielding bequeaths prison reform discourse a powerful metaphor of the inseparability of the physical and moral contagion of the criminal prison.

*Amelia* opens with a bold demonstration of the abject failings of the practice of English criminal law. On April Fools’ Day, the venal Justice Thrasher consigns the innocent to prison because they are unable or unwilling to bribe him, and releases the guilty, a ‘genteel’ couple who have committed an unspecified sexual crime (I, 11) for a fee. The narrator informs us that ‘the Magistrate had too great an Honour for Truth to suspect that she ever appeared in sordid Apparel’ (I, 14). This wry, Newgate wit marks the first two volumes of the novel, and the search for ‘Truth’ beyond its mutable, outward ‘Apparel’ then follows Booth to Newgate, traditionally a site of unmasking and the revelation of ‘authentic’ character.

As in *The History of the Press Yard*, Booth’s disorientation in the prison begins at the level of language. The inmates greet him in incomprehensible cant, demanding ‘*Garnish*’ (I, 15), which the turnkey translates as his entrance fees. Booth is immediately struck by the reversal of the expected cultural narrative of the prison: ‘instead of wailing and repining at their Condition’, the majority of Booth’s fellow

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inmates, like Moll’s, were ‘laughing, singing and diverting themselves with various kinds of Sports and Gambols’ (1, 17). He is initiated into the mysteries of what C.J. Rawson has termed the ‘gruesome, metaphorical, or neo-epic underworld of Amelia’ by a long-term denizen of the prison, Robinson. 158 Virgil-like, Robinson glosses the prison’s scenes of misery and corruption that Booth is unable to interpret correctly. These vignettes form fleshed and particularized scenes of the confusion and contrariety of Newgate which had marked depictions of the criminal prison in print from Head’s English Rogue onwards. Head had described Newgate as a place where ‘you may see one Weeping, another singing; one Sleeping, another Swearing […] one Eating in a corner, and another Pissing just by him’, and Alexander Smith slightly adapts this description and inserts it into his criminal biography of Tom Sharpe in 1714.159

In an indication of this pronounced, contrary dynamic in Fielding’s Newgate, chapter three is entitled: ‘Containing the Inside of a Prison’ (1, 15), while chapter four, oppositionally, works at ‘Disclosing further Secrets of the Prison House’ (1, 14). Centrifugal and centripetal forces are at work, too, in the histories of the prisoners which Robinson expounds. Although Newgate is never directly named, the prison in which Booth is incarcerated contains those condemned to hang at Tyburn: three men in ‘Fetters’, certain of being hanged, are ‘enjoying themselves very merrily’ (1, 24) in the comic inversion typical of the unofficial Newgate narrative. Similarly, a ‘Girl’ who appears to Booth to bear ‘great Innocence in her Countenance’ is then unmasked by Robinson as ‘a common Street-walker’ (1, 25). But the ironies of Fielding’s criminal

159 Head, Chap. XII, Sig. H8v, Smith, Lives of the Highwaymen, pp. 151-52.
prison are unstable. Later, a ‘Wretch almost naked, and who bore in his Countenance [...] an Appearance of Honesty’ (I, 28) is indeed as innocent as he seems to Booth — the victim, not of a corrupt Justice, but of the injustices of the criminal prison system itself. Having been acquitted of theft at trial, he is being held in Newgate because he is unable to pay his prison fees. This very injustice was to prove Howard’s starting point for his programme of prison reform in 1775.160

Elsewhere the sentence of the law is evaded or perverted in Fielding’s Newgate: inmates gather to watch a flogging, which the criminal is able to avoid with a bribe (I, 26), and the prison population punish a sodomite with ‘various Kinds of’ unspecified ‘Discipline’ (I, 26) which nearly kill him. The law is seen to favour the powerful and oppress the weak: a ‘little Creature’ of a girl has been committed by a soldier who claims to live in fear of her (I, 25); a ‘young Woman in Rags [...] supporting the Head of an old Man’ (I, 26) are both guilty under law, she for stealing a loaf to feed her starving father, he for receiving stolen goods, while a ‘well-drest’ perjurer, who has procured bail and will soon leave the prison, walks ‘surlily by’ (I, 27). Fielding’s Newgate is a space of unmitigated confusion: a ‘frantic’ insane inmate (I, 24) shares the carceral space with a philosopher, the merrily unregenerate with the miserable, pre with post trial inmates, the innocent with the guilty, the aged with the young. Additionally, the prison is peopled by inversely gendered inmates: men are described as ‘pretty’ (I, 19), while in a ‘Bout at Fisticuffs the Lady was greatly superior to the [male] Philosopher’ (I, 30).

160 ‘[T]he circumstance which excited me to activity in their behalf was, the seeing […] some, whose prosecutors did not appear against them; after having been confined for months, dragged back to gaol, and locked up again till they should pay sundry fees’ Howard, State of the Prisons, p. 1.
Through Robinson’s capacity to interpret these scenes of the prison correctly, Newgate can be seen to unmask the truth that is ordinarily hidden in society. Yet, as he had in Jonathan Wild, Fielding again undermines the stability of the cultural narrative of Newgate by making Robinson himself unreliable. Robinson asks Booth to play him at cards, at which a ‘strapping wench’ intercedes: ‘a Pox, are you such a fresh Cull that you do not know this Fellow? Why, he is a Gambler, and committed for cheating at Play. There is not such a Pickpocket in the whole Quad* glossed at the bottom of the page as ‘*A Cant word for Prison’ (I, 30). ‘Quad’ again borrows from the contestive tradition of the unofficial Newgate narrative by likening the prison to a perverse university, and the presence of cant words also alerts the reader to the necessity of textual interpretation in order to properly decode the meaning of the prison scene. The ‘wench’ unveils Robinson to be a ‘cheat’ and informs Booth that he does ‘not know’ his friend. Booth’s opinion of Robinson veers wildly in the ensuing pages. Booth takes him for a thief and a liar (I, 36), he then learns that a hypocritical Methodist preacher has stolen his snuff-box, at which Robinson is restored to Booth’s good opinion (I, 39). But again, when he loses catastrophically at cards to the gambler/philosopher, Booth ‘began to waver in his Opinion, whether the Character given by Mr. Robinson of himself, or that which the others gave of him, was the truer’ (I, 41).

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161 John Wesley, the founder of Methodism, began visiting prisons in 1738, and famously made prison ministration an integral part of his evangelism. See John Wesley, The Works of The Reverend John Wesley, 14 vols (1829-31) I-IV, The Journals. See especially I, 165 (Sun 3 Dec. 1738); II, 89 (Wed 23, Thurs 29 Mar. 1748) and III, 23 (Fri 24 Oct. 1760). The association of this religious ‘enthusiasm’ and the criminal prison is the source of much comedy in Tobias Smollett’s Humphrey Clinker. Clinker, whose name recalls the sour musicality of the felon’s chains, is wrongly incarcerated in Clerkenwell prison as a Highwayman. Jerry Melford describes a ‘strongly picturesque’ scene, of a ‘congregation of felons clanking their chains, in the midst of whom stood orator Clinker, expatiating, in a transport of fervor’. Tobias Smollett, Humphrey Clinker. 2nd edn. 3 vols, (1771) II, 73.
The inconsistency of Robinson’s character is compounded in the second book, when the Keeper tells Booth:

“for my Part, I would not trust Robinson with Two-Pence untold.”

“What do you mean,” cries Booth? “Who is Robinson?”

“And you don’t know Robinson!” answered the Keeper [... who]
After some silent Tokens of Amazement, cried out; “Well, Captain, I must say you are the best at it, of all the Gentlemen I ever saw.” (I, 165)

The Keeper’s disbelief is to some degree shared by the reader, exacerbated in the first edition by the peculiar punctuation marking Booth’s response. Robinson’s name has been repeatedly given together with Booth’s since the third chapter of the first book (I, 21) and the reader has no way of knowing that Booth is unacquainted with it. What is in question in this episode is the extent to which Booth ‘knows’ his friend: “‘Who is Robinson?’” Booth demands, a question that the Keeper in no sense attempts to answer. He replies only with another question, which, lacking a question mark, functions tellingly as a statement: “‘you don’t know Robinson!’” What “‘it’” is that Booth is deemed “‘the best at’” remains unclear, but we assume it is lying in the face of hard evidence, as Newgate’s most flagrant inmates might do in a court of law.

Robinson has hitherto been our only secure guide to the truths hidden within — and discoverable through — the prison, so this questioning of his character undermines the notion that in Newgate authentic, truthful character becomes decipherable. The Keeper “‘would not trust’” Robinson, but we remain unsure of how far we ought to trust the corrupt Keeper, or even, more radically, the honesty of Booth himself.

Additionally, by positioning Newgate in the first, rather than the concluding books of Amelia, as in Jonathan Wild, Fielding intimates that the prison will precipitate
rather than resolve the most pressing questions of the novel. This transpires to be the case on two counts: first, in terms of the capacity of Booth to establish the ‘truth’ of character behind a mutable appearance. And secondly through the ramifications of his adulterous affair with Miss Mathews in Newgate. The potential repercussions of this relationship are intimated though the first person to ‘accost’ Booth in Newgate, ‘Blear-Eyed Moll’:

[A] Woman of no very comely Appearance. Her Eye (for she had but one), whence she derived her Nick-name was such, as that Nick-name bespoke; besides which it had two remarkable Qualities; for first, as if Nature had been careful to provide for her own Defect, it constantly looked towards her blind Side; and secondly, the Ball consisted almost entirely of white, or rather yellow, with a little grey Spot in the Corner, so small that it was scarce discernible. Nose she had none; for Venus, envious perhaps at her former Charms, had carried off the gristly Part; and some earthly Damsel, perhaps from the same Envy, had levelled the Bone with the rest of her Face: [...] About half a dozen ebeny Teeth fortified that large and long Canal which Nature had cut from Ear to Ear [...].

Her Body was well adapted to her Face; she measured full as much round the middle as from Head to Foot [...].

We have taken the more Pains to describe this Person, for two remarkable Reasons; the one is, that this unlovely Creature was taken in the Fact with a very pretty young Fellow; the other, which is more productive of moral Lesson, is, that however wretched her Fortune may appear to the Reader, she was one of the merriest Persons in the whole Prison. (I, 17-19)

The portrait employs the laboured sarcasm of many Newgate narratives. Additionally, it deploys the gendered, mock-romantic rhetoric of the Sally Salisbury style of criminal biography for comic effect, with its exaggeratedly antique sentence structure ‘she had but one’, ‘nose she had none’ and references to ‘damsels’ and ‘Venus’. Blear-eyed Moll’s senses are not just overwhelmed by this prison, as Moll Flanders’ had been, they have been ripped out of her. How she is able see at all is unclear: one eye is missing, and the other is apparently diseased: ‘yellow’ and ‘grey’ and ‘pointing
sideways’. No mention is made of either an iris or a pupil in this uncomfortably close inspection of the ruins of Moll’s physiognomy, which anatomizes with surgical precision defects that are ‘scarce discernible’ to the eye. She cannot smell, clearly, because she has no nose, by which we understand that Blear-eyed Moll is a syphilitic prostitute. Her mouth is a ‘Canal’, extending from ‘Ear to Ear’ that has been ‘cut’ into her face, and her six remaining teeth are so rotten that they are black, ‘ebony’ having supplanted the original ivory of her mouth. She is a ‘natural’ and therefore a ‘happy’ denizen of Newgate. She is ‘one of the merriest Persons in the whole Prison’, not only within herself, but also as an object for comic inspection, which the narrator assures us but fails to explain is ‘productive of moral lesson’. We are informed additionally that she was arrested in an act of prostitution with a ‘very pretty young fellow’, a gendered instance of the world-upside-down logic of the prison. Men are ‘pretty’ and ‘young’ while the women they bed are spherical, as broad as they are tall, and violent, engaging with other ‘earthly damsels’ in brutal violent contest.

There is a discomforting syphilitic literalism to the unmanning of Blear-Eyed Moll’s ‘very pretty’ victim that threatens to infect the entire novel. If Moll’s aspect is hideous, it is at least representationally consonant with her inner reality. She is as she appears to be. She bears on her face the sign of her syphilitic malignancy. Her victim, however, will initially represent instead a dangerous disjunction between his attractive appearance and his secret, sexual infectiousness. It is telling that the guilty couple that Justice Thrasher released back into the community had engaged in an act of illicit and presumably extra-marital sex — this is the crime that is everywhere at large in Amelia. And it is equally important that the first inmate to be particularized in the criminal prison should display the symptoms of a contagious venereal disease.
Moll is an embodiment of the inextricability of moral and physical contagion, syphilis being the disease that most nearly marries notions of bodily and ethical malignancy.

Fielding then carries the threat of this infection into the wider world of the novel through Booth’s sexual liaison with Miss Mathews. On her entry into Newgate, a ‘beautiful young Woman’ (I, 31) who has been committed for stabbing her lover with a pen-knife is misidentified to Booth as Mrs Vincent, which is another indication of the slippage of ‘true’ character in the prison. Hearing her real name enquired after, Miss Mathews invites Booth to her lodgings in the Castle. It is a space that Fielding describes, and lexically marks as, as an ‘enchanted Castle’ (II, 3-4). Aptly enough, in such an unreal, archaic space, Miss Mathews and Booth exchange their personal histories in the extended, formal manner of the courtly romance. This constitutes a striking instance of the generic plurality of Fielding’s Newgate, one which considerably complicates the critical claims that are sometimes made for Fielding’s uniquely detailed realism in his portrait of the prison.162

The narrator then makes a jarring intrusion into the narrative in order to defend his characterization of Miss Mathews. Fielding likens her to famous female killers, from the classical, ‘Medea’ to the biblical, ‘Jezebel’, from drama, ‘Lady Macbeth’ to the historic, ‘Christina of Sweden’ to the “low” subjects of sensational criminal biographies: ‘Katharine Hays, Sarah Malcolm, Con. Philips, or any other Heroine of the tender Sex, which History sacred or prophane, antient or modern, false or true, hath recorded ’ (I, 48). Fielding thus combines apparently irreconcilable registers, tones, eras and genres in his characterisation of female criminality. He then extends

162 lePage writes that ‘Amelia is mimetic’, p. 347, while Bender argues that Amelia’s is a ‘Newgate of substantial factuality’ and that Fielding ‘etches life in the old prisons with an exactness unprecedented by any fictional work I know’. Imagining The Penitentiary, pp. 181-82.
this conflation of registers into the political realm. In exaggeratedly florid, courtly language, he reminds the disapproving ‘Critics’ of the contradictory extremes present in the character of a Jacobite rebel. Immediately preceding an uprising, the rebel detects an ‘odoriferous Zephyr’s Breath’ in the English climate which, following defeat, instead conveys the reverse pathetic fallacy: a thundering ‘wet Tempest’ (I, 48). A Jacobite woman is equally Janus-faced; she will ‘warble’ a ‘harmonious Song in Praise of the young Adventurer’ but the ‘the next hour’, discussing Hanoverian rule, ‘roars forth Treason’ (I, 49). Fielding abandons this exaggeratedly cavalier tone with comic abruptness: ‘Or, if the Critic be a Whig [...] I happened in my Youth to sit behind two Ladies in a Side-Box at a Play’ opposite the historically identifiable prostitute and brothel-keeper ‘the inimitable B—— C——’, Betty Careless. Despite her public ‘Appearance of Modesty, Innocence and Simplicity’ the narrator had earlier seen her in a ‘Bagnio, smoaking Tobacco, drinking Punch, talking Obscenity’ (I, 49-50). A Jacobite rebellion, sedition, and running a brothel are all crimes that might consign their perpetrators to Newgate. Fielding argues that prose renderings of the criminal prison must be and here, with great, metafictional éclat already are, generically inclusive enough to accommodate such contrasting statuses, crimes, and political orientations. Beyond this, though, the passage exacerbates the epistemological difficulty that the editorial intervention was claiming to resolve, the seeming incongruity between Miss Mathews’ soft, ‘feminine’ appearance, and the brutality of her crime. The extract merely provides more examples of extreme inconsistencies of character, the measure of the distance between what appears to be and what is.

163 Martin C. Battestin identifies the prostitute as ‘Betty Careless’ Martin C. Battestin, ed., *Amelia*, by Henry Fielding, the Wesleyan edn (Oxford: Clarendon, [1983] 1984), n. 4, p. 46. In the *Covent-Garden Journal* Fielding reports: ‘On Wednesday Evening last was buried from the Parish-House of Covent-Garden, Mrs. Careless, well known for many Years by the name of Betty Careless, by the gay Gentlemen of the Town’, issue 34 (28 April 1752), p. 3.
Miss Mathews’ history is an extended, romantically inflected, but essentially recognizable Newgate narrative. It charts her slide into sin and crime, during which she confesses to the legal infraction for which she has been incarcerated, and claims to be reconciled to the state-sanctioned punishment that awaits her. Though she admits to no remorse, her life is given narrative shape, meaning and moral license by the fact of her incarceration in Newgate, just as the subjects of Ordinary’s Accounts and many of the criminal biographies analysed earlier were. What complicates her story is that it is delivered not to the authenticating figure of a priest but to Booth, her ‘first Love’ (II, 7) whom she has locked into her private rooms (II, 50). Booth’s reciprocal narrative is more unusual. It is a story not of sin and crime, but of persecuted love and a slide into poverty. Here the lexical markers of the romance genre are more pronounced and apparently inapposite with the criminal prison environment. Relaying the contents of letters between Amelia and her sister, Booth exerts with pronounced improbability: ‘I have a Copy of the Answer in my Pocket, I keep it by me as a Curiosity’ (I, 219); when conveying conversations many years distant, he assures Miss Mathews, ‘I believe, Madam, I repeat her very Words; for I am very apt to remember what she says’ (I, 234). This is again reminiscent of the generic pluralism of the History of the Press Yard demonstrated earlier. Here, however, Fielding does not deploy romance motifs as a satirical device, but conversely, they indicate an attempt to introduce a measure of politeness and gentility to the chaos of the criminal prison.\textsuperscript{164} At the conclusion of this antiquated, formal narrative exchange, however, Miss Mathews bribes the turnkey to lock Booth into her rooms for the night. Their ‘criminal Conversation’ continues for ‘A Whole Week’ (II, 7).

\textsuperscript{164} For a pronounced example of the same, rhetorical markers of the romance genre within a prison setting, see Madeleine de Scudéry, Almahide or the Captive Queen, trans. by J. Phillips (London: [1661-3] 1702), pp. 61, 84.
Fielding intimates that this ‘conversation’ is potentially infectious. Miss Mathews describes Booth as the ‘prettiest young fellow’ (II, 3) she had seen, exactly the terms used to describe the man with whom Blear-Eyed Moll had been taken ‘in the Fact’. The unexplained ‘moral lesson’ of the syphilitic prostitute thus blooms discomfortingly close to Miss Mathew’s Newgate bed. This is exacerbated by the lingering strangeness of Amelia’s destroyed nose, which is narratively unmasked twice in the same, erotically-charged carceral space. Booth relates to Miss Mathews that Amelia’s ‘lovely Nose’ was ‘beat all to pieces’ (I, 95) in a chaise collision. A month after the accident:

When Amelia began to see general Company, in a Mask, I had the Honour to drink Tea with her. We were alone together, and I begged her to indulge my Curiosity by shewing me her Face. She answered in a most obliging Manner, ‘Perhaps, Mr. Booth, you will as little know me when my Mask is off as when it is on; and at the same instant unmasked’. — A thousand tender Ideas rushed all at once on my Mind. I was unable to contain myself, [...] eagerly kissing her Hand. (I, 99)

On second glance, what is most striking about this irreducibly peculiar courtship scene is that Amelia — so often depicted as the only consistently transparent character in the novel — presents her unmasking as an obfuscation rather than a revelation of her true self. Amelia prevaricates that Booth will ‘perhaps’ find beneath the mask only the knowledge that he does not know her, that her ‘authentic’ character will remain elusive. Even Amelia, then, in Booth’s Newgate narrative, is troublingly unknowable, an enigma of lack behind a mask. That Booth could fall in love with a woman not in spite of, but seemingly as a result of her face bearing the sign of a syphilitic prostitute was the subject of considerable contemporary scorn.165 Taking his ‘favourite child’, to

the ‘bar’ for ‘justice’ in defence of the novel in the Covent Garden Journal, Fielding reiterates the critical complaint that Amelia ‘is a Beauty WITHOUT A NOSE, I say again, WITHOUT A NOSE’. But despite the amendment of this passage in later editions to include mention of the ‘surgeon’s skill’ in reconstructing her nose before Booth’s ‘tender ideas’ overtake him at the sight of it, the soundness of Amelia’s nose, and through this, her sexual purity, remain tentatively in question throughout the novel.167

This is later made evident through the mirroring figure of Mrs Bennet/Mrs Atkinson. As Miss Mathews/Mrs Vincent had done, Mrs Bennet/Mrs Atkinson ‘fastened the door’ (III, 1) to secure her and her auditor before beginning an extended, romantically-inflected narrative of her history. Just as Miss Mathews/Mrs Vincent had revealed herself to Booth, she also immediately reveals herself to Amelia as an ‘adulteress and a murderer’ (III, 2). At a masquerade, at the hands of the ‘illustrious peer of amorous memory’ (IV, 143), Mrs Bennet, whom her husband calls ‘Molly’ (III, 86), in an echo of Blear-Eyed Moll, was drugged and raped. She subsequently discovered that she had additionally been infected with an unidentified but apparently curable venereal disease: ‘I was indeed polluted by the Villain——I had infected my Husband’ (III, 86). Whether from the workings of his grief or that of his pathology, Mr. Bennet dies of the knowledge of it (III, 91). The Noble Lord has laid precisely the same snare for Amelia at a forthcoming masquerade. As Terry Castle has pointed out, Amelia and Mrs Atkinson then trick Booth to the exact degree that Fielding deceives his reader, by substituting ‘Molly’ for Amelia at the masquerade, a

167 See, for instance, Henry Fielding, Amelia, 2 vols (1771), i, 54-55.
fact which is only exposed to Booth, and to us, on the party’s return home.\textsuperscript{168} The two women, one of whom has been infected with a venereal disease, appear so alike that Booth declares himself ‘scarce […] able to discover the Difference between them’ (III, 36).

In the masquerade scene, Fielding combines the threat of disease that shadows the Booths’ marriage bed with the theme of Booth’s inability to correctly penetrate behind the mask of appearance to discern the truth of character. Both concepts are introduced into the novel in Newgate prison, and both are discernible throughout the dissociative fabric of \textit{Amelia}. Booth repeatedly fails to read character correctly, and this failure is almost invariably connected to an adulterous sexual desire for Amelia that he is unable to detect. The pattern that this misreading is to take is established in Booth’s Newgate narrative, in his relation of his intense friendship with Monsieur Bagillard in Montpelier and Marseilles (I, 230-49). He later discovers that this friendship is a mask, with which Bagillard has attempted to seduce Amelia. This pattern is repeated time and again in the wider world of the novel. The Noble Lord’s sexual desire for Amelia is similarly concealed behind a mask of familial affection. As lackeys to his will, Mrs Ellison and Captain Trent both inveigle their way into Amelia and Booth’s affections for the same reason. Although the Noble Lord’s disease does not appear to have had a long-term impact on Mrs Bennet’s health, we are informed in the final chapter of the novel that his ‘Amours’ eventually prove fatal: he ‘was at last become so rotten, that he stunk above Ground’ (IV, 293). The hypocrisy of Colonel James, who attempts to use his intimacy with Booth, and his wife’s, and later Atkinson’s intimacy with Amelia to seduce her, constitutes the most notable and

unresolved instance of sexually orientated duplicity in the novel. As Robert Folkenflik has observed: ‘Significantly, Booth never does discover fully James’s designs on his wife despite the fact that almost all of the major characters, Amelia, Dr. Harrison, and the Atkinsons, know of the colonel’s intentions’, with the effect that the deception remains unresolved at the novel’s close.¹⁶⁹

Just as Defoe had done, Fielding employs the redemptive capacity of the prison and its structural function as a space of plot resolution in the climactic chapters of *Amelia*. Confined and apparently mortally wounded, Robinson confesses to having forged Mrs Harris’ will and defrauded Amelia of her inheritance (iv, 257-59).¹⁷⁰ Robinson’s ‘true’, ‘authentic’ criminal character is established in dialogue with a ‘good’ priest, Dr Harrison, in an experience of incarceration from which he expects to escape only through death. In this, then, Fielding echoes criminal biographies and the Accounts of the Ordinary of Newgate. Booth, too, experiences a religious awakening in the same prison: “I can say with great Sincerity, I rejoice in this last Instance of my Shame, since I am like to reap the most solid Advantage of it” (iv, 244), a sentiment which might have been relayed by any number of joyful penitents in the criminal prison, including Moll Flanders. But as in *Moll Flanders*, Booth’s penitence is not effected in dialogue with an Ordinary, but through reading a discarded copy of Dr Barrow’s sermons (iv, 244), which he has happened upon by chance. His penitence is therefore at once culturally predictable and practically unrepeatable. Booth then confesses his ‘crime’ of adultery, and forges a prototype of the novel we now read in conversation not with a priest but with Amelia: ‘Booth then, [...] began and related to

¹⁷⁰ In the final chapter we are told that he later returned to a life of crime and was hanged at Tyburn, another instance of Fielding undermining the redemptive function of the criminal prison. IV, 293-4
her the whole that had pass’d between him and Miss Mathews, from their first meeting in the prison to their separation the preceding evening’ (IV, 212). At which Amelia also reveals that she has been aware of Booth’s infidelity for much of the novel, having received a letter from Miss Mathews telling her as much ‘some time ago’ (IV, 213).

Truth, then, is fully and finally unveiled in the prison in *Amelia*, more wholly even than is the case in *Tom Jones*. In the criminal prison of that novel, Tom uncovers the secret of his birth in the prison, learning in the process that his unbridled sexual appetite is not in fact criminal (Mrs Waters is identified as his mother, and then established as being no blood relation to him), that he has committed no sin against his parents or crime against humanity (Fitzpatrick, whom he fears he has killed in a duel, recovers from the wound), but is in fact Allworthy’s heir and a gentleman by birth. In *Amelia*, similarly, character is correctly, publicly and legibly stamped in the prison: the guilty (Murphy) are punished, the penitent (Booth and Robinson) forgiven, and the innocent (Amelia) rewarded. But the prison space in which this unmasking occurs is not a criminal prison but a bailiff’s house, an indeterminately carceral space that is not regulated by the state. While Fielding deploys the prison as a means to resolve a narrative of a life, then, and to effect justice and retribution, as was the case in the Accounts of the Ordinary of Newgate and many of the criminal biographies cited earlier, he does so without at the same time endorsing the criminal prisons’ ability to adequately contain the threat of criminality to Hanoverian society.

Indeed, *Amelia* functions rather as a critique of the enactment and also of the letter of criminal law, which is perhaps surprising, given Fielding’s position as a city magistrate at this time. Whether the individuals administering the law are venal and
pernicious, as in the case of Justice Thrasher and Constable Gotobed, or are conscientious and knowledgeable, legal process is depicted as flawed in Fielding’s final novel. The magistrate who ‘understood the Law’ (IV, 182), before whom Booth brings the case of little Betty’s theft of Amelia’s linen, is unable to prosecute the felony because of a statutory loophole. He is powerless to recover the lost goods since: ‘[I]t belongs not to my Office to make or mend Laws. My Business is only to execute them’, (IV, 183). Little Betty’s theft is brought before the good magistrate purely in order to demonstrate this point, that the laws, as well as the law-makers, effect injustice. The heavy reliance on providence to realign the tragic tensions of the novel and restore Amelia and Booth to liberty and prosperity jar precisely to the degree that we apprehend the measure of the failings of mid-century jurisprudence that the novel has laid bare.

In this analysis, Fielding has been shown to develop many of the literary conventions surrounding the presentation of the criminal prison outlined above. His portrayal of Newgate utilizes the discordant, radical clash of registers of the unofficial Newgate biography. Like the Ordinary’s Accounts, and again in line with those biographies, he also uses the prison as a structuring device. In those earlier forms, the prison marks the end point of the narrative arc of the deviant life, a space of legally sanctioned containment that enables the narrativization of criminality and encodes the promise of its final curtailment. Through the convention of the confession – the criminal’s dialogue with either the Ordinary or else the unofficial biographer in the condemned hold – Newgate became associated with the notion of revelation. The

narratives that issued from Newgate repeatedly stressed their capacity to unveil previously concealed details of the criminal character and of particular crimes. The prison thus operates in these texts as a space in which truth is revealed and also as one in which justice is served. In the Ordinary’s Accounts, it is additionally often depicted as the site of religious awakening and quasi-miraculous penitence on the part of the condemned. The prison fulfils all of these functions in *Amelia*. It is deployed by Fielding to effect a spiritual reformation, it unveils previously concealed crimes, it enables justice, and it also works to provide a fitting structural conclusion to the narrative of a life. But by relocating these effects away from the criminal prison, to the semi-carceral space of Bondum’s spunging house, Fielding does not also ratify the criminal prison as an effective and correctly functioning aspect of the legislature. Indeed, as I have argued above, he instead deploys the criminal prison in the manner of prison reform discourse, as a lens through which to inspect the flaws in the legislature at large.

Fielding not only borrows from available Newgate narrative forms, however, he also influences them in his final novel. In the crucial year of 1751, a year after the ‘black sessions’, Fielding masterfully demonstrates the inextricable nature of the physical and ethical contagion of Newgate through the metaphor of the threat of venereal disease, which shadows the Booths throughout the novel. This threat issues initially from the veiled possibility that Miss Mathews has infected Booth during their ‘criminal conversation’ in Newgate, and is then evident in the repeated attempts of the predatory and infectious Noble Lord to rape Amelia. Additionally, Fielding’s Newgate is itself a contagious presence in the novel; as LePage has demonstrated, carceral
imagery permeates *Amelia*, regardless of whether Booth is physically incarcerated.\(^{172}\) Moreover, the epistemological unease that characterizes the narrative technique of Fielding’s last fiction is established in Newgate. Booth is repeatedly unable to interpret the characters he meets in the prison. Robinson unmasks the truth behind the deceptive appearance of each carceral vignette, yet his trustworthiness as a narrator is then pointedly called into question. This, too, is then re-enacted in the wider world of the novel. Booth remains unable to interpret the truth of the characters he meets in the novel, and Fielding’s narrator similarly withholds key information in his characterization in order to stage precisely the same epistemological difficulty for the reader that Booth experiences. This is not only the case in the masquerade scene, but also in, for instance, the perfidy of Mrs Ellison, the marriage of Mrs Bennet and Sergeant Atkinson, the identity of the interloper who rifles through the Booths’ belongings, and the hypocrisy of Colonel Trent and ‘Honest’ Bob Bound. The failure of the criminal prison to unmask deceit reliably is seen to leak beyond its walls, to infect the epistemology of the novelistic world at large, not only for the Booths, but also, more radically, for the reader.

This narrative effect is by far the most critically commented upon aspect of Fielding’s final novel. In Coolidge’s words: ‘people come into the story in the same way that people come into our lives. [...] Our knowledge of a person’s character is always provisory, pending further discovery’.\(^{173}\) Coolidge locates the failure of *Amelia* as a novel in Fielding’s inability to fully realize this technique.\(^{174}\) Alter repeats the complaint: ‘the characterization, [...] seems to wobble between the old “high priori

\(^{172}\) LePage, pp. 337-54.  
\(^{174}\) Ibid., p. 251.
way” of the two comic novels and the new method of progressive discovery.\textsuperscript{175} In Hunter’s estimation, however, ‘[w]hatever its flaws, Amelia is Fielding’s most prophetic work, and it may be his most influential’, precisely as a result of this new method of tentative or progressive character revelation.\textsuperscript{176} Battestin has argued that this effect is driven by Fielding’s defensive engagement with David Hume’s radical scepticism, while George Haggerty finds its roots in Locke’s empiricism, and the discontinuity of character which that epistemology can be seen to occasion.\textsuperscript{177} I would argue instead that this discomforting ‘wobbling’ on the part of the narrator is a precise reflection of the effect of Robinson’s wavering as a narrator in Newgate. The innovative narrative technique of Fielding’s last novel can be seen to stem from his desire to recreate the destabilization of the Newgate narrative in the wider world of the novel. The stable, publicly legible revelation of ‘authentic’ character that is promised to the reader in Newgate, both in Fielding’s novel, and in other criminal prison narratives in this period, not only does not occur there, but this discomforting inscrutability of character is then shown to infect the city outside the prison’s walls, and the novel as a whole. It is thus the cultural conventions of the Newgate narrative that occasion Fielding’s pioneering narrative technique.

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The foregoing analysis has revealed the dense cultural signification of the criminal prison, and Newgate in particular, in the years leading up to the publication of Amelia in 1751. The Accounts of the Ordinary of Newgate established the prison as a key

\textsuperscript{175} Alter, \textit{Fielding and the Nature of the Novel}, p. 156.
\textsuperscript{176} Hunter, \textit{Occasional Form}, p. 193.
source of deviant life stories. Newgate legitimized and enabled the enlargement of the
criminal’s history through the legally constituted narrative of containment and
retribution that it encoded. Unofficial Newgate narratives deliberately positioned
themselves in competition with the Ordinary’s Accounts and the hegemonic
worldview that the Accounts display. In the process, they also depict Newgate in
polyphonic, stylistically innovative ways. Increasingly, prison reform discourse
additional identified the prison as a space through which to apprehend the
malfunctioning of criminal justice as a whole, adding socio-political freight to printed
representations of the prison at this time. All of these facets of the portrayal of the
criminal prison were exploited in the Newgate novels of Fielding.

This analysis amends the critical positions on the relationship between the
criminal and the novel that were outlined at the outset of this chapter. I would argue
that criminal biographies did more than generate the ‘occasion’ for narratives of
problematic lives, as Faller claimed. They generated too a set of rhetorical
conventions: satire and lexical inversion, narrative experimentation and polyphony,
which were then exploited by the novelist. The nature of this topos of the criminal
prison challenges Davis’ assumption that the fictive re-rendering of the criminal life
must, in and of itself, have occasioned the advent of realism in the novel. As we have
seen, unofficial Newgate narratives deployed a plurality of literary styles to convey the
criminal character, and markers of the romance genre were equally as prevalent in
these narratives as those of journalistic writing.

Davis’ contention that there is ‘something inherently novelistic about the criminal’
must also be reformulated. Rather, I would argue that the criminal prison was
presented as the pre-eminent space in which the criminal life was understood to yield
up its narrative meaning. The Ordinary’s Accounts attempt to establish the ‘authentic’, ‘true’ character of the criminal. Unofficial Newgate biographies claim narrative purpose and legitimization through offering a corrective to this attempt. And it is an attempt that carries legal as well as broader cultural ramifications since, as Beattie’s research into court records has shown, with the decline of providential evidence in the courts, and before the ascent of empirical, factual evidence that would define the nineteenth-century criminal trial, the burden of the proof of guilt or innocence fell on the criminal character at this time.

Character is importantly distinct from the more anachronistic, interior concept of the individual. Just as is the case with the ‘character’ of written script, eighteenth-century legal character is as much a public and communicative as a private and singular construct. It is concerned with, and it is generated through, interaction and dialogue. In the examples outlined above, the narrative of the criminal life is constructed in dialogue with the Ordinary or other minister, a Magistrate or a criminal biographer, a literate and authoritative auditor. Additionally, the inmate of the criminal prison is repeatedly seen to be, to varying degrees, dangerously porous to the prison environment; unable to sustain a particularized individual identity through accessing an inviolable interiority. Booth’s character degeneration in Newgate exemplifies this. He concludes his individual narrative in which he professes his devotion to one woman by bedding another, who has just confessed to attempted murder. What the novels analysed here demonstrate is the inevitable corrupting influence of the prison experience on the physical and moral integrity of the inmate.
Immediately on publication, *Amelia* was denigrated as ‘wretchedly low and dirty’. The phrase is Samuel Richardson’s, who complained to Lady Bradshaigh that: ‘I have not been able to read any more than the first volume of *Amelia*. Poor Fielding! [...] I was equally surprised at and concerned for his continued lowness’. This sense of the indecorousness of what Richardson called the ‘brawls’, ‘jarrs’ and ‘gaols’ of Fielding’s fiction, their too clear connection, in fact, with the ‘low’ Newgate narratives from which they have been shown to spring, is one of the reasons why the criminal prison is not the most common form of incarceration to befall central characters of the eighteenth-century novel. Instead, it is the debtors’ prison that appears most frequently in the novel. Fictive representations of debtors’ prisons repeat many of the literary tropes associated with the prison that we have delineated here. Where they differ is revealing, not only of the cultural understanding of the experience of imprisonment in this period, but also of the genre of the novel itself.


179 Ibid., ‘To Lady Bradshaigh’ (23 Feb 1752), pp. 197-99, (p. 199).

180 Ibid., ‘To Anne Donnellan’, p. 197.
Chapter III: Debtors’ Prisons: Questions of Justice

Rouse, and redress your Brethren’s wrongs, ye abject, base, degenerate British slaves! The ghosts of murdered thousands, conjure you to break those hell-forged Prison-barrs, that shut out from the innocent, sweet hope and mercy; Unlock the infernal doors, that impiously divide whom God hath joined; and hear, O hear, the Children’s cries!

The Letters of John Howard, ‘An American’ to Howard, 17 March, 1789¹

Novelistic portrayals of the prison in the eighteenth century were overwhelmingly peopled not with criminals but with ‘poor’ debtors. This preponderance accurately reflects prison population rates. In 1777, Howard calculated that debtors made up 75% of prisoners in London, Westminster and Southwark. Of a total London prison population of 1,696, debtors accounted for 1,274 inmates, felons 228, and petty offenders 194.² Additionally, Howard complains that ‘debtors crowd the gaols (especially those in London) with their wives and children. There are often by this means, ten or twelve people in a middle-sized room’.³ Howard’s argument for the need for nationwide prison reform is framed by his detailing of the sufferings of the debtor inmate population. He argues: ‘it is a flagrant crime to take away the life of a man for debt: and as to felony, a Gaol is not designed for the final punishment even of that; but for the safe custody of the accused to the time of trial’.⁴ The imprisoned debtor is positioned as the primary proof and emotive symbol of systemic injustice in the prisons. In Howard’s formulation, the ‘flagrant’ criminal is not the inmate, but the

¹ Bodleian MS, Eng.msc.c. 322, The Letters of John Howard, ff. 53-56 (f. 56v.).
² Howard, State of the Prisons, p. 35.
³ Ibid., p. 33.
⁴ Ibid., p. 38.
legal system that interns the debtor and potentially subjects him to an extra-juridical punishment of death.

And yet the importance of the debtor, both to eighteenth-century prison reform and to the genre of the novel, has long been over-shadowed by analyses of the criminal prisoner in modern critical writing. Foucault’s seminal study pays no attention at all to incarcerated debtors and their impact on the ‘birth of the prison’, since the practice was specific to English common law. The Webbs and Michael Ignatieff acknowledge the presence of debtors in English prisons but fail to integrate them into their narratives of prison reform.⁵ At the time of writing, no dedicated study exists detailing the prevalence and particularity of portraits of the incarcerated debtor in the novels of the period.⁶ Despite their vastly outnumbering novelistic portrayals of criminal prisons, John Bender does not analyse a single fictional rendering of a debtors’ prison in his study on the relationship between the novel and the prison in the eighteenth century.

The following chapter will redress this critical oversight. In section ii I demonstrate the centrality of the debtor to Hanoverian prison reform discourse, and elucidate the ways in which the depiction of the incarcerated debtor repeatedly prefaced a demand for legislative reform. Section iii outlines the breadth of novelistic portraits of the debtors’ prison in the period, and identifies the stylistic conventions that came to accompany them. In section iv I demonstrate the relationship between the figure of the writer and the incarcerated debtor, which offers a further explanation for the predominance of the debtors’ prison in literary fiction. In the final section, I

⁶ Margot Finn, The Character of Credit: Personal Debt in English Culture, 1740-1914 (Cambridge: Cambridge University Press, 2003) cites fictional portraits of debt, but is neither specific to the period under discussion, nor a literary study.
contextualize the motif of the debtors’ prison in Tobias Smollett’s novelistic oeuvre, where all of these aspects of the representational possibilities of the debtors’ prison are evident. I begin this discussion with an overview of the civil process governing imprisonment for debt, as encoded in law, guides for debtors, and novelistic renderings of the debtor’s arrest.\(^7\)

\(^7\) The debt law under discussion is specific to England and Wales. The first Lord’s Act of 1729 states that its provisions were passed ‘Provided always, That this act […] shall not extend or be construed to extend to the part of Great Britain called Scotland’. 2 Geo II (1729) c.23. Par. xv.
III.i : The debtor in law

Anthony Babington has described imprisonment for debt as ‘one of the strangest and most illogical features of the British penal system’, and historians have noted that ‘it was perhaps in this area of imprisonment that there was most pressure for [...] active reform over the early modern period’. In 1265, the Statute of Marlbridge allowed for the detention of a defendant pending trial on a charge of debt. Fifteen years later, the Statute of Acton Burnel provided not only for the arrest but also the imprisonment of a debtor. The official could seize and sell the debtor’s moveable chattels to raise the sum owed. By the same statute, a debtor without property could be imprisoned until he reached a composition with his creditor. In 1283, the Statute of Merchants allowed for the imprisonment of the debtor regardless of whether or not he had chattels sufficient to cover the debt. Imprisonment for debt thus entered common law as a civil process and was not abolished until The Debtors Act of 1869.

In the eighteenth century, Joanna Innes explains, the process of recovering a debt ‘could be initiated by any creditor owed a debt of forty shillings or more, in any of the more important courts handling civil suits’. Debtors unable to obtain bail would be remanded in prison before trial, known as ‘imprisonment on mesne process’. After trial, which could occur months later, creditors who had proved the validity of their

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10 32 and 33 Vict (1869) c.62.
claims could either ‘execute against the goods’ of the debtor, which involved liquidating their movable chattels, or they could ‘execute against the person’ by detaining the debtor in prison until payment was effected or a settlement reached, known as ‘imprisonment on final process’.\(^\text{12}\) Imprisonment on mesne process either consigned a debtor to a county gaol or to the secured private dwellings run by bailiffs, court officials, or sheriff’s officers known as spunging-houses. The term, Margot Finn claims, ‘reflected the excessive fees extracted by their keepers’, as a result of which, ‘spunging-houses attracted the upper end of the debtor population’.\(^\text{13}\) Defoe calculated in 1724 that there were one hundred and nineteen spunging-houses in London, and the majority of fictional debtors are remanded in these in the first instance.\(^\text{14}\) Fielding’s Captain Booth is interned in Bailiff Bondum’s spunging-house; on her arrest, the eponymous heroine of the anonymous *History of Miss Charlotte Seymour* is escorted to ‘the officer’s house, which was in a street adjacent to the Hay-Market’; in Edward Kimber’s *History of Joe Thompson*, the bailiff who arrests Joe escorts him to his ‘Lock-up House […] in Gray’s Inn Lane’; Mr Le Brun is interned in ‘Mr Touch’ the Bailiff’s spunging-house for eleven weeks in the anonymous *History of Joshua Trueman*.\(^\text{15}\) In each case, the spunging-house is depicted as extortionately expensive. Imprisonment on final process would occur in a prison proper and could legally continue indefinitely. Here, too, extortionate fees were depicted as commonplace and are encoded even into the debtor’s legal identity. In 1670 ‘An Act for the Relief and Release of Poor Distressed Prisoners for Debt’ described the interned debtor as ‘much

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\(^{12}\) Ibid.

\(^{13}\) Finn, p. 116.


abused and wronged by extorting of great fees’, a description that was repeated in later legislation.16 Due to the piecemeal nature of prison records and the destruction of committals books in the Gordon Riots total numbers of men and women imprisoned for debt in the period are incalculable, but Ian Duffy has estimated that their numbers increased throughout the period: 3,814 people were imprisoned for debt in England and Wales in 1759, 5,333 in 1769, and 8,238 in 1779.17

Complaints against the practice of imprisoning debtors observe that, as was the case with the criminal prison, incarceration damages the ‘honest’ inmate and actively benefits the fraudulent. ‘In short’, claims the anonymous author of *The Piercing Cryes of the Poor and Miserable Prisoners for Debt*, in 1714, ‘to imprison the Poor, is to do what Nature and Christianity, as well as all wholesome Policies abhor, and to act in vain; to imprison the Rich is altogether ridiculous, a Prison to such being a Sanctuary to preserve their Estates’.18 In Henry Brooke’s popular 1765 novel, *The Fool of Quality*, Harry Clinton and his tutor visit the Fleet and observe ‘Mr Sink’, a lawyer imprisoned for a debt of nine thousand pounds. Yet, the prison officer explains,

> there are few men now at liberty wealthier than this Gentleman, who has done us the honour to set up his staff of rest in our house. His creditors have since offered to accept ten shillings, and some of them five shillings in the pound; but he swears that he will never pay them a groat.19

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16 22 & 23 Caroli II (1670) c.20 Par. ix. See also 30, Caroli II (1677) c.4.
18 *The Piercing Cryes of the Poor and Miserable Prisoners for Debt* (1714), p. 21.
This was because, while the law accorded creditors almost uncurtailed power over debtors’ bodies, they placed strict limitations over rights to borrowers’ property. Creditors were only able to execute against debtors’ movable chattels, which did not include fixed capital, rents, crops growing on debtors’ lands, annuities, bonds, stocks, or wages. Furthermore, debtors imprisoned on mesne process might secrete their movable chattels with friends and relatives before trial. When Moll Flanders’ ‘Gentleman-Tradesman’ husband is arrested for debt, he sends for Moll from a ‘Spunging-House, being Arrested in an Action too heavy for him to give Bail to [...] he would have me go Home, and in the Night take away every thing I had in the House of any Value and secure it’. Moll accordingly does so.

Once the creditor had chosen to imprison the body of the debtor, the prisoner had the right to retain all of his estate and spend it as he saw fit. With money, it was possible to live in relative comfort, either in the ‘master’s side’ of the prison, or in ‘the Rules’ — streets which lay outside the walls of debtors’ prisons but which fell within their legal jurisdiction. Only the Fleet and the King’s Bench prisons were granted Rules, a reflection both of the fact that imprisonment for debt was not legally construed as a punishment and of the status of those debtors’ prisons as the most important and populous in the country. The Rules may have originated as an expedient arrangement to house debtors in the aftermath of the Fire of London, which had destroyed the Fleet. They were ratified in statutory law in 1697-8. The

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21 Ibid.
22 Defoe, Moll Flanders, pp. 68, 70.
23 The Debtor and Creditor’s Assistant; or, A Key to the King’s Bench and Fleet Prisons (1793) p. 8. Stow’s survey is more reticent, stating only that ‘some Years since’, the Fleet was ‘granted Rules’. John Stow, A Survey of London, ed. by John Strype, 6th edn, 2 vols ([1598], [1720], 1755), I, 754-55.
Rules of the King’s Bench were three miles in circumference and notoriously badly defined. *The Debtor and Creditor’s Assistant* notes only that they ‘included the Dog and Duck, the Royal Circus and several other places of public entertainment’. John Strype’s eighteenth-century updating of Stowe’s *Survey* balks at attempting topographical specificity: ‘when any one asketh the Rules or Limits of this Prison, Answer is made, at Constantinople; and indeed any where’. Closer to the City, the Rules of the Fleet were much more tightly delineated and half a mile in circumference, ‘in the form of a quadruple, including part of Fleet Market, Ludgate Hill, the Old Bailey, and Fleet Lane’. For the cost of ‘about four pounds’, any prisoner remanded for debt anywhere in the kingdom could claim the benefit of the Habeas Corpus Act and remove to the Fleet or the King’s Bench, from where they could apply for residence in the Rules. The Marshal or Warden were liable to a fine should any prisoner in their custody escape, and charged variable rates to prisoners to live in the Rules, depending on the amount of their debt. The presence of the Rules and spunging-houses broke down the clear boundary between the city and the prison, the private room and the prison cell, and thus blurred the distinction between the free citizen and the inmate at this time. The Rules included well-known and oft-frequented ‘places of public entertainment’ and their extent was invisible to the naked eye, indeterminate even to such a meticulous city chronicler as John Strype.

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24 The relevant clause in 8 & 9 Will III (1797-8) c.27 runs: ‘all prisoners, […] shall be actually detained within the said prisons of the King’s Bench and Fleet, or the respective Rules of the same’.
25 *The Debtor and Creditor’s Assistant*, p. 8.
27 *The Debtor and Creditor’s Assistant*, p. 11. Stow’s Survey adds that the Fleet’s Rules ‘are all the north Side of Ludgate-Hill, the west Side of the Old Bailey until Fleet-lane, and down the same on the south Side; and so the east Side of the Row of Houses next the Fleet, taking in all the Courts and Alleys within the said Limits’. Stow, *Survey*, ed. by Strype, (1755) t, 753.
29 The Marshal and Warden usually charge for the Rules 5l. per cent. for the first hundred pounds the prisoner is charged with, and 2½ per cent. afterwards’. *The Debtor’s Pocket Guide* (1776), p. 138.
Innes argues that imprisoned debtors ‘represented the failure rate of the legal process’ governing debt recovery.\textsuperscript{30} It was the threat, rather than the enactment of incarceration that rendered the debt laws effective. Debtors who were unable to avoid incarceration on mesne process were unlikely to be able to access funds to settle with creditors when incarcerated on final process. Moreover, imprisonment impeded debtors’ capacity to recover their losses, and, once it became known that a man was imprisoned for debt, his other creditors would be likely to take out writs on him, in the hopes of gaining a share of whatever remained of his funds.\textsuperscript{31} ‘It’s a true proverb’, writes printer and bookseller Moses Pitt, incarcerated in the Fleet at the suit of a bricklayer in 1689, ‘that a prison pays no debts’.\textsuperscript{32} Nevertheless, Innes has shown that creditors fought hard to retain the right to imprison debtors ‘for their threats to have teeth’.\textsuperscript{33} Parliament had increasingly frequent recourse to passing ‘Insolvency Acts’ to clear the gaols, whereby any debtor owing less than 100l. and later 300l., in durance on a particular date, would be released, and could not be returned to gaol for the same debts.\textsuperscript{34} By the 1770s, Insolvency Acts were being passed at a rate of one every other year, leading many to exploit the system with so-called ‘friendly actions’, deliberately incurring writs for bad debts in the expectation that an Act would pass to nullify them.\textsuperscript{35} In the years 1780 and 1781, the average annual committal of around 500

\begin{itemize}
\item \textsuperscript{30} Innes, ‘King’s Bench’ (2007), p. 255.
\item \textsuperscript{31} See, for instance, Brooke’s, \textit{Fool of Quality}. When Sink is ‘hurried to a spunging-house […] action after action came pouring in upon him’, III, 240.
\item \textsuperscript{32} Pitt, p. 1.
\item \textsuperscript{33} Innes, ‘King’s Bench’, p. 255.
\item \textsuperscript{34} 2 Geo II (1729) c.22 Par. viii. \textit{The Debtor’s and Creditor’s Assistant} explains that with the passing of the second Lord’s Act, 32 Geo II (1759) c.28, the maximum indemnifiable sum was raised to 300l. and remained at that level for the rest of the period, p. 27.
\item \textsuperscript{35} The first statute providing for the release of imprisoned debtors was passed by the Interregnum Parliament on September 4th, 1649., \textit{Acts and Ordinances of the Interregnum}, ed. by C.H. Firth and R.S. Rait, 3 vols (London: Stationary Office, 1911), II, 240. Insolvent debtor’s relief Acts of the eighteenth century were passed as follows: 1 Ann (1701) c.25; 2&3 Ann (1703) c.16; 10 Ann (1711) c.20; 6 Geo I (1719) c.22; 10 Geo I, (1724) c.21; 2 Geo II (1729) c.20; 10 Geo II (1737) c. 26; 32 Geo II (1759). c.28;
\end{itemize}
debtors to The King’s Bench prison, the largest prison in the country, leapt to 1,654, and 2,203 respectively.³⁶ The King’s Bench had been destroyed in the Gordon Riots of 1780, and while the prison was being rebuilt, all inmates were housed in The Rules, ‘a sufficiently attractive option’, Joanna Innes explains, ‘for many to choose to have themselves committed’, to protect their estates and in expectation of an Insolvency Act.³⁷

The frequency with which Insolvency Acts were passed in the 1770s indicates a parliamentary acknowledgement that imprisoned small debtors were of no benefit to their creditors or to the economy at large. It would be wrong to conclude, however, that they demonstrate an acknowledgement of the need to redraft the debt laws. As Paul Haagen points out, ‘With the single exception of the Lords’ Act’, 1729, re-enacted in 1759, ‘the debt law was the same at the end of the century as it was at the beginning. All of the major reforms, cessio bonorum’ by which a debtor could avoid imprisonment by “giving up his all”, ‘the abolition of arrest on mesne processes, and the abolition of imprisonment for debt were products of the nineteenth century’.³⁸ In fact, Innes explains, ‘far from being a period of great reform in the debt laws, the late eighteenth century saw a stern pro-creditor reaction, marked by the temporary cessation of Insolvency Acts’.³⁹

The eighteenth-century English economy was dependent on extensive networks of credit and debt, in which, Innes notes,

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³⁶ Innes, ‘King’s Bench’, p. 261.
³⁷ Ibid.
³⁸ Haagen, p. 228.
³⁹ Innes, ‘King’s Bench’, p. 260.
All sorts of men and women, from gentry and great merchants to shopkeepers and wage labourers, were deeply implicated. The reasons for this ubiquitous practice of borrowing and lending were many, notably a shortage of specie, the absence of any great number of formal financial institutions and the amount of circulating (as opposed to fixed) capital in lost commercial enterprises.\textsuperscript{40}

Debt and credit underpinned the Georgian economy, and the threat of incarceration underpinned the debt laws. The result of this, astonishingly, was that with the exception of the labouring poor, whose credit would not be worth the expense of prosecution through the courts, and members of parliament of either House who were exempt from arrest, the possibility of imprisonment on mesne process without warning, the necessity of proof, a jury trial, or any legal means of redress, hung over every English citizen at all times. \textsuperscript{41}

\textsuperscript{40} Ibid., p. 251.
\textsuperscript{41} The Debtor’s Pocket Guide, p. 5.

Despite the fact that the debt laws remained essentially unchanged throughout the period, the depiction of the incarcerated debtor accrued a socio-political significance at this time. This was largely due to the impact of the Oglethorpe Committee’s investigations into conditions in the Fleet, the Marshalsea and the King’s Bench, the reports of which were published in 1729 and 1730. An ex-army-officer of Jacobite extraction, later a famed philanthropist, in 1729 James Oglethorpe was a Tory MP of six years’ standing for Haslemere in Surrey.\footnote{Betty Wood, ‘Oglethorpe, James Edward (1696–1785)’, in ODNB, http://www.oxforddnb.com/view/article/20616.} His friend, the architect Robert Castell, had died in the Fleet on 12 December 1728. On 25 February 1729, Oglethorpe demanded that Parliament form a committee, headed by himself, to investigate conditions in London’s debtors’ prisons. The committee unearthed similarly visceral, extreme tales of neglect, extortion and abuse to those that Pitt had relayed in his collected tales of carceral suffering from debtors around the country, The Cry of the Oppressed, in 1691. Oglethorpe’s findings, however, carried the weight of parliamentary authority. The preamble of the committee’s findings situated the corruption they unearthed within a wider socio-political discourse: the experience of imprisoned debtors was ‘contrary to the great Charter, the Foundation of the Liberty of the Subject, and in defiance and contempt thereof’.\footnote{A Report […] Relating to the Fleet Prison (1729), p. 2.} The debtors’ prison is thus figured, in government literature, as striking at the roots, the ‘Foundation’, of the British subject’s identity, otherwise hailed as one of ‘great’ ‘Liberty’.

The report relates that John Huggins had purchased the wardenship of the Fleet from Lord Clarendon for 5,000l., and that his son sold the title in August 1728 to
Thomas Bambridge and Dougal Cuthbert for the same fee. It describes Castell’s subjection to flagrant extortions under Bambridge’s wardenship, with which he finally refused to comply. Bambridge consequently shut him up in Corbett’s spunging-house with a small-pox sufferer, despite his warning the warden that he had not been exposed to the disease, and that he ‘greatly feared it’. He entered the house healthy and left it dead.44 Castell’s was not an isolated case. The Portuguese prisoner Jacob Mendez Solez was confined in solitude in a vault where the dead of the prison were ordinarily interred for two uninterrupted months. During the committee’s investigations, understanding that he would have to see Bambridge again, Solez ‘fainted, and the Blood started out of his Mouth and Nose’.45 Another inmate, Captain Sinclair, was so grievously abused by Bambridge and his associates that he ‘lost the use of his Limbs and Memory’, the committee reported.46

A subsequent investigation into the Marshalsea revealed a similar portrait. Two women relate being forced to share their bed with Mary Tapps, an inmate so diseased that the turnkey wouldn’t approach her for the stench, and their forced ‘chummage’ continued until she died. Perhaps the most revealing aspect of this episode is that these women would rather have endured it, and paid 2s. 6d. a week in chamber rent for the privilege, than be ‘turned down’ into the common side of the prison, where up to fifty prisoners were reported to share a single, unfurnished ward of sixteen foot square.47 In March 1727, warden John Darby had farmed his office out to William Acton, a butcher, for 400l. a year. Acton’s wardenship was, if anything, more draconian than Bambridge’s. The committee unearthed instruments of torture:

44 Ibid., p. 8.
46 Ibid., p. 12.
47 A Report […] Relating to the Marshalsea Prison (1729), p. 3.
thumb screws, an iron skull-cap and collar, and heavy leg-irons which forced the 
wearer’s legs apart. In addition to ‘their immoderate Beating poor Debtors at their 
pleasure’, Acton and his associates were reported to have ‘made a Practice of Locking 
up Debtors, who displeased them, in the Yard with Humane Carcasses’. In one 
instance of which, a prisoner who had fallen foul of Acton’s favour was confined with 
two dead bodies who had lain in the Yard for four days. He was held there for a 
进一步 six days, ‘in which Time’, the report states, ‘the Vermin devoured the Flesh 
from the Faces, eat the Eyes out of the Heads of the Carcasses, which were bloated, 
putrifyed, and turned green’.48 The extreme, visceral nature of this depiction of prison 
abuse is rendered more potent by the starkness of its presentation as verified fact. As 
is also the case in Pitt’s collection, however, the focus of this relation is not the 
narrative arc of an individual criminal life of sin and retribution, but the synchronic 
narrative expansion of the prison space itself. We learn almost nothing of the 
prisoners’ lives outside of the prison, or how they came to be incarcerated. All the 
narrative focus is on their experience of the prison.

The reforms the committee were able to push through Walpole’s Whig-majority 
parliament were few, and as a result, these investigations’ influence on the 
development of prison reform discourse has been overlooked. Bender concludes that 
‘Oglethorpe remained content to see that existing rules were enforced’, while 
Foucault’s and Ignatieff’s studies on the rise of the penitentiary fail to mention the 
committee at all.49 But these reports constituted the first parliamentary investigation 
into prison conditions in England. They contain many critiques of the prison as a 
legally-constituted penal system that would be repeated in almost identical terms by

48 Ibid., pp. 8-9.  
49 Bender, Imagining the Penitentiary, p. 109.
the reformers of the 1770s and 80s. They advise against the practice of allowing keepers to run the prison tap; highlight the danger of gaol fever attendant on prison overcrowding; the injustice of retaining a debtor purely for his gaol fees; the moral degradation attendant on mixing inmate populations (in the case of the Marshalsea, notoriously, debtors and pirates); as well as the crucial observation that these evil practices [...] may in a great measure be imputed to the Venality of the Warden’s Office; for the Warden who buys the privilege of punishing others, does consequently sell his Forbearance at high Rates, and repair his own Charge and Loss at the wretched Expence of the Ease and Quiet of the miserable Objects in his Custody.\textsuperscript{50}

This was as true of the criminal prison keeper as the debtors’ prison warden, and could only be rectified by government’s consenting to salary the nation’s prison officials and thus remodel the commercial nature of the prison system. Each of these recommendations was repeated by Howard in \textit{The State of the Prisons}, in 1777. He, too, argued that the gaoler ‘should not hold the tap’; that gaol fever resulted from prison over-crowding; that ‘debtors and felons should have wards totally separate’; that an inmate should not be remanded in prison for gaol fees; that in fact, ‘no prisoner should be subject to any demand of fees. The gaoler should have a salary in lieu of them; and so should the Turnkeys’.\textsuperscript{51} It is this last injunction that entails the comprehensive reform of the prison system and which was mandated in law in the Penitentiary Act of 1779.\textsuperscript{52} Yet this recommendation was already present in Oglethorpe’s complaint about the necessary ‘venality’ of the office of warden in a commercial prison system.

\textsuperscript{51} Howard, \textit{State of the Prisons}, pp. 50, 3, 46, 1, 57.
\textsuperscript{52} 19 Geo III (1779) c.74 Par.XVII.
All the committee was immediately able to effect, however, was to bring Acton and Bambridge to trial for the abuses they had the testimony to prove. Due to their parliamentary connections, however, both men were acquitted of all charges, and Acton was briefly reinstated as warden of the Marshalsea. The Lord’s Act of 1729, so called because it was initiated in the upper House, was drafted in response to the committee’s findings, however. It cleared the gaols of debtors who owed less than 100l., ordered that prison fees be displayed in all the prisons of London, Middlesex and Surrey in an attempt to curb extortion practices, and also enacted the single alteration in the debt laws in the eighteenth-century: that creditors who proceeded against the bodies of debtors were obliged to pay them ‘groats’ of 2s.4d per week, if they were unable to provide for themselves. As Haagen has noted, this modification had little effect in practice since ‘those destitute enough to be eligible to receive ‘groats’ were often too destitute to sue for them’. G.O. Paul reported that in the gaols of Gloucestershire, ‘For many Years, but one Debtor has obtained his Groats of his Creditor’. Howard similarly concluded, ‘I did not find in all England and Wales [...] twelve debtors who had obtained from their creditors the four pence a day, to which they had a right’. The cultural impact of the reports, however, was considerable. The young William Hogarth painted two emotive depictions of the committee interviewing prisoners in

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54 2 Geo II (1729) c.22; renewed 33 Geo II (1759) c.28.
55 Haagen, p. 226.
56 Paul, p. 45.
57 Howard, State of the Prisons, 2nd edn (Warrington, 1780), p. 5.
the Fleet in 1729. Samuel Wesley, father of the famed evangelists, dedicated his poem, ‘The Prison’s Open’d’ to the committee, and eulogised ‘The glorious Few, by bounteous Heav’n ordain’d / To loose the Fetters of a Nation chain’d’. In 1750 Edward Kimber, the son of a Baptist minister and editor of the London Magazine, in his heavily didactic Life and Adventures of Joe Thompson interrupts his fictional depiction of the Fleet to exclaim:

Oh! Britain! thou Land of Liberty! How canst thou view Disgrace like this, and suffer many Thousands to be torn from useful Labour, Arts, and Sciences, for Ills, the Lot of Human Race, or unwary Indiscretions! [...] And are these Things still so? Rise, Cornwall, Oglethorpe and all the generous Band of Patriot Souls, and see Mankind redressed!

Twenty years after the publication of the reports, Kimber thus restates the association of the committee with redressing the wrongs of the imprisoned Briton and, in the process, of attempting to restore the central tenet of ‘Liberty’ to the national identity. In Strype’s 1755 edition of Stow’s Survey, the description of the Fleet is prefaced with mention of the abuses practised there, both in 1729 and in an earlier instance from 1586. Howard’s description of that prison also opens by referencing the Oglethorpe committee. However blunted their immediate impact on the debt laws, then, the committee’s visceral, emotive and condemnatory reports were incorporated into representations of the debtors’ prison in the ensuing decades, and into the shape and substance of later prison reform discourse.

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60 Kimber, ii, 57. Vultus Cornwall was another member of the committee. For a complete list of committee members see Thaddeus Mason Harris, Biographical Memorials of James Oglethorpe (Boston: Freeman and Bollis, 1841), p. 340.  
61 Stow, Survey, ed. by Strype, (1755), I, 733.  
62 Howard, State of the Prisons, p. 156.
In the wake of the Oglethorpe reports, the relation of debtors’ prison abuses frequently prefaced a call for the amendment of the legislature. The Tory MP for Oakham, Baron George Lyttleton, in his popular, fictional travel narrative, *Letters from a Persian in England*, in 1735, outlines the sufferings of debtors’ in prison as an unaccountable peculiarity of the English. He observes that ‘it is the Law of England, that when a Debtor is insolvent, his Creditors may shut him up in Prison, and keep him there if they please for all his Life, unless he pays the whole of what he owes’. The sting of this satire is contained in the reflection that even to an infidel, the debt laws seem inhuman. Moses Pitt had similarly assured his readers that the tragedies he relays in the debtors’ prisons ‘are not Acted in Foreign Nations among Turks and Infidels, Papists and Idolaters, but in this our own Country’. ‘Let us look Abroad’ Kimber’s Joe Thompson similarly insists: ‘Do Turks, or Infidels, thus treat their Debtors?’ Kimber enlarges on the anomalous nature of the debt laws to the national character with the reflection that ‘this is suffered in a Country subject to the best Laws, and where we boast so much of our Liberty, and the Privileges of Englishmen!’

Samuel Johnson begins his 1758 *Idler* essay on imprisoned debtors with a similar reflection, that the debt laws are archaic anomalies in an otherwise resplendent judicial system:

> the wisdom and justice of the English laws are, by Englishmen at least, loudly celebrated; but scarcely the most zealous admirers of our Institutions can think that law wise, which, when men are capable of work, obliges them to beg;

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64 Pitt, Sig. A4f.
65 Kimber, ii, 57.
66 Ibid., ii, 38.
or just, which exposes the liberty of one to the passions of another.  

Like Kimber, Johnson invokes the concept of ‘liberty’ in order to demonstrate that the debt laws run counter to that structuring principle of the national identity. Unusually, however, Johnson employs the rhetoric not of tragic lamentation but of rational enquiry to develop his argument against imprisonment for debt. It is the enforced inaction of the prison that Johnson identifies as its chief evil, and which represents the illogical triumph of ‘passion’ over ‘wisdom’. He continues: ‘The confinement, [...] of any man in the sloth and darkness of a prison, is a loss to the nation, and no gain to the Creditor’. Johnson stresses the uneconomical inertia of the prison, its ‘sloth’, before its sensory privation, its ‘darkness’. Employing the rational language of trade, of ‘loss’ and ‘gain’, Johnson turns the language of economy against the laws designed to foster it.

Returning to the subject four months later, Johnson had been informed (incorrectly) that 20,000 men were at that time incarcerated for debt in England and Wales. He again insists ‘there is here no need of declamatory vehemence; we live in an age of Commerce and Computation; let us therefore coolly enquire what is the sum of evil which the imprisonment of Debtors brings upon our country’. The practice of imprisonment for debt is depicted as directly countering the commercially driven spirit of the ‘age’. Again Johnson deploys the language of credit and debit to examine the enactment of the laws that govern trade. Avowedly eschewing impassioned lament, employing instead the ‘cool enquiry’ of ‘Commerce and Computation’ he attempts to arrive at an accurate ‘sum’ of the ‘evil’ the debt laws create. Johnson calculates that debtors’ prisons end the lives of 5,000 Englishmen a year. They die, he writes,

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68 Ibid., p. 121.
beneath ‘the heaviness of sorrow, the corruption of confined air, the want of exercise, and sometimes of food, the contagion of diseases, from which there is no retreat, and the severity of tyrants, against whom there can be no resistance’. The marked repetition of clause structure here iterates the litany of abuses the imprisoned debtor is subject to, the combined weight of which destroy him.69

Johnson then expands his complaint against imprisoning debtors to a critique of the prison as a penal instrument:

The misery of gaols is not half their evil: they are filled with every corruption which poverty and wickedness can generate between them; with all the shameless and profligate enormities that can be produced by the impudence of ignominy, the rage of want, and the malignity of despair. In a prison the awe of the publick eye is lost, and the power of the law is spent; there are few fears, there are no blushes. The lewd inflame the lewd, the audacious harden the audacious.70

The words ‘wickedness’ ‘shame’ and ‘profligacy’ include the criminal inmate in Johnson’s inquiry into the ‘evils’ of the prison. Just as the prison increases an inmate’s debts, incarcerating criminals together only ‘inflames’ the very problems the laws are designed to curtail. Johnson stresses that the prison is not the enabler of the law, but is counteractive to it. It is a space that the law is powerless to regulate, and where the restraining influence of the ‘publick eye’ is unable to penetrate. This passage is quoted in full by Howard in his introduction to the *State of the Prisons*, which indicates both the far-reaching influence of Johnson’s views on the national debate about the utility of the prison and, importantly, the centrality of the incarcerated debtor to that debate.71

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69 Samuel Johnson, *The Idler*, No. 38 (6 Jan. 1759), repr. 2 vols (1761) i, 211-17, (pp. 212-14).
70 Ibid., p. 216.
This last point is also made in the preface to the English-language edition of Cesare Beccaria’s pioneering work of penology, *An Essay on Crimes and Punishments*, first published in Italian in 1764. Beccaria’s work advocates the principles of rationality, certainty, proportionality and the humane amelioration of unnecessary cruelty in the operation of penal law. He displayed little interest in the prison, and did not advocate its use as a penal instrument, preferring instead the expedient of subjecting felons to life-sentences of forced labour in public chain-gangs. But in Beccaria’s sustained attack on the legitimacy of the death penalty and the importance of proportionality to the deterrence of crime lay the principles that later penologists like Bentham would deploy to argue for the use of the prison as the foremost secondary penal instrument of the state. The translator’s preface to Beccaria’s work stresses its significance: it had run through six editions in the eighteen months since its first publication, and boasted a laudatory commentary by Voltaire. The preface continues,

> It may [...] be objected, that a treatise of this kind is useless in England, where, from the excellence of our laws and government, no examples of cruelty or oppression are to be found. But it must also be allowed, that much is still wanting to perfect our system of legislation: the confinement of debtors, the filth and horror of our prisons, the cruelty of jailors.

Here again, as in Johnson’s *Idler* essays and Kimber’s extra-fictional reflection on juridical practice, English legal process is portrayed as thoroughly ‘excellent’, and, particularly through the institutions of the common law and trial-by-jury, innately

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72 Beccaria, pp. 83-84. Of the debtor, Beccaria demands: ‘Upon what barbarous pretence is he thrown into prison, [...]Why is he ranked with criminals, and in despair compelled to repent of his honesty?’ p. 143. The first English language edition was published in 1767.
superior to that of other European countries. This excellence is here markedly offset by the atypical, ‘cruel’ and ‘oppressive’ debt laws, which condemn citizens to prisons of ‘filth’ and ‘horror’ and, ‘the cruelty of jailors’. The writer feels no need to reference any authenticating proofs of such a damning indictment of contemporary English prison experience. The barbaric state of debtors’ prison, as well as the need for its reform, are presented as self-evident. Imprisonment for debt is thus framed as an archaic affront to modern and humane juridical practice, and is presented as proof of the need for urgent legislative amendment in one of the most influential reform treatises of the century.  

This cognitive leap from the figure of the oppressed, imprisoned debtor, to a wide-ranging philosophical examination of the form and function of penal law can also be found in the novel. It is most fully evident in Oliver Goldsmith’s Vicar of Wakefield, from 1766. All the literary conventions that, as we will see in the ensuing section, came to be associated with the oppressed, incarcerated debtor are present in Goldsmith’s portrait. Primrose’s debt is not due to his own improvidence but is the result of his misfortunes. The Vicar is aged and infirm, wounded from a fire which has left him destitute, suffering from a fever which is exacerbated by his eleven-mile journey to the gaol through deep snow. His innocent family are all embroiled in his incarceration, allowing Goldsmith to considerably enlarge the emotive affect of the scene: ‘my wife, [...] pale and trembling, clasped our affrighted little ones in her arms’. His bed in the prison consists only of straw, strewn on the stone floor of a cell which is ‘large’ and ‘cold’. His health ‘every day in decline’, one daughter feared dead, the other

75 In addition to that cited above, all six English language editions of Beccaria’s work that I have identified which were published prior to the Penitentiary Act contain this preface: (Dublin, 1767), (London, 1769), (London, 1770), (Dublin, 1777), (Edinburgh, 1778).
76 An equally marked example occurs in Brooke’s Fool of Quality, iii, 248-51.
abducted, and his son George interned on a charge for which he will be hanged, his prison experience nearly ends Primrose’s life.77

This episode is the prelude to an unusually extended philosophical argument for prison reform and the redrafting of the legislature.78 Primrose is incarcerated in a county gaol in which both debtors and criminals are housed. He embarks on a programme of religious instruction of the inmate population, with the express intent of ‘reforming’ their moral character.79 Just as he invents a law against duelling, under the terms of which George Primrose is incarcerated in the same prison, Goldsmith lends his county gaol a penological feature that no prison in England would possess until 1779: individual cells for every inmate.80 This already places Goldsmith’s novel at the epicentre of contemporary penal reform debate. Primrose himself spends only one night alone; the day following his incarceration, three of his sons are accommodated with him.81 But under his leadership, through daily religious instruction and nightly, solitary reflection, a programme of physical labour, a system of fines for bad behaviour and rewards for good, in less than two weeks, Primrose ‘had the pleasure of regarding myself as a legislator, who had brought men from their native ferocity into friendship and obedience’ (II, 101).

Goldsmith demonstrates in his fiction the complete success of a criminal penitentiary as a penal institution, fifteen years before the passing of the Penitentiary

77 Oliver Goldsmith, The Vicar of Wakefield, 2 vols (Salisbury, 1766) II, pp. 86-88, p. 94, p. 133. Page references given in the body of the text are to this edition.
78 Ibid., p. 128.
79 Ibid., p. 115.
80 Ibid., p. 147. This was the gaol at Horsham, designed by William Ride at the instigation of the 3rd Duke of Richmond. Begun in 1775 and completed in 1779 it featured 40 individual sleeping cells for inmates, an infirmary and a chapel. Evans, 132. Challenging another to a duel was legislated against in 1851. Earl Jowitt and Glifford Walsh, eds., The Dictionary of English Law, 2 vols (London: Sweet and Maxwell, 1959) I, 399.
81 Goldsmith, II, 102.
Act, eleven years before Howard’s *State of the Prisons*, a decade, even, before Hanway’s encomium on the benefits of solitary imprisonment, in 1776. In its focus on group labour, reward and punishment, discipline and religious instruction, Goldsmith’s reformed prison repeats strictures which had been put forward by Fielding in his plan for a County House of Correction in 1753, and put into practise by Hanway in his Charity House for Prostitutes, from 1758. But the additional emphasis on nightly solitude for inmates, the extended philosophic underpinning of a reformative penal institution and, moreover, the fictional enactment of this proto-penitentiary’s swift and entire success renders Goldsmith’s text unexampled and of pivotal significance. The sections of the novel on prison reform were by far the most excerpted and commented upon in contemporary reviews of *The Vicar of Wakefield*. It demonstrates by enactment the validity of the nascent ideation of the penitentiary prison as a means of reforming felons, stipulating the importance of solitude, labour and religious instruction thereto, all of which would be encoded in law in the Penitentiary Act of 1779. Bentham, in his first foray into the penal reform debate in 1778, repeats almost every facet of Goldsmith’s fictionally rendered penitentiary in the form of a draft Parliamentary Bill. Bentham hails the prospect of a ‘general plan of Punishment […] in which solitary confinement might be combined with Labour’, and asserts the utilitarian axiom that ‘punishment or reward [are] the only certain inducements by which one man can influence the conduct of another’. For Bentham, however, it is the act of labour itself, rather than religious instruction, which would

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84 The Penitentiary Act stipulated that inmates should sleep in individual cells, and be subject to a strict schedule of hard labour and religious instruction. It did not enact the system of rewards and punishments that Goldsmith, and later Fielding advocate. 19 Geo III (1779) c.72, Pars. XXXII, XXXIII, XLII.
moral reform the inmate. He writes: ‘The morals of the convicts may be improved by a habit of steady and well-directed industry’. 85

Goldsmith’s fictional rendering of the reformed prison prefaces an extended philosophical enquiry into the moral failure of penal law to accord with what he terms, referencing Rousseau, ‘Natural Law’ and the dictates of reason. 86 The publication of Goldsmith’s work antedates Beccaria’s by two years, but the similarities between the authors’ positions on the inequities of the legislature reopens the question of when Goldsmith composed his novel. Robert Mack recently concluded: ‘The text of the novel had in fact, scholars now generally agree, been set down on paper sometime towards the middle of 1762’. 87 If so, Goldsmith predicts with surprising accuracy many of Beccaria’s positions on the necessity of reforming penal law. Both men condemn the bloody code: Goldsmith writes, ‘Nor can I avoid even questioning the validity of that right which social combinations have assumed of capitally punishing offences of a slight nature’. 88 Beccaria similarly posits, ‘The useless profusion of punishments, which has never made men better, induces me to enquire, whether the punishment of death be really just or useful in a well governed state. What right, I ask, have men to cut the throats of their fellow creatures?’ 89 Though Goldsmith argues for the necessity of the death penalty in cases of murder, Beccaria would abolish it altogether. 90 Both men restate Montesquieu’s earlier position on the importance of

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86 Goldsmith, II, 121. Goldsmith writes: ‘Savages that are directed nearly by natural law alone are very tender of the lives of one another’, ibid., which accords closely with Rousseau in the Discourse on […] Inequality, ([1754] 1761) where he writes that man in his ‘State of Nature’ displays an ‘innate Abhorrence to see Beings suffer that resemble him’. p. 71.
88 Goldsmith, II, 120.
89 Beccaria, p. 102.
90 Ibid., p. 112; Goldsmith II, 120.
proportionality of punishment to effective penal law. Goldsmith argues: ‘When by indiscriminate penal laws a nation beholds the same punishment affixed to dissimilar degrees of guilt [...] the people [...] lose all sense of distinction in the crime’. Beccaria similarly suggests: ‘If an equal punishment be ordained for two crimes that injure society in different degrees, there is nothing to deter men from committing the greater, as often it is attended with greater advantage’. And like Beccaria, Goldsmith deploys the rhetoric of ‘reason’ to illuminate the irregularity of what he terms, again echoing Rousseau, the ‘false compact’ in operation between the English citizen and the state. What divides the two writers is Goldsmith’s novel assertion that a reformed and reformative prison, a penal space ‘of penitence and solitude [...] is the way to mend a state’.

Goldsmith’s novel thus participates with great acuity in a Europe-wide debate on redrafting penal law. It additionally newly endorses many aspects of the reformative prison that would be encoded in law under the Penitentiary Act. As is evident in the sections of that novel in which Goldsmith so nearly approximates the philosophical style of Beccaria, it is unclear whether it is Dr Primrose or Goldsmith himself who

92 Goldsmith, ii, 122; Beccaria, 25-26. Beccaria’s point had also been made by Johnson in the aforementioned essay. He writes: ‘If only Murder were punished with Death, very few Robbers would stain their Hands in Blood; but when, by the last Act of Cruelty no new Danger is incurred, and Security may probably be obtained, upon what Principle shall we bid them forbear?’ The Rambler, 2nd edn, v, 76. Like Goldsmith, Johnson counsels the use of the death penalty only in cases of murder. Unlike him, Johnson does not advocate the use of the prison as a penal instrument. Stylistically, Goldsmith’s reflections on penal law are far closer to Beccaria’s than Johnson’s.
93 Goldsmith, ii, 121. Beccaria, pp. 12, 150. Rousseau’s Contrat Social was first published in Amsterdam in April, 1762. The first English language edition was entitled: A Treatise on The Social Compact (1764). Again the timing of the composition of Goldsmith’s novel is of interest in determining whether he was influenced by the Genevan writer, or simultaneously developing similar ideas.
delivers this exhortation, so complete is the shift in tone from fictive narration to philosophical enquiry. This disjunction renders the boundary between the fictional world and that of the reader radically unstable.

It seems wilfully odd of Bender to overlook Goldsmith’s novel in his study of the impact of the novel on the ‘birth of the penitentiary’. Bender does so because, in his estimation, it is the form and not the content of the novel that creates the penitentiary idea. Bender argues that with *Robinson Crusoe*, Defoe introduces into the cultural consciousness the concept of a character who is capable of change over time through solitude, hard-labour and religious instruction. Using the works of Gay and Hogarth, he then argues that narrative sequencing is itself penitential, in so far as it insists on experiential causality. Fielding’s narrators, in their capacity to oversee and control the novel’s events, provide the analogue for the prison warder.

If it is feasible to argue that Robinson Crusoe or Moll Flanders undergo a thorough moral reformation in the novels that bear their names, it is impossible to do so of Dr Primrose in the novel that bears, not his name, but his social function. Instead, the vicar proves consistently impervious to events, the repeated assaults on his good nature which threaten to rob him of his wealth, his social standing, his family’s health and reputation and indeed his own life. As narrator, Primrose is a wholly inefficient prison warder: he professes to be entirely unable to penetrate and control any of the major events or central characters of his narrative. In addition, in the section of the novel in which he most decisively engages with the issue of penal reform, Goldsmith destabilizes the fabric of his narrative, disrupting the sequential, causal elements of his prose in order to deliver a philosophical tract on penal law. This renders the demarcation between author, character and reader, fable and philosophy,
the fictive and the real unclear. At precisely the moment when it most forcibly advocates the idea of the penitentiary, then, the novel demonstrates with least cogency Bender’s understanding of ‘the penitentiary idea’. He attempts to overcome this difficulty by arguing that ‘emergent and residual modes of representation compete so vigorously within the distinct spheres of novelistic structure and prison design that they rupture existing forms’, using Goldsmith’s prison scene to animate his analysis. Later in *The Vicar of Wakefield*, however, a similar narrative disruption occurs with the insertion of a sermon into the novel. Similar generic discordance can be seen to occur, for instance, in the shift in Smollett’s *Peregrine Pickle* (1751) between Pickle’s narrative and the history of Lady Vane, and in myriad instances in Sterne’s *Tristram Shandy* (1759-67). These demonstrate, not the uncontainable novelty of the sermon, the secret history, or the legal tract as modes of representation – indeed, all three genres predate Bender’s dating of the first novel (1719) – but the fact that the novel is at this time itself ‘emergent’, a protean and fluid narrative form. Rather, it must be argued that Goldsmith’s novel influences prison reform discourse because it engages with it at the level of content. What is important for our purposes is to stress that Goldsmith’s philosophical enquiry into penal law is framed by a conventional, affective portrait of an ailing, innocent imprisoned debtor and his dependents. The imprisoned debtor is again deployed to enable a debate on radical legislative reform.

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95 Bender, *Imagining the Penitentiary*, p. 207. Bender acknowledges this oversight by devoting an article to Goldsmith’s novel in the same year. Here he argues that Goldsmith’s novel ‘reaches for’ free indirect speech, a narrative innovation that he argues enables the penitentiary’s mode of social control. Even were it demonstrable that free indirect speech enables early capitalist mechanisms of social control, it is by no means clear that Goldsmith’s text evinces such a technique. John Bender ‘Prison Reform and the Sentence of Narration in *The Vicar of Wakefield*’, in *The New 18th Century*, ed. by Felicity Nussbaum and Laura Brown, pp. 168-88. (p. 184).
If we accept the importance of the debtor to penal reform discourse in the eighteenth century, the prison reform narrative proposed by Foucault and radical historians like Ignatieff and Evans is undermined. In these works, the penitentiary is understood to function as a generative tool of modern market capitalism for the newly ascendant, Whig-orientated merchant classes. As explained in the introduction to this thesis, Foucault and Ignatieff argue that the penalty (if not the direct experience) of the penitentiary provided methods by which the labouring poor were inured to the systematized working conditions of an industrial era. The prison revolution was understood to be spearheaded by the class that was to benefit most from imposing these working conditions on the labour market. Its figureheads are thus the likes of Howard, the son of an upholsterer, Paul, son of a carpet merchant, Blackstone, son of a silk dealer, and Bentham, who came from a family of attorneys. Prison reform discourse is presented in these accounts in the mercantile, irreligious language of profit, loss and utilitarianism.

Yet the Oglethorpe reports were spearheaded by a professed Jacobite, and a Tory member of the landed gentry. They concern not the deviancy and indolence of the labouring poor but the sufferings of ‘gentleman debtors’, who, despite their abject failure as proto-capitalists, demand the reader’s sympathy. By contrast, the proto-capitalist, profit-orientated gaoler is cast as a figure of vilification. The committee’s findings are delivered not in the language of utilitarianism, but in religiously inflected, emotive language. As I will now demonstrate, all of these effects are also evident in novelistic renderings of the debtors’ prison, which redeployed the tragic tone and socio-political freight of the ‘poor debtor’ of prison reform writings. Just as the foregoing analysis of the debtors’ prison in reformist literature qualifies Foucauldian
conclusions on the causes of the rise of the penitentiary, so an analysis of the debtor
in the eighteenth-century novel challenges post-Watt assumptions about the cultural
function of the genre of the novel.
III.iii : The novel and debtors’ prison: inversion in the family unit

Depictions of the debtors’ prison are extremely common in the eighteenth-century novel. In contrast to the fictive depictions of the criminal prison outlined in the preceding chapter, they are also surprisingly tonally consistent. The debtor in prison is a figure designed to elicit the empathetic engagement of the reader and is commonly subject to extreme physical and mental suffering. This portrait of privation often prefaces a direct call for legislative reform, in which the debtors’ prison is presented as undermining the liberties of the British citizen. Joanna Innes has described the imprisoned debtor as the embodiment of the failure rate of the legal process governing debt. In the novel, he is often figured as the embodied failure of the law itself. An incarceration for debt might at the same time be legal and yet unjust. It thus illuminates the failure of the legislature to effect justice. The same cannot be said of the wrongfully incarcerated criminal, who illuminates instead the failure of the administration of justice, not the flaws of the underlying architecture of the law.

The quotation with which I opened this chapter exemplifies this point. It is contained in a letter to John Howard signed by ‘An American’ in 1789, a decade after the Penitentiary Act and in the aftermath of the American War of Independence. By then, Howard’s name was inseparable from prison reform, and through Howard, the ‘American’ attempts to exhort an imagined British reader to ‘Rouse, and redress your Brethren’s wrongs, ye abject, base, degenerate British slaves!’ He or she thus presents the debt laws as an affront to the ‘free’ British subject, and deploys biblically inflected language to add moral freight to the injunction to relieve the debtor’s sufferings. This exhortation follows a lurid story that the American has authored of ‘Honestus and
Constantia’, a couple destroyed by Honestus’ incarceration for debt. Again, then, a portrait of the abject suffering of the incarcerated debtor prefaces a call for legislative reform. However, the villain of the tale of ‘Honestus and Constantia’ is not the prison warden, but their rapacious creditor ‘Corruptus’. Additionally, the ‘American’ stresses the prison’s effect on the family unit: it ‘impiously divides whom God hath joined’. He or she ends by enjoining the reader to ‘hear, O hear, the Children’s cries!’

Novelistic representations of the debtors’ prison repeatedly vilify the person of the creditor, and depict the effect of incarceration as an inversion of the ‘natural’ family hierarchy of the debtor.

These inversions are frequently gendered, and, particularly in novels by women, are not always presented negatively. Aphra Behn’s prose fiction, ‘The Unfortunate Happy Lady’, was posthumously published in 1700. The narrative opens when the orphaned Philadelphia becomes the ward of her reckless, morally bankrupt brother, William Wilding. Having disposed of Philadelphia to a procuress, and run through their inheritance, Wilding is incarcerated in the King’s Bench for a debt of 100l. He is humbled by having to partake of the ‘Relief of the basket’, and learns to fashion pegs for his sustenance. Philadelphia, in the interim, has become a rich widow and, hiding her identity under the cover of her steward, is able to liberate her brother from prison, poverty and moral turpitude at a stroke. A similar climactic scene occurs in Penelope Aubin’s *The Life of Charlotta du Pont*, from 1723. The action of the novel is precipitated by Charlotta’s father marrying the malevolent Dorinda, who disposes of her stepdaughter to the captain of a pirate ship, telling her father that she is dead. It

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96 Bodleian, *The Letters of John Howard*, English Msc. c. 322, fols. 53-56, (f. 56v.)
ends with Charlotta, having preserved her virtue against a variety of attacks and married her long-suffering lover, Belanger, returning to England. She learns the ‘sad news that her antient father was in prison, and had lain there five years, his wife’s debts which she had wickedly contracted having intirely ruin’d him’. She ‘flies’ to the gaol and there finds her father: ‘creeping along the place clothed in nothing but rags, his white beard was grown down to the leathern thong which girded his poor coat about him’. The gendered inversion of the prison is particularly pronounced here: the woman and the child liberates the male head of the household and restores his status.

The male debtor is thus infantilized and feminized, incarcerated by his wife’s debts, and liberated by his child’s or, in Behn’s story, his younger sister’s munificence. Both inversions of masculine order are present in M. Smith’s Memoirs of the Queen’s Bench, from 1713. He notes: ‘With you the Father keeps possession, and Maintains the Son, with us the Son is often put into Possession and Maintains the Father. There the Husband Travels, and the Wife keeps at Home, Here the Husband keeps at Home, and the Wife goes Abroad’. Legally, Blackstone explains in the Laws of England, this was because

the very being or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband: under whose wing, protection, and cover, she performs every thing; and is therefore called in our law-French a feme-covert [...]. If she contracts debts […], he is obliged to pay them.

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98 Penelope Aubin, The Life of Charlotta Du Pont (1723), p. 263.
99 Ibid., p. 266.
100 M. Smith, Memoirs of the […] Queen’s Bench, pp. 11-12.
The same was true of the rest of the householder’s dependents, his servants and his children. A householder’s wife or child was thus able to run up debts that the householder would be liable for, as was the case in Aubin’s text. Betsy Thoughtless’ guardian, Mr Goodman, is similarly arrested for debts amassed by the ominously named Lady Mellasin, in Eliza Haywood’s mid-century Bildungsroman, *The History of Miss Betsy Thoughtless*. Similarly, in Madame de Beaumont’s revisioning of Richardson’s *Clarissa*, from 1768, the Baron D’Astie, Clarissa’s reformed husband, recounts the case of ‘Nils’, arrested by his creditors because of his wife’s unbridled extravagance. In 1796, Frances Burney’s *Camilla* is distressed to learn that she has joined this pantheon of unscrupulous women, when, unbeknownst to her, her debts result in the incarceration of her father: ‘Her Father in prison! and for her own debts! The picture was too horrible’.

Sarah Fielding’s novel, *The Countess of Dellwyn*, from 1759, counterbalances a portrait of unregenerate wifely vice, in the debauched and crassly materialistic Countess, with the moral, marital exemplar of Mrs Bilson, who is as selflessly devoted to her unworthy husband as Amelia was to Booth. Bilson’s transgressions are less excusable: he is an inveterate adulterer who ruins and neglects his wife and children. When he is arrested for debt and taken to the Fleet, Mrs Bilson relocates her family there. Once in the prison, her husband unable to stray, Mrs Bilson assumes the economic and moral mantle of the family. She sets up as a milliner, employing her daughters as assistants, while Bilson schools his sons. Possessed of the liberty her husband is denied, Mrs Bilson ventures into society to sell her wares and tell her story,

101 Blackstone, 1, 430, 410, 434.
104 Frances Burney, *Camilla*, 5 vols (1796), V, 338.
and it is the quality of the latter as much as the former that renders her business a success: ‘The Novelty of the Case rendered it a Fashion to buy of her’.106

The Fleet reforms Mr Bilson from unregenerate rake to moral and submissive husband, but it nearly destroys the honest, innocent inmate, Mrs Bilson, who contracts gaol fever there. One of her genteel customers, Lady Dently, discovers that she is related to Mrs Bilson and visits her in prison. She ‘found Mr Bilson on his Knees, at the Side of his Wife’s Bed, endeavouring to recover her out of a fainting Fit, the Tears flowing fast from his Eyes; all the Children and Attendants were weeping likewise. So melancholy a Scene affected Lady Dently extremely’.107 All the tragic apparatus of the conventional debtors’ prison portrait are present here. The exemplary wife, as Goldsmith’s exemplary vicar would be, is on the verge of death, her family gathered around her. The mother is the cause rather than the comforter of her children’s distress; her husband kneels and weeps in impotence and submission beside her. Lady Dently is ‘extremely’ ‘affected’ by this ‘scene’ of ‘melancholy’, confesses her relation to Mrs Bilson, takes on their debts, and effects the family’s liberation from gaol, which averts Mrs Bilson’s death.108 Amelia’s financial difficulties and Booth’s incarceration had similarly been removed by the near-miraculous revelation of her rightful inheritance in the debtors’ prison. A wrongful inversion in a larger family narrative is thus righted in both texts, and is signalled by their immediate liberation from bondage.

In Sarah Fielding’s text, the prison reveals the true, Christian worth of Mrs Bilson. In Eliza Haywood’s cautionary tale, The Fair Hebrew, it unveils a wife’s true

106 Ibid., p. 187.
107 Ibid., p. 198.
108 Ibid., p. 201.
malignancy. Kesiah is a duplicitous and avaricious ‘Jewess’ whom the hapless Christian, Dorante, has alienated himself from his family in order to marry. Her brother’s debts and her own rapacity lead to Dorante’s incarceration. The narrator notes:

Now it was the real Disposition of Kesiah began to show itself, and prove that Tenderness, Gratitude, or Generosity, had no Share in her Composition, she not only refused living with her Husband in his Confinement, but whenever she vouchsafed to visit him, reproached him with the Misfortunes he had fallen into meerely for the love of her.  

Kesiah persuades Dorante to sell his birthright, legally cementing the fragmentation she has introduced into the Christian family narrative, and then absconds with her lover and the funds, leaving Dorante a prisoner until his younger brother releases him. Haywood’s text, as much as Fielding’s, thus indicates ‘proper’ codes of feminine behaviour on the incarceration of the head of the household. Both narratives are unusual, however, in the completeness of the woman’s ascendence over her husband’s character in the prison, and in ascribing their misfortunes entirely to the debtor. Mr Bilson’s ruinous addiction to pleasure and Dorante’s blind adoration of Kesiah are the causes of their incarceration. Much more commonly, as was the case with Jonathan Wild’s incarceration of Heartfree, and Colonel James’ refusal to stand bail for Booth in Amelia, the cause of a husband’s incarceration for debt issues from the illicit desire of a creditor to seduce his wife or child.

In Frances Sheridan’s popular sentimental novel of feminine virtue, The Memoirs of Miss Sidney Bidulph, from 1761, for instance, Sidney recounts the history of Miss Price, a young woman she meets selling artificial flowers at the roadside. Mr Ware, a ‘man of fortune’ and “the greatest villain in England” has “kept a poor honest

109 Eliza Haywood, The Fair Hebrew (1729), p. 48
clergyman”, Mr Price, “starving in jail this year and a half, because he would not sell his daughter to him”. Ware retrospectively claims that gifts he made the vicar, amounting to 400l., were in fact loans that the priest is unable to repay. Sheridan’s prison scenario contains many parallels with Goldsmith’s. Dr Primrose also feels that acceding to the demands of the sexually predatory Squire Thornhill, signing his name to a declaration that Thornhill is free to marry despite his having seduced Olivia Primrose, would effectively prostitute his daughter. Like Dr Primrose, the incarcerated Mr Price also refuses to comply with his creditor’s demands, despite his destitution and the prison’s threat to his health. Miss Price describes her father’s worsening condition: “he was suddenly struck with the dead palsey on one side, by which he lost of the use of his right hand; so that I am obliged to dress and undress him like a child”. Price’s gendered inversion, whereby his daughter financially supports him by selling artificial flowers, is compounded by his infantilizing physical incapacity. Sidney follows Miss Price to the prison, a ‘mansion of horror’, and is hailed by both inmates as a ‘good angel’. She agrees to take Price’s debts on herself, liberates father and daughter, rights the gendered inversions and averts the threat of sexual and moral corruption in the family unit.

The use of ‘angel’ recalls the imperative to visit the ‘sick and in prison’ that Christ relays to the faithful in the gospel of Matthew, and also refers to the miraculous liberations of the Apostles, incarcerated by the Roman state. The visitor to the criminal prison was unable to enact the part of liberating angel in this way. Only the operation of the law, death, or a self-authored escape could free the criminal inmate.

111 Ibid., p. 217.
112 Ibid., p. 222.
113 Matthew 25: 36-46; See, for instance, Peter’s liberation from prison, Acts, 12: 4-8.
But this biblically-inflected role, of immediately and quasi-miraculously freeing an honest, suffering debtor, was open to any charitable citizen who cared to take on an inmate’s debts, and is frequently labelled ‘angelic’ in the novel.114

The use of ‘angel’ also speaks to the moral dimension of the debtor’s liberation, not only from prison, but from the sexual predation of a powerful creditor.115 Richardson’s Mr B similarly arrests Mr Williams, a kindly clergyman and Pamela’s only defender, for a debt in order to remove an obstacle to his attempt at her seduction.116 In the History of Joshua Trueman, from 1751, Mr Symonds arrests Peggy’s father and lover, Joshua, in order ‘to make his grand attack on the virtue and resolution of the unhappy Miss Williams, offering her an handsome settlement for life, with the release of her lover and father’ in exchange for her sexual compliance.117 ‘The villain Delvil’ attempts to bribe Diana Stern to a similar agreement through the incarceration of her father in the Fleet, in Brooke’s Fool of Quality from 1766.118 At its most extreme, in the story of ‘Honestus and Constantia’ by the ‘American’, the rich ‘Corruptus’ attempts to bribe Constantia into sexual intimacy by incarcerating her husband. This precipitates Constantia’s death, and Honestus loses his sanity in the prison, at which Corruptus adopts their daughters and ‘with an more than parent’s fondness cherished them, till with the unripe fruits, his rank salacious appetite was

116 Samuel Richardson, Pamela 4th edn, 2 vols (1741), i, 214.
117 Joshua Trueman, i, 141.
118 Brooke, iii, 265.
gorged'; he then abandons them to prostitution. The American’s prose attempts
Miltonic heights in this depiction of evil’s lustful triumph over innocence.\textsuperscript{119}

Perhaps the fullest expression of this trope occurs in Henry Mackenzie’s
successful sentimental novel of 1771, \textit{The Man of Feeling}. While visiting Milan on his
grand tour, a young Englishman, Edward Sedley, falls under the sway of the son of his
father’s friend, Count Respino. His tutor Mountford disapproves of young Respino’s
morals, and takes his ward to a debtors’ prison in order to unveil his malignancy. The
prone and nameless inmate recounts the story of his imprisonment:

‘You see,’ replied the stranger, ‘a wretch, sunk in poverty,
starving in prison, stretched on a sick bed! but that is little:
——there are his wife and children, wanting the bread which
he has not to give them! [...] come nearer and I will tell you; [...] The son of count Respino’ (I started as if I had trod on a viper)
‘has long had a criminal passion for my wife: this her prudence
had concealed from me; but he had lately the boldness to
declare it to myself. He promised me affluence in exchange for
honour; and threatened misery, as its attendant, if I kept it. [...] In the little dealings of my trade, I had contracted some debts,
which he had made himself master of for my ruin’.\textsuperscript{120}

What is unusual about this scene is its completeness, almost to the point of satire, as a
conventional picture of the tragic, incarcerated debtor. The wounded, ailing man
fashions himself as a ‘wretch’, and narrates his own suffering in the third person: he is
poor, sick, and ‘starving in prison’, ‘but that is little’, his innocent wife and children
share his carceral fate. The debtors’ prison is here again enabling of an entirely legal
injustice. The debt laws are deployed by the wealthy and titled as a means of bribing
the honest, small trader into complying with a ‘criminal’, unchristian ‘passion’. The
namelessness of the suffering family enforces the notion that such a scenario could

\textsuperscript{119} Bodleian MS, Eng.msc.c. 322, f. 56\textsuperscript{r}.
\textsuperscript{120} Mackenzie, pp. 251-52.
befall any honest man of credit. The function of the carceral fragment of Mackenzie’s novel is to reveal the depravity of the wealthy, titled sophisticate, Respino, and also to enlarge the exquisite sensations of Sedley’s sentimental response to freeing the family. He writes out a banker’s draft for 1,500 crowns, three times the family’s debts, and rights the injustice that Respino’s perverse ‘villainy’ had occasioned.\footnote{Stephen Bending and Stephen Bygrave state that it is Harley who frees the stranger from debtor’s prison, by giving him £2,500. The note to Signor Respino in the text is clearly signed ‘Edward Sedley’, however, and when the stranger tells Sedley that he was able to meet all of his debts except ‘500 crowns’, Sedley writes out a bankers’ draft ‘for 2500’, implying that it is 2,500 crowns, (or 625 pounds) that liberates the family from gaol. Stephen Bending and Stephen Bygrave ‘Introduction’ to Henry Mackenzie, \textit{The Man of Feeling}, ed. by Brian Vickers (Oxford: Oxford University Press, 2009), pp. vii-xxiv; (p. xx); p.92; p.91.} The scene ‘began to be too much for me’ Sedley climactically confesses; ‘I burst from the place to give vent to the feelings that laboured within me’.\footnote{Mackenzie, p. 252}

Each of the portraits outlined above depict the debtor as relational rather than autonomous. He is seen to be dependent on his wife or child for liberation or sustenance, or else imprisoned on their behalf, either for debts they have accrued in his name, or as the result of a ‘criminal’ passion of a creditor for the debtors’ dependents. Additionally, the assault on the sexual and moral purity of the wife or child of the imprisoned debtor is an attempt to corrupt the integrity of the family unit that is enabled by the process of the law, and so speaks to a contamination of the wider social order. Both of these effects are also present in the motif of the ‘unnatural parent’ or baleful elder relation of the incarcerated debtor. This motif is pervasive and present in many of the texts cited above. Charlotta du Pont’s father is unnaturally negligent of her due to the malign influence of her stepmother; Joshua Trueman applies to his father for financial aid from prison and is spurned as a ‘jail bird’ by his
stepmother; and in Haywood’s *Fair Hebrew*, Dorante’s father refuses his pleas for help from prison, for instance.\(^{123}\)

The motif is exemplified in *The History of Sir George Ellison*, from 1766, by the novelist and historian Sarah Scott, sister to the bluestocking, Elizabeth Montagu.\(^{124}\) In the mould of Richardson’s *Sir Charles Grandison*, Ellison represents the model gentleman: practical, economical, polite and improbably patient, and he annually visits the prisons in order to liberate deserving debtors. The particular object of his charity and Scott’s narrative attention is Maningham, a ‘gentleman’ whose father

> through extravagance had spent, before his son was of age, all that was not settled on his wife and son, and was besides overwhelmed with debts. Not contented with having ruined himself, he was desirous of bringing his son into the same state, by getting him to resign the settlement on himself.\(^{125}\)

At his parents’ urging, Maningham agrees to this and further demands, and, on his father’s death, is imprisoned for his debts. Ellison discovers him comforting his mother in the prison. An exemplar of filial piety, he is ‘doomed to spend in this loathsome prison a life which his virtues, his abilities, and education might render useful to the public’.\(^{126}\) Ellison determines to restore the youth to liberty and utility, describing his implacable creditor as ‘the hard-hearted man, who I suppose thinks himself justified in making you wretched, because his actions are legal’.\(^{127}\) Like

\(^{123}\) *Joshua Trueman* (1754), I, 145-46. Haywood, *The Fair Hebrew* (1729), p. 48. Further examples occur in the anonymous *The History of Fanny Seymour* (1753); Fanny is abandoned by her own, and her adoptive parent prior to her incarceration in the Marshalsea, pp. 14-91; and *The History of Miss Charlotte Seymour*, 2 vols (1764). After her father’s remarriage, Charlotte is sent to live with an aunt, and is ejected from that household, I, 148. She, too, is later incarcerated in the Marshalsea.


\(^{125}\) Scott, *Sir George Ellison*, II, 74-75.

\(^{126}\) Ibid., p. 79.

\(^{127}\) Ibid., pp. 83-84.
Mackenzie’s Sedley, the pitch of emotion his philanthropy stirs up in Ellison was ‘for a considerable time too much for him’.  

The trope of the unnatural parent is particularly common in biographical accounts of the imprisoned debtor. The poet Elizabeth Thomas was incarcerated in the Fleet in 1727 for her mother’s debts, and there wrote her autobiography, ‘The Life of Corinna’, published in 1731. In the fictional re-rendering of her life, Thomas recounts ‘Corinna’s’ father’s death, and her mother’s subsequent attempt to prostitute her thirteen-year-old daughter to the Earl of Montagu. She informs her mother of his frustrated attack, only to be told: ‘Get out of my Sight, said her Mother, (who loved Money, and had not all the fine Taste her Daughter afterwards discovered)’. Her mother is later duped by a trickster alchemist named Quibus of the bulk of her settlement. When chronicling her debts, Thomas abandons the fictional, third-person narration of her life and addresses the reader directly in the language of a legal statement. Thomas was bequeathed 600l. in her own right on an Estate in Gloucestershire, but her mother’s debts were such that

I thought my self bound in Duty, Conscience, and natural Affection, to impart it to my poor helpless Parent from whom I received my Being: Her Creditors being very severe, I took her Debts on my self, which was all they required; and I bless God she died in Peace, and at Liberty.

The equivocal use of ‘thought’, the consonance of her being ‘bound’ by ties of ‘Duty’ and then by the prison, and the incongruity of ‘poor’ and ‘helpless’ being appended to a ‘parent’ rather than the more ordinary infant all subtly accuse Thomas’ mother of lacking the ‘natural Affection’ she herself so abundantly displays.

128 Ibid., p. 85.
130 Ibid., p. lxx.
In 1744, Samuel Johnson published his life of the poet and playwright Richard Savage. The ‘unnatural’ perversion of Savage’s family narrative begins before his birth. In 1691, Savage’s mother, the Countess of Macclesfield, announced while pregnant that her child was begotten by the Earl of Rivers. Her husband divorced her, she married another lover, Colonel Bret, and disowned Savage. ‘It is not indeed easy’ Johnson opines, ‘to discover what Motives could be found to over-balance that natural Affection of a Parent, or what Interest could be promoted by Neglect or Cruelty’ but,

Born with a legal Claim to Honour and to Affluence, he was in two Months illegitimated by Parliament, and disowned by his Mother, doomed to Poverty and Obscurity, and launched upon the Ocean of Life, only that he might be swallowed by its Quicksands, or dashed upon its Rocks.\footnote{Samuel Johnson, \textit{The Life of Savage} (1744), pp. 4, 5-6.}

On his death bed, the Earl of Rivers sent for Savage in order to provide for him but his Mother ‘declared that he was dead; which is perhaps the first Instance of a Lie invented by a Mother to deprive her Son of a Provision which was designed him by another, and which she could not expect herself, though he should lose it’.\footnote{Ibid., p. 8.} Johnson identifies an unnatural perversion in the family unit as the cause of Savage’s financial distress. From the first, he was ‘doomed to Poverty’ by his mother’s abnormal and perverse aversion to her son. Savage was arrested in February 1743 for a debt of eight pounds and was held in Bristol’s Newgate prison, where he died, six months later. Johnson clearly identifies the unnatural Countess as bearing the ultimate responsibility for her son’s untimely death.

Robert Nugent’s autobiography, \textit{The Oppressed Captive}, from 1757, written ‘from the Fleet’, was also cast as historical fiction. His father, Earl Nugent, was an Irish
politician and poet, rumoured to have seduced his cousin, Clare Nugent, and fled to England to avoid marrying her, and he never recognized her son as his own.\(^{133}\)

Nugent’s autobiography is a sustained lament over his father’s disregard of the ‘laws of nature’, content to see his son’s creditors ‘immure me in the Fleet prison for life’.\(^{134}\)

The text was probably an attempt to bribe the Earl into paying for his son’s release in exchange for his ceasing to publish these personal attacks, but neither this, nor a similar text, *The Unnatural Father, or, The Persecuted Son*, from 1755, were successful on this score.

Here again an imprisonment for debt is seen to result from an inversion in the familial unit, of a parent attempting to destroy rather than nurture and support their young. Again, as metaphor, this inversion can be seen to reference a corruption and breakdown of the social fabric. The question remains, however, as to why so many novelists of the period chose to depict this breakdown through the metaphor of the debtors’ prison. The most obvious answer concerns changing economic practices. The Hanoverian period has long been recognized as having witnessed a rapid expansion of the consumer economy. Read through the bold, new economic theories of Adam Smith and his successors, it has also been understood as initiating the values and practises of a modern market exchange economy.\(^{135}\) In a modern market model, transactions are conducted by autonomous individuals under contract law, through the anonymous exchange of specie. Margot Finn’s recent study of eighteenth-century economic practice, however, has challenged this picture. Finn concludes that while an unprecedented growth of personal consumption did demonstrably occur in the period,


\(^{134}\) Nugent, *The Oppressed Captive* (1757) p. xii.

this was propelled in large part through a credit economy. Indeed, she argues that the history of credit relations ‘underscores the inability (or refusal) of consumers, creditors, lawyers and judges to endorse the “modern” commercial concepts of economic individualism and freedom of contract’. She continues:

Creditors sought constantly and unsuccessfully to read debtors’ personal worth and character from their clothing, their marital relations, their spending patterns and their perceived social status, attempting to assign stable cash values to consumers in markets continuously buffeted by the vagaries of credit. Legal definitions of personhood, agency and contract, far from serving to fix these individual economic identities, worked actively to subvert and multiply them. By subsuming a varied assortment of family members under the legal identity of the male householder, the law of contract liberated much credit purchasing from the immediate oversight of legally responsible individuals.

The growth of the consumer economy, Finn contends, implicated more men and women in wider networks of credit relations than ever before, which placed received (as opposed to ‘modern’) economic practices under severe strain. Moreover, these practices worked actively to destabilize individual identity at this time. It is this mounting tension that the eighteenth-century novel can be seen to dramatise. The historical fact of imprisonment for debt can be seen to express the inability of the creditor to correctly read the debtor’s ‘character’, in the sense that Finn understands the word here. Robert Nugent, for instance, was able to run up debts of over 600l. because, as the self-professed son of a wealthy man, his creditors wrongly assumed he would have access to the funds necessary to repay such a debt. In the novel, however,

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137 Finn, p. 2.

138 Ibid., p. 21.
the imprisonment of the debtor is more often the means of exposing an epistemological failing in the opposite direction: the failure of the debtor to accurately ascertain the honourable character of his creditor. The incarcerated debtor therefore presents the novelist with a particularly culturally resonant, because economically pressing, opportunity to expose what Michael McKeon identified as a widening epistemological gulf between appearance and reality around the values of ‘truth’ and ‘virtue’ in eighteenth-century culture.\textsuperscript{139}

While it lends credence to McKeon’s theory, the fictional depiction of the debtors’ prison outlined above complicates the argument of Ian Watt’s earlier study of the eighteenth-century novel. Building on the work of sociologists Max Weber and Jürgen Habermas, Watt argued that the eighteenth-century (realist) novel was implicated in the cultural ascendance of what he termed the ‘middle classes’. Issuing in the first instance from a Protestant epistemology, which placed new emphasis on individual, lived experience, the rise of the middle classes is understood by Watt to have been rendered possible by the rise of autonomous individualism, and concomitantly of a capitalist market economy.\textsuperscript{140} In Watt’s understanding, the realist novel espouses the new, modern values of capitalism in its valorisation both of the individual, and of that individual’s ‘middle-class’ status. Were this the case, we would expect to find in the novels of the eighteenth-century a positive endorsement of the modern economic individual: autonomous, contract-observant, and legally-minded. Instead, in all of the examples I outline above, something like the opposite of this occurs. I have yet to

discover a single eighteenth-century novel in which a creditor, exasperated at being unable to recover a debt, is forced to imprison his debtor; whereas examples of novels in which ‘poor’ debtors and their dependents are persecuted by an unfeeling creditor’s unflinching adherence to their rights under economic law are so common as to have become, by the time of Mackenzie’s *Man of Feeling*, a cultural cliché.

Watt’s theory has been critiqued by subsequent literary theorists, particularly for its teleological bias and what Ros Ballaster has described as the ‘compulsive valorisation of “realism” in opposition to “romance”, and the radical selectivity of his study’. Yet Watt’s central idea, that the eighteenth-century novel constructs as well as reflects the birth of the modern, capitalist individual, possessed of a unique interiority has proved remarkably resilient. Nancy Armstrong’s most recent study starts with the premise, for instance, that ‘the history of the novel and the history of the modern subject are, quite literally, one and the same’. The genesis of one is predicated on and necessitated by the genesis of the other.

With hammering predictability, however, the examples I have outlined above have stressed, not the debtor’s newly iterated identity as a self-authoring individual, but conversely his embeddedness within a network of social relations. When Mr Bilson is incarcerated in the Fleet in Sarah Fielding’s novel, his family unit immediately gathers and coheres around him. When Dr Primrose is incarcerated in the county gaol of Goldsmith’s novel, the prospect of his death is depicted as tragic because it would precipitate- the ruin of his entire family; Mr Price is incarcerated because of the non-capitalist value he places on the virtue of his daughter; in Sarah Scott’s *Sir George* [141] Ballaster, *Seductive Forms*, p. 9.

[142] Literary studies which stress this function of the eighteenth-century novel are cited in my introduction.

Ellisson, Maningham’s virtue is seen to reside in his placing his father’s honour above his individual concerns and his economic security. What such portraits can be seen to endorse is not the economically autonomous individual, but that individual’s socially constituted selfhood and economic practice. His reactivity to the prison space, ordinarily depicted through his immediate physical deterioration, as in the case of Mrs Bilson, Mr Price and Dr Primrose or the debtor of Mackenzie’s *Man of Feeling*, is another indication of the incarcerated individual’s porousness to the prison space, rather than his Boethian ability to transcend the conditions of his incarceration through an increased reliance on an individual, inviolable interiority.

It would be wrong, however, to conclude that the early novel is an inherently conservative literary form, fundamentally antipathetic to the development of individualism and modern market culture. Hunter’s conclusion that ‘[n]arrative and fiction had begun to define – had begun to be – the modes of the future’ is not invalidated by the novels I have cited here. The portraits outlined above can be read as demonstrating the pressing need for fundamental legislative reform. The ‘tragic’, incarcerated debtor is a bold demonstration of the failure of the due process of the law to effect justice for the ordinary citizen. The law is repeatedly depicted as having been co-opted by a corrupt, powerful member of society to pursue a private grievance against an honest and less powerful citizen. This in itself entails a critique both of the social elite, who are frequently presented as morally depraved, and also of the legal processes which enable the hegemonic order. In *The Vicar of Wakefield*, a humble, honest family of middling means is persecuted by a sexually rapacious member of the landed gentry. The expression of the Vicar’s powerlessness against the persecuting

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144 Hunter, *Before Novels*, p. 22.
The aristocrat is fictionally enacted by his imprisonment for debt. In Mackenzie’s Man of Feeling, precisely the same circumstances occur. Brooke’s Fool of Quality sees the Stern family interned by a sexually predatory landlord; Mr Price is incarcerated for the same reasons by his rich benefactor in Miss Sidney Bidulph. Richardson’s Clarissa is subject both to the unnatural persecution of a parent who ought to nurture her, and to the sexual predation of a man of wealth, power and title. Again, the fullest fictive expression of her oppression occurs with her incarceration in a spunging-house under a writ from a procuress, the experience of which precipitates her death. Abandoned by his unnatural mother, Smollett’s Peregrine Pickle is nearly destroyed by his incarceration in the Fleet at the suit of an unscrupulous peer whom he crosses when refusing to waive his right to stand for Parliament. In each of these instances, the gross injustice that is bodied forth by the debtors’ prison is indicative of a corruption in the social order. Those occupying positions of power, either as a result of their wealth, title, age or social standing, are unmasked as self-interested and corrupt. Where that corruption is expressed sexually, it threatens additionally to infect the next generation, as is exemplified in the rape and ruin of the children of Honestus and Constantia by the wealthy and powerful Corruptus.

In these ways, the novels outlined above can be shown to critique the hegemonic socio-cultural status-quo, and to propel the case for thorough-going legislative reform. In so doing, they can be seen to reflect as well as constitute the cultural shift of the early modern subject to the modern citizen that Watt’s study had argued was the case. The findings outlined here have questioned rather the form than the fact of the impetus for change in the novel as a genre. The debtors’ prisons analysed above

145 For a useful explanation of the philosophy of this transition, see Étienne Balibar, ‘Subject and Subjectification,’ in Supposing the Subject, ed. by Joan Copjec (London: Verso, 1994), pp. 1-15.
manifestly, and rather surprisingly, do not demonstrate the need for reform by envisaging a positive expression of contract individualism, hampered by outmoded, early-modern fiscal models. They repeatedly demonstrate instead the moral failure of a creditor to honour the relational, interdependent nature of the debtor’s economic practice and selfhood. It is for this reason that the ‘unfortunate debtor’s’ wife and children are so often foregrounded in tragic portraits of the debtors’ prison in the novel, and why the ‘unnatural’ parent who fails to financially support their child is depicted as perversely unfeeling. The failure of the debt laws that the novel so obsessively traces is not a failure of insufficiently individual capitalist market forces, then, but a failure of proper degrees of sociality: of fellow feeling, inter-relationship, and interdependence.
III.iv: The writer and the debtor

In the preceding section of this chapter, I analysed the ways in which the figure of the imprisoned debtor was deployed by the novelist as a means of exploring a troubling gulf between appearance and truth, old legal systems and new economic practices, and vexed, inter-class relations over questions of trust, deference, and indebtedness. In this section, I will demonstrate another, metaphoric and biographically resonant reason for the predominance of the debtor in the novel: the association of the figure of the writer with that of the debtor. One of the most recognizable and replicated portraits of the imprisoned debtor in the period is Hogarth’s *Rake’s Progress*, published as a print in 1735.
Rakewell does not constitute an example of the unfortunate, maligned tradesman. He is undone by his own failings, his predilection for prostitutes, gambling and luxury; in his abandonment of Sarah Young, mother to his child, he is deserving both of his sobriquet and his incarceration in the Fleet. Nevertheless, as is the case with Moll Hackabout’s fate, the viewer is uncomfortably aware that his punishment exceeds his moral failings. As in the novelistic portraits outlined above, Rakewell’s prison experience is not one of solitude, introspection, or the articulation of a newly...

146 William Hogarth, *A Rake’s Progress*, 8 plates (1735), Tate Britain, plate VII.
emergent, economic individualism. The scene is crowded with his dependents: to his right, Sarah Young has fallen into convulsions, their child pulls angrily at her skirts, while his emaciated, one-eyed wife roundly berates her husband. To his left, the demands on Rakewell are equally pressing. A boy requires payment for a pot of beer, while the gaoler, identified by the key hanging from his waist, demands his prison fees. The intense strain on Rakewell is manifested physically: his right hand and foot are unnaturally flexed, and the tipping back of his wig and wild stare of his eyes are indicative of his incipient insanity.

Scattered throughout the scene are ambivalent references to the schemes of the desperate debtor to free himself from gaol. The telescope, poking through the barred window, is a means through which an inmate might view the open sweep of heaven, or else fashion a fake, astrological almanac to hawk to a superstitious public. The discarded wings above the bed speak both to the intrinsically unworkable inventions of the desperate, earth-bound debtors, and lend palpable structure to the absence of the angelic in this chaotic, hopeless prison space. The bespectacled alchemist, oblivious to the tumult behind him, absorbed at the mouth of his forge, is again an affecting admixture of folly and faith, his doomed attempt to turn the dross of everyday materials into gold perhaps the most redolent metaphor of the fractured economics of the image. Additionally, however, two written texts adorn the portrait. The dishevelled prisoner attempting to revive Sarah drops a sheet which reads, ‘Being a New Scheme for paying ye Debts of ye Nation by T.L. now a prisoner in the Fleet’. On the other, the word ‘Debts’ is visible.\(^{147}\) With characteristic precision, Hogarth illustrates the debtor’s bind. The scheme is another attempt to transmogrify the

carceral condition into ready money in order to liberate the debtor from prison. This attempt is itself an iteration of how to transform debt into profit on a national scale. And yet, like the alchemist’s, such a scheme is clearly doomed: it literally eludes his grasp, just as his own accounts of his ‘Debts’ tumble from his control. On the other side of the image, the manuscript by Rakewell’s elbow is a play; the words ‘Act 4’ are visible. Beside it is a letter from John Rich, the theatre manager, which reads: ‘Sr I have read your Play & find it will not doe, yrs J.R...h’. Here again, the attempt to transmute the written word into liberating gold has evaded the inmate, returning only a formulaic, verbal iteration of his failure.

Hogarth thus illustrates the association of the failed writer with the figure of the imprisoned debtor. In fiction, and probably also in fact, the majority of debtors turned author in the first instance on arrest. When he is incarcerated for debt (though not, interestingly, when he is incarcerated for a crime) Booth immediately writes to Amelia in Fielding’s novel to inform her of his whereabouts. Mr Price repeatedly writes to his creditor Mr Ware from prison, asking him to absolve him of his debt in Sheridan’s Sidney Bidulph. When Heartfree is imprisoned for debt in Fielding’s Jonathan Wild, he writes to his customers requesting outstanding payments. Most commonly the debtor is seen to write to friends and relations, attempting to move them to generosity. Dorante writes to his father in Haywood’s Fair Hebrew, ‘entreating Succour and Forgiveness; but that remorseless Man declared he wou’d afford neither’; abandoned by her lovers, incarcerated in the Marshalsea for debt, and detained there for fees of three guineas, the fallen Miss Forward is a more successful author of her

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148 Ibid.
149 Sheridan, III, 315.
own misfortune in identifying Miss Betsy Thoughtless as a responsive reader. Betsy replies, enclosing the requested money, and effects Forward’s release from the Marshalsea. Most written supplications do not elicit the desired response, however. Joshua Trueman writes to his father for funds to free himself after his cynical imprisonment for debt by the rapacious Symonds. His stepmother refuses on his father’s behalf: ‘You must get out of the scrape as well as you can’. Robert Nugent supplies the reader with copies of the emotive letters he has written to his father from gaol, fruitlessly attempting to move him to munificence.

Searching for Aurelia Darnel in the prisons of London, Smollett’s Launcelot Greave visits the King’s Bench. His prison guide, Mr Felton, describes the descent of the Clewlin’s from a decent, military family to a pair of gin-addled, bare-chested brawlers. Mr Clewlin is incarcerated by his vindictive, rich father-in-law in revenge for having married his daughter without his consent. Mrs Clewlin ‘attempted to soften the barbarity of her father, by repeated letters, [...] but all her endeavours proving ineffectual, she accompanied her husband to the Prison of the King’s Bench’. Having failed to move their creditor, who is also their rich relation, Mrs Clewlin assisted her husband ‘in writing letters to former friends, the last consolation of the wretched prisoner; she delivered these letters with her own hand, and underwent a thousand mortifying repulses’. The Clewlin’s only child then dies of small-pox in the prison, and from this tragic inversion in the family narrative ‘they are now

152 *Joshua Trueman*, i, 145.
153 Nugent, *The Oppressed Captive*, p. 129.
155 Ibid., p. 174.
metamorphosed into the shocking creatures you have seen’ Felton relates, ‘he into a riotous plebeian, and she into a ragged trull’.

The next inmate whose history Felton describes, however, is a gay young widow, who is a highly successful prison author. Felton disparagingly reports that the widow is unchastened by her carceral experience: she lies in bed until two in the afternoon, her rooms are the most slovenly in the prison, and she appears in ‘the pink of fashion’ every day. She has accrued debts within the King’s Bench ‘at the chandler’s shop, the baker’s and the tap-house’. Yet ‘[s]he writes circular letters’ Felton explains, ‘to her former friends and acquaintance, and by this method has raised pretty considerable contributions; for she writes in a most elegant and irresistible style’. Similarly, in Smollett’s Ferdinand Count Fathom, the generous-hearted Renaldo arrives at the same prison in search of a poor relation who has written to him requesting money. “Helen Melville” writes that ‘losses by trade’ have involved her family in debt, her husband has died in the prison, her children have contracted small-pox, and she has an incurable cancer in her breast. ‘Indeed’ the narrator adds, ‘the picture she drew was so moving, and her expressions so sensibly pathetic, that no person whose heart was not altogether callous, could peruse it without emotion’. Renaldo immediately supplies the debtor-author with the requested two guineas but is told on arriving at the prison that no such inmate exists. Fathom informs him that the letter is a ‘stale trick which was often practised upon strangers, by a set of sharpers, who make it their

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156 Ibid., p. 180.
157 Ibid., pp. 185-86.
158 Tobias Smollett, Ferdinand Count Fathom, 2 vols (1753) II, 52. Page references given in the body of the text are to this edition.
business to pick up hints of intelligence relating to private families, upon which they build such superstructures of fraud’.159

These examples depict a failure to correctly read the prison narrative. The reader who remains unmoved by the affective tale of the sufferings of the imprisoned debtor is presented as fundamentally failing in humane and Christian fellow-feeling. The fictive incorporation of such hardened readers renders the plight of the suffering debtor all the more emotive. Moreover, the fictional reader’s failure to respond correctly to such narratives is prescriptive of an appropriate reader-response to the novel as a whole. In Ferdinand Count Fathom, this function of the ‘false’ prison narrative cautions the novel’s reader against an overly sympathetic response to the incarcerated debtor, since Ferdinand’s incarceration in the King’s Bench shares only the surface form of the suffering, incarcerated debtor’s narrative, not its tragic substance. Renaldo’s failure to correctly read the prison narrative, either of his supposed cousin “Helen Melville”, or of his other, ‘false’ relation, Ferdinand, is portrayed in wholly positive terms, as an overabundance of generosity. The unscrupulous widow in the same debtors’ prison in Smollett’s earlier novel similarly deceives her readers by reproducing, through deadening, unprogressive ‘circular letters’, the surface structure of the incarcerated debtor’s narrative, without its truly tragic core. She thus reduces her carceral experience to a crass commercial exchange.

Additionally, as Hogarth’s Fleet portrait illustrates, turning professional author was one of the few means available to the incarcerated debtor to earn money within the prison space. At the same time, the instability of the eighteenth-century book trade meant that the professional author was also frequently presented as subsisting

159 Ibid.
in a state of perpetual debt. Booth is introduced to a ‘very great’ author in the spunging-house in Fielding’s *Amelia*. Bondum explains that he is held on a writ for eleven pounds at his Bookseller’s suit,

But he expects to be discharged in a day or two, for he hath writ out the debt. He is now writing for five or six booksellers, and he will get you sometimes, when he sits to it, a matter of fifteen shillings a-day. For he is a very good pen, they say, but is apt to be idle. Some days he won’t write above five hours; but at other times I have known him at it above sixteen. (III, 115-16)

History, poetry, fabricated news and invented parliamentary speeches all issue from the incarcerated ‘pen’. The nameless, clichéd incarcerated author illustrates both the financial precariousness of the hack’s existence, emphasized by the fact it is that his Bookseller who has imprisoned him, and also the debtor’s recourse to producing text from the prison in order to liberate himself: he ‘hath writ out the debt’. Similarly in *The History of Miss Charlotte Seymour* in 1764, Charlotte makes the acquaintance of

the learned and celebrated Scriblerius [sic] Folius who had written upon every art and science, and been at times in the pay of every bookseller from St. Magnus church to Pall-mall. He had translated all the classics twice over, [...] and yet, what is extraordinary, to this hour Scriblerius is a beggar.\(^{160}\)

Scriblerius may refer to a specific individual. He is Irish, ‘celebrated’, and the author delights in describing his filthy, flea-ridden person. But he is also an archetypal impoverished hack, whom Charlotte next meets in the Marshalsea prison, advising her on how to free herself.\(^{161}\) In Smollett’s *Humphry Clinker*, Jerry Melford describes his visit to Smollett’s fictional self, ‘S——’:

Every Sunday his house is opened to all unfortunate brothers of the quill, whom he treats with beef, pudding, and potatoes, port, punch, and Calvert’s entire butt beer. —He has fixed upon the

\(^{160}\) *Charlotte Seymour*, i, 165-67.
\(^{161}\) Ibid., p. 248.
first day of the week for the exercise of his hospitality, because some of his guests could not enjoy it on any other, for reasons I need not explain.\textsuperscript{162}

Smollett refers to the fact that a debtor could avoid incarceration by ‘keeping house’, since the common-law forbade forced entry into a man’s property for the purposes of arrest on civil cases, and that he could travel abroad with impunity on a Sunday, since the common-law also proscribed civil arrests on that day.\textsuperscript{163} The episode underscores the collocation of the writer and the debtor. It asserts as a commonplace the idea that ‘brothers of the quill’ would stand in need of such generosity as Smollett provides, that they could only congregate on a Sunday, for fear of being arrested for debt on any other day, and that the ‘reason’ for these constraints would be so obvious to his reader that he ‘need not explain’ them. It is also telling that it is here, amid a collective portrait of ‘unfortunate’, indebted writers, that Smollett chooses to insert himself into his fiction.

First-person accounts issuing from the prison often emphasize the reader’s centrality to the prison narrative in this regard. Inmate Simon Wood’s \textit{Remarks on the Fleet}, from 1733, describes the continued abuses carried out in that prison since the Oglethorpe committee’s investigation. Writing from the common-side, he concludes: ‘If by the Profit of this small Pamphlet, your Writer should be enabled to discharge the Arrears of Chamber-Rent, he will be intituled to a Room; and, consequently, be more composed to enter into Things, and give the World a clearer Light of the Miseries of a Prison’.\textsuperscript{164} The actor William Paget makes the same point in a less mournful but equally strategic readerly address. He prefaces his satirical poem,

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\item \textsuperscript{162} Smollet, \textit{Humphry Clinker}, II, p. 15.
\item \textsuperscript{163} Cohen, p. 155; Stat. 29. Car.2. c.7; \textit{The Debtor’s Pocket Guide}, p. 15.
\item \textsuperscript{164} Simon Wood, \textit{Remarks on the Fleet} (1733) p. 16. I have been unable to uncover Wood’s identity. His \textit{Remarks} is the only work identified as his, he is not listed in either the Fleet admissions books in the NA, nor in the Burney collection of eighteenth-century newspapers.
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The Humours of the Fleet, from 1745, with the disarming observation: 'For my Part, I honestly confess, that for the same Reason as I publish’d A Voyage to Ipswich four Years since […] I now publish The Humours of the Fleet, viz. With a View to get Money'. With similar clarity of purpose, Robert Nugent begins his autobiography by requesting the reader to supply both the emotional responsiveness and the much needed coin his heartless parent has refused him. He addresses the ‘Generous and Humane Reader’ directly:

Abandoned by the author of my being, and compelled to seek that redress from the public, I have elsewhere so often sought in vain: […] the tyrant hunger, […] with hollow eyes, and transparent cheeks, puts in his undeniable plea, or write, or starve; to the public then, as to a parent, for other parent alas! I have none, I apply for relief[.]

In these ways, the figure of the imprisoned debtor came to be associated with the writer in the popular imagination. In fictional representations, the debtor is frequently depicted as engaging in the act of letter writing in an attempt to raise funds, either to free himself or to sustain him in the prison. Secondly, the debtor is also often portrayed as having to turn professional author in order to survive, substituting the ‘humane’, feeling, philanthropically-minded public in the place of the unresponsive relation or hardened creditor. Beyond this, as Smollett’s texts particularly emphasize, the financial precariousness of the writer’s profession was understood to place the author under constant threat of incarceration for debt.

In Johnson’s Life of Savage, the poet claims, unusually, to revel in the writerly opportunities of his incarceration in Bristol’s Newgate. He writes to a friend:

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165 Paget, p. vii.
166 Nugent, The Oppressed Captive, pp. iii-v.
I am now more conversant with the nine than ever and if, instead of a Newgate Bird, I may be allowed to be a Bird of the Muses, I assure you, Sir, I sing very freely in my Cage; sometimes indeed in the plaintive Notes of the Nightingale; but, at others, in the cheerful Strains of the Lark.\textsuperscript{167}

The debtors’ prison is here depicted as the common, if unnatural, home of the author, the caged ‘Bird of the Muses’, and the enabling site of his authorial activity, though it also precipitates his death. It was in the Fleet that John Cleland, arrested for a debt of £840, wrote his notorious, erotic novel, The \textit{Memoirs of A Woman of Pleasure}, (1748–9).\textsuperscript{168} In addition to Savage and Cleland, many of the most influential novelists and artists of the period are known to have been arrested for debt. Defoe was held in the Queen’s Bench in 1692 and the Fleet in 1702. From his eleventh to his sixteenth year, William Hogarth resided in the Rules of the Fleet, after his father Richard’s coffee-house failed.\textsuperscript{169} Henry Fielding’s father Edmund died in the Rules of the Fleet in 1741, and had previously been in custody in the Marshalsea. Henry himself was sued three times between 1740 and 1742 for debts of less than eighty pounds, and in 1741 he was arrested, bailed, and took up residence with his family in Spring Garden, within the ‘Verge of Court’.\textsuperscript{170} The Verge was a notoriously expensive area of the city between Whitehall and St. James’ Palace which, since Tudor times, had functioned as a debtors’ sanctuary. No one could be arrested there without permission from the board of the green cloth, an official body of the Royal Household.\textsuperscript{171} The impecunious

\textsuperscript{167} Johnson, \textit{Life of Savage}, pp. 165-66.
\textsuperscript{170} Donald Thomas, \textit{Henry Fielding} (London: George Wiedenfeld and Nicolson, 1990), pp. 111-12, 159-64.
Booths inhabit the same street in *Amelia*. Samuel Johnson was arrested for debt twice: in March, 1756, for a debt of five pounds and eighteen shillings, and again in 1758 when, his Shakespeare edition still unfinished, he borrowed forty pounds from his publisher, Jacob Tonson, to bail him out of custody.

Johnson is also involved in the famous story of Goldsmith’s house-arrest. Hester Thrale in her *Anecdotes of Johnson* relates that in 1765 or 1766, Johnson was called away from dinner by a note from Goldsmith, and found him unable to leave his rooms, under threat of arrest for debt from his landlady. Johnson looked through a novel Goldsmith had ready for the press, *The Vicar of Wakefield*, took the manuscript to his bookseller, and returned with enough money to free the indebted author. Boswell does not date the episode in his *Life of Samuel Johnson* but reports Johnson’s relation of the anecdote as follows:

> He then told me that he had a novel ready for the press, which he produced to me. I looked into it, and saw its merit; told the landlady I should soon return, and having gone to a bookseller, sold it for sixty pounds. I brought Goldsmith the money, and he discharged his rent.

The landlady was Mrs Carnan, of Wine Office Court, which dates the episode to 1762, though Goldsmith may not have been paid in full for the manuscript until 1765. What is certain, however, is that Goldsmith wrote much, if not all of his novel under pressing financial difficulties, and furthermore, that the anecdotal relation of the episode by both Thrale and Boswell trades on the presentation of an impecunious author, immured in his house by his debts, who is able to liberate himself with his pen.

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He does so, moreover, through the story of a fundamentally good man who is unjustly incarcerated for debt.

Smollett was not incarcerated for debt, though he too suffered repeatedly from straitened finances, most pressingly between 1753 and 1756.\textsuperscript{176} In November 1760, however, Smollett’s pen was responsible for his incarceration in King’s Bench, the largest debtors’ prison in the country. He was tried and convicted of a libel against Admiral Knowles, printed in the \textit{Critical Review} in 1758, fined £100, and sentenced to three months imprisonment.\textsuperscript{177} This experience was then relayed in \textit{Sir Launcelot Greaves}, large portions of which are set in the King’s Bench. This novel, too, features the wrongful incarceration of a good man, and contains a protracted argument for the necessity to alter the laws on incarceration by civil process to prevent miscarriages of justice.\textsuperscript{178}

In these ways, the writer and the imprisoned debtor were repeatedly entwined in representations of the debtors’ prison. The imprisoned debtor who engages in the act of writing within the novel thus came synecdochically to represent the author of that novel as a whole. The act of writing the novel comes discomfortingly to mirror the imprisoned debtors’ plea for financial remuneration in exchange for an affective, well-wrought prison narrative of his misfortunes. The text itself, in this sense, becomes an attempt at liberation. The novel that contains writing from the prison can also be seen to stipulate a correct interpretative stance on the part of the reader, often by dramatizing an incorrect, ungenerous response to the incarcerated debtor’s narrative. A community of philanthropic, sensitive, socially engaged readers is engendered in

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\item[178] Smollet, \textit{Launcelot Greaves}, ii, 228-30.
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the process. While many novelists of the period explored the dense metaphoric possibilities of the debtors' prison, the motif was of particular importance to the works of Tobias Smollett, each of whose novels features the debtors' prison.
III.v: Smollett and the debtors’ prison

The prison, as legal structure, topographical edifice and fictional device, looms large in all of Smollett’s novels, yet no dedicated study of his use of the prison trope exists. Alice Parker has discussed Smollett’s deployment of the discourse of law, Robin Fabel has attempted an investigation of his politics, and Michael Rosenblum has argued for the essential conservatism of his satire.\(^{179}\) In all of these works, Smollett’s prisons are accorded only marginal notice. In his seminal study of the author, Paul-Gabriel Boucé concedes that ‘the prison plays an important part’ in Smollett’s oeuvre, but adds that it is ‘a belated and artificial one’.\(^{180}\) Ronald Paulson derisively describes the particularity of the prisons in Smollett’s novels as a ‘Cooks Tour of English jails’. He concludes that ‘a prison in Smollett’s novels is not so much a plot-link as a place in which he can bring together representative types’.\(^{181}\) Considered a poorly integrated fictional space in which to parade his capacity for caricature, a stock device which ‘mortifies’ the ‘pride’ of his heroes, or a transparent illustration of his conservatism, the variety and complexity of Smollett’s engagement with the prison motif is entirely lacking the critical attention it deserves.\(^{182}\)

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That the prison is vital to Smollett’s oeuvre seems unarguable. The eponymous hero of each of his novels is interned at least once, and the debtors’ prison forms the climactic setting for three of them: *Roderick Random* (1748); *Peregrine Pickle* (1751); and *Ferdinand Count Fathom* (1753). The experience of the prison has a profound and apparently positive impact on these characters, for which reason, Smollett’s engagement with the prison motif has been held by some critics to be essentially supportive of the hegemonic order. Boucé has described the prison as a necessary ‘maieutic’ in Smollett’s novels and a redemptive space, much as the criminal prison had functioned in the Ordinary’s Accounts.\(^{183}\) Fabel expresses his incredulity that Smollett’s conservative, positive presentation of the prison should have survived even his own experience of the King’s Bench between 1760 and 1761. He finds it ‘very surprising that Smollett, in the novel, did not press for […] the abolition of the laws which caused debtors to be jailed [...]. Smollett’s criticism is directed not at the government, nor here’ in *Sir Launcelot Greaves* ‘at agents of the government, but rather against the vindictiveness of individuals, particularly heartless creditors, who distort the purposes of what is evidently, for Smollett, thoroughly sound law’.\(^{184}\) Though Fabel does not do so, his argument might be strengthened by identifying the lack of vicious and abusive officers policing Smollett’s fictional prisons, and their internal ‘œconomy’, which is highly efficient. The warden of the Fleet is described as ‘a sensible and humane man’ in *Peregrine Pickle*.\(^{185}\) Mr Norton, the deputy-marshal of the King’s Bench in *Sir Launcelot Greaves*, ‘had nothing at all of the jailor either in

\(^{183}\) Boucé, pp. 140, 188.
\(^{184}\) Fabel, p. 106.
\(^{185}\) Tobias Smollett, *Peregrine Pickle*, 4 vols (1751) IV, 250, 290. Page numbers given in the body of the text are to this edition.
his appearance or in his disposition, which was remarkably humane and benevolent towards all his fellow creatures’ (II, 157-8).

Additionally, in light of the declamatory, tragic rhetoric with which the debtors’ prison is commonly conveyed in the novels cited above, Smollett’s prisons are also strikingly positive spaces. The master’s side of the Fleet in *Peregrine Pickle* is described in the benign, official language of the travel guide:

In short, this community is like a city detached from all communication with the neighbouring parts, regulated by its own laws, and furnished with its own peculiar conveniences, for the use of the inhabitants. There is a coffee-house for the resort of the gentlemen, in which all sorts of liquors are kept, and a public kitchen, where any quantity of meat is sold at a very reasonable rate, or any kind of provision boiled and roasted *gratis*, for the poor prisoners: [...] nor are they cooped up, so as to be excluded from the benefit of fresh air, there being an open area of a considerable extent adjacent to the building, on which they may exercise themselves in walking, skittles, bowls, and variety of other directions, according to the inclination of each. (IV, 153-54)

Affirmatory, polite diction abounds in this depiction: the prison space is ‘of a considerable extent’, ‘regulated’ by ‘laws’ and ‘furnished with [...] conveniences’, for the ‘benefit’ of inmates, who are described in less carceral terms as ‘the inhabitants’. There is no evidence of the degenerative threat, either to the inmate’s health, identity, or to his social status that the prison ordinarily entails. Prisoners ‘benefit’ from a ‘variety’ of exercises, ‘according to the inclination of each’. ‘[T]he gentlemen’ may ‘resort’ to the ‘coffee-house’ as to any fashionable establishment, while the ‘poor prisoners’ have their kitchen needs provided ‘*gratis*’. A sense of repletion rather than privation is conveyed through the use of ‘variety’ and ‘fresh air’ to depict the open spaces in the prison, and ‘all sorts’, ‘any quantity’ and ‘any kind’ to describe the
prisoners’ food. It is the site of neither corruption, nor extortionate gaoler’s practices: poor prisoners are supported, and the kitchen rates are ‘very reasonable’.

If anything, Smollett’s appreciation for the amenities of English prisons appears to increase after he himself had experienced one. The description of the King’s Bench in *Sir Launcelot Greaves*, published a year after his release from that prison, redeploys and expands the lexical markers of the tour guide noted above:

The King’s-bench [...] is situated in St. George’s-fields, about a mile from the end of Westminster-bridge, and appears like a neat little regular town, consisting of one street, surrounded by a very high wall, including an open piece of ground which may be termed a garden, where the prisoners take the air, and amuse themselves with a variety of diversions. Except the entrance, where the turnkeys keep watch and ward, there is nothing in the place that looks like a jail, or bears the least colour of restraint. The street is crowded with passengers. Tradesmen of all kinds here exercise their different professions. Hawkers of all sorts are admitted to call and vend their wares as in any open street of London. Here are butchers-stands, chandler’s shops, a surgery, and a public kitchen in which provisions are dressed for all the prisoners gratis, at the expense of the publican. Here the voice of misery never complains, and, indeed, little else is to be heard but the sounds of mirth and jollity. (II, 158-59)

Where the Fleet was a city, cut off from communication with neighbouring provinces, the King’s Bench is a fully integrated ‘neat little regular town’. The geographical precision of the placement of the prison is as if inviting the reader to visit. Again, the description exaggeratedly ameliorates the carceral cast of the prison. The exercise yard is a ‘garden’ and within the prison building, ‘nothing [...] looks like a jail, or bears the least colour of restraint’. Commercial exchange functions ‘as in any open street of London’. Indeed, it is a hive of trade and motion, two characteristics ordinarily understood to be entirely antithetical to the debtors’ prison, which was far more commonly understood to ‘bury a man in sloth and darkness’, to use Johnson’s phrase.
Here, contrarily, ‘Tradesmen ... exercise their different professions’, the street is ‘crowded with passengers’, and ‘Hawkers of all sorts are admitted’. Again, the prison is presented as varied and beneficent: the prisoners’ food is prepared ‘gratis’, inmates ‘take the air’, enjoy a ‘variety of diversions’ and express only ‘mirth’ and ‘jollity’ in confinement. The prison is again depicted as a space of fullness rather than depletion, denoted by ‘all kinds’, ‘all sorts’ and ‘all the prisoners’.

That this was an extremely unusual view of the prison was noted at the time. Francis Vernon, nephew to the fractious Admiral Thicknesse who, like Smollett, spent three months in the King’s Bench for libel in 1762, remarked ‘I cannot avoid embracing this occasion to express my surprise, that a man, who, if I mistake not, was himself a prisoner there, should have drawn a picture so very unlike the original’. He concludes, rather, that the prison contains ‘so many sons and daughters of woe, that a man must be void of all the sensible and susceptible emotions, of humanity and benevolence to abide in any degree of comfort there’.

For Rosenblum, Smollett’s debtors’ prison is a ‘contained satiric utopia that makes more sense than the outside world’. Ferdinand Count Fathom defuses the tension between two inmates of the King’s Bench, Captain Minikin, his diminutive prison guide, and the militaristic Major, when they quarrel over introducing prostitutes into their ‘little community’, by suggesting they conduct a duel through smoking ‘assa fetida’ together in a small cupboard (II, 46). Similarly, Peregrine is told in the Fleet that ‘Justice is here impartially administered, by a court of equity, consisting of a select number of the most respectable inhabitants, who punish all offenders with

187 Rosenblum, p. 572.
equal judgment and resolution after they have been fairly convicted of the crimes laid to their charge’ (iv, 158). An attorney who has stolen from another prisoner is subject to a dousing at the pump and a naval officer convicted of ‘a riot’ is handed over to the warden, who incarcerates him in the strong room (iv, 162). Justice is indeed seen to function with more efficiency and humanity inside the Fleet than in the illogical and nepotistic world without. In the prison, a duel emits only the outward semblance of a mortal contest – the smoke of a fired pistol without the accompanying hard edge of metal; a prison theft is punished by public shaming, rather than hanging or transportation; and the communally endorsed punishment of choice for a serious offence is incarceration.

Beyond these instances of expressed admiration for the ‘œconomy’ of the prison, however, is the apparently redemptive effect it has on the central characters who pass through it. Roderick Random enters the Marshalsea an unregenerate fortune-hunter and leaves it an honest working man. Peregrine Pickle enters the Fleet financially ruined, vengeful and distended with pride; he leaves it a man of means and fortune, begging the woman he once threatened to rape to marry him. For Ferdinand Count Fathom, although his internment in the King’s Bench has no apparent effect on his degenerate morals, ‘no sinner underwent such severe remorse, as that which he suffered during his imprisonment’ in the Marshalsea (ii, 308).

Viewed from such a perspective, Smollett’s deployment of the trope of the debtors’ prison is indeed extremely unusual, and would constitute an anomalous endorsement of the eighteenth-century debt laws. But to interpret Smollett’s position on the carceral in such a way would be an oversimplification. Smollett deploys the prison motif differently in different novels, and even, particularly in the cases of Ferdinand
*Count Fathom* and *Sir Launcelot Greaves*, within the same novel. Moreover, despite the apparent approbation of the practice of imprisonment for debt noted above, Smollett vociferously criticises the social injustice it is seen to occasion. His deployment of the trope expands the possibilities of the debtors’ prison in fiction, innovatively borrowing from the prison narratives of the criminal prison, and in particular, he develops the metaphorical relation between the figure of the writer and the imprisoned debtor in unexampled ways.

When contextualized, Smollett’s laudatory description of the Fleet and King’s Bench is seen to borrow rather too glaringly from the language of the prison guidebook. Batty Langley’s *Accurate Description of Newgate*, from 1724, is at once a lurid exposé of the criminal gaol and at the same time, uncomfortably, an attempt to advertise Newgate’s attractions as a prison for the gentleman debtor. As the above cited depictions of the Fleet and King’s Bench in Smollett’s fiction do, Langley begins by geographically locating the prison ‘in an Elegant Part of the West of the City of London, called Newgate Street’.\(^{188}\) Its architecture, he adds, ‘is according to the Tuscan Order, magnificently built with […] Strength and Beauty’.\(^{189}\) Langley likewise boasts of the prison’s plenty and politeness: ‘In this Lodge, for the Conveniency of the Debtors, are sold very good Beer, Ale, Brandy, Wine, Tobacco, &c. by Mrs. Spurling, who uses all Persons with great Civility and Good Manners, but also makes good Measure in all Dealings whatsoever’.\(^{190}\)

After the King’s Bench was rebuilt in St. George’s Fields, in 1758, two years before the publication of *Sir Launcelot Greaves*, the papers were particularly rhapsodic on

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\(^{188}\) Langley, p. 1.  
\(^{189}\) Ibid. p. 2.  
\(^{190}\) Ibid. p. 3.
that prison’s amenities. *The Lloyds Evening Post* reported in November, 1758 that:

‘The apartments in the new King’s Bench prison are contrived so well, that each prisoner, on the Master’s and Common side, has a room allotted to his own use. There is a commodious and decent chapel for divine service, and apartments purposely built for State prisoners’. The same wording was repeated in the *London Evening Post, The Whitehall Evening Post*, and the *Public Advertiser* in the same month.¹⁹¹ Smollett’s narrator in *Sir Launcelot Greaves* similarly notes the ‘twelve large apartments, called state-rooms [...] for the reception of the better sorts of crown-prisoners’ and adds, ‘We ought also to observe, that the jail is provided with a neat chapel’ (II, 159). As is indicated by the inclusive ‘we’ Smollett can be seen deliberately to align his text with a body of commendatory accounts of the uncommon salubriousness of the debtors’ prison.

This position is then endorsed by Sir Launcelot, who ‘made a tour of the prison’ and

saw a number of spits loaded with a variety of provision, consisting of butcher’s meat, poultry, and game: he could not help expressing his astonishment with uplifted hands, and congratulating himself in secret, upon his being a member of that community which had provided such a comfortable asylum for the unfortunate. (II, 160)

Launcelot’s view of the debtors’ prison as utopia, a space of ‘variety’ and plenty, an ‘asylum’ in its proper sense of haven is, however, jarringly interrupted by a brawl between the leaders of two factions in the prison. The leaders are seconded by the

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¹⁹¹ *Lloyds Evening Post*, issue 205 (8-10 Nov. 1758), p. 453; *London Evening Post*, issue 4839 (9-11 Nov. 1758), p. 1; *Whitehall Evening Post*, issue 1973 (9-11 Nov. 1758); *Public Advertiser*, issue 7489 (10 Nov. 1758), 1v. If it was ever the case that prisoners in the King’s Bench slept singly, they no longer did when Howard visited the prison in 1776. He notes: ‘It was so crowded this last summer, that a Prisoner paid five shillings a week for half a bed, and many lay in the Chapel’. Howard, *State of the Prisons*, p. 196.
Clewins, who represent in every respect the tragic tale of unjust suffering and oppression in the debtors’ prison that so many other novels of the period convey. Their incarceration, again, is demonstrated as being at once entirely legal and inherently unjust, thus constituting a robust critique of the functioning of the debt laws. Furthermore, Smollett deploys the metaphor that we have outlined above, of the corruption of a powerful, elder generation, to speak to the disintegration of the wider social hierarchy. Mrs Clewlin’s father, rather than financially supporting his daughter, uses his superior status to incarcerate his son-in-law on a debt charge. He does so not in order to recover a financial loss but purely in order to revenge himself. In so doing, he is shown to involve his daughter and grandchild in Clewlin’s carceral distress. It is within the King’s Bench that their son Tommy Clewlin dies of small-pox, the disease that had killed Robert Castell and precipitated the Oglethorpe committee’s investigations into abuses in London’s debtors’ prisons. Here, Smollett’s prose deploys the full emotive power of sentimentalism: ‘Their little darling, panting under the rage of a loathsome, pestilential malady, [...] struggling for breath in the noxious atmosphere of a confined cabin’ is ‘released’ from suffering ‘by the hand of heaven’ (II, 177-78). The Clewlins resort to alcoholism, attempt suicide and suffer irreparable damage to their physical and mental health as a direct result of their incarceration. The fractured nature of the family unit is made manifest when the addicted, degenerate Clewlins engage in a boxing bout, the husband blacking both of his wife’s eyes.

In this light, the initial, highly unusual commendation of the seemliness and profusion of the King’s Bench becomes a means to demonstrate the dissonance between the apparent legislative order of the debt laws, and the reality of disease,
degeneration, and familial fragmentation that is contained within the debtors’ prison. This is reiterated by Felton, the naturalized, long-term denizen of the prison. In stark, if not dissociative contrast to the narrator’s claim that ‘here the voice of misery never complains’, Felton informs Launcelot: ‘here you may find the wretch of keen sensations, blasted by accident in the blossom of his fortune, shivering in the solitary recess of indigence [...]. Here you see the parent who has known happier times, surrounded by his tender offspring, naked and forlorn, demanding food’ (II, 188).

Felton directs Launcelot in particular to Mr Coleby, a tradesman who through ‘inevitable losses’ has ‘failed’. Coleby’s ‘sole creditor’ is a Quaker who senselessly ‘enjoys’ oppressing his debtor, having filed a bankruptcy suit against him and then refusing to sign his certificate, indicating that the trader has honestly declared his losses. As such, Coleby would not be eligible for release under an Insolvency Act, and could face perpetual imprisonment with his wife and ‘five small children’ (II, 189).

Again, in a scene that anticipates the sentimental debtors’ prison scenes of Brooke, Scott and Mackenzie, Launcelot gives the family five guineas, renders Coleby speechless, and is surrounded by his wife and children who fall at his feet in gratitude and supplication. Mrs Coleby bathes his hand with tears and exclaims, ‘This is the angel sent by Providence to succour me and my poor innocents’ (II, 191).

Sir Launcelot leaves a bank note of twenty pounds for the poor prisoners with the warden of the King’s Bench. Peregrine Pickle leaves twenty guineas with the warden of the Fleet for the relief of poor prisoners, whom he describes as ‘miserable objects’

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192 Felton, too, is unable to obtain his creditors’ signatures on his certificate. Smollett stresses this particular injustice in his Continuation of the Complete History of England, 5 vols (1761) IV, 202-203, published the same year as his imprisonment in the King’s Bench. He describes numbers of inmates in that prison who are incarcerated as a result of this anomaly in the law, who petitioned parliament to legislate for their cases. Smollett additionally describes the condition of the imprisoned debtor as ‘the worst kind of slavery’ in this work. Ibid., p. 205. For an explanation of the distinction between insolvent and bankrupt debtors, see Cohen.
and ‘children of distress’ inhabiting an ‘abode of wretchedness and want’ (IV, 261). The more straitened purse of Roderick Random gives five guineas to Mr Melopoyn, and one to Beau Jackson on leaving the Marshalsea. He too remarks on the ‘naked miserable wretches’ (II, 269) crowding the common side of the prison. The ‘voice of misery’ thus repeatedly and insistently breaks in on Smollett’s well-appointed and orderly debtors’ prisons. The humanity of the gaolers and the seeming salubrity of the prison space in fact places more, not less reformative impetus on amending the debt laws themselves. Reforming the space of the prison, as had very publicly occurred with the King’s Bench in 1758, has not ended the suffering of the debtor and his innocent dependents incarcerated within it in Smollett’s rendering of that prison. They are still subject to small-pox, which had raged in the Fleet in 1729, and to privation. Such suffering is distinctly shown in Smollett’s novels not to issue from the corruption of prison officers, who might be reprimanded or replaced, nor to inhere in the prison building, which might be redesigned, but in the order of society itself, through an inversion and perversion of those in positions of power, who co-opt the debt laws for their own, immoral purposes.

In light of which, Fabel’s conclusion, that Smollett unaccountably fails to critique the debt laws in Sir Launcelot Greaves, seems peculiarly myopic. All but one of the ‘naked wretches’ in the County Gaol under Justice Gobble’s vindictive administration are incarcerated for debt. Most affectingly, Mrs Oakley, Launcelot’s wet nurse, has lost her senses in the prison, having been incarcerated at the suit of Justice Gobble, who ‘bought up one of her debts in order to distress her’ (I, 233). Launcelot Greaves is a novel enmired in the language and process of law. Launcelot’s and Crowe’s decision to embrace knight-errantry issues directly from their damning indictment of the
current legislature’s ability to effect justice. Instead, it is frequently seen to enable the pursuit of personal vendettas. It is only when seen as a continuation of this process that the otherwise entirely purposeless digression of the King’s Bench interlude becomes thematically consonant with the rest of the novel. Launcelot improbably interrupts his search for his incarcerated lover, Aurelia Darnel, in order to ‘take a tour’ of that prison. He does so, I argue, purely in order to unearth the suffering it contains, beneath its much-vaunted, newly refurbished veneer.

Yet Smollett’s debtors’ prisons are assuredly more stylistically textured than the monotonal, tragic fictional depictions of the prison outlined above. The same prison contains the careless mirth of the socialite Beau Jackson and the abject suffering of the author, Mr Melopoyn, in Roderick Random. In Ferdinand Count Fathom, the debtors’ prison is both the most vibrant, successful comic interlude in the novel, and latterly a space of quasi-religious abnegation, penitence and humility. In Launcelot Greaves, the unemotive, informative language of the city guide gives way in the latter stages of the portrait of the King’s Bench to the exaggerated affect of sentimental suffering. In the prison sequences of both Roderick Random and Peregrine Pickle, Smollett incorporates literary tropes from the French romance into novels which are ordinarily understood to be influenced by the Spanish picaresque. This variety expands the fictive possibilities of the debtors’ prison and enables, indeed demands, an unusual diversity of readings of the incarcerated debtor. The figure of the ‘tragic debtor’, on the point of death, with his hungry dependents crowded around him, is not an unreflective cliché in Smollett’s novels. The plurality of his prison spaces means that each instance of suffering is particularized and unanticipated, rendered freshly surprising by the absence of a deadening carapace of narrative convention.
The most compelling argument that Smollett’s novels endorse the prison as a penal instrument stems from their apparently positive impact on his eponymous heroes. As I have argued was the case with Defoe’s deployment of Newgate as a redemptive space in *Moll Flanders*, however, Smollett’s heroes are not reformed due to anything inherent to the prison space. They are redeemed in spite of their potentially lethal carceral experience, not as a result of it. While it is possible to demonstrate this in all three of Smollett’s novels which culminate in the debtors’ prison, I do so here only of his first, *Roderick Random*, because it most fully explores the relationship between the author and the debtor that I have discussed above.

In line with many portraits of the incarcerated debtor, Smollett’s novel opens by detailing a breach in Roderick’s family narrative; Roderick’s father marries without his father’s consent. On the death of Roderick’s mother, his father abandons him to the care of this vituperative, legally minded grandfather, who we are told in the first paragraph of the novel is ‘remarkable for his abilities in the law, which he exercised with great success in quality of a judge’ (I, 1) and who repeatedly abuses his charge before disinheriting him. This familial fragmentation is the cause of Roderick’s adventures, and also the reason for his extreme vulnerability. Having relocated from his native Scotland to London, Roderick lacks the necessary funds to bribe a Naval Officer into offering him a position as third mate on a ship. He returns to his lodgings ‘cursing my fate all the way, and inveighing with much bitterness against the barbarity of my grand father, and the sordid avarice of my relations, who left me a prey to contempt and indigence’ (I, 147). His wrath is not directed at the unjust Georgian patronage system, but at his own, too extreme economic individualism. As Johnson’s Savage was, Roderick is forced to navigate ‘Life’s Ocean’, without the guidance or
financial endorsement of his relations, and the reader is thus readied for the eventual wreckage of his fortunes, and the abrupt interruption of his picaresque adventuring, when he is incarcerated for debt in the Marshalsea.

Roderick is arrested because his ‘costume’ of substantial gentleman of fortune is recognized as such. As a last exigency, he purchases three suits from a tailor on credit, and sells one to an actor who then wears it on stage. His tailor, happening to be in the audience, sees through Roderick’s social dissimulation by recognizing the costume as his own work, and arrests him for a debt of 50l. Roderick is incarcerated in the Marshalsea, which housed the lowest sector of the incarcerated debtor community. The gendered inversions of the debtors’ prison noted above are immediately evident: ‘Beau’ Jackson, whom Roderick last saw a resplendent fortune-hunter in Bath, now appears ‘in very shabby cloaths and marvellous foul linen’ (II, 260), arrested for debts his wife contracted. A further, class-orientated inversion is evident when Roderick’s servant Strap supports his indigent master, hiring himself out as a barber-surgeon.

The tragic element of the debtors’ prison is introduced in Smollett’s Marshalsea through the figure of Mr Melopoyn. Here, the generic diversity of Smollett’s fictional prisons is extremely marked. Roderick encounters Melopoyn delivering an address on the difference between genius and taste to an uncomprehending, common side audience. He subsequently incorporates a sample of Melopoyn’s poetic discourse into his narrative, in the form of his ode in imitation of Tibullus (II, 271). Melopoyn then agrees to recount his personal history for Roderick in the extended, formal manner of a French romance. Lexically, Smollett marks the entry into the territory of the romance genre with hyperbole and the negatively constructed compliment which, as 

193 M. Smith notes of the Queen’s Bench that: ‘Pimps, Bullies, Bauds, Punks &c. are never Naturaliz’d here, but halt at the Marshalsea, and other Receptacles for such Vermine’. p. 15.
we saw in the preceding chapter, Fielding also employs in *Amelia*. ‘[P]erceiving that I was not illiterate’ (II, 271), Melopoyn graces Roderick with a disquisition on ‘the Belles Lettres’. Before the men meet, Roderick has concluded that the poet’s ‘learning was infinite, his morals unexceptionable, and his modesty invincible’ (II, 270). The slightly uncomfortable association of ‘invincible’ with ‘modesty’, rather than the more usual ‘strength’ or ‘courage’ is indicative of the dissonance of deploying narrative techniques from romance in a previously primarily comic prison space. This generic plurality insists, atypically, on the multiplicity of cultural readings and carceral experiences the debtors’ prison is capable of containing, which renders Melopoyn’s, and later Roderick’s sufferings therein more particular and emotionally affective.

With great metaphorical éclat, Melopoyn’s history both concerns and causes his ‘tragedy’. After the death of his parents, he attempts to make his way in the world as a playwright, and writes a single, apparently flawless tragic play. He is frustrated in his attempt to stage it, however, by the hypocrisy, stupidity and cruelty of an improbably large number of theatre professionals, from famed actors to theatre managers, who promise him their backing, and then incomprehensibly withdraw it, fruitlessly passing his manuscript from reader to reader. This process, continuing over two years, ruins Melopoyn’s fortune and is the reason for his incarceration. His attempt to publically proclaim his poetic genius has been repeatedly thwarted by the sterile, unaccretive circulation of the manuscript of his tragedy, the subject or title of which we never learn, and which is never performed. The non-specificity of the tragedy allows it to act as a conduit for the tragedy of the writer as type, whose (un)natural home is the debtors’ prison. Beyond this, as H.F. Buck and Lewis Knapp have demonstrated, Melopoyn’s experience accords closely with Smollett’s own bitter
frustration in attempting, and failing, to stage his tragedy, *The Regicide*, from 1739 to 1747.194

Melopoyn’s history is densely allusive. The manuscript of his tragedy is burned, mislaid and maligned by a circular sequence of seven deficient readers: Mr Supple, Lord Rattle, Mr Bellower, Mr Brayer, Earl Sheerwit, Mr Marmozet, and Mr Vandal. This portrayal of the abject failure of the readers of Melopoyn’s play acts as a negative portrait of a correct reader-response, of the generous appreciation, sensitivity and discrimination necessary to interpret the work of art in which it appears. Moreover, the scurrility and lack of discernment of these readers acts as an exposé of the superficiality and cronyism apparently endemic to the theatre profession, and also works to satirise specific individuals whom Smollett felt had sabotaged his play, notably Garrick and John Rich, as Marmozet and Vandal. Melopoyn is both the fictive representation of Smollett and a generic writer in the ‘Grub-street manner’ (II, 285) composing pastorals, translations of the classics, and halfpenny ballads, though the suggestion that he turn out a ‘Robinson Crusoe and a Colonel Jack [...] to entertain the plantations’ (II, 283) is seemingly beneath him. Finding himself ‘in danger of starving’, Melopoyn ‘turned my thoughts to prose’: ‘I have made many a good meal upon a monster; a rape has often afforded me great satisfaction; but a murder, well-timed, was my never-failing resource’ (II, 285). The disquieting ambiguity of the clause ‘a rape has often afforded me great satisfaction’ makes clear that not only the degenerate appetite of his readership, but Melopoyn’s personal integrity is at stake in this abject prostitution of his poetic genius. Smollett does not stipulate whether the criminal prison is the geographic or merely the ideological source of these narratives

which sustain Melopoyn in his extremity. The debtors’ prison, however, assuredly functions as the public stage on which he is finally able to display his talent, to narrativize and so ‘perform’ his ‘tragedy’. Roderick supplies the correct response to this narrative, of feeling interconnectedness and sensitive emotional engagement. He also feeds and clothes Melopoyn and, on his departure from the prison, gives him five guineas. Thus, the performance of his tragedy finally turns Melopoyn a profit.

Like Roderick, Melopoyn begins his narration by describing his lack of familial support. He too is arrested at the suit of his tailor, unable any longer to cut a gentlemanly figure in the world, and his ode in imitation of Tibullus speaks to Roderick directly of his own, apparently hopeless love for the incarcerated Narcissa. Reading his own future in the ruined Melopoyn’s present, Roderick becomes porous to his carceral environment for the first time:

I seeing my money melt away, without any certainty of deliverance, and in short, all my hopes frustrated; grew negligent of life, lost all appetite, and degenerated into such a sloven, that during the space of two months, I was neither washed, shifted nor shaved; so that my face rendered meagre with abstinence, was obscured with dirt, and overshadowed with hair, and my whole appearance squalid and even frightful[.]. (II, 304)

Smollett’s grammar is revealing. I do not quote it in its entirety, but even this section of the sentence is unnaturally elongated, just as Roderick’s carceral experience is. The personal pronouns are also peculiarly placed, indicating that Roderick’s sense of himself and his own agency is shifting disorientatingly. ‘I seeing my money melt away […] grew negligent’ inserts the pronoun uncomfortably at the start of the clause rather than before ‘grew’; the more complicated: ‘I was neither washed, shifted or shaved’ intimates that Roderick’s ‘degeneration’ into a ‘sloven’ is the result of another’s negligence of him, rather than his of himself, while ‘my face rendered meagre with
abstinence [...] my whole appearance squalid and even frightful’ is grammatically
dissonant because of a notable lack of transitive verbs. The placing of commas and
semi-colons interrupts rather than enables the natural cadence of the sentence. At the
most fundamental level, Roderick’s capacity to articulate his own disintegration itself
breaks down in prison. This dangerous alienation of Roderick from himself is so
pronounced that his uncle fails to recognize him, and takes him instead, tellingly, for
an interned lunatic, ‘broke from his lashings’ (II, 305). The sudden arrival of Bowling,
and the reversal of fortune that he brings, does indeed affect Roderick’s mental
integrity: ‘A crowd of incoherent ideas rushed so impetuously upon my imagination,
that my reason could neither separate nor correct them’ (II, 206). It is the arrival of
Strap in his capacity as manservant which restores Roderick to his sanity. ‘— Having
performed the ceremony of ablution, I shifted, and dressing in the gayest apparel,
waited for the return of my uncle, who was agreeably surprized at my sudden
transformation’ (II, 206). His language, too, has recovered its grammatical
consonance. ‘I shifted’, and ‘my uncle’ return the personal pronouns to their proper
placement in this pleasingly concise sentence. With ‘was agreeably surprized’ the
transitive verb, too, makes a meaningful reappearance.

In the wake of his incarceration, Roderick willingly engages in remunerative
labour for the first time, redisCOVERs his lost parent, and recovers Narcissa. But it
would be wrong to conclude that Smollett thus advocates the deployment of the
prison as a penal instrument. The tragic narrative of Melopoyn, who is portrayed at
length as being entirely undeserving of incarceration for a debt that he is, in the event,
legally liable for, who represents the figure of Smollett himself, and who remains in
the prison after Roderick is freed from it, alone renders this reading unsustainable.
Moreover, the prison is not seen to effect the recovery of a single outstanding debt. It is instead presented as inexorably draining the funds of every inmate whom Smollett particularizes. Neither can it be argued from this analysis that the prison acts as a necessary ‘maieutic’, as Boucé has claimed. Rather, despite the fact that Roderick is guilty of economically defrauding a tailor, an honest, working trader, his incarceration is presented to the reader as a tragically inflected threat to his physical and psychical integrity.

That threat is again seen to stem from a lack of proper integration into vital webs of sociality. It is averted not on Roderick’s release from the prison, but instantaneously, quasi-miraculously, with the arrival of Bowling, the only Random family member to have been both loyal and economically selfless towards his charge. Roderick’s adventures, as much as Melopoyn’s, chart an attempt to forge a self-authored way in the world, reliant on nothing but his own wit, charm and merit. Both men fail in this attempt; it is only the appearance of Bowling that deflects Roderick from re-enacting Melopoyn’s carceral fate. The prison, then, is here again deployed in order to emphasize and then to rectify an ‘unnatural’ failing in a wider family narrative in which a character is embedded and from which he is constituted. This process is then exacerbated by Roderick’s rediscovery of his father, and concretized by his marriage to Narcissa.

The same process occurs with, if anything, redoubled vigour in the more acerbic, less congenial *Peregrine Pickle*, the novel in Smollett’s oeuvre most preoccupied with economic exchange. The novel is precipitated by economic exigency. Peregrine’s father, finding himself five thousand pounds worse off after fifteen years of business than he was before he began it, is ‘incessantly haunted’ in his imagination ‘by the
apprehensions of a jail’ (1, 2). This fear prompts him to leave London for the
countryside, where he will meet his wife and beget Peregrine. As Roderick’s (and
Savage’s) had been, Peregrine’s adventuring is occasioned by an unnatural inversion
in his family narrative, in this instance through the inveterate and obdurate antipathy
of his mother for her eldest son. The Commodore and Lieutenant Hatchway supply
the fictive place of Bowling, and in place of Roderick’s Strap, Peregrine is attended by
Pipes, one of Hatchway’s dependents.

When he, like his father, attempts to retrench his fortune, Peregrine is doubly
emnired by the debt laws: he is both an unwary creditor and an impecunious debtor.
He has lent ten thousand pounds to a Lord who, it transpires, has stolen this money,
another thousand to a ‘friend’ who absconds to France, invested one thousand five-
hundred in a trading vessel, and borrowed one thousand, two hundred pounds from
the powerful and duplicitous Minister, Sir Steady Steerwell, in the course of pursuing
his parliamentary career. Strung along and ultimately frustrated in this ambition, just
as Melopoyn had been with his tragedy, Steerwell issues a writ against Peregrine for
this loan after he publically traduces his character in the press. As in his earlier novel,
Smollett is initially at pains to demonstrate the conviviality of the prison. Peregrine is
initiated into the ‘mysteries of the Fleet’ by a ‘humane clergyman’ (III, 262), and
introduced into a society of gentlemen debtors.

Gradually, however, Peregrine becomes isolated in the prison. He sends Pipes
back to the Garrison, and is unable to accept Hatchway’s avuncular offer of funds to
release him from prison, or his companionship within the Fleet: ‘He could not bear
the thought of being so notoriously obliged to any person upon earth’ (III, 352).
Attempting to avoid Hatchway, his misanthropic mentor Cadwallader also stays away
from the prison and falls ill, and Peregrine retreats from his fellow-prisoners in whom he begins to detect a ‘squalor of sentiment, a sort of jailish cast contracted in the course of confinement’. Peregrine is thus ‘compelled to seek for satisfaction within himself’ (III, 352). He fundamentally fails to find it. Instead, his extreme socio-economic individualism, his proto-penitential prison experience of solitude and authorial labour all but destroy him:

His health suffered by his sedentary life and austere application; his eyesight failed, his appetite forsook him, his spirits decayed; so that he became melancholy, listless, and altogether incapable of prosecuting the only means he had left for his subsistence. (III, 360)

Peregrine’s prison experience sees him degenerate, as Roderick had, into a sloven: ‘melancholy’, ‘incapable’, ‘failed’, ‘decayed’ and ‘listless; he now embodies the recognizable portrait of the abject, impoverished, ‘suffering’ debtor so common to the eighteenth-century novel. Again, it is his isolation that causes this degeneration and his reintegration into society that quasi-miraculously restores Peregrine to himself, with the arrival of his hot-headed alter-ego, Godfrey Gauntlet. Despite his continued incarceration after this point, Peregrine ‘renews his connection to society’ (III, Sig. R2v); thereafter, his physical and mental degeneration is reversed.195 As in Brooke’s 
Fool of Quality, and Fielding’s Amelia, it is the righting of the fundamental wrong in his wider family narrative that effects Peregrine’s release from prison, and signalizes his freedom from bondage to a perverse, older order. His father dies intestate, enabling him to oust his unnatural mother and younger brother from his family seat,

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195 Pagination in volume 3 of the first edition of the novel is uneven. I have given the page numbers as roman numerals in the sections of the novel where they are consistently linear, and as signature references where not, as here. The Fleet section of the novel runs from pp.676-765 in the most current critical edition of the novel at the time of writing: Tobias Smollett, The Adventures of Peregrine Pickle, ed. by James L. Clifford, revised by Paul-Gabriel Boucé (Oxford: Oxford University Press, 1983). The quotation given is at p. 754.
take possession thereof, and cement his reintegration into socially constituted selfhood through his marriage to Emilia.

Again, Smollett cannot be understood on this reading to endorse the deployment of the prison as a penal instrument. The Fleet is not shown in a single instance to facilitate the repayment of a debt. Instead, the ‘wretches’ on the common side slide further into privation and misery, while Peregrine’s gentlemen friends in the masters’ side endure imprisonment ‘until the parliament, in its great goodness, shall think proper to discharge [their] debts, by a new act of insolvency’ (III, 273). Moreover, Peregrine is not redeemed but very nearly destroyed by his solitary, intensely laboured carceral experience. Ferdinand Count Fathom, too, is never incarcerated for any of his crimes. He is imprisoned for debt by two adept fraudsters, initially for a bigamy he is not guilty of, and secondly by a quack who wants to prevent Ferdinand from stealing his customers. The debtors’ prison is seen to have no impact at all on the morally unregenerate inmate. When he is reunited with and then married to Eleanor in the Marshalsea, however, the prison again almost destroys the honest and truly indigent debtor.

Debtors’ prisons are crucial to Smollett’s oeuvre. Although they are demonstrably more tonally diverse than those of the novelists I outlined earlier, debtors’ prisons in Smollett’s fiction nevertheless literalize and critique the socio-economic strictures which constrain his eponymous heroes. Youth is again seen to be oppressed by a corrupt and degenerate older generation who, in the case of Peregrine Pickle, flagrantly co-opt the operation of the law to pursue their own, self-interested agenda. Additionally, Smollett has been shown here to reiterate the surprising resistance to modern contract individualism noted earlier in the novels of the period. He stresses
instead the vital importance of the socially constituted, emotionally engaged aspect of eighteenth-century selfhood and political agency. Particularly through the figure of Melopoyn, he also forges a dense synecdochic relationship between the inmate and the author, the prison narrative and the novel as a whole and in so doing, generates a community of sensitive, philanthropic, and emotionally engaged readers in the world at large.

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This chapter has demonstrated the importance of the Oglethorpe reports, and the figure of the ‘tragic’ incarcerated debtor, to penal reform discourse in the eighteenth century. Both in the status of the prisoner, the political orientation of the reformer, and in the emotionally affective, religiously-inflected language of the presentation of the debtor in prison, this complicates the prison reform narrative that has been put forward by Foucault, Ignatieff and Evans. Prison reform, when viewed through the figure of the debtor, is as concerned with the entirely uncapitalist, or even anti-capitalist sufferings of the ‘failed’ distressed gentleman, as it was with harnessing the potential labour-force of a ‘low’ criminal prison fraternity for an industrial era.

Relatedly, I have also demonstrated the prevalence of the suffering incarcerated debtor in a range of eighteenth-century novels, and identified the literary conventions that came to be associated with their depiction. My findings challenge the theories of Watt and his successors about the novel’s cultural place and purpose in generating the autonomous and self-authored individuals of early capitalism. Instead this analysis has revealed that, while the novel can be said to display a pre-occupation with changing economic practices, and with socio-economic and penal reform more widely,
it is consistently concerned with emphasizing and valorising the interdependent nature of the imprisoned debtor. The challenge the novels analysed here can be said to pose to the Hanoverian hierarchy is in their cumulative complaint that, for non-economic purposes, the wealthy landowner, elder relation or titled man of social standing is able to deploy civil law against the honest citizen of middling means and to frustrate his capacity to ‘move-up’ or prosper in society. The ‘tragic’ imprisoned debtor can be seen to demonstrate the necessity for immediate and comprehensive legislative change since his incarceration is repeatedly shown to be in full accordance with English law and yet demonstrably unjust.

Finally, I have outlined the ways in which Smollett was able to integrate the socio-political resonance and the metaphoric reach of the debtors’ prison in his fiction, as well as to develop the possibilities of the literary motif in unexampled ways. However, Smollett is often read as the eighteenth-century British novelist who most closely embraced the picaresque tradition. The type of English prison to which the picaro belongs is not the debtors’ prison but the bridewell. The following chapter will explore the cultural and legal identity of the bridewell as an institution, and put forward an argument as to why Smollett and other novelists of the period did not consign characters to this form of the prison, even when it seems most penologically fitting.
Chapter IV: The Bridewell: Questions of Class

It was a most curious contrast, this handsome girl or woman in rich clothes, looking like a queen and having a mallet in her hand, with which she was forced to beat out hemp, and that in such a way that she was covered with large drops of perspiration, all this being accompanied with raps from the cane.


This chapter will demonstrate that bridewells had a distinct legal and literary identity in the eighteenth century. I argue that bridewells were widely depicted and deployed as the particular penal destination for ‘rogues and vagabonds’ in the period, that they were presented as spaces of forced hard labour and discipline, and that their penality worked to affix a singular and stable identity on the mobile poor, particularly women.² Unlike debtors’ and criminal prisons, bridewells were not commercially run. They were administered by Justices of the Peace, and their day-to-day costs were met by the parish, rather than inmate fees.³ They enabled radically innovative experiments in penality and social control, and were designed to relieve, punish, and reform the indigent poor. As such, they challenge both Foucault’s theory about the ‘birth of the prison’ and Bender’s argument about the role of the British novel role within that.

Given that the bridewell was a reformatory institution specifically designed to punish rogues, or cheats, and vagabonds, or inveterate wanderers, what is most notable

³ Webb and Webb, p. 12.
about the novel’s depiction of the bridewell is how marginal it is. It is difficult to conceive of the early novel without the figure of the wanderer and the cheat, from Head’s *English Rogue* onwards, yet the penal institution designed to curtail both is rarely fully expressed in British fiction.

I begin in section i by outlining the specificity of the bridewell as a penal institution, and explain the impact of this institution on the theories of Foucault and Bender. In section ii I demonstrate that fictional and first-person accounts of the bridewell predominantly depicted female inmates, and explain the ways in which that penal experience was understood to impose a labour-orientated class identity on prisoners. In section iii, I demonstrate the clear and distinct identity but also the marginality of the bridewell to much eighteenth-century fiction, and argue that this reveals class-orientated aspects of both the bridewell’s penalty, and the novel’s generic identity.
IV.i: Reforming rogues and vagabonds.

Houses of Correction, also known as bridewells, were so called after the first such institution, the Palace of Bridewell in Blackfriars, built as a royal residence by Henry VIII. In 1553, in response to a petition from City authorities, Edward VI made over the disused palace to the City of London in order ‘to train up the beggar’s child in virtuous exercise, [...] to yield relief to the poor and honest householder, [...] and last of all, to force and compel the idle strumpet and vagabond to honest and virtuous exercise’.\(^4\) This tripartite aim of the bridewell, to train, to relieve and to correct the lowest orders of society, continued to define the House of Correction as a penal instrument until well into the eighteenth-century. The Poor Relief Act of 1576 called for the establishment of Houses of Correction across the country, and by 1630, the majority of county towns in England possessed a bridewell.\(^5\) While petty criminals and state witnesses who were held in custody in order to guarantee their appearance at trial could also be sent there at Justices’ discretion, the bridewell was the only penal destination for the ‘rogue and vagabond’ subject to terms of incarceration under the Vagrancy Acts.\(^6\) The criminal and moral infractions of the rogue and vagabond were thus combined under the rubric of ‘vagrancy’ in the period.

The Vagrancy Acts of 1714 and 1744 state that ‘all Fencers, Bear-wards, Common-Players of Interludes, Minstrels, Juglers; all Persons pretending to be Gypsies, [...] or pretending to have Skill in Physiognomy, Palmistry, or like crafty Science, pretending

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\(^4\) Thomas Bowen, *Extracts from the Books of Bridewell Hospital* (1789), p. 53. The Bridewell received its first inmates in 1555. Ibid.


\(^6\) The most important of these were 12 Anne (1713-14) c.23, and 17 Geo II (1744) c.5. *The Statutes at Large* does not list the 1713-14 Act in detail. A print copy of this Act is held in LMA, City of London, MJ/SP/1722, no. 54; all citations refer to this copy.
to tell Fortunes, or like phantaftical Imaginations, or using any subtle Craft, or unlawful Games or Plays; all Persons able in Body, who run away, and leave their Wives [...] and all other idle Persons wandring Abroad and begging (except Soldiers, [or] Mariners [...]) Shall be deem’d Rogues and Vagabonds’. According to these Acts, it was not an offence to be a Gypsy, an essential part of whose identity was the continual removal from place to place, but to ‘pretend’ to be one. The concept which unites these infractions is ‘pretence’, which explains the presence of so many of the performative professions in the definition of the ‘rogue and vagabond’: the bear-ward, minstrel, unlicensed actor and ‘common player of interludes’. The Vagrancy Acts were legally directed at unmasking pretence, at interrupting an unlicensed, and therefore self-authorized public performance on the part of the mobile poor, and concomitantly at halting the itinerancy that enabled it.

In 1714, the last piece of legislation of Queen Anne’s reign consolidated existing legislation on vagrancy, widened its definition, and substantially increased Justices’ jurisdiction in sentencing. If vagrants were deemed ‘incorrigible’, Justices were empowered to sentence them to incarceration in Houses of Correction, to be ‘kept to hard Labour so long as the Justices shall think meet’. These sentences were curtailed in the Vagrancy Act of 1744 to a maximum of six months at hard labour for ‘rogues and vagabonds’ and two years for ‘incorrigible rogues’, or repeat offenders, the minimum sentence for whom was set at six months. In 1757, however, bridewell inmate Jacob Ilive states that he had been sentenced to three years at hard labour in the Clerkenwell bridewell, and in the 1770s, prison reformers William Smith and John

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7 12 Anne (1713-14) c.23 Par.I; 17 Geo II (1744) c.5 Par.II.
8 12 Anne (1713-14) c.23 Par.VI.
9 17 Geo II (1744) c.5 Par.IX.
Howard both report that inmates were routinely sentenced to between three and ten years at hard labour in the bridewells.\(^{10}\) This indicates that in practice, Justices retained their powers of discretionary sentencing with regard to the bridewells. Most commonly, labour in the bridewell consisted of beating hemp with mallets on large blocks of wood, or picking oakum: undoing rough, old rope, which could then be reworked into new rope. The prolific legal writer, Giles Jacob, notes in *The Compleat Parish-Officer* in 1718 that in correctional houses ‘some Hundreds of idle Persons are constantly employ’d in beating of Hemp, picking Oakum, &c’.\(^{11}\)

In eighteenth-century sources, and also in modern histories, bridewells are the least chronicled and understood form of English prison. Inmates of bridewells were drawn from the very lowest ranks of society, and the punishment meted out there was understood to be mild, and it is perhaps for these reasons that Justices and bridewell governors kept scant records of these prisons. Archival data on the bridewells, evidence of their internal functioning and inmate populations, is notoriously poor.\(^{12}\) Additionally, since the majority of its inmates were barely literate, first-person accounts of life within the bridewell are extremely rare.\(^{13}\) Modern histories often elide the distinct identity of the bridewell as a penal institution altogether. The foremost authorities on prison history from 1922 until the 1980s, Sidney and Beatrice Webb, write that ‘in the early part of the eighteenth century it became, in fact, in most counties, difficult to discover any practical distinction between the House of


\(^{11}\) Giles Jacob, *The Compleat Parish-Officer* ([1718] 1729), p. 133.


\(^{13}\) William Stroud’s *Genuine Memoirs of [...] William Stroud, [...] Sentenced to Six Months Imprisonment in Bridewell* (1751), is one example. Stroud’s narrative ends with his arrest for cheating at gambling, and does not describe his experience within the bridewell. Another example is Ilive’s *Reasons Offered for the Reformation of the House of Correction in Clerkenwell*. Again, Ilive does not depict his own carceral experience, detailing instead his proposals for reforming the bridewell.
Correction and the common Gaol’.\textsuperscript{14} This is also the position of Leon Radzinowicz who, in his monumental study of English law reform from 1948, conflates eighteenth-century ‘gaols and houses of correction’ into an undifferentiated, deplorable whole.\textsuperscript{15} In his history of the prison, Foucault does not account for the presence of the bridewell in English law or penal practice.\textsuperscript{16} Evans similarly concludes that in the eighteenth-century, bridewells and criminal prisons ‘were hardly distinct’, which position is restated by Bender.\textsuperscript{17}

In contemporary legal documents, reports, and fictional representations, however, bridewells retained a distinct penal identity. The bridewell was, in Joanna Innes’ words, ‘quite differently conceived’ from the criminal prison. Designed to house the labouring poor guilty of the most petty crimes or minor moral infractions, they ‘were not to be places of detention merely, but rather sites of punishment and reformation. Within their walls, prisoners were to be subjected to a formalized and peculiarly rigorous form of domestic or workplace discipline’.\textsuperscript{18} Beattie agrees that bridewells ‘remained in intention and to some extent at least in practice places of work and labour discipline well into the eighteenth century’.\textsuperscript{19}

What distinguished the bridewell from the prisons I have analysed thus far was their attempt to reform the inmate population, the discipline, hard labour and ‘low’ diet which were understood to effect this aim, and their non-commercial structure. Innes cautions that ‘only very patchy evidence survives to indicate to what extent

\textsuperscript{14} Webb and Webb, pp. 16-17.
\textsuperscript{15} Radzinowicz, 1, 32.
\textsuperscript{16} Foucault does take account of sixteenth- and seventeenth-century Houses of Correction in Holland and Flanders, the ‘Dutch system’, in Foucault’s rubric; he understands this to have operated ‘quite differently’ to the ‘English system’ of the penitentiary. Foucault, pp. 120-22.
\textsuperscript{17} Evans, p. 19; Bender, \textit{Imagining the Penitentiary}, pp. 16-17.
\textsuperscript{18} Innes, ‘Prisons for the Poor’, p. 42.
prisoners were actually kept to work. It is unlikely that most bridewells were hives of industry’. Yet the bridewells were legally modelled as spaces of discipline and work, both in the Vagrancy Acts, which stipulate that inmates be held to ‘hard labour’, and in other forms of public discourse. Edward Hatton, in his 1708 survey of London, described the Blackfriars bridewell as ‘a Prison and House of Correction for idle Vagrants, loose and disorderly Servants, Night-walkers, Strumpets &c. These are set to hard Labour, and have Correction according to their deserts, but have their Cloaths and Diet […] at the Charge of the House’. In 1724, a Surrey Magistrate ordered that ‘all persons committed’ to the House of Correction ‘as lewd disorderly persons should be kept to Labour’. In 1739, an inspection by three Magistrates of the Southwark bridewell revealed that ‘prisoners […] are kept to labour, and work as they ought’. Jacob Ilive, incarcerated in Clerkenwell bridewell for three years for publishing a religious libel, prefaces his suggestions for the reformation of the bridewell with the complaint that ‘my Punishment [is] very hard, to beat Hemp daily’, a ‘Burthen’ he says, that is ‘almost intolerable’. He later describes the ‘Hempshop’ of the bridewell: ‘there […] worked twenty-five. Fifteen out of these had not done their Task. A Task is eight Punnies for a Woman, and twelve for a Man. A Punny is a Skain or Twist of Hemp containing two Handfuls, and weighing betwixt two and three Pounds’.

One of the most complete portraits of the bridewell in the period was authored by the Swiss nobleman, César de Saussure, who visited England between 1725-9, and
1738-40, and whose letters on English culture and manners were widely circulated on the continent in manuscript form. He describes the interior of the original bridewell in Blackfriars, and also visits Tottlefields bridewell. Of the first he comments,

An apartment is expressly set aside for lazy servants, another for robbers and for other bad people. All these prisoners are made to work and beat out flax, also to scrape Brazil wood or some such rough work, and they are only fed on bread and water. [... in Tottlefields bridewell] We entered a big court, on one side of which was a low building containing about thirty or forty robbers, pickpockets, etc., male and female, occupied in beating out flax. Each of these unfortunate wretches was seated in front of a large wooden block of wood, on which he beat the flax with a large and heavy wooden mallet. On one side of this room were the men, on the other the women, and between these two lines walked the inspector, or Captain Whip’em.

It would appear from Saussure’s account that visitors were readily able to access the bridewells, as they could Newgate, Bedlam, and any of the debtors’ prisons. But the portrait of the prison that Saussure outlines here is thoroughly removed from either the stultifying languor of the debtors’ prison, or the defiant ribaldry and riotousness of so many portraits of the criminal prison. It is clearly structured as a disciplined working environment, a punishment for the ‘lazy servant’, ‘robbers’ and ‘bad people’, under threat of violent correction from ‘Captain Whip’em’.

This stress on the hard-labour and ‘hard fare’ in the prison aligns the bridewell more closely with the penitentiaries of the nineteenth century than the unregulated, commercially-run chaos of the eighteenth-century criminal prison. Additionally, the Convict Act of 1776 extended the length of time inmates could be incarcerated at hard labour to a maximum of ten years, the duration that then, according to Howard and

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28 Saussure, pp. 299-300.
Smith, was in force in the Houses of Correction. The 1779 Penitentiary Act ameliorated this to maximum sentences of five years for a clergyable felony, and two years for petty larceny. It is revealing, however, that this Act stipulates that until the new, national penitentiaries were constructed, Houses of Correction were ‘to be deemed and esteemed to be penitentiary houses’.

This emphasis on penal discipline and industry, the combination of punishment and reformation ‘at hard labour’, has led historian Robert Jütte to describe bridewells as ‘proto-penal institutions’. He outlines the daily regimen of the Norwich House of Correction, where inmates ‘were supposed to work from 5 a.m. to 8 p.m. in summer, with half an hour to eat and fifteen minutes to pray. If the prisoners refused to work they were “ponnissed by the whipp”’. Dario Melossi and Massimo Parvarini similarly conclude that the bridewell’s ‘characteristic features, its social function and its internal organisation are, as far as the final form of the institution is concerned, already to a large extent those of the classic nineteenth-century model of the prison’.

This interpretation of the cultural place and purpose of the bridewell is further strengthened by the fact that many of the most innovative prison-reform proposals of the period remodelled and expanded the structuring principles of the Houses of Correction. In 1735, William Hay, Justice of the Peace for East Sussex, MP for Seaford, and a vocal supporter of the Walpole regime, published a radical treatise on the poor laws. Building on earlier suggestions by Sir Joshua Childs and Lord Justice Hale, Hay called for the construction of three large houses in every District: a hospital, a ‘House

29 17 Geo III (1776) c.43 Par.I.
30 19 Geo III (1779) c.74 Par.XXIV, Par.XXVI.
31 Jütte, p. 170.
of Correction’ and a ‘Work-House’. Thus, the original tripartite aims of the bridewell, to relieve, to punish and to train the poor in industry continued to shape eighteenth-century concepts of reformative penality. The House of Correction would house ‘all Rogues, Vagabonds and Beggars’, clearly aligning it with the bridewell, but Hay suggests in addition that ‘it would be well to change the sentence of the law in Robbery, and other mixed larcenies, from Death to Imprisonment for life in these Houses’, suggesting that felons might be held there for ‘seven years’. Hay thus adumbrates the penalty of the penitentiary through reforming and expanding the original aims of the bridewell.

Hay’s treatise was reprinted in 1751, a year that witnessed country-wide unease over a perceived rise in violent crime, as I discuss in chapter II above. In a letter to Parliament in 1752, clergyman Thomas Alcock repeats Hay’s suggestions of a tripartite system to care for the sick, provide work for the poor who want it, and punish at hard labour any who do not. Officers, he argues, should be able to arrest any ‘disorderly, drunken, prophane, abusive persons’, and conduct them to the Work House. He differs from Hay in suggesting that smaller buildings, constructed in every Hundred, would best accomplish these aims. Alcock establishes a direct correlation between poverty, the mobility of the labouring classes and an increase in property crime: ‘The Suppression of Vagabonds would stop Wickedness in the Bud; and by preventing Men from falling into an idle Course of Life, we should generally secure them from falling into a vicious Course’.

36 Ibid., p. 72.
The following year, Fielding published his *Proposal for Making an Effectual Provision for the Poor*. Written as a draft Bill, it constitutes a full-scale proposal for the establishment, financing, and management of a proto-penitentiary. He calls for the construction of a single building for the County of Middlesex, internally divided into a County Work-House and a County House of Correction. The former would accommodate five thousands persons in search of paid labour; the latter, six hundred ‘and upwards’ of those who were refractory or wilfully idle. Officers were to be salaried and approved by Justices, and male and female inmates were to be kept separate. Fielding stipulates appropriate furniture, bedding and diet for both institutions, formulates a daily work schedule, suggests the type of work to be undertaken, ‘beating Hemp, chopping Rags, [...] the hardest and vilest labour’, and stresses the importance of regular religious instruction. Many of his proposals directly anticipate the stipulations of the Penitentiary Act of 1779, which also calls for the construction of gender specific, tightly regulated, work-orientated penal institutions capable of housing 600 males and 300 females.

In his earlier treatise from 1751, Fielding had located the reasons for the ‘growing Evil’ of the ‘Increase of Robbers’ in the ‘vast Torrent of Luxury’ which he understood to be overwhelming the nation. Fielding held ‘luxury’, as opposed to ‘necessary’ goods and services, to be beneficial to the national economy for those that could afford it, but ruinous among the lower orders, whose aspirations to acquire imported

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39 19 Geo III (1779) c.74.
40 Fielding, *An Enquiry into the [...] Increase of Robbers*, p. 197.
products and indulge in entertainments like masquerades and pleasure gardens led them to a life of profligacy and petty crime. He explains:

the very Dregs of the People, who aspiring still to a Degree beyond that which belongs to them, [...] the more simple and poor spirited betake themselves to a State of Starving and Beggary, while those of more Art and Courage become Thieves, Sharpers, and Robbers.41

A House of Commons Committee, appointed to investigate ‘offences against the peace’ in January 1751, similarly returned the opinion that ‘one Cause of the Increase of Thefts and Robberies of late is an Habit of Idleness in which the Lower Order of People have been bred’ and the ‘places of Entertainment’ where they ‘are tempted to spend their small substance in riotous Pleasures, and in consequence are put upon unlawful Methods of supplying their Wants’.42 Jacob Ilive in 1757 and John Scott in 1773 also identify a growing and unbefitting taste for ‘luxury’ in the ‘lower orders’ as the cause of spiralling rates of beggary, petty crime and prostitution.43

A discussion of the ‘luxury debate’ which raged in mid-century Britain over whether the wide-spread availability of hitherto restricted goods and services would morally degrade or ultimately economically invigorate the nation lies outside the scope of this thesis.44 What is important to note here is the stress these accounts place on the class aspirations of the labouring poor which the acquisition of luxury goods was understood to fuel. The ‘very Dregs of the people’ were, in Fielding’s words, ‘aspiring to a Degree beyond that which belongs to them’. Fielding’s proposed solution to this problem in 1751 was to ‘put a Stop to the Luxury of the lower People

41 Ibid., pp. 6-7.
42 JHC, XXVI (1750-4), p. 190.
43 Ilive, p. 8; John Scott, Observations on the Present State of the Parochial and Vagrant Poor (1773), p. 120.
44 For a full description of the luxury debate see McKendrick et. al., and Maxine Berg, Luxury and Pleasure in Eighteenth-Century Britain (Oxford: Oxford University Press, 2007).
and to force the Poor to Industry’.\textsuperscript{45} Two years later, his House of Correction was specifically designed to accomplish this, to affix a stable, labour-orientated class identity on the aspirational, mobile poor.

Fielding’s is the most detailed and ambitious scheme to establish a proto-penitential House of Correction in the period, but, until the passing of the Penitentiary Act, many others were published. Their major distinguishing factor was whether, like Fielding and Hay, they proposed gathering large numbers of the labouring poor together, or whether, as Alcock argued, they thought smaller institutions would prove more effective at reforming and punishing inmates.\textsuperscript{46} Some reformers proposed the construction of institutions designed specifically for women. In 1758, the Whig writer and economist Joseph Massie published a proposal for a ‘Charity House’ for deserted women and ‘Penitent Prostitutes’ who would work linen and yarn.\textsuperscript{47} In the same year, Jonas Hanway and Robert Dingley opened one such institution, which I describe in chapter II of this thesis.\textsuperscript{48} Also in 1758, Henry Fielding’s brother, Justice John Fielding called for the construction of two houses, a ‘Preservatory’ and a ‘Reformatory’ for abandoned women and penitent prostitutes respectively, to be built outside the city, which would house a public laundry and offer

\textsuperscript{45} Fielding, \textit{Enquiry into the […] Increase of Robbers}, p. 197.
\textsuperscript{46} Charles Gray, in 1752, argued for smaller and more numerous institutions, as did John Scott, in 1773. Samuel Cooper in 1764 concurred with Fielding that these reformative institutions should be erected on a large scale. The government committee, appointed to review the poor laws in 1775, agreed. Charles Gray, \textit{Considerations on […] the Maintenance of the Poor} (1752), pp. 2-3; Scott, \textit{Observations on the Poor}, p. 86; Samuel Cooper \textit{Definitions […] Relative to Charity, Charitable Institutions, and the Poor’s Laws} (1764), p. 142; Report From the Committee Appointed to Review and Consider the Several Laws which Concern the Relief and Settlement of the Poor (1775), p. 4.
\textsuperscript{47} Joseph Massie, \textit{A Plan for the Establishment of Charity Houses} (1758), pp. 6-7.
needle-work services. In each instance, it is clear that the reformist discourse reflects both the original social and penological function of the Houses of Correction, to relieve, to punish and to train the poorest members of society in industry, and anticipates the penalty of hard labour, discipline and ‘hard fare’ of the penitentiaries of the nineteenth-century.

The bridewell thus understood constitutes a challenge to the findings of Foucault, who writes that in 1779, with the passing of the Penitentiary Act, ‘imprisonment, with the purpose of transforming the soul and conduct, made its entry into the system of civil laws’. From this date onwards, Foucault writes that the state punishes, ‘not to efface the crime, but to transform a criminal’, thus creating that criminal. ‘The day was to come’, Foucault continues, ‘when this ‘man’, discovered in the criminal, would become the target of penal intervention, the object that it claimed to correct and transform’, and he estimates that that day did not arrive until ‘the nineteenth century’. Bender understands this transformation of the prison, from a commercially-run, largely unregulated place of detention to a rigidly structured space of punishment and character reformation, to have emerged from a ‘structure of feeling’ generated by the realist novel, beginning with Robinson Crusoe in 1719. In its sustained attention to a singular individual, capable of moral reformation over time, the novel is understood by Bender to ideationally ‘enable the penitentiary’. Reformative penitentiaries, he writes ‘sprang suddenly into being about two hundred

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50 Foucault, p. 123.
51 Ibid., p. 127.
52 Ibid., p. 74.
53 Bender, Imagining the Penitentiary, p. 5.
years ago'.54 For Bender they were quite literally unimaginable before the advent of the realist novel.

The first bridewell predates *Robinson Crusoe* by over a hundred and sixty years, and the first national penitentiary by two hundred and sixty one. It was equally directed at the ‘soul and conduct’ of its inmates, concerned not only, or even primarily with the crime, but with the criminal or delinquent behaviour of its charges; and it, too, was founded on a belief in the reformatory potential of incarceration at hard labour: work, discipline, and religious instruction. Its very name, the ‘House of Correction’ is indicative of its reformatory function, and the admissions lists for Clerkenwell bridewell illustrate this. On the 2nd of April, 1721, they list the committal of Anne Duncome to the bridewell for ‘being an idle, pilfering person and having pilfered [...] a sheep of small value’.55 The primary reason for her committal is not her crime, but her criminal tendencies. She is an ‘idle, pilfering person’, as is demonstrated by her having stolen a sheep. Mary Smith is committed two weeks later ‘for being a loose, Idle, Disorderly person’ taken by a M. Hewit Esq, ‘at an unseasonable hour with a strange man in her Company in a reputed house of Bawdrey, she giving no good account of herself’. Time and again, the committal rolls foreground the type of person committed before detailing any infraction they have committed: ‘24th April, Eliz. Barnes [...] for being a loose, Lewd, Idle Disorderly Vagrant person and a common Lewd woman of the town [...]’; 26th April, Prudence Sherman [...] for being a Disorderly person and for pilfering [...] a Turkey of small value [...]’; 27th April John Wharton [...] for being a loose, Idle Disorderly Apprentice absenting himself from his service Night and Day without his [master’s] Consent and Defrauding him of

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54 Ibid., p. 2.
several sums of money’. Examining the City of London Justice Room Minute Books from 1761, moreover, Randolph Trumbach notes that at one time, thirty men and women were arrested for charges relating to prostitution, of whom only ‘the most abandoned’ were sent to bridewell. The rest were ‘dismissed upon promise of amendment’. It is thus the character of those detained, rather than the crime that they are guilty of, which determines whether they will be sentenced to correction in a bridewell. The fact that those who were not interned were released on ‘promise of amendment’ is a further indication that the bridewell was thought capable of enforcing such an amendment within its walls.

Saussure’s assertion that Blackfriars bridewell boasted an apartment specifically for ‘lazy servants’ is revealing in this context. Foucault argued that the penitentiary was the first ‘total institution’, designed to generate a docile, dependent, subjugated work force to meet the unprecedented needs of an industrial era. Melossi and Pavarini adjust the chronology of Foucault’s findings in order to apply his conclusion about the ideological function of the prison to the bridewell. The House of Correction, they argue, was designed for the ‘production of subjects for an industrial society’, enforcing a contested transition from relatively independent, agricultural labourer to an urban, waged labourer on the poor. For Melossi and Pavarini, it was the factory as much as the penitentiary that was the socio-cultural inheritor of the nascent structures inherent in the bridewell.

Innes, however, disagrees:

58 Foucault, pp. 233-36.
59 Melossi and Pavarini, p. 21.
English master-servant law (as it was later to be categorized) from the Middle Ages down to the late nineteenth century comprehensively underpinned the authority of masters over their servants and employees with the threat of public penal sanctions. [...] imprisonment in bridewell must have been one of the penal sanctions most commonly deployed to punish offences of this kind.

This is evidenced in the citation above concerning the commitment of John Wharton to Clerkenwell bridewell, for ‘absenting himself from service’. Yet, Innes continues, ‘contemporary accounts rarely if ever highlighted this aspect of the bridewell’s function. They tended to characterize bridewells rather as instruments for the punishment of “Vagrants”’ as opposed to apprentices or servants.\(^{60}\) She concludes ‘their purpose was probably not, and their effect almost certainly not, radically to expand the labour force’.\(^{61}\)

Foucault’s assertion that the ‘entire economy of punishment’ was redistributed around the passing of the 1779 Penitentiary Act requires substantial adjustment to account for the experiment in reformative penology that the House of Correction had represented since 1555.\(^{62}\) Bender’s appropriation of Foucault’s theory for literary criticism is incompatible with the findings cited here, however. Bender, like many earlier historians of the prison, concluded that by the eighteenth century, hard labour was no longer performed in the bridewell, and that it was therefore indistinguishable from the criminal gaol. He cites Fielding, who complains at mid-century that ‘whatever these Houses were designed to be, or whatever they at first were, the Fact is, that they are at present in general, no other than [...] Seminaries of Idleness’.\(^{63}\) In 1777, John Howard agreed: “There are very few Bridewells in which any work is done, or

\(^{60}\) Innes, ‘Prisons for the poor’, p. 45.
\(^{61}\) Ibid., p. 48.
\(^{62}\) Foucault, p. 7.
\(^{63}\) Fielding, An Enquiry into the Increase of Robbers, pp. 95-96.
can be done. The prisoners have neither tools, nor materials of any kind; but spend their time in sloth, profaneness and debauchery’. Yet despite the denunciatory claims of the prison reformers, as I have demonstrated above, the bridewell was designed as a space of hard labour and discipline, an identity that clearly and pervasively continued to define it in law and in first person accounts throughout the period.

The realist novel cannot be said to have predated and thus ideationally ‘enabled’ the bridewell, in which, since 1555, individuals were set to hard labour for the purposes of character reformation for specified, sustained periods of time. Even Don Quixote arrives half a century too late to effect such cultural work. Bender’s argument about the proleptic relationship between the eighteenth-century novel and the nineteenth-century penitentiary is ultimately untenable, revealing neither the cultural concerns of the novels he analyses, nor the specificity of the eighteenth-century prison experience that they relay. It is only by reading horizontally through contemporary textual expressions of the bridewell that the areas of cultural contestation it illuminates become apparent.

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64 Howard, State of the Prisons (1777), p. 8.
IV.ii : The bridewell and the prostitute: the work of identity

In the foregoing section, I demonstrated the particularity of the bridewell as a prison in the eighteenth century, and argued that this consisted of its deployment as a labour-orientated, corrective penal instrument for the lowest ranks of society. Beyond this, as the wording of the Vagrancy Acts and the prison reform proposals outlined above indicate, the penalty of Houses of Correction was directed towards the curtailment of the geographic and also the social mobility of the ‘lower orders’, their capacity for ‘pretence’ and their unfitting predilection for ‘luxury’ items. This function of the bridewell is evident in the celebrated case of Mary Hamilton, from 1746. Hamilton was accused of having married fourteen women in the guise of a man, initially as a Methodist preacher, and then an itinerant ‘doctor of physic’. Hamilton was deemed physically incapable of consummating her marriages and could not therefore be indicted for bigamy, which was a felony. She was found guilty in court ‘on a clause in the Vagrant Act, for having by false and deceitful practices endeavoured to impose on some of his Majesty’s subjects’. Hamilton was sentenced to be whipped at four market towns, and to six months of hard labour in Taunton bridewell. The bridewell is thus presented as the appropriate punishment for public acts of imposture, the deviation from an accepted social narrative on the part of the poor, and the means of rectifying a ‘false’, adopted identity.

65 The case was widely publicized in the press. See, for instance, The London Evening-Post, issue 2966 (6-8 Nov. 1746), p. 1; The Penny London Post, issue 552 (7-10 Nov. 1746), p. 2; and The Westminster Journal, issue 258 (8 Nov. 1746), p. 3; Fielding describes the case in Henry Fielding, The Female Husband (1746).
67 Hamilton was whipped at Taunton, Glastonbury, Wells and Shepton-Mallet. Penny London Post, issue 258, (Nov.7-10, 1746), p. 2.
As first-person accounts and novelistic portraits of the prison make clear, however the internal penalty of the bridewell was itself understood to forcibly return inmates to a ‘natural’, fitting and labour-oriented identity. Fictional portraits of the bridewell commonly depicted a predominantly female prison population, interned for infractions relating to prostitution. This is an accurate reflection of bridewell populations; Joanna Innes states that women ‘vastly outnumber’ men in urban bridewells.68 No specific law made prostitution illegal in the eighteenth century, but in urban committal rolls throughout the period women were admitted to bridewells at least twice as often as men for prostitution-related infractions, particularly ‘night walking’.69 An indictment under the Vagrancy Acts indicates that the prostitute was also understood to be engaging in an act of public deception, like the card-sharp or the ‘player of interludes’ who were also indictable under the same legislation. Once contained in the bridewell, the multiple identities of the prostitute, her ability to perform different characters for different clients, are rendered stable and singular, her itinerancy, her ‘night walking’, is halted and, through the forced hard labour of the bridewell, the body of the labouring woman is revealed beneath her deceptive, luxurious costume.

Saussure’s description of the inmates of Tottlefields bridewell exemplifies this:

In the women’s part we saw a fine, tall, handsome, and well-dressed creature. Her linen was of the finest and so was her lace, and she wore a magnificent silk dress brocaded with flowers. The captain took great heed of her; he had made her arms quite red with the little raps he gave her with his cane. The girl received these attentions most haughtily and with great indifference. It was a most curious contrast, this handsome girl or woman in rich clothes, looking like a queen and having a mallet in her hand, with which she was forced to

68 Innes, ‘Prisons for the Poor’, p. 100.
69 Ibid., pp. 87, 84; Trumbach, pp. 92-143.
beat out hemp, and that in such a way that she was covered with large drops of perspiration, all this being accompanied with raps from the cane.70

The ‘most curious contrast’ that Saussure emphasizes is between what the woman seems to be, ‘a queen’, and what she is, a member of the labouring classes ‘with a mallet in her hand’. Saussure points out the disparity between the finery of the inmate’s linen and lace and her ‘magnificent silk dress’, and her rough, prison surroundings. He highlights too the incongruity between her ‘haughty’, ‘indifferent’ facial expression, and the ‘large drops of perspiration’ bedewing it; her body demonstrating the discomfort and effort of her prison experience that her facial expression is refusing to mirror. Through the process of the penalty of the bridewell, the ‘true’ signification inherent in the inmate’s body, of effort, pain and ‘low’ labour, is pushing up through the trappings of her ‘queenly’, assumed identity.

This woman was sent to bridewell for stealing a gold watch ‘from her lover’, and is a repeat offender. She is thus identified as a thief and a prostitute.71 Saussure draws attention to the innate irony of the prostitute’s identity in his portrait, between what she seems to be and what she is, that the bridewell as an institution works to undo and for which, in effect, she has been incarcerated in the first instance. This is emphasized in the ensuing episode, when his companion gives a shilling to a girl of fifteen or sixteen, ‘extremely beautiful’, who tells them that she has been incarcerated for aiding a theft.72 Saussure is touched by her gratitude and promise of amendment ‘but’ he continues, ‘a couple of months later, being at the play, I saw this little creature in one of the principal boxes, dressed like a duchess and more beautiful than ever’.73

70 Saussure, pp. 301-2.
71 Ibid., p. 302.
72 Ibid., p. 303.
73 Ibid., p. 304.
The performance Saussure comments upon is not that of the actors on the stage, but the far more convincing imposture of the prostitute in the ‘principal box’. Like the older woman in the bridewell, she too is a poor, labouring woman, publicly aping the status of her betters; she is ‘dressed like a duchess’.

The impact of the penalty of the bridewell on the assumed identity of the prostitute is resoundingly evident in Hogarth’s *A Harlot’s Progress*, published as a series of etchings in 1732. Moll Hackabout is arrested in her lodgings in Plate III by the infamous Justice Sir John Gonson, the Middlesex Magistrate who had spearheaded a run of prosecutions of bawdy houses and gambling dens in 1730.\(^74\) Gonson’s *Three Charges to Grand Juries* (later expanded to five), first published in 1728, called for Officers to ‘Present [before a Justice of the Peace] all Bawdy-Houses and Disorderly Houses’ and ‘likewise all Common Gamesters who draw in and ruin young Gentlemen’, and both a prostitute and a cardsharp inhabit Hogarth’s bridewell, which bears Gonson’s name, graffitied on its walls.\(^75\) It is clear that by Plate III, Moll has deteriorated from the kept mistress of the rich Jew into a ‘common’ prostitute.

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\(^{74}\) Ronald Paulson remarks that ‘Gonson’s portrait, immediately recognized, contributed to the success of Hogarth’s series’. *Hogarth’s Graphic Works*, 1, 146.

The verbal signifier of Moll’s prostitution, ‘Drury Lane’, etched on the tankard in the bottom right of the image, is repeated in the visual collusion between the voluminous knotting of the curtains of her bed and the folds of her dress, while to her right, her splayed skirts become indistinguishable from her rumpled sheets, presenting her body itself as an available, and very recently used, bed. The ribboned watch she holds up to the viewer might have been stolen, by her or else one of the highwaymen whose portraits adorn her garret. Additionally, it signifies that her ‘time is up’ as Gonson and

his accomplices burst into her garret. Gonson’s presence implies that Moll is arrested for prostitution rather than theft, since that Justice was ‘noted for his vigorous apprehension of prostitutes’.77

Like the ‘magnificent creature’ in Saussure’s portrait, Moll’s incongruity in the bridewell in the following plate resides in the contrast between the hemp-beating mallet in her hand and her ornate, brocaded silk dress. And here, too, the stern,

77 Paulson, Hogarth’s Graphic Works, 1, 146.
78 Hogarth, A Harlot’s Progress, plate IV.
white-faced warder singles Moll out for his punitive attentions, his thin, white cane poised ominously in hand. Hogarth demonstrates the unmasking of the prostitute’s feigned identity that the bridewell was designed to accomplish in his print: Moll’s finery, her ‘luxuries’, are in the process of being peeled away from her body. To the right of the image her servant, whose presence in the bridewell remains ambiguous, gleefully tries on Moll’s stockings and silk shoes, while the woman at her elbow closely examines a piece of Moll’s lace to ascertain its value. The woman directly behind Moll acquisitively fondles her collar, and her wink to the warder suggests that Moll will not retain her scraps of finery for long. Moll’s class aspirations are visibly coming undone in the prison. Soon she will resemble the other women in this production line, in their coarse, plain skirts and working aprons, ‘all low types’ in Ronald Paulson’s words.  

The cardsharp to Moll’s left is similarly forced to ‘show his hand’ through his work in the bridewell. A torn playing card lies, for all to see, on the floor of the workshop. He has been hiding cards ‘up his sleeve’ which are dislodged through the process of his forced hemp beating. By extension, Moll is also identified as a cheat, an imposter, and her ‘true’ identity is unveiled in the prison. Stripped of her finery, she is in the process of returning to the plain-clothed, labouring, poor woman she was in the first plate. Yet the truth inherent in the prostitute’s body that pushes up through her finery in this portrait of the bridewell is syphilitic, intimated through the black patches adorning her face. Moll can only ‘progress’ from the bridewell to her sick room, and then the confines of her coffin. Unlike Saussure’s, then, Hogarth’s portrait exposes the false logic at the heart of the bridewell’s penalty. Any attempt to impose an ‘honest’ labouring identity on the prostitute is ultimately doomed, since her sexual purity can

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never be regained, without which she is unable to recover her original social status. Hogarth underscores this point in the swelling fact of the mulatto woman’s pregnant belly, just evident in the farthest reaches of his bridewell. It is clear that Hogarth assumes that his viewers will instantly identify this scene as occurring in a bridewell. We can infer, then, that the bridewell was widely understood as the appropriate penological destination for a ‘Harlot’ like Moll, that it was predominantly peopled by ‘low’ women, and that it was distinguished as a prison by the hard labour of its inmates, who beat hemp under the constant threat of violent reprisal.

Smollett provides one of the few fully-fleshed fictional portraits of a bridewell in the period, in *Roderick Random*. Here too the bridewell is presented as a doomed, state-sanctioned attempt to arrest and redirect the prostitute’s mobile identity through hard labour. But Smollett’s depiction of the prison more fully undermines this function of the bridewell than Hogarth’s. The bridewell sequence begins when Roderick contracts a venereal disease ‘in the course of an amour’, and retreats to ‘a garret near St. Giles’s’ to perform a cure (I, 180). He hears ‘a groan that issued from a chamber contiguous to mine’, and discovers his neighbour to be Miss Williams, who had earlier attempted to trick him into marriage. She is revealed to be a ‘woman of the town […] infected with a distemper to which all of her class are particularly subject’ (I, 183). Roderick undertakes her cure and requests ‘the particulars of her story’ in return (I, 184).

Miss Williams delivers her own harlot’s progress in the florid, exaggeratedly self-effacing manner of a romance novel. This is one indication that such a story ought not to have been hers to tell. It is conveyed in one extended monologue and is replete with the formulaic disclaimers and lexical markers of romance, in contrast to the fast-
paced, comedic writing of much of the rest of the novel. Miss Williams is concerned that her story is ‘too tedious and impertinent’ (I, 189), she names her lovers ‘Horatio’ (I, 197) and ‘Lothario’ (I, 192), incorporates ‘a billet’ entire and from memory into her story (I, 197) and, on learning that her first seducer had abandoned her for another woman, she ‘pulled a poignard from my bosom [...] exclaiming, “Where is this perfidious villain[?]”’ (I, 193). Miss Williams’ first fault was to have been literally led astray by the reading of romances: ‘I had one evening strayed with a book in my hand, into a wood that bordered on the high road, at a little distance from my father’s house’ (I, 186-7). There she is attacked by a ‘drunken squire’, and delivered from her ‘ravisher’ by Lothario (I, 187). So closely does this episode recall those she has read in her romances, that ‘I looked upon myself as a princess in some region of romance, who being delivered from the power of a brutal giant or satyr by a generous Oroondates, was bound in gratitude, as well as led by inclination, to yield up my affections to him without reserve’ (I, 188). True to his name, Lothario then abandons the now unmarriageable Miss Williams to her fate.

Miss Williams describes her initiation into prostitution as an initiation into the art of deceit. ‘The first stroke of my dissimulation was practised upon a certain J—ge’ (I, 200), whom she duped into thinking she was a virgin. Smollett thus reveals not only an example of the prostitute’s imposture, but the additional dissimulation of the Judge, the gulf between his public and private identities. At this point in her narrative, a bailiff and ‘three or four’ of his officers break in and arrest Miss Williams for a debt, mistaking her for another woman, Elizabeth Cary (I, 201). Miss Williams tells them that she is not the woman named in the writ, to which the bailiff replies, “Ay, ay

Madam [...] we shall prove your identity” (I, 202), and escorts her to the Marshalsea. There, the turnkey and two fellow prostitutes whom she sends for confirm that she is not Elizabeth Cary and identify her as ‘Nancy Williams’ (I, 203), upon which she is released.

We never learn to whom Elizabeth Cary is in debt, for what, or even who she is, though the other prostitutes knowing her indicates that she is ‘of their class’. This seemingly superfluous digression serves to underscore the interchangeability and fluidity of the prostitute’s identity in the eyes of the law. It also demonstrates that the reality of the prison is liable to break in on the prostitute’s life story at any time. Roderick and Miss Williams take new rooms and, on resuming her narrative, she immediately continues her tale of prostitution as a tale of imposture: ‘my virginity was five times sold to good purpose’ (I, 205). She is then tricked herself, by the deceptive appearance of a ‘gentleman, dressed like an officer’ (I, 206). He invites her to a bagnio and escapes out of the window while she sleeps, having stolen a tankard and a posset bowl, and neglected to pay the bill. Miss Williams is arrested as his accomplice and sent to bridewell. She relates:

Of all the scenes on earth, that of Bridewell approaches nearer the idea I had always entertained of the infernal regions. — Here I saw nothing but rage, anguish and impiety; and heard nothing but groans, curses and blasphemy. — In the midst of this hellish crew, I was subjected to the tyranny of a barbarian, who imposed upon me tasks that I could not possibly perform, and then punished my incapacity with the utmost rigour and inhumanity. I was often whipt into a swoon, and lashed out of it, during which miserable intervals, I was robbed by my fellow-prisoners of every thing about me, even to my cape, shoes and stockings. (I, 207-8)

Both Moll Flanders and Moll Hackabout shadow this portrait of the prison. The bridewell presents a disorientating assault on Miss Williams’ senses, the incoherent
rage, anguish and impiety’ that she claims to see are echoed in the ‘groans, curses and blasphemy’, which are all she is able to hear. On entering Newgate Moll Flanders, too, was met by the ‘hellish Noise: the Roaring, Swearing, and Clamour’ of the prison which ‘joined together to make the place seem an emblem of hell itself’ (p. 337). Smollett’s bridewell ‘approaches [...] the idea’ of ‘the infernal regions’, and is peopled by a ‘hellish crew’, just as Moll had described her fellow inmates as ‘a Crew of Hell-Hounds’ (p. 343). Miss Williams’ ‘crew’ connotes both the denizens of hell, and the chained slaves who manned the galley ships of Spain and France, evidenced by the ‘tyranny of a barbarian’ warder, whipping his charges to their work, as galley officers were widely reported to. As Moll Hackabout’s had, her fellow inmates strip her of her ‘shoes and stockings’, and also here her ‘cape’. Since a cape and shoes are particularly necessary in the open air, her lack of them is another indication of her entrapment inside the bridewell, as are the marked structural repetitions of the passage. The bridewell is here a space of dehumanizing negation – ‘nothing’, ‘nothing’, ‘could not’, ‘incapacity’, ‘inhumanity’ – she is ‘robbed [...] of everything about me’.

This threat to Miss Williams’ selfhood, her loss of ‘everything about me’, is nearly completed by her suicide. Initially she uses the hook from which the women’s hemp is weighed to suspend a noose, fashioned from her handkerchief, with which she tries to hang herself (I, 208). Her attempt to substitute the weight of her body for the weight of the hemp she is forced to work literalizes the metaphor of the bridewell’s punishment, in which inmates are measured by and reduced to their labour. The episode also highlights the sinister confluence between the rope of the gallows and the rope that is re-worked by inmates in the bridewell, just as the faint sketch of a hanged

man on the wooden shutter of Moll Hackabout’s bridewell had. It is striking, in fact, that Miss Williams does not use rope of her hemp beating in order to hang herself, since it would presumably have been readily available. Her handkerchief is redolent both of her tears and the last vestiges of her gentility.

The relationship between Tyburn and the bridewell is made sense of by Henry Fielding’s earlier *Covent Garden Tragedy* (1732), his Drury Lane pastoral, set in Mother Punchbowl’s bawdy house. Mother Punchbowl berates her son Bilkum for attempting to cheat a prostitute, Stormandra, of her fee. She warns him against colluding with Justices in return for a softening of his own sentence:

> The hand to Bridewell which thy mother sends,
> May one day send thee to more fatal gaol
> And oh! (avert the omen all ye stars!)
> The very hemp I beat may hang my son. (Act II, Sc. I)\(^{82}\)

Mother Punchbowl forges an affiliation between the bridewell and Newgate, that ‘more fatal gaol’. In fact, she figures this relationship as filial: the child of the sinner in bridewell will be the felonious criminal in Newgate, tied together by the same judicial system through the symbol of the hemp that one is forced to beat, and which ends the life of the other on the gallows. But the surface meaning of the extract, that Bilkum should not collude with a justice system that might destroy him, barely masks Mother Punchbowl’s covert threat, indicated by the syntactic confusion of the first line, and the muddy metaphoric allusion of the last. ‘The hand to Bridewell which thy mother sends’, appears to belong to the arm of law, but the ungainly construction of the clause renders the identity of the incarcerating agent aptly unclear. The ‘hand’ might

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be Bilkum’s or even Mother Punchbowl’s: ‘the hand that thy mother sends to bridewell’. Each possible interpretation intimates that whoever sends Mother Punchbowl to bridewell will by that action find themselves in Newgate and, moreover, that it will be difficult to determine at whose instigation. Her masked threat is reiterated in the final line, ‘The very hemp I beat may hang my son’. Despite ostensibly praying that such an equivalence will not occur, Mother Punchbowl warns Bilkum that her punishment in the bridewell will enable, or even directly cause her son’s death.

In Smollett’s bridewell, Miss Williams’ attempt to author her own death is frustrated by the intervention of ‘two women’, though whether these are fellow inmates or prison staff remains tellingly unclear. Her second suicide attempt is conducted in an ‘extasy of madness’ in which she ‘tore the flesh from my bones with my teeth and dashed my head against the pavement’ (I, 208). A watch is put on Miss Williams to prevent her suicide, following which she attempts to starve herself to death. The visceral, tragic excess of this prison experience is more redolent of the abject misery of the debtors’ prison than the strained satire of the criminal prison narratives outlined above. The ‘habitus’, to use Bourdieu’s term, of the bridewell, the set of possible responses encoded by the environment of the prison, is distinct from both the criminal and the debtors’ prisons in two, immediately noticeable ways, however. Miss Williams is forced to undertake hard labour, unlike any of the inmates we have analysed so far. Her tasks are ‘impossible’, but she is violently punished for her inability to perform them; she is whipped into, and then ‘lashed’ out of unconsciousness, and it is this unyielding penal symmetry that indicates her entrapment in the prison. Secondly, whereas Moll Flanders had ‘degenerated’ amid
her fellow inmates until she was as ‘raving Mad as any of them’ (p. 343), Miss Williams is entirely alone in her descent into madness. The incarcerated debtors analysed above are also ordinarily depicted as being embedded within their family relations, whereas Miss Williams is isolated within the bridewell. Moreover, however oppressive and hopeless the penal experience of the imprisoned debtor, none that I have uncovered, either in first-person narratives, parliamentary investigations, or in fiction, attempted to end their carceral distress through suicide.

That Miss Williams attempts to end her life three times in prison is an indication of the threat that the specific penalty of the bridewell poses to her. The bridewell aimed to enforce a ‘low’, labouring identity on its inmate population, deracinating their pretentions to class status. This process would be inherently destructive to Miss Williams’ identity, however, because she is not, ‘truly’ a labouring woman, ‘the very Dregs of the people’ to use Fielding’s expression, ‘aspiring to a Degree beyond that which belongs to’ her. As she relates at the very beginning of her narrative, her ‘father was an eminent merchant in the city’ (1, 185). The imposition of a labour-oriented class identity on Miss Williams would therefore obliterate, rather than return her to, her ‘true’, native social strata. In attempting to end her life, Miss Williams attempts to take control of the process of her own annihilation that the bridewell’s penalty would anyway accomplish.

She is prevented from this necessity by the arrival of the procuress, Mrs Coupler, who offers her a place in her bawdy house. At the same moment, Miss Williams is cleared of the crime for which she was committed. The ‘fellow on whose account I suffered’ on being apprehended for theft, ‘cleared me of any concern in the affair’ (1, 209). Regaining her liberty, she agrees to take up a place in Mrs Coupler’s brothel but
falls foul of her jealousy and is cast out, becomes infected with a venereal disease, and is forced to take up ‘night-walking’ (1, 210). Smollett, as Hogarth had, thus depicts the bridewell as an entirely ineffective, in fact counter-productive penal instrument against the practice of prostitution. Just as Jonathan Wild had committed the crime that hanged him within the walls of Newgate, Mrs Coupler exploits the bridewell as a convenient repository of prostitutes to whom she might offer employment.

This inversion of the bridewell’s identity politics is the most common use of the trope in eighteenth-century fiction. Where the law sought to impose a fixed, ‘low’ labouring identity on inmates, fictional bridewells frequently perform this work in reverse. They detail that the character committed to the bridewell is either not a prostitute, despite appearing to be one, or not originally a member of the labouring classes, and their essential incongruity in their penal environment works to reveal as much. In Jane Barker’s *Lining of the Patchwork Screen*, for instance, Galecia remarks on a series of homiletic stories told her by a string of visitors. Philinda’s narratively interesting situation, related by Lady Allgood, arises from her having a ‘purse for herself’ (p. 53), which she employs without her husband’s knowledge to lend a gentleman acquaintance forty pounds. Philinda asks this gentleman to meet her in secret to repay her and,

as ill luck would have it, they chop’d into a House of ill Repute,[...] in that critical Juncture there came [...] Officers of Justice to search for Lewd People; and finding him and her together by themselves, carried her before a Justice of the Peace: where, she not reflecting on the Consequence, told a Wrong Name, being loth to be known, in that Odd Circumstance; and happen’d on a Name that had lately been

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before the same Justice. Wherefore, without delay, he sent her to Bridewell.\textsuperscript{84}

Just as Miss Williams would be, Philinda is arrested under another woman’s name. She adopts not only the circumstances – the exchange of money, being alone with a man who is not her husband, frequenting a ‘House of ill Repute’ – but also the name of a known ‘Lewd person’ before the law. Her identity thus destabilized, she is ‘without delay’ sent to Bridewell. Her husband refuses to believe her innocent, and persecutes her ‘from Place to Place, from Prison to Prison; so that Poverty, Prosecution and Punishment of all sorts, was her lot; nay, even her own friends and relations were her enemies, so grossly foul was the appearance of this transaction’.\textsuperscript{85} The insistent alliteration of this clause repeats at a lexical level the relentlessly punitive nature of Philinda’s prison experience. Again, this portrait of the Bridewell, in distinction to fictional renderings of the debtors’ prison, stresses Philinda’s complete segregation from her friends and family as a result of her incarceration. As Miss Williams would be, she too is released from prison through the confession of the man for whose sake she had been arrested. On the point of death, he confesses ‘that Philinda was a perfect virtuous woman’.\textsuperscript{86} The ‘grossly foul appearance’ of their transaction is, at his word, resolved, and Philinda is released.

A similar episode occurs in the physician and Tory satirist John Shebbeare’s second novel, \textit{Lydia, or Filial Piety}. Miss Lydia Fairchild returns to England from New York in search of her parents, who had left her in America in the care of ‘a Gentleman’ at the age of two.\textsuperscript{87} Once in London, Lydia discovers that her father is dead and that her mother is living in abject poverty. Swindled out of her own savings,

\textsuperscript{84} Ibid., pp. 54-55.  
\textsuperscript{85} Ibid., p. 56.  
\textsuperscript{86} Ibid., p. 57.  
\textsuperscript{87} John Shebbeare, \textit{Lydia, or Filial Piety}, 4 vols (1755), I, 96.
Lydia is forced to enter the service of a gentlewoman in mourning, Arabella Thrifty, in order to support her mother. She is attacked by a syphilitic Viscount, Lord Flimsy, who attempts to bribe her into a sexual relationship. He accuses her of stealing his wife’s diamonds, and has her committed to bridewell where

this lovely and guiltless Creature was open to the Insults of the Women confined within that Prison, who were the most dissolute of the Creation; ten thousand sarcastic Reflections were thrown upon her decent Apparel and Beauty, which were stiled Finery and Paint.

On hearing her narrative, however, ‘they then pitied her Condition and Distress, and cursing his Lordship, made the most commodious Bed of Straw in their Power, to rest the Limbs of Virtue in Misery’. Again what separates this portrait of ‘virtue in misery’ from those of the debtors’ prisons analysed above is Lydia’s segregation from both her own family and the inmate population of the bridewell. Where the other women are ‘the most dissolute of the Creation’, she is a ‘lovely and guiltless Creature’. Where they are ‘confined’, she is ‘open’ to their ‘insults’. Her beauty is wrongly assumed to be the result of art, not nature, and her ‘decent Apparel’ is ‘stiled Finery’ by the other inmates. Again, the point of the episode is to stress Lydia’s incongruity in the bridewell. She is a sexually ‘guiltless’ woman who hails from the trading classes, who only appears to belong to the deviant and aspirational lower orders. She is freed when the Viscount dies of his venereal disease, at which the diamonds are discovered in his trunk.

These fictional portraits demonstrate the ways in which the bridewell as a penal institution was commonly understood to enforce a labour-dependent class status on women of the lower orders. The novels outlined above can be seen to condone this

88 Ibid., II, 106.
89 Ibid., II, 209.
process, by populating the bridewells with unrepentant and unlovely prostitutes who ‘belong’ there; but they also problematize it. These portraits expose a gulf between appearance and truth in the identity of the character they particularize, just as the bridewell was designed to. Where their characters appear guilty and low-born, however, they are in fact innocent of the crimes for which they are committed and from the ‘middling ranks’, having fallen below their ‘natural’ social station. These novels also refuse the corrective logic of the bridewell’s penalty. The ‘low’ prostitute populations of the bridewell are not shown to be morally reformed by the labour they perform there, and the wrongly incarcerated characters we follow to the prison are, in the case of Miss Williams and Philinda, almost destroyed by it. Tonally, these tragic, religiously inflected portraits of the bridewell are closer to novelistic depictions of the debtors’ prison than the defiant, satirical narratives of the criminal prison. But the marked confusion over a character’s identity which these prison sequences highlight are specific to fictional portraits of the bridewell. So too is the extreme isolation of the inmate we follow to the prison, both from their friends and relations outside the prison, and from the inmate population within it.
IV.iii : The novel and the bridewell: a marginal penalty

Given how central to the early novel as a genre questions over the fluidity of identity and geographic and social mobility are, it is surprising how infrequent and marginal the penal threat of the bridewell is in the genre. A roving imposter, a prostitute, and a petty thief, Moll Flanders is indictable on almost every count of the Vagrancy Act, but Moll is never threatened with incarceration in a bridewell, and it is the ‘more fatal’ threat of the criminal prison that shadows her narrative from its title page.90 Roxana, too, is a mercurial, self-fashioning prostitute whom the threat of the bridewell never constrains. Defoe’s Col. Jack repeatedly describes himself and his foster brothers as ‘rogues and vagabonds’, a definition that renders them all specifically liable to incarceration in the bridewell.91 But it is only the eldest Jack who is punished there, and it is his whipping, rather than his incarceration that haunts Colonel Jack’s memory.92

Punishment in the bridewell is commonly the carceral lot of marginal characters, as in Roderick Random above, or the cardsharp whom we never meet, Richard Gamble, arrested in a gambling den and incarcerated in bridewell in Eliza Haywood’s Invisible Spy, from 1755, for instance.93 Or else it is a carceral threat raised only to be averted in the novel. This is demonstrated in the anonymous History of Miss Charlotte Seymour, from 1764. Charlotte is a well-educated woman who, like Miss Williams and Lydia Fairchild, is forced to inhabit a social milieu far beneath the class

90 In fact, since her marriage to her brother is never annulled, Moll could be indicted for bigamy, a non-clergyable felony. Nevertheless, the majority of her infractions define her as a rogue and vagabond under law, and the absence of the bridewell as a threat to Moll’s career is notable.
92 Ibid., p. 13.
93 Eliza Haywood, The Invisible Spy, 2 vols (Dublin, 1755), t, 21.
status to which she was born. Abandoned by her family, she takes up sewing to earn her keep until, delivering a set of bed linen to a house in St. Paul’s after eleven at night, she is taken up by the watch as a night-walker. Charlotte sends for her landlady who ‘gave her the best of characters’, but the landlady being from a disreputable neighbourhood, the magistrate writes Charlotte a mittimus for bridewell. The narrator reflects: ‘I shall not endeavour to paint Charlotte’s consternation upon this occasion; it is what any virtuous girl, conscious of her own innocence, oppressed by power, and divested of real friends, must feel’. Here again, Charlotte is an incongruous potential inmate of the bridewell, innocent of the crime of which she is accused, and hailing from a far higher social station than she currently inhabits. The episode also stresses the isolation of the potential bridewell inmate: Charlotte is ‘divested of real friends’ and is unable to legally establish her good character. It is only when a gentleman who happens to be passing recognizes Charlotte and attests to her character that the threat of the bridewell is averted.

In Fielding’s Amelia, a ‘poor woman’, out alone after midnight, is taken up as a street-walker by the same watch that apprehends Captain Booth. She:

pleaded in her Defence (as was really the Truth) that she was a Servant, and was sent by her Mistress, who was a little Shopkeeper, and upon the Point of Delivery, to fetch a Midwife; which she offered to prove by several of the Neighbours, if she was allowed to send for them. The Justice asked her why she had not done it before. To which she answered, she had no Money, and could get no Messenger. The Justice then called her several scurrilous Names; and declaring she was guilty, within the Statute of Street-walking, ordered her to Bridewell for a Month. (1, 10)

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94 The History of Miss Charlotte Seymour, 1, 261-62.
The phrasing of the pressing ‘delivery’ of the ‘little shopkeeper’ underscores the class-consciousness of this exchange. In the bitterly ironic vein of all Fielding’s prison portraits, the poor woman is unable to prove her innocence because she is precisely what she claims to be, and therefore has no ready money to either send for a messenger or bribe her arresting officers. The episode serves to underscore the impotence of the poor before the law and the rank corruption of Justice Thrasher, but is merely the prelude to Booth’s more narratively interesting criminal incarceration in Newgate.

The central character in the pantheon of Fielding’s fiction whose class status renders him most liable to a bridewell incarceration is Joseph Andrews, but again, the threat of that prison is raised only to be averted in the novel. In chapter v of book IV, Lady Booby attempts to exact revenge on Joseph for spurning her sexual advances by incarcerating him in bridewell. Ordinarily, the bridewell is understood to punish the sexual promiscuity of female members of the lower orders, but Fielding inverts this function of the prison. Here, the bridewell is deployed by a corrupt member of the gentry to punish Joseph’s refusal to engage in illicit sexual activity. Lady Booby complains: ‘he is a Vagabond, and he shall not settle here, and bring a Nest of Beggars into the Parish’.95 (A bridewell commitment could entail a vagrant’s removal to their native parish if they were likely to apply for alms.)96 In the event, both Joseph and Fanny are threatened with commitment to bridewell for a month of hard labour ‘and a little Correction too, a little Stripping and Whipping’, not for vagrancy, but for ‘a kind

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96 See Innes, ‘Prisons for the poor’, p. 94. This aspect of the Vagrancy Laws became more pronounced in the Vagrancy Act of 1740, 13 Geo II (1740) c.24. Following this act, to avoid meeting the cost of removing vagrants to their original parish, many Parishes closed their bridewells. The Vagrancy Act of 1744 allowed Justices to rebuild bridewells where they saw fit in an effort to counteract this. 17 Geo II (1744) c.5 Par.XXX. See Par.VII, for legislation governing the removal of vagrants to their original parish.
of felonious larcenous thing. [...] _Joseph Andrews_ with a Nife cut one Hassel-Twig, of the value, as he believes, of 3 half pence’; Francis Goodwill received the stolen goods.

“‘Jesu!’” Squire Booby interjects, “‘would you commit two Persons to Bridewell for a Twig?’ ‘Yes,’ said the Lawyer, ‘and with great Lenity too; for if we had called it a young Tree they would have been both hanged’”.

97 Squire Booby intercedes on their behalf, however, and liberates Joseph and Fanny from the threat of the bridewell.

A similar scene occurs in _Tom Jones_. Jenny Jones, taken to be the mother of the abandoned, illegitimate Tom, is a domestic servant who arouses the suspicion of her peers by her unnatural aptitude for learning and her equally incongruous (and dubiously acquired) luxurious clothing, which she sports to church. ‘It was universally apprehended, that the House of Correction would have been her Fate; tho’ some of the young Women cry’d out, ‘it was good enough for her,’ and diverted themselves with the Thoughts of her beating Hemp in a Silk Gown’. 98 Fielding’s text demonstrates the pervasive presence and particularity of the bridewell in the cultural consciousness. A group of working, country women all understand that institution to represent the fitting penal destination for a ‘low’ woman of loose sexual morals, and assume that it will entail a disciplined regime of hard labour which will punish and rectify her unfitting class aspirations; she will be ‘beating Hemp in a Silk Gown’. The ‘young Women’ assume that such a gown is proof of an illicit sexual and economic exchange on Jones’ part. Again, however, the novel inverts the penal logic of the bridewell.

Jenny has in fact been paid to conceal the sexual deviancy of a member of the upper classes, Bridget Allworthy. In his capacity as Magistrate, Squire Allworthy refuses to commit Jones, and the threat of the Bridewell is averted.

In book VII, Mrs Western attempts to deploy the prison as Lady Booby had, in the service of a personal vendetta against a servant who has insulted her. Squire Western is on the verge of complying when his clerk informs him that it is illegal: “I am afraid, Sir,’ says he, ‘you cannot legally commit anyone to Bridewell only for Ill-breeding’”\(^99\). Mrs Western insists that this is not the case: “she had known Servants very severely punished for affronting their Masters;’ and then named a certain Justice of the Peace in London, who, she said, ‘would commit a Servant to Bridewell at any Time when a Master or Mistress desired it’”\(^100\). Without his clerk’s approval, however, Squire Western is unable to write out the mittimus. The bridewell is a perverted and ineffective penal instrument in Fielding’s fiction. It is deployed to punish infractions so inconsequential as to seem ridiculous, and is deployed by the corrupt and powerful in repeated attempts to bully the socially excluded. At the same time, however, Fielding can be seen to marginalize the importance of the bridewell in his novels by averting it as a penal threat in the final instance.

Among the central characters of Smollett’s oeuvre, Ferdinand Count Fathom and Roderick Random are socially most at risk of incarceration in a bridewell. Yet both men, like Charlotte Seymour, who is incarcerated in the Marshalsea, are imprisoned instead in the more genteel carceral environment of the debtors’ prison. Roderick describes himself as a ‘vagabond’ from his youth. As a child he was ‘inhumanly scourged for crimes I did not commit, because having the character of a vagabond in the village, every piece of mischief whose author lay unknown, was charged upon me’ (1, 9). In England, Roderick is increasingly liable to the charge of vagrancy, since his Scottish accent immediately alerts Justices that he has wandered far from the parish.

\(^99\) Ibid., II, 119.
\(^100\) Ibid., II, 120.
of his birth. This particular threat to the Irishman and the Scot is repeatedly laid bare in the fiction of the period. The first man brought before Justice Thrasher in Fielding’s *Amelia* is told: ‘Sirrah, your tongue betrays your guilt. You are an Irish, and that is always sufficient evidence with me’ (I, 17). Similarly, in the formulaic peregrinations of the anonymous *Adventures of an Author*, from 1767, two men are arrested for breaking the peace in a tavern. The main aggressor is freed, but the other, an Irishman, is sent to bridewell for ‘want of sureties’.

It is Roderick’s wild countryman and rackety alter-ego, John Jackson, who is threatened with the bridewell in Smollett’s novel, however. In an attempt to appear more venerable before an English board of licensees, Jackson arrives in a ‘grotesque fashion’, his head ‘covered with an old smoaked tye-wig’, topped by a ‘sloutched hat’, his neck tied round with ‘black crape’, a ‘shabby great coat [...] wrapped up his whole body’, his face ‘rendered venerable by wrinkles, and a beard of his own painting’. But before the board, ‘he was discovered to be an imposter, and put into the hands of the beadle, in order to be sent to Bridewell’ (I, 138-39). Smollett thus restates the bridewell’s commonly understood cultural function of uncovering imposture, yet, just as Fielding does, he immediately averts the deployment of the prison to this end. “For God’s sake”, Jackson cries out as they apprehend him, “gentlemen, bear witness that I am the same individual John Jackson, who served as surgeon’s second mate on board the Elizabeth, or else I shall go to Bridewell” (I, 139). His friends corroborate his work-related identity, and Jackson is freed.

He and Roderick then visit a whore-house where Jackson is robbed, and he threatens the procuress, Mrs Harridan, with a bridewell committal. Before he is able

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to lodge a complaint, however, Mrs Harridan has Jackson, Roderick, and their two companions committed to the roundhouse for “a riot” (I, 141). The Justice mistakes Roderick for an Irish convict returned early from a transportation sentence, and threatens him with hanging. Roderick asserts his innocence, but the Justice responds: “Do you think I am to be imposed upon by that northern accent which you have assumed?” (I, 144). He demands that the clerk write out a mittimus to convey him to Newgate as “Patrick Gaghagan” (I, 144). The first name is stereotypically Irish, delineating only the blank fact of his nationality, and the second speaks to the felon’s silencing through the process of law. He is ‘Gag’ed; ‘hagan’ phonetically repeats the glottal stop while also intimating a repetition of ‘gagging’ through the elliptical gesture towards ‘aga[i]n’. Additionally, the whole is a discomforting onomatopoeic rendering of strangulation on the gallows. Smollett thus underlines the precariousness of his peripatetic hero’s capacity for self-determination through the demonstration of his interchangeability and instant criminalisation in the eyes (and ears) of the law. Jackson’s attempt to ratify Roderick’s character is also frustrated, and it is only the constable’s intervention that convinces the Judge of his misapprehension of both men. The penal stakes that threaten Roderick’s person are, however, instantly raised above those of the bridewell.

The House of Correction also shadows the career of Smollett’s most Quixotic hero, Sir Launcelot Greaves. As his title suggests, the bridewell is a prison even less suited to his native identity than to Roderick’s. In the Black Lion Inn, the itinerant physician, Ferret, listens to Greaves describe his career as a latter-day knight-errant, warring against vice, and scoffs: “that war [...] may soon be brought to a conclusion, and your
adventures close in Bridewell’” (I, 30) “You say I am in danger of being apprehended as a vagrant:’” Greaves retorts,

‘I am not so ignorant of the laws of my country, but that I know the description of those who fall within the legal meaning of this odious term. You must give me leave to inform you, friend, that I am neither bearward, fencer, stroller, gipsey, mountebank, nor mendicant; nor do I practise subtle craft, to deceive and impose upon the King's lieges; nor can I be held as an idle disorderly person, travelling from place to place, collecting monies by virtue of counterfeited passes, briefs, and other false pretences — In what respect, therefore, am I to be deemed a vagrant? Answer boldly without fear or scruple.’ To this interrogation the misanthrope replied, with a faltering accent, 'If not a vagrant, you incur the penalty for riding armed in affray of the peace'. (I, 32)

Greaves’ comprehensive identification of who was liable to incarceration in the bridewell under the Vagrancy Acts exaggeratedly illustrates his legal acumen. It also provides the reader with an unusually accurate definition of a vagrant under legal statute, an intimation that ‘real’ arguments over the process of law will be central to this novel, as indeed proves to be the case. Additionally, the inclusion of so many strangely antique, Elizabethan professions, the ‘bear-ward’, ‘fencer’ and ‘stroller’ in this description, not only presents the law itself as verbose and oddly outmoded, it also creates an affinity, even as he disowns it, between Greaves, with his glaringly anachronistic armour and modus vivendi, with those who are in fact legally subject to the vagrancy laws.

Greaves is later charged with vagrancy by Justice Gobble, when he is apprehended in the county gaol. “Can you deny’” Gobble’s wife demands, “that you are a vagram, and a dilatory sort of a person?” Greaves replies that he is a “gentleman”, to which Gobble retorts: “Ay, that is English for a sorry fellow [...] Every idle vagabond, who has neither home nor habitation, trade nor profession, designs himself a gentleman”
Greaves’ social status is then corroborated by Mr Fillet, a surgeon, at which the power-balance of the juridical exchange is immediately inverted. By virtue of being a gentleman, Launcelot cannot also be a rogue and vagabond. He subsequently accuses Gobble of legal malpractice in his magistracy, is able to effect retribution for Gobble’s infractions of the law, and to liberate the county gaol.

This effect, by which a character is removed from the threat of the bridewell by virtue of being identified as a ‘gentleman’, is most fully evident in the Irish satirical engraver and novelist John Oakman’s Life and Adventures of Benjamin Brass, published in 1765. Like Smollett’s Roderick Random, the enterprising and attractive Benjamin Brass leaves his native Ireland for London and sets up as a fortune hunter. His father is a cobbler, but Benjamin ‘thought a gentleman’s life was much preferable to that of making brogues’. In the course of his adventuring, he meets an unhappy young woman on a bench in St. James’ Park. He is listening to her history when they are surrounded by officers and Benjamin is arrested. Mistaking him for her lover (another fortune-hunting Irishman named Fitzmorris), the girl’s father, Mr Capias, prosecutes him for seducing his daughter on the grounds of theft, or the revealingly worded ‘breach into his property’ (I, 193). Before the Justice, Mr Capias produces a letter from Fitzmorris, in which he admits to having “two wives in England already” (I, 196). The Judge asks Benjamin to produce a specimen of his handwriting in order to prove he is not the author of this incriminating letter. Benjamin is unable to comply because he is illiterate, but he is unwilling to demonstrate as much and expose his total lack of class pretensions to the court. Oakman stresses the fragility of the vagabond’s self-fashioned identity before the law: ‘Neither was it possible for him to

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102 John Oakman, The Life and Adventures of Benjamin Brass, 2 vols (1765), I, 4-5. All page references given in the body of the text are to this edition.
procure bail, or send to any person to speak to his character, therefore he was obliged to submit to his fate; and accordingly immediately accompanied the constable, and his retinue of guards, to Bridewell’ (1, 203).

Like Smollett’s, Oakman’s bridewell lexically borrows from the genre of romance, but to satirical effect: ‘the hour of locking up the knights and damsels of this enchanted castle being come, our unfortunate prisoner was obliged to betake himself to bed’ (1, 204-5). Again, Benjamin is incarcerated because of a confusion over his identity. He is committed under the name of another man, but, like Miss Williams, is guilty of precisely the infraction that the bridewell was legally designed to punish. They are both innocent and guilty within the prison. This interstitial legal identity is mirrored by their destabilized identity more generally, and it is this indeterminacy that the bridewell as a penal institution worked to correct. Benjamin falls asleep, and his confused senses, which were not in the power of the Justice to confine, soon took their flight and lost themselves in a maze of inconsistencies; a medley of ropes, splendour, gibbets, and affluence, making out the entertainment of the night. (1, 205)

His pretensions to gentlemanly status, and the desire for the luxury items that would enable such a pretence, expose him to the threat of a criminal prison in his dream. ‘Ropes’, which connote both the bridewell hemp beating and the rope of the gallows, are the consequence of his thirst for ‘splendour’, and the nightmare of the ‘gibbet’ attends his dreams of ‘affluence’. The ‘confusion’ and ‘inconsistencies’ of his dream speak to Brass’s fragmenting selfhood in the prison, the dissonance between his aspirations and his actual environment, and the too-near similitude between his own adopted persona and that of the fortune hunter in whose stead he is incarcerated.
Waking from what Oakman then, contradictorily, terms the ‘bondage of sleep’, ‘so
great was his dread of coming to an untimely end, that he would have renounced all
future pretensions to gentility, in exchange for his liberty’ (1, 205-6). Benjamin is
reprieved from having to perform this class-orientated work of the bridewell by the
appearance of his cousin, Fitzpatrick. By pretending to be his servant, Fitzpatrick
creates a gentleman of Benjamin, which immediately renders his incarceration in the
bridewell incongruous and legally problematic. Anyone with funds enough to keep a
personal servant in pay was unlikely to meet the legal definition of a ‘rogue and
vagabond’. The true impostor, Fitzmorris, is then revealed and Benjamin is freed.

Oakman’s text demonstrates the means by which novelists could, however
precariously, remove their central characters from the threat of the bridewell. The
causes for that prison’s marginalisation in eighteenth-century fiction, as well as the
cultural anxiety about the protean identity of the vagrant, are most clearly identifiable
in the biographies of the notorious and persistently famous eighteenth-century
vagabond and ‘King of the beggars’, Bampfylde Moore Carew.¹⁰³ The first of these
appeared in 1745, when Carew received a sentence for transportation to the colonies
for seven years as an ‘incorrigible rogue and vagabond’.¹⁰⁴ The anonymous Life and
Adventures of Bampfylde Moore Carew explains that Carew was the son of a
Devonshire priest who ran away as a child with a band of gypsies, and adopted their
itinerant life-style.¹⁰⁵ He embarks on a series of daring impersonations and

¹⁰⁵ The Life and Adventures of Bampfylde-Moore Carew (Exeter: 1745) pp. 3-4. All page references given in the body of the text are to this edition.
impostures, pretending to a skill at necromancy (p. 6, specifically cited as an offence under the Vagrancy Acts), to be a dead man (p. 16), a Bedlam escapee (p. 17-18), a lame old man, (p. 19), and, on one occasion, in order to escape impressment, a pie-selling old woman (p. 52). He travels to Newfoundland, (p. 22) twice (p. 87), and seduces and later marries the daughter of an ‘eminent surgeon’ (p. 33). In the course of his adventures he is committed to bridewell twice (pp. 41, 163). In neither instance does the narrative follow Carew inside the prison, however. The narrator merely cites the place of his incarceration and the date of his release. Rather, his transportation to the colonies is understood to constitute the structuring penal event of the narrative. The full title of the Life claims that Carew’s story was ‘related by Himself, during his Passage to the Plantations in America’, the enclosure of the transportation ship acting much as the walls of Newgate had on the narrative of the criminal life. Somewhat contradictorily, the Life ends when Carew’s transportation ship sets sail for Maryland (p. 164).

The archetypal vagrant is depicted in the Life as the bearer of an inexhaustibly protean identity, capable of repeated adaptation in order to gull the ‘unsuspecting’ citizen (p. iii). It is this capacity for endless self-fashioning and deceit that the labour-dependent penalty of the bridewell was legally modelled to disable. However, here, as in subsequent biographies of Carew, the bridewell is both narratively uninteresting and an entirely ineffective penal instrument. It fails to curb Carew’s geographic mobility or his self-inventive dynamism.107

106 17 Geo II (1744) c.5, Par.II.
107 See also, for example, The Life and Adventures of Bampfylde-Moore Carew, Esq; Who was King of the Beggars, Upwards of 40 Years (1750).
Most revealingly, the bridewell is disregarded altogether in the printer and bookseller, Robert Goadby’s, arch and popular biography of Carew. Goadby’s *Apology for the Life of Mr. Bampfylde Moore Carew* was first published in 1749, the same year as Fielding’s *Tom Jones*. Goadby dedicates his biography to Fielding and prefaces his *Apology* by acidly establishing similarities between Fielding, his fictive foundling and the self-proclaimed vagabond Carew:

> Reader, We are going to present thee with the History of a Man truly remarkable, one who has indeed gone through an uncommon Variety of Adventures, has seen the Manners of many Men, and has at least div’d as deep into the Knowledge of Human Nature, as the great Painter of it, the Author of the History of *Tom Jones*.

Goadby’s main criticism of Fielding is that he fails to condemn Tom’s promiscuity and roguish behaviour. He compares Carew’s wife, ‘Miss Grey’, favourably with both Molly Seagrim and Lady Bellaston, drawing attention to Tom’s philandering, inappropriately above and below his own social station. He also accuses Fielding himself of deceit, charging him with plagiarising the *Cambridge Joke Book*. Deploying Fielding’s mock-heroic tone, Goadby likens Carew not only to Tom Jones, who also ran away with gypsies in his youth, but to Ulysses, whom Fielding comically compares to his own hero on the title page of that novel. Carew then observes that: ‘these different Habits and Characters were still of further Use to our Hero, for by their Means he had a fairer Opportunity of seeing the World, and knowing Mankind,

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108 The text, which was also printed by Goadby, ran through at least seven editions by 1768.
110 Ibid., p. 31.
111 Ibid., p. viii: ‘the wise and witty speeches of Mr. Fitzpatrick, in your 3rd volume, [are] borrowed from the *Cambridge Jest Book*, Printed in 1704, p. 196’. I have been unable to uncover a Cambridge Jest Book published in 1704. The 1703 edition of the *Cambridge Jests* runs to 167 pages, that of 1710, to 114. In neither is there evidence of Fielding’s plagiarism.
than most of our Youths who make the Grand Tour’.\textsuperscript{112} The vagabond’s certificate, enabling him to remove from parish to parish, which Carew is reported to have repeatedly forged, is here the gentleman traveller’s passport, and the itinerant life of the professional rogue is a downgraded but comparable grand tour.\textsuperscript{113} Additionally, Goadby draws parallels between his criminal narrative and Defoe’s first novel: ‘If the fictitious Contrivances and Shifts to subsist upon an uninhabited Island, could immortalize the Name of a Robinson Crusoe, why not the far more ingenious real Contrivances of a Bampfylde-Moore Carew be transmitted to Posterity?’\textsuperscript{114}

Goadby thus insists on the approximation of the biography of a famed rogue and vagabond and the fictional ‘life and adventures’ of Tom Jones or Robinson Crusoe. He derisively likens the heroes of those novels to the more radically deviant Carew and additionally draws sardonic parallels between the rogue’s ill-gotten knowledge of human nature and Fielding’s. In his consciously novelistic retelling of Carew’s career, however, Goadby substitutes the bridewells that arrested his subject for the more generic ‘prisons’. He thus removes the possibility that the degrading humiliation of hard labour might be inflicted on his ‘adventurer’, and with it, the imposition of a corrective, labouring identity that such a punishment might entail. As such, Goadby’s text can be seen to illuminate the mechanisms at work in the bridewell’s marginalization in the eighteenth-century novel. The bridewell is the proper penal destination of the picaresque hero: a relatively uncritical, brief curtailment of the rambling adventures of a socially excluded and solitary rogue. As Lars Hartveit has argued, the picaro’s trade comprises ‘begging and stealing [...] gambling and card

\textsuperscript{112} Goadby, \textit{Bampfylde-Moore Carew} ([1749], 1750), p. 23.
\textsuperscript{113} See \textit{The Life and Adventures of Bampfylde-Moore Carew} (1745), pp. ii-iii; \textit{The Life and Adventures of Bampfylde-Moore Carew} (1750), p. 13 which both stress Carew’s forging skills.
\textsuperscript{114} Goadby, \textit{Bampfylde-Moore Carew} ([1749], 1750), p. ii.
playing’, precisely the infractions which the bridewell was designed to punish.\footnote{Lars Hartveit, \textit{Workings of the Picaresque in the British Novel} (New Jersey: Humanities Press International, 1987), p. 19.}

Bridewells were the penal instruments of Protestant countries, however, while the picaro typically hailed from Spain or France, where the secondary punishment to the gallows was forced oaring of the galley ships.\footnote{See Spierenburg, pp. 49-77 for a discussion of penal practices in different European states.} Hence, the bridewell had no seventeenth-century literary pedigree in seminal picaresque novels like Mateo Alemán’s \textit{Spanish Rogue}. Guzman instead is episodically curtailed by criminal prisons, and ultimately chained to the oar of a galley ship.\footnote{Alemán, pp. 112, 175, 181.} Richard Head, in perhaps the most fully-fledged English picaresque novel, places his seventeenth-century English Rogue in precisely the same penal environments: a series of criminal prisons, followed by transportation to the colonies, glossing over the threat of the bridewell altogether.\footnote{Head’s description of Newgate in Chapt. XII of the \textit{English Rogue}, cited earlier, borrows heavily from Alemán’s depiction of a criminal prison. Alemán, 175-6.}

Even in his continental, Catholic guise, however, the picaro hero of the eighteenth-century novel was increasingly less likely to hail from the very lowest ranks of society. Alain René Lesage’s influential \textit{Gil Blas de Santillane}, from 1715-35, illustrates as much. That novel, which Smollett cites as the template for \textit{Roderick Random}, begins when Gil Blas leaves his respectable family in search of a University education.\footnote{‘The following sheets I have modelled on [Le Sage’s] plan’. Smollett, \textit{Roderick Random}, I, vii. Jerry C. Beasley notes that \textit{Gil Blas} was a ‘work Smollett respected hugely’, evident both in his novelistic style and ‘his own […] very loving translation’ of Lesage’ from 1748. ‘Introduction’, in Tobias Smollett, \textit{Ferdinand Count Fathom}, Introduction and Notes by Jerry C. Beasley, ed. by O. M. Brack, Jr., The Works of Tobias Smollett, ed. by Jerry C. Beasley and O.M. Brack, Jr. (Athens and London: The University of Georgia Press, 1988) pp. xix-xlii, (p.xxix).} He is abducted by thieves, and initiated into the college of life instead. Escaping from the thieves in a borrowed coat he is taken for a felon, arrested and held
in a criminal prison, the occasion of much garish social satire on the corruption of Spanish jurisprudence.\textsuperscript{120} The prison that makes the most profound impact on both his character and his narrative, however, is the Spanish state prison in which he is later incarcerated, potentially for life, for having offended the Duke de Lerma after his brief exultation at the Spanish Court.\textsuperscript{121} Robert Alter has argued that \textit{Gil Blas} does not constitute a fully-fledged picaresque novel, since Blas is not a solitary figure in the world – he is reliably accompanied by the subservient Scipio – and neither does he hail from the very lowest orders of society. Alter notes in addition that his entrance into Court disrupts the joyously satirical, episodic nature of the traditional picaresque narrative.\textsuperscript{122} That the central prison experience of \textit{Gil Blas} is not a petty criminal prison, nor a galley ship, but an impregnable state prison, sparsely peopled with enigmatic servants and melancholy, ballad-singing ‘cavaliers’, is another indication that Lesage had pushed his novel beyond, or else above the purview of the traditional picaresque narrative.\textsuperscript{123}

Similarly, while Smollett can assuredly be seen to borrow from the picaro’s reliable propensity to joyful transgression in the characterisation of his eponymous heroes, Roderick Random and Peregrine Pickle are both elevated above the social status of the traditional picaro by virtue of their familial heritage, their aspirations and the presence of Strap and Pipes respectively. Just as Fitzpatrick had Benjamin Brass, the service of Strap and Pipes automatically accords Roderick and Peregrine the position of masters, and this effectively liberates both from the threat of the bridewell. Goadby’s narrative is particularly illuminating on this front. He satirically

\textsuperscript{120} Alain René Lesage, \textit{Gil Blas}, 2\textsuperscript{nd} edn, 3 vols ([1715-35] 1725), i, 76-81.
\textsuperscript{121} Ibid., iii, 270-325.
\textsuperscript{123} Lesage, iii, 280.
attacks both Fielding and Defoe for presenting the public with fictional characters who are insufficiently distinguished from the celebrated rogue and vagabond of his own narrative. But he, too, ignores the bridewells that did, in actuality, confine Carew and which identified him as a member of the labouring classes. He transforms the bridewell into a criminal prison in his narrative, which confers a defiant glamour on Carew’s punishment that is entirely lacking in the abject humiliation of the penalty of the bridewell. In so doing, he performs exactly the same class-conscious, fictive sleight-of-hand as Smollett, Fielding, and Defoe, of signalling his hero’s social pretentions by removing him from the reach of the penal institution specifically designed to impose a labour-oriented identity on the mobile poor.

The Irish satirist Charles Johnstone’s *Reverie; Or, a flight to the Paradise of Fools*, from 1762, is a precise demonstration of the relationship between the eighteenth-century British novel, the picaro and the bridewell. In its ‘Advertisement’ to the reader, which is not part of the novel proper, the ‘editor’ of the popular, satirical novel, *Chrysal, or The Adventures of a Guinea*, (Johnstone’s first novel, 1760-65) attempts to locate the author of that work in order to present his subsequent adventures to the public. He accompanies an acquaintance to bridewell in search of his servant who, like the poor woman in *Amelia*, has been misapprehended as a prostitute by the sardonically labelled ‘vigilance of the constables’. Struck by the ‘uncommonly droll look and behaviour of the waiter who served the company with liquor’, the editor requests the waiter’s history.¹²⁴ He complies:

> Low as you see me at present, I have often figured in a higher sphere. I have been a player, a doctor, an author, and a parson;

¹²⁴ Charles Johnstone, *The Reverie*, 4 vols (Dublin, 1762), I, Sig. B[r]. All page references are to this edition.
and have acted my part with a proper dignity in each character
till the farce was ended. I have also, indeed, amused myself
with taking a view of life in less exalted station: I have been a
broken solider, a shipwrecked sailor, a fool, a madman, and a
gypsy; in reward for some feats of uncommon cleverness in the
last of which characters, I have had lodgings assigned me here,
rent free, for seven years [...]. However, I am not dispirited.
Seven years will not last for ever; and I hope to be prime
minister yet, before I die. (I, Sig. Bv.)

The first group of characters indicate the inmate’s affiliation with the picaro. He is a
‘player’ first and foremost, moving across geographical and social spheres in his
adopted guises of doctor, parson and the equally disreputable ‘author’. Since he ‘acts
his part’ with ‘proper dignity’ in each disguise, describes the whole as a ‘farce’, aims to
impersonate the ‘prime minister’, and is ‘amused’ by his adventuring, we understand
that such a career would satirically expose the corruption, inanity and hypocrisy of the
social elite, as a traditional picaresque novel would. The second group of characters,
however, classes him as a rogue and vagabond under English law: the Vagrancy Acts
particularly caution magistrates against vagrants pretending to be shipwrecked sailors
and demobbed soldiers, or who claim to be gypsies, and additionally provide Justices
with legal mechanisms to restrain the insane. It is under the Vagrancy Laws that he is
detained in the bridewell, incarcerated for having impersonated a gypsy.125

It transpires that this rogue is the author of The Adventures of the Guinea, and
that he has left additional papers in the house of a widow he duped before his arrest.
The editor of The Guinea had gone to the bridewell in search of an author, but failed
to find a marketable story there. Instead, the story itself is located in the house of a
widow, two hundred miles away. Paying him a guinea for this information, the editor
goes to recover the papers, and returns to London ‘to communicate the good news to

125 17 Geo II (1744) c.5 Par.II; Par.XX.
his new friend', but ‘he found that the guinea he gave him had put an end to his adventures the very night he got it’ (1, Sig. B3r.). He and a fellow-inmate immediately ‘drank such a quantity of gin as killed them on the spot’ (1, Sig. B3r.). Under the sign of his first, commercially successful work of fiction, the Guinea, the nameless picaro and vagabond drinks himself to death with the poor man’s tipple, gin, having served up warming liquors and a commercially enticing précis of his life and adventures to his gentleman editor. Having extracted the seeds of a profitable narrative from the vagabond, and destroyed him in the process, the novel proper begins. It never returns to the bridewell.

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The novels analysed above demonstrate the ways in which the specific penalty of the bridewell aimed to impose a class-orientated, state-authored identity on inmates through enforced hard labour. To varying degrees, all of the fictional portraits of the bridewell outlined here can be seen to undermine the efficacy of this aspect of the bridewell’s penalty. In Hogarth’s and Smollett’s renditions, the prison is shown to be ineffective as a means of curbing prostitution, illogical in its penal mechanism, and destructive as a carceral environment. Elsewhere, and more commonly, the corrective logic of the bridewell’s penalty is inverted, whereby an incarceration in the bridewell reveals how unfitting this labour-oriented prison environment is for the inmate whose fate the novel follows.

Beyond this, we have seen that the bridewell possessed a distinct identity as the penal destination for rogues and vagabonds, in which inmates were subjected to
punishing schedules of enforced hard labour. However, the bridewell is also repeatedly marginalized in British eighteenth-century novels, a penal threat raised only to be averted, or else omitted altogether. Since the bridewell has been shown to arrest the crimes of wandering, self-determination and class aspiration, this marginalization is particularly notable, since these traits have long been held to be constitutive of many central characters of the early novel.\textsuperscript{126} It would be wrong to conclude, however, that this illuminates an inherent generic incompatibility between the novel and the bridewell; that where the bridewell is designed to thwart self-fashioning and class aspiration, the novel valorises both, and that novelists therefore avoided depicting the penalty of that prison as being counteractive to their own, narrative concerns. \textit{The Shawshank Redemption}, for instance, exemplifies the potential inherent in just this structural contest. Hollywood film is often understood as a genre that valorises the self-authored individual and the rebel, and here it conveys the crushing anti-individualist penalty of a nineteenth-century state penitentiary, precisely in order to sacralise the defiant resistance to this normalizing process on the part of the film’s hero. This commitment to resisting the penalty of the prison is rewarded by the inmate’s eventual escape from the physical and ideological confines of the penitentiary.\textsuperscript{127}

In the eighteenth-century portraits of the prison outlined here, nothing approaching this scenario has been seen to occur. Incarceration in the bridewell does not enable a celebratory demonstration of an inmate’s ability to resist the normalizing penalty of the prison, but rather highlights their inability to transcend their carceral environment. Miss Williams attempts suicide three times in the bridewell; the inmate

\textsuperscript{126} See, for instance, Davis, p. 125, and Gladfelder, p. 8.
\textsuperscript{127} \textit{The Shawshank Redemption}, dir. by Frank Darabont (Castle Rock Entertainment, 1994).
of Johnstone’s fictional bridewell accomplishes it; and Moll Hackabout slides towards her syphilitic death there. Moreover, the extreme segregation of the inmate, both with respect to the prison population of the bridewell and from their ‘friends and relations’, has not been seen to catalyse the development of an inviolable, individual interiority. Oakman’s Benjamin Brass, for instance, is incarcerated in the bridewell as a result of his refusal to publicly own his native class status. He retreats into an interior space – his dream – which Oakman is at pains to point out is not within the magistrate’s capacity to confine. This space does not provide him with the ideational tools to resist the normalizing penalty of his carceral environment, however. Instead, on waking from his dream he immediately agrees to comply with his punishment, forgo all claims to his self-authored, individual identity, and own the labouring class identity that he was born into. That he does not do so is due not to his own resilience in the prison, but to the arrival of his cousin, whose loyalty and collusion enable him to reclaim his gentlemanly façade and escape the prison. Again, then, the novel does not deploy the bridewell as a means of valorising interiority, but of highlighting the porousness of the inmate to their carceral environment, and lamenting their lack of properly integrated sociality. Furthermore, the marginalization of the bridewell in the novels outlined here is another indication of the decline of the influence of the traditional picaresque narrative to the genre. That Goadby should omit mention of that prison, even in the biography of a self-proclaimed ‘rogue and vagabond’, illustrates just how demeaning and socially unacceptable incarceration there was held to be.

The bridewell aimed to curtail the free movement and mobile identity of the very lowest orders of society, while the state prison was designed to house the very highest.
The questions surrounding the stability of identity that the bridewell often presaged in the novel were related to class, as I have shown above. In fictional renderings of the state prison, however, these were instead related to nationhood. As I will now demonstrate, however, the Tower of London had waned in symbolic importance and in practice as a working prison since the ‘Glorious Revolution’. Instead, the state prison that accrued a distinct narrative identity in British novels of the eighteenth-century was the Bastille. Within the novel, that prison illuminates the terms of the social contract of the French nation, but also, contrarily, is a means to explore that of British society.
Chapter V: State Prisons: Questions of National Identity

At a distance from the voice of friend or relation; without any sounds except his own sighs; without any light except the glimmering through the ruins of the roof; without books, means of occupation, or possibility of exercise; a prey to hope deferred, corroding languor, and uninterrupted horror; he at last, as the only means of avoiding insanity, had recourse to the expedient of taming a spider.


In this chapter I will focus on a single fictional portrait of the state prison, that which is found in Laurence Sterne’s *A Sentimental Journey* (1768). In section ii, I demonstrate the literary conventions that came to be associated with representations of the state prison in British prose fiction, and illustrate the ways in which those can be understood to explore questions of national identity. In section iii, I then analyse the ways in which Sterne employed these conventions to new literary effect. In the final section of this chapter, I identify the impact of Sterne’s text on prison reform writings of the 1770s and 80s. Initially, however, I describe the decline of the Tower of London as a state prison in the Hanoverian period.
V.i : The Tower and the Bastille

The state prison that Sterne particularizes in the *Sentimental Journey* is not the Tower of London, but the Bastille. In this respect he follows fictional convention; the Bastille is a far more prominent state prison in British fiction than the Tower. Historian Kenneth Mears has argued that ‘during the eighteenth century the Tower disappeared from the national stage and changed in character. It was no longer a major prison, although still used in times of emergency’.¹ Such a decline is striking considering the centrality of the Tower as a national symbol of the longevity and immutability of monarchical power in Tudor and Caroline England. Early modern prisoners of the Tower included Princess Elizabeth Tudor and Mary, Queen of Scots; Sir Thomas More, who composed *A Dialogue of Comfort Against Tribulation* and *De Tristitia Christi* (both 1535) in the prison; Henry Howard, Earl of Surrey, and his sons; Philip Howard, Earl of Arundel; Sir Walter Raleigh, who wrote *The History of The World* (1614) in the Tower, Lady Jane Grey; Robert Devereux, the Earl of Essex; and Sir Thomas Wyatt.²

Stow’s late sixteenth-century *Survey* of London devoted a full forty-five pages to describing the Tower, its notable prisoners, customs, officers and structures, and included multiple floor-plans of the prison. He notes that the Tower was constructed by William the Conqueror in 1078, and that, besides housing an artillery, the Royal Mint, the Treasury, the Crown Jewels and the Office of Records, it was a ‘prison of

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Estate for the more dangerous offences’ in which inmates could face imprisonment ‘for life’. Strype’s eighteenth-century edition of the Survey additionally details the incarceration in the Tower of the leaders of the parliamentarian cause by Charles II in 1661, concluding that ‘the executions on Tower Hill, of such as were detained, Prisoners in the Tower, it would be too long to insert’.4

As early as 1708, however, Edward Hatton noted that the Tower was in decline as a working prison: ‘few Criminals having the favour of being here Imprisoned’.5 In his 1769 Survey of the city, Henry Chamberlain describes the Tower’s antique ‘curiosities’ rather than its function as a working prison in the capital, and cites Newgate as the primary prison for ‘great offenders of State’.6 John Howard, in his State of the Prisons in 1777, excluded the Tower altogether from his otherwise exhaustive review of the prisons of England and Wales. It is briefly mentioned in Howard’s Appendix to that work, published in 1780, where he notes that the Tower is ‘the only prison in England for state delinquents of rank’. He adds,

> There have been no prisoners here for a few years past; and when there are any, their fate is soon determined by a legal trial, and consequently their confinement can never be long. Six shillings and eight pence a day is allowed by government for their subsistence.7

The distance between Howard’s description of the Tower and that in Stow’s sixteenth-century Survey is marked. In the latter the Tower is represented as the most notable prison in the capital; in the former, it is the least noteworthy prison in the country.

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3 Stow, Survey, ed. by Strype, ([1598], 1720), i. 64-119, 78, 96, 74.
4 Ibid., p. 91.
5 Hatton, II, p. 780.
6 Chamberlain, p. 13.
7 Howard, Appendix to the State of the Prisons (Warrington: 1780), p. 117.
Prisoners who were incarcerated in the Tower in the eighteenth century included Robert Walpole, later Prime Minister, held there for five months in 1712 for corruption in his office as Secretary of War, and John Wilkes, the publisher, radical agitator and MP, who was briefly held in the Tower for sedition in 1763. The Tower also housed the leaders of the Jacobite uprisings of 1714 and 1745: the Earl of Derwentwater and Viscount Kenmure were imprisoned there in 1715 and beheaded on Tower Hill on 24 Feb 1716; Charles Radcliffe, the Earl of Derwentwater, the Earl of Kilmarnock and Lord Balmerino were held there in the wake of the 1745 uprising, and beheaded on 18 August 1746. Simon Fraser, Lord Lovat was also remanded in the Tower for his role in the ‘45, and in 1747 became the last man in England to be publicly beheaded. Lord George Gordon was one of the last men to be held in the Tower in the eighteenth century, for his role in what would become known as the Gordon Riots of 1780, which I discuss in my conclusion. While the Tower continued to house the most incendiary threats to the state, then, its symbolic importance was decidedly muted in the eighteenth century. The Hanoverian response to the Jacobite uprisings of 1714 and 1745, in particular, could readily have deployed the Tower as the symbolic site of monarchical reprisal, much as Charles II had against the Parliamentarian leaders on his accession to the throne in 1660. Yet few of the rebel leaders were held there and, as discussed in chapter II of this thesis, it was Newgate that formed the carceral setting for many of the most influential print narratives about imprisoned Jacobite rebels. An Italian army-officer, John Bernardi was

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9 Mears, pp. 89-90.
10 See, for instance, The Secret History of the Rebels in Newgate (1717); The History of the Press Yard (1717).
accused of a plot on King William’s life in 1696. He was incarcerated in Newgate for this offence under William, Anne, and then George I, for thirty-three years. In his prison autobiography Bernardi describes Newgate, rather than the Tower, as the English Bastille, and complains that prisoners there are used worse than in the original: ‘in our said English Bastile no State Prisoner has any Allowance made him from the Government, [...] he must live upon Charity, [...] or starve’.11

The causes for the Tower’s decline as a major prison in the Hanoverian period are in fact made clear through representations of the Bastille in British prose. Architecturally, those two prisons are similar structures, and in the early modern period, both represented an expression of the power and protection of the person of the monarch.12 The stability of these state prisons, their medieval, moated, castellated forms, which dominated the approaches to the capital cities, encoded the stability of the state itself and the impregnability and immutability of monarchical rule. In eighteenth-century depictions, however, the Tower was increasingly represented as an anachronistic symbol of British power relations under a happily constrained, constitutional monarchy. The Bastille, by contrast, was widely portrayed as an accurate symbolic reflection of the despotic, absolutist power relations of France. The Bastille is commonly deployed in British prose precisely in order to delineate this difference in the forms of governance between the two nations. The French are seen to suffer under the oppression of a ‘lawless’, tyrannical monarchy, while the British enjoy unexampled, constitutional freedoms under a monarchy made answerable to parliamentary authority. The Bastille is a fully functioning penal institution, while the Tower is a hollow, historical structure.

This is made evident in Howard’s *Appendix*. Where the Tower is accorded three, brief paragraphs of unemotive description, Howard notes of the Bastille that

I had the good fortune to procure an extremely scarce pamphlet, published in 1774, written by a person who had long been confined in the Bastille. It is reckoned to contain the best account ever made public of this celebrated structure; and the sale of it is forbidden in *France*, on the severest penalties.\(^{13}\)

Howard incorporates this pamphlet, apparently entire, into his own text, which is the only instance of his reporting on a prison’s form and internal ordering at second hand. He thus constructs the Bastille as a unique structure among prisons, one marked by ‘extremity’, ‘severity’ and long-established secrecy. Having described this ‘celebrated’ prison in detail, Howard reflects, ‘in inserting so particular an account of this place, my principal intention is to excite in my readers a strong detestation of despotism and a love for the laws which are the foundation of our liberty’.\(^{14}\) The Bastille is understood by Howard to represent the ‘detested’ ‘despotism’ of France. It enables the abject subjugation of the French citizen under an absolute monarchy, in direct contrast to the mutual and beneficent relationship between the British citizen and the Hanoverian state, which is characterised not by the Tower, but by ‘law’ and its attendant ‘liberty’.

Writing half a century after Howard, in the wake of the storming of the Bastille, historian Henry Hallam’s description of the Tower illustrates that prison’s association with the Bastille, and the causes for its redundancy as both a symbol and a working prison. He writes,

The rack seldom stood idle in the Tower for all the latter part of Elizabeth’s reign. To those who remember the annals of their

\(^{13}\) Ibid., p. 87.

\(^{14}\) Ibid., p. 89.
country, that dark and gloomy pile affords associations not quite so numerous and recent as the Bastile, yet enough to excite our hatred and horror. [...] The Tower] seems like a captive tyrant, reserved to grace the triumph of a victorious republic, and should teach us to reflect in thankfulness, how highly we have been elevated in virtue and happiness above our forefathers.15

The ‘hatred’ that Howard had directed against the ‘despotism’ of the French ancien régime through the prison of the Bastille is here described as the fitting response to the oppressive, absolutist penalty encoded by the Tower of London. During Elizabeth’s reign, that prison, too, was understood by Hallam to have enabled the tyrannical power of a divinely elected monarch over her subjects. Since that time, however, Hallam portrays the Tower as having been imprisoned by the flourishing city of London. ‘A captive tyrant’, the absolute monarchical power structures it represented had been vanquished by the enlightened power relations of a ‘victorious republic’. Hallam claims that the only remaining symbolic function of the Tower is to delineate the fact of its own anachronism. In the decades leading up to the storming of that prison, however, the Bastille was repeatedly portrayed in British prose as a terrifyingly accurate embodiment of the power relations of the tyrannical monarchy of France.

V.ii : British fictions of the Bastille

The Tower ordinarily features in British eighteenth-century literature in editions of the ‘curiosities’ of London, ‘museums’ of notable occurrences in English history, and in historical novels. It is a structure that articulates the past. The Bastille, by contrast, is depicted as a powerful, contemporary penal reality and is extremely common in the literature of the period. The depiction of the Bastille in the anonymous, amorous novel, *The Adventures of Miss Beverly*, from 1768, typifies the topos. Miss Beverly journeys to Paris with her Aunt, where she meets her lover, Mareshall. Soon after their courtship begins, Mareshall is presented with a *lettre de cachet* and confined as a prisoner of state in the Bastille. He is imprisoned on suspicion of being a spy, a charge invented by his Jansenist father who has pre-determined a match for his son and disapproves of Miss Beverly on religious and cultural grounds. Miss Beverly digresses:

> As many of my Readers may not know the Nature of a *Lettre de Câchet*, I shall explain it. It is one of the most dreadful Mysteries in the despotic Government of France. It signifies an Order given by the King, and signed with the Great Seal, by Virtue of which, any Person whatever may be arrested and confined in the Bastille, frequently for Life. Besides those who are imprisoned upon *Lettres de Câchet* as Criminals of State, nothing is more common than for Persons who have Interest at Court, to get any Relation who gives them Umbrage taken up upon a *Lettre de Câchet*, and thrown into Confinement.

The Bastille is figured here as the material and legal expression of the unassailable, ‘despotic’ French Government, sunk in the gothic gloom of continental feudalism,

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17 *The Adventures of Miss Beverly*, 2 vols (1768), ii, pp. 93-94.
which the narrator later likens to the Inquisition, and which are happily both ‘dreadful’ and ‘mysterious’ to the English reader. Just as Mareshall’s incarceration interrupts his courtship, the prison interrupts the forward movement of the plot, jarringly incorporating a quasi-legal discourse on the rights of French citizenry into the language of an amorous novel. These rhetorical strategies impress on the reader the extraordinary nature of the prison and the apprehension of the extra-fictional reality of the oppressive practices enabled by the Bastille. Additionally, the novel assumes a collective reader response, of British condemnation of the tyrannical carceral practices of the French. Mareshall later visits Miss Beverly in a dream and informs her that though he had ‘long pined in the solitude of this prison’ his father assures him that his liberation is at hand. She subsequently discovers that this ‘father’ is heavenly, and that her dream foretells Mareshall’s death in the Bastille. The prison is thus deployed in the novel, as it had been in Howard’s Appendix, in order to illuminate by contrast the constitutional freedoms of the British subject. The incarceration of the inmate continues for life in the Bastille, and is marked by unbroken ‘solitude’, a condition that is not replicated in any of the English prisons we have analysed above but which was the defining feature of the depiction of imprisonment in the state prisons of France in British prose.

One of the most detailed portraits of the Bastille anywhere in the period occurs in the earlier, 1746 biography of Simon Fraser, Lord Lovat, by the Scottish, Anglican minister Archibald Arbuthnot. Fraser was a Jacobite conspirator who was beheaded

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18 Ibid., p. 94.
19 Ibid., pp. 144-45, 152.
20 Archibald Arbuthnot, The Life […] of Lovat, (J. Stanton, 1746), p. 56. Further page references are to this edition. Little is known of Arbuthnot’s own life. His biography on Lovat was the most popular of his two identified works, running to four editions in 1746. His other work, also published in 1746, was a biography of the female Jacobite Jenny Cameron, and details on its title page that Arbuthnot was a
on Tower Hill for treason in 1747, and was the subject of two other biographies in 1746, and what purported to be an autobiography, as well as an engraving by Hogarth. Of these, only Arbuthnot’s text details his incarceration in the Bastille, where he was briefly interned on suspicion of being a spy. Presented with a lettre de cachet in Paris, Fraser demands to know the cause of his arrest. He is informed by his arresting officer that ‘it was not in France as in England, where they had an Habeas Corpus Act, for all People resident in France must be subordinate to the absolute Will and Pleasure of the Great Monarch’ (p. 56). Arbuthnot here rather glaringly points out the constitutional disparity between Britain and France that in most portraits of the prison remains ‘mysterious’ and ‘dreadful’ to the English reader. The Habeas Corpus Act of 1679, consolidating rights outlined in Magna Carta of 1215, meant that all incarcerated British subjects could demand to be presented before a judge, publicly hear the charge against them, establish its legality, and present a defence. Habeas Corpus means to ‘present the body’ of the prisoner, and was frequently cited as proof of the public and transparent process of English law in contrast to the secretive, obtuse operation of French justice.

William Blackstone, in his Commentaries on the Laws of England, for instance, describes the Habeas Corpus Act as the ‘great bulwark of our constitution’. He explains:

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Blackstone posits a collective national identity in the English constitution to which, as in Howard’s text, the concepts of liberty and the law are central. The English subject is able to seek legal redress, even against the king ‘in council’, in the act of ratifying the laws of the realm. By contrast, a French subject could be immured, as in Fraser’s case, without knowing either the charge against him or the identity of his accuser.

Henry Fielding, in his capacity as Justice for Westminster, deliberately deploys the Bastille in order to illuminate English liberties in his 1749 address to the Grand Jury:

[I]f the Blessing of Liberty, like that of Health, be not to be perceived by those who enjoy it, or at least must be illustrated by its Opposite, let us compare our own Condition with that of other Countries; […] Lettres de Cachet, Bastiles, and Inquisitions, may, perhaps, give us a livelier Sense of a just and mild Administration, than any of the Blessings we enjoy under it.24

Like Blackstone, Fielding posits a collective national identity, ‘our own Condition’, in the structure of English law, and likens the incarceration of the continental state or religious prisoner to the confinement of an invalid. He does so in order to illustrate the rude health of English jurisprudence in contrast to the sickly spectre of its continental counterparts. French carceral practices, the ‘Lettres de Cachet’ and the ‘Bastile’, antithetically illuminate the ‘Blessing of Liberty’ ‘enjoyed’ by the English subject under the ‘mild Administration’ of the Hanoverian government.

23 Blackstone, iv, 432.
Arbuthnot’s Bastille also contains an overt religious and political dimension; his text is an unabashed work of Protestant propaganda against the Catholic, Jacobite insurgents. As was the case in Miss Beverly, Arbuthnot interrupts the forward drive of his narrative in order to describe the prison, typographically differentiated from the preceding text through an italic font.

*Before we proceed farther in the Captain’s Adventures, it may not be amiss to describe that Place, so famous, and so much dreaded, not only by the French, but even by Strangers, which these Jacobites would introduce into this free Nation.* (p. 58)

Arbuthnot then extensively details the Bastille’s topography and lists its officers. On resuming the captain’s ‘Adventures’ in the prison, he reminds his readers that the ‘Account of the Severities used in that Inquisition’, Fraser’s interrogation, would have been ‘the Consequence, if those wicked People, the Rebels, had succeeded’ (p. 62) in their attempt to overthrow the Protestant, Hanoverian monarchy. The ‘famous’ and ‘much dreaded’ carceral practices of the Bastille are again held up in order to illuminate by contrast the ‘free Nation’ of Great Britain.

Arbuthnot describes the terrors of solitary incarceration with which the Bastille was pre-eminently associated:

> In the Night there sprung up a Wind, which beating against the Window, formed melancholy Accents; [...] he was debarr’d Pen, Ink, and Paper, and even Books, with which he might have amused himself, and pass’d the Time. But he was destitute of all Things. [...] the Dawn of the Day began to discover to him the Horror of his Cell. (p. 67)

Fraser is forbidden the use of ‘pen, ink, and paper’ and ‘even books’, and this total absence of mental stimulus distinguishes the torpor of the Bastille from that of the portraits of the debtors’ prison. The debtors’ prison, by contrast, is commonly portrayed in fiction as an pre-eminently social carceral space, and one in which
inmates are repeatedly depicted in the act of writing. As Miss Williams had been ‘robbed of everything about me’ in Smollett’s bridewell, Fraser, too, is ‘destitute of all Things’. Unlike Miss Williams, however, but typically of portraits of the French state prison, Fraser is entirely solitary. In contrast to the clamour of Smollett’s bridewell, or the ‘roaring’ of Defoe’s Newgate, Fraser hears only the ‘melancholy accents’ of the wind, ‘beating’ against his window. All he is able to read are the signatures of former inmates, carved into the stone walls of his cell (p. 69). He is able to contemplate only the iteration of his incarceration, either as impressed on him by his sequestration from the most unrestricted of the elements, the wind, or by the litany of previous sufferers that forms the sole text of his cell. The day, which ordinarily dispels the terrors of the night, reveals instead the fullness of the ‘horror’ of his carceral experience.

Unusually, however, Arbuthnot takes the authorial liberty of moving Fraser out of solitary confinement and into shared wards, in order that he might populate his portrait of the Bastille with inmates who are more deserving of his proto-gothic pathos.25 His Bastille is inhabited by Protestants who refuse to recant their religion (pp. 78, 91, 106), some of whom die in prison (p. 91); inmates who have become insane as a result of the rigours of their imprisonment, (pp. 96 99, 106); and a youth, incarcerated for singing a bawdy ballad about a woman of quality (p. 99). Contradictorily, Arbuthnot also uses the prison to collect together for condemnation the refuse of a debauched Catholic culture: an Irish friar who committed a rape (p. 107); a ‘libertine’ who claims that the tale of his amours is so lively, “The Spanish Rogue is nothing to it” (p. 114), and a French nobleman, committed for sodomy (p.

25 In fact, after 32 days in a solitary, ‘dank dungeon’ in the Bastille, Fraser was transferred to the castle of Angoulême. Furgol, ‘Fraser’, ODNB.
130), who proves the means of Fraser’s escape. The governor presents the nobleman with a pet kitten, which he dotes on. Fraser kicks the cat, and he and the nobleman have to be forcibly separated to prevent them from fighting. In representing his case to the governor, however, Fraser wins his esteem, and secures his release from prison (p. 131).

Fraser is subsequently held in the Tower of London. In marked contrast to the depiction of the Bastille, the only comment Arbuthnot makes on his incarceration in the state prison of England is that ‘Being come to the Tower, he was receiv’d there by Lieutenant Governor Williamson, who conducted him to the Apartment appointed for his Reception’ (p. 188). The French prison is the protracted scene of visceral tales of torture, sexual depravity, solitude, madness and oppression. The English prison, by contrast, is polite, transparent, and entirely unthreatening, as much by its narrative inconsequentiality as the naming of its Governor, Williamson, who genteelly ‘receives’ and ‘conducts’ Lord Lovat to his ‘appointed’ ‘apartment’, as though he were a guest.

These narrative features of the particularity of incarceration in the Bastille are often repeated in fictional portraits of that prison. In Smollett’s *Peregrine Pickle*, from 1751, for instance, Peregrine travels to France with his Francophile tutor, Jolter, at the insistence of his Uncle that he take an educative ‘short tour’ (I, 223). The narrator interrupts his relation of Peregrine’s tumultuous amorous adventures in Paris to discourse on the ‘French Government’ in order that his readers, like Miss Beverly’s, ‘may compare their own condition with that of their neighbours, and do justice to the constitution under which they live’ (II, 39):

A lady of distinguished character having been lampooned by some obscure scribbler, who could not be discovered, the ministry, in consequence of her complaint, ordered no fewer
than five and twenty abbés to be apprehended and sent to the Bastile, on the maxim of Herod, when he commanded the innocents to be murdered, hoping that the principal object of his cruelty would not escape in the general calamity; and the friends of those unhappy prisoners durst not even complain of the unjust persecution, but shrugged up their shoulders, and in silence deplored their misfortune, uncertain whether or not they should ever set eyes on them again. (II, 39)

Here again, the Bastille is deployed in order to illuminate the oppressive despotism of the French political system, and the contrasting ‘justice’ that enables the legally-framed freedoms of the British ‘constitution’. As in the foregoing extract, these juridical reflections interrupt the forward movement of the fictional text. They repeat familiar features of incarceration associated with the Bastille: that the right of a monarch to imprison his subjects at will might be appropriated by a vindictive nobility, that it might continue for life and constitute a protracted death sentence, that it was unchristian, operating on the ‘maxim of Herod’, ‘cruel’ and ‘unjust’ and illuminates a fault in the constitution of the country. Smollett’s observation is notable, however, for its insistence that not only individual prisoners but the society which that imprisonment serves are equally subjugated by these oppressive penal practices. The cowed French citizenry who ‘dare not complain’, and merely ‘shrug up their shoulders’ in ‘silence’ and ‘uncertainty’ are as much the targets of Smollett’s censure as the tyrannical monarchy and barbaric aristocracy who perpetrate the incarceration in the Bastille.

Smollett then embeds these ideas within the narrative when Peregrine and Pallet, an English painter, are incarcerated in the Bastille. Their arrest follows an ill-fated masquerade at which Pallet, disguised as a ‘suppositious female’ (II, 92), is accosted by a French ‘person of great quality’ (II, 93), whom Peregrine insults. When he hears of their incarceration, Pallet’s companion, an antiquity-loving English ‘Doctor’, wakes
Peregrine’s tutor and delivers a portentous observation. He predicts “Mr. Pickle and my friend Pallet will fall a sacrifice to the tyranny of lawless power”, and that if they liberate the pair, “we shall be accessory to the ruin of this poor enslaved people” (II, 98). The commission of such a “flagrant crime” the Doctor explains, “would fill up the vengeance of heaven against the perpetrators, and perhaps be the means of restoring a whole nation to the unspeakable fruition of freedom” (II, 98-99), either through direct divine intervention, or as the result of a revolution. The Doctor relishes this “opportunity of dissolving the chains of slavery” oppressing the French, “and vindicating that liberty which is the birth-right of man” (II, 99). Again, the Bastille is the architectural embodiment of the ‘tyranny’ of the ‘lawless power’ of absolutist, monarchical France. Vanquishing the prison, rendering it, like the Tower in Hallam’s history, a ‘captive tyrant’ in the midst of a victorious French republic, would be the means of ‘dissolving the chains of slavery’ and establishing ‘liberty’, not only within the state prison, but in the nation whose constitutional identity it characterises.

Jolter refuses to sacrifice his pupil to such a cause, however, and demands to see Peregrine in his confinement. He ‘did not enter this gloomy fortress without fear and trembling’ and

found his pupil in a dismal apartment void of all furniture, but a stool and a truckle-bed; the moment he was admitted, he perceived the youth whistling with great unconcern, and working with his pencil at the bare wall, on which he had delineated a ludicrous figure labelled with the name of the nobleman whom he had affronted, and an English mastiff with his leg lifted up, in the attitude of making water in his shoe. (II, 100)

The ‘gloomy’, ‘dismal’ ‘fortress’, which provokes ‘fear and trembling’ in Jolter, has failed to subdue the defiant spirit of Peregrine. His cell walls are ‘bare’ and his is
therefore the only text to mark it. He does not inscribe his own name there, one among many suffering inmates, as in Arbuthnot’s Bastille, but instead inscribes the name of the man who has incarcerated him into the wall of his cell, along with a pictorial animation of his defiance, animalistic, crude, and emblematic. It is not Peregrine who befouls the nobleman’s shoe, but the symbol of his nationhood, the ‘English mastiff’. The drawing is also explicated verbally, in French, at the sight of which ‘the very turnkey was confounded’ (II, 101).

This rare, bullishly patriotic refusal to be cowed by the Bastille contrasts with Pallet’s reaction to the prison. The painter imagines he will be ‘carried to some hideous dungeon of the Bastile, where he should spend the rest of his days in misery and horror, and never see the light of God’s sun, nor the face of a friend’ (II, 95–96). Smollett thus reiterates that prison’s common association with life-long imprisonment and carceral solitude. Still sporting the remains of his ‘monstrous’ drag (II, 139), the terrified Pallet is later tricked by Peregrine in his typical, soured picaresque fashion, into thinking that he can only gain his freedom from the prison by agreeing to his castration. He will become an Italianate castrati, whom Peregrine christens the “English Senesino” (II, 106). Smollett thus signals the cruelty, emasculation and loss of personal and national identity that follow an inmate’s incarceration in the Bastille. Having proved Peregrine’s uncommon mental stamina, and cured Jolter of his inveterate Francophilia, both inmates are liberated through the efforts of the English ambassador, an expedient that seems not to occur to other, fictional inmates of the Bastille. The ambassador threatens to ‘send some French gentleman to the Tower’ (II, 102) if they are not released, at which Pickle and Pallet regain their liberty.
Later in the novel, however, Smollett returns to the topos of the Bastille, where he demonstrates the degenerative effects of long-term solitary incarceration. The aged misanthrope Cadwallader informs Peregrine that he has been ‘at different times, prisoner in all the jails within the bills of mortality’ (II, 311), including Newgate. After a near-fatal duel he flees to France, where he publicly abuses the ‘Grand Monarque’ (II, 312), is issued with a lettre du cachet, and interned in solitude in the Bastille, he presumes for life. ‘[D]eprived of all intercourse with rational creatures’ he enters into ‘a correspondence with some industrious spiders, who had hung my dungeon with their ingenious labours’ (II, 312). Like Crusoe in his solitary empire, Cadwallader figures himself not as a member of a republic, but as a Grande Monarque himself: ‘I presided with absolute power over this long-leg’d community, and distributed rewards and punishments to each, according to his deserts’ (II, 313). How the prisoner-warder might judge of his wards ‘deserts’, or administer his utilitarian penal regulations is unclear, and call Cadwallader’s sanity into question, as does his assertion that he plans to submit a ‘curious’ treatise on weaving to the ‘Royal Society’ (II, 312), based on his observations of the spiders’ art.

Unable to endure his imprisonment, Cadwallader eventually ‘wreaked the fury of my indignation upon my innocent subjects, and in a twinkling destroyed the whole race’ (II, 313). The spiders form a ‘community’ of ‘innocent subjects’ labouring under the ‘absolute power’ of their self-declared ruler, who punishes and rewards them as he sees fit, and who, on a whim, destroys ‘the whole race’ without fear of reprisal. Cadwallader thus enacts the despotic power relations governing the French nation within the state prison that symbolically represents it. Fittingly, since he has assumed the mantle and the juridico-political system of the man he was arrested for traducing,
the episode proves the means of his liberation. The turnkey, witnessing this ‘general massacre’ (II, 313), presumes his ward insane, and transfers him to the Gallies, from where he escapes.

These narrative features of the representation of the Bastille occur repeatedly in British prose fiction of the period. In the anonymous, short tale, ‘The History of the Marquess of G— V—’ for instance, published in the following year, a beleaguered French Protestant is imprisoned in the Bastille for six months without being told the cause of his arrest, and separated from his lover, Emilia, for singing a scurrilous ballad about the Prince Regent in a coffee house. The poet and Whig polemicist, James Thistlewaite’s Man of Experience, from 1778, charts the travels of a patriotic Englishman through Europe. Honorious is similarly incarcerated in the Bastille by an abbé, for having ‘rationally’ defended his Anglican religious principles in public. The almost unendurable mental torment of solitary confinement was often particularly stressed in portraits of that prison. In July 1711, for instance, The Spectator relayed a story, reprinted in collected editions throughout the century, of an inmate of the Bastille held in solitary confinement for seven years, who managed to preserve his sanity by arranging pins in different patterns every day. The Bastille is also commonly depicted in fictional portraits as the personal tool of oppression of a corrupt, French nobility. In the anonymous amorous novel Almira, from 1758, the Chevallier de Peronne is incarcerated by the aging Marquis de Fannell on the

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27 James Thistlethwaite, The Man of Experience, 2 vols (1778), I, 12.
28 Eustace Budgell, The Spectator, no. 116 (13 July 1711), p. 1; reiss., The Spectator, 8 vols (1750), II, 134. Budgell was Addison’s cousin, a Whig polemicist and an Irish MP.
29 Budgell asserts in 1731 that the privilege of the French monarch to incarcerate subjects without trial might be employed by private citizens to pursue personal vendettas, for which reason the English refuse any ‘such Extraordinary Powers in the Crown’. A Letter to […] the King of Sparta (1731), p. 8.
fabricated charge of being a spy in order to prevent his marriage to Almira.\textsuperscript{30} In The 
History of Charles Horton, similarly, the Protestant, English adventurer Edward 
Simpson is incarcerated in the Bastille without being told the charge against him for 
seven years, at the behest of a superannuated French Count who hopes (but fails) to 
debauch his wife.\textsuperscript{31}

Very occasionally, the horrors of the Bastille are underemphasised in fictional 
portraits of the period. ‘The Life of Sir John Vanbrugh’, from 1768, relates that the 
playwright and architect was incarcerated in the Bastille for inspecting French 
‘fortifications’ too closely. His curiosity was architectural, but, found with building 
designs on his person, he was mistaken for a spy.\textsuperscript{32} Vanbrugh was in fact arrested in 
France in 1688 and held in the Citadel at Calais for publicly voicing his admiration of 
William of Orange when the Dutch were at war with France, on the eve of William’s 
arrival in England. In 1692 he was transferred to the Bastille and released in 
November of that year.\textsuperscript{33} The allusion to his studying French prisons for architectural 
inspiration may be a jibe at Vanbrugh’s notoriously massy building style, particularly 
evident in Castle Howard.\textsuperscript{34} ‘The Life’ states that Vanbrugh’s experience in the Bastille 
was one of profitable writerly introspection: ‘As the French, except in cases of heresy, 
use their prisoners with gentleness and humanity, Sir John found his confinement so 
endurable, that he amused himself in drawing rude draughts of some comedies’.\textsuperscript{35} The 
complicated ironies of the ‘Life’ undermine the surface meaning of this highly unusual

\begin{footnotesize}
\begin{enumerate}
\item Almira (1758), p. 162.
\item The Trial: or, the History of Charles Horton, Esq., 2 vols (Dublin, 1772), ii, 74.
\item ‘The Life of Sir John Vanbrugh’ in The Provok’d Husband; or, A Journey to London, Colly Cibber 
and Sir John Vanbrugh (Edinburgh, 1768), pp. iii-ix (p. vii).
\item Kerry Downes, ‘Vanbrugh, Sir John (1664–1726), playwright and architect’, in ODNB, 
\item Jonathan Swift mocks Vanbrugh’s design of Castle Howard in ‘The History of Vanbrugh’s House’ 
\item ‘Life of Vanbrugh’, p. vii.
\end{enumerate}
\end{footnotesize}
portrait of French carceral experience. That he writes comedies of manners in a notoriously terrifying state prison is in itself a satirical act of defiance, and 'rude draughts' again navigates between Vanbrugh’s authorial and architectural constructions, the first of which are deliberately comic, the second unintentionally so.

These fictional portraits of the Bastille share identifying features with the prisons outlined earlier. Like the debtors’ prison, and less commonly the bridewell, the Bastille is frequently co-opted by a vindictive, powerful individual to pursue a personal vendetta or to enable the sexual pursuit of a weaker subject. However, in distinction to fictional depictions of the bridewell, inmates of the Bastille ordinarily hail from the upper ranks of society and the threat of that prison is repeatedly enacted in British fictional portraits, rather than averted in the final instance. Additionally, the degenerative languor of the Bastille is reminiscent of the ‘sloth and darkness’ of many fictional depictions of the debtors’ prison. The debtors’ prison, however, is commonly portrayed as a particularly social prison, and one that is repeatedly associated with the act of writing. By contrast, inmates of the French state prison are ordinarily depicted as enduring total and potentially unending solitude, and are debarred all forms of mental stimulus or self expression. Cumulatively, the Bastille is portrayed in British prose fiction as the architectural embodiment of the rank injustices of pre-revolutionary French government, the enslavement of its subjects under a tyrannical, absolute monarchy and a corrupt courtly culture. Conversely, that prison also illuminates the enviable, constitutional liberties of the ‘free’ British subject. It is to this routine, almost clichéd French state prison that Sterne’s *Sentimental Journey* sophisticatedly refers.
V.iii : Sterne’s Captive

Sterne’s use of the motif of the Bastille in *A Sentimental Journey* (1768) draws on the topos of that prison outlined above, but he develops the fictive possibilities of the motif in unprecedented and importantly influential ways. The impact of his novel is difficult to overstate. With the exception of the *Critical Review*, which was edited by Tobias Smollett, who appears in Sterne’s novel as the splenetic traveller, Smelfungus (1, 86), the contemporary critical response to the *Sentimental Journey* was adulatory. The sentiments of the review from the *St. James’s Chronicle* were frequently repeated: ‘His last work may be considered as his greatest; since it contains a variety of agreeable pathetic Descriptions, [...] cleared from much of the obscenity and levity which debase the former volumes’, meaning *Tristram Shandy*. Unimpeachably chaste selections from both works formed the astonishingly popular *The Beauties of Sterne*, which went through seven editions in its first year of publication, 1782.

These editions, chosen to stimulate the ‘Heart of Sensibility’, reliably include ‘The Starling’ and ‘The Captive’ from the *Sentimental Journey*, as two of Sterne’s most successful sentimental creations. The carceral sequence of the novel begins when a Lieutenant de Police calls on Yorick at his hotel, demanding to see the foreign national’s passport. Yorick had not procured one before leaving England, despite the fact that England and France were engaged in the Seven Year’s War. A passport at this time would have been an essential document for travel.

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36 Laurence Sterne, *A Sentimental Journey through France and Italy*, 2 vols (1768). All page references are to this edition.
40 In the above edition, ‘The Starling’ appears at pp. 144-47, and ‘The Captive’ at pp. 147-49.
time was little more than a letter signed by an identifiable person of rank, asking that a foreign power allow free passage to its bearer.\footnote{John Torpey, \textit{The Invention of the Passport: Surveillance, Citizenship and the State} (Cambridge: Cambridge University Press, 2000), p. 17. See, for instance, NA: T1/324/34; NA: SP 78/248/93.f.280; LMA: ACC 2079/A3/16; LMA: ACC 2079/A3/17. A copy of a passport issued to a British national in wartime is included in \textit{An Account of the [...] the Persecuted Protestants in Salzburg} (1743), p. 6.} Yorick’s lack of such a document during wartime, however, meant that he would be in danger of being mistaken for a spy. The Maitre D’ of Yorick’s hotel comments:

\textit{certes, replied he, you’ll be sent to the Bastile or the Chatelet, au moins.} Poo! said I, the king of France is a good natured soul —he’ll hurt no body. \textit{Cela n’empeche pas, said he—you will certainly be sent to the Bastile to-morrow morning.—But I’ve taken your lodgings for a month, answer’d I, and I’ll not quit them for all the kings of France in the world. La Fleur whisper’d in my ear, That no body could oppose the king of France. (II, 16-17)}

Even as he denies the king’s cruelty, Yorick emphasizes the fact that incarceration in the state prisons of France occurs not after a public trial but at the personal whim of the reigning monarch. It is not fanciful on Sterne’s part that Yorick might face incarceration for lacking a passport. Renaud Morieux notes that during wartime ‘it was common for foreigners to be expelled from the country unless they were given permission to stay, and given a passport to do so. If they stayed nonetheless, they could be incarcerated’. Morieux has uncovered ‘many cases of British merchants [...] who were imprisoned, often because they were suspected of being spies’.\footnote{Renaud Morieux, private correspondence, 3 Dec. 2014. See also Renaud Morieux, \textit{Une Mer pour Deux Royaumes: La Manche, Frontière Franco-Anglaise XVIIe-XVIIIe Siècle} (Rennes: Presse Universaire de Rennes, 2008), pp. 317-43.} Yorick’s travelling without a passport is, then, another indication of his whimsicality, speaking to his status as an unexampled ‘Sentimental Traveller’ as opposed to the ‘Simple Travellers’ or the ‘Travellers of Necessity’ (I, 27-8) from whom he distinguishes himself.
At La Fleur’s insistence, however, Yorick accepts the possibility of his incarceration in the Bastille if he is unable to obtain a passport. Like Peregrine, however, he defiantly refuses the metonymic power of that prison to terrify him. Instead, Yorick turns his imagined immurement in the Bastille to his writerly profit:

[...] as for the Bastile! the terror is in the word—Make the most of it you can, said I to myself, the Bastile is but another word for a tower—and a tower is but another word for a house you can’t get out of—Mercy on the gouty! for they are in it twice a year—but with nine livres a day, and pen and ink and paper and patience, albeit a man can’t get out, he may do very well within—at least for a month or six weeks; at the end of which, [...] he comes out a better and wiser man than he went in. (II, 22)

Sterne stakes a claim for the power of fiction and the artistic imagination, both to liberate a man from the terrors of captivity, and to generate those terrors in the first place: ‘the terror is in the word’. Doing ‘very well within’ refers both to the physical state of captivity, and to the authorial introspection that Yorick hopes will be attendant on it; he accords himself the ‘pen and ink and paper’ that were punitively denied Fraser in Arbuthnot’s rendering of the Bastille. Yorick systematically dismantles the Bastille from a specific and notoriously impregnable Medieval French prison to the generic, antiquated ‘tower’, to the universal, contemporary, entirely prosaic ‘house’, from which he will emerge ‘a better and wiser man’. Here, then, is a portrait of an eighteenth-century, fictional imprisonment in which an inmate is shown to develop an inviolable and redemptive interiority through which to transcend his carceral environment.

This novel conceptualization of the Bastille proves fragile, however. In the midst of his soliloquy, Yorick is interrupted by the voice of what he takes to be a child, complaining that it cannot get out. It belongs to a caged starling which Yorick
discovers in the passage of his hotel repeating the ‘lamentation of its captivity’ in English, “I can’t get out — I can’t get out” (II, 24). Unable to break open the cage and free the bird without destroying it, Yorick’s positive portrait of the prison abandons him, and he begins to figure to himself ‘the miseries of confinement’ (II, 29). Due to the influence of this passage on later works, and in order to trace the progression of Yorick’s involvement in the prison scene, I quote it here in full:

— I took a single captive, and having first shut him up in his dungeon, I then look’d through the twilight of his grated door to take his picture.

I beheld his body half wasted away with long expectation and confinement, and felt what kind of sickness of the heart it was which arises from hope deferr’d. Upon looking nearer I saw him pale and feverish: in thirty years the western breeze had not once fann’d his blood—he had seen no sun, no moon in all that time—nor had the voice of friend or kinsman breathed through his lattice—his children—

— But here my heart began to bleed—and I was forced to go on with another part of the portrait.

He was sitting upon the ground upon a little straw, in the furthest corner of his dungeon, which was alternately his chair and bed: a little calendar of small sticks were laid at the head notch’d all over with the dismal days and nights he had pass’d there—he had one of these little sticks in his hand, and with a rusty nail he was etching another day of misery to add to the heap. As I darkened the little light he had, he lifted up a hopeless eye towards the door, then cast it down—shook his head, and went on with his work of affliction. I heard his chains upon his legs, as he turn’d his body to lay his little stick upon the bundle—He gave a deep sigh—I saw the iron enter into his soul—I burst into tears—I could not sustain the picture of confinement which my fancy had draw’n— [...] (II, 29-32)

Yorick then travels to Versailles, where he is granted a passport from the Count de B**** on the fruitful misunderstanding that he is Shakespeare’s Yorick, the King’s jester, a distant memory even in Hamlet, and a feudal subject of a deceased monarch in a diseased Danish state. In a neat return to his earlier apostrophe, then, it is the
glories of English literature that free Yorick from the medieval terrors of the Bastille, and in the act of officially establishing Yorick’s identity, Sterne comically destabilizes it.

Much of the most compelling Sterne scholarship of recent years has read The Captive as a metaphoric rendering of the experience of African chattel slavery for a white, urban readership. These readings rely on the apostrophe to slavery, and the Goddess ‘LIBERTY’, which prefaces The Captive, in which Yorick declares: ‘Disguise thyself as thou wilt, still Slavery! [...] still thou art a bitter draught’(II, 27). The Captive is understood to represent one such disguise. Read as either a criticism of the slave trade or, more commonly, as developing the rhetorical strategies that enabled it, the passage has been co-opted into a debate on the growth of Empire in the eighteenth century. John Mullan, for instance, says of The Captive that the passage is ‘mawkish [...] although progressive on the question of slavery’.43 W.B. Gerard unequivocally concludes, ‘Although some critics desire to identify the Captive as an incarcerated criminal, Yorick clearly finds his “single captive” among “the millions of my fellow creatures born to no inheritance but slavery”’.44 Gerard has recently traced the use of Sterne’s phrase, ‘bitter draught’ in American abolitionist discourse from 1788 as further proof of this identification.45 Marcus Wood also reads the Starling as ‘a universal symbol of slavery’.46 He interprets The Captive as a sophisticated warning on the moral dangers of representing suffering in the sentimental mode.47 Similarly,

43 Mullan, p. 194.
47 Ibid., p. 18.
Markman Ellis identifies the Starling as an ‘emblem of African slavery’, and argues that the Starling and the Captive ‘work to trope slavery in a metropolitan setting and sentimentalist scenario’. Ellis concludes that the sentimentalist position on the question of slavery is by nature quietist, since its emphasis is on the man of feeling, rather than the singular, suffering object of his gaze, and Paul Moore agrees.

Yet ‘slavery’ need not refer to African chattel slavery. Smollett’s Doctor makes much the same apostrophe to ‘Liberty’ in *Peregrine Pickle* on the subject of the Bastille. The inhumane carceral practices of that prison will, the Doctor predicts, prove the means of ‘dissolving the chains of slavery and vindicating that liberty which is the birth-right of man’. There can be no possibility that Smollett refers to chattel slavery here. He describes the abject enslavement of the French people to a despotic, absolute monarchy. Moreover, ‘slavery’ was used to depict all forms of indentured labour in the eighteenth century. In a private letter of 1779, Blackstone, one of the authors of the Penitentiary Act, was undecided whether to name the new, state-run prisons ‘Penitentiaries or Ergastularies’. An ergastulum designated the communal living space in which Roman slaves who worked large farms were housed. In 1776, Lord Irnham vociferously argued against the idea of compelling felons to hard labour, dredging the Thames, as had been proposed by the Hard Labour Act of 1776. His complaint to Parliament was reprinted in the *St. James’s Chronicle*: ‘Slavery’ he declared, is ‘no less abhorrent to the Spirit of the Constitution than to the Feelings of

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The ‘slave’ in both instances refers to the figure of the British prisoner.

When Yorick uses the term ‘slavery’ elsewhere in the *Sentimental Journey*, he does so not in reference to pirated Africans but to signal wide-ranging social criticisms. Later in the novel, he describes his popularity in Parisian society as the ‘gain of a slave’ (II, 148), since he is adored by his interlocutors only by dint of mirroring their own opinions back at them. Additionally, reflecting on La Fleur’s wish to spend the day with a woman he is courting, Yorick notes that servants ‘part with liberty, but not their Nature’, when contracted into service, that ‘house of bondage’ (II, 124). By contrast, Yorick’s mention of chattel slavery is solitary and oblique. Yorick declares that he ‘was going to begin’ his meditation on captivity ‘with the millions of my fellow-creatures, born to no inheritance but slavery’, which clearly refers to chattel slaves. Yet in the event, he does not, since ‘however affecting the picture was, [...] I could not bring it near me’ (II, 29).

While chattel slaves are doubtless included in the apostrophe, then, I would argue that Sterne’s readers would unhesitatingly have identified the Captive as an inmate of the Bastille. His unbroken solitude, the length of his incarceration, and his total lack of mental stimulus and human contact all define him as the inmate of a French state prison. The Bastille represents the worst instance of the ‘miseries of confinement’ that Yorick was able to imagine, the one that he is specifically threatened with, and the one which boasts a literary history most likely to stir a man of sentiment to an exquisite pitch of sensation.

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Pallet, in Smollett’s *Peregrine Pickle* from 1751, imagines the Bastille as ‘a hideous dungeon’ in which he would ‘never see the light of God’s sun, nor the face of a friend’. Yorick’s Captive too, for ‘a full thirty years’ had ‘seen no sun, no moon in all that time—nor had the voice of friend or kinsman breathed through his lattice’. Like Fraser in Arbuthnot’s biography, his carceral experience is expressed through his separation from the wind, which ‘had not once fanned his blood’ during his incarceration, and like Fraser, and also like the Starling, the Captive is only able to iterate the ‘lamentation of’ his ‘captivity’, here expressed as the monotonal notation of unnaturally flattened, carceral time. The ‘pen’ of Yorick’s initial imagining has degenerated into a ‘nail’, the ‘ink’ its rust, and his ‘paper’ is now a ‘heap’ of dry twigs, stripped from the tree and its organic, living embodiment of the passage of seasonal time. As Cadwallader had been in the Bastille, the Captive, too, is ‘deprived of all intercourse with rational creatures’, or, to use Arbuthnot’s phrase, he is ‘destitute of all things’.

Sterne’s portrait of the Bastille is unusual, however, in two ways. First, in the blank anonymity of its subject: we remain ignorant of the Captive’s name, nationality and rank, the charge against him, and his fate. At the same time, the portrait is much more attentively detailed in its depiction of the prisoner’s physical and psychical deprivation than any we have analysed above. He is ‘pale’ and ‘feverish’, his body ‘half wasted away’; his ‘sickness’ extends from his body to his soul which Yorick is fleetingly and strangely able to see – he ‘saw the iron enter into his soul’ – before turning away. Secondly, the passage is unsettling and unprecedented because of the way in which Sterne draws ironic attention to the authorial strategies that create it. Yorick’s involvement in the incarceration of the Captive complicates our empathetic
response to the scene. It is he who takes the Captive, shuts him up, dims the little light he has, affords him friends, relations and children from whom he is then so cruelly isolated. Yorick’s, and by extension the reader’s sufferings – his heart bleeds, he bursts into tears – vie discomfortingly for attention with the Captive’s. The pathos of the portrait is nevertheless considerable. Much of the pleasure of the passage arises from the fact that we are able to witness the machinations of its artistic construction, even as we experience the power of its emotive affect. The tonal ambiguities of this passage mark the Sentimental Journey as a whole. It is ultimately impossible to determine whether Sterne is engaged in writing a highly effective sentimental novel, or in ridiculing sentimentality as a mode of novelistic expression, and the confusion extends even to his private letters.⁵²

To read the fragment as a typical sentimental portrait of a prisoner, in the vein of Mackenzie’s prison scene in The Man of Feeling, is to ignore the complication of Yorick’s self-conscious involvement in the carceral distress he portrays. Yet The Captive cannot simply be read as an ironic comment on Yorick’s ‘auto-erotics of empathy’.⁵³ Two resonant biblical allusions freight the passage with spiritual significance: ‘Hope deferred maketh the heart sick’, from Proverbs, 13, chapter 12, and ‘the iron entered his soul’, from Psalm 105 as it appears in the book of common

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⁵³Wood, p. 16.
prayer. This last is additionally a subtle reminder that Yorick is an Anglican priest adrift in Catholic France, while also referencing the sufferings of Joseph, who, like Yorick, was alone in a foreign land, and imprisoned at the whim of a despotic ruler. Sterne masterfully suspends his portrait of the Bastille between the seemingly antithetical tonal expressions of emotive pathos and the ironic undercutting of a sentimentalist presentation of suffering.

The effect of these novel developments of the trope of the Bastille is radically to deflate the patriotic bombast which ordinarily accompanies portraits of that prison in British fiction. Sterne’s Captive can be seen to continue the debate about French as against English cultural practices with which Yorick opens the Sentimental Journey, ‘—They order, said I, this matter better in France—’ (1, p3) and which, from his fears about the Droit’s Aubaine onwards, thread through the text. Yet here, as elsewhere in the novel, Sterne refuses to denigrate French culture as a means of valorising his own. In the novelistic portraits cited above, the Bastille is a stock fictional space in which to frame contrasting British constitutional freedoms. Sterne can be seen to puncture this effect by demonstrating that the high, gothic horror of the Bastille is in every instance (including that of his own novel) deliberately constructed by an emotionally manipulative, self-interested British author. Yet Sterne does not deny the carceral distress of the Bastille; it remains evident, perhaps more emotively and persuasively evident than in any of the portraits outlined above. What he refuses, however, is the English reader’s ordinarily assured, safe and signal separation from the fictional representation of the oppression of the Bastille inmate. The self-congratulatory segregation between readerly self and fictional other, French

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54 The Book of Common-Prayer (Edinburgh, 1713), Psalm 105: 18. The text reads: ‘the iron enter’d into his soul’. The King James Bible translates the passage as ‘he was laid in iron’. Psalm 105:18.
subject and English citizen, and the ordinarily antithetical subject positions of warder
and inmate are all deliberately elided by the ambiguity of Sterne’s Bastille. The
Captive imaginatively represents Yorick’s own carceral experience in the Bastille, yet
Yorick is self-consciously involved in scripting his incarceration; he is, therefore, at
one and the same time both inmate and gaoler, French and English national (even if
the Captive is not a French subject, a gaoler of the Bastille would necessarily be) and
is at once he who suffers and he who observes, and is responsible for the suffering of
another.

The Captive’s blank anonymity also enables Sterne to liken the carceral experience
of the Bastille to that of the inmates of English prisons. Again this rhetorical strategy
conflates what are ordinarily depicted as antithetical concepts. As we have seen, the
Bastille is commonly deployed in British fiction precisely in order to demonstrate the
distance between French and English juridical procedure. Refusing to give alms to the
Franciscan friar in the first pages of the novel, however, Yorick asserts the charitable
claims of the needy in his own country, among whom he numbers ‘the captive who
lies down counting over and over again the days of his afflictions’ (I, 15). The Bastille
Captive, too, is engaged in what Yorick terms this ‘work of affliction’ (II, 32). His only
activity is counting out ‘the dismal days and nights he had pass’d’ in the prison,
‘etching another day of misery to add to the heap’. Finally, since Yorick, and so the
reader, are shown to be complicit in the incarceration of the Captive, we are made
unsure of where our sympathies, and so our socio-political condemnation, should lie.
Sterne’s text beguilingly insists that the sufferings of the Bastille inmate are also those
of the British reader, that the oppression of the French citizen is comparable to the
oppression of the English prisoner, and that the English socio-political system also
enables the despotic tyranny of the strong over the weak. The suffering, enslavement, and autocracy ordinarily contained within the Bastille in British fiction are not specific to that culture in Sterne’s rendering of the prison. They are all, also, our own. The unsettling ironies of Sterne’s text are further elucidated in two seminal prison reform documents of the 1770s and 1780s. That *The Sentimental Journey* should appear there offers further proof that most immediate contemporary reworkings of The Captive understood it to refer directly to the prison.
V.iv : Sterne and the narrative of prison reform.

The prison became a national priority in the 1770s. The American War of Independence interrupted the practice of transportation, the popularity of which had been waning for some years, and Parliament passed a series of interim measures to accommodate convicts who had received transportation sentences.\(^55\) These included The Convict Act of 1776, which called on local authorities to fit their prisons for the reception of convicted felons, expanding them where necessary, and which enabled Justices to send convicts to one of two Hulks, moored on the Thames, for terms of between three and ten years at hard labour.\(^56\) The Hard Labour Bill of 1778 failed to pass through parliament. It constituted a radical motion to divide England and Wales up into nine districts, in each of which, two or more new ‘Labour-houses’ would be built, in which convicted felons would serve penal sentences at hard labour, and sleep in solitary cells.\(^57\) In 1779, the Penitentiary Act passed. It ameliorated the proposals of the Hard Labour Bill, calling for the construction of only two, large-scale, national penitentiaries in which felons would wear a uniform, sleep in individual cells, be fed a ‘hard’ diet, and be subject to a strict schedule of hard labour and religious instruction.\(^58\) It was authored by three men: John Howard, William Blackstone, and William Eden.\(^59\)

Eden was the younger son of Sir Robert Eden, baronet of Durham, and in 1779 was the MP for Woodstock and under-secretary to Lord Suffolk, the secretary of

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\(^{56}\) 16 Geo III (1776) c.43.  
\(^{58}\) 19 Geo III (1779) c.74. See also Devereaux, 405-533.  
\(^{59}\) Radzinowicz, I, p. 305.
He is the dark figure of this hallowed triumvirate, whose centrality to the Penitentiary Act is only now coming to light. No biography of Eden exists, but the British Library houses more than 70 volumes of his personal correspondence, which reveal him to have been an intimate correspondent of, among others, Lord North, the Prime Minister, Lord Suffolk, and Benjamin Franklin of Pennsylvania over the question of American independence. His personal correspondence reveals that it was Eden, and not Howard, the famed prison reformer, nor Blackstone, the legal authority, who drafted the heads of the Convict Act and the Penitentiary Act, and whose political acumen ensured that these reform measures were passed.

Eden first came to public attention in 1771 with the publication of *Principles of Penal Law*, when he was 27. It constituted the first full scale work of English penology, calling for a complete reform of the criminal justice system on rational and humane principles, the current functioning of which Eden denounced as cruel, irrational and inconsistent. It was hailed as a work of ‘universal use, and universal benevolence’, ran to four editions, and was read by those in power, including the Prime Minister. Eden’s work is heavily influenced by Beccaria’s *On Crimes and Punishments*. In line with Beccaria, Eden does not endorse either transportation or imprisonment as sound legislation.

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62 As is evident from a letter from ‘Eden to Burke’, Blackstone was the fourth person to see the draft heads of the Convict Act, (17 Mar. 1776) *The Correspondence of Edmund Burke, III, July 1774-June 1778*, ed. by George Gutteridge, pp. 251-52. Blackstone additionally refers to Eden as the ‘joint father’ of the Convict Act. ‘Blackstone to Eden’, (31 Dec. 1778), BL, Add. Mss. 34416 Auckland Papers vol. V, f. 27. The argument for Eden’s centrality to both Acts was first made by Throness, pp. 116-124.

63 Eden, see especially p. 12.

penal practices.\textsuperscript{65} In a lengthy section entitled ‘On Imprisonment’, Eden concludes that ‘Imprisonment, inflicted by law as a punishment, […] sinks useful subjects into burdens on the community, and has always a bad effect on their morals: nor can it communicate the benefit of example, being in its nature secluded from the eye of the people’.\textsuperscript{66} He later appears to contradict this position, stating that the punishment for private larceny of goods worth more than 12 pence might be transmuted from the death penalty to ‘temporary imprisonments, with compulsion to labour; a mode of punishment, which, by inducing a habit of industry, and by the effects of that habit, would be equally beneficial to the criminal and the public’.\textsuperscript{67} This nascent idea would form the basis of the Hard Labour Bill and the Penitentiary Act.

In 1771, however, Eden briefly endorses the founding principles of the bridewell while condemning the criminal gaol as a penal instrument. Eden identifies the character of gaolers as one of the most pernicious aspects of the prison as a system of penalty, concluding that ‘Gaolers are in general a merciless race of men’.\textsuperscript{68} In order to illustrate as much, Eden relays the story of an incarceration in the French state prison of Pignerol, into which he incorporates several phrases from Sterne’s \textit{Sentimental Journey}:

\begin{quote}
The Count de Lauzun passed the long interval from the year 1672 to 1681 in the prison of Pignerol. It has been well observed, “that, with pen, and ink, and paper, albeit a man cannot get out of prison, he may do very well within, and at last come out a wiser man than he entered;” but these consolations did not fall to the lot of the Count de Lauzun.—At a distance from the voice of friend or relation; without any sounds except his own sighs; without any light except the glimmering through the ruins of the roof; without books, means of occupation, or possibility of
\end{quote}

\begin{flushright}
\textsuperscript{65} Beccaria, p. 75. \\
\textsuperscript{66} Eden, p. 44. \\
\textsuperscript{67} Ibid., p. 263. \\
\textsuperscript{68} Ibid., p. 47.
\end{flushright}
exercise; a prey to hope deferred, corroding languor, and uninterrupted horror; he at last, as the only means of avoiding insanity, had recourse to the expedient of taming a spider. — “Misery, says Trinculo, makes a man acquainted with strange companions.” The spider received his flies every morning with gratitude, carried on his webs through the day with alacrity, and engaged the whole attention of his benefactor; until the gaoler, conversant in scenes of wretchedness, and consequently steeled against every tender sensation, accidentally discovered this amusement of his prisoner, and in the wantonness of tyranny officiously destroyed the subject of it. M. De Lauzun afterwards declared, that he conceived his agony on this occasion to have been more painful than that of a fond mother on the loss of a darling child.⁶⁹

Sterne is misquoted here, as is Shakespeare, an indication that these texts were in Eden’s mind, rather than on his desk, while he composed this section of the *Principles of Penal Law*. Eden clearly identifies Sterne’s Captive as a white, European inmate of a French state prison, not as an emblem of African chattel slavery. He applies Sterne’s description of the Captive, ‘a prey to hope deferred’ to the historically identifiable Count de Lauzun, and connects both to the ‘pen and ink and paper’ of Yorick’s initial thoughts on his incarceration in the Bastille. Eden’s portrait of the imprisoned Count shares features of the fictional depictions of state prisoners outlined above, particularly the spiders of Smollett’s portrait in *Peregrine Pickle* and the gothic excess of Arbuthnot’s Bastille in the *Life of Lovat*. Sterne’s influence on the passage is pronounced, however. After the phrase ‘it has been well observed’, Eden inserts a footnote citing, minimally, ‘Sterne’ at the bottom of the page. Shakespeare, by contrast, is not referenced.

That Sterne’s text should appear in the first work of English penology — that, moreover, his sentimental description of an experience of incarceration should mark the penological work of the primary author of the Penitentiary Act — is as unexpected

as it is significant. It illustrates that Sterne’s sentimental discourse, however fanciful and emotionally overburdened it may retrospectively appear, was understood to carry substantial political and philosophical weight in the period. As Sterne does, Eden demonstrates that the profitable, writerly experience of introspective incarceration, ‘doing very well within’, from which an inmate may ‘at last come out a wiser man’, is rendered barbaric and excessively punitive by the lack of means of self-expression, ‘pen, and ink and paper’, intellectual endeavour, ‘books’, or human contact. The development of ‘wisdom’ that might have been attendant on an introspective incarceration is again, as in Sterne’s original, rendered pointedly unchristian — ‘a prey to hope deferred’ — by the sensory and social deprivation of the inmate, the lack of ‘light’, ‘sound’, ‘occupation’ or ‘exercise’. Additionally, Eden trades on the widespread popularity of Sterne’s text, borrowing shades of the emotional affect of the portrait of the Captive and the socially engaged, philanthropic subject position that Sterne assumes for his readership. Both of these aspects of Sterne’s writing are important for Eden’s achieving his own aim, of persuading his readers of the pressing necessity for the wholesale reformation of English penalty.

More importantly, however, Eden deploys the ambiguity of Sterne’s text. As had been the case in Sterne’s Captive, the gothic excess of Eden’s prison is so pronounced as to border on the ironic, which complicates the reader’s empathetic engagement with the scene. Lauzun is additionally a highly problematic figure with which to highlight the inequities of French carceral practices. He was a favourite of Louis XIV who fell from grace for attempting to marry a member of the royal family, Mademoiselle de Montpensier, without Louis’ approval. He was imprisoned in Pignerol in 1671, returning to court a decade later. Contemporary portraits of Lauzun
were distinctly unfavourable: he was noted for being physically unattractive, and his suit to the princess was widely reported to be driven by avarice rather than affection.\textsuperscript{70} The spider, too, lays complicated claims to the reader’s sympathies. It is often read as nature’s gaoler, a creature that immobilizes and slowly sucks the life from its prey.\textsuperscript{71} In killing the spider, the gaoler effectively liberates the prison’s flies. Certainly Adam Smith refused to sympathize with the Count. In 1790, Smith notes that ‘the fashionable and frivolous Count de Lauzun recovered tranquillity enough to be capable of amusing himself with feeding a spider. A mind better furnished would, perhaps, have [...] found, in its own thoughts, a much better amusement’.\textsuperscript{72}

There is some confusion about the origins of this spider-taming story, which does not appear in the letters of Madame De Sévigné, or the Memoirs of Madame de Maintenon.\textsuperscript{73} It does appear in Arbuthnot’s \textit{Life of Lovat}, from 1746. Fraser, like Lauzun, was described as being physically and morally repulsive; he was reported to have raped Amelia Murray, the dowager Lady Lovat, forcing her hand in marriage in order to lay claim to her title.\textsuperscript{74} The signature of the ‘Bount de Lauzum [sic]’ is one that Fraser discerns carved into the walls of his Bastille cell, and Arbuthnot interrupts Fraser’s carceral narrative in order to insert Lauzun’s into the text.

\begin{quote}
the Count [...] had taught a little Spider which was in the Dungeon, to come down to his hand to receive some Crumbs of Bread, he gave, or flung into the Webb. One Day the Brute of an Officer came at the Time, when the Count was entertaining
\end{quote}

\textsuperscript{70} The story of his affair and incarceration is relayed in Marie de Sévigné, \textit{Letters from the Marchioness de Sévigné, to her daughter}, 2\textsuperscript{nd} edn, 10 vols ([1725], 1764), II, pp. 119-21, 124-25, 131-35.
\textsuperscript{71} See, for instance, \textit{Le Trou}, dir. Jacques Becker, (Filmsonor, Play Art and Titanus, 1960) in which the guard of a French penitentiary delightedly feeds flies to a spider in the prison’s storage rooms.
\textsuperscript{72} Adam Smith, \textit{The Theory of Moral Sentiments} 6\textsuperscript{th} edn, 2 vols (1790), 1, 367. This is the first edition in which Lauzun and the Bastille are mentioned. Smith has probably gleaned the story from Eden.
\textsuperscript{73} M. de La Beaumelle, \textit{Memoirs [...] of Madame de Maintenon and of the Last Age}, trans. by Charlotte Lennox, 5 vols (1757).
\textsuperscript{74} Arbuthnot, \textit{Life of Lovat}, pp. 19-26.
himself with the Spider, he gave him an Account of that Amusement, when the Officer perceiving that the Count took delight in it, crush’d the Spider in his Hand, telling him ‘that such Criminals as he were unworthy of the least Diversion.’

The Duke, after he was restored to Favour, protested, That of all the ill Turns he had done him, this last had appeared to him the most insupportable, and excepting the hanging of his Servant at the Grates of his Dungeon. (pp. 69–70)

With some minor alterations, Arbuthnot has lifted this passage from the first English translation of the French, Protestant author Constantin de Renneville’s *History of the Bastille*, written in French in 1715 and translated into English in the same year. This is the earliest source of the story that I have traced, and Arbuthnot’s is the first re-rendering of it in 1746. Renneville was incarcerated in the Bastille for eleven years on suspicion of being a spy, and on his release in 1713 fled to England. His *History* is dedicated to George I, and details the ‘barbarous Usage’ of the inmates of that prison which, like Arbuthnot, he attributes to the innate cruelty and barbarity of the Catholic religion.75 In both versions the gaoler, who murders Lauzun’s servant, is unambiguously evil, a picture of the kind of Catholic brutality the Jacobite conspirators would have introduced into Britain. But if Lauzun is an apt French counterpart to Fraser, he is a profoundly unfitting figure for British, readerly empathy. Lauzun was a debauched, avaricious and Catholic Count, imprisoned by the same power system he hoped to profit from. Arbuthnot seems not to be in complete control of his narrative in this sense; Fraser and Lauzun are at once positioned as the objects of empathetic engagement and outright condemnation in the text.

It is difficult to determine which is the original source for Eden’s spider-taming tale, whether he is adapting Renneville or Arbuthnot, or misremembering another

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Unlike Arbuthnot’s, however, Eden’s use of the story is a sophisticated endorsement of his argument. It exhibits the same, discomforting but fruitful ambivalence as that which marked Sterne’s Captive. Eden incorporates the story in order to demonstrate that French jurisprudence is sunk in gothic, feudalistic gloom. This gloom he renders stylistically through his depiction of the dungeon’s languishing noblemen, spiders, the ‘glimmering’ light illuminating it through ‘the ruins of the roof’, in a scene of ‘uninterrupted horror’. But, by claiming that gaolers are a ‘race in common’, and using the Lauzun story to illustrate as much, Eden then overlays this vision of seventeenth-century French despotism onto contemporary English reality. The eighteenth-century English inmate and the seventeenth-century French Count, incarcerated in a state prison at the whim of an absolute monarch, are not antithetical figures in Eden’s text. As in Sterne’s original, this has the effect of undermining the triumphant patriotism about the enviable glories of the English constitution that ordinarily accompanies depictions of the French state prison in British prose. Just as Sterne likens the captive of the Bastille to the captive of an English prison, Eden overlays the portrait of oppression in a state prison of France onto lived, English prison experience. The revulsion he attempts to excite at the ‘wantonness of tyranny’ of the French state prison, Eden then turns back at the British reader’s own legal system, which he vociferously denounces throughout the *Principles of Penal Law* as brutal and barbarously outmoded. It is as ridiculously brutal and outmoded, in fact, as his portrait of Lauzun, taming spiders in Pignerol.

76 The only other spider-taming story I have found that predates *Principles of Penal Law* is from 1752. The *Biographia Gallica* relays the story of the historian Paul Pellison, incarcerated in the Bastille in 1661 when his patron, Nicolas Fouquet, fell out of favour with Louis XIV. He ‘set about taming’ a ‘spider’ with the help of a ‘dull Biscayner’ who played the bagpipes. The spider is not destroyed in this version, however. *Biographia Gallica*, 2 vols (1752) ii, pp. 27-28.
In 1771, Eden does not deploy this as an argument for expanding the use of the prison as a penal instrument, preferring to punish convicted felons through fines, working them in salt mines or exchanging them for Christian slaves in Tunis or Algiers. However, the portrait sophisticatedly argues for the pressing need to overhaul English criminal law so that it no longer resembles the worst excesses of the ancien régime. Beyond this Eden argues for the need to curtail the rights of gaolers to exercise tyrannical control over inmates by subjecting them to central government control. Four years later, he would conflate these two aims, and effect a reformation of the prison system in order to reform English penology as a whole. Carceral solitude, which in his earlier work he had rejected as too punitive to be tolerable, was, ironically enough, the cornerstone of the new, national prison system that Eden authored.

Sterne’s Captive, and Eden’s reworking of it, appear again in George Oneispherous Paul’s Considerations on the Defects of the Prison in 1784 in order to resolve the tensions of this very irony. The passage makes an even more striking intrusion into Paul’s prosaic, practical text than it did in Eden’s. Like Eden, Paul is a central figure of the penal reform movement who has received very little academic attention to date. An Oxford-educated dilettante, he became the Sherriff of the County of Gloucester in 1780 and dedicated the rest of his life to the reform of Gloucestershire’s prisons. Paul’s text is a direct request for funds to rebuild the county’s prisons along the lines laid down by the Penitentiary Act, originally addressed to the Justices of Gloucester’s Lent Assize in 1783 and published the following year. Paul states that he includes

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77 Eden, pp. 28-9.
Eden’s Lauzun story in order to highlight the importance of labour to a humane prison system. He prefaces the extract with the observation that:

If employment would beguile the Hours, and its profits ease the sufferings of captivity, I see no other Motive for preventing it, but that which actuated the Count De Lauzun’s Keeper, when he killed his spider, Viz. “The Wantonness of Tyranny”.

In a lengthy, large fonted footnote, he then reproduces Eden’s text almost verbatim, including the sections of the *Sentimental Journey*, citing ‘PENAL LAW’ as his source.79

Paul uses the story of the spider to deflect a potential criticism of his proposal to reform Gloucester’s prisons into modern penitentiaries. The changes to the prison system that were called for by the Penitentiary Act included providing inmates with regular meals, heating in winter, and new clothes, which critics were concerned might act as an incitement to crime for the poorest members of society. As reformer Jonas Hanway explained in 1776: ‘It may be urged, — will not this kind of treatment tempt some [...] to become prisoners, in order that they may get cloaths upon their backs? What! [...] No: solitude is too terrible to them to admit of such a suggestion!’80 Paul deploys Eden’s text in order to argue the same point. He prefaces his address with the observation:

I shall probably be conceived the Favourer [...] of a Doctrine that would weaken the Dread of Confinement, and destroy the Purposes of Justice: — By no Means: — I am not of the Number of those, who, from a mis-placed Tenderness of Heart, would unbind the just Terrors of the Law. [...] Prisons [...] should be Places of real Terror.81

79 Paul, pp. 33-4.
81 Paul, pp. 7-8.
Paul does not explain how his humane new prison system would instil the ‘Dread of Confinement’ and ‘real Terror’ in the criminal, but his deployment of the Lauzun story intimates that it is the mental suffering of solitary confinement that would effect these aims. The ambiguity of Sterne’s original again works to conflate two, seemingly antithetical positions here. It assures Paul’s readers of the great distance between the new, English reformatories and the archaic penal practices of ancien-régime France, since in the former, inmates were to be kept to hard labour. At the same time, however, Paul subtly reminds his readers of the ‘Dread’ and ‘Terrors’ of solitary confinement with which the French state prison was pervasively associated, and which the Lauzun story also demonstrates. Hard labour, discipline, religious instruction and prolonged prison sentences had all been aspects of the bridewell’s penality. Carceral solitude was the sole truly original innovation of the Penitentiary Act. Yet, as Paul intimates here, it had long been associated with the carceral practices of absolutist France. Paul deploys the slippery, bi-focal quality of Sterne and Eden’s texts to subtly involve the antique terror of the carceral experience of the French state prison into the seemingly entirely antithetical penality of the reformed, British penitentiary. He was successful in his bid: The Gloucestershire Act of 1785 afforded him £13,480 to build a new prison, with William Blackburn the architect, to house a total of 205 felons in solitude.82 Gloucester was the second such penitentiary in England, after Horsham, but its apparently unrivalled success as a penal institution was vital to the Holcroft Committee’s decision to release funds for the construction of the first national penitentiary, Millbank, in 1810.83

82 Whiting, pp. 13-17.
Both Eden and Paul employ the unsettling ironies of Sterne’s Captive for political ends. They generate a bond of fellow-feeling, uniting their philanthropic, humanitarian readers in condemnation of the barbarity on display in the portraits of French state prisons, while at the same time drawing discomforting parallels between the French carceral past and contemporary British prison experience. Eden’s use of Sterne’s text functions as a barbed criticism of British gaols and, moreover, of the archaic cruelty of British jurisprudence more widely. Paul deploys the text to insist on the humane effects of forced hard labour in the penitentiary, thus differentiating that prison from the state prisons of France, while also slyly reminding his readers of the terrors of solitary confinement, which would unite them. Both enable a commentary on the contemporary British prison through a sentimental portrait of a foreign carceral past.

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In this chapter, I have argued that portraits of the Bastille in British fiction ordinarily worked to throw into relief the constitutional freedoms of the English subject. The French subject, whether or not he is physically incarcerated in the Bastille, is understood to be imprisoned in an antique and unjust constitutional relationship under an absolute monarchy. By contrast, the legally framed, British national identity is lent definition and cohesion. Sterne’s representation of the Bastille refuses these nationalistic antinomies, however. His sentimental portrait comically undermines the congratulatory, nationalist rhetoric that ordinarily accompanies depictions of the Bastille. By authorially involving Yorick in the suffering he depicts, the British reader is unable to wholly distance him or herself from the suffering, and also from the
oppression on display. This tonal ambivalence was then deployed by Eden and Paul in two of the most important prison reform documents of the century.

The use of Sterne’s text in reformist discourse has so far gone unremarked. It is important not only because of what it illuminates about the layers of Sterne’s meaning in these notoriously dense passages of his final work of fiction, but because of the demonstration it offers of the political dimension of sentimentalist discourse in the late eighteenth century. Additionally, as I argued in chapter III of this thesis, the incorporation of the playful, emotionally fraught, ‘gentlemanly’ rhetoric of sentimentality in prison reform discourse challenges the common understanding of that discourse as utilitarian, rational and individualistic. Sterne’s sentimentalism displays instead the rhetoric of commonality and Christian fellow-feeling, valorising the emotional over the rational, and generating bonds between readers, across national and religious boundaries. This analysis has demonstrated that the discourse of prison reform is far more multifaceted than the generality of cultural historians have accounted for, and it further undermines the identification of the industrial revolution as the single causal factor of the advent of the penitentiary.

The symbolic power of the Bastille to embody the oppressive relationship between the subjugated French citizen and an autocratic monarch was made overwhelmingly evident by the storming of that prison in 1789. The French revolutionaries signalled the overthrow of the absolute monarchy through the act of breaching the ancient, medieval walls of the Bastille. That this was a symbolic act is indicated by the fact that

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84 As is argued, for instance, by Ellis, and Lynn Festa, Sentimental Figures of Empire in Eighteenth-Century Britain and France (Baltimore: Johns Hopkins University Press, 2006), with regard to the creation of the colonial subject.
the prison contained only seven inmates at the time.\textsuperscript{85} It was nevertheless a powerful demonstration that the seemingly impregnable and unchanging power structures of the \textit{ancien régime} had been vanquished. The storming of the Bastille was the visible enactment of the first rallying cry of the French revolution: ‘\textit{liberté}’.

No single prison accrued the symbolic resonance of the Bastille in eighteenth-century England. Yet beneath the particularity of the four kinds of prison that I have so far stressed in this thesis, English prisons, too, can be seen to symbolise oppressive, governmental constraint and to embody long-standing, inherited power structures of the past. The synecdochic aspect of British prisons was also made evident through mass protests, in the Gordon Riots of 1780, during which many of the prisons that we have analysed in this thesis were sacked. It is with an analysis of the meaning of these riots that this discussion of eighteenth-century British prison fictions will now conclude.

Chapter VI: Conclusion

They dragged out the prisoners, many of them, by the hair of the head, by the legs or arms, or whatever part they could lay hold of: They broke open the doors of the different entrances, as easily as if they had all their lives been acquainted with the intricacies of the place, to let the confined escape. [...] Thus was the strongest and most durable prison in England, that had been newly erected, and was not yet finished, and in the building of which the nation had expended immense sums demolished, the bare walls excepted, which were too thick and strong to yield to the force of the fire.

Thomas Holcroft, *A Plain and Succinct Narrative of the Late Riots* 2\textsuperscript{nd} edn (1780), p. 28.

VI.i : The Gordon Riots

The Gordon Riots were the most incendiary outbreak of public unrest in British history. Over a period of six days in June 1780, many of the prisons analysed in the above thesis were sacked and their inmates liberated, chapels were burnt down, private houses and distilleries were looted, and attempts were made to break into the Bank of England. On 7 June the king declared martial law, and hundreds of civilians were shot dead in the streets. Some contemporary accounts place the number of those killed at seven hundred.\textsuperscript{1} In the words of Nathaniel Wraxall, ‘No event in our Annals bears any analogy with the scene exhibited in the Capital’.\textsuperscript{2}

The riots began when the young MP for Ludgershall, Lord George Gordon, gathered together between forty and fifty thousand members of the Protestant Association, of which he was the President, in St. George’s Field on 2 June, in protest


\textsuperscript{2} Ibid., p. 318.
at the Catholic Relief Act of 1778. This Act repealed many, but by no means all, of the prohibitions on Catholic rights; the prohibition against Catholics holding public office, for instance, remained in force. Gordon had organized a petition, which had forty four thousand signatures, demanding the repeal of the Act, and he and his supporters marched to Westminster to present this petition to the Lower House. With an angry mob surrounding both Houses, parliamentary business was conducted in an increasingly tense atmosphere, which culminated in the vote of an overwhelming majority (192 votes to 6) to adjourn debate on the Catholic Relief Act until the following Tuesday. The crowds dispersed from Westminster but reconvened in Lincolns Inn Fields, where they set fire to a well-known Catholic church in Duke Street, and desecrated another in Golden Square. The following day a group of rioters were tried at Justice John Fielding’s house in Bow Street, which he had recently refashioned as a tribunal, and were sent to Newgate to await trial.

On Sunday violence erupted in Moorfields, with many Catholic chapels and private houses known to belong to Catholics being attacked, burned and looted, and on Monday, these attacks spread to Wapping and Smithfields. When parliament reconvened on Tuesday 6 June, and again refused to debate the petition, despite Gordon’s condemnation of the looting and violence, the protests took on a

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3 18 Geo III (1778) c.60.
4 Thomas Holcroft, A Plain and Succinct Narrative 2nd ed. (1780), pp. 15-17. Future page references are to this edition.
6 George Gordon, A Narrative of the Proceedings of [...] the Riots (1780), p. 6. Gordon would have composed this account while incarcerated in the Tower. It can thus be read as part of his defence against the charge of inciting public disorder.
7 Ibid. p. 7.
8 Holcroft, p. 24-5.
revolutionary fervour.⁹ In the words of Thomas Holcroft, ‘We now come to that period of desolation and destruction, when every man began to tremble, not only for the safety of the city, but for the constitution, for the kingdom, for property, liberty and life, for everything that is dear to society, or to Englishmen’ (p. 26). The crowd assembled at Newgate, demanding the release of those detained for their part in burning the Sardinian chapel in Lincoln’s Inn Fields. When the Keeper, Mr. Akerman, refused, rioters set fire to his house, the flames of which soon reached the prison’s chapel, and then ‘by the assistance of the Mob’, the fire raged ‘all through the prison’ (p. 27). Around three hundred inmates were liberated, including four under sentence of death (p. 28).

Agitators also gutted and burned John Fielding’s house in Bow Street, and the Lord Chief Justice, Lord Mansfield’s house in Bloomsbury Square the same evening.¹⁰ The following day, Wednesday 7 June, the rioters gathered to ‘liberate’ the Fleet but, ‘the prisoners expostulating with them, and begging that they would give them time to remove their goods, they readily condescended, and gave them a day for that purpose’.¹¹ By nightfall the Fleet, the King’s Bench, the Borough Clink, the Clerkenwell Bridewell, and the Surrey Bridewell had all been sacked and were ablaze.¹² An attempt to liberate the Poultry Compter was repelled, as was an attack the following day on the Marshalsea, during which thirty rioters were killed by the military. Twenty spunging-houses in the Borough were also burned down on that day.¹³ More radically, two attempts were made to storm the Bank of England, one purportedly led by a ‘brewer’s

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¹⁰ Gordon, pp. 17-19.
¹¹ Ibid., p. 27.
¹² Ibid., pp. 30, 33.
¹³ Ibid., pp. 33, 45.
servant on horseback, who had decorated his horse with the chains of Newgate'.\textsuperscript{14} On this day, too, rioters set a large gin distillery in Holborn alight, owned by a Catholic called Langdale. The conflagration was such that it lit up much of the centre of London.\textsuperscript{15} This was the day on which the king proclaimed martial law: hundreds of militia were drafted in from the surrounding counties, and by the following evening, 8 June, the riots had been quelled. On Friday 9 June, Gordon was arrested for treason and inciting a riot, and was escorted to the Tower of London. He remained there until 5 February 1781, when he was acquitted at trial.\textsuperscript{16}

For much of the nineteenth century, as exemplified in the portrait given by Charles Dickens in \textit{Barnaby Rudge} (1841), the Gordon Riots were depicted as a powerful but inchoate expression of anarchic fervour on the part of an impoverished and ignorant mob. Modern history has challenged this conception and identified a difficult duality in the riots: in their anti-Catholic stance they appear politically anachronistic, while in their attacks on the symbols of governance, the prisons and the Bank of England, they appear proto-revolutionary.\textsuperscript{17} E.P. Thompson, in \textit{The Making of the English Working Class}, outlines the real and specific grievances of the rioters in their violent protests, and concludes them to have been conducted by ‘a mixture of manipulated mob and revolutionary crowd’.\textsuperscript{18} What is instantly striking in the contemporary reports is that it was the instigation of martial law as much as the riots themselves that caused commentators concern. One chronicler of the riots,

\textsuperscript{14} Holcroft, pp. 33-4.
\textsuperscript{15} Ibid., p. 32.
\textsuperscript{16} Haywood and Seed, p. 7.
describing himself as a ‘Consistent Whig’, writes: ‘The destructive flame [...] has been kindled, and the equally dangerous remedy that has been applied to extinguish it, awakes all our fears’. 19 Holcroft similarly notes:

Those virtuous citizens, who held their country and their laws superior to every thing, who reflected on and rejoiced at the blessings of liberty, and groaned at the appearance only of despotism, had their terrors greatly increased at the report, which every where prevailed, that Martial Law was proclaimed. (p. 39)

The ‘terror’ of the ‘citizen’ here is not only caused by the capacity of the mob to defy the law, but by the capacity of the king to annul it altogether. The ‘blessing of liberty’ so celebrated in the English national identity is threatened not by the rioters who looted private property and stormed the prisons, but by the monarch who over-rode due legal process in punishing those offences.

Thus far in this thesis, I have demonstrated that different types of prison retained distinct cultural and legal identities in the period. The ways in which these prisons were portrayed in the narratives of the Gordon Riots I quote above can be seen to reflect this. The first prison to be sacked was Newgate, the foremost felon’s prison in the country. From Newgate the prisoners were ‘dragged out’ ‘by the hair of the head, by the legs or arms, or whatever part they could lay hold of’. When the rioters arrived the following day at the Fleet, by contrast, the narrative relates that the prisoners ‘expostulating with them, and begging that they would give them time to remove their goods, they readily condescended’. The chaotic, undignified liberation of the criminal prison contrasts with the imprisoned debtors’ reasoned dialogue with the rioters, requesting time to protect their personal property from damage. Holcroft notes that the rioters burned ‘all the materials and furniture’ of the Bridewell, but does not

19 Thomas O’Beirne, Considerations on the late Disturbances, (1780), p. 4.
mention the inmates’ reaction to the prison’s sacking (p. 57). Again, the account highlights the specificity of the bridewell as a penal institution in drawing attention to the demeaning hard labour that was performed there, and it also marginalizes and silences the inmates of that prison as being narratively beneath the interest of the reader. Finally, while the majority of rioters are described as being taken to Newgate, Gordon himself is taken to the Tower, an indication that he was understood to represent a particular, incendiary threat to the state.

The depictions of the Gordon Riots outlined here repeat the particularity of the four different types of eighteenth-century prison that this thesis has worked to recover: the fast-paced, world-upside-down anarchy of the criminal prison; the gentlemanly, sedate and property-centred debtors’ prison; the work-orientated, ‘low’ prison environment of the bridewell; and the singular and uncommon deployment of the Tower to isolate only the most dangerous threats to the stability of the state itself. This thesis has outlined the nature of these distinct prison environments in order to more fully understand their meaning in a fictional context. The plurality and the particular cultural concerns of the eighteenth-century prisons have largely been obscured as a result of the dominating and distorting influence of nineteenth-century prison culture on our understanding of the historical prison. My analysis has worked at rectifying this distortion, revealing the eighteenth-century prison in the full range of its pre-penitentiary character.

The Gordon Riots also, however, demonstrate the unity of the prison as a symbol of state control. Many of the prisons that I have analysed in this thesis were sacked in the riots – criminal, debtors’ prisons and spunging-houses, and the bridewells. Only the Tower was not attacked. However, Holcroft states that Gordon was escorted to
that prison ‘under a remarkably strong guard, said to be by far the most numerous that ever escorted a State Prisoner’ (p. 45), an indication of government fears that this prison, too, might be under threat. The storming of the prisons, particularly Newgate, became the defining image of the riots: many etchings of the ‘conflagration of Newgate’ were published in the weeks that followed, in which the burning of that prison was presented as the visible enactment of the rioters’ defiance of law, order and constraint. Nine years before the storming of the Bastille, these riots indicate that the prison functioned as a locus for the demonstration of revolutionary, socio-political unrest in the public consciousness. The sacking of the gaols is another indication of the centrality of the prison to eighteenth-century culture, a centrality that it has not attained either before or since, the causes for which I will now analyse.

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20 The Burning and Plundering of Newgate and Setting the Felons at Liberty by the Mob (1 July, 1780), BM Satires, 5684; The Devastations Occasioned by the Rioters of London, Firing the New Gaol of Newgate (1780), BM Satires, 5686; An Exact Representation of the Burning, Plundering and Destruction of Newgate by the Rioters (10 July, 1780), BM Satires, 5844.
VI.ii : The aftermath of the riots: a symbol in decline

Representations of the prison can be seen to alter in character in the wake of the Gordon Riots. Following the riots and then the storming of the Bastille, depictions of criminal prisons were inflected with a radical, or even revolutionary subtext. William Godwin’s *Caleb Williams* (1794) is perhaps the clearest example of this. The prison motif threads through Caleb’s narrative, and is the metaphoric representation of the inescapable class relations constraining him, which the novel works to position the reader against. Gradually, however, the prison ceased to be so prevalent a motif in the novel. Bakhtin argues that novels can be differentiated by their ‘chronotopes’, spaces of heightened significance in which the ‘knots of narrative are tied and untied’.\(^{21}\) He concludes that ‘the road is what determined the plots of the Spanish picaresque novel of the sixteenth century’, and that an entirely new fictional space, ‘the space of parlours and salons’ determined the plots of many French nineteenth-century novels. Bakhtin identifies the defining chronotope of English novels of the eighteenth century as ‘the castle’ of the gothic novel. The castle, Bakhtin explains, ‘is saturated through and through with a time that is historical in the narrow sense of the word, that is, the time of the historical past’.\(^{22}\) The gothic novel, Bakhtin argues, stages a contest between the freeing forward movement of contemporaneity and the stasis of the historical past. I would argue that the castle is an analogue of a prison in the gothic novel, and that it is the prison that is the pre-eminent ‘determining space’ of the eighteenth-century novel. It is in the prison that the ‘knots’ of a great many eighteenth-century novelistic plots are ‘tied and untied’. If the novels of the

\(^{22}\) Ibid., pp. 244-6.
eighteenth-century do, as Bakhtin suggests, pit contemporaneity against the
deadening constriction of inherited power structures of the past, they do so through the
prison space. ‘The reformatories,’ Foucault noted, ‘were mechanisms directed
towards the future’, through the future-orientated concept of the prison sentence. In
many ways the eighteenth-century prison can be understood as being saturated in ‘the
historical past’ as Bakhtin understands it. This was true architecturally – Newgate was
founded in 1457, for instance, the Fleet in 1157 and the Tower in 1078 – and it was
also largely true in terms of the penal policy those prisons enabled. Until 1779, the
essential legal structure of the majority of English and Welsh prisons had not altered
significantly since the Assize of Clarendon in 1166, when all Sheriffs were required to
provide a county gaol in which to hold citizens fast before trial. Because of the
prison’s dominant legal identity as a holding cell, it can be understood to represent
the arrest of the forward movement of time, a temporal hiatus or stagnation, as is
exemplified in Sterne’s Captive sequence.

This study has suggested a number of potential reasons for the prominence of the
prison in the early novel. Many of the most influential novelists of the period had
either been incarcerated themselves, consigned others to prison, or potentially faced
imprisonment for debt. To name only the most notable examples, Defoe spent five
months in Newgate for seditious libel in 1703, and was also an inmate of the Fleet and
the King’s Bench for debt; Fielding routinely sent malefactors to Newgate in his
capacity as a city magistrate from 1749 until his death, and had also lived with his
family in the Verge of Court to avoid incarceration for debt in 1741; Smollett was

\[\text{23} \quad \text{Foucault, p. 126.}\]
\[\text{24} \quad \text{Chamberlain, p. 13; Stow, ed. by Strype, (1755) 1,733, 64.}\]
\[\text{25} \quad \text{Babington, pp. 3-5.}\]
sentenced to three months’ imprisonment in the King’s Bench for libel in 1760; Goldsmith composed the Vicar of Wakefield under extreme financial difficulty; and John Cleland spent more than a year in the Fleet for debt from 1748.  

Beyond this, as I have shown above, the prison was the subject of sustained philosophical and political debate over the nature of penalty in the eighteenth-century, and the novel has long been understood as a genre that is keenly responsive to the most pressing concerns of any given socio-cultural moment. Bakhtin claims that the novel possesses a unique, radical aliveness to the contemporary, what he calls the ‘novelistic everyday’, as opposed to the closed, cyclical time of epic poetry. My argument has stressed this responsive aspect of the formal identity of the novel by demonstrating that novelistic discourse on the prison was closely related to prison reform discourse, mirroring contents, concerns, rhetorical tropes and narrative strategies in its depiction of the prison and the prisoner. The novel has been to shown to be both influenced by and highly influential of prison reform discourse in this period. Additionally, however, many writers figured the Enlightenment itself as an enterprise of liberation. In 1756, Edmund Burke writes, ‘The Fabric of Superstition has in this our Age and Nation received much ruder Shocks than it had ever felt before; and through the Chinks and Breaches of our Prison, we see such Glimmerings of Light, and feel such refreshing Airs of Liberty as daily raise our Ardour for more’. Just as the commerce of the city of London conquered the penalty of the Tower in Hallam’s history of the city, rational empiricism is here understood to breach the

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27 Bakhtin, pp. 127-8.
walls of an incarceration in the superstitious thinking of the past. This trope was not specific to England: Rousseau famously begins *The Social Contract* with the observation that ‘Man was born free, but everywhere he is in chains’.\(^{29}\) For Rousseau, society had polluted an original, free human nature, and he also portrays the process of the Enlightenment as an endeavour to recover this freedom. It is pronouncements such as these that have led Jean Starobinski to claim that ‘the history of the eighteenth century could be regarded as a stage on which an aspiration towards liberty crystallizes, bursts and shatters in a clash of arms’.\(^{30}\) Starobinski refers primarily to the French Revolution here, signalled by the storming of what was reputed to be the most impregnable prison in Europe.

From the most blatant and biographical to the grandest of philosophical narratives, then, the dominance of the prison motif in the eighteenth-century novel can be seen to issue from many sources. The prison cannot be said to dominate the literature and philosophy of the nineteenth century in the same way, despite the fact that with the advent of the penitentiary, far more people experienced incarceration during that period than in the previous century. By June 1878, the inmate population of England and Wales stood at an all-time high of 21,030, all of whom were criminal prisoners.\(^{31}\) Worldwide, there are more people in prison as I write than at any other period in history. The Howard League for Penal Reform, which works (perhaps unknowingly) to undo many of the stipulations that were first laid down for penitentiaries by John Howard in 1777, such as denying inmates access to personal

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literature, calculates that there are currently 85,406 men, women and young offenders in penal institutions in England and Wales. This figure has risen by ten thousand inmates over the last decade.\textsuperscript{32} At Howard’s first count in 1777 there were 798 felons in prison in England and Wales.\textsuperscript{33} Yet the prison is far less ubiquitous in artistic and political discourse now than it was in the eighteenth century.

After the passing of the Penitentiary Act and the opening up of Botany Bay as a penal colony in 1787-8, the intensity and prominence of the national debate over the prison began to diminish. After this time, then, the novel’s engagement with the prison lost its immediate political dimension and symbiotic relationship with an urgent national reform discourse. Additionally, prison culture gradually began to flatten out, becoming more singular, closed, and monotonal. This did not occur immediately. The project of remodelling the prisons had tentatively begun with the redesign of Newgate in the wake of the black sessions of 1750, and this process was accelerated by the need to rebuild seven of London’s major prisons in the wake of the riots. The Penitentiary Act of 1779 also authorized Justices to refit county gaols and bridewells for the reception of felons who had been sentenced to transportation.\textsuperscript{34} Evans states that ‘between the demolition of old Newgate in 1767 and the completion of Pentonville’ the second national penitentiary ‘in 1842 nearly every gaol and house of correction in the land had been rebuilt or closed’.\textsuperscript{35}

Babington has stressed that the new prison culture outlined in the Penitentiary Act only began to impact on the majority of inmates from the mid-nineteenth century, however. He writes that ‘between 1842 and 1848, no less than fifty-four new prisons

\textsuperscript{32} http://www.howardleague.org/weekly-prison-watch/ Week Ending Friday, 19 December, 2014.
\textsuperscript{33} Howard, Appendix, p. 205.
\textsuperscript{34} 19 Geo III (1779) c.74, Par.XXVI.
\textsuperscript{35} Evans, p. 5.
on the Pentonville model were completed in Britain, altogether accommodating over 11,000 inmates’. The Penitentiary Act had stipulated that these new prisons be constructed ‘as far as possible’ from ‘any place where other buildings are’, and that inmates be divided into classes according not to their purchasing power but to their legal status; and it inaugurated strict restrictions on visiting the prisons: ‘no person or persons [...] shall be permitted to go at any time into such lodging-rooms, or to see or converse with the offenders’. Relocated outside cities, no longer tourist attractions with begging grates onto the streets through which passers-by could hear the inmates, no longer open in daylight hours to any number of paying visitors, the prisons began to lose their structural porosity and integration within the fabric of the city. Furthermore, the penalty of the penitentiary worked to render all inmates the same, from their haircuts to their prison uniforms to the inflexible schedule of hard labour they were forced to perform, flattening nineteenth-century prison culture into a monolithic whole. At the same time, the prison became the destination for a single type of inmate, the criminal prisoner, culminating in the Debtors’ Act of 1869 which ended the practice of imprisonment for debt. The prison thus ceased to bear direct relevance to the lives and concerns of the majority of readers and authors of novels. Due to the nature of the Georgian credit economy, most literate men and women would necessarily have accrued debts of over forty shillings in the eighteenth century, and could therefore have faced imprisonment for debt, on mesne if not on final process. As a result of all of these changes, the representational possibilities of the deployment of the prison in fiction began to narrow in scope.

36 Babington, p. 199.
37 19 Geo III (1779) c.74, Pars. v, XXXVIII, XXXIV.
In the eighteenth century, by contrast, the prison displayed a pronounced generic plurality, as is evident in the specificity of the different kinds of eighteenth-century prison that I have outlined in this thesis. Imprisonment was as likely to befall the unfortunate debtor as the unrepentant malefactor, the disobedient servant, the prostitute, and the wealthy, landed Jacobite rebel. It was a Whiggish as well as a Tory motif. The plurality of the prison as a cultural structure was met by the pronounced generic plurality of the novel as a form at this time: protean and fluid in character, it was able to comfortably embrace contrasting registers and rhetorical modes. This is particularly evident in the above analysis in the prison scenes of Fielding, Smollett and Goldsmith, which combine satire, realism, romance, sentimentalism and philosophical discourse in depicting the prison experience.

This is not to argue that the novel as a form was inherently hegemonic or carceral in character, as Bender has done. I would argue that the relationship between the prison and the novel is one of contrariety rather than collusion. The prevalence of the prison as a motif in eighteenth-century novels indicates the prevalence of the thwarted desire for forward movement, greater freedom for self-determination, for social mobility and the notion of ‘progress’ more generally. Characters push against the walls of inherited social and penal convention in the fictional prisons of the period, and illuminate thereby the anachronistic nature of the Hanoverian legislature, and the faulty social contract that it endorsed. None of the novelists that I have analysed in this thesis could comfortably be classed as revolutionaries. I would contend that they do, however, deploy the symbol of the prison in much the same way that the French rebels who scaled the walls of the (all but empty) Bastille did, and the rebels who sacked the prisons of the Gordon Riots: to publicly signal a desire for greater
liberty by illuminating the symbols of the oppressive, inherited power structures of the past. The prisons of the mid-nineteenth and twentieth centuries are commonly depicted in fiction as ineffective, pernicious, malign, or as a violation of human rights, but they do not symbolise the power of the past in this way. The first penitentiaries were highly innovative architectural structures and the penal policy they enabled, however deficient, was wholly contemporary. The eighteenth-century prison was overwhelmingly a prison of the past, and the power structures it encoded were repeatedly shown to be oppressive, outmoded and unjust in the eighteenth-century novel. It is the inherited past, rather than the notion of ‘authority’, the ‘ancien’ rather than the ‘régime’, that the early British novel can be seen to challenge in its depiction of the corrupt and infectious prison. But it is nevertheless the concept of freedom that is framed between the bars.
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