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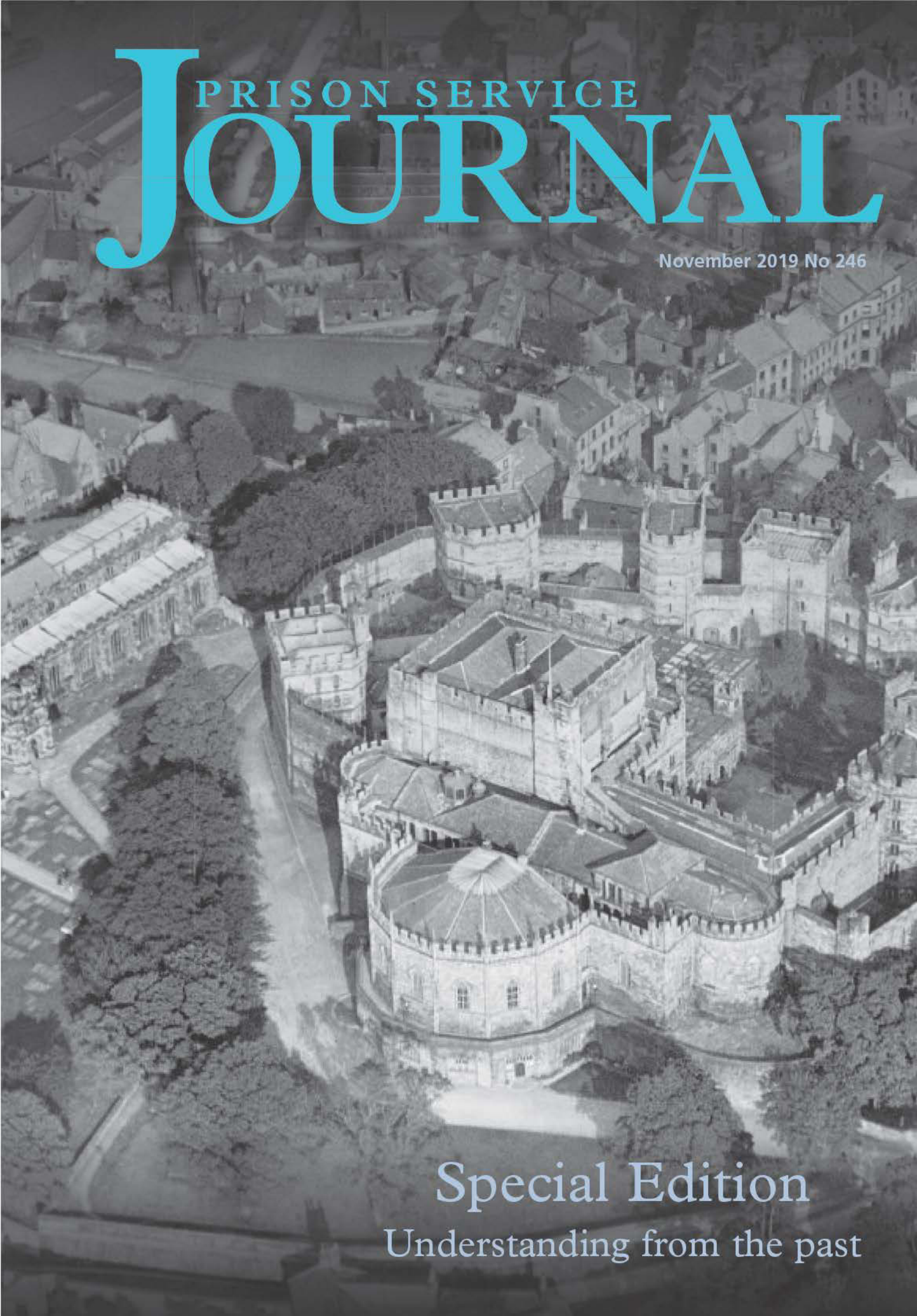

Special Edition
Understanding from the past

Prisoner Suicides at the York Castle Gaol, 1824-1863

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Introduction

The York Gaoler's Journals offer a glimpse into the everyday events that occurred at the York Castle Gaol. It provides details of how debtors and prisoners were treated during the nineteenth century, as it recorded new entries to the prison, births, deaths, illnesses, burials, misbehaviour and attempted escapes. The surviving source material was written by two gaolers during the nineteenth century, James Shepherd, between 1824 and 1840, and John Noble, between 1840 and 1863.[1] Both sources are useful for examining the nature of prisoner suicides during this period, nineteenth-century attitudes towards this type of death, and the prevention methods that were implemented by prison staff. Whilst prisoner experiences of the gaol are difficult to completely uncover, there are newspaper articles and entries in the journals that suggest how these prisoners were feeling before they committed suicide.

Prison suicides have been a topic of considerable interest for criminologists, although the study of historical prison suicide has not been researched in as much depth due to the lack of historical evidence on this subject, particularly prior to the Second World War.[2] Recent research has examined the subject of inter-war prisoner suicide. This includes the work of Alyson Brown, whose micro-historical research on Ernest Collins, who committed suicide in 1934 due to his fear of being flogged, has provided valuable insight into prisoner suicide during this period.[3] On the topic of nineteenth-century prison suicides, Catherine Cox and Hilary Marland have examined the impact of the separate system on prisoners' mental health.[4]

For the most part this article focuses on the death of David Smirfit as a means to explore the suicides that were recorded within the York Gaoler's Journals between 1824 and 1863. His suicide at the York Castle Gaol on 18th April 1840 can be seen to highlight three issues that will be explored in this paper. Firstly, how prisoner deaths were reported within the Gaoler's Journals and newspapers; secondly, how their bodies were treated after death, and finally, what their last writings reveal about their emotional experiences of the nineteenth-century prison. Other cases of prisoner suicide at the York Castle Gaol are also alluded to in this piece to aid comparative analysis. Additionally, it leads onto an examination of how journal entries relating to prisoner suicides changed after 1840 as prevention methods were detailed within the source. The findings have been drawn from the York Gaoler's Journals held at the York City Archives, and newspaper reports on prisoner suicides that took place at the York Castle Gaol. This research has also been informed by academic studies of nineteenth-century prisons and this type of prisoner death. It discusses the nature of prisoner suicide during this period and examines how contemporary understandings of suicide and prisoner insanity influenced how these deaths were treated and written about in the source materials.

1824-1840

The ways in which suicides were recorded within the Gaoler's Journals usually followed certain patterns. They detail who had died, what they were imprisoned for, where their body was found, how they had died, the coroner's decision concerning 'why' they had died, and how the body was buried. In total, seven suicides took place between the years covered in the Gaoler's Journals at the York Castle Gaol. Five of these suicides took place earlier in the period, between 1824 and 1840, with journal entries that detail prevention methods appearing more often between 1841 and 1863. It was during both periods that a lack of separate

1. Eames, M., (2012), *York Castle, the county gaol of Yorkshire 1823-1877,* London: Borthwick Institute, pp.21-22.
2. See Liebling, A. (1995), Vulnerability and Prison Suicide, *British Journal of Criminology,* 35.2, pp.177-187, and Brown, A. (2018), The Sad Demise of z.D.H.38 Ernest Collins: Suicide, Informers and the Debate on the Abolition of Flogging, *Cultural and Social History,* 15.1, p.101.
3. Brown, (2018), pp.99-104.
4. Cox, C. and Marland, H. (2018) "He Must Die or Go Mad in This Place": Prisoners, Insanity, and the Pentonville Model Prison Experiment, 1842–52, *Bulletin of the History of Medicine,* 92.1, pp.78-109.

facilities and specialist staff made it difficult for prison staff to address prisoner mental health issues.[5] As a result, prisoners who showed signs of 'insanity' had to be placed alongside other prisoners, who were to watch over them. Whilst local jurisdictions were authorised to build specialist mental health institutions from 1808 onwards, it was common for 'insane' criminals to be inappropriately detained in prisons like York Castle.[6] There was a perceived link between insanity and suicide during this period, as can be seen in the journal entries that detail these prisoner deaths that occurred at the site. Not all suicides were seen to be caused by insanity but for the most part it was understood to be cause of a number of these deaths.

David Smirfit, Private of the 7th Hussars, was sentenced to one month's solitary confinement for breaking out of his barracks on 9th April, to which he did not return until the morning of 14th April.[7] He was described as twenty years of age and 'a fine looking young man'.[8] On 18th April 1840 he was found dead at six o'clock in the evening, having strangled himself in his cell using a brace strap. After the usual notices were given, an inquest held the next morning resulted in the jury and coroner concluding that David Smirfit 'did wilfully and feloniously kill and murder himself'.[9] He was buried at the expense of his relatives between nine and ten o'clock at night within the cemetery at St Mary's Church.[10]

His case is described with a certain amount of sympathy within the newspapers from the time, which described the 'melancholy circumstances' that led to his death.[11] Another example of a sympathetic report of prisoner suicides during this period includes the 'melancholy affair' of a prisoner's 'dreadful suicide' in Shoredich, London, in 1840.[12] From the eighteenth-century onwards, suicides were often reported in newspapers and the topic received considerable commentary.[13] The growth of newspaper publications in Britain during this time led to more liberal ways of thinking and is argued to have done much to secularise and normalise suicide.[14] This took place because the newspapers detailed the circumstances of the suicides and the causes of them.[15] They also published suicide notes, even to the point of inventing them if need be, and published letters from readers on their opinions of suicide, which 'helped remove suicide from the realm of myth and made it need a more natural act'.[16] Despite the newspapers having been generally opposed to self-murder, their reporting of some suicides suggest that there was an element of sympathy and pity for those who committed suicide.[17]

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Similarities can be drawn here to other prisoner suicides at the York Castle Gaol. This includes Elizabeth Read, who was brought before the North Riding Sessions in July 1837 accused of murder, where she was acquitted on the grounds of insanity.[18] She was imprisoned at the York Castle Gaol, where, at the age of sixty-nine years old, she was under confinement as an insane person. On 1st December 1837 she was found dead at half past eleven o'clock 'with her head in a pail of partially filled with water in one of the female yards.'[19] An inquest was held before Mr Wood, the coroner, and a jury was summoned for the purpose of deciding upon the cause of death. It was decided she was suffering from 'insanity', and her remains were arranged to be

5. See Wright, D. (1997), Getting Out of the Asylum: Understanding the Confinement of the Insane in the Nineteenth Century, *The Society for the Social History of Medicine* 10.1, pp.137-155, and Eames, M. (2012), pp.19-20.
6. Ibid.
7. Noble, J., 18th April 1840, in *The York Gaoler's Journals,* York City Archives, Accession Number: Y/O/R/D/1-4.
8. *Leeds Intelligencer,* Saturday 02 May 1840, British Newspaper Archive Online.
9. Noble, 18th April 1840.
10. Ibid.
11. *Leeds Intelligencer,* Saturday 02 May 1840, British Newspaper Archive Online.
12. *The Evening Chronicle,* Wednesday 29 July 1840, British Newspaper Archive Online, and
13. Minois, G. (2015), *History of Suicide: Voluntary Death in Western Culture,* London: The John Hopkins University Press, pp.293-294.
14. Ibid.
15. Ibid.
16. Ibid.
17. Ibid.
18. *Bell's Life in London and Sporting Chronicle,* Sunday 10 December 1837, British Newspaper Archive Online.
19. Shepherd, J., 1st December 1837, in *The York Gaoler's Journals,* York City Archives, Accession Number: Y/O/R/D/1-4.

interred at St Mary's Church Castlegate York on 5th December. Newspaper articles described her as a 'poor creature', showing that there was a degree of sympathy afforded to her.[20]

David Smirfit's case also highlights the practice of burying those who committed suicide at night-time without Christian rites.[21] This common practice was embedded within religious understandings of self-destruction that pre-dated the nineteenth century.[22] Similar burial practices would have been implemented for other prisoners who committed suicide at the York Castle Gaol, although there was a growing debate during this time about whether Christian burial rites should be afforded to individuals who committed suicide under temporary insanity.[23] Despite these increasing concerns, George Birkenshaw, another prisoner who committed suicide at the York Castle Gaol, would have also been buried without Christian rites. George Birkenshaw, a thirty-nine-year-old grocer from Wakefield, was held in custody at the Gaol for feloniously cutting and stabbing.[24] He was found dead in his cell on 5th September 1837, having suspended himself by the neck with a silk handkerchief from the bar of his cell window whilst being 'temporarily insane'.[25] Following the inquest his body, money and clothes were delivered to his two brothers for interment in Wakefield. The mental state of George Birkenshaw was brought into question at the inquest, where the testimonies of fellow prisoners and the deputy gaoler John Noble were taken into account.[26] John Noble found that there 'was always rather a gloom on his countenance', and he was described by fellow inmates as having appeared 'very uneasy'.[27] A few days before his death he was described by a fellow prisoner as having been in 'very low spirits' after signing a piece of paper that was brought to him by two men from outside of the prison, which he said was 'his death warrant.'[28] Whilst the source material does not detail what this piece of paper was, it clearly had a psychological impact upon George Birkenshaw. Due to the evidence of his mental state provided by other prisoners, it was decided that he killed himself whilst he was 'temporarily insane'. Conversely, David Smirfit was not found insane because he was not seen to have showed symptoms of this. Both cases show how evidence of prisoner 'insanity' was explored during the inquest, as witness statements were brought before a jury.[29] This jury was made up of prisoners and individuals who lived outside of the prison, this was a recommendation made in the *The Practice of the Office of Sheriff, and also of the Office of Coroner,* which was published as a guidance for those working as a sheriff or coroner during this period.[30]

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The 'thoughts' of David Smirfit were also detailed within newspaper reports from the time of his death. They mention how he was originally sentenced to one month's solitary confinement, but was removed to a larger cell with more light after spending one night in the prison.[31] He was also said to have commented to another prisoner that he had found the sentence particularly 'hard'.[32] This would have been understood to some extent by contemporaries of this period as the negative effects of solitary confinement on the prison population. Solitary confinement was thought to be the case were thought to be the cause of prisoner self-harm and mental illness.[33] In addition to these witness statements, David Smirfit was thought to have written down lines from Bogatzky's *Golden Treasury for the Children of God* prior to his death:

20. *Bell's Life in London and Sporting Chronicle,* 1837.
21. *Leeds Intelligencer,* Saturday 02 May 1840, British Newspaper Archive Online.
22. Lee, D. (ed.) (2013), *The History of Suicide in England, 1650-1850, vol. 7, 1800-1850: Legal Contexts, Religious Writings and Medical Writers,* London: Pickering and Chatto, p.xi.
23. Ibid., pp.85-111.
24. Ibid.
25. Shepherd, 4th September 1837.
26. *Sheffield Independent,* Saturday 09 September 1837, British Newspaper Archive Online.
27. Ibid.
28. Ibid. Although the word 'depression' began to be more commonly used during the nineteenth century, the term 'low spirits' was commonly used to describe a person's sadness during this period. This is due to the prevalence of religious terminology to describe people's emotional states. See Solomon, A. (2014), *The Noonday Demon: An Atlas Of Depression, London: Simon and Schuster, p.285, and Daly, R. W. (2007), Before depression:* The medieval vice of acedia, *Psychiatry: Interpersonal & Biological Processes,* 70.1, pp.30–51.
29. See Impey, J. (1812), *The Practice of the Office of Sheriff, and also of the Office of Coroner,* 3rd ed, London: W. Clarke & Sons, p.433.
30. Ibid.
31. *Leeds Intelligencer*, 1840, British Newspaper Archive Online.
32. Ibid.
33. Cox, and Marland (2018), pp.85 and 101, and *The Ipswich Journal,* Saturday 03 December 1842, British Newspaper Archive Online.

'God will have me to be faithful:- and should not he be so himself? Am I to trust in his word? Then surely he will not forsake me, but be as good as his word. Heaven and earth must pass away, but His word will not; he is ever faithful. If I do not believe this, I think blasphemously of God, and can have no held or comfort from his word, but if I truly believe him to be faithful, I believe enough'.[34]

This passage was said to not include the final line of the original text, which was as follows:

'This is what he only desires, and if I really do my faith will not be moved even in the hottest trials; the word will hold me up though I receive it even in weakness. But my faith must be attended with continual prayer'.[35]

Whilst it is difficult to understand David Smirfit's exact thoughts with regards to this passage prior to his death, it can be seen to reflect his emotional state to some extent. Within the study of historical emotions William Reddy has asserted that emotions are socially and culturally constructed and consequentially have meanings imposed onto them.[36] This is agreed upon by Margrit Pernau and Imke Rajamim, who have stated that emotions change at different times and are products of societies in as much as societies are the product of emotions.[37] In this sense, David Smirfit's emotional understanding of this religious passage can be seen to be affected by his own emotional state as well as social and cultural understandings of religion and suffering. Those who would have read the newspaper that contained a transcript of his writing may also have interpreted this in a number of ways.

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Similarities can be drawn to the case of Mary Ann Stayce, who hanged herself in the prison washhouse on 31st May 1836. Born around 1807 to a 'respectable' family in Sheffield, Mary Ann Stayce was charged with the wilful murder of Elizabeth Marsden on 13th May 1836.[38] Upon entry to the prison she was placed in the care of two unconvicted females, who were charged with making sure she did not harm herself.[39] Similar measures can be identified in other prisons during this period, as the Surgeon at the Nottingham Shire Hall also attempted to confine prisoners in their cells under the watch of other inmates.[40] Mary Ann Stayce informed her fellow prisoners that she was going to hang a piece of washing in the washhouse, where her body was later found by the other prisoners. At her feet other prisoners found a piece of slate, upon which Mary Ann Stayce had written a letter to her husband, it read:

'My husband was deceived — he thought I was insane when I killed Elizabeth, but I was not; she stole my combs, and I thought that she should steal no more, but I have repented ever since. I have acted insane at home a long time to them; they did not know what insane people were at all but the doctors, but I can't deceive them no longer; and when my husband asked me when he came to see me, he said you would not have done it if you had been right in your mind, I said, No. Foul deceiver to him that had been so kind to me ever since I knew him; he would have done anything for me. My father and mother and all of them they are deceived; Miss Salt and all. My husband said I was not right, but he is deceived. I should be happy if that I could get off and go to my husband again, but I see I cannot, therefore I will plunge myself into ruin. I might have been happy as any one living. He was the best of men. I wanted nothing. If I could get home again I would be content, but I cannot. Adieu, adieu. Take warning from me, give my husband his money, I have deceived him. Take pity'.[41]

34. *Leeds Intelligencer,* Saturday 02 May 1840, British Newspaper Archive Online.
35. Ibid.
36. Reddy, W. M. (2001), *The Navigation of Feeling: a Framework for the History of Emotions,* Cambridge: Cambridge University Press, p.114.
37. Pernau, M. and Rajamani, I. (2016), Emotional Translations: Conceptual History Beyond Language, *History and Theory* 55, pp.46-65.
38. *Yorkshire Gazette,* Saturday 04 June 1836, British Newspaper Archive Online.
39. Ibid.
40. *Surgeon's reports of the Nottingham County Gaol*, Nottinghamshire Archives, Accession numbers: C/QAG/2/3-4.
41. *Yorkshire Gazette,* Saturday 04 June 1836, British Newspaper Archive Online.

Her wish to leave the prison and to return home to her family can be seen to have contributed towards her death. As prisons are places where people are detached from family and friends, with their routines eliminated and their image of the world shattered, it has been argued that prisons 'may prompt those who spend time in them to take their own lives', as was the case for Mary Ann Stayce.[42] Her thoughts on the nature of her insanity and the crime she committed provide a rare 'direct and personal' insight into the experience of a prisoner who committed suicide.[43] The letter can be seen to highlight her remorse for committing the crime and her sorrow for confinement. She states that she 'acted insane', and so through her writing she attempted to set the record straight. She also fears how the crime has affected the lives of her family, particularly her husband. Whilst this fear can be felt and experienced in different ways by different people, the fear or anxiety of how crime will affect the families of those who committed them are also expressed by other prisoners at the York Castle Gaol. For instance, George Birkenshaw mentioned to another individual under custody that he wished he 'could see our folks, and then I should be ready for hanging… I find I have brought a scandal on both myself and all my kinsfolk.'[44] During this period it was commonly understood that some suicides were committed because a person was feeling remorse for having committed a crime. For instance, this supposed cause was included in a survey of recorded suicides that occurred in London between 1770 and 1830.[45]

1841-1863

By the middle of the 1840s extra facilities had been established in Yorkshire that sought to care for those prisoners who were mentally ill, for example, the North and East Riding Lunatic Asylum had increased their patient capacity.[46] Despite this, a number of 'insane' prisoners remained in the York Castle Gaol, as can be seen from the Gaoler's Journals. Whilst the newspaper reports of previous suicides that occurred at the site detailed how prisoners were watched over prior to 1841, the journals began to specifically mention how these at-risk individuals were identified and watched over by other prisoners after this time. These would have been convicts who showed 'symptoms of insanity', as well as prisoners who actively attempted to commit suicide. For instance, the gaoler thought that prisoner George Howe, who was under sentence of death for committing murder, was thought to be at risk of committing suicide. The journal entry from 30th March 1848 details how he was placed within a cell with two others, who were ordered to 'keep a close eye upon him'.[47] Between 1841 and 1863 there were twenty four journal entries that described the preventative measures that were in place for prisoners who had attempted suicide.[48] Oppositely for the period covering 1824 to 1840 there were no journal entries that detailed how attempted suicides were dealt with.[49]

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This change may have occurred for a number of reasons. It may have been because John Noble took over as Gaoler after 1840, and his reports may have been more detailed than his predecessor's. Alternatively, the gaoler may have been attempting to raise awareness in the courts of the number of prisoners who showed symptoms of insanity as the journals were read out at each court session. This was an issue that John Noble was arguably concerned about, as he thought that the prison should be 'more adapted to there [sic] state of mind…' as 'with kind and proper treatment they might be restored to a sound mind and become useful members of society.'[50] The number of 'insane' prisoners was also a concern for the prison surgeon at the Nottingham Shire Hall, who raised his concerns about

42. Barbagli, M. (2009), *Farewell to the World: The History of Suicide,* Cambridge: Polity Press, p.139.
43. Similar comments were made about the final testimony of prisoner Ernest Collins in Brown (2018), p.101.
44. *Sheffield Independent*, Saturday 09 September 1837, British Newspaper Archive Online.
45. Lee (2013), pp.210-211.
46. Eames (2012), p.20.
47. Ibid., 30th March 1848.
48. Noble, 1840-1863.
49. Ibid.
50. Ibid., 23rd May 1846.

the number of 'insane' prisoners within the prison in his 1870 surgeon's report.[51] Similar issues were raised by the Directors of Pentonville prison in 1852, signifying that there was a nation-wide concern with regards to prisoner mental health.[52]

Conclusion

Through focusing on the York Castle Gaol, a number of aspects relating to nineteenth-century prisoner suicide have been outlined. This includes how some sympathy was afforded to prisoners who committed suicide, as was found from examining contemporary newspaper reports. Despite the debates that took place during this period, which questioned whether temporarily insane individuals should be granted Christian rites, the burial of these individuals took place after dark and without religious rite. The journal entries also demonstrate how the staff at the York Castle Gaol were ill-equipped to deal with prisoner mental health. Additionally, the thoughts and feelings of prisoners who committed suicide are highlighted to some extent within their personal writings and in the witness testimonies that described their perceived emotional states. These sources provide a unique insight into how prisoners who committed suicide were emotionally affected by their crimes and subsequent imprisonment. It is in this way that the research puts forward an original contribution to the study of historical prisoner suicide, as it is not often possible to find prisoner testimonies that uncover personal feelings and emotions in the ways they have been outlined in this article. It is important to consider however that these testimonies may have been fabricated by the newspapers they were featured within. Whilst this may be a possibility, the newspaper sources still represent wider understandings of prisoner suicide during this period, and how there was an element of sympathy that was afforded to those inmates who took their own lives.

This article has addressed the gap within the academic literature that has explored historical prison suicides. Whilst it has examined the nature of these deaths that took place at the York Castle Gaol during the nineteenth century, it presents opportunities for future research within this subject area. This includes more in-depth research on prisoner suicides in relation to the history of emotions, both in the context of the York Castle Gaol as well as other historical prison sites.

51. *Surgeon's reports of the Nottingham County Gaol,* 19th October 1868 and 5th April 1869, Nottinghamshire Archives, Accession numbers: C/QAG/2/3-4.
52. Directors of Convict Prisons (1852), Reports on Discipline and Management of Pentonville, Parkhurst, Millbank, Portland, Portsmouth and Dartmoor Prisons, and Hulks, *Parliamentary Papers,* 1656 v LI.385.