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delivered the York: Luddites 2013 event, 19th January 2013

I want to begin with two seemingly unconnected episodes. First, in April 1835 thousands of West Yorkshire textile workers – men, women and children – made what was termed at the time a ‘Pilgrimage’ on foot from communities as far away as Huddersfield, Honley and Holmfirth, to York Castle Yard. Their purpose was to call for Factory Reform and the rally was a formative event in the campaign for reform to the working hours and conditions endured by woollen mill workers. To undertake a round-trip walk of up to a 100 miles was a collective act of self-sacrifice, made to secure the attention of a political establishment seemingly deaf to their petitions and pleas. York was chosen because it was the capital of Yorkshire, and the now-grassed area between the three sides of the museum and courts complex, the Castle Yard, was the epicentre of Yorkshire politics. It was here that the MPs for all of the County of Yorkshire were proclaimed at each election until 1832 (and those for the North Riding would continue to be until 1882). It was here that great county-wide meetings had been held in the late-C18th that developed both the radical reform and anti-slavery agenda in the region. Not only the privations of the demonstrators, but the location of their protest, leant the occasion massive symbolic force.

Secondly, I want to fast forward a little over 80 years later to January 1917. The scene is Westminster Magistrates Court, where the case of Francis Meynell of Bayswater, London, is being considered. Meynell was a conscientious objector who refused to be conscripted into the armed services. Like thousands of others of similar views, he faced an indefinite sentence in a military prison. Before the magistrates handed him over to the military, the Liverpool Echo reported Meynell told the court proudly: ‘[my] great-great grandfather’s great-great-grandfather, William Tuke, was imprisoned in York Castle as a conscientious objector in 1660.’

It would be a pleasing symmetry if Francis had been dispatched to York Castle (by 1917 mainly a military prison) like his ancestor before him, but he wasn’t. However, an unknown number of COs were imprisoned here: for example a clutch of men court-martialled in Lichfield, Staffordshire, served sentences here in 1916; while Quakers James and Peter Campbell, from South London, were only released from the Castle in April 1919 after serving three years in various prisons (including a hunger strike by, and force feeding for, Peter while imprisoned at Canterbury).

Francis Meynell didn’t serve his sentence in York. And in a further demonstration that history is never tidy, the 500-odd Quakers who were imprisoned in the Castle in the 1650s and 1660s (many for refusing military service) did not include William Tuke either – though they did briefly include George Fox, the founding figure within Quakerism. But William Tuke, a Quaker blacksmith from the Walmgate area was imprisoned, not in the Castle but the Kidcote, the York city prison close to the present day Ousegate bridge. In fact Tuke was imprisoned twice in the 1660s. That was his good fortune, for an early C18th Quaker history tell us that ‘in York Castle five of the [Quaker] prisoners died through the unhealthiness of the Place, where they were thronged together’.

This second anecdote, untidy and tangential though it may seem, helps make my first point, namely that York Castle had a long history – extending over centuries – as a prison for political offenders. If time permitted, a survey could extend back at least to the early C12th, when Irish soldiers serving the French side in the wars of King John were taken hostage and imprisoned in the Castle. In 1295 Welshmen who had participated in an uprising led by Madog ap Llewellyn were incarcerated here. The early C14th saw large numbers of Scottish hostages, seized in border wars, arriving; during the French wars of the early C15th Parisian notables were imprisoned. All were probably kept in the building we know as Clifford’s Tower, for when the mainly Norman castle was demolished later that century only Clifford’s Tower was spared on account of its importance as a prison.
Not all its prisoners were exotic foreigners. The Lord Mayor of York himself was gaoled there in 1580 for refusing to enforce – or even proclaim – penalties against Roman Catholics. He joined a small number of Roman Catholics already imprisoned in the Castle. To be a Catholic in Elizabethan England was, of course, a highly political act.

When the Castle was rebuilt as a military fortification in the 1640s the prison was moved out of Cliffords Tower and relocated elsewhere in the precinct. It would have been here that the 500 Quaker prisoners mentioned earlier were incarcerated. They were not alone: a wide range of prisoners – many of them essentially political offenders were housed here during the years of the English Revolution. For example William Archer of Etton, near Beverley, was gaoled in 1652 for ‘saying the Parliament were traitors and bloodsuckers and that they had taken off the King’s head’. And after the monarchy was restored James Parker of Rothwell (between Wakefield and Leeds) was locked up in 1663 for stating: ‘I served Oliver [Cromwell] seven yeares as a soldier … As for the Kinge I am not beholdinge to him. I care not a fart for him’.

Parker was one of many Parliamentarian sympathisers from the south Leeds area who were imprisoned as a result of a series of little known Northern Risings to overthrow the restored monarchy in the autumn of 1663. Of more than a 100 who were directly implicated in the rising, all were remanded to the Castle and tried at the York Assize. 16 were then hung, drawn and quartered at the tyburn on the Knavesmire on the 16 January 1664. Three who escaped were recaptured in Leeds and met the same fate at Chapletown a few days later; 29 other prisoners were sentenced to indefinite prison sentences. Virtually all those executed as a result of the Farnley Wood Rising (as it was popularly known) came from the Yorkshire textiles district. Their heads were displayed round the city: on Micklegate, Bootham and Walmgate Bars, and over the Castle gate.

So, history is tidy and symmetrical after all. Sixteen men of the West Riding clothing district were executed outside York Castle on Saturday 16 January 1664, and fourteen men of the West Riding clothing district were executed outside York Castle on Saturday 16 January 1813. Was the choice of the latter date made with the executions 139 years before in mind? Not as far as I am aware. It seems to have been a macabre coincidence, one that underlines the frequency with which York Castle functioned as a prison for political offenders, and the City as the site for mass execution. When I realised this coincidence I looked carefully at proceedings before and at the scaffold in 1813 for any hint that the anniversary was known to anyone involved. But I found nothing. The condemned Luddites sung a hymn by John Wesley’s father on the scaffold, not one by any C17th Puritan author. And the York Herald was very clear: these fourteen ‘unfortunate and misguided men are the largest number that ever suffered in one day at York, that stands upon any record within our knowledge’.

To reinforce its point, the Herald detailed the C18th mass executions that had cast a dark shadow of their own across the city: all were political and all derived from the 1745-6 Jacobite Rebellion. On 1 November 1746 ten Jacobites were hanged at the Tyburn on the Knavesmire, and their hearts removed while they hung and burnt on the scaffold. The following Saturday eleven more were similarly dispatched. Again, decapitated heads were displayed across the city, the last offenders to be treated to this ignominy. The remainder of their corpses are thought to have been buried in the Castle precinct, where twenty mutilated skeletons were discovered in the 1860s by labourers diging a drain.

Compared to the political trials that preceded and followed it, the special commission that sat at York to try the Jacobites was unusual in its composition. The sixty Jacobite prisoners from the earlier, and less-serious, rising of 1715 had eventually been released without trial. In 1746, the five judges were joined by the archbishop, the Dean and the political leader (and future prime minister) the Marquis of Rockingham. Archbishop Thomas Herring, had taken a leading role in stirring the City to prepare itself militarily to resist the Jacobite army, personally addressing a county meeting in the Castle Yard at which £31,000 was pledged to the defence of England. (Notice the
By 1746 the built environment of the Castle had begun a fundamental change. The first of the current buildings, the Debtors’ Prison wing of the modern museum, dates from 1701-05. Let’s dispense with the Debtors’ Prison tag (with its Dickensian flavour of decayed gentefolk detained with some dignity under only light surveillance.) The so-called Debtor’s Prison was built as a general county gaol and used accordingly. It proved completely inadequate when the Castle was swamped with Jacobite prisoners in 1746. 190 were consigned here after the fall of Carlisle alone, arriving in January 1746 having walked across the Pennines. Even the redoubtable Hanoverian loyalist Herring was appalled by their condition, telling a friend that their ‘Filth and Sickness and close confinement’ might ‘breed a contagion very dangerous to the publick’. With no public funds to keep the prisoners in cloths, heat or food, the Keeper of York Castle was reduced to appealing for charitable donations through the pages of the York Courant, the city’s newspaper at the time. Only those Jacobite prisoners with some private means appear to have been kept in the County Gaol (they included eight women). The rest were incarcerated in the small range of cells intended for prisoners on-trial, beneath the Grand Jury House on the site of the present Crown Court (not erected until the 1770s). An unspecified number died in the Grand Jury House, and according to one eye-witness, ‘when the turnkey opens the cells in the morning, the steam and stench is intolerable and scarce credible. The very walls are covered with lice in the room over which the Grand Jury sit’. As a result the routine Assize that Easter had to be relocated to Kings Manor, and large number of prisoners were removed to gaols at Lincoln and Pontefract.

Of the 250-odd Jacobite rebels imprisoned at York at its peak, only a minority were ever executed. The real force of Britain’s capital punishment regime derived as much from the theatrical display of almost random clemency towards those sentenced to die as it did from public executions themselves: one of those condemned, John Jellons, was actually being dragged along Castlegate, bound to a wooden hurdle as was customary at the execution of traitors, when a court official stepped forward with his pardon. The majority were acquitted, had charges dropped, or were pressed into the Hanoverian army; but 48 were imprisoned and 70 transported (including several women).

As is clear from the York Herald’s 1813 reference to the Jacobite executions, the memory the latter (less than 70 years before) was still green when the Luddites met their death, no longer at the Tyburn (last used in 1801) but on an especially constructed drop adjoining the Castle walls. Nor had conditions inside the prison much improved, though overcrowding at 1746 levels was never repeated. In 1780 the penal reformer John Howard found that prisoners were not permitted fires to warm them in winter, or direct access to fresh water, baths or beds other than those made on the floor. The following year coals for heating were at last provided, but only as the result of a charitable bequest made by a York widow, Tabitha Bower. By the time the Luddites were incarcerated in the Castle, there was a water pump in the exercise yard, and prisoners were provided with blankets and, it would seem, even soap. But an 1818 visitor commented that the prison was dirty, food inadequate, that prisoners had to share beds and were chained at all times when not allowed into the exercise yard.

Routine chaining was abandoned only in 1836 when those kept in the so-called debtors prison were transferred to a new building, occupying the area of the present-day Cliffords Tower car park, separated from the city by a 10-metre high wall, and built to the latest standards of prison construction. This was the building, mostly transferred to military control in 1900, that housed Conscientious Objectors during WW1.

The Jacobites were the last political prisoners to be executed at York – though not the last to die here as I shall show shortly. But there was, following the 1813 executions, something of a sea-change in official attitudes in England to political crimes and industrial protesters. Thus in 1820 the carefully choreographed theatricality which had
attended the trials of Jacobites and Levellers was largely absent during the trial at York of Henry Hunt and other organisers of the 1819 protest meeting in Manchester remembered as the Peterloo Massacre. Indeed the theatricality of 1820 derived from the behaviour of the defendants (bailed pending trial). Hunt’s journey into York, in the words of the Leeds Mercury, ‘more resembled the triumphal march of a conqueror than the journey of a culprit advancing to trial; but prosecution witnesses were waylaid and ‘assailed with hisses, groans & imprecations’. Rather than risk the same, the judges had decided to take a circuitous route to York.

Though it ended in Hunt’s conviction, the Peterloo trial was also notable for the government privately expressing grave doubts about the preparedness of a Yorkshire jury to declare a guilty verdict. In the seven years since the Luddite risings, it was if England had crossed a Rubicon. Those in authority could no longer be unwavering in their confidence that public attitudes to judicial retribution would be ones of unqualified approval. This was abundantly evident in the other political trials that took place at York in 1820. The first was of West Riding blanket weavers for wage riots in February. Cavalry had been needed to clear the streets and to secure at least some of the offenders. Sixteen were arrested and immediately sent to York Castle. At the ensuing Assize they pleaded guilty to a variety of public order and violence-related offences. However, in a carefully stage-managed proceeding, the prosecution declined to move for them to be sentenced and the judge instead delivered a stern homily. Forcibly to seek a rise in wages, he told them, was ‘an offence of very great magnitude, but it is also an act of the greatest folly and imprudence, to seek by rioting the redress of any imaginary or even real grievance ... Go home and be good men.’

There’s no space here to analyse the motives behind this striking exhibition of clemency, except to say that during the early months of 1820 the government was struggling to contain an unprecedented level of political unrest, the most striking example of which was the so-called Cato Street conspiracy in London to assassinate the entire Cabinet. Preferring to keep the extent of its political surveillance networks a secret, rather than prosecute all implicated in conspiracies, the government portrayed the Cato Street conspirators as murderous psychopaths, acting alone and engineered pragmatic displays of clemency elsewhere.

The wisdom of this policy was evident when, over Easter 1820, there were attempts at general risings in West Yorkshire and central Scotland. There were clear links between the two: indeed the author of the Scottish rebels’ declaration that they felt “compelled, from the extremity of our sufferings ... to take up ARMS for the redress of our Common Grievances” was a Leeds radical, the son of a shoemaker from Heslington. The specifically Yorkshire rebels who were arrested (25, all from the Huddersfield area) were imprisoned in York Castle and tried at a special Assize, like the Luddites before them. But this time the Crown prosecutors offered clemency in return for pleas of guilty. With the fate of the Luddites doubtless on their minds, all of them complied. The sentences handed down by the York Assize included immediate transportation for twelve of the prisoners, but no sentences of death. Three prisoners were discharged and those sentenced to transportation received a pardon four months later. The Crown carefully avoided making martyrs of the Yorkshire rebels, a mistake manifestly committed in Scotland where trials following the Easter risings imposed twenty-four capital convictions for disturbances in which the only fatality on the government side was a horse. Three Scottish rebels were hanged, the consequences of which reverberated through to the present day.

Chartists were the last political prisoners to be held in York Castle until the COs during the First World War. They included one of the highest-profile Victorian political prisoners, the barrister Feargus O’Connor, the one really commanding national figure in all Chartism and proprietor of the movement’s great newspaper, the Northern Star & Leeds General Advertiser. (He was imprisoned for libels published in its pages.) It is a tribute to the need to ensure O’Connor did not die in custody and become a martyr to the cause that the Crown permitted him his own clothes and furniture, a fire in his cell,
meals brought in from local hotels, writing materials and the company of a cage-bird. His release from prison in August 1841 was the occasion for one of York’s greatest ever political demonstrations.

But O’Connor’s experience contrasted sharply with that of other York Chartist prisoners. Handloom weaver Peter Hoey of Barnsley lost a leg after being chained in custody and Samuel Holberry of Sheffield died here after a long struggle to overcome tuberculosis, contracted in Northallerton Gaol where he had first been imprisoned. Holberry had led been arrested as he was about to lead an uprising in Sheffield in January 1840. Young, idealistic, unemployed with a bride of fifteen months expecting their first child, Holberry cut a sympathetic figure. Asked ‘surely you would not take a life?’ by the policeman who arrested him, he responded, ‘But I would, in defence of liberty and the [People’s] Charter. Mind, I am no thief or robber, but I will fight for the Charter and will not rest until we have got it, and to that I have made up my mind’.

Unlike Chartist rebels in Wales a few months before, only a lesser charge of seditious conspiracy was brought against Holberry at the York Assize. Holberry received a four-year sentence, eight other conspirators lesser terms. But all were led away to Northallerton prison, selected by the judge on the instructions of the Crown prosecution team, because of all the prisons within the York’s jurisdiction, Northallerton ‘was farthest away from their own homes’ and the gaol where prisoners ‘are worse fed & hardest worked’ (I quote here from correspondence between the Home Office and York).

Northallerton gaol was run in a spirit of viciousness and parsimony unusual even by the standards of the time: solitary confinement was the only alternative to hard labour or the treadmill. After one Sheffield Chartist died there and Holberry had contracted TB, the Home Office had him transferred to York Castle where medical supervision of prisoners was routine. According to the surgeon who examined him soon after his arrival he was bilious, ‘weak; his skin and eyes are still suffused with bile; his pulse is quick and his appetite bad’. Edward Burley, a plasterer and York Chartist who often visited Holberry, found him unable to exercise or even walk. By March 1841 he could no longer hold a pen. York’s Chartists led what soon became a national agitation for Holberry’s release on compassionate grounds. On 17 June release was offered in return for two sureties, each of £100. His supporters were still desperately trying to secure these when Holberry died. The York Chartists strenuously argued prison conditions were to blame but the coroner’s court exonerated the authorities.

The belief that Holberry and other Chartists were political prisoners endured. As late as the 1860s the Marquis of Normanby, Home Secretary at the time Holberry was gaoled, was still being criticised for permitting Chartist prisoners to be treated ‘worse than thieves, burglars, and even murderers’. The allegations were made with some justification for, as a major North Riding landowner and magistrate, Normanby would have had local knowledge of Northallerton’s regime. Not only was the Home Office less than fastidious in checking local prison conditions, the correspondence quoted above shows the government to have been directly complicit in his mistreatment.

How to conclude? Well it’s clear to me that the much-lauded Dick Turpin is just about the least interesting or important prisoner ever to have been executed in the city’s history. Episodic and sketchy though it has to be, the narrative above shows how for over 800 years York was consistently one of England’s major centres for political imprisonment, trial and execution. York Castle was a profoundly symbolic space in political terms. Not only was it, by 1813, one of the country’s largest and architecturally most-imposing prisons, it was both the symbolic and practical centre of political authority in the region. Here I return to the point where I began: it was to York Castle Yard in 1832 that the great Factory Reform ‘Pilgrimage’ was held. We should see that epochal event in the evolution of Yorkshire political protest and as an act of reclamation. Industrial workers, many from the same communities, and some doubtless from the same families, as the Luddites executed in 1813, reclaimed and cleansed a site that had been so contaminated 19 years before. The Luddites had been imprisoned, tried and
then executed at a location freighted with the trappings and reminders of the authority of the State and the city of York itself was a powerful player in the drama that York’s Alternative History now commemorates.

Sources: thanks to Cyril Pearce for information about COs, and to Andrew Hopper’s article about the Farnley Wood Rising in Historical Journal 45/2 (2002). For information on the Quaker prisoners I used WK and EM Sessions, Tukes of York (1987) and for other mid-C17th prisoners George Benson’s Account of the city and county of the city of York: from the reformation to the year 1925 (1935). The York Historian has useful articles on Jacobite prisoners in its 1985 and 2007 issues, and another on the architecture of the prison in the 2005 volume. Details for 1820 and for the Chartists can be found in my forthcoming book on 1820 (July 2012) and Chartism: A New History (2007). Other information has been taken from the Surtees Society’s 1861 volume, Depositions from the Castle of York, and the Victorian County History (City of York volume, 1961).