

**Part 2 of 5**

**The Worcester Court proceedings, and imprisonment at  
Millbank Prison and the Greenwich Hulk “Justitia”**

**of**

**Daniel Baughan**

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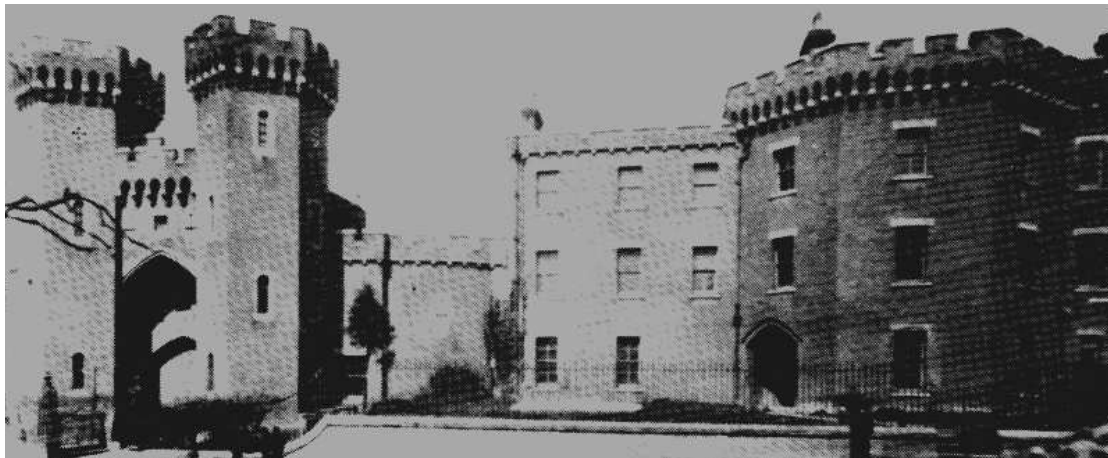
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## SECTION 3 - PROCEEDINGS AT WORCESTER

### The County Gaol at Worcester

The system moved quite efficiently in this case. Police Sergeant Humphries arrested Daniel on Friday October 27th 1848.



**Figure 1 - Castle Street Gaol in Worcester about 1880 (Worcester Archives Office)**

He was held before the trial in the County Gaol <sup>1</sup> in Castle Street in Worcester. He was maintained here at the expense of the County from the 1st to the 22nd of January. He cost in Food, Clothes, Bedding and Fuel some 6d a day or 3/6 a week - a grand total of 11/- by the time he was moved on. <sup>2</sup> The costs of dealing with him begin to mount up. Before long he will have cost more than he stole.

The Gaol was rather overcrowded in that Quarter. Indeed, the Visiting Magistrates reported to the Epiphany Sessions that it had held a maximum of 292 prisoners though constructed to take 240. <sup>3</sup> At the actual time of the Sessions there were some 154 prisoners undergoing sentence and some 132, including Daniel, awaiting trial, a total of 286 prisoners <sup>4</sup>

Daniel is found in the record of the Worcester Gaol Prison Kalendar <sup>5</sup> as follows:

**Figure 2: Prison Kalendar - Worcester 1849**

*“10th Case. Can read and write imperfectly Daniel Baughan, the younger, aged 20, labourer, charged with having on the 7th day of August last at the Parish of Tredington*

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<sup>1</sup> Source 91 Worcester Quarter Sessions papers – Epiphany 1849. Built in 1813 for £18,000 and was costing £6,000 a year to run in 1848. It was closed in 1922.

<sup>2</sup> Source 88 Maintenance of Prisoners lists. HWCRO BA249/19 ref b122

<sup>3</sup> Source 90 Gaol Report HWCRO BA 202/37 ref 122

<sup>4</sup> Source 89 *QS Order Book. HWCRO BA 6/17 ref b118 Epiphany 1848 - Besides the overcrowding in that half year there were the usual events in any 19th Century Gaol regular burnings of fouled clothing and bedding on the Magistrates orders the Treadmill collapsing at Easter 1848 the Smallpox and Measles that year the citizens of Worcester building their cess pits up against the wall and transportees getting into the habit of mutilating legs and feigning lameness to avoid shipment.*

<sup>5</sup> Source 6 Worcester Gaol Kalendar – HWCRO BA 772/2 Vol 2 1<sup>st</sup> Jan 1849

## ***B- Daniel Baughan Convict 717 – court proceedings and prison.***

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*feloniously stolen 107 sovereigns 18 shillings 10 penny pieces and 20 halfpenny pieces the property of Thomas Gibbs, Committed the 30 day of October by the Rev Henry Townsend. (Handwritten at a later time) Verdict - To be transported for ten years”*

Some indication of the context of the relative severity of his sentence can be seen in that this sentence of 10 years was one of the heaviest of the 140 at that session<sup>6</sup>:

**Figure 3 –Analysis of Cases at Worcester - January 1849**

<b>Categories</b>	<b>Sentence</b>	<b>Totals</b>	<b>Proportions</b>
Transported for 10 years (inc. Daniel)	3		
Transported for 7 years	7	10 total	7 %
Prison & hard labour up to a year	6		
Prison & hard labour up to 6 months	47		
Prison & hard labour up to 1 month	38	91 total	65 %
Adjourned cases	3	3 total	2 %
Not guilty	21		
Abandoned cases	15	36 total	26 %

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<sup>6</sup> Source 6

Worcester Gaol Kalendar – HWCRO BA 772/2 Vol 2 1<sup>st</sup> Jan 1849

## *B- Daniel Baughan Convict 717 – court proceedings and prison.*

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### **Moving from Worcester to London**

Official preparations went ahead smoothly. The Sheriff of Worcester claimed his expenses for setting up the two Sessions for that year. <sup>7</sup>

**Figure 4: Sheriff of Worcester's costs - January Sessions 1849**

For Judges' Lodging	140.00.00
Fitting up the Courts	8.17.00
Balloting Box and Jury List	5.00.00
Men to Keep order in Court	68.00.03

After the Sessions had ended on Saturday the 6<sup>th</sup> January the presiding judge Sir John Somerset Packington wrote to London about the newly sentenced Convicts and received this reply <sup>8</sup> from Horatio Waddington, the Under Secretary to the Home Office. <sup>9</sup>

**Figure 5: Permission letter to move convicts from Worcester.**

*“Sir John L Packington Bt. M P,  
WHL 13 Jan 1849,  
Westwood Park Droitwich*

*Sir,*

*I am directed by Sec. Sir G. Grey to acknowledge the receipt of your letter of the 6th instant requesting that the Convicts under sentence of transportation in the Gaol at Worcester may be removed and I am to acquaint you that Sir George Grey has issued an order for the removal of these Transports to Prison*

*I am etc  
H WADDINGTON”*

This order dated the 12th January <sup>10</sup> orders the removal of twenty seven named transports to Millbank Prison in London. Since only nine had been sentenced with Daniel the other 17 were “hanging around” from previous sessions.

It can be combined with two other sources: the Worcester Gaol Kalendar <sup>11</sup> and the Millbank Prison Registers <sup>12</sup> to show just who went with Daniel to London, their sentences, and when they eventually moved on from Millbank.

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<sup>7</sup> Source 131

Sheriff's Cravings PRO T207/2

<sup>8</sup> Source 9

Removal Order – PRO HO 13/96

<sup>9</sup> Source 115

London Post Office Directory

<sup>10</sup> Source 9

Removal Order – PRO HO 13/96

<sup>11</sup> Source 6

Worcester Gaol Kalendar – HWCRO BA 772/2 Vol 2 1<sup>st</sup> Jan 1849

<sup>12</sup> Source 14

Millbank Prison Registers, PRO PCOM 2/29 1848-1849 and

Source 135 Registers HO 24/4 Number 16.473

## B- Daniel Baughan Convict 717 – court proceedings and prison.

The 27 were moved in two batches. Those in capital letters eventually accompanied Daniel on the Minden and one more made it to Western Australia on another ship.

On Thursday the 18th January, these first 14 were received at Millbank <sup>13</sup>

**Figure 6 - 1851, Convicts moved from Worcester to Millbank on 18<sup>th</sup> January.**

Name	Age	Convicted	Crime	Sentence	To Justitia
William Goddard	16	Midsummer 48	Felony		
Jeremiah Sutton	30	Midsummer 48	Housebreaking	10 year	7 <sup>th</sup> August
Edward Crump	19	Midsummer 48	Felony	7 year	7 <sup>th</sup> August
George Aston	25	Midsummer 48	Felony	7 year	7 <sup>th</sup> August
John Nash	24	Summer 48	Felony	15 yrs	7 <sup>th</sup> August
Henry Robinson	32	Michaelmas 48	Housebreaking	20 yrs	7 <sup>th</sup> August
Mark Creese	24	Michaelmas 48	Horsestealing	10 yrs	7 <sup>th</sup> August
William Lees	33	Michaelmas 48	Felony	7 yrs	7 <sup>th</sup> August
<b>THOMAS CHURCHILL</b>	<b>21</b>	<b>Michaelmas 48</b>	<b>Felony</b>	<b>7yrs</b>	<b>7<sup>th</sup> August</b>
William Toombs	19	Michaelmas 48	Felony	7yrs	7 <sup>th</sup> August
William Wakeman	22	Midsummer 48	Felony	7yrs	10 <sup>th</sup> October
George Eades	30	Michaelmas 48	Felony	7yrs	30 <sup>th</sup> October
Patrick Killard	17	Michaelmas 48	Felony	7yrs	30 <sup>th</sup> October
James Pagett	23	Summer 1848	Felony	15yrs	30 <sup>th</sup> October

On Monday the 22nd these further 9 were received at Millbank

**Figure 7: Convicts moved from Worcester to Millbank on 22nd January.**

Name	Age	Occupat.	Convicted	Crime	Sentence	To Justitia
Thomas Clemson <sup>14</sup>	15	Labourer	Epiphany 49	Felony	7 yr	.....
John Potter	18	Collier	Epiphany 49	Housebreaking	10 yr	7 <sup>th</sup> August
<b>DANIEL BAUGHAN</b>	<b>26</b>	<b>Lab</b>	Epiphany 49	<b>Felony</b>	<b>10 yr</b>	<b>7<sup>th</sup> August</b>
George Turner	29	Fireman	Epiphany 49	Felony	7 yr	7 <sup>th</sup> August
Charles Norbury	25	lab	Epiphany 49	Felony	.....	7 <sup>th</sup> August
Richard Child	26	lab	Epiphany 49	Sheepstealing	10 yr	15 <sup>th</sup> August
George Payne	19	collier	Epiphany 49	Felony	7 yr	15 <sup>th</sup> August
<b>JOHN PICKERING</b>	<b>22</b>	<b>Fishk mkr</b>	Epiphany 49	<b>Felony</b>	<b>7 yr</b>	<b>15<sup>th</sup> August</b>
William Taylor	22	Dyer	Epiphany 49	Felony	7 yr	15 <sup>th</sup> Aug

The following four were authorised to make the journey to London but disappear from our view.

**Figure 8: Four convicts not arriving at Millbank from Worcester.**

Name	Age	Convicted	Crime	Sentence
Elizabeth Williams	33	Summer 48	Felony	15yrs
James Pearson	41	Summer 48	Felony	10 yrs
Ellen Leighton	37	Michaelmas 48	Felony	7 yrs
Ellen Haines	19	Michaelmas 48	Felony	7yrs

There is further evidence of them being treated as a batch in that they were eventually moved on to Hulks in broadly the same groupings. For example, of the 23 who actually reached Millbank with Daniel, some 13 or 48% were sent to the Justitia Hulk on August 7<sup>th</sup>, four more on the 15<sup>th</sup>, one on the 10<sup>th</sup> October and the remaining three on the 30<sup>th</sup> of October.

<sup>13</sup> Source 135

Millbank Registers HO 24/4 Number 16.473

<sup>14</sup> Source 42

Dictionary of Western Australians. Convict 355, unmarried Tinsmith, stealing clothes, arrived WA on Mermaid 1851, confirmed free 1865, Fremantle to South Australia in 1872.



## ***B- Daniel Baughan Convict 717 – court proceedings and prison.***

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In all, 21 or 78% from this Worcester group of 27 were eventually to make it to the Justitia, which shows that Daniel's processing to the Hulk followed a common pattern. Further features were that none of those in his batch from Worcester were to spend more than nine months at Millbank. He spent seven, and finally three men from this group eventually made it to the particular transport ship, a good sized 11%.

Despite these fine figures, Victorian practicality always rears its head. The Worcester Prison Van at this time was in such a bad state of repair that the Governor was authorised on January 22nd 1849 to hire a Private Omnibus to take transports to the Railway Station in Worcester.<sup>15</sup> This was the day that Daniel was moved to Millbank - and so must we imagine him moving through the streets of Worcester towards the railway station in a hired bus ?

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<sup>15</sup> Source 87

Magistrates Order Book. HWCRO BA 249/11b ref 122

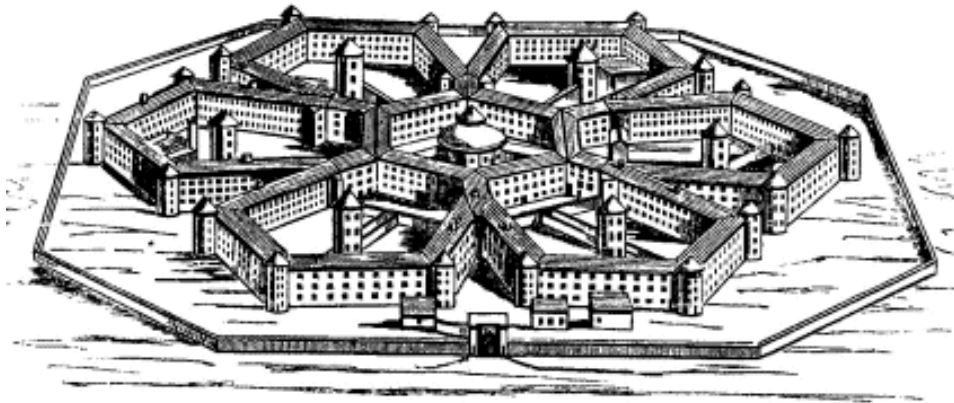
## SECTION 3 - LONDON

### Millbank Prison

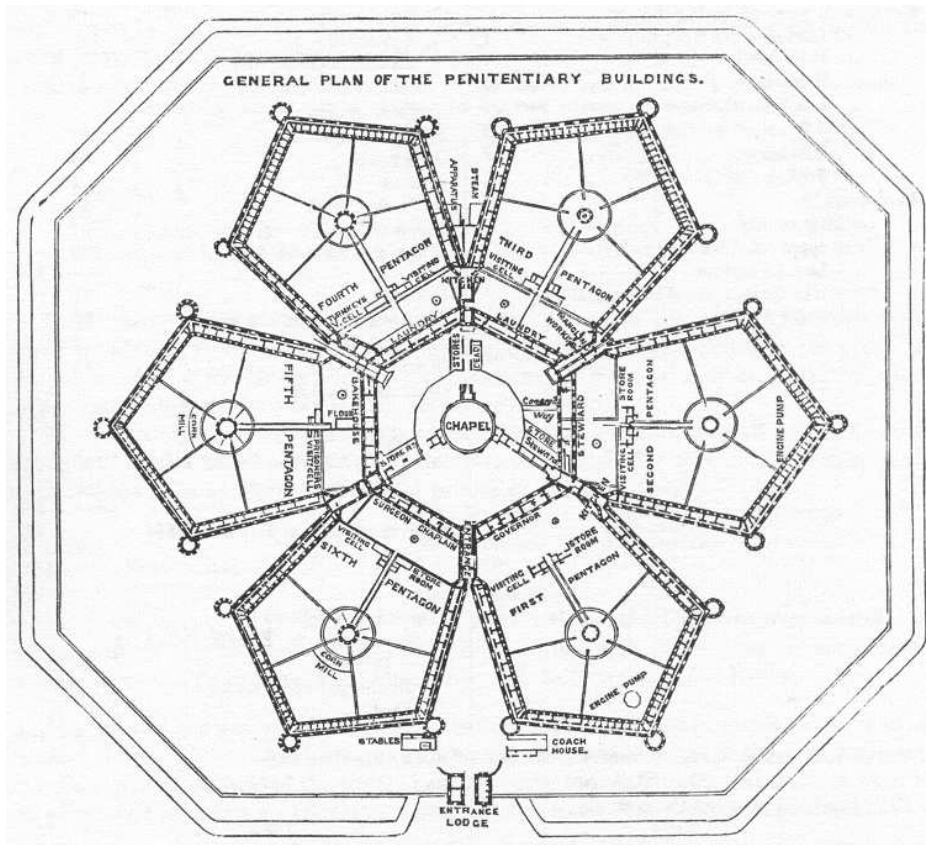
Figure 9: Images of Millbank prison.

Millbank was the first example of Nineteenth Century Prison planning in England. It was built between 1812 and 1816 and cost the then enormous sum of £450,000 and was unfortunately, from the start, damp and unhealthy on the soggy riverbank of the Thames where the Tate Gallery now stands. (Pictured 16)

It was a giant turreted building and was the biggest Prison in Europe when it was opened - capable of holding up to 1,000 prisoners in seven pentagons.<sup>17</sup> These pentagons were clustered around the heart of the Penitentiary - the Chapel. Around the whole edifice was a perimeter wall and moat. In theory it was designed for constant inspection of the prisoners, but in effect it was a maze of endless



BIRD'S-EYE VIEW OF MILLBANK PRISON.  
(Copied from a Model by the Clerk of the Works.)



<sup>16</sup> Source 199

Millbank Prison [www.victorianlondon.org/prisons/millbankprison.ht](http://www.victorianlondon.org/prisons/millbankprison.ht)

<sup>17</sup> Source 73

"A just measure of Pain" Michael Ignatieff

## ***B- Daniel Baughan Convict 717 – court proceedings and prison.***

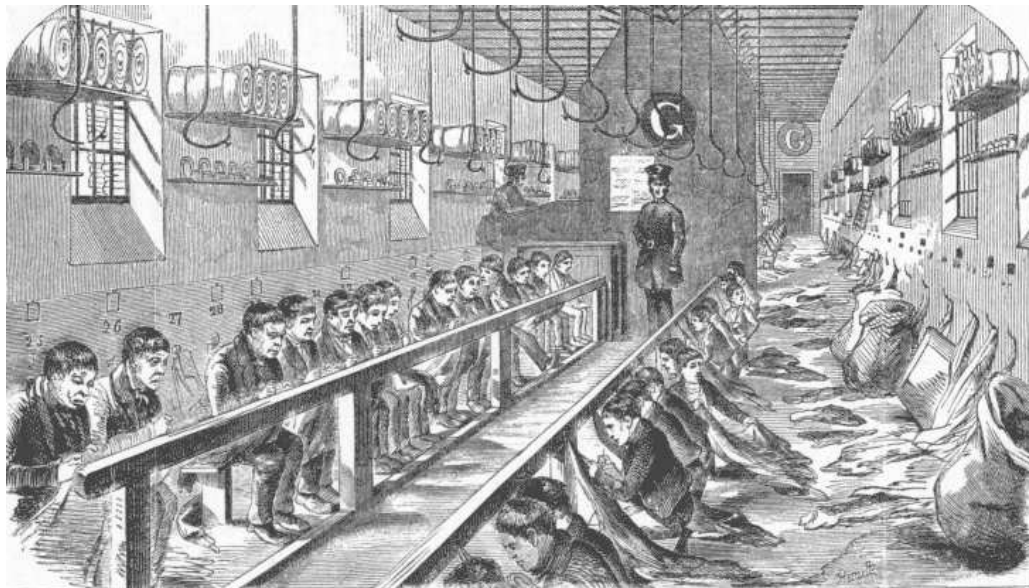
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corridors. At least one warder in the early days would leave chalk marks when he went on his rounds in order to find his way back to the guardhouse.

There was administrative chaos in the early years with two incompetent governors and the sudden regimen of solitude, labour and controlled diet caused mutinies in 1818. The aim of many of the disturbances was to be transferred to the easier life on the hulks. By 1828, when the desire to avoid barbaric punishments had wilted and the cat was re-introduced, life became somewhat quieter.

The intention of the system at Millbank was that the convict should generally undergo a sixth month dose of solitary there or at Pentonville, and then move onto a public works prison or transportation. During this time he worked alone, and underwent a rule of silence which was relieved only by visits from the Governor, Chaplain, or Medical officer - before usually being released on Ticket of Leave.

In any case the when the increasingly unpalatable and expensive system of transportation was being wound down and more prisoners dealt with in new Prisons like Millbank. The new Benthamite penology required reformation rather than revenge. As a result, amongst many others, Pentonville was built in 1842 in Portland in 1848 and Dartmoor in 1850. This despite the fact that



THE WORKSHOP UNDER THE "SILENT SYSTEM" AT MILLBANK PRISON.

penitentiary costs were higher. For example in 1838 a prisoner cost £8 per year in a hulk £24 in a prison and £7 10s in Van Dieman's Land or New South Wales.<sup>18</sup>

Figure 10: Scene from Millbank in the 1850s.<sup>19</sup>

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<sup>18</sup> Source 12

"Convicts and Colonies" A L G Shaw

<sup>19</sup> Source 199

Millbank Prison [www.victorianlondon.org/prisons/millbankprison.ht](http://www.victorianlondon.org/prisons/millbankprison.ht)

*B- Daniel Baughan Convict 717 – court proceedings and prison.*

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## *B- Daniel Baughan Convict 717 – court proceedings and prison.*

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### **Daniel's Millbank Records.**

Daniel did conform broadly to this pattern by spending seven months there, and then moving onto the Hulks for labouring. This new solitary system was phased in after 1848, so perhaps Daniel missed the full rigours. In any case, he was received there on 22 January 1849,<sup>20</sup> and given the English Prison Number 16,473.

A combination of the many Millbank Registers<sup>21</sup> shows him as”

**Figure 11: Combination of Millbank sources about Daniel Baughan.**

16,473 Daniel Baughan  
Age 20  
Single man  
Read and write imperfectly  
Labourer  
Church of England  
Convicted 1 Jan 1849 at Worcester Sessions  
Stealing Money 107 Sovereigns and other  
Sentence ten years  
Received at Millbank 22 Jan 1849 from Worcester  
First Conviction (one states “One previous conviction for neglect of work”  
No visitors  
Moves 5F8, 4G1, F17 & General Ward 2C20  
Removed 7 August 1849 to Justitia Hulk

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<sup>20</sup> Source 14 Millbank Prison Registers, PRO PCOM 2/29 1848-1849

<sup>21</sup> Source 14 Millbank Prison Registers, PRO PCOM 2/29 1848-1849