



Database Factsheet

THE THREE LISTS

The database has three lists:

- 1) Criminals sentenced to transportation to America, c.1705–1775
- 2) Criminals executed at York, c.1710–1899
- 3) Debtors who pleaded insolvency, c.1709–1813

None of these lists is complete. The court records for the years 1700–1740 are especially imperfect and the entries in them are hard to confirm by other documentation.

The Transports to America list

The Transportation Act of 1717 made transportation to America a major punishment for serious crime. It continued until 1776, when the American colonies declared independence from Britain.

The database lists people held in York Castle who were sent to the Americas in these years. It includes some people who were sentenced at Quarter Sessions elsewhere in Yorkshire and were then transferred to York Castle to await shipment. They appear in the database as 'Awaiting transportation from York Castle Gaol'. Returning to Britain while under sentence of transportation was a capital offence, so some people in the Transports list also appear in the Executions list.

After 1776 people continued to be sentenced to transportation. Men were sent to prison ships permanently moored off the coast of southern England, while women tended to be held in local prisons. In 1787 a new wave of transportation began to Britain's newly claimed colonies in Australia. This continued until 1867, by when penal servitude ('doing time') had become the standard punishment in Britain for serious crimes other than murder.

If you are looking for a convict sent to Australia a good place to start is the Queensland State Library's online database of transportation registers:

<http://www.slq.qld.gov.au/info/fh/convicts>. This lists about 130,000 of the 160,000 convicts sent to Australia. The State Libraries of New South Wales, Tasmania, Victoria, and Western Australia also have substantial online resources about convicts.

For more information see the National Archives' resource sheet, *Sources for Convicts and Prisoners*: <http://www.nationalarchives.gov.uk/catalogue/rdleaflet.asp?sLeafletID=253>.

For general information on the history of crimes and punishment in England see the Historical Background pages of the Old Bailey Online website: <http://www.oldbaileyonline.org/>.

The Executions list

Until 1837 a vast range of crimes in England incurred the death penalty. Many thieves and burglars were sentenced to hang along with the murderers and highway robbers, but in fact most of them were reprieved and had their death sentences commuted to transportation instead.

A last-minute reprieve was not always recorded in the Court Minutes or General Gaol Delivery (see Sources), so someone may be listed in them as hanged when actually they were not. The best way to confirm an execution is to find a newspaper report giving its date and location. Executions at York were first reported in newspapers from about 1730. From about 1800 local newspapers carried very full reports of arrests and trials for capital crimes, along with descriptions of the executions.

Because newspapers copied each others' reports, most of these can be tracked down using the British Library's online newspaper archives (see Sources). Alternatively, seek out copies of the *York Courant*, *Leeds Mercury* and *Hull Packet* in local libraries.

The Insolvent Debtors list

Until 1869 debtors who did not qualify for bankruptcy proceedings could be imprisoned indefinitely by their creditors. They were only released if they or someone else paid their debts, their creditors relented, or they could prove to a court that they were insolvent – meaning that they had no financial resources or property.

Before 1813 the government passed periodic acts for the relief of insolvent debtors. Debtors had to publish three notices of their intention to plead insolvency. Notices from Yorkshire appeared in the *London Gazette* (see Sources), and it is mainly from them that this database has been compiled.

In 1813 a national Court for the Relief of Insolvent Debtors was established. After this date, notices still appear in the *London Gazette* but researchers can also check the records of this court, which are held in the National Archives (B 6 and B 8 series).

Imprisonment for debt was very common. If you have lost track of someone before 1869, it is always worth considering this possibility. For Yorkshire, besides York Castle, there were debtors' prisons in York City (Ousebridge and St Peter's), Beverley, Halifax, Leeds (Rothwell), Richmond, and Sheffield (Hallamshire). Insolvency notices for these prisons appear in the *London Gazette* too and regional archives also have lists of debtors intending to claim insolvency. But there is no resource that covers all people imprisoned for debt. Many debtors retained property and so did not plead insolvency. Others were released by acts of charity, and quite a few died in custody.

For more information, see the National Archives' resource sheet, *Bankrupts and Insolvent Debtors, 1710-1869*:

<http://www.nationalarchives.gov.uk/catalogue/rdleaflet.asp?sLeafletID=145>.

SOURCES

This database has been compiled from original records in the National Archives at Kew and local archives in Yorkshire, newspaper reports, and printed books.

Each entry in the database lists the sources of information for compiling that entry. The sections below explain how to locate these sources and look for more information.

- ***Documents at The National Archives (TNA), Kew, London***

The database relies heavily on the manuscript records of the Yorkshire and York City Assize courts for the years 1700–1800. These include the Crown Minutes (ASSI 41/4, 41/3, 41/5, 41/6, 41/7, 41/8, and 41/9) and the Gaol Books (ASSI 41/2, 41/4, 42/8 and 42/9).

These volumes have not been digitised or indexed. Only one or two have been paginated. To find a particular entry from the database, you need to work through the volume listed looking for the appropriate trial date.

The witness deposition files (ASSI 45 series) have been indexed by the suspect's name. These can be searched online at <http://www.nationalarchives.gov.uk/catalogue/default.asp>. They are a valuable resource and often include information about a suspect, victims, and the alleged crime.

Note that the Crown Minutes also contain lists of jurors, as well as the names of people acquitted or released after punishment by fine, whipping, pillory or branding in the hand.

- ***Documents in regional archives and libraries in Yorkshire***

The database includes several references to Quarter Session records held in the East Riding Archives and Local Studies Service at Beverley ('Beverley Archives') and the Wakefield office of the West Riding Archives Service ('Wakefield Archives'). These records can be seen in the reading rooms at these archives.

The Yorkshire Archaeological Society has a fragment of a burial and baptism register from York Castle Gaol, 1730–1743 (MS 489). A version published in the *Yorkshire Archaeological Journal* in 1920 (vol. 25, pp. 437–41) has been used in the database.

Online catalogues for all of Yorkshire's regional archives can be accessed centrally at the Access to Archives (A2A) site hosted by the National Archives: <http://www.nationalarchives.gov.uk/a2a/>.

- ***Gaoler's Journals and Chaplain's Books***

York Library holds the original journals kept by the gaoler or governor of York Castle for 1824–1847 and also two chaplain's books for 1833–1863. These offer valuable though patchy information on prisoners and debtors at York Castle in these years, as well as occasional details about staff appointments. If you find someone resident at York Castle in the Census returns for 1841 and 1851 it is always worth checking these volumes to see if further information about them survives.

- ***Calendar of Felons and General Gaol Delivery***

The Calendar of Felons and General Gaol Delivery for the Yorkshire Assizes are two printed series of records. The Calendar of Felons was published before each Assizes and listed the people awaiting trial. The General Gaol Delivery was published afterwards and listed the people sent to or back to York Castle Gaol as a result of their trials, along with notice of their sentences.

There is an almost complete run of Calendars and Gaol Deliveries at York Library for the years 1785–1851. The City of York & District Family History Society has compiled a name index to these documents, which can be accessed online at: <http://www.yorkfamilyhistory.org.uk/assizes.htm>. Reference staff at the library provide a

look-up service for individuals mentioned in the index. Contact them on: reference.library@york.gov.uk.

An earlier run of Calendars and Gaol Deliveries covering 1765–1843 can be viewed on microfilm at the North Yorkshire County Record Office at Northallerton. There is also an early but incomplete run at the York Minster Library. Many other regional archives also hold sporadic issues, often in their Quarter Session records.

From about 1800, regional newspapers often printed the Calendars in full.

- **British Library Online Newspaper Archives**

The source for all the newspaper references in the database is the British Library's online newspaper archives, which hold digital images of London and regional newspapers for the years 1600 to 1900. This service is free to readers in the British Library and other subscribing libraries. Alternatively, you can search the 1800–1900 newspapers online for free at: <http://newspapers.bl.uk/blcs/>. You will need to pay a fee, however, to see any articles.

When searching digitised newspapers, always explore a range of keywords, as character-recognition problems mean that a name will not always register a hit. This is often a problem with newspapers that highlighted criminals' names by printing them in italics. Before 1800 always try searches with an 'f' in place of an 's' in the middle of a word, eg, **York Cattle** as well as **York Castle**, **Smithfon** as well as **Smithson**.

- **London Gazette (LG)**

Since 1665 the *London Gazette* has been the official newspaper of record for England and Wales. It is the source of most of the insolvency notices for debtors in this database (abbreviated as 'LG'). It is searchable online at: <http://www.london-gazette.co.uk/>. As before, always explore a range of search options when using character-recognition technology.

The page numbers given in the database refer to the page in the *Gazette* on which a list of debtors at York Castle begins. These lists can be long and you may need to carry on to the next page to find the person mentioned.

- **Printed books and pamphlets**

Two printed books appear frequently in the database. Both are available in full-text versions on Google Books.

William Knipe, *Criminal Chronology of York Castle* (York, 1867).

Leman Thomas Rede, *York Castle in the Nineteenth Century* (London, 1831).

Both books contain some inaccuracies and Knipe in particular lists as executed some people who actually received a last-minute reprieve. Ideally, material in these books should always be checked against another source. The page numbers given in the database refer to the beginning of an entry; details of an individual's execution may be quite a few pages along.

Other books used in compiling the database should be identifiable by the entry given. A few broadsheets consulted at the British Library have the prefix 'BL'. York Reference Library and York Minster Library also have considerable holdings of ephemera relating to prisoners at York Castle.

- **A note on dating and calendar reform in 1752**

In September 1752 Britain switched from the Julian to the Gregorian calendar, which made 1 January the first day of the year. Before this, the year began on Lady Day, 25 March. So, for example, the day after 24 March 1740 was 25 March 1741.

The database uses modern dating, so if you are searching original records for a pre-25 March day before 1752, remember to remove a year from the date. For example, 10 March 1743 will appear in the records as 10 March 1742 or, possibly, 10 March 1742/3. Similarly, Lent 1717 will appear in the original records as Lent 1716 and will come *after* Summer 1716.