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CRIME AND CRIMINALS IN JERSEY IN 1880

HE le V dit Durell ¹

A

Chapter I

The habitual criminal class

1 The first thought of a writer, whose aim is to draft out a scheme of reform, or to indicate some of its main features, must necessarily be to find out as much as he possibly can relative to the persons who are to be the main object of such a reform.

2 Who are the habitual criminals in Jersey?—the lists annexed, marked relatively A and B, which have been carefully compiled from the records of the Police Court, will embrace every member of that class, not at present undergoing a lengthy sentence of imprisonment, or of penal servitude. List A comprises all persons who, during the years 1877, 1878 and 1879, have appeared three times or more before the Police Magistrate, on distinct charges.

3 It is readily admitted that it would be unjust, and perhaps libellous, to brand with the epithet of “habitual criminal” every person who may have appeared three times before the Police Magistrate, during three consecutive years, and it is with some diffidence that the writer annexes the list marked A; but nevertheless, a list of that description is of the highest value, as showing the number and the individuality of the persons who are, if not habitually, at all events frequently, “defendants” at the Police Court.

1 [Editor’s note] The text set out below was the winning entry in an essay competition launched by the Lieutenant Governor, Major-General Lothian Nicholson CB in October 1880. The Governor offered a prize of three guineas (£3.15) for the most meritorious essay on how best to deal with the problem of crime and criminals in Jersey so that (1) prison was a punishment as well as a deterrent, and (2) employment could be found for prisoners on the termination of their punishment. Twelve essays were submitted, and the prize was awarded by the Bailiff, Sir Robert Marett, to Mr HE Le V dit Durell, a barrister, who had returned to his native Island not long before. Durell was later elected as a deputy and subsequently appointed HM Solicitor General and then HM Attorney General. He died in 1921. The language of the essay is of course of its time. The problems and solutions proposed, seem however to be very familiar. Plus ça change, plus c’est la même chose. The Editorial Board is indebted to a former Magistrate, Mr BI Le Marquand, who held the magistracy between 1999 and 2008, for many of the comments contained in the footnotes. A number of the appendices to the essay have been omitted. References to these omissions in the text are shown in the usual way.

4 Thirty persons have been presented three times before the Police Magistrate (and not necessarily convicted) during the years 1877, 1878 and 1879. Twenty have been brought up four times, and thirty-seven have been presented five times or more during the same period.

5 The list marked B [AQ3] shows the number and variety of offences, of which the regular habitués of the Police Court, have been found guilty. The persons who have not appeared since 1876 are presumed to have seen the error of their ways, and are not included in this category. Otherwise, the whole criminal career of each individual is followed out from his first conviction to the month of November, 1880.

6 The first intention of the author of these remarks, was to have taken from the Prison Register an extract of the names of all persons admitted in the criminal department three times or more, during the years 1877, 1878 and 1879. The accuracy of such a statement would of course have been undisputed; but the records of the Police Court have the undoubted advantage of showing the nature of the offence which led to each conviction, the Prison Register being deficient in that respect.²

Chapter II

The prison as it is

7 After having been introduced to the habitual criminal class, not only as a whole, but individually, the question will naturally follow—"What is the nature of the punishment which they are compelled to undergo in the Jersey Prison, under present regulations?"

8 The man who was yesterday condemned by the Police Magistrate, to a month's imprisonment with hard labour³, was conveyed to the gaol, in the "Van" provided for that purpose, and on entry, was thoroughly cleansed, and then clothed in the Prison suit. We will not follow him during the remainder of the day, but will find him again this morning in

2 The problem of persistent offenders (referred to as "the criminal class") is still with us. Unfortunately, some of the most persistent offenders in recent years have been those aged under 15 for whom there has been no effective remedy available to the criminal justice system. However, there remain those regular offenders of an older age group whom the court sees over and over again and most of them fall within the wider inebriates category.

3 "Hard labour" generally involved the breaking of stone for metalling the public roads. Oakum picking was also employed. During the twentieth century imprisonment with hard labour fell gradually into desuetude, and was finally abolished by art 1 of the Criminal Justice (Jersey) Law 1957. The punishment had become contrary to the European Convention of Human Rights, which was extended to Jersey with the consent of the States in 1953.

his cell, which was unlocked at seven a.m. (six in Summer). In company with the other male prisoners, he has been allowed twenty minutes for his morning ablutions, and has again been locked up till a few minutes before eight. A pint of thick gruel and eight ounces of white bread, Jersey weight, have then been served out to him in his cell, and he has remained there till nine o'clock. Stone-breaking has been his occupation from that hour to twelve. Confined in a compartment separate from his companions, he has (unless incapacitated by ill-health) been practising this elementary art. The compartments are placed on either side of a somewhat narrow yard, and are faced with iron bars. There is not the slightest impediment to the carrying on of conversation between the occupants of the respective cells. It is true that there is a solitary warder watching these men, but his attention is divided between the gang in the rear of the building, occupied in conveying stones to and from the compartments, and the compartments themselves; so that there is no effectual and continuous control.

9 The writer has ascertained from several persons (who during their past life have been occasional inmates of this section of the Prison) that stone-breaking is a severe punishment for the novice, whose skin, flesh and muscles are not in training, but that it loses all its efficacy when practised by old offenders whose hands are hardened, and whose arms are accustomed to the regular swing of the hammer. If, therefore, the hypothetical individual to whom we are alluding be a casual offender, undergoing hard labour for the first time, this stone-breaking will be a punishment infinitely more severe than if he were a regular *habitué* of this department. At twelve the prisoner returns to his cell, and dinner (one pint of soup, ox head's meat left in, thickened with oatmeal and vegetables, salt, one pound and a half of potatoes, and four ounces of bread) is served out to him. From one to two it is optional for him either to attend school or take to oakum picking. From two to sunset, in winter (six o'clock in summer), he will again have been found in the stone yard, and from that time till seven the next morning (six in summer), he will have been locked up in his cell, without light; supper having been served out to him in the form of one pint of thick gruel, and eight ounces of bread, before retiring for the night. The prisoner therefore spends, on an average, fourteen hours out of every twenty-four in his cell, and ten at work, meals, etc.

10 There are now eighteen cells appropriated to the use of convicted prisoners, and ten to the use of unconvicted prisoners, on the male side; and seven cells set apart for the females, indiscriminately. Prisoners before their trial are subjected to nineteen hours solitary confinement; four hours being devoted to bodily exercise. ⁴

4 I was surprised to learn that the conditions for those on remand were worse than for the convicted prisoners, partly because those on remand were not required to work and were therefore locked in their cells for very long hours. In modern times, the remand conditions are generally better than the conditions for those who have been sentenced. If one couples this together with the author's statement that most people are remanded in custody before being dealt with then the system appears to be oppressive. No explanation

11 It must also be stated that as a reward for good behaviour, prisoners are selected, who are happy to relieve the monotony of their daily life, by assisting in any work which may be required to be done within the walls of the Prison; and that on the other hand, in the event of insubordination, or bad conduct, three days solitary confinement, with bread and water diet as an accompaniment, can be inflicted with the sanction of a visiting member, but that no prisoner can be condemned to a severer punishment, without an order from the Board; and, in extreme cases, when flogging is had recourse to, an Act of the Royal Court must authorise its application.

12 Prisoners are sometimes, but rarely, certified as first class misdemeanants by the Police Magistrate, and they enjoy the privilege of being supplied with food by their friends, who are also allowed to visit them at stated intervals.

13 On the female side, hard labour is represented by oakum and horse hair picking; and in other respects, the treatment of females is that which has already been described; their department being effectually divided off from that of the males. It will be necessary to add that the Staff, at the disposal of the Governor of the Prison, is composed of four warders on the male side, and two in the female department, and that the rules by which the Prison is governed have been sanctioned by an Order of Her Majesty in Council, dated the 11th day of December, 1837.

14 The writer cannot close this abrupt, but as far as he is aware, correct description of the Jersey Prison, without touching on a topic which cannot escape the attention of any serious enquirer. What has been the average number of inmates during past years? The information which the author has gathered on this head, is not as complete as he would have desired; but it will be interesting to know that on 12 November, 1880, there were fifteen women convicted, and one unconvicted, in the seven cells above alluded to, which, it was stated, was a fair average, ⁵ that, at the same date, there were twenty convicted

is given as to the grounds of opposition to bail but it appears that there may have been a presumption against bail. In recent years the adoption by the Criminal courts in Jersey of ECHR compliant principles in relation to the granting of bail and, in particular, the dropping of the seriousness of the offence as a ground on its own of opposition to bail, has further reduced the percentage of prisoners who are held in custody on remand. I do think that this has led to an increase in the number of accused persons who have absconded although it will, inevitably, have led to an increase in re-offending on bail.

5 The relatively high level of female prisoners is surprising. There were 28 male cells and 7 female cells but the A List contains 31 females and 59 males and the B List contains 14 females and 18 males. All the females have offences for intemperance and interruption of the peace which suggests that alcohol was a major issue in female offending. In the last 30 years the number of female prisoners has been low as a percentage of the whole but is rising due to drug addiction issues. The essay shows that that was not so in 1880.

males, in the eighteen cells provided for their accommodation; but that this number was decidedly below the average; which, for the past eighteen months, had varied from twenty-four to twenty-eight. It may be added, that during the month of July, 1879, there were thirty-six convicted male prisoners, and that, at that time, twelve cells were at the disposal of the Governor of the Prison for their use.

15 From the accounts lately issued, it will be seen that the total cost of the Jersey Prison, from January 1st to December 31st, 1879, was £1,182 3s 1d; on the other hand, £26 4s 10d were received for the maintenance of debtors, and £61 14s 2d for work done by criminals. There was therefore a deficit on the working of 1879 of £1,094 4s 1d The Crown contributed £300, and the Island revenues were called upon to supply the balance, that is to say £794 4s 1d.

16 After having sketched out the main features of Prison life and discipline, as it at present exists, the next step will be to point out the faults and deficiencies of the system; for in order to be able to supply a remedy, a physician must have a clear and correct idea as to the disease, the symptoms of which alone are visible to the untutored eye of the casual observer.

Chapter III

The imperfections of the present system

17 Is Prison life under the present system, irksome and unbearable to the habitual criminal, or is the treatment to which he is subjected in the outside world so rough, that of two evils, the lesser is to be found within the gaol?

18 To illustrate the idea which he wishes to convey, the writer will give an instance which has fallen under his personal observation: Three years ago, on a wet December day, he was passing the Prison, when a woman, an habitual criminal, whose term of imprisonment had just come to an end, closed the ponderous door behind her and stepped forth into Gloucester Street. Insufficiently clad and weakened, not only by the abuse of alcoholic stimulant, but still further by absolute and abrupt privation from strong drink during her imprisonment, she tottered up the street the very image of misery. Having reached the Parade she looked towards town, then to her left, and hesitated. Finally, after circling round several times, she settled on a bench amid the drenching downpour. The writer spoke to her. It was the old, old story. She was too well known for anybody to take her in, and she knew by experience that it was useless to try to find a lodging without money and without work. Besides, who would give work to an habitual criminal? And yet sobered and enfeebled, she was willing to do anything rather than go back "There"; but she knew very well that was her only resource. ⁶

6 The links between poverty, lack of ability to obtain work and crime still remain despite the existence of compulsory education today, which did not exist in 1880. The problem in

Oh! It was pitiful!
Near a whole city full,
Home she had none.

19 Far be it from the writer to mix up sentiment with the solution of a social problem; but it must be admitted that no Prison discipline and treatment, which did not reach down right cruelty, could have a deterrent effect of this woman, when in the outside world, she was houseless and without that daily bread for which we are taught to pray.

20 Therefore, the two questions put by His Excellency are really one, and it is useless to attempt making Prison life a deterrent, unless the conditions of existence are made tolerable to the habitual criminal in ordinary life. ⁷

21 The writer must however hasten to point out the short comings of the system used for the repression of crime. The great evil is the absence of any classification of criminals. The old and hardened offender is placed side by side with the beardless boy, who, by mere accident, has come within the meshes of the criminal law. The effect is obvious. There is the loss of personal pride which imprisonment carries away with it; the everlasting

modern times has been exacerbated by the reduction in the amount of work available which calls for simple physical strength without any training requirements or intellectual element. In 1880 there would have been a great deal of such work but modern machinery has greatly reduced this. The difficulties faced in 1880 by those who had a criminal record are not so great in modern times in terms of prejudice, but the importance of those leaving prison finding work remains as important as ever.

The human condition does not fundamentally change. Although people are generally better educated today and open to a wider range of ideas and experiences than their forbears, human weakness, temptation and often failure remain the same and the patterns of behaviour observed in 1880 are often replicated today in a modern form.

7 Another big shock is the release of prisoners without any money and without anywhere to go as illustrated by the case of the woman whom the author observed leaving the prison in the rain with nowhere to go. Apparently there was a discretionary power to give prisoners a small amount of money upon release but there was a concern with the inebriates that this would immediately be spent in the taverns in Gloucester Street. The author does not say much about the welfare system of the day although there must have been some such system. One is left with the impression that those released and without work or accommodation would be heavily reliant upon charitable sources of assistance. Although Jersey now has a welfare system as well as Shelter accommodation for the homeless, the five year rule in relation to welfare entitlement can still mean that prisoners are released with little support if they have not been in Jersey that long. If the welfare system was not very effective at the time and if it was difficult for former prisoners to obtain work then it is hardly surprising that many of them re-offended.

reproach which dogs the footsteps of the individual who has once been seen descending from the Prison Van, and which should make the Police Magistrate reluctant to inflict imprisonment for a first offence, unless absolutely obliged to do so. (Summary Jurisdiction Act.—11 Aug., 1879 Secs. 11, 15, 16—42, 43 Vict. C. 49.)

22 The self-respect is gone, the devil-may-care feeling has come, and it is in that mood that the young offender is thrown into hourly contact with the rank and file of hardened prisoners. Immorality of every shape and form is talked of; and in too many instances, he hastens to put into practice his newly-acquired experience, as soon as he regains his liberty. On many an occasion, the writer has observed the youth, whom he had seen appear for the first time at the Bar of the Police Court, become soon after a regular attendant in the public gallery of that Court, and has watched him hurrying anxiously to catch a glimpse of, and to exchange a word with, the criminal who was being transferred to the Prison Van. Hero-worship of the most dangerous kind, this deep admiration of a boy for the distinguished criminal, who has perhaps taken honours at that University of Crime—the Convict Establishment; and whose acquaintance he has made within the Prison walls!

23 The author was assured by a returned convict, who is now, in every respect, a thoroughly reformed man, that he had himself trained juvenile offenders in the Prison wards, and that he had planned robberies whilst undergoing a sentence of imprisonment, which had been admirably carried out, by his pupils, in his absence. On reference to the Police at that date, this information was found to be correct, and ample evidence is at hand, if requisite. Cannot it be said, with truth, that under these circumstances, the Prison is a training school for habitual criminals? ⁸ On 6 of January, 1879, three youths were tried at the Criminal Assizes, for having set fire to a thatched hut, in the Parish of St Peter. They were found guilty, and sentenced to six months hard labour. Two of them, at least, had been, it was amply shown, carefully and tenderly brought up, and were (this stupid “lark” excepted) respectable boys, promising to become useful members of society. They were compelled to follow the curriculum of the Prison, shoulder to shoulder with the inveterate criminal; and if “evil communications corrupt good manners,” surely they were in imminent peril.

⁸ The problem of inexperienced offenders being potentially corrupted by experienced offenders is certainly still with us in Jersey. The courts are very well aware of this and are reluctant to sentence young or inexperienced offenders to prison for this very reason. Interestingly, this issue also now extends to some degree to probation orders and particularly to group probation work with the probation services having found that there are dangers with placing people who are at low risk of re-offending on probation partly because of the potential contact with more experienced offenders.

24 The number of cells is much below the average number of convicted prisoners; and two, sometimes three, inmates are herded together in the same cell.⁹ The consequence of such a state of things has been graphically described to the writer, by prisoners themselves; but need not further be dwelt upon. The statement of its existence is sufficient to carry with it its own condemnation.

25 The invariable complaint made by prisoners, awaiting trial, is the excessive length of solitary confinement to which they are subjected; and for persons who theoretically are “not guilty”, nineteen hours seclusion, out of every twenty four, seems to be an unwarrantable hardship.

26 Is Prison life, under its present conditions, a punishment as well as a deterrent? From an examination of the list B annexed, it will be seen that the habitual criminal class can be divided into two broad sections: the Inebriates and the non-Inebriates. For the poor besotted wretch, whose every fibre is soaked with alcohol, the prison has, as a rule, no terrors, except the privation from gin; and, for the ordinary habitual criminal, the prison has no charms. The monotony of Prison life, the absence of female society, and of his occasional tobacco and beer, and the loss of liberty, render the Prison *really* distasteful to him “*Malo periculosam libertatem*” he certainly would say. If he could scrape together sufficient to simply exist outside, he would rather not go in. Why then is he an habitual criminal? Because he is branded with a stigma which he is almost powerless to efface; and in whichever section of the social bee-hive he endeavours to find occupation, he is ruthlessly and jeeringly expelled, and then, he falls back into the old groove, until he finally dies in some secluded corner; or, if he live, he is at last sentenced to penal servitude.¹⁰

27 Finally, the conclusion at which the writer has long ago arrived, is, that in the mild form of regret for the liberty and the licence he enjoys outside, “hard labour” is at present a punishment, and that it is a mistake to suppose that, except in rare cases (and those are generally found amongst confirmed dipsomaniacs) misdemeanours are committed for the mere purpose of finding a shelter in the gaol.

Chapter IV

The remedy

28 The first and most important step to be taken to prevent the repetition of crime, is to seclude (as a class, of course, and not individually) the persons who have been convicted and imprisoned three times, by order of the Police Magistrate, or once, by judgement of

9 Certainly the problem of prison accommodation remains the same. In the author's time people were having to share a cell due to overcrowding and so it is today. The prison building programme always seems to lag behind the growing prison population.

10 Penal servitude was abolished by the Criminal Justice (Jersey) Law 1957.

the Royal Court, within the last three years; or who have been liberated from a convict prison, within the last five years; and who again become inmates of the gaol after judgment. For this purpose a portion of the Prison should be set apart for the sole use of these individuals, with a hard labour yard attached. What object would be attained by this innovation?

29 Firstly, this seclusion and isolation of the “*habitués*” of the Prison would, most certainly, have the effect of deepening the dreariness and loneliness of their daily life, and would consequently increase the punishment inflicted. Prisoners have told the writer that it was a great alleviation to them to see the new faces coming in, and to hear the news brought from outside; and although this classification would not entirely put an end to their gratification, in this respect, it would reduce it to a considerable extent.

30 Secondly, under this system, a special treatment could be adopted for the punishment of the *récidiviste*, if it were thought practicable so to do. Of what should that special treatment consist? After having waded through treatises on Prison discipline, as it ought to be, and paid a tribute of admiration to the confusion and conflict of opinions on the subject, the writer has fallen back on the Act of Parliament governing the administration of Prisons, other than convict establishments (28 & 29 Vict. Cap. 126, commonly called the Prison Act 1865) in order to find out of what hard labour consisted in English prisons; Sec. 19 says—

“Hard labour for the purposes of this Act shall be of two classes, consisting first of work at the treadwheel, shot drill, crank, capstan, stone breaking, or such other like description of hard bodily labour, as may be appointed by the Justices, in sessions assembled, with the approval of the Secretary of State; which work is hereinafter referred to as hard labour of the first class.” (Hard labour of second class is not defined.)

31 The next step was to ascertain, what length of time each day “hard labour” was inflicted on an inmate of a penal settlement; for it would be hardly judicious, nor would it be just, to make punishment in the local Prison more severe, than that deemed sufficient for convicts. For this purpose, the different reports that have been issued for four years by the Directors of Convict Prisons (Col Du Cane, RE, Chairman) were obtained.

Time appropriated for labour
1. In convict prisons (before 1878)

Prison	h.m in summer	h.m. in winter
1. Fulham	11.0	11.0
2. Millbank	10.0	10.0
3. Portland	9.35	7.45
4. Woking (females)	9.35	9.35
5. Pentonville	9.15	9.15
6. Woking (males)	9.10	7.35

7. Wormwood Scrubs	9.10	7.35
8. Chatham	9.10	7.20
9. Brixton	9.00	9.00
10. Borstal	8.30	6.55
11. Dartmoor	8.30	6.55
12. Parkhurst	8.30	6.55
13. Portsmouth	8.30	6.55

In 1878, a uniform time-table for all convict Prisons was adopted, with an average of eight hours a day hard labour.

2. Labourers outside

h.m in summer	h.m in winter
10.0	9.0

3. Jersey Prison

h.m in summer	h.m in winter
7.30	6.0

32 On comparing these time lists, it will at once be perceived that the hard labour prisoner in Jersey, has less work than any convict; or than he would have if he were compelled to gain his daily bread outside. ¹¹ It will also be remarked that convicts rise at 5 a.m in Summer, and 5.30 in Winter, whilst in Jersey, prisoners rise at six in Summer and seven in Winter. It must be admitted that the hard labour prisoner should not have less work than the honest labourer in the outside world; The writer would suggest a reform in this respect, for the habitual criminal ward only. On the other hand, he would not propose any change in the nature of the "hard labour" now adopted. (When the human body is accustomed to any hard labour, it is no longer a punishment.)

33 It is true that the same public, which was screaming itself hoarse at the heartless treatment of prisoners, when moved by the death of Harriet Gilbert, is now urging the administrators of the Prison to increased severity; but, although the velvet-gloved hand of sentimental philanthropy is out of place, when dealing with individuals, who, in many

¹¹ Perhaps the biggest shock to the modern lawyer is the huge emphasis in the essay on punishment and, if possible, on making imprisonment with hard labour an even more unpleasant experience. In the section in which the author compares the number of hours spent at work in the Jersey Prison with the hours spent by the equivalent prisoners in the UK, he concludes that at 7.5 hours in the summer and 6 hours in the winter this is much less than the average of 8 hours for the UK prisons. Furthermore, the hours compare very favourably with the 10 hours per day in the summer and 9 hours per day in the winter normally worked by those in employment!

cases, have lost the dignity common to our nature; still, the dictates of humanity must be strictly obeyed.¹²

34 Besides, what other “hard labour” is at hand? The “silent system,” (the effect of which has frequently been observed by the writer on unconvicted prisoners) when prolonged, has a tendency to dull the intellectual faculties, and to make a man a brute, and should only be used for breaches of Prison discipline, and for short periods of time. The Governor of the gaol should have in this department power to condemn prisoners to three days’ seclusion with bread and water, for offences committed within the Prison walls. Section 57 of the Prison Act above alluded to, gives this power to gaolers in England, for certain specified offences. (Appendix D.) The safeguard against oppression is found in the fact that the visiting Justice can always be appealed to by the recipient of this punishment.

35 As to the prison diet, the writer is informed that the food supplied is unnecessarily abundant, and contrasts favourably with that at the disposal of the poor labourer with a family, often without work, and who has trouble to keep body and soul together; but he feels that he cannot insist on this point, without trespassing on the domain of medical science. The author begs to submit, that the reform he here indicates would have in a certain degree the desired effect of rendering imprisonment a punishment, and a deterrent. But not only from that point of view, must this reform be viewed, but from another, which must appeal with still greater force, to the sympathetic attention of those in authority: the preservation of juvenile, and casual offenders, from being brought within the fatal circle and influence of the old and hardened inhabitants of the gaol.

36 Under present regulations, even admitting the number of cells to have been increased, so as to contain one inmate each, there are numerous opportunities for conversation between prisoners; and it must necessarily be so, unless all are condemned to solitary confinement, which is impracticable. Yet it is self-evident what fearful results must be realized, when the mere lad is brought into daily communication with the vicious being, who has reached the lowest stage of degradation.

12 It is clear that society at the time is focussed on punishment and deterrence although there is some understanding of the need to get former prisoners back into work. This contrasts with current thinking, which although it gives a proper place to punishment, partly in order to satisfy victims and society in general that offenders are not getting away with it lightly, puts much more emphasis on public protection and on rehabilitation and retraining. The connection does not appear to be made in the essay between a brutal regime and the further brutalisation of offenders who thus may become even more dangerous. From a Human Rights perspective the long hours of hard physical work would be seen as inhuman and degrading punishment. By a strange turn around in modern prisons work is seen as a privilege to be earned by compliant prisoners although that was already the case to some extent in 1880.

37 The author will here introduce a paragraph from the report of the Directors of Convict Prisons (1876. p. vii), which would apply with equal force to Jersey—

“The Directors are not without hope, that circumstances may permit of further measures being taken, from time to time, to carry out such a distribution of prisoners, as may still more diminish the chance of those who are well disposed being, to their disadvantage, brought into contact with the more corrupt and dangerous among their fellows, and from preventing the latter from setting a bad example to, or acquiring an evil influence among, the orderly and well behaved.”

38 The writer will now bring to bear, on this subject, an essay contributed to the *Revue des Deux Mondes* 15th January, 1879, and which, with other works, has succeeded in opening the door of the French Academy to its eminent author, *Le Comte Othenin d’Haussonville*. The broad features of the different methods adopted in French Government Prisons, are sketched out, and the reader will gather much valuable information with respect to the system followed, and to the classification adopted, in each establishment.

“Il est nécessaire [says the writer], “que dans la pratique, ces délinquans, auxquels la langue administrative donne le nom de ‘jeunes adultes,’ soient l’objet d’un traitement spécial. Il y a longtemps que la science pénitentiaire a proclamé cette nécessité. ... Il faut le dire bien haut; tout individu qui a subi une peine en commun, sous une discipline aussi relâchée que celle des prisons de la Seine est, à moins de quelque cause de préservation particulière, irrévocablement corrompu. ... Il faudra établir entre eux des classifications rationnelles, sur les trois bases de l’âge.¹³ des antécédens, et de la nature de l’infraction commise. Les quartiers de jeunes adultes seront une des pierres angulaires de ce système.”

39 The writer cannot close this section of his remarks without expressing his regret that Jersey, otherwise so richly endowed with charitable institutions, and which possesses an Industrial School (a model in every respect) should be without its sister-establishment—a Reformatory; whilst in England and Scotland, there are sixty-five Institutions of that nature, with a population of 5,615 children; and in France fifty-nine with 9,053 inmates,¹⁴ and the

13 The problem of a mix of age group of offenders now takes new forms. Although there is a young offenders institution for those aged 15 to 20 inclusive, who are sentenced to a custodial sentence, the girls in that age group serve their sentence in the women’s wing of the prison. Furthermore, the age group of boys is too wide for one establishment. The long awaited amendment to the Criminal Justice (Young Offenders) (Jersey) Law will allow youths under 18 who are suitable to serve their sentence at the new Greenfields building.

14 There is no distinction in France between an Industrial School and a Reformatory.

result produced in England and Scotland is that 72% of the boys and 74% of the girls become, in after life, useful members of society. ¹⁵

40 It will be necessary, however, to examine, whether, from financial considerations (which must never be lost sight of) the proposal to create a new department of the Prison, can be entertained. It is always a fair question to ask a reformer: "How much will your remedy cost?" and "How would you set to work to carry it out?"

41 Every thoughtful person who has had occasion to visit the Prison must have been struck with the fact, that a very large portion of the main building, and the principal yard, are monopolised by imprisoned debtors. The writer is aware that the discussion of imprisonment for debt is without the scope of the present essay, but he cannot refrain from pointing out that, were it abolished, twelve cells would be placed at the disposal of the Prison authorities, for the purpose of carrying out the reform suggested, and the financial question would no longer be in his way. He would therefore plead, "*les circonstances atténuantes*" for introducing a few brief remarks, on this subject—

"Imprisonment for simple debt has disappeared from the Statute-Book of England, as it has from that of France. ¹⁶

It is the broken reed on which reckless credit rests.

It punishes the industrious and unfortunate father of a family, and it produces no deterrent effect on the spendthrift." ¹⁷

42 The writer would also ask leave to urge that in January 1871, an influential Committee of the States took this view of the subject and endorsed Deputy Vickery's Bill, which was only thrown out by a narrow majority of the Legislative Assembly. ¹⁸

15 The lack of a reformatory in Jersey for the training of young people is correctly highlighted. Jersey has always had problems and still has problems in maintaining the necessary range of institutions for young offenders due to the low numbers involved.

16 The number of people still being held in the debtor's prison is a big shock. The author points out the hopelessness of a situation in which the imprisoned person cannot get out to work and pay off his debt. Dickens wrote strongly in the UK against the debtor's prisons and the author comments that by 1880 these had been abolished for simple debt in both England and France.

17 The need to abolish imprisonment for simple debt was obvious but was clearly a hot political potato of the time. The further segregation of civil debtors from criminal prisoners appears to me to be only cosmetic as the civil debtors should, in the main, not have been there at all.

43 Whatever may be thought of the Bill alluded to, the author ventures to express a hope that Sir Robert-Pipon Marett, under whose guidance and control, the administration of Justice in Jersey has been brought into thorough working order, will throw his influence in the scale, when this question is submitted to the States, in order to wipe out what even friendly critics of local institutions, consider to be a blot on our civilization.

44 The States have voted a thousand pounds for a sufficient number of cells, to accommodate each individual prisoner, and it will therefore be useless to touch upon this topic. It will, however, be interesting to know how the Prison Act above referred to, deals with this subject. Section 17 runs as follows—

“In every Prison, separate cells shall be provided, equal to the number of prisoners who have been confined in such Prison at any time during each of the preceding five years.”

45 On the question of the treatment of unconvicted prisoners, more stress must be laid. A great maxim of our Law is, that “a man is innocent until he is declared guilty by a competent authority,” and, although the interests of society require that an accused person should, in most cases, be kept in safe custody before trial, nothing can justify, either the semblance or the reality of a punishment. It is proposed, therefore, that the unconvicted prisoner should have all the liberty consistent with his safe-keeping, and that, at all events from six in the morning to sunset, his compulsory confinement in his cell, should be entirely done away with.

46 It is objected, however, that a large proportion of persons waiting trial are habitual criminals, who, although not having a word to say in their defence, would plead “Not Guilty” for the mere purpose of enjoying the relative ease and liberty which would, under the proposed arrangement, be found in the unconvicted section of the gaol. This is an additional argument for dividing off habitual criminals, even before trial; for all the arguments which have been presented against promiscuous intercourse between old offenders and casual inmates, apply, with equal force, to prisoners in this department. The

18 It is fascinating to see the draft law of 1871 to abolish imprisonment for simple debt which, apparently, only just failed. As a historical footnote, my recollection as from the late 1970s and early 1980s was that the Royal Court saw the granting of an *acte à peine de prison* as being the virtual right of the creditor rather than as an exercise of discretion. In the Petty Debts Court, permission to imprison was automatic until 1995 when art 14 of the 1891 *Loi la Cour pour le recouvrement des menues dettes* was amended in order to give a discretionary power to the Court. However the *Benest v Le Maistre* case 1998 JLR 213 brought the practice fully into line with Human Rights and has led to a great reduction in the number of such applications and I understand that there may be moves afoot to abolish imprisonment for debt altogether.

present system may be applicable to the habitual criminal class, but should not be inflicted on the ordinary individual, who may soon be found innocent at the Assizes.

47 Another objection to this reform, is found in the fact that the passage used by unconvicted prisoners for exercise, is only divided off by iron bars from the yard set aside for debtors; and that, for obvious reasons, it is inadvisable to increase the opportunities for conversation, between these two classes of inmates. The answer to that is, that those opportunities for conversation should not exist at all. Clause IV of Section 17 of the Prison Act states—

“In a Prison, where debtors are confined [imprisonment for simple debt has since been abolished], means shall be provided for separating them altogether from the criminal prisoners.”

Indeed the writer would venture to add this fact to the arguments already presented, with the object of abolishing imprisonment for debt.

B

Chapter II

48 The released prisoner should not be turned out, into the street, absolutely without means. The Prison Regulations, art. 12, give power to the Board “to cause to be paid, a moderate sum of money, to any and every discharged prisoner, who shall not have the means of returning to his or her place of settlement; or resorting to any place of employment or honest occupation, as in the judgment of such Board shall be requisite and necessary for such purpose.” There is no further provision made for discharged prisoners.

49 The writer would suggest that “hard labourers” should have a minimum of work, which they would be compelled to complete every day; and that the estimated value of all the work which they accomplish above that minimum, should be placed to their credit, and handed over to them, when they leave the gaol. This minimum of work would be fixed individually by the Governor of the gaol, as it must vary according to the age, health, and strength of the prisoners. This reform would be an incentive to labour, and would be more fruitful in its effects, than mere compulsion; and, on the other hand, it would place at the disposal of most discharged prisoners, a small sum of money, sufficient to meet their absolute wants for a short period, whilst seeking for employment. At Poissy, a Prison which is conducted on the most approved modern principles, this rule is adopted:—

“Une industrie dont l’apprentissage est facile, le claquage des chaussons, permet à chacun d’eux de se faire, en douze ou treize mois, un pécule qui peut varier de 100 à 150 francs ; et qui, à sa libération, le préservera de tomber sur-le-champ dans la misère, et par suite, dans le crime, en lui donnant le temps de chercher de l’ouvrage.” (Comte O. D’Haussonville. Essay above alluded to).

As to prisoners not condemned to hard labour, the produce of their work, whatever that might be, should be handed over to them on leaving.

50 It is submitted that when a prisoner is discharged, and happens to be under forty, and in fair health, opportunities of emigration should be held out to him, in order to place him without the reach of the bad company he usually frequents, and to put him in a position, where his past life will not be a constant reproach, and an impediment to finding work. The Committee of the Hospital and the parish of St. Helier have frequently assisted able-bodied paupers to emigrate, and with the best results; only two of those sent out by the Parish of St. Helier, having been sent back by the Poor Law authorities of Canada.¹⁹

51 The same difficulty arises in England, and what steps are taken to meet it? The report of the Directors of Convict Establishments, for the year 1877, concludes in the following manner—

“The reports of several of the Chaplains refer to the unfortunate position in which prisoners find themselves, on discharge, from the difficulty of finding employment. This difficulty can only be met by the benevolent activity of the Discharged Prisoners’ Aid Societies”.

52 The question naturally follows—“What are these Societies on which so much reliance is placed?” They are simply and purely charitable associations, to the Secretary of which, the discharged prisoner may apply; and by a system of constant inter-communication between the different Societies, work is found in parts of the kingdom, in which the applicant is not known; and any other relief is given which the nature of the case may require.

53 The value of such Institutions can be estimated by the following statement—during the six years ending 31 December, 1873, 3929 discharged convicts were assisted by these Societies. The figures for the subsequent four years are as follows.

	Number of discharged convicts	Number assisted by Societies	Number not assisted
1874	1842	1025	817
1875	1831	1124	707
1876	1840	1196	644
1877	1929	1096	833

19 The possibility of emigration for suitable prisoners at a time when Australia, Canada and the USA were fast developing would have given single prisoners with little or no family ties the opportunity of making a new life elsewhere.

54 This tabular statement will be sufficient to show what value discharged prisoners themselves, set on these Institutions. On the other hand, it will be satisfactory to know, that only 105 of the convicts, discharged during 1877, had previously been assisted by Aid Societies. In 1874, there were fourteen Aid Societies for men, and five for women. In 1878, eighteen Societies for men and five for women. This increase will be sufficient to show that the work done by these Societies is held in greater esteem, as time tests their efficacy.

55 “*Post hoc et propter hoc.*” It is suggested that a Prisoners’ Aid Society should be formed in Jersey, which should be affiliated to kindred associations in England; one for males, the other for females.²⁰ After the creation of such a Society, art. 47 of the Prison Law might, with benefit, be adopted—

“Where any prisoner is discharged from Prison, the visiting Justices may order a sum of money, not exceeding £2, to be paid out of any monies under their control, and applicable to the payment of the expenses of the Prison, by the gaoler to the prisoner himself; or to the Treasurer of a *certified Prisoners’ Aid Society*, on his receiving from such Society an undertaking, in writing, signed by the Secretary thereof, to apply the same for the benefit of the prisoner; or, if that becomes impossible, to appropriate the whole or any unapplied part thereof, for the benefit of such other prisoner or prisoners discharged from the said Prison, as the visiting Justice may direct”.

56 The agency of this Society would meet an objection, suggested to the author, by an “*habitué*” of the Prison, as to the advisability of placing money at the disposal of discharged prisoners; to use his own language, “The Pubs in Gloucester Street would get the lot” and on referring to the list marked B, the reader will appreciate the value of this remark, on noticing the repeated convictions for being “drunk and disorderly” or “drunk and incapable”. The Society would take care that help, in another form than money, would be given to these people, and thus escape this difficulty. Whilst touching on the topic of the abuse of alcoholic stimulants, to which three quarters of habitual crime may be ascribed,²¹ it would be interesting to discuss the question, whether the Licensing Laws are what they ought to be, and further, whether such as they are, they are satisfactorily carried out; but

20 It was clearly necessary for prisoners to receive greater assistance upon their release and the author suggested the formation of a Prisoner’s Aid Society in Jersey. I wonder if this ever happened or whether churches and other charitable bodies started to fulfil this role.

21 The problem of “the inebriates” is still with us. If we extend the problem to cover drug addiction then we still have a situation in which the majority of prison inmates are there as a result of drink or drugs related crime.

the writer's pen is arrested by the fear, that in so doing, he would be travelling out of the Record.

57 When Society shall have done everything in its power, to help the discharged prisoner, experience shows that there still will be a "residuum" of vicious and evil-disposed individuals, upon whom all benevolent efforts will have been thrown away. For such, the iron-gloved hand of repressive Justice must be used; and the Act for the more effectual Prevention of Crime (34 and 35 Vict. C. 112, 21 August, 1871 ²²) should form the basis of their treatment. The aim and object of this Act is, to isolate and punish, with greater severity, the habitual criminal, and to render his existence, as such, very nearly intolerable.

58 A person twice convicted may be subjected to Police Supervision, and in that case, shall notify the place of his residence, or any change of habitation, to the Chief Officer of Police of his district, and shall report himself to that Officer once every month. The question follows whether the Police force of St. Helier is sufficiently well organised to be able to carry out the provisions of this Act? Upon this question, the writer, although a Conservative Jerseyman, holds strong views; but upon this subject as upon others bearing a close relationship to the treatment of the Criminal Classes, he dares not at present touch, fearing to outstep the limits of the competition. ²³

59 The writer cannot close these remarks, without expressing an earnest desire that they should be taken into serious consideration. Not only for the purposes of this work, but long before it was dreamt of, he has come into contact with facts which have led him to believe that many a criminal was "more sinned against than sinning," and it is with the sad story of the last Jersey convict, still ringing in his ears, that he ventures to appeal to the administrators of the Prison to weigh, with care, the facts contained in the present Essay.

22 Amended by 42, 43 Vict. c. 55, 15, August, 1879.

23 The very use of the words, "the Criminal Classes" by the Lieutenant Governor conjures up a sense of a class conscious society in which everyone knew their place. It is difficult to imagine a modern lawyer using this phrase. The tendency today is to avoid referring to "criminals" as a group because this implies that they are a group of people who are and always will be criminals. On the other hand terms like persistent offenders are generally acceptable because this is a group which changes from time to time depending upon whether the persistent offending continues.

Appendix

List A

Names of persons who have been presented three times or more, during 1877, 1878, and 1879, before the Police Magistrate—

	Number of times presented
Allen, John, alias Jack Straw	5
Baldwin, Catherine, femme Lee	4
Bazile, Auguste Yves	4
Bennett, Elias James	4
Blampied, John	8
Blampied, Mary-Ann	3
Blampied, Phil. Chas	3
Blampied, Philippe	6
Bodicott, Elizabeth	3
Boutillier Le, Charles	4
Breen, Alice	3
Brun Le, Mary	4
Carter, John	5
Carter, Maria, femme Pomfrey	3
Cawley, James	8
Champelle, Louisa	8
Clercq Le, Caroline, femme Heron	3
Clercq, Le, Thos	3
Clifford, Ann, femme Tout	5

	Number of times presented
Connel, Charles	4
Coupé, Clémence, femme Le Terrier	3
Cousinard, Louis	4
Cox, Susan	3
Delouches, George	12
Desborough, Louisa	7
Druce, Wm	3
Dubois, Mary-Ann	3
Dunphy, Michael	4
Durant, David	4

Duval, Pierre Jules	5
England, Joseph	4
Ennis, Thos	10
Enwright, Wm	9
Escott, John	3
Esnouf, Thos. Isaac	5
Filleul, Philip	3
Gilbert, James	3
Gilman, Joseph	6
Godfray, Frances	3
Hansford, Wm	12
Hattfield, Ellen, femme Odgers	3
Healy, James	8
Healy, Patrick	4
Hibbs, Thos	5
Holmes, Maria, femme Enwright	15
Hunter, Charles	5
Huquet Le, Mary-Rachel	3
Huquet Le, Rachel	4
Ivy, Phil	9
Jackman, —	3
Jandrell, Henry	3
Keamish, Benjamin	3
Keene, John	4
Kenny, Joseph	6
Leonard, Susan	6
Lilicrap, John	3

	Number of times presented
Loison, Rosalie	3
Marett, François	9
Marguérie, Théodore	
McAuliffe, Mary	15
McFarlane, Mary	4
Mercier, Jane-Marie, femme Dubreuil	4
Morisse, Michael	3
Mourant, Jane	4
Newham, John	3
Norman, Victoria	3
O'Brien, William	10
Oates, Henry	5
Petticart, Le, Frs	3
Piez, Le, Josué	5
Power, Ellen, femme Donovan	4
Quenault, John	3
Quesne, Le, Nicolas	4
Regan, Ellen	16
Reid, Edwin, dit Babot	13
Renouf, Ellen, femme Jandrell	5
Ricou, Alfred	6
Roussel, Hy	4
Ruse, Wm	4
Ryan, Bridget	15
Ryan, Kate	3
Ryan, Michael	14
Ryan, Thomas	4
Smith, Harriet	10
Stone, Edward	3
Stone, John	6
Tanner, Mary Ann, femme Bold	3
Toms, James	9
Wallis, Alexander	5
Yves, Pierre, dit Bazile	3

List B

Habitual criminals

1. BENJAMIN GERARD has been convicted since 1874, December 4th to 1880, January 15th:—
- | | |
|---|---|
| For Assault | 1 |
| For Petty Larceny | 1 |
| For Intemperance and Interruption of the Peace | 4 |
| For Miscellaneous Charges | 1 |
| Making a total of seven convictions; and has been sent before the Royal Court | 0 |
2. WILLIAM ENWRIGHT ²⁴ has been convicted since 1865, April 20th to November 6th, 1879 :—
- | | |
|--|----|
| For Assault | 3 |
| For Petty Larceny | 0 |
| For Intemperance and Interruption of the Peace | 10 |
| Miscellaneous Charges | 6 |
| Making a total of nineteen convictions; and has been sent before the Royal Court | 1 |
3. JOHN GRADY has been convicted since 1856, April 2nd to 1880, March 1st:—
- | | |
|--|---|
| For Assault | 8 |
| For Petty Larceny | 4 |
| For Intemperance and Interruption of the Peace | 4 |
| For Miscellaneous Charges | 3 |
| Making a total of nineteen convictions; and has been sent before the Royal Court | 4 |
4. EUGENE SULLIVAN has been convicted since 1862, July 7 to August 3rd, 1880:—
- | | |
|---|----|
| For Assault | 5 |
| For Petty Larceny | 4 |
| For Intemperance and Interruption of the Peace | 11 |
| For Miscellaneous Charges | 9 |
| Making a total of twenty-nine convictions; and has been sent before the Royal Court | 4 |
-

5. EDWIN REID DIT BABOT ²⁵ has been convicted since 1873, March 3rd to 1879, May 10th:—

For Assault	1
For Petty Larceny	3
For Intemperance and Interruption of the Peace	10
For Miscellaneous Charges	4
Making a total of eighteen convictions; and has been sent before the Royal Court	1

6. JOHN ALLEN has been convicted since 1865, May 1st to 1877, October 1st:—

For Assault	0
For Petty Larceny	11
For Intemperance and Interruption of the Peace	1
For Miscellaneous Charges	11
Making a total of twenty-three convictions; and has been sent before the Royal Court	0

7. FRANCIS MARETT has been convicted since 1872, June 20th to 1880, November 11th:—

For Assault	6
For Petty Larceny	4
For Intemperance and Interruption of the Peace	4
For Miscellaneous Charges	2
Making a total of sixteen convictions; and has been sent before the Royal Court	3

8. WILLIAM O'BRIEN has been convicted since 1878, May 16th to 1879, May 17th:—

For Assault	0
For Petty Larceny	6
For Intemperance and Interruption of the Peace	0
For Miscellaneous Charges	4
Making a total of ten convictions; and has been sent before the Royal Court	0

9. MICHAEL DUNPHY has been convicted since 1878, May 25th to 1880, May 10th:—	
For Assault	0
For Petty Larceny	5
For Intemperance and Interruption of the Peace	0
For Miscellaneous Charges	1
Making a total of six convictions; and has been sent before the Royal Court	1
10. THOMAS HARRIS has been convicted since 1864, March 19th to 1880, July 31st:—	
For Assault	2
For Petty Larceny	0
For Intemperance and Interruption of the Peace	4
For Miscellaneous Charges	18
Making a total of twenty-six convictions; and has been sent before the Royal Court	1
11. THOMAS ENNIS has been convicted since 1875, Sept 11th to 1880, May 10th:—	
For Assault	2
For Petty Larceny	0
For Intemperance and Interruption of the Peace	12
For Miscellaneous Charges	0
Making a total of fourteen convictions; and has been sent before the Royal Court	2
12. JOHN DE LA COUR has been convicted since 1854, February 27th to 1879, September 8th:—	
For Assault	11
For Petty Larceny	2
For Intemperance and Interruption of the Peace	3
For Miscellaneous Charges	8
Making a total of twenty-four convictions; and has been sent before the Royal Court	5

13. PHILIP IVY has been convicted since 1863, June 22 to 1880, January 3rd:—	
For Assault	4
For Petty Larceny	5
For Intemperance and Interruption of the Peace	2
For Miscellaneous Charges	3
Making a total of fourteen convictions; and has been sent before the Royal Court	10
14. PHILIP MILIKIN has been convicted since 1873, May 8th to 1880, July 6th:—	
For Assault	1
For Petty Larceny	9
For Intemperance and Interruption of the Peace	0
For Miscellaneous Charges	1
Making a total of eleven convictions; and has been sent before the Royal Court	0
15. PATRICK HEALEY has been convicted since 1872, December 3rd to 1880, May 6th:—	
For Assault	2
For Petty Larceny	0
For Intemperance and Interruption of the Peace	3
For Miscellaneous Charges	2
Making a total of seven convictions; and has been sent before the Royal Court	0
16. GEORGE DELOUCHES has been convicted since 1872, August 10th to 1879, September 25th:—	
For Assault	2
For Petty Larceny	0
For Intemperance and Interruption of the Peace	13
For Miscellaneous Charges	2
Making a total of seventeen convictions; and has been sent before the Royal Court	0

17. JAMES CAWLEY alias GAWLEY has been convicted since 1869, August 20th to 1878, November 18th:—

For Assault	8
For Petty Larceny	6
For Intemperance and Interruption of the Peace	4
For Miscellaneous Charges	2
Making a total of twenty convictions; and has been sent before the Royal Court	6

18. WILLIAM HANSFORD has been convicted since 1873, January 25th to 1879, March 20th:—

For Assault	0
For Petty Larceny	2
For Intemperance and Interruption of the Peace	13
For Miscellaneous Charges	3
Making a total of eighteen convictions; and has been sent before the Royal Court	1

19. MARIA HOLMES, femme ENWRIGHT, has been convicted since 1861, April 25th to 1880, July 19th:—

For Assault	4
For Petty Larceny	1
For Intemperance and Interruption of the Peace	88
For Miscellaneous Charges	1
Making a total of forty-four convictions; and has been sent before the Royal Court	1

20. SUSAN LEONARD, femme ANDOW, has been convicted since 1856, March 29th to 1879, September 16th:—

For Assault	0
For Petty Larceny	0
For Intemperance and Interruption of the Peace	20
For Miscellaneous Charges	3
Making a total of forty-three convictions; and has been sent before the Royal Court	1

21. MARY McAULIFFE has been convicted since 1872, August 26th to February 23rd, 1880:—

For Assault	0
For Petty Larceny	1
For Intemperance and Interruption of the Peace	24
For Miscellaneous Charges	5
Making a total of thirty convictions; and has been sent before the Royal Court	2

22. LOUISA CHAMPEL, ²⁶ femme MOLLET, has been convicted since 1867, December 3rd to 1879, March 11th:—

For Assault	0
For Petty Larceny	3
For Intemperance and Interruption of the Peace	34
For Miscellaneous Charges	0
Making a total of thirty-seven convictions; and has been sent before the Royal Court	2

23. JANE MOURANT has been convicted since 1865, Jan 5th to 1880, March 11th:—

For Assault	1
For Petty Larceny	1
For Intemperance and Interruption of the Peace	20
For Miscellaneous Charges	9
Making a total of thirty-one convictions; and has been sent before the Royal Court	10

24. LOUISA DESBOROUGH ²⁷ has been convicted since 1858, September 23rd to 1877, August 4th:—

For Assault	2
For Petty Larceny	7
For Intemperance and Interruption of the Peace	34
For Miscellaneous Charges	11
Making a total of fifty-four convictions; and has been sent before the Royal Court	1

26 Now in the Hospital

27 Now in the Hospital

25. HARRIET SMITH has been convicted since 1873, June 30th to 1879, September 15th:—

For Assault	0
For Petty Larceny	2
For Intemperance and Interruption of the Peace	16
For Miscellaneous Charges	1
Making a total of nineteen convictions; and has been sent before the Royal Court	0

26. MARY ANN SCANDLING ²⁸ has been convicted since 1864, July 11th to 1878, August 8th:—

For Assault	0
For Petty Larceny	2
For Intemperance and Interruption of the Peace	14
For Miscellaneous Charges	3
Making a total of nineteen convictions; and has been sent before the Royal Court	1

27. FANNY HICKS has been convicted since 1871, February 21st to 1877, March 5th:—

For Assault	1
For Petty Larceny	1
For Intemperance and Interruption of the Peace	4
For Miscellaneous Charges	3
Making a total of nine convictions; and has been sent before the Royal Court	0

28. ANN CLIFFORD, femme TOUT, has been convicted since 1875, May 31st to 1880, July 5th:—

For Assault	0
For Petty Larceny	5
For Intemperance and Interruption of the Peace	2
For Miscellaneous Charges	5
Making a total of twelve convictions; and has been sent before the Royal Court	1

29. BRIDGET RYAN (banished from the Island) has been convicted since 1872, December 21st to 1880, July 5th:—

For Assault	0
For Petty Larceny	15
For Intemperance and Interruption of the Peace	16
For Miscellaneous Charges	0
Making a total of thirty-one convictions; and has been sent before the Royal Court	1

30. ELLEN REGAN has been convicted since 1876, September 4th to 1880, October 12th:—

For Assault	2
For Petty Larceny	1
For Intemperance and Interruption of the Peace	8
For Miscellaneous Charges	5
Making a total of sixteen convictions; and has been sent before the Royal Court	1

31. SUSAN COX has been convicted since 1873, June 10th to 1879, July 12th:—

For Assault	0
For Petty Larceny	0
For Intemperance and Interruption of the Peace	5
For Miscellaneous Charges	6
Making a total of eleven convictions; and has been sent before the Royal Court	0

32. MARY McFARLANE, vve LOCKE, has been convicted since 1862, September 23rd to January 30th 1879:—

For Assault	1
For Petty Larceny	5
For Intemperance and Interruption of the Peace	3
Miscellaneous Charges	4
Making a total of eleven convictions; and has been sent before the Royal Court	3

MICHAEL McCARTHY has disappeared (10 convictions)

HENRY JANDRELL dead (22 convictions)

HENRY CASTLE had disappeared (5 convictions)
