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The new County Gaol, opened in 1801

(Photo: County Record Office)

VOLUME 56

BEDFORD PRISON

1660 — 1877

by ERIC STOCKDALE

THE BEDFORDSHIRE
HISTORICAL RECORD
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A STUDY OF
BEDFORD PRISON
1660-1877

by

ERIC STOCKDALE

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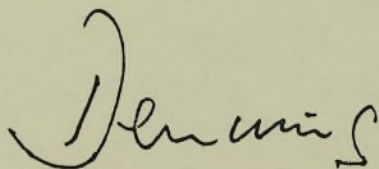
This work has been approved by the University of London for the award of the Ph.D. degree (London School of Economics and Political Science, 1976). Most of the research work was undertaken in the County Record Office in Bedford, and the writer's thanks for help generously given are principally due to Miss Patricia Bell, the County Archivist, who amongst other things provided most of the Richardson-Howard family tree. Thanks are also due to all the staff of the office, and particularly to Mr. Alan F. Cirket. Any student of Bedfordshire history owes a debt of gratitude to Miss Bell's predecessor, Miss Joyce Godber, whose substantial work in that field has made research in that county relatively easy. A tribute is also due to other local historians who have contributed over the years to the excellent publications of the Bedfordshire Historical Record Society, including Mr. G. D. Gilmore, whose early help and encouragement was much appreciated. The staff of the Public Record Office, the British Library, the London Library, the Radzinowicz Library at the Cambridge Institute of Criminology and the Library of Congress helped to make the research a pleasure. Warmest thanks are due to my supervisor, Mr. Eryl Hall Williams, for his skilled navigational assistance in deep academic waters.

Finally, my thanks are due to Lord Denning who, despite the many demands made on his time both in the Court of Appeal and elsewhere, found the time to read the manuscript and to write the Foreword.

FOREWORD

The Rt. Hon. Lord Denning
Master of the Rolls

You might think that the history of a prison would make dull reading. But not so with this study of Bedford Prison, over two centuries, finishing one-hundred years ago. The author Eric Stockdale has made a fascinating story. He gives a fine picture of five great men who were closely associated with the prison. He starts, of course, with John Bunyan, the tinker, telling us of his trial. He goes on to John Howard, the great advocate of penal reform. Then to Samuel Whitbread, Philip Hunt and Lord John Russell. He describes the jails: their building and rebuilding: and the way of life in them. He discusses the punishments and their effect. Transportation among them. But not as a bare recital of facts. At every step — and on every page — you will find the enlivening anecdote and the apt quotation. The research must have taken many hours to collect the material. The presentation — in such clear and vivid language — is a model which all historians should try to emulate. And all this done by a Circuit Judge — in the midst of his busy life sending the criminals of today to prison — as his predecessors did to Bedford prison in days long past. His work at the Bar and as a judge, has, I am sure, been of great value to him in the writing of this book. His knowledge of modern conditions enables him to have a better insight into the conditions of the past. This is a book which deserves to be read, not only by criminologists, penologists and historians, but also by ordinary folk who like to read a good true story.

A handwritten signature in cursive script, which appears to read "Denning". The signature is written in dark ink and is positioned at the bottom right of the page.

INTRODUCTION

There are a number of excellent general histories of imprisonment in England. Ralph B. Pugh dealt with the early years in his *Imprisonment in Medieval England*—in which he mentioned that Bedford has had a jail continuously since 1165—whilst Sidney and Beatrice Webb in their classic *English Prisons under Local Government* concentrated on the eighteenth and nineteenth centuries. R. S. E. Hinde discussed much the same period as the Webbs in his useful book *The British Penal System, 1773-1950*, whilst Giles Playfair based his work, *The Punitive Obsession*, largely on the rich source of nineteenth-century Parliamentary Papers. What all these admirable works lack is a detailed picture of the prison at work. Whilst it is possible to obtain an idea of the desperate plight of the prisoner from the general accounts, it is much more difficult to see the problems of the jailer and his family. So too, very little emerges of the struggles of the reforming justices trying to persuade their colleagues at quarter sessions to agree to new measures. The Webbs were highly critical of the justices generally, and perhaps did less than justice to those magistrates who did their utmost to effect improvements. The general works also inevitably fail to show how the surveyors and architects struggled in the new field of prison architecture to implement new ideas without exceeding their budgets; how the Inspectors constantly pressed for changes; and how the Home Secretaries exerted pressure on quarter sessions.

What the writer sought to do in the course of the research for the present work was to study the documents relating to Bedford prison to see whether a more detailed picture could be obtained of a prison at work, and also whether one could trace the development of the penal system as a whole. The period selected was one of a little over two centuries from the date of the Restoration of the Monarchy in 1660, that is, roughly the years considered by the Webbs. The year 1660 has been used as a point of departure for two reasons. One is that in that year John Bunyan entered Bedford as a prisoner for the first, though not the last time, and his writings form one of the sources relied on, even though he never described

actual conditions in his prison. The other reason is that it is about this time that a valuable series of surviving assize documents commence. Apart from more formal documents the series includes many depositions of witnesses, and these have been drawn on for the purpose of eliciting as many facts as possible relating to the jail in the seventeenth century—including its connection with a family not unlike the notorious Jukes and Kallikaks!

The documents from the eighteenth century are even more valuable as a large quantity of quarter sessions records are still in existence. Many of the sessions minute books have yielded information about the jail, and the sessions rolls have proved particularly useful as they include bills relating to the jail, as well as assorted calendars of prisoners, petitions and orders. Letters, wills and conveyances have also been used.

From the eighteenth century papers one can see quite clearly how much the running of the jail was a family business for the innkeeper-jailer who was regularly helped by his womenfolk. In the period from 1711-1814 one family provided the jailer for about seventy years, but the post did not go automatically to them. A number of citizens were concerned about the appointment of the jailer by the incoming High Sheriff each year. The documents show in other ways also that the jail was never a forgotten backwater. The community was far more involved with the jail than is generally realised. One might think from reading some of the memoirs of conscientious objectors of the First World War, or of the Nuclear Disarmers later in the present century, that they were the first 'non-criminals' to be detained in prison, but this is clearly not so, as Bunyan and his fellow religious prisoners showed, and as the respectable debtors proved time and again. The plight of these latter prisoners mattered to influential people in the county.

The documents mentioned so far are nearly all in the County Record Office in Bedford. Throughout the eighteenth century prisoners were sentenced to death at Bedford assizes but later transported overseas. In the chapter dealing with transportation to America before 1776 the writer has married up documents in Bedford with others in the Public Record Office, and together they give a very detailed picture of the processing of the prisoner (an impersonal expression, but justified) from the time he was sentenced to death and taken back to the jail, until he set sail for the New World.

The period starting with 1773, when John Howard was High Sheriff of the county, and ending with his death in 1790, was one which saw the revolt of the American colonies and the cessation of transportation, followed by the 'temporary' use of the hulks and then the introduction of transportation to Australia. During all this time Howard was using Bedfordshire as his base. Even though he was not particularly involved with his local jail throughout those years, it was Bedford jail which set him off on his momentous journeys, and so it is described as Howard found it. His own descriptions have been augmented by information gleaned from the quarter sessions records. The result, apart from anything else, is a fairly good picture of the jail at the time when Bunyan was in it working on *Pilgrim's Progress*.

The year of Howard's death saw the arrival of his cousin, Samuel Whitbread the Younger, at Westminster as one of Bedford's two Members of Parliament. Whitbread was an extremely active local magistrate for the next twenty-five years, as well as being one of the leading Whigs in the House of Commons. He contributed greatly to discussions of penal matters even though he was never the Whigs' principal expert on the topic—that was a role filled by his friend H. G. Bennet, who married into the Duke of Bedford's family.

In 1815 Whitbread's mantle as the magistrate most involved with Bedford jail fell onto the Rev. Dr. Philip Hunt, who for twenty years exercised the widest powers as the leading visiting justice. Since Hunt has hitherto not been the subject of a biography—he is not even mentioned in the standard histories—his extraordinary background is discussed, even though this involves a deviation to the Parthenon. Hunt throughout that period had the ear of the Russells, having been secretary and chaplain to the 6th Duke of Bedford and having had contact with Lord John Russell when the future Home Secretary and Prime Minister was still a boy. As a result his influence on national developments was greater than that of most visiting justices.

Hunt's important twenty year period bridged the gap between Whitbread's death at a time when there were relatively few prisoners in the county, and 1835 when overcrowding was a problem everywhere, and when Lord John Russell as Home Secretary appointed the first national Prison Inspectors. These appointments led in turn to the introduction of the separate system of confinement, and then to increasing standardisation

and to eventual nationalisation of all the prisons. Fortunately the Parliamentary Papers contain the Inspectors' reports as well as the minutes of various Select Committees which had to consider, among other matters, their recommendations. The County Record Office supplements these sources not only with the usual quarter sessions records, but also with additional valuable documents, such as an important report on prison problems written by Hunt in 1818, letters of the Clerk of the Peace, and reports of the chaplains—one of whom served from 1832 to 1869.

The final years before nationalisation saw the increasing influence of central government, and the county records are supplemented by two of the governor's journals kept in the Public Record Office. Throughout the century the argument was raised about prison conditions being too good. The manner in which it was finally resolved is considered in detail, as is the relevant medical evidence which helped to contradict it. The interplay of local and national penal developments can be seen from many of the documents throughout the present work, but particularly so in those of the nineteenth century. It is hoped that the documents quoted in the following chapters will help to add to the knowledge stemming from the works of recognised authorities such as the Webbs.

CHAPTER 1

JOHN BUNYAN 1660-1688

1 *The Background to the Bunyan Case*

John Bunyan was born at Elstow, just outside Bedford, in November 1628 and lived there until he joined the Parliamentary army at about the time of his sixteenth birthday in 1644.¹ It is likely that Bunyan spent most of his military service in the nearby Newport Pagnell garrison, commanded by Sir Samuel Luke who wrote on 22 April 1645:² 'The thirty prisoners which I sent to Bedford jail broke all out on Saturday last, but they are all, save eight, taken again.' If Bunyan was a member of the escort which brought the prisoners to the county jail he was later to know so well, he omitted to mention the fact in his autobiographical notes—but then they are sketchy about his military service.

Bunyan returned to civilian life at Elstow and earned his living as a tinker. In the following year a remarkable Royalist major, who was to have a great influence on Bunyan's life, escaped from custody in Maidstone whilst awaiting execution. He was John Gifford who made his way to Bedford, where with eleven others he founded an Independent church in 1650. By 1653 Gifford's church was so well established that he managed to obtain St. John's church in Bedford for his congregation. John Brown, who was minister of the Bunyan church from 1864 to 1903, made the comment:³ 'It is strange to see a congregational community in possession of the parish church, and its pastor installed there as rector. This could not, of course, have happened at any other time than between the years 1653 and 1660'.

It was in that tolerant year of 1653 that Bunyan joined Gifford's Independent congregation, turning his back on his former ways. He also 'shook off and foresook' the company of a wild friend. Bunyan's sense of humour appears in a short reference to this friend in *Grace Abounding*: 'But Harry, said I, why do you swear and curse thus? What will become of you if you die in this condition? *He answered me in a great*

chafe: What would the devil do for company if it were not for such as I? Bunyan's name was duly entered into the list of members of Gifford's church immediately above those of William and Lettice Whitbread of Cardington, whose famous great-grandsons, John Howard and Samuel Whitbread the Younger, appear later in this work.

In 1655 Bunyan moved to a cottage in St. Cuthbert's Lane, Bedford, and in that year Gifford died. As Bunyan had only just begun to preach and to write at this time, he was not experienced enough to follow Gifford, who was replaced by John Burton. The church minutes show that in the next year, 'it was desired that brother Burton would spend one hour in the week in exhorting the prisoners in the county jail, and he consented to enter upon that work the next week following'. Four years later such an attempt would have led to his committal to the jail!

The church minutes also contain the only reference to Bunyan's first brush with the law, but he did not mention it in any extant writing. Early in 1658 the congregation prayed,⁴ 'for our brother Whitbread who hath long been ill; and also for counsel what to do with respect to the indictment against brother Bunyan at the assizes for preaching at Eaton'. Since no more mention is made of these proceedings in the minutes, it is likely that the grand jury threw the bill of indictment out, endorsing it *Ignoramus*. Quite why an independent preacher should have been prosecuted in these late Commonwealth days is not at all clear.

The year 1660 also marked the beginning of Bunyan's twelve years in Bedford jail. Ironically, Charles II had made promises about religious tolerance in the declaration he made in April from Breda in the Netherlands. 'And because the passions and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other (which, when they shall hereafter unite in a freedom of conversation, will be composed, or better understood) we do declare a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in the matter of religion which do not disturb the peace of the kingdom.' These were encouraging words, but Charles added a reservation. 'And that we shall be ready to consent to such an Act of Parliament, as upon mature deliberation shall be offered to us, for the full granting of that indulgence.'

The autumn of 1660 was disastrous for Bunyan and his companions. Not only did Parliament fail to offer the restored King any act 'for the full granting of that indulgence', but Bedfordshire quarter sessions ordered 'the public reading of the Liturgy of the Church of England'. Charles had his private reasons for wanting religious toleration; the Church of England had its public reasons for disliking any toleration which might keep it from regaining its pre-eminent position. The King's leanings towards Rome were feared by many, who were not prepared to be tolerant in any way. The apprehension about the Independents was probably minor compared with the fear of Roman Catholicism, but the Independents, as well as the Quakers, were caught up in the same wave of intolerance. Men like Bunyan were at the very least regarded as an unpleasant reminder of the anti-clerical elements of the Civil War and Commonwealth days. Bunyan's congregation suffered three more blows that autumn. John Burton, their pastor, died. St. John's church was taken away from them, and restored to the Church of England. Finally, in November came Bunyan's arrest and imprisonment.

Bunyan has left us a full account of how he went to preach at Lower Samsell, near Harlington and not far from Toddington, and how he was arrested on a warrant signed by Francis Wingate, a justice living at nearby Harlington Hall. In order to understand what happened before the justice, the nature of the proceedings at Bedfordshire quarter sessions in January 1661, and the significance of the later visits to Bunyan in Bedford jail by the Clerk of the Peace, it is necessary to look at the Act passed in 1593 by Elizabeth's Parliament, entitled 'An Act to retain the Queen's Majesty's subjects in their due obedience'.⁵

The Act made it unlawful to refuse to attend church for a month, and also outlawed the attending of any 'assemblies, conventicles or meetings, under colour or pretence of any such exercise of religion'. The Act continued: 'Every such person so offending as aforesaid, and being thereof lawfully convicted, shall be committed to prison, there to remain without bail or mainprise, until they shall conform and yield themselves to come to some church, chapel or usual place of common prayer, and hear divine service'. It need scarcely be added that Gifford's church, and other congregational ones like it, did not qualify as an appropriate 'church, chapel or usual place of common prayer'.

'If any such person or persons which shall offend against this Act as aforesaid, shall not within three months next after they shall be convicted of their said offence, conform themselves to the obedience of the laws and statutes of this realm, in coming to church to hear divine service, and in making such public confession and submission as hereafter in this Act is appointed and expressed, *being thereunto required* by the bishop of the diocese or *any justice of the peace* of the county where the same person shall happen to be, or by the minister or curate of the parish; that in every such case every such offender, being thereunto warned or required by any justice of the peace of the same county where such offender shall then be, shall upon his and their corporal oath before the justices of the peace in the open quarter sessions of the same county, or at the assizes and jail delivery of the same county *abjure this realm of England*, and *if any such offender*, which by the tenor and intent of this Act is to be abjured as is aforesaid *shall refuse to make such abjuration*, the person so offending shall be adjudged a felon, and *shall further suffer as in the case of felony*, without benefit of clergy.' In short, the ultimate sanction for a failure to conform or to abjure the realm was death. This is relevant not only to an understanding of Bunyan's gloomy thoughts about the scaffold, but also when one considers his various criticisms of the Clerk of the Peace.

2 *The Trial of Bunyan*

Francis Wingate, the justice, committed Bunyan for trial. He was prepared to grant him bail in the meantime, but Bunyan was unwilling to accept the condition that he should not preach meanwhile saying, 'I should not leave speaking the word of God'. To that extent, Bunyan's imprisonment before trial was self-inflicted, quite as much as that which followed it.

Early in January 1661 Bunyan was brought up at the county sessions, presided over on that occasion by Serjeant Kelyng of Southill, who was later to become Chief Justice of the King's Bench.⁶ John Kelyng was a Royalist barrister who had been a prisoner for a long time under the Commonwealth. The Dictionary of National Biography suggests that he was a prisoner from 1642 to 1660, but this seems unlikely when one sees the various documents signed by him during that period.⁷ Soon after the Restoration he had been appointed a

Serjeant, and a few days after the Bunyan trial he was to be knighted. He was a bully, and Bunyan's description of Kelyng and of Lord Hategood in *Pilgrim's Progress*, who is clearly based on him, fits in well with what is known of the Chief Justice. Bunyan has Faithful asking his judge, Lord Hategood, 'May I speak a few words in my own defence?' Hategood replies: 'Sirrah, sirrah, thou deservest to live no longer, but to be slain immediately upon the place; yet that all men may see our gentleness towards thee, let us see what thou hast to say'. Kelyng was called before the bar of the House of Commons in 1667 to answer for some of his grosser actions, which included trying to oppress jurors.⁸

The indictment charged that Bunyan had 'devilishly and perniciously abstained from coming to church to hear divine service', and also that he was 'a common upholder of several unlawful meetings and conventicles, to the great disturbance and distraction of the good subjects of this kingdom'. The wording comes from Bunyan's recollections only, but it was probably quite close to this, having regard to the provisions of the statute. The Clerk of the Peace, Paul Cobb, arraigned the prisoner; he put the indictment to Bunyan and asked how he pleaded. The answer should have been 'guilty' but instead of pleading one way or the other the accused entered into a theological discussion with Kelyng, who did not take kindly to it. During the course of the disputation Bunyan admitted the basic facts contained in the indictment, and Kelyng therefore, not unreasonably, asked: 'Then you confess the indictment, do you not?' Bunyan makes the strange comment in his *Relation*, 'Now, and not till now, I saw I was indicted'.

How was the court to treat the accused's admissions? Could it enter a plea of guilty based on those admissions, or was it obliged to enter a plea of 'not guilty' and to proceed with a trial in order to have strict proof of the facts already admitted? Or should the answers be treated as a refusal to plead? In a felony case the latter conclusion would have led to the prisoner being pressed to plead, literally, by the *peine forte et dure*, but the offence in question was not one of felony until the final stage of a refusal to be exiled. Paul Cobb years later wrote a letter to his fellow Clerk of the Peace in Lancashire, and in it he 'talked shop'. He referred to Bunyan's answers and added:⁹ 'Because he refused to plead to it, the court ordered me to record his confession, and he hath lain in prison upon that conviction ever since'. When Cobb used the word

'confession', he was not referring to any admission by Bunyan, but used one of the technical terms for 'plea of guilty'.

Bunyan's recollection of Kelyng's words when he was sentenced is as follows: 'Hear your judgment. You must be had back again to prison, and there lie for three months following; at three months' end, if you do not submit to go to church to hear divine service, and leave your preaching, you must be banished the realm; and if, after such a day as shall be appointed to you to be gone, you shall be found in this realm or be found to come over again without special licence from the King, you must stretch by the neck for it, I tell you plainly'.

If Kelyng in fact sentenced Bunyan to a three months' minimum term, he was going further than the statute permitted, for Parliament had merely permitted imprisonment 'until they shall conform'. It is true that the statutes had gone on to deal with what could happen after three months of continued defiance, but that is another matter. Had Bunyan agreed to conform on the day after his committal to prison by quarter sessions, he would have been entitled to be freed at once, without waiting for the three months' period to be completed. Kelyng may well have acted improperly, but since Bunyan refused to conform within the three months, or at all, the point is academic. The sentence should have been an indeterminate one, with the option for the prisoner to determine it at any time by agreeing to conform.

3 *Bunyan in the Jail*

Shortly before the three months were up, Paul Cobb came to the jail to try to persuade Bunyan to submit. Bunyan renewed the disputation he had had with Kelyng and Cobb responded, albeit more gently than the Serjeant. Eventually Cobb said: 'Well, neighbour Bunyan, but indeed I would wish you seriously to consider of these things, between this and the quarter sessions, and to submit yourself. You may do much good if you continue still in the land, but alas, what benefit will it be to your friends, or what good can you do to them, if you should be sent away beyond the seas into Spain or Constantinople, or some other remote part of the world? Pray be ruled'.

Bunyan refused to submit and remained in jail. Three weeks later Charles II was crowned, and Bunyan hoped that he might

benefit from the Coronation pardon, which released many prisoners. He never received a pardon: one possible explanation may be that he stubbornly would not apply for one on the basis that he was innocent. At the summer assize Elizabeth Bunyan made her famous but unsuccessful pleas to the judges on behalf of her husband. Elizabeth was his second wife and was looking after Bunyan's children by his first marriage.

After his wife's unsuccessful attempt to free him, Bunyan had some unofficial parole, during which time he not only preached, but also visited London. When his 'enemies' heard of this, they became 'so angry, that they almost cast my jailer out of his place, threatening to indict him, and to do what they could against him'. It is interesting that the jailer was prepared to take the risks involved in releasing the prisoner from time to time, and even more interesting that he was not 'cast out' when his acts were discovered. One possible explanation is that there was a considerable amount of toleration towards Bunyan and his fellows in Bedford; another is that the year in which a Coronation pardon might be applied for was not yet up, and that the jailer assumed Bunyan would be pardoned in due course.

The apparent sympathy accorded to Bunyan was not unique. Commenting on the Conventicles Act of 1670, which included a provision for the punishment of magistrates failing to enforce the Act, J. P. Kenyon has written:¹⁰ 'This clause had no counterpart in the Act of 1664, and obviously reflects the sympathy of many magistrates and constables for the Dissenters'. So, too, the Quakers received sympathy from time to time. 'Yorkshire Friends paid £30 to the Castle jailer for indictments preferred against him for giving liberty to his prisoners. A group of Hampshire Friends suffered strait confinement for half a year, but afterwards the jailer allowed them to be at large.'¹¹

Writing of the illegal support received by some dissenters, W. M. Wigfield has commented:¹² 'It is very significant that men would risk such penalties, and equally significant that our records show that Bedfordshire men would not enforce them. The documents show that John Dunne and Thomas Haynes were actually sentenced to banishment in or before 1668, but they were still in Bedford in 1672 and are named in the King's pardon that accompanied the first Declaration of Indulgence'. It is necessary to add one word of caution: it is possible that some prisoners remained in the jail through administrative

errors, even though errors over a number of years are not very likely. When one reads the case of John Bland, who is mentioned later, it is hard to believe that it was sympathy that spared him from transportation for so long, rather than plain oversight.¹³

Bunyan made several efforts to get a hearing at the assizes, but he failed to do so on each occasion. His name appears in some of the extant calendars, but not in all of them.¹⁴ He became very angry with Cobb for taking his name off one of the calendars and formed the impression that the Clerk of the Peace was trying to harm him. In truth Cobb may well have been trying to spare Bunyan from a court appearance which might have cost him his neck. Bunyan seems not to have been aware of the statutory provision that a failure to conform, 'being thereunto required by the bishop of the diocese or any justice of the peace of the county', could lead to his being required to abjure 'in the open quarter sessions of the same county, or at the assizes'. Any appearance in court might have led to a requirement that he conform, and a refusal could have led to an immediate application of the exile procedure, with death following on a refusal to leave the realm. The fact that Bunyan was never brought up either at assizes or at quarter sessions suggests that he may well have had a number of friends such as Cobb who were anxious, for his sake, to avoid the sort of confrontation which, having regard to his known stubbornness, might lead to Bunyan's death. Cobb's words already quoted fit in with such a view.

The omission of Bunyan's name from some of the calendars was in any event not sinister. By an Act passed in 1487¹⁵ the Sheriff was obliged to certify and calendar all prisoners in his jail to the justices of jail delivery, but it is clear from an examination and comparison of many calendars that there were many breaches of this rule in Bedford—and doubtless elsewhere.

Bunyan remained in jail for more than eleven years, although towards the end of his sentence he was again allowed out from time to time on unofficial parole. Indeed he was appointed as pastor of his church in January 1672 whilst officially still a prisoner.¹⁶ How did he cope with his imprisonment? From his own pen we know that he was able to bear the loss of liberty, and even the danger of death, with a degree of serenity brought to him by his conviction that he was God's instrument. What he found most difficult to bear was the plight of his

wife and his four children, the eldest one of whom was blind, and who lived only a few hundred yards from the jail. In a moving passage in *Grace Abounding* Bunyan wrote: 'But notwithstanding these helps, I found myself a man, and compassed with infirmities; the parting with my wife and poor children hath oft been to me in this place as the pulling the flesh from my bones; and that not only because I am somewhat too fond of these great mercies, but also because I should have often brought to my mind the many hardships, miseries and wants that my poor family was like to meet with, should I be taken from them, especially my poor blind child, who lay nearer to my heart than all I had besides; O the thoughts of hardship I thought my blind one might go under, would break my heart to pieces. Poor child! thought I, what sorrow art thou like to have for thy portion in this world? Thou must be beaten, must beg, suffer cold, nakedness, and a thousand calamities, though I cannot now endure the wind should blow upon thee'.

One may fairly ask why Bunyan did not submit to the law and rejoin his family. As he himself said:¹⁷ 'I have not hitherto been so sordid as to stand to a doctrine right or wrong, much less when so weighty an argument as above eleven years' imprisonment is continually dogging of me to weigh and pause, and pause again, the grounds and foundations of those principles for which I have suffered'. However, he went on to say, 'But having not only at my trial asserted them, but also since, even through all this tedious tract of time, in cold blood, a thousand time, by the word of God, examined them and found them good, I cannot, I dare not, now revolt or deny the same on pain of eternal damnation'.

Bunyan was able to occupy his time not only with reflection, but also with preaching to his fellow prisoners and, as the world knows, with writing. *Grace Abounding*, his first major work, was written during his long period of imprisonment, as were several minor works, and he probably wrote a large part of *Pilgrim's Progress* in the jail as well.¹⁸ An anonymous friend of Bunyan's claimed to have visited him in jail and to have seen him at other work.¹⁹ 'There have I been witness that his own hands have ministered to his and his family's necessities; make many hundred gross of long tagg'd laces, to fill up the vacancies of his time.' An Act passed in 1666 gave the justices power to 'provide a stock of such materials as they find convenient for the setting poor prisoners to work'.²⁰ It may well be that

Bunyan was one of the first prisoners to benefit from this Act.

We have seen that Bunyan had a certain amount of liberty granted to him by different jailers. Unfortunately we know virtually nothing about the jailers in his time, except for the names of two of them. From the assize documents still in existence it is clear that John Woodham was jailer in 1666, and John Croft in 1671, but the identity of the rest remains unknown.²¹ Much more is known about Bunyan's companions as prisoners, and we shall presently meet some of them.

On 15 March 1672 the Declaration of Indulgence prepared the way for Bunyan's legal release from captivity. Some of its words might almost have been included with Bunyan in mind: 'But it being evident by the sad experience of twelve years that there is very little fruit of all those forcible courses . . .'. George Whitehead, one of the Quaker leaders, advised other dissenters to petition the Crown for their inclusion in the Quaker Pardon of 1672, and it eventually contained 491 names, among them that of Bunyan. Whitehead later claimed with some justification:²² 'For when we had made ways and beaten the path, 'twas easy for them to follow'. Braithwaite gleefully added the comment: 'John Bunyan, whose first book had been directed against the Quakers, now owed his liberty to their assistance'. James II—still Duke of York in 1672—also claimed some share of the credit, telling Whitehead in May 1685:²³ 'I was the cause of drawing up that Declaration, and I never gave my consent to the making of it void. It was the Presbyterians who caused it to be made void'. James, being an undoubted Catholic, had even greater reasons than his brother Charles for wanting toleration.

After his formal release from prison in May 1672 Bunyan applied for and obtained a licence to preach, and his congregation began to meet regularly in a barn next to St. Cuthbert's Church on a site which is still occupied by the Bunyan Meeting. It was not long before he had reason to be apprehensive once again, for the Declaration of Indulgence was revoked a year later and in 1675 the dissenters' licences were withdrawn. In March a warrant was signed by thirteen justices for Bunyan's arrest on the grounds that he had at 'divers times within one month last past, in contempt of his Majesty's good laws, preached or taught at a conventicle meeting or assembly'.²⁴