

An Architectural History of the Gaols and Court-Houses at Appleby, Cumbria

by

BLAKE TYSON

This article is dedicated to Miss Sheila MacPherson, Cumbria's County Archivist, who has supported my research for twenty years and who encouraged me to develop this study from her exploratory work prepared in 1975 for an exhibition on Appleby's buildings during European Architectural Heritage Year.

Using Quarter Sessions records, this article traces the evolution of Westmorland's county gaol and law courts since they were moved from Appleby castle in 1659. Problems of finance, organization and construction are set against a background of gradually changing attitudes towards prison conditions. Aspects of the careers of some noteworthy architects and of less well-known builders and craftsmen are explored with reference to other building work in north-west England.

Appleby, the former county town of Westmorland, is a remarkable example of a planned medieval settlement and lies within a sweeping meander of the river Eden. The southern approach is dominated by an imposing castle from which Boroughgate, the wide market street, descends northwards to St Lawrence's church. There the road turns sharply eastwards, crosses the river by a fine sandstone bridge rebuilt in 1888 and joins the main highway from Yorkshire to Carlisle at The Sands, formerly Howgate Foot. The Vale of Eden fell under Norman influence in 1092 and the town's layout was created before 1120 when Ranulph de Meschines resigned his northern estates to the Crown on becoming Earl of Chester.¹ After periods of control by the Scots, Appleby received its first Charter in 1179 from Henry II. In 1204 King John gave Appleby castle and the Barony of Westmorland to Robert de Veteripont whose descendants became hereditary High Sheriff with responsibility for keeping the Assizes and the county gaol.² Two centuries of relative prosperity ended when the town was sacked by the Scots in 1388.

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Fig. 1

Appleby Police Station in 1985. The double-fronted building was erected in 1771 as the Westmorland County Gaol and then became in turn the debtors' gaol, the Governor's house and the Police Superintendent's house. Alterations on numerous occasions, particularly in 1873 and 1971, have not destroyed the essential character of Robert Fothergill's façade (see Fig. 6).



Fig. 2

Appleby Magistrates' Court, originally built as the Assize and County Courts in 1776-78. The building was designed by Daniel Benn of Whitehaven and built by Henry Bellas of Appleby. It has suffered relatively slight alteration. The section to the right of the chimney was built in 1813-14 as a witnesses room and an office for the Clerk of the Peace.

Recovery was slow. In 1539, John Leland described Appleby as 'a Shire town, but a poore village, having a ruinous Castel where in the prisoners be kept'. In 1586, William Camden noted the castle as 'the common goale for malefactours' and the place where Assizes and Quarter Sessions were held (the former from at least 1256). From 1298 Appleby returned two M.P.s until the Reform Act of 1832. Then, when county councils were formed, the Sessions were moved to Kendal in 1889 and from 1923 to 1970 Assizes were held at Appleby only when there were cases to try. In 1951, with 1,704 inhabitants, Appleby was England's third smallest municipal borough and local government reorganization in 1974 completed the town's demise. As a sign of historic associations and perhaps as a gesture of defiance, its name was then changed to Appleby-in-Westmorland. The Court House and parts of the gaol (Figs 1 and 2) survive as an interesting vestige of the town's former regional importance but, though noteworthy architects were employed on several occasions, no history has been written hitherto.

THE OLD GAOL

A convenient starting point is the description of the gaol published in 1777 and written about 1773 by Richard Burn (1710-1785), vicar of Orton and a Westmorland magistrate since 1747.³

At the west end of the bridge stands the old gaol; a little, mean, incommodious building; without one inch of ground out of doors, wherein the prisoners might receive fresh air . . . this gaol, from the monkish inscription over the door, seems not to be very modern; viz.

Porta patens esto nulli claudatur honesto⁴

Now . . . in . . . 1771, hath been erected on the other side of the river a new gaol, with a yard, and other conveniences; which, when finished, will be a much more comfortable habitation. . . And adjoining hereunto, new court houses are intended to be erected, wherein to hold the assizes and sessions.

At the east end of the bridge stands the House of Correction,⁵ tolerably convenient for the purpose: with a garden backwards towards the river.

The old gaol is shown clearly on plans of Appleby, drawn when the Tufton and Lowther families disputed the result of the Parliamentary election of 1754 (Fig. 3). Nicolson and Burn (I, 328) indicate its former purpose, noting that 'by a deed in the 23 Hen. 6[1445] . . . the burgesses of Appleby, granted to John Marshall chaplain, a certain ruined chapel upon the west end of the stone bridge of St Lawrence in Appleby'. John was to repair the chapel at his own expense and to 'repair a certain chamber or oratory over the said chapel', paying to the mayor and burgesses a rent of 2d per year. Alterations of this old building will be considered next.

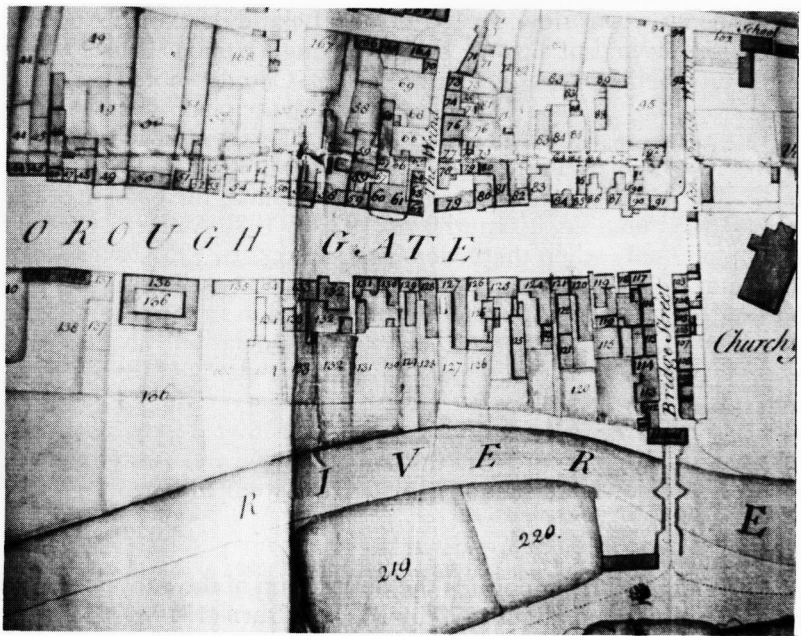


Fig. 3

The main street of Appleby in 1754 showing burgages with voting rights, numbered according to the Lowther system. The Moothall and Shambles carried no vote and were omitted. The Old Gaol spanned the approach to Bridge Street while the old House of Correction, built in 1639, stood at the opposite end of the stone bridge. The old Shire Hall stood in Boroughgate, probably on plot 81 near the Moothall. In 1769 plots 54–57 were proposed for its replacement, but rent economy caused it to be built next to the 1771 Gaol, opposite to plot 220. (Reproduced by kind permission of the Lonsdale Estate Trustees with whom the copyright resides.)

The Quarter Sessions order books and rolls form the main source of information for the remainder of this article.⁶ On 30 August 1764, the old court house and gaol were described as ‘greatly defective’, but the magistrates were unable to decide whether or not the Hereditary Sheriff should undertake the repairs. As he denied liability, the Clerk of the Peace was ordered, on 14 January 1765, to search the records for evidence. On 3 August, he reported that the Assizes had been held at the castle until 1659 but, as it was then garrisoned, Lady Anne Clifford appeared to have paid for a new court house and gaol. From Midsummer 1673, Sessions were removed to the Common Hall and, from 1699, a gaol rent of 6d per year had appeared in the Corporation’s receipts. The magistrates had issued orders to view and repair the gaol on twelve occasions between 1672 and 1727⁷ and were advised by Sir

Fletcher Norton and James Wallace⁸ that the county should therefore pay for the new work by raising a county rate.

Before 1709 details concerning the gaol are poor. In July 1683, it lacked stairs and a lodge for the keeper and needed slates and ridding. In 1691 a J.P. viewed 'the Insufficiency of the Gaole' and the following January a rate of 2d in the pound was levied 'towards the repair of the County Gaol and for the repair of ye staires ther wch are now in falling'.⁹ At Midsummer 1693, the four High Constables of the county were to estimate the cost of 'Enlarging the Common Gaol at Appleby' and, six months later, a rate of 9d in the pound was levied to pay for it. No details were given but, in 1694, the Appleby Castle estate accounts note the receipt of £5 14s 'Of Mr John Lowson for the Bark of 14 Oaks . . . for the Building at Southfield¹⁰ & of 20 Oaks given for Building the Gaol & of five . . . Decayed trees . . . for Fences'. Ambiguously the extension was included in an order made at Easter 1699 when Thomas Lamb, the gaol keeper, was reimbursed £16 'for repairs to the Old Gaol & for the necessary repair of the New Gaol'. Again detail is lacking and the old and new parts are not defined.

At Christmas 1709, John Nicholson, the gaol keeper, complained that the building was 'in decay both in the roofe, staires & Low Goales [for felons] as also the Conduit'. On 19 January 1709/10 the High Constables contracted the work to Henry Fletcher, a carpenter of Kendal, for £31 and though his work was 'well & sufficiently done', he petitioned at Midsummer 1710 that a large part of the sum remained unpaid. The building must have been inconvenient for, at Christmas 1710, an order was made against a Mr Christopher Atkinson (apparently the owner of the King's Head Inn in Bridge Street)¹¹ for refusing access to workmen setting up 'A starecase or ladder at the South End of the Common Goale . . . where the same hath time out of mind been erected . . . for goeing up into the Garrett . . . for the Goaler & his servants lodgeing therein [and] for the securing the prisoners . . . [who were] in danger of . . . breakeing forth'. If Atkinson did not comply immediately he was to be prosecuted.

When Benjamin Browne of Townend, Troutbeck, became High Constable for Kendal Ward in April 1711, he preserved records of some of his county work. At Easter 1714, John Nicholson complained again that the gaol was 'very ruinous both in the roofe, slate, the arch over the Gate & likewise within ye south end' and that prisoners might break out easily because 'severall Sleepers to secure the floors . . . are rotten & may be easaly wrought through'. The magistrates' order for Browne and others to view the gaol by 17 April has survived,¹² but there are no details of the cost or workmen. In July 1714 a twopenny rate was levied on the East and West Wards to pay for it.¹³

Better information is available for repairs made following an inspection by the Grand Jury at Christmas 1720. They found the gaol 'in decay in the rooffe Timber & planks &c' and ordered the High Constables to view it before 1 April. Copies of two contracts in Benjamin Browne's handwriting have survived, both dated 28 March 1721.¹⁴ For £2 10s, Rowland Hodgeson¹⁵ was to find all materials and agreed that:

The slait of ye Old Goal must be plaistered with Lime well mixed with hair on the Inside . . . to keep out Snow and Rain and ye Outside of ye New Goal Slait must be well Stopped with Moss . . . ye Riggins of the Old Goal to be taken off and well Speeled & laid on again in good Morter and . . . the slait . . . well Mossed. A [t]rough of Freestone must be made which will hold five Gallons at Least, and Carried up into ye New Goal and . . . sett upon a good strong base made of stone half a yard high [so] that a pale or can may be set under the Tap hole [for washing purposes?]. Alsoe to secure the Grate upon the harth, and the Chimney Chacks to be repaired well.

. . .¹⁶

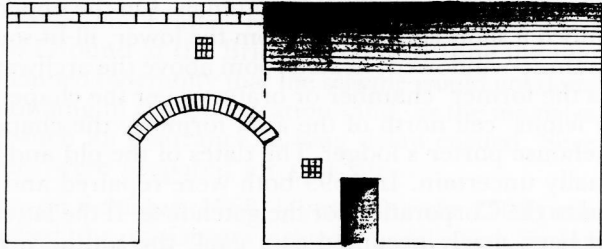
The carpentry contract bears Richard Fawcett's signature and the mark of John Cumpstone †. For £13 7s 6d they agreed to take up the floor 'In the New Goal over the Gatehouse' and relay it with 'sound Oake planks without sapp, well seasoned' and at least 1½ inches thick, fixed with good iron nails. They were to replace any decayed beams. The planks on both side walls and the end of the room were to be taken down carefully, 'Shott' (planed) and refixed securely with iron nails and any deficiency was to be made up. The windows were to be 'Close Lined or the Walls faced with planks . . . Close to the Iron Grates [grilles]'. In the 'Old Goal' the floor was to be taken up, 'New Shott' and relaid using iron nails. The planks taken up from the new gaol floor were 'to be New Shott and brought down and laid in the Old Goal Floor to Compleat it', any deficiency being made good with new seasoned planks. All the planks on both sides 'and the South End in the said Room' were to be taken down, 'New Shott' and refixed a single plank thick. The top, bottom and sides of the walls in the 'Stairs Window' between the old and new gaols were 'to be planked firmly

Fig. 4 (opposite)

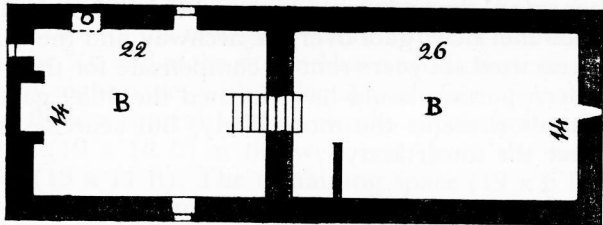
Dimensioned plans and an elevation of the Old Gaol which stood at the western end of the bridge over the river Eden at Appleby. The letters represented: 'A, Prisons for the Fellons; B, Prisons for the Debtors; D, The Bridge; F, Ground betwixt the River & Gaol; G, Bridge Street'. The drawing is marked 'No 1'. No 2, in the same unidentified handwriting, is entitled 'A Plan of the Old Gaol with Alterations, a story added' as if that was considered as a possibility. 'No 3, the new Goal' shows an elevation of six bays and plans of ground and first floors, unexecuted.

Source: C.R.O., Kendal, Appleby Gaol Plans (flat) ex WD/Hoth, Box 39.

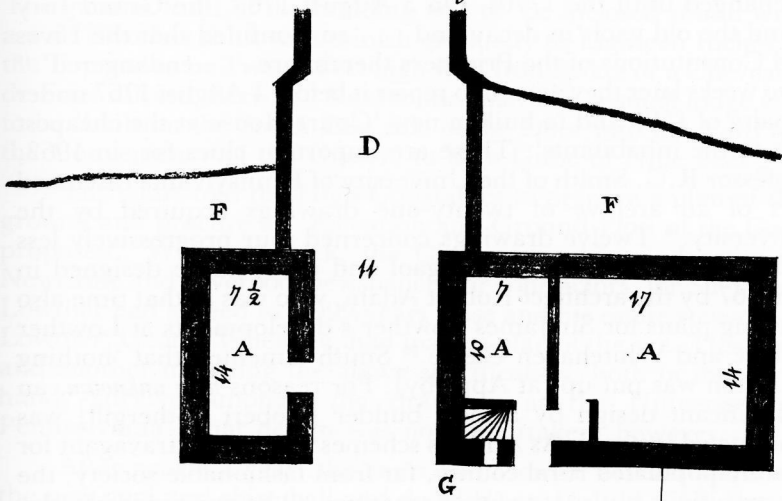
The old Goal.



The front of the Old Goal near Bridge Street.



The Second floor:



to the Out Grate'. The carpenters were to find all materials, repair the house of office and make a new seat for it.¹⁷

The 'new' gaol, with its fireplace and wash basin, 'over the Gatehouse' and the 'old' gaol adjoining its south end at a lower level can be identified on an anonymous, dimensioned drawing made in the 1760s (Fig. 4). This shows that the ground floor on both sides of the arch housed criminals. On the upper floor, debtors climbed a short stair to pass from the lower, ill-lit southern portion to a three-windowed, heated room above the archway. If this room was the former 'chamber or oratory over the chapel' in 1445, was the felons' cell north of the arch formerly the chapel or merely a gatehouse porter's lodge? The dates of the old and new gaols are equally uncertain. In 1699 both were repaired and rent was first paid to the Corporation for the gatehouse. If the latter's upper floor had been newly occupied as a gaol, the southern portion would represent the extension of 1693 and Lady Anne's gaol provision of 1659 might therefore have comprised the ground-floor cells to either side of the archway. On the other hand, if the 1693 extension created the 'new' gaol over the archway and the magistrates had been excused six years rent to compensate for their expenses, the southern portion could have formed the 1659 gaol. The former explanation seems the more likely, but searches have failed to remove the uncertainty.

THE NEW GAOL, 1771

Except for unspecified repairs in 1727 and 1738, the gaol remained unchanged until the 1770s. On 3 August 1763, the Grand Jury found the old gaol 'in decay and . . . so Confined that the Lives and Constitutions of the Prisoners therein are . . . endangered'.¹⁸ Two weeks later they agreed to repair it before 1 August 1767 under penalty of £500 and to build a new 'Court House at the cheapest cost to the inhabitants'. These are important clues for, in 1962, Professor R.C. Smith of the University of Pennsylvania discussed part of an archive of twenty-one drawings acquired by the University.¹⁹ Twelve drawings concerned four progressively less ambitious schemes for a new gaol and court house designed in 1766-67 by the architect Robert Adam, who was at that time also drawing plans for Sir James Lowther's developments at Lowther Village and Whitehaven Castle.²⁰ Smith lamented that 'nothing by Adam was put up [at Appleby]. For reasons *now unknown*, an insignificant design by a local builder [Robert Fothergill] was constructed instead'. As Adam's schemes were too extravagant for a thinly-populated rural county, far from fashionable society, the less ambitious but successful alternative will be examined closely.

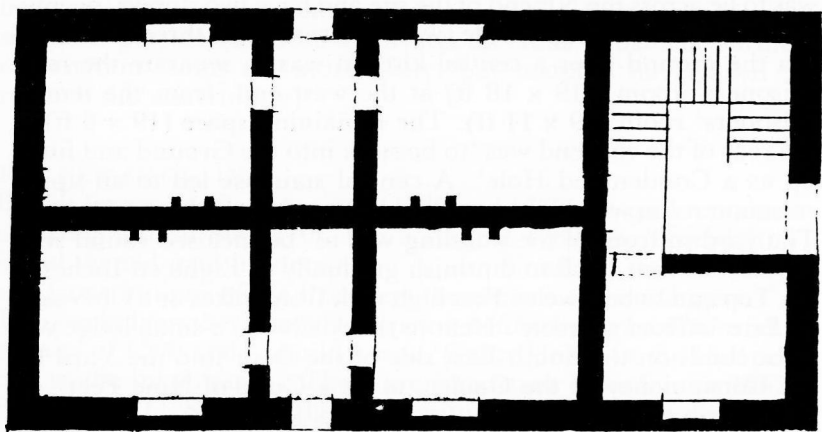
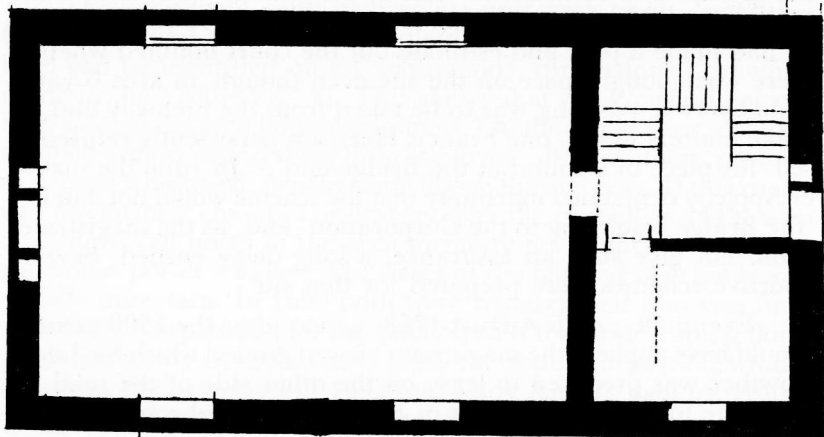
As the magistrates had full control of the House of Correction site, on 7 October 1765, they ordered Robert Fothergill to measure the ground and as much as 'can be reasonably spared from the Highway on which a new Gaol is proposed'. By 13 January 1766 he had made a plan and estimate but the court doubted whether there was enough space on the site even though an area 6 yards wide by $17\frac{2}{3}$ yds long was to be taken from the highway and, to make matters worse, one Francis Harrison persistently refused to sell 'his piece of Ground at the Bridge end'.²¹ In June the mayor of Appleby demanded indemnity that the scheme would not damage 'the Bridge belonging to the Corporation' and, as the magistrates could not give such an assurance, a long delay ensued. Several abortive schemes were prepared for that site.

Eventually, on 6 August 1768, a year after the £500 penalty should have applied, the magistrates viewed ground which Sir James Lowther was prepared to lease on the other side of the road 'at Howgate foot being 22 yards in Front to the Highway and from thence backwards in equal breadth North Eastwards Forty Four yards'. A specification of the new gaol was minuted. The building was to lie across the NE end of the site and have two storeys, twenty-two yards long by eight wide, with external walls three feet thick. On the ground floor a central kitchen was to separate the male prisoners' room, (19 x 18 ft) at the west end, from the female prisoners' room (19 x 11 ft). The remaining space (19 x 6 ft) at the rear of the east end was 'to be sunk into the Ground and fitted up as a Condemned Hole'. A central staircase led to an upper common room which separated male from female debtors' rooms. The yard in front of the building was to 'be inclosed round with a wall Two feet thick to diminish gradually to Eighteen Inches at the Top and to be Twelve Feet high with Iron Spikes or a Cheveaux de Frize affixed thereon'. Next to the roadway, a small lodge was to be 'built on the South East side of the Door into the Yard for the Conveniency of the Gaoler, to be a Cube of Nine Feet'.

The court told the High Constables to prepare a plan of the ground and procure an 'Elevation and Ground Plott of the Gaol proposed'. Within a week, the Clerk was told to advertise in Newcastle and Liverpool newspapers for contractors, for Sir James Lowther had agreed to a 999 years lease and his estate steward at Lowther, George Wheatley, had made a plan of the site. This plan and another matching the above specification, both in the same hand, survive amongst the drawings at the University of Pennsylvania. That design was not undertaken, however.

After nearly a year, the court had viewed 'several plans' of the new gaol and shire hall and decided, on 11 July 1769, that it would be 'most convenient and least expensive' to build them together (e.g., Fig. 5a). They approved 'the Plan which was last

(A) N^o 3 Gaols and four rooms alone.



(B) The fore and back doors 2 Fellow Gaols and (one
- Ten's hole 2 Debtors Gaol Doors is all finished
and a small Gaol door all South end filled up
so that those 8 New Locks ^{of doors} are made fit for
the Locks from S^r your Humble Ser^t &c

Rob^t Folthorpe

drawn for that purpose, leaving out some of the Ornaments' and resolved to proceed. On 2 October they decided that 'the Cheapest method [was] . . . to let each separate kind of work . . . to distinct Artificers and not to one General undertaker for the whole'. Then, on 4 November, the High Constables were ordered to contract on 1 December at the Moothall²² with 'able and Experienced Workmen as shall . . . execute the work . . . agreeable to the Plan . . . to finish on or before 24 June 1771'. Several sealed proposals were received and a meeting was called at Appleby on 9 April 1770 'to consider by what Plan the Gaol . . . is to be Built'. They chose 'the Plan marked No 5' but sought the agreement of the Kendal magistrates so that contracts could be signed on 12 May at Appleby's Moothall. This plan, now at the University of Pennsylvania, is endorsed 'No 5 The Plan agreed upon'. It bears the caption: 'The Ground Storie of the Goal at Appleby, the Second Storie the same, the Elivation to be Ornamented according to Plan and Scale anex'd by Robt Fothergill, the Manner of the Work and all Materials Except arching the Goal to be Governed by the former proposals'. This plan, redrawn as Fig. 6, resembles the present building. As his plan was successful, on 10 July 1770, the court ordered 'that Mr Robert Fothergill be . . . appointed Surveyor of the Rebuilding of the County Gaol' and, on 1 October, the High Constables were told to pay 'subsistence money for work done' by the builders. Unfortunately, the constables' accounts do not survive to provide details of the workmen or their progress.

By 16 July 1771, the structure was complete, Edmund Fothergill certifying that he had 'Examined all the Different sorts of Work belonging to the County gaol and do allow it to be according to Contract & according to the best of my Judgment'. A few bills which were then settled have survived in the Session Rolls.²³ For work beginning in August 1768, George Wheatley, perhaps provoked by having his plans rejected, charged no less than five guineas for 'staking out and measuring the Ground for the County Goal at two different times, Drawing a Fair Plan to lay before the Judge at the Assizes, Journey to Appleby on that Business and adding a fair Plan to each Lease of the Ground and Ingrossing the Leases'. He was paid in October 1771.

Fig. 5 (opposite)

(a) Robert Fothergill's draft plan (re-arranged) for a single court room (above) and gaol which, for economy, were to have been built together at Appleby in 1769.

(Preserved at the University of Pennsylvania.)

(b) A sample of Robert Fothergill's handwriting, taken from his letter, dated 13 July 1772, informing John Bowness, the High Constable of East Ward, about progress in fixing locks to the gaol doors.

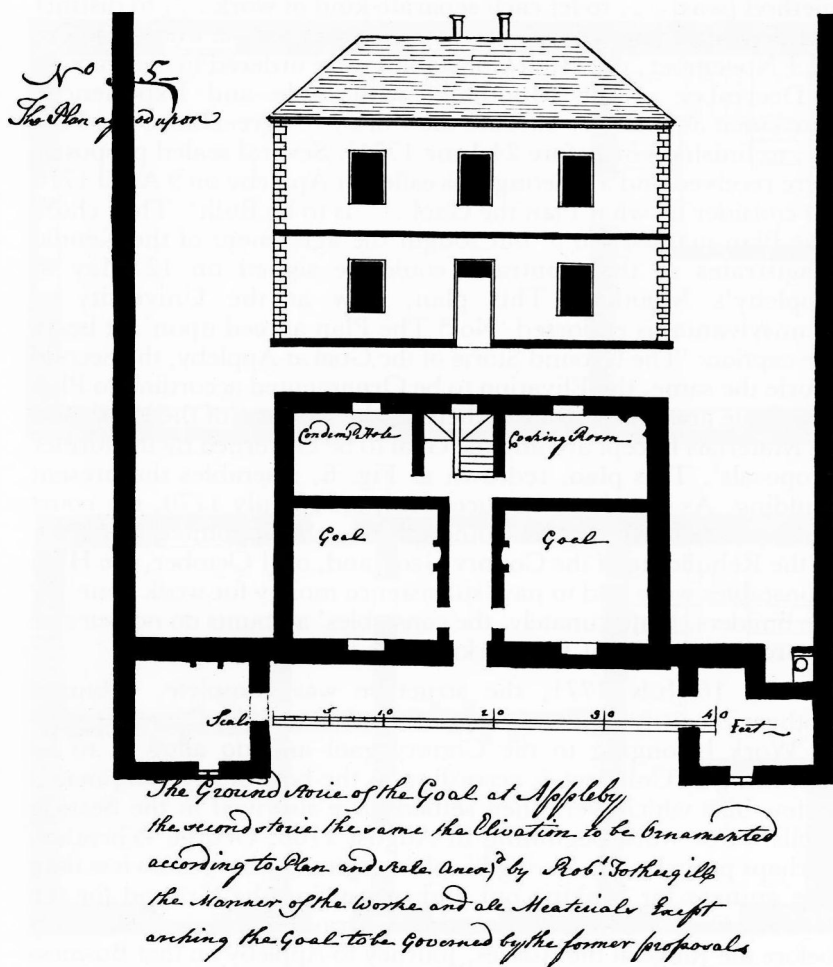


Fig. 6

Robert Fothergill's successful design for the new gaol, built at Appleby in 1771. Despite alterations on several occasions, especially in 1873 and 1971 the building retains much of its original character (see Fig. 1).

Reworked from the original drawing at the University of Pennsylvania.

Of much greater interest, 'Robt Fothergill's account for Plans &c of the Court houses and Gaols' has survived and proves two schemes to rebuild the old Shire Hall before alterations to the House of Correction site were contemplated and rejected. It reads:

By Orders from the Justices of the Peace for drawing Plans and fixing Preliminaries and Estemates for Building Goal and Court house at Appleby as below:

- 1763 a Plan for Building the Ould Crown End of the Court house whear itt now stands in Appleby.²⁴
- 1764 a Plan on another Construction for Building Court Rooms in the same Place.
- 1765 a Plan for Building Gaol on A line whear house of Correction Stands.
- 1765 a Plan Do on another Construction in form of an L and yard Wall.
- 1768 a Plan for Gaol and Yard Drawne from Mr Wheatlys Plan.
- 1769 three Separate Plans by the same Order as above viz
 wone for Gaol and Courts and Jury Room, [No 2]
 wone Plan for Courts and Jury Room and no Gaol, [No 4]
 wone Plan for wone Court and Jury Room and Gaol under them. [No 3]
- 1769 The plans that the Gaol and Yard Wall was Bulded by [i.e. No 5]
 Theas 9 Plans and Estemates and all Preliminaries £9 9s 0d.

I was ordred to Consider Mr Adams Plan in Eight different Constructions and to Fix Preliminaries and Estemates and to Reduce Every Article to Measure which I have done, all which was given to the Clark of the Peace. All theas I have Coppeys of, as for Plans I keep no Coppeys whear we do not Execute. Most of the Plans went to London, as for theas the Gentlemen may pay me what they Pleas [Endorsed] Easter 1772 Or[dere]d to pay £11 11s 0d charged £5 0s 0d.

It is significant that the three 1769 plans can be identified with drawings numbered 2, 4 and 3 respectively in the University of Pennsylvania collection which was purchased from Messrs. Weinreb of Great Russell Street, London. The handwriting on them matches that of Robert Fothergill in a letter written, on 13 July 1772, to Mr Bowness of Orton (see note 35) about progress in fitting door locks in the new gaol (Fig. 5)²⁵.

On 7 October 1771, the High Constables were to pay 'John Jackson . . . £3 18s being the Ballance . . . of his Bill for Building the County Gaol' and to pay 'Joshua Brunskell for slateing and pointing the Gaol . . . according to such measure as shall be given in by Mr John Gregson and Henry Bellas, Carpenter'. In addition the constables were to provide locks and keys and have the area in front of the gaol raised 'to the Height of one Step . . . Walled²⁶ and Iron Pallasadoes fixed thereon' to finish the gaol.

THE NEW SHIREHALL AND CELL BLOCK

The constables were also told to approach three landowners to find 'on what terms they would lease properties . . . in Order to Build a Shire Hall' in Boroughgate. Earlier, before 11 July 1769, the Earl of Thanet had offered a long lease on the houses of George Raisbeck and John Woof in Appleby's main street, provided that Sir James Lowther offered William Thompson's house and General Honeywood offered that of Andrew Jackson. As the lowest annual rent on these was to be £11 10s compared to £1 15s for the Howgate Foot site, the offer was rejected on 4 November 1769, revived in October 1771 and rejected again as too expensive! A plan at the University of Pennsylvania shows properties which correspond with burgages 54 to 57 on the west side of Boroughgate, south of the Red House (Fig 3). No 54 belonged to Lowther, 55 was General Honeywood's and 56 & 57 belonged to Lord Thanet whose tenants in 1789 were Richard *Raisbeck* and Thomas Baynes respectively.²⁷

Eventually, the Clerk of the Peace was told, on 11 January 1773, to advertise that tenders for building the new Shire Hall at Howgate Foot were to be in by 6 March. In addition the High Constables were to 'forthwith get the two Goal Floors raised above Water Mark' of floods, fix 'Iron Rail Doors to the two Prisons' and have 'Iron Rails and Steps . . . made up to the front Door'. Delays followed. By 8 May the court had received 'a plan . . . sent by Mr Benn, Sir James Lowther's Agent [at Whitehaven], for Compleating the Goal and building the Court Houses and other necessary offices'. After two meetings in August, Benn's plan, as amended by the Assize Judges, was presented by Lowther to the Michaelmas Sessions and approved unanimously. It was 'to be carried into execution immediately' on a site offered by Lowther 'adjoining the South side of the New Gaol'. The latter 'as it now stands shall continue for the Use of the Debtors and the Low Rooms as working Rooms for the Prisoners' and 'four convenient Arched Cells shall be erected at the Top of the Yard agreeable to the Plan now produced'. The judges probably required these new cells to isolate felons from debtors and give the latter more space. Benn was 'to prepare proper proposals and Conditions for the Buildings . . . and Estimates of all the Materials' for inspection by prospective contractors and 'Mr John Bowness (see note 35) shall superintend the above works under the Direction of . . . Mr Benn'. We should note that Daniel Benn was later paid £105 'for Superintending the work at the Castle [at Whitehaven] from 1766 to 1775 Both Inclusive' and that he was buried on 29 October 1777 at Whitehaven.²⁸

Details of the gaol contractors and work specifications are in the order book. Thomas Addison of Culgaith, seven miles northwest of Appleby, agreed to undertake the mason's work on the four cells

for 4s 11d a yard, while John Nicholson of Bampton, ten miles west of Appleby, was to slate the buildings. Henry Bellas, the Appleby carpenter and builder, was to provide the wood and do all the woodwork for £140 and also do the mason's work on the Shire Hall at 3s 5d a yard plus 5d a foot for hewn work. On 10 January 1774, the High Constables were told to get the contracts signed and raise a rate of 2s in the pound. Three months later, however, the court found that in order to raise funds 'to rebuild the Shire Hall . . . an Act of Parliament will be indispensably necessary' and John Moore of Grimeshill (Middleton-in-Lonsdale) and Rev Richard Burn were requested to organize it.²⁹ The rate was therefore to be applied only to the gaol, the four new cells and, following 12 July 1774, to 'a Building of Eleven Feet high within the Ceiling . . . built over the Cells of the New gaol'.

On 11 April 1774, Henry Bellas asked the magistrates for £70 to pay wages to his workmen, claiming that he had already spent £93 for wood, stone and lime and would need £50 more by the end of May. His petition was respited.³⁰ As the constables' accounts do not survive, the progress of work is not recorded but three contractor's accounts exist.³¹ On 9 January 1775, the balance of Thomas Addison's bill for the four cells was to be paid 'agreeable to Mr Benn the Surveyor's Report'. Daniel Benn endorsed the document which charged 2s 6d a sq yd for 123½ yards of 'Back Wall' at the top of the yard, compared to 4s 11d a sq yd for 417½ yards of main walls. Digging foundations and taking down part of the old yard wall cost 8d a yard, 466 feet of hewn work was charged at 7d a foot and 89⅔ sq yds of flagging cost 2s 6d a yard. An unknown proportion of the £169 1s 4½d total was paid and then, on 2 October 1775, the constables were told to 'pay unto the Administratrix of Tho[mas] Addison deceased the remainder'. He had been killed on 10 August while demolishing the gable wall of Skirwith Hall, a mile from his home.³²

Also on 2 October, £44 4s 10¼d was to be paid to Henry Bellas 'for Wood and Workmanship relating to the County Gaol duly certified by Mr Daniel Benn the Inspector'. The main item on the original bill was £6 13s 4d for '200 Spars 12½ feet long at 1¼d p[er] foot Running measure'. Benn corrected the arithmetic, adding £6 7s 1d for the 'Error in the Spars casting up'. Larger timbers, priced at 1s 9d a foot (i.e. per cubic foot) included '5 Footing Beams 30 Feet 3 Inches', '12 Blades 42 feet', '4 Hip Blades 18 Feet', '4 Hip Ribs 40 Feet long, 7 feet' and three 'Easetrees'.³³ He made '4 New Double Oak Doors for the Cells & one for the Gaol . . . at 17s each', fixed them and made lintels and windows. In addition '780 feet running measure of Cieling Joists at 1¼d' cost a further 4s 6d per 100 sq ft for 'Workmanship, Nails & putting up 13 Squares & upwards'. An early nineteenth century gaol plan shows

Addison's cells, each 14 x 16 ft inside, with an upper storey divided into two rooms (Fig. 7). They formed a building 65 ft long by 21 ft wide or 1,365 sq ft. The details in Henry Bellas's bill are compatible with the roof and upper floor of that structure. They indicate that the roof was hipped, and five 8 x 6 inch tie beams at ten foot centres and had its ridge supported by three upright posts bearing on the central and outermost tie beams. It is worth noting, however, that a roof 21 ft wide with a 30° pitch could be spanned by pairs of 12 ½ ft rafters and that, if 200 really were used they would have been at only 8 inch centres. Did Benn fail to count the rafters used and did Bellas originally charge for 100 in his own handwriting which was misread by whoever copied up the final bill, or were the extra rafters used elsewhere? The right quantity of ceiling joists was certainly used.³⁴

The third account, for £18 10s 4d, lists 'Smith work . . . by Wm Bewsher' done between 12 May 1774 and 27 May 1776. Items, charged at 4d a pound (lb) included numerous 'cronks' (weighing between 4 and 6 lb each), 'grates for 4 windows 24 st[one]', a 'grate & door boiler 21 lb' and 'cross bars for chimneys'. He made door bands, hesps and staples, sharpened tools and mended barrows. It should be noted here that, on 4 October 1773, the magistrates sold the old gaol on the bridge to William Bewsher for £104, presumably for its materials. However, on 8 January 1776, they found 'The Arch of the Old Gaol . . . very ruinous . . . and the Lives of his Majesty's subjects . . . thereby in danger'. They ordered it to be taken down and the materials secured, stating that the buyer had failed 'to perform his Contract for purchase'. As justification, Bewsher complained on 20 January that sundry materials including 'several Oak planks and Joysts of considerable value' had been 'about Martinmas last taken away . . . to the new Gaol'. He claimed they were part of his purchase and, on 1 February, it was agreed that Henry Bellas should value the removed materials. To encourage him to dismantle the building, Bewsher was to be allowed two guineas repayable on completion of purchase and he was then summoned to appear before the magistrates at the Greyhound Inn at Shap on 20 August 1777 to settle the affair. He asked for more time and agreed to pay £90 13s 4d 'part of his Purchase Money' at the Michaelmas Sessions.³⁵ Presumably he had already paid £13 6s 8d to the constables but the solution to his problem has survived in the Hothfield papers. On 13 November 1777, 'Wm Bewsher of Battleborough, Bongate, Blacksmith' conveyed the old gaol 'scite & materials' to the Earl of Thanet for £105.³⁶ It is interesting that, on 10 January 1785, 'Wm Bewsher, *Gaoler*' was paid £5 16s for conveying two convicts to Whitehaven before their transportation overseas. The usual rate was a shilling a mile plus expenses.

Information about the new Shire Hall is less detailed than for the four cells. It was started after the 1776 Act of Parliament was obtained. The walls and roof were complete by 20 August 1777 when Lancelot Bellas appeared before the magistrates on behalf of his sister-in-law Elizabeth, widow of Henry Bellas, to settle accounts arising from his brother 'having undertaken the walling of the Shire Halls and the Wood Work of the Goal and Shire Halls'. The 'Roofs of the Two Shire Halls viz The North Hall and South Hall'³⁷ had been measured and valued at £53 5s and John Bowness was ordered to pay the widow that sum. Presumably Henry Bellas had already been paid for his walling and mason's work. From 1775 he had also been busy supervizing the building of Hillbeck Hall near Brough for John Metcalf.³⁸ Bellas was buried at St Lawrence's church, Appleby on 8 July 1777 aged 55³⁹ and his widow seems to have become too poor to support herself, for an order to remove Betty Bellas from Dufton to Appleby was signed on 15 December 1780.⁴⁰

On 9 September 1777, Daniel Benn was paid £25 'for his Trouble and Expences in surveying and superintending the building' work and, on 6 October, John Nicholson received the balance of his 'Bill for slating the new Shire Halls'. However, Henry Bellas's untimely death interrupted the work and, on 20 October 1777, the High Constables were to give public notice 'that the filling up of the New Shire Halls with Earth, and Flagging the same, will be let at Appleby on Saturday 30 Aug Inst'. By January, plans were lodged at the Clerk's office for viewing by 'any person inclinable to contract for the finishing of the different works' and sealed proposals were to be in before the end of February 1778. On 7 March, two contracts were awarded. First, for £153, John Robinson and Thomas Briggs of Orton agreed to do all the (internal) woodwork and find materials and paint. On 3 April 1780, they were to be paid as soon as they completed their contract and the courts' seating arrangements created by them is shown on later plans. Second, for £23, Richard Robinson of Appleby and Matthew Harrison of nearby Brampton, agreed 'to find Materials and make the Stone Steps and fill up, level and pave the Ground Work before the Shire Hall to the Road according to the plan', to finish before 24 June 1778. That work is still a pleasing feature of the street frontage in The Sands. Also on 7 March, John Bowness was ordered to find someone to 'perform the Glaziers Work of the Shire Halls and also to grate the Windows next the Gaol'. By 27 April, the magistrates had changed their minds, ordering the lower windows on the side next to the gaol to be taken out and their openings walled up. The upper windows were to be removed, 'sold for the best price' and replaced by the lower windows which were to have 'the insides sloped away so as to admit the most light'. In July 1778, a further rate of 2s in the pound was raised towards costs and, in January

1780, a 1s 6d rate was to help repay £200 to Sir James Lowther 'Money he advanced in the Building of the New Shire Halls'. In addition to specific rates and unknown payments from the High Constables, public subscriptions raised £357 15s.⁴¹

After the building was finished, the Clerk of the Peace was ordered, at Michaelmas 1779, 'by Virtue of the Act of Parliament', to advertise that 'the scite and Materials of the Old Shire Hall . . . will be sold . . . at Appleby on Monday 10 January 1780 at 3 pm'.⁴² John Shaw of Kendal, a magistrate, was the highest bidder at £65, payable at Easter. However, he was buried at Kendal on 7 May 1782 aged 66 so that, by 12 July 1785, the Clerk had been pressing the 'Representatives of late John Shaw Esq their Agent for payment . . .' and was preparing a case for recovery of the purchase price. He must have failed because he was ordered to auction the site and materials again on Saturday 22 July 1786 at 10 a.m. From January 1785 to the end of 1788, the magistrates' attention was directed towards rebuilding the House of Correction at Kendal. Thus the new buildings at Appleby went almost unnoticed until 1799 when, on 19 July, the Clerk was ordered to 'make Strict enquiry of . . . several escapes made by Prisoners . . . and particularly about William Dennison's escape . . . the Night of 26 May last'. On 10 October the High Constable of East Ward was to 'get proper Workmen to sink large stones round the Cells of the County Gaol where wanted' and take other measures to prevent escape, including heightening the northwest end wall of the gaol. The large stones suggest that Dennison might have tunnelled under the walls built by Thomas Addison who perhaps made the foundations too shallow.

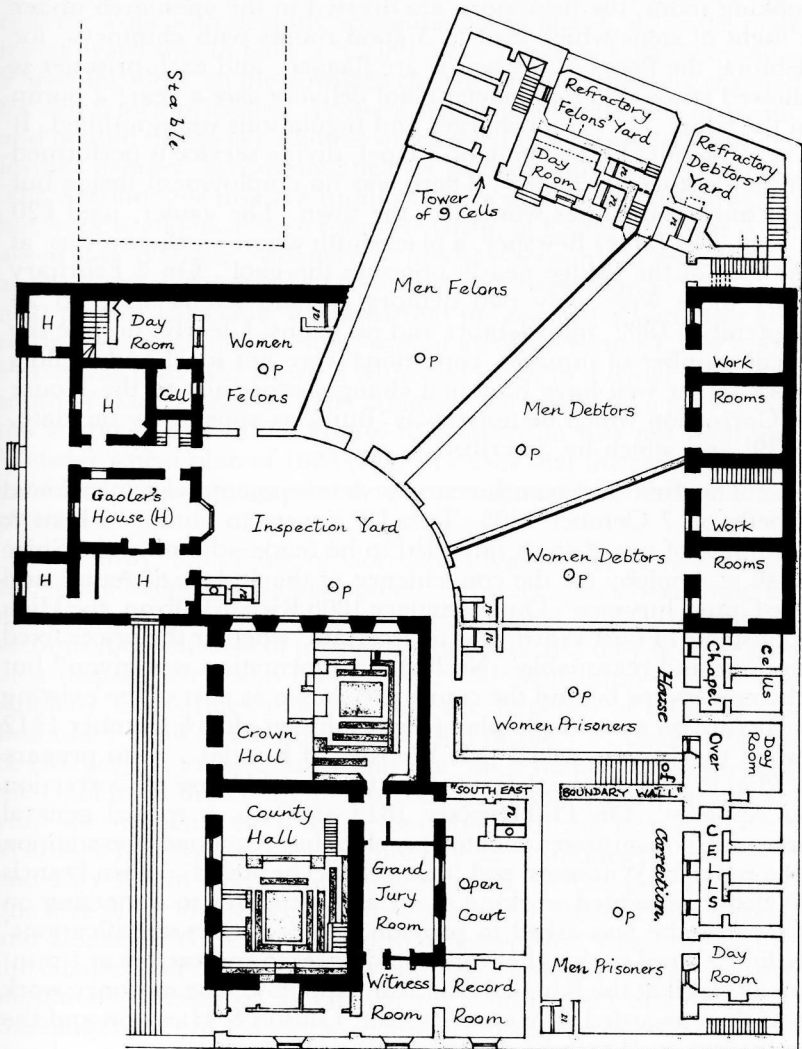
THE NINETEENTH CENTURY

In 1806 James Neild (1744–1814), a philanthropic jeweller interested in prison conditions, visited Cumbria and described Appleby gaol and others in the *Gentleman's Magazine*.⁴³ He noted that it was 'out of the reach of the floods, but the water overflows part of the court yard, which is 32 yards by 22 and, there being no other court, all descriptions of prisoners associate together in

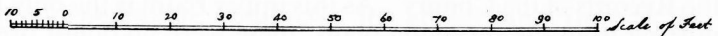
Fig. 7 (opposite)

Undated plan by Francis Webster of Kendal, showing previous buildings in black and additions uncoloured (pink on the original). The Quarter Sessions Order Book indicates that this was presented by the architect to a meeting on 28 April 1813, when the magistrates requested the addition of an upper record room, not shown on the surviving plan of the upper storey. The work south of the 'Boundary Wall' was not built. *Note:* The title and scale have been repositioned and the room functions indicated for clarity.

Source: C.R.O., Kendal, Appleby Gaol Plans (flat).



Ground Plan of the County Gaol at Appleby
with the proposed additions.



the day time'. He mentioned the '4 vaulted wards for felons, 14 feet 6 inches by 13 feet; a window in each, but no chimney; no cooking room, the provisions are dressed in the open arch under a flight of steps which lead to 3 good rooms with chimneys, for debtors; the floors of the wards are flagged; and each prisoner is allowed straw and 2 blankets; Gaol delivery *once* a year; a pump in the court . . .'. Gaol charges and regulations were outlined. It was clean but 'There being no chapel, divine service is performed in the debtors day room'. There was no employment inside but craftsmen sometimes worked in the town. The gaoler, paid £20 a year, was James Bewsher, a blacksmith whose workshop was 'at the foot of the bridge nearly opposite the gaol'. On 2 February 1801 there were only two debtors and no felons and, on 24 September 1802, four debtors and no felons. Clearly, despite the small number of inmates, conditions were not ideal and Neild's work might well have hastened changes especially to the House of Correction which he noted was 'Built, as appears by the date, 1639' and which he described.⁴⁴

The first nineteenth-century development was mentioned briefly on 7 October 1805. Two J.P.s were to obtain 'a Plan & Estimate of two Rooms intended to be made adjoining the Shire Hall at Appleby for the convenience of the Judges of Assize and the Grand Jurymen'. On 13 January 1806 Richard Dixon, the High Constable of East Ward, was to ascertain 'whether the prices fixed are fair and reasonable'. No further information was given⁴⁵ but the new rooms behind the courts are shown as part of the existing structure on an undated plan (Fig. 7) drawn after 6 October 1812 when the Justices asked 'Mr Webster of Kendal . . . to prepare a Plan to remedy the defects of the Gaol and House of Correction at Appleby'. On 11 February 1813 at Shap, a special general meeting of magistrates adopted his plan, but requested 'the addition of a room for Witnesses' and 'that a chapel be added'. When Francis Webster presented working plans and estimates to a meeting on 5 March, he was asked to provide 'more distinct specifications' before 5 April so that the work could be let to contractors at 1 p.m. on 28 April at the King's Head Inn, Appleby. The masonry work was then awarded to Messrs Proctor, Gibson & Harrison and the carpentry to 'Mr John Fisher of Kendal'.⁴⁶

Francis Webster was appointed Surveyor, with liberty to employ a superintendent acceptable to the committee. His plan was fully adopted subject to the provision of 'an additional Room above Stairs over the record Room for the like purpose of containing the Records of the County'. As this upper room is the only feature missing from the surviving plans, these were no doubt presented at that meeting. The main changes included demolition of most of the 1771 courtyard wall to allow three yards to radiate from a

curved inspection area behind the gaoler's house, not unlike the concept of Jeremy Bentham's 'Panopticon' design for reforming the layout of prisons.⁴⁷ The yards for debtors had Addison's four cells for work with sleeping accommodation above, while the male felons' yard was to have a 'Cell Tower 3 Stories high containing 9 Sleeping Cells' in the northern corner. Small yards were planned for refractory prisoners. Women felons were squeezed in beside and behind the gaoler's house which itself was converted from the former debtors' accommodation in Robert Fothergill's building. The Sessions records are uninformative about building progress but work would have been complete when, at Easter 1816, the court asked 'Mr Webster, Architect, to produce accounts of Expenditure at the Gaol at Appleby'. These have not been found. Webster's next plan of 1818 (Fig. 8) shows that the rooms for witnesses and records were built differently, so that an office for the Clerk of the Peace was provided above a witnesses room in a wider extension south of Daniel Benn's Court building. The same plan proves that the southern half of the House of Correction was not built and Webster's next plan of 1824 (Fig. 9) shows that the cell tower and yard for troublesome prisoners were transposed from their planned positions.

In 1813, the House of Correction was to have a new chapel above the sleeping cells for women and workrooms over those for men. Only the womens' quarters and the chapel, with its partitioned sections for each class of prisoner, were built and they became part of a dispute over who should pay.⁴⁸ At Midsummer 1816, the Appleby magistrates thought 'that the Expence of building the Boundary Wall at the South East End of the . . . Gaol ought to be charged . . . to the County' but that 'the 3 Inner Walls separating the Gaol from the House of Correction' (namely those round the yard for women), were the responsibility of the East and West Wards. These Wards were also to pay for 'building the two Cells and Day Room [for women] underneath the Chapel' and meet one fifth of the chapel's cost. However, the magistrates for Kendal and Lonsdale Wards proposed that, except for 'one fifth part of the Chapel', all the buildings within the south-east boundary wall should be considered as part of the county gaol and 'that the Buildings to be erected for the House of Correction' should be *outside* that boundary wall. As this was accepted, the area intended for the women's yard became part of the gaol.

As a result, on 30 March 1818, the Justices ordered 'that the Building of the House of Correction at Appleby be forthwith proceeded in according to the Plan exhibited this Day by Mr Webster and heretofore contracted for at the same time as the rebuilding of the Gaol was contracted for'. They ignored the fact that the new arrangement differed from the former version and

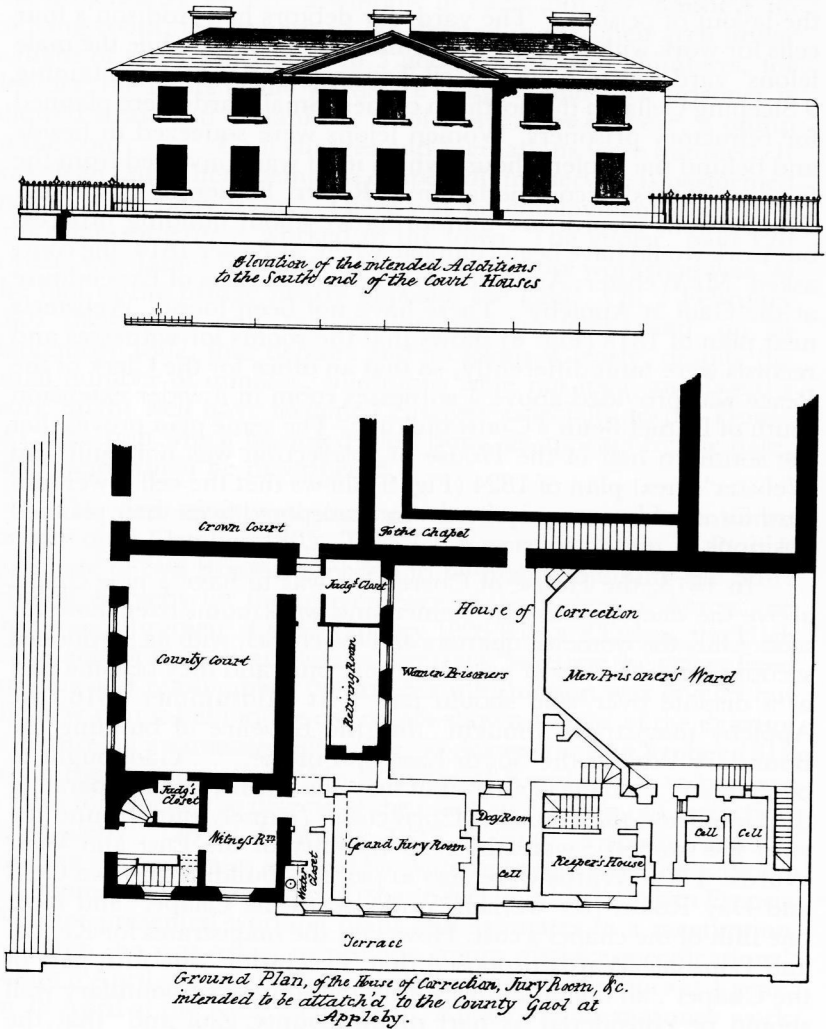


Fig. 8

Plan and elevation by Francis Webster for a new Jury Room and House of Correction at Appleby, dated on the reverse side 19 March 1818. The upper floor plan has been omitted. The previous buildings were shaded grey and the new work coloured pink. The Keeper's house and the cells were altered in 1824.

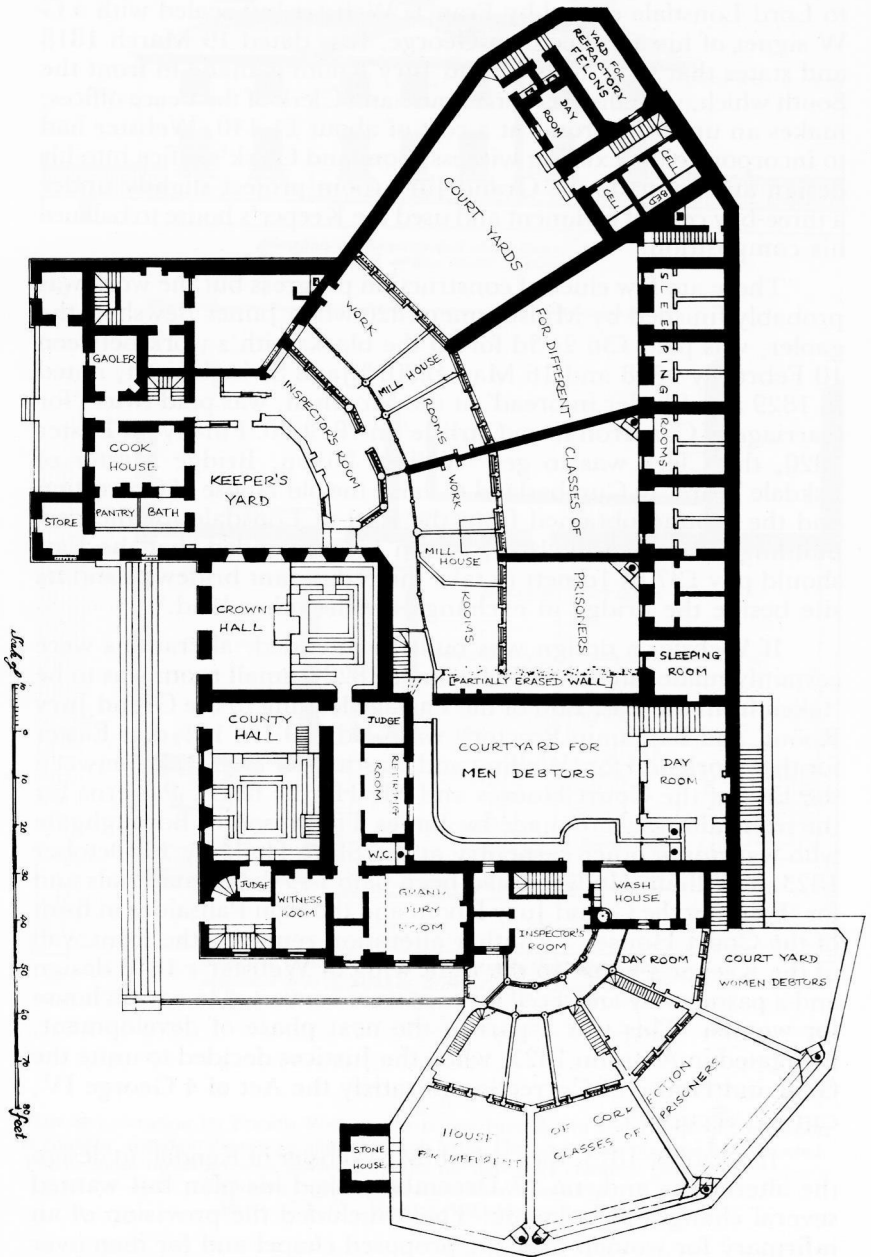
Source: C.R.O., Kendal, WD/Hoth, Box 39.

that quantities and estimates should also vary. The new plan is reproduced as Fig. 8. On its reverse side, the original has a letter to Lord Lonsdale signed by Francis Webster but sealed with a G W signet of his architect son George. It is dated 19 March 1818 and states that 'The New Grand Jury Room is made to front the South which, with the Keeper's house and Clerk of the Peace offices, makes an uniform Front' at a cost of about £1,140. Webster had to incorporate the existing witness room and Clerk's office into his design and so made the Grand Jury room project slightly under a three-bay central pediment and used the Keeper's house to balance his composition.

There are few clues of construction progress but the work was probably finished by Midsummer 1820 when James Bewsher, the gaoler, was paid £36 2s 3d for all the blacksmith's work between 10 February 1818 and 16 May 1820.⁴⁹ Jane Swinglehurst, noted in 1829 as a 'dealer in bread' at the Moothall, was paid twice 'for Carriage of Cast Iron from Carlisle' in 1819-20. Finally, at Easter 1820, the Clerk was to get 'William Nixon, Bridge Master of Eskdale Ward' in Cumberland to value the old House of Correction and the ground obtained from the Earl of Lonsdale for the new buildings. On 10 July 1820, Nixon recommended that the Earl should pay £37 6s 1d nett to take the redundant bridewell and its site beside the bridge in exchange for the other land.⁵⁰

If Webster's design was built as intended, alterations were certainly made later. At Michaelmas 1822 a small room was to be 'taken from the East End of the Passage leading to the Grand Jury Room' and Benjamin Proctor⁵¹ was paid £59 17s 11½d at Easter for that work and for 'Walling and Castings of Iron Rails between the End of the Court Houses and Mr Herd's field'. Patterns for the iron railings were made by James Thompson of Boroughgate who was doing other carpentry at the Shire Hall. By 13 October 1823, a William Hodgson had been paid £15 9s for materials and for 'Painting the Grand Jury Room and the Iron Palisades in front of the Court Houses'. Another alteration removed the front wall of the Keeper's house in the right wing of Webster's 1818 design and a passageway and a cell for men were converted to a wash house for women. This was a part of the next phase of development, instigated in Autumn 1823, when the Justices decided to unite the Gaol and House of Correction to satisfy the Act of 4 George IV, cap 64, section 5.

In October 1823, they asked 'Mr Webster of Kendal' to design the alterations and, on 17 December, liked his plan but wanted several changes to be made. These included the provision of an infirmary for women over the proposed chapel and for men over the debtors' day room. The cell next to the women's wash house



was to be eliminated. There was to be no door from the women's gaol to the street, but a passage was to be taken off the debtors' yard to allow the matron to get to the gaoler's house. A water pump was to be fixed in each yard and a room at the east end of the gaoler's house was to become the prison kitchen. Also 'Circular Iron railings with snap doors [were] to be appropriated for the two male Felons' day rooms according to the Plan at present used at Lancaster Castle'. The meeting passed 'a vote of thanks to Mr Higgin of Lancaster Castle for his willingness to offer information' on design details.⁵² In January 1824, Webster was to take his plans for both Appleby and the Kendal House of Correction to Lancaster to receive the Governor's advice.

On 12 July 1824, the Justices set up a committee to supervise the building and decided that an experienced stone mason living in Appleby and unconnected with the contractors should be Inspector of Works.⁵³ Webster was to present his plans in person on 22 July and provide specifications and estimates which divided the work into separate parts for letting to different workmen. Three lots were made up and, on 19 August, James Baines of Kendal was awarded the plumbing, glazing and painting work for all of them. For lot 1, the carpenter's work was let to F. Nicholson of Temple Sowerby, the masonry went to Messrs Gowlings 'according to their estimate' and the 'Iron work in that building' was let to John Mullard of Kendal.⁵⁴ Sadly, the identity and cost of each lot is not available and no specific information is given for the carpentry and masonry of lots 2 and 3. On 11 April 1825, Nicholson was paid £24 9s 0½d 'for Moulds [and] Binding Timber . . . as per Bill' and, on 21 May, George Robinson's tender for the 'Building of alterations and additions in the Gaol' was accepted. During 1826 these two men received £500 jointly and then, on 14 April 1828, Robinson had £87 'for the alterations in the Gaol' as if he might have taken lots 2 and 3. The only specific detail is that, on 14 July 1828, Robinson had £7 5s for 'walling up the front Door in the House of Correction and placing iron bars in the windows'.⁵⁵

On 11 July 1825, by mutual agreement, Mullard's contract for ironwork was rescinded in favour of a price of 2¾d per lb laid on site,⁵⁶ and Baines's plumbing contract was altered to 36s per

Fig. 9 (opposite)

Francis Webster's plan of 1824 for internal reorganisation of the Gaol and an extension southwards to create yards for the House of Correction. Both arrangements had yards radiating from a central inspection area rather like Jeremy Bentham's 'Panopticon'. The existing buildings in 1824 were shown in black. The labelling has been reworked for clarity.

Source: C.R.O., Kendal, Appleby Gaol Plans (flat).

cwt. Then, without explanation on 3 December, after Baines had received £20 on account, Thomas Walne of Kendal was given the plumbing at 32s per cwt and the glazing at 1s 6d per square foot, followed on 9 January by a contract to supply 'pumps at Forty shillings per Hundredweight'. On 10 July 1826, William Hodgson of Appleby was awarded the contract to paint the gaol for £20. To pay for the alterations, the Clerk was told to borrow £1,600 at 4¼ per cent on 18 October 1824. Then, on 13 November, a Mr Revely was paid £13 12s 10d for securing loans totalling £2,620 of which £1,500 was banked with Messrs Atkinson, Craig & Co (of Penrith) for the gaol work. In April 1826, £2,000 for the alterations was to be borrowed against the security of the county rates.

Finally, on 28 November 1828, the magistrates resolved 'That the Executors of the late Mr Francis Webster be paid Seventy pounds for [his] making Plans of the Gaol and House of Correction at Appleby as per bill of particulars'. This has not been found. Webster had died on 10 October 1827 and it is worth noting that, on 23 April 1830, William Coulthard (rather than George Webster) was paid £20 'for making Plans for alterations at Appleby Gaol & the House of Correction at Kendal'.⁵⁷ It is clear from Francis Webster's three commissions at Appleby and his other county work⁵⁸ that he was more than just the head of a firm relying on his son George's architectural skills as some writers have suggested.

The main features of Webster's third involvement at Appleby are seen on Fig. 9. In the gaol the Panopticon arrangement, already noted, was further developed by removing parts of the radiating walls and inserting four workrooms with vertical bars at the back and front so that observation was possible from an Inspector's room which had direct access from the Gaoler's house. The House of Correction yards, created in 1818, became the men debtors' yard. Women debtors were housed in one section of a new polygonal extension to the south in which three other sections made up the new House of Correction and radiated from the position of the former Keeper's house of 1818. This new structure bore even more resemblance to Bentham's Panopticon and suggests one of the sources for Webster's inspiration. This is important because it has been suggested that Bentham's ideas were ignored for nearly 150 years until used at the Stateville Penitentiary at Joliet near Chicago, USA.⁵⁹ Despite earlier objections to the use of a treadmill in such a small gaol as Appleby, on 9 January 1835, £384 16s 3d was paid to contractors for erecting a treadmill to lift water from the river Eden to the prison cistern, and George Robinson, the Bridgemaster, received £14 12s for drawing the plans.⁶⁰

The next major development was in response to the 1865 Prison Act which was to be implemented by 31 December 1866.⁶¹

On 19 October, the Justices appealed to Rt. Hon. S.H. Walpole, Secretary of State, pointing out that they had recently made expensive alterations to the gaols at Appleby and Kendal, that there were few prisoners (average 34, maximum 47) and that they had been without a County Surveyor since George Robinson retired (see note 55). That same day they elected Joseph Bintley of Kendal 'by a considerable majority' from a shortlist of three and he remained County Surveyor until 1919.⁶² By 30 March 1867, Bintley produced several plans to provide at Appleby fourteen cells for men and six for women without interfering with the chapel, treadmill or debtors' prison.

At Kendal before 17 October 1867, the prison committee met Captain Voules, a Government Inspector of Prisons, who demanded cells for thirty-six men and fourteen women plus other facilities. He stirred up a hornets' nest by recommending that Westmorland should use only Kendal prison because Appleby gaol was out of the way and was dominated by a hill behind. The majority of the committee regarded such a move as a preliminary to removing the Assizes and other county functions to Kendal. They claimed that it would be cheaper to adapt the gaol at Appleby and, on 23 November 1867, sent plans and estimates to the Home Office. Thus, on 2 January 1868, Kendal's magistrates gave notice that they would attend the next Sessions at Appleby to express 'the strong feeling that prevails on this side of the County on . . . the proposed closing of the Gaol at Kendal'. They pointed out that Appleby detained only eight men and no women compared to Kendal's 29 men and four women. Then a letter from Adolphus Liddell, Inspector of Prisons, claimed that Appleby Gaol was liable to flooding and had few trains to the more populous south of the county where committals were almost six times as numerous.⁶³ He objected to prisoners having access to the Governor's house, to the women's infirmary being sited over the laundry and the men's over the refractory cells. He suggested that more thought was required before spending £4,600 at Appleby. A letter was sent on 22 January refuting the flooding and railway allegations, but the Mayor and Burgesses of Kendal, who had been refused sight of the Inspector's correspondence by the Clerk of the Peace, applied for a Writ of Certiorari.⁶⁴ Liddell then complained that the cells lacked heating, lighting and ventilation, were damp and had no means of communication with the gaoler. There was inadequate work supervision and no hard labour classes. He threatened to stop Treasury funds if an adequate explanation was not given.

On 9 April 1868, the County Surveyor claimed £31 19s 6d to pay for outside assistance because his office could not cope with the work load of preparing all the plans for Appleby gaol. None of these plans has been found however. From October 1870 to July

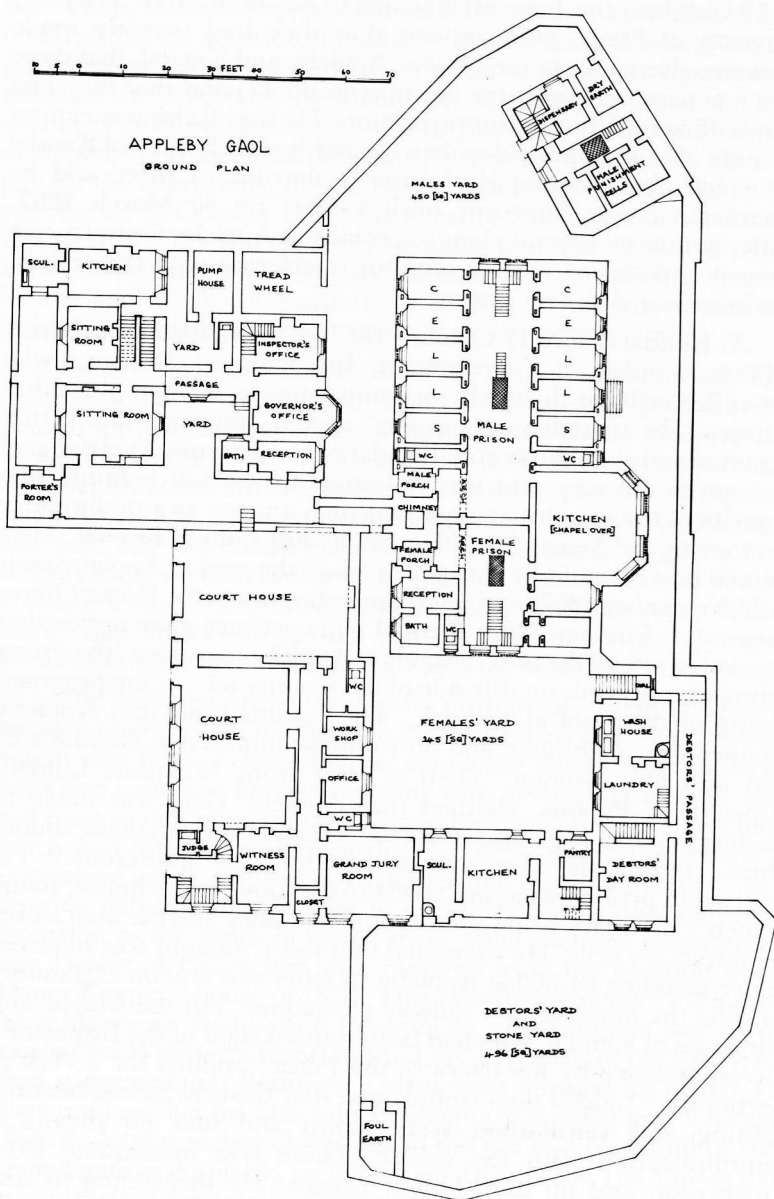
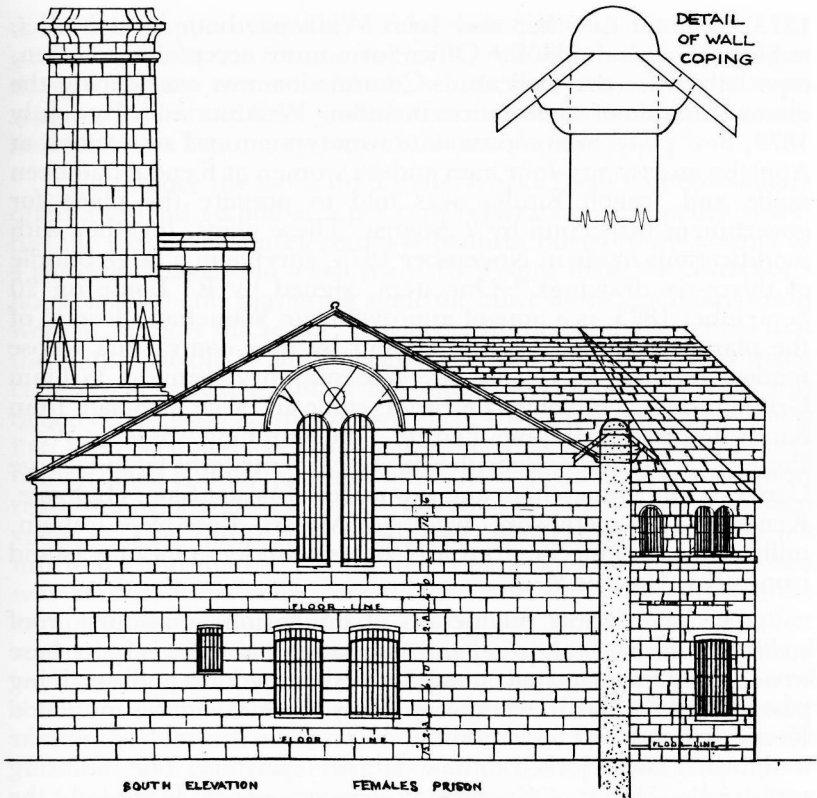


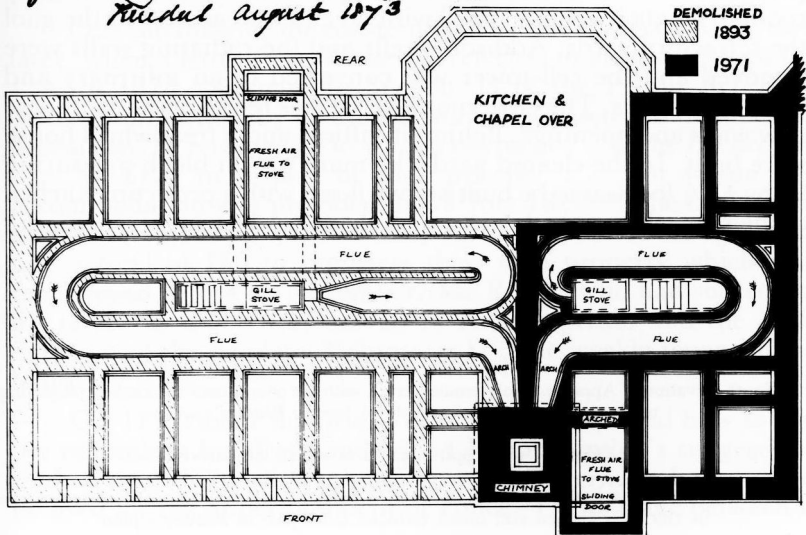
Fig. 10

Appleby Gaol; ground plan, 1873. Redrawn from one of many drawings prepared by Joseph Bintley. For clarity, dimensions have been omitted.
(C.R.O., Kendal, Plans, bundle 8.)



SOUTH ELEVATION FEMALES PRISON

Joseph Britton, Architect & Trusty Surveyor
London August 1873



1873, William Lowther and John Whitwell, both local M.P.s, negotiated with the Home Office for a more acceptable solution, especially since the Judicature Commission was considering the discontinuation of some assizes including Westmorland. By 4 July 1873, new plans to accommodate twenty men and six women at Appleby and twenty-four men and six women at Kendal had been made and Joseph Bintley was told to prepare the plans for government inspection by 2 August. These plans, together with modifications made in November 1873, survive in a large bundle of thirty-six drawings.⁶⁵ One item, signed by R. Louie on 20 September 1873, is a note of approval from Whitehall. Several of the plans are signed by Bintley and by four contractors whose tenders totalled £5,146 0s 6d. The masonry went to William Grisenthwaite, a building contractor, stone and slate merchant from Sandgate Head, Fell Lane, Penrith. The plumbing was let to W.C. Porter of 1 Sandgate, Penrith and the carpentry was let to George Carter, a timber merchant and saw miller of Water Side, Highgate, Kendal. The metalwork went to Messrs Lees & Graham, millwrights, engineers, iron and brass founders of Long Island ironworks, Carlisle.⁶⁶

The plans show full details of dimensions, masonry, roof structure, ironwork, heating and ventilation but there is space here to note only the principal changes. The court rooms and surviving part of Webster's 1818 work were barely touched, but his mutilated Keeper's house was now rebuilt flush with the central bay to make a matron's house joined to new debtors' quarters. The radiating walls in the House of Correction were stripped to leave only the polygonal boundary wall which was squared-off to the Grand Jury room to create a debtors' yard with no external access. In the gaol the refractory yards, Addison's cells and the radiating walls were removed and the cell tower was converted to an infirmary and punishment cells. The Governor's house was reorganized with some new walls and openings. Behind it, offices and a treadwheel house were built. In the cleared yard, the main prison block measuring 97 by 47½ feet was to be built on two floors with a projecting kitchen at the rear, above which was a new chapel. A basement containing

Fig. 11 (previous page)

(a) South elevation of Appleby Gaol (females' end), with the chapel over the kitchen projecting to the right. A typical sample of Joseph Bintley's work.

(b) Detail of wall coping, parts of which still survive.

(c) The heating system in the basement of the 1873 cell block affected the extent of demolition in 1893. Re-drawn and much reduced from part of Bintley's plan.

the heating apparatus (Fig. 11) provides the explanation for the gaol's layout on the Ordnance Survey 1:2500 plan of 1899. That shows only the women's block, which had been designed with separate boiler and flues leading to a chimney which was the only link with the heating system of the men's cells.

To finance the work the Public Works Loan Commissioners offered to lend £6,000 at 5 per cent repayable over twenty years, but the magistrates preferred a debenture raised in the county at 4 per cent repayable in seven years. By 9 April 1874, the Governor's house needed only plastering while the office block and main prison were at window sill height. However, Bintley had discovered that the nature of the ground necessitated deeper foundations using concrete at an extra cost of £175 and Grisenthwaite's work was delayed 'for want of ironwork'. By 2 July the Governor's house had been occupied for some weeks, the office and treadwheel were being roofed and the masonry of the main prison block was almost ready for roof timbers. By 22 October £2,785 12s 1d had been spent.⁶⁷ The office was ready for plastering, the women's infirmary and matron's wing were being slated, the main prison was roofed, most cells were flagged and the smoke flues were complete. Frost caused delays in January and the iron supplier seemed 'determined to cause all the delay he can'. Bintley had 'had nothing but trouble with him since the commencement' and therefore obtained the remaining ironwork from Messrs Winder of Kendal at short notice. Except for a 'new steam boiler for the Kitchen', the gaol committee pronounced the buildings complete on 1 July 1875, the prisoners having been housed at Kendal during the rebuilding work.⁶⁸

One can imagine the consternation caused less than three years later, when a letter from Whitehall referred to an order issued on 1 April 1878 'pursuant to Section 33 of the Prison Act 1877 discontinuing Appleby County Prison'. It advised blandly that the prison can 'be reconveyed to you on payment . . . to the Exchequer . . . of £120 in respect of each prisoner . . . for whom cell accommodation was provided on 12 July 1877'.⁶⁹ The committee argued that nothing was due and, on 17 October 1878, agreed to pay a total of £60 to repossess their own property which was reconveyed before 30 November. Mr Ridge, who had succeeded his father as Governor, moved to Kendal prison and the Drill Sergeant of the Appleby Volunteers became weekly tenant of his house.

On 17 October the prison committee considered how to use the redundant buildings and added Joseph Bintley's suggestions to their own. With slight alterations, the Governor's house could be used for the Superintendent of Police. The passage between it

and the prison office, together with the pump house, was to be turned into a yard. The office block behind could be made into a house for the Sergeant of Militia by converting the treadwheel house into a kitchen and pantry and the Inspector's office into a sitting room with bedrooms above. An undated plan on the same yellowed tracing film as the gaol alterations has survived for this scheme. The men's infirmary could become a coach house and the punishment cells a stable and harness room. These changes are confirmed by later plans. The buildings and yard of the debtors' prison were wanted by the East Ward Guardians as vagrant wards⁷⁰ and the matron's house could accommodate a constable in charge of them. The women's prison of six cells was considered sufficient for those on short remand or awaiting trial at the Assizes. Bintley thought that all the alterations would cost no more than £300, that the police station would sell for more than that and the rest of the property could then be rented out towards the county's debenture debt.⁷¹ The men's prison and the kitchen and chapel were left to 'be let for any purpose that turns up' but they must have been an unattractive proposition and remained unused.

On 12 May 1893, Joseph Bintley reported that the rear wall of the police officer's house was made damp by a faulty lead gutter and by the porous, sandstone-flag canopy which had been installed to prevent prisoners from escaping over the wall (Fig. 11). In addition the prison block towered above the house only 15ft 6in away and he recommended the flagstones to be removed, the house roof to be extended over the wall, the male prison to be 'removed as far as the chimney' and the yard thrown open. He estimated that the materials were worth about £200 and would more than pay for the work. On 29 July, the Main Roads Committee received four tenders for the old materials, based on prices for 'removal at once' and on the advantage of stacking them on site for a year while the contractor found another use for them as follows:

		Remove at once		Stack for a year			
James Bland	Appleby	220	5	0	230	10	0
John Robinson	Appleby	210	0	0	225	0	0
Wm Grisenthwaite	Penrith	180	0	0			
John Sewell Rigg	Appleby	221	6	6	236	6	6

Is it possible that Grisenthwaite's uncompetitive tender resulted from reluctance to tear down his own creation of twenty years earlier? J.S. Rigg also offered £1 each for three plated doors and was awarded the contract at his higher tender. The committee imposed conditions on protection of county council property, making good the buildings left standing and on the storage of materials. The agreement was approved by the Council on 1 September and by 7 November demolition was proceeding well.

Later changes can be outlined from county council minutes and surviving plans (see note 65). In 1911, Joseph Bintley produced plans to adapt the court house for Petty Sessions purposes which required the levels of various floor areas to be changed. Next, on 20 May 1919, the East Ward Guardians gave three months notice to quit their premises behind the court buildings. The county council considered making them into five police houses but the Chief Constable rejected them as 'absolutely unsuitable'. By March 1920, the county's Main Roads Committee expressed interest in taking the premises as a plant depot for their northern division, using the former matron's house as accommodation for their Main Roads Superintendent, a Mr M.R. Dowson. With permission to erect sheds and workshops, they would make all alterations at their own expense, pay £30 a year for the yard and £18 a year for the house. The new County Surveyor, Charles E. Hines, drew up a detailed specification and six plans, including details of timber roof trusses to span the southern part of the yard. Further plans are less interesting.⁷²

To conclude, brief reference should be made to modern plans, still in the County Architect's office at Kendal, which offer details of changes made in September 1961 and August 1971.⁷³ In 1961 an office for the Weights and Measures Department and a new medical clinic were erected against the rear wall of the old prison yard. These stood between the cell tower in the northern corner (then used as a police dog house) and the main cell block, formerly the women's prison which survived the 1893 demolition. In 1971 all four of these buildings were demolished together with the constable's house, formerly the offices behind Robert Fothergill's original building. Sadly, the last was considerably altered by internal rearrangement and by the demolition of both side pavillions and their rebuilding on a new line with new archways. Only the superficial appearance of the former Governor's house was retained therefore. Behind it, projecting over 23 metres into the large cleared yard, a new wing of police offices, cells and ancillary rooms was erected on two floors (Fig. 1). In the north corner of the yard a new store and dog kennel unit was built and the boundary wall between it and the northern pavillion was reduced in height. The rear boundary wall was rebuilt in reused stone to a height of two metres as far as the passageway behind the former vagrant ward.

Although incompleteness of the official records and lack of space have limited the amount of detail in this article, it has been possible to trace the development of the gaol and law court buildings at Appleby since both facilities were moved from the castle in 1659. The frequency with which alterations were made suggests that forward planning was a persistent problem. One cause lay in attempts to curtail public expenditure. This produced stop-gap

solutions which made ambitious projects like that of Robert Adam unacceptable and perhaps increased the cost of later schemes. Clear changes in social attitudes towards the conditions under which prisoners were confined also created uncertainty, while regulation by central government seems to have caused increased havoc. Many other problems of organization, finance and contract variations are well shown.

Amongst the new facts to be revealed, there is tantalizingly incomplete evidence that a decrepit Shire Hall, probably in Boroughgate, survived until 1786 and must have been used for courts from 1659 until the town's Moothall provided more desirable accommodation for a century after 1673. Attention must be drawn also to Francis Webster's adaptation of the latest ideas on prison design for his gaol alterations in 1813. This offers an opportunity to examine the quality of his work before his better-known son George, then aged only sixteen, could have had any influence on his architectural ideas or output.⁷⁴ The payment of William Coulthart for gaol plans in 1830 raises interesting questions about his early career and contact with the Websters. Further research on these discoveries and on the careers of several little-known Cumbrian builders and craftsmen, discussed in this article, will be required if the evolution of the building industry in Cumbria is to be as well understood as it deserves.

Acknowledgements

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Notes and References

1. This introduction summarizes pertinent facts from M.W. Holdgate, *A History of Appleby*, 1956 (Appleby).
2. By marriage, the title of Hereditary Sheriff passed to the Clifford family and then, following the death of Lady Anne Clifford in 1676, to the Earls of Thanet (Tufton family). The Barony or 'Bottom' of Westmorland comprised the East and West Wards and formed the northern half of the county in which the Barony of Kendal was the southern portion and vied for dominance for centuries.
3. Joseph Nicolson and Richard Burn, *History and Antiquities of . . . Westmorland & Cumberland*, 1777 (2 vols), I, xvi and 319.
4. Roughly 'The open gate is not closed to honest men'.
5. Houses of Correction were used by magistrates to discourage idleness, vagrancy and poverty, whereas County Gaols housed criminals awaiting trial or sentenced by the Assizes and were operated by the Sheriff on behalf of the King. Sydney and Beatrice Webb, *English Prisons under Local Government*, 1963, 1-4 & 12-13.
6. The QS Order Books for Kendal start in 1669 and for Appleby in 1675. QS Rolls start in 1726. Cumbria Record Office (C.R.O.) Kendal, WQ/O, WQ/SR respectively.
7. Namely 1672, 1690, 1691, 1693, 1701, 1709, 1710, 1714, 1720, 1721, 1722, 1727.
8. Fletcher Norton (1716-89) was Attorney-general from 16 December 1763 until the formation of the Rockingham administration in July 1765. He became a barrister in 1739, was elected MP for Appleby in 1754 and survived the resulting dispute. Elected MP for Wigan in 1761, he was knighted and made Solicitor-general on 25 January 1762, elected Speaker 1774 and created Baron Grantley in April 1782. James Wallace (1729-83) became a barrister in 1761. In 1767 he married Elizabeth Simpson of Carleton Hall, Penrith. As MP for Horsham from 1770-83, he became Solicitor-general 1778-80 and Attorney-general 1780-82.
9. Detail about the House of Correction is just as disappointing. On 22 October 1701, two J.P.s were 'to view & give an Estimate of the Charges John Mounsey late keeper of the House of Correction . . . laid forth for . . . a Convenient Stable adjoining . . .' and at Michaelmas 1706 his successor John Newton asked for the 50s a year which had been stopped from his pay to be reinstated now that the stable's cost of £6 4s had been paid off. At Easter 1714 Newton again claimed 'it is very ruinous and in decay' and that the master had 'noe Conveniencies to imploy the persons committed to his charge . . . and keep them to hard labour . . . nor any Convenient place to lye his Materialls necessary for that service'. He was ordered to get workmen to make an estimate of the expense.
10. 'The charge of Building the Farmhouse, Barn & Byar in Southfield this year [1694] with all the Materialls & Workmanship . . . (Timber onely Excepted)' was £80. C.R.O., Kendal, WD/Hoth, box 23. Let to Edward Wilson for £92 a year, this demesne farm stood 1½ miles SSE of Appleby. The present house was built in 1791 and the older house, about 50 yards to the south was demolished a few years ago.
11. He inherited the inn from his father John and left it to his son John. C.R.O., Carlisle, D/Lons/L, Election, Appleby 1754, box 1, 'Brief of Titles'.
12. C.R.O., Kendal, WD/TE, Bound Mss, I, 146.
13. East Ward's rateable value was £871. 16s raising £3 12s 7d per 1d rate and West Ward's value was £620, raising £2 11s 8d per 1d rate (fly-leaves of QS Order Books 1724-37 & 1770-80). A 1d rate in Kendal Ward raised £4 4s 7¼d.
14. C.R.O., Kendal, WD/TE, Bound Mss, I, 222-224.
15. In December 1717, Rowland Hodgson had been paid for 'gitting Chimney Stones' and in 1718 for 'gitting 29 yds flags [tones] 6d each' for the Red House in Appleby. B. Tyson, 'Two Appleby Houses in the 18th Century', Cumberland and Westmorland Antiquarian and Archaeological Society (CWAASoc), *Transactions*, lxxxv, 196, 198.
16. Riffin = ridging; speeled (not in *O.E.D.*) = cleaned of old mortar presumably; chacks (not in *O.E.D.*) = cheeks of fireplace; sleeper = beam.
17. A further document (WD/TE, I, 257) is a receipted bill for £1 6s 9d paid to Richard Waistell for iron bars, nails and workmanship between 19 January 1719 and 5 July 1720, apparently for strengthening doors and windows. Waistell had supplied '1 Kaisment, 41lbs wt at 5d', a 'Reckon Krook' and 'one Scraper for shous' to the Red House in Boroughgate in 1718 and also mended grates and hinges there.
18. On 7 October 1765, they decided eventually that it was 'improper to confine the prisoners with safety and . . . Humanity and must be totally rebuilt together with the Court House'. The Clerk was to start a subscription list.

19. R.C. Smith, 'Robert Adam's Drawings for Appleby', CWAASoc., *Transactions*, lxii, 304-322. The drawings are at the University's School of Fine Arts library.
20. Sir James Lowther (1736-1802) was son of Robert Lowther of Maulds Meaburn and was created Earl of Lonsdale in 1784. He inherited Lowther Hall in 1751 and the Whitehaven estates in 1755. Adam's plans were largely executed at Whitehaven but only partly so at Lowther Village. R.W. Brunskill, 'Lowther Village and Robert Adam', *Transactions of the Ancient Monuments Society* 14, 57-73; B. Tyson, '... Flatt Hall ...', *ibid.*, 28, 61-63.
21. On 21 February 1721, Francis Harrison had 'All that . . . Burgage Garth called . . . Entry Garth next adjoining to the House of Correction on the North and [to] the Close late John Machell's on the South side' conveyed to him from his father. This was therefore plot 220 on the 1754 map of Appleby (Fig 3). It was sold to Thomas Heelis, the Earl of Thanet's agent, on 10 September 1767. Eleven other plots at Howgate Foot were sold by Harrison to the Lowthers before 1754. C.R.O., Kendal, WD/Hoth, Box 6. 'A list of the Earl of Thanet's Burgages . . . in Appleby', 1789. C.R.O. Carlisle, D/Lons/L, Election, Appleby 1754, box 1, 'Brief of Titles'.
22. We are told here that it had been 'usual heretofore for one of the Judges of Assize to sit in the Moothall . . . and for the Courts of Sessions to be held therein by the permission of the Mayor', presumably because the old court house was unfit for use. As the new court house would answer 'all the purposes of a moothall', the mayor was to be asked if the borough would bear a proportion of the cost of the new building. The suggestion was rejected.
23. For example C.R.O., Kendal, WQ/SR 360/10, 360/11, 364/24, 371/3, 373/26.
24. This statement is ambiguous since one cannot be sure whether the plan was to rebuild the old Crown Court end of the dilapidated old Courthouse (hence the Sessions' and Judges' use of the Borough's Moothall), or rebuild the end next to the *Old Crown Inn*. The latter, recorded in Parson & White's *Directory* in 1829 stood in Boroughgate, probably on the site of the *Crown & Punchbowl Inn* which first appeared in Mannex's *Directory* of 1851. The *Crown & Cushion*, *Crown & Mitre* and *Crown & Thistle* all appear in both directories. By comparing the position of the *Crown & Punchbowl* on the O.S. 1:500 plan (1860) with the 1754 Election Map, the old Shire Hall probably occupied burgage 81 midway between High Wiend and the Moothall. I have failed to find a more probable position.
25. Locks were supplied on 8 April 1772 by Messrs Everton, Ruffy & Hayes of Birmingham to Thomas Yarc, an Appleby ironmonger. They comprised:
- | | | |
|--|------|-----------|
| 2 large double bolted pad Locks hard shackles strong warded | No 1 | 11s |
| 2 larger ditto | No 2 | 15s |
| 2 11 Inches fine Stock Locks screwed & barred large keys full warded | | 18s |
| 2 14 Inches ditto | | 36s |
| | | a Case 1s |
- Fothergill's letter is at C.R.O., Kendal, WQ/SR, 366/31.
26. Apparently done by John Percevell (variously spelt) whose bill for 'Work Done on ye foreside of the Gale . . .' is dated 26 June 1772 and includes 'Walling the Brest & filling up', '76 yds of Pavement at 6d per yd' and 'Stones at the Place unpaved'. Percival probably lived at Bongate, Appleby and carried out repairs to the stable at the House of Correction following a great flood on 16 November 1771. C.R.O., Kendal, WQ/SR 371/3, 373/16, 369/14; WQ/O, Epi. 1772. On 3 October 1774 the High Constables were ordered to 'pay unto Robert Sewell 15s 8d for Hewn Stone for Steps for the New Gaol and Carriage thereof in 1772'.
27. C.R.O., Kendal, WD/Hoth, box 6, 'A List of the Earl of Thanet's Burgages in Appleby' dated 4 May 1789. The Thanet burgage-numbering system differs from that of the Lowthers so that burgage descriptions have to be compared.
28. C.R.O., Carlisle, D/Lons/W, Accounts, Whitehaven Castle, 'Masons and Labourers A/c Book'. This was the work designed by Robert Adam in 1766 (see note 20).
29. On 9 September 1777, the High Constables were ordered to give the Clerk of the Peace (John Nicholson who died 28 March 1778 aged 55) £140 1s 8d to pay 'Mr Barwell to discharge his Bill of Expences for obtaining the Act of Parliament . . .' (i.e. 17 Geo 3, c54, Local Acts, 1776). Also £5 12s 6d was paid 'to Messrs Baynes and Greene . . . for their Trouble relating to obtaining the said Act'.
30. C.R.O., Kendal, WQ/SR, 377/7.
31. C.R.O., Kendal, WQ/SR 388/23 (Addison); 388/22 (Bellas); 404/22 (Bewsher).
32. B. Tyson, 'Skirwith Hall and Wilton Tenement . . . the Rebuilding of Two Cumbrian Farmsteads in the 18th Century', CWAASoc., *Transactions*, lxxxii, esp. p.106.

33. Spar = rafter; footing beam = tie-beam; blade = principal rafter; rib = purlin (O.E.D.). Easetrees were probably like king posts.
34. At 16 inch centres, either thirteen 16ft joists per cell longitudinally, or eleven 17¾ft joists per cell across the building.
35. On 6 October, Bewsher was ordered to pay the larger sum 'forthwith' to John Bowness 'the youger of Raisbeck', Orton, 'One of his Majesty's Coroners' and, until Easter 1779, High Constable of the county's East Ward. Henry Holme of Barnskew was his West Ward counterpart. Their salaries were £3 10s and £4 respectively.
36. C.R.O., Kendal, WD/Hoth, box 51, 'Release of Old Gaol in Appleby'.
37. Later called the Crown Court and Nisi Prius (or County Court) respectively.
38. H.M. Colvin, *Biographical Dictionary of British Architects 1660-1840*, 1978, 106.
39. His son Lancelot was baptized on 28 August 1759, but his first wife Mary was buried on 16 August 1763, the same day as their daughter Isabel was baptized. His brother Lancelot seems to have been a publican at Appleby, *Universal British Directory*, 1790.
40. C.R.O., Kendal, WQ/SR 432/17.
41. W. Parson & W. White, *Directory . . . of Cumberland & Westmorland*, 1829, 521. They noted that a new House of Correction was added to the gaol about 15 years earlier 'since which the two old and small prisons at the Bridge-ends have been used as private dwelling-houses'. With six wards for males and four for females, the new prison could accommodate 53 inmates though it rarely held more than 25. The Crown and Nisi Prius Courts were said to be too small.
42. Previously, at Michaelmas 1773, the same site and materials had been sold for £105 to Edward Wilson, probably a magistrate, but nothing came of it.
43. 'Mr Neild's Remarks on Appleby &c Gaols', *Gentleman's Magazine*, 76, i, 102-104.
44. It comprised '2 cells 23 feet by 8 with vaulted roofs; straw on the floor: No light or air but what is admitted by an aperture of 12 inches by 4; subject to the floods. One large room up stairs, insecure . . . No court yard. No water accessible to prisoners. . . Prison very dirty, but it appears little used. Prisoners, 24 September 1802; 2 lunatics'.
45. The Order Book for 1798-1811 is missing. Some information has been obtained from the Clerk's minute books, but that for 1806-07 is missing. On 9 July 1810 the 'Prisoners Box' in the Crown Court was to be reduced in size and height and, on 14 January 1811, £7 3s 0d was to be paid to 'John Wallace, Stone Mason, for taking down and rebuilding the Stairs to the Debtors Room' etc.
46. In Parson & White's *Directory* (1829) John Fisher, joiner, is listed at Mount Pleasant, Beast Bank, Kendal while Messrs Gibson & Harrison are shown as stone masons of New Road, Kendal. Perhaps Webster preferred men he already knew. Both contractors received £50 on account at Midsummer 1817.
47. Jeremy Bentham (1748-1832), philosopher, economist and a pioneer of prison reform, developed his brother Samuel's idea for supervising labour in Russian factories near St Petersburg. The Panopticon comprised 'a circular, glass-roofed, tank-like structure with cells along the external wall facing toward a central rotunda' from which officers could keep all the inmates under constant surveillance. The British government did not adopt his scheme and paid him £23,000 compensation in 1813, ironically the very year in which remote Appleby thought fit to adapt it. *Encyclopaedia Britannica*, (1969) iii, 485; xviii, 557 and *D.N.B.*, ii, 271b. Much later some American gaols took up the idea.
48. The gaol was financed by an appeal in the *Westmorland Advertiser* for up to £2,000 in loans of £50 to £100. On 3 February 1814, four J.P.s, W.W. Carus Wilson of Casterton Hall; Christopher Wilson of Abbot hall, Kendal; T.H. Maude, Kendal and Rev Wm Barton of Windermere each loaned £100 while Edmund Thompson of Ulthwaite (Hugill, nr Kendal), a slate merchant, loaned £500 in £100 units. No other investors have been identified.
49. At Michaelmas 1817 he had £161 18s 3d for 'his Bill for Iron Work in the Gaol' and a further £14 4s 7d from then until 8 May 1820, also for the gaol. When gaol fees were abolished by the Act of 55 George III, Bewsher was given £18 for one year's compensation at Midsummer 1816. On 30 April 1824 he was given a pension of £20 a year and in 1829 was described as 'gentleman' of Bongate.
50. Summary of Nixon's valuation:
- | | | |
|--|-------------|-------------|
| Old House of Correction and garden ground sold to Rt Hon William, Earl of Lonsdale for | £130 10s 6d | |
| Value of land for new House of Correction | | £ 34 9s 0d |
| Ditto for Gaol and Court Houses | | £ 58 15s 5d |
| Difference of value in the exchange to be paid by the Earl of Lonsdale | | £ 37 6s 1d |

51. Proctor also had £10 for superintending the erection of a temporary wooden bridge at Temple Sowerby after a flood and for taking it down and placing it in Lots for sale once the new bridge had been completed by Messrs Laverick, Gowling & Co for £3,495 4s in 1822. Proctor also supervised the repair of Horseman and Cowdale bridges in 1825.
52. John Higgin, senior, and his son Thomas were both Governors on a joint salary of £1000 a year. E. Baines, *Directory of County . . . of Lancaster*, 1825, ii, 17 & 33.
53. On 10 July 1826, 'Isaac Sanderson, Bridge Master' was paid £28 7s for inspecting the Gaol and House of Correction at Appleby and more on 8 January 1826. He succeeded William Sanderson of Skipprigg (appointed March 1822) as Bridgemaster on 15 July 1825 but his widow Ann was paid his quarter's salary on 14 Jan 1828.
54. Mullard, an iron merchant, nail maker and whitesmith and Baines, a painter and glazier, were both of Collin Croft, Kendal. Francis Nicholson was a joiner, wheelwright and timber dealer. Parson & White, *Directory*, 1829, 556, 664-8.
55. At Easter 1830, George Robinson had £20 0s 4d for slate and roofing part of the House of Correction and from 1828 was Bridgemaster for the East and West Wards with a salary of £37 a year. In January 1837 he was appointed County Bridge Surveyor and sought retirement on 6 July 1866 on the grounds of advanced age. He then received £80 a year as supernumary Bridgemaster under Joseph Bintley.
56. On 8 January 1827, Mullard was paid £89 7s 6½d, the balance of his account. He had already received £280 in three instalments.
57. H.M. Colvin, *Biographical Dictionary of British Architects*, 1978, 236 identifies Coulthart as practising in Lancaster in the 1820s and later moved to Leamington Spa. In view of his work at Levens in 1823-4 and the inclusion of his Halton Rectory (near Lancaster) in an album compiled by George Webster, it seems possible that Coulthart learned his architecture from Francis Webster. He was not listed in Baine's *Directory of County . . . of Lancaster* in 1825.
58. Webster's other work for Westmorland included: 19 July 1817—Plan for 'Alterations in the . . . Town Hall, Kendal for the better Accommodation of the Bench and the Bar at the Sessions'; 31 July 1817 & Easter 1819—Plans for 'Alterations to House of Correction in Kendal'; Easter 1818—View Soulbey bridge, 2 miles NW of Kirkby Stephen, make a plan and report by 2 May whether it should be repaired or rebuilt. On 21 November Webster was to prepare specifications for rebuilding; Easter 1819—Webster to inspect the roof of the Crown Court at Appleby, give his opinion and the likely cost of repairs; January 1824—Plans of House of Correction at Kendal, similarly January 1825; 13 & 26 January 1826—A committee 'in conjunction with Mr Webster, Architect' to examine Kitts How bridge at Fawcett Forest (NY 548 019) and Hucks bridge (alias High Borrow bridge NY 550 040) with regard to rebuilding. However, the Heron Syke Turnpike trustees asked 'Mr McAdam' to make a plan and estimate for a new road to avoid Hucks Hill and the cost of resurfacing the bridge.
59. Illustration in *Encyclopaedia Britannica*, xviii, 557.
60. In November and December 1823, the magistrates recorded admiration for the tread wheel working a cornmill at Brixton Gaol, but considered it inappropriate where 'the number of prisoners confined to hard labour is small'. Thus they paid £2 2s to a 'Mr Ferguson for the trouble & expence of preparing a Model of a treadmill' and decided to investigate a 'Species of Hand Mills of Steel'. In April 1824 they paid £39 1s to 'the London Portable Mill Company, 109 Cheapside, for Two Patent Corn Mills for the House of Correction in Kendal' but did not record any for Appleby.
61. See Order Book, 3 July 1873.
62. The other candidates were Charles J. Ferguson of Carlisle and John Fleming of Ambleside. On 11 January 1867, Bintley presented plans, sections and elevations for a house of Correction at Kendal to accommodate 30 men and 10 women, with warming and ventilation according to Walker's method and costing £1791.
- 63.
- | | 1863 | 1864 | 1865 | 1866 | 1867 | Total | |
|---------|------|------|------|------|------|-------|------------------------|
| Appleby | 47 | 61 | 55 | 58 | 62 | 283 | Committed
to prison |
| Kendal | 311 | 320 | 350 | 348 | 339 | 1668 | |
64. That the Queen's Bench in Westminster should adjudge the case because they could not get justice in the lower court.
65. C.R.O., Kendal, Unclassified plans known as 'Bundle 8' and comprising seven rolls which include plans of later schemes in 1878, 1911, 1920, 1928, 1934 and 1935.
66. Details from Kelly's *Directory of Cumberland & Westmorland*, 1873. William Grisenthwaite, who died in September 1908, fulfilled many local contracts including the rebuilding of Appleby bridge in 1888, where he was almost killed.

67. On 7 January 1875 the County Treasurer presented the gaol account to date:

	£	s	d
Borrowed and paid into bank £5,600, plus interest £17 11s	5617	11	0
Payments: Messrs Grisenthwaite, masons	2735	12	1
Mr Carter, carpenter	550	0	0
Mr Lees, ironwork	150	0	0
Mr Bintley	87	17	6
Waterlow & Son (for debentures)	23	10	0
Mr Cory	16	16	0
Advertising	15	3	0
Balance in Bank	2038	12	5
	<hr/>		
	5617	11	0

68. The alterations at Kendal gaol had been let to seven contractors on 8 April 1875 but, though Bintley's office was responsible for the plans, none have been located. The buildings there were complete by Midsummer 1877.
69. On 27 August 1877, Liddell had asked for the number of cells and prisoners at Appleby and Kendal so that he could make arrangements to satisfy clauses 16-18.
70. On 2 January 1879, this was agreed at £20 per year for seven years initially.
71. Bintley claimed £300 for expenses in preparing plans for both gaols and for supervision of works. The finance committee considered this too little and gave him 10% extra and, for future works, a salary of £140 a year plus £40 travelling and 2½% on all jobs over £500 for plans and supervision (17 October 1878).
72. The next plan was of the two courts (Criminal-north and Civil-south) drawn in 1928 for Hines. It was probably derived from Webster's 1824 plan because it used the same peculiar scale of $\frac{7}{8}$ inch = 10 feet (1" = 11.43 ft or 1:137). At the same scale in 1934, the County Surveyor, A.S. Glover, prepared ground and first floor plans of the Governor's house entitled 'Appleby Police Station' and, in June 1935, made a plan for a lean-to garage with a vehicle inspection pit and a sliding door, behind the 'Shire Hall' (see note 65).
73. These plans were located and reproduced for me through the kindness of Mr David Butler.
74. This problem was first posed by A. Taylor & J. Haworth, *The Websters of Kendal*, 1973. Copy at C.R.O., Kendal.
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