

History has painted Victorian society as dismissive and unforgiving of the underclasses of society. The middle and upper classes thought that it was an individual's responsibility to work hard and avoid falling into poverty and the gutters of life. Once there, paupers were shunned by society and punished. There was generally little attempt at rehabilitation and, without support, it was extremely difficult to change those circumstances. In 1902 John Cook had his silver watch stolen by 51 year old William Irving after '*the temptation was too strong for me*' [6]. During the hearing it transpired that William had been in prison on 53 previous occasions! Some people were categorised as the '*deserving poor*', such as a hard working mother whose husband had died leaving her to look after children. She would be entitled to some financial support from the Guardians of the Poor. However, the '*undeserving poor*' included unmarried mums, alcoholics and vagrants and they were deemed ineligible for any support and so it's easy to imagine how these people ended up resorting to a life of crime in the workhouse. But, occasionally, a convict succeeded in turning himself around.

HE YIELDED TO TEMPTATION.
William Irving (51), of Settle, described as a quarryman, pleaded guilty to stealing a silver watch, the property of a man named Cook, at Horton-in-Ribblesdale. The watch was stolen while prisoner was helping the prosecutor to remove his furniture. In extenuation of his offence, the prisoner said, "I took the watch up twice, and put it down again, but the third time the temptation was too strong for me."
The Chairman: Unfortunately, temptation seems to have proved too strong for you on many previous occasions, as you have been in prison on 53 occasions.
A sentence of five months' imprisonment was passed.

Thomas Excell, a reformed convict?

Thomas Excell was born in 1846 in Wotton-under-Edge which describes itself as '*a charming country town, steeped in history, nestled in the southern Cotswold Hills, close to Gloucester and Bristol*'. Thomas was the illegitimate son of **Sarah Excell** who came from a respectable family of cloth weavers and shoe makers. When Thomas was three Sarah married a watchmaker, **John Griffin** but he died just three years later. John and Sarah lived next door to a widowed stonemason **George Powell** and in 1857, five years after John's death, Sarah married George and they had a daughter, **Mary Ann Powell**, soon afterwards. This multiple disruption to family life clearly didn't suit Thomas — at the time of the 1861 census, Thomas, aged 15, was found in Gloucestershire's Hardwicke House of Correction, listed as a '*Juvenile Offender*'.

The 1854 Youthful Offenders Act established Reformatory Schools, receiving a state contribution to their funding, subject to their being open to official inspection and certification. In response Hardwicke Reformatory for Boys [ph1] was quickly established in 1856 to accommodate 30 boys aged from 13 upwards. An early inspection report found it was being run successfully [A]:

THE HARDWICKE REFORMATORY ESTABLISHMENT.

It is a small brick building, with a few rough sheds round it. At one end of the building is the dwelling of the overlooker, and at the other the apartments of the schoolmaster. There are at present 17 inmates, who are properly taken care of, and taught and employed. A recent visitor states that when he went there most of the boys were at work, at spade husbandry, but two or three were occupied in household work. One was on his knees, scrubbing the bedroom floor, and another, who appeared to be the tailor of the establishment, was sitting cross-legged mending his

Settle Graveyard Project

trousers. The history of this boy is a melancholy one. Although only 14, he was seven times convicted as a thief in London, and was brought to Hardwicke by Mr. Bengough, one of the most active supporters of the institution. The boy seemed willing to answer questions but did not exhibit the least compunction for his misdeeds. It appears that he was neglected by his father, and in order to indulge his taste for



cheap theatres he began to rob shop-tills, which soon procured him a cell in Westminster House of Correction. A note is taken of the character and conduct of the boys, and the utmost exertions are used to reform them. The boys have a regular routine of duties to perform, but time is allowed for recreation. They are, of course, instructed in religion. Their studies comprise writing, reading, and elementary geography. On one day a-week, drawing is also taught. Their work consists of outdoor agricultural labour, and in wet weather they are employed at basketmaking indoors, and some of them at tailoring and shoemaking. They are punished if they behave badly and rewarded for good conduct.

What had Thomas done to end up there? In July 1859, aged 13, Thomas, 'felonously did steal the tame rabbit of the value of 2 shillings, the property of Charles Fisher.' Records describe he was 4 foot 2 inches tall with brown hair and grey eyes. He was found guilty and punished with imprisonment for 14 days with hard labour and then sent to Hardwicke Reformatory School for three years. Does that seem harsh? The record says that he had already had one previous offence and his sentence will also have depended on his attitude in court. His conduct at the Reformatory was described as 'good'.

Successive Offender
On 20 July 1859 at Wotton -
was found feloniously did
steal the tame Rabbit of
the value of 2/- the property
of Charles Fisher

Guilty 14 days h.l. & then to
be sent to Hardwicke
Reformatory for three
years

Once discharged Thomas settled down to work as an agricultural labourer and later a cotton weaver. When he was 23, in 1869 Thomas married **Catherine James**, an agricultural labourer's daughter. This could have been the beginning of a happy, settled life together but unfortunately

Catherine died just two years later at the birth of a daughter, **Elizabeth Ann Excell**, who died aged 18 months and this seems to have triggered a return to Thomas' old ways.

A court appearance in 1887 listed a raft of petty crime offences including repeated theft, assault of a police officer, wilful damage and eight convictions for drunkenness. Newspaper reports suggest there may have been additional offences too. In each case Thomas pleaded guilty.

In 1873 Thomas and two others pleaded guilty and fined 1 shilling and 6 pence for being on the premises of the Pack Horse Inn outside licensing hours [1]. The landlord tried to say they were there about some barley but they were hiding in the coach house! In 1876 Thomas was caught stealing rum from James Smith at the Railway Tavern, Charfield, just a few miles from

Thomas Excell
Wotton-under-Edge Petty Sessions, 21st
July, 1859, stealing rabbits, 14 days
and 3 years Hardwicke Reformatory.
Wotton-under-Edge Petty Sessions, 25th
Feb., 1876, stealing rum, 10 days.
Gloucester Quarter Sessions, 31st Dec.,
1878, stealing wearing apparel, 3 months.
Wotton-under-Edge Petty Sessions, 27th
Dec., 1881, wilful damage, 1 month.
Wotton-under-Edge Petty Sessions, 27th
Dec. 1881, assaulting police, 2 months.
Eight times convicted of drunkenness.
Once fined under Licensing Act.

Hollister, and **Thomas Excell** were summoned for being on the premises at the Pack Horse Inn, while the said premises were closed, on Sunday, Sept. 7th. Defendants pleaded guilty. James Derrett, the landlord, said defendants were not guilty; they were only there about some barley. P.C. Thayers said on going to the house he saw the groom and asked where the men were, and asked Derrett, the landlord. Found them hid in the coach-house. Asked Derrett what they were there for, and he said, "The fact is, they asked me for a quart of beer, but I refused to let them have it." Fined 1s. and 6s. costs each.

for his apprehension.—**Thomas Excell**, labourer, was brought up in custody, on remand, charged with stealing a small bottle of rum from the **Railway Tavern**, at **Charfield**, the property of James Smith, cloth worker, on the evening of the 18th inst. It was shown by the wife of the prosecutor that she had gone to the **Tavern** for some rum, and also into the provision shop of the same house for further purchases, and when she returned to the bar the bottle of rum was gone. The defendant pleaded guilty, and was sent to prison for ten days.

Wotton-under-Edge [2]. He was sent to prison for ten days. In 1879 Thomas was sentenced to three months imprisonment with hard labour and warned about his conduct. He had stolen two jackets and two pairs of stockings from Oliver Nelmes, a farm labourer [3].

THEFT AT WOOTTON-UNDER-EDGE.
Thomas Excell (30), was charged with stealing at Wootton-under-Edge, on Nov. 30th, two jackets, and two pair of stockings, the property of Oliver Nelmes. The prisoner pleaded guilty and there being previous convictions against him, he was sentenced to three months' imprisonment with hard labour, and cautioned as to his future conduct.

1881 was a particularly bad year — he pleaded guilty to breaking windows of the Old Town mill which was the headquarters of the Salvation Army. In the process of arrest he resisted and then assaulted PC Pickthorn. He received another three months imprisonment [4]. This marked quite a change for Thomas — in the past he had appeared to be a drunken thief. This wilful damage and assault suggests he was more desperate or had an axe to grind with the Salvation Army which was established in 1865 to help men just like Thomas.

Thomas was back to his old ways in 1887 stealing a pilot jacket worth 16 shillings from John Taylor of Dymock (near Gloucester) for which he served another four months' hard labour [5]. Thomas' record of repeated crime is typical of an opportunist looking for a quick buck driven by pretty desperate circumstances. There were probably many other offences he got away with!

J. C. Bengough, Esqrs.)—Thomas Excell, labourer, Wotton-under-Edge, was charged with breaking the windows of the Old Town mill, the quarters of the Salvation Army. The windows of this meeting-place have repeatedly been broken, and on Monday night prisoner was caught. He pleaded guilty. He was further charged with resisting P.C. Pickthorn when being taken to the station, and also with striking the officer, who required the assistance of a second officer to secure the prisoner. For the first offence he was sent to prison for one month, and for the second for two months.

PLEADED GUILTY.
Thomas Excell (40), labourer, pleaded guilty to stealing a pilot jacket, value 16s., the property of John Taylor, of Dymock.—This was not prisoner's first offence, and he was now sentenced to four months' hard labour.

For some reason, during the 1880s Thomas seemed to take steps to make a fresh start for himself. At the time of the 1891 census he was found living in Hawes. Incredibly he was living at a Temperance Hotel, working as a stonemason so was taking drastic steps to give up alcohol. During the 1890s Thomas moved to Settle, living on Commercial Street and died there, suddenly in January 1901, aged 55, just five days after the death of Queen Victoria [LSA]. Thomas was sufficiently well regarded to have his death recognised in the Settle Almanac so it would appear he was still enjoying a cleaner, healthier life in Settle. Thomas was the first occupant of the unmarked grave *Old EX43*.

27. Volunteer Church Parade at Settle.—Sudden death of Thomas Excell, at Commercial Street, Settle.—In all the Churches and Chapels in Settle and district reference was made to the death of Queen Victoria.



Plot EX43 was a Union Grave — these were for people who could not afford a burial including unfortunate residents of the workhouse. Costs were covered by the wealthy of the parish via the Guardians of the Poor. The burials began at Holy Ascension upon the appointment of the third

Settle Graveyard Project

vicar of Settle church, **Jackson Mason**. He had arranged for land to be purchased for the 'Old' graveyard in 1885, nestled below the railway. Jackson agreed that from then on Settle graveyard could be used for a fair share of burials from the workhouse and the Guardians of the Poor. Who else was in this grave?

The second occupant of this grave was 49 year old **Charles Brown** who died in September 1901. We do not know anything about poor Charles apart from the fact that he died in Giggleswick workhouse but he was not there at the time of the April 1901 census. It's possible the workhouse did not know his correct name or Charles could have made up a name when he was taken in.

The third person to be placed in this grave was 73 year old **Elizabeth Nelson** who also had a life that didn't work out well. **Elizabeth Windle** was the only daughter of an Ingleton farmer **Richard Windle**. In 1853 she married **Anthony Nelson**, son of a wealthy Burton in Lonsdale farmer, **Jacob Nelson**. Two of Anthony's nieces found their way into Settle graveyard - **Hannah Agnes (Nelson) Ayrton** is in Old F55 with her family and **Mary Jane (Nelson) Harrison** is in Old E62.

Anthony and Elizabeth had two children, **Richard** and **Sarah**, but by the time of the 1861 census things had obviously gone wrong. Elizabeth and daughter Sarah were lodging in Burton-in-Lonsdale and Richard was living with **Jacob Nelson**, his grandad. Richard died in 1870, aged 15 and has a small gravestone at All Saints church in Burton-in-Lonsdale.

In memory of Richard Nelson of Longber who died October 23rd 1870 aged 15 years.



By the time of the 1871 census Anthony was looking after daughter Sarah at his father's house, helping with the farm and Elizabeth had moved to London where she found herself in a London workhouse. Tragically, entering a workhouse was one way that a woman could force a separated husband to pay maintenance as the authorities could enforce it and perhaps this may have been a consideration for Elizabeth. During the 1880s she returned to Upper Settle, working as a servant to a butcher. She died in June 1900, aged 73, living in Craven Terrace. Anthony remained in Burton-in-Lonsdale and died three years later, aged 75. Daughter Sarah married a farmer, **James Dixon** and they lived in Nether Kellett near Carnforth with their eight children. Sarah lived to the ripe old age of 91!

The last person to enter this plot was **Thomas Slater**, born in 1832 in Giggleswick, one of at least eight children of **John Slater** and his wife **Elizabeth Carr**. John worked as a labourer and weaver but the family were on the breadline for most of their lives, described as paupers in census returns. In the 1860s they were one of the numerous Settle families moved to Accrington, Lancashire after the Settle mills (temporarily) closed. In his 30s Thomas was admitted into Giggleswick workhouse and by the time of the 1871 census was described as an 'imbecile'. It was the responsibility of the home authorities to provide care for their poor, even if they had moved away, although they took in non-local destitute people too. The 1901 census return described Thomas' occupation as 'never worked'. Thomas could have been in the workhouse for 40 years before he died aged 75 in February 1908. Poor old Thomas.



This account has been compiled by Sarah Lister as part of the Settle Graveyard Project which has recorded gravestone inscriptions, updated church records and researched the lives of those buried. It has been written in good faith with no offence intended. If I have inadvertently included errors or breached any copyright I apologise and would welcome corrections.

Settle Graveyard Project

Life stories can be found on [dalescommunityarchives.org.uk/settle graveyard project](http://dalescommunityarchives.org.uk/settle-graveyard-project). The 'Old Settle' family tree on ancestry.co.uk includes the families buried in the graveyard. The project is ongoing and welcomes queries and information on settleresearch@gmail.com. Latest news and events are on the Facebook page 'Settle Graveyard Project'.

The life stories of people with italicised names have been researched as part of the graveyard project.

A, ph1 – childrenshomes.org.uk

Newspaper cuttings with the kind permission of the British Newspaper Archives: 1 – Gloucester Journal, 2 – Stroud News, 3 – Cheltenham Mercury, 4 – Gloucester Chronicle, 5 – Gloucester Citizen, 6 – Leeds Mercury

LSA – Lambert's Settle Almanac with the kind permission of the North Craven Buildings Preservation Trust