THE RACK.[1]

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The rack and its use have been so much misunderstood that a few words on the subject may be of interest to some. Unlike the axe, the gallows and the wheel, it was never an instrument of punishment. There was no disgrace attaching to those who had been subject to its action, and indeed a man might live many years after an interview with the dreadful engine. Sir Thomas Wyatt mentions that his father, Sir Henry, had at one time been laid on the rack by Richard III. Such an experience was certainly not one to boast of, but there was no dishonour. In fact it was not applied, after a man had been found guilty of a charge, except when it was used to induce him to reveal the names of his associates. It was a practical, though not always in its results correct, method of enquiry, and unlike the punishments mentioned above, it might be employed more than once on the same individual.

Putting a man on the rack appears to have only been done in pursuance of orders from the Sovereign or his Privy Council, whom we must consider as responsible for the use of this procedure. The Privy Council directed letters to the lieutenant of the Tower, and "to all others that from time to time shall have the ordering of the Tower and the prisoners there," and the lieutenant would then proceed to assist the Commissioners or other persons appointed by the Privy Council in the examination of suspected persons, by employing the rack to extract information or confession. An expression that often occurs in these letters from the Privy Council is "for the better 'boulting out of the truth.'" In this expression we have a reference to "bolting cloths," then, as now, used by millers for sifting or dressing the flour

[1] Read at the meeting of the Institute, May 3rd, 1905.

from the meal. The bolter is the machinery of a flour-mill, set in motion for separating the flour from the bran. Thus in *Henry V.*, III., 3, is "So finely bolted didst thou seem," and again in *Henry IV.*, III., 2, Falstaff says he gave his shirts "to bakers' wives to make bolters of."

Shakespeare, of course, has many references to the rack, as in *Measure for Measure.* "To the rack with him; we'll touse you joint by joint but we will know his purpose. . . The Duke dare no more stretch this finger of mine than he dare rack his own." In the *Merchant of Venice*, III., 2, "I live upon the rack"; and in *Winter's Tale* the rack is associated with the wheel. "What, wheels? racks? fires?" In *Henry VI.*, II., 5., Mortimer in the Tower says, "Even like a man new haled from the rack, so fare my limbs with long imprisonment." In *Henry VI.*, III., 1, we have "say he be taken racked and tortured."

This last word reminds us that what was in the sixteenth century dignified with the name of torture was not always what we should now-a-days understand by the term. A good instance of this occurs in a letter from the Privy Council in 1580, who in their instructions to the Justices suggest that the names of some missing malefactors might be extracted from the prisoner "by some slight kind of torture such as may not touch the loss of any limb (as by whipping)."

Burghley, in a paper dated 1583 and published in Vol. I. of Lord Somers' Tracts, states that Campion the Jesuit was never so racked but that he was presently able to walk and to write, and that there was a perpetual care had, and the Queen's servants, the warders whose office and act it was to handle the rack ever by those that attended the examinations, "specially charged to use it in as *charitable* manner as such a thing might be."

This may sound sarcastic, but ideas of what constitutes cruelty were not the same in those days as now. It was as late as 1653 that Walton, in his *Compleat Angler*, describing how to bait a hook for pike with a live frog, finishes his gruesome directions with "and in so doing use him as though you loved him, that is, harm him as little as you may possibly that he may live the longer."

Another instance of the exaggeration in which writers of old days indulged may be seen in the reference to the

horrors of the "dongeon amongst the ratts" to which Thomas Sherwood was to be moved by order of the Council, "should he not willingly confess such things as shall be demanded of him." This dungeon is described by some of the Catholic writers of the period as a cell below high-water mark and totally dark. Into it were driven by a rising tide innumerable rats which infested the muddy banks of the river. Now the lowest part of the Tower, or rather of the White Tower, is some eleven feet above the wharf and consequently above high water. The sub-crypt of St. John's chapel certainly is dark, but it is dry and roomy. Rats could never get into it but by the door, and would hardly be likely to go willingly.

In Jacob's *Law Dictionary* rack is thus defined :—

"An engine to extort confession from delinquents : and John Holland, Earl of Huntingdon, and created by Henry VI., Duke of Exeter, and Constable of the Tower of London, he and William de la Pole, Duke of Suffolk, and others intending to have introduced the Civil laws in this kingdom, for a beginning brought into the Tower the rack or brake, allowed in many cases by the Civil law." 3 Inst. 35.

In a letter dated March 17th, 1525, from Thomas Cromwell to Henry VIII. about an Irish monk accused of treason, he concludes, "I am advised to-morrow ones to go to the Tower and see him set in the bracks and by torment compelled to confess the truth."

Sympson had been on the rack three times in one day. He said he was, "sett in a rack of iron the space of three hours as I judge. Another day they did grind my two fore-fingers together and put an emace arrow betwixt them and drew it through so fast that the blood followed and the arrowe brake, then they racked me twice."[1]

Holinshed, p. 670, "the said Hawkins was cast into the Tower and at length brought to the brake called the Duke of Excester's daughter by means of which pain he showed many things."

[1] A representation of the Rack and also of Skevington's Gyves, is to be seen on p. 2229 of Foxe's *Acts and Monuments*, edition 1570.

Cuthbert Sympson is shown on the rack, and in a smaller cut he is seen in the gyves. The rack has two rollers worked like a windlass by a man at each end of the frame. There is no third roller.

Blackstone's *Commentaries*, Vol. IV., Chap. xxv, pp. 320–321, mentions the rack as an engine of State, not of law.

See Coke's *Instit.*, 35. Barrington, 69, 385. Fuller's *Worthies*, p. 317.

A portion of this *bracks*, at one time remaining in the Tower, is engraved in the notes to Isaac Reed's edition of Shakespeare, Vol. VI., p. 231.

A part of this horrid engine still remains in the Tower, and the following is the figure of it. It consists of a strong iron frame about 6 feet long, with three rollers wood within it. The middle one of these, which has iron teeth at each end, is governed by two stops of iron, and was probably that part of the machine which suspended the powers of the rest, when the unhappy sufferer was sufficiently strained by the cords, etc., to begin confession.

According to the sketch of the rack frame which existed in the Tower at least as late as 1799, the working of it would appear to have been by the cords attached to the hands and feet being passed over the two end rollers, and then made fast to and wound round the centre roller, which would of course only require one man to work it. The so-called teeth were evidently a sort of cog-wheel, which was stopped when desired by means of pawls which would not allow the roller to run back. The Foxe's *Monuments* representation was probably from hearsay, and does not seem as simple as the system suggested above. In the Foxe woodcut there is no idea of keeping up the tension except by both men holding the handspikes or levers, whereas with the centre roller and pawls the victim might be stretched, and then the executioners could withdraw if the enquiry was to be secret, being recalled when necessary either to increase the tension or to release the person under examination.

The execution by being dragged in pieces by four horses, which appears to have been practised in Paris on some occasions, was quite a different affair from the rack, and was indeed a punishment, not an enquiry. Hogenberg has left us an engraving, after Perissim and Tortorel, of this class of execution as carried out in 1564 at Paris

on Poltrot de Méré, a Huguenot fanatic who shot the Duke of Guise. In the engraving we see, as in later examples, that four horses were unequal to the task of tearing the body, and in Poltrot's case an executioner with a heavy curved sword is seen about to dismember the victim while stretched by the four horses with riders. Ladies are seen at the windows of the large building in front of which the execution takes place.

It would be interesting to know what is the average tensile strength of the human body; in fact, to know to what extent a man could be racked before the arms or legs were torn asunder. When Ravaillac was in 1610 torn in pieces for the murder of Henry IV. of France, a German print of the execution shows a man with a large chopper assisting the four horses, who, in spite of the beatings which excited the pity of the ladies present for "les poves cevaux," failed to dismember the assassin in an hour. When on the 28th March, 1757, Robert Damiens suffered a similar punishment for his attempt on the life of Louis XV., we are told that the execution lasted an hour and a half. For fifty minutes the horses pulled without being able to rend the victim's body; the joints were then cut, and he actually lived after the thighs had been separated from the body, and it was not until they were cutting his arms that the wretched man expired.

An engraving by Hans Burgkmair entitled "Die Folter" [the torture] shows us, in company with the strappado and a brazen bull, a man who is undergoing what much resembles the torture of the rack. The head of the victim is kept in place by two short posts, one on either side of his neck, while a rope attached to his feet is wound round a horizontal windlass by a man exerting all his force. The man who is suffering the strappado is evidently making a confession, which is being taken down by two writers, so we may suppose that the man who is being stretched is undergoing this torture for similar purposes, not necessarily as a capital punishment.

As to the matter of women being racked, Burnet in his *History of the Reformation* declares that in a MS. journal of transactions in the Tower written by Anthony Anthony, it is distinctly stated that Mrs. Anne Askew in 1546 was

racked, to extort from her a confession as to whether she had received any encouragement from any in the Court, particularly from the Duchess of Suffolk, the Countess of Hertford, and some other ladies. The rack, however, failed to elicit this. Foxe in his *Acts and Monuments* adds that the Lord Chancellor, being impatient at her refusal, bade the Lieutenant of the Tower to stretch her more, and on his refusal threw off his own gown, and setting to work, almost tore her body asunder. Burnet, however, says that though he repeats it, this he cannot credit, and adds that Foxe does not give his authority for the horrible tale. Here we see that the rack was applied to get information about others than the victim, who a little after was *carried* to the stake in Smithfield, the effects of the racking not permitting her to walk.

The death on August 23rd, 1628, at Portsmouth, of the Duke of Buckingham, by the tenpenny knife of John Felton, however dreadful it may have seemed at the time or since, had one good result, for it elicited an opinion as to the legality of the rack in England. When the Earl of Dorset told the murderer, "Mr. Felton, it is the king's pleasure you should be put to torture to make you confess your complices, and therefore prepare yourself for the rack," Felton replied, "I do not believe, my lord, that it is the king's pleasure, for he is a just and a gracious prince, and will not have his subjects to be tortured against law. I do affirm again upon my salvation that my purpose was known to no man living, and more than I have said before I cannot. But if it be His Majesty's pleasure I am ready to suffer whatsoever His Majesty will have inflicted upon me. Yet this I must tell you by the way, that if I be put upon the rack, I will accuse you, my Lord of Dorset, and none but yourself."

This reply, coupled with the unpopularity of Buckingham, no doubt contributed very largely to the abandonment in this instance of the hitherto customary procedure for making a prisoner implicate other persons innocent or not, in his actions or words. Felton was not racked on Nov. 14th, 1628,[1] but on Nov. 27th was arraigned

[1] All the judges being assembled in Serjeant's Inn, Fleet Street, agreed in one that Felton for assassinating the Duke of Buckingham, might not by the law of the land be tortured by the rack, "for no such punishment is known or allowed by our law."—*Rushworth.*

and condemned at the King's Bench Bar, there being no jury present, he being convicted by his own confession. The sentence was that he should be hanged, referring the time and place to the king's pleasure. On November 28th, Felton was hanged at Tyburn and his body taken a few days afterwards in a coach to Portsmouth and hanged in chains some two miles this side of the town.

Mr. David Jardine in his *Use of Torture in the Criminal Law*, which is the best if not only authority on the subject, points out that the use of torture was a part of the prerogative of the Sovereign, and was thus independent of and over-riding the law of England. This is well seen in the case of Felton, when Charles, in referring to the Judges the question of Felton's being put to the torture to compel him to denounce his accomplices, says, "if the torture might be applied by *law* he would not use his *prerogative* in this point." The learned author points out the Judges thus appealed to must have well known the distinction drawn between the law and the king's prerogative, for several of them had previous to being raised to the Bench been employed in the examination of suspected persons on the rack.

It is curious that in spite of this apparent discrediting of the rack, Charles I. so late as May 21st, 1640, gave directions to Sir William Balfour, Lieutenant of the Tower of London, to cause one John Archer to be shown the rack, and in the event of his not answering certain questions to be put to him by Sir Ralph Whitfield and Sir Robert Heath, that Archer should be racked "as in your and their discretions shall be thought fit."

The Jesuit Tanner in his *Societas Europaea*, p.12, thus describes it:

> There is also the torture of the rack or nag. Four beams are fastened on the ground in a square. The head and feet of the victim are extended to the two ends of this square frame, in which are fixed wooden rollers, round which are wound ropes as for lifting weights or drawing buckets in a well. The victim is laid out in the space between the beams, the hands fastened to the upper, the feet to the lower roller. The hands and feet are tied to the rollers by ropes or the separate fingers and toes by small cords, so that the person to be wrung lies with parted feet and hands. Then two tormentors at the head and as many at the feet by turning the rollers with great force raise the body of the victim from the ground and so open the joints of the limbs with terrible pain and a steady convulsion of the nerves, and possible

laceration of the interior of the body, so that sometimes, as in the case of Campion, by this most violent stretching the natural length of the body increased the space of a palm or 4 inches.

The chief English sort of torture next after the rack is called the Scavenger's Daughter, in all respects the opposite of the rack, for while that drags apart the joints by the feet and hands tied, this, on the contrary, constricts and binds as into a ball. This holds the body in a three-fold manner, the lower legs pressed to the thighs, the thighs to the belly, and thus both are locked with two iron cramps which are pressed by the tormentors' force against each other into a circular form, the body of the victim is almost broken by this compression. By the cruel torture, more dreadful and complete than the rack, by the cruelty of which the whole body is so bent that with some the blood exudes from the tips of their hands and feet, with others the box of the chest being burst, a quantity of blood is expelled from the mouth and nostrils." p. 18 *Ibid.*

The Scavenger's Daughter, or, as Foxe calls it, "Skevington's Gyves,"[1] is shown in Foxe's *Monuments* in the same woodcut as that in which Sympson is exhibited on the rack. In this representation Sympson is seen in the Scavenger's Daughter, and the drawing corresponds with an instrument so-called in the Tower of London at present. Unfortunately, however, for the credit of the Tower example, I find that it was purchased in 1826 at a sale of armour and other things, by a Mr. Deney, of Craven Street, Strand; so that if it be actually the instrument so-called, there is a breach of continuity in its history.

The rack has been in many minds solely associated with religious persecution; but such is not the case. We find it employed in cases of burglary, false coining, murder and other offences.

In 1550, one Fowkes was ordered to be examined and put in fear of torment.

In 1551, one Reede, suspected of a robbery, was ordered to be sent to London to be put to torment.

In November of the same year, Sir Arthur Darcie, and all others that from time to time shall have the ordering of the Tower, and the prisoners there, "are ordered to assist certain Commissioners (who had been appointed

[1] *See* illustration p. 2229, Ed. 1570, p. 2033, Ed. 1583, p. 1843, Ed. 1596, Foxe's *Acts and Monuments.*

to examine certain prisoners) in putting the prisoners to such tortures as they shall think expedient."

In November, 1552, Little Ease, the sub-crypt of St. John's Chapel in the Tower, is mentioned as the place where one Holland is to be put to the torment.

In 1553, Willson and Warren, suspected of a heinous murder, are to be put to the tortures.

In the same year Man and Gardener are to be put to the torture "if need shall be, to the example of others." This was about a theft of hawks.

In January, 1555, the Mayor of Bristol is directed for "the better trial and boulting out of such as be privy to some false coining to put the parties to the rack, if he shall so think good by his discretion." Evidently there was a provincial rack, and the Mayor was trusted to use it properly.

In June, 1555, certain "obstinate persons as will not otherwise confess points wherein they are touched," were to be put to the tortures.

In December of the same year Nicholas Curat, vehemently suspected of a robbery, and one Hugh of Warwick, suspected of horse-stealing, were to be put to the rack and to some pain "in default of confession."

February, 1556. Barton and Tailor are to be examined by Sir Henry Bedingfield, who shall "put them upon the torture and pain them" if they will not confess.

In April, 1556, are certain notes for the Queen's Majesty's Counsel, for the examination of Stanton. These were the points on which he was, if silent, to be racked.

In June, Richard Guyll was to be examined and put to the tortures if his examiners "think it so convenient."

In July, one Sillvester Taverner, a prisoner at the convict prison, Westminster, on suspicion of having embezzled some of the Queen's Plate, "shall if he will not say where the plate is, be put to such tortures as be convenient.'

In July, 1557, the Constable of the Tower is to examine and put to the torture if thought good, such persons as Sir Edward Warner shall inform him of.

In the same year Lord St. John is ordered by the Council to examine those he had taken about a riot and robbery of Jane Stourton, "and if they shall not be

plain therein to put them to some tortures for the better trying out of the truth."

In October one Newport is to be put to the torture "if convenient." This letter was addressed to the Master of the Horse.

In May, 1558, French was to be examined and brought to the torture and to be put in fear thereof and also to the pain of the same, if his examiners think good.

In March, 1559, Pitt and Nicholls, who had robbed a widow, were ordered to be brought to the rack and "to feel the smart thereof if they persist in denial."

In 1565 Nicholas Hethe is to be proceeded "somewhat sharply withal" to declare the full truth why he wandereth abroad, and if he will not be plain Lord Scroope is to use "some kind of torture to him, so it be without any great bodily hurt."

In December, 1566, Clem Fisher, a prisoner in the Tower, had been examined with "some fear of torture," but as "he is not minded to be plain he is now to feel some touch of the rack, for the better boulting out and opening of that which is requisite to be known."

In November, 1569, Thomas Wood, a priest, was examined in the Tower.

In June, 1570, Thomas Andrews, a prisoner in the Marshalsea on suspicion of a murder in Somersetshire, was ordered to be taken to the Tower and "offered the torture of the rack," being taken back to the Marshalsea after confession.

A few days later John Felton, charged with possession of the printed bull and also speech with the Spanish Ambassador, having denied all this, was sent to the Tower and "taken to the place of torture and so put in fear thereof." If he be obstinate then he is to be laid upon it (the rack) to the end he may feel such smart and pains as shall be thought convenient.

In April, 1571, Charles Bailly, who was suspected of connection with the Bishop of Ross' conspiracy, was directed to be examined by the Lieutenant of the Tower, and Edward Tremayne, who, if necessary, should put him to the torture. Three days later a letter from the Bishop to Bailly tells him that though "they will make him afraid, he shall not be racked any more."

In June the Queen, under signet, directed Sir Thomas Smyth and Dr. Wylson to proceed to the further examination of Barker and Bannister, two of the Duke of Norfolk's men,[1] and if they do not seem to confess plainly they are to be brought to the rack to be moved with fear thereof, and if that does not move them, they are to be put on the rack and to find the taste of it.

In July, 1572, Lord Hunsdon writes from Berwick to Burghley: "yesterday one came into this town as a Scotchman desirous to pass into England. I found him to be an Englishman. . . I am now going to examine him further as I yet want that I look for; and therefore pray if I find cause, that I may either bring him or put him to the rack a little, for he is able to say much. His name is William Car brother to Robert and George Car." Three days later Hunsdon asks again, "tell me what to do with him, or whether to hang him here?"

April, 1573, the Lieutenant of the Tower was directed to receive George Brown and to assist the Master of the Rolls and Justices Southwood and Manwood by bringing and putting him to the rack.

Next year Humphry Nedeham, accused of forgery, was directed to be examined as to his abettors. A postscript mentions that he is to be brought to the rack without stretching his body.

In 1575 is another case of "the fear of the rack" being used: a bookbinder named Cicking, lately committed to the Tower, was to be sent to Sir Francis Walsingham, and while with him, the Lieutenant of the Tower was to send for him and to put him in fear of the rack.

In November, 1577, Thomas Sherwood, lately committed for hearing a mass, and examined about it and other matters by the Recorder of London, had not given satisfactory answers, so he was sent to the Tower with orders that if he did not confess, the Lieutenant of the Tower was to put him "in the dongeon amongst the ratts." This evidently did not draw forth a confession, so in December there was a letter to the Lieutenant "to assaie him at the rack." This also failed, so he was sent to his county (Somersetshire) and there executed.

[1] The Duke of Norfolk was beheaded June 2nd, 1572.

In November, 1578, one Harding, who "can by no milde course of examination be brought to confess," is ordered to be *brought* to the rack, and John Sanford, equally unaffected by mild proceeding, is to be *put* to the rack, to wrest from him the truth of such things as he is suspected to be privy to.

In June, 1579, Wintershall and H. Mellershe, under the suspicion of the murder of R. Mellershe, and his son were ordered to be separately examined, and the confession was to be induced "by show of some terror by committing to the dongeons and like places of obscurity in the Tower, and a short proportion of diet. If these failed they should be terrified by a sight of the rack."

In December, 1580, Sir Drew Drury's house, called Catton, having been burglarised by two men with the help of a boy named Humfrey, and this last having been captured, it is suggested that he might be induced to disclose the names of the men "by some slight kind of torture, such as may not touch the loss of any limb (as by whipping)."

On Christmas Eve of this year, a letter from the Council directed the Lieutenant of the Tower, Sir George Cary, Mr. Attorney and Mr. Solicitor-General, to proceed with the examination of Harte and Bongrave committed to the Marshalsea, and Pascal, imprisoned in the Compter of the Poultry, with regard to various writings intended to pervert and seduce Her Majesty's subjects. The prisoners are to be brought to the Tower, confined in separate prisons, and then if they refuse to answer, be brought to the torture.

In March, 1581, the Lieutenant of the Tower, Sir Owen Hopton, reports to Sir Francis Walsingham, that Thomas Myagh, who had been examined in the Tower, had told "nothing but an improbable tale." The Lieutenant had forborne to put him in "Skevington's Yrons" because "that manner of dealing with him required the presence and aid of one of the jailors all the time he shall be in those irons," and as the examination was to be "with secrecy," that would not do. As the man is still resolute, the Lieutenant asks if he may use some "sharper torture." Evidently he was told to try

again, for a week later he writes that he had made two trials of him by the torture of "Skevington's Yrons, and with so much sharpness as was in our judgement, for the man and his cause, convenient." On July 30th, the Council direct that the Tower authorities "shall deale with him with the rack in such sort as they shall see cause."

An inscription on stone now in the Beauchamp Tower records the prisoner's feelings and probably serves as his only epitaph:

> Thomas Miagh which liethe here alone
> That fayne wold from heus begon,
> By torture straunge mi trouth was tryed,
> Yet of my liberty denied.
> 1581, Thomas Myagh.

In May, 1581, Alexander Bryant, a seminary priest or Jesuit, who had been arrested on matters of high treason, was ordered to be examined by the Lieutenant of the Tower and others. He was first punished by starvation for a couple of days, and remaining still obstinate, the Council directed that he should first be offered the torture in the Tower, and if he still refuse to confess, he was to be "put unto the torture and by the pain and terror of the same to ring from him the knowledge of such things as shall appertain."

In July of this year occurred the case of Campion the Jesuit. The Council's letter directs that he shall first be sworn on a St. Jerome Bible, "for avoiding of loss of time and also of further cavil to be by him made hereafter." If he wilfully deny the truth, then he is to be dealt with by the rack. In August another letter includes Philby, Jacob Peters, and Forde, who with Campion refuse to confess whether they have said any masses or no, whom they have confessed and where Parsons and other priests be. In case they refuse, they shall be put in fear of the torture; as there are strong presumptions that Paine is guilty, they are to proceed to the torture with him. Again, on October 29th, is another letter directing the racking of Campion and Fourd.

In the State Papers Domestic of Elizabeth CXLIX., 61, under date 1581, June, is a copy of a letter written by a priest in the Tower to the Catholics in other prisons

complaining of the cruelty and severity with which they were treated and noting the application of torture to Sherwin, Kirby and others.

In March, of 1582, Thomas Norton, writing "from my home prison in the Guildhall," to Sir Francis Walsingham, mentions a seditious book in which he, Norton, is described as the "Rack-master who vaunted to have pulled one Briant, a good foot longer than God made him." Norton justifies his proceedings in racking Campion and Briant in pursuance of orders in conjunction with others. In April of this year one Thomas Alfield, a seminary priest, was to be examined at the Tower and if not willing "to discover many matters touching the practices and proceedings of Jesuits and seminary priests within the realm," he was to be put to the rack.

In November, 1583, Sir Francis Walsingham sends two letters to Thos. Wylkes desiring him to bring Norton with him to the Tower to-morrow morning early, to be present at the racking of Francis Throckmorton. A letter dated December 20th, from F. V. to Charles Paget, mentions that Throckmorton, who was to be arraigned to-morrow, had been often racked but confessed nothing.

In the State Papers Domestic of Elizabeth under date February 12th, 1584, are notes to be propounded to the Lords in Commission for the examining of such prisoners as are committed to the Tower. Shelley and Pierpoint to be put to the rack. In March are noted the sayings of John Dover and Robert Hartley that if Sir William Heydon and Mr. John Stubbes could get hold of Brian Lacy they would rack him till the nails should start from his fingers.

In April, 1586, the torture of the rack is directed to be inflicted on William Wakeman *alias* Davies, a notorious felon and now prisoner in the Tower, to make him confess such misdemeanours and robberies as he is to be charged withal and is privy to others.

Next month Beaumont, *alias* Browne, and Pynder, *alias* Pudsey are associated with Wakeman in being put to torture and then sent to Newgate for trial. Beaumont, who had robbed Lady Cheek, was to be tried "in some reasonable manner by torture on the rack," to make him further disclose.

In December, 1586, in a list of some ten persons charged with treasons against Her Majesty and the realm, who if the truth might not "by convenient means be gotten of them" were to be put to the torture of the rack in such sort as to the discretions of Sir Owen Hopton, the Master of St. Katherine's, Her Majesty's Attorney and Solicitor, the clerk of the Crown, and Thomas Owen should seem convenient.

In April, 1587, the Lieutenant of the Tower is directed to use to Andrews van Metter, a Dutchman, suspected of having been sent over to kill the Queen's Majesty, the accustomed torture of the rack as oftentimes as they should see cause.

In January, 1587, "certaine bad persons who were to be charged with disobedience, misbehaviour, and practices against the state and present government," and had already been examined by Richard Young but without result, were to be carried to the Tower, "kept close prisoners, and put to the rack to compel them to utter their uttermost knowledge in all matters they dealt in or are privy unto."

In 1588, Mr. Younge and others were put to the rack and torture in January.

In September, Trystram Winslade, taken out of a Spanish ship, was to be examined on the rack, the authorities using torture to him at their pleasure.

The rack was also used in Lisbon, where in April of this year the master, the pilot and one of the crew of a ship belonging to James Tirrell, had been racked to force them to give information.

In September, 1588, in the Carew MSS. is a commission from Lord Deputy Fitzwilliam to Sir Thomas Norris and others, authorizing them to make enquiry by all good mean as to wrecks and shipping which by any means may be recovered and to apprehend and execute all Spaniards of what quality soever. Torture might be used in prosecuting this enquiry. This of course referred to the ships and crews of the Spanish Armada cast away on the Irish coast. We know there was no rack in Ireland, so the torture would be somewhat amateurish.

In April, 1594, we read again of this, one of the many instances of "injustice to Ireland," for Sir Geoffrey Fenton,

writing to Burghley, says: "Many offenders in high crimes pass away without full examination for want of a rack in Ireland." It is difficult to decide what is meant by "pass away": was it by flight or death? There is another instance of regret that a certain bishop would not be put on the rack, but toasting the prelate's feet before a hot fire is recommended as a substitute for the more conventional mode of inducing him to speak.

If in the sixteenth century the absence of a rack in Ireland was regretted by those in authority, in the next century the deficiency was corrected, for in 1641, according to Carte's *Life of the Earl of Ormonde*, Hugh McMahon was put to the rack on March 22nd, and Sir John Read on the next day. A little later, Patrick Bannewell of Kilbrew, one of the most considerable gentlemen of the Pale, and aged sixty-six, was also put to the rack. Many other gentlemen at this period were also racked to supply information to support charges of hostile action against them.

In Memoranda on the State of Affairs in Ireland under the date April 19th, 1900, is "Torture and racks would be appointed for apprehended traitors whereby many matters and hidden treasons would be brought to light which for want thereof are smothered."

In June, 1589, a goldsmith accused of robbing Lord Willoughby, was ordered to be removed to Bridewell and there to have the "torture of the house." This, it seems, was the *manacles*.

In August the Master of the Wardrobe, the Master of St. Katherine's, and the Recorder were directed to examine at Bridewell John Hodgekys and other printers for printing a book by Martin Marprelate, and in case of their not confessing to put them to the torture and then remove them to the Tower.

In April, 1590, some men concerned in a robbery at Wickham, Kent, were to be removed from Newgate to Bridewell, where, if they did not confess, they were to be put to the rack and torture of the manacles. This looks as if there was a rack at Bridewell.

In July, 1591, William Hacket, a most pestiferous and seditious fellow at Bridewell, was, if he answered not the interrogations put to him by Her Majesty's learned

Counsel, to be put to the manacles and such other torture as may be thought good.

In October, Eustace Whyte, a seminary priest, and Brian Lassy, a disperser and distributer of letters to Papists, are on examination to be put to the manacles and such other tortures as are used in Bridewell.

Two days later, Thomas Clynton, a prisoner in the Fleete, is to be moved to Bridewell and there put to the manacles and such tortures as is there used to make him confess.

In June, 1592, Owen Edmundes, an Irishman, is to be removed from the Marshalsea to Bridewell, and if he obstinately refuse, put to the torture accustomed in such cases until he shall be conformable.

In February, 1593, Unstone and Bagshaw, prisoners in the Gatehouse, Westminster, and Ashe in Newgate, were to be removed to Bridewell, and in case of need to be punished with the torture as in such cases is accustomed.

In April of this year, in connection with the exhibition of a notice calculated to cause a rising of the apprentices of London against the aliens there, and so to renew the troubles of Evil May-day of 1517, the Lord Mayor is directed to examine a prisoner already apprehended, and if he refuse to name his abettors, to punish him with torture used in like cases, and so compel him to reveal the names.

In May, 1593, certain "lewd and mutinous libels having been put up in the city, and especially on the wall of the Dutch churchyard, the city authorities are to arrest such persons as may be suspected of the outrage, and if they refuse to confess the truth they are to be put to the torture in Bridewell."

In November, 1595, one Gabriel Colford, accused of bringing seditious books from beyond sea, and Thomas Foulkes, who had harboured him, were examined by the Lord Chief Justice but without results. They are therefore to be put to the torture of the manacles in Bridewell to force them "to utter the uttermost of their knowledge in those things that shall concern their dutie and allegiance."

The next year, 1596, in January, a Frenchman had been

apprehended with letters and memorials concerning matters of great suspicion secretly sewn up in his doublet. He, refusing to disclose his business, is to be tried by the ordinary torture in Bridewell.

In February, Humfrey Hodges, who had already disclosed some matters, but not all, about a sum of £100 hidden in the ground, is sent to Bridewell to be put to the manacles there, constraining him, etc.

In November, 1596, some 80 Egyptians (gipsies) who had been arrested in Northamptonshire were committed to prison and their ringleaders sent to Bridewell and put to the manacles to make them reveal their "lewd behaviour, practises and ringleaders. Next month it was certain lewd persons in Oxfordshire, who, for an attempted insurrection, had been committed to various prisons in London, and were now to be sent to Bridewell and put to the manacles and torture to compel them to utter the whole truth of their mischievous devices and purposes."

In February, 1597, Wm. Tomson, a very lewd and dangerous person, who had attempted to burn Her Majesty's ships, was directed to be put to the manacles or the torture of the rack in the Tower to make him declare the truth, etc.

On October 24th, 1580, there was a conspiracy got up by the Cusacs and Wm. Nugent, brother of Lord Devlin, and Sir Henry Wallop, the Treasurer at Wars, asks for a rack to be sent.

In 1597 the Lieutenant of the Tower and others are directed to examine Gerratt, a Jesuit in the Tower, accused of receiving letters from the Continent, and he is to be put to the manacles and such other torture as is used in that place, if he does not reveal, etc.

In December one Travers, who had stolen a standish of Her Majesty, was ordered to be put to the torture of the manacles in Bridewell unless he confessed.

This year, 1597, an old gentlemen, a double reader in Gray's Inn, having been found murdered and in the river, his son and the porter of the Inn being suspected of the crime, the Recorder of London and others were directed to examine the prisoners with the help of the manacles in Bridewell.

In April, 1598, Valentine Thomas from Scotland was

taken from the Marshalsea to Bridewell, there to be put to the manacles unless he confessed.

In 1601, the Bishop of Carlisle wrote to Cecil that some prisoners named Vaux and two Holts had been told that they must be sent where the rack would draw the truth. Holt protested that he should die innocent, but Vaux grew faint.

I cannot conclude this account of the Rack without confessing my obligation to Sir Charles Frederick, who politely condescended to direct my inquiries, while his high command rendered every part of the Tower accessible to my researches."

NOTE.—It is only fair to state that the writer did not meet with Mr. Jardine's work until after the Privy Council minutes and many other authorities had been searched. The rarity of Mr. Jardine's book will, it is hoped, excuse the repetition of so much of that learned author's work.