

1764 Jail Record

Final Draft?

## INDEX

The log begins on April 17, 1764, when Eliphalet Daniel assumes charge of the Portsmouth city jail. Daniel notes the names of prisoners present when he arrives, then keeps a chronological record of commitments and discharges through January 19, 1765. Following this orthographically disoriented chronology, a better educated hand arranges the census alphabetically, correcting obvious mistakes, and omitting many financial details. Names are generally indexed as rendered by the alphabetizer (for example, Daniel's John Neuter is listed as Nutter). Others, the annotator has corrected (Branscum becomes Branscomb).

Daniel also uses the book as a ledger. Some entries record charges incurred by, or paid on behalf of, prisoners. Other entries are not clearly connected to the jail. Moreover Daniel, or a successor, sporadically used blank pages to keep accounts long after 1764. The latest entries record wages paid to laborers on a house frame in 1788.

Every person "committed to his majesty's goal," is indexed as a prisoner. All others are indexed as "persons other than prisoners." Some of these, may, in fact, have been incarcerated, but they are not explicitly so listed.

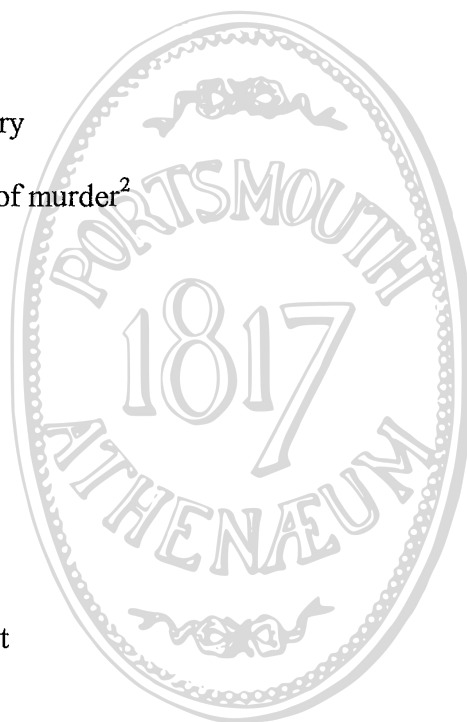
## PORTSMOUTH JAIL

In 1759, a gaol was built in this town, at the corner of Prison-Lane, and Fetter-Lane. It was constructed of oak timber hewn square and covered with iron bars, well spiked to the timber, and lined with plank. A dwelling house was annexed to it; the whole was two stories high. [Adams, p. 199] This jail, located at the corner of Chestnut and Porter Streets where the Music Hall now stands, burned in 1781.

## PRISONERS

Archibald, Robert, debt  
 Babb, Peter, debt  
 Bailey, Edward, debt  
 Bowen, John, debt  
 Branscomb, James, debt  
 Brown, Michael, debt  
 Byngton [Boynton?], Joshua, debt  
 Caird, Samuel, debt  
 Campbell, Thomas, debt  
 Cast, Moses  
 Chadack [Shattuck?], Barnabas, debt

Clough, Abner, debt  
 Cobby, James, debt  
 Cod, Richard, debt  
 Colebroth, Leighton, debt  
 Colhktd [Colcord?] Samuel, debt  
 Collier, John, adultery<sup>1</sup>  
 Colmer, Davis, debt  
 Couff, Negro of Capt. Beill, drunkenness and disturbing the church  
 Currier, Edward, debt  
 Davis, Abigail, debt  
 Davis, William, debt  
 Dockum, Benjamin, debt  
 Dockum, Samuel, prophane swearing  
 Dudley, William, debt  
 Durgan, Philip  
 Dwyer, James, debt  
 Ennis, John of Canterbury  
 Esmond, Edward  
 Flood, Mary, suspicion of murder<sup>2</sup>  
 Flood, Stephen, debt  
 Footman, Thomas  
 Foster, Samson, riot  
 Fowler, Philip, debt  
 Furnell, John, debt  
 Gerrish, Andrew  
 Giles, John, debt  
 Gordon, Jonathan, debt  
 Greeley, Richard, debt  
 Greer, Thomas, debt  
 Haley, Thomas  
 Hartford, Benjamin, debt  
 Henley, Michael, theft<sup>3</sup>  
 Hervey, Thomas, rates  
 Hight [Hoyt?] Charles  
 Hutchins  
 Jackson, Joshua, assault  
 Lacey, Arthur, prophane swearing  
 Lane, Mr., debt  
 Lank, Samuel, debt



<sup>1</sup> See note under Margaret Small Corn

<sup>2</sup> Mary Flood of Canterbury was tried for her life and acquitted, on the supposed murder of a bastard child. [Bouton, p. 56]

<sup>3</sup> PORTSMOUTH. Last Thursday came on the Trial of Michael Henley, (the noted Thief) for breaking open the Store of Mr. Alcock of this Town, and Stealing from thence sundry dry Goods ---- he confessed the Fact and was sentenced to be Whipped, and pay Mr. Alcock the sum of Twelve Hundred Pound Old Tenor, or to be a Servant for Seven Year; after the Three Year is expired, which he is to serve Mr. Fernald, for breaking open his Vessel, &c. [NHG, December 21, 1764]

Longfellow, Nathan, debt  
Loud, Thomas, swearing  
McClary, Daniel of Boston, horse theft  
McCrillis, William, rates  
McDaniel, John, debt and rioting  
Macfarson [McPherson?] William, denying his master's command  
Maldred, John, debt  
Mallard, Capt., shipwreck<sup>4</sup>  
Marston, Reuben, debt<sup>5</sup>  
Maskill, Mary, stealing  
Mason, John, debt  
Mathews Benjamin, jun.  
Morrison, James, defaming  
Neal, James, Indian killing  
Negro boy of Nathaniel Barrell<sup>6</sup>  
Nelson, Benjamin, debt  
Norris, Jonathan, debt  
Nute, Paul, debt  
Nutter, John, riot  
Otis, Job, debt and horse stealing  
Pears [Peirce?] William, rates  
Perkins, Solomon, debt  
Parry, John, debt  
Partridge, John, debt  
Priest [Pryor?] William, rates  
Proctor, Thomas, debt  
Randolph, George [Randall the Printer?]  
Reed, John, committed by his master Joseph Walker  
[Ryan, Bryan?] assault on Noah Sherburne  
Sanborn, Abraham, debt  
Scribner, Benjamin, debt  
Selley, William, debt  
Sharp, Jonathan, running away from his master  
Shores, James, debt

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<sup>4</sup> According to Ray Brighton, the mast ship St. George, Robert Mallard, master, went ashore at Hampton Beach in December, 1764. [Brighton, p.31]

<sup>5</sup> ALL Persons that have any Demands on Mr. *Reuben Marston*, late of North Hampton, though is now confined in Portsmouth Goal, are desired to bring or send their Accounts to JONATHAN MOULTON of Hampton, Esq; in order to see the total Sum that is due from said *Marston*; as also to see what can be paid upon the Pound, after a just Calculation. ----- Those Creditors are desir'd to consider that the said *Marston* hath so many Demands already laid upon him that there is no Prospects of his clearing them, unless that the Creditors will consent to take of their Demands an equal Share or Dividend, in Proportion to their respective Demands, he must lay in Goal, until what he has left, will be wholly expended. ----- And as the Goal is no Place to earn Money to satisfy any Debt, and the Season is so severe; it is hoped that no one of the Creditors will be easy when one of their Fellow Mortals lies confin'd and suffering in close Goal, in order to make Payment of said Debts, which is impossible for him to do. *Portsmouth, Jan. 1765.*

[NHG, adv. January 18, 1765]

<sup>6</sup> See note under Nathaniel Barrell

Small Corn, Margaret, adultery<sup>7</sup>  
Smith, Thomas, debt  
Steel, James, debt  
Talpey, Richard  
Thomas, Elisha, hanged for murder  
Thompson, Benjamin, debt  
Thompson, Robert, rates  
Tibbets, John, debt and horse stealing  
Tilton, Abraham  
Tool, Michael, debt<sup>8</sup>  
Walton, George, jun., debt  
Willie, Theodore, debt  
Wells or Wills, William, swearing and fighting with Richard Greeley & his wife  
Wilson, William, debt  
Young, John, of Madbury, debt

#### PERSONS OTHER THAN PRISONERS

Adams, Winborn, ledger, and evidence for John Tibbets' bond  
Alcock, Joseph<sup>9</sup>, store broken into by Michael Henley<sup>10</sup>  
Areo, Jonathan, bail bondsman, released William Wilson  
Barrell, Nathaniel, committed his Negro boy<sup>11</sup> & debtors Benj. Dockum & Michael Tool

<sup>7</sup> WHEREAS MARGARET the Wife of me the Subscriber has lately behaved herself in such a Manner, by immoderate Drinking, and (as I have just grounds to suspect) Criminal Connections and Associations as will justify my suspending of the usual support I have allowed her I THEREFORE HEREBY forbid all Persons from giving her any Credit in my Name, or with an Expectation of being paid by me, for as I can't think myself under any Obligation (after this Notice) to Discharge such demands --- so I am determined not to do it. *Samuel Small Corn* *Portsmouth, in New Hampshire, Octo. 25, 1764*

[NHG, adv. October 26 &c. 1764]

<sup>8</sup> DESERTED from the Brig LOCKHART, the 18<sup>th</sup> of October Inst. *Paul Junkins*, Master, a Sailor named *Michael Tool*, about 30 Years of Age, a well set likely Fellow, about five Feet eight Inches high, an Irish Man, speaks pretty good English: Had on when he went away a short blue Jacket, Tarr'd Trowsers, a small round Hatt, light Stockings, and a Pair of new Shoes. Whoever will apprehend or discover said Runaway so that he be brought to Justice, shall receive FIVE DOLLARS Reward of NATHANIEL BARRELL *Oct. 25*. [NHG, adv. October 26, 1764] Barrell had committed Tool to jail for debt on October 13. No date of release is recorded.

<sup>9</sup> *Thieves* Stolen out of the Shop of JOSEPH ALCOCK in this Town the Fifth Instant, the following ARTICLES, viz. Twelve Yards Scarlet Serge, 2 and half black plush, 3 Dozen Stone Sleeve Buttons, 5 Yards light Cloth at £. 12, Buttons, Ferrets, and Garters unknown, part of a piece of Crimson Calamanco, Pound of homespun Thread, and some Pounds colour'd ditto, a Remnant of Kersey, three dozen Razors, 12 dozen Spoons, 6 pieces of wide Tape, 9 yards pink colour'd Allopene, a parcel of Mohair of different colours; with sundry other Articles, too many to mention. ----- Any Person who will discover the Thief, so that he may be brought to Justice, shall have FIFTEEN DOLLARS Reward, or if the said Goods are return'd immediately, they will be received, and no Questions ask'd. *JOSEPH ALCOCK*  
[NHG, adv. December 7. 1764]

<sup>10</sup> See note under prisoner Michael Henley

Beverly, ledger  
 Bebethy, David of Nottingham, defamed by James Morrison  
 Beill, Capt., committed his Negro man  
 Bickford, Dependence, ledger  
 Boyd, George, committed Davis Colmer  
 Carr, Capt., released Steven Flood  
 Chasla [Chesley?] Jonathan, committed Robert Thompson  
 Claggett, Wyseman, king's attorney<sup>12</sup>  
 Clark, ledger  
 Corboen [Coburn?] Jonathan, laborer  
 Cutt, committed Barnabas Chadack & Job Otis  
 Daniel, Eliphalet, keeper of the Portsmouth city jail  
 Daniel, Samuel, deputy sheriff  
 Davis, John, ledger  
 Drown, Peter, murdered by Elisha Thomas  
 Duer, committed Edward Bailey  
 Dunn, Samuel, laborer  
 Edgley [Edgerly] Joseph, laborer  
 Eliot, John, released Mary Maskill  
 Emery, Richard, deputy sheriff<sup>13</sup>  
 Fifield, Samuel, deputy sheriff  
 Fools, Mr., released Randall the Printer  
 Footman, John, laborer  
 Freeborn, Mr.  
 Frost, William of Berwick, horse stolen by John Tibbets  
 Furber, Mr., committed John Parry  
 Furnell, John, stolen from by Mary Maskill  
 Greeley, Mrs. Richard, fighting  
 Ham, George, ledger  
 Ham, Robert, ledger  
 Hanes, Abner, committed John Parry  
 Hart, Robert, ledger  
 Hillon [Hilton?] Mr., committed Philip Fowler  
 Hickey, committed William Davis  
 Hinchey, ledger  
 Jones, Mr., committed Richard Talpey  
 Kille, James, ledger

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<sup>11</sup> In the spring of 1764 Nathaniel Barrell, merchant, appended to his advertisement of goods for sale the notice, "ALSO, A likely NEGRO BOY, About 17 Years Old, of a great capacity; and with a proper Master, will make a valuable Servant." [NHG, adv. March 9, &c 1764]

<sup>12</sup> Wyseman Claggett was born in Bristol, England, and came to Portsmouth to serve as king's attorney. In the exercise of his office, he was strict, severe, and overbearing. There was no escape for the violator of the law, and the statutes against small offences were executed in their utmost rigor. Claggett's zeal led to the expression that someone had been "Claggetted." [Adams, p. 279, Brewster, p. 236, Brighton, p. 37]

<sup>13</sup> ALL Persons for whom *Richard Emery*, has serv'd Writs since December Court, last, are desir'd to pay for such Services, to him immediately; to avoid being sued for the same. Portsmouth; Nov. 3d. 1764 [NHG, adv. December 14 &c 1764]

Killsey, Robert, ledger  
March, Mr., committed Benjamin Nelson  
Mathews, Majr., ledger  
McIntire, Peter, ledger  
Miels [Mills?] Richard, ledger  
More, Samuel  
Motton [Moulton?] Majr., released Nathan Longfellow  
Newmarch, Esq.  
Norris, Mr., committed Benjamin Thompson  
Nutter, Lemuel, ledger  
Odiorne, John, ledger  
Packer, Thomas, sheriff  
Pairs [Peirce] Mr., re: Thomas Loud  
Paterson, Capt., released Richard Greeley  
Pitman, Benjamin, ledger  
Prescott, Jonathan, deputy sheriff  
Priher [Pryor?] Mr., committed Richard Greeley  
Rimas [Rymes?], complained of Samuel Dockum  
Rogers, Capt., committed & released Thomas Greer  
Sanborn, Mr. of Buckstown, committed John Bowen  
Shepard, Benjamin, ledger  
Sherburne, Daniel, ledger  
Sherburne, Henry, committed Benjamin Mathes *or* Mathews  
Sherburne, Noah of Rye, assaulted  
Smith, Ebenezer, house frame  
Stockel, Mr., stolen from by Michael Henley  
Stoodley, James, supplied rum to jail  
Sullorn, Mr., ledger  
Tapley, Joseph, ledger  
Taylor, Capt., released John McDaniel  
Thomas, James, laborer  
Thompson, Nathaniel, released Benjamin Thompson, and evidence for John Tibbets  
Tilton, Daniel, released Benjamin Scribner  
Tilton, James  
Walker, Joseph, master of John Reed  
Walsh, Joseph, committed George Walton, jun.  
Welsh, Benjamin, committed Job Otis  
Warner, Jonathan, committed & released Benjamin Hartford  
Waters, Samuel, ledger  
Wentworth, Capt. John, ledger  
Whipple, William, released Jonathan Sharp

## BIBLIOGRAPHY

Adams, Nathaniel. Annals of Portsmouth, Comprising a Period of Two Hundred Years from the First Settlement of the Town; with Biographical Sketches of a Few of the Most Respectable Inhabitants. 1825. Hampton, N.H.: Peter E. Randall, 1971.

Bouton, Nathaniel. Provincial Papers. Documents and Records Relating to the Province of New-Hampshire, from 1764-1776. Nashua, N.H.: Orren C. Moore, State Printer, 1873.

Brewster, Charles W. Rambles About Portsmouth. First Series. 1873. Somersworth, N.H.: New Hampshire Publishing Company, 1971.

Brighton, Ray. They Came to Fish: A Brief Look at Portsmouth's 350 Years of History; It's (sic) Local and World-Wide Involvements and the People Concerned Through the Eyes of a Reporter. Portsmouth, N.H.: Portsmouth 350, 1973.

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