

What punishment were used for minor crimes in Early Modern England 1500 - 1750

Fine - The most common form of punishment for minor crime in Early Modern England

Whipping and Branding – were used against vagabonds, vagrants and petty theft.

Scold's bridle - A heavy iron frame was locked onto the woman's head. Women who were accused of scolding could be forced to wear a scold's bridle.

Cucking stools and Ducking stools - were used to punish disorderly women, scolds and dishonest tradesmen.

Public penance - To apologise for your crimes in front of a large crowd such as at church (acts as a form of public humiliation)

Pillory - Offenders had their head and arms secured in a wooden frame. People often pelted them with rotten food, offal or animal excrement. It was often used for people who had traded unfairly or had committed sexual offences.

Stocks - Stocks were built in public places such as markets in order to add to the humiliation of the offender. Heavy pieces of wood were placed around the offender's ankles and their feet were locked in place.

How were Prisons and Bridewells used as punishments in Early Modern England 1500-1750

- Prisons continued to be a **much less common** form of punishment than fines, shaming and physical punishments.
- Prisons were mainly **used to hold prisoners** who were **in debt**, or who were awaiting **execution** or another form of punishment.
- In the sixteenth century, Tudor governments began to pass laws to regulate prisons.
- The **1531 Gaol Act**, for example, forced JPs to build a prison where one was needed.
- One form of punishment in the early modern period was a totally new development - the bridewell (House Of Correction)
- Authorities became very concerned about the **problem of vagrancy**. In the 1550s, the city of London adopted a new approach to dealing with the problem of crime and poverty.
- **Bridewells forced vagrants to work.** Those who refused faced physical punishment.

How effective were the punishments of 'The Bloody Code' 1500-1750?

- The government created a ferocious legal system which became known as the Bloody Code. This was when the number of crimes for which people could be hanged (executed) rose dramatically from 1680-1820
- With no police force to protect their property, MPs used the threat of capital punishment to frighten (deterrence) people into being law-abiding citizens. They believed that the fear of hanging would act as a strong deterrent.
- The number of capital offences gradually increased, from about 50 in 1688 to 200 in 1820.
- In 1723, the Black Act made the poaching of deer, rabbit and fish a capital offence.

However... The number of hangings actually decreased from the middle of the 17th century.

- All over the country, levels of executions were much higher in the period 1550-1650 than in the first half of the eighteenth century when the Bloody Code was in force.
- It seems that assize judges and juries were often unwilling to pass a sentence of hanging for minor crimes. Sometimes they reduced the value of goods stolen to below that of a capital crime. Judges often acquitted defendants because there was insufficient evidence.

Capital Punishments 1500-1750

- In early modern England, people found guilty of the most serious crime, treason, were nearly always executed.
- Noblemen and gentleman had their heads chopped off with an axe but common people who committed treason were sentenced to **hanging, drawing and quartering**.
- **Capital offences other than treason were punished by hanging**, just as they had been in the Middle Ages.
- The condemned person was taken in a cart to the gallows where a noose was placed around their neck.
- There was no sudden drop to break the neck in an instant. This would not be introduced until the late 18th century.
- Instead, the condemned person suffered a slow and agonising death as the noose slowly squeezed life out of them.