

The Case of the Climbing Boy

Report of a body, Glasgow, 1840

“The body of a boy about eight or nine years old has been carried to the house of Mrs McCallum in Saltmarket Street in Glasgow by two young men. A Doctor has been called to examine the body.

We have interviewed some of the witnesses and sent their statements to you. Please advise.”

Your Questions



Extract from Rodger Kayes' testimony

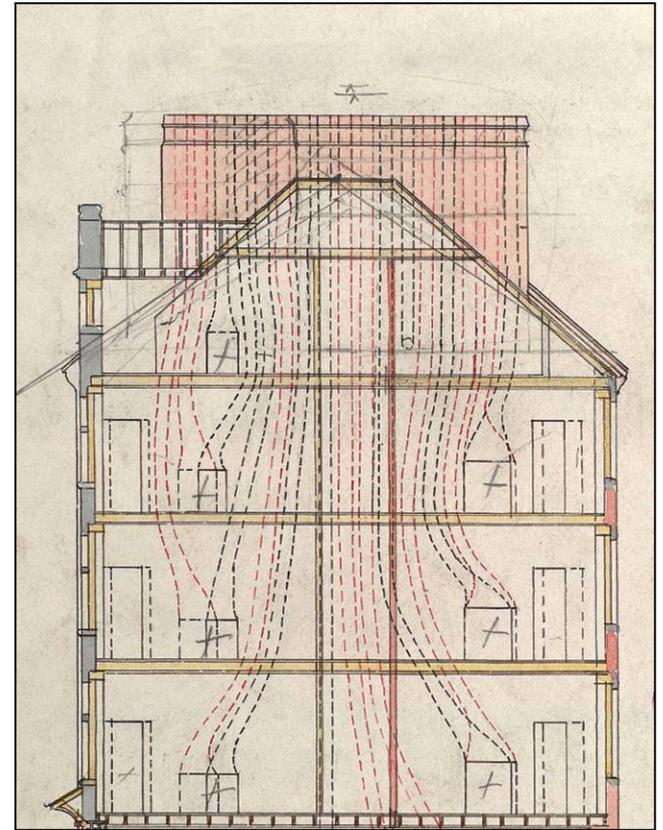
Rodger is 19 years old and works as a chimney sweep. He lives with his employer Thomson Black, a master chimney sweep, in Gallowgate Street in Glasgow.

He works beside Francis Hughes, another chimney sweep, and each of them has an apprentice. Rodger's apprentice or climbing boy is Laurence McAllister. Hughes has a boy called John O'Neill, aged about 8 or 9, working for him.

Rodger saw Hughes and O'Neill between 8 & 9 o'clock on the morning of Thursday, 23 January 1840 when they left the house in search of work and he didn't see them till about 5 o'clock when Hughes came back in a panic.

He says that he and Thomson Black arrived at the house where O'Neill was, but they didn't know which vent O'Neill was in. They shouted but couldn't get an answer. McManus, another apprentice, knew where he was and tried to climb down to him but it was too tight. He thought he heard O'Neill coughing. They went to the bottom of the vent but the fireplace was blocked with stones left by the builders. They then broke a hole in the wall to make an opening.

A typical tenement building



Meet the witnesses

Thomson Black

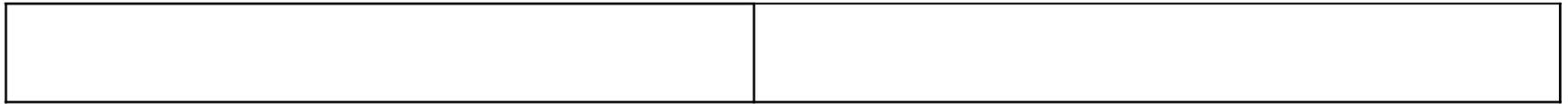
Francis Hughes

James Fleming

Robert Allan

Dr Corkindale and Dr Spittal

Timeline of events



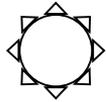
6

8.30

midday

4.30

6



Thomson Black's statement

That John O'Neill was aged between 8 & 9 and had been about 16 months in his employment. That the boy was under agreement to him for three years as arranged between Black and the boy's mother, Mrs O'Neill who lived somewhere about the High Street of Glasgow.

Declares that the terms of the agreement were that Black was to provide the boy with clothes, bed, board and schooling and to pay the mother One Pound a year.

Declares that the terms on which he employs his Journeymen are that he supplies them with climbing boys and the Journeymen are bound to pay Black one half of the sums earned in the sweeping of chimneys.

The Chimney Sweeps on Trial

The High Court, Glasgow, May 1840

*Francis Hughes and Thomson Black,
chimney sweeps.*

*You are accused of the crime of culpable
homicide against the victim, John O'Neill,
at Parkhouse Toll Bar, Glasgow.*

Your Verdict

Thomson Black



Guilty or Not Guilty

Francis Hughes



Guilty or Not Guilty

The Verdict

8 May 1840

Accused 1: Thomson Black

Verdict: Not guilty

Sentence: *Assoilzied simpliciter* [absolved of guilt], dismissed and set free.

Accused 2: Francis Hughes

Verdict: Guilty

Sentence: Imprisonment - 18 months with hard labour. To serve his sentence in the Bridewell of Glasgow.

A judge's view of the case

There was a shocking case of a poor child, scarcely eight years old, a climbing boy, who was compelled by threats to go up, or down, thirty-eight new chimneys successively, and without any interval for rest or food.

... It was only charged as a culpable homicide, and the master had rather an affection for the boy, and worked him to death from no anger or selfishness, but merely from the general brutality of his craft.

We longed to transport him... but, in the circumstances, we could not go beyond imprisonment.

HORRIBLE!—On Friday a fatal accident, arising out of the inhuman practice of employing climbing boys in the cleaning of chimneys, occurred on the Paisley road, near to the first toll out from Glasgow. A chimney sweep in Calton had engaged to clean the vents, 42 in number, of a large newly built tenement in that vicinity, of the lime, stones, and other rubbish, left in them by the masons. A little climbing boy was accordingly set to work, and, in the course of the morning he accomplished the herculean labour of cleaning nearly 30 of them, going up one vent and down another by rotation. The little fellow ultimately began to sink under the incredible amount of labour he had undergone; his feet, legs, and arms, were dreadfully lacerated, and ran with blood; but, goaded on by the unsparing severity of a journeyman who directed his movements, he persevered in his merciless task. At length, in going down one of the vents, he stuck fast at a point in the lower story, and was unable by the most desperate efforts to disengage himself. After a considerable time had elapsed, the journeyman, baulked in his efforts to rescue him, proceeded all the way to Calton, and informed the master chimney sweep of the circumstance. Measures were then taken for the boy's release, which it was found could only be effected by breaking down part of the wall, and sending up another boy to draw him out. This was done with great difficulty; but the relief came too late—the poor boy was taken out dead, having perished by suffocation. The matter is undergoing investigation by the authorities.—*Glasgow Argus.*

Caledonian Mercury
10 Feb 1840