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ISAAC NEWTON AND THE COUNTERFEITERS

By SIR JOHN CRAIG

DR ISAAC NEWTON, who retained his Cambridge appointments, probably entered on the Wardenship of the Mint between 13 April 1696, the date of his warrant of appointment, and 2 May when he took the oath of secrecy. A memorandum (1) by Thomas Fowle, one of the clerks, showed him that Montague's 'not much bus'ness to require more attendance than you can spare' (2) exaggerated the burden. The three principal officers of the Mint had each his peculiar province, though formal concurrences of colleagues were required for some matters. Any or all of them could leave everything to his deputy. The Comptroller kept the bullion accounts as a check on the Master's minting, and looked after buildings and some ancillary services. The Master received the whole yield of certain taxes which he disbursed as required at stereotyped rates; he contracted to coin for set fees from this fund all gold or silver bullion bars offered to the Mint, but sub-contracted the work to the Melter and the Company of Moneyers who provided their own staff. The Warden represented the other party to this contract, the Crown; he still paid, with money drawn from the Master, those salaries once charged on the Crown's share of the seignorage, which he had collected till its abolition; he could give orders to none except his three clerks, but he retained some fading judicial powers. Newton's six immediate predecessors scarcely attended at all. His petition (3) to the Treasury to restore the old primacy of the post shows his distaste for the role. The wardenship in fact remained a sinecure from before 1600 till its abolition in the 19th century except for his term, from 1696 until 1699.

Meddling with sterling coin was a capital crime. An extra clerk annexed to the Warden's little bureau was one of the many unco-ordinated organs for catching offenders, who, though he made occasional forays into the provinces, held no monopoly even in London. A Secretary of State, the Treasury Solicitor, several Justices of the Peace and any number of zealous persons, private or in state service alike, took on investigations and prosecutions. Some of the greater lights retained a number of the lesser as standing agents. Drive was supplied by a statutory reward of £40 for each conviction, to be shared among the informants, and by minor douceurs for unsuccessful efforts, while the convicted felon was entitled to pardon if he gave information which convicted two others, and might secure it, and could certainly obtain delay, by a readiness to oblige.

No Warden before Newton ever took any part in the extra clerk's work

(4), but he was quickly drawn into it. George Macey, the clerk of the moment, seems to have sickened or died before June, and in May a complex of criminal information attracted the Lords Justices, the supreme executive during the King's absence at the war. Montague referred to them a letter from a William Chaloner which accused the Mint of great abuses. On being examined by the Lords Justices on 16 May 1696 he charged the Mint with coining false guineas, with supplying guinea dies to common criminals and other illegal practices. 'Mr Peter Cooke, gentleman,' lately condemned to death for counterfeiting, bought a respite by communicating to the same meeting allegations of coinage crimes by Chaloner and others. Then, Thomas White, sentenced to death on information from one Mint employee, accused Hunter, one of the Mint moneyers' men, of supplying official dies to outsiders (5). One of them was Chaloner, who is known from other sources to have himself procured either Mint guinea dies, or punches for making them, probably from this Hunter.

Newton was called in by the Lords Justices on 30 July. Further allegations poured in from Cooke and White and from their victims, till a score and a half of persons were involved. Newton had to investigate and corroborate or discredit their conflicting statements. He interviewed at least a half a dozen of those involved; whether he visited, in Newgate gaol, those already condemned or had them brought to him in chains is nowhere clear. Besides supplying intermediate reports, he attended on at least ten days from 30 July to 28 September before the Lords Justices who incidentally ordered him to tighten up Mint security, which was in no way Warden's business (6). In the end, he had to guess about culpability.

White was a badly wanted man against whom the evidence was weak. The Grand Jury of 23 for the area in which the crime was alleged had to agree that there was a *prima facie* case, before the trial proper by the ordinary jury could be launched. The Grand Jury of Middlesex thrice threw White's indictment out, but it was squeezed through the Grand Jury for the City of London at the last moment. He was then convicted. A Member threatened trouble in the Commons if the death sentence was not carried out. Newton already knew that Hicks and another criminal had installed a coining press with White's assistance. He was sceptical in his first examinations of the value of the latter's revelations when neither was mentioned but White's execution was thirteen times deferred on his motion for successive fortnights; these respites elicited information about several other persons which Newton considered valuable and, after a year in gaol, White was pardoned in May 1697 on his recommendation (7).

Mr Cooke's genteel status had let him challenge enough jurors at his trial to prevent a quorum but he gained only days. He now got off by providing Newton with evidence against three counterfeiters, one of whom was also a prominent Jacobite and was assigned to a Palace official and police agent (8). Newton arrested the other two, of whom one was reclaimed by the Army and the other was pardoned on his recommendation next April (9). But a Thomas Atkinson was not saved from transportation in lieu of execution by a spate of accusations of complicity in clipping against a variety of officials (10).

Thomas Chaloner was the worst of the lot; he had left good employment to join a coin-clipping firm; he became the greatest counterfeiter of foreign gold, English guineas and occasionally English silver; he had been an agent provocateur in Jacobite circles; he forged bank notes and other paper, he not infrequently betrayed his associates, and was something of a publicist. His present attacks on the Mint's integrity and efficiency were part of a campaign which began in 1693 and which was meant to win him employment in the Mint. He had even tendered for a licence for copper coinage. His evil record was known to the Recorder of London but apparently not yet to Newton. Information of this sort was only most casually communicated to others interested. All that Newton got out of his cross-examination of Chaloner was cajolery for a Mint job for Thomas Holloway, Chaloner's friend (11).

The chance survival of warrants in his own hand shows that on 7 September 1696 Newton transferred a criminal and a debtor from other prisons to one nearer the Old Bailey where he wanted them as King's evidence (12). The testimony of one of them, Joseph Gregory, secured the death sentence of the counterfeiter Holyland. A little later Newton received through the penny post a confession of perjury from Gregory, but on questioning the presumed writer he found that the confession was a forgery, probably by Holyland's solicitor. He so reported to the Lords Justices and was ordered to investigate further (13).

Apart from these high level activities, he gave £5 on 11 September to Humphrey Hall to dress properly for association with counterfeiters, and during the year spent £44 2s. od. on Benjamin and Charles Maris, who were what was later called Home Service Messengers, for services and expenses during missions in Worcestershire and Salop and £34 on Benjamin Reuss for exertions in five western counties. Reuss was employed by him in London up to December 1699 (14) and appropriately became a turnkey in Newgate gaol. One Maris was run in for smuggling, and he or the other for a coinage crime during 1697. Newton's agents were generally 'very scandalously mercenary' (15). They intercepted the confiscated goods of those whom they convicted and let others off for bribes as 'expenses'. One Samuel Wilson was a clear

blackmailer. He told Newton at the end of 1697 that he had sold some shilling dies for £5 and was supplied with the Warden's warrant for arrest of the buyer; he used this warrant for 18 months to extort money from uneasy consciences (16). Newton was also engaged that summer in a successful battle against the City Sheriffs and others who had intercepted confiscated property of counterfeiters and clippers which should have accrued to the Mint (17).

The different sources overlap so slightly that only a portion of his police activities are likely to be on record. On 26 August 1696 the Lords Justices recommended an assistant. It was presumably between then and 17 November, when the Treasury sanctioned the revival of the extra clerk (18), that he begged that department to relieve him of this work which had fallen on none of his predecessors and which exposed him to 'the calumnies of as many coiners and Newgate Solicitors as I examine or admit to talk with me . . . 'Tis the business of an Attorney' (19). His choice, Christopher Ellis, did some enquiry work, but apparently not much. This letter asserts that though many clippers had turned to counterfeiting (which puts it after May 1696, when clipping largely ceased to be practicable), most counterfeiters had now fled from him and London and were beyond the reach of his agents. The careers of Chaloner and his friends show that their business became exiguous and that their prosperity was destroyed from 1696 onwards. Nevertheless there were 19 executions at Tyburn for coinage crimes in the London area in 1697; they fell to 8 next year and dropped to zero by 1700 (20). Newton was disinclined to mercy, except for the receipt of information of value, on the ground that these dogs always returned to their vomit, but with the plurality of authorities there is no reason to connect him with the majority of these executions. But he must share the credit for a great reduction in the volume of counterfeiting.

Besides furnishing reports, Newton attended four times during the summer of 1697 before the Lords Justices who did not trouble him thereafter. On one of these occasions he pressed successfully for the delayed execution of Hicks (21), on another he furnished information on counterfeiters listed as fled to Ireland, but his assistance was mainly required in connexion with Chaloner, who again sought employment to trap Jacobites. That spring Newton paid £40 to Caleb Clark and Joseph Williams for work at Worcester and Exeter and in 1698 £27 7s. od. to Christopher Priddick for charging 43 persons and convicting 17 of them. During 1698, he also advised the Treasury on counterfeiting in Yorkshire. In 1697 he endured one Commons Committee and in 1698 another, mainly in consequence of Chaloner. The apparent narrowing of his criminal work can only be an accident of record, for London business is shown, by a new book (22) which he instituted in the

Mint, to have been strenuous during the succeeding 18 months. This compilation of depositions sworn before Newton or occasionally other magistrates and of letters from criminals was started probably in October 1698, and certainly not before June, though it contains retrospective entries. The disproportionate amount and disparate type of entries about Chaloner strongly suggest that it originated in the affronts inflicted by that enemy.

Internal evidence makes Newton's procedure clear. He had an informant or criminal brought to the Mint, by force if necessary, cross-examined the witness, and wrote or dictated a summary of what emerged—the first personal pronoun keeps creeping in. The witness could correct or amplify, swore to the result and appended his signature or initial or mark. Newton countersigned as witness. The papers lay about the Warden's office while in use and were all copied by a clerk into the book, out of chronological order, when Newton again usually signed the depositions. Newton's references elsewhere to informants who do not appear (23) show the record to be incomplete but even so in the 19 months from June 1698 to Christmas 1699 Newton came on 123 days to the Mint to examine 200 dubious characters. This work reached its peak at the beginning of 1699, with 7 attendances in the first week of February about which time Newton had some ten prisoners in Newgate gaol. This was the 'King's business' used to fob off Flamsteed, but was clearly an excuse as Newton had immediately before consulted him twice on the moon's movements.

Chaloner, who was by then one of his Newgate prisoners, had captured a good deal of Newton's attention since the House of Commons set up, on 14 January 1697, a Committee on the Miscarriages of the Mint. Newton appeared before it to answer the many questions which lay within the province of the Master Worker, a resolute sinecurist. One of the first witnesses was this critic of the Mint, William Chaloner, who printed his evidence for the public (24). He represented that the several sections of the Mint were excessively specialized and self-centred and needed a supervisor with all-round knowledge of coinage, that fantastic savings could be made by engineering improvements which he had in mind, and that the coins could be made impregnable to counterfeiters by three changes in design which he would demonstrate. His objective, as Newton afterwards learned that he had bragged to his acquaintance, was an appointment in the establishment from which he could assist the underworld. The Committee seized on the third issue and on 15 February ordered Newton to give Chaloner every facility to produce examples of the new coins. Newton refused absolutely on the plea of his oath of secrecy, though this in fact covered only one of the variations

proposed. Instead he minted experimental coins to the suggested specifications, showed them to the Committee and declared, what is indeed obviously true, that the changes were costly, useless and impossible in practice (25). The Committee's report on 8 April warmly supported Chaloner (26), whom Newton threatened to hang (27) and who was convinced that his later prosecutions derived from this malice.

When the Committee's report brought no monetary return, Chaloner gathered a group for 'a new and dangerous way of coining' at Egham, well out of London. Under pressure from the Lords Justices to charge Chaloner with something, Newton ran him in for this on 4 September, reluctantly, because he did not feel sure of a capital sentence. Chaloner, equally nervous, paid the principal witness for the prosecution, Thomas Holloway, to decamp to Scotland where he was presently hanged for false coining. Chaloner incidentally cheated the ship's captain of most of the passage money and Holloway's wife of part of the promised reward, which made her a vindictive informer against him 18 months later. Two of Newton's supporting witnesses recanted, the indictment was badly drawn and the case did not even go to the Jury.

Soon after Parliament met, 'William Chaloner, Gent' presented a forcible petition (28), which he also published on 18 February 1698, against the victimization of an awkward Committee witness, on a groundless charge, with seven weeks in chains and financial ruin. Moreover, a book of further disclosures on the Mint by himself had thereby aborted. The Commons set up another Committee. Newton's plight could have been parlous. He composed a lengthy and scathing account of the last year and of Chaloner's wickedness (29)—the first of four, each of many thousand words, which he was to write on this criminal. Chaloner gave evidence in person. The Committee was sympathetic at first but so many inconsistencies broke through the statements of the petitioner and his supporters that the question was shelved (30) in a report at which Newton repeatedly grumbled as jejune and incomplete (31). The projected book was in fact one on safeguarding Exchequer Bills, Chaloner having previously turned some dishonest pounds by altering the figures on one.

This Committee passed on to examine the Tower and provincial accounts for the great recoinage. These were primarily Comptroller's business; Newton appeared before them at least four times, 30 April, 5, 9 and 26 May (32), in place of the two crooked Members of Parliament who now shared that office.

Chaloner next engraved a copper plate and printed a hundred £50 notes

of a new Government issue called Malt Lottery Tickets. He, who had affected a gentleman's estate, had no longer two shillings to rub together. David Davis, who lent the model ticket and grub-staked him, was an informer in the pay of the Home Secretary, to whom for £100 Davis delivered his share of the tickets. But the copper plate, which Chaloner was reserving for further use, could not be found, nor could Chaloner, until a reward of £50 was advertised, when he was immediately arrested by Richard Morris, a Mint engraver's, but not Newton's man, and committed to Newgate early in November. The crime had nothing to do with the Mint, but Newton shewed an extraordinarily avid interest in it. He collected all the evidence sworn before others and had copies made of Chaloner's long letters of rebuttal to magistrates and Secretary of State (33). This went on till mid-January 1699; about then Chaloner wrote to Newton to protest that he had not engraved the copper plate and could not do that kind of engraving and beg forgiveness for 'the late business in Parliament' into which he was forced by higher authority (34). In January Newton collected all the picturesque details of Holloway's evasion of the witness box from Chaloner's go-between, from an innkeeper down river, from the ship's captain, even from the captain's wife (35). Holloway's wife had told him of Chaloner's perfidy on the previous 28 October (36). During late January and during February he also began to amass affidavits on Chaloner's large counterfeittings in years gone by and his small efforts more recently. The latest was a forgery of Dutch money and of a few shillings in June 1698 (37). He engaged successively three men whom he had committed to Newgate, to worm confidences out of Chaloner; he even met one of them for consultation in a tavern by the gaol; he heard nothing of moment but Chaloner's insolence about that 'old dogg, the Warden' and boasts of future frauds (38).

Two Old Bailey sessions had gone by. When another opened on 1 March 1699, the Lottery Ticket charge was dropped and three indictments were preferred against Chaloner in Newton's name. By two of them he was charged with counterfeiting, on 25 August 1698 in the Parish of St Martin-in-the-Fields, stated numbers of French gold pistoles and of English gold and silver coins; in all 120 coins divided between gold and silver and six denominations (39). The Court clerk who drafted the documents was out of touch, as counterfeiters stuck to one denomination during a day or succession of days. The charge covering 100 English coins was taken first as it carried the more severe penalty. The Bench began by chaffing Chaloner as notorious. Newton's six witnesses, all of tainted reputation, filed in. One spoke of foreign counterfeits seven or eight years ago, two testified to counterfeit

guineas and miscellaneous coins at a vague but remote date, three only spoke to a forgery of several shillings on the day named. These three had sworn in Newton's preliminary examinations to a like offence around midsummer, so their memories had shifted by a couple of months during the short interval. Chaloner was sentenced to death, very fairly on his record, unjudicially on the evidence (40). He wrote (41) as 'your near murdered humble servant' to Newton, 'Most merciful Sir', a moving and cogent criticism of the many defects of the trial and craved his clemency. No reaction by Newton is noted. This or another appeal by Chaloner, with comments of the trial High Court Judge, was submitted as usual through the Secretary of State with eight others to William III on Sunday, 19 March. The King reprieved two and signed seven death warrants, and Chaloner was hanged next Wednesday. On Tuesday he sent Newton the Lottery Ticket copper plate.

Of Newton's concurrent victims two had died in gaol, one was acquitted, one was fined an impossible amount and two who gave King's evidence against Chaloner seem to have been released by Newton.

Newton continued to take these depositions on coinage crimes at a lessening pace until six months after his transfer to Master on 25 December 1699. His successor Sir John Stanley, who remained also Secretary to the Lord Chamberlain, took over in part just before that Christmas and handled a sprinkling of cases till 1704. Newton suddenly resumed the work in three instances in July and October 1704 when the record ends. It may have been less distasteful than he protested.

Newton made some contribution on wider aspects of crime control. Counterfeiters depended on others for metal and tools; and they did not usually foist their wares on the public but sold to middlemen; the ultimate utterer was the most exposed link in the chain but was seldom convicted because death was considered too severe a penalty. Newton proposed a lower classification of uttering in order to get convictions. The change was not accepted. But he devised the law of 1697 (42) on dealers in tools and metals which for a time hampered criminals and indeed honest industry. He elaborated, unsuccessfully, a detailed scheme for a national commission to monopolize all counterfeiting informations, prosecutions, pardons and reprieves (43). In 1706 he secured a standing and larger allocation of public funds for the Mint's police work, and in 1715 he made its conduct less amateur by appointing a legally qualified man as extra clerk and assigning besides the old salary a schedule of costs for each type of act by principal or agent. This Deputy Warden became Solicitor to the Mint and the attorney's work at last devolved upon an attorney.

NOTES

- (1) Newton MSS. in Mint Library Vol. I, leaves 21-3.
- (2) Montague to Newton on 19.3.1695/6; in Bank of England archives.
- (3) Newton MSS. Vol. I, leaves 8-9.
- (4) Newton MSS. Vol. I, leaf 486.
- (5) State Papers Domestic 1696, pp. 177, 180, 181, Treasury Papers, LXVI, 53.
- (6) S.P. Dom. 1696, pp. 306-406 passim.
- (7) S.P. Dom. 1696, pp. 271, 324, 343, 354, 372, etc., until 1696, p. 62.
- (8) S.P. Dom. 1696, p. 320.
- (9) S.P. Dom. 1696, p. 473, 1697, p. 117.
- (10) S.P. Dom. 1696, p. 400, 1697, p. 116.
- (11) Newton MSS. Vol. I, leaf 501.
- (12) Newton MSS. Vol. I, leaf 480.
- (13) S.P. Dom. 1696, p. 403.
- (14) Newton MSS. Vol. I, leaf 476, Deposition 253.
- (15) Haynes: Brief Memoirs, p. 68.
- (16) Deposition 193.
- (17) Newton MSS. Vol. I, leaves 433, 435: Try Papers XXXIX 38, 57.
- (18) S.P. Dom. 1696, p. 362. Try. Books 1696-7, pp. 310, 325.
- (19) Newton MSS. Vol. I, leaf 438.
- (20) Luttrell, *A brief relation of state affairs*, under monthly dates.
- (21) S.P. Dom. 1697, p. 340.
- (22) This book, now in the Royal Mint Library, was re-purchased from a second-hand bookseller in 1772. Entries in it are referred to in these footnotes as Depositions.
- (23) Newton MSS. Vol. I, leaf 582.
- (24) W. Chaloner: *The Defects in the present constitution of the Mint* . . . Dated 1693 in Brit. Mus. Catalogue but certainly not earlier than 18.4.1697.
- (25) Newton MSS. Vol. I, leaves 499, 506.
- (26) Printed in full in Ruding, *Annals*, Vol. 2, pp. 465-70.
- (27) S.P. Dom. 1697, pp. 350-1.
- (28) Copy in Newton's hand in Newton MSS. Vol. I, leaf 497-8. A printed copy was seen by Sir David Brewster, *Memoirs of* . . . *Sir Isaac Newton* 2nd ed. 1860, Vol. 2, pp. 144, 148; date there misprinted as July.
- (29) Newton MSS. Vol. I, leaf 499.
- (30) Haynes: Lansdowne MS. 801. Brit. Mus.
- (31) Newton MSS. Vol. I, leaves 496, 503, 505 and II, 265 verso.
- (32) *The Minute Book of James Courthope*, pp. 27, 38-47.
- (33) e.g. Deposition 83-85, 115-6, 126, 133, etc.
- (34) Deposition 133, first entry.
- (35) e.g. Deposition 80.
- (36) Deposition 107.
- (37) Deposition 117-120, 123, 125.
- (38) Deposition 134.
- (39) Middlesex Sessions Roll No. 1925 of 1.3.1698-9.
- (40) The evidence can be reconstructed from the list of witnesses in the Middlesex Sessions Roll *supra*, the account in *Guzman Redivivus* and Newton's deposition book.

- (41) Deposition 205.
 (42) Newton MSS. Vol. 4, leaf 409.
 (43) Holograph in Newton's hand, Pierpont Morgan Library. Printed in *Isaac Newton 1642-1727*, ed. W. J. Greenstreet 1927.

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