THE DEVIL'S LAW.

ASPECTS OF POPULAR OPPOSITION TO THE 1834 NEW POOR LAW. A STUDY WITH PARTICULAR REFERENCE TO NORTH CHESHIRE, SOUTH LANCASHIRE AND THE WEST RIDING OF YORKSHIRE.

by

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Thesis submitted in partial fulfilment of the degree of Doctor of Philosophy at the Australian National University.

MAY 1981.
This thesis is my own work containing, to the best of my knowledge and belief, no material published or written by another person except as referred to in the text.

JOHN KNOTT
ABSTRACT

In 1834 the members of the newly reformed parliament attempted to solve the problems of poor relief in England and Wales by bringing the Old Poor Law into line with the precepts of political economy. They failed and in the process unleashed a storm of popular protest. Throughout southern England angry farm labourers demanded to have their 'rights' restored to them. Relieving officers were mobbed, Guardians were stoned and workhouses attacked. The authorities responded with ruthless suppression and the rural protesters were driven underground.

In the textile manufacturing districts of the north of England the authorities were confronted by a more formidable foe, an organized and militant working class with a long tradition of radical protest. There were protest meetings, large demonstrations and mass petitions. When London failed to heed their calls for repeal, the textile workers mounted campaigns to ensure the hated New Poor Law was defeated locally. The authorities responded in turn by drafting London Police and troops into the area. The northern textile workers were not easily cowed, however, and after a series of violent clashes the implementation of the New Poor Law in the north of England ground to a halt.

Why did most of the labouring population of England and Wales view the 1834 New Poor Law with hatred and horror? Basically there were two reasons. First the Old Poor Law played a crucial role in maintaining the domestic economy of most labouring families; it not only provided a bulwark against the threat of destitution, but through the allowance system was able to maintain the incomes of those earning inadequate wages. This benefited not only the seasonal farm labourer, but also the poorly paid handloom weaver and those in the depressed outwork trades. The other reason for opposing the New Poor Law was ideological. For the labouring population of England and Wales there was something sinister and frighteningly different about the New Poor Law: it was viewed as turning social relationships, human values and Christian worship on their head. The southern farm labourers saw it as part of a general attack on their customary rights and privileges. And the northern textile workers viewed it, together with the 1832 Anatomy Act, the New Police, and the existing factory system, as part of a general attack on their wages and conditions. On one thing all the popular opponents of the New Poor Law agreed, it was caused by the
greed and avarice of those in power.

Ultimately the significance of popular opposition to the 1834 New Poor Law lay not in its success or failure, but in what it helped teach working men and women about themselves and the world they experienced. The campaign of popular opposition began as an attempt to defend the traditional rights of freeborn Englishmen, it emerged in Chartism as a class struggle for political representation.
The Old Poor Law was of God - the New one is of the Devil.

Samuel Roberts, The Pauper's Advocate.
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<td>BPU</td>
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<td>LRO.</td>
<td>Lancashire Record Office, Preston.</td>
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<td>LWMA</td>
<td>London Working Men's Association</td>
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<td>MCLA.</td>
<td>Manchester City Library, Archives Department.</td>
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<td>MCLH.</td>
<td>Manchester City Library, Local History Department.</td>
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<td>PLC</td>
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Finally, I would like to thank Barbara Payne for her advice, sympathy and constant encouragement.
This thesis grew out of my dissatisfaction with what historians have written about popular opposition to the 1834 New Poor Law. Until recently, the campaign against the New Poor Law has been all but ignored by historians; and even now it is still generally dismissed as the product of 'ignorance'.

The pattern was first established by Sir George Nicholls in his two volume History of the English Poor Law, written in the 1850s. Nicholls, a member of the first Poor Law Commission - and something of an apologist for the New Poor Law - devoted less than two pages to the campaign of popular opposition. One gains the impression that even this cursory treatment would not have been warranted had it not been for the fact that the campaign was supported 'not by the ignorant only, but by persons of intelligence and position, who were unfortunately led away by exaggerated statements and morbid sentimentality'.

Thomas Mackay, who added a third volume to Nicholls' original two in 1898, was a bit more forthcoming: he gave forty pages to the campaign of popular opposition. However, the space was not devoted to explaining the opposition's case so much as to illustrate how 'the poor commissioners had an uneasy time'.

Although they viewed events from a different ideological perspective, Sidney and Beatrice Webb were also inclined to dismiss the campaign of popular opposition. A campaign which, in their estimation, failed because (and here they echo Nicholls) it was 'based on humanitarian considerations of a short-sighted kind'. They devoted twelve pages to the campaign of popular opposition.

This 'Whig' tradition of ignoring or belittling popular opponents of the New Poor Law has even been continued amongst recent historians. Redlich and Hirst claim that 'every arsenal of superstition and ignorance were ransacked to provide reasons against [Poor Law] reform'. And they contrast this with the actions of that 'small section ... of the better organised workmen, instructed and led by Francis Place, [who] saw that the measure was framed in the true interests of labour'.

to the campaign of popular opposition, simply tells us that it was 'spurred by fear and anger'. Fear and anger about what, we are not told; simply that the results were 'riots'.  

Eric Midwinter, in his study of the New Poor Law in Lancashire, simply repeats the Manchester Guardian's assertion that 'the great bulk of the population care nothing about the [New Poor Law] matter'. What evidence he has to support this conclusion is not revealed: we are simply told that 'Lancashire's opposition was sporadic rather than general'.

Even among the few historians who have written about popular opposition to the New Poor Law, there has been an unfortunate tendency to perpetuate the 'Whig' view. It would appear that many of them have reflected in only the briefest manner upon the material they have themselves disclosed. Thus Mark Hovel1, when dealing with the anti-poor law movement's place in the genealogy of Chartism, tells us that 'it appealed not to reason but to passion and sentiment' and that its 'leaders were ... mob orators, stirring up passions and spreading terror'. This view was partially supported by Michael Rose, who refers to 'enraged working men led by a handful of demagogues and middle class humanitarians'. Nicholas Edsall, in the only book we have that is devoted solely to the anti-Poor Law Movement, refers to popular opposition in the rural south of England as being either an example of 'spontaneous rioting', or the result of 'pathetic misconceptions'. We search his book for an illustration of the popular beliefs and assumptions which gave rise to these 'misconceptions', but in vain. Even in the industrial north of England, we are told, the campaign of popular opposition was merely one of 'spontaneous resistance'.

Against this 'Whig' view which seeks to belittle or dismiss

7. M. Hovel, Chartist Movement, p.86.
10. Ibid, p.258.
popular opposition to the New Poor Law I wish to set another. It is my contention that the campaign of popular opposition was a self-conscious process guided in almost every instance by a coherent system of beliefs and assumptions; that these beliefs and assumptions contained notions about the legitimate 'rights' of the poor; and that they provided an ethical framework within which ordinary men and women were able to judge for themselves the morality of the new regulations governing poor relief. It was not 'pathetic misconceptions' which guided popular opponents of the New Poor Law, but the beliefs and assumptions they shared in common. Let me quote someone who lived through the experiences I will be attempting to describe. 'People now are prone', wrote George Holyoake in the 1880s,

to look upon the stormy and infuriate opposition to the [New] Poor Law as based upon mere ignorance. Those who think so are too ignorant to understand the terrors of those times. It was not ignorance, it was justifiable indignation with which the [New] Poor Law scheme was regarded. Now, the mass of the people do not expect to go to the workhouse and do not intend to go there. But through the first forty years of this century almost every workman and every labourer expected to go there sooner or later. Thus the hatred of the [New] Poor Law was well founded. Its dreary punishment would fall, it was believed, not upon the idle merely, but upon the working people who by no thrift could save, nor by any industry provide for the future."

Although this thesis draws most of its material from the textile manufacturing districts of the north of England, it is not strictly intended as a regional study. The New Poor Law was viewed with hatred and horror by most of the labouring population of Britain and I have tried to relate the northern opposition to that being manifested elsewhere in the country. I have certainly tried to show the similarities and differences in the campaigns waged by the northern textile workers and the southern farm labourers. But it is the campaign waged in the industrial north of England which takes up most of the thesis, and it is the lives and experiences of the textile workers and their families which I have tried to capture in greatest detail.

In a move to rationalize the administration of local government in Britain, the national government recently redrew the boundaries for some of the counties of England, Scotland and Wales. The Ridings of Yorkshire have disappeared entirely and Lancashire lost territory to Cheshire and the new counties of Greater Manchester and Merseyside. In order to remain compatible with the primary sources I have referred to the pre-April 1974 county boundaries throughout the text.
NORTH CHESHIRE, SOUTH LANCASHIRE
AND THE WEST RIDING OF YORKSHIRE.

PLATE 1.
Introduction

POMP AND PROTEST

A million people were said to have watched Queen Victoria's coronation procession on Thursday 28 June 1838. The diarist Charles Greville described the scene: 'From Buckingham Palace to Westminster Abbey ... there was a mass of people; the seats and benches were all full, every window was occupied, the roofs of the houses were covered with spectators'. The whole nation, it appeared, wanted to catch a glimpse of the young Queen dressed in her coronation robes, wearing a crown, and carrying the orb and sceptre, pass through the streets of her capital in the state coach. Victoria was overwhelmed:

multitudes, ... millions, of my loyal subjects ... were assembled in every spot to witness the Procession ...
I really cannot say how proud I feel to be the Queen of such a Nation.

The coronation of a young and popular girl of nineteen had provided the Whig government under Lord Melbourne with an opportunity to revive the pomp and splendour of the full state occasion. Parliament voted £200,000 for the coronation, four times the amount spent on the coronation of Victoria's uncle and predecessor, William IV. The formal state procession, discontinued since the coronation of George III, was revived; and to ensure that the maximum number of people would be able to share in the spectacle, special stands were erected along the route of the procession. Bands played festive music in the parks, a two day fair was held in Hyde Park, there were balloon ascents, illuminations and firework displays. 'The great merit of this coronation', wrote Greville, 'is that so much has been done for the people: to amuse and interest them seems to have been the principal object'.

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The involvement of the people in the coronation celebrations was no mere whim on the part of the authorities. For the first time in recent memory a popular monarch was to sit on the throne of England. The authorities sought to take full advantage of this, by organising the public festivities and reviving the ritual of the coronation procession. The festivities and ritual would ensure that the people did not remain mere spectators, but were drawn into the celebrations as participants; and by such means not only help to celebrate the Queen's coronation, but also reaffirm the harmony and unity of the nation as a whole. At a time of increasing social tension and with the economy sliding into recession, such an opportunity was not to be missed.

While London was the focus of the nation's coronation day celebrations, it was by no means unique in its display of public loyalty. Throughout Britain in rural hamlets, towns and the new industrial cities there were processions, dinners and balls to celebrate the coronation. In most centres employers treated their workers to a paid holiday so they could attend the celebrations. School children, both day and Sunday school scholars, were a particular focus of attention. Everywhere children were given an opportunity of displaying their loyalty to the crown; they paraded, sang and were treated to celebratory teas. More often than not their participation earned them a small gift, most usually a loyal medal.

Like all public rituals, the coronation celebrations had the potential of going astray and seriously embarrassing its organisers. The question was whether loyalty to the crown and the values it symbolized would be strong enough to overcome any alternative shared values; and whether, even if people accepted loyalty to the crown and the values it symbolized, they would necessarily perceive the authorities as also adhering to those same values. By licensing a display of public loyalty, the authorities also (unwittingly) afforded an opportunity for public protest.

5. This view is informed by a Durkheimian analysis of the role of ritual: 'There can be no society which does not feel the need of upholding and reaffirming at regular intervals the collective sentiments and collective ideas which make its unity and its personality'. E. Durkheim, Elementary Forms of the Religious Life, p.474.
3.

Called upon by the authorities to join in the local coronation day procession, the Committee of the Manchester and Salford Trades' Unions advised their members to refuse to participate. They emphasised that they were 'not wanting in love and loyalty to the Queen', but experience had taught them 'the folly of such idle pomp and useless parade'. They continued:

we regret that our government should have agreed to spend so much money upon a Coronation whilst so many of our fellow-labourers are out of employment, and very many of them pining in hunger, and literally starving to death ...

We ... find the wealthy in and out of Parliament conspiring against the labouring poor to deprive them of the rights of industry, and withholding from them the political rights and liberties of freeborn British subjects; at the same time they call upon us to testify our allegiance to that very system of government which offers us no protection - which manifests no sympathy for the destitute poor of our country, but upon all occasions takes advantage of the power they possess to treat us as slaves, stigmatize us as combinators, and persecute us as criminals.6

The present government, they accused of having 'hardened the heart' of the Queen, and 'sworn enmity' against their order. Such conduct was 'undermining the throne, alienating the affections of the people, and bringing the throne and laws into contempt'.

Members of the Trades' Unions were reminded that their organisations had been 'brought into existence by the baseness of ... [the] political system, and the consequent tyranny of capitalists, whom the laws allow to ride rough-shod over prostrate labour'. They were therefore urged

on no account [to] allow themselves to be duped by their employers with gifts of money, drink, and feasts, in order to induce them to join in the procession ... Let the authorities send their delegates in vain; join neither [the] procession nor the idle throng that gapes on it; but betake yourselves to some more rational mode of testifying your loyalty to the Queen, and your hatred

6. 'Coronation. The Officers and Members of the Trades' Unions in Manchester and Salford', [handbill], PRO., HO 40/38, f.59.
of those base minded wretches who fatten upon your
labour, and poison her royal ear against the prayers
of her suffering subjects.\textsuperscript{7}

Boycotted by the Trades' Unions, the coronation day procession
at Manchester was not the success that the authorities had hoped for.\textsuperscript{8}
The only working people to join heartily in the procession were the
Irish and the Temperance Societies. 'There was a profuse expense
without taste, and a long procession without people', commented the
radical Champion and Weekly Herald.\textsuperscript{9} As if to compound the
authorities' discomfort, even their request that 'no political flags
should be shown on the occasion', was ignored. A large green and
white flag with the slogan 'Repeal of the New Poor Law, Universal
Suffrage, Annual Parliaments and Equitable Adjustment' was flown from
the rooms where the popular radicals normally held their meetings.\textsuperscript{10}

Manchester was not the only northern town to see members of the
labouring classes refuse to participate in the coronation day
celebrations, or use those celebrations as a means of protest. At
Leeds the boycott staged by the Trades' Unions resulted in the
procession resembling a funeral rather than a celebration. And,
according to the Leeds Times, it would have been 'nearly as sorrowful',
had not the laughter and jeers of the crowd 'served a little to enliven
the scene'.\textsuperscript{11} At Keighley the festivities were interrupted by 'some

\textsuperscript{7} Ibid.

\textsuperscript{8} Victoria's coronation day parade was not the only occasion on
which the Manchester authorities were embarrassed by the lack of
popular support for a 'loyal' demonstration. The Chartists' success in attracting large crowds to their own demonstrations reflected badly on the smaller attendances at such gatherings as the annual Queen's birthday parade. For a while the Manchester authorities struggled to overcome their numerical disadvantage. They had their successes. W. Napier, The Life and Opinions of General Sir Charles James Napier, Vol.II, p.39, tells how in May 1839 the Manchester authorities used the Queen's birthday parade to stage a massive display of armed force and thereby remind the Chartists (who were to hold a demonstration of their own two days later) what they could expect if they attempted an armed rising.

Ultimately the Manchester authorities abandoned the arena of public demonstration completely. May 1840 saw the last of the annual Queen's birthday parades in Manchester; thereafter the Chartists, Corn Law Repealers and other popular groups had the field to themselves. Manchester Guardian, 2 June 1841, carries a defence of the abandonment of the Queen's birthday parade.

\textsuperscript{9} Champion and Weekly Herald, 8 July 1838.

\textsuperscript{10} Ibid.

\textsuperscript{11} Leeds Times, 30 June 1838.
factious opposition from a section of the "Northern Democrats". At Elland a black flag with the inscription 'mourn for the follies of the people' was flown over the route of the procession. And at Huddersfield the local authorities actually found themselves the unwilling hosts of a large contingent of popular radicals, 'one of them bearing a tri-coloured flag inscribed "Liberty and Love"'.

When the loyalists attempted to sing the national anthem, they were interrupted by the popular radicals. After a delay the anthem was again proceeded with, 'till the commencement of the third stanza, when the Radicals again interfered with shouts and groans, and a large proportion singing a nonsensical verse about the poor laws'. When the Huddersfield authorities attempted to silence the protesters, stones were thrown and a general scuffle broke out.

The general holiday called to celebrate the coronation at Newcastle upon Tyne presented the popular radicals with an opportunity to hold their own counter-demonstration. A procession of the Trades, with flags and banners flying and music playing, marched from St Nicholas' Square to the town moor, where they held a meeting. One of the first speakers, James Ayr, a Newcastle workingman, contrasted 'the unmeaning mummeries of the coronation ... going on in the Metropolis', with the meeting they were holding 'to assert the rights of human nature'. 'The interests of working men', he said, 'were everywhere the same, and the oppressors would find that working men were about to be everywhere united'. They would no longer allow themselves to be led away by 'gaudy trappings'. 'If they saw the gewgaws of royalty on the one side they would be sure to] see the damnable [Poor Law] bastile on the other'. Another speaker, George Smith, an operative coachbuilder, said they 'had waited for six years for the benefits of the Reform Bill', but 'instead of benefit murder

12. Leeds Mercury, 7 July 1838.
14. Ibid.
15. Ibid; see also Leeds Intelligencer, 30 June 1838, and Leeds Mercury, 30 June 1838.
16. Northern Liberator, 30 June 1838. A number of historians have mistakingly used the French spelling of bastile: instead of using one l, they have used double l, bastille. The French spelling, bastille, was not adopted in England until later in the nineteenth century.
was its result'. 'They immured the needy, the old and the helpless in [Poor Law] bastiles, and poisoned them in their dungeons with water gruel; and what other name could he give it but ... murder'. 17

The popular radicals of Ashton under Lyne held a meeting in the market place before the local coronation day procession got under way. Nearly 5,000 people assembled to hear, amongst others, the demagogic leader of a local sect, the Rev. Joseph Rayner Stephens, assert the rights of human nature and attack the New Poor Law. While acknowledging that it was their 'constitutional duty' to swear allegiance to the Queen, the meeting also drew attention to what they saw as the reciprocal nature of the relationship between sovereign and subject. 'Allegiance ... is loyally given by a free people, in return for that protection, which the sovereign is bound to afford the subject'. In particular they asked to be protected from Her Majesty's Government, which, they claimed was

continuing to employ the bludgeon of an unconstitutional police, and the bayonets of the soldiery, to compel Englishmen to surrender their ancient liberties, and to abandon their hearths and homes to the brutal invasion of the three traitor kings [the Poor Law Commissioners], who exercise a power greater than that of the crown, are alienating the affections of the people, and driving them, in self-defence, to the last and most solemn step, which the constitution requires them to take. 18

The Queen was implored 'to dismiss from her council the men who have deceived the royal ear, abused the trust reposed in them, and by so doing endangered the public peace, and the very existence of the throne itself'. Her majesty was also 'implored to restore forth [sic] the old constitutional rights of the poor [the Old Poor Law], and all the acknowledged rights of the people at large, as nothing short of this will suffice to save the country from anarchy, and make her majesty what the constitution requires her to be - worthy [of] the love and reverence of a loyal, peaceable, prosperous and happy people'. 19

17. Ibid; see also Northern Star, 30 June 1838.
18. Manchester and Salford Advertiser, 30 June 1838.
19. Ibid.
At Oldham the popular radicals held their own meeting to celebrate coronation day in what they termed a 'rational and becoming manner'. A large procession led by the Middleton Working Men's Association and including other groups from the neighbourhood, all bearing flags and banners, marched into Oldham. One of the banners had 'a figure of Justice trampling upon Corruption'; below were the words 'Equitable adjustments'. Another had a painting of the Peterloo massacre. The handloom weavers from Failsworth brought a large cart, in which was placed a loom with a 'Jacquard' on top and a 'poor weaver' in the act of weaving a piece of 'fancy goods'. This 'emblem of usefulness and misery' excited great compassion and quite a few pence were collected from the crowd to reward the handloom weavers for the pains they had taken to show their actual condition and distress.20

The chairman of the Oldham meeting, the radical shopkeeper Alexander Taylor, told the crowd that he had expected great things from the Reform Bill, but that he had been 'deceived'. The reformed Parliament had 'never passed a single measure for the good of the people', he claimed, but instead had passed that 'infamous bill, the new poor law - the most accursed law that ever passed any legislature in the world to rob the people of their rights'. Taylor called upon all those present to 'fearlessly tell the Parliament that we are not satisfied with their proceedings, which have been altogether cruel and unjust towards the poor ... Let us do all that we can to get the New Poor-Law Act repealed'.21

John Knight, an old-time supporter of the radical cause, proposed to the meeting that the following memorial be sent to the Queen:

That in the opinion of this meeting, the Poor Law Amendment Act is at direct variance with the constitution of England, and of the chartered rights of Englishmen, as set forth by the Magna Charta, and the Bill of Rights; and inasmuch as it deprives them [the labouring population] of the free use of their lives and limbs, by shutting them up in a prison called a poor law workhouse, and as it endangers and jeopardises their lives, when labouring under misfortunes over which they have no control, by compelling

20. Champion and Weekly Herald, 8 July 1838.
21. Ibid.
them to subsist upon food, so small in quantity, so impure, and so obnoxious in quality, as to produce disease and premature death, it is, therefore, our duty legally and constitutionally to resist this most tyrannical, infamous, and cruel law, by all the means that may be within our reach; and as this is the day of her majesty's coronation, we deem it to be a proper and fitting opportunity, to assemble a public meeting, in order to memorialise her majesty to remove this most obnoxious law from the Statute Book; and as a first step ... to dismiss immediately from their present traitorous employment the three Poor Law Commissioners.\textsuperscript{22}

\begin{itemize}
\item It would be easy to dismiss the coronation day protests in the north of England (there were none below the Trent) as a mere aberration and of little significance. Apart from the Newcastle upon Tyne meeting, none of the protests attracted much attention outside their immediate locality;\textsuperscript{23} and, compared with the numbers who attended the London festivities or took part in local celebrations, the number of actual protesters appears quite small.\textsuperscript{24} But the boycotting of the loyal processions at Manchester and Leeds by large sections of the working population and the staging of protests in many of the smaller towns is not to be dismissed lightly. Numerical support alone is not always the best means of judging popular sentiment: to protest on the same day as the monarch's coronation required a degree of commitment and determination which far outweighed the relatively small numbers involved. Not of course that the protesters were being disloyal - all of the protesters took great pains to stress their loyalty to the crown\textsuperscript{25} - but by opposing the authorities they did leave themselves open to a charge of disloyalty. Furthermore, as the Manchester and

\begin{itemize}
\item \textsuperscript{22} Northern Star, 7 July 1838.
\item \textsuperscript{23} The respectable London Press (including The Times, which opposed the New Poor Law) ignored the protest meetings. Presumably it would have been disloyal to have mentioned them.
\item \textsuperscript{24} Based on newspaper estimates, 30,000-50,000 people took part in the coronation day protests.
\item \textsuperscript{25} The only hint of disloyalty to the crown comes from the Leeds Times, 30 June 1838, which remarked that the 'labouring classes ... care ... no more about the Queen and all her trumpery than ... the Queen cares about them'.
\end{itemize}
Salford Trades' Union Committee were only too well aware, a whole range of inducements were offered to encourage people to join in the loyal celebrations. Even for people who might normally be distrustful of the authorities' motives and behaviour, such enticement would be hard to refuse. At the time of another coronation nearly eighty years later, Robert Roberts recalled that the gift of 'a medal, a bun, an orange, a banana and a small box of chocolates' was enough to produce a schoolful of loyal subjects for King George V. One cannot view participation in the coronation celebrations as a measure of public loyalty to the crown (much less to the authorities): bribery, curiosity and pressure to conform were just as important. That there was even one protest meeting on the same day as Victoria's coronation must be taken as an indication of popular ill-feeling towards the government and its policies.

Although a variety of issues were raised by the protesters - the failure of the Reform Bill, a demand for Universal Suffrage, the tyranny of 'Capitalists' - one overriding issue concerned all the protesters: the New Poor Law. The Manchester and Salford Trades' Union Committee gave as one of their main reasons for boycotting the coronation day procession, that the 'system of Government ... manifests no sympathy for the destitute poor'. At Huddersfield it was a 'verse about the poor laws' which the popular radicals sang in their own version of the national anthem. The protesters at Ashton under Lyne saved their most severe criticism for the 'three traitor kings' - the Poor Law Commissioners. And at Oldham it was for a repeal of the 'accursed' New Poor Law that the meeting memorialized the Queen.

Passed in 1834, the Poor Law Amendment Act (or New Poor Law, as it was more popularly called) was viewed with hatred and horror by most of the labouring population of Britain. Why? Superficially one might answer that the New Poor Law was seen as treating poverty as crime and robbing Englishmen of the rights and liberties that they had enjoyed

27. 'Coronation ...', PRO., HO 40/38, f.59.
29. Manchester and Salford Advertiser, 30 June 1838.
30. Northern Star, 7 July 1838.
for over two hundred years under the Elizabethan Poor Law - the Old Poor Law. But while such answers are perfectly correct, they are also inadequate. To talk of the loss of rights and liberties is meaningless, unless that transaction is placed within the context of that complex web of beliefs, customs, values and assumptions which guided popular responses to the Old and New Poor Laws. Furthermore, such a web of beliefs was neither uniform nor immutable: it varied between urban and rural communities, and was liable to modification over time. Thus, as we shall see, although the campaign of popular opposition to the New Poor Law started as a clash between two world views, moral economy and political economy, it ended up in Chartism as a class struggle for political representation. Finally, a distinction has to be made between the New Poor Law qua poor relief and the New Poor Law qua ideology. For the labouring population of Wales and England there was something sinister and frighteningly different about the New Poor Law: it was viewed as turning social relationships, human values and Christian worship on their head. The purpose of the New Poor Law, claimed the Chartist newspaper the Northern Star, was to 'enable the High Priests of this modern Moloch, to offer up a human sacrifice to the household Gods of "Capital".'

By reviving the full ritual of the coronation, the authorities had hoped to reaffirm the harmony and the unity of the nation as a whole. In a large measure they were successful. The London celebrations were a resounding triumph for the authorities. But the further one moved away from the capital and the closer one got to the northern manufacturing towns, with their traditions of popular radicalism, the louder the cries of dissent. For all the pomp and pageantry in London, it was the 'poor weaver' and his loom, being dragged into Oldham on the back of a cart, which provided the most powerful and moving image of Victoria's coronation day. One detects in this poignant symbol of 'usefulness and misery' the bewilderment and anger of ordinary men and women aggrieved at the disjunction between life as they experienced it and the state of society as the authorities, the constructors of social knowledge, wished it to be seen. Popular opposition to the 1834 New Poor Law stood near the centre of this growing unrest.

31. Northern Star, 7 April 1838.
Chapter One

OLD POOR LAW

Popular opposition to the 1834 New Poor Law had its foundations in the expectations created by the Old Poor Law. Unfortunately, our view of the Old Poor Law continues to be dominated by the Report of the 1832 Royal Commission. Despite criticism of the Report's prejudiced views, selective use of evidence and unstatistical methods, many historians still persist in presenting us with what is little more than a rehash of its findings.\(^1\) The Old Poor Law, we are invariably told, 'demoralized the agricultural labourer', 'had the effect of keeping down wages', and 'imposed a heavy burden on the ratepayers'.\(^2\) As Mark Blaug has pointed out, such uncritical acceptance of the views contained in the Report of the 1832 Royal Commission 'has seriously distorted the history of the Industrial Revolution in Britain'.\(^3\) More particularly it has distorted our understanding of popular

\(^1\) I shall examine the 1832 Royal Commission and its Report, BPP, 1834, Vols.XXVII-XXX, and XXXIV-XXXIX, in Chapter Two. See below pages 58-62.

\(^2\) S.G. Checkland, The Rise of Industrial Society in England, p.274, claims the inmates of workhouses were 'dissolute, depraved and promiscuous', whilst those receiving out-door relief 'showed an alarming tendency to accept their dependence upon the parish'. D. Roberts, Victorian Origins of the British Welfare State, pp.38-9, tells us that the local administration of the Old Poor Law had 'broken down', poor rates 'imposed a heavy burden on the ratepayers', the allowance system 'encouraged' pauperism and 'demoralized the agricultural labourer', and there was wholesale jobbing and corruption. In his recently published work, N. Gash, Aristocracy and People, pp.33-4, repeats the litany: the Old Poor Law 'had the effect of keeping down wages' and 'putting the thrifty and hardworking ... on the same level as the idle and improvident'. Such views have become so much a part of conventional wisdom that supporting evidence is rarely cited; but when it is, it is invariably the Report itself, or the writings of its supporters.

opposition to the New Poor Law. To correct this distortion and help us view the campaign of popular opposition to the New Poor Law in context, it is necessary to re-examine the Old Poor Law, the way it operated, and (most important of all) the expectations to which it gave rise.

* * *

During the sixteenth century, as the State absorbed many of the powers and functions of the Church in England, it became responsible for the system of public relief which had previously been regulated by canon law. The poor laws enacted by successive Tudor governments were in the main a development of this canonistic tradition. Many of the features of the Tudor poor laws which are usually claimed as important innovations - the recognition that society had a duty to provide for the impotent poor through an established public authority, the rule that each parish should support its own poor, the principle of compulsory poor relief contributions - were present in the canonical poor laws that had operated in England since medieval times. Where the Tudor poor laws did break new ground, apart from the changes made to the administrative machinery, was in attempting to deal in a constructive manner with the 'new' problem of able-bodied unemployment.

The social and economic upheavals of the sixteenth century - enclosures, industrial unemployment and rising prices - had combined to produce widespread destitution amongst the newly created class of day-labourers. This in turn placed an intolerable burden on existing poor relief schemes and charitable institutions. Successive Tudor governments, sensitive to the dangers of social unrest, sought to

4. J.R. Tanner, Tudor Constitutional Documents, pp.470-1, thought the provision in the 1536 Act, 27 Henr.VIII, c.25, that every parish was to be responsible for its own poor, a 'new principle'; and that the 1563 Act, 5 Eliz.I, c.3, was 'a new departure', because it applied the principle of compulsion to the collection of funds for poor relief. B. Tierney, Medieval Poor Law, p.131, shows that similar procedures had been adopted in the twelfth century.

overcome these problems. Working through the local Justices of the Peace, the central authorities began to experiment with different methods of allaying distress, preventing vagrancy and maintaining social stability. The series of Tudor poor law enactments passed between 1531 and 1601 were the result. It was the last of these enactments, the 1601 Act for the Relief of the Poor, the 'beloved 43rd of Elizabeth', which was to form the basis of poor relief in England and Wales for the next 232 years.

The 1601 Act instituted a three tier system of administration. At the top were the central authorities, the crown, privy council and parliament, with responsibility for determining overall policy. Next came the local magistrates, the Justices of the Peace, whose duties were supervisory, and included such activities as appointing officers, auditing accounts and settling disputes. And finally, at the bottom, came the parish authorities who were responsible for the

6. S. & B. Webb, English Poor Law History, Part I, p.41, suggest the Tudors were aware of the developments taking place on the continent. The supposed uniqueness of England's poor laws is the result of a failure to appreciate the extent to which England shared in these developments.

7. The main enactments were: 1531 Act, 22 Henr. VIII, c.12, which made Justices of the Peace responsible for administration, and established a clear distinction between 'aged, poor, and impotent persons', and those 'whole and mighty in body and able to labour'; 1536 Act, 27 Henr. VIII, c.25, which made each parish responsible for its own poor, and recognizing the problem of able-bodied unemployment, ordered parishes to provide work for those with 'limbs strong enough to labour'; 1552 Act, 5 & 6 Edw. VI, c.2, sought to increase funds by directing that two 'Collectors of Alms' be appointed for each parish; 1563 Act, 5 Eliz. I, c.3, introduced the compulsory poor rate; 1572 Act, 14 Eliz. I, c.5, repealed the 1531 & 1563 Acts and created the office of overseer; 1576 Act, 18 Eliz. I, c.3, ordered towns to provide a 'store and stock of wool, hemp, flax, iron and other stuff', so that youths, rogues and 'needy persons being willing to work' could be provided with labour; 1598 Act, 39 Eliz. I, c.3, not only ordered that material to set the poor to work be provided, but also that 'competent sums of money' be made available for the 'relief of the lame, impotent, old, blind, and such other among them being poor and not able to work'; 1601 Act, 43 Eliz. I, c.2, was in the main a re-enactment of the provisions contained in the 1598 Act.

8. 43 Eliz. I, c.2. Although it was only passed as a temporary measure, the 1601 Act was continued by the parliaments of James I and Charles I.
detailed day to day work of administering poor relief.\textsuperscript{9}

Under the terms of the 1601 Act, parishes were made responsible for the relief of all destitute persons living within their bounds. Funding was to be provided by the levying of a compulsory rate on 'every inhabitant ... and every occupier of land'. Unpaid parish officials, 'Overseers of the Poor', were to collect this poor-rate and control its expenditure. The overseer's first task was to help those who could achieve some degree of independence: young children, whose parents were unable to keep and maintain them, were to be set to work; older children of poor parents were to be provided with apprenticeships; and adults who were able-bodied, but had no work, were either to be 'set on work', or given 'necessary relief' until they were able to regain their independence. To those unlikely to ever again achieve independence - 'the lame, impotent, old, blind' and the like - the overseers were simply to give relief.\textsuperscript{10}

On questions of policy the 1601 Act was silent. Was unemployment to be treated as a crime or a misfortune? Was relief to the able-bodied to serve as a dole or a deterrent? The Act itself provided no clear answers. Such matters were the responsibility of the central authorities, and it is to their decisions and orders that we must look to determine what policies guided the 1601 Act.

With the passage of the 1598 and 1601 Acts the principal officers of the crown, acting as the privy council, began to show a greater interest in the administration of poor relief.\textsuperscript{11} Initially their orders and proclamations did not differ greatly from those of an earlier period - they continued to enforce indirect measures for relieving the poor by ensuring adequate supplies of corn for the markets and controlling its price. But gradually, as they became more directly involved in the administration of poor relief, the privy council's orders related more and more to ordinary relief - pensions for the old and work for the unemployed.\textsuperscript{12} Contemporary legal handbooks indicate the way in which magistrates and parish authorities interpreted these orders. One of the most popular of

\begin{itemize}
\item \textsuperscript{9} G.W. Oxley, Poor Relief in England and Wales, 1601-1834, p.14.
\item \textsuperscript{10} 43 Eliz. I, c.2.
\item \textsuperscript{11} Oxley, Poor Relief ..., pp.16-17, suggests little was done to enforce earlier poor laws.
\item \textsuperscript{12} E.M. Leonard, The Early History of English Poor Relief, pp.142-52.
\end{itemize}
of these handbooks, Michael Dalton's *The Countrey Justice*, makes the distinction, common at the time, between three classes of poor persons. There were the 'poore by impotency and defect', the aged, crippled, blind, lunatic and diseased, who were to be provided with enough to sustain them properly. Then there were the 'poore by casualty', the sick, those 'overcharged with children', the able-bodied unemployed and those who were the victims of accidental loss, who were to be provided with work and further relieved according to their needs. And finally there were the 'thriftless poore', rogues and vagabonds who were deserving of no sympathy or relief, and who were simply to be sent to the House of Correction.\(^\text{13}\)

The active involvement of the central authorities in poor relief reached its peak in 1630 with the issuing of the 'Book of Orders', and the formal embodiment of the privy council as 'Commissioners of the Poor'.\(^\text{14}\) Between then and the outbreak of Civil War (and including the period of Charles I's personal rule) the central authorities' involvement in poor relief matters was almost continuous. In fact, so effectively did the central authorities intervene during this period that at least one historian believed it was not until the twentieth century that Britain was again to see 'so much provision of work for the able-bodied or so complete a system of looking after the more needy classes'.\(^\text{15}\)

The outbreak of Civil War ended the central authorities' active involvement in poor relief. Henceforth, the magistrates and parish authorities were to enjoy virtual autonomy in the administration of poor relief; albeit an autonomy tempered by the legacy of the central authorities' period of active involvement. In all but the remotest parts of England and Wales a system of poor relief had been established, which with periodic tinkering was to remain in force for the next

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15. Leonard, *Early History ... Poor Relief*, p.132.
two hundred years. 16

* * *

The Old Poor Law extended its influence well beyond the simple provision of poor relief. More than any other piece of legislation, it directly affected the lives and well being of ordinary men and women. This is partly explained by the Old Poor Law having originally been both an essential instrument for the maintenance of law and order, and an arm of paternal government; and partly by it having been written in such general terms that 'the Poor' could be interpreted as meaning the labouring population as a whole. Furthermore, there was a natural tendency for the parish bureaucracy, once established, to become the de facto administrators of a variety of related laws and regulations. Thus we find laws relating to employment, vagrancy, bastardy, charity, the welfare of maimed soldiers, the treatment of plague victims, the maintenance of roads, the playing of games, drinking, the hunting of game, and the building of Houses of Correction intimately connected with the administration of poor relief, and the responsibility of the local magistrates and parish officials. 17

The wide powers available to the parish authorities not only meant that they had a great deal of authority over the poor, but that 'they were [also] expected to do more for them'. 18 Relief in aid of wages, assistance for large families, the provision of housing, apprenticeships for poor children, and help so people could earn their own livelihood and again become independent, were just some of the benefits available to a wide section of the labouring population under the Old Poor Law. As Dorothy Marshall has observed: 'the parish was

16. A.H. Dodd, 'The Old Poor Law in North Wales', Archaeologia Cambrensis, Vol.81, (7th Series) No.6, 1926, pp.112-3, suggests there were parts of north Wales which had to wait until the end of the seventeenth century before poor-rates were levied.

17. Leonard, Early ... Poor Relief, pp.137-8, lists some of the major statutes passed between 1597-1644 that were connected with the Old Poor Law.

not only a relieving, but, in some cases, a preventative agent'.

The prevention of destitution could take many forms. The one that has tended to attract the most attention was relief in aid of wages, or as it was better known, the allowance system. Unfortunately, the dominant position assumed in British historiography by 'Speenhamland' has tended to distort our view of the operation of the allowance system. Accepted wisdom has it that 'Speenhamland' introduced the concept of relief in aid of wages into Britain; that it corrupted and debased the operation of the Old Poor Law; and that it eventually forced the introduction of much needed reform in the shape of the New Poor Law. In fact, the allowance system was in operation at least a century and a half before 'Speenhamland'.

Under the terms of the 1601 Act, the practice of subsidizing the wages of someone in full-time employment could be justified on two grounds: setting the able-bodied to work, and the care and welfare of the children of poor parents. In both cases parish officials soon

19. Ibid.

20. Eden, State of the Poor, Vol.I, p.575, helped establish the tradition, by calling wage subsidies 'a deplorable evil' and singling out 'Speenhamland' for particular abuse. Nicholls, History ... Poor Law, Vol.II, pp.116 & 132, took up the cry: 'Speenhamland' was 'a source of great and universal abuse', and 'was extensively adopted in other counties'. Later historians have continued to repeat the claim. Webb, English Poor Law History, Part 1, pp.180-1, tells us that between '1795 and 1833 the principle of making up wages by Outdoor Relief, according to a definite scale depending on the price of bread and the number of children in the family, spread to nearly every county in England and Wales'. More recently, M.E. Rose, 'The Administration of Poor Relief in the West Riding of Yorkshire, c.1820-1855', unpublished D. Phil. thesis, 1965, p.13, tells us the allowance system in the north of England grew up as a result of 'Speenhamland'.

realized that it was much cheaper and simpler to give an allowance. 22
Certainly the practice of giving an allowance to poorly paid
labourers with large families had become widespread by 1697, when
it attracted the attention of John Locke in his well-known proposal
to reform the poor laws. 23 Surviving parish records for the seven­
teenth, eighteenth and early nineteenth centuries indicate that a
small, but ever present, proportion of poor relief was given under
the allowance system. 24 During periods of exceptional hardship, the
allowance system could be used to relieve a large proportion of the
labouring population. In the 1790s it had been the agricultural
labourers who had benefited most from the operation of the allowance
system; by the 1830s it was the out-workers in the decaying handicraft
trades. 25 Foremost amongst these were the handloom weavers.

22. Privy Council Register, 5 May 1629, f.237; quoted in Leonard,
Early ... Poor Relief, p.153, contained orders which allowed
the magistrates to 'otherwise relieve' the able-bodied
unemployed should the provision of work prove impossible. From
granting outdoor relief to the unemployed, it was logical that
parish officials should next help people to retain their jobs
when wages began to fall during periods of economic depression.
Webb, English Poor Law History, Part 1, p.172, tells how the 'baize
makers' of Colchester, whose wages had been reduced to fourpence
per day, had them 'made up' to tenpence per day out of the parish
poor relief fund. Hampson, Treatment of Poverty ..., p.48, writes
how the parish officials soon realized that it was cheaper and
simpler to give an allowance to those labourers 'overcharged
with children', rather than try and find work for them.

23. Locke referred to 'a great number of children giving a poor man
a title to an allowance from the parish'. He proposed that this
could be overcome by the establishment of 'working schools' for
all children under three years of age. H.R.F. Bourne, The Life

24. Whiston Petition 1654, LRO., QSP/259/12; Tyldesley and Shackerley
Overseer's Accounts 1703, LRO., QSP/916/26; Atherton Overseer's
Correspondence 1718-1841, WRO., TR Ath/8; Sutton Overseer's
Accounts 1769, Chetham's Library, Mun A7/14; Halliwell Township
Book 1787-1813, BMBA., PHA/1/2.

25. Blaug, 'The Myth of the Old Poor Law', pp.176-7, writes that
the allowance system was 'a device for dealing with the problems
of surplus labor in the lagging rural sector of a rapidly
expanding but still underdeveloped economy'. Apparently a victim
of the 'Speenhamland' myth, he is unaware that the allowance
system was also widely used to deal with the problems of
periodic slumps and the plight of workers in the decaying trades
of the industrial sector.
During the late 1820s, as the once prosperous trade of cotton handloom weaving was challenged by the introduction of powerloom weaving, the wages of the skilled handloom weavers began to fall dramatically. Forced to work exceedingly long hours for a pitiful wage, the handloom weavers turned to the parish for help. There was no uniform scale of allowances, but in most northern parishes 'it was the practice to make up the earnings of the family to 2s. or in some cases 1/6 a head'.

Gilbert Henderson, Assistant Commissioner to the 1832 Royal Commission, reported how the system operated in Manchester:

> those employed on work of a common description usually make out a case for relief when they have three or more children under ten years of age; printed forms are used for the purpose of ascertaining from their employers the amount of their earnings and their character for industry; and after enquiring into their means of subsistence, the deficiency is usually made up to 2 shillings a head for each member of the family.

Not all parishes had systematized their operations to this extent, but most tried to alleviate the suffering being experienced by the handloom weavers. At Oldham the select vestry introduced a retraining scheme. Situations were 'procured for many of them in the power-loom factories' and their families maintained by the parish whilst they were 'learning to work at the power looms'. In the smaller villages and towns, however, where the majority of handloom weavers lived and worked, retraining was not practical. The new powerloom sheds tended to be built in the existing large factory towns; and furthermore they required the labour of women and children to operate them - not adult men. For most handloom weavers the choice was therefore either to move to the overcrowded towns, in the hope of finding some sort of work, or stay in the small handloom

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26. Extracts, p.340. While there was no attempt to fix a uniform scale, there was little variation amongst parishes in the amount actually set. At Barnard Castle, Durham, it was 2/6 for adults and 1/- for every child under twelve; ibid, p.172. Darlington, Durham, set its level at 2/- for adults and 1/6 for children; ibid, p.170. Atherton, Lancashire, set 2/- per head; Hamer to Sheperd, 10 December 1831, Atherton Overseer's Correspondence, WRO., TR Ath/C8. And at Wilmslow, Cheshire, it was a generous 2/6 per head; Report of the Select Committee on Emigration from the United Kingdom, BPP., 1826-1827, Vol. V, Q.424, quoted in D. Bythell, Handloom Weavers, p.236.


weaving village and eke out an existence as best they could. The Old Poor Law, through the allowance system, was able to offer some measure of support to these victims of technological change; it saved jobs, protected the young and enabled people to avoid becoming totally dependent on parish poor relief.

It was one of the central tenets of the opponents of the Old Poor Law that outdoor relief in general, and relief in aid of wages in particular, was open to abuse. The criticisms are so well known that they hardly need repeating: workers tended to become lazy and unruly once they knew that wages would automatically be 'made up' to a fixed amount out of parish funds; and the guarantee of a minimum income destroyed all incentive to work. There is little evidence of this ever happening. The allowance system did not encourage 'sloth' among the handloom weavers, Gilbert Henderson reported to the 1832 Royal Commission, because the amount decided upon was to supplement a full week's work, and if the recipient worked harder he kept the extra income. Later Assistant Poor Law Commissioners also reluctantly admitted that there was little abuse of the allowance system in the north of England. Alfred Power thought it was due to:

- a very close spirit of economy in relieving the poor ...;
- a great degree of hardihood & independence in the mass of the people; the existence of numerous clubs and societies, providing against the contingency of sickness & embracing large numbers of the operative classes; and ...
- a disposition on the part of the medical men, to make moderate charges upon the township for attendance upon pauper patients.

30. H.B. Gascoigne, Pauperism; Its Evils and Burden Reduced, p.12, claimed that 'the ease with which many obtained money [from the parish], induced others to apply'. Lord Althorp, Hansard, 3rd series, Vol. XXII (1834), c.878, told the House of Commons when introducing the New Poor Law that relief paid to the poor in their own dwellings was 'a great mistake', as all 'feelings of independence on the part of the labourers had been almost entirely extinguished'.

31. It was the ideology of political economy, not hard evidence, which suggested to the opponents of the Old Poor Law that 'self interest' would cause people to feign distress in order to receive poor relief; or that people would necessarily become slothful in their work if they were guaranteed a minimum income. See Chapter Two below, pages 47-52.


33. Power to PLC, 9 March 1839, PRO., MH 32/64.
Charles Mott thought the explanation was to be found in the custom of selecting for parochial officers 'only men of great respectability without reference to political or religious feeling'. All commentators agreed on one point: the handloom weavers and other depressed persons were 'reluctant to apply for relief'. Samuel Roberts, a Sheffield cutler who served his town for more than twenty years as an overseer of the poor, explained why: 'It is a mistaken idea', he wrote, that the greater part of the Poor Rates are bestowed on improper objects - for instance, on able bodied men; men capable of working and able to produce work. Likewise that such men and their families look forward, with a kind of longing desire, to get, and remain, on the list of paupers. The very reverse of this is certainly the fact ... [Even] when want of employment absolutely compels them to seek temporary relief from the parish, [far] from regarding it with satisfaction ... nine times out of ten they shrunk from it with horror, and it is only resorted to at last from absolute necessity ... [F]ar from idleness being considered as an enjoyment, the great complaint of all workmen was, the irksomeness of being unemployed.

Rent relief was another important means of preventing destitution. One of the largest areas of expenditure under the Old Poor Law, it has received little attention from historians.

34. Mott to PLC, 9 March 1839, PRO., MH 12/6039.
35. Henderson, Extracts, p.356, reported that the handloom weavers were 'reluctant to apply for relief'; Power to PLC, 21 October 1837, PRO., HO 73/53, also noted that at times of severe depression 'there is no doubt that great privations are frequently endured ... by large numbers of persons without their making even an application for relief'.
36. S. Roberts, Defence of the Poor Laws, p.33, my emphasis.
37. N.D. Hopkin, 'The Old and New Poor Law in East Yorkshire, c.1760-1850', unpublished M.Phil. thesis, p.12, indicates that apart from direct cash payments rent relief was the next major item of expenditure. As far as I am aware this has not been noticed by other historians. My own examination of surviving poor relief accounts supports Hopkin's assessment. E.g., Statement Debursements of Poor Rates 1 May 1813-1 May 1814, Atherton Overseer's Papers, WRO., TR Ath/C9/10, shows the following expenditure:

Outdoor Relief (cash and kind) ... 68%
Rent Relief ...................... 16%
Workhouse Relief ................ 15%
Other Relief .................... 1%
The 1601 Act gave the parish the power to erect 'convenient houses of dwelling for the ... impotent poor' on waste ground. It did not take long before the able-bodied were also being helped with housing at parish expense. In the north of England the practice appears to have commenced during the Civil War. The widespread dearth and want of employment at that time combined to render many labouring families destitute. Rents fell due with people unable to pay, and numerous evictions took place. Many of those evicted, like James Cowpe of Westhoughton, near Wigan, took their cases to court. Cowpe petitioned the Lancashire Quarter Sessions that he, his wife and four children were faced with starvation, 'because of the Exterodinary darth [sic] and want of work'. As a consequence, he told the bench, he had been unable to pay his rent and been put out of his house. The bench, sympathetic to the plight of such families, ordered that the churchwardens and overseers provide him and his family with a house. Gradually, as the parish officials came to understand and accept the court's views on the housing of the poor, they began to ensure that people were not thrown out of their homes because of their failure to pay rent.

Surviving parish records indicate that by the eighteenth century the practice of paying part at least of a pauper's rent was well established. Of the twenty-two 'permanent poor' in the parish of Barrowford Booth, near Colne, Lancashire, in 1717, twelve had at least part of their rent paid out of parish funds. In extreme cases parish authorities were even prepared to pay all the rent. Nor were rent subsidies restricted to the 'permanent poor', they could also be used to assist the able-bodied poor on low incomes. At Barnsley, Sam Thornly, a linen weaver who had suffered 'misfortune', was only one of many full-time workers to have a portion of his rent paid out of parish funds. The Report of the 1832 Royal Commission

38. 43 Eliz. I, c.2.
39. Petition of James Cowpe for a Habitation 1650, LRO., QSP/32/12; for other cases where the court ordered that petitioners be provided with a dwelling see LRO., QSP/8, 32, and 64.
40. Barrowford Booth Overseer's Accounts 1717, MCLA., L1/41/8/1.
41. Barnsley Parish, Overseer's Account Book, 10 January 1774, BML.
was to conclude that, apart from direct cash payments, the most common form of relief given to the able-bodied was 'that of relieving the applicants, either wholly or partly from the expense of obtaining house-room'.

★  *  ★

The Old Poor Law's benefits were tempered by coercion and stigmatization. The settlement laws, the compulsory wearing of badges and the workhouse were the price the labouring population paid for the Old Poor Law's protection. Nevertheless, it was not unusual to find their application moderated by a mixture of expediency and humanitarianism.

Following the passage of the 1662 Act for the Better Relief of the Poor, parish officials had the power to remove and ship back to the parish where they were 'legally settled', any person who did not inhabit a dwelling worth at least £10 a year, and who was liable (no matter how vaguely) to become chargeable on the parish poor rate. This and later settlement laws have traditionally been seen as restricting the free movement of labour and generally contributing to the hardship experienced by the poor. In practice, the settlement

42. Report, BPP, 1834, Vol. XXVII, p.8. Alfred Power later confirmed the view, Report from the Select Committee on the Poor Law Amendment Act, BPP, 1837-8, Vol. XVIII, Part 1, Q.2842, when he said 'it was a very general course ... throughout the West Riding and throughout Lancashire, to give relief in rents'.

43. 13 & 14 Car.III, c.12. The Act was slightly modified and legal settlement more clearly defined in 1691, 3 & 4 M. & W., c.11, and 1697, 8 & 9 Will. III, c.30. In 1795 the Act was again slightly amended to allow removal only after a person had actually applied for relief; 35 Geo. III, c.101.

44. Webb, English Poor Law History, Part 1, p.330, claimed that the settlement law caused 'hindrance to the migration of enterprising labour', produced 'hardship and suffering', and demoralized the whole administration of the poor law with its 'inter-parochial litigation'. For later criticism of the settlement laws see: Ashby, 'One Hundred Years of Poor Law Administration', p.80; J.D. Chambers, Nottinghamshire in the Eighteenth Century, p.266; and Marshall, English Poor ..., p.248. Not all historians have subscribed to this view, however. E.J. Hobsbawm, 'The Tramping Artisan', Economic History Review, 2nd series, Vol. III, No.3 (1951), p.303, suggests the settlement law 'hardly incommode the artisan'. He expressed similar views concerning the rural poor in E.J. Hobsbawm & G. Rude, Captain Swing, p.46.
law's effects were nowhere near as clear cut as that. Certainly in the north of England, the settlement law appears to have done nothing to restrict the free movement of labour into the towns. In fact the settlement law might even have assisted it. Town authorities had nothing to fear from an influx of labour from the rural parishes, because the cost of removal (or as was more likely, the cost of providing outdoor relief) had to be born by the recipient's home parish. At least one historian has seen the settlement law as yet another way in which the agricultural sector subsidized the growing industrial sector. Put simply: 'The factory got the labour; then in sickness and [old] age the rural parish got the relief bill'.

The settlement law's effects were mixed. Certainly there were many occasions on which pregnant women, the sick and the aged were treated with callous disregard by penny-pinching officials. But equally there were many paupers who were able to use the threat of being removed back to his or her home parish as a means of obtaining outdoor relief from their overseer. Joseph Pennington knew how to use the settlement law to advantage, when he wrote to the Atherton overseers from Huddersfield in December 1831. Pennington explained that he and his family of ten had 'not a web in the looms', and were in dire need of relief. He asked whether they were to be sent relief 'or are we all to be brought to you'. And just to make sure the overseers did not delay in ordering relief to be paid, Pennington warned that if he did not hear from them quickly he would assume 'it is your will that we should come, and must apply to the overseers here to bring us'. With few employment opportunities available for the poor

46. Surviving overseer's correspondence is full of such thinly veiled threats. See especially: Atherton Overseer's Correspondence, WRO., TR Ath/C8; Hindley Overseer's Correspondence, WRO., TR Hr/C1; Sandal Magna Poor Law Correspondence, 1820-1829, LCA., SM 22/1; and (according to Taylor, 'The Impact of Pauper Settlement', p.68) the correspondence of Stephen Garnett, overseer of Kirkby Lonsdale, Westmoreland Record Office, Kendal, WPR/19.
47. Pennington to Atherton Overseers, 3 December 1831, Atherton Overseer's Correspondence, WRO., TR Ath/C8.
in their home parishes, there were few overseers who were not susceptible to such pressure. Thomas Ainsworth of Clayton in Dale, near Blackburn, explained to the Poor Law Commissioners: nearly all the paupers in the parish were 'resident at a distance in the manufacturing Towns', and as a result the parish was 'continually receiving threats from some of them that unless we send them relief they would come to us with a removal order, or a letter & Bill from the overseer of the town stating that he had relieved them & taken out an order'. The high cost of removal and/or litigation meant the parish authorities were helpless in this sort of situation. '[W]hatever the charge', admitted Ainsworth, 'we always found it best to pay'.

It is not my intention to claim that the settlement law only acted to benefit the poor. But I do suggest that the usual dismal picture of its operation, should, like so much else to do with the Old Poor Law, be revised.

Attached to the 1697 Settlement Act was a clause requiring paupers to wear badges on their right shoulder, bearing the letter P and the initial of their parish. This has often been misconstrued as an attempt to attach a stigma to the recipients of poor relief. This was clearly not the intention of those who passed the legislation. The aim of the Act was to ensure 'that the money raised only for the relief of such as are well impotent as poor, may not be misapplied and consumed by the idle, sturdy and disorderly beggars'. By making paupers wear badges it was hoped it would be more difficult for people to make false claims on parish poor relief.

The requirement that paupers wear badges soon fell into disuse.

48. Ainsworth to PLC., 31 January 1835, PRO., MH 12/5529. Gilbert Henderson reported to the 1832 Royal Commission, Extracts, p.359, that 'on the whole' the practice of relieving out-paupers in the large towns, rather than removing them back to their home parish, 'operates beneficially to the country townships'. 'By mutual candour and fair dealing between the overseers, litigation and removals are diminished, the poor are less harassed, and probably less burthensome, as they are generally better able to earn a living where they remain'.

49. Oxley, Poor Relief ..., p.54.

50. 8 & 9 Will. III, c.30.

51. At the West Riding Quarter Sessions in April 1711, the bench complained that the law respecting pauper badges was being ignored. Quarter Session Order Book, 10 April 1711, WYRO.
There were several reasons for this. In the smaller parishes, common knowledge was already doing the job for which the badges were intended, and it was hard to justify the expense and effort involved in their use. And in the larger parishes and towns, those at whom the badges were aimed - those falsely claiming relief - could evade its provisions without much difficulty. Periodically the practice of making paupers wear badges was revived by individual parish authorities seeking to tighten up the administration of poor relief, but by and large their use had virtually ceased by the time the relevant legislation was repealed in 1810.52

Of all the impositions placed on the recipients of poor relief under the Old Poor Law, the workhouse was undoubtedly the most important. Traditionally the workhouse has been seen to have its origins in 1696 when the City of Bristol obtained a Local Act of Parliament allowing it to take over the administration of poor relief in its nineteen city parishes. The Bristol 'Mint', the huge workhouse which the merchants of the city established for the confinement of the vagabond poor, quickly became a model for similar institutions throughout England.53 As it happens, the Bristol 'Mint' was not the breakthrough it might first appear. A workhouse could clearly be justified under the 1601 Act's provisions for setting the poor to work. During the 1630s, several parishes, chiefly in textile towns, reported to the privy council that they had established places where the unemployed could be given supervised work.54 Accurate information on how many of these 'work houses' were established, or how long they stayed in operation, is not available. Chance references, however, indicate that they were much more common than is usually supposed.55

52. 50 Geo. III, c.52. A.E. Davies, 'Some Aspects of the Operation of the Old Poor Law in Cardiganshire, 1750-1834', Ceredigion, Vol.6, No.1 (1968), pp.19-20, says that Cardiganshire was one of the few places in Britain to still enforce the wearing of badges by paupers in the early nineteenth century.


54. Leonard, Early History... Poor Relief, pp.255-7.

For most parishes, the absence of any positive legal provision might have deterred them from establishing one of these early 'work houses'. It was only the more prosperous towns which could apply for a Local Act of Parliament which would give them permission to build a workhouse. The 1722 Act removed all these difficulties. Under the terms of this Act, parishes could obtain premises for use as workhouses, and enter into contracts with people to manage the house. One of the Act's most important provisions however was to allow parish authorities the power to deny relief to those who refused to enter the workhouse. By applying this 'workhouse test', overseers could seek to eliminate the idle and undeserving poor from their books. At least that was the theory. Apart from an amendment made in 1795, allowing magistrates the power to grant outdoor relief in cases of temporary need, the Act remained in force until the arrival of the New Poor Law in 1834.

The experience of Leeds, which established its first workhouse following the passage of the 1722 Act, was typical. In March 1725 the Leeds Vestry decided that a workhouse should be hired or erected 'for keeping lodging and maintaining the Poor'. A committee was appointed and in due course a house near Northbar, which had formerly been used as a Charity School, was converted for use as a workhouse. By June 1726 the house was ready for occupation and the Vestry issued orders that 'all the Charity-Children who have now Town pay be brought into this house'. It was also decided that the town's Aldermen would be requested to 'inspect their respective liberties, and give an account of what poor persons they find proper to be rec[eive]d into this house who are capable of working'. Over the next week a list of those who were to be offered the workhouse was drawn up. There were seven men, eleven women and thirty three children on the list. Three of the men, five of the women and nineteen of the children refused to go into the

56. 9 Geo.I, c.7. Gilbert's 1782 Act, 22 Geo.III, c.83, also contained provisions for the establishment of 'Union' workhouses.
57. 36 Geo.III, c.23.
58. Leeds Vestry Workhouse Committee Minute and Order Book, 6 March 1725, LCA., LO/M/1.
59. Leeds Vestry Workhouse Committee Minute and Order Book, 18 June 1726, LCA., LO/M/1.
The Leeds establishment was initially intended to function as a proper workhouse. Shubaal Speight, his wife and two sons were hired by the workhouse committee for £50 a year, to attend the house and 'teach the Children and others ... to spin with the dutchwheel and to card to it'. The thread that they produced was to be made into material to clothe the inmates. The workhouse was also to tender for work from outside commercial sources.

Given that over half of the inmates were children it was inevitable that the workhouse committee's thoughts should turn to their education. In October 1726 the committee decided that any children in the workhouse who were 'untaught' should receive lessons from 'the Woman who Teacheth Reading'. It was also resolved that when vacancies occurred at the Town's Charity School, workhouse children were to be given preference.

Within twelve months the Leeds workhouse was encountering difficulties. A number of the adult inmates were refusing to work. The committee, who would brook no disobedience, warned one of the troublemakers, Jane Skelton, that if she continued to disobey instructions to work, the workhouse master had orders to 'turn her, and her sister and mother out of this house'. Perhaps more importantly, the workhouse was also finding it increasingly difficult to obtain work from outside commercial sources. By November 1727, this source had dried up completely. The workhouse master, Robert Milnor, was ordered to obtain as much wool as he could to keep the inmates busy until further work came in. Apparently the outside work did not materialize, because in January 1728 the Leeds Vestry

60. Leeds Vestry Workhouse Committee Minute and Order Book, 25 June 1726, LCA., LO/M/1. It should be noted that over half of those offered the workhouse refused to enter, although they were aware that they were placing their parish relief pay in jeopardy.

61. Leeds Vestry Workhouse Committee Minute and Order Book, 9 July 1726, LCA., LO/M/1.

62. Leeds Vestry Workhouse Committee Minute and Order Book, 22 October 1726, LCA., LO/M/1.

63. Leeds Vestry Workhouse Committee Minute and Order Book, 24 June 1727, LCA., LO/M/1.

64. Leeds Vestry Workhouse Committee Minute and Order Book, 18 November 1727, LCA., LO/M/1.
decided to close the workhouse. The inmates were sent back to their respective divisions and the workhouse fittings sold up to help pay off its debts.  

The closure of the Leeds workhouse after a little over two years operation was not unusual. In theory the workhouse appeared an admirable idea. By making the paupers work, the parish saved money and the work-shy were kept off the rates. In practice it often proved more expensive to operate a workhouse than it did to relieve the poor by the simple expedient of granting them all outdoor relief. The difficulty was that the advocates of workhouses were misinformed (often wilfully) about who were the main recipients of poor relief. It was often claimed that there were large numbers of able-bodied male paupers receiving outdoor relief, who could be forced to work to cover the cost of their relief. This was not the case. An examination of almost any list of paupers for the eighteenth and early nineteenth centuries reveals that the vast majority of poor relief recipients were female and/or aged. It was true that during periods of economic depression the number of able-bodied male paupers increased dramatically, but it was unlikely in those circumstances that a workhouse could have obtained any paid work for its inmates anyway. The workhouse had to obtain its work from the same outside commercial sources which had failed to provide work for the able-bodied male paupers in the first place. As it happened, most workhouses contained few able-bodied male paupers; like the recipients of poor relief

65. Leeds Vestry Workhouse Committee Minute and Order Book, 12 January 1728, LCA., LO/M/1.


67. The experience of the parish authorities at Market-Weighton, Yorkshire (Eden, State of the Poor, Vol.III, p.864) was not unique in this regard. The reason they had so few paupers in their workhouse was that 'the Poor could be maintained at a cheaper rate out of the house'.

68. Halifax List of Out-Poor, 22 April 1802, CMBA., MISC:283, shows the following categories of outdoor poor relief recipients:

Widows and aged women ......................47%
Old men ........................................13%
Infirm and idiots ............................. 7%
Women with bastards .......................13%
Men with large families ....................20%

Other records show similar patterns: Mirfield Survey of the Poor, Farside Moore Hamlet, 1816, KMB; Higham Parish, Details of the
generally they tended to be predominantly female, or the old and the young. Even at times of prosperity, it is unlikely that such inmates could earn enough to cover the cost of operating a workhouse. Unprofitability was the reason the Leeds workhouse closed in 1728 and the reason that workhouses in general tended to degenerate into mere poorhouses - refuges for the aged, sick, infirm, lunatic and homeless young. Periodically the idea of establishing a workhouse in which the paupers would be made to earn their keep was revived by enthusiastic parish officials, but inevitably the result was the same.

In September 1738, a decade after it first closed, the Leeds workhouse at Northbar was reopened. This time there was no mention of setting the inmates to work. Although this does not mean the workhouse's punitive function had been entirely abandoned: Israel Grimes was ordered to 'be kept within the gates[of the workhouse] for the space of three months'; and William Cockshat, who had been found 'beating the children', was ordered to be 'confined in the dark hole for twenty four hours'. But generally the workhouse now assumed a more caring and benevolent role. It provided shelter for those in need. Mary Scholfield was allowed into the workhouse, 'till she be well'. George Coare, 'aged over seventy', was taken into the care of the workhouse, 'he having the misfortune in Breaking his Ribs and Never likely to recover'. And John Lamb was still allowed to obtain

F.n. 68 continued.
Poor, 1829, MCLA., L1/41/18; Atherton Overseer's List of Paupers, 25 March 1838, WRO., TR Ath/C9/8/1; Hindley Overseer's List of Paupers, 1828-1829, WRO., TR Hi/Misc.

69. Manchester, one of the largest workhouses in the north of England, contained 319 persons, 'principally old women and children'; Chester's 108 inmates were also 'chiefly aged persons and children'; Bury had 37 inmates, 18 old and infirm, 16 young children and 2 young women; of Warrington's 95 inmates, 50 were young children under the age of nine, the rest were old and infirm; Bradford had 74 inmates, 'mostly women, old men and children'. Eden, State of the Poor, Vol.II, pp.35, 296, 343, 370, and Vol.III, p.311. Even the tiny parish workhouse at Mirfield, Yorkshire, showed the same pattern: in January 1757 there were 6 old people and 5 children, by February 1774 it had increased to 19 old people and 9 children. Mirfield Workhouse Book, 1756-1774, KMB.


71. Leeds Vestry Workhouse Committee Minute and Order Book, 22 September 1738, LCA., LO/M/1.

72. Leeds Vestry Workhouse Committee Minute and Order Book, 27 October 1744, LCA., LO/M/2.
his 'victualls' from the workhouse after he had obtained work with Robert Ripley for three shillings a week - thus effectively having his income supplemented by the free board and lodgings he received at the workhouse.\textsuperscript{73}

Information is scarce on life inside the old workhouses. Samuel Bamford's account of the Manchester workhouse, where his father was first manager of the manufactory and later governor, is one of the few available to us.\textsuperscript{74} Bamford's childhood memories are of the workhouse being 'a theatre for the active habits and kindly feelings of [his] ... parents and uncle'. He presented it in glowing terms:

A new life - a confiding spirit - was infused into the poor inmates. The men found friendly advisers in all their difficulties and vexations ... They found also encouragers and assistants in the prosecution of every good purpose, as well as power which would be obeyed in whatever was right and necessary. The poor orphans, as well as ourselves [the governor's children], had now a kind father, mother and uncle; the sick were treated with indulgent regard, whilst the healthy were put to useful employment, and continued at it day by day.\textsuperscript{75}

The inmates were well fed: 'water porridge and milk for breakfast ..., boiled beef and vegetables, broth, hash, peas-soup, stew and bread, for dinner', and water porridge and milk again for supper; 'except on Sunday evenings, when each adult had a pint of good ale, with a slice round a loaf and a decent lump of cheese'. The sick, the aged and the infirm had 'bread and butter, or buttered toast, with tea or coffee' for breakfast and supper, and 'their dinners ... cut from the meat on the governor's table'. The 'spade-men', those who worked in the grounds, had 'bread and cheese and ale every afternoon' and the 'smokers and snuff-takers were each gratified every Friday with an allowance of their favourite luxury'. Bamford admitted that married couples were separated at night, but this was not done for any punitive reason, it was simply a recognition of the fact that the workhouse was not large enough to allow each family a separate apartment.\textsuperscript{76}

\textsuperscript{73} Leeds Vestry Workhouse Committee Minute and Order Book, 4 May 1748, 19 April 1749, and 6 April 1748, LCA., L0/M/3.


\textsuperscript{75} Ibid, p.57.

\textsuperscript{76} Ibid, p.74.
Bamford tempered his somewhat idyllic view of life in the Manchester workhouse with the cruel reality of death and disease. Bamford's brother and sister were carried off by a smallpox epidemic in the workhouse, and his mother and uncle both died of typhus. In fact Bamford and his father also caught typhus fever in the same outbreak, although they managed to survive after a long struggle. There is no doubt that the old parish workhouse with its congested accommodation and inadequate hygiene was a trap for disease and illness; but so were the hovels from which so many of the inmates had come.

What was the size and distribution of workhouses under the Old Poor Law? Although parliament obtained returns from every parish in England and Wales in 1776, 1804 and 1813-1815, the imprecision of the questionnaires and replies leaves them only useful for gaining an impression and not as statistics. The 1804 returns, for instance, list 1,970 'workhouses', but it is unclear how many were places where the inmates actually worked and how many were simply almshouses. Even the figure of 83,468 permanent workhouse inmates (an average of forty-two per workhouse) is misleading. The largest workhouses held upwards of five hundred inmates, while other so-called workhouses had accommodation for only two people. On the basis of the returns the typical workhouse appears to have had fewer than twenty inmates. Most important of all, few parishes or townships had access to a workhouse. Of the 14,600 parishes and townships which sent in their returns in 1804, only 3,765 maintained paupers in any form of workhouse. The situation had improved slightly by 1815, but even so, three out of four parishes had no access to a workhouse. In the industrial northern counties the ratio of parishes to workhouses went as high as eight to

77. Ibid, pp.58-61.
Certainly when Alfred Power, the Assistant Poor Law Commissioner responsible for introducing the New Poor Law into much of South Lancashire and the West Riding of Yorkshire, arrived in the area, he was shocked to learn that there was no workhouse in the whole of the Holmfirth district of the Huddersfield Union, the largest and one of the most populous Poor Law Unions in the whole of England.

It has become something of a cliché among historians to say that prior to 1834, and the introduction of the New Poor Law, there was no 'system' of poor relief in Britain; that what we term the Old Poor Law was little more than a 'multitude of practices within (and sometimes without) the framework of a complicated aggregation of law'. In a sense this was perfectly true: there certainly was no systematic enforcement of a uniform national policy. But such a view is also misleading. To claim that there was no 'system' of poor relief under the Old Poor Law is to misinterpret its most important attribute, its flexibility.

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80. Abstracts of the Answers and Returns ..., BPP., 1803-1804, Vol.XIII, shows the following workhouse distribution:

<table>
<thead>
<tr>
<th>Region</th>
<th>Workhouse Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>England and Wales</td>
<td>7.42:1</td>
</tr>
<tr>
<td>Cheshire</td>
<td>15.84:1</td>
</tr>
<tr>
<td>Lancashire</td>
<td>8.37:1</td>
</tr>
<tr>
<td>West Riding</td>
<td>6.51:1</td>
</tr>
</tbody>
</table>

81. Power to PLC., 28 January 1840, PRO., MH 12/15065.

82. Poynter, Society and Pauperism, p.l. Other historians have expressed very similar views: Webb, English Poor Law History, Part 1, p.424, thought the 'inefficiency of the methods of relief' could 'be paralleled only by the corruption of its administrators'; K. de Schweinitz, England's Road to Social Security, p.79, writes that in 'organization, in method, and in personnel, the administration of relief ... had not developed to a point at which it could promise any degree of effectiveness'; Marshall, English Poor ..., p.251, refers to the 'inadequacy' of the Old Poor Law's 'administrative machinery'; and Rose, 'The Administration of Poor
Poor relief under the Old Poor Law was a personal service in which the recipients were relieved in familiar surroundings by people who were personally known to them. This close contact meant that parish poor law officials were unusually well placed to judge the circumstances and needs of the poor and destitute. It was this first hand knowledge and personal assessment, rather than the rigid enforcement of a uniform national policy, which decided whether an applicant would be relieved and what form that relief would take. This meant that the assistance given could be (and often was) as varied as the circumstances of the person in need. Thus after Mr. Thomason had ridden a horse over Widow Cunliff, she was not only given relief, but the Halliwell parish officers decided that Thomason should be prosecuted at the 'expense [sic] of the Township'. William Thackray's home parish of Sandal Magna paid his contributions to the Friendly Society when he suffered a prolonged bout of unemployment. And 'Old

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F.n. 82 continued.
Relief in the West Riding ...', unpublished D. Phil. thesis, p.11, also claims there was no system. 'All that existed was the responsibility of each parish for the care of destitute persons belonging to it'.

83. The phrase which occurs over and over again is that relief was given 'according to necessity'. One of the consequences of this is that it is often extremely difficult to make a precise distinction between different forms of poor relief. It was not uncommon, for instance, for someone in full-time employment to receive rent relief and an allowance for their children. One can appreciate the difficulties which faced the Assistant Poor Law Commissioners, Fourth Annual Report of the PLC., BPP, 1838, Vol.XXVIII, pp.50-1, who had to identify relief in aid of wages 'from the variety and obscurity of ... disguises under which it was masked'.

84. Halliwell Township Book, 22 October 1789, BMBA., PHA/1/2.

85. Thackray to Firth, 21 December 1818, Firth to Thackray, 14 January 1819, Sandal Magna Poor Law Correspondence, LCA., SM 22/1. The officers of Thackray's Friendly Society were most reticent about the parish paying his contributions. They said it looked as if Thackray 'claimed a right to have it paid by the town'. Presumably they were proud men who did not wish their fund to be associated with parish relief. There was no such inhibition at Oldham, Extracts, p.357, where the handloom weavers had 'their contributions to Friendly Societies ... frequently paid by the Township'.

Nanny' was allowed pasture and a saddle for her donkey after she had explained her difficulties to the parish officials.\textsuperscript{86} Such relief might not have been sanctioned by a uniform national policy (and strictly speaking it might not even have been in accordance with the law), but it did assist those in need and ultimately the parish itself.

This flexibility even extended to assisting those who had previously taken advantage of the Old Poor Law. Thus Sam Mather, despite his reputation for being 'a great rascal', who had 'given ... trouble at various times', found sympathy and help from the parish officials when he succumbed to a crippling back ailment.\textsuperscript{87} Certainly the innocent were never made to suffer for the behaviour of others. Even when applicants were reputed to be of 'bad character', parish officials were loath to refuse relief if they had families to support. William Pearson, the vestry clerk for Crosthwaite and Lythe, spoke for most poor law officials when he expressed the view that even 'if the labourer spends his summer earnings improvidently, we do not suffer his wife and children to starve and go naked on that account, we are obliged to relieve them'.\textsuperscript{88}

This concern for the welfare of the family underpinned much of the Old Poor Law. Whether it was rent relief, the allowance system or help to the disabled, the maintenance of the family structure and familial values guided the parishes' response. Robert Lowery was later to recall that when sudden death robbed a family of its breadwinner, it was

the practice to relieve the widows with families liberally at first, so as to enable them, with some of the club money and the aid of friends, to get into some mode of employment, such as keeping a mangle, a child's school, or a little shop ... This policy kept the house together, as it was called, gave security to the family tie, and encouraged them to hope for better days ...\textsuperscript{90}

\begin{flushleft}
\textsuperscript{86} Halliwel1 Township Book, 6 May 1797, BMBA., PHA/1/2.
\textsuperscript{87} Davidson to Atherton Overseers, 21 December 1831, Atherton Overseer's Correspondence, WRO., TR Ath/C8.
\textsuperscript{88} Extracts, p.173.
\textsuperscript{90} R. Lowery, 'Passages in the Life of a Temperance Lecturer', in B. Harrison & P. Hollis (eds.), Robert Lowery: Radical and Chartist, p.96.
\end{flushleft}
The Old Poor Law thus played an essential role in the domestic economy of the labouring family. There were few working men and women who were not grateful at some stage for the help and assistance it gave. If, for whatever reason, they became destitute and were unable to maintain themselves or their family, they could expect relief. They could expect help in sickness, infirmity, old age and death. They could expect assistance if they were unemployed or when earning inadequate wages. They could expect to be buried, have their children apprenticed, be assisted in childbirth, and helped in recovering payment from the father of their illegitimate child. They might be fortunate and never require to be helped in any of these ways, but that still did not lessen their dependence on the Old Poor Law. In an age when famine was still a real threat, illness and death could have the most catastrophic consequences for a family, land enclosures were forcing the rural peasantry to become increasingly dependent upon wage labour, and people were flooding into the new industrial towns, the Old Poor Law did offer ultimate protection against possible destitution.

While it is true that the Napoleonic War marked the formal end of what Edward Thompson has called 'Moral Economy', there is a sense in which its expectations lived on in the customary practices and familial values of the Old Poor Law. The Old Poor Law after all was a product of Elizabethan paternalism - with its notions of a 'Commonweal' - and had been shaped by the autocratic but benevolent rule of Charles I. Rent relief, the allowance system, the Old Poor Law's flexibility and accessibility, the familial values it embodied, all fed popular notions about natural justice and the 'rights' of the poor. Nor was it a view entirely without substance. As Mark Blaug has shown:

91. E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', Past and Present, Vol.50 (1971), p.136, writes of the moral economy of the crowd as living on in the early co-operative flour mills, some Owenite socialists and in the bowels of the Co-operative Wholesale Society. One of the criticisms frequently levelled against the concept of a moral economy is that it was not a concept or term used by contemporaries. Strictly speaking this is not true: Richard Oastler, Home, 10 December 1853, refers to what he calls 'the great questions of the age ... moral economy, political economy, education, poor laws and so on'.
The Old Poor Law tried to maintain the real income of workers by tying wages to the cost of living; it provided unemployment compensation together with a scheme to promote private employment; and it coupled both of these to a family endowment plan.\textsuperscript{92}

The consequence of this was that the labouring population viewed poor relief under the Old Poor Law not as a handout, not as a dole, not as something to be gratefully received, not as an example of benign charity, but as a 'right'; they viewed it as something they had inherited or worked for, something which belonged to them. William Cobbett, that supreme spokesman for the popular conscience, claimed reciprocity between the 'rights' of property and the 'rights' of the poor. He warned those who wished to abolish the Old Poor Law that the labouring people of England, inherit, from their fathers, not any principle, not any doctrine, not any rule or maxim relative to this matter, but the habit of regarding parish relief as their right ... These projectors [of poor law abolition] ought to have known something of the habit of the people's mind in this respect. Every one of them looks upon it that he has a species of property in his parish; they talk of losing their parish as a man talks of losing his estate ... Now, men may talk, and do whatever else they please, as long as they please, they will never persuade the labourers of England, that a living out of the land is not their right in exchange for the labour which they yield or tender.\textsuperscript{93}

When the starving Spitalfield weavers held their first massive demonstration in London in November 1816 it was to assert their right to poor relief.\textsuperscript{94} And when the unemployed Barnsley linen weavers protested in June 1837 it was to proclaim their 'right to relief from the parish board'.\textsuperscript{95} This notion that the poor had a share in the wealth of the nation and a 'right' to poor relief, was to underline much of the popular opposition to the 1834 New Poor Law.

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\textsuperscript{92} Blaug, 'Myth of the Old Poor Law ...', p.152.
\textsuperscript{93} Cobbett's Two-Penny Trash, Vol.I, No.6, December 1830, p.137.
\textsuperscript{94} Courier and Evening Gazette, 13 November 1816.
\textsuperscript{95} Leeds Times, 1 July 1837. A. Digby, Pauper Palaces, p.216, writes of the belief that 'free-born Englishmen had a right to be relieved' being a recurrent theme in East Anglian popular protest; and J. Obelkevich, Religion and Rural Society, p.75, writes that the agricultural labourers in South Lindsey regarded outdoor relief as a right.
I hope a somewhat different picture of the Old Poor Law has emerged from this account than the customary one of a corrupt and depraved system which encouraged pauperism. I have tried to describe a system of poor relief, not from the point of view of its critics (measuring it against a nineteenth or twentieth century ideal), but from the point of view of those it benefited and most deeply affected, the labouring poor. Far from being the great evil its detractors were later to claim, the Old Poor Law tried to cope in a humane manner within a relatively poor economy with the problems of indigence, unemployment, illness, old age and death. It was not perfect and sometimes it was harshly administered, but ultimately it did offer some form of protection and, because of its base in the parish, was amenable to pressure from the poor themselves. The centralized, bureaucratic New Poor Law appeared very harsh and unfeeling by comparison. Certainly this was the view of one would-be poet:

Yes, they were happy: want they did not fear
While they could labour; and if winter drear
Forbad their toil, they were not left unfed,
The parish cheerfully supplied them bread.
If they were sick, the parish doctor went,
Weighed well their case, and needful medicines sent.
Nor were they, helpless, bowed with years at last,
Houseless, uncared for, on the wide world cast.
The Workhouse still its refuge did bestow,
A home, and not a Bastile as 'tis now.96

The Old Poor Law had created certain expectations about the way the poor were to be treated. It had also helped sustain the labouring population in the belief that they had a 'right' to poor relief. This old moral economy notion, that the poor had a 'right' to relief, was to clash head on with the beliefs of the new political economy.

96. [Anon.,] 'Cry of the Poor', quoted in The Times, 18 July 1837.
Chapter Two

LUCIFER’S COMET

On 14 August 1834, the Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales, or the New Poor Law as it was more popularly known, received royal assent. Notwithstanding the lack of parliamentary opposition and its conservative wording, the Act constituted a radical reform of the Old Poor Law. In part a product of Philosophical Radicalism, it overthrew more than two hundred years of tradition by introducing an entirely new and restrictive national poor relief policy, and it transformed the system of local government in England and Wales with its creation of a centralized bureaucracy to administer the new policy. While some recent scholars have argued that the New Poor Law was less radical than it has been portrayed, there is no denying that contemporaries viewed it as a near-revolutionary measure. Edwin Chadwick, who more than anyone

1. 4 & 5 Will. IV, c.76.
2. Webb, English Poor Law History, Part II, Vol.I, pp.100-1, points out that the Act was drafted in such a way that it contained nothing which could be identified either as a scheme for the relief of the poor, or an explicit plan for reform. It therefore presented only the smallest of targets to its parliamentary opponents. Nassau Senior to Le Marchant, 28 June 1833, Brougham Papers, UCL 10857, had advised that the best tactic to employ for avoiding parliamentary opposition was to introduce the Bill 'without notice, or parade, as a mere tentative & not very important measure'. That the parliamentary session in which the Bill was introduced was an exceptionally tempestuous one with two severe political crises, a change in Prime Minister, and two cabinet reconstructions, could only have further assisted in distracting attention away from the measure.
3. A. Brundage, The Making of the New Poor Law, p.x., claims that the New Poor Law was far less revolutionary than has been believed because there was continuity between poor relief prior to and after 1834, and because the New Poor Law did not threaten the social and economic ascendancy of the landed interest. I remain unconvinced by Brundage's argument. He fails to take account of the success opponents of the New Poor Law had in restricting its full implementation. Moreover, poor law reformers never intended to curtail the power of the landed gentry.
4. Fraser (ed.), The New Poor Law in the Nineteenth Century, p.1, claims the New Poor Law was 'a means of returning to the beloved 43rd of Elizabeth'. But nowhere does he examine the principles
else could claim authorship of the New Poor Law, saw it as 'the first piece of legislation based on scientific or economical [sic] principles'.⁴ John Walter, Tory M.P. for Berkshire and owner of The Times, agreed that it was based on entirely new principles, but found no virtue in this. He told the House of Commons that it was impossible to conceal the fearful importance of the ... measure. It was an attempt, not to alter or improve, but to abolish at one stroke the whole body of our Poor Laws, and to substitute another body of laws, totally different in principle and practice, in their place.⁵

Richard Oastler, the Tory Radical who had earned the support of urban workers for his staunch advocacy of factory reform, noted with irony that the "first-fruits" of "Reform" and "Liberal Principles" ... should have turned out to have been a robbery of the RIGHTS of the poor'.⁶ And Samuel Roberts, a retired Sheffield cutler and prominent philanthropist, was shocked by what he saw as the inhumanity of 'this comet of Lucifer'.⁷

* * *

Proposals to reform the Old Poor Law were not new. Since John Locke's scheme in 1697, there had been a steady stream of proposals.

F.n. 3 continued.

which actually governed the 1601 Act, or even the New Poor Law; he merely accepts the interpretation presented by propagandists for the New Poor Law, who, for tactical reasons, wished to make it appear an essentially conservative measure.

It is undoubtedly an oversimplification to call the New Poor Law 'the first victory of the Benthamites', as E. Halevy, A History of the English People in the Nineteenth Century, Vol.III, p.210, did fifty years ago, but it is equally misleading to deny the Benthamite connection entirely. U.R.Q. Henriques, Before the Welfare State, p.39, is accurate when she calls the New Poor Law 'a very careful dovetailing of new institutions with survivals of the old order'.

for reform throughout the eighteenth century. But it was not until the 1790s that the rising cost of poor relief, famine and the fear of revolution combined to give any real urgency to the debate over reforming the Old Poor Law. While traditionalists and humanitarians sought to lessen the burden to the poor, others, informed by the new ideas of political economy, proposed more drastic solutions.

The Rev. Thomas Robert Malthus was undoubtedly the most influential critic of the Old Poor Law. Although he was only to have an indirect effect on the eventual shape of the New Poor Law, Malthus's natural law critique of the Old Poor Law transformed debate on the subject and paved the way for the reforms of 1834. In An Essay on the Principle of Population, the first edition of which was published in 1798, Malthus set out what he saw as the natural law governing population growth. Put simply, he claimed that population increased at a much greater rate than the rate of increase in subsistence. The result was that population had to be restrained within the limits of subsistence by the operation of natural checks, 'misery and vice'. The consequence, according to Malthus, was that 'misery and vice' must, of necessity, 'be severely felt by a large portion of mankind'.

This natural law, the principle of population, had important consequences when applied to the operation of the Old Poor Law. To start with, no distribution of money, no matter how great, could possibly raise the general standard of comfort among the poor and destitute. 'Suppose', argued Malthus,

that by a subscription of the rich the eighteen pence a day which [labouring] men earn now was made up to five shillings, it might be imagined, perhaps, that [labourers] ... would then be able to live comfortably and have a piece of meat every day for their dinners. But this would be a very false conclusion. The transfer of three shillings and sixpence a day to every labourer would not increase the quantity of meat in the country. There is not at present enough for all to have a decent share. What would then be the consequence?


The competition among the buyers in the market of meat would rapidly raise the price from sixpence or sevenpence to two or three shillings in the pound, and the commodity would not be divided among many more than it is at present. When an article is scarce, and cannot be distributed to all, he that ... offers most money, becomes the possessor ... When subsistence is scarce in proportion to the number of people, it is of little consequence whether the lowest members of the society possess eighteen pence or five shillings. They must at all events be reduced in the smallest quantity.

Furthermore, any relief given to the undeserving or unproductive pauper could only be done so at the expense of the deserving independent labourer. This was true even of relief given in the workhouse:

The quantity of provisions consumed in workhouses upon a part of the society that cannot in general be considered as the most valuable part diminishes the shares that would otherwise belong to the more industrious and more worthy members, and thus in the same manner forces more to become dependent. If the poor in the workhouses were to live better than they now do, this new distribution of the money of the society would tend more conspicuously to depress the condition of those out of the workhouses by occasioning a rise in the price of provisions.

Malthus claimed that he was describing the effects of an immutable law of nature and, in his First Essay at least, that he could offer no solution to the inevitable 'recurrence of misery' - such things were 'beyond the power of man'. But he could suggest palliatives. In 1798 he suggested three: 'the total abolition of all the present parish laws'; the encouragement of 'agriculture above manufactures, and ... tillage above grazing'; and finally (and rather surprisingly in view of his opinions) the establishment of county workhouses, 'for cases of extreme distress', supported by a national rate and open to all. Malthus stressed that these workhouses were not to be 'comfortable asylums', but places where 'the fare should

F.n. 9 continued.
which was in fact an entirely new work, hereafter Second Essay, Malthus added 'moral restraint' as a third possible check to population.

12. Ibid, p.102. The inclusion of 'moral restraint' as a third possible check to population in the Second Essay, did offer a possible solution.
be hard, and those that were able obliged to work'.

With the publication of the Second Essay in 1803, Malthus's view hardened. He no longer shied away from recommending the firm action which logically followed from his views. The workhouse proposal was abandoned and he now urged the abolition of the entire poor law system. As a first step, and as a matter of urgency, Malthus suggested that the government 'disclaim the right of the poor to support'. His proposal for abolition was simple:

I should propose a regulation to be made, declaring, that no child born from any marriage, taking place after the expiration of a year from the date of the law, and no illegitimate children born two years from the same date, should ever be entitled to parish assistance.

Thus, within a generation, the entire poor law system would be abolished. Malthus also recommended that private charities be more strictly controlled. Large charities, he argued, were as pernicious as the Old Poor Law in their lack of discrimination and should be abandoned. Small voluntary charities, on the other hand, were acceptable, because the recipients could not help but feel grateful, and those refused could not complain of injustice or a denial of their 'rights'. But discrimination had to be exercised at all times. The deserving poor were the only genuine 'objects of charity'; and if the idle were also to be given charity it had to be with the greatest care. Malthus hinted at something like the principle of less-eligibility as a guide for giving charity to the poor. 'We may', he wrote,

take upon ourselves, with great caution, to mitigate the punishments which they are suffering from the laws of nature, but on no account to remove them entirely. They are deservedly at the bottom in the scale of society; and if we raise them from this situation, we not only palpably defeat the end of benevolence, but commit a most glaring injustice to those who are above them. They should on no account be enabled to command so much of the necessaries of life as can be obtained...

Apart from advocating total abolition of the poor law, Malthus's Second Essay also included a third possible check to population growth, 'moral restraint'. Abolition of the poor law and a discriminating use of private charity were necessary palliatives to the problem of poverty, but moral restraint offered the only real solution. Malthus, it has to be remembered, viewed poverty as the result of population growth exceeding the limits of subsistence. The solution, therefore, was to limit population growth. Nature achieved this through the action of 'misery and vice', but Malthus argued that man had the power to achieve the same ends by exercising 'moral restraint'. It was 'clearly the duty of each individual not to marry till he has a prospect of supporting his children'.

Few works have provoked such heated controversy as Malthus's Essay on the Principle of Population. This persuasively written book, with its claim to having discovered one of the iron laws of economics, transformed debate over the Old Poor Law and captivated the minds of a generation. Even defenders of the Old Poor Law were forced to accommodate their arguments to Malthus's principles of population. William Godwin, whose optimistic view of future development had provoked Malthus to write his Essay, initially admitted the truth of

19. Ibid, Vol.II, p.269. Malthus does not discuss the possibility that restraint (not to mention mechanical contraception or abortion) might be used within marriage to limit the size of a family.
Malthus's principles 'in the fullest extent', although later he directed his fury against all things Malthusian. While Malthus himself was probably sincere in his claims that he deplored misery and welcomed such improvements as were possible, not all his followers were so benevolent or well intentioned. Hardhearted and selfish people found in Malthus's writings a doctrine which relieved them of any obligation to help the poor and needy. It was this doctrinaire Malthusianism which John Weyland, magistrate and member of the Board of Agriculture, branded as 'utterly subversive of this country and the moral and political welfare of its inhabitants'. Other outraged conservatives and popular radicals added their voices to the growing controversy. Robert Southey accused Malthus of defending plagues, of pitting his 'science' against God's Laws, and of 'detestable hard-heartedness'. And William Cobbett embarked on a life-time of campaigning against the 'hard-hearted doctrine' of the 'check-population philosopher'.

The end of the Napoleonic War brought economic depression, unemployment, and renewed public criticism of the Old Poor Law. Malthusian views predominated. The Rev. John Davison, fellow of Oriel College Oxford, produced a thoughtful and comprehensive work on poor relief, which quickly gained a considerable reputation. For the most part it supported the Malthusian cause. Davison suggested that relief to the able-bodied should be abolished within ten years and that relief to the impotent should be more strictly supervised. S.W. Nicol Is wrote a pamphlet denying that the poor had a 'right' to relief, read Malthus's fifth edition and within a year produced an even more doctrinaire work calling for immediate abolition.

22. W. Godwin, Thoughts occasioned by the Perusal of Dr Parr's Spital Sermon, p.56; quoted in Poynter, Society and Pauperism, p.166.
25. Cobbett's Political Register, 14 March 1807, p.397.
27. S.W. Nicol Is, A Summary View of the Report and Evidence Relative to the Poor Law, 1818, & S.W. Nicol Is, A View of the Principles on which the Wellbeing of the Labouring Classes depends, 1819.
James Ebenezer Bicheno, lawyer and botanist, was if anything even more outspoken and doctrinaire. The Old Poor Law, he claimed, stood in the way of progress: it encouraged marriage, removed hunger as the chief stimulus to labour and discouraged the worthy poor. Its results were low wages and near universal vice and misery. 'We must return', wrote Bicheno, 'to the operation of the natural law from which we have departed; and not regret it because some unhappiness and misery may be the consequence'.

Hunger, apparently, would provide the destitute with a splendid opportunity to regain the path of moral righteousness.

But undoubtedly the most influential pamphleteer of the post-war years was the Right Reverend John Bird Sumner, Bishop of Chester (and future Archbishop of Canterbury). A cautious, moderate man, his Treatise on the Records of Creation did much to reconcile God and Malthus in the minds of conscientious Christians. Sumner claimed the all-wise Creator had established the world and the laws of nature not to provide indolent satiety, but as a sphere where virtue might be exercised under the pressure of adversity. Thus a state of social inequality provided the best conditions for the development of faculties and the trials of virtues. Equality would not end vice, according to Sumner, but would only see the 'great occasions of virtue cut off for ever'. To this creed of social complacency, Sumner added Malthus's principle of population. The pressure of population ensured that unequal state of society in which every person was placed in the condition best calculated to improve his faculties and virtue. The scarcity of subsistence produced not only the division of property, but the division of rank; and the pressure of population put a premium on economy and individual exertion. Without it life would be 'a dreary blank'. How inconceivable, argued Sumner, that God had not planned it so. The Old Poor Law, by acting as a barrier to the operation of the principle of population, also obstructed the creation of the virtues proper to the labouring classes. 'This evil', claimed Sumner, 'can only be remedied by a return to the

natural course'. But Sumner hesitated to advocate total abolition. The Old Poor Law was faulty and should be severely limited, but rather than immediate abolition he sought its gradual replacement with enlightened charity, education, friendly societies, savings banks and similar self-help schemes. Sumner's Treatise, with its Malthusian critique of poor relief and pious justification of existing social inequalities, did much to convince devout Christians that the Old Poor Law should be replaced. A decade and a half later Sumner's views were again to be heard, when he sat as a member of the 1832 Royal Commission.

Malthusian criticism of the Old Poor Law reached its climax with the Report of the 1817 House of Commons Select Committee into the Poor Laws. The criticism was perhaps all the more dramatic because it came not from the pen of any political economist or doctrinaire Malthusian, but from a large committee whose forty members included men of a variety of parties and opinions. The Report (which was reputedly written by Sir Thomas Frankland Lewis, future chairman of the Poor Law Commission) accepted in full the Malthusian critique of the Old Poor Law. Public relief, it was alleged, demoralized the labourer, served 'to separate ... the interests of the higher and lower orders', encouraged 'an unlimited demand on funds', and ultimately pulled down the level of wages paid to the independent labourer. The writer of the Report approved of the Scottish system of private charity and the deterrent effect of the workhouse system, and recommended a limit on poor law expenditure, together with the encouragement of parish schools and benefit clubs, and an improved system of poor relief administration.

31. Poynter, Society and Pauperism, p.229, writes that Sumner's Treatise provided for his generation what Paley's Principles had for an earlier - justification of the existing social state.
32. Poynter, Society and Pauperism, p.246.
34. Ibid, pp.8-10.
That the 1817 House of Commons Select Committee baulked at endorsing an immediate abolition of the Old Poor Law was a cause of some anger amongst the more doctrinaire Malthusians. It was also illustrative of the inherent weakness in the Malthusian solution to the problem of poor relief. Malthus and the other economic law opponents of the Old Poor Law were uncompromising in their proposals and refused to consider anything less than total abolition; yet total abolition was too drastic to be seriously entertained by the majority of parliamentarians. As it was, the House of Lords responded to the House of Commons Select Committee Report by setting up, at the instigation of the Prime Minister, Lord Liverpool, their own rival Select Committee to find a more acceptable solution. The Lords Select Committee Report criticized the abuses in the Old Poor Law, but was cautious in its recommendations.

The Committee are ... decidedly of the opinion, that the general system of these laws, interwoven as it is with the habits of the people, ought, in the consideration of any measure to be adopted for their melioration and improvement, to be essentially maintained ... The subject is in its nature so extensive and difficult, that little can be expected ... from any exertions that can be made by individuals, or perhaps from the collective wisdom of Parliament, that such alleviation of the burdens as may be derived from an improved system of management, and from rendering the laws more simple in execution.

The Lords Select Committee Report was a recipe for inaction, and successive Tory Governments under Liverpool, Canning, and Wellington did just that - nothing. Reform of the Old Poor Law had to await the formation of the first Whig ministry in twenty-three years and

35. J. Duthy, Letters on the Agricultural Petition and on the Poor Laws, p.10, berated the Select Committee for not adopting Malthus's plan in full and immediately abolishing the Old Poor Law.


37. There were minor amendments: William Sturges Bourne succeeded in carrying his 1818 Bill, dealing with the election of Select Vestries and the appointment of paid assistant overseers. But more substantial amendments such as Sturges Bourne's attempt to outlaw the allowance system in 1818, James Scarlett's Bill to abolish relief to the able-bodied in 1821, and Michael Nolan's 1822 reforms were all defeated. See Poynter, Society and Pauperism, esp. Chap.9, & Cowherd, Political Economists, esp. Chaps. 6 & 7.
the acceptance of an entirely different solution to the problem of poor law reform, a solution suggested by the work of Jeremy Bentham, the Philosophical Radical.

★ ★ ★

The moral philosopher and reformer Jeremy Bentham first turned his attention to the Old Poor Law in 1797. Examining William Pitt's proposed Poor Law Amendment Bill, Bentham came to the conclusion that Pitt's proposed humanitarian reforms could lead only to waste and corruption - a gross violation of the principle of utility. He attacked, in particular, Pitt's system of outdoor relief and the clause which allowed an individual possessing property worth up to thirty pounds to remain eligible for relief. According to Bentham, Pitt's Bill, by continuing relief to idle and profligate persons, would reduce the independent labourer's incentive to work. If Bentham's criticisms were a preview of those made in the Report of the 1832 Royal Commission, so too was his remedy. He proposed well-administered subsistence in large workhouses at a standard only slightly above starvation.

Criticism of Pitt's Poor Law Bill was only the beginning of Bentham's effort to alter the Old Poor Law. Over the next couple of years he turned his attention to exploring the subject in detail. He started from the assumption that all civil laws, like the poor law, had to meet four specific aims: subsistence, security, abundance and equality. He recognized that the aims of security and equality could come into conflict, but resolved that security was the superior aim and should take precedence. Security, especially the security of property, was what distinguished civilised society from the savage; without it there could be no effective industry, no reliable subsistence and no abundance. "When security and equality are in conflict", Bentham wrote,

it will not do to hesitate a moment. Equality must yield ... The establishment of perfect equality is a chimera; all we can do is to diminish inequality.

Unlike many other writers on poor relief, he distinguished between poverty and indigence.

Poverty is the state of everyone who, in order to obtain subsistence, is forced to have recourse to labour. Indigence is the state of him who, being destitute of property ... is at the same time, either unable to labour, or unable even for labour, to procure the supply of which he happens thus to be in want.

Poverty was thus 'the natural, the primitive, the general and the unchangeable lot of man'. It was not only impossible to remove poverty, but the attempt should not even be made. Poverty, through the labour for necessities, acted as the spur for the creation of all wealth. Only indigence was to be pitied and relieved.

Although Bentham rejected the notion that the indigent had a 'natural right' to relief, he agreed that it was necessary to pass legislation to guarantee relief. It was contrary to the basic principle of utility and the general aim of security that a person should starve to death while food existed; and only a legal provision could ensure that this did not happen. Of course the relief given was not to encourage indolence, but here again utility suggested the principle which could ensure that this did not happen.

If the condition of persons maintained without property by the labour of others were rendered more eligible, than that of persons maintained by their own labour then, in proportion as the existence of this state of things were ascertained, individuals destitute of property would be continually withdrawing themselves from the class of persons maintained by their own labour, to the class of persons maintained by the labour of others: and the sort of idleness, which at present is more or less confined

41. Ibid, p.120.
42. Bentham Papers, UCL, Box CLIIIa. 21; quoted in Poynter, Society and Pauperism, p.119.
43. Ibid. The definition and argument were used by the 1832 Royal Commission.
to persons of independent fortune, would thus extend itself sooner or later to every individual ... till at last there would be nobody left to labour at all for anybody.\textsuperscript{45} 

Although he did not give it the name, this was clearly the basis of the 'less-eligibility principle' of 1834.

Bentham was a system builder, and the result of his thoughts on poor relief was 'Pauper Management Improved', an elaborate plan for a centrally governed poor relief system. Five hundred large workhouses, each capable of holding 2,000 inmates, were to be built at ten and two-third mile intervals, right across the country.\textsuperscript{46} These were no ordinary workhouses, but Panopticons, Bentham's famous twelve-sided industry-houses, designed on the principle of 'central-inspection'. Health, morals, and the prevention of annoyance required the classification and separation of the inmates, and Bentham planned it in great detail. The diseased and lunatic were to be separated from the healthy, the morally corrupt from the innocent, male from female, and those with extra comforts from the rest, to prevent 'unsatisfiable desires'.\textsuperscript{47} All the inmates were to be set to work. The bed-ridden were to inspect the goods manufactured by the healthy, and the blind were to be taught to knit. Piece-work was to be the rule, with all the paupers working off the value of the relief they received before they could leave the house. The able-bodied were to be made to work, before they were allowed to eat.\textsuperscript{48} Managing the whole scheme would be a National Charity Company, who would run the enterprise on strict business lines, making a profit from the paupers' labour. Bentham was confident that within twenty years the Company would have repaid their capital of £4-6 million and reduced the poor rate to nothing.\textsuperscript{49}

\textsuperscript{45} Bentham Papers, UCL, CLIIIA. 25-6; quoted in Poynter, Society and Pauperism, pp.125-6.

\textsuperscript{46} J. Bentham, 'Outline of a work entitled Pauper Management Improved', Works, Vol.VIII, pp.369-439. Bentham's workhouses were to be spaced at intervals which would make them accessible to people on foot.


\textsuperscript{48} Ibid, Vol.VIII, pp.382-5.

\textsuperscript{49} S.E. Finer, The Life and Times of Sir Edwin Chadwick, p.44, and Poynter, Society and Pauperism, p.131.
Like most of his schemes, little came of Bentham's Pauper Plan. There was an attempt in 1798 to set up a National Charity Company to collect information which would enable the scheme to be planned accurately, but it attracted little support. The scheme was eventually considered by a Parliamentary Committee in 1811, but was rejected. Bentham received £23,000 compensation from the government. But while rejection might have marked the end of Bentham's personal involvement in poor law reform, his ideas and principles were not forgotten. Both at a national and local level, Benthamite thinking on reforming the Old Poor Law continued to win converts.

In 1808, the Rev. John T. Becher, a magistrate active in local poor law affairs, persuaded the parish of Southwell in Nottinghamshire to erect a new workhouse on the principle of deterrence. At a time when prices were rising and most parishes were extending their outdoor relief schemes, it was a bold step. Becher insisted that the new workhouse be 'constructed and governed' in accordance with Bentham's principles of 'inspection, classification and seclusion'. Built to house eighty-four inmates, the workhouse was to incorporate Bentham's ideas on central inspectability, with a lodge at the centre and wings extending on each side. If success was to be judged on reducing the cost of relief expenditure the Southwell experiment was a resounding success. By 1824, gross expenditure had been reduced from £2,254 to £760.

Becher's success at Southwell inspired a number of imitators. They included his cousin, the Rev. Robert Lowe of Bingham in Nottinghamshire, the Rev. Thomas Whately of Cookham in Berkshire, and J.H.L. Baker of Utley in Gloucestershire. In 1823 Becher succeeded

52. Ibid., p.37.
53. Undoubtedly the most determined depauperizer of the period was Thomas Walker. Walker had served as an overseer at Manchester in 1817 and had succeeded in reducing poor relief expenditure during the post-war depression. He later moved to Devonshire where his success in reducing the rates brought him to the attention of the London authorities. In 1823 he was appointed as a Police Magistrate for Lambeth. In the slums of London he simply refused to believe labourers could not obtain work and insisted that the able-bodied submit to a rigid workhouse test. He further cut expenditure by refusing to issue passes to Irish migrant workers.
in extending his system to the 49 parishes within the Thurgarton Hundred. A new workhouse was built at Upton, again incorporating Bentham's principles. The able-bodied were only to be relieved in the workhouse, where they were to be set to work breaking stones, shovelling gravel, and doing other tasks designed to drive them off the parish rates. The strict regime had the desired effect. Although the workhouse had been built to house seventy-one persons, in 1827 it held only fifty-four inmates, twenty-three men, seventeen women, and fourteen children.

Apart from reducing the cost of poor relief expenditure, Becher's system had other benefits: a well-administered workhouse made an effective instrument of social discipline. 'In all our views and reasonings on the subject', wrote the one-time acting overseer at Southwell and future member of the 1834 Poor Law Commission, George Nicholls,

we contemplated the workhouse as little more than an instrument of economy ... It was not until these results began to be developed, at Bingham and Southwell, that the full consequences of the mitigated kind of necessity imposed on the working classes, by a well-regulated workhouse, were understood and appreciated. We saw that it compelled them, bred them, to be industrious, sober, provident, careful of themselves, [and] of their parents and children ...

Here then, or so the dogma insisted, was the answer to the Malthusian dilemma: a poor relief system which, instead of encouraging pauperism, taught the labouring population to be industrious and independent. The

F.n. 53 continued.

His attitude appears to have been that there should be no poor law at all - and he did his best to ignore his responsibilities under the existing law. When cross-examined by the 1831 Lords Select Committee he admitted that he was often acting illegally. Report of the Select Committee of the House of Lords appointed to consider of the Poor Laws, BPP, 1831, Vol.VIII, p.82; T. Walker, Observations on the Nature, Extent and Effects of Pauperism and on the Means of Reducing it, 1831.

apparent success of Becher and the other local reformers, in applying Bentham's principles to poor relief, was to have a profound impact on the shape of the New Poor Law.

* * *

The rising cost of poor relief after 1828 and the Swing Riots of 1830 made reform of the Old Poor Law inevitable. The landed interest might have been prepared to pay the increased cost of poor relief if it guaranteed social stability, but when south-eastern England was shaken by rural unrest in 1830, the fate of the Old Poor Law was sealed. It was no longer a question of whether the Old Poor Law should be reformed, but only when and how.

The Whigs, under Earl Grey, came to power on 17 November 1830 committed to introducing much needed political reform, but with no clear policy on the question of reforming the Old Poor Law. If anything they were even more deeply divided on the subject than the Tories. Although Grey's government included among its supporters an influential group of Philosophical Radicals and political economists, who favoured a radical reform of the Old Poor Law, it was also dependent on the support of more traditional Whigs who did not, as yet, support drastic reform. The new government's first instinct was therefore simply to delay.

The Whigs were provoked into a consideration of the poor law question by Lord Winchilsea's proposed introduction of a labour rate bill. Winchilsea suggested, as a means of lessening rural tension, a bill enabling farmers to employ labour during the winter season. The wages paid were to be deducted from the farmer's poor rate assessment. Such a proposal was anathema to the influential group of Philosophical Radicals and political economists who supported the government. The ministry therefore eagerly postponed consideration of the measure by taking up Lord Salisbury's suggestion of appointing a Select Committee of the House of Lords to investigate the poor law.58

The Report of the 1831 House of Lords Select Committee clearly showed that they had been impressed with the work of Becher and the other local reformers in applying Bentham's principles to the administration of poor relief. In spite of this the committee was too divided to make any firm recommendations. While committee members recognized the existence of rural unemployment, they could not agree on its cause. Some accepted Malthus's explanation that a surplus population made the supply of labour exceed the demand. Others rejected the notion entirely. The Duke of Richmond favoured voluntary emigration as a solution to unemployment. And Lord Salisbury, who had presided over most of the sessions of the Select Committee, recommended a land allotment scheme which would provide the unemployed with gardens to cultivate. Salisbury's proposal found support among Whigs as well as Tories, and Lord Althorp and Thomas Spring Rice, on behalf of the Whig government, proposed a bill authorizing parishes to purchase as much as fifty acres of land to set the poor to work on. This and another bill introduced by the Tory M.P., Thomas Michael Sadler, enabling parishes to enclose up to fifty acres of crown land and lease it to paupers in lieu of other kinds of relief, were passed into law.

The debates on the two Land Allotment Acts revealed a wide diversity of opinion on the best means of dealing with the problem of poor relief. Traditional Tories wanted to set the people to work on the land; Liberal Tories, imbued with the ideas of Malthus and other political economists, preferred subsidized emigration; and the Whigs proposed a political solution - reform of the system of representation. Only the Philosophical Radicals stood out as zealous advocates of immediate and radical reform. Henry Brougham, their parliamentary spokesman, and by now Lord Chancellor, promised early and dramatic reform of the Old Poor Law. The Whig ministry, deeply involved with the Parliamentary Reform Bill, was more circumspect and preferred to delay.

59. Report of the Select Committee of the House of Lords ..., BPP, 1831, Vol.VIII, Becher's testimony was the most lengthy of any witness, pp.214-60; Whately was also interviewed, pp.172-86; and the committee took evidence on other Benthamite depauperizing schemes, pp.266-8 & 316-33.


61. 1 & 2 Will. IV, c.42, and 1 & 2 Will. IV, c.59.

The matter was again brought to a head by Winchilsea's proposed labour rate bill. Delayed by the appointment of the 1831 House of Lords Select Committee, Winchilsea re-introduced his bill when their Report proved inconclusive. The government was caught in a dilemma: they had no alternative proposal of their own, and yet parliament was eager to institute any reform which might help. A compromise was suggested by Thomas Hyde Villiers' proposal that the government appoint a Royal Commission to investigate the Old Poor Law. Cabinet eagerly accepted the proposal. Until the Whigs had developed their own plan of reform, however, they were prepared to accept Winchilsea's labour rate bill; the life of the new Act was to be limited to 25 March 1834, when the Report of the Royal Commission was to be tabled.

The Royal Commission of Inquiry was a well established procedure by 1832. Between 1800 and 1832 no fewer than sixty Commissions had been appointed. It was the first time, however, that a Royal Commission had been set up to investigate the poor law. Initially a seven member Commission was appointed, including members from both political parties. Three of the members had strong Tory connections: the chairman, Charles James Blomfield, Bishop of London, John Bird Sumner, Bishop of Chester, and William Sturges Bourne, former Tory M.P., and author of the 1817 Vestries Act. These lent the Commission dignity and prestige. The other four members were Whigs, with strong links to Benthamite and political economy circles: Nassau William Senior, the former Drummond Professor of political economy at Oxford, was a member of the influential Political Economy Club and chief economic adviser to the government; Walter Coulson, barrister and former journalist, was also a member of the Political Economy Club and at one time had been secretary to Jeremy Bentham; Henry Gawling was an uncle of the Benthamite Law reformer C.H. Bellenden Ker; and the Rev. Henry Bishop, an Oxford don, was an

65. 2 & 3 Will. IV, c.96.
acquaintance of Senior's. Edwin Chadwick, another former secretary of Bentham's, and James Traill, were added to the Commission in 1833.

Underlying the whole approach of the 1832 Royal Commission were new, so-called scientific, methods of investigation. Adam Smith had suggested that the correct method for investigating social and economic conditions was to collect the maxims of prudence and morality, and connect them together 'by one or more general principles from which they were all deductible, like effects from their natural causes'.

This 'scientific' approach had been developed even further in the intervening decades by the influential Professor of Moral Philosophy at Edinburgh, Dugald Stewart, his counterpart at Oxford, Richard Whately, and the utilitarian James Mill. They claimed that the proper method of investigating social and economic conditions was one guided by the principles of political economy and moral philosophy. Such principles would provide the connecting links which joined together the vast body of factual material, illuminating some events and throwing others into shadow. They would throw into shadow, for instance, the testimony of 'practical men' - politicians, magistrates, overseers, churchwardens - who acted as receptacles for bad theory. And they would illuminate the testimony of men accustomed to broad generalizing and become the basis for developing better theory. Accordingly the learned opinions of the political economists and moral philosophers was to be given precedence over the testimony of 'practical men'. And any investigation of pauperism was to be undertaken only by persons acquainted with the principles of political economy and moral philosophy.

To assist the Royal Commission, twenty-six Assistant Commissioners were appointed. It was an important innovation.

70. Poynter, Society and Pauperism, p.317, says Brougham is credited with suggesting the appointment of Assistant Commissioners.
allowance, they were sent out to various parts of the country to collect information and report back to the Royal Commissioners in London.\textsuperscript{71} Senior was responsible for drawing up their instructions. He defined not only the scope and character of their investigation, but the procedures they were to follow and even the conclusions they were expected to reach.\textsuperscript{72} Within his own particular district each Assistant Commissioner was free to select the parishes from which they were to collect 'those facts from which some general inference may be drawn and which form the rule rather than the exception'.\textsuperscript{73} The instructions given to the Assistant Commissioners reinforced the doctrinaire bias inherent in the Royal Commission's methods of investigation.

The Royal Commission's views were also influenced by the criticism of the Old Poor Law which had developed since the 1790s. The members assumed that before 1795, before Speenhamland, the Old Poor Law had been well administered; that it had been a means of creating 'the industry, orderly habits, and the adequation of their numbers to the demand of labour, which within the memory of man distinguished the English labourers'. The Commission further assumed that the Old Poor Law as administered after 1795 had caused 'the idleness, profligacy and improvidence, which now debase the character and increase the numbers of the population ... of the south-eastern districts'.\textsuperscript{74} The corollary of this was that conditions in southern agricultural areas were worse than in industrial areas; that bad administration in the agricultural areas caused rural distress; and that superior administration in the north accounted for the better

\textsuperscript{71} S.E. Finer, The Life and Times of Sir Edwin Chadwick, p.49, says Chadwick was the only Assistant Commissioner to be paid a retainer's fee in addition to the daily allowance.

\textsuperscript{72} [N.W. Senior,] 'Instructions to the Assistant Commissioners', Report, BPP, 1834, Vol.XXVIII, pp.248-55. Webb, English Poor Law History, Part II, Vol.I, p.90, writes that the instructions were printed, but not published; that they were without bias; and that Chadwick was the author. The Webbs were wrong on all points. S.L. Levy, Nassau W. Senior, p.307, n.176, quotes a letter, Senior to M. Quetelet, 21 August 1832, in which he refers to 'a little pamphlet of my own called "Instructions to Assistant Poor Law Commissioners"'.

\textsuperscript{73} [Senior,] 'Instructions ...', Report, BPP, 1834, Vol.XXVII, p.248.

\textsuperscript{74} Ibid, p.255.
condition of the industrial labouring class. It was of course assumed that the northern counties were free of such evils as relief in aid of wages. Guided by these assumptions the Royal Commission decided on a detailed investigation of only a few urban and rural counties to show the inherent tendencies of good and bad administration. The vast majority of counties in England and Wales were scarcely touched.

Before the investigation had even started, the Royal Commission had declared its intention of recommending a return to the system of poor relief that was believed to have existed prior to Speenhamland. They indicated that they had no intention of eliminating relief to the impotent; but they were going to tighten it up. The Assistant Commissioners were instructed to discover 'the degree in which the public provision of [sic] sickness and old age interferes with the exercise of prudence'. The Royal Commissioners were also determined to modify the bastardy laws. They asserted that the Old Poor Law acted as 'a punishment to the father, a pecuniary reward to the mother, and a means by which the woman obtains a husband, and a parish rides itself of parishioners'. However, it was on relief to the able-bodied that the Royal Commissioners concentrated their attack. They regarded the allowance system in all its forms - roundsmen, labour-rate, or bread scale - as the main cause of the Old Poor Law's failure. Seeking to discredit outdoor relief, they instructed the Assistant Commissioners to determine what effects the allowance system had on 'the industry, habits, and character of labourers, the increase in population, the rate of wages, the profits of farming, the increase or diminution of farming capital, and the rent and improvement of land'.

The Royal Commissioners were aware that able-bodied unemployment existed, but accounted for it in terms of the corrupting influence of poor relief. The Assistant Commissioners were ordered to 'distinguish between those cases of redundant population in which there are more

75. Ibid, p.250.
76. Ibid.
77. Ibid, p.251.
labourers than could be profitably employed at the existing prices of produce ... and those in which the redundancy is occasioned either by the want of capital among the farmers, or by the indolence or unskilled habits of the labourers'. Committed to the belief that the Old Poor Law stimulated a redundant population, the Royal Commissioners were thus unable to escape from a moralistic explanation of unemployment.

Mindful of the need to educate public opinion, the Royal Commissioners decided quite early on to take up Brougham's suggestion of publishing the results of their preliminary investigations in a popular form. Extracts from the Information Received by His Majesty's Commissioners, was published early in 1833. Every effort was made to give it as wide a circulation as possible. The Extracts were to be a means of educating the public in political economy and preparing them for a drastic reform of the Old Poor Law.

Of the seventeen Assistant Commissioners' reports published in the Extracts, only one proposed a clear remedy for the disease of pauperism. It was the work of Edwin Chadwick and was based on Bentham's principle of pauper management. He proposed that all outdoor relief to the able-bodied be abolished and replaced by indoor relief in a Benthamite workhouse. He also proposed that salaried officials, or contract management, replace unpaid magistrates and overseers as the administrators of poor relief. Chadwick believed his investigations had established the efficiency of Bentham's principle of less-eligibility. His report and recommendations appeared so outstanding to the Royal Commissioners that it was published in its entirety. As the only report to make clear recommendations (and recommendations in line with

78. Ibid.
79. B. Inglis, Poverty and the Industrial Revolution, p.326, suggests that Harriet Martineau was also approached by Brougham to use her talents to educate the public over the poor law question. The result was H. Martineau, Poor Laws and Paupers, Illustrated, 2 Vols., a series of fictional tales illustrating the evils of pauperism and the Old Poor Law.
80. Extracts was published in octavo rather than the official folio format so that it could be circulated as an ordinary book.
81. Extracts; Chadwick's report ran to 138 pages and occupied almost a third of the volume.
the Royal Commission's preconceived views) Chadwick's report was adopted by the Royal Commission as their own.

Chadwick had shown himself to be a master of the new, 'scientific', methods of inquiry and Senior was one of the first to recognize and appreciate the importance of his achievement. Senior quickly recommended to the government that Chadwick be appointed a Royal Commissioner. His suggestion was accepted, and henceforth there would be a division of labour on the Royal Commission between Senior the political economist and Chadwick the Benthamite legislator. Using the principle of political economy, Senior would condemn the inherent abuses in the Old Poor Law and leave Chadwick the job of constructing a new system of poor relief based upon Bentham's science of legislation.  

The Report of the 1832 Royal Commission was presented to the House of Commons on 21 February 1834. It was divided into two distinct parts. The first part, the work of Senior, exposed and condemned what political economists considered to be the abuses inherent in the Old Poor Law. The second part, the work of Chadwick, set out the recommendations and remedial measures that were necessary to produce a poor relief system free from abuse. These recommendations were to form the basis of the New Poor Law.

Despite its claim to be 'scientific', the Report presented a biased and distorted view of the Old Poor Law and of working class conditions generally. The shoddy research findings, the defective methods of investigation and Senior's and Chadwick's readiness to claim scientific knowledge for their views induced them to write a doctrinaire Report. They disregarded contrary evidence, ignored the beneficial aspects of the Old Poor Law and wherever possible stressed its debilitating effects. The distortions contained in the Report of the Royal Commission not only served to obstruct the progress of social welfare throughout the nineteenth and early twentieth centuries, but

82. N.W. Senior, An Outline of the Science of Political Economy, pp.2-3, refers to the methodological differences between political economy, the science of wealth, and legislation, the science of welfare.

it has also distorted much of the writing of the social history of the period. 84

The story of the drafting and passage of the New Poor Law has recently been told by Anthony Brundage among others, and there is no need for me to repeat it here. 85 The result was a bill which its parliamentary opponents found difficult to attack and which deceived other potential opponents. 86 The ploy was so successful that the radical, Francis Place, accused the government of having 'castrated the Poor Law Bill'. 87 Secondly the government treated the bill as a non-party measure, and with the tacit support of Sir Robert Peel could adopt a disarming attitude of conciliation and compromise. 88 By 1834 members of all political parties, Whigs and Tories alike, were willing to accept that the cost of the Old Poor Law made reform necessary. Thus under the general heading of economy, members of all political parties could agree to support the radical Poor Law Amendment Act.

The Poor Law Amendment Act was further assisted by the political crisis which accompanied its passage. Before the proposed Bill had even been debated in the House of Lords, Melbourne replaced Grey as Prime Minister. Brundage claims that this crisis 'scarcely interrupted the course of the New Poor law'. 89 He is correct, but I would want to put it even stronger: the political crisis actually served to draw attention away from the New Poor Law and ease its passage through parliament.

There was opposition, of course, both in parliament and in the country at large. In Lancashire a number of the more populous parishes held meetings to protest about the proposed Poor Law

84. See Chapter One above, pages 12-3.
85. Brundage, Making of the New Poor Law, Chap. III, passim; O. MacDonagh, Early Victorian Government, 1830-1870, Chap.6, passim.
87. F. Place, to J. Parkes, 21 April 1834, Place Papers, BL, Add MSS, 35,154, f.193.
88. Poynter, Society and Pauperism, writes that Brougham horrified the government when he introduced the Bill into the House of Lords with an abolitionist diatribe.
89. Brundage, Making of the New Poor Law, p.68.
Amendment Act. 90 A meeting of the ratepayers of Bolton summed up the attitude of these early public protests: the proposed Poor Law Amendment Act would be too expensive, the centralized Poor Law Commission was unconstitutional, and the local authorities knew best how to deal with their own poor. 91 In parliament a small group of Ultra Tories and Popular Radicals also mounted a sustained attack on the proposed Bill. John Walter attacked the Report of the Royal Commission, saying that the 'questions have been put with a view to draw out answers corresponding with the preconceived opinions of the Commissioners'. 92 John Fielden reminded the House of Commons that the labouring man has no control whatever over the price of his labour, and that this House has constantly refused, under an affectation of principle, to regulate ... that he may receive a due reward for the labour that he performs. As I have found that this House is unwilling to do that which is to keep the people from poverty, I will resist this act which punishes them for being poor. 93

Fielden's fellow M.P., for Oldham, the grand old man of popular radicalism, William Cobbett, came to the point quickly: he branded the New Poor Law 'the Poor Man Robbery Bill'.

The parliamentary opposition had little effect. The House of Lords succeeded in amending certain aspects of the bastardy clause and the new measure was limited to a five year life, but the Act which was passed into law on 14 August 1834 was essentially the same as that which had been outlined in the Report of the 1832 Royal Commission.

The New Poor Law established a centralized bureaucracy, the Poor Law Commission, with power to regulate poor relief and lay down the conditions under which it was to be granted. The Commission also had power to disallow relief to any pauper who infringed its

90. Manchester Chronicle, 31 May 1834.
94. Ibid, XXIV, col.388.
regulations. Although the Act made no specific mention of the new policy which was to apply, the Report made it perfectly clear that it was to be the Benthamite principle of 'less eligibility'.

The means by which this principle was to be put into practice was to insist that all relief to the able-bodied and their families (except for medical attendance) was to be restricted to a 'well-regulated workhouse'.

To ensure the proper administration of its policies the Poor Law Commission was empowered to unite existing parishes and townships into Poor Law Unions. These Unions were to be administered by Boards of Guardians elected by ratepayers and property owners on a multiple voting system. The Poor Law Commission also had the power to prescribe the number and property qualifications of the Guardians, as well as their duties. To avoid offending the powerful landowners, Justices of the Peace within each Union were made Guardians ex officio.

Once the administrative structure within a Union had been established the Poor Law Commissioners could order the building of a workhouse, with the consent of either the Guardians or a majority of the voters. Without the agreement of the Guardians or voters, the Commissioners would order the expenditure of up to £50 to alter or enlarge an existing workhouse. The qualifications, duties and salaries of Union officials, clerks, relieving officers and workhouse masters, were to be laid down by the Commission. Although the actual appointment was left in the hands of the Guardians, an important

95. 4 & 5 Will. IV, c.76, clauses I-V, XLII, LII, LXXI.
96. Report, BPP, 1834, Vol.XXVII, p.127, stipulated that a pauper's 'situation ... shall not be made ... so eligible as the situation of the independent labourer of the lowest class'.
97. This was the first and most important of the Report's twenty-two recommendations; see Ibid, p.146.
98. 4 & 5 Will. IV, c.76, clauses XXXVIII, XL. Ratepayers with less than £200 worth of property had one vote, and those with more had a further vote for each £200 up to a maximum of three votes. Property owners had votes in accordance with the 1818 Vestries Act, 58 Geo. III, c.69.
99. 4 & 5 Will. IV, c.76, clause XXXVIII.
100. Ibid, clauses XXIII, XXV.
source of patronage. Needless to say, the Poor Law Commissioners retained the power to dismiss any paid Union official.\textsuperscript{101} Finally, to ensure that their regulations and orders were enforced, the Poor Law Commission was to appoint Assistant Commissioners.\textsuperscript{102}

The Settlement and Bastardy Laws were also altered by the New Poor Law. Settlement by hiring and service or by residence in any tenement which did not pay rates was abolished. This was a major change: since 1697 most claims to settlement had been earned through apprenticeship or hiring.\textsuperscript{103} Henceforth birth and marriage were to be the main sources of settlement.\textsuperscript{104} It also meant that occupiers of poor cottages who had previously had their rates paid by the landlord were now expected to pay their own rates. Children would take their parents' settlement, and illegitimate children would follow the settlement of their mother.\textsuperscript{105} Alterations to the Bastardy Laws threw the full economic consequences of illegitimacy on the mother. Although the authors of the New Poor Law had intended to free the fathers of bastard children from all legal responsibility, this was amended by the House of Lords. The fathers of illegitimate children could still be sued for maintenance, but before the Quarter Sessions, not, as previously, the Petty Sessions. This meant, in effect, a virtual curtailment of the mother's right to sue the putative father for maintenance. No money received by the parish officials at the Quarter Sessions could be paid over to the mother. The only concession given to the mothers of illegitimate children was that the laws relating to the punishment of 'lewd' women were repealed.\textsuperscript{106}

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\textsuperscript{101} Ibid, clauses XLVI, XLVIII.
\textsuperscript{102} Ibid, clauses VII, allowed them to appoint nine without treasury consent.
\textsuperscript{103} Taylor, 'Impact of Pauper Settlement', p.52, suggests the majority of poor during the eighteenth century obtained settlement in this manner.
\textsuperscript{104} 4 & 5 Will. IV, c.76, clause LXIV.
\textsuperscript{105} Ibid, clause LXXI.
\textsuperscript{106} Ibid, clauses LXIX-LXXVI.
What was the aim of the New Poor Law? John Pratt, one of the barristers who had assisted in preparing the New Poor Law, claimed it had two aims: 'To raise the labouring classes, that is to say, the bulk of the community, from the idleness, improvidence, and degradation, into which the ill administration of the laws for their relief has thrust them'; and to 'arrest the progress, and ultimately to diminish the amount of the pressure on the owners of land and houses'. Freed from the excessive verbiage, this meant that the New Poor Law was to be both an instrument of social discipline and a means of saving the property owning class money.

The New Poor Law derived its function as an instrument of social discipline from its Benthamite parentage. A well regulated workhouse, with strictly enforced classification, would not only discourage paupers from seeking relief, but also inculcate industry and independence. The Poor Law Commission's insistence that children in workhouses should always be separated from their parents and the other paupers, was to testify to their continued belief in the workhouse's role as an instrument of social control. One of the Assistant Commissioners, Alfred Power, told the Bolton Board of Guardians that the separation of children from adults in the workhouse was an absolute necessity, 'in order that the children might be trained in proper habits and receive sufficient education'. The inference was clear: their children were to be saved even if the adult paupers could not escape from a life of idleness and profligacy.

107. J.T. Pratt, Act for the Amendment and Better Administration of the Laws Relating to the Poor, p.i.

The New Poor Law's role as a bulwark against the insatiable demands of indigence found articulation in a denial of the rights of the poor. As we have seen the poor viewed poor relief under the Old Poor Law as their 'right'. In Cobbett's opinion there was reciprocity between the 'rights' of property and the 'rights' of the poor. The champions of political economy and poor law reform were at pains to deny that such a relationship existed. Malthus urged the government to 'disclaim the right of the poor to support'. 'The great body of the Poor', insisted one of Malthus's disciples, have no more distinct claim on the property of the country at large, than any single pauper has on a private fortune ... The Poor ought to be informed of this; they ought to know that they are in the enjoyment of a bounty, not in the perception of a right.

The fact that the Old Poor Law had encouraged people in the belief that they had a 'right' to poor relief, was, in the eyes of property owners, reason for its amendment, not grounds for its retention. Brougham told the House of Lords:

Parish allowance is far worse than any dole of private charity, because it is more likely to be abused; ... because it approaches, in the mind of the poor, to, the idea of a right.

112. Nicoll, A Summary View ..., p.31.
This denial of a 'right' to relief was to produce a vigorous campaign of popular opposition to the New Poor Law.
PROTEST
Chapter Three

EXCITED LABOURERS

Within ten days of the New Poor Law receiving royal assent the three members of the Poor Law Commission had been appointed. They were Thomas Frankland Lewis, chairman, George Nicholls and John George Shaw-Lefevre. The virtual author of the Act and the man who had hoped to be named as a member of the Commission, Edwin Chadwick, was appointed secretary.¹ Plans to implement the New Poor Law moved rapidly. By the beginning of November 1834, nine Assistant Commissioners had been appointed (eventually the number would rise to twenty-one) and were already at work in the Home Counties.² Against Chadwick's advice, the Poor Law Commissioners decided to establish the New Poor Law in the south of England first; the Assistant Commissioners, who were to create its administrative framework, would move north later, when the system was successfully operating in the south.

Each Assistant Commissioner met with the 'respectable inhabitants' of his allotted districts, inspected the parish books, drew up tables of average poor rates, found out which towns acted as commercial and judicial centres, examined existing workhouses, and, on the basis of this information, divided his district into Poor Law Unions. All this took time, of course, and it was not until the spring of 1835 that the first Poor Law Unions had been declared, Boards of Guardians elected and Union officials appointed.

At first the Assistant Commissioners encountered little opposition. There were, for example, few cases of existing overseers refusing to co-operate. Most of the 'respectable inhabitants' appeared to welcome the New Poor Law. Even the Boards of Guardians' elections caused little dissension, with most of the candidates being elected unopposed. Opposition to the New Poor Law in the south of England arose after the New Poor Law Unions had been declared; it

2. Ibid, p.84.
arose among the labouring population as the old system of relief was being phased out and the new regulations introduced.

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The Milton Union, near Sittingbourne in Kent, was among the first to experience a display of popular opposition to the New Poor Law. By the end of April 1835 the New Poor Law Union of Milton had been declared, Guardians elected and poor relief handed over to the new relieving officers. The new Board of Guardians, in consultation with Sir Francis Bond Head, the Assistant Commissioner, decided that the change in administration should be accompanied by a change in policy. Henceforth allowances for children were to be reduced and relief to be given in tickets redeemable for goods rather than in cash. On Thursday 30 April 1835, the first day of operation for the new system of relief, there was a disturbance at the village of Bapchild. The relieving officer and a Guardian were mobbed and their books and papers destroyed.\(^3\) Over the next few days there were other disturbances, and at Milton itself the Guardians were stoned as they rode away from their weekly meeting.\(^4\)

Shocked by the disturbances, the authorities responded hesitantly. The Board of Guardians, after consulting with Assistant Commissioner Head, agreed to make some concessions. The able-bodied would continue to receive relief on a reduced scale, but all other classes of paupers would go back to receiving relief on the old scale, half in cash. In case the concessions did not work, the chairman of the local Bench, the Rev. Dr. Poore, began swearing in special constables.\(^5\)

A few days later, a crowd of several hundred excited labourers, many armed with 'bludgeons', assembled outside the Doddington workhouse where the relieving officer was dispensing poor relief. As the paupers came out of the workhouse they were met by the crowd who demanded to know what they had received. On being told 'money & a ticket', the crowd forced the paupers to go back inside, return the ticket to the relieving officer, and demand money instead. The crowd,

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\(^3\) Poore to Lefevre, 30 April 1835, PRO., MH 12/5279.
\(^4\) The Times, 14 May 1835.
\(^5\) Poore to Russell, 3 May 1835, PRO., HO 52/26.
many of whom had come from the neighbouring villages of Newham and Lenham to confront the relieving officer, claimed the giving of relief by means of a ticket was 'illegal'. They said that they had 'come to assist the Doddington people & see that they have their Rights'. The Doddington crowd responded with shouts of 'our Rights we will have'. The labourers finally agreed to withdraw after the relieving officer promised to lay their complaint before the next Board of Guardians meeting.

A more serious disturbance took place on the following Thursday 7 May 1835, at Rodmersham, a small village near the centre of the Union. A large crowd gathered outside the local church where the relieving officer and Guardians were interviewing applicants, and issuing relief tickets. As fast as the tickets were handed out to the paupers, the crowd confiscated them. When one of the overseers foolishly intervened he was assaulted and forced back into the church which was quickly surrounded by the angry crowd. After some four hours of being bottled-up in the church, those inside decided to make a break for it. They were chased for over a mile by the crowd, pelted with stones and mud, and near exhaustion were only saved from further discomfort by the opportune arrival of a detachment of troops.

This marked the end of concessions by the Milton authorities. The police were brought down from London and within a few days the ringleaders had been arrested. Agitation did not immediately cease: some arrests were only made with the greatest difficulty and when the prisoners were taken off to Canterbury Gaol their escort was stoned. But by and large the campaign of popular opposition in the Milton Union was quelled.

The pattern of disturbance in the Milton Union was repeated, with minor variations, throughout rural England. In the Ampthill Union in Bedfordshire, the protesters anticipated the alterations to the poor relief system. The new relieving officer, James Osborn, was mobbed in the village of Lidlington when he arrived to collect information from the parish overseer. A large crowd of women followed him into the house of the overseer, pinned him up in a corner, and

7. Head to PLC, 7 May 1835, PRO., MH 12/5279.
vowed they would not have bread instead of money'. Osborn was only allowed to leave after he had borrowed £3.16.0 from the overseer and paid off the women. The next day, at the village of Millbrook, Osborn was again stopped by a crowd who again demanded money from him before they would let him go. When the authorities attempted to arrest those who had assaulted the relieving officer, a large crowd marched on Ampthill to confront the Guardians. The Guardians tried to reason with the crowd, but when it was admitted that new poor relief regulations were to be introduced - replacing cash payments with clothing and food handouts - there were loud cries of 'no bread' and 'blood and bread'. The upshot was that the crowd began stoning the workhouse with the Guardians huddled inside. After the Riot Act had been read the crowd slowly drifted off, reportedly to spend the rest of the afternoon getting beer at the public houses.

The next day twenty-one policemen arrived in Ampthill and together with a force of special constables and twenty to thirty gentlemen on horseback, began rounding up the troublemakers. Five men and four women were taken into custody that first day. A total of nineteen people would eventually be arrested. The speed of the arrests had, according to the clerk to the Board of Guardians, 'astonished' many of the labourers. He informed the Poor Law Commissioners that the Guardians 'anticipated no further difficulties'.

An interesting sidelight to the events at Ampthill, was the publication of a sensationalist broadsheet claiming to give a 'Full, True and Particular Account of that Dreadful Riot'. Readers were told that Ampthill had been in a state of riot for a week; that Magistrates and Guardians had been assaulted; that the gentry had been 'much alarmed' and forced to flee the town; that the workhouse had been 'pulled down' and that the troops 'couldn't disperse the mob without using violent means'. Thirty rioters were supposed to have been killed and sixteen placed in Bedford Gaol to await trial.

8. Deposition C. May, 16 May 1835, PRO., MH 12/1.
9. Ibid.
10. Ibid; see also Cambridge Chronicle, 24 July 1835.
11. Deposition C. May, 16 May 1835; and Gledey to PLC, 15 May 1835, PRO., MH 12/1.
Such an account bore little relation to the actual events at Ampthill, but it does give us a hint of the tense atmosphere present in the areas where the New Poor Law was being introduced.

Occasionally the changes in poor relief could become mixed up with protests over rates of pay. The events in the Docking Union in northwest Norfolk were a case in point. At some stage the farmers in the district had lowered the pay rates for mowing hay. Although the agricultural labourers were obviously dissatisfied with the change they took no action to oppose it until the same farmers, this time in their capacity as poor law guardians and overseers, decided to alter the existing poor relief system. The trouble started at the village of Bircham on Saturday 20 June 1835, when a number of farm labourers applied to the overseer for relief. Instead of being given relief in money, they were offered tickets redeemable for shop goods and flour. The men swore they would not accept such relief and 'declared that the system would be resisted by the whole parish'. On the following Monday all the labourers in Bircham and the adjoining parish 'turned out'. One of the leaders, George Bennett, told them they were 'bound in a bond of blood, and blood would be spilt before this is finished'. The strikers had chosen their time well: most of the grass had just been cut and was on the ground ready for collecting. The labourers told one of the farmers that 'they would go back to work if they could have money of [sic] the parish as usual'.

The Guardians, who were all farmers or landowners, decided to resist the labourers' demands. They were supported by the Assistant Commissioner, and former Arctic explorer, Captain Sir Edward Parry R.N. The strike had been in progress for a week when a Mr. Hunter of Barwick sent two of his men to the farm of Mr. Kitton, one of the Bircham overseers, to assist him with gathering the hay and sowing his turnips. As soon as the men attempted to leave Kitton's farmyard to work in the field they were assaulted by a large crowd and Hunter, who had accompanied them, was 'dragged from his horse and severely ill-treated'.

13. Cambridge Chronicle, 10 July 1835.
15. Ibid.
16. Cambridge Chronicle, 10 July 1835.
The authorities responded by dispatching the governor of the Walsingham bridewell and a party of constables to Bircham to arrest the ringleaders. They succeeded in securing one of the ringleaders, but on attempting to arrest a second were met by an angry crowd of farm labourers, armed with 'heavy bludgeons'. One of the constables was knocked down by the crowd and Mr. Hunter, who was present to help identify those who had earlier assaulted him, was again dragged from his horse. This time, however, he had had the forethought to have armed himself with a pistol and threatened to shoot anyone who came near him. The party, with their single prisoner, fled back to Walsingham. 17

Angered by the day's events, the labourers resorted to more traditional means of protest. Between eight or nine hundred labourers 'marched under orders' that night to the home of Mr. Kitton, whose attempt to break the strike had provoked the morning's violence. They smashed every door, window and piece of furniture in the house, piled the debris on the floor and set it alight. Next, the labourers moved on to the home of another overseer, Mr. Hebgin, and destroyed it in a similar manner. Hebgin, his wife and child were forced to scramble over a wall to safety. After Mr. Nurse's house had been stoned, the cry was raised to proceed to the home of Kitton's son-in-law, Mr. Howlett. Within a short time that dwelling had also been sacked. Howlett, his wife and five children were forced to hide in a field.

The military did not arrive until noon the next day, by which time the area was again calm. Many of the labourers who had taken a leading part in the disturbance had fled. 18 But the strike was nevertheless to last a little over a week more and a total of eight labourers were eventually convicted for their part in the disturbances. They were to receive prison sentences ranging from three months to two years. 19

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17. Ibid.
18. Ibid.
Why did the agricultural labourers in the Docking Union choose strike action to express their dissatisfaction with the alterations to the poor relief system? The explanation, quite simply, is that the farmers they were striking against were not only their employers but, in many cases, were also their poor relief officials. By striking the labourers made the most effective protest possible against both the wage cut and the change in poor relief. The Poor Law was not merely something which affected the indigent; it directly affected the lives and well-being of most working people and was an integral part of everyday life in rural communities. By choosing strike action the Docking labourers sought to remind the landowners and farmers of their obligations. When this failed they resorted to even stronger means of protest.

The labourers' dissatisfaction with the New Poor Law was not simply a matter of a lower scale of relief: they were also concerned with defending traditional rights and customs. Over the previous fifty odd years there had been a gradual but fundamental shift in the relationships that governed life in rural communities. James Obelkevich has pointed out that the landowning classes' support of the New Poor Law in parliament, 'was only a public and national version of the "abdication" that was an accomplished fact in the village'. But many of the poorer residents of such villages had not as yet recognized that this 'abdication' was an established fact. The process had been a gradual one. First enclosure had denied the labourer the common lands; then his access to game and wood from the forest was severely restricted; then his gleaning rights (the right to collect the grain left in the field after harvesting) were challenged; and finally the New Poor Law denied the poor's right to relief. When the Docking farm labourers protested about changes to the poor relief system it was not just the reduction in money they complained about (important as it undoubtedly was), it was the challenge being made to their traditional way of life, their customs and their rights. In the Milton Union the labourers who protested had spoken of having come to 'assist the ... people ... have their Rights'.

labourers might not have articulated the concept as clearly, but their actions make the meaning of their protest just as clear.

It is important to note that it was not only the agricultural labourers and other poor inhabitants of villages who had customs and rights to protect. The labourers were often assisted in their protests by the local tradesmen and small shopkeepers. The Rev. Dr. Poore, chairman of the Bench at Sittingbourne, reported to the Home Office that the labourers in the Milton Union had been 'urged on by the little shopkeepers whose Trade will be entirely injured if Bread, Meat &c is to be procured by contract'. The Docking Magistrates reported a similar state of affairs in their Union; that the labourers were encouraged in their opposition to the new regulations by small tradesmen and 'Beer Shop keepers'.

* * *

The defence of traditional customs and rights could also manifest itself when changes were made to the management of relief inside the workhouses. Not long after they had been elected the Board of Guardians of the Amersham Union, situated on the eastern slopes of the Chilterns in Buckinghamshire, decided to rationalize the workhouse accommodation in the Union. Paupers were to be transferred from the smaller parish workhouses to the larger and more centralized workhouses in the Union. The first indication of popular opposition to the proposed move came with the receipt of a Memorial from three-quarters of the ratepayers of the parish of Chalfont St. Giles. The ratepayers objected to the proposed closure of their parish workhouse and the transfer of its inmates, alleging that it was cruel and unjust to the inmates, most of whom were either aged or infirm, to 'be dragged away from their Friends and relations and transported to some Distant dismal Workhouse'. They also thought it cruel and unjust that 'honest

22. Ibid.
24. Assistant Commissioner Gilbert later tried to distance himself from the Amersham Guardians' decision, by claiming that they undertook to move the paupers without an express order from the PLC; see Gilbert to PLC, 24 May 1835, PRO., MH 12/380.
industrious labourers' who could not find work were to be 'forced from their cottages', parted from their wives and children, and sent to some distant workhouse. The authorities ignored the memorial. They also took no notice of rumours that terrible cruelties were to be performed on the inmates of the large centralized workhouse at Amersham, and that all those who had ever received poor relief were to have their children removed from them.

A few days later as inmates were in the process of being transferred from the workhouse at Beaconsfield, a large crowd of women gathered and started booing and throwing stones. It was a minor incident, but it did accurately reflect the state of popular feeling in the Union. Once again the authorities chose to ignore the warning.

At Chesham on Friday 22 May 1835 a much more serious disturbance took place. Paupers were being loaded into a cart prior to their transfer to Amersham, when a large crowd began to gather in front of the workhouse gates. The Assistant Commissioner, W.J. Gilbert, was later to make the rather bigoted claim that the crowd was principally made up of prostitutes. When it came time for the cart to leave, the crowd refused to let the gates be opened. A magistrate read the Riot Act and for a moment the crowd fell back. The gates were quickly opened and the cart, accompanied by the magistrate, started off towards Amersham. There was not much distance to cover - four miles at the most - but it was nearly all uphill. The crowd followed, catching up to the cart as it lumbered upwards. One by one the paupers were lifted out of the cart, until at the top it was empty. The crowd now turned their attention on the magistrate, first pelting him with stones and then directly assaulting him. He finally managed to escape by hiding in a hedge. The crowd, well satisfied with their day's work, returned home. As for the paupers, once they were liberated from the cart, they simply made their way back to the old

28. Ibid.
workhouse at Chesham. 29

The authorities now acted. The next day Police arrived from London and on the day after that the yeomanry was brought in. 30 Ringleaders and known trouble-makers were arrested, and within a few days order was restored. The paupers at Chesham were eventually moved, this time with a military escort and without incident. To the chagrin of the Amersham Guardians, it was the Union Board, rather than the Poor Law Commission, which had to bear the cost of prosecuting the rioters. 31 At their trial in August they received sentences ranging from two months to three years. That by all accounts was the end of the affair; there were no further disturbances and the Amersham Board of Guardians rigorously pressed ahead with enforcing the New Poor Law.

Opposition to changes in the workhouse system manifested itself in other Unions as well. At Eastbourne in Sussex mass meetings and protest marches followed the Board of Guardians' announcement that they proposed to separate married couples in the Union workhouses. 32 At Uckfield the workhouse was broken into, evidently with the aim of returning the inmates to their own parish workhouses. 33 At Barham, in Norfolk, several windows, some shoring posts and half a brick wall were destroyed on the section of the workhouse undergoing alterations. Two able-bodied inmates were eventually convicted and sentenced to twenty-one days in Ipswich gaol for their part in the destruction. 34

A much more serious disturbance took place at Ipswich in December 1835. Once again it was alterations to the workhouse and the proposed classification of the inmates which sparked the trouble. The new Board of Guardians had decided to use the town's two workhouses to separate the male and female paupers. At the St Clements Street workhouse, which was being altered to receive the able-bodied men and

29. Ibid; and Oake, et al. to PLC, 23 May 1835, PRO., MH 12/380.
30. Chadwick had informed the Home Office that the rioters were demolishing the Chesham workhouse - another case of wild rumours? Russell to Rowan, 23 May 1835, PRO., HO 41/12, f.121.
31. Gilbert to Chadwick, 24 June 1835, Chadwick Papers, UCL., 808.
32. Pilkington to PLC, 30 April 1835, PRO., MH 12/12854.
33. Pilkington to PLC, 7 May 1835, PRO., MH 12/13157.
34. Lutton to Kay, 17 December 1835, PRO., HO 73/2 (1).
boys, the windows overlooking the courtyard were blocked up, the outer wall raised three feet, and a 'shy' erected at the front gate, 'to prevent the egress of the paupers'. The sight of these alterations together with rumours about the cruelties to be practised on the inmates stirred up popular ill-feeling. John Lutton, the Barham workhouse governor, who happened to be in Ipswich on business on the evening of Wednesday 16 December 1835, told what happened:

I observed about two hundred people assembled in front of the [St Clements] Workhouse Wall and about ten or twelve idle and disorderly characters evidently ripe for mischief - In a few minutes [sic.] three or four lads from sixteen to twenty years of age with the assistance of a few Girls and some mere children commenced destroying the Window shutters which was [sic.] soon demolished, there were then about two hundred people looking on ... [and] rather exciting the ring-leaders by their laughing and shouting at the mischief ... [T]he mob was now greatly increasing and about thirty ... men and boys left the scene of destruction ... and went to the common Quay about 300 yards from the Workhouse and returned in a few minutes with a Crome [a large crow-bar] with the assistance of which they soon demolished the wall and one of the wings of the building.

A number of the town's constables watched while the destruction was taking place. James Barbridge, relieving officer to the Bossman and Claydon Union, who was also in Ipswich on business, approached one of the constables to ask why he was not attempting to quell the disturbance. The constable replied that 'he was not going to run the chance of hav[in]g his head broke'. Finally the town clerk and junior bailiff arrived and attempted to stop the destruction. Ignored at first by the crowd, the clerk decided to read the Riot Act. He had just started when he was suddenly assailed by a shower of stones. It took three attempts before he finally succeeded in reading the Act. The troops arrived not long afterwards, an hour and a half after the alarm had been first given. Several volleys of stones were thrown at the troops, but they soon succeeded in dispersing the crowd and

35. Norwich Mercury, 26 December 1835.
36. Lutton to Kay, 17 December 1835, PRO., HO 73/2 (1).
37. Barbridge to Kay, 17 December 1835, PRO., HO 73/2 (1).
38. Norwich Mercury, 26 December 1835.
39. Lutton to Kay, 17 December 1835, PRO., HO 73/2 (1).
arresting three of the ringleaders. The troops continued to parade the town until eleven o'clock that night.\textsuperscript{40}

The following night a noisy crowd gathered outside the St. Margaret's Workhouse, presumably with the intention of destroying the alterations being made there. Although stones and a few other missiles were thrown, the troops arrived in time to stop any serious damage. Two days later, on Saturday 19 December 1835, a party of Metropolitan Police arrived in Ipswich and there was no further trouble.\textsuperscript{41}

A feature of the Ipswich disturbance was the measure of support the rioters received from the populace at large. The whiggish Norwich Mercury pointed out that there were many respectable people in the crowd watching the destruction on Wednesday night and that they 'seemed rather to rejoice at this outbreaking of popular indignation'.\textsuperscript{42} Dr. James Kay, the Assistant Commissioner, informed the Poor Law Commission that Ipswich had for some time been the scene of a bitter struggle between Whigs and Tories. The Tories had attempted to attach all the odium associated with the New Poor Law to the Whigs. According to Kay, it was also noticeable that some of the 'reform party had not been as valiant in defence of the [New Poor] Law' as they might have been, and that the town's Radical journal had 'uttered weekly diatribes against the Boards of Guardians & the Commissioners'. Popular excitement had been further stirred up by parish meetings 'called by Agitators', to oppose the alterations in workhouse relief.\textsuperscript{43}

The events at Ipswich inspired similar protests in the adjoining area. At Blything, on Monday 21 December 1835, a large group of labourers descended on the workhouse, armed with 'axe-picks, mattocks, hand spikes, hooks and other instruments', intending to pull the workhouse down.\textsuperscript{44} They were only checked by the prompt action of the magistrates and special constables. After a confrontation lasting

\begin{itemize}
  \item \textsuperscript{40} Norwich Mercury, 26 December 1835.
  \item \textsuperscript{41} Ibid.
  \item \textsuperscript{42} Ibid.
  \item \textsuperscript{43} Kay to PLC, 5 January 1836, PRO., HO 73/4 (1).
  \item \textsuperscript{44} Cambridge Chronicle, 1 January 1836.
\end{itemize}
over an hour the labourers finally dispersed and headed home.\textsuperscript{45} In the Cosford Union in Essex, on Tuesday 22 December 1835, a large crowd attacked the workhouse.\textsuperscript{46} And in the Hoxne Union, on the border between Suffolk and Norfolk, the home of one of the Guardians, Mr. Pooley, was showered with stones late on the night of Sunday 28 December 1835. The next day a crowd of two hundred or more, armed with clubs and sticks, marched on the local Board of Guardians meeting. Unfortunately for the protesters the authorities were waiting for them. Seven of the ringleaders were arrested and the rest of the crowd dispersed.\textsuperscript{47}

Organized protests invariably met with the same reaction. Metropolitan Policemen were brought into the area, special constables were sworn in, and if necessary the troops called out. All organized protest against the New Poor Law was ruthlessly crushed. The new Metropolitan Police proved especially effective. Because they were operating outside the London Metropolitan area they had to be sworn in as local special constables to have any jurisdiction, but this was a minor impediment. In fact it appears to have been something of an advantage that they were not local residents and were not dependent upon the whim of the ratepayers or local authorities for their livelihood. Certainly the parish constables were constantly being criticised by supporters of the New Poor Law for their inaction and inefficiency during disturbances.

Organized public opposition did persist in some areas; especially those with strong local leadership. In Cambridge, for instance, the Rev. F.H. Maberly kept the issue of the New Poor Law in the public eye with mass meetings and petitions to parliament. Even when he was dismissed from his curacy he kept up his agitation.\textsuperscript{48} When Maberly was arrested by the Police at the declaration of the Poll at Cambridge in July 1837, the crowd stormed

\textsuperscript{45} Norwich Mercury, 26 December 1835.
\textsuperscript{46} Offord to Russell, 6 January 1836, PRO., HO 52/26.
\textsuperscript{47} Cambridge Chronicle, 1 January 1836.
\textsuperscript{48} Leeds Times, 17 December 1836.
the Police Station to rescue him. 49

Similarly much of central Wales was in virtual open revolt against the central authorities in London during most of 1837. Relieving officers were subjected to 'rough music', there were demonstrations with 'red flags', Guardians were stoned, and even Assistant Commissioner Day was forced to flee on foot on more than one occasion from an angry crowd. 50 Language difficulties, religious sensibilities and an intense community loyalty added to the authorities' problems in Wales. The regimentation of relief and the separation of husbands from wives, and parents from children in the new workhouses, were seen as an affront to Welsh non-conformity. Local customs were threatened. In the iron mining region of north west Monmouthshire, for instance, iron masters did not pay poor rates on the understanding that they maintained their own poor. George Clive, the Assistant Commissioner for the area, thought that the sooner the 'system is put an end to ... the better'. 51 It was this failure to appreciate the complexity of the situation in Wales and the often highhanded behaviour of the English poor law officials which alienated not only the labouring population of Wales, but many respectable inhabitants as well. At Cowbridge, in south Glamorgan, the clergy and magistrates declared the New Poor Law to be contrary to the divine will, and to be cruel, unjust and impolitic. 52 It was no accident that both the Welsh Chartists and the Rebecca Rioters viewed the New Poor Law as one of the main targets of their respective campaigns.

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The result of the authorities' ruthless suppression of popular protest in most rural areas was to force the protesters underground. Traditional forms of rural protest, arson, intimidation and personal violence, slowly took over from organized public protest.


50. Yates to Chadwick, 22 April 1837, Chadwick Papers, UCL 2171; and Day to PLC, 22 April 1837, PRO., HO 73/52.

51. Clive to Lewis, 16 March 1836, PRO., MH 32/12.

52. D. Williams, A History of Modern Wales, p.204.
At the Basingstoke Union in Hampshire, a barn belonging to Mr. Mundy, an overseer who had 'refused to pay lazy paupers' was burnt down. In the Royston Union on the Hertfordshire Cambridgeshire border, the relieving officer was physically assaulted when he attempted to take over the payment of poor relief from the overseer. A Mr. Wilkinson, who foolishly let it be known that he had identified the attackers, was visited by an incendiary to remind him to keep quiet in future. Whether Wilkinson was sufficiently intimidated is not known; the relieving officer certainly was, because he resigned. At Abington in Cambridgeshire, Mr. Ellis, the workhouse governor, was shot at - twice in the one night! One of the newly elected Guardians at Godstone in Surrey had a large stack of peas set alight. In the Swaffham Union in Norfolk, the relieving officer was stabbed by 'a horse dealer' named Henry Riches. In the Freebridge Lynn Union in Norfolk, one parish overseer found that his horse's throat had been cut, another that two of his horses had been stabbed. At South Molton in Devon, an outhouse belonging to a Guardian was deliberately burnt down. And at Henstead in Norfolk, John Cunningham, the relieving officer, was hit over the head, robbed of £12 and his watch, and had his throat cut. He survived to identify the perpetrator as one William Buck. In what is an exceedingly rare piece of evidence from such a case, we learn that Buck had taken his revenge after being refused relief earlier that day. Unfortunately, in so many of these cases of arson, intimidation and personal violence, clear evidence of the exact cause is missing. Obviously the victims, the overseers, the Guardian, the relieving officer, were connected with the New Poor Law, or personally blamed for its introduction. But equally one has to recognize that the overseers and Guardians were most likely

53. PLC to Russell, 23 June 1835, PRO., HO 73/51.
54. Power to PLC, 19 August 1835, PRO., HO 73/51.
55. Cambridge Chronicle, 4 December 1835.
57. A. Digby, Pauper Palaces, p.223.
58. Great Massingham Returns, Q.17, PRO., HO 73/7 (1).
60. Waters to PLC, 11 June 1836, PRO., MH 12/8415; and Norwich Mercury, 2 July 1836.
also landowners and farmers and in this capacity would have been the subject of the same sorts of acts of violence and mischief.

The events in the Halstead Union in Essex show the difficulty of trying to determine the exact cause of such outbreaks of arson. Towards the end of 1836, the clerk of the Halstead Union wrote to the Home Office to inform them that an incendiary was at work in the Union. In the space of just over a week a barn belonging to George De Horne Vaizey had been burnt down; a 'haulin wall' surrounding the hay stacks and a farm building belonging to Joseph Smoothy had been set alight; and buildings, adjacent haystacks and three horses belonging to Robert Burkill Wyatt destroyed by fire. Both Vaizey and Smoothy were members of the Halstead Board of Guardians.\(^{61}\) The Union responded with a £100 reward and the magistrates wrote asking for the assistance of 'two of the most efficient Metropolitan Police' so they could track the culprit down.\(^{62}\)

A Mr. Sewell wrote to the Home Office on the same subject a few days later. He insisted that the New Poor Law was not the cause of the fires. His reasoning appears rather confused however, especially when we learn from him that the agricultural labourers in the Union are much annoyed by the fact that under the New Poor Law they were now responsible for paying the parish poor rate. Sewell continued:

> In populous parishes in the country, where the poor are very numerous, parochial rates upon cottages have not usually been demanded; but as the new Poor law bill comes into operation, they are put into the rate book and the change strictly enforced; this has occasioned more disgust and recklessness than any, or all the privations which many of them ... experience.\(^{63}\)

By late February 1837 there had been three more fires on property in the Union. This time the information is sketchy and it is not clear whether it was property belonging to Guardians or not.\(^{64}\) Colonel Wade, the Assistant Commissioner, insisted that they were in 'no way connected with the Poor Laws', but were the work of some 'heartless villain'. His insistence is not convincing, however,

\(^{61}\) Hustler to Russell, 2 December 1836, PRO., HO 64/6.
\(^{62}\) Bainester & Cook to Russell, 2 December 1836, PRO., HO 64/6.
\(^{63}\) Sewell to Russell, 8 December 1836, PRO., HO 40/34, ff.87-8.
\(^{64}\) Sperling & Gooch to Russell, 24 February 1837, PRO., HO 64/7.
especially when he directly contradicts Sewell and tells us that there was 'no manifestation of discontent among the labouring classes'.

In October 1837, Wade was writing again to the Poor Law Commission on the subject of fires in the Halstead Union. Again Vaizey was one of the victims. This time all the buildings on a farm he rented from the Hon. Tilney Long Wellesley were burnt down. Again Wade insisted that the first were not connected with the New Poor Law, but admitted that a Mr. Scaley, a magistrate and former Guardian, who was 'intemperate' in his opposition to the New Poor Law, thought otherwise. At the scene of the latest fire, Scaley had apparently told the relieving officer that 'all this is owing to your Poor Law Bill'. Wade went on to mention that Richard Arnall, a widower with two small children and a 'notorious poacher', was strongly suspected of having set the fires, but as yet there was no firm evidence. Finally, in February 1838 we learn that Abraham Rayner, described as a 'weaver', had been convicted of setting fire to property in the Halstead Union. Rayner was sentenced to transportation for life.

No reason was given about why Rayner set the fires. We can however speculate. Halstead was the centre of a decaying woollen area, and Rayner as a weaver should most probably have been a recipient of poor relief, probably under the allowance system. The change in the system of poor relief might well have caused him to seek revenge against the Guardians. As Rayner was a weaver and not a farm labourer we can rule out the possibility that it was wages or employment conditions which inspired him to seek revenge from farmer Guardians.

And what of Assistant Commissioner Wade's continual insistence that the New Poor Law had nothing to do with the fires? The Poor Law Commission was faced with the dilemma that the Old Poor Law was

66. Wade to PLC, 17 October 1837, PRO., HO 73/52; and Hustler to Russell, 13 October 1837, PRO., HO 64/7.
believed to have been one of the causes of the Swing Riots in 1830. The New Poor Law was supposed to have removed the conditions which gave rise to rural unrest. When Chadwick wrote the Constabulary Forces Commission Report in 1839, he was placed in the paradoxical position of using evidence about the increase in rural crime to justify the formation of a rural Police and at the same time (in his role as secretary to the Poor Law Commission) deny that any increase in crime was due to the New Poor Law. As Charles Mott, one of the Assistant Commissioners who had been shown a draft of the Report, pointed out to Chadwick, 'the statement of the increase of crime ... will cut both ways and will be used by the opponents of the New Poor Law as a powerful argument against the ... statement of the advocates of the New Poor Law that decrease of crime follows the introduction of the New [Poor] Law'.

It was significant that Chadwick obtained a great deal of his evidence on the existence of rural crime through the agency of the Poor Law Commission. Rather than lessen rural tensions, the New Poor Law exacerbated them. Obviously we cannot say that the New Poor Law was the sole cause of the increase in rural crime, but it is clear that it must have been a major contributing factor.

* * *

One type of crime that was obviously the result of the introduction of the New Poor Law was the attempted destruction of the new Union workhouses. It was perhaps inevitable that as the existing workhouses were modified to serve harsher functions, and as the new Union workhouses began to spring up, they should have become the object of popular wrath. Initially, as at Ipswich, organized attempts had been made to destroy the workhouse. But as the authorities increased their vigilance, the protesters were forced to adopt more clandestine tactics.

The first reported attempt to burn down a Union workhouse took place at Heckingham in Norfolk in April 1836. The Heckingham work-

68. Mott to Chadwick, 21 January 1839, PRO., HO 73/3.
69. First Report of the Commissioners appointed to Inquire of Establishing an efficient Constabulary Force in England and Wales, BPP, 1839, Vol.XIX.
£500.
REWARD
AND
HIS MAJESTY'S
Free Pardon

WHEREAS, early in the Morning of Saturday the 23rd Day of April, 1836, some Person or Persons willfully and maliciously
 SET ON FIRE
THE
POOR'S HOUSE
AT HECKINGHAM,
Within the Hundreds of Loddon & Claverin in the County of Norfolk.

A REWARD of £200, will be paid by the Directors and Acting Guardians of the Poor within the said Hundreds, and a further Reward of £200, by the Norwich Union Fire Office, to any Person or Persons who will give such Information as may lead to the Conviction of the Offender or Offenders; to be paid on such Conviction.

HIS MAJESTY'S FREE PARDON

And a REWARD OF ONE HUNDRED POUNDS, will be granted to any Accomplice, not having been the actual Incendiary, who may give such Information and Evidence as shall lead to the Conviction of the Principal Offender or Offenders.

By Order of the said Directors and Guardians,
JAMES COPEMAN,

Loddon, 26th April, 1836.

PLATE 2: REWARD POSTER.
house had been built in the 1760s, as a House of Industry. Unlike another similar institution at Bulcamp, which was burned to the ground by angry labourers in 1768, it had survived to see the arrival of the New Poor Law. The four hundred and fifty odd paupers in the Heckingham workhouse were, like most East Anglian inmates, an extremely independent and spirited group. Early in 1836 they had assaulted Captain Sir Edward Parry, the Assistant Commissioner, when he visited the workhouse. Parry had had alterations made to the workhouse so that the men and women might at some future date be separated. When Dr. James Kay, the new Assistant Commissioner, took over in April 1836, he decided that more restrictive regulations would be gradually put into force in the Heckingham workhouse. He started with the food:

The inmates are at present provided with a diet of solid food at least one third too great, and with two pints of beer daily, besides vegetable broth &c. I propose gradually to restrict this Diet by orders issued under my own hand.

The next step after that would be the separation of the male and female inmates. Fearing trouble from the inmates, Kay took the precaution of asking the magistrates to write to the Home Office and request Police assistance. Despite the warning and the preparations, the workhouse was burnt to the ground early on the morning of Saturday 23 April 1836. Damage was estimated at £3,000 and a reward of £500 plus a free pardon was immediately issued. Later investigations showed that the inmates had been warned to expect a fire that night. 'T]he boys were told by the men to take their shoes up to their bedrooms'. James Barrett, a former inmate, was strongly suspected of setting the fire. But although he was arrested, charged and sent for trial, the case against him was never proceeded with.

72. Kay to PLC, 5 April 1836, PRO., MH 12/8455.
73. Kelt to Shaw-Lefevre, 11 April 1836, and Kay to PLC, 14 April 1836, PRO., MH 12/8455.
74. See Plate 2.
75. Kay to PLC, 27 April 1836, PRO., MH 12/8455.
76. Norwich Mercury, 6 August 1836.
Fires at other workhouses quickly followed. An unsuccessful attempt was made to burn down the newly built Union workhouse at Saffron Walden in Essex. At Budbury, in East Suffolk, the attempt was more successful. One wing and half the central section of the new Union workhouse was destroyed. At Rollesby, again in Norfolk, the old House of Industry was set alight and half the building destroyed on the day that the married inmates were to be separated. At Llandovery in Carmarthenshire, and Narberth in Pembrokeshire the workhouses were set on fire. And at Tewkesbury in Gloucestershire a fifteen year old inmate named Ann Ella made four attempts to burn down the workhouse before she was finally detected.

The epidemic of workhouse fires and the obvious hatred that people had for the new workhouses kept Boards of Guardians on edge. As early as September 1835 the Ampthill authorities in Bedfordshire had written to the Home Office expressing fear that 'serious attempts are expected to be made ... to destroy the workhouse' they were building. The Mitford and Launditch Board of Guardians asked for a sergeant and three policemen to be sent to protect the Gressenhall workhouse, as they feared trouble. The request was quickly complied with by the Home Office. At the Depward Union, also in Norfolk, the Guardians were forced to employ watchmen and build a high wall, with corner sentry posts, around the site of the new workhouse. Apparently the building was being demolished at night, just as quickly as it was being built during the day. During the height of the Chartist unrest in 1839 the Boards of Guardians were especially fearful. At Loughborough in Leicestershire, the Guardians thought that their new workhouse would be attacked.

77. Cambridge Chronicle, 6 May 1836.
78. Leeds Times, 10 December 1836.
79. Kay to PLC, 26 March 1837, MH 12/8340; and Norwich Mercury 25 March 1837.
80. Williams to Russell, 18 August 1838, PRO., HO 64/8; and Biddalph to Russell, 21 January 1839, PRO., HO 64/9.
81. Manchester and Salford Advertiser, 25 May 1839.
82. Crawley to Russell, 23 September 1835, PRO., HO 52/26.
83. PLC to Russell, 25 May 1836, PRO., HO 73/51.
84. Digby, Pauper Palaces, p.220.
85. Brock to PLC, 27 February 1839, PRO., HO 73/55.
Newport rising, the Cardiff authorities swore in special constables and armed the Chelsea pensioners so that they might protect the Union workhouse. 86 And at Belper in Derbyshire, the Guardians feared that their new workhouse would also be the subject of unwelcome attention from the Chartists. 87 As it turned out the Belper workhouse was damaged by fire in suspicious circumstances in October 1841. The large crowd who gathered to look at the blaze not only refused to assist in putting out the flames, but threatened those who did. 88

The new Union workhouses that sprang up in the late 1830s were visible symbols of the oppressive New Poor Law. They were viewed with hatred and horror by the labouring population of England and Wales. Stories abounded of the cruelties, the terrible food, the separation of families, the death and disease. Their presence was to be resisted at all cost. At Stratton in Cornwall, when the Guardians were out examining a site for the proposed workhouse they were confronted by a 'large Body of men in Military array ... armed with Clubs and Bludgeons'. The armed body bailed up the Guardians, Magistrates and relieving officer in the Chairman's home and tried 'to extort Promises from all Connected with the Union that no workhouse should be built'. They told the Chairman 'that if such a building was attempted they would destroy it by force'. 89 Shocked by the vehemence of the threat, the Guardians backed down. There would be no more disturbances at Stratton, but neither would a Union workhouse be built.

★ ★ ★

The campaign to resist the New Poor Law in southern England was hard fought and bitter. It started with public protests and popular demonstrations, mobbing relieving officers and besieging

86. Cardiff Magistrates to Normandy, 6 Nov. 1839, PRO., HO 40/46, f.265.
89. Shearm to Gilbert, 8 February 1837, PRO., HO 73/52.
Boards of Guardians. There was surprisingly little real violence. It was only after the protests had been ruthlessly suppressed and the protesters driven underground that more traditionally 'rural' types of protest, with their attendant violence, took over. Arson, attacks on poor law officials, poaching and cattle-maiming were to rise to a peak in 1844 and then slowly subside. Precisely how many of these 'crimes' were the result of the New Poor Law is an unanswerable question. All we can do is speculate whether the demise of the Poor Law Commission after 1844 had anything to do with the decline in rural violence.

Nicholas Edsall has called the campaign of popular opposition to the New Poor Law in southern England an example of 'spontaneous rioting' and the result of 'pathetic misconceptions'. He is wrong. It is of course true that a display of opposition to the New Poor Law could be triggered off by such things as extravagant rumours, wage reductions, and the emotionally charged campaigns of local leaders. But such things operated within a framework of established customs and beliefs. In a very real sense the Old Poor Law represented the last bastion of the 'Moral Economy'. When the New Poor Law was introduced into southern England in 1835-1837 it not only marked the ascendancy of 'Political Economy', but threatened many long established customs and relationships that had survived in rural communities since pre-industrial times. When the agricultural labourers opposing the New Poor Law talked of defending their 'rights', it was these few remaining customs and traditional relationships that they meant.

Popular opposition to the New Poor Law, whether in the 'advanced' urban areas or the 'backward' rural environment, was a self-conscious process, guided in almost every instance by a coherent system of beliefs and expectations. These beliefs and expectations contained notions about the legitimate 'rights' of the poor; and they provided a moral framework within which people were able to judge for themselves the ethics of the new regulations governing poor relief. It

91. Edsall, Anti-Poor Law Movement, pp.31 & 38.
92. Thompson, 'Moral Economy ...', p.79.
was not the rural protesters who were the victims of 'pathetic misconceptions' but the historians who have failed to see that the campaign of popular opposition to the New Poor Law was based on sound rational judgements about real, as well as perceived, 'rights'. It is only when one understands this that we can start to make sense of so much of the campaign of popular opposition to the New Poor Law.
Chapter Four

MILITANT WORKERS

By the middle of 1836 the Poor Law Commission could be well pleased with its efforts. Most of the Poor Law Unions in the southern counties of England had been declared and to all intents and purposes were successfully administering the New Poor Law. True, there had been opposition, sometimes violent opposition, to the New Poor Law in the south, but it had been unco-ordinated and was soon subsumed in the general background of bitterness, brutality and occasional outbreaks of personal violence which characterized class relations in early nineteenth century rural Britain. It was towards the end of 1836 when the Assistant Commissioners first began moving north of the Trent to perform what was thought would be the relatively easy task of introducing the New Poor Law into the manufacturing districts of the north. The Report of the 1832 Royal Commission indicated that the cost of poor relief in the industrial north of England was much lower than in the agricultural south.¹ This suggested that the Old Poor Law had been more strictly administered in the north and was free of the abuses present in the south.² On this basis the Poor Law Commission confidently assumed that the New Poor Law would be well received in the north.

The Poor Law Commission's confidence was soon rudely shaken. Not only did they encounter the outraged hostility of many local authorities, who had felt themselves to be safe from the interference of the Poor Law Commission, but also the organized opposition of a militant working class with a long tradition of radical protest.

¹ The respective costs for poor relief in 1831 were, according to A. Ure, Philosophy of Manufactures, p.477, and quoted in Rose, 'The Anti-Poor Law Movement ...', p.73,

<table>
<thead>
<tr>
<th>County</th>
<th>Cost per head</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lancashire</td>
<td>4/4d.</td>
</tr>
<tr>
<td>West Riding</td>
<td>5/7d.</td>
</tr>
<tr>
<td>Norfolk</td>
<td>15/4d.</td>
</tr>
<tr>
<td>Wiltshire</td>
<td>16/6d.</td>
</tr>
<tr>
<td>Suffolk</td>
<td>18/3d.</td>
</tr>
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² See above, Chapter Two, page 59.
The New Poor Law first attracted opposition from the north of England while it was still before parliament. At Bolton on 14 May 1834 the overseers called a ratepayers' meeting to consider the Bill. The ratepayers expressed concern that the proposed law 'would ... throw the support of the agricultural poor upon the manufacturing districts', and decided to call another meeting for the following week. The next meeting, which attracted a big audience, including a number of poor relief recipients, soundly condemned the New Poor Law. Mr. Myerscough, one of the Bolton overseers, attacked the Report of the 1832 Royal Commission for its claim that poor people became destitute through their own misconduct. He said he did not deny that there were 'such people', but they were so few when compared with the majority of honest poor, 'as not to be worthy of consideration'. Only one of the speakers, Charles Darbishire, a quilting manufacturer, spoke in support of the proposed New Poor Law. He was later to admit that he got 'out called' for his pains. The Bolton ratepayers' criticism of the proposed New Poor Law centred on its cost, constitutional nature, and a belief that local officials knew best how to deal with their own poor. The meeting resolved to forward a petition to parliament voicing its criticism. Other large parishes in South Lancashire followed suit, and held meetings to protest their dissatisfaction with the proposed New Poor Law. The petitions and protests had little effect on the government: on 14 August 1834 the New Poor Law received royal assent.

The reception given to the New Poor Law by the Press in the north of England was mixed. As was to be expected, support for the Bill was strongest amongst Whig and reformist newspapers. On grounds of economy alone the Leeds Mercury described the proposed act as 'one of the most important measures that has ever been submitted to Parliament'. The Manchester Guardian and Sheffield Independent also supported the measure, and attacked The Times for, as they saw it,
attempting to mislead the public over the New Poor Law. Even newspapers which were later to attack the New Poor Law unmercifully, were not initially unfavourable to the Bill. When it was first presented to parliament in April 1834 the radical Leeds Times thought the Bill was 'calculated to eradicate abominations which have long deserved the abhorrence of the people'. And the Tory Bolton Chronicle initially told its readers that the Bill must strongly recommend itself 'to every person who had paid the least attention to the practical working of the poor laws'. A month or two later, after the harsher implications of the Bill had become clear, the Leeds Times changed its opinion and attacked the New Poor Law as 'bad in principle ... [and] cruel in spirit'. The radical Manchester and Salford Advertiser, was even more critical. It said that a more fitting name for the New Poor Law would be 'An Act for further debasing and degrading English Labourers, and for the better encouragement of seduction, and the propagation of bastardy and infanticide'.

As Michael Rose has pointed out, even the favourable comments of the respectable Press were tempered by two factors which were to prove enormously important in shaping 'respectable' northern opposition to the New Poor Law. The first was the establishment of the new centralized bureaucracy, the Poor Law Commission. The whiggish Leeds Mercury, for one, was doubtful about the wisdom of establishing a powerful, independent and centralized Commission to administer the new law. Secondly, all northern newspapers agreed that the reforms outlined in the New Poor Law had little relevance to the situation in the manufacturing districts of the north of England. The respectable northern Press appears to have had something of a 'holier than thou' attitude towards the poor law authorities in southern England. Thus the Leeds Mercury thought that it could 'scarcely be doubted that the

10. Leeds Times, 26 April 1834.
12. Leeds Times, 5 July 1834.
13. Manchester and Salford Advertiser, 14 June 1834.
15. Leeds Mercury, 17 May, 1834.
commission will direct interference chiefly on parishes where great abuses exist and not trouble with vexatious meddling the parishes where the affairs of the poor are well administered'. Clearly, the Leeds Mercury, together with most northern ratepayers and local poor law officials, thought themselves to be outside the scope of 'vexatious meddling'.

The first inklings of a campaign of popular opposition to the New Poor Law in the north of England appeared in Bradford in December 1834. The Rev. George Stringer Bull, vicar of Bierley Parish Church, Bradford, inflamed public opinion and antagonized local officialdom with his outspoken comments against the New Poor Law. He claimed in a series of public lectures that the New Poor Law destroyed the 'Poor's right to relief'; a right which he said was sanctioned 'by Divine Authority' and 'the constitution of the country'. When it became apparent that the Poor Law Commission had no intention of immediately introducing the New Poor Law into Bradford the campaign lost its momentum and eventually fizzled out.

Because the New Poor Law was not immediately introduced into the north of England many people came to believe that it had been repealed. Thomas Ainsworth, a manufacturer from Clayton in Dale near Blackburn, wrote to the Poor Law Commission blaming those magistrates 'not friendly to the change', for originating the rumour. He said that the fall of the Whig government in November 1834 and the subsequent dissolution of parliament was 'considered conclusive': 'opinion prevails ... that the new Poor law is actually repealed'.

Not everyone was so gullible. Amongst the popular radicals and well-informed working men the New Poor Law remained a subject for regular discussion. A meeting of the Barnsley Radical Association, resolved in February 1836:

That we the Radicals of Barnsley, have minutely discussed the leading features of the Poor Law Amendment Act, and also its cruel operations on the suffering poor; and we have come to the conclusion that a vote of censure and disapprobation

16. Leeds Mercury, 31 May 1834.
17. Lupton to PLC, 1 January 1835, PRO., MH 12/14720.
be passed upon the said act, and the reformed parliament which enacted it; moreover we express an anxious wish that the aforesaid be repealed, and that of the 43rd Elizabeth be substituted in its place. We also call upon all good men to exert themselves in those encounters with the enemies of popular rights, which we, in union with the surrounding Radical Associations, are determined to enter upon.20

While the Poor Law Commission confined its activities to the south of England, the New Poor Law presented no immediate threat to the labouring population in manufacturing districts of the north. It remained a matter for anxious discussion, but with no clear focus for a campaign of agitation not yet one for popular action.

* * *

The Assistant Poor Law Commissioners first moved north of the river Trent towards the middle of 1836. Their task was to introduce the New Poor Law into the northern industrial counties. Among the first to arrive in the area was Richard Digby Neave. He started work as the Assistant Commissioner for Cheshire in July 1836. It was his first independent assignment for the Poor Law Commission. Neave had previously spent a couple of months working in Nottinghamshire with Assistant Commissioner Gulson, learning the ropes.21 The apparent ease with which the New Poor Law had been introduced into the textile areas of Leicester and Nottingham gave no inkling of the problems the Poor Law Commission would face in the manufacturing districts of north Cheshire, south Lancashire and the West Riding of Yorkshire. Neave adopted the procedure that had worked well in other areas: he met with the 'respectable inhabitants', examined the parish books, found out which towns acted as commercial and judicial centres, examined existing workhouses, and began dividing up his district into Poor Law Unions. All appeared to go as planned. By September 1836 the majority of Unions in Cheshire had been declared. Only the north-eastern corner of the county remained to be divided into Poor Law Unions.

20. Leeds Times, 5 March 1836.
The Poor Law Commission's apparent success in Cheshire was to prove shortlived. Soon after being formed, in September 1836, the Macclesfield Board of Guardians decided to build a new union workhouse.22 Within a month an architect had been appointed, plans drawn up and the design approved. Shaped in the form of a cross and enclosed by a high wall, the proposed workhouse offered segregated accommodation for 580 inmates. It was estimated to cost £5,000.23 The workhouse was never built. Although a local builder successfully tendered for the job, the project encountered so much popular opposition that he was forced to abandon work on it. Macclesfield was the centre of the declining silk weaving industry and the militant silk weavers were determined to resist any attempt to build the new 'bastile'. Whenever the builder appeared on the streets of Macclesfield, he was 'abused and menaced by the mob'.24 The Macclesfield, Hurdsfield and Sutton Burial Society, the weavers' burial society, led the campaign. In September 1837 they wrote to the Poor Law Commission claiming that over 11,000 people in the Macclesfield Union had 'unfurled the banner of resistance against that most abominable law' and taunting them with the fact that they had succeeded in preventing the building of a new Union 'bastile'.25 The Macclesfield Board of Guardians had to be content with modifying the old workhouse and using it as best they could.26

Coinciding with the movement of the Assistant Poor Law Commissioners into the north of England, came economic distress. The country's economy had peaked towards the middle of 1836, and thereafter began to decline. By the winter of 1836-1837 Britain was facing a severe depression. Effects were not uniform. Some manufacturing industries, such as cotton spinning, would continue to flourish for some time to come; and the boom in railway building did not slacken until well into the 1840s. But the building industry and parts of the textile industry - silk, linen, woollen and worsted - were severely affected. Among the worst hit occupations were the

22. Neave to PLC, 28 September 1836, PRO., MH 12/968.
24. Davenport to PLC, 31 May 1837, PRO., MH 12/968.
25. The Times, 28 September 1837, and London Dispatch, 8 October 1837.
26. Manchester and Salford Advertiser, 6 January 1837.
outwork trades - combers, carders, handloom weavers, croppers, and the like; their already low piece-work rates were cut back even further.

Even if the Poor Law Commission had wished to stay its hand in the north of England until the economic situation improved, they were unable to do so. Parliament had recently passed the Births, Deaths and Marriages Registration Act, and placed the administrative responsibility for the Act in the hands of the new Poor Law Unions. The Registration Act was designed to come into force early in 1837. This created no problems in southern England, where the Poor Law Unions were already established and operating. But in many parts of the north, the work of establishing the new Unions had not even begun. Not only were the Assistant Commissioners to face a well-organized and increasingly militant working class, who were just beginning to feel the effects of depression, but they also had to work with extraordinary haste to establish the new Poor Law Unions, before the Registration Act came into operation.

Assistant Commissioner William James Voules warned the Commission, 'that it will be unwise, and unfair to the measure itself [the New Poor Law] to precipitate its application, and risk its cordial and therefore effective reception, at an unseasonable moment, for the sake of introducing a collateral object, namely the Registration Act'. His warning went unheeded. The carefully worked out procedure for establishing Poor Law Unions, which had been used to such good effect in southern England, was abandoned. Union boundaries would be decided long before the constituent townships were examined in any detail. The unseemly haste antagonized not only the labouring population but also many 'respectable inhabitants' who might otherwise have been friendly towards the New Poor Law. One of the consequences of the rush was that most northern Unions would be up to ten times the size of Poor Law Unions in the south of England.

As if to compound the problems they would face in the north of England, the Poor Law Commission appointed Alfred Power to the position of Assistant Commissioner for much of Lancashire and the West

27. Voules to Lefevre, 21 January 1837, PRO., MH 32/73.
Riding of Yorkshire. Power, the son of a Lichfield doctor, was only thirty-one years of age. Educated at Cambridge, where he took a second class degree in Classics, he had gone on to study law and was admitted to the Bar in February 1830. For a while he worked as a barrister on the Midland circuit. In 1833 Power was appointed as an Assistant Commissioner to the 1832 Royal Commission. Here he made the acquaintance of Edwin Chadwick. Like Chadwick he was an ideologue, a disciple of the new political economy, with dogmatic views on the question of poor relief. Perhaps because of his friendship with Chadwick, Power was appointed as an investigator for the 1833 Factory Commission. Together with two other investigators, he was sent north to inquire into the factory conditions in Yorkshire. During their visit the three men were suspected of siding with the factory owners, and as a result were harassed by the local Short Time Committees. Power, who was a rigid and arrogant young man, lacking both a sense of humour and a sense of proportion, bridled at the ill-treatment. In November 1834, after assisting in the preparation and drafting of the New Poor Law, he was appointed as one of the nine original Assistant Commissioners to the new Poor Law Commission. Up to the end of 1836 he worked without incident, establishing the New Poor Law in southern England. When Power returned to the north of England at the end of 1836 it is unlikely that he had forgotten, let alone forgiven, his earlier treatment; it also soon became clear that the factory operatives of south Lancashire and the West Riding of Yorkshire had in their turn neither forgotten nor forgiven him.

*   *   *

The depressed woollen textile town of Huddersfield gave vent to one of the first outbursts of what was to become a vehement campaign of popular opposition to the New Poor Law. Early in December 1836 it became known that the Poor Law Commission intended to introduce the New Poor Law into Huddersfield. Assistant Commissioner Power, it was rumoured, would soon visit the town. A crowd of over 8,000 people

31. C. Driver, Tory Radical, pp.228-36.
32. Brundage, Making of the New Poor Law, pp.29-33, & 83.
gathered in the market place to show their opposition. The Leeds Times commented that the feeling in Huddersfield was 'so strong' against the New Poor Law, that they feared 'some outbreak if it were attempted to be put in force'. The Huddersfield demonstrators were reported as saying, 'better anything than be starved to death under the hands of the most cold-blooded monsters the world ever saw'. At the climax to the demonstration an effigy of Assistant Commissioner Power was burnt in the market place.

The Huddersfield demonstration set the tone for the sort of reception Power was to receive in the manufacturing districts of the North. At Bury on Friday 6 January 1837, word of Power's meeting with the select vestry leaked out beforehand. When Power arrived, accompanied by the local Whig M.P. and one of the magistrates, he found the meeting room crowded with working men. Power told the noisy meeting that it was his business to form a district, centred on Bury, for the purpose of the Registration Act; and that this would later become a Poor Law Union. Asked by the leader of the popular radicals in Bury, the surgeon Matthew Fletcher, whether a Board of Guardians was planned to put the New Poor Law into effect, Power replied that it was. His answer was met with loud groans. Fletcher continued to question Power over the aims and workings of the New Poor Law. Under this relentless onslaught Power's patience eventually cracked and he stormed out of the meeting.

A few days later at Huddersfield, Power received an even more hostile reception. He arrived expecting to meet with the overseers and a small number of the more important ratepayers. Instead he found a town alive with rumour and the meeting room crowded with working men and women. Once again he was closely questioned. Power was told that 'every opposition would be offered to the forming of the Union'. He replied that all opposition 'would be futile', and that the law 'would be put in force'. Told it was 'a bad law', Power said he

33. Leeds Times, 17 December 1836.
35. Bolton Chronicle, 14 January 1837, Manchester and Salford Advertiser, 14 January 1837, and Power to PLC, 8 January 1837, PRO., MH 32/63.
36. Halifax Express, 18 January 1837.
would not sit and 'hear the law declaimed against'.\textsuperscript{37} Christopher Tinker then stood up, announced that he was 'a poor man', and said that if 'all poor men were of his opinion' they would take up a rifle and lodge a ball in the heart of every Commissioner who came into the town. Power lost his temper, said he would not stay to be threatened, and bundling up his maps and papers, stormed out of the room. He left town soon afterwards in a post chaise.\textsuperscript{38}

In his correspondence with the Poor Law Commission, Power made light of the affair. He said that it was not true, as reported in the press, that he had 'left the town in haste'. And as far as the threat to his life was concerned, it had come from 'a very low vagabond, in all probability tipsy', and was not worth bothering with.\textsuperscript{39} One has the feeling in this and later correspondence from Power, that he was covering up. He had the habit, at the beginning, at least, of playing down the opposition to the New Poor Law. In October 1837 he was to write, in answer to an inquiry about whether there had been any out-breaks of incendiarism in his district, that not only had there been no incendiarism, but that 'neither had there been ... any other manifestations of discontent amongst the labouring classes'.\textsuperscript{40} Later, when it suited him, he exaggerated the extent of popular unrest in his district. In December 1837, Power wrote to the Poor Law Commission saying that he feared an assassination attempt on himself and other poor law officials.\textsuperscript{41} All one can say about Power is that he appears to have trimmed his reports to preserve his own esteem and to suit what he considered to be the political needs of the Poor Law Commission itself.

Not all of Power's early meetings were marked by confrontation. In a number of towns he was able to meet with the local worthies without attracting the attention of the labouring population at large. In Halifax, for instance, Power spent a number of days in the town making inquiries for the formation of the new Union. At a meeting with 'the vicar, some of the magistrates, the Overseers, and several

\textsuperscript{37} Halifax Guardian, 14 January 1837.
\textsuperscript{38} Halifax Express, 18 January 1837.
\textsuperscript{39} Power to PLC, 15 January 1837, PRO., MH 32/63.
\textsuperscript{40} Power to PLC, 22 October 1837, PRO., HO 73/53.
\textsuperscript{41} Power to PLC, 2 December 1837, PRO., MH 12/14720.
other gentlemen', Power told them that 'the immediate formation of
the Unions ... had been rendered almost imperative [sic.] by ... the
act for the registration of births, & c'. He encountered no
opposition from the Halifax worthies.

Other respectable inhabitants were less tractable. Offended
local pride and a fear that the New Poor Law would prove more
expensive to ratepayers were the cause of deep concern to many
respectable inhabitants. The Poor Law Commission received a memorial
from a number of prominent ratepayers at Hebden Bridge, asking that
the administrative centre of the proposed Todmorden Union be moved to
their own township. William Sutcliffe, the worsted manufacturer who
forwarded the memorial, said that opinion throughout the neighbourhood
was 'favourable to an Union, but decidedly opposed to its being centred at
Todmorden'. It was not lost on the memorialists that the majority
of the townships in the proposed Todmorden Union were in Yorkshire and
produced worsted cloth, whereas Todmorden itself was a cotton
manufacturing town located just across the county border in Lancashire.
In the proposed Wigan Union, the respectable inhabitants in several of
the smaller townships were reported to have expressed concern over
being swallowed up by their large neighbour. They feared that they
would have to pay higher poor rates if joined to Wigan with its
large labouring population. It was a fear which many members of the
gentry and middle class in other Unions shared.

Traditionalists also objected to the New Poor Law, because it
offended their perceptions of an organic, harmonious, society. The
Rev. Patrick Bronte, vicar of Haworth, reminded a local meeting that
wealth and property had their obligations as well as their rights.
'The working men and labourers trampled on by this bill were the
material of the country', he said; 'remove them and what were Kings,
Lords, and Commons worth?' He went on to warn that if the New Poor
Law was put into force, and 'dear times and general distress should
come on, starvation, deprived of relief, would break into open
rebellion'. There were many people, magistrates, members of the

42. Halifax Express, 11 January 1837.
43. Sutcliffe to PLC, 28 January 1837, PRO., MH 12/6272.
44. Blackburn Gazette, 22 February 1837.
45. The Times, 27 February 1837.
gentry, even some manufacturers, who shared such views. Matthew Thompson, a Bradford worsted manufacturer and magistrate, told an open air public meeting at Bradford in March 1837 that he would 'always be ready ... to assert the rights of the poor, against every attempt to invade them'. Apparently 'always' had rather limited meaning for Thompson, because in October 1837 he was calling on the people of Bradford to give the New Poor Law a fair trial.

'Respectable' opposition to the New Poor Law often had a rather brittle quality. The Tory dominated Blackburn Board of Guardians began by calling for a repeal of the New Poor Law and suggesting that the management of the Poor be put back in the hands of the select vestry: but within six months they were happy to start implementing the revised regulations put forward by the Poor Law Commission. In the Todmorden Union a number of Guardians, elected because they claimed to be opponents of the New Poor Law, provoked bitter comment when they began supporting the introduction of the measure. Popular opponents of the New Poor Law saw such behaviour as treachery.

It was not treachery. The apparent fickleness of many 'respectable' opponents of the New Poor Law resulted from the fact that they based their opposition on quite different grounds to the popular opponents. They were concerned about the cost of poor relief and the loss of local autonomy. A few abandoned the opposition cause for personal gain. James Stansfield, who began as an active opponent of the New Poor Law in the Todmorden Union, lost all his commitment after he had secured the well paid position of Union clerk. But in most cases the opposition of the gentry and middle class only persisted as long as the New Poor Law was seen to threaten their interests. As soon as they had been assured that poor rates would not increase, and that they would not otherwise be disadvantaged by the New Poor Law, their opposition vanished.

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46. The Times, 14 March 1837.
47. Bradford Observer, 2 November 1837.
49. 'To the Rate-Payers of the Todmorden Union', 16 March 1839, [Broadside], PRO., HO 40/37, f.126.
50. Sutcliffe to PLC, 21 February 1837, and Power to PLC, 16 March 1837, PRO., MH 12/6272.
PLATE 3: RICHARD OASTLER.
Not all respectable opponents of the New Poor Law were so fickle. There were a small number of Ultra-Tories and middle class Radicals who were prepared to ally themselves with the campaign of popular opposition to the New Poor Law. Most had been active in the earlier Factory Reform Movement. Three in particular, Richard Oastler, the Rev. Joseph Rayner Stephens and John Fielden, became national figures in the movement and would lend their wholehearted support to the anti-poor law campaign.

Richard Oastler was among the most revered of the anti-poor law campaigners. He had earned the title 'King of the Factory Children' together with the trust and support of the Lancashire and Yorkshire factory operatives, for his unflinching efforts on their behalf in the early 1830s. Ostensibly an old fashioned church and King Tory, Oastler's background was much more varied than his position as Steward of Fixby Hall, near Huddersfield, would suggest. Oastler had been brought up in a Methodist household to believe in the doctrine of equality of opportunity. He had spent eight years being educated at the celebrated Moravian Settlement at Fulneck near Leeds. The policy of humility, brotherhood and friendship which characterized life in the Moravian Settlement was to leave a lasting impression on Oastler.  

In 1830, a chance meeting introduced Oastler to the distress experienced by factory workers in the textile industry. From that time on, the overthrow of the conditions which caused such suffering became the abiding passion of Oastler's life. An opponent of political reform, not caring about Trade Unions, and knowing little about the life of working people, he was still willing to ally himself with working class radicals and lead a popular movement for Factory Reform. Although in private a mild and gentle man, characteristics clearly visible in his portrait, he had a commanding platform presence. He stood over six feet tall, had a powerfully built figure, with 'keen and intelligent blue eyes, a mass of iron grey hair ... and a voice stentorian in its power'. Thomas Trollope, who saw and heard him speak at a crowded meeting in Ashton-Under-Lyne in 1838, described

52. Driver, Tory Radical, pp.36-42.
53. See Plate 3.
him as 'the beau-ideal of a mob orator'.\textsuperscript{54} With the arrival of the New Poor Law Oastler once again threw himself into battle against what he saw as yet another blatant attack on the institutions and values he cherished.

Like Oastler, the Rev. Joseph Rayner Stephens was an Ultra-Tory. But unlike Oastler he was no friend to Anglicanism. The son of a Wesleyan Methodist Minister, Stephens had been educated at the Manchester Grammar School and the Methodist School near Leeds. As a schoolboy in Manchester he had witnessed the massacre at Peterloo.\textsuperscript{55} In 1825, at the age of twenty, he became a Methodist preacher. He served for a time as a missionary in Sweden. In 1829 he returned home and was ordained as a Methodist Minister. Stephens' strong views on Church Disestablishment led him into conflict with his Wesleyan superiors and in 1834 he was expelled by the Methodist conference for acting as a secretary to an anti-State Church Association.\textsuperscript{56} Separated from his church, Stephens did not give up preaching. He was approached by a group of former Methodists to be the minister of an independent chapel at Ashton-under-Lyne. The sect had other congregations at Oldham, Dukinfield, and Bolton.\textsuperscript{57}

Stephens began his new ministry among men who harboured bitter thoughts about their treatment at the hands of their employers and the government. The failure of the 1832 Reform Act and 1833 Factory Act to relieve their distress and the passage of the 1834 New Poor Law caused deep resentment. Stephens slowly became involved in their struggle. He made his first public speech in favour of Factory Reform in January 1836.\textsuperscript{58} Within months he had achieved a following and reputation equal to long-established northern leaders like Oastler. The explanation for his meteoric rise is to be found in his almost charismatic appeal. His portrait shows a man of average height and build, with a receding hairline, long dark side-burns and a

\begin{itemize}
  \item \textsuperscript{54} T.A. Trollope, What I Remember, Vol.II, pp.11-2.
  \item \textsuperscript{55} M.S. Edwards, Joseph Rayner Stephens, 1805-1879, p.1.
  \item \textsuperscript{56} F.H.A. Micklewright, 'Joseph Rayner Stephens', London Quarterly and Holborn Review, January 1943, p.52.
  \item \textsuperscript{57} Edwards, Joseph Rayner Stephens, p.7.
  \item \textsuperscript{58} Driver, Tory Radical, p.313.
\end{itemize}
III.

penetrating, even hypnotic, stare. His voice was clear and impressive. He spoke not of abstract rights or ideal improvements, but of pain and privations. His message was apocalyptic: poverty, hunger and suffering were the result of corrupt purposes; to struggle against them was to struggle against evil men. His imagery and inspiration came from the Old Testament and his call to arms to fight the corruption and evil, could occasionally sound like a call for revolution. But Stephens was no Radical, not even a democrat. In his opinion the existing institutions were sufficient, it merely required that men use them properly. Armed with his apocalyptic vision and inspirational imagery he would do battle with the forces of Mammon which had introduced the New Poor Law and threatened to destroy the traditions he valued.

Oastler and Stephens were Ultra-Tories whose abilities as demagogues gave them a large public following; John Fielden was no demagogue and by all accounts a poor public speaker, but nevertheless as a respected Cobbettite Radical he enjoyed strong popular support. Fielden had grown to wealth with the rise of the Lancashire cotton industry. His father, Joshua Fielden, had been a farmer-woollen weaver, who in the 1780s moved to Todmorden to set up a cotton 'manufactury'. At first all the work was done by hand; but gradually the spinning jenny replaced the wheel and carding machines were introduced. The famous Waterside Mill at Todmorden - the first of many factories owned by the Fieldens - was built to accommodate the new machinery. All the sons went to work in the factory when they reached the age of ten. John Fielden was to have bitter memories of these years as a child factory worker in his father's mill and for the rest of his life maintained a deep sympathy and understanding for those who were

59. See Plate 4.

60. R. Lowery, 'Passages in the Life of a Temperance Lecturer', in B. Harrison & P. Hollis (eds.), Robert Lowery: Radical and Chartist, pp.110-2, writes of Stephens being able to hold his audience spellbound. He compared Stephens to the early Methodists, especially the great open air preacher George Whitfield. Lowery thought the violent imagery in Stephens speeches was to be explained by his desire to force the government to arrest and charge him with sedition over the New Poor Law.
subjected to similar, or even worse suffering. Helped by his five sons, Joshua Fielden's business prospered and expanded. John Fielden, the third son, specialized in the firm's buying and selling. He was made a partner in his early twenties; and on his father's death in 1811, he and his brothers took full control of the concern. Over the next thirty years, the firm of Fielden Brothers, as it was now called, grew to become one of the largest cotton spinning and weaving concerns in South Lancashire. The brothers also had interests in Shipping, South American cattle and Railway building. In 1846 the firm of Fielden Brothers attained the distinction of being the largest single consumer of cotton, as a single company, in the world.

Although the father Joshua Fielden had been a Quaker and a Tory, all his sons were ardent radicals. As early as 1816 John Fielden and his brothers were supporting calls for the regulation of factories. It was a cause which would occupy Fielden for the rest of his life. On matters of political policy, Fielden was a Cobbettite. He criticized Peel's restoration of the gold standard, and favoured an 'equitable adjustment' (a capital tax levy) to help reduce the interest on the national debt. He was also a strong opponent of 'paper money' and a supporter of Universal Suffrage. In 1832, following the passage of the Reform Bill, Fielden allowed himself to be nominated in partnership with his mentor, William Cobbett, as a Radical candidate for Oldham. He had no political ambitions himself, but merely hoped that his nomination would help secure Cobbett's election. In all events both Cobbett and Fielden romped home with enormous majorities. In parliament Fielden was among the most consistent of Radicals, supporting every democratic proposal. But it was the condition of the northern factory operatives which was his main concern. Both inside and outside parliament he struggled manfully in their cause. He supported the Ten Hours Movement and with the advent of the New Poor Law struggled long and hard for its repeal. Pictures of John Fielden show a quiet, thoughtful, even unassuming man. He was unsuited both with regard to temperament and speaking

62. The firm of Fielden Brothers was a major shareholder in the Manchester-Leeds Railway. John Fielden's son Samuel, sat as the company's representative on the Board of the Railway.
63. Manchester Guardian, 10 March 1847.
64. Cole, Chartist Portraits, pp.218-38.
65. See Plate 5.
JOHN FIELDEN

PLATE 5.
voice to the role of popular demagogue. Nevertheless, his wealth and influence were to provide invaluable support to the campaign of popular opposition to the New Poor Law.

Oastler, Stephens and Fielden were not the only members of the gentry or middle classes to ally themselves with the campaign of popular opposition to the New Poor Law. There were a few others, but none (apart from Feargus O'Connor, whom we shall deal with in a later chapter) achieved national status. The Rev. George Stringer Bull had been a popular speaker with the Factory Reformers in Bradford, but although he was one of the first in the north of England to voice public criticism of the New Poor Law, he withdrew from the campaign in 1837 when it took on more radical overtones.\(^{66}\) Samuel Roberts, a retired cutler and inveterate pamphleteer, was active in the Sheffield campaign, but his domineering style eventually proved too much for independent minded workers who made up the vast bulk of the Sheffield opponents. In July 1837 they broke with 'the would be drill sergeant of Park Grange'.\(^{67}\) Matthew Fletcher, the radical Doctor from Bury, led an enthusiastic campaign in his own area. And there were a handful of radical manufacturers in Manchester who supported the campaign.\(^{68}\)

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\(^{66}\) Bull refused to participate in late anti-Poor Law demonstrations because, Report from the Select Committee on the Poor Law Amendment Act, BPP., 1837-1838, Vol.XVIII, Q.6258, he 'did not choose to be mixed up with persons who appeared ... by the promulgation of certain strong political sentiments to be promoting views unfavourable to the permanency of the constitution of the country and to the general good'.

\(^{67}\) Sheffield Iris, 25 July 1837.

\(^{68}\) Little is known of the Manchester manufacturers who opposed the New Poor Law: William Clegg was a business associate of the Fielden's; Joseph W. Hodgetts was a manufacturing chemist and a former Salford Vestryman; and G.W. Seed was a small cotton manufacturer. Only the pill box maker, Elijah Dixon, has left any record. W.E.A. Axon (ed.), Annals of Manchester, p.358, gives details of Dixon's life. He was born at Kirkburton, West Riding, 1790. When eleven years of age his father moved the family to Manchester and Dixon began work as a 'scavenger' in a cotton mill. He eventually rose to become a spinner. A prominent radical at the time of the government's suspension of Habeas Corpus in 1817, he was arrested on suspicion of high treason. Personally interrogated by Lord Sidmouth, Dixon was held for eight months without trial. He was present at Peterloo. Dixon
But it was working men and women who provided the most sustained and forceful opposition to the New Poor Law. It was they who mobbed the Assistant Poor Law Commissioners, signed the flood of petitions, demonstrated and occasionally rioted. And it was they who would continue to fight a rear-guard action against the 'devil's law' until well into the twentieth century.

The opposition of working men and women was based upon both practical and ideological considerations. The Old Poor Law played a crucial role in the domestic economy of most working class families and provided a bulwark against the threat of utter destitution. Thus the urban factory operative, the struggling outworker in the small textile village, and the rural farm labourer all viewed the new and restrictive poor relief regulations as a direct attack on their own security and the well-being of their family. Furthermore, there was something sinister and frighteningly different about the New Poor Law: it was perceived as turning familial values, popular sentiment and social relationships on their head. The paternalism and humanitarianism of the Old Poor Law was to be replaced by the strict economy and harshness of the New.

The working men and women of the northern textile districts had a long and proud tradition of popular radicalism, Trade Union activity, and political agitation. In the immediate post-war years a network of radical clubs and societies had grown up in the northern manufacturing districts. This movement of radical reform reached its climax at Peterloo. Although popular political activity lay dormant for much of the 1820s, the traditions of popular radicalism established in the immediate post-war years provided an enduring legacy for northern working men and women. There were two aspects of this legacy of 1819

F.n. 68 continued.

eventually left cotton spinning to set up in business for himself. He worked at a number of occupations, milk seller, travelling pedlar, before setting up as a manufacturer of pill boxes. The business prospered and he eventually diversified into the wholesale timber trade and the manufacture of lucifer matches. J. Johnson, People I have met, pp.135-40, who knew Dixon in later life, writes that despite his later wealth he remained a life-long supporter of radical causes. He calls him 'a typical Lancashire Radical of the old school'.
which were to be of particular importance in shaping the character of popular opposition to the New Poor Law as it developed in the north of England. First of all, it embodied a militant activism. Although popular opponents were happy to initiate discussion, debate and propaganda against the New Poor Law, their most concrete expression of opposition took place in the public arena with demonstrations, meetings and (occasionally) riot. Secondly, the spirit of 'Peterloo' embodied a firm and uncompromising assertion of egalitarian and democratic values. This meant that most northern working men and women implicitly rejected the various forms of subordination and deference. They were to be especially incensed by the way in which their views and opinions were ignored by both the government and the Poor Law Commission.

Assistant Poor Law Commissioners were apparently only too willing to meet with 'the better sort of person', prominent ratepayers, overseers, members of the gentry, magistrates, and the like, to put their minds at rest on matters that might concern them. But the opinions and concerns of ordinary men and women, those most deeply affected by the New Poor Law, were dismissed as being of little consequence. This was the cause of deep resentment and anger amongst many working men and women. Whenever word leaked out that an Assistant Commissioner was to hold a private meeting with some of the local worthies, the popular opponents of the New Poor Law made sure it was interrupted by a noisy demonstration.

One of the most notorious of these demonstrations took place at Keighley in March 1837. News of Assistant Commissioner Power's coming had leaked out in advance and the local opponents of the New Poor Law quickly printed and posted handbills throughout the town, warning the townspeople to make ready for his visit on Friday 17 March 1837. Whether Power got wind of the preparations being made for his arrival is not known, but much to the chagrin of the huge crowd the day passed off without his making an appearance. One of the officials, himself an opponent of the New Poor Law, later sent word that Power was now expected on the following Wednesday. Once again preparations were made.

At the last moment on Wednesday morning the authorities decided to switch venues and hold their meeting in the Mechanics' Institute instead of the Courthouse. If the move was intended to forestall any
interference with the meeting by the crowd, it badly misfired. As soon
as the crowd discovered what was happening they descended on the
Mechanics' Institute in force. Although the doors had been locked the
noise and pressure from outside was so great that the officials
decided it would be expedient to let the public in. During the course
of what was to prove a rather rowdy meeting Power was told 'that the
people ... will never submit to be bastiled'; that the New Poor Law was
'at direct variance with the comfort and happiness of [the working
men's] homes'; and that it would reduce wages - 'which are already low
enough'. The crowd shouted their disgust for Power and the New Poor
Law, with groans, and cries of 'turn him out' and 'we will not have
it'.

When the popular opponents of the New Poor Law attempted to
completely take over the meeting Power started to leave. No sooner
had he risen from his chair, when a cry went up of 'stop him, stop him'
and 'no shuffling'. In the ensuing struggle Power had his coat torn
off his back as he fought to get out of the hall. Once outside his
difficulties continued: he was booed, jeered, hissed and jostled by
the boisterous crowd. It was only with great difficulty that he
managed to make his way to his hotel. Meanwhile in the Institute hall,
his coat was being joyously displayed to the crowd - one of the
spoils of victory. Power left town shortly afterwards.

A consequence of the Keighley demonstration was that one of the
participants, a weaver, was sacked by his employer 'for daring to open
his lips to Mr Power'. The Radical Leeds Times thought the action
'peculiarly mean and arbitrary'. At subsequent meetings organized by
the Keighley Radical Association the employer's actions were condemned
and money collected for the sacked man. He eventually obtained other
employment, but not before his sacking had 'produced a strong feeling
of disapprobation amongst the labouring class ... who considered this
act of local tyranny as a low attempt to domineer the liberty of speech
and thought'.

69. The Times, 28 March 1837.
70. Ibid, and Leeds Intelligencer, 25 March 1837.
71. Leeds Times, 8 April 1837.
If the traditions of popular radicalism helped determine the character and tone of the northern campaign of popular opposition to the New Poor Law, it was the existing network of autonomous working class institutions which provided the organizational base. The Macclesfield, Hurdsfield and Sutton Burial Society, the silk weavers' own burial club, co-ordinated the campaign of popular opposition in the Macclesfield Union. At Barnsley the militant Linen Weavers' Union not only provided the organization but most of the local leaders in the campaign. And at Oldham the local Radical Association provided the infrastructure for a co-ordinated campaign which kept the Oldham Union free of the New Poor Law for over a decade. But foremost amongst all the working class institutions which helped organize and lead the campaign of popular opposition to the New Poor Law were the Short Time Committees.

During the campaign for factory reform in the early 1830s a loose federation of Short Time Committees had been established in the northern textile towns. These local Committees co-ordinated the protests and enabled the movement to more effectively press its demands for shorter working hours for factory children (and by implication the adult factory workers as well). Although the initiative for the formation of the Short Time Committees had come from working men and women, they were not exclusively working class organizations. Any sympathiser was welcome to join the Committee provided he or she was willing to support its demands. Thus, the Huddersfield Short Time Committee included several small shopkeepers and the manager of the local co-operative store. Nevertheless the bulk of the membership came from working men, most of whom already knew each other from their involvement in political or trade union activity. The Short Time Committees, like most contemporary working class organizations, met in local public houses. The meetings were pretty informal affairs, and generally consisted of an ad hoc gathering of the most active members. This locally based and informal organization provided a means for pressing its demands, and even spawned a Central Committee, based in Bradford, to oversee the campaign in the West Riding of Yorkshire.

The 1833 Factory Act left the Factory Reform Movement bewildered

72. Driver, Tory Radical, p.82.
and confused. The Act, which banned the employment of children in the textile industry until they were 9 years old, limited the employment of children under 13 to forty-eight hours a week, and those under 18 to sixty-nine hours a week, only partially met the Short Time Committees' demands. The Short Time Committees feared that because the 1833 Factory Act placed no restriction on night work for children, the factory owners could operate a double-shift system for the children and work the adult operatives for sixteen hours a day. An attempt was made to transform the Ten-Hours movement into an Eight-Hours campaign for all workers in industry, but a series of disastrous strikes and lockouts destroyed the campaign. A few local Short Time Committees survived, especially in the West Riding of Yorkshire where the Eight-Hours movement had not been as vigorously pursued as it had been in Lancashire. But they were little more than watchdogs. Paradoxically, their main role lay in defending the 1833 Act from the attempts of the factory owners to dismantle it. Early in 1837, faced with the prospect of the rapid introduction of the New Poor Law, the remaining stalwarts of the Factory Reform Movement and the local Short Time Committees turned against the new threat.

The transformation from factory agitation to anti-Poor Law agitation was simplest and most complete in the West Riding of Yorkshire. On the evening of Wednesday 18 January 1837 a meeting was held in the rooms of the Bradford Short Time Committee, to consider what steps should be taken to prevent the establishment of the New Poor Law. According to the whiggish Bradford Observer, it was a 'crowded and spirited meeting chiefly of the working classes'. The meeting came to the conclusion that a committee should be formed to spread 'information' about the New Poor Law, and that a 'borough meeting' should be held to give expression to public feeling on the subject.

74. 3 & 4 Will. IV, c.103. Driver, Tory Radical, p.167, gives details of the Short Time Committees' Ten Hours Bill: a maximum of ten hours a day for all factory operatives under 18 years of age, with eight hours maximum on Saturdays; night work banned for all under the age of 21; and no child to be allowed to enter a factory before the age of 9.

75. Ibid, p.238.


77. Bradford Observer, 26 January 1837.
The formation of an anti-Poor Law Committee involved little more than a name change: the Bradford Short Time Committee became the Bradford anti-Poor Law Committee. Within a week the Bradford anti-Poor Law Committee had published a pamphlet outlining their opposition to the New Poor Law. A pithy and well argued critique, the pamphlet begins by expressing concern over the 'most extraordinary powers' entrusted to the Poor Law Commission. Powers which the Bradford Committee thought 'unconstitutional and likely to prove ... an intolerable grievance'.

First, the Commission had the power to appoint and dismiss Assistant Commissioners, workhouse masters, assistant overseers, and any other paid officer. The Bradford Committee wondered what 'door is here opened for the tyranny over the Parish Officers - and for the tittle tattle of certain sneaking fellows, who may creep in as "Guardians", and who may choose to send their tales to the Great Trio in London'.

Next, the Poor Law Commission could, with the consent of the majority of Guardians or ratepayers, order the building of workhouses. Or, 'without anyone's consent', they could order the alteration and enlargement of an existing workhouse. To those who 'fancy that they will "save something"' by this, the Bradford Committee warned: 'let it only be tried in these populous parts, and we shall see what is "saved"'. Furthermore, because the Poor Law Commission had the power to 'regulate all the affairs of workhouses' they could 'separate the sexes ... the man from his wife - the parent from his child'. Although they admitted that this was 'not expressly mentioned in the Act', readers were warned that 'it had been put into practice'; as had 'every other plan calculated to make the workhouse as "irksome" as possible'.

The Bradford Committee also criticized the power that the Poor Law Commission had over the Guardians. The Commission fixed the number and property qualifications of Guardians. This worried the Bradford Committee because the small ratepayers, 'who are the majority', would no longer have their 'order' represented on the Board of Guardians. Furthermore, whatever the Guardians might decide in the interests of the ratepayers, the Commissioners in London could overrule. As they had 'an absolute Power Over the Rules of Out-door...'

78. [Anon.,] The Poor Law Act. To the People of the 20 Townships, Which the Poor Law Commissioners propose to form into the Bradford Union, p.2.
Relief and Relief in the Workhouses', the Commissioners can insist on all relief being restricted to the workhouse. The Bradford Committee concluded that 'the whole working of the Act is calculated to drive an honest man either to despair or to a workhouse - or to both - in time of pressing need'.

The final insult as far as the Bradford Committee were concerned was the New Poor Law's clause allowing all poor relief to be 'considered as given, by way of loan'. The Poor Law Commission was able to order that the wages of any man who had received relief could be stopped by his Master to pay the loan. Relief given to children under 16 years was to be added to the father's account 'as a loan too'. And a widow with relief given to any of her children under 16 years was to suffer the same fate. 'Thus', commented the Bradford Committee, 'is the working man "once down, always down"'.

The pamphlet ended with a rousing call to 'all men and all women of any conscience or feeling ... to protest against such a Yoke as this'. 'Labour', the pamphlet's authors reminded its readers, 'is the main Creator of all wealth'; and yet this is the way the 'honest labourer' is treated. 'Under the pretence of making labourers independent', a system is introduced, which 'is absolutely driving to desperation the great mass of the honest labourers of the land'. They called on the magistrates, who were 'insulted' by the Act, to support them. Christian Ministers were urged to 'stand up for the weak against the strong'. Tradesmen were warned that the New Poor Law was an 'Act to lower wages'; that it was 'meant to drive the Agricultural people into the manufacturing districts ... to pull down the rewards of labour here'. The New Poor Law and 1833 Factory Act were called 'co-workers for the oppression of the poor'. And finally there was an appeal to the operatives, who the Bradford Committee trusted would be ready when they were called on to protest.

While the Bradford Committee organized meetings and petitions in all the townships in the proposed Bradford Union, other Unions

79. Ibid.
80. Ibid, p.3.
81. Ibid, p.4.
New Poor Law Act.

At a Meeting of Delegates from the various Townships in the proposed Union of the Parishes of Huddersfield, Kirkheaton, Kirkburton, and Almondbury, held at the Coach and Horses Inn, Honley, on Wednesday the 15th of February, 1837, the following Resolutions were unanimously passed.

1st. That as the Poor Law Amendment Act denies the right of the Poor to live in the land of their birth, which we hold to be an inalienable right—as it denies the right of the rate-payers to dispose of their own funds—as it empowers three men to make rules and regulations as binding as laws passed by King, Lords, and Commons—as it places the whole of the poor of England and Wales, without discrimination, at the mercy of the three said men, strangers, and hired servants of Government—as such, we hold it to be our bounden duty, as friends of Humanity, and the Rights of Labour, to offer our most solemn protest against the enforcement of the said law, and hereby pledge ourselves to use every possible exertion to obtain its repeal.

2nd. That the object of this Act is evidently to reduce wages, and to bring the working classes of this country down to the standard of our wretched Irish brethren.

3rd. That it seems to be the intention of the Rich—not to say Whig, Tory, or Radical, but the rich of all parties—to place the people at the mercy of an armed rural police, for the purpose of compelling them to submit to the provisions of this most inhuman Act.

4th. That for the purpose of neutralizing the intention of the Poor Law Commissioners, who are about to introduce their Inhuman Starvation system into this district, it is essential that an Association of all Classes be formed, for the purpose of raising Funds for mutual protection, and organizing the district so as to rendr the Law a dead letter.

5th. That in order to carry out the principle of the foregoing resolution, passive resistance be exercised after the manner recommended by Earl Fitzwilliam and Mr. Brougham, viz.—"to button up our breeches' pockets, and stop the supplies;" and to prevent individual sacrifices, the funds so raised to be appropriated for the purpose of indemnifying those who may become victims.

6th. That local funds be formed in every township or hamlet, in the proposed Union, to meet all emergencies that may arise from the enforcement of the New Poor Law Act.

7th. That a Local Treasurer, Secretary, and Committee be appointed in every township or hamlet.

8th. That a general Committee, with Secretary and Treasurer, be appointed to watch over the affairs of the whole District.

9th. That a Great Meeting of the West Riding be held on an early day, as possible, to petition Parliament for a Repeal of the New Poor Law Act, and appoint Delegates to go to London to press the question on the attention of Government, and it is particularly requested that other Unions will assist us in this object.

10th. That this meeting recommends remonstrances or petitions to be sent to Parliament from every township, hamlet, or division in the district as early as possible.

11th. That this meeting stands adjourned till Tuesday, March 1st, when it shall meet at the White Hart Inn, Huddersfield, at Four o'Clock in the Afternoon.

GEORGE SYKES, Chairman.

PLATE 6: ANTI-POOR LAW HANDBILL.
also established their own anti-Poor Law Committees. Many, like the Bradford Committee, were simply the old Short Time Committees under a new name. William Hill, the Swedenborgian minister and future editor of the Northern Star, appears to have played an influential role in the establishment of this network of local anti-Poor Law Committees in the West Riding. The son of a Barnsley handloom weaver, Hill had worked at the loom during his youth. After acquiring some education he had become a schoolteacher and for a time ran his own school near Huddersfield. He was the author of two books on English grammar. In the mid 1830s, Hill had become a minister in the New Jerusalem (Swedenborgian) Church. He combined radical political activity with his pastoral duties. It is unclear whether Hill, who at that time was resident in Bradford, was acting in any official capacity for the Bradford anti-Poor Law Committee, but in February 1837 he visited a number of towns in the West Riding, advocating the formation of local anti-Poor Law Committees. At a meeting in Huddersfield on Thursday 2 February 1837, Hill told the 'rather large audience' that the New Poor Law was 'unconstitutional, and denied the right of the poor to live'. He said that 'people were not bound to obey such a law'. In order to effectively oppose its introduction he recommended the 'formation of associations in every township throughout the Union'. Apparently the popular radicals in Huddersfield accepted his advice because within a fortnight a meeting of delegates had been held to establish a network of anti-Poor Law Committees in each of the townships in the proposed Huddersfield Union. The meeting, held under the chairmanship of George Sykes at the Coach and Horses Inn, Honley, passed a series of eleven resolutions condemning the New Poor Law and establishing the local structure. Apart from the local committees in each township, there was to be a General Committee in Huddersfield 'to watch over the affairs of the whole district'.

In Dewsbury, Keighley and Halifax and Barnsley - all centres of proposed Poor Law Unions - anti-Poor Law Committees sprang up. Most

82. E. Hoyle, 'History of Barnsley and the Surrounding District', Vol.II, article 151, bound newspaper cuttings, BML.
83. Halifax Express, 8 February 1837.
84. 'New Poor Law Act', 15 February 1837, [handbill], Brougham Papers, UCL 17802; see Plate 6.
were reconstituted versions of the old Short Time Committees. In other towns, where there were no existing Short Time Committees to provide leadership, it was some other working class organization (Trade Union or Radical Society) which provided the infrastructure for the local anti-Poor Law Committees. At Barnsley, where William Hill addressed a meeting on 13 February 1837, the militant Linen Weavers' Union and the local Radical Association provided the initiative for the formation of the Barnsley Poor Law Reform Society.85

Perhaps because the Short Time Committees in South Lancashire had been more effectively destroyed by the abortive Eight-Hours Movement and the collapse of the National Regeneration Society, South Lancashire was slower to develop a regional organization to fight the New Poor Law. There were some impressive local organizations. In March 1837 there was a meeting of twenty delegates from the eight townships in the proposed Oldham Union. Held under the auspices of the Oldham Radical Association, they met to decide on the 'steps necessary to prevent' the introduction of the New Poor Law.86 The delegates decided on a total boycott: they would stop anyone from accepting nomination for the office of Guardian.87 Their organization held firm and not one Guardian was appointed for any of the eight townships in the Oldham Union.88 In fact Oldham was to remain without a board of Guardians until 1847.89 But although attempts were made as early as April 1837 to form a South Lancashire anti-Poor Law Association, the proposal met with little response and was dropped. It was not until November 1837 that the proponents of a regional organization succeeded in their attempt to form a South Lancashire anti-Poor Law Association.90 In the meantime it was the West Riding Committees which provided the leadership for the national campaign of popular opposition to the New Poor Law.

86. Manchester Chronicle, 11 March 1837.
87. Blackburn Gazette, 29 March 1837.
88. The Times, 3 April 1837.
89. Manchester and Salford Advertiser, 28 August 1847.
90. Manchester and Salford Advertiser, 11, 25 November, and 2 December 1837.
On Monday 6 March 1837, an open air meeting was held in a field near the Court House at Bradford. Organized as a protest against the introduction of the New Poor Law, it was held under the auspices of the Bradford anti-Poor Law Committee. It was the first of many such open air anti-poor law meetings. The meeting derived its form from a variety of sources: 'respectable' political gatherings, the traditions of popular radicalism, and, of course, the campaign for factory reform. The speakers included magistrates, clergymen, dissenting ministers, tradesmen and operatives. The chairman of the meeting, Joshua Pollard, said the meeting had been called to support 'the noblest cause - that of the widow, the fatherless, and the poor'. A series of resolutions, condemning the New Poor Law and calling for its immediate repeal, received the wholehearted support of the meeting. In fact there was only one voice raised in opposition to the resolutions, that of 'a very fat mill-master'. The crowd was apparently in good humour, however, because his quixotic protest only 'excited some merriment'. The resolutions passed by the meeting were incorporated in a petition and forwarded to parliament.91

An informer, using the rather melodramatic pseudonym of '3A', quickly contacted the Poor Law Commission about the meeting. He admitted that he had not actually attended the meeting himself, 'but he could fully assure' the Poor Law Commission, 'that the most inflammatory speeches and unjustifiable attacks have been made' on them by three of the speakers - Joshua Pollard, Matthew Thompson (one of the magistrates) and the Rev. Mr. Bull. 3A continued: 'the conduct of Mr Bull is disgusting to all respectable persons in this district' and he wondered whether 'the Diocesan is entirely asleep'. 'You may perhaps', he warned,

be indifferent to the opposition of these or other such demagogues but you may rely on it that if such proceedings are allowed to pass uncheck'd, a very strong resistance to the P[oor] L[aw] will be made in these dist[ric]ts.

3A, who apologised for remaining anonymous - 'being anxious to avoid ... having my name mixed up with public affairs' - concluded by saying he would be happy to provide further information 'should it be

91. The Times, 14 March 1837, and Bradford Observer, 9 March 1837.
The Poor Law Commission suggested that 3A get in touch with Assistant Commissioner Power.

Two days after the Bradford public meeting, another smaller, but perhaps more significant, gathering took place. There was a meeting of the delegates from the anti-Poor Law Committees of the principal towns of the West Riding. The delegates decided to formalize their organization with the establishment of a Central West Riding Committee. William Stocks, a Huddersfield woollen manufacturer, was to be treasurer, and Samuel Bower, one of the stalwarts of the Factory Reform Movement in Bradford, was named secretary. The Central Committee was to promote the formation of 'anti-slavery unions' in every New Poor Law Union. And these local organizations were in turn to extend their influence to every township and village in the Union. The aim of the whole organization was to be the total repeal of the New Poor Law.

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The Poor Law Commission were not only unprepared for large scale opposition to the New Poor Law in the north of England, they were also ill equipped to deal with it. They assumed that the only opposition of any account would come from the 'better sort of persons', members of the gentry and middle classes; and that they could easily be talked round into accepting the New Poor Law. To a certain extent they were able to do this. But what neither the Poor Law Commission nor the government expected was a vehement campaign of popular opposition to the New Poor Law, staged by northern working men and women. The onset of a severe trade depression at the same time as the Assistant Commissioners moved into the manufacturing districts of the north only exacerbated the Poor Law Commission's difficulties. When there had been trouble with the labouring population in the south the authorities had been able to draft in a few London Policemen to round up the troublemakers and effectively crush all attempts at organized opposition. But in the textile districts of the north, faced with a

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92. 3A [Pseud.] to PLC, 6 March 1837, PRO., MH 12/14720.
93. PLC to 3A, 18 March 1837, PRO., MH 12/14720.
94. Leeds Intelligencer, 11 March 1837.
militant and organized labouring population with a long and proud tradition of radical protest, the authorities were to find the task extremely difficult.
Chapter Five

DEMONSTRATIONS AND PETITIONS

The campaign of popular opposition to the New Poor Law began with the object of securing a total repeal of the New Poor Law. At the inaugural meeting of the Central West Riding anti-Poor Law Committee, held in Bradford on 8 March 1837, the delegates declared that they intended not only to free the 'manufacturing districts' from the operation of the New Poor Law, but also to free the 'agriculturalists' from 'this most unchristian imposition'. The delegates' concern was not merely the result of feelings of christian brotherhood; they were worried:

that the exemption of the manufacturing districts from the operation of the new poor law whilst it was established in the agricultural counties, would ... produce a vast influx of agricultural families ... and ... this would inevitably lead to a general reduction of wages.

The delegates made it clear that 'they were well aware that this reduction in wages was the great object of a certain restless class of political economists'.

The means used to achieve a total repeal of the New Poor Law were the traditional ones of popular agitation - meetings, demonstrations and petitions. The campaign of popular agitation would help arouse and sustain the opposition movement and force parliament into repealing the relevant legislation. They were to be sadly disappointed.

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Petitioning was the traditional means by which aggrieved citizens protested injustice and the repentant sought mercy for their misdeeds. At some stage this highly legal, and perfectly respectable form of complaint was converted for use as a means of political

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1. Leeds Intelligencer, 11 March 1837.
2. I use the term 'petitions' advisedly: it includes such things as memorials and remonstrances, as well as petitions.
protest. In the seventeenth century a variety of political groups resorted to petitioning to promote their aims. The Levellers, in particular, were assiduous petitioners: they considered the mass petition central to their strategy of informing public opinion and arousing popular support. Following the 'Glorious Revolution' of 1688 the use of petitions as weapons of political protest appears to have temporarily declined. It is not until the appearance of the County Association Movement during the American War of Independence, that we again find petitioning being used to support the cause of political reform. Whether the popular radicals in early nineteenth century Britain were taught the use of petitioning by respectable reform groups like Wyvill's Yorkshire Association, or borrowed the tactic from seventeenth century radical movements, is not known. What we do know is that during the years of bitter struggle which followed the Napoleonic Wars, the petition was firmly established as a weapon in the arsenal of popular radicalism.

Petitions were both the plea of the powerless and proof of their powerlessness. Occasionally the petitioners had their powerlessness brought home to them. When the working men and women of South Lancashire gathered at St Peter's Field, Manchester, on 16 August 1819, to 'petition' for reform, they were cut down by the sabres of an enraged Yeomanry. Eleven protesters were killed and over four hundred wounded at 'Peterloo'. Small wonder that the petition became one of the 'sacred' weapons of popular radicalism.

3. J. Frank, The Levellers, pp.148-9; H.N. Brailsford, The Levellers and the English Revolution, p.189, writes that during the seventeenth century petitioning was 'the recognized way of organising and testing public opinion'.


5. Strictly speaking it was a remonstrance, not a petition. S. Bamford, Autobiography, Vol.11: Passages in the Life of a Radical, Part 1, p.270, quotes Henry Hunt at his subsequent trial as saying that the intention of the meeting was to first 'pass a strong vote of censure' against the government for ignoring earlier petitions, and then to support a 'solemn appeal' to the Prince Regent.

6. At the first of the massive Chartist demonstrations in Manchester, J.W. Hodgetts (Northern Star, 29 September 1838) told the crowd that the 'last petition they ever met to sign, - the last time they ever got together, - the last time, that they ever congregated the whole of South Lancashire - was upon the blood-stained field of Peterloo'. 
Hence, tradition and history made the petition one of the first lines of defence against the New Poor Law. The honour of presenting the first petition to parliament against the New Poor Law went to the London parishes of St. Andrew and St. George-the-Martyr. A petition from the Governors and Directors of the poor of these two parishes was presented before the House of Commons on 5 May 1834.

Throughout 1834-35 a flood of petitions protesting against the New Poor Law descended upon parliament. Most of these petitions came from meetings of concerned overseers and ratepayers. For the most part the government remained unmoved. Of all these early petitions, only one appears to have caused them any concern. This petition, asking that the parish of Stoke Poges not be included in a New Poor Law Union and protesting against the splitting up of married couples in workhouses, was presented to the house of Lords by the Duke of Buckingham. The Home Secretary, Lord John Russell, wrote to the Poor Law Commission to emphasize the 'great importance' of this petition. The Duke of Buckingham and his heir, the Marquis of Chandos, were very influential in their country and the government was concerned to see that they did not become enemies of the New Poor Law. The Poor Law Commissioners advised the government that the parish of Stoke Poges must remain in its Union, but that the aged and infirm 'should be treated with care and tenderness and not necessarily be forced into the Workhouse'.

The Commission's low-key advice led Lord Brougham to claim in his speech in reply to the petition that it was not the intention of the Poor Law Commissioners to separate husband and wife in the workhouse. Brougham's astonishing claim might have helped mollify the Duke of Buckingham, but it upset most of the Assistant Commissioners. Colonel Charles a'Court wrote to the Poor Law Commission wanting to know how Brougham could say that separation of the sexes was not intended when his instructions explicitly stated 'that such separation must be

9. PLC Minutes, 17 March 1835, PRO, MH 1/2.
entire and absolute'. The Commission feebly replied that although separation of the sexes was still official policy, 'the pressure of public opinion or the will of parliament may oblige us to modify our plans in this respect'. They therefore suggested to a'Court that the subject be as 'little agitated as possible at present'. Alfred Power probably summed up the views of most New Poor Law officials: 'Ld. Brougham's defences' of the New Poor Law, he told Chadwick, 'will be the death of us'.

Although the petitions did not move the government, we should be wary of viewing them as failures. Petitions functioned at two levels. First, and most obviously, a petition was an attempt to obtain a particular demand, or set of demands. But because petitions were totally dependent upon the authorities' willingness to accede to their prayers, they were rarely successful at this level. However petitions also functioned as a means of arousing and sustaining popular agitation. Petitions gave a focus for the activities of protest movements and were an effective way of publicizing their demands. In Bradford in 1835 for instance, the opponents of the New Poor Law not only drew up a petition and collected signatures on it, but had it printed in pamphlet form and circulated around the district. Regardless of how the government at Westminster reacted to the petition, it made a most effective piece of propaganda and provided a focus for local opposition activity.

With the arrival of the Assistant Commissioners in the north of England in late 1836, the petitioning campaign took on a new lease

11. a'Court to Lefevre, 19 March 1835, PRO., MH 32/2.
12. Lefevre to a'Court, 20 March 1835, PRO., MH 32/2.
14. Successful petitioning campaigns included those conducted on behalf of the Tolpuddle Martyrs and the Glasgow Cotton-Spinners.
15. [Anon.,] A Petition to Parliament Against the New Poor Law Act. It is worth noting that this early petition (it probably dates from early 1835) was not only concerned with the New Poor Law: mention is also made of abuses in the use of machinery and steam power, and of the failure of the 1832 Reform Act to extend the franchise to the great mass of the people. Clearly the Bradford petitioners saw the New Poor Law as one of a number of issues pressing on the labouring population; it was the focus for discontent, not the sole cause. See below, Chapter Ten.
of life. Initially most of the petitions again came from meetings of concerned ratepayers, overseers and the like. Once again they had little effect on government policy. The fate of the petition from the ratepayers of the township of West Derby, near Liverpool, was typical of most. At a meeting of the West Derby ratepayers, held at the workhouse on Wednesday 11 January 1837, it was decided to memorialize the Poor Law Commission against the inclusion of the township in a New Poor Law Union. The ratepayers passed resolutions defending the way the Old Poor Law had been administered and expressing regret at the proposed formation of a new Poor Law Union. The memorial was duly drawn up and a subcommittee appointed to present it to the Assistant Commissioner and to arrange for copies to be sent to the Home Secretary and the local member of parliament.\textsuperscript{16}

The Poor Law Commission's reply to the memorial was brief and to the point. The Commission said that an order 'declaring the West Derby Union' had already been issued when the memorial was received, and that as the memorial did not contain any new grounds which would have affected their decision, the order would stay in force. The letter ended with the curt comment that the Poor Law Commissioners did not doubt that the New Poor Law would 'be found practically beneficial in the district ... as it had been elsewhere'.\textsuperscript{17} The West Derby ratepayers were far from satisfied with the reply. At a subsequent meeting they decided to petition the Home Secretary and if that failed to petition both Houses of Parliament. In the meantime they would publicize their complaint by having the original memorial and correspondence printed in the press.\textsuperscript{18}

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A co-ordinated campaign of petitioning and demonstrating against the New Poor Law began with the formation of the anti-poor law

\textsuperscript{16} West Derby Memorial to PLC, reprinted in \textit{The Times}, 15 April 1837. See Appendix I.

\textsuperscript{17} Chadwick to West Derby Overseers, 27 January 1837, quoted in \textit{The Times}, 15 April 1837.

\textsuperscript{18} \textit{The Times}, 15 April 1837.
committees in the West Riding of Yorkshire. At its inaugural meeting on Wednesday 18 January 1837, the Bradford anti-Poor Law Committee resolved to hold protest meetings in every township in the proposed Union, and to get up 'a Petition to Parliament for ... [the New Poor Law's] "Amendment"'.\(^\text{19}\) The Huddersfield anti-Poor Law Committee adopted a similar proposal, recommending that 'remonstrances or petitions ... be sent to Parliament from every township, hamlet, or division in the district as early as possible'.\(^\text{20}\) As the campaign gained momentum, meetings and demonstrations were held and petitions began to flood into parliament from the north of England.

Details of how this campaign was organized are somewhat murky. Lacking (at this stage) a Central Committee to oversee the campaign, it fell to local anti-Poor Law Committees to hold their own demonstrations, and organize their own petitions. While some Committees attempted to obtain signatures from all the inhabitants in their area, others were content to obtain the signatures from those who attended their meetings; still others thought it sufficient if the chairman of a meeting signed the petition on behalf of those present.

The meeting held at Almondbury, a weaving village near Huddersfield, in late February 1837, was perhaps typical. Held on the Poorhouse green, the meeting was ostensibly called to 'take into consideration the merits of the Poor Law Amendment Bill'. In fact, it was called by local popular radicals to promote the campaign of popular opposition to the New Poor Law in the Huddersfield Union. The meeting began by appointing a chairman, a Mr. Hiram Harling, and then presented a series of resolutions to the crowd of some 1,500 for their support. The first resolution reiterated popular criticisms of the New Poor Law: it denied 'the right of the poor to live in the land of their birth' - 'an inalienable right'; it denied 'the rate-payers the right to dispose of their own property'; and it was 'calculated to wring out of the very vitals of the homeless, helpless poor, means sufficient to keep a set of hirelings in luxury and affluence'. The

20. 'New Poor Law Act', 15 February 1837, Handbill, Brougham Papers, UCL, 17802; see Plate 6.
second resolution was a vote of confidence in the administration of the Old Poor Law and a call to stop paying any rates that will be distributed 'by order of the Commissioners'. The third resolution called on the meeting to 'petition the House of Lords for its total repeal' and called on 'every man who has any regard either for himself, his family, or his species, to join in the same'. The fourth and final resolution approved of all the notions passed at the recent meeting of delegates from the townships in the Huddersfield Union. All the resolutions were passed unanimously. 21

Although the campaign of meetings and petitions in early 1837 grew out of the formation of the West Riding anti-Poor Law Committees it was by no means merely exclusive to the West Riding. In a number of proposed Unions in South Lancashire vigorous campaigns took place. In the Oldham Union, for instance, the Radical Association complemented their campaign for a total boycott of the Board of Guardians election with meetings, demonstrations and petitions. The campaign was so successful that not one Guardian was elected for the whole of the Oldham Union. 22

The sheer volume of petitions from the north of England slowly began to have some effect in parliament. In February 1837, John Walter, proprietor of The Times and Tory M.P. for Berkshire, moved the appointment of a select committee to investigate the operation of the New Poor Law. Many backbenchers, uneasy at the constant stream of petitions, were predisposed to favour an inquiry. The government therefore reluctantly agreed to set up a Select Committee. Walter's original motion was amended however, so that only the orders and regulations issued by the Poor Law Commission were to be subject to investigation. 23 If the opponents of the New Poor Law had been expecting an impartial inquiry they were to be sadly disappointed. When the membership of the Select Committee was announced, seventeen of the twenty one members were known supporters of the New Poor Law. Perhaps even more to the point, Walter complained that 'there was not a single member who was personally

21. The Times, 6 March 1837; Leeds Intelligencer, 4 March 1837.
22. See below, Chapter Six, pp.156-7.
connected with the manufacturers of the country'; not one member from the north of England whose vociferous opposition had led to the creation of the Select Committee.24

The West Riding Central Committee quickly came to the conclusion that their cause would not be assisted by participating in such a one-sided investigation. They therefore decided to ignore the activities of the Select Committee entirely. In a handbill outlining the reasons for their decision the West Riding Central Committee sarcastically commented that it would be a pity 'to spoil the mess by mixing truth and honesty with what alone can be expected from men whose business it is to punish poverty as a criminal offence'.25 Not surprisingly the Select Committee praised the operation of the New Poor Law. There was some mention of cases of hardship and the need for greater vigilance if cruelties were to be prevented, but neither the Boards of Guardians, nor the Poor Law Commission were criticized.26

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The West Riding campaign reached its climax with the massive demonstration on Peep Green27 on Whit-Tuesday 16 May 1837. The decision to hold the demonstrations had been taken at the inaugural meeting of delegates to the West Riding anti-Poor Law Central Committee in Bradford on Wednesday 8 March 1837. The delegates had drawn up a requisition to the Earl of Harewood, the Lord Lieutenant of the West Riding, asking him to call a 'county meeting' to discuss the New Poor Law.28 Although 4,000 signatures were collected in support of the requisition, Harewood refused to call the meeting. He said the subject had already been 'much agitated'.29 Undaunted, the

25. West Riding anti-Poor Law Committee, handbill; quoted in Leeds Intelligencer, 25 March 1837.
27. Peep Green was also occasionally known as Hartshead Moor.
Central Committee decided to hold the meeting on their own authority. The task of organizing the demonstration was shared between the Central and local Committees. The Central Committee co-ordinated arrangements between local Committees and took responsibility for the arrangements at the meeting site. It provided the platform for the speakers, drew up the resolutions which would be presented to the meeting for its support, and invited the speakers. In keeping with the original intention of holding a 'county meeting', called on the authority of the Lord Lieutenant, invitations were issued to representatives of all the political parties. Perhaps not surprisingly, most of the parliamentarians who were invited - the Home Secretary, Lord John Russell, the Tory leader Sir Robert Peel, the radical Joseph Hume, and the hated Whig member for the County, Lord Morpeth - chose to decline. 30 These invitations to prominent parliamentarians were probably extended in good faith and were not intended merely to embarrass the recipients. The organizers took great pains to invite speakers representing the full range of social and political opinion: there were working men, radical agitators, newspaper owners, paternalist factory owners, Ultra-Tories, an erstwhile Methodist preacher, Utopian Socialists, and a farmer. Such a range of speakers could only emphasize that the New Poor Law question was above party or sectional interest: it concerned the country squire and factory owner as much as the handloom weaver and farm labourer.

The local Committees and informal village groups were responsible for drumming up local support and ensuring that as many people as possible attended the demonstration. The processions, which were such an important part of the day's events, were organized with meticulous care. Flags and banners were prepared, suitable slogans and mottos chosen, arrangements made for bands to accompany the processions, music selected, the order of march decided upon, and arrangements made for the provision of refreshment for the thirsty marchers. Each person was to march behind their respective Trade Union, Friendly Society or Radical Association banner. These groups would form up into local processions which would march into a central town where they would, in turn, become part of a larger divisional procession. The divisional

processions, led 'by the officers and members of the local Committees', would then march to the meeting site at Peep Green. It was a system of organization which had been used to great effect by the West Riding Short Time Committees in the early 1830s. The long columns of disciplined marching men, each behind his respective Trade Union, Friendly Society or Radical Association banner, not only celebrated 'mutuality', but also served to remind their opponents of the size and strength of the opposition movement.

From early morning the towns and villages of the West Riding of Yorkshire echoed to the sounds of bands parading the streets, calling together the marchers. They were to form up behind their respective flags and banners for the march to the anti-poor law demonstration at Peep Green. By first light the processions of Trades Unions, Radical Associations and Friendly Societies from the outlying townships were already on the road. With flags and banners flying, and music playing, they presented an impressive sight, attracting considerable attention as they passed through the rural villages. The reporter from The Times, observing the progress of the processions, thought their appearance 'striking'. 'The people', he wrote, 'were of the most respectable class of operatives; their demeanour sober, decent and determined'.

This quiet determination was echoed in the mottos and slogans emblazoned on the marchers' flags and banners. Some were in doggerel:

Remember Heaven has an avenging rod.
To smite the poor is treason against God.

A banner carried by a group of marchers from Kirkburton was emblazoned with the Biblical quotation:

What mean ye that ye beat my people to pieces, and grind the faces of the poor, saith the Lord God of Hosts. Ye are cursed with a curse, for ye have robbed me, even this whole nation.

One quotation was especially popular: 'The poor have a claim on the soil, and verily they shall be fed'. Others were more threatening:

32. The Times, 18 May 1837.
33. Isaiah, iii, 15; and Malachi, iii, 9.
We will not be commissioned by three infernal lickspittles. The poor have a right to a subsistence from the land. Woe unto him that grindeth the faces of the poor.

On a flag carried by the men from Lepton, three figures were shown hanging from a gibbet. Below was the inscription: 'The three Poor Law Commissioners drawing their wages'. The banner leading the Huddersfield procession was equally forthright: 'The Huddersfield division swears destruction to all Malthusian bastiles'. Another banner boldly declared:

The working men of Lockwood will not be separated in a bastile, nor will our children be made emigrant slaves. Before that we will die on the field.34

By early morning the processions from Huddersfield, Dewsbury, Halifax, Bradford, Meltham and Cleckheaton had arrived on the ground. They were followed by crowds of onlookers, many of whom had been attracted by the music and brilliant flags and banners. Throughout the morning a steady stream of processions and groups of people kept arriving at the ground. Not all arrived on foot. Those who could afford it hired carriages for the day. A compositor from Halifax arrived in 'most gallant style', driving a 'profusely decorated' phaeton and accompanied by a number of 'fair companions'.35 By the time the meeting was due to start, the crowd was estimated at between 200,000 and 60,000; far in excess of the organizers' expectations.36

34. The Times, 18 May 1837, and Halifax Guardian, 23 May 1837, provide the best coverage of the slogans and mottos carried on the flags and banners.
35. Halifax Express, 20 May 1837.
36. The estimate of numbers attending anti-poor law meetings was a source of continual dispute between the pro and anti-poor law factions. The anti-poor law Press gave the attendance as follows: Leeds Intelligencer, 20 May 1837, estimated 120,000; Leeds Times, 20 May 1837, thought somewhere between 100,000 and 200,000; and The Times, 18 May 1837, estimated 150,000. The estimates from the pro-poor law Press were significantly lower: Bradford Observer, 18 May 1837, said 'competent judges' thought 100,000; Leeds Mercury, 20 May 1837, estimated between 60,000 and 70,000; and Manchester Guardian, 20 May 1837, thought 75,000. The anti-poor law Halifax Guardian, 20 May 1837, discussed the different newspaper estimates in some detail before adopting the Leeds Intelligencer's figure of 120,000. The Leeds Mercury, they called 'an old trickster in such things - uniformly exaggerating on one side and depreciating on the other'.
The demonstration at Peep Green was not simply a 'protest' meeting - albeit one heavy in ritual. There was also humour, enjoyment, and festivity. The processions with their bands of music and their brilliant flags and banners, attracted large crowds of excited onlookers. And while the organization of the march echoed the methods used by Short Time Committees, they were also suggestive of the traditional Whitsuntide 'club walk', or Friendly Society outing. The festive atmosphere was further accentuated by the sight of Peep Green itself: 'beer barrels and nut stalls ... were scattered over the ground'.

Drink and other such entertainments were of course the very essence of popular recreation in early-Victorian Britain. The story of how such popular leisure pursuits were attacked by moral reformers and slowly eroded by urbanization and the imposition of industrial work discipline, is well known. What is not so often recognized is the tenacity with which many working people clung to their traditional leisure pursuits, integrating them into other, more recent, working class activities. Thus, under the cloak of the 'club walk', the Friendly Society outing, the Trade Union dinner, or even a 'political' demonstration, many traditional amusements survived until well into the nineteenth century. Certainly any public gathering of a plebeian nature could, in the 1830s and 40s, still be relied upon to attract its share of publicans, who would set up their beer tents on the outskirts of the assembly and do a roaring trade. It is not surprising therefore to learn that the anti-poor law demonstration at Peep Green, had its share of beer tents and stalls.

Furthermore, the demonstration was held during Whitsuntide, a traditional holiday period and a time when Peep Green might well have served as the venue for an informal local fair. There was no contradiction in the organizers choosing such a site or time to hold their demonstration. Such amusements were certainly consistent with

41. Whistler, *English Festivals*, p.159, describes Whitsuntide as 'an extended holiday, a week of junketing'.

their supporters' values. In fact the conjunction of festivity and protest might well have won new working class converts to the anti-poor law cause. Unfortunately, it also earned the scorn of the 'respectable' Whig Press. The Leeds Mercury commented:

it was quite evident to any impartial observer that the motives which had influenced a vast proportion of the people to come to the meeting were either those of curiosity or to seek occasion for enjoyment.  

Such imputations aside, the presence of beer tents and other amusements at the meeting had important practical functions. It not only helped quench the thirst of the marchers, it also assisted in entertaining those who could not hear the speakers. Estimates of the attendance at Peep Green ranged from 60,000 to 200,00. And yet although the hustings were especially constructed at the lowest point on the green, so as to form a natural amphitheatre, it is unlikely that more than a small proportion (perhaps 15,000) could have heard the speeches. The Leeds Mercury thought that perhaps 12,000 to 14,000 'were paying any attention to the proceedings'. For those who could not hear the speeches, amusement was therefore to be the order of the day: some people enjoyed themselves at the beer tents, others were to be seen engaged in sporting activities; 'and those who had a relish for less active pursuits engaged in a tete-a-tete with the fair sex'. Still others were to be seen 'parading the spacious moor with the several bands of music', which spent the day playing popular tunes and airs.

And what of the meeting proper, the speakers and the audience of 12,000 to 14,000 who could actually hear what was being said? Obviously with so many people unable to hear the speeches there was a tendency, at such large demonstrations, for the focus of the meeting to move slightly away from the speakers' platform. Certainly there is no doubt that for the majority of people at Peep Green the speeches were somewhat secondary to the day's other events - at least until the

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42. Leeds Mercury, 20 May 1837.
43. Leeds Mercury, 29 Sept. 1838, questioned 'whether more than 20,000 persons can hear the loudest speaker through a single speech'.
44. Leeds Mercury, 20 May 1837.
45. Ibid.
next week when they were able to read them in great detail in the local press. Nevertheless in both form and content, the speeches provide a valuable insight into some of the tensions present in the campaign of popular opposition to the New Poor Law. Once again it is clear that the structure of the meeting followed the highly legalistic form of 'respectable' political demonstrations as well as the traditions of popular radicalism. There was the formal nominating and electing of a chairman by the meeting. There was the reading of the requisition which had been presented to the Lord Lieutenant of the Riding, asking him to call the meeting. (Although the fact that the Lord Lieutenant had refused to call the meeting does not appear to have been mentioned). The emphasis is constantly placed on the meeting's 'constitutional' character. The secretary read the letters from those parliamentarians who declined their invitation to attend. And the chairman in his opening remarks alluded to a mass meeting held at Wakefield in 1776, the last time the House of Commons had proposed to amend the poor laws on similar principles. In 1776, he said, the people had 'boldly declared they would not have such a law'.

A precedent established and their right to hold the meeting asserted, the speeches could get underway.

The presentation of the speakers was no haphazard affair. There were a number of set resolutions which the speakers had to present to the meeting for their approval. Each speaker was either to move, second, or simply speak in support of a particular resolution. All in all it was an extremely complicated business for the organizers; with twenty-five different speakers, presenting six resolutions, every speaker had to be allotted his place with great care. It was important to start off with a good speaker, someone who could rouse the audience and help bond it together. The most popular speakers, on the other hand, had to be saved until near the end of the program. This was important because if they spoke too early those people who had only come to hear them might leave, or the speeches of those who came afterwards could prove an anti-climax.

47. The Times, 18 May 1837; Leeds Mercury, 6 Feb. 1776, carries a report of the Wakefield meeting.

48. For a full list of resolutions passed at the meeting, see Appendix II.
The members of the audience were not passive spectators to these events. They were an integral part of the process, responding to and interacting with the speakers. The audience's interjections, shouts and cheers, often had as important a bearing on the content of the speech as the particular resolution the speaker was talking to. As Brian Harrison and Patricia Hollis have pointed out with reference to Robert Lowery, the character of the speeches given, whether violent or moderate, was to a large extent determined by the type and mood of the audience being addressed. 49 Robert Lowery himself claimed that the speeches made at anti-Poor Law meetings consisted of that kind which is ever the most eloquent and impressive to the feelings of the multitude, where speaker and audience are one in feelings and desire. The speaker only gives vent to the hearers' emotions. His words at once find a response in their wishes. The speech may not be elegant in phraseology nor select in its words, nor composed of nicely-balanced sentences, but the souls of all being in accord, the ideas and words flow in one earnest, rapid torrent from the heart of the speaker to the hearts of all. 50

We can see something of this interaction between the speaker and the audience in the first speech of the day, that of the Barnsley linen weaver, Joseph Crabtree. He began by establishing his credentials: he said that it might appear strange 'that an humble individual like himself' should have moved the first resolution at so important a meeting, but, as Crabtree explained, he was 'one of those Yorkshiremen who had laboured, ever since God gave him power, to maintain that class of people who had passed a law to prevent him and his family having a subsistence when labour was denied him'. The working class he regarded as 'the most important of all others', and he thought they 'ought to be consulted in all matters by the ...


50. Lowery, op.cit., p.96. Compare Lowery with the views of other chartists; T. Cooper, The Life of Thomas Cooper, p.180, writes that 'the demagogue, or popular "Leader", is rather the people's instrument than their director'; and Feargus O'Connor is quoted by A. Briggs, Chartist Studies, p.10, as saying, 'I don't lead; I am driven by the people. The people gave the lead to the agitation and we followed'.
Government'. Warming to his subject, Crabtree said he had recently told the same things to 'noble personages' in London. When asked by Lord John Russell 'How do the people of Yorkshire ... like the New Poor Law Bill?', Crabtree had replied, 'Not at all'. This produced loud cheers from the crowd. Crabtree then began to draw in the crowd by criticizing them. He said that working people were wrong to have waited until the pressure of the New Poor Law came upon them before they protested. He said it was 'much better to prevent a disease than to cure it'. The crowd responded with cries of 'We won't have it'. Crabtree said he was proud to hear them say that, 'but what would they do'? 'We will fight against it', cried the audience. Aware that the crowd's responses were leading him into dangerous water, Crabtree chose his words carefully. 'Yes they must fight', he said, but 'fight morally'; they had to prove to their governors that they possessed the wisdom and experience to govern themselves.

If Crabtree avoided being provoked into advocating violence, or at least threatening violence, other speakers were not so reticent. The radical journalist and popular agitator, Bronterre O'Brien, told the crowd that if he petitioned parliament for a repeal of the New Poor Law, he would want to do it like the petitioner spoken of in Gil Blas, who had one hand 'upon the trigger of a blunderbuss'. The audience broke into loud laughter and cheers at this remark. O'Brien continued: of course he was not advocating that the audience arm themselves with blunderbusses - 'they were dangerous weapons' (more laughter) but when they petitioned, they ought to do so with all the force and determination that 'the law and constitution of the country would allow them'. The question arises, of course, whether O'Brien's humourous comments were intended as hyperbole. My impression is that they were. The audience and the speakers at the anti-poor law demonstrations were heirs to the traditions of popular radicalism and the Romantic Era. As Kitson Clark has indicated, many early Victorian public speakers commonly assumed the posture of romantic figures and played out predetermined roles in front of their audience.

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51. The Times, 18 May 1837.
52. Ibid.
The influence of the romantic tradition, exaggerated imagery, grotesque humour, and emotional resonance can be seen most clearly in the speech of the Rev. Joseph Rayner Stephens. Stephens began by denying the Government's right to separate husband and wife in a workhouse. They had 'as much right to chop off his hand or foot, to behead, draw and quarter him, as to take away his wife from him'. He said that rather than see his wife and children taken from him, 'he would plunge a dagger into the breast of him who ... attempted it'. This brought loud cheers from the audience. Stephens was well into his stride now. He said they had assembled together 'to declare they would not have this atrocious bill either in whole or in part, either in principle or in practice, either in its head or in its tail'. The crowd burst into cheers and loud laughter. Stephens built on the imagery he had created: 'they would neither have the sting in its tail, nor the teeth in its jaws'. More loud cheers, and Stephens was in full flight: 'they would plunge the sword of truth into its entrails, and dig a pit deep as hell in their imaginations in which to entomb all the Whig filth and rottenness'. With the crowd enthusiastically applauding Stephens now offered a picture of hope, an image of where their struggle could lead. '[T]hey would sheath their bloodless sword, and come once more to Hartshead-moor [Peep Green] to keep with gladness the jubilee of renovated and regenerated England (cheers) - of England the brave, the happy, the free - of England the bold and the fearless'.

Stephens said he supported the object of the meeting 'heartily, zealously, and unflinchingly'. He said he would never pay any rates or acknowledge any authority of the Poor Law Commissioners. 'If their command were law', he said, 'he would be outlawed'. This brought renewed cheering. 'If that was the law for the poor, there should ... be no law for the rich'. Alluding to the notion that the rich and the poor shared in the wealth of the nation, Stephens now raised the question of the security of the property owning classes if the New Poor Law was introduced. 'If that were the law', said Stephens, 'they would do what Lord Brougham recommended them to do - fall back on their resources'. 'They would give up benefits and sick clubs - all burial societies' and they would 'go to Woburn Abbey and ask Lord

54. The Times, 18 May 1837.
John Russell whether it [the Abbey] was not part and parcel of the property belonging to the working classes of England'. The crowd cheered enthusiastically. Again the speech was hyperbole. Stephens was merely telling the crowd what they expected to hear - he was merely conforming to popular notions of a violent revolutionary. He did not seriously suggest that violence was an option available to them. Stephens' threats were intended as rhetoric, and his joking references to seizing property, were the means, both for himself and his audience, of giving vent to political frustrations which could not safely be channelled into more positive action.

The tensions and apparent contradictions in the campaign of popular opposition to the New Poor Law are nowhere better illustrated than in disagreement over the issue of universal suffrage. During the course of his speech, O'Brien said he considered petitioning a 'paltry and ridiculous thing'. He said that he 'heartily' agreed with the importance of the resolution condemning the New Poor Law, but 'he candidly confessed' that he did not believe 'to merely petition' was enough. 'Even if that act was repealed, the people would still be in no better condition than before it passed'. O'Brien concluded his speech by asking the audience to remain after the end of the meeting, 'with the view of passing resolutions he intended to move in favour of universal suffrage'. O'Brien was supported in his call by Feargus O'Connor. But not everyone was so enthusiastic. John Fielden chastised O'Brien and O'Connor for mixing up the anti-poor law agitation with demands for universal suffrage. He said no one wished for an introduction of universal manhood suffrage more than he did, but that he thought they could 'best promote' the repeal of the New Poor Law by confining themselves for the time being to that question.

In all events a large proportion of the audience did stay at the close of the anti-poor law meeting to discuss the question of universal suffrage. After a long and at times heated debate, the resolutions in favour of universal suffrage were withdrawn in deference to the opinions of those who thought they would prejudice

55. Ibid.
58. The Times, 18 May 1837.
the main object of the meeting. 59 For the time being the different elements of the anti-poor law movement, the populist expressives with their organic view of society and the instrumentalists who saw the struggle in terms of differing class interests, agreed to bury their differences. But the tensions over the different tactics and methods to be used to opposed the New Poor Law remained. Here were the beginnings of the schism which would carry the popular radical and working class opponents of the New Poor Law into the ranks of Fustian Chartism.

After nearly six hours of speeches the meeting began to draw to a close. It was moved that a petition, embodying the six resolutions unanimously passed by the meeting, be drawn up, signed by the chairman, and presented to both Houses of Parliament. 60 This was unanimously agreed to. Thanks were voted to the speakers, the Central Committee and the chairman. And the meeting then closed. Those who had spent the day either listening to the speeches or amusing themselves at the various entertainments on the moor again formed themselves up into their respective processions and with the music playing and flags flying began the long march home.

As a spectacle and as a means of arousing popular support the Peep Green demonstration was a resounding success. The radical Leeds Times called it a 'momentous meeting ... the most important ever seen in England', and one which 'marks an era in the history of the people'. The Peep Green demonstration had not only signalled that the working people were 'now determined to struggle for their own interest', but it also served as 'a warning ... to the oppressing Aristocracies, that their day of power, and cruelty and misrule, is nearly passed'. 'The avowed object of the meeting', continued the Leeds Times, 'was to express the opinion of the population of the West Riding on the New Poor Law, and their opinions have been expressed in a way which can neither be doubted nor disregarded'. 61

But others both doubted and disregarded the success of the meeting. Assistant Commissioner Power informed his superiors in

60. For the six resolutions see Appendix II.
London that 'a very large meeting' had been held, but he was of the opinion that 'after this demonstration, the excitement will have a tendency to subside - and that our Rules & Regulations will ... [do] better after than before it'. The Whiggish Leeds Mercury was scathing in its comments: 'there had never been in Yorkshire a meeting displaying less of wisdom and more of intemperance'. "[T]he orators were the most violent, perverse, and wrong-headed men that could be collected together in England", claimed the Leeds Mercury. It concluded: 'The Petition and Resolutions of such a meeting will have very small weight in the House of Commons'.

If Edward Baines jun., the proprietor and chief editor of the paper, had intended to provoke the opponents of the New Poor Law with his outspoken comments, he succeeded completely. In the days following the publication of the Leeds Mercury, with its report of the Peep Green demonstration, effigies of Baines, bearing Cobbett's famous epithet, 'the Great Liar of the North', were ceremonially burnt in more than a dozen West Riding towns. At York an effigy of Baines was paraded around town on a donkey and then shot; at Huddersfield an effigy of him was burnt at a stake in the market place; and at Heckmondwike his effigy was cremated outside the home of the local agent for the Leeds Mercury. At Dewsbury after parading his effigy around town on a donkey and then setting it alight, the crowd held an impromptu meeting in the centre of the town and resolved that in future they would not visit any public houses or beer shops which took in the Leeds Mercury.

The campaign of effigy burning testified to the growing frustration and bitterness of the opposition movement in the West Riding. For nearly six months they had demonstrated and petitioned for an immediate and total repeal of the New Poor Law. They were still as far away from this goal as they had been when the Assistant Poor Law Commissioners had first moved into the area at the end of 1836. The popular opponents of the New Poor Law had hoped that just as popular agitation during the 1831 Reform Crisis had helped force the conservative forces to capitulate, so popular agitation over the

63. Leeds Mercury, 20 May 1837.
64. Cobbett's Two-Penny Trash, Vol.1, No.1, 1 July 1830.
65. Leeds Times, 27 May 1837, and Leeds Intelligencer, 27 May 1837. The
New Poor Law would succeed. But the two situations were different. During the Reform Crisis there had been an effective majority in the Houses of Commons favouring reform, and it had been supported and encouraged by the middle classes. But there was no significant parliamentary support for the repeal of the New Poor Law and, apart from some concern over its cost there was certainly no large scale support for repeal from the middle classes. But most importantly, parliament was sufficiently isolated from the centre of anti-poor law agitation in the north of England not to feel threatened by it. In 1831 the Reform agitation and the Swing uprising had combined to raise the spectre of violent revolution. Although undoubtedly concerned, the government in London perceived no such threat from the demonstration or petitions against the New Poor Law.

Nevertheless, even if demonstrations and petitions failed to convince the government they still had important institutional functions in assisting the growth and development of an opposition movement. This was emphasised again late in 1837 with the campaign of mass petitioning sponsored by the South Lancashire anti-Poor Law Association. Although an attempt had been made to form a regional association for South Lancashire in April 1837, it had met with little response and was dropped. With the backing and support of John Fielden and the influential Oldham Radical Association, another attempt in November 1837 was more successful. A meeting of delegates was held at the Commercial Inn, Manchester, on Wednesday 8 November 1837. Chaired by the Oldham radical, John Knight, the meeting decided that 'an organized system of opposition to the New Poor Law' was 'desirable'. A Central Committee would be formed in Manchester, and local committees established in 'every town, village and hamlet in South Lancashire'.66 Because the Central Committee was formed first, the South Lancashire organization would possess a more centralized leadership structure than its West Riding equivalent. Backed by Fielden's money the South Lancashire anti-Poor Law

F.n. 65 continued.

significance of the use of a donkey to carry the effigy of Baines becomes clear when it is realized that he was popularly called 'Neddy' Baines.

66. Manchester and Salford Advertiser, 11 November 1837.
Association set about organizing itself in a most businesslike manner. The old Palace Inn in Market Street Manchester was taken over as an office for the Central Committee. The Salford radical stationer and bookseller, Reginald John Richardson, was appointed full-time secretary, and a small staff was recruited to help run the office. To help finance the office the local committees were asked to start raising subscriptions and forward the money to the Central Committee. William Clegg, a spinning mill owner and business associate of John Fielden's, was named treasurer.

In order to arouse popular support and promote the establishment of local committees the Manchester Central Committee adopted two tactics. The first was to send out missionaries to hold meetings and drum up support. The second was to sponsor a mass petition calling for the repeal of the New Poor Law. Unlike earlier petitioning campaigns there was to be only one petition and it was to be co-ordinated by the Central Committee. The campaign had a specific aim and deadline: the Central Committee had arranged with John Fielden and Lord Stanhope that they would move motions in the two Houses of Parliament calling for a repeal of the New Poor Law on 20 February 1838. The mass petition was then to be presented to lend support to the motion.

Both the missionaries and the petition succeeded admirably in mobilizing support for the new organization. Within a month meetings had been held and committees established in New Poor Law unions throughout South Lancashire. Enthusiasm for the petition was especially marked. It was felt that with a massive petition the legislature would at last be forced to take note of popular views.

Once again a clear and detailed picture of how the signatures were amassed is not available. What little information we do have comes from official sources and is slanted towards discrediting the petition. Nevertheless, it does provide a valuable insight into the way in which some of the signatures were collected. In Leigh, for instance, two men were said to have gone from door to door gathering

67. Manchester and Salford Advertiser, 2 December 1837.
the signatures. Apparently they had a copy of the parish rate books with them because the Home Office informant claimed that 'when a house was locked up they forthwith put down on the sheet the name of the occupier as his signature'. The anonymous informant went on to claim that the two men also 'signed the names of Paupers receiving outdoor relief from the Parish who they had never asked to sign, and those of Boys from 8 to 12 years of age'. Undoubtedly there was the occasional falsifying of signatures, but that still should not distract our attention from the large number who willingly signed the petition. The Leigh petition when finished contained signatures from 5,585 ratepayers. Leigh's share of the 1841 Chartist Petition, with a national total of three million signatures, was 8,400.

Not all areas were able to conduct a door-knock campaign. In Manchester, Richard Muggeridge, the Poor Law Commission's immigration agent, saw 'Tables ... placed in the Streets in low neighbourhoods, with sheets of Petitions for signature'. Apparently the local activists did not want to waste an opportunity for supporting another worthy cause either, because there were two tables together 'one with a Petition in favour of the Glasgow Spinners the other against the Poor Law Amendment Act'. Eager to cast doubt on the petitions, Muggeridge commented: 'There was nothing to prevent the same person writing a different name every time he passed the table', but he offered no evidence that this happened.

The South Lancashire anti-Poor Law Association's petitioning campaign built to a climax with a meeting of delegates at Manchester on 5 February 1838. All the petitions were brought together at this meeting ready to be sent off to London. The smallest petition came from the village of Eton, near Macclesfield, with seventy-nine signatures; the largest was from Manchester with over 30,000. While most of the petitions contained only the signatures of male adult ratepayers, a number of townships included signatures from women on their petitions. There were also three petitions signed exclusively by women. In all a hundred and seven townships sent petitions to the

69. Unsigned letter to HO, 7 February 1838, HO 40/40, f.463.
70. Northern Star, 10 February 1838.
71. D. Jones, Chartism and the Chartists, p.87.
meeting and delegates attended from as far afield as Clitheroe in the north to Macclesfield in the south. When added together the petitions contained 122,847 signatures.\textsuperscript{73} The petition was not nearly as large as the later Chartist petitions but considering the restricted geographical area, the problems of creating an organizational structure and the relatively short collection period of just two months, it was still an impressive achievement.\textsuperscript{74}

Nevertheless, parliament remained unimpressed. Fielden's motion for a repeal of the New Poor Law, supported by the South Lancashire petition, was soundly defeated, 307 votes to 17.\textsuperscript{75} The rejection shook the South Lancashire anti-Poor Law Association. After a delegates' meeting on 12 March 1838, William Clegg wrote to Fielden that of the twenty or so delegates who attended 'all said they were quite sick of petitioning and did not believe that they could induce their constituents to send any more prayers to Parliament'. 'They were', he said, 'for trying some other plan now'.\textsuperscript{76}

\textsuperscript{73} The Times, 7 February 1838, and Northern Star, 10 February 1838.
\textsuperscript{74} The success of the 1838 South Lancashire anti-Poor Law petition can be gauged from a comparison with the number of signatures collected from some of the same areas in the 1842 Chartist petition.

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<thead>
<tr>
<th>Township</th>
<th>No. 1838</th>
<th>No. 1842</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashton-under-Lyne</td>
<td>16,368</td>
<td>14,200</td>
</tr>
<tr>
<td>Oldham</td>
<td>6,590</td>
<td>9,970</td>
</tr>
<tr>
<td>Middleton</td>
<td>1,600</td>
<td>3,200</td>
</tr>
<tr>
<td>Manchester</td>
<td>30,000</td>
<td>92,280</td>
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<tr>
<td>Rochdale</td>
<td>48,800</td>
<td>19,600</td>
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</tbody>
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\textsuperscript{75} Hansard, 3rd Series, Vol.XXXX, 20 February 1838, Col.1416.
\textsuperscript{76} Clegg to Fielden, 13 March 1838, Fielden Papers, JRULM.
Early in January 1837 the Poor Law Commission issued orders for the election of Boards of Guardians in a number of the proposed northern Unions. Here was an opportunity to defeat the New Poor Law locally. Opponents of the New Poor Law had two choices open to them: boycott the elections, or attempt to get anti-poor law candidates elected. Obviously a total boycott was the ideal solution. But could it be achieved? For a boycott to be effective all the ratepayers, in all the townships in a Union, had to be dissuaded from nominating Guardians. The danger was that if the opposition forces failed, they would leave the supporters of the New Poor Law with a free hand on the future Boards of Guardians.

With little time to organize there was a good deal of disagreement amongst the opponents of the New Poor Law over which tactic to adopt. The popular radicals and other hardliners tended to favour a total boycott; they claimed that even if anti-poor law Guardians were elected they would be powerless to refuse the directions and orders of the Poor Law Commission. 'Respectable' opponents, and especially the Tories, were more circumspect; they favoured the election of their own candidates. It was not inconceivable that they were influenced in their decision by the realization that the Boards of Guardians could be an important source of future patronage.

Traditionally, meetings of parish ratepayers or the vestry had appointed officials under the Old Poor Law, and (initially at least) this practice was continued under the New Poor Law. Township meetings were held to nominate people for the office of Guardian. They were to be the scene of some bitter clashes. At Stockport on 23 January 1837 a meeting was held to consider the propriety of nominating 'fit and proper' persons to hold the office of Guardian. The chairman of the meeting, Mr. Rawlinson, began by saying that although he was opposed to many of the clauses of the New Poor Law he hoped the speakers would confine their remarks to the appointment of Guardians. This did not
meet with general approval and several of the operatives who were present said that the bill was 'unchristian and unconstitutional' and that the ratepayers could do no better than recommend that no Guardians be nominated. The meeting was exceedingly lively and at one stage the chairman was accused of being a supporter of the New Poor Law. Eventually, the meeting broke up in disarray, with the chairman storming out of the room.¹

At Halifax the Whigs called a meeting of the ratepayers to nominate 'proper persons' to serve as poor law Guardians for the town. Much to the Whigs' chagrin, a large number of working people also attended. The chairman, Mr. P.K. Holden, told the meeting that the Guardians would be expected to put the Registration Act into effect, but that the New Poor Law was 'not likely to come into operation ... for some time to come'. This provoked an interjection from a member of the audience, that 'he hoped never'.² During the course of what was to prove a rather acrimonious meeting the Whig candidate for the office of Guardian, Jonathan Ackroyd, was called 'the greatest tyrant in the town' and soundly defeated by the votes of the working class ratepayers.³ One of the working men, Robert Wilkinson, then moved a resolution 'that the new poor law is inimical to the best interests of society, at variance with the principles of the Christian religion; and derogatory to the human character'. Although the resolution was loudly applauded, the chairman initially refused to put the motion. After a good deal of confusion and loud booing he was forced to give way. The motion was passed by an overwhelming majority.⁴ A large section of the audience was obviously opposed to the nomination of anyone for the position of Guardian and it was only after a good deal of discussion that they agreed to nominate the Owenite, Joseph Nicholson. Nicholson had argued that it was better to have 'friends' administering the New Poor Law than 'enemies'.⁵ As the meeting closed, those who had supported the New Poor Law were hissed,

¹ Manchester and Salford Advertiser, 28 January 1837.
² Halifax Express, 1 February 1837.
³ Leeds Intelligencer, 4 February 1837.
⁴ Halifax Express, 1 February 1837.
⁵ Halifax Guardian, 30 January 1837.
and three groans given for the measure itself.  

The first elections for the Boards of Guardians were conducted against a background of confusion and indecision. Party loyalty and personal interest combined to ruin all attempts at a co-ordinated election policy amongst the different groups opposing the New Poor Law. Isolated townships refused to return Guardians, but in every Union where elections were held enough Guardians were returned to constitute Boards. The Oldham Union put up the stiffest resistance. Oldham itself and three of the seven townships in the Union failed to return Guardians. In Huddersfield the opponents of the New Poor Law did manage to get a majority of their candidates elected to the Board, but it was a near run thing; most of the working class ratepayers refused to register a vote and instead returned their voting papers with a 'strong protest against the [New Poor] law written thereon'.

Despite their apparent success, the Poor Law Commission could take little comfort from the election results. Not only had several townships failed to return Guardians, but the results in a number of Unions were being contested because of alleged irregularities. At Leeds, which was the first Union in the manufacturing districts of the north to hold a Board of Guardians' election, the disputed election result turned into a nightmare for the Poor Law Commission. The Leeds ratebooks had not been kept up to date and many ratepayers failed to receive their voting papers. The plural voting system caused still further confusion. Some of those entitled to extra votes failed to receive the additional voting papers; while others not entitled to the extra votes received papers. In the middle of the

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6. Halifax Express, 1 February 1837.
7. Manchester and Salford Advertiser, 4 February 1837, and The Times, 11 February 1837.
9. Although voting in Board of Guardian elections was by Ballot (the first time such a system had been used in Britain for elections to public office) it caused surprisingly few problems, for the actual voters. It was corrupt or illegal practices on the part of the overseers, who acted as returning officers, which caused most difficulties. What is perhaps most surprising is that the advocates of electoral reform never appear to have used the success of the Ballot in Board of Guardian elections to support their case for its introduction in parliamentary elections. The Ballot was not used in the election of members to parliament until 1872.
voting, which was held over three days, the leading Tories in Leeds complained to Assistant Commissioner Power of 'gross partiality' on the part of the overseers. They stated that Whig friends of the overseers had been served with additional voting papers while many Tories had been denied votes. Realizing the danger inherent in such charges, Power immediately set off for London to consult with the Poor Law Commission. In the meantime the Leeds election results were held over. Eventually the Poor Law Commission determined that there had been gross irregularities and that, rather than offend the Tories and risk making them permanent enemies of the New Poor Law, the Guardians' election would be declared 'null and void'. It would be another seven years before the Poor Law Commission had enough confidence to hold another Board of Guardians' election in Leeds. In the meantime the overseers continued to administer the Old Poor Law.

The Poor Law Commission's biggest problem, however, was that the terms for the Boards of Guardians elected in January and February 1837 extended only until March. This not only aggravated those respectable inhabitants who had exerted themselves in the face of sometimes bitter opposition to elect 'suitable' Guardians, but it also allowed the opponents of the New Poor Law time to agree upon a workable policy and regain the ground they had lost in the first election. Despite the problems they had encountered in the first elections, opponents in a number of Unions persisted with the policy of a total boycott. Five of these Unions were in South Lancashire, Oldham, Ashton-under-Lyne, Rochdale, Bury and Burnley; and only one was in the West Riding, Todmorden. Again there were a few isolated townships in other Unions which insisted on not returning Guardians. A meeting of ratepayers in Oastler's home parish of Fixby, voted unanimously not to send a Guardian to the Halifax Union Board. But in most of the Unions the opponents of the New Poor Law turned their attention to electing anti-poor law candidates.

10. Leeds Times, 14 January 1837.
12. For the reaction of some Slaithwaite ratepayers, in the Huddersfield Union, see: France to PLC, 10 March 1837; PLC to France, 14 March 1837; and Bamforth to PLC, 10 March 1837, PRO., MH 12/15063.
13. The Times, 18 February 1837.
Once again Oldham showed itself to be most firmly in the hands of the opponents of the New Poor Law. Protest meetings were held, petitions raised and delegates elected to attend conferences to discuss tactics. A meeting of delegates from the eight townships in the Union decided that the best strategy to adopt would be for no one to serve as a Guardian. The campaign culminated with a large public demonstration in Oldham itself. Processions from each township marched into Oldham where they were addressed by John Fielden, Richard Oastler, and the future Radical member of the borough, General Johnston. The Rev. John Hart, minister of the Ebenezer Chapel in Middleton, led the procession. He carried a copy of the New Poor Law which he later publicly burnt.

Oldham was especially well placed to wage an effective boycott. Although a populous Union it was confined to a relatively small geographical area; the eight townships in the Union had a strong radical tradition; and the working class were both organized and had a long history of involvement in local affairs. All the townships were placed under tight control, and popular pressure mobilized against would be supporters of the New Poor Law. In Middleton, for instance, the twenty people who had refused to sign the petition against the New Poor Law were publicly named at a town meeting. The townspeople were further advised that they should not deal with the four shopkeepers who had not signed the petition. Similar pressure was brought to bear on those people who were foolish enough to nominate as Guardians - most withdrew their nominations before the election. The Oldham campaign was a resounding success for the opposition forces. Only one Guardian was elected, a Mr. James Wild of Thornham, but as he was an opponent of the New Poor Law he immediately

16. The Times, 30 March 1837, and Manchester and Salford Advertiser, 1 April 1837.
17. J. Foster, Class Struggle and the Industrial Revolution, pp.47-72, passim.
18. Manchester Chronicle, 11 March 1837. It would be wrong to assume that all of those who refused to sign the petition were supporters of the New Poor Law. John Wrigley told the meeting that he 'would sign for nothing but universal suffrage'.
19. The Times, 3 April 1837.
resigned upon election. Oldham was to remain without a Board of Guardians until 1847.

None of the other Unions which attempted a total boycott were as successful as Oldham. But some came quite close. In the Bury Union, the opponents of the New Poor Law fought a vigorous and at times violent campaign of boycott. As a result over half of the Union's twelve townships refused to nominate Guardians, and many of those nominated and elected refused to serve. Although the boycott was incomplete, the bitterness of the campaign and the threat of continued violence proved an effective barrier to the introduction of the New Poor Law into the Union until 1840. The Todmorden Union, running from just west of the Lancashire-Yorkshire border up the Calder Valley towards Halifax, was the only Union in the West Riding to attempt a total boycott. Although it was a relatively small Union with only six townships, there was a good deal of variation between the cotton townships around Todmorden and the worsted townships further up the valley. Todmorden itself and the adjacent township of Walsden refused to return Guardians, but the four worsted townships all returned Guardians. Nevertheless, the Poor Law Commission could take little comfort from the result, the Guardians who had been returned all claimed to be opposed to the New Poor Law and said that they would implement only the Registration Act - nothing else.

Burnley, a large sprawling Union to the northwest of Todmorden, showed the difficulties of trying to enforce a total boycott in one of the larger and more diverse Unions. In the depressed handloom weaving area around Colne, a vigorous campaign succeeded in securing a boycott, but in Burnley itself and its adjacent townships the elections went ahead. With a total of twenty-six townships in the Union the violent opposition of a few areas tended to lose its impact.

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20. The Times, 3 April 1837.
22. Blackburn Gazette, 10 May 1837.
23. Power to PLC, 21 September 1839, PRO., HO 73/55.
If Oldham was the most painful thorn in the side of the Poor Law Commission in south Lancashire, Huddersfield easily assumed that role in the West Riding. The second largest Poor Law Union in the country, the Huddersfield Union stretched from the Lancashire-Yorkshire border in the west, to the proposed Barnsley Union in the east. It was twenty miles long and over fifteen miles wide and contained no fewer than thirty-four townships. It was also claimed to be the fourth most populous Union in Britain. The Union was as diverse socially and economically as it was large. Some of the townships were almost entirely agricultural, there were prosperous woollen milltowns, and there were depressed outwork villages, where the population eked out a precarious existence in the woollen and worsted handicraft trades. Perhaps in recognition of the difficulties of obtaining a total boycott, in such a varied Union, it was not attempted in Huddersfield. Instead, the opposition in Huddersfield directed their energies to electing anti-poor law Guardians.

At the first Board of Guardians election in January 1837 a small majority of anti-poor law Guardians were returned. At the first and only meeting of this Board they had decided to adjourn without even appointing a clerk. This left the Poor Law Commission in a quandary. The Union clerk was essentially a paid secretary to the Board of Guardians, he handled correspondence and general inquiries, but had little to do with the actual administration of the New Poor Law. In fact his main duties were to act as the registrar for births, deaths and marriages under the Registration Act. Thus the non-appointment of a clerk appeared to be more an attack on the Registration Act than the New Poor Law. The Poor Law Commission decided to adopt an attitude of wait and see; there would be another election in March and perhaps then a clerk would be appointed.

The March Board of Guardians' election confirmed that a majority of anti-poor law Guardians controlled the Huddersfield Board. The Huddersfield anti-Poor Law Committee reasoned that the Poor Law Commission could do little to advance the New Poor Law as long as no clerk was appointed. They therefore decided to continue to resist the

26. Swain to PLC, 18 February 1837, PRO., MH 12/15063.
appointment of a clerk. The first meeting of the new Board of Guardians was held in the George Inn on 3 April 1837. Assistant Commissioner Power was in attendance, and so was a large body of popular radicals who insisted on their right to be present during the discussions. Apparently the opposition Guardians, many of whom were Tories elected by the rural townships in the Union, could not be entirely trusted and the popular radicals were there to keep an eye on them. Following an adjournment for lunch the Board was expected to reassemble in the same room, but instead special constables were found guarding the stairs and the Guardians were ushered into a private room upstairs. The supporters of the New Poor Law obviously thought the opposition guardians would be more likely to appoint a clerk if they met in private. Angered by their exclusion from the meeting, the popular opponents made a number of unsuccessful attempts to force their way upstairs. With the crowd yelling abuse in the street, the Guardians voted to defeat a motion appointing a clerk and adjourned their meeting for two months.27

To add to the Poor Law Commission's difficulties in the Huddersfield Union, the campaign of demonstrations and petitions organized by the West Riding anti-Poor Law Committee was reaching a climax. On 16 May 1837 the massive demonstration at Peep Green was held. The failure of the campaign and demonstration to change government policy left popular opponents of the New Poor Law frustrated and bitter. The result was the growth of effigy burning against supporters of the New Poor Law.28

Increasing popular anger was not helped by the growing trade depression. In the spring of 1837 the woollen and worsted industries in the West Riding underwent a dramatic slump. The outwork trades were hardest hit. The Leeds Times reported that in the Huddersfield area alone, close to 8,000 handloom weavers engaged in 'fancy weaving' were without work. They calculated, taking into account the workers and their dependants, that over 30,000 people around Huddersfield

27. Leeds Intelligencer, 8 April 1837; The Times, 11 April 1837; and Huddersfield Board of Guardian Minutes, 3 April 1837, KMBM.
28. See Chapter 5, above page 147.
were suffering severe distress. The figure was significant: it represented over a third of the population of the Huddersfield Union.29 'The sufferings of the weavers are unprecedented', commented the Leeds Times, 'and not a hand was held out to their relief'.30

It was against this background of growing unemployment, hunger and frustration over the failure of the campaign of demonstrations and petitions to change government policy that the next Huddersfield Board of Guardians' meeting was held. The Poor Law Commission, eager to secure the appointment of a Clerk, began to put pressure on the Guardians. The Poor Law Commission warned the Guardians that '[a]ny further postponement ... will be in direct contravention not only of the Order of the Union but of ... the Registration Act'. And that 'if the provisions of the Registration Act should fail of [sic] being carried to effect through their [the Guardians'] default, they alone will become responsible for defeating the intentions of the legislature'.31 The Huddersfield anti-Poor Law Committee decided to counter the Commission's increased pressure with a little popular pressure of their own. They would hold a demonstration in Huddersfield on the same day as the Board of Guardians were to meet.

A crowd of from 3,000 to 10,000 assembled in front of the Druids Hotel on 5 June 1837, the morning of the Guardians' meeting. They were to hear Richard Oastler and others address them on the subject of the New Poor Law. The crowd were accompanied by a band and several banners 'some of which were borne by women'.32 One of the banners carried the slogan; 'For God, the King, and the People; we will oppose to the utmost that law and that faction which deprives us of our liberty, as Englishmen, and that party whose liberality is tyranny'. Another proclaimed: 'England, home and Liberty; local rights, wholesome food, and no separation in bastiles'. A large black flag showed a picture of three men hanging from a gibbet with the inscription 'The Kings of the bastiles drawing their wages'. On the

29. The total population of the Union was estimated at 87,421. Huddersfield Board of Guardian Minutes, 5 June 1837, KMBA. In 1841 the population of the Union was put at 107,000.
30. Leeds Times, 8 July 1837.
31. PLC to Huddersfield Guardians, 3 June 1837, PRO., MH 12/15063.
32. Halifax Express, 10 June 1837.
reverse side was a figure intended to represent the Devil and the slogan 'I have him' and 'stone him'. There were also several placards carried by the crowd, proclaiming: 'We are all constables; no friend of the poor will break the peace; hurrah for the magistrates'. These placards referred to the magistrates' decision to turn down the Whigs' request for military protection, and Oastler's promise to them that there would be no violence.

In a rousing speech, Oastler attacked the pro-poor law chairman of the Huddersfield Board of Guardians, William Swain, and his 'bloody committee' for wanting to introduce the military into Huddersfield. Oastler referred to Swain, a prominent factory owner, as 'a Luddite' - a taunting reference to Swain's participation in the bloody defence of Rawfold's Mill against a Luddite attack in 1812. Oastler commended the magistrates for having nothing to do with their evil schemes. 'I feel', he said, 'exceedingly obliged to the magistrates that through their confidence in your peaceable disposition, we are this day allowed to exercise our constitutional privileges without having the bayonets and the sabres of the soldiers with us'.

After a few speeches the meeting formed into a procession and set off for the workhouse where the Board of Guardians were meeting. The organizers' original intention appears to have been to march the mile or so to the workhouse and then return to Huddersfield. Exact details of what happened at the workhouse are unclear. It seems that a rumour had got about that Assistant Commissioner Power would attend the Board meeting, and the crowd were eager to give him a rowdy welcome. When the procession arrived at the workhouse, they found the gates locked and the Guardians already in session. Oastler sent a note to the chairman of the Board of Guardians asking that a deputation might be allowed in as observers. Swain sent a curt refusal. By all accounts the mounting frustration and anger of the past few months boiled over. The crowd stormed the gates and forced

33. For slogans on banners see *The Times*, 9 June 1837, and *Halifax Express*, 10 June 1837.
34. *The Times*, 9 June 1837.
their way into the workhouse yard. Some began battering down the doors, while others forced the windows and began climbing in. Oastler and the other leaders were powerless to stop the crowd. The Guardians quickly adjourned their meeting amidst threats that the crowd would 'pull down the buildings if the Guardians did not immediately break up their meeting'. The object of the crowd's anger was Assistant Commissioner Power, who as it happens was not there. Their failure to find Power only seems to have infuriated the crowd. Several of them, 'principally women', began a thorough search of the workhouse to see if they could unearth him. They 'explored the cellars, searched all the closets, beds, and bed-rooms in the house ... all the while vowing vengeance upon the commissioner'. Thwarted in their purpose (a couple of newspapers wrongly reported that he made his escape out of the back door) the searchers were supposed to have 'cleaned the paupers' trenchers of their dinners, [and] distributed them among themselves, saying it was their own, and [that] they had a right to it'.

In the meantime the Guardians, escorted by a number of special constables and Oastler, began walking back to Huddersfield. They were heading for the Albion Inn where they hoped to be able to resume their adjourned meeting. They were followed in turn by the band and most of the crowd. The Guardians were hooted, and jeered at, by spectators along the road.

Groups of men and women stood waiting their reception on the road, and as they passed ... called out for Mr. Power, saying they had determined to do him his job, to make a potato pie of him ... [0]ne man said, "d[am]n him, I made a vow when I left home this morning, that I would have his heart back with me tonight".

The threats were not all verbal either. As the Guardians passed through Newtown,

Mary Fernside, came out of the crowd with a large table knife in her hand, and called out to Mr. Swain ... "D[am]n thee, I'll run this knife into they guts".

37. Tinker to PLC, 8 June 1837, PRO., MH 12/15063.
38. Leeds Times, 10 June 1837.
39. Ibid.
She started to move towards Swain, 'but seeing that Mr. John North, whom she knew, noticed her, she went back'.

As the Guardians got within sight of the Albion Inn the crowd began pressing in on their hapless victims. '[T]he Guardians who were known to be favourable to the [New Poor] Law were repeatedly surrounded by the mob, and their lives threatened if they attempted to carry it into effect.' Swain, the chairman, was singled out for particular attention. '[S]everal attempts were made to assault and injure Mr. Swaine [sic.] ... and had it not been for the interference of Mr. Oastler, there is great reason to fear that fatal violence would have been done.' As the Guardians arrived outside the Albion Inn an attempt was made to force Swain past the entrance 'with the intention of taking him to the river which runs a little below'. Oastler and the special constables had great difficulty getting Swain safely into the Inn.

It is clear that the leaders of the anti-poor law movement in Huddersfield had lost control of the crowd by this stage. In trying to protect Swain, Oastler had himself been subjected to the same rough treatment that was meted out to the pro-poor law Guardians. According to the reporter from the Halifax Express, 'the mob not only took no notice of his efforts, but knocked him about as much as the rest'. Later when Oastler presented himself from an upstairs window in the Albion Inn to calm the crowd, they taunted him and refused to follow his advice. It is worth following Oastler's futile attempt to control the crowd in detail, as it gives the lie to the view that popular opposition to the New Poor Law was an unconscious response, stirred up by 'mob orators' and 'a handful of demagogues'. Oastler told the crowd that if there was 'the slightest disturbance', the faith of the people of Huddersfield would be broken with the magistrates. 'I would rather die than be one of the people who would break the peace', he said. 'Are we to come in [to the Board of Guardians meeting]?'

40. Halifax Express, 10 June 1837.
41. Tinker to PLC, 8 June 1837, PRO., MH 12/15063.
42. Leeds Times, 10 June 1837. 43. Ibid.
44. Halifax Express, 10 June 1837.
asked the crowd. 'No you can't', answered Oastler. Hooting and booing followed. Oastler then said he was going to go to the Druids Arms to continue the meeting they had started that morning, and that he hoped the crowd would come with him. This brought loud cries of 'No' from the crowd. 'I know that a great many of you will go with me', said Oastler. The crowd responded: 'Nay, we won't'. 'I know you will', pressed Oastler, and the crowd responded with more loud hooting. 'I can tell you, that if you break the peace, it will forward the [New] poor law very much', said Oastler. Again he repeated that he was going to the Druids Arms and that he knew 'some of my lads will go with me'. Oastler then left the window and went down into the street, presumably with the intention of leading them away to the Druids Arms. But he only met with cries of 'let him go by his sen'; 46 'Nay, it won't do'; 'King, your betraying us now'; and 'This is quere [sic.] sort of advice'. 47 The crowd were to remain in front of the Albion Inn as long as the resumed Board of Guardians' meeting was in session.

Inside the Inn, the shaken Guardians tried to settle down and continue their meeting. George Tinker, an outspoken pro-poor law Guardian, immediately moved that none but Guardians be allowed in the room. The motion was put and carried, and the strangers who were present asked to withdraw. One of them, a Mr. Earnshaw, threw open a window and yelled to the crowd below that 'all but the Guardians were ordered out of the room'. 48 The crowd roared their disapproval. The special constables then escorted Earnshaw and the other strangers out of the room and the Guardians' meeting recommenced. As a forceful reminder of the crowd's presence below, a stone came crashing through one of the windows. A few minutes later Mr. Mallison, the chief constable, came rushing into the room to warn that the crowd were getting out of hand and requesting that the Riot Act be read. Mr. B.N.R. Battye, the chairman of the bench and an ex-officio Guardian, said he thought that they should consider the situation carefully before rushing to read the Riot Act. '[T]he people were under very great excitement', he said, 'and he was very much against provoking, without occasion, this greatly excited people'. The pro-

46. Halifax Express, 10 June 1837; 'sen' is a regional slang word meaning 'self' or 'own'.
47. Leeds Times, 10 June 1837.
48. Halifax Express, 10 June 1837.
poor law Vice-Chairman, Sidney Morehouse, said that 'if protection was not given, he would take measures to represent Mr. Battye's conduct in high quarters'. Battye then went to one of the windows and addressed the crowd below. He told them that their great friend, Mr. Oastler had pledged that they should keep the peace.... He had been requested to read the Riot Act, and he said he would read no Riot Act. (Cheers). He wished them to understand him; ... he would read no Riot Act ... until he saw a very different disposition pervade that assembly.... The magistrates were not wishful to have the sabres of the soldiers amongst them, and he called upon them to be peaceable and quiet, and shift the blame from the shoulders of the magistrates.49

Battye would later receive a letter from the Home Office, asking him to explain why he had not read the Riot Act that day.50 George Tinker and Sidney Morehouse both wrote to the Poor Law Commission complaining about Battye's behaviour.51

With the crowd shouting outside, the Guardians tried to settle down and discuss the issue of the appointment of a clerk. Swain, the Chairman, read a letter from Assistant Commissioner Power, pointing out that the Registration Act was due to go into force on 1 July 1837 and that a clerk would need to have been appointed by then. Samuel Midgley, one of the leading anti-poor law Guardians, said that he thought they could go ahead with the Registration Act without appointing a clerk. He expressed the fear of most opponents of the New Poor Law when he said that he was concerned that by appointing a clerk they would also get the New Poor Law. Eventually, after a good deal of discussion, the motion to appoint a clerk was defeated, eleven votes to nineteen. Mr. Battye said he thought that ended their meeting and that they should all go about their business. He got up and left the room. Midgley threw open the window and told the crowd below that the motion had been defeated. This was greeted by loud cheers. In order to be able to put the Registration Act into force the Guardians voted to divide the Union into registration districts; the existing assistant overseers would act as registrars

49. Halifax Express, 10 June 1837.
51. Tinker to PLC, 8 June 1837, and Morehouse to PLC, 14 June 1837, PRO., MH 12/15063.
of births, deaths and marriages in these districts.

At this stage the meeting appears to have become confused. The crowd outside were demanding to know how particular Guardians had voted on the issue of the appointment of a clerk. Midgley, who had gone outside to calm the crowd, came back to say that 'all was not safe', and that 'there would be a disturbance'. The Guardians, fearful of the crowd's growing anger quickly adjourned their meeting for a week and 'mutually pledged' (as did the newspaper reporters who were present) not to reveal how each individual Guardian voted.

With their meeting adjourned and the Guardians dispersing, the crowd slowly made their way back to the Druids Inn, where their own meeting would shortly recommence. When the reporters arrived they found an unnamed operative addressing the gathering from an upstairs window. The speaker told the crowd that the rich and powerful were not better than other people. Those who sat down under the new poor law deserved scouting from society. He argued that the rich had an interest opposed to that of the poor and could not feel for them, and that they, the people, were the great bulk, the source of wealth and of political power.52

Lawrence Pitkethly,53 the radical draper and leading member of the local anti-poor law committee, told the crowd that the principal object of the New Poor Law 'was to lower their wages'. He said it was 'a very bad omen that they [the Guardians] would not tell them how they voted as to the election of a clerk. They were not so bad as that in the House of Commons.'54

Towards the end of his speech Pitkethly turned to the reporter from the Halifax Express, a Mr. Clarkson, and demanded an apology from him for the biased report his newspaper had carried of the Peep Green demonstration. Clarkson refused to apologize or express his opinions to the meeting on the subject. The meeting therefore voted to eject him. Several people 'took him by his coat and dragged him out of the room'. He was taken to the landing on the stairs, lifted over the

52. Halifax Express, 10 June 1837.
53. I have adopted the same spelling which Lawrence Pitkethly himself used.
54. Halifax Express, 10 June 1837.
bannisters and dropped. Luckily for Clarkson, he was caught by those below and did not sustain any serious injury. Still his ordeal had not finished. The man who had lifted him over the bannister - 'a brute, about 30 years of age and ... pitted with the small pox' - continued to push and kick him down the stairs. It was only the interference of a couple of bystanders which saved Clarkson from serious injury.\textsuperscript{55}

The leading members of the Huddersfield anti-Poor Law Committee could be well pleased with the day's events. True, their supporters had refused to follow their leadership at critical moments, but there had been no real violence and the crowd's threatening behaviour had so intimidated the pro-poor law Guardians that the motion to appoint a clerk had been easily defeated. The day closed with the crowd celebrating their triumph: there was a bonfire in the market place and effigies of Assistant Commissioner Power and Chairman Swain were consigned to the flames.\textsuperscript{56}

The Poor Law Commission responded quickly to their defeat in Huddersfield. Finally recognizing the reality of an opposition majority on the Huddersfield Board of Guardians, they decided to resort to legal subterfuge. In a letter to the Guardians the Poor Law Commission pointed out that the adjournment of their meeting without having appointed a clerk was 'a direct contravention of the law'. This being the case (and here was their sleight of hand) no such illegal act could be binding 'on such portion of the Board as may be willing to act in execution of the law'.\textsuperscript{57} What they were proposing was that a minority of the Guardians (provided they constituted the required quorum of three) would be entitled to push through the appointment of a clerk against a majority vote.

The Poor Law Commission's manoeuvring went completely astray. With troops stationed near the town the Huddersfield Board of Guardians met a week later on 12 June 1837. Again a crowd collected outside the meeting, but this time there was no disturbance. In fact there was no need for one. The previous week's events were still

\textsuperscript{55} \textit{Halifax Express}, 10 June 1837.
\textsuperscript{56} \textit{Leeds Intelligencer}, 10 June 1837, and \textit{Leeds Mercury}, 10 June 1837.
\textsuperscript{57} \textit{PLC to Huddersfield Guardians}, 10 June 1837, PRO., MH 12/15063.
firmly in the Guardians' minds and the mere presence of the crowd was warning enough. A number of the pro-poor law Guardians did not even turn up for the meeting. The Chairman, Swain, sent a letter saying he declined to have anything further to do with the Board. Others sent their resignations to the Poor Law Commission. When the letter from the Poor Law Commission was read, stating that only three Guardians were required to appoint a clerk, there was uproar. A number of Guardians said that they would rather resign than be mere tools of the Commission. A petition pointing out that the New Poor Law was unsuited to the Huddersfield Union was then read out and adopted by the Board. The meeting closed with the Guardians adjourning their business until three months hence.

Despite the opposition forces' victory, popular pressure on the supporters of the New Poor Law continued. Threats and intimidation appeared to be almost daily events. The burning of effigies, which had been going on since the Peep Green demonstration, was especially popular. Almost anyone who had publicly offended popular values found themselves the subject of the crowd's displeasure. On Tuesday 13 June 1837, the day after the Board of Guardians meeting, effigies of Mr. Thomas Day and his wife were cremated in front of their home in Marsh. Mrs. Day had been reported as saying that 'nettles and coarse bread were quite good enough for the labouring classes'. Benjamin Haigh of Paddock, and George Dyson, a butcher of Huddersfield, were also burnt in effigy outside their homes. Their outspoken comments in support of the New Poor Law had given offence.

In an effort to contain the growing campaign of intimidation, the magistrates issued a handbill warning against effigy burning. They said that the burning of effigies had put 'Individuals in great bodily fear' and they therefore gave notice that in future all persons participating in such activities would 'be taken into custody, and dealt with according to Law, as Rioters and Disturbers of the Public Peace'.

58. Lockwood to PLC, 8 June 1837, and Shaw to PLC, 28 June 1837, PRO., MH 12/15063.
60. Ibid.
61. 'Caution against Burning Effigies', 27 June 1837, [Handbill], Brougham Papers, UCL 17802, see Plate 7.
62. Ibid.
CAUTION AGAINST Burning Effigies.

Whereas crowds of people have assembled opposite the Houses of several individuals at Paddock, and other Places in the Neighbourhood of Huddersfield, and have put such Individuals in great bodily fear, by carrying in Procession Effigies of their Persons, and afterwards burning them in the Street, WE, (the Magistrates acting in this Division) do hereby Give Notice, that all Persons doing any such acts, or taking part therein, are Rioters and Disturbers of the Public Peace, and liable to be proceeded against as such: And we further Give Notice, that in case any Person or Persons shall hereafter be found joining in such Unlawful Processions, or making or burning any such Effigies, we shall immediately cause such Person or Persons to be taken into custody, and dealt with according to Law, as Rioters and Disturbers of the Public Peace. Given under our Hands at Huddersfield, this Twenty-seventh day of June, 1837.

JOSEPH WALKER,
JOSEPH ARMITAGE,
E. N. R. BATTY,
W. W. BATTY.

PLATE 7: HANDBILL.
Effigy burning in the Huddersfield area appears to have petered out following the magistrates' warning. For the leaders of the anti-poor law movement in Huddersfield it might well have been a blessing in disguise. The campaign of effigy burning had been undertaken on the crowd's own initiative and there had always been the possibility that the protesters might get out of hand and that acts of physical violence might result which would see Huddersfield flooded with troops. On the day after the issuing of the warning by the magistrates, a public meeting was held to express confidence in them. They were thanked for resisting the introduction of troops into the town.63

* * *

The success of the campaign of popular opposition to the New Poor Law in Huddersfield affected other Unions as well. In Barnsley, for instance, the Poor Law Commissioners decided that because of the town's own militant opposition and its proximity to Huddersfield, it had better remain under the Old Poor Law for the time being.64 The Barnsley Poor Law Union would not be formed until 1850.65

A notable feature of the opposition in Barnsley was the strong leadership provided by the Linen Weavers' Union and the militancy of the unemployed. At a meeting of unemployed linen weavers held on Market Hill, Barnsley, 26 June 1837, it was claimed that relief from the poor rates was a matter of right, not of privilege. Joseph Crabtree, secretary of the Linen Weavers' Union, advised the crowd that they should make a claim in terms which cannot be misunderstood; the collector of the [Parish] poor's rates hesitates not to tell you that unless you pay, he will summon you before the magistrates, and make you pay. Now then with the same authority, do you go to the overseers and tell them that if they do not relieve you, you will summon them before the magistrates....

Crabtree therefore proposed that 'all those who are in a state of destitution, assemble together tomorrow morning, and proceed in a

63. Leeds Times, 1 July 1837.
64. Power to PLC, 19 August 1837, PRO., MH 12/14674.
body to the public offices, and remain there till relief be granted
them'. The resolution was passed unanimously. The next morning a
large crowd of unemployed marched en masse to the parish office,
demanding relief. Whether through fear, or a change of heart, is
not clear, but the beleaguered overseers immediately complied with
their request and distributed money to the crowd.

The growing militancy and confidence of the opposition forces
in the West Riding of Yorkshire worried the government as well as the
Poor Law Commission. Huddersfield was seen as the key to the unrest.
London therefore decided to try again to force the Huddersfield
Guardians to appoint a clerk. The Poor Law Commission issued orders
commanding the Guardians to meet at the 'Albion Hotel' in
Huddersfield on 17 July 1837 and to 'proceed to the election of a
clerk' without adjourning their meeting. To isolate the Guardians
from popular pressure and the threat of violence, the Commissioners
arranged with the Home Office for a force of Metropolitan Police to be
on hand to protect the Guardians and for a detachment of cavalry to
be on standby outside town. The Home Office extracted a high price
for its assistance. 'It is obvious', wrote Russell, the Home
Secretary, 'that if you shall endeavour to compel unwilling Guardians
to assume the administration of relief among an excited community, you
run the risk of strengthening prejudice against the [New Poor] law'.
Russell therefore recommended to the Poor Law Commission that 'an
interval of twelve months should be allowed to elapse ... before you
issue any further Orders for the administration of the Relief of the
Poor in the Huddersfield Union'. Assistant Commissioner Power saw
Russell's remarks as 'a mistake'. He claimed that Oastler 'will now
take advantage of it to proclaim a triumph and I fear mischief will
arise in the neighbouring Unions'.

As directed, the Huddersfield Board met on 17 July 1837 to
try to appoint a clerk. If the display of Police and special
constables was intended to reassure the Guardians that they could

66. Leeds Times, 1 July 1837.
67. Ibid.
68. Russell to PLC, 26 June 1837, PRO., HO 73/52.
69. Power to PLC, 15 July 1837, PRO., MH 12/15063.
proceed without fear of violence, it badly misfired. The very fact that the Police and troops were deemed necessary only emphasised the Guardians' vulnerability and the Poor Law Commission's weakness in the face of popular pressure. It was one thing to appoint a clerk while under Police protection, but all of the Guardians knew that the Police and troops would soon depart and that they would again at the mercy of the labouring population. To remind them of their helplessness, some of the pro-poor law Guardians were threatened during the days before the meeting. Sidney Morehouse, the pro-poor law Vice-Chairman, told how he had found 'Sidney Moorhouse [sic.] shall die today', chalked on the gates of his factory. He also spoke of having seen 'people about his premises at midnight, so cloaked that he could not see who they were'.

Although two nominations were made for the position of clerk, no seconders could be found. Eventually after nearly seven hours of stalemate the meeting broke up. The anti-poor law Guardians argued that as there was no such place as the 'Albion Hotel', only the Albion Inn, the order calling the board of Guardians meeting was invalid. Their argument eventually carried the day. The Chairman and Vice-Chairman found themselves alone in the room and, with no quorum present, were forced to close the meeting.

As a reminder of what could happen, there were two further disturbances that month involving popular opponents of the New Poor Law in Huddersfield. Although they occurred in connection with the General Election, there is no doubt that popular anger over the New Poor Law was a major contributing factor. The first occurred in Huddersfield where Oastler was himself a candidate and the New Poor Law was a leading issue. In a close contest Oastler went ahead of his Whig opponent William Rooks Crompton Stansfield in the early voting. But gradually his lead was cut and when at last Oastler fell behind on the poll his supporters began stoning those known to be Whig sympathizers. The Metropolitan Police who were on hand could not contain the crowd and eventually the Riot Act had to be read and a detachment of cavalry brought in. Even so it was some
time before the town was again calm.  

Three days later another serious disturbance took place in nearby Wakefield. On nomination day for the election of the county members, Oastler led a march of popular opponents of the New Poor Law from Huddersfield to Wakefield. They were determined to raise the issue of the New Poor Law during the nomination speeches. What sparked the disturbance is unclear, although it appears likely to have been a group of drunken Whig supporters trying to push their way through the crowd. Within minutes Tories and popular Radicals were battling with Whigs. Eventually the fighting petered out and when the troops arrived they found that the nomination speeches had resumed and the town was peaceful again. Nevertheless it served as yet another reminder of what could happen when popular feelings were ignored.

There was one further attempt to appoint a clerk to the Huddersfield Union that year. On 11 September 1837 the meeting of the Board of Guardians voted eight to two against the appointment of Cookson Stephen Floyd. Apparently the pro-poor law Guardians were so dispirited that they could not even muster three votes in favour of the candidate. Once again the threats of the Huddersfield crowd had successfully defeated the combined forces of the government and the Poor Law Commission.

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The Poor Law Commission's preoccupation with the events in Huddersfield meant that for most of 1837 the New Poor Law remained a dead letter in the manufacturing districts of the north of England. Against Assistant Commissioner Power's advice, the Poor Law Commission determined that a cautious approach to the introduction of the New Poor Law was warranted. Rather than try to bring all the Poor Law Unions under the New Poor Law, only a few would be given control of poor relief in their respective areas. As a further concession it was decided to leave Boards of Guardians free to grant any form of poor relief.

72. Halifax Express, 5 August 1837; Leeds Intelligencer, 29 July 1837; and The Times, 31 July 1837.
73. Halifax Express, 1 August 1837; The Times, 2, 4, 10 and 11 August 1837; R. Oastler, A Letter to Viscount Morpeth, pp.7-8. See also Driver, Tory Radical, pp.362-4.
74. Swain to PLC, 12 September 1837, PRO., MH 12/15063.
poor relief that they wished. This was an extraordinary concession. The Poor Law Commission's previous practice had been to issue orders prohibiting a Board of Guardians from giving cash relief in aid of wages, rent relief, and relief to paupers resident outside of the Union. The Commission had also insisted that at least half of all relief given to widows or able-bodied paupers should be given in kind. Throughout southern England and the Midlands these regulations had been included as a matter of course in the orders issued to Boards of Guardians. Now the Commission had suddenly decided to omit them entirely. Instead it was to be 'left ... to the discretion of the several Boards of Guardians to realize the objects of these rules in such a manner and to such an extent as they might find compatible with the circumstances of the ... Union'.

In their Annual Report the Commission spoke of 'peculiarities' and the 'depressed state of trade' in the manufacturing districts weighing 'strongly against the issue of the usual regulations'. Popular opposition to the New Poor Law in the north of England is not mentioned. This is not surprising. The Poor Law Commission were always loath to mention the existence of an organized campaign of opposition, much less admit that it had influenced policy. Nevertheless, while the special conditions operating in the north of England undoubtedly contributed to the Poor Law Commission's decision, there can be no question but that the vigorous campaign of popular opposition forced that decision upon them.

Towards the end of 1837 the Poor Law Commission chose six Unions in which to introduce their new watered down regulations. Four were in south Lancashire, Chorlton-upon-Medlock, Leigh, Blackburn and Warrington; and two were in the West Riding, Wakefield and Bradford. Assistant Commissioner Power unveiled the Poor Law Commission's new regulations at a meeting with the Guardians of the Chorlton-upon-Medlock Union, just south of Manchester, in August 1837. They were favourably received. The Manchester Times 'congratulate[d] the public', who they presumably thought responsible, 'on some important alterations in the system of

76. Ibid, p.29.
granting out poor relief which have been adopted by the New Poor Law Commissioners'. The Manchester Chronicle was equally enthusiastic:

It would seem that the Poor-Law Commissioners have at length discovered that the rules and regulations which they have laid down for the government of the various Unions are not at all calculated for the manufacturing districts, and that, to enable them to carry the new law into effect in this neighbourhood, they must submit to such a relaxation of their code as will leave the principle upon which relief is to be administered pretty much as they found it.

The Chronicle overstated the case. The watered down regulations were a major concession, but they did not constitute anything like a return to the Old Poor Law. More especially, they did nothing to reassert the rights of human nature which the Old Poor Law had embodied. The bastardy clause, the new settlement law, and the workhouse were not removed. What the concessions did do was to meet many of the objections which had been made by 'respectable' opponents of the New Poor Law. The local authorities, the Guardians, were to retain some of their freedom for autonomous action and presumably ensure that the cost of poor relief did not escalate for the local ratepayers.

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In five of the six Unions in which the Poor Law Commission had chosen to try out the revised regulations they encountered little or no resistance. The Tory controlled Boards of Guardians in Chorlton, Leigh, Blackburn, Warrington and Wakefield were willing to take over the control of poor relief and the popular opposition was muted and disorganized. In the sixth Union, Bradford, the Poor Law Commission miscalculated. Superficially Bradford appeared to be a reasonable choice for a test of the revised regulations. Although it had originally been one of the main centres of opposition, there had been nothing to match the vigorous resistance staged at Huddersfield. Furthermore the Bradford Board of Guardians, despite attempts by

77. Manchester Times, 26 August 1837.
78. Manchester Chronicle, 26 August 1837.
opponents to elect anti-poor law candidates, were firmly in favour of introducing the New Poor Law. One of the leading opponents of the law, the Tory magistrate and worsted manufacturer, Matthew Thompson, now favoured giving the New Poor Law a fair trial.\(^79\) Even the Rev. Mr. Bull, who had been such a vociferous opponent of the New Poor Law in its early days, had fallen quiet and virtually withdrawn from the opposition movement. Assistant Commissioner Power was privately assured that Bull would not take 'any part in encouraging violence ... before [the Bradford Union] was brought into operation'.\(^80\) Power's information was correct, Bull took no further part in the campaign; but Power's conclusion was wrong, there was violence.

Trouble came at the first meeting of the Bradford Board of Guardians on Monday 30 October 1837. On the Saturday before the meeting a 'bell man' had been employed by Peter Bussey, the radical publican and a leading member of the Bradford anti-Poor Law Committee, to perambulate the town with the following message:

> I am to give Notice to the working class of this town that the Assistant Poor Law Commissioner will be at the court house in this town on Monday next at 10 o'clock in the morning when the People of Bradford are invited to attend at ½ 9 o'clock at the Court house.

By order of Peter Bussey.\(^81\)

Despite torrential rain a large crowd of operatives gathered outside the Courthouse on the Monday morning, demanding admittance. Power and the Guardians forcibly resisted their attempts to enter. The town constables who were on hand apparently refused to help, saying they could not see why the people should not be allowed in.\(^82\) After half an hour of struggle, and fearing the door would give way, the Guardians adjourned to the Swan Hotel where Power was staying. No sooner had they arrived at the Hotel than Power was informed that Matthew Thompson favoured the Guardians meeting in open session. Power immediately set off to convince Thompson that the meeting should be a closed one. Thompson remained unpersuaded and declared that the existing public excitement would be allayed if the public

\(^{79}\) Bradford Observer, 2 November 1837.

\(^{80}\) Power to PLC, 5 December 1837, PRO., MH 12/5673.

\(^{81}\) Power to PLC, 30 October 1837, PRO., MH 12/14720.

\(^{82}\) Ibid.
were admitted to the first Board meeting. He warned that there could be a disturbance if the Guardians stayed at the Swan. Against Power's vehement opposition Thompson's advice was accepted by the majority of the Guardians.83

The Guardians reassembled in the Courthouse that afternoon. The room was crowded to capacity with working men and women. Thompson and the town's reformer M.P. Ellis Cunliffe Lister, told the meeting that although they had both originally been opposed to the New Poor Law, they supported it, now that they had seen the new regulations which the Poor Law Commission intended to introduce. This brought loud boos and jeers. Lister said he was willing to answer questions from the audience and several were put to him. During one exchange he was asked by an operative:

'Are the Guardians the servants of the ratepayers or of the Commissions?'
Mr. Lister: 'Of the ratepayers.'
Operative: 'Then the ratepayers say the poor shall be believed as they have hitherto, and ... do not want the New Act.'
Mr. Lister: 'The Guardians have to go by the Act of Parliament.'
Operative: 'The people of Huddersfield have prevented the introduction of the Poor-Law into their town - why cannot the people of Bradford do the same?'
Mr. Lister: 'I always thought that the people of Bradford had more good sense than the Huddersfield people, they did not kick up a row at the elections as they did at Huddersfield....'
Operative: 'So then, because the Bradford people are quiet and peaceable they are to be imposed upon, I think, that just the reason their wishes should be attended to.84

At one stage Peter Bussey's brother unsuccessfully tried to move a motion from the floor adjourning the Guardians' meeting for twelve months. Despite the noise and confusion which reigned throughout the meeting, Power was able to get the Guardians to pass all the resolutions he had proposed.

As Assistant Commissioner Power left the building at the close of the meeting he was attacked. He informed the Poor Law Commission:

83. Power to PLC, 30 October 1837, PRO., MH 12/14720.
I was violently assaulted by some of the persons assembled outside, and by others who immediately issued from the Court House for that purpose. They were fortunately not provided with any heavy weapons for attack, or I believe, from the disposition shown, I should not have escaped with my life. The first blow I received was upon my head from a tin can [a wool comb's oil-can], which was given with great violence, but being without weight made only a slight contusion. Umbrellas, stones and mud were applied very freely, and after receiving many blows I extricated myself with great difficulty from the crowd, and reached the Inn by dint of great exertion, being pursued almost to the door.

Power went on to say that during the attack not a single constable came to his assistance. He said that as his work required him to remain in Bradford for the next two weeks, he needed 'personal protection'; and in view of what had happened he could place 'no reliance ... on the ordinary civil force'. Furthermore, he was concerned that the Bradford Board of Guardians 'may become intimidated unless a vigorous show of support is made by the Government'. Power therefore recommended 'that application be made forthwith ... for a sufficient force of Metropolitan Policemen to be [sent] down here in plain clothes as soon as possible'. He thought that 'six will probably be sufficient' and asked that they 'remain until the next meeting of the [Board of] Guardians and possibly be reinforced before that time'. Power added that the Government might also like to consider 'whether in order to assure the Guardians and the public of the determination of the Government to enforce the law, some military force should not be quartered in this place until the Guardians ... have made some considerable advance in carrying [the law] ... into execution'.

The Police were slow in arriving. Although Power had requested that they be on hand for the workhouse inspection the following Friday, they did not arrive in time. Nevertheless Power and the Guardian sub-committee decided that as there was 'no appearance of excitement' they could proceed with the inspection anyway. Apparently their entrance into the Bradford workhouse was observed, however, because they had scarcely been inside the building for ten minutes when a large crowd began forcing their way in. According to Power, the workhouse master

85. Power to PLC, 30 October 1837, PRO., MH 12/14720.
made no attempt to stop the crowd. Rather than risk injury Power returned to his room at the Inn. Meanwhile the Committee proceeded with their examination of the other workhouses in the Union.  

In his correspondence with the Poor Law Commission Power now began to have second thoughts about his request for Police assistance. He said that the use of the Police was 'as much as possible to be avoided ... as likely to extend the unpopularity of the new law, and particularly of the ... Guardians'. On the other hand the Guardians were divided over the possible use of the Police. 'From some of the Guardians', continued Power, 'I have heard an intimation that they will resign, if any extraordinary aid is called in to enforce the peaceable execution of the law, whilst others have said they will not attend [the Board of Guardians] if such scenes as occurred on Monday are allowed to take place'. Power concluded: 'On the whole I think there is far more risk of a falling off in the Guardians on the employment of a police force from London, than from the dread of future disturbance'. After discussing the matter with Thompson, it was decided that the Police should be sent away to Leeds as soon as they arrived. By such means it was hoped that their presence would not become public knowledge and the cause of popular unrest.

On the following morning, Saturday 4 November 1837, a sergeant and six policemen arrived from London. Before they had even reported to Thompson the town was alive with stories of their presence. The Police were quickly sent off to Leeds to await instructions. Thompson informed Power that he planned to use them as spies. Two or three of the Police would come back to Bradford in 'coloured cloths [sic.] ... and endeavour to obtain information as to the feelings of the people'. Meanwhile some of the newspapers carried sensational reports of the Police presence in Bradford, they were described as 'being very muscular and ... armed with cutlasses'. The fact that there were only six Policemen appears to have caused some ridicule. The Bradford Union clerk, John Reid Wagstaff, informed Power that persons had been

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86. Power to PLC, 5 November 1837, PRO., MH 12/14720.
87. Ibid.
88. Thompson to Power, 4 November 1837, PRO., MH 12/14720.
89. Leeds Times, 11 November 1837.
heard to say that it would be seen 'whether any Poor Law Comm[issione]r and six London Police can control a countryside'. He warned Power that it might not be safe for him to attend any meetings, 'where you are expected, during the present excitement'. Wagstaff said that the notices explaining the New Poor Law which he had posted on the walls about the town were 'for the most part covered with mud'.

During the following week Sergeant Wray and one or two other Policemen returned to Bradford dressed in plain clothes. In the light of what was to happen, Wray's report on the state of popular feelings in Bradford is worth quoting in detail:

The feeling is generally against the [New Poor Law] measure more than I have ever saw [sic.] before in any other part of the country and I have been in many. The feeling is particularly against Mr. Power they call him the Poor Law Bugger and they say if he comes into this place we will do for him adding at the same time we know him now.... This matter is the general conversation every evening in all the [Public] Houses we have gone into and the Company make no secret of it [,] not the slightest. They say it is their intention to put a stop to it 'as they say in Cornwall one and all' we have never met with one person who attempted to say it is the law and must be obey'd [,] I should think it dangerous for anyone to appear to be an advocate of it [,] I for one should not like to appear an advocate of it in any company we have been in [;] I should expect to be well thrashed if I did ... I should say that no civil force ... would be able to preserve the peace and nothing but a military force to assist the Constables special or otherwise could preserve the peace....

Wray ended by claiming their true identities were still unknown in the town. A few days later, placards appeared asking if there was 'a body of the London Police lurking about in Bradford' and whether they were 'acting as spies - changing their dresses - speaking and listening in the public houses - and ever watching the residences of private individuals ...?' So much for secrecy.

On the Sunday evening, before the Board of Guardians were due to hold their next meeting, Power held an informal gathering in the Sun

90. Wagstaff to Power, 10 November 1837, PRO., MH 12/14720.
91. Ibid.
92. Report Sergeant Wray, quoted in Thompson to Power, 8 November 1837, PRO., HO 73/52.
Inn with two of the magistrates and Henry Leah, the chairman of the Board of Guardians. It was decided that due to the excited state of the town the Board of Guardians meeting should be postponed for a week. As soon as they heard of the gathering the popular opponents of the New Poor Law denounced what they saw as yet another example of the Assistant Commissioner holding 'secret meetings', and on a Sunday too! A placard immediately appeared pointedly asking if the Poor Law Commissioners had 'issued a "written order" to allow business to be done on the Lord's Day?' The Halifax Guardian commented:

We are informed that a very angry and deep ... feeling prevails at Bradford on the unwise conduct of the Board of Guardians; and we much fear that, if an attempt be made to force the obnoxious regulations of the Somerset House Potentates down the throats of the Poor of Bradford, lamentable consequences will ensue. The government was also starting to fear 'lamentable consequences'. On Thursday 16 November 1837, Lord John Russell ordered the immediate withdrawal of the Metropolitan Police from Bradford and their replacement with a detachment of cavalry. After reading Power's reports, Russell advised the Poor Law Commission that it would be best if Power did not return to Bradford at present.

The order to move troops to Bradford was received at Leeds barracks early on Saturday morning, 18 November 1837. Within hours Leeds was alive with rumour that an outbreak had taken place in Bradford. There were stories that 'mills had been set on fire' and 'owners of the mills attacked' for being 'favourable to the new law'. Of course nothing of the sort had happened. Bradford was in a state of excitement, but it also has to be remembered that the Bradford authorities themselves had not requested either Police or military assistance. All such requests and decisions had been made by Assistant Commissioner Power and the Home Office in London. The Metropolitan Police had exacerbated tensions in the town; now the presence of troops would cause them to snap.

95. Ibid.
96. Phillips to Lewis, 16 November 1837, PRO., MH 12/14720.
97. The Times, 23 November 1837.
The troop of Hussars arrived in Bradford late on Saturday night. They found the streets full of a watchful, silent and apprehensive people. The whole population of Bradford it seemed, had turned out to see them. It was an ominous welcome. But for the time being there was no disturbance. The spark would come at the Board of Guardians' meeting on Monday.

The Guardians met at the Courthouse in closed session on Monday morning, 20 November 1837. Extensive preparations had been made to make sure the Guardians were not disturbed. All the doors to the Courthouse were barred and there was a barricade erected across the steps at the front of the building. Twenty special constables had been sworn in to guard the building. The troops were to remain at their billet at the Talbot Inn until needed. When the meeting started there were no more than 100 or 200 people in the immediate vicinity of the Courthouse. Towards twelve o'clock, however, the number began to grow dramatically. Within twenty minutes the crowd had grown to five or six thousand. The Times was later to claim that the disturbance was sparked off by the appearance of a number of pro-poor law Guardians at the Courthouse windows. The sight of the Guardians brought a volley of stones from the crowd. Some windows were broken. At the same time the pressure against the barricade increased and one of the magistrates set off to call out the troops. Upon their arrival, the troops were greeted with loud yelling and 'every effort was made to frighten the horses and throw the riders'. The troops formed up in front of the Courthouse facing the crowd and for a while there was no hostile activity. The initial shock soon subsided, however. 'One daring fellow' climbed up the outside of the balcony and was able to start dismantling the barricade which blocked the Courthouse steps. Before the special constables could stop him 'a large body of men ... rushed up the steps and attacked the folding doors [trying] to force a passage to the Guardians'. At the same time, the stoning recommenced. J.G. Paley, one of the magistrates, now

98. The Times, 24 November 1837.
99. Paley and Thompson to Harewood, 20 November 1837, Harewood Papers, Box 1, LCA.
100. The Times, 24 November 1837.
began to read the Riot Act, but in the noise and confusion his action went all but unnoticed. 'He then ordered the military to clear the Court House Yard and the steps'. Some of the troops galloped into the crowd to force them away, others dismounted and with swords in hand drove the crowd off the steps and the balcony. The crowd fought back with renewed stoning. There was a plentiful supply of material; fresh stones had recently been laid on the New Leeds Road which ran in front of the Courthouse. Several of the soldiers received quite serious wounds from the stoning. Captain Murray, their commander, was lucky to escape with only minor injuries when a man sneaked up behind him and 'hurled a great stone at his head'.

The tactics of the crowd were to make way and allow the soldiers to ride through their ranks before forming up again behind them and stoning them from the rear. Boys and young men were said to have been the most active combatants. Although the crowd had fallen back from the Courthouse steps they showed little inclination to abandon the field entirely. At about this stage a large group of young men made their way to the rear of the Courthouse and 'began very deliberately and industriously to smash the windows'. It was only after they had succeeded in breaking all the windows that the cavalry were able to disperse them.

The battle between the troops and the crowd had fallen into a regular pattern by this stage. Occasionally a trooper left the rank to reconnoitre, but he would immediately be assailed by a volley of stones and be forced to return to his ranks. At the end of their meeting, the Guardians in the company of the magistrates and special constables left the Courthouse on foot. They were followed by a large section of the crowd and as they neared Brook Street were assailed with stones. Forced to take shelter in Schuster's warehouse, the Guardians were eventually rescued by a party of troops. With the Board meeting over the crowd in front of the Courthouse slowly began to disperse and shortly afterwards the troops themselves were ordered back to their billet. No sooner had the troops left, however, than a large crowd again began to

104. *The Times*, 16 December 1837.
form in front of the Courthouse. In a very deliberate manner they began stoning the building. Within minutes every remaining pane of glass in the building had been broken. The troops were again called out. They were greeted by 'derisive shouts' and more stones from the crowd. This time the crowd showed a marked reluctance to depart the scene and in the growing darkness found it much easier to sneak up and stone the troopers. Up until now the troops had been content to use only the flat side of their sabres to clear away the crowd, but as fatigue increased and their tempers rose they found it necessary to employ harsher means. Again and again they charged the crowd. Eventually the troops even found it necessary to resort to the use of firearms and to employ the cutting edge of their sabres rather than the flat side. One rioter was hit by a ball. Another shot past through the window of a nearby surgeon's house. And a third hit a young man in the arm, who had only just come into town to see what was going on. The wound was so serious that it was eventually found necessary to amputate his arm. There were a few other slight wounds, including a few sabre cuts, but no more serious injuries. Despite the use of firearms the crowd obstinately refused to retire and continued to skirmish with the troops till nearly 7.00 p.m. It was only after fresh troops had arrived from Leeds and heavy rain had begun to fall that the crowd at last began to move off to their homes.

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There can be no doubt that the presence of the troops in Bradford had exacerbated an already tense situation. The authorities might have succeeded in their aim to make sure the Bradford Board of Guardians' meeting was not interrupted, but by the use of troops they ensured that the opponents of the New Poor Law won a moral victory. Even the whiggish Bradford Observer, which had assiduously supported the New Poor Law, admitted that the presence of the military had 'provoked ... hostile feeling'.

THE POOR LAWS IN BRADFORD.
While we blame the populace for acts of outrage, and the wanton destruction of property, we cannot deny that they had gross provocation, in being menaced with soldiery.... It is an insult to Englishmen to overawe them by the military; and for our part we confess our indignation was not a little roused, when we heard ... that the soldiers were to be brought into the town. 109

The owner and editor of the paper, William Byles, commented in a separate editorial, that as far as he could ascertain neither the magistrates nor the guardians had asked for troops to be sent. He concluded: 'until we know who advised the Secretary of State to send troops we don't know who is to blame'. 110

Within days the Bradford Riots had become the talking point of popular radicals and opponents of the New Poor Law throughout the country. Meetings were held in Huddersfield, Halifax, Keighley and other places to consider what response should be made. 111 A cartoon in Cleaves's London Satirist aptly summed up their feelings. It showed (from left to right) Brougham, Russell and Melbourne, dressed in soldiers' uniforms, forcing the New Poor Law down the throat of a working man, tied to a chair. 112 In a thundering letter to the editor of the Northern Star, Oastler charged the local authorities with being the real authors of the disturbances in Bradford. He charged that Assistant Commissioner Power, Union Clerk Wagstaff and Chairman Leah, had met and conspired together to postpone the Board of Guardians meeting for an extra week, the aim being: 'to give time for Mr. Conspirator POWER to write to the THREE KINGS for HER Majesty's troops to be sent to BRADFORD, to force the damnable New Poor Law down the throats of the people with bullets and sabres'. 113

One immediate consequence of the disturbance at Bradford was to leave the supporters of the New Poor Law fearful and worried. Henry Leah, the burly iron founder who was chairman of the Board of Guardians, informed Wagstaff, the Union Clerk, that 'in consequence

110. Ibid.
111. The Times, 1 December 1837.
112. Cleave's London Satirist, 2 December 1837, see Plate 8.
113. Northern Star, 2 December 1837.
of what had transpired he felt convinced that the [New] Poor Law Act could not be carried into force in this District and therefore he should attend no more meetings of the Guardians to risk his life'. Wagstaff said that one of the factors which had brought Leah to this decision was the report in the neighbourhood 'that if only the Chairman and Clerk were got rid of then there would be an end of the Poor Law Act as no other person would be found to take either of the situations'. Wagstaff added that 'during the week threats of no very mild description have been during the nights written on the steps of my House'. Power immediately wrote to Leah asking him not to resign, but only to 'desist from attending the meetings of the Guardians for the present'.

The atmosphere in Bradford remained tense. So intimidated in fact were the Guardians that only a few even bothered to turn up for the next Board meeting on 27 November 1837. Once again crowds gathered in the street outside the Courthouse, but this time there was no disturbance. There was no need for any: the Guardians adjourned their meeting without transacting any business.

On 2 December 1837, the Northern Star carried a report of a speech made by Oastler at Huddersfield in which he had intimated that Assistant Commissioner Power, Chairman Leah, Clerk Wagstaff and others were marked men and would do well to be in fear of their lives. Power took the remarks as a personal threat. He immediately wrote to the Poor Law Commission drawing their attention to the report and claiming that Oastler 'appears plainly to state his wish for my assassination'! Power's brother Henry wrote to the Poor Law Commission saying that his family were extremely apprehensive for Alfred's safety. The Poor Law Commission replied that 'nothing would induce them to expose Mr. Power's valuable life to any unnecessary hazard'.

115. Power to PLC, 28 November 1837, PRO., MH 12/14720.
116. Leeds Times, 2 December 1837.
117. Power to PLC, 2 December 1837, PRO., MH 12/14720.
118. H. Power to PLC, 30 November 1837, and PLC to H. Power, 2 December 1837, PRO., MH 12/14720.
Needless to say the authorities were determined not to take any chances. Following a rumour that Oastler intended to lead 5,000 men from Huddersfield to Bradford on 4 December 1837, the day of the next Board of Guardians meeting, reinforcements were rushed to Bradford. Three hundred infantrymen arrived in Bradford on Saturday night, two hundred special constables were sworn in on Sunday, and the Magistrates issued a notice advising the people to stay in their homes on Monday. It was also reported that pickets and parties of cavalry had been posted on the Huddersfield Road to intercept Oastler and his band. When he heard about the rumour, Oastler called it 'a Whig trick'. 'The "Oppressors of the Poor"', he said, 'were very naturally fearful of the vengeance of the Poor, so they had with the help of Power, conjured up all this hobgoblin about myself and 5,000 armed men in order to meet under the protection of Bayonets and Bullets "to remove the landmark of the Poor"'.

In an effort to cool the situation in Bradford the opponents of the New Poor Law called a meeting at the Odd Fellows Hall on Wednesday 13 December 1837. A woolcomber, William Sharman, was called to the chair. Addressing the capacity crowd of over 1,000, he said they should all come forward on this issue because 'their rights were invaded ... the rights of the poor'. 'That the poor had, and always had, an inherent right in the soil prior to all rights, he believed everyone would acknowledge'. Sharman said they must pursue every 'constitutional means' to defend these rights and obtain a repeal of the New Poor Law. He deprecated the late disturbances and said it could not advance their cause. Other speakers, who included Peter Bussey and Richard Oastler, expressed similar views. Bussey even went so far as to say he was 'no fighting man'. In its report of the meeting the Bradford Observer was fulsome in its praise, congratulating the opponents of the New Poor Law on the 'rational way' they had expressed their opposition. 'How much better it is', they commented,

119. Bradford Observer, 7 December 1837; The Times, 8 December 1837.
120. Oastler to editor, printed in Leeds Intelligencer, 9 December 1837.
122. The Times, 16 December 1837.
'to meet like free citizens, and condemn by speeches, resolutions, and petitions, than to assemble in a tumultuous manner, and by force resist the administration of the law.' The problem was that the government in London only appeared to take any notice of their protests when they were accompanied by a forceful resistance of the law.

123. Bradford Observer, 14 December 1837; see also Northern Star, 16 December 1837; Halifax Express, 16 December 1837; and The Times, 17 December 1837.
After the disturbances at Bradford the government adopted a much tougher policy towards opponents of the New Poor Law. Ordinarily military intervention was followed by a gradual withdrawal of troops from the disturbed area, but late in 1837 the military presence in the north of England was actually increased with troops being dispatched to key centres in south Lancashire and the West Riding of Yorkshire. This was followed in early 1838 by attempts to bring the dissident Poor Law Unions into line.

There was little the popular opponents of the New Poor Law could do when faced with a determined government which had a strong military force at its disposal. The co-ordinated campaign of demonstrations and petitions had failed to bring about any change in government policy, and all attempts at intimidation and violence had been met by gradually worsening confrontation. The Boards of Guardians were seen as the key to the struggle, and increasingly they were attracting the attention of both the authorities and the opposition forces. The opposition's campaign of boycotting had achieved some remarkable successes in the south Lancashire region, but it was the Huddersfield Poor Law Union controlled by the anti-poor law Guardians which was seen by both sides as crucial. Early in 1838 the proponents of the New Poor Law began planning their moves to defeat the opposition forces in Huddersfield.

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The Huddersfield Board of Guardians had repeatedly refused to appoint a Union clerk. At the meeting on 11 September 1837, the pro-poor law Guardians had been so dispirited that not even three Guardians could be found to vote for the appointment of a clerk. Following the meeting, Assistant Commissioner Power and William Rookes Crompton Stansfield, the recently elected Whig M.P. for Huddersfield, discussed the matter. They decided that the only way of ensuring that there were three Guardians on the Board willing to appoint a clerk was to create new magistrates, who in their capacity as ex-officio Guardians could
force the appointment of a clerk. Power immediately wrote to the Poor Law Commission to suggest the creation of four new magistrates. He suggested: Thomas and Joseph Starkey, John Sutcliffe and William Brooke. All were large manufacturers and all prominent Whigs.¹ Stansfield also wrote to the Poor Law Commission supporting the appointment of the four. He emphasized that new magistrates were needed to balance the anti-poor law Tory magistrates on the bench and on the Board of Guardians.² The Poor Law Commission immediately forwarded the request to the Home Office.³ It was eventually decided that the sudden appointment of four new magistrates would be seen as an attempt to stack the Board. Instead it was decided to appoint two new magistrates, Thomas Starkey and William Brooke, immediately, and the others later.

The Huddersfield Board of Guardians were due to meet on 29 January 1838. The government and Poor Law Commission, apart from appointing the two magistrates, increased the pressure on the other Guardians. As early as November 1837 Power was writing to Joseph Armitage, the chairman of the Bench at Huddersfield, to tell him that Swain and some other Guardians were willing to proceed with the appointment of a clerk if they could get the 'support, presence, and backing' of an ex-officio Guardian.⁴ The Poor Law Commission also refined the legal sleight of hand they had attempted to use the previous June. Then, a minority of three had been empowered to appoint a clerk against the will of a majority. Now, the Commission advised, a minority of three could choose to ignore completely the existence of an opposition majority. Swain, the chairman, was instructed that

it is competent to you and ... it is your duty ... to refuse to put to the meeting any motion or amendment the obvious effect of which would be to defeat or postpone the election of a clerk; and secondly that, whatever course may be adopted by the majority of the guardians in contravention of the law, ... the candidate having the majority of votes will be duly elected although less than three may have voted for him, provided that three guardians at least have taken part in the election.⁵

¹ Power to Lefevre, 15 October 1837, PRO., HO 73/52.
² Stansfield to Lefevre, 24 October 1837, PRO., HO 73/52.
³ Lefevre to Maule, 16 October 1837, PRO., HO 73/52.
⁴ Power to Armitage, 22 November 1837, PRO., MH 12/15063.
⁵ Power to Swain, 23 January 1838, PRO., MH 12/15064.
APPONITION OF

CLERK,

TO THE

Huddersfield POOR LAW UNION.

Why should those persons who wish to saddle this district with the Devil's own Law, be so terrified, because all the Inhabitants have determined to meet in Huddersfield, on Monday, the 29th instant?

Why should they be so angry, so full of Malice, Rage and Bitterness?

They say, at least their Spy has told Baines so, and he has told the Public, that the majority, in these parts, are decidedly in favour of the Devil and his Three Commissioners! If this be true, why so much Terror in their Camp?

The Scoundrels know that they have told a base Lie, and so does Baines, else he would not have published it.

The Villains need not be alarmed, surely, they will be in no danger; they will have their own Magistrates, the Police, and the Soldiers to keep the Ghosts off; and as for as, we can take care of ourselves, and try to keep them from breaking the peace; THAT IS ALL.

If the Riot Act is read, in consequence of their disturbance, we shall go home quietly—and never come again. But, remember, the Clerk, appointed by a Minority, will be No Clerk at all.

THAT'S A BIT MORE.

We are all coming on the 29th January, 1838, Men, Women, and Children—all of us.

THAT'S THE REMAINDER.

Jan. 19th. TINKER, PRINTER, HUDDERSFIELD.

PLATE 9: ANTI-POOR LAW HANDBILL.
The government's preparations went neither unnoticed nor unanswered by the Huddersfield opposition. Pressure was put on the landlord of the Albion Tavern, Mr. Balderson, where the Guardians normally held their meeting, to withdraw the use of his premises. Balderson succumbed to the threatened loss of business and informed the Guardians' Chairman that the Albion Tavern was no longer available to them for meetings. The Guardians then applied to the landlord at the Rose and Crown and the directors of the Philosophical Hall, but both also refused the use of their premises after pressure had been brought to bear. Eventually, the Guardians were forced to hold their meetings in the Courthouse.

To reinforce their opposition the popular opponents of the New Poor Law decided to again hold a demonstration on the same day as the Guardians' meeting. The government response was immediate: two troops of the 15th Hussars were drafted into the town. The opposition replied with a blistering handbill. They asked why there should be so much 'Terror' over a demonstration, if the 'majority' of the people in Huddersfield was so 'decidedly in favour' of the New Poor Law as they had repeatedly been told by the Leeds Mercury and other Whig newspapers. The answer was clear: 'The Scoundrels know that they have told a base lie, and so does BAINES, else he would not have published it'. The opposition emphasized they had no intention of causing violence and promised the 'villains' that they 'need not be alarmed'. After all they had 'their own Magistrates, the Police, and the soldiers to keep the Ghosts off'. In conclusion the handbill reminded the supporters of the New Poor Law that, any 'CLERK, appointed by a MINORITY, will be NO CLERK AT ALL'.

The day's events passed off peaceably. The two troops of cavalry arranged themselves in front of the Courthouse and despite the pouring sleet and snow a crowd of several thousand gathered to demonstrate in the Market Place. Oastler, Pitkethly and the Rev. Wood, of the Methodist New Connexion, addressed the crowd from the back of a wagon. Oastler told the crowd that they should 'preserve the strictest order'.

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6. Swain to PLC, 10 January 1838, PRO., MH 12/15064.
7. Wrigley to PLC, 20 January 1838, PRO., MH 12/15064; Leeds Times, 13 January 1838, and Northern Star, 3 February 1838.
The meeting then adjourned until the afternoon when the Guardians' decision on the appointment of a clerk would be known.

Inside the Guardians' meeting proceedings were less subdued. The anti-poor law stalwart, Samuel Midgley, immediately moved that the meeting be adjourned until 2 April. After a good deal of discussion and one joking suggestion that perhaps April fools' day might be a better date, Swain ruled the motion out of order because it set the law 'at nought'. Backed up by the instructions he had received from the Poor Law Commission, Swan indicated that he would let nothing stand in the way of the appointment of a clerk. The anti-poor law Guardians protested vehemently against the notion that a minority of the Board might appoint a clerk 'when the voice of the people (their constituents) were [sic.] opposed to the introduction of the [New Poor] Law into that district'. 9 Swain was unmoved and despite the opposition majority's loud and repeated objections, two candidates, Cookson Stephen Floyd and William Hesp, were proposed and seconded for the post. Swain then called for a vote to decide between them. Sixteen abstained, eight voted for Floyd and six for Hesp, whereupon Swain declared Floyd to have been elected. 10 After a year of delay, and against the opposition of a majority of elected Guardians, the Poor Law Commission had finally succeeded in getting a clerk appointed to the Huddersfield Union. It was a victory of sorts, but not one they could take any real comfort in. To obtain their victory the supposed defenders of law and order had set the law at 'nought'.

The news of the appointment enraged the crowd in the market place. They were outraged at the highhanded behaviour of the chairman and two new Whig magistrates. Pitkethly told the crowd that the Board meeting had been 'a mere farce' and that 'the appointment was altogether illegal'. Oastler agreed that 'not one act or deed of Mr. Floyd would ever be worth a straw'. He said that if a 'minority was to rule, there was an end of society'. They had not broken the law; 'it [was] ... the commissioners and their tools'. Oastler said he was against the 'rebellion of the three traitor kings', and when they objected to the appointment of a clerk it was the opponents of the New Poor Law who upheld the law, not its supporters. He ended with a call for the crowd

9. The Times, 1 February 1838.
10. Ibid.
to remain calm in the face of Whig provocation, for nothing would suit the Whigs better than to have a 'row'. He was thankful to see the 'fine brave British soldiers' in Huddersfield and proposed three cheers for them. The crowd duly cheered. Later Oastler returned to the hustings to propose that the meeting raise a subscription for the soldiers 'marching money'. A total of £3 was raised and presented to the soldiers. That night two of the public houses in the town put on a supper for the soldiers where they were able to drink the health of the 'Lads' of Huddersfield.\(^\text{11}\)

The only violence of the day involved the bellicose Huddersfield Postmaster, William Moore. Moore, an ardent Whig who had apparently over-indulged while celebrating the appointment of the clerk, challenged one of the opponents of the New Poor Law, a draper by the name of Fawcett, to fisticuffs. The two of them were seen later that evening, stripped to the waist, fighting in the snow outside one of the public houses.\(^\text{12}\)

The appointment of a clerk failed to dissipate the opposition who counterattacked at the next Guardians' meeting on 15 February 1838. The meeting had been called to divide the Union into districts and to appoint to each registrars for births, deaths and marriages. Lawrence Pitkethly led a large contingent of popular radicals into the Court-house where the Guardians were due to meet. Although ordered out by George Tinker, one of the more outspoken of the pro-poor law Guardians, they insisted on their right to remain. At one stage Tinker was so abusive that one of the constables threatened to take him into custody if he did not moderate his tone. This caused consternation among the pro-poor law Guardians.\(^\text{13}\) Swain, the chairman, again repeated that all who were not Guardians should leave the room. He was asked on what authority he issued such an order? He replied on the authority of the Poor Law Commission. Pitkethly then told him they did not recognize that authority, but that if he put it to a vote and the majority of Guardians voted in favour of them leaving they would do so. In what was a confused and at times boisterous meeting, Swain was eventually forced to adjourn proceedings for a week rather than see the meeting completely taken over by the opposition Guardians.\(^\text{14}\)

\(^{11}\) Northern Star, 3 February 1838. \(^\text{12}\) Ibid. \(^\text{13}\) Leeds Times, 17 February 1838. \(^\text{14}\) Northern Star, 17 February 1838.
As a result of the rowdy meeting eleven of the pro-poor law Guardians immediately complained to the Poor Law Commission. They informed the Commissioners:

It will be impossible to carry the New Poor Law and Registration acts into effect without adequate protection being afforded to those Guardians who may in future attend the Meetings with an intention to forward the objects of the legislature and the Poor Law Commissioners.... Without protection we beg to observe that we shall not feel justified in endangering our lives.¹⁵

George Tinker, writing privately to the Poor Law Commission, attacked the 'ignorance' of the anti-poor law Guardians. He said that James Parkin, the Linthwaite Guardian, had assisted opponents of the New Poor Law in 'forcing their way into the room', and 'encouraged the Blackguards ... to open violence, saying that if no one else did he would drag both chairman and Clerk into the street'. Tinker went on to suggest that, as 'the most active measures' were being taken 'to swamp the next Board with characters of this description', the Poor Law Commission might consider 'the propriety of raising the qualification of Guardians' to exclude such men from future Boards.¹⁶

Tinker was not the only Guardian disgusted by the behaviour of the Board. A number of anti-poor law Guardians were also losing their taste for the Board meetings. At the resumed meeting of the Huddersfield Board, on 22 February 1838, only twenty-two Guardians showed up. This time a force of special constables was on hand to keep out members of the public. For the first time the pro-poor law faction actually had a majority of Guardians in attendance and against the vociferous opposition of a hard core of nine opposition guardians they set about dividing the Union into districts and appointing assistant registrars.¹⁷

It was a clear reminder to the popular opponents of the New Poor Law that effective opposition was only as strong as the resolve of their elected Guardians. The only consolation for the crowd gathered outside the Courthouse was that they were able to give the Postmaster, William Moore, 'a rolling in the mud' when he foolishly appeared outside the

¹⁵. Huddersfield Board of Guardians Minutes, 15 February 1838, KMBA.
¹⁶. Tinker to PLC, 17 February 1838, PRO., MH 12/15064.
¹⁷. Northern Star, 24 February 1838, and Huddersfield Board of Guardians' Minutes, 22 February 1838, KMBA.
The growing frustration of popular opponents of the New Poor Law led to several people getting rolled in the mud and snow that winter. The powerlessness of the anti-poor law movement in the face of government force, and its seeming dependency on the resolve of the anti-poor law Guardians would produce a gradual slide towards Chartism and a demand for Universal Suffrage. But for the time being the New Poor Law still occupied the time and energy of most working men and women. And it was working women who were increasingly taking a lead in the campaign.

Working women in the manufacturing districts of the north of England had a long and proud tradition of involvement in radical politics. Women had been active in the post-war radical reform movement which culminated in 'Peterloo'. And they had a long history of participation in Trade Union and Friendly Society activities. As the campaign of popular opposition to the New Poor Law got under way in the north of England in late 1836 and early 1837 there was a revival of female radicalism.

It is not surprising that women took an interest in the New Poor Law. They were not only insulted by the bastardy clauses, but they were also the sex most deeply affected by the alterations to the system of poor relief. Women had always been and would continue to be the main recipients of poor relief under the New Poor Law. Thus, although men might threaten vengeance on the bastiles, one could be sure it was women who would end up inside them. But perhaps what was even more important, women had the responsibility for overseeing the family budget in most labouring families. And for many families, especially those in

19. The prominent role played by women in popular radicalism, including the anti-poor law movement, has recently been dealt with by D. Thompson, 'Women and Nineteenth-Century Radical Politics: A Lost Dimension', in J. Mitchell and A. Oakley (eds.), The Rights and Wrongs of Women, pp.112-38.
the depressed outwork trades, the Old Poor Law played an essential role in maintaining the domestic economy. Any challenge to the established system of poor relief was thus a challenge to a woman's attempt to maintain herself and her family.

Right from the beginning women took an active part in the campaign of popular opposition to the New Poor Law. They participated in demonstrations, attended meetings and even helped get up petitions. Nor were they intimidated by violence, either threatened or real. In fact women protesters were, if anything, more militant than the men. This is partly explained by their presuming on the privilege of their sex. While in private a man might have no inhibitions about using force against a woman, in public it was not so easy. Even the most hard-hearted soldier or policeman could find it difficult to cope when confronted by a determined woman in public. The militancy of women also suggests that once aroused and set on a particular course of action they were less likely to be deflected than men.

Among the most active of the female opponents of the New Poor Law were the women in the township of Elland, near Halifax. Why this particular township should have become a centre of female radicalism is unclear. Perhaps it was an indication of the suffering and distress felt in this small woollen township with its high concentration of handloom weavers and other outworkers. Or perhaps there was a high proportion of families with experience of Trade Union and popular radical activity. Certainly two of the leading female radicals in Elland, Elizabeth Hanson and Mary Grassby, had spouses who were actively involved in the radical movement. Or perhaps it was simply that in Elland the women worked more closely with one another in the spinning sheds, and that this unity was carried over into their political activity.

On the evening of Monday 12 February 1838, the female

21. See above, Chapter Five, p.150.
22. Abraham Hanson was a handloom weaver and a methodist lay-preacher. He later became quite prominent in the Chartist movement. Little is known about Richard Grassby, other than that he was often listed as a speaker at anti-poor law and radical meetings in the Elland area.
inhabitants of Elland held a meeting in the Radical Association's rooms for the purpose of addressing the Queen for a repeal of the New Poor Law. Susan Fearnley, having been voted into the chair, opened the meeting by exhorting the women present to take the question of a repeal of the New Poor Law into their own hands and not to rely solely on others, 'least of all ... the House of Commons'. She called on them 'at once to assert the dignity and equality of the sex, and, as the chief magistrate in the realm was now a female, to approach her respectfully and lay their grievances before her'. Susan Fearnley ended by calling on the women 'to resist the enforcement of this cruel law even unto the death'.

The next speaker, Mary Grassby, reiterated the chairwoman's remarks. She called the New Poor Law 'an infringement on our rights'. In a spirited speech Mary Grassby said the New Poor Law was 'oppressive and tyrannical' and 'was not concocted by men but by fiends in the shape of men'. She went on:

They might be asked why women should interfere in public matters. She would answer at once, it was a woman's duty to be there; for women had more to fear from this bill than men. (Cheers.) ... [S]he would oppose that law and she called upon her sisters now before her to follow her example. (Tremendous cheering.) Women have still more to do with this cruel measure than men. Their feelings were more susceptible and the pangs of being separated from those to whom they had been used to look for support, and from their children ... were more severe, she believed, than it was possible for men to feel. (Loud cheers.)

Mary Grassby ended by saying she 'attributed all their sufferings to misgovernment and exhorted them fearlessly, women as they were, to address the Queen', and if they were unsuccessful not to despond, 'but boldly and patiently persevere in their opposition', and ultimately 'obstacles ... would be overcome'. She sat down to great cheering.

Elizabeth Hanson spoke next. She described the distress in the neighbourhood, saying she knew of families who had 'one penny a day, per head, to live on'. This, she said, was how they prepared them for the bastile diet before they put them in. Elizabeth Hanson then read the Poor Law Commission's dietary scales, observing that food like that

24. Ibid.
was calculated 'to hasten them into eternity, and prepare them for
the dissecting-knife'. In speaking of the hardships of the law which
were especially applicable to women, Elizabeth Hanson alluded to the
cropping of hair, the workhouse uniforms made of 'shoddy and paste',
and the circumstances under which a sick child might be bereft of its
mother's attention. The meeting then unanimously adopted an address
to the Queen and sent it off to Lord Stanhope for presentation.25
The reporter from the Leeds Times noted that as the meeting closed
the women appeared only too ready to take 'vengeance' upon those who
supported the New Poor Law; a few names were mentioned and suggestions
thrown up, including 'taring [sic.] and feathering'.26

When Assistant Commissioner Power and the Halifax Guardians
visited the Elland workhouse in late February 1838, the women were
on hand to greet them. As the Guardians came out of the workhouse
they were mobbed. One of them, 'a stout portly man', even offered to
treat the women to 'a gill of ale each, if they would allow him to
escape'. The bribe was refused. He, like all the other Guardians,
was treated to a 'roll in the snow'.27 Although such antics were
undoubtedly deeply satisfying to the women, it had virtually no effect
on the introduction of the New Poor Law into the district. That battle
was being fought at the Board of Guardians' meetings, and it was there
that the most effective struggle was taking place.

*   *   *

New elections for Guardians were due to be held in the last week
of March 1838. The Poor Law Commission proceeded quietly from January
onwards to avoid provoking adverse popular reaction during the election
period. The opposition forces on the other hand increased their
activities. Once again popular opponents faced a difficult choice of
tactics. Oldham's total boycott had proved the only sure way of
blocking the Poor Law Commission. As the experience in the Huddersfield
Union had shown, even when a majority of anti-poor law Guardians were
on the Board, London could evade them. But the difficulty of staging
an effective boycott remained, and it had probably become harder to

25. Ibid; see Appendix IV for the address to the Queen.
27. Northern Star, 3 March 1838.
achieve in those Unions where Boards of Guardians had already been elected. At a meeting of delegates from the South Lancashire anti-Poor Law Association held in Manchester on 5 February 1838, election tactics were discussed. Oastler and Pitkethly, who attended as observers from the West Riding Committee, proposed the selection of only the most strenuous opponents of the New Poor Law as Guardians. The Rev. J.R. Stephens and others opposed the idea. The majority of the south Lancashire delegates made it clear that they would boycott and the West Riding proposal was eventually withdrawn. 28

Once again Oldham showed the way. In a surprisingly quiet campaign, the popular radicals in the Oldham Union easily maintained a total boycott of the elections. Similarly the opponents in Todmorden Union were able to maintain the boycott in the cotton townships of Todmorden and Langfield. But in other south Lancashire Unions the task was much more difficult. In the Bury Union, a group of Tory candidates, who declared themselves not only opposed to the New Poor Law but also to illegal resistance, were nominated and refused to withdraw, breaking the back of the attempted boycott there. 29 Only in the Ashton-under-Lyne Union did the opponents of the New Poor Law manage to throw out the existing Board of Guardians. Spurred on by Stephens, the local popular radicals staged a vigorous campaign of intimidation and succeeded in forcing all the candidates to withdraw.

28. Northern Star, 10 February 1838, The Times, 7 February 1838, and Leeds Times, 10 February 1838. Edsall, The anti-Poor Law Movement, p.140, claims the total boycott was semi-official policy for the Guardian elections in 1838, and that it was supported by the Northern Star, the South Lancashire anti-Poor Law Association and 'almost all the popular anti-Poor Law leaders'. He is wrong. The Northern Star was inconsistent: Northern Star, 24 February 1838, advised every Union in the country to follow Huddersfield's example and return anti-poor law Guardians; and yet Northern Star, 31 March 1838, advised a total boycott. It is true that after the elections the Northern Star was more consistent in its advocacy of a policy of boycotting, see Northern Star, 7 and 14 April 1838, but this was not the case before the elections. Furthermore, how Edsall can claim that 'almost all' the popular anti-poor law leaders favoured a total boycott is unclear. Certainly most of the leaders in the West Riding, including Oastler and Pitkethly, viewed a boycott as impractical and favoured the election of anti-poor law Guardians.

29. Northern Star, 14 April 1838, and Manchester and Salford Advertiser, 7 April 1838.
their nominations before the election. Elsewhere there were only sporadic boycotts and, like the year before, unless the boycott was total its impact was slight.

But outside the Lancashire and Cheshire border region, it was Huddersfield rather than Oldham which provided the model for resistance. Results were mixed. The opposition forces strengthened their hold in the Rochdale Union and had a spectacular victory in the Dewsbury Union, just north east of Huddersfield. Elsewhere they were not so successful. In the Keighley Union the opposition forces suffered a severe setback, losing control of the Board of Guardians to the pro-poor law faction. In several Unions the anti-poor law forces fell to underhand tactics. In the Preston Union, Joseph Livesey, the cheese merchant and temperance reformer, led an apparently successful campaign of opposition only to see the votes of the anti-poor law majority disallowed by the presiding Tory magistrates in the election for the Union Chairman.

The most spectacular case of duplicity and underhand dealing, however, was in Huddersfield. The Huddersfield anti-poor law Committee had planned their election campaign with meticulous care. They met with delegates from local township committees, staged demonstrations, mobilized support, issued detailed instructions and acted as a clearing house throughout the campaign. When the results were first announced at the close of polling it appeared that they had won a clear victory. The Northern Star reported that again there would be a majority of anti-poor law Guardians on the Huddersfield Board. What the opponents of the New Poor Law did not know was that the Government had just appointed another two Whig magistrates and that the pro-poor law forces were already maneuvering to get the election of some of the anti-poor law Guardians set aside.

Details of the chicanery and vote rigging are obscure. It appears, however, that in a number of townships the election result

31. Northern Star, 14 April 1838.
32. Preston Chronicle, 14 April 1838.
33. Northern Star, 24 February and 3 March 1838; Leeds Times, 10 and 17 March 1838.
34. Northern Star, 31 March 1838.
altered between the final count of poll and the declaration of results. In the Huddersfield township, for instance, four anti-poor law candidates and one pro-poor law candidate appeared to have been ahead at the close of counting, but the figures announced by the overseers the next morning showed only three anti-poor law candidates to have been elected. The opponents of the New Poor Law later charged the Huddersfield overseer with irregularities. They claimed that he added extra property votes to the pro-poor law candidates 'without having any voting papers'; that he had had 'a roll of votes, as thick as his arm ... that ... had not been summed up'; and 'that many votes were added from a book, containing entries of last year's claims', again without voting papers. For their part, the pro-poor law candidates were adamant that the anti-poor law faction had acted illegally. They claimed that informal votes had been counted and that 'a great number of voting papers were improperly obtained at the Workhouse, filled up, and delivered to the overseers, by whom they were received and allowed as proper votes'. A Mr. Willan, warned Stansfield, the town's Whig M.P., that the 'Oastlerites' were writing to the Poor Law Commission 'by this post' to get the election of one of the pro-poor law candidates 'set aside' and one of their own candidates put in his place. Willan said that a '[r]epresentation from our friends will be set up tomorrow' and 'in the meantime' it was 'of the greatest consequence' to get the Commissioners to delay their answer until it arrived. He added that if 'they will direct a scrutiny I have no doubt we could turn out every anti-poor law Guardian to put the friends of the Law in'. Assistant Commissioner Power thought otherwise. He advised the Commission that the appointment of the two additional magistrates meant the pro-poor law faction now had a majority of two on the Huddersfield Board. He felt a scrutiny of votes would only upset matters, and therefore suggested that the Commission let the matter rest 'lest any proceedings of an extra-

35. Whitworth to Shepherd, 31 March 1838, and Whitworth to PLC, 2 April 1838, PRO., MH 12/15064.
36. Northern Star, 14 April 1838.
37. Memorial to PLC, 2 April 1838, PRO., MH 12/15064.
38. Willan to Stansfield, 2 April 1838, PRO., MH 12/15064.
ordinary nature should have the effect of impeding in anyway the apparently favourable progress of affairs'. Power's reticence about a scrutiny of votes was to be born out by future events. It was the pro-poor law candidates who would suffer from an examination of the election result, not the opposition candidates.

But the opposition was not prepared to let the matter rest. A few days before the new Board of Guardians was due to meet, James Brooke, one of the candidates in the election, complained to the Commission about irregularities in the election of the Guardians for Honley. He told how on the day of voting 'the Churchwardens, [and] Overseers of the poor together with three ratepayers for each candidate met at the Poorhouse to cast up the votes'. The result of this count was to see the two anti-poor law candidates, Henry Littlewood and himself, elected as Guardians. In Brooke's words, however, 'the party of the loseing [sic.] candidate not being satisfied [sic.] demand[ed] a scrutiny'. The overseers acquiesced and the next day the ratebooks for 'near 20 years Back were sought up and every vote was struck off who in times of sickness poverty, and distress had been forgiven their rates'. Although Brooke complained bitterly about this action, the overseers ignored him. The result of the scrutiny and recount was the election of the Tory candidate, Thomas Brooke, in his place. James Brooke said that the 'proceedings have caused great unpleasantness in the township'. The fact that the Poor Law Commission's own legal advisors agreed that the overseers had indeed acted illegally, must have put the Commission in a dilemma. They solved it by simply ignoring Brooke's letter. Brooke again wrote to the Poor Law Commission a few weeks later, vainly seeking a reply to his earlier correspondence.

One letter the Poor Law Commission did not ignore was from the former Guardian, George Tinker. He informed the Commission that the recently elected Guardian for Hepworth, 'who had done all he could to

39. Power to PLC, 6 April 1838, PRO., MH 12/15064.
40. J. Brooke to PLC, 7 April 1838, PRO., MH 12/15064.
41. Comments in margin of J. Brooke to PLC, 7 April 1838, PRO., MH 12/15064.
42. J. Brooke to PLC, 18 April 1838, PRO., MH 12/15064.
prevent the new [Poor] Law being brought into operation', was having 'wages for his attendance at the Board' paid by the ratepayers, 'in addition to his salary as overseer'. Tinker asked whether a person 'being ... a salaried overseer ... can act as Guardian?' In a tantalizing postscript, Tinker added that he was 'credibly informed that several of the opposition Guardians ... have had wages paid out of the poor rates'. The Commission could hardly contain their excitement at the news. They immediately moved to discover whether this could provide grounds for dismissing the opposition Guardians. Unfortunately for the Commission, Tinker was wrong. The Guardian in question was an overseer, not a paid assistant overseer. The Commission's legal advice was that overseers could be Guardians, but that assistant overseers, who received payment, could not.

The first meeting of the new Board of Guardians was held at the Huddersfield Courthouse on 9 April 1838. Despite the protests of the anti-poor law Guardians, one of the newly appointed magistrates, John Sutcliffe, assumed the chair and, together with the other three Whig magistrates, began examining the Guardians' credentials. In a blatantly partisan fashion all objections to the election of anti-poor law Guardians were upheld and those to pro-poor law Guardians dismissed. The result was to leave the Board equally divided between the pro and anti factions. However by claiming and using a casting vote (although he had already voted once) the pro-tempore chairman was able to secure the election of two pro-poor law Guardians, William Brooke and Sidney Moorhouse, to the positions of chairman and vice-chairman.

The Leeds Times was scathing in its comments about the behaviour of the new Whig magistrates. 'If this be liberty', they said, 'save us from it'. The opposition Guardians immediately sent off a memorial to the Poor Law Commission protesting about the 'illegal' behaviour of the new ex-officio Guardians. Their protests were to no avail.

43. Tinker to PLC, 31 March 1838, PRO., MH 12/15064.
44. Memo on Eligibility of Assistant Overseers to the office of Guardian, 4 April 1838, PRO., MH 12/15064.
45. Northern Star, 14 April 1838, and Huddersfield Board of Guardians Minutes, 9 April 1838, KMB A.
46. Leeds Times, 14 April 1838.
47. Memorial appears in Northern Star, 12 May 1838.
Denied a hearing by the Poor Law Commission, the opposition Guardians resolved to pursue the matter in the courts.

The first case involving election irregularities was heard before the Huddersfield magistrates on Tuesday 17 April 1838. James Brooke brought a summons against the Honley overseers for non-performance of their duties. Although a minor charge, both sides were in no doubt as to the importance of the case. Feargus O'Connor came from Leeds to act for the claimant and the Union Clerk, Floyd, appeared for the defence. In a long and powerful opening speech, O'Connor reminded the court that in Huddersfield, 'above all other places, it was absolutely necessary that the law should be administered with impartiality; especially with respect to the appointment of officers'. He said that one of the reasons the law had been brought into contempt in Huddersfield 'was the imperious and anomalous manner in which partisan ex-officio Guardians were appointed'. It was therefore the 'duty of the Bench' to reassert their impartiality and give judgement against the defendants, whom he would prove 'had violated both the Act of Parliament and the Commissioners instructions'. O'Connor said he would show that one of the overseers, Thomas Brooke, was himself a candidate for the office of Guardian and had 'on his own behalf, violated the instructions'. After hearing evidence of how the two anti-poor law candidates, Henry Littlewood and James Brooke, were at the top of the poll at the end of counting and how an illegal scrutiny had then taken place which put Thomas Brooke ahead of James Brooke, the court retired to consider its verdict.\footnote{48. *Northern Star*, 21 April 1838.}

An hour and a half later the magistrates returned to say the Bench was divided and could not give judgement. Four of the magistrates had heard the whole case; the other two, the newly appointed Joseph Starkey and William Brooke, had arrived late and heard very little of it. O'Connor immediately applied for fresh Bench summonses. He said that 'the people should be taught to respect the source of justice'; and from what he had seen with two of the magistrates deciding as judges cases they had not even heard, he felt himself 'bound to direct his client to appeal to the Queen's Bench' if fresh summonses were not issued. The court agreed to O'Connor's request for fresh summonses.
and the hearing was set for the following week.  

O'Connor again presented the case for the claimant. This time, however, he adopted a more disarming approach. He admitted to the court that at the previous trial he had been unfamiliar with both the character of the defendants and the legal questions at issue. Since then he had familiarized himself with both. He said he was particularly struck by what he had learnt about the character of one of the defendants, Thomas Brooke. Here was a man of 'almost unbounded wealth', whose 'acts of beneficence, charity, and kindness', held peace with his treasure. O'Connor called him 'kind to the poor, affable to the rich, courteous to all, and beloved by all'. He said he regretted 'that so much worth should have been sacrificed and made a tool of by an artful and designing faction'.

O'Connor's was a polished and skilful performance. He played up to the feelings of the Tory magistrates on the Bench and made the Whigs appear to be at fault for leading poor Thomas Brooke astray. With his commanding courtroom presence and lively repartee, O'Connor again and again made Floyd, the defending counsel, look clumsy. While cross examining the churchwarden, Mr. Wilkinson, O'Connor asked if at the close of poll he had declared James Brooke to be duly elected. Floyd objected, saying a 'declaration' might not have been heard and that he should ask if he had announced it instead. Turning to Floyd, O'Connor asked, 'is there any difference'? Certainly, answered Floyd. 'Then you will have the kindness to state the difference', said O'Connor. 'I am sure that ... the Court, the public and myself will feel duly obliged'. But before Floyd could answer, O'Connor spoke: 'Perhaps he whistled the declaration ... [D]id you Mr. Wilkinson'? Even the magistrates found it hard to suppress a laugh.

In his summing up, O'Connor said that if the New Poor Law was 'to be carried and executed, and administered contrary to law, popular

49. Northern Star, 21 April 1838.
50. Northern Star, 28 April 1838. Compare this with the description of Thomas Brooke in Northern Star, 7 April 1838: 'a kind hearted but weak minded man' who does not much care for the New Poor Law, but is prepared to 'give it a fair trial'.
51. Northern Star, 28 April 1838.
52. Ibid.
power and popular discontent ... [would] strangle the monster'.
Addressing the Bench he concluded: 'Gentlemen, your lives, your liberties, and your properties depend upon the due execution of the law, and if you cease to respect the rights of the poor, they will cease to respect your privileges and your estates'. It was a powerful and clear statement of why the defendants had to be found guilty. After deliberating for an hour, the Bench returned to find the defendants, Thomas Brooke, John Mellor and James Lancaster, overseers of Honley, guilty of having 'violated the law and the instructions'. They were fined five shillings each plus costs.53

Buoyed up by the success of the court case the opposition Guardians determined to have a showdown with the pro-poor law forces at the next Board of Guardians' meeting. They would show that the election was not only 'a farce, but a real Whig juggle, from the beginning to the end'.54 Accompanied by Feargus O'Connor, the Rev. J.R. Stephens, Lawrence Pitkethly and their supporters, the opposition Guardians descended on the Board of Guardians' meeting in force. With the chairman away, it fell on the vice-chairman, Sidney Morehouse, to try and maintain order. As he started reading out the names of the Guardians, the opposition Guardians and their supporters 'began calling out in loud voices, "we have no Chairman[,] we have no Clerk[,]"'.55 James Brooke, fresh from his victory in the courts, although still not officially a guardian, then proposed that William Cooke, an anti-poor law Guardian for Huddersfield, should take the chair. The motion was overwhelmingly carried. Morehouse was quickly tipped out of his chair and the seat given to Cooke. In the noise and confusion which followed, Morehouse tried to clear the room of all persons whom he claimed were not Guardians. When this failed he moved for an adjournment. No sooner had Morehouse called for a vote on the motion than the cry went up to 'seize that book' - the Board of Guardians' minute book. Stephen Dickenson, James Brooke and James Parkin led the attempt to 'wrestle it away from Morehouse' and 'the respectable guardians'.56 Morehouse later informed the Poor Law Commission that he 'resisted as well as I was able, but they would have succeeded had not Mr. F. O'Connor interfered and prevented them

53. Northern Star, 28 April 1838. 54. Ibid.
56. Floyd to PLC, 9 May 1838, PRO., MH 12/15064.
The Northern Star reported that O'Connor fought his way into 'the thickest part of the fight' to rescue the minute book 'from the hands of the belligerents'. How much of this was a case of the reporter feeding his employer's ego is unclear. What is clear is that the fighting was restricted to the Guardians themselves. Floyd said that O'Connor appeared to exercise 'some influence' over the working class onlookers and that it was his intervention which stopped them from taking part in the struggle. One senses that perhaps the working men and women in the room were astounded at this display of ruffianism by their 'betters'; and it was this, more than anything else, which held them back.

As Morehouse was returning to his desk with the minute book, Joseph Hirst jumped up and snatched it away from him. Morehouse said he then 'declared the meeting adjourned ... amidst the greatest confusion'. O'Connor then 'came forward and obtained order saying "he was astonished at their [the anti-poor law Guardians] conduct, it was disgraceful [and] they ought to permit Mr. Morehouse to take the Chair again and go into [the] business"'. He said 'he attended there professionally on their behalf but he was ashamed of them'. Morehouse and the other pro-poor law Guardians then withdrew, leaving the opposition Guardians with the room to themselves. Although Floyd, the Union Clerk, also tried to leave, he was not allowed to go. The opposition Guardians ordered him to stay and 'do our work'. Floyd said the reason they wanted him to remain was 'to clothe their proceedings ... with something like legality'. The ploy did not succeed. The Poor Law Commission was later to recommend to the Home Office that a number of the opposition Guardians be charged with assault. At the York Assizes in April 1839 two of the anti-poor law Guardians were tried and found guilty of assault and bound over on their own recognizances.

57. Morehouse to PLC, 9 May 1838, PRO., MH 12/15064.
58. Northern Star, 12 May 1838.
59. Floyd to PLC, 9 May 1838, PRO., MH 12/15064.
60. Morehouse to PLC, 9 May 1838, PRO., MH 12/15064.
61. Floyd to PLC, 9 May 1838, PRO., MH 12/15064.
62. PLC to Russell, 22 May 1838, PRO., MH 12/15064.
63. Floyd to PLC, 4 April 1839, PRO., MH 12/15065.
With the opposition Guardian William Cooke in the chair the rump of the Huddersfield Board of Guardians now set about conducting its own business. A sub-committee was set up to examine the disputed election returns. An earlier order making the Leeds Mercury and Halifax Express the official advertising media for the Board was rescinded, and the Leeds Intelligencer, Leeds Times and Northern Star were substituted for them. And finally the Guardians adopted Joseph Hirst's proposed petition to the House of Lords. The petition, which called for a halt to the imposition of the New Poor Law in the Huddersfield Union, offered no 'popular' critique of the New Poor Law; it reflected the views and concerns of the lower middle class Guardians, the shopkeepers, tradesmen and small farmers, who adopted it. They claimed that the able-bodied unemployed did not impose on the poor rate, and only desired 'to have task work at such wages as may afford food in return for a full day's work'. But there was no mention of 'rights' and again and again the petition returned to the theme that the old system of relief was much cheaper and much more convenient than the new.

Meanwhile legal proceedings over alleged irregularities in the Board of Guardians' elections continued before the Huddersfield Bench. In May 1838 a Mr. Bower, a former overseer from Melthan, appeared in court charged with acting contrary to the instructions of the Poor Law Commission. The court was told that on the day of the poll Bower had delivered fifty to sixty votes to the scrutineers, all filled out for the pro-poor law candidate James Redfearn. Bower admitted he had been given the voting papers for Redfearn. The court was then told how Redfearn had earlier called on the printer who produced the voting papers and placed an order for sixty additional voting papers to be given to him. The implication was clear: Redfearn had forged the votes on his own behalf. As Redfearn had only been elected with a majority of fifteen votes over the anti-poor law candidate, John Taylor, it threw the whole election into doubt. However the validity of the election result was outside the court's jurisdiction and it was not Redfearn but the luckless Bower who was standing trial. The court found him guilty and fined him 40s. plus costs. It was an

64. Northern Star, 12 May 1838.
65. Petition of Huddersfield Guardians, 17 May 1838, PRO., MH 12/15064. See Appendix III.
embarrassed Union Clerk who informed the Poor Law Commission that one of
the pro-poor law Guardians had been 'involved in some questionable
actions in the election'. Eventually the Commission was forced to
declare Redfearn's election invalid.

The succession of court cases, the convicted overseers and the
clear evidence that a number of pro-poor law Guardians had engaged in
questionable practices continued to preoccupy the Huddersfield Board of
Guardians. As early as 22 April 1838, Morehouse had complained to the
Poor Law Commission that the disputed election results had made it
'impossible to proceed with ... business'. When the Board of Guardians
met again on 21 May 1838 it was the disputed elections which once more
dominated proceedings. With 'a posse of constables' guarding the doors
and the public excluded, the pro and anti-poor law factions screamed
accusations at one another. The only positive result of the meeting was
to adjourn the Board for another two months. When the Board next met
in July the issue of the disputed elections had still not been resolved.
The Board's sub-committee testified to 'great irregularities' but could
offer no decisions about which candidates were entitled to serve as
Guardians, because the overseers had repeatedly denied them access
to the voting papers. The continual bickering meant that the
Huddersfield Board of Guardians was virtually moribund. For some of
the Board meetings not a single Guardian bothered to turn up. The
Board's minute book contains only a forlorn note by the clerk: 'no
Guardian attended at the time fixed ... and that one hour elapsed
without any such attendance'.

Since the meeting of the Board of Guardians in January 1838 there
had been no public demonstrations by the popular opponents of the New
Poor Law in Huddersfield. This was not evidence of an increasing lack
of interest in the New Poor Law by the labouring population, although it

67. Laycock to PLC, 25 May 1838, PRO., MH 12/15064.
68. Morehouse to PLC, 27 April 1838, PRO., MH 12/15064.
69. Leeds Times, 26 May 1838.
70. Northern Star, 28 July 1838.
71. Huddersfield Board of Guardians minutes, 7, 21, and 28 September
1838.
is true that the agitation for the 'People's Charter' was taking up more of their time; it was simply a recognition of the opposition Guardians' success in battling the introduction of the law. When called on to act, as in the case of the visit by the pro-poor law lecturer, James Acland, in November 1838, the popular opponents were only too willing to do so.

James Acland, former editor of the Whiggish North Cheshire Reformer, decided early in 1838 that a comfortable living could be made by giving public lectures on the New Poor Law. He would hire a theatre or hall in a town, advertise the lecture extensively and charge one shilling admission. The lecture itself usually consisted of little more than a resumé of the history of the Poor Laws, with special emphasis on the evils of the Old and the merits of the New Poor Law. Henry Ashworth, a leading Bolton cotton manufacturer, told his friend Edwin Chadwick that the lectures 'answer very well for spreading a more correct feeling on this abused subject'. Throughout early 1838 Acland gave lectures in a number of south Lancashire towns. One of the ways in which he helped ensure a full attendance was to invite a leading opponent of the New Poor Law to debate the subject with him. In Oldham he debated with Fielden, at Bolton with Myerscough and in Preston with Livesey. The meetings were often very lively with loud booing and hooting, but apart from one incident at Bolton, where a stone was thrown at Acland, there was no real violence. No violence that is until Acland decided to give a lecture in Huddersfield.

Acland arrived in Huddersfield early in November 1838. He immediately issued his usual challenge to the leading opponents of the New Poor Law to debate the subject. They agreed to the debate, but only if the profits of the meeting were donated to charity. This Acland refused. The meeting went ahead anyway.

On the night of the lecture a large crowd, many carrying torch-lights, gathered outside the Philosophical Hall. They listened to a

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72. Ashworth to Chadwick, 21 April 1838, Chadwick Papers, UCL 203.
73. Manchester and Salford Advertiser, 28 April 1838, Bolton Chronicle, 14 May 1838, and Northern Star, 26 May 1838.
74. Manchester and Salford Advertiser, 28 April 1838.
speech by Pitkethly and booed and jeered those who went inside. As soon as Acland began his lecture, the mood of the crowd became more belligerent. One fellow tried to set alight the door of the hall with his torch. Pitkethly and the other leaders attempted to calm the crowd, but failed. The gas lamp outside the hall was put out and stones were thrown at the door and windows. At some stage the crowd got hold of a builder's trestle and using it as a battering ram forced in the panels of the door. Then they rushed into the hall yelling revenge on those inside. Most of the audience fled out the back door, while Acland and the leading Whigs sought shelter in the coal cellar. It was perhaps lucky for Acland that the crowd believed he had already escaped because 'it was the declared intention of the women to have converted him to a very different animal by the application of tar and feathers'. After throwing a few stools through windows to celebrate the rout the crowd quietly made their way home. Only one person, Benjamin Cragg, the fellow who had tried to set alight to the door, was charged over the incident. He was fined one shilling, plus costs. Yet again the labouring population of Huddersfield had provided a frightening reminder that popular opposition to the New Poor Law could not be ignored.

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Throughout 1838 the Poor Law Commission continued with its policy of piecemeal implementation of the New Poor Law. In the first half of the year the revised regulations were put into force in Stockport, Haslingden, Wigan, Burnley, Preston and Keighley. The Poor Law Commission's apparent success in introducing the revised regulations into these Unions encouraged it to believe that the regulations would be equally effective in some of the more doubtful Unions like Dewsbury and Todmorden.

75. Halifax Express, 17 November 1838.
77. Moore to Maberly, 12 November 1838, PRO., HO 40/40, f.239.
During the 1838 Board of Guardians' elections the opposition forces had staged a spectacular victory in Dewsbury. At the first meeting of the new Board, one of the opposition Guardians, Joseph Ellison, proposed that as the Guardians had put the Registration Act into force, it was 'neither expedient nor necessary to proceed any further with the New Poor Law'. The resolution was carried by a vote of 15 to 7 and copies of the motion were forwarded to the Poor Law Commission and the House of Commons Select Committee investigating the New Poor Law. The Dewsbury Guardians also resolved that in future all Board meetings would be open to the public. Two of the opposition Guardians, Messrs. Brooke and Penny, pledged themselves to be answerable for the good conduct of the people and for any damage done to the building. The matter would have rested there, had not Assistant Commissioner Power chosen to ignore the Guardians' warning and insist that the Board assume responsibility for administering poor relief.

Late in March 1838 one of the Dewsbury Guardians, Joseph Ellison, had given evidence before the House of Commons Select Committee investigating the New Poor Law. He declared the New Poor Law unsuited to the manufacturing districts of the north of England. Assistant Commissioner Power, eager to see that their side of the case was also presented to the Select Committee, asked the magistrate and pro-poor law chairman of the Dewsbury Board of Guardians, Joshua Ingham, to give evidence in favour of the New Poor Law. He readily agreed. Ingham told the Select Committee in the middle of June 1838 that the New Poor Law would 'work beneficially' in Dewsbury and that there was 'nothing in the character of the population of Dewsbury, or the circumstances of that Union, which should make it inexpedient to introduce'.

81. Northern Star, 28 April 1838.
82. Reports from the Select Committee on the Poor Law Amendment Act, BPP, 1837-1838, Vol.XVIII, Part II, Minutes of Evidence 21 March 1838, pp.1-17.
83. Power to PLC, 2 April 1838, PRO., MH 12/14830.
84. Reports from the Select Committee ..., BPP, 1837-1838, Vol.XVIII, Part III, Minutes of Evidence 13 June 1838, pp.25-31, Q.14283 and 14298.
later Power recommended that the Poor Law Commission direct the Dewsbury Guardians to assume the administration of poor relief.  

This the Commission did, giving as one of their reasons the recent statement made before the Select Committee 'by a member of the Board of Guardians, showing ... the advantages which would arise from introducing ... the Poor Law Amendment Act into the Union'.

The first Board of Guardians' meeting held under the authority of this order took place in the 'Church School Room', Dewsbury, on 23 July 1838. Apart from the Guardians, a large number of spectators also attended. Power had earlier conferred with Ingham, outlining what needed to be done at this meeting. He instructed the clerk in the manner in which the Board were to proceed. No sooner had the order from the Poor Law Commission been read to the Guardians than an angry discussion began over Ingham's evidence to the Select Committee. A Mr. Penny moved that as the Board was ignorant of the evidence they should postpone the business of the meeting until they had had a chance to consider it in detail. Ingham refused to put the motion. Penny then observed that if the chairman refused to put the motion he would move another 'more obnoxious', and moved 'that the meeting do adjourn for one whole week'. Again Ingham refused to put the motion, saying he would refuse to put any motion which he considered contrary to either the law or the instructions. In a repetition of what had happened earlier in the year at Huddersfield, Ingham declared 'that if two Guardians voted with him he would carry out the law in spite of all they could do'. Assistant Commissioner Power in his report commented: 'Mr. Ingham who is nowise disposed to shrink from his duty through dread of the unpopularity to which he has been exposed, firmly insisted upon the Guardians proceeding in execution of the Order, and finally the resolutions were passed.'

85. Power to PLC, 2 July 1838, PRO., MH 12/14830.
86. Chadwick to Dewsbury Board of Guardians, 7 July 1838, PRO., MH 12/14830.
87. Power to PLC, 24 July 1838, PRO., MH 12/14830.
88. Northern Star, 28 July 1838.
89. Power to PLC, 24 July 1838, PRO., MH 12/14830.
On Wednesday evening 1 August 1838 the opposition Guardians held a public meeting in the market place, Dewsbury, to get the ratepayers' opinions on their response to Ingham's highhanded and arrogant behaviour. A large crowd passed resolutions asking the opposition Guardians to continue to attend the Board meetings to prevent the adoption of the New Poor Law, and then stayed to hear Feargus O'Connor and Richard Oastler address them on the subject of the New Poor Law. O'Connor told the crowd that 'until the people were enabled to protect themselves by means of Universal Suffrage, all attempts to repeal isolated Acts of Parliament would be worse than useless'. In a sarcastic and biting speech Oastler attacked Ingham's character. He had the audience howling with laughter when he alluded to how Ingham had 'acquired' his 'property', or rather his wife's property; and how he now wanted 'to deprive his neighbours of all the rights they possess', a clear reference to rumours of Ingham's lecherous behaviour. It was a savage speech from a bitter man. Two months earlier Oastler had learnt he was to be dismissed from his post as steward of Fixby Hall. He was in no doubt that the cause of his dismissal was his opposition to the New Poor Law. Oastler's employer, Squire Thornhill, was a friend of the chairman of the Poor Law Commission, Thomas Frankland Lewis, and they 'had correspondence together' about him. Small wonder Oastler was angry: at forty-nine years of age and after eighteen contented years at Fixby Hall, his world was collapsing around him. '[T]hey had as much right', Oastler told the crowd, 'to go to Mr. Ingham's house and burn it down and destroy his property as he had to put the new law into force.' Oastler was courting danger, but he could not contain himself. The people of Dewsbury, he said, should be 'determined at all risks and at all hazards, even if it should be that they had to avail themselves of their last constitutional resource, not to have their constitutional rights trampled upon, either by the Poor Law Commissioners, or any of

90. Northern Star, 4 August 1838.
91. Driver, Tory Radical, p.382.
92. Halifax Guardian, 1 September 1838. There is no doubt that Frankland Lewis pressed Thornhill to dismiss his wayward steward. The final straw for Thornhill was his tenants' decision for the second year running not to elect a Guardian for Fixby parish. See Thornhill to Lewis, 11 April 1837, PRO., MH 12/14974.
93. Examination and Deposition Thomas Rylah, 6 August 1838, Harewood Papers, Box 1, LCA.
their myrmidons'. The crowd cheered enthusiastically.  

In the days immediately following the public meeting the Chief Constable of Dewsbury, William Pearson, reported 'much violent language and general threats ... among the lower orders'. The threats were 'directed particularly against the putting in force the New Poor Law and against Mr. Ingham'. Ingham received a threatening letter not long afterwards. Although the spelling is somewhat eccentric and it was obviously written by someone who was barely literate (however they had no trouble spelling the word Bastile), there is a certain wit about the notion of a 'Pill' (a ball, or a bullet) being the remedy for Ingham's malaise:

Mr. Ingham your sines is gone Be fore you your dannethan is just you have rolead [ruled?] the contree the fatherless and the widdow pray your det [dead] and your the first Man for the Bastile ... you have a broter [brother] A Layere [Lawyer] and you whant to get your self and im rased up in the sight of goverment by puting your self for wred [forward] But there is a Pill ... for you that will hele [heal?] you all your mallad of self Congate [congratulation?] the medesen [medicine] is sereten [certain?] for thee.

Feelings came to a head at the next Board of Guardians' meeting on Monday 6 August 1838. With sixteen to eighteen Guardians and a large crowd of people in attendance, the Board again met in the 'Church School Room'. The audience was reasonably quiet up until 'Mr. Ingham ... declined to put several propositions to the meeting'. John Beswick Greenwood, a friend of Ingham's and a Police Magistrate in London, agreed with his decision: he said the propositions seemed to him 'quite irrelevant and besides the objects for which the meeting was assembled'. The audience obviously thought otherwise because 'the populace became very violent & ... made a rush towards that part of the Room where the Guardians were assembled and several stones were thrown'. With the crowd jostling the magistrates, and crying 'pull

94. Northern Star, 4 August 1838.
95. Examination and Deposition William Pearson, 6 August 1838, Harewood Papers, Box 1, LCA.
96. [Anon.] to Ingham, [August 1838], PRO., MH 12/14830.
97. Examination and Deposition John Greenwood, 6 August 1838, Harewood Papers, Box 1, LCA.
them out, pull them out', Ingham read the Riot Act and adjourned the meeting. This had little effect on the crowd. Thomas Rylah, an attorney who was present at the Board meeting, reported some people near him crying, 'Mr. Ingham ought to be murdered, he ought to have his soul pulled out'. Linking arms on either side of Ingham the two magistrates, Greenwood and Hague, attempted to lead him out of the room. They had no sooner got outside when a woman, by the name of Batty, 'made a personal attack on Mr. Ingham and endeavoured to drag him to the ground'. Ingham lost one of his shoes in the scuffle and he was pelted with mud and stones. At this stage Greenwood became separated from the other two magistrates. He said the violence was clearly directed against Ingham because he heard the persons surrounding him say 'let him alone he is a stranger and has nothing against us; It's Ingham we must look after'. The crowd meanwhile pursued Ingham and Hague, yelling 'throw 'em into the beck'. Eventually Ingham was able to find shelter in the Derwents Hotel, the crowd outside keeping up a constant yelling and throwing an occasional stone at the windows. The Chief Constable approached several of the 'respectable inhabitants' to see if they would 'come forward and protect the authorities', but 'they declined to interfere'. Pearson said that most of them were 'shopkeepers and they seemed to fear the loss of custom' that might result.

Troops arrived from Leeds during the afternoon. The crowd still filled the streets but there were no overt acts of violence. In fact the crowd appeared more intent on celebrating their victory in the public houses than engaging in any further disturbances. As Greenwood and Ingham lived some distance out of town a military escort was provided to accompany them home. A crowd followed them for about a mile, occasionally pelting them with stones and mud. Over the next few nights a military guard was placed on the homes of both Greenwood

98. Examination and Deposition Thomas Rylah, 6 August 1838, Harewood Papers, Box 1, LCA.

99. Examination and Deposition John Greenwood, 6 August 1838, Harewood Papers, Box 1, LCA.

100. Halifax Express, 11 August 1838.

101. Examination and Deposition William Pearson, 6 August 1838, Harewood Papers, Box 1, LCA.
Both sides sought to blame the other for the violence. The opposition Guardians sent a memorial to the Poor Law Commission complaining about the chairman's dictatorial conduct and suggesting it had provoked the outburst. Ingham was equally sure that 'agitators' were to blame. 'I am only astonished', he said, 'that I am alive - How I escape is only known to a merciful providence'. He believed the disturbance had been caused by the anti-poor law meeting on 1 August 1838 and asked that the government instruct the Attorney General to prosecute those who had spoken at the meeting. He warned that unless the government protected him and 'proceed[ed] against these agitators with Vigour and without delay', he would resign his magistracy and return to private life.

The Home Secretary, Lord John Russell, gave the ex-officio Guardians at Dewsbury no comfort in his reply. Russell pledged that 'should' the Board continue to meet 'they shall have all the support the Government can give them'. The ex-officio Guardians interpreted this as meaning that it was up to themselves whether the New Poor Law was put into force or not. The Union Clerk, William Carr, informed the Poor Law Commission that the Guardians did not want to be placed in such a position: 'unless the Government determined to enforce the law and support that determination with all its power the Magistrates have no wish to attempt to enforce the law in defiance of an infuriated mob'. Carr went on to say that it was clear that the New Poor Law could not be enforced without the presence of strong military and civil forces and it would be madness for the magistrates to proceed without the protection of such forces. He added that 'if the Law is not enforced at the present time it never can be at any future time; and the Government must therefore determine whether the law shall be now enforced or abandoned altogether'. He warned that if the 'mob ... consider that they have obtained a Victory' it would 'not be long before they follow the [same] example when any Law which is not quite palatable to them is attempted to be enforced; and thus there will be

102. Carr to PLC, 7 August 1838, and Greenwood to Ingham, Tuesday morning [7 August 1838], PRO., MH 12/14830.
104. Ingham to PLC, 7 August 1838, PRO., MH 12/14830.
an end to obedience to the Laws altogether'. The Poor Law Commission immediately replied that they were sending down twenty Metropolitan Policemen for the next Guardians' meeting.

During that same week the Poor Law Commission removed Power from his responsibilities as the Assistant Commissioner for Dewsbury. It is unclear what prompted the Poor Law Commission to make this decision. Possibly it was simply a belated recognition of the fact that Power was unable to cope with his large and troublesome area. Charles Mott, a former workhouse contractor, who had been one of the first Assistant Commissioners appointed under the New Poor Law, was drafted north to assist Power. The Poor Law Commission also soon came to realize that Power had actually helped provoke the trouble in a number of Unions. Details are obscure and it appears that a good deal of information was either kept off the files or later weeded out of the records. It is clear, nevertheless, that Power struck up a close personal friendship with hardliners like Ingham and not only supported them but actively encouraged their belligerent and arrogant behaviour. Charles Mott was not nearly as haughty as Power and on occasion was even prepared to allow opponents of the New Poor Law to state their case - something Power would never have allowed.

The difference in the approach between the two Assistant Commissioners can be seen in Mott's assessment of the difficulties the Poor Law Commission faced in Dewsbury. Mott said he was 'induced to believe that not a small part of the dissatisfaction was created

105. Carr to PLC, 11 August 1838, PRO., MH 12/14830.
106. PLC to Carr, 13 August 1838, PRO., MH 12/14830.
108. See pencilled comments on Rhodes to PLC, 4 September 1838, PRO., MH 12/14830, referring to Lefevre's private letter to Mott, 8 September 1838.
109. On more than one occasion Power was a house guest of Ingham's. See Ingham to PLC, 7 August 1838, PRO., MH 12/14830.
by the Chairman Mr. Ingham'. He continued:

I am not insensible to the value of the support which a Gentleman of Mr. Ingham's firm character can give to an Union ... but it must not be forgotten than an unbending and overstrained zeal ... is calculated to increase the excitement and dissatisfaction which prevails....

I have reason to believe also that much of the dissatisfaction which has existed at the Huddersfield Board of Guardians has arisen from a dislike of too prominent an interference on the part of the Ex-Officio Guardians.... I was ... told by Mr. Hirst the leader of the opponents that much of the bad feeling amongst their Guardians had been created by the Chairman and other Ex-Officio Guardians from their unbending manner of treating their suggestions.110

One cannot imagine Power talking to Hirst, much less passing his views on to the Poor Law Commission. But on one issue both Power and Mott agreed: the unimportance of popular opposition when compared with 'respectable' opposition. As far as the prospects of the Dewsbury Union were concerned, Mott said he

regretted that a majority of the Guardians are opposed to the introduction of the New Poor Law. The rabble are easily quieted but where a majority of a Board of Guardians is opposed to the Commissioners, the whole proceedings are attended with extreme difficulty.111

The government and local authorities were determined to make sure the 'rabble' stayed quiet in Dewsbury. One hundred 'Lancers', seventy-six riflemen, six hundred special constables and twenty Metropolitan Policemen were on hand for the next meeting of the Dewsbury Board of Guardians.112 The majority of Guardians chose to stay away, rather than participate in a meeting where their views were ignored. This time the public were excluded from the meeting.113 Despite the display of force the populace was not cowed.

The meeting itself passed off peacefully, but outside in the street the crowd became more and more restive. Once again it was the women who took a leading part in the disturbance. One of them, an old woman named Mary Hey, was spotted by a Metropolitan

110. Mott to PLC, 20 August 1838, PRO., MH 12/14830.
111. Mott to PLC, 16 August 1838, PRO., MH 12/14830.
112. Ingham to Harewood, 21 August 1838, Harewood Papers, Box 1, LCA.
113. Carr to PLC, 20 August 1838, PRO., MH 12/14830.
Policeman, Edward Tarleton. He saw her 'standing in a ring with a large mob of people round her [,] she cried out [,] "no Bastile" [and] if you stand by me we'll give it them this Evening'. Tarleton cautioned Hey and told her the law would be put in force. '[U]pon this she went away followed by a great mob of people'. Later Tarleton again 'saw her in the Market place with a mob around her'.

As the Guardians emerged from the meeting room, flanked on each side by London Police, the crowd of 5,000 to 7,000 broke into loud jeering. The women were particularly vocal. There were cries of, 'Go it lads!', 'Down with em!', 'Damn that Ingham!', 'Murder them London --------'. The Guardians and their escort were heading for the Royal Hotel and as they arrived on the bank of the river, they were hit by a hail of stones thrown from the other side. For the moment the Police were powerless to stop them. It was only after the Guardians had reached the safety of the hotel and the Riot Act had been read that the Police were able to set off after the culprits. The Inspector of Police, George Martin, spotted Mary Hey again, this time outside the Royal Hotel:

I saw this woman with a great crowd about her using very violent language towards the Constables and ... the Magistrates. Several of the people around her were getting very violent I begged her to go away. She refused to do so. She continued using very violent language against Bastiles.

Martin therefore arrested Hey. He said he had 'no doubt if she had not been taken into Custody she would have stirred up a serious riot'.

Eventually the troops had to be called in to disperse the crowd. A total of eight people were arrested that day. One of them, a young man named William Brook, was found in possession of a loaded pistol. Evidence was later given that Brook had earlier shown the pistol to an ironmonger's apprentice and told him he was going to shoot Mr. Ingham.

114. Depositions against Mary Hey, n.d., Harewood Papers, Box 1, LCA.
115. Halifax Express, 25 August 1838.
116. Depositions against Mary Hey, n.d., Harewood Papers, Box 1, LCA.
if he got a chance.\textsuperscript{117} The threat was probably bravado on Brook's part, but Ingham saw it as clear proof that without the presence of the military the day would not have passed off without serious violence.\textsuperscript{118}

For the time being the Dewsbury crowd appeared to be quelled. The next Board of Guardians' meeting passed off peaceably enough. Peaceably enough outside the meeting, that is; inside things were not nearly as quiet. The opposition majority on the Board of Guardians expressed deep and bitter dissatisfaction with the conduct of Ingham. Assistant Commissioner Mott, who was in attendance, said it was only with 'the greatest possible difficulty' that he prevented the Guardians from passing a resolution overturning all the Board's earlier decisions. He said the 'impetuousity of the Ex-officios, Mr. Hague and Mr. Ingham, and the rancour of the ... elected Guardians frequently exceeded the bounds of propriety'. Eventually Mott's restraining influence prevailed and the meeting broke up amicably enough.\textsuperscript{119}

Popular ill-feeling and bitterness towards Ingham and the Police continued in Dewsbury for some time. On the night of Saturday 8 September 1838, four of the London Policemen were set upon by a band of about thirty men, armed with bludgeons. The Police were given a serious beating and it was only after reinforcements arrived that they were able to drive off their attackers. Two men arrested for their part in the attack turned out to be respectable tradesmen with no criminal records.\textsuperscript{120} Slowly the violence subsided, however, and the popular opponents turned their attention towards other means of fighting the New Poor Law, a demand for Universal Suffrage and the fight for the People's Charter.

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\textsuperscript{117} Depositions against William Brook, n.d., Harewood Papers, Box 1, LCA.

\textsuperscript{118} Ingham to Harewood, 21 August 1838, Harewood Papers, Box 1, LCA.

\textsuperscript{119} Mott to Lefevre, 4 September 1838, PRO., HO 73/54.

\textsuperscript{120} Mott to PLC, 14 September 1838, PRO., MH 12/14830.
The other scene of major resistance to the New Poor Law in 1838 was Todmorden. Situated in the Pennines on the Lancashire-Yorkshire border, the Todmorden Union had been a problem for the Poor Law Commission ever since it was first formed in February 1838. Through the judicious use of intimidation and threats of 'exclusive dealing', popular opponents of the New Poor Law had ensured that no Guardians were returned for two of the largest townships in the Union, Todmorden-Walsden and Langfield. During the March 1838 election of Guardians the two townships again failed to return any Guardians.121

Assistant Commissioner Power was in no doubt that John Fielden the Todmorden cotton manufacturer and radical M.P. for Oldham was behind the campaign of intimidation.122 Clearly Fielden actively encouraged the opposition forces in Todmorden, but he was certainly not the only initiator of the opposition nor its only leader. In a letter written to his son Samuel, in March 1838, John Fielden indicated his support for the men's decision over exclusive dealing:

The men are right, and I like them will not buy of any shopkeeper who is for having Guardians appointed to work out the oppressive new poor law. The men feel on this subject as they should do. The poor law would not only deny them parish relief but it would at once operate to reduce their wages. If the shopkeepers could only see this they would be convinced that they are committing a suicidal act.123

Although an effective opposition movement had existed in Todmorden for some time, it was not given an institutional form until late in March 1838. William Clegg, the treasurer of the South Lancashire anti-Poor Law Association, advised John Fielden's son Samuel on what they needed to do. Clegg told them they need not bother with rules and regulations at this stage because the 'object of the society [is] ... so simple'. All they needed to do was 'just ... name a committee ... fix "its meetings" once a week; and suggest that it shod correspond occasionally' with the committee in Manchester.124

121. Ormerod to PLC, 31 March 1838, PRO., MH 12/6272.
122. Power to PLC, 23 April 1838, PRO., MH 12/6272.
123. J. Fielden to S. Fielden, 26 March 1838, Fielden Papers, JRULM.
124. Clegg to S. Fielden, 27 March 1838, Fielden Papers, JRULM.
The Working Men's Association of Todmorden was formed at a meeting held at the Unitarian Chapel Todmorden on 28 March 1838. In a placard issued not long afterwards the Association said that it aimed 'to obtain the repeal of the Poor Law Amendment Act'. A committee of six had been established for that purpose. Members were asked to contribute 'one penny per month' to help finance the Association. It was a small price to pay to help rid the country of that 'monster' New Poor Law, a cross between 'a SERPENT and a VAMPIRE'.

At first the Poor Law Commission seemed prepared to ignore Todmorden for yet another year, but in the Spring of 1838 on the advice of Assistant Commissioner Power it was decided to introduce the revised regulations into the Union. There were a number of reasons for making such a decision at this stage. Firstly, Todmorden was the home of John Fielden, the parliamentary spokesman for the anti-poor law movement, and any success the Poor Law Commission had in the Union could only help to undermine his position. Secondly, the new Guardians returned by the four Yorkshire worsted townships were reported by Power to be 'friendly' to the New Poor Law. And thirdly, the fact that Fielden, the largest employer in the area, was opposed to the New Poor Law made the pro-poor law Guardians more determined than ever to press ahead with its introduction. Any delay, reported Power, 'has the appearance of [giving in] ... to Mr. Fielden's ... influence' and that was something the Todmorden Board of Guardians wished to avoid at all costs.

Towards the end of May 1838 it became clear that the Poor Law Commission did indeed intend to introduce the revised regulations into the Todmorden Union. John Fielden was adamant that he would oppose their introduction. He wrote to his brother and business partner

125. The committee members were all working men and employees of the Fieldens. One of them, the Secretary John Lord, later helped supplement his income by acting as the Todmorden correspondent to the Northern Star and other radical journals. In 1849 Lord was appointed manager of Fielden's Robin Wood Mill.

126. 'Address to the inhabitants of Todmorden ... from the Working Men's Association of Todmorden', 2 April 1838, [Placard] PRO., MH 12/6272. Pencilled notes on Clegg to S. Fielden, 27 March 1838, Fielden Papers, JRULM, appear to be the resolutions passed at the first meeting of the Todmorden WMA.

127. Power to PLC, 15 April 1838, PRO., MH 32/63.

128. Power to PLC, 24 April 1838, PRO., MH 32/64.
PUBLIC MEETING.

NEW

Poor Law.

WE, THE UNDERSIGNED,

RATE-PAYERS

OF THE TOWNSHIP OF

STANSFIELD,

(The Constable having refused to comply with a Requisition, signed by
42 Rate-Payers, to call a Meeting,) do hereby

Call a Public Meeting,

of the Inhabitants of Stansfield, and the Neighbouring Townships, to be held

IN KILN-FIELD, EASTWOOD,

IN THE OCCUPATION OF MR. JOHN HUDSON,

On FRIDAY next, the 6th of JULY, Instant,

At Ten o’Clock in the Forenoon,

In order to take into Consideration the Instructions which have been received from the Poor Law Commissioners, relative to the
Putting of the New Poor Law into Operation in this and the adjoining Townships; and to determine on the Measures to be adopted in
consequence thereof.


PROCESSION.

It is particularly requested that the Friends, Male and Female, of the various Townships comprising the intended Poor Law
Union, will assemble in the Market-Place, Todmorden, at 8 o’Clock in the Morning, precisely, and from thence to walk in Procession,
preceded by the Juvenile Band, and appropriate Banners.

IT IS EXPECTED, that every man will act on this important Occasion, as if the Salvation of his
Country depended entirely on his own Individual Exertion.

The Meeting will be addressed by several of the Rate-Payers; also RICHARD OASTLER, Esq. of
Firby, near Huddersfield; and Mr. W. THORNTON, of Halifin, are expected to address the Audience.

JULY 2nd, 1833.

WALTON, PRINTER, BOOKSELLER, HINDER AND STATIONER, TODMORDEN.

PLATE 10: DEMONSTRATION POSTER.
James Melden: 'If the Guardians ... attempt to introduce the new poor law into the Union, we must make our stand against it, no doubt it will put us to great inconvenience; but, we must do our duty and see, whether, the supporters of this infamous law or the opponents of it can hold out longer.'

In June 1838 the Poor Law Commission instructed the Todmorden Board of Guardians to take over the administration of poor relief in the Union, and scheduled their first meeting for 6 July. The opposition's response was immediate. A public demonstration was called for the same day and Fielden wrote an open letter to the Guardians calling on them to resign and threatening to close all his mills if they did not immediately do so. The growing agitation had some effect, but not the one the opposition desired. Troops at Burnley were placed on alert and the Guardians secretly brought their meeting forward one day to avoid confrontation with the demonstrators.

On Thursday 5 July 1838, Fielden made good his threat to close his mills. And the following day the planned anti-poor law demonstration was held at Eastwood. A procession of some 3,000 people marched to the gathering in the pouring rain from Todmorden. The procession was led by the Todmorden Juvenile Band and the marchers carried an assortment of flags and banners. The mottos included 'Union is strength', and 'He that withholdeth corn the people shall curse him'. The workmen from the firm of Fielden Brothers carried a banner with a picture of a beehive and the motto in gold letters: 'Justice, Fidelity, and good feeling; Free Trade and well paid'. After passing resolutions condemning the New Poor Law and calling on the Guardians to resign, the meeting broke up.

Other pressure was also put on the Guardians. The ratepayers in a number of townships were asked to sign a memorial calling on the Guardians to resign immediately. The ratepayers overwhelmingly

129. John Fielden to James Fielden, 28 May 1838, Fielden Papers, JRULM.
130. 'Public Meeting New Poor Law', [Demonstration Poster], 2 July 1838, PRO., HO 40/38, f.97, see Plate 10. Riley to PLC, 3 July 1838, PRO., HO 40/38, f.69.
131. Maule to Wemyps, 4 July 1838, PRO., HO 40/13, ff.80-1; Todmorden Guardians' Resolution, 5 July 1838, PRO., HO 40/38, ff.89-90.
132. Manchester and Salford Advertiser, 7 July 1838.
133. Northern Star, 14 July 1838.
supported the memorial: only 9 out of 804 ratepayers in Todmorden and Walsden refused to sign; in Langfield 6 out of 315; and in Stansfield 16 out of 683. Armed with the memorial a deputation of respectable tradesmen called on the Guardians asking them to resign their office. On Monday 9 July 1838 the deputation reported the result of their efforts to a large public meeting in Todmorden. The meeting was told that despite the fact that the overwhelming majority of ratepayers were in favour of the Guardians resigning, the Guardians themselves still refused to do so. Fielden gave a speech in which he attacked the New Poor Law and called on the crowd to remain peaceful.\footnote{Manchester and Salford Advertiser, 14 July 1838.}

John Fielden's attempt to force the Guardians to resign by closing his mills was a curious one. The implied threat was one of violence: the distressed workers would take out their anger on the offending Guardians. And yet it was only ever a threat, not a real possibility. Fielden secretly continued to pay all his workmen for the time they lost due to his decision to stop the mills.\footnote{Halifax Express, 21 July 1838; Manchester and Salford Advertiser, 28 July 1838.} Thus, the only people to suffer from the action were the shareholders in the firm of Fielden Brothers. After visiting Todmorden, Col. Wemys, the officer commanding the troops at Manchester, reported that Fielden's brothers were annoyed about his decision to stop the mills. He said it was only because John Fielden was 'Head of the Firm', that his brothers were 'obliged to submit to his dictation'. Wemys predicted, correctly as it turned out, that 'self interest, the declaration of the Guardians that they will Act, and the determination of the Government to support them ... will force him [Fielden] to give up 'ere long'.\footnote{Wemys to Phillipps, 14 July 1838, PRO., HO 40/38, ff.157-8.}

On 16 July 1838, eleven days after he had first closed the mills, John Fielden reopened them. He informed the Guardians that he took the decision 'out of the interests of peace' and those he employed.\footnote{Northern Star, 21 July 1838.} The Guardians and the government had called Fielden's bluff and won. But in his announcement Fielden intimated that he was neither defeated
nor would the campaign of opposition cease. 'To oppose force to force', he wrote,

we are not yet prepared [,] but if the people of this and the surrounding districts are to be driven to the alternative of either doing so or surrendering their local government into the hands of an unconstitutional Board of Law Makers the time may not be far distant when the experiment may be tried and I would warn those who provoke the people to such a combat of the danger they are incurring.

Fielden went on to outline the future tactics which would be used by opponents of the New Poor Law:

your real difficulties may only commence when the period arrives for the relief of the poor being administered by your Board and the officers acting under it. Supplies will be required [,] the Rates will have to be collected and after having disregarded the entreaties of you brother Ratepayers this may be much more difficult to accomplish than you expect even with the threatened force at your back. You have heard that tithes could not in Ireland and if you persevere you may have the satisfaction of knowing that rates cannot be collected in England.  

Fielden's comments only earned further reprimand from Assistant Commissioner Power. Power wrote to the Home Office suggesting that Fielden be immediately struck off the list of magistrates for the county of Lancashire. The Home Office advised that although qualified as a magistrate Fielden had never actually been sworn in and therefore could not be struck off.

Following the reopening of Fielden's mills the Todmorden Board of Guardians pressed ahead with the implementation of the revised regulations. The aim was to bring all the townships in the Union under the control of the Board of Guardians by 12 August 1838. They immediately ran into difficulties. Overseers in the townships of Todmorden-Walsden, Erringden and Langfield refused to hand over their funds to the Board of Guardians. Warrants were issued demanding that monies be paid to the Union Treasurer. On 4 August the overseers of Todmorden-Walsden called a meeting of ratepayers to receive advice

138. Fielden's placard; quoted in Power's Report, 12 April 1838, PRO., MH 32/64.
on whether they should comply with the warrants. The ratepayers directed the overseers not to comply and promised to indemnify them should the Board of Guardians take any further action against them.\(^{140}\) The Guardians decided to take the intransigent overseers to court and summoned them to appear at the Rochdale Petty Sessions on Monday 13 August 1838. In their defence the two overseers, William Robinson and J. Crossley, said that in refusing to pay money to the Union they were acting under the orders of the ratepayers '99 in 100 of whom were opposed to the Guardians' and that the Union was illegally constituted because one of the townships refused to return Guardians.\(^{141}\) The Rochdale magistrates found them guilty but did not impose the full penalty of £5 for a first offence and much to Power's and the Todmorden Guardians' chagrin they fined the overseers only 40s. plus costs.\(^{142}\)

Still the overseers refused to pay the money over to the Union. At the next Board of Guardians' meeting it was decided to issue further orders against the overseers and if they were still ignored to again prosecute them.\(^{143}\) After a series of court cases distress warrants were issued against the overseers. When some of these seized goods were first offered for sale at Todmorden in late October 1838 there was a disturbance. The crowd refused to allow anyone to bid for the goods and chased the auctioneer out of town before returning the goods to their rightful owners.\(^{144}\)

Matters came to a head in early November 1838 when William Ingham, the Langfield overseer, received a distress warrant for non-payment of fines imposed by the Halifax Petty Sessions. The two Halifax constables who served the order marked his goods and told Ingham that if the money was not paid they would return the following week and take his goods. Ingham was reported to have told the constables that he 'most assuredly should not pay the fine'.\(^{145}\) Later

\(^{140}\) Power to PLC, 11 August 1838, PRO., HO 73/54.
\(^{141}\) Manchester and Salford Advertiser, 18 August 1838.
\(^{142}\) Stansfield to Power, 13 August 1838, and Power to PLC, 14 August 1838, PRO., HO 73/54.
\(^{143}\) Power to PLC, 20 August 1838, PRO., HO 73/54.
\(^{144}\) J.M. Cobbett to Fielden, 31 October 1838. Fielden Papers, JRULM.
\(^{145}\) Halifax Guardian, 24 November 1838.
Ingham was to claim that pressure had been brought to bear on him not to pay any money to the Guardians. In a letter to the Manchester Guardian he said that no sooner had he received the Guardians' first demand for £20 than his life was threatened.

I was threatened ... by three or four men upon Todmorden bridge ... "that, if I paid any money to the Bastile guardians, they would tear me to pieces".... Since then I have been frequently threatened, and on one occasion was savagely told, "that if I paid either money or fine, I should be trod into the earth, and my body cut up to make garter bands with".  

It is not clear who (if anyone) decided that the attempt to seize Mr. Ingham's goods would be resisted by force. Col. Wemypsh later informed the Home Office that on 14 November 1838, William Robinson, the overseer for Todmorden and a steward of Joshua Fielden's, had gone to Lambutts Mill, near where Ingham lived, and arranged for the factory bell to be rung and a message sent to the Waterside Mill as soon as the constables appeared.

Two days later, on Friday 16 November, James Feather, the deputy constable of Halifax, and William King, the sergeant of the watch, arrived at Ingham's to take possession of the marked goods. Leaving their horse and cart at the bottom of the yard they made their way up to the house. They had hardly been in the house for ten minutes when an angry crowd began gathering outside. James Feather later explained what happened.

I ... went to look for the cart followed by King - the cart was gone. I followed it ... near a mile - part of the mob followed me and a great many other persons came from the mills below and attacked me and took away the Horse and Cart. I then attempted to escape. I was knocked down by the mob and they said they would give me two chances [sic.], whether I went back with the horse and cart or was made unable to walk. There were repeated cries from other parts of the crowd saying 'Kill him' 'Kill him' [...] I then ... returned with the horse and cart to Mr. Inghams house. [T]he Stand[e]horse?] and cart were then seized by the mob and thrown down and I was thrown upon the horse. I then got up and was immediately struck on the side of my head with a large stone which again knocked me down. Stones were at this time flying in all directions and I was severely kicked ... I then ran up to Mr. Inghams window and ... was seized by the crowd who said 'Hold him by the ears until he sees the cart...

146. Quoted in Power to PLC, 22 November 1838, PRO., MH 12/6272.
147. Wemypsh to Phillipps, 24 November 1838, PRO., HO 40/38, ff.342-3.
burn' [] they were breaking the Cart with Malls and Mattocks. Mr. Ingham opened the door and let me into his house, where I found King. We were concealed in Mr. Ingham's House for near an hour - whilst we were so concealed I heard cries outside the house ... that if he did not turn us out they would pull the house down stone by stone. In consequence ... we came down stairs - I went to the window and spoke to the crowd and asked them if they would spare our lives and cries came from all parts of the crowd 'if you will take an oath before Mr. Ingham that you would not be concerned in anything of the kind in future'.... Mr. Ingham then took a book which he shewed the crowd through the window as if he was about to administer an oath. Mr. Ingham then opened the door and I then begged of the mob to spare our lives ... and they said 'we will spare your lives Mr. Fielden said we must spare your lives'.

The crowd of mill workers, and railway labourers from the nearby construction works, then marched the constables off to Wood Mill, where the Board of Guardians were meeting. Although a number of people tried to protect the two men from further violence, they were forced to desist after their own mouths had been stuffed with dirt by some of the crowd. Women took the lead in abusing the hapless constables; they were knocked, kicked, yelled at and dragged through the mud. As a result, Feather lost most of his clothes and arrived in Wood Mill clad only in the remnants of his drawers and stockings. Eventually the two men were able to make their escape and the crowd rounded off the day by smashing the windows at the Inn where the Guardians were holding their meeting.

Tension remained high in the area over the next few days and on Wednesday 21 November 1838 an even more serious disturbance took place. It is unclear what sparked the disturbance, but it appears that during Wednesday morning an order was issued by the magistrates calling on the respectable inhabitants to be sworn in as special constables to protect the Guardians at their meeting on Friday. A rumour spread that the constables and the military were to proceed to Langfield to enforce the seizure of the overseer's goods. Early that afternoon a crowd of over 1000 persons, many armed with clubs, assembled at

150. Examination James Feather, 24 November 1838, PRO., HO 40/38, ff.482-3.
151. Shuttleworth, Holgate and Roberts to Power, 17 November 1838, PRO., HO 40/38, ff.251-4.
Langfield to prevent any attempted seizure. Although the crowd soon realized the rumour was false they were slow to disband. Months of pent-up frustration and anger at the Guardians burst out in a savage display of destruction. Crossley, the Todmorden magistrate, was the first to raise the alarm. In a hasty note to the Commanding Officer at the Burnley Barracks, he wrote:

Sir, I do hereby request you to send here forthwith a Squadron of Dragoons and some infantry, as I have this moment received information on oath of a large mob which are now engaged in breaking windows and threatening the lives of persons engaged in putting into force the New Poor Law here.152

For something like four hours in the late afternoon and early evening the crowd charged about the district attacking and ransacking the homes of Guardians and known supporters of the New Poor Law. At Wood Mill the homes of two Guardians, Samuel and Royston Oliver, were broken into and sacked. The windows at the Inn where the Guardians normally met were smashed for the second time in a week. At Stones Wood the crowd attacked the home of Abraham Ormerod, another Guardian, destroying the windows, doors and furniture. The crowd then turned west and proceeded rapidly through Todmorden and up the Devil's Gate Pass to Frith's Mill, where they attacked the home of William Helliwell, another Guardian. Helliwell was entertaining a party of friends at the time, and all had to flee when the crowd began smashing their way into the house, destroying the furniture. The home of William Greenwood, another Guardian, was attacked next. The crowd were fast running out of Guardians' houses to attack and they began broadening their aim. The home of Jeremiah Oliver, the surgeon and registrar for births, deaths and marriages, was attacked. His windows, doors, furniture and the contents of his surgery were smashed. He later estimated his loss at £300.153 Ann Holt, a draper, had the window of her shop smashed. Although a sister-in-law of Joshua Fielden, she had drawn the crowd's vengeance for her 'many speeches over the shop counter in favour of the New Poor Law'.154 Henry Atkinson, shoemaker, and James Stansfield, solicitor and clerk to the Guardians, were next on the list. At Todmorden Hall, the home of James Taylor, the

152. Crossley to CO Burnley Barracks, 5.00 p.m. 21 November 1838, PRO., HO 40/38, f.277.
154. Ibid.
magistrate and ex-officio Guardian, the crowd smashed all the windows, 
destroyed a carriage in the yard and attacked the doors with shovels. 
Entering the house they destroyed the furniture and paintings and 
made off with wine and spirits from the cellar. Before they left they 
set the lot ablaze. Luckily for Taylor, his servants were able to 
put out the fire before it damaged the house itself. 155 James Suthers, 
a beer shop keeper and collector of rates for the Guardians, was the 
next victim. The crowd smashed his windows, doors and furniture; they 
would have set it all ablaze had not a neighbouring woman pleaded with 
them that if the fire got hold, the row of buildings would be 
endangered. 156 The crowd finished their tour of destruction at Hare 
Hill, the home of Mr. Greenwood, another Guardian. They smashed the 
windows, threw the silver plate in the stream and set the house on fire. 
Only the speedy arrival of the engine from the Fielden Brothers Mill 
at Waterside saved the house from serious damage. 157 Eventually, 
William Robinson, the Todmorden overseer, was able to calm the crowd and 
persuade them to go home. By the time the troops arrived at 8.00 p.m. 
the area was once again quiet. 158

Obviously frightened and shocked by the outbreak the local 
authorities began rounding up suspects. The operation had all the 
appearance of a military exercise deep in enemy territory. Travelling 
across country and avoiding the roads, the troops surrounded each Mill 
in turn. The magistrates and special constables would then enter the 
Mill to arrest those suspected of having participated in the 
disturbance. A total of forty-seven persons were taken in this way 
and conveyed back to Todmorden for examination. Fourteen were 
committed for trial at York Assizes and two to Liverpool. All were 
charged over the assaulting of the constables on 16 November. 159 The 
magistrates admitted they were having great difficulty in procuring 
any evidence against those involved in the wild destruction of 
21 November. 160 Despite the offer of a substantial reward the

155. Manchester and Salford Advertiser, 24 November 1838.
157. Manchester and Salford Advertiser, 24 November 1838.
158. Todmorden Magistrates to Russell, 23 November 1838, PRO., 
HO 40/38, ff.318-9.
159. Wemyps to Phillipps, 24 November 1838, PRO., HO 40/38, ff.330-2.
160. Crossley and Taylor to Russell, 25 November 1838, PRO., HO 40/38, 
ff.346-7.
WHEREAS, on the Evening of the 21st Day of November, 1838, certain Persons Riotously and Tumultuously being assembled together, to the Disturbance of the Public Peace, did, Feloniously, and with Force, begin to

Demolish, Destroy,

SET FIRE TO

The DWELLING-HOUSES of James Taylor, Esq., of

Todmorden-Hall,

AND MRS. GREENWOOD,

OF HARE-HILL, near TODMORDEN,

Together with certain Furniture and other Effects, in and about the said Premises, and did also Unlawfully and Feloniously attack the Dwelling-Houses, of various other Individuals, in the same Neighbourhood; the MAGISTRATES HEREBY

GIVE NOTICE,

That a Reward of One Hundred Pounds, will be paid by Her Majesty's Government, to any Person (not being a principal Offender,) who shall give such Information and Evidence as shall lead to the Conviction of any Instigator, or Instigators of the said Riots, or of the principal Offender or Offenders in the attacks upon the Dwelling-Houses above specified, or of the other Dwelling-Houses on the same day: and further, that Her Majesty's Government will advise the Grant of Her Majesty's Gracious Pardon to any Accomplice, (not being a principal Offender,) who shall give such Evidence as shall lead to the same Result.

TODMORDEN 1838

PLATE 11: REWARD POSTER.
difficulties continued. Assistant Commissioner Power was convinced that intimidation was the cause of the silence: 'The system of intimidation practised under Messrs Fielden's influence and the more active agency of the Working Men's Association is so effective that even the respectable persons whose property has suffered are some of them supposed to know more than they dare mention'. Meanwhile he reported that the magistrates had employed 'Secret Agents' to procure information.

The effect of the disturbance on the already shaken Guardians was dramatic. Five of the Guardians immediately sought leave to resign from the Poor Law Commission. They gave as their reason 'fear of personal violence'. The Poor Law Commission was also told that other Guardians were contemplating resigning and that the Relieving Officer and rate collector had tendered their resignations. Power informed the Commission in the gravest terms that he had engaged to attend a meeting with 'such Guardians as may deem it prudent to assemble' on 29 November and that 'it is probable that on that date the fate of the Poor Law Amendment Act in Todmorden will be decided'. He concluded: 'The consequence to the whole district are incalculable should the Guardians then resign'.

The Guardians did not resign, but the New Poor Law remained unenforceable. Starved of funds by the overseers' persistent refusals to hand over money, the Guardians could do little. By appealing against every court decision which went against them, the overseers of Todmorden-Walsden, and Langfield were able to delay the introduction of the New Poor Law for years. To add to the Poor Law Commission's difficulties it was soon realized that the intransigent townships were managing their own affairs more cheaply than the Union was able to do. Todmorden and Langfield had poor rates of one shilling in the pound while the townships in the Union were rated at two to three shillings in the pound. This was despite the fact that Todmorden and Langfield were 'notorious for behaving well towards the poor'. Finally in March 1840 the Todmorden Board of Guardians

161. '£100 Reward', [Reward Poster] November 1838, PRO., HO 40/38, f.538. See Plate 11.
163. Foster, Riley, Lister, Sutcliffe and Ashworth to PLC, 24 November 1838, PRO., HO 40/38, ff.364-6.
revolted. They sent off a memorial to the Poor Law Commission, signed by every Guardian in the Union, asking that the Poor Law Union be dissolved.165

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As the cost of poor relief began to rise in the late 1830s and early 1840s, quite a few Poor Law Unions revolted against the New Poor Law. In February 1839 the Maldon Union Board in Essex resigned en masse after the Poor Law Commission ordered them to stop providing relief for the children of families earning inadequate wages. The Guardians claimed that the relief offered 'was more economical to the union, and less subversive of the good feeling that should subsist between the master and those employed by him, than sending the whole family ... to a workhouse'. When the Commission replied that there could be no grounds for relieving able bodied families out of the workhouse, the Guardians all resigned.166 In March 1840 the Dewsbury Board of Guardians requested the Poor Law Commission to dissolve the Union.167 And in December 1840 the Macclesfield ratepayers complained of the 'injurious and unsatisfactory working of the Poor Law union'. They said that the poor rates had risen £1,600 per annum since the introduction of the New Poor Law, and 'without any special causes arising from want of employment or depression of trade'.168

The Poor Law Commission tried to ignore such criticisms. But one thing the Commission could neither ignore nor deny was that the full rigour of the New Poor Law had still not been applied in the manufacturing districts of the north of England. Assistant Commissioner Power, in a report he wrote in September 1838, admitted that he was still unable to classify a single Poor Law Union in his area which was operating the New Poor Law.169 This position remained unchanged for at least a decade. Despite the Poor Law Commission's concessions

166. Chartist, 23 February 1839.
169. Power Report, 13 September 1838, PRO., MH 52/64.
and the revised poor relief regulations, northern Poor Law Unions began to backslide in the early 1840s. In April 1841 a rather embarrassed Assistant Commissioner Mott admitted that many of the old 'abuses' in the administration of poor relief, including the villainous 'relief in aid of wages', had reappeared in the northern counties. He added that, luckily, the industrious habits of the manufacturing population 'are of exemplary tenacity or we should have ... to regret more striking instances of their corruption by these illegal modes of relief'.

Northern Boards of Guardians continued to give 'illegal relief' because it was not as expensive to administer and was better suited to the needs of the recipients than the relief authorized by the Poor Law Commission. When an outdoor work test order was issued to the Bradford Union in early 1843 the Guardians condemned it as impractical. They told the Poor Law Commission that the work test would cost more to administer than simply giving outdoor relief to the able bodied. Three years later the Bradford Guardians were still arguing with the Commissioners over the work test. The Guardians were of the opinion that the able bodied woolcombers who applied for relief should not have to perform labour which exposed them 'to the inclemency of the weather'. One thing was certain, there was no workhouse test applied to poor relief recipients in the north of England. When Assistant Commissioner Alfred Austin submitted his report for the December Quarter 1848 it revealed that over 90% of all male able bodied paupers were receiving outdoor relief.

The campaign of popular agitation, the refusal of dissident Unions to implement the Poor Law Commission's regulations, and the persistent opposition of ratepayers to any increase in the cost of poor relief resulted in a virtual stalemate for the New Poor Law in the north of England. As early as 1838 some of the leaders

170. Mott to PLC, 30 April 1841, PRO., MH 12/5594.
171. Wagstaff to PLC, 25 April 1843, PRO., MH 12/14723.
172. Wagstaff to PLC, 13 November 1846, PRO., MH 12/14725.
173. Statement of the number of persons receiving relief in Mr. Austin's district, December 1848, PRO., MH 32/7.
of the anti-poor law movement were claiming at least partial success. Matthew Fletcher, the radical Bury surgeon, told a meeting at Halifax in July 1838 that the campaign of popular opposition was not only efficient in keeping out this accursed law, but had also had the effect of obliging them [the Poor Law Commission] to treat their poor victims of the South with much more kindness, and with much less of devilish cruelty, than they would otherwise have been. This was a gratifying fact; for even if they should fail in their efforts to repeal this accursed measure, (which they certainly would until they obtained Universal Suffrage,) it was something to know that ... [they] had the power of drawing some of the fangs of this monster.174

With the immediate threat contained, many working men and women were thus drawn into the blossoming Chartist movement. If they could not force those in power to repeal the hated New Poor Law they would try to achieve political power for themselves.

174. Northern Star, 4 August 1838.
Chapter Eight

FUSTIAN CHARTISM

Conventional wisdom has it that Chartism 'swallowed up' the anti-poor law movement in the north of England. 1 Such a view is misleading because it diverts attention from the fact that for a great many Chartists the demand for the People's Charter was merely an extension of the campaign of popular opposition to the New Poor Law; and because it ignores the influential role which the anti-poor law movement played in helping to shape northern Chartism. Rather than being 'swallowed up', the campaign of popular opposition to the New Poor Law actually helped spawn the particular brand of militant, and robustly working class Chartism - 'Fustian Chartism' 2 - which developed in the north of England.

Certainly many contemporaries were convinced that the New Poor Law had spawned Chartism. Samuel Roberts titled one of his pamphlets Chartism the Offspring of the New Poor Law. 3 In another pamphlet he

1. Hovel, Chartist Movement, p.98, writes that the anti-poor law movement was 'swallowed up in Chartism'; A. Briggs, 'The local Background of Chartism', Briggs (ed.), Chartist Studies, p.11 writes that 'Chartism swallowed up the Anti-Poor Law agitation'; Driver, Tory Radical, p.393, writes that 'Chartism destroyed the Anti-Poor Law agitation'; and Edsall, anti-Poor Law Movement, p.167, writes that by the end of 1838 Chartism had begun 'to weaken resistance to the New Poor Law'.

2. The term Fustian Chartism is borrowed from Feargus O'Connor's oft repeated phrase, 'unshorn chins, blistered hands and fustian jackets'. The phrase, which first appeared in the Northern Star, 24 February 1838, referred to what O'Connor liked to call 'real working men'. He used it to distinguish between his own supporters - the handicraft workers and the operatives of the manufacturing districts of the north - and the aristocratic tradesmen of the L.W.M.A. and moderates in the BPU, who opposed him. The 'fustian Chartists' of the north, with their 'populist', even backward looking, outlook, their fierce opposition to the New Poor Law, their militant (and at times uncontrollable) behaviour, and their adulation for O'Connor became a source of embarrassment to the moderates in London and the Midlands.

3. S. Roberts, Chartism the Offspring of the New Poor Law, Sheffield, 1839.
said there was one thing about which both he and Lord John Russell agreed: the New Poor Law was 'the parent of the Chartists'. Sir George Crewe claimed 'that of all the various causes ... operating to promote strife and division [between classes], the New Poor Law has been the most powerful'. And A.A. Young wrote that 'hostility to [the New Poor Law's] operation is now made the groundwork for one of the most formidable combinations that have ever existed in England'. Even the military commander for the north of England Sir Charles James Napier was convinced the New Poor Law lay behind the Chartist disturbances. '[T]he Whigs and Tories', he wrote, 'are the real authors of these troubles, by their national debt, corn laws, and new poor law'. But perhaps the last word should go to that keen student of working class politics in England, Frederick Engels. 'From Newcastle to Dover', he wrote,

there is but one voice among the workers - the voice of hatred against the new [Poor] Law. The bourgeoisie have formulated so clearly in this law its conception of its duties towards the proletariat, that it has been appreciated even by the dullest.... Hence it is that this new Poor Law has contributed so greatly to accelerate the labour movement, and especially to spread Chartism...

* * *

Demands for political reform were not new. The 'six points' of the People's Charter had been included in the Radical program for parliamentary reform since the 1780s. Notions of short parliaments, equal sized constituencies and universal manhood suffrage can be traced back to the seventeenth century. And the Ballot, the ending of

5. G. Crewe, A Word for the Poor and Against the Present Poor Law, p.20, (original passage in italics).
6. A.A. Young, Poor Law. Is Any Alteration of it Necessary or Tolerably Practical?, p.3.
property qualifications and the payment of members, had been part of the program since the later half of the eighteenth century. The outbreak of the French Revolution saw many respectable English Radicals forsake the Radical program of parliamentary reform. It was only the popular radicals who remained committed to the program. In the immediate post-war years as respectable Radicals pursued a less ambitious program of political reform, it was the popular radicals who inherited the Radical program of parliamentary reform.\(^9\)

The traditions of popular radicalism ensured that even during the height of the anti-poor law agitation the cause of parliamentary reform would never be entirely forgotten. It was not unusual to find a speaker at an anti-poor law meeting advocating universal suffrage nor was it unusual to find such a meeting pass resolutions in favour of political reform. Thus at Stockport, in March 1837, a meeting of working men decided to petition parliament in favour of political reform. Their six point demand was for equal representation, annual parliaments, no property qualifications, vote by Ballot, the payment of members and universal suffrage.\(^10\) The same demands would be published fourteen months later in The People's Charter.\(^11\)

When two missionaries from the London Working Men's Association, Henry Vincent and John Cleave, visited the manufacturing districts of the north of England in the later half of 1837, they were astonished by the intensity of popular radical opinion. At the village of Almondbury, near Huddersfield, they witnessed a 'mock election' between an Ultra-Tory and an Ultra-Radical held using universal suffrage and the Ballot. The Ultra-Radical won easily. Vincent enthused to his friends back in London: 'What would the suffrage do? Eh!',\(^12\) Radicalism was an integral part of popular culture in the industrial north of England. 'Ever since the year 1818', wrote Vincent,

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9. Hovell, Chartist Movement, pp.3-7; J.T. Ward, Chartism, Chapter 1, passim.
12. Vincent to Minikin, 4 September 1837, Vincent-Minikin Correspondence, TH., VIN 1/1/3.
the Yorkshire and Lancashire people have been peacefully struggling for Universal Suffrage. They were the only two counties in which the principle existed to any extent, and the choicest spirits have become almost worn-out by their continuous exertions. However they will nobly do their duty now - They see now, for the first time, a corresponding energy in other parts of the nation. You have no idea of the intensity of radical opinion here. You have an index from the numerous public house signs - full length portraits of Hunt - holding in his hand scrowls containing the words Universal Suffrage, Annual Parliaments, and the Ballot. - Paine and Cobbett also figure occasionally.13

In such a climate it is perhaps not surprising to learn that some popular radicals were obsessed by the need for political reform. During the campaign to boycott the Guardians' election at Middleton, in March 1837, a petition was circulated calling for a repeal of the New Poor Law. Twenty townspeople refused to sign the petition and at a later public meeting a strong vote of censure was passed against them.14 It would be wrong to presume however that those who refused to sign the petition were all supporters of the New Poor Law. One of them, a John Wrigley, came forward to tell the meeting that he had not signed the petition, 'nor would he'. He said he 'would sign for nothing but universal suffrage'. Apparently, Wrigley worked himself up so much talking about 'poor Hunt' and his fight for their rights that he became quite overcome by emotion and burst into tears.15

Political reform meant more than the realization of some abstract democratic theory: it was the means by which a fiercely proud and independent working class sought to have their voice heard and their opinions given the weight they deserved. One should not underestimate the pride of working men and women. Trade Unionists in particular were notoriously independent. The radical stationer and former joiner, R.J. Richardson, once made the mistake of introducing one of William Cobbett's sons, the lawyer James Paul Cobbett, to a meeting of Manchester Trade Unionists. The meeting, which had been called to support a petition for a total repeal of the New Poor Law, had heard a succession of Trade Unionists say how it 'now became the

14. See Chapter Six above, page 156.
working man entirely to depend on themselves and one another.\textsuperscript{16} Cobbett's presence was therefore not greeted with universal good favour. A delegate from the powerloom weavers, a Mr. Douglas, told the meeting that he was glad to see men of ability and talent advocating the rights of labouring men, but he would rather see labouring men themselves taking a more active part. Douglas concluded by saying he thought the opinions of working men were as important as anybody's, and that they had the right to be heard.\textsuperscript{17} Such sentiments lay near the heart of the popular demand for political reform.

Nor was it merely tradition or sentiment which suggested that the labouring population should be granted full political rights. Common sense indicated that the New Poor Law would only be repealed after the system of political representation had been radically transformed. At an anti-poor law meeting held at the Manchester Corn Exchange, in March 1837, a young Irishman named Hunt had come forward to move a resolution in favour of political reform. He had heard John Fielden and others speak in favour of petitioning parliament for a repeal of the New Poor Law, but he thought such a course of action futile. He said 'that no effectual remedy [of the New Poor Law] would be obtained, until there was a reform of the House of Commons on the principal [sic.] of universal suffrage'.\textsuperscript{18} Although George Condy, the editor of the radical Manchester and Salford Advertiser, objected strongly to the resolution - claiming it was a 'firebrand act' which would 'do the work of the enemy' - the largely working class audience insisted that the motion be put to a vote. It was carried overwhelmingly.\textsuperscript{19}

Such occurrences were quite common. At the massive Peep Green demonstration, held in May 1837, Bronterre O'Brien and Feargus O'Connor shocked some of the other speakers on the platform by suggesting that petitioning the existing parliament was a 'paltry and ridiculous thing'.

\textsuperscript{16} Manchester and Salford Advertiser, 15 April 1837.
\textsuperscript{17} Ibid; Manchester Chronicle, 15 April 1837.
\textsuperscript{18} Manchester Chronicle, 4 March 1837.
\textsuperscript{19} Ibid.
Instead they proposed demanding universal suffrage. It was only after a long and heated discussion that the resolution in favour of universal suffrage was withdrawn in deference to those who thought it would prejudice the main object of the meeting. Supporters of political reform were however increasingly loath to back down. At an anti-poor law meeting at Almondbury, near Huddersfield, in January 1838, it was agreed to send two petitions to parliament: one seeking the total repeal of the New Poor Law; the other the immediate introduction of universal suffrage, short parliaments, vote by Ballot and the ending of property qualifications. A couple of weeks later, at a meeting at Halifax, the demand for political reform actually took precedence over a call for the repeal of the New Poor Law. Robert Sutcliffe, a Halifax handloom weaver, told the meeting that if the great mass of the people had had a voice in electing their parliamentary representatives, the New Poor Law 'would never have been passed'. Abraham Hanson, a handloom weaver from Elland, agreed with him. He told the meeting that petitioning for a repeal of the New Poor Law to the existing parliament was 'a farce'. Hanson went on to say that society was now divided into two classes - 'that which preyed and that which was preyed upon'. Clearly the repeated failure of parliament to take any notice of the flood of petitions against the New Poor Law was having an effect.

The rejection of the South Lancashire anti-Poor Law Association petition in February 1838 brought the issue to a head. In a co-ordinated campaign the Association had arranged with John Fielden that he would move a motion in the House of Commons calling for a repeal of the New Poor Law on 20 February 1838. The South Lancashire anti-Poor Law Association's mass petition was then to be presented to lend support to the motion. Although the petition contained 122,847 signatures, parliament remained unmoved. Fielden's motion was soundly defeated, 307 votes to 17. The rejection came as a severe blow to many opponents of the New Poor Law. The

23. The Times, 7 February 1838, and Northern Star, 10 February 1838.
Manchester and Salford Advertiser was scathing in its criticism:

The farce of representation is at an end.
It is difficult to say whom the House of Commons do represent. They do not, in any sense, represent the English people.25

It was a conclusion which was slowly being drawn by many popular opponents of the New Poor Law. The Northern Star declared in an editorial that the defeat of Fielden's motion was incontrovertible proof that no amount of popular agitation could save the north of England from the New Poor Law. The editorial concluded that parliament was the source of the evil and only through reforming parliament could the evil be eradicated.26

At a meeting of delegates to the South Lancashire anti-Poor Law Association held on 12 March 1838, William Clegg reported that the twenty or so delegates who attended 'all said they were quite sick of petitioning and did not believe that they could induce their constituents to send any more prayers to Parliament'. 'They were', Clegg told Fielden, 'for trying some other plan now'.27

Two weeks later Clegg was again writing to the Fieldens, this time with news of a visit by the Birmingham radical John Collins. Collins had been sent to the north of England by the Birmingham Political Union to see if he could induce other radical organizations to co-operate in an attempt to obtain political reform. Clegg outlined their plan:

The men of Birmingham propose that all who are in favour of that object belonging to whatever part of the country, should join in one and the same Petition to Parliament to which petition they say it would be practicable to get millions of signatures - that a day should be fixed on which such Petition should be presented and that in order to manifest the earnestness and anxiety with which the people looked to the result of their Petition, that day should be a day of cessation from labour and kept holy - both in London and in the country.28

25. Manchester and Salford Advertiser, 24 February 1838.
27. Clegg to Fielden, 13 March 1838, Fielden Papers, JRULM.
28. Clegg to Fielden, 26 March 1838, Fielden Papers, JRULM.
Just what Fielden or the South Lancashire anti-Poor Law Association thought of the proposal is not known. What we do know is that in the months to come popular opposition to the New Poor Law would increasingly find expression in the demand for political reform and the blossoming Chartist movement.

* * *

The leader who most accurately sensed the changing mood of popular opponents of the New Poor Law in the north of England was Feargus O'Connor. O'Connor was an Irishman, a romantic adventurer and a boastful egotist; but he was also a mob orator of outstanding ability and a deeply committed Radical who had a passionate concern for the poor and downtrodden on both sides of the Irish Sea. Despite his own privileged background, O'Connor had an affinity for the life of the common people: he shared their taste for spectacle and boisterous amusement, he was witty, had a lively sense of humour and peppered his speeches with what seemed like an inexhaustible supply of comic anecdotes. But most importantly of all, O'Connor was no proselytizer: unlike many other popular radical leaders he viewed the life of the common people as something which was morally valuable and not as something to be changed. In this respect he was perhaps closer to the previous generation of popular radical leaders like Henry Hunt and William Cobbett than the intellectually inclined artisans of the London Working Men's Association or the moderate leaders of the Birmingham Political Union. O'Connor's affinity with the labouring population and their adulation of him was one of the most characteristic features of Fustian Chartism.

The story of O'Connor's adventurous adolescence, his involvement in Irish politics, his squabbling with his erstwhile party leader, Daniel O'Connell, and his eventual disqualification from serving as M.P. for Co. Cork because he did not meet the required property qualifications, is well known. It is worth emphasizing however, that O'Connor's introduction to political agitation took place in the rowdy and often violent theatre of Irish popular politics and that this influenced his own approach to politics. O'Connor was a demagogue,

but he was also a committed Radical. While at Westminster he had shown himself to be a consistent supporter of Radical policies. His clash with O'Connell did not merely result from his leader favouring a moderate approach to achieving a repeal of the Irish Act of Union, the two men also differed over their attitude to poor law reform. O'Connell had been influenced by the ideas of political economy to believe that a statutory right to poor relief demoralized the poor; O'Connor favoured a much more generous and humane policy.

Following his disqualification from parliament in 1835 O'Connor began to establish a reputation for himself within English Radical circles. As early as 1833 he had addressed a meeting of Lovett's National Union of the Working Classes and during 1834 he was active both inside and outside parliament in defence of the Tolpuddle Martyrs. Now the pace of his activities increased: he stood unsuccessfully for the late William Cobbett's seat at Oldham; formed his own Radical Association at Marylebone in London; and made numerous tours of the midlands and the north to win popular support. His break with Lovett and the London Working Men's Association early in 1837 convinced O'Connor that his future lay with the depressed factory operatives and outworkers in the industrial north of England, rather than with the more intellectually inclined skilled tradesmen in the metropolis.

O'Connor addressed his first anti-poor law demonstration at Huddersfield on Saturday 14 January 1837. In what was to be a preview of the personality cult which later grew up around him, he was drawn into town in an open carriage by four horses, accompanied by a procession led by torchbearers, bands and banners. Welcoming him to the platform, Richard Oastler said that he was 'proud to find that a Tory and a Radical [could] ... meet together to advocate the Christian and natural rights of poverty and labour.' O'Connor told the meeting that no honest man could support the present government - a

32. R. Oastler, Damnation! Eternal Damnation to the Fiend-Begotten, 'Coarser Food' New Poor Law, p.4.
government whose power was 'only upheld by a pitiful majority in the House of Commons', but which should have been 'based upon the love of the people'. He said that the government had 'put asunder whom God hath joined together in holy wedlock ... and instead of being the protectors of infancy, they tear them from their parents, and put them into prison-houses and bastiles'. Over the next few months O'Connor would increasingly come north to address anti-poor law meetings and demonstrations, and build up his personal following.

Much of O'Connor's popular appeal rested on his ability as an orator. He had a striking physical appearance. R.G. Gammage, the Chartist historian, said of him that 'compared to the generality of men he was a giant indeed'. He stood over six feet tall with a powerfully built, even 'athletic' body. This together with his 'aristocratic bearing' meant that 'the sight of his person was calculated to inspire the masses with a solemn awe'. But it was his voice which moved the crowds. Thomas Cooper, himself no mean public speaker, described it as a 'powerful baritone voice'. At an indoors meeting Gammage thought that Henry Vincent was perhaps his superior, but in the open air 'O'Connor was the ... universal idol, for the thunder of his voice would reach the ears of the most careless, and put to silence the most noisy of his audience'. With his rich Irish humour and rhetorical breadth O'Connor was regarded as the most effective mob orator of his day.

Luck also played its part in O'Connor's rise to prominence. By nature he was a gambler and in the autumn of 1837 he gambled on the establishment of a new radical provincial newspaper aimed specifically at the disaffected working class. The idea for the newspaper was not

34. Gammage, History ..., p.45.
35. Cooper, Life, p.179.
37. J. McCarthy, A History of Our Own Times, Vol.1, p.81: 'men who had no manner of liking for him or sympathy for his doctrines ... declared ... [O'Connor] was the most effective mob orator they had ever heard'. Vicinus, 'To live free or die ...', p.500, writes of O'Connor's 'rhetorical breadth' being unmatched 'by any other Chartist speaker'.
O'Connor's; and nor was the money he gambled on its establishment. But it has to be recognized that it is unlikely that the projected paper would have got off the ground without O'Connor's enthusiasm and backing. It is easy with the benefit of hindsight to condemn O'Connor for obtaining all the glory that came with the success of the Northern Star newspaper, but equally had the newspaper been a failure it would have been his reputation which would have suffered. To O'Connor's credit he took the gamble and when it paid off it was he who reaped the financial and political rewards.

The first edition of the Northern Star and Leeds General Advertiser, to give the paper its full title, appeared on 18 November 1837. The paper was an instant success. Despite the relatively high price for working men and women (it cost 4½d, the normal price for provincial newspapers at the time) the first week's print run of 3,000 copies sold out immediately. The printer, Joshua Hobson, later told how they could have sold three times that number, but that their financial position was so precarious that they could not afford the stamps to print any more. Within months the Northern Star was outselling every other provincial newspaper in Britain. Eventually its national weekly sales would rise to 50,000, rivalling even that of The Times.

From the beginning the Northern Star was a severe critic of the New Poor Law. It reported anti-poor law meetings, demonstrations and clashes with the authorities. Its reporting of, and follow-up stories on, the disturbances at Bradford in November 1837 not only helped to establish its reputation as an outspoken critic of government

38. E.L.H. Glasgow, 'The Establishment of the Northern Star Newspaper', History, New Series, Vol.XXIX (1954), pp.54-67, draws on the views and opinions of O'Connor's enemies and critics to present a very unflattering picture of his involvement. It is of course a moot point as to how much of the Northern Star's success was due to O'Connor. The Northern Star was not the only provincial radical working class newspaper launched that year. In fact Augustus Hardin Beaumont's Northern Liberator started publication in Newcastle-upon-Tyne four weeks earlier in October 1838. In many respects the journalism of the Northern Liberator was better than the Northern Star, but it was O'Connor's paper which attracted the greater following. This is strong grounds for claiming that O'Connor's connections with the Northern Star ensured its success.

39. Only a fragment of the first issue is preserved in Britain; see the Place Newspaper Collection, Set 56, Vol.1, f.155, BL.

40. Manchester Examiner, 6 November 1847.

41. Read and Glasgow, Feargus O'Connor, p.60, puts maximum sales for Northern Star at 50,000 in first half 1839. The Times was published three times a week and just outsold the Star on a weekly basis.
policy but also earned the attention of the Crown Law officers. It was only the fear that an acquittal would harm the government's reputation which saved the Northern Star and its proprietor from immediate prosecution. Even when in late July 1838, O'Connor swung the paper behind the campaign for the recently published People's Charter, it maintained its strong coverage of the anti-poor law agitation. Each week there were reports on the latest clashes at Boards of Guardians' meetings and lurid stories of the cruelties practised on inmates by sadistic workhouse masters. One of these sensational reports eventually led to O'Connor being charged with publishing a false and malicious libel. The report ran:

WARMINSTER BASTILE - A little boy, last week, for some small offence, was confined in one of the cells belonging to the above workhouse, and was literally starved to death. The poor little fellow, during his confinemen, actually eat, in consequence of hunger, two of his fingers and the flesh of his arms.

After carefully checking the allegations contained in the report, the Poor Law Commission advised the Home Office that those concerned in the publication of the newspaper were liable to prosecution. O'Connor was brought to trial at York Assizes in July 1839. Although found guilty of publishing a false and malicious libel he was never actually sentenced. By the time sentence was due to be handed down, O'Connor was again facing trial, this time on the more serious charge of seditious libel. He would eventually be found guilty and be sentenced to eighteen months in York Castle.

* * *

There was a close, even intimate, relationship between northern Fustian Chartism and popular opposition to the New Poor Law. To start with, most of the leading Chartists in the north of England were active in the anti-poor law movement. Of the twenty delegates from the north

42. Northern Star, 2 December 1837, attached with Power to PLC, 2 December 1837, PRO., MH 12/14720.
43. Phillipps to PLC, 29 December 1837, PRO., MH 19/63.
44. Northern Star, 22 December 1838.
45. Chadwick to Maule, 29 January 1839, PRO., HO 73/55.
of England who attended the 1838 Chartist Convention, fourteen had taken a leading role in the anti-poor law agitation. In fact they do not appear to have distinguished greatly between their anti-poor law and their Chartist activities. While still secretary of the South Lancashire anti-Poor Law Association, Reginald John Richardson was happy to attend as a delegate for the Manchester popular radicals the huge demonstration at Birmingham on 6 August 1838 which adopted the national petition. He then immediately threw himself into organizing the massive Chartist demonstration at Kersal Moor, Manchester, on 24 September 1838. It was not until the end of 1838 that Richardson finally repudiated his own organization and declared that there was no hope for effecting a repeal of the New Poor Law until the Charter had been obtained.

The claim that the New Poor Law would not be repealed until the Charter had been obtained was a theme returned to again and again by speakers at Chartist meetings. O'Connor told the audience at

48. Delegates who had taken a leading part in the anti-poor law agitation were:

- Peter Bussey (Bradford)
- John Deegan (Stalybridge)
- Matthew Fletcher (Bury)
- James Fenny (Wigan)
- Robert Lowery (Newcastle)
- Richard Marsden (Preston)
- James Mills (Oldham)
- Feargus O'Connor (Leeds)
- Bronterre O'Brien (Stockport)
- Lawrence Pitkethly (Huddersfield)
- R.J. Richardson (Salford)
- James Taylor (Rochdale)
- James Whittle (Liverpool)
- James Wroe (Manchester)

Delegates without strong anti-poor law connections:

- William Carpenter (Bolton)
- Robert Knox (Durham)
- Peter McDouall (Ashton)
- William Ryder (Leeds)
- Joe Taylor (Carlise)
- Joseph Wood (Bolton)

49. Northern Star, 11 August 1838.

50. Officially Richardson was one of the procession marshals, but his involvement went much further. See: Clegg to Fielden, 22 September 1838, Fielden Papers, JRULM; Northern Star, 22 & 29 September 1838.

Halifax in late July 1838 that the 'only means that remained in the hands of freemen [to fight the New Poor Law] was to join together in the bonds of indissoluble union till they fairly obtained Universal Suffrage'. He said he had just returned from a tour of Scotland and that 'when the people of Scotland found that they could not shut the toll bar against Whig oppression, they would join with the people of England in their crusade against this infernal Poor Law Bill'. O'Connor was exaggerating, of course; the Scots had never enjoyed a legal right to poor relief and popular attitudes to the New Poor Law were therefore quite different north of the Tweed. But it was an English audience he was addressing and he knew it gratified his listeners to think of themselves as part of a homogeneous national movement whose first aim would be to repeal the hated New Poor Law.

Certainly anti-poor law feeling was very pronounced at the Chartist torchlight demonstrations which were held in the north Cheshire and south Lancashire region in the late autumn and early winter of 1838. The torchlight demonstrations began almost by

52. *Northern Star*, 4 August 1838.

53. A number of historians have given the impression that there were dozens, if not hundreds, of torchlight demonstrations held by Chartists throughout the north of England. Hovell, *Chartist Movement*, p.119, mentions meetings 'held at night in the murky glare of hundreds of torches, in various parts of Lancashire and Yorkshire'. A.L. Morton, and G. Tate, *The British Labour Movement*, p.84, claims 'torchlight meetings were held in scores of towns in Lancashire and Yorkshire'. And even J.F.C. Harrison, *Chartism in Leeds*, Briggs (ed.), *Chartist Studies*, p.76, has fallen into the trap of assuming that 'vast torchlight meetings were held on the [Yorkshire] moors'. In fact that were only six torchlight demonstrations, all in the north Cheshire, south Lancashire region. They were at Stockport 2 October 1838, Bolton 30 October 1838, Rochdale 7 November 1838, Oldham 8 November 1838, Hyde 14 November 1838, and Bury 8 December 1838. Gammage, *History ...,* p.94, lists two additional torchlight demonstrations at Stalybridge and Leigh. I have been unable to find any evidence that these meetings took place. Gammage might well have been confused by the fact that the Stalybridge Chartists marched with torches to the Hyde demonstration and that the Leigh Chartists held their own mid-week afternoon demonstration on 13 November 1838. There was one attempted torchlight demonstration in Yorkshire, a dismal failure at Leeds on 13 October 1838. For a fuller discussion of the Chartist torchlight demonstrations see J.W. Knott, 'Fustian Chartism: A Study of Chartist Demonstrations in South Lancashire and the West Riding of Yorkshire, 1838-1842', unpublished B.A.Hons. thesis (1977), pp.35-46.
accident. On the day of the massive Kersal Moor demonstration at Manchester, on 24 September 1838, the cotton masters at Stockport had threatened their employees with dismissal if they did not attend work. In the severe economic climate of the day, few working people could afford to treat such threats lightly. According to the Northern Star, a 'sense of their own weakness, which was much increased in consequence of the success of the Lancashire demonstration, drove many a heart to madness, and the [Stockport] Working Men's Association determined to find a safety valve for their ardour'. The means they decided upon was to hold a demonstration at Stockport on the evening of Tuesday 2 October 1838, when the men and women would be free from their work in the mills. Feargus O'Connor and the Rev. Joseph Rayner Stephens were approached and agreed to attend the demonstration. Because the long autumn nights were now drawing in it was decided that some form of artificial lighting would be required and the organizers therefore advised those attending to carry torches. It was an inspired decision.

The demonstration began in typical fashion. O'Connor and Stephens were met by a procession just outside of the town and with flags and banners flying, bands playing, and torches blazing were led off through the streets. The procession continued to increase its numbers as it passed in gloriously - spiteful triumph, through the principle [sic.] streets, until upon arriving at the Market-place, it presented one mass of determined people.... When the vast body, illuminated by torchlight was formed into a square, the spectacle was imposing as can well be imagined. Each countenance was brimful of delight, while the glory of having thus outdone the masters was triumphantly exalted.

The atmosphere was electric. Under the cloak of the night sky, with the brilliant flags and banners, and the blazing torches, the crowd surged through the streets shouting and cheering their defiance. It provided the participants not only with a magnificent spectacle, but also with an exhilarating sense of their own unity and power.

54. Northern Star, 6 October 1838.
55. Ibid.
The speeches reflected the mood of the crowd. O'Connor attacked the Whigs and Tories for being 'ever ready to oppress the poor'. 'But', he said, 'let the people be united, concentrate their power, and fight the glorious battle in their own localities, and the good work [of repealing the New Poor Law] would soon be achieved'. But it was Stephens who really aroused them. Again his subject was the New Poor Law. 'If all good men put their trust in God', he said, and used the power which he had given them, the machinations of their oppressors, joined by the stratagems of the devil must give way. It must have been the devil himself who suggested the passing of the new poor law; but he would tell him it was the last act he could force on the people of this country.... The whigs had, by the passing of that accursed law, declared that the men of England should no longer have their wives, and that their children should be torn from them; they had reversed the commands of the Scripture to multiply and replenish the earth. But the independent men of England would not endure it; they had come forward to a man and protested against the compact; they would not enter into a system of bartering their wives and children because they were poor; they would not submit to imprisonment in the bastiles; and, 'ere long, the hands that built them would pull them down.

The crowd cheered ecstatically.56

Despite the excited language, the blazing torches and the cheering and shouting, the demonstration passed off peacefully. The only incident came when a man in the crowd attempted to interrupt O'Connor's speech by calling out 'It's a lie'. He soon stopped however when a woman standing near him gave him a blow on the side of the head which sent him sprawling to the ground.57

The torchlight demonstration at Stockport was judged such a success that it was quickly decided to hold similar meetings. The next demonstration, at Bolton on 30 October, was probably the most spectacular of all the torchlight demonstrations. It was estimated that over 50,000 people took part and that over 1,000 torches were displayed in the procession. Slogans on the flags and banners included 'Labour is the source of all wealth' and 'We demand our Birthrights'.58

56. Manchester and Salford Advertiser, 6 October 1838.
57. Ibid.
58. Northern Star, 3 November 1838.
Feargus O'Connor, J. P. Cobbett and R. J. Richardson, the secretary of the South Lancashire anti-Poor Law Association, were paraded through town in an open carriage, the crowd 'making the heavens echo with the thunder of their cheers'. As the procession passed 'the office of some hostile newspaper, or the house of some obnoxious magistrate or employer, the crowd would jeer and begin 'sending forth volleys of the most hideous groans'.

The impact of the Bolton torchlight demonstration exceeded even that of the first demonstration at Stockport and their frequency now increased dramatically: Rochdale on 7 November, Oldham on 8 November, Hyde on 14 November, and Bury on 8 December. At Rochdale the demonstration attracted processions of Chartists from the surrounding districts. Heywood and Whitworth sent contingents led by bands and 'well furnished with banners, all bearing mottos emblematic of Liberty'. The Chartist Northern Star described the demonstration as having a 'most splendid and enlivening effect'.

The Whiggish Manchester Guardian agreed about the Rochdale meeting's liveliness, but not about much else. A rather sarcastic report declared that it was

the time of the winter fair, when strangers were usually in town, they [the Chartists] succeeded in collecting a mob of about 2,500 people, principally boys and girls, who assembled in a brick-field.... [After a few speeches] a flourish of trumpets answered the double purpose of announcing the appearance of Mr. Feargus O'Connor, and in stilling in some degree the uproar which had previously prevailed, owing in a great measure to the labours of some juvenile incendiaries, who were perpetually throwing lighted crackers amongst the crowd.

Nor was it only the juveniles who were contributing to the uproar. Stephens made a particularly violent speech during which 'several pistols were fired from the midst of the crowd'.

According to John Tempest, an eye-witness who later gave evidence to the Rochdale magistrates, the speeches made at the

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59. Gammage, History ..., pp. 94-5.
60. Northern Star, 10 November 1838.
61. Manchester Guardian, 10 November 1838.
62. Ibid.
demonstration centred on the New Poor Law. O'Connor had said that 'the Whigs were a damnable set and that they had passed a Hell born Bill ... the New Poor Law'. O'Connor had then gone on to use the old argument that 'they must have universal suffrage before they could obtain their rights and their rights they would have'. Stephens was even more outspoken. He was said to have 'pointed to some large Factories and said "that you have raised them by your industry and you have as much right to see them on fire as they have to put that hellish bill [the New Poor Law] in force"'. It was at this point, with the crowd cheering enthusiastically, that the pistol shots rang out.63

It would be easy to conclude that the presence of pistols and the shots indicate violent intentions on the part of the audience. This would be wrong. The demonstration was held only two days after Guy Fawkes Day and traditionally it was a time associated with the revelries of young men and the 'various uses of fire - bonfires, firearms, squibs, firebrands, and fireworks'.64 Samuel Bamford, recalling his own youth, said that around Guy Fawkes Day the 'young fellows ... joined at ale from the public house, and with drinking, singing and exploding of fire arms, they amused themselves pretty well'.65 The pistol shots at Rochdale were certainly intended to reinforce Stephens' remarks, but they should be seen more in the context of a celebration, an assertion of the crowd's presence, than necessarily as a prelude to violence.

Of course the pistol shots also serve to remind us that the audience were not merely passive spectators at these torchlight demonstrations. Under the cover of darkness and closed in by the blazing light of the torches the crowd responded to and interacted with the speakers. Gammage wrote that

[T]he very appearance of such a vast number of blazing torches only seemed more effectually to inflame the minds alike of speakers and hearers. O'Connor, Stephens, and M'Douall were frequent attendants ... and their language was almost unrestrained by any motive of prudence.66

63. Deposition of John Tempest, 29 December 1838, PRO., HO 40/37.
Stephens in particular was finding it difficult to restrain his rhetoric. At Oldham on 8 November 1838 he again flirted with the spectre of 'mill burning'. Turning the 'value of tears' argument back on their opponents, Stephens said

Our enemies say it is the divine will that men should be miserable.... You must go to work then and make the poor-law commissioners, the landlords, the mill owners miserable; and how are they to be made so? Why, by burning their mills, blowing out their brains, pulling down the bastiles.... Take your torches from this meeting, and carry them - where? Why, to the mills - to the Royal George's - to the counting houses - aye to the mill owners themselves....

The threatened violence was of course mere rhetoric and illusory. The crowd had no immediate intention of shooting any millowners, burning any mills or even pulling down any bastiles. For one thing, there were as yet no bastiles in the region which they could pull down. But it was what the crowd wanted to hear and (perhaps most importantly) what they expected to hear from those addressing them. Stephens with his seemingly violent rhetoric was merely conforming to their expectations: he was playing the role popularly ascribed to a 'revolutionary'.

Stephens' use of violent rhetoric reached its peak at the torchlight demonstration at Hyde on 14 November 1838. William Johnson, a linen draper from Pennington, near Leigh, later gave an account of Stephens' speech.

For the first half hour [Johnson] ... thought he never heard a gentleman address a meeting with more propriety and in a more edifying manner than Mr. Stephens did; but after that he broke all bounds. He began to mention the poor law, and the factories; then some of [Johnson's] ... neighbours, who were guardians of the poor, and mill-owners. He referred to Mr. Pownall and Mr. Jackson by name: the former was chairman of the board and the latter a member of it.... Mr. Stephens ... quoted some part of scripture, and said to destroy a poor law guardian would be doing God a service.

Clearly Stephens had exceeded the bounds of propriety this time and he would eventually find himself before a court of law because of this.

69. Manchester and Salford Advertiser, 29 December 1838.
As the torchlight demonstrations apparently grew in militancy the government came under increasing pressure to take action against them. Immediately after the Hyde demonstration one of the magistrates warned that the torchlight demonstrations posed a 'great danger' in the region because it was 'filled ... with vast magazines of quick combustible matter in the shape of splendid Cotton Factories'. He suggested that the government seriously consider banning the meetings. The Manchester Guardian was particularly incensed by the government's inaction. 'Respectable citizens', it thundered, 'should not be subjected to the occurrence of any more meetings of the same objectionable character'. The pretext for government action finally came with a fire at Jowett's Mill, Ashton-under-Lyne, on 8 December 1838, the same day as a torchlight demonstration was held at Bury. The mill, which belonged to a local magistrate, was burnt down in suspicious circumstances. The local authorities blamed Stephens and the Chartists. They informed the Home Office that Jowett, in his capacity as magistrate, had recently sentenced a young boy to prison and that this had provoked Stephens to urge his followers 'to commit some act of aggression' against either his person or his property.

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70. Clark to Stanford, 16 November 1838, PRO., HO 40/36.
71. Manchester Guardian, 1 December 1838.
72. Manchester and Salford Advertiser, 15 December 1838.
73. Ashton-under-Lyne magistrates to Russell, 10 December 1838, PRO., HO 40/38, f.558. Although the authorities blamed the Chartists for the fire it is not clear that they were responsible. H. Heginbottom, Thomas Heginbottom, p.15, writes that Jowett's Mill was actually leased and operated by Samuel and William Heginbottom. Thomas Fielden in letters to John Fielden, 11 & 12 December 1838, Fielden Papers, JRULM, indicated that 'those in the know' believed that William Heginbottom had set fire to the mill to collect the insurance. Trade at the time was very slack and the mill was an old one employing out of date machinery. Champion and Weekly Herald, 16 December 1838, reported that the mill was insured for £3,000 and the contents for £5,000. This was thought to have been rather a large amount of insurance for a rather run down concern. J.R. Stephens, The Political Pulpit No.9, p.68, later charged that the true facts of the fire had been laid before the magistrates in the form of a sworn deposition, but that the bench had refused to take any notice. Stephens called the whole thing a 'plot'. No one was ever charged over the fire and certainly all the evidence against Heginbottom is either hearsay or circumstantial, but nevertheless it is interesting to speculate that the only example of Chartist 'mill burning' might well have been the work of the owners.
Within days the Privy Council had issued a proclamation outlawing all torchlight meetings.  

* * *

It was the continued predominance of anti-poor law feeling which best explains the role of the Rev. Joseph Rayner Stephens in the Chartist movement. Stephens was no Radical and his attitude towards political reform was at best ambivalent. But it was he, rather than the Radical Feargus O'Connor, who often received the most enthusiastic response and drew the largest crowds at the Chartist demonstrations and meetings in late 1838 and early 1839.

One of the most often used quotations in Chartist historiography is Stephens's remark that Chartism was 'a knife and fork question'. This quotation, which comes from a speech Stephens made at the massive Kersal Moor demonstration at Manchester, on 24 September 1838, is invariably interpreted as meaning that Chartism was motivated by 'economic issues'. While in a very broad sense this is perfectly true, it does miss the point Stephens was actually making. The phrases 'a knife and fork question' and a 'bread and cheese question' were used by speakers to refer to the near-starvation diet served up in the New Poor Law bastiles. Stephens, quite simply, was saying that Chartism was a poor law question. Let us look again at what he said in greater detail.

This question of Universal Suffrage was a knife and fork question ... this question was a bread and cheese question ... and if any man asked him what he [Stephens] meant by Universal Suffrage, he would answer, that every working man in the land had a right to have a good coat to his back, a comfortable abode in which to shelter himself and his family, a good dinner upon his table, and no more work than was necessary for keeping him in health, and as much wages for that work as would keep him in plenty, and afford him the enjoyment of all the blessings of life which a reasonable man could desire. (Tremendous cheers.)

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77. Northern Star, 29 September 1838.
This is more than a catalogue of economic demands, there are echoes here of popular expectations concerning poor relief - the provision of clothing, housing, food and work. In a later but rarely quoted passage from the same speech, Stephens again refers to the New Poor Law.

the repeal of the New Poor Law would be far from hindering this [Chartist] movement; on the contrary, it would greatly accelerate its progress. (Continued cheering.) The people of Lancashire and of Yorkshire, and of England, would never allow their feelings for the repeal of the New Poor Law to step in between their race with the rest of their countrymen ... but they were determined to ... obtain that power which, when once possessed, would enable them immediately to repeal it, and every other bad law in existence.78

Stephens's popularity probably reached its peak in the weeks immediately after his arrest on 27 December 1838. He was the first Chartist leader to be arrested and the authorities took no chances. Two Bow Street Runners, sent north by the government to collect information on the torchlight demonstrations, quickly bundled him into a coach and spirited him away to the New Bailey at Manchester.79 They were escorted all the way by a troop of Dragoons. Furthermore, piquets were placed on the roads leading to Manchester to give warning should any attempt be made to march on the town and rescue him.80

The charge against Stephens stated:

that on 13th of November ... [he] did cause to assemble, at the market place in Leigh, a great number of evil disposed persons, who conducted themselves in a riotous and tumultuous manner, and by loud shouts and noise, did alarm the people of the neighbourhood, and further that the said Joseph Raynor [sic.] Stephens did address the persons so assembled, and did excite them to commit violence against the persons and property of her Majesty's liege subjects.81

Later there were reports that the charges against him would be extended to include 'conspiracy to prevent the due execution of the ... New Poor Law'.82 Certainly Stephens would have preferred to have been

78. Northern Star, 29 September 1838.
80. Manchester and Salford Advertiser, 29 December 1838.
81. Leeds Mercury, 29 December 1838.
82. Bradford Observer, 10 January 1839.
charged over his opposition to the New Poor Law. Lowery said he 'uttered his wildest language ... with the hope and expectation that the Government would indict him for seditious opposition to that law'.\(^{83}\) The government saw the danger inherent in such a move however and during Stephens's trial were at pains to deny that the prosecution had anything to do with the New Poor Law.\(^{84}\)

As soon as he was released on bail, pending his trial, Stephens began an exhausting one-man crusade against the New Poor Law and all the forces of mammon. On the day he was released he made his startling revelations concerning the Marcus pamphlet.\(^{85}\) Stephens charged that it had actually been written by one of the Poor Law Commissioners and that the scheme it outlined - restricting the size of working class families by the 'painless extinction' of all newborn infants over two in number - was to be introduced with the New Poor Law.\(^{86}\) Gradually his behaviour became more and more erratic and his speeches more and more uncontrolled. At a sermon he gave in Hyde, on 17 February 1839, he said that 'the sooner every Bastile is pulled down or burnt down the better it will be for England'.\(^{87}\) Assistant Commissioner Power urged the government to prosecute Stephens over the speech.\(^{88}\)

There is little doubt that Stephens sought martyrdom for his opposition to the New Poor Law. When his trial was postponed, Assistant Commissioner Mott reported that Stephens was 'much disappointed'. Mott informed the Poor Law Commission that he had spoken with a person who was present when he [Stephens] was in conversation with his Solicitor, and from him I learn that he looks to his trial as an opportunity for him to bring himself into greater notoriety. He contemplates making a defence of several days length, and it is said intends to subpoena Lord John Russell ..., Earl Fitzwilliam ..., [and] Mr. O'Connell.

\(^{83}\) Lowery, op. cit., p.112.
\(^{84}\) [J.R. Stephens,] The Trial of the Rev. Mr. Stephens ..., p.118.
\(^{85}\) Marcus, [pseud.] On the Possibility of Limiting Populousness, [1838]. I will discuss the Marcus pamphlets in Chapter Nine, see below, pp.297-305.
\(^{86}\) Leeds Mercury, 5 January 1839.
\(^{87}\) Northern Star, 23 February 1839, and [J.R. Stephens] The Political Pulpit, No.2 ..., p.15.
\(^{88}\) Power to PLC, 23 February 1839, PRO., MH 32/64.
PLATE 13

THE REV. J.R. STEPHENS.
Mott concluded: 'depend on it he will be no contemptible antagonist in a war of words'.

In one of the more perceptive newspaper articles written about him at the time, an anonymous author was at pains to point out that Stephens was no 'vapouring demagogue, or a reckless ruffian, as some have supposed'. The writer goes on to say that Stephens appears ... to have no political objects; but to be influenced by a species of philanthropic insanity.... Wages being low, and the withdrawal of the old system of relief to the poor impending, Mr. Stephens, ... exhorts the multitude ... to resist the [New Poor] law, and wreak vengeance on those employed to execute it.... Armed resistance to the law of the oppressor, Mr. Stephens proclaims to be commanded by the Word of God; and no small portion of his influence is derived from religious fervour.

The writer concluded that Stephens would not shrink from 'martyrdom'.

There was however a growing tension between Stephens' own motivation and beliefs, and popular expectations concerning his role in the Chartist movement. A contemporary lithograph of Stephens, of which Assistant Commissioner Mott said 'vast numbers have been sold', shows him in the role of a revolutionary. To the left stands a young man, wearing a weaver's apron and holding a pike and rifle. A young woman, to the right, also dressed in working clothes, holds a flag inscribed with the slogan, 'Stephens for Ever'. The flag pole is topped with a cap of liberty. But it is the scene directly below Stephens which reinforces the point most effectively: it depicts an attack on a New Poor Law bastile.

The Stephens cult was at its height. Mott reported that crockery was being sold 'embellished with the portrait of Mr. Stephens' and that working class children were being christened after him. Even Feargus O'Connor jumped on the bandwagon. When the Northern Star announced that all its subscribers would be presented with a free engraving of Stephens, sales were said to have risen from 15,000 to

89. Mott to Lefevre, 22 March 1839, PRO., HO 70/55.
90. Spectator; quoted in the Bradford Observer, 10 January 1839.
91. Mott to Lefevre, 22 March 1839, PRO., HO 70/55.
92. See Plate 13.
27,000 per week.\(^93\)

The strain of trying to live up to his popular image was slowly taking its toll and in April 1839 Stephens broke down. He suddenly disappeared from his home at Dukinfield. Rumour had it that he was about to quit the country, taking the defence fund which had been collected on his behalf with him. Eventually a letter arrived in Dukinfield, postmarked Wolverhampton, and saying he had gone away to find 'a little quietness'.\(^94\) Whether Stephens found the rest he sought is not known, but by May 1839 he was once again giving public lectures, this time in London. Details are obscure, but if later revelations are to be believed, it was in London that Stephens attempted to seduce Bronterre O'Brien's sister-in-law.\(^95\)

There is no doubt that Stephens had always been a less than wholehearted supporter of the People's Charter. There is also no doubt that many of his supporters had never clearly understood this. When Stephens returned home in June 1839 to prepare for his trial he began to distance himself from the political demands of the Chartists. In his sermons and speeches he still continued to vehemently attack the New Poor Law, but he no longer mentioned Chartism or the demands for political reform. The issue came to a head in late June 1839 when Peter McDouall, Ashton-under-Lyne's representative to the National Chartist Convention, said that he would not even meet with Stephens again, either in public or private.\(^96\) At first McDouall would not reveal what had caused him to come to this decision, but eventually he revealed that 'Stephens had attempted to commit a most indecent assault upon a young lady'. McDouall said 'he could substantiate the charge' and had 'a signed admission from Mr. Stephens'.\(^97\)

Stephens' followers were at first stunned by the revelations, claiming it was 'a conspiracy to depreciate Stephen's character'.\(^98\) Later, when the truth of the allegations became clear they felt

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93. Mott to Lefevre, 22 March 1839, PRO., HO 70/55.
95. The Times, 1 July 1839.
96. Manchester and Salford Advertiser, 22 June 1839.
97. Manchester and Salford Advertiser, 29 June 1839.
98. The Times, 1 July 1839.
deeply betrayed. The articles of household crockery bearing Stephens' picture and which had only been bought a few months before were suddenly hurled to the ground.\textsuperscript{99}

Stephens remained stoical. He issued a statement saying he 'wanted no assistance from any person on his approaching trial' and 'renounced all further claim upon the defence fund'. He also promised to refund 'the amount he had already received'.\textsuperscript{100} As for the charge that he insulted a young lady, he appears to have made no public statement on the matter. He continued to preach to the faithful at his independent chapel, but the mass public support he had previously enjoyed suddenly evaporated. At the last sermon he gave before his trial Stephens tried to explain to his loyal flock that his politics had never changed, that he had never been a Radical and that the charges against him that he had recently altered his political views were not true. He went on:

\begin{quote}
did not I tell you ... that I did not care two straws about the five points; that if I went to London [for the Chartist Convention], I would not present a petition which I had not signed, and which I would rather my tongue cleave to the roof of my mouth than I would say a word to induce anybody to sign. (Great astonishment.) ... I never was a 'five-point man'. I told you that I only was a one-point man; and that point was a good prayer and a long spear. I told you that the prayer would open heaven; and I told you that the spear's points and musketry would keep the gates of hell closed and the devils at home.\textsuperscript{101}
\end{quote}

Stephens remained the epitome of the Cromwellian chaplain exalting the labouring population to pray and keep their power dry, but in the heady days of 1839 his message was no longer enough to sustain most working men and women.

At his trial at the Chester Assizes on 15 August 1839, Stephens was found guilty of having 'tumultuously met with others at a torchlight meeting', and ... attempted to excite disobedience to the laws'. He was sentenced to eighteen months in Knutsford Gaol.\textsuperscript{102} Stephens continued his anti-poor law activities in gaol, writing Stephens'

\begin{flushleft}
\textsuperscript{99} Bradford Observer, 4 July 1839.
\textsuperscript{100} The Times, 1 July 1839.
\textsuperscript{101} J.R. Stephens, The Political Pulpit, No.13 ..., p.102.
\textsuperscript{102} Bradford Observer, 22 August 1839.
\end{flushleft}
Monthly Magazine in his prison cell, but he took no further part in the Chartist movement. He resumed preaching to the faithful upon his release, but what influence and prestige he still enjoyed was purely local in character. His battle with the New Poor Law did not diminish, however. He fought the establishment of the Ashton-under-Lyne Board of Guardians in 1845; stood successfully as an anti-poor law Guardian in 1848; and as late as 1863, during the Lancashire cotton famine, was attacking the inadequate relief given to the unemployed. When Stephens died in 1879 the Factory workers of south Lancashire and north Cheshire erected a monument to him. The monument carries the legend: 'An earnest advocate of the Ten Hours Bill, an able defender of Trades Unions and determined opponent of the New Poor Law'.

* * *

Although popular opposition to the New Poor Law was slowly subsumed into the background of Chartist agitation, it continued to influence the direction and the character of the movement for much longer than is often recognized. Certainly, as almost every Chartist orator was aware, the one topic which was guaranteed to arouse Chartist audiences throughout the country was the New Poor Law. Assistant Commissioner a'Court reported from Wiltshire in September 1838 that the speakers at Chartist meetings were receiving an enthusiastic response when they promised 'destruction of all the New Workhouses, instant repeal of the Poor Laws and condign punishment of those who passed them'. Henry Vincent, one of the speakers a'Court was undoubtedly referring to, told friends that he was able to move a meeting of Bath Chartist women to tears when he spoke of the New Poor Law. At a Chartist meeting at Blackburn in July 1839, the most enthusiastic applause came when James Holden, a young factory operative, threatened 'vengeance' on the Whigs for having introduced

105. a'Court to Lefevre, 13 September 1838, PRO., HO 73/54.
106. Vincent to Minikin, 20 October 1838, Vincent-Minikin Correspondence, TH., VIN 1/1/12.
the New Poor Law. 107

The hated New Poor Law had an important place in Chartist demonology. There was rarely a Chartist meeting or demonstration, without at least the presence of one flag or banner referring to the New Poor Law. Some of them were quite elaborate. At Carlisle in October 1838 the Women's Political Union carried a beautiful silk banner showing a 'representation of the atrocious New Poor Law ... a painting of a Guardian tearing a Child from its mother's breast'. On the reverse, was a picture of a 'Guardian separating man and wife', and the motto 'who God has joined together let no man put asunder'. 108 Others were much simpler, both in construction and message. At a demonstration at Colne in October 1838 there was a plain calico flag in the procession. It bore the simple slogan: 'No New Poor Law - no Bastile Punishment'. Still others showed evidence of wit and originality. In the same procession at Colne one of the marchers had a skeletal-like effigy suspended from a pole. It carried the words: 'just escaped from the Bastile'. 109 Occasionally there were attempts at crude verse. The banner carried by the men from Bashall's Factory in the procession at Preston in November 1838 was in doggerel:

No Bastile for me, 110
I intend to be free.

And at other times the motto or slogan was right up to date. A banner carried at the Peep Green demonstration in May 1839 showed 'a representation of Marcus destroying a babe in a Union Workhouse'. 111 But more often than not the old standby slogans, 'Down with the Bastiles', and the biblical 'woe unto him that oppresses the Poor', were deemed sufficient. 112

Many of the mottos on Chartist flags and banners were from biblical passages; and many of these alluded to the New Poor Law. One of the most popular was:

107. Blackburn Standard, 10 July 1839.
109. Ibid.
110. Northern Star, 10 November 1838.
112. Northern Star, 1 June 1838.
What mean ye that ye beat my people to pieces, and grind the faces of the poor? saith the Lord God of Hosts.

But there was also:

Whoso stoppeth his ears at the cry of the poor he also shall cry himself, but shall not be heard.

And, of course:

Rob not the poor because he is poor: neither oppress the afflicted in the gate.

Such quotations not only vested popular opponents of the New Poor Law with the full authority of the word of God, but also gave Fustian Chartism the air of a crusade.

It was hatred of the New Poor Law which determined Chartist strategy during the 1841 General Election. In the north of England the Whigs were viewed as the authors of the New Poor Law, whereas the Tories were seen as opponents - albeit often luke-warm opponents. Feargus O'Connor therefore advised his supporters to campaign for a Tory victory in the General Election. Not all Chartists agreed. Bronterre O'Brien denounced O'Connor's advice as madness. He said it would mean the annihilation of Chartism if the Tories were returned. O'Brien suggested that the Chartists should support neither of the major political parties unless an alliance with one or the other could lead to the return of a Chartist candidate. But it was O'Connor who was once again most closely attuned to popular opinion on the subject. Certainly in the north of England most Chartists campaigned actively against the Whigs and their hated New Poor Law.

In Huddersfield the local Chartists campaigned with wit and style. They paraded the town in a small procession, displaying emblems attacking the New Poor Law. The procession was led by a man carrying a pole bearing a large lump of cheese, a large loaf and a piece of roast meat. It bore the slogan 'Chartist fare for all working men'. Next came a pole with the slogan 'American loaf, Republicanism

113. Northern Star, 27 October 1838; Isaiah iii, 15.
114. Ibid; Prov. xxi, 13.
115. Northern Star, 17 November 1838; Prov. xxii, 22.
and a cheap government'. Then there was a pole bearing a red herring and a split potato with the slogan, 'Whig fare for able-bodied labourers'. And then another pole, with a small black loaf and the slogan 'Neddy Baines's coarse sort of bread for the poor'. Next came a cart with a tub labelled 'red herring soup' and a jar labelled 'skilly-go-lee' on the front. 'Skilly' was the slang term for the gruel, or oatmeal soup, which was rumoured to be served in the new bastiles. Much to the amusement of bystanders, the 'skilly' was raised up every now and again in a ladle and one of the Chartists would shout, 'soup, four quarts a penny'. But the most conspicuous article in the cart was a 'poor old donkey', dressed in the Whig colours of red and yellow, and with a copy of the Leeds Mercury tied to its tail. Placards on the donkey and on the side of the cart proclaimed, 'behold the great liar of the north, old Neddy'. This was a reference to Edward 'Neddy' Baines, M.P. for Leeds and owner of the Leeds Mercury. From the back of the cart the Chartists handed small red cards to bystanders. The cards read, 'free tickets for the bastile'.

Nationally the Tories won the election. But the effect of the northern Chartists' anti-poor law campaign upon the result is unclear. In Huddersfield there was no Tory candidate, and Stansfield, the sitting Whig member, was returned unopposed. Where the anti-poor law campaign did appear to have had some impact was in the election of the two members for the West Riding. The Tory Halifax Guardian had claimed that the fate of the New Poor Law hung on the election result. It warned that if the two sitting Whigs, Morpeth and Milton, were returned 'the New Poor Law [would] ... become permanently the law of the land, and the chains of the already oppressed poor be rivetted on their pining limbs'. Both Whigs were defeated and replaced by the two Tories. But if the northern Chartist had hoped that a change of government would mean a change of policy with regard to the New Poor Law they were to be sadly disappointed. Soon after gaining office Sir Robert Peel, the Prime Minister, and Sir James Graham, the Home Secretary, declared that they would continue

the new Poor Law. 120

* * *

With such a heterogeneous movement as Chartism it is impossible to talk of the Chartist attitude to anything - much less the New Poor Law. Nevertheless there is no doubt that rank and file Fustian Chartists maintained a deep and consistent opposition to the New Poor Law. It was opposition to the New Poor Law which had drawn many of them into the Chartist Movement; and it was a repeal of the New Poor Law which remained one of their first goals once they achieved their demands for political reform.

In his study of the anti-Poor Law Movement, Nicholas Edsall claims that opponents of the New Poor Law never put forward their own proposals for a poor relief system. He writes:

At times they came frustratingly close. One pamphleteer declared metaphorically that 'the Poor Law is (the Labourer's) policy of insurance and his labour ... is the premium'. But neither he nor anyone else ... took this argument to its logical conclusion and sought to transfer the metaphor into practice. The opposition merely opposed.... 121

One wonders where Edsall looked for his evidence, certainly he never looked at Fustian Chartism. Most northern Chartists probably started with the notion of simply repealing the New Poor Law and returning to the 43rd of Elizabeth. But this gradually changed as people began to question whether the Old Poor Law was all it could have been. Modifications to the Old Poor Law began to be suggested. There was even a move towards centralism. Feargus O'Connor told an audience at Sheffield in September 1839:

there ought not to be any poor in the land. If society was properly constituted [as it presumably would be under the Charter], all the sick and infirm would be provided for by the government. 122

Bronterre O'Brien outlined in some detail the policy he thought

120. Driver, Tory Radical, p.437.
122. Sheffield Iris, 24 September 1839.
should be introduced. In place of the 'degrading' New Poor Law he would establish

a just an efficient poor-law (based upon the original Act of Elizabeth), which would centralize the rates, and dispense them equitably and economically for the beneficial employment and relief of the destitute poor.... The employment to be of a healthy, useful, and reproductive kind.... Till such employment be procured, the relief of the poor to be, in all cases, promptly and liberally administered as a right, and not grudgingly doled out as a boon....

Who was to provide the money which would fund such a system? O'Brien suggested 'the owners of realised property', those who had profited by the labour of the poor and 'whose enormous revenues ... are the main cause of so many labourers falling into pauperism'.

Not, of course, that O'Connor or O'Brien spoke for all Chartists. Even in the north of England there were a few Chartists who were influenced by the ideas of philosophical radicalism to believe that the ancient rights and privileges they had enjoyed under the Old Poor Law were in conflict with their demands for political reform. But they never appear to have been very influential. Another strand of Chartist opinion even argued that the longer the New Poor Law continued the sooner they would obtain the Charter. According to this hardline view the New Poor Law provided a useful source of popular resentment which could be channelled into the cause of political reform.

But in the main the vast majority of Fustian Chartists were vehemently opposed to the New Poor Law and used whatever means they could to restrict its influence. Quite a few Chartists stood and served as anti-poor law Guardians on Union Boards. Lawrence Pitkethly was elected to the Huddersfield Board of Guardians in 1840. Four Chartists were elected to the Dewsbury Board in 1842. And the

125. Manchester and Salford Advertiser, 14 November 1840.
126. Manchester and Salford Advertiser, 28 May 1842, and Blackburn Standard, 1 June 1842.
127. Huddersfield Board of Guardians Minutes, March 1840, K MBA.
128. Union Clerk to Mott, 18 May 1842, PRO., MH 12/14831.
PLATE 14: CONTEMPORARY ENGRAVING PROPORTING TO SHOW THE ATTACK ON THE STOCKPORT WORKHOUSE.
Halifax Board had four Chartist Guardians elected to it in 1848. Opposition to the New Poor Law remained central to Fustian Chartism for as long as the movement itself existed. During the Plug Plot Riots in August 1842 a large crowd of striking Chartists went to the Stockport workhouse to demand food. When it was refused, they stormed the building and began distributing bread to those outside. The authorities took a very dim view of the proceedings however. Of the 16 people eventually brought to trial, 2 were transported for life, 2 were transported for seven years and the 12 others were given one year prison sentences.

The anti-poor law movement not only helped spawn Fustian Chartism but also gave it its characteristically militant and robustly working class form. Much of the rhetoric and symbolism of Fustian Chartism was borrowed from the campaign of popular opposition to the New Poor Law. And most of the leaders of Fustian Chartism were active opponents of the New Poor Law. Tradition and logic had suggested to northern popular radicals that the New Poor Law would be repealed only after there had been a radical reform of the system of parliamentary representation. Thus, for many Fustian Chartists the campaign to obtain the People's Charter was merely an extension of the campaign of popular opposition to the New Poor Law. This is not to deny that Fustian Chartists were not concerned with other social, economic and political injustices. But the New Poor Law had in a very real sense come to be seen as a symbol of all the injustices faced by the labouring population of Britain. Popular opposition to the 1834 New Poor Law thus continued to provide one of the unifying themes of Fustian Chartism.

129. Leeds Intelligencer, 22 April 1848.
130. Stockport Advertiser, 12 August 1842, and Manchester and Salford Advertiser, 13 August 1842. See Plate 14.
131. Stockport Advertiser, 14 October 1842.
Chapter Nine

RUMOUR AND FEAR

Popular opposition to the 1834 New Poor Law was often shaped by rumour and fear. Unfortunately, this has led many historians to dismiss the opposition movement as merely being the result of 'ignorance'. The historians' assessments are so similar that they have assumed the character of a litany: 'every arsenal of superstition and ignorance was ransacked to provide reasons against [Poor Law] reform';\(^1\) northern opposition to the New Poor Law was '[s]purred on by fear and anger';\(^2\) and 'pathetic misconceptions ... played a large role in bringing about the riots'.\(^3\) We search the histories of the New Poor Law for an illustration of the popular beliefs and assumptions which gave rise to these 'pathetic misconceptions', but in vain. All we are told is that '[w]ild rumours spread as to the intention of the ... Act'.\(^4\)

Rumour and fear certainly helped determine the texture and tone of the campaign of popular opposition to the New Poor Law. The black humour which was so characteristic of the anti-poor law movement had its roots in the 'primitive fears' of the labouring population at large. Furthermore, rumours and fears concerning the New Poor Law were not necessarily the result of ignorance or irrationality; they sprang from a popular understanding as to what could be expected of those who championed a radical reform of the Poor Law. By examining these rumours and fears we might well gain an insight into some of the popular beliefs and assumptions which guided popular opposition to the New Poor Law; and we might well find that they were more informed and rational than many historians have allowed.

* * *

As soon as the New Poor Law began to be introduced into southern England in the spring of 1835 extravagant rumours started circulating as to the Act's intentions. Assistant Commissioner William John Gilbert reported some of the rumours he had heard in Devon:

Among other ridiculous statements circulated, the peasantry fully believe that all the bread [being given as poor relief] was poisoned, and that the only cause for giving it instead of money was the facility it afforded of destroying the paupers; that all the children beyond three in a family were to be killed; that all young children and women under 18 were to be spayed; that if they touched the bread they would instantly drop down dead; and I saw one poor person at North Molton look at a loaf with a strong expression of hunger, and when it was offered to her, put her hands behind her and shrink back in fear lest it should touch her. She acknowledged she had heard of a man who had dropped down dead the moment he touched the bread.

Gilbert said that still others 'believed that to touch the bread was like "taking bounty", and the guardians would immediately seize them, kill their children, and imprison the parents'. Nor was it only the poor and destitute who were subject to such rumours. Gilbert went on to report that the small ratepayers also had their own tales of horror:

The chairman [of the Board] was to have 1,200 l. a year, and all the guardians in proportion, and ... 20,000 l. were to be immediately levied on the rate-payers for a workhouse.5

Popular fears very like those in Devon were reported throughout southern England. The Rev. Thomas Spencer, the first chairman of the Bath Union, was told by a pauper at Bradford-upon-Avon that the people feared the black bread that they were now receiving as relief; apparently the bread was believed to be poisoned because 'it was expected [that] the poor would die off like sheep with the rot'.6 When the Archdeacon of Lewes, who had recently joined the local Board of Guardians, generously invited pauper school-children to an outing, it was whispered that they were to be taken on a boat into the English Channel and drowned.7 During the 1835 General Election, people in

7. N. Longmate, Workhouse, p.73.
Worcester were told the sitting member 'had voted in Parliament that all the old people in England should be killed'. And in the Royston Union in Cambridgeshire the 'wildest and most extravagant notions' circulated about the New Poor Law. Assistant Commissioner Power reported that the labouring population 'believe ... every form of cruelty not excepting that of death by hanging is to be inflicted on them as a part of the Workhouse System'.

Nor were such fears alleviated by the utterances of many of those charged with implementing the New Poor Law. 'Our intention', admitted one Assistant Commissioner at a public meeting, 'is to make the workhouses as like prisons as possible'. Assistant Commissioner Mott openly told Richard Oastler that 'the object of building these union [work]houses is to make them a terror to the poor and prevent them from entering'. In the Wayland Union in Norfolk the paupers went around in mortal terror that they would be branded with the letter P and that their meagre possessions would be confiscated, after the Union's new relieving officer made a series of threatening remarks.

What is surprising about these rumours and fears is not that they should have existed, but that the authorities (and for that matter later historians) found them so inexplicable. Certainly there was nothing new about them. Whenever there had been attempts to introduce a stricter system of workhouse relief, there were rumours of cruelties. During the 1760s, when the Houses of Industry were built in East Anglia, there had been persistent rumours that the inmates were being tortured. One of the most notorious of these Houses, known locally as 'Bulcamp Hell', was eventually burnt to the ground by a crowd of angry farm labourers.

But it was undoubtedly popular unease over Malthusianism which contributed most to fears about the New Poor Law. The Rev. Thomas Malthus had been part of the demonology of popular radical discourse

9. Power to PLC, 19 August 1835, PRO., HO 73/51.
11. Ibid.
12. Wayland Board of Guardian Minutes, 22 October 1835, Poor Law Catalogue, Norfolk Record Office; quoted in Digby, Pauper Palaces, p.224.
since the Napoleonic Wars. There were few labouring men and women who had not heard of Cobbett's 'check-population parson' and his scheme to reduce the 'surplus population'. 14 Of course, few of them had read Malthus for themselves and their understanding of both his doctrine and his proposed solution was necessarily distorted. In the atmosphere of excited debate which raged over Malthusianism in the 1810s and 1820s, there were times when it appeared that Malthus and his followers were advocating nothing short of mass murder. During the 1832 cholera epidemic there were even rumours that the disease had been especially introduced into the country to help reduce the 'surplus population'. Certainly popular fears were not dispelled when it was learnt that some of the cholera victims had been dissected by the surgeons. 15

In a little known play he wrote in 1831, William Cobbett satirized Malthusianism. 'Surplus Population: A Comedy in three Acts', was the rollicking tale of two young lovers, the dairymaid Betsy Birch and the farm labourer Dick Hazle, and the obstacles placed in the way of their marriage by the leering Sir Gripe Grindum. Although professing to be a disciple of Malthus's, Sir Grindum's real reason for wanting to stop the marriage was so he could have Betsy for himself. Eventually Grindum got his 'cumuppance' when his evil scheme was discovered and the farm labourers threw him in the pond. Cobbett used the simple story line to good effect, presenting a very funny and at times witty critique of Malthusianism. Apart from the leading protagonists there was the visiting Malthusian philosopher, Peter Thimble (a thinly veiled tilt at Francis Place), the stout hearted Farmer Stiles, the village's radical shoemaker, Last, and a whole


15. J.R. Morris, Cholera 1832, pp.96-111; M. Durey, The Return of the Plague, pp.176-84, suggests that the notion of a large-scale conspiracy by the ruling class to kill off the labouring population was more strongly held on the continent than in Britain.
Cobbett used the character Peter Thimble, and his constant harping about the dangers of surplus population, to ridicule Malthusianism. When told by young Betsy that she came from a family with seventeen children, Thimble was horrified:

Hold your tongue! Hold your tongue! (Aside.)
It is quite monstrous! Nothing can save the country but plague, pestilence, famine, and sudden death. Government ought to import a ship-load of arsenic....

But Thimble's Malthusianism met its match in the common sense logic of the radical village shoemaker, Last.

Mr. Last, do you not know that there is in nature, a tendency, in every country, for the people to increase faster than the food that they usually live on?

Last. - I do not only not know that fact, but I know that, besides being contrary to reason and experience, it is next to blasphemy to assert it.... [I]f there be in nature this tendency, how comes it that it never was discovered before; and that ... until ... that Scotch fellow, Malthus, wrote his book, no man in England even dreamed of our having too many people?

Squ. Thim. - The evil has not existed until of late years.

Last. - But if it be in nature, why did it not exist before?

It was a question many working people also asked the supporters of Malthusianism.

In 1835 Cobbett revised the play and added new material relating directly to the New Poor Law. In what must be one of the most original protests staged against the New Poor Law, Cobbett actually

16. W. Cobbett, 'Surplus Population: A Comedy in three Acts', published in Cobbett's Political Register, 28 May 1831, and Cobbett's Two-Penny Trash, Vol.I, No.12, 1 June 1831. M.L. Pearl, William Cobbett: Bibliographical Account, p.171, suggests that the character of Peter Thimble was a not unfriendly hit at Francis Place; and that the wicked seducer, Sir Grindum, was meant to be Sir Francis Burdett.


presented performances of the play in the area around his farm near Farnham, Surrey. When he announced plans to take the play on a tour of Hampshire, Sussex and Kent, the authorities stepped in and banned it. Whether the play actually influenced popular opinion is hard to gauge. Assistant Commissioner a'Court did not think it had much effect. In all events it was Cobbett's last swipe at the authorities; the grand old man of popular radicalism died on 18 June 1835.

* * *

Concern over Malthusianism and fear of the New Poor Law were by no means restricted to rural England. Most leaders of the anti-poor law movement in the manufacturing districts of the north of England had some story or other to relate concerning the horrible effects of the new law. Many of these stories were heart rending. In a letter to The Times, for instance, Richard Oastler told how a man preparing to leave a workhouse had asked after his wife, that she might join him outside, only to be told that she had been buried three weeks previously. No one had seen fit to inform him. In the Icklesham Union it was reported that parents and children were confined in separate workhouses some miles apart. On more than one occasion a little child had been heard crying out, in violent grief - "Let me out - let me out - I want to see my daddy - I must go to my daddy". Lurid stories of the torture and cruelties allegedly taking place in the new Union bastiles were also the staple of the Tory and radical anti-poor law Press. They not only sated the appetite of

20. Cobbett's Political Register, 6 June 1835.
21. a'Court to Chadwick, 5 April 1835, Chadwick Papers, UCL., CP 152.
22. The Times, 11 July 1837.
23. Northern Star, 2 June 1838.
24. A surprisingly large number of northern provincial newspapers were opposed to the New Poor Law. They included northern Tory newspapers like the Blackburn Standard, Bolton Chronicle, Halifax Guardian, Leeds Intelligencer, Manchester Chronicle, and Wigan Gazette. Radical newspapers that opposed the New Poor Law included: Champion and Weekly Herald, Leeds Times (at least until Samuel Smiles took over as editor in 1839), and Northern Liberator. Another important anti-poor law paper was the Sheffield Iris, although its politics were generally slightly
a sensation hungry readership, but helped fuel popular fear about the New Poor Law.\textsuperscript{25} The Halifax Guardian reported how a 'brute of an overseer' forced a mother and her young infant to be removed from Tuplon to Cambridge in the middle of winter. The child had subsequently died. A coroner's jury was supposed to have returned a verdict of manslaughter against the overseer.\textsuperscript{26} The Manchester and Salford Advertiser told how two sick paupers in the Crediton Union workhouse in Devonshire had been shut in a dark outhouse with only straw to lie on in the middle of winter. One of the workhouse officials is even alleged to have expressed impatience at the length of time it took for the two paupers to die. At one stage they are supposed to have been taken out naked in the freezing weather and washed with a mop at the courtyard pump.\textsuperscript{27} The Northern Star told how an unemployed weaver named Coleman had been sent before the Nottingham magistrates by the Guardians on a charge of sleeping out of the workhouse. When the bench heard evidence that he was actually trying to obtain work at the time, they dismissed the case. Apparently the Guardians were so angry at this that they stripped his wife of her shoes and socks and her newborn infant of all its clothes and expelled them from the workhouse.\textsuperscript{28}

Of course, many of these reports were at best half truths, but the newspapers' readers were not to know that. By the time the Poor Law Commission had checked the allegations and issued a denial there were another dozen or so reports to investigate. The Poor Law Commission could not keep pace with the rumours. In the case of Oastler's claim that a workhouse inmate had not been informed of his wife's death, it was almost three months before the Poor Law Commission could inform the Home Secretary that they could find 'no evidence which would substantiate the rumour'. The Commission said that Oastler had heard the rumour from a Mr. Kettlewell, who heard it from

\textsuperscript{F.n. 24 continued.}

whiggish. Nationally the most important anti-poor law papers were of course The Times and the Northern Star.

\textsuperscript{25} A collection of most of these horror stories is to be found in G.R.W. Baxter, The Book of the Bastilles (1841).

\textsuperscript{26} Halifax Guardian, 26 January 1839.

\textsuperscript{27} Manchester and Salford Advertiser, 5 September 1840.

\textsuperscript{28} Northern Star, 31 March 1838.
some friends, who heard it from a man in Lepton, who heard it from his brother, 'to whom it had been related by a pauper, who said he had been in the same [work]house, but whose name and abode he confessed he did not know'.\footnote{29} When the Rev. Mr. Bull told a horrified Bradford meeting that a young woman in a workhouse had been stripped and flogged 'like a soldier', Chadwick immediately wrote asking him if he could prove these charges.\footnote{30} Bull replied somewhat lamely that he would only give his evidence to a duly constituted court of law.\footnote{31} Eventually he was forced to admit that the woman had only been slapped by the workhouse matron.\footnote{32}

But there were always stories with enough truth in them to cause the Poor Law Commission and the government acute embarrassment. Certainly the Poor Law Commission could not argue with the Sheffield Iris when it reported that conditions in the new Pershore workhouse, near Worcester, were so bad - with damp walls and damp bedding - that the inmates were dying off. The verdict of a local Coroner's Jury into the death of a former child inmate was: 'Died from inflammation of the lungs, brought on by cold caught in the newly-erected workhouse at Pershore'.\footnote{33} In fact the verdicts of several Coroner's Juries caused the Poor Law Commission unease. When Mary Wilden, an epileptic, died in the Worksop Union workhouse, an inquest found that her death was caused by the illtreatment she had received there.\footnote{34} And when Mary Whiting died after being forcibly removed from Heston to St. Pancras, a Coroner's Jury attributed it to the New Poor Law. John M. Cobbett informed his patron John Fielden that 'the Coroner's Juries are not bad fellows, though they are shopkeepers' and he went on to say that as far as the case of Mary Whiting was concerned 'the Poor-law Commissioners have very nearly placed themselves within the claws of a Coroner's writ!'.\footnote{35}

\begin{enumerate}
\item \footnote{29} PCL to Russell, 16 September 1837, PRO., MH 12/15063.
\item \footnote{30} Bradford Observer, 2 February 1837.
\item \footnote{31} G.S. Bull, Horrors of the Whig Poor Laws, p.6.
\item \footnote{32} Rose, 'Anti-Poor Law Movement in the North of England', p.78.
\item \footnote{33} Sheffield Iris, 28 February 1837.
\item \footnote{34} S. Roberts, Mary Wilden, A Victim of the New Poor Law (1839).
\item \footnote{35} J.M. Cobbett, to Fielden, 23 August 1836, Fielden Papers, JRULM.
\end{enumerate}
If the New Poor Law was not directly killing off the paupers, it was treating them like felons. George Troth, an eighty-one year old inmate of the Hereford workhouse, was sentenced to seven days' imprisonment with 'hard labour' after he had refused the workhouse master's orders to break stones. And when two young boys ran away from the Tingoe Union workhouse in Suffolk, they were taken into custody and charged with stealing the clothes they were wearing. The Bury St. Edmund's magistrates found them guilty and sentenced them to fourteen days hard labour. The Halifax Guardian probably summed up the opinion of most opponents of the New Poor Law: 'And yet we are told that workhouses are not prisons'.

In December 1840 most newspapers shocked (and no doubt titillated) their readers by reporting the flogging of girls and young women by James Miles, the master of the Hoo Union workhouse at Rochester in Kent. 'Upwards of half-a-dozen girls', reported The Times,

have ... had their persons exposed in the most brutal and indecent manner, by the Master, for the purpose of inflicting on them cruel floggings; [they have] ... been compelled ... to strip the upper parts of their persons naked, to allow him to scourge them with birch rods on their bare shoulders and waists ....

Apparently, the workhouse master might even have been able to continue his nefarious activities undetected, had he not flogged little Jemmy (a pauper's illegitimate child, then two years of age) with a birch rod ... because it cried for its mother.

This finally proved too much for the long suffering women inmates and they got up enough courage to complain. The workhouse master was eventually prosecuted and convicted of assault.

It was a scandal concerning the treatment of workhouse inmates which led eventually to the demise of the Poor Law Commission. On 1 August 1845, Thomas Wakley, the reforming editor of the Lancet and M.P. for Finsbury, asked the then Home Secretary, Sir James Graham, whether he had received any information about the conditions experienced by the inmates of the Andover Union workhouse in Hampshire. 'He under-

36. The Times, 3 July 1837.
38. The Times, 26 December 1840.
stood that one of the guardians ... had complained to the Poor Law Commissioners that the paupers of the Union were employed in crushing bones, and that, while so employed, they were in the habit of quarrelling with each other about the bones, of extracting the marrow from them, and of gnawing the meat which they sometimes found at their extremities. Graham replied that 'he could not believe such an abuse existed, otherwise he should have heard of it'. He promised however to institute an immediate inquiry. The Times quickly took up the story and when Assistant Commissioner Henry Walter Parker arrived in Andover a few days later to begin his investigation a special correspondent was on hand to report his findings.

Not only did the allegations prove to be true, but Parker's report suggested grave mismanagement in the running of the Union stretching back over a number of years. The Poor Law Commission quickly sought to distance itself from the affair. Proceedings were begun against the workhouse master and the responsible Assistant Commissioner, the luckless Parker, was dismissed. The attempt to set up the two scapegoats went badly astray however and the government was eventually forced to establish a Select Committee of the House of Commons to investigate. The Committee revealed a long list of cruelties, abuses and mismanagement going back to the formation of the Union in 1835. But it refused to heap all the blame on the workhouse master and the Assistant Commissioner. The Board of Guardians, the Poor Law Commission and even the Treasury shared in the guilt. The dietary table which the Poor Law Commission had recommended to the Andover Guardians was inadequate and although this had subsequently been discovered by the Poor Law Commission no one had seen fit to inform the Union Board. The Guardians had failed to carry out adequate inspections into the management of the workhouse which might have revealed the master's abuses. They had also sold the blood and bone which the paupers produced to themselves at a discount price. The Committee also found that the threat of starvation in the workhouse had been used to force farm labourers to accept reduced wages. While the Guardians had undoubtedly acted harshly in enforcing the workhouse

40. Ibid, col.1321.
41. The Times, 13 August 1845.
test, the Committee found that they had only been acting 'in accordance with the frequently published views of the Poor Law Commissioners'. The Committee even found that the Commission discouraged its Assistants from taking any notice of rumours of cruelties and abuses. Chadwick and Nicholls were blamed for their rigour and the other two Commissioners for their neglect. And finally the Treasury was blamed for reducing the number of Assistant Commissioners from twenty-one in 1839 to a wholly inadequate nine in 1842.42

The Committee's report was devastating: it did everything but demand a repeal of the New Poor Law. Clearly the existing Poor Law Commission could not survive such an onslaught and in 1847 it was replaced by a Poor Law Board, directly accountable to Parliament.43 The New Poor Law survived - albeit in watered down form. It survived because neither the Whigs nor the Tories had an alternative policy. A few parliamentarians still advocated a return to the Old Poor Law, but generally the criticisms contained in the Report of the 1832 Royal Commission held sway. The harsher aspects of the New Poor Law were removed and a work test rather than a workhouse test became the primary means of determining a person's eligibility for poor relief. In December 1852 the Outdoor Relief Regulation Order legitimized what had always been the practice with poor relief in the manufacturing districts of the north of England: the able-bodied were to receive outdoor relief on certain conditions and the aged and infirm without restriction.44 In fact one could argue that the full rigour of the New Poor Law was not forced home in the north of England until the 1870s, when the spectre of poor rates eating up the land was once again raised in parliament, the Report of the 1832 Royal Commission dusted off and reprinted, and over 100,000 infirm and disabled paupers forced off poor relief by reclassification as able bodied.45

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The most surprising aspect of the Andover scandal was that it attracted so little attention from popular opponents of the New Poor Law. The startling revelation horrified respectable Victorian Britain: it appeared to touch a nerve in the collective psyche of the middle class. There was a flood of meetings, letters to the editor and petitions. At St. Albans in Hertfordshire there was even an attempt to establish a National Anti-Poor-Law Provident and Benefit Union, a charitable organization which would bypass the New Poor Law completely. The Tory M.P. for the borough, Benjamin Bond Cabbell, told the meeting that the New Poor Law was 'bad in principle and worse in practice; leading to tyranny, cruelty, misery and immorality'.

In contrast to the soul searching and protests from the middle class, popular opponents of the New Poor Law were virtually silent. Andover was occasionally mentioned by a speaker at a northern anti-poor law meeting, but there were no mass petitions from the north and certainly no large scale popular protests.

A decade or more of rumours, fears and popular expectations had predicted Andover. What else would one expect of a workhouse master than that he would be cruel and harsh? Certainly there was nothing startling to popular opponents of the New Poor Law about a workhouse master who beat children, forced some women inmates to have intercourse with him and pilfered the paupers' already inadequate rations, as happened at Andover. Similarly there was nothing new about a corrupt Board of Guardians or a Poor Law Commission which was accused of undue harshness. And as for paupers being starved and labourers being forced to accept low wages, did not everyone realize that this was the effect of the New Poor Law?

With all the rumours, fears and sensational revelations, there had grown up in the popular mind an almost mythical view of the New Poor Law. It centred on the bastile - the hated Union workhouse. In October 1836 the Champion and Weekly Herald presented its readers with an engraving of the new Union workhouse at Bridge, near Canterbury. The building was in the shape of a quadrangle with separate quarters

46. Morning Advertiser, 9 October 1846.

47. Andover was mentioned at meetings at Rochdale and Middleton. See Manchester and Salford Advertiser, 20 September 1845, and Manchester Times, 29 November 1845.
THE POLITICAL DRAMA. No. 57.

The mode of Punishment for the incorrigible, by order of the Overseers.

Pray, Sir, have mercy on us and let us in, or give us some food, for we are actually starving.

Oh, Sir, have mercy on me. I cannot work at all, for I am old, and sick, allow me but 10 minutes rest.

Here, indeed! You say old; think of the poor made for hard work — up to the hanger you old rascal.

What have you got in the brush? Jan 1. — You lost your wife's work? I'm going to take you to the hospital to sell. For the expenses, as generally been such a load as this wants a load.

NOTICE

For being drunk or being found asleep in the bush, or any other disorderly conduct. Any of the inmates will be flogged on the back without punishment, one day without food. Being delinquent in 3 days confinement under ground. For using any other method of punishment by order of the Overseers.

INTERIOR OF AN ENGLISH WORKHOUSE UNDER THE NEW POOR LAW ACT

PLATE 15: CARTOON.
for men, women and children on three of the sides, and the fourth side, towering over the rest, housing the Guardians' Board room, waiting rooms and lodging rooms for the master. There was only one entrance to the building, through an archway under the Guardians' Board room. The only windows to face out were also on the Guardians' side; all the other windows looked in towards the central courtyard. In a written commentary which accompanied the engraving, readers were placed in no doubt as to what the buildings looked like - 'a prison!' 48

Life inside these 'hell-holes' was portrayed as one of unremitting terror. Inmates were separated from their spouses and children; they had their heads shaved; and they were forced to work at degrading and menial tasks. A cartoon, probably dating for 1836, purports to show the interior of an English workhouse under the New Poor Law. 49 Four paupers (three men and a woman) are shown beating hemp - which is 'worse than breaking stones' - while the children, with tears running down their cheeks, are picking oakum. An old man who asks for ten minutes rest, is forced back to work by an official, whip in hand. The official abuses him:

Rest, indeed! you lazy old thief, d'ye think ye came in here to be a gentleman. Old and young must labour here - what was the poor made for but to work?

In the background, some paupers are chained to the wall, while others hang hog-tied from a beam. Notices on the walls give the workhouse regulations. One of them states that 'all able-bodied paupers who conduct themselves in a mutinous or disorderly manner will be knocked on the head without a trial and their bodies sold to the surgeons'. Just to reinforce the point, a cart is shown being dragged away. One of the officials asks what is in it. The answer:

The infant poor wot's died, I'm going to take one to the hospital to sell for the surgeons, we generally have such a load as this here once a week. 50

A belief that the aim of a workhouse was actually to kill off the paupers and make a profit by selling their bodies to the surgeons

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49. The Political Drama, No.57; see Plate 15.
50. Ibid.
for dissection was a persistent fear of popular opponents of the New Poor Law. It was the final indignity, a symbol of the way the rich and powerful treated the poor and helpless. This is what one Welsh working man thought:

We know that the Framers of the laws of our land will not make any law to amend or ameliorate our condition. Loading heavier, that is the religion of wealth. Lower, lower with the condition of workmen and more labour add 'that's the rub'. And after the workman fails to work, to the Bastile with him to be plagued, to be separated from his wife and children, and to be slowly starved with water-porridge; and after he dies, thro' the visitation of God, of course! his corpse will be given up to the skilful butchers to be hacked and sawed asunder with their tools for 'dissecting for the benefit of science and the faculty'....51

As Peter Bussey told an audience at Bradford in June 1838: 'If they were poor they imprisoned them, then starved them to death, and after they were dead they butchered them'.52

But by far the most evocative symbol of life in the bastiles was the atrocious food. The Rev. J.R. Stephens repeated to a meeting at Hyde in February 1839 what he had been told by a former inmate:

their meat was the nastiest that could possibly be conceived, and ... in the skilly he detected lumps of resin which had been boiled in it.... [Apparently] the skilly ran through them like water through a pipe, and they put the resin into it to make it stick in their belly.53

Stories about the 'skilly', or workhouse soup, abounded and it quickly took on an almost mythical quality. It was the subject of some bitter satire. The Champion and Weekly Herald printed a recipe allegedly taken from the memorandum book of a Poor Law Commissioner.

Take ten quarts of ditch-water, and stir it well with the body of a farthing rushlight, till it boils. Season it to your liking with old tealeaves, and it will be ready for use. The wick, which will not dissolve, is a delicious relish, and may be bottled whole, and, if you should want a desert, suck your fingers.54

51. Udgorn Cymru [Trumpet of Wales], No.1, translation supplied to the HO by Marquis of Bute, PRO., HO 40/57, ff.722-35.
52. The Times, 8 June 1838. Such fears were not without substance, see below Chapter Ten, pp.323-34.
54. Champion and Weekly Herald, 8 January 1837.
But probably the most imaginative description of the making of workhouse soup was this send-up of the Witches scene from Macbeth:

(Workhouse Laboratory - a Cauldron boiling - Groans.
Enter three Guardians.)

1st Guardian. - 'Thrice hath the dying pauper groan'd'.
2nd Guardian. - 'And once his starving child hath moan'd'.
3rd Guardian. - 'Rot-gut cries, "Tis time"'.

1st Guardian. - 'Round about the cauldron go;
In the loathsome victuals throw;
Bone that in the shambles' drain
Thirty days and nights hath lain,
Taken from sheep that had the rot,
Boiled here in the charmed pot'.

All. - 'Double, double, toil and trouble, Fire burn and cauldron bubble ...'.

1st Guardian. - 'Cool it with a pauper's blood
Then the charm is firm and good ....
Now for water; make it thin,'

2nd Guardian. - 'Put of that a plenty in'
3rd Guardian. - 'That will make the paupers grin'.

All. - 'Around, around, around, about, about,
all bad come running in - all good keep out'.

With such a bitter view of the New Poor Law it was small wonder that the startling revelations at Andover failed to cause a sensation amongst popular opponents of the New Poor Law.

* * *

Not surprisingly in view of the rumours and fears the New Poor Law was the subject of some bitter and savage satire. In an editorial published in December 1836, the Tory Wigan Gazette said that it was strange that as 'saving' is always put forward as the main justification of the New Poor Law 'a much more economical and infinitely more humane method of avoiding the wasteful extravagance of maintaining unproductive old paupers should have been overlooked'. The system referred to was one 'practised by the ancient Germans' and apparently cost virtually nothing. The editorial continued with biting irony:

These political economists enclosed the aged, the infirm, and even the deformed, in crates, and suffocated them at once in muddy pools, by which means they rid themselves of the trouble and cost of supporting them, and at the same time provided them with a coffin and grave. Strengthened in our opinion by physiological inquirers, who declare strangulation to be an easy kind of death, we deem the method now recommended to the notice of our political economists preferable, in point of humanity, to starving the poor by such a slow process as that to which the ... paupers are

55. Northern Liberator, 24 March 1838.
Many of these anti-poor law satires were printed on handbills. 'The Mirror of the Age; or, the State Galanti Show' was printed in Sheffield in November 1834. It was signed 'The Showman', and was probably a pseudonym for that inveterate pamphleteer, Samuel Roberts. The handbill purports to be a description of a fairground sideshow and the reader is invited to see what is taking place in this 'show of shows'. Looking through a special eye glass the reader is first shown a 'large grand room' with three fine Lords - Brougham, the Bishop of London, and Althorp - seated at a table with 'heaps of golden money ... upon the scarlet table cloth'. Brougham addresses his companions:

'My Lords, we must either rob or be robbed. If we do not get more this will not be ours another year. We cannot fleece Lords, we cannot fleece the rich, who must we fleece? 'Fleece the poor! fleece the poor! .... Yes, fleece the poor!' they all exclaim.

The reader then observes the three Lords making 'hodgepodge, or Althorpiano', for the poor to eat. Lord Althorp says 'we must accustom the poor to coarser food'.

The next scene is of a grand dinner where the three Lords are eating. The Poor Law Commissioners enter bringing in 'a plate full of money'. Althorp asks:

'And you got all this already, from the overfed poor?' 'Yes, my Lord [answer the Commissioners], but it required very close scraping'.

The reader is next invited to look in on one of the new workhouses. First 'a large mean-looking room ... long bare tables ... a crowd of men all dressed alike ... all looking sorrowful, many ill humoured'. Then a similar scene in the women's quarters. The children are all dressed alike.... Look what pale faces they have, and how many of them are crying. Little dears, many of them will perhaps never see their daddies and mammies again.

Finally the reader is invited to look in on a 'dismal little room' full of 'rough coffins'. The showman addresses the reader:

'Look the men are bringing the body of a poor woman, - they put it into a coffin ... and the doctors take it

56. Wigan Gazette, 23 December 1836.
PLATE 16: 'EFFECTS OF THE NEW BASTARDY LAW'.
away. No, not to bury it, but to cut it into pieces as butchers do calves. I could show you them at work, but you would not like it...."57

Cartoons were also used to mount satirical attacks on the New Poor Law. The radical engraver, Charles Jameson Grant, produced a whole series of anti-poor law satires in the Political Drama. 'Effects of the New Bastardy Law' purports to show Brougham and the Bishop of London wheeling barrow-loads of infants into a workhouse. Althorp, in the uniform of a parish beadle, stands guard at the door. In the background four 'gentlemen' stand talking:

I say, Sir John, there are a few specimens of good breeding at all events exercised under the new [Poor] law.

Ha! ha! I suppose you would call this the fruits of the new Bastardy law.

Delightful idea. The sensualist can now enjoy himself without the fear of corroborative testimony.58

One of the best cartoon satires on the New Poor Law was 'Sunday Amusements in a Union Workhouse'.59 It lacks the savagery of Grant's work or the simplicity of 'England's Infernal Machine',60 but as a means of pointing up the duplicity of the Whig Government, the cartoon is unequalled. The background to the cartoon was a request to the government by a 'respectable deputation' that workhouse inmates be allowed out on Sundays to attend their respective places of worship. The Home Secretary, Russell, refused 'on the ground that the poor old creatures, if let out ... might spend their time improperly'. The government's concern for the souls of the poor suggested the idea that the same care was needed for the rich. Hence the cartoon. In a commentary which accompanied the cartoon the scene in the workhouse was explained.

Here is represented one of the small rooms in a new Union Bastile, appropriated to able bodied men. In this room six of the zealous Noble Advocates of the pauper imprisonment system are seen confined, on the Sabbath day, to prevent their spending it improperly, they being there dieted as they have ordered the poor to be. On the right-hand side, Lord Brougham has got Lord John Russell upon his shoulders in order to enable him to get a peep into the prison yard out of one of those high placed small windows common in the new

57. 'The Mirror of the Age; or, the State Galanti Show', [Handbill] PRO., MH 12/15465.
58. Political Drama, No.60; see Plate 16.
59. See Plate 17. 60. See Plate 19.
SUNDAY AMUSEMENTS IN A UNION WORKHOUSE.

PLATE 17.
Bastiles. The time is after dinner, when the bells are ringing for afternoon service. Lord John [Russell] is supposed to be saying, 'why, Brougham! I think this must be as bad as being at Church!' to which the late Chancellor replies, 'I really think it is, but I cannot tell'. ... Next to them is Lord Melbourne, attempting with the poker, to make an opening through the wall into the adjoining apartment in which the younger women are confined. He has a packet in his pocket addressed to 'Mrs. Norton, on State Affairs.' Farther on is seen Lord Howick amusing himself by drawing shadowy outlines of 'Liberty and Plenty.' In the foreground, on the left hand, Lord Althorp and the Bishop of London are seated on stools with a small table between them; the former has a placard on his knee headed 'Improved method of fattening Cattle,' while the latter has a roll under his arm, inscribed, 'Bastardy Clause.' There are cards upon the table with which the two have been playing at 'Beggar my Neighbour'. There is likewise an Old Weather House, which the Bishop has been altering so as to bring the woman out during storms - while the man is snug within. He is now, with doleful countenance, exhibiting to his noble companion the empty plate and wooden spoon; over his head is inscribed on the wall 'Wanted for Dissection' - under his stool a famished mouse lies dead. On the wall, over Lord Althorp, the Chancellor has written 'Our Estates will not be our own another year.' Over Lord Melbourne are two placards, one headed 'The Last Scale of Reduced Pauper Diet,' and the other, 'Commissioners Last Orders'. On the floor are several empty gruel basons.61

The cartoon was in effect a virtual summation of the fears of popular opponents of the New Poor Law.

* * *

Of all the rumours and fears concerning the New Poor Law the most infamous was probably that concerning the Marcus pamphlets. This series of pamphlets appeared in late 1838 and early 1839 and purported to advocate the enforced restriction of the size of working class families by means of the 'painless extinction' of all newborn infants over two in number. They caused a furore. The pamphlets and the response they caused are worth examining in some detail not only because they help point out the way popular rumour and fear were mobilized by the anti-poor law movement but also because they help illustrate the difficulties we often face in trying to distinguish

61. S. Roberts, England's Glory; or, the Good Old Poor Laws ..., pp.31-2.
between the satirist and the crank whose intentions are deadly serious.

The Northern Liberator, 8 December 1838, carried a small paragraph on 'a pamphlet, privately printed at first, but now openly published' which appeared to recommend 'the MURDER by wholesale of new-born infants, by a scheme called "Painless Extinction!"'. They said they had the pamphlet in their possession and would publish extracts in future editions of the paper. Two weeks later, under the heading 'Practical Philosophy of the Men now in Power', the newspaper gave details of the pamphlet. Marcus begins with the old Malthusian argument that 'populousness must be limited by some means, or misery ... will go on increasing'. Where he differs from Malthus, however, is in belief 'that no moral checks, such as prolonged or entire celibacy will ever be found to be effectual to the end proposed'. Other means must be used to check the growth in population, and the means Marcus suggests is the 'EXTINCTION of certain number of infants as soon as born!'. He suggests every third infant and argues at great length 'that we have a moral right to commit this sort of murder, and that all we have to be careful about is, that it be a painless extinction!'

The first anti-poor law leader to make mention of the pamphlet was the Rev. J.R. Stephens. In a speech he made immediately after being released on bail in late December 1838, Stephens not only condemned the pamphlet, but also suggested that one of the Poor Law Commissioners was the real author. Stephens continued:

There is, then, to be a sort of Parish Registry of all married persons (poor, of course) who may happen to have three children; and when the mother of any such family happens to be enceinte of the 4th, a parish officer, a spy, is to report to an official professional man-midwife; and such man-midwives alone are to attend all such accouchements. When the travail is over ... when the baby ... is born, the remorseless midwife is to tear it away from its mother, without the permission of a single embrace.... The child ... is then, with all convenient speed, to have an end put to its existence, by the introduction into its slender frame of a small portion of noxious gas.

Stephens' revelations caused a sensation and not only amongst the labouring population. Assistant Commissioner Power quickly

62. Northern Liberator, 8 December 1838.
63. Northern Liberator, 22 December 1838.
64. Leeds Mercury, 5 January 1839.
contacted the Poor Law Commission, informing them that Stephens had committed a 'gross libel'. Edwin Chadwick immediately denied Stephens' charge that one of the Poor Law Commissioners was the author of the pamphlet: 'Mr. Nicholls, Mr. Lewis and Mr. Lefevre were not, collectively or individually, the authors or author of it'. According to Chadwick the Commissioners were not even aware of the pamphlet's existence prior to Stephens' announcement. The public denial only earned the rejoinder from Stephens however that 'there are other [Assistant] Commissioners, a score or two, besides these three, and then there was Mr. Chadwick himself, his patron Lord Brougham, and his bosom friend Mr. Francis Place, and their female assistant Miss Martineau'.

There is little doubt that Chadwick was truthful in his claim that the Poor Law Commission had not even heard of the pamphlet before Stephens had brought it to their attention. When Power wrote complaining of Stephens' slanderous statements, he had to admit that he was 'wholly unacquainted' with the pamphlet 'not having been able as yet to procure any copy'. A few days later, when Chadwick wrote asking Power to try and discover the identity of the author of the work 'advocating infanticide', Power had to admit that he had 'not yet been enabled to ascertain that any such work [actually] exists'. All he had to go on was 'the report of Mr. Stephens's sermon' and the fact that the pamphlet was 'spoken of by other parties, besides Mr. Stephens'. Power promised he would 'continue to inquire into the fact of its existence'.

There were in fact two pamphlets. An anonymous pamphlet, An Essay on Populousness, had been printed in London in 1838. It carried the note 'printed for private circulation' on its title page. This pamphlet presented the neo-malthusian argument that over-population was the cause of distress and coyly suggested that something should be done about it. There was no mention of infanticide, or painless extinction.

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65. Power to PLC, 6 January 1839, PRO., MH 32/64.
66. The Times, 10 January 1839.
67. The Times, 15 January 1839.
68. Power to PLC, 6 January 1839, PRO., MH 32/64.
69. Power to PLC, 10 January 1839, PRO., MH 32/64.
The second pamphlet, *On the Possibility of Limiting Populousness* was written under the pseudonym Marcus and was printed in London by John Hill in 1838. It was this second work that was the one to suggest the scheme of 'painless extinction'. The two pamphlets are written in such a similar style and express such similar views that one can only assume they were both the work of 'Marcus'.

Despite attempts by Power and the Poor Law Commission to discover the identity of Marcus, it has remained a mystery. The *Manchester Guardian* suggested that the pamphlets might well be English translations of French originals.\(^70\) The suggestion is not as odd as it might first appear: quite a few words are spelt in French and some of the phraseology is very reminiscent of a direct translation from French to English. The Poor Law Commission took up the suggestion and tried 'tracing the work to its origin', but without success.\(^71\) No evidence has come to light which would either support or disprove the speculation that Marcus might have been French.\(^72\) It remains merely an interesting possibilité.

Equally puzzling is whether the Marcus pamphlets were meant as a clever satire against the New Poor Law or whether they were the work of a neo-malthusian crank and were therefore supposed to be taken seriously. If they were meant as satire they certainly were not very well written satire. The most obvious comparison is Swift's *A Modest Proposal*, a satire suggesting the breeding of children for food in famine torn Ireland. And yet there is none of the biting irony that one finds in Swift. The Marcus pamphlets are long and turgid with none of the witty remarks one would expect to find in a work of satire. Certainly when cheaper editions of the Marcus pamphlets came to be published it was thought necessary to add a racy introduction to give them more pep.\(^73\)

The Marcus pamphlets were not only verbose, they were also expensively produced. The first edition of *On the Possibility of

\(^70\) *Manchester Guardian*, 20 February 1839.
\(^71\) Power to PLC, 20 February 1839, PRO., MH 32/64.
\(^72\) I have also tried to track down a French original of the Marcus pamphlets. But none of the more obvious French bibliographies for the 1820s and 1830s, especially those concerning the debate over Saint-Simonism, reveal a pamphlet with a title like the Marcus pamphlet.
\(^73\) Marcus [pseud.] *The Book of Murder!* (1839).
Limiting Populousness ran to nearly a hundred pages, used a large and expensive typeface, and was printed in octavo form on high quality paper. It sold for 2 shillings. The price and quality were much higher than one would expect for a satire or squib aimed at the popular market. Furthermore, the first edition of the pamphlet was sold, not by the network of radical and working class booksellers, but by perfectly respectable London booksellers. James Whittle, the Liverpool Chartist leader, bought his copy of the pamphlet at the shop of Sherwood and Co., early in January 1839. James Paul Cobbett informed his brother John that he was 'quite at a loss to conceive how such a thing could come from such a source'. Sherwood and Co. were very reputable London booksellers and he could not understand what had 'induced them to touch anything so perilous'. Possibly the booksellers did have second thoughts once they had discovered what was contained in the pamphlet because when Whittle returned to buy further copies he was told that it was 'out of print'.

The question of whether the pamphlet was intended as a satire or a serious proposal remains unanswered. It is hard to conceive of the scheme of 'painless extinction' being put forward as a serious proposal, and yet why would a satire be produced in such an expensive form? Despite Stephens's claim that it was written by one of the Poor Law Commissioners, the weight of opinion amongst leading Chartists and popular opponents of the New Poor Law was that the pamphlet was the work of some enemy of the New Poor Law. Dr. Peter McDougall, the delegate from Ashton-under-Lyne at the 1839 Chartist Convention, certainly thought so. And James Paul Cobbett could not help believing that it came 'from some Tory quarter, to injure the Whigs'.

If the intentions of Marcus in writing the pamphlets remains obscure, the purpose to which they were put by popular opponents of the New Poor Law is not. Throughout the first half of 1839, Marcus and his evil scheme were used to attack the New Poor Law and its proponents. The authorities even managed to give the Marcus pamphlets wider publicity by making a rather ham-fisted job of trying to suppress them. No sooner had the pamphlets disappeared from the bookshops

74. J.P. Cobbett to J.M. Cobbett, 16 January 1839, Fielden Papers, JRULM.
75. Ibid.
76. Manchester and Salford Advertiser, 19 January 1839.
than some enterprising radical printers began publishing their own cheap editions. The Northern Star advertised a 'Peoples Edition', which combined the two Marcus pamphlets and was published under the title The Book of Murder. The author was described as 'Marcus, one of the Three'. In order to make it more palatable to the general reader, the 'Peoples Edition' contained an introduction which not only gave it added bite but also made sure that the reader drew the correct conclusions from Marcus's turgid prose. The reader was informed that:

the most atrocious conspirators ... have actually plotted, and schemed, and prepared the means of perpetrating the MURDER OF MORE THAN ONE-HALF THE CHILDREN TO BE BORN INTO THE WORLD! - THE ASSASSINATION OF MORE THAN HALF OF THE FUTURE RACES OF ALL MANKIND.

Who were these atrocious conspirators? 'A]n active and powerful philosophical and political PARTY IN THE STATE, comprising both public writers and public men' - in other words the Philosophical Radicals.

That the Philosophical Radicals lay behind Marcus's proposal was a theme taken up by the Northern Liberator in an open letter it published to the Home Secretary, Lord John Russell, in January 1839. Marcus would have been of little account, it said, had it not been for the fact that the principles of Malthus which have given rise to this murderous proposal, are known to be the principles of many of the men now having political power, and especially of those who framed and helped to pass a measure the most abhorrent to the people of England of any that had been passed for centuries - THE POOR LAW AMENDMENT BILL. Of that bill the people complain that it actually does (though by worse means) that which Marcus recommends.... Hence all this agitation ... MARCUS, MALTHUS, MURDER, THE [NEW] POOR LAW, AND THE GOVERNMENT, are now all MIXED TOGETHER in the minds of the people.... The people now deem it ... to be 'one concern'....

77. Northern Star, 9 February 1839. Marcus [pseud.], The Book of Murder (1839); another cheap edition was Marcus [pseud.] On the Possibility of Limiting Populousness; An Essay on Populousness; The Theory of Painless Extinction (1839).
78. Webbs, English Poor Law History, Part 2, Vol.I, p.163, writes that Francis Place believed that George Mudie, the Owenite printer and journalist, was the author of the introduction.
80. Northern Liberator, 26 January 1839.
PLATE 18: 'MARCUS'S EXPERIMENT ON THE SLEEPING INFANT'.
The Northern Liberator took the theme up again in a satirical story it ran on Marcus in March 1839. The author of the piece claimed he had been invited to witness 'the brilliant dawn of a new era in science' - Marcus's experiment on a new born infant. Marcus allegedly said that he was there 'to do what that great man [Malthus] had left undone'. An engraving which accompanied the story showed Marcus conducting his experiment before representatives of the Church, the law, government and Philosophical Societies. Marcus finished his lecture by performing 'the experiment of the "painless extinction" of an infant'. As the infant slid off into extinction the audience applauded. With savage irony the author alleged that a select few of the assembled audience, including Aristocrats, Philosophical Radicals, and 'two or three of Her Majesty's Ministers' had the honour to sup with Marcus afterwards. He concluded: 'we fondly hope that from this auspicious moment, we may date the diffusion of a more liberal science in England than she has yet witnessed'.

It is unclear how many people actually believed that Marcus and his proposal were supported by the Poor Law Commission or the government. The evidence is conflicting. Assistant Commissioner Mott spoke to several operatives soon after Stephens had claimed that Marcus was a Poor Law Commissioner and said that they were of the opinion Stephens was insane. John Moxon, one of the anti-poor law Guardians at Huddersfield, is alleged to have declared 'that no person could believe such a work to have emanated from the Poor Law Commissioners'. On the other hand, when Assistant Commissioner Power asked the Preston agent of the Northern Star, from whom he had just bought a 'cheap edition' of Marcus, what was meant by the words on the title page, 'one of the three', the man replied without hesitation 'one of the Three Poor Law Commissioners to be sure'. The Bradford Observer expressed surprise that 'so many working men' could have given credence to the notion that Marcus was a Commissioner. And in

81. See Plate 18.
82. Northern Liberator, 2 March 1839.
83. Mott to Lewis, 11 January 1839, MH 12/15065.
84. Mott and Muggeridge to Chadwick. 15 January 1839, PRO., MH 12/15065.
85. Power to PLC, 2 March 1839, PRO., MH 32/64.
Loughborough, Leicestershire, the 'lower orders' were reported to have 'swallowed' Marcus's lies whole.  

It would appear that what was significant about Marcus and his proposal, was not so much that people believed it to be true but that it could possibly be true. In a sense Marcus's proposal was just the logic of Malthus and the Philosophical Radicals carried to an absurd conclusion. When the Poor Law Commission issued their denial that they had anything to do with the Marcus pamphlet, George Condy, the editor of the radical Manchester and Salford Advertiser, reminded them that they shared a common parentage with Marcus. The Poor Law Commissioners 'know', he said, and 'Marcus' and Lord Brougham boast, that their calculations are founded on that terrifying revelation made as to population, and what was to be done with its overplus, by that priest of Satan, MALTHUS. Here there must - there shall be no mistake. Whoever works in, or abets, or approves of the New Poor Law, is, whether he knows it or not, a child slaying, anti-procreation Malthusian.

And as the Northern Liberator pointed out: the New Poor Law 'actually does' by worse means 'that which Marcus recommends'.

*   *   *

Rumour and fear helped shape the campaign of popular opposition to the New Poor Law. Much of the language and most of the symbols which were used to attack the New Poor Law had their roots in the 'primitive fears' of the labouring population at large. Because we live in a modern, rationalist age it is often extremely difficult for us to appreciate the 'primitive' beliefs and assumptions of a different time and place. And yet we must if we are possibly to understand the motivations of the mass of people who opposed the New Poor Law. There was something sinister and frighteningly different about the New Poor Law: it turned social relationships, human values and Christian worship on their head; it was part of a general attack on the rights and

87. Brock to PLC, 27 February 1839, PRO., HO 73/55.
88. Manchester and Salford Advertiser, 19 January 1839.
89. Northern Liberator, 26 January 1839.
customs of the labouring population of England and Wales. The language of 'fear' and 'horror' provided popular opponents of the New Poor Law with a means of explaining the measure to themselves and ultimately of mounting a challenge to it.

Thus was the three-fold chain of tyrants forged;
Thus was the blood-stained Moloch trebly gorged,
And soon it gave a hideous monster birth,
Fierce as Hell's furies, terrible as death,
Hear the Ex-Chancellor in bloated pride,
Eliza's long-tried act with scorn deride,
And in its stead produce a famous scheme,
To check our populations onward stream;
To feed the peasantry on 'coarser fare',
And drive our ruined daughters to despair;
To build huge prisons, paupers to confine,
And punish honest poverty as crime;
To tear asunder each domestic tie,
To snatch the infant from the parents eye; ...

Such was the cursed device, the child of hell,
And public plunderers loved the monster well.
Tories and Whigs, Lords, Commons with good will
Grasped at the plan, and passed the Poor Law Bill. 90

This is more than a mere catalogue of horror and injustice, there is the basis here of a sustained critique of the New Poor Law.

90. T.B. Smith, 'Gradual Oppression of the Labourer'; quoted in Northern Star, 28 April 1838.
Chapter Ten

'THIS MODERN MOLOCH'

The 1834 New Poor Law was a focus for popular discontent, rather than its sole cause. When the Bradford opponents of the New Poor Law drew up A Petition to Parliament Against the New Poor Law Act in early 1835, they did not confine themselves to criticizing the Act's new and restrictive poor relief policy; they also mentioned the hardship and suffering caused by the use of steam power and machinery in factories, and of the failure of the 1832 Reform Act to extend the franchise to the labouring population.\(^1\) Thus popular radicals viewed the New Poor Law as part of a general attack on the wages and conditions of the labouring population of Britain.

Immense changes were taking place in British society. Technological developments had created new industries and just as quickly forced old established trades into decline. Whole towns had appeared where not long before there had been green fields and swift-running streams. And throughout it all men and women had lived, laughed, cried and struggled to survive. Some found escape in crime and drink. Others fled abroad or were sent there in chains. But most stayed and found solace and hope in Jesus Christ, Tom Paine and Robert Owen, three dominant figures of early nineteenth century Britain. Working men and women struggled to understand events in order that they might change what was happening to them. Boom and depression punctuated their lives; they were frightened by the 1832 Anatomy Act and the introduction of the New Police; the 1832 Reform Act and the 1833 Factory Act fell well short of their demands; and now the New Poor Law held out the spectre of lower wages and possible starvation. It was hard to escape the conclusion that it was all part of an orchestrated attempt to grind the labouring population down even further.

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1. [Anon.,] A Petition to Parliament Against the New Poor Law Act, [1835].
Mark Hovell has claimed that the leaders of the anti-poor law movement 'drew their inspiration from the Bible, from a belief that the Act was a violation of Christian principles'. Although one can quibble about the exclusive nature of the claim, there is no denying that Christianity provided a valuable weapon with which to attack the New Poor Law and, what is even more important, a set of beliefs and assumptions with which people could begin to grasp and comprehend its significance.

'The Old Poor Law was of God', wrote the former Sheffield cutler and prominent philanthropist Samuel Roberts, 'the New one is of the Devil'. In a long series of pamphlets he produced between 1834 and his death in 1848, Roberts returned to the theme again and again. 'If the Devil himself', he wrote in 1841,

had ... been permitted for the sins of this nation to concoct a measure which the legislature would enact, the most calculated to cause the people to draw down upon it the vengeance of the Almighty, and lead to the speedy and entire destruction of the State; I cannot conceive one which would have been so likely as the Poor Law Amendment Act.

In another pamphlet, written in the same year, Roberts reminded people that Christ had said they would be judged on how they treated the poor. He continued that Christ

even considers that which we do to the poor as if it had been done to HIMSELF .... Well then (horrible as it is) our impious rulers have had the selfish, audacious effrontery to concoct and establish a decree (for the sole purpose of adding a little to their enormous heaps of wealth) to impoverish, afflict, and destroy JESUS CHRIST himself in the persons of the poor ....

Such notions would have appealed to members of universalist sects like the Primitive Methodists, but one need not be a believer in immanentism to accept that the New Poor Law was unchristian.

4. Roberts was the author of close on one hundred anti-poor law pamphlets. See my select bibliography and 'List of Works on the New Poor Law', bound into S. Roberts, The Voice of an Octogenerian (1842), SCL.
6. Roberts, Pauper's Advocate, p.3.
Richard Oastler a long-time supporter of the established Church gave one of his pamphlets the title Damnation! Eternal Damnation to the Fiend-Begotten 'Coarser-Food' New Poor Law. In a foreword to the work he asked readers not to be alarmed at the sound of the title. I can not bless that, which God and NATURE CURSE. The Bible being true, the Poor Law Amendment Act is false! The Bible containing the will of God - this accursed Act of Parliament embodies the will of Lucifer. It is the Sceptre of Belial, establishing its sway in the land of Bibles!! DAMNATION; ETERNAL DAMNATION to the accursed Fiend!!

Like many Ultra-Tories, Oastler's religion and politics were tightly bound together:

I gather my politics from the Holy Scriptures; I read them in the books of the Church, and I learn from the Judges of the land, that 'Christianity is part and parcel of the Law', and that, 'Christianity is interwoven in our Constitution'.

This, of course, only made the New Poor Law an even greater affront. Oastler was grieved to admit that 'had the Church of England been faithful to her mission, the New Poor Law could not have been passed'. For the Church, the 'rights of the poor' were 'a sacred trust'. Hence, one of the reasons Oastler sought a repeal of the 'infidel legislation' was to enable the Church to be 'presented to the people in her true position, as the guardian of their rights and liberties'.

But it was the erstwhile Methodist preacher, the Rev. Joseph Rayner Stephens, who presented the most forceful Christian critique of the New Poor Law. 'The battle we are now fighting' over the New

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7. R. Oastler, Damnation! Eternal Damnation to the Fiend-Begotten 'Coarser Food' New Poor Law, p.2.
8. R. Oastler, Convocation, The Church and the People, p.29.
9. Ibid, p.43. To be fair to the Church of England, quite a few of its ministers were active opponents of the New Poor Law. They included the redoubtable Rev. George Stringer Bull, vicar of Bierley near Bradford; the Rev. Patrick Bronte, vicar of Haworth; the Rev. Mr. J.R. Brown, vicar of Prestbury, Cheshire; the Rev. Mr. Clark, curate of Great Morden, Cambridgeshire; the Rev. Joshua Fawcett, vicar of North Bierley near Bradford; the Rev. James Furnival, vicar of St. Mary's Wigan; and the Rev. Mr. F.H. Maberly, curate of Bourne in Cambridgeshire.
Poor Law, he told his parishioners at Stalybridge in January 1839, is not the battle which most men take it to be. It goes much further .... It is not a battle of party against party .... It is not a struggle for power or for place .... It is the working of the mystery of iniquity mentioned in Holy Scripture ... the struggle of Christ in his spirit ... against Belial in his spirit .... It is the battle between God and Mammon - between Christ the Prince of Peace, and Belzebub, the Prince of the Devil. The question is, whether God shall reign in England, or whether Satan shall domineer ....

Thus the New Poor Law was not only a product of the Devil, it heralded his possible rule on earth. 'For many years', claimed Stephens, England has been a mark at which the devil has shot his most insidious but [sic.] most destructive bullets. Covert and unobserved for a while, but at length more openly, and now at last without disguise. England is claimed by Satan as his lawful inheritance and prey.

To defeat the Devil, Stephens recommended that the 'Children of God' fight 'boldly and fearlessly' against the New Poor Law. The struggle would be a hard one, he said, but they must fight 'at all risks and at all hazards, even unto the death' if the terrible consequences were to be avoided. For if they lost the battle, Stephens could foresee the day when an Act of Parliament, called the Word of God Amendment Bill [would be] brought into the House of Commons .... The time is not far off when it will be forbidden to read - when it will be forbidden to have, and above all, when it will be forbidden to preach the Bible.

There is no doubt that many people actually believed in the Devil and the reality of his intervention on earth. Joseph Lawson, recalling his adolescence in the West Riding weaving village of Pudsey in the 1830s, was convinced that people believed in witchcraft and devilry.

Such was the superstition at the time ... that the whole atmosphere was supposed to be full of good and bad spirits on errands of mercy or of mischief; the latter mission always preponderating - the evil spirits mostly prevailing over the good.

10. [J.R. Stephens,] Sermon Preached by the Reverend Mr. Stephens ... January 6, 1839, p.4.
12. [J.R. Stephens,] Sermon Preached by the Reverend Mr. Stephens ... January 6, 1839, p.7.
Nor was Pudsey unusual in this regard. James Obelkevich in his study of the South Lindsey region of Lincolnshire says that a belief in the Devil as a living presence was understood in the rural villages in the mid-nineteenth century.14

Some people even claimed to have seen the Devil on one of his many errands of temptation and deception. He appeared to one man who was very devout .... [The man had been] fretting about his clothes being so ragged, and wondering how he would be able to get new ones, as he found it hard to get sufficient food; when all at once a person with the appearance of a gentleman presented himself and offered him lots of gold. The poor man suspected his benefactor, and looking down at the gentleman's feet, saw that he had a 'cloven foot' ... The poor man immediately said, 'Satan, I defy thee'; whereupon the gentleman instantly vanished, leaving a strong smell of sulphur behind, which was a certain proof of his identity.15

For members of sects like the Primitive Methodists, who had most effectively incorporated popular beliefs about witches, spirits and the physical presence of the Devil into their theology, such sightings served an important practical function: they warned against backsliding and drew the devout even closer together.

But apart from its institutional uses, this web of popular religious beliefs, including a belief in the Devil, also helped provide the labouring population with a conceptual framework with which they could seek to comprehend and explain the immense changes taking place in society. The logic was convincing: if the New Poor Law was inhuman and contrary to God's law did it not follow that it must be a product of the Devil? Thus the terms used to describe the New Poor Law - 'the Devil-King law', 'the Whigs Hell-born bantling', and 'the Beast' - were more than rhetoric; they were metaphors with which working men and women helped to explain the New Poor Law to themselves and to others.


15. Lawson, Progress ..., p.70.
In 'England's Infernal Machine', which is probably the most striking of all the anti-poor law cartoons, the concept is captured with wit and humour. The Devil is shown poised over England. In his hands he holds a flag labelled 'The New Poor Law Bill' and he thrusts it deep into the heart of London. As the Devil, with his bat-like wings extended either side of him, peers out from behind the flag there is just the hint of a grin on his face. The message is clear: the Devil would use the New Poor Law to spread his influence throughout the country.

The heathen Whigs and the greedy factory owners were to be the instrument for spreading the Devil's influence. The Rev. Mr. F.H. Maberly, who led a vigorous campaign against the New Poor Law in Cambridgeshire, claimed that he was opposed to both the abominable Poor Law Amendment Act, and the present Whig administration, the authors of this act, because that under neither, is God regarded. The Poor Law Amendment Act is in direct violation of his command, and as to our Whig rulers, they puff at all reference to the Deity.

Samuel Roberts expressed similar views. The New Poor Law, he wrote, has been a suggestion of the arch-enemy of Christ - (MAMMON) - to those who seem neither to fear God nor regard men - to men wallowing in luxury on the spoils of the nation - striving to increase their own abundance by depriving the poor of that needful sustenance, which God and their country has awarded them.

The hellish images of greed and avarice keep recurring. George Condy, editor of the radical Manchester and Salford Advertiser, referred to what he called 'the vampire spirit of the New Poor Law', 'prowling commissioners' and 'the clutches of greedy landlordism'. But it was with the factory system that the New Poor Law appeared to work in most perfect harmony. 'The existing factory and pauper systems', wrote the radical Bury doctor, Matthew Fletcher,

17. F.H. Maberly, To the Poor, and their Friends, p.5.
18. Roberts, Pauper's Advocate, p.11.
those monstrous Whig engines for dealing destruction upon thousands of our indigent and infant population, appear to be working together with a harmony of effect not dissimilar to what we sometimes see in real machinery, where the teeth of a particular mill-wheel are nicely adjusted to facilitate the grinding operation of another. 20

William Hill, editor of the Northern Star, agreed completely. The aim of the New Poor Law, he said, was to 'enable the High Priests of this Modern Moloch, to offer up human sacrifice to the household Gods of "Capital"'. 21

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It was the factory reform movement and the network of local Short Time Committees which had initially provided the organizational basis for the campaign of popular opposition to the New Poor Law in the north of England. 22 The move from factory reform to anti-poor law agitation was no mere accident. From the beginning the New Poor Law was viewed as a direct attack on wages. According to William Cobbett, the New Poor Law would compel the labouring population of England and Wales to live on lower wages and poorer quality food. He argued that as

no one but the weakest would accept relief under the new system, labourers would be prepared to work for any wages they could get. Thus the English labourer would be screwed down to Irish wages and Irish diet. 23

No sooner had Cobbett issued his warning than the first moves were being made to bring about a lowering of wages in the manufacturing districts of the north. Early in June 1834, while the Poor Law Amendment Bill was still before parliament, two leading Bolton cotton manufacturers, Henry and Edmund Ashworth, wrote to Edwin Chadwick suggesting that the future Poor Law Commission establish a labour migration scheme. Henry Ashworth said that as the rural counties were 'burthened with a superabundant population' and the cotton and woollen industries were 'very inadequately supplied with labourers' it would be

22. See above, Chapter Four, pp.118-24.
to their mutual advantage if the rural unemployed were forced to migrate to the manufacturing districts. 'I am ... of [the] opinion', continued Ashworth,

that if an alteration in the Poor Laws and an overturning of Trades Unions were effected (the sooner the better [this was later crossed out]) our manufacturing employments would then be fairly opened for general unrestricted competition, - the rate of wages would assimilate more nearly with those paid for the general labour of the Country and little or nothing would be heard again of superabundant population.  

The Poor Law Commission jumped at the suggestion. They sent a circular letter to the leading manufacturers in the north in March 1835 and were gratified to learn, that 'there existed the greatest demand for labourers'. Before long the Poor Law Commission had established migration offices at Manchester and Leeds, and suitable pauper families in the south were being approached by local Boards of Guardians to see if they would be willing to move north.

The number of paupers who would eventually migrate north was relatively small. Despite what Ashworth and the other manufacturers had said, there was no real shortage of labour in the northern textile mills. What the factory owners required were child factory workers, not unskilled farm labourers. The figures tell the story. Of the 988 persons who migrated from the agricultural south to Yorkshire in 1836, nearly 70% were children. Nor did all the children necessarily find jobs in factories. Samuel Walker, a coal merchant from Mirfield near Dewsbury, wrote to the Poor Law Commission seeking twenty to thirty boys to be apprenticed to coal miners. He requested that they be no more than eight to ten years of age 'as they are generally too tall after that age to learn the employment'. The Commission replied that they had no suitable applicants at present, but they would make enquiries. What they did not bother to do was make enquiries about the conditions of work faced by children employed in the mines. When the First Report of the Children's Employment Commission was published in 1842, it

26. Table of Persons Located in Yorkshire from the Agricultural Districts of the South, 1836, PRO., MH 12/15224, ff.171-6. The figures were 314 adults and 679 children.
27. Walker to PLC, 9 May 1836, PRO., MH 12/14830.
revealed the widespread practice of sending children from Union workhouses to work in coal mines. A rather shamefaced clerk to the Dewsbury Union later revealed that pauper children as young as five years of age had been sent down the mines by the Board of Guardians.

The northern workers viewed the Poor Law Commission's labour migration scheme with serious misgivings. To the operatives in the Lancashire cotton mills the scheme appeared to be nothing more than an attempt to smash their Trade Unions and force down wages. And to be fair, such results were not very far from the minds of those who had first suggested the scheme. When four unemployed labourers from Buckinghamshire arrived in Manchester in May 1835 to take up work at one of the cotton mills they were threatened by the other workers 'if they worked under the price'. Within days they had all returned to their home parish of Coddington, saying 'they wo[ul]d not work for 14s. as they found the men there got more'. Assistant Commission Gilbert took a dim view of the whole affair, claiming the men were simply lazy, and advised the relieving officer to give them 'no relief if possible or at the most only bread'.

The northern factory operatives and popular radicals soon came to realize, however, that the able-bodied paupers from the south offered no real threat to skilled workers and were merely the victims of scheming southern Guardians and Poor Law Commissioners. Matthew Fletcher claimed that in numerous southern Unions vast numbers of destitute labourers and their families are shamefully coerced and hurried off to manufacturing towns, under the most discreditable pretexts. Partly by flattering promises and partly by dint of threats ... and it appears that unless they acquiesced, relief under any circumstances was often denied.

Such victims needed to be pitied, not threatened.

Certainly those southern paupers who came were in a miserable condition. Robert Baker, the Poor Law Commission's migration agent in

30. Carr to PLC, 9 July 1842, PRO., MH 12/14831.
31. Gilbert to Chadwick, 3 May 1835, Chadwick Papers, UCL., CP 808.
32. Fletcher, Migration of Agricultural Labourers, p.6.
Leeds, reported them arriving 'without furniture ... beds, and very badly clad, and almost always without a farthing to supply their immediate necessities'. Families with children had little trouble finding work because of the shortage of child factory workers. But single men were much more difficult to place. One of these men, who had had no food since morning and was 'without a penny to provide a lodging for the night', returned to Baker's office after unsuccessfully searching for work. He told Baker that he came from Suffolk where the local Guardians had refused him 'both work and relief and [he] was therefore obliged to come hither'. Baker informed the Poor Law Commission that he had been 'obliged to relieve such cases with 1/- and a little bread and cheese'. The relief came from Baker's own pocket and he expressed some concern about 'from whence I am to be repaid'.

The conditions experienced by the southern paupers on their arrival contrasted greatly with the rosy picture many of them had been given of life in the north. A Mr. Markwell, who came from the Oxon Union in Suffolk, had allegedly been told by Assistant Commissioner James Kay that in Yorkshire 'he would get as much coal for 6d. as would last him a month, buy beef for 2½d. lb and obtain clothing almost for nothing - as it was made there'. Markwell signed what he thought was a contract guaranteeing him three years' employment and set off north with his family to this land of cheap coal and beef. He found that not only was the coal and beef as expensive as it was in Suffolk but that his 'contract' only bound him to serve his employer for three years and did not guarantee him any employment. When Markwell attempted to leave to obtain better paid work he was taken before the magistrates and threatened with imprisonment, but as soon as trade declined he was sacked.

The main threat caused by the labour migration scheme to the northern factory operatives came from the employment of children. The 1833 Factory Act had set the maximum period of labour for children under 13 at eight hours a day. What it did not do was restrict hours

35. Leeds Intelligencer, 1 April 1837.
36. Leeds Times, 10 June 1837.
for adults or ban night work for children. The factory operatives therefore feared that the factory owners would institute a double-shift, or relay system, for the children and work the adult operatives for sixteen hours a day. A shortage of child labour had so far precluded the factory owners from instituting such a system, but the New Poor Law and its labour migration scheme now made it all too possible. Matthew Fletcher warned that 'the teeth of the New Poor Law are made available to give them the requisite impetus'.

For a brief period in late 1836, before depression hit the textile industry in the north of England, the mill owners did institute a relay system. 'Both in Yorkshire and Lancashire', reported the Leeds Mercury in December 1836,

> great numbers of mills are working on the relay system. In some places there is a scarcity of hands, which has inconvenienced the mill owners; but this has been partly remedied by the removal of families from the overpopulated agricultural districts .... It is obvious that the success of the relay system removes every pretence for demanding a Ten Hours Bill.

Popular radicals and factory reformers agreed that the New Poor Law and factory system were working in harmony, but came to a radically different conclusion about the need for a Ten Hours Bill. The Rev. J.R. Stephens told a meeting at Stockport in February 1838, that in supporting the Ten Hours Bill he had been advocating a repeal of the New Poor Law and 'vice versa'.

> The manufacturers could not stand without a poor-law bill; and if the poor-law bill was fastened upon the working people, good bye to the ten-hours bill. If once the poor-law was come, they would be no better than a set of cattle. Wages would be down to the starvation point; just sufficient to keep body and soul together. But if the [New Poor] law was repealed the manufacturers must reform.

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37. Fletcher, Migration of Agricultural Labourers, pp.4-5.
38. Leeds Mercury, 10 December 1836; also quoted in Halifax Express, 14 December 1836.
As devised, the New Poor Law had two main functions: to save the property owning class money and to act as an instrument of social discipline. The well regulated workhouse with its strictly enforced classification would not only discourage paupers from seeking relief, but also inculcate industry and independence. In fact some proponents of the New Poor Law wanted to reinforce its role as an instrument of social discipline by linking the administration of poor relief directly with the provision of a New Police. Charles Mott suggested to his friend Edwin Chadwick that 'the Roads Trust and Surveyorship of Highways for Pauper Labour might be combined with a system of Police'. He proposed the establishment of Police Houses at regular intervals along roads to render assistance to 'trampers, travellers, Accidents on the Roads &c.' According to Mott an efficient signalling system set up between the Houses would enable large numbers of Policemen to be assembled 'at a very short notice, at any given point in disturbed districts - where Rioting or Burnings existed'. And when not busy suppressing disturbances, Mott thought the Policemen might superintend the Pauper Labour [sic.] &c.'.

Luckily for the poor and destitute of England and Wales nothing came of Mott's proposal, but nevertheless the New Poor Law remained inextricably bound up with the issue of social discipline and in particular with the establishment of a New Police. When the Assistant Commissioners began moving into the north of England in late 1836 the prospect of a New Police force was yet another issue on which the popular radicals could attack the New Poor Law. George Condy, editor of the radical Manchester and Salford Advertiser, told an anti-poor law meeting at Manchester in March 1837 that there was a 'secret clause' attached to the New Poor Law. 'The secret clause ... was the introduction of the Bourbon police, to enforce upon the people the observances of this [New Poor] Law'.

Certainly the Poor Law Commission maintained a keen interest in the establishment of a rural Police force. When the Assistant Commissioners began establishing the New Poor Law in the southern

40. Mott to Chadwick, 27 April 1833, Chadwick Papers, UCL., CP 1449.
41. The Times, 3 March 1837.
counties early in 1835 a clear need was shown for a new civil force. Local officials were only too well aware of the problem. Two Norfolk magistrates informed Lord John Russell, the Home Secretary:

As the Assistant Commissioners are now carrying into effect the provisions of the Poor Law Amendment Act ... we beg to press upon your Lordship the necessity of forthwith establishing some local civil force to meet any emergency which may arise. The common Constables are notoriously unequal to this duty and we are satisfied his Majesty's Ministers cannot wish it to devolve upon the Military.

And as for special constables: 'when riots and tumults are apprehended it has been found, not only that the persons so appointed have been indisposed to act, but also that it has been too late for them to do so effectively'.

Magistrates and local officials throughout the country all expressed similar views. The foreman of the Norfolk Grand Jury said there was an urgent need for an efficient civil force to meet 'any emergency which may arise in carrying the provisions of the New Poor Law Act into operation'. The petty constables, he informed the Home Secretary, are 'notoriously unequal to such a duty'.

The Home Office and Poor Law Commission solved the problem in the short term by their increased use of the London Police. At the first sign of trouble in a Union, a force of Metropolitan Policemen would be sent down and sworn in as special constables. In most cases they proved more than adequate in dealing with the troublesome farm labourers. And of course if the crowd got out of hand there was still the military to fall back on.

The long term solution was to establish a rural Police force. In 1837 a Commission was set up to inquire into the best means of establishing such a force. The proposal for setting up the Commission came from the Secretary to the Poor Law Commission, Edwin Chadwick. He informed Home Secretary Russell that 'repeated communications received at the Poor Law Commission Office' showed the need for an efficient New Police force. Chadwick recognized that any 'efficient plan' would run into opposition from 'corrupt interests' and that these might endanger the Government by throwing 'unpopularity'

42. Weyland and Dover to Russell, 17 June 1835, PRO., HO 52/26.
43. Walpole to Russell, 5 August 1835, PRO., HO 52/26. For similar views see: Dorking Magistrates to Russell, 29 July 1835, PRO., HO 52/26; Lutton to Kay, 17 December 1835, PRO., HO 73/2, Part 1; and Parry to Lewis, 1 July 1835, PRO., MH 12/8249.
The cry of Gendarmerie and of attacks upon the liberties of Englishmen will be raised in the village by every jobbing constable or Magistrates clerk; by every Brewer for Beer shops; by the Cobbettite Politicians and the press which has not yet ceased to assail the Metropolitan Police as being French and an instrument of despotism.

Chadwick therefore believed that the subject could only be safely brought forward 'by means of a Commission'. He reminded Russell that this procedure had worked well with the New Poor Law. Chadwick approved the proposal and asked Chadwick if he would like to be a member of the Commission.

Chadwick's views on the role of the Police are worth examining in detail. As A.P. Donajgrodzki has recently pointed out, Chadwick's experience as secretary to the Poor Law Commission had led him to steadily broaden his view of the constituents of social policy. Chadwick informed Russell:

The view generally taken of the functions of a Police force have always appeared to me extremely narrow. Popularly they are for the most part viewed as a mere agency for the apprehension of criminals ....

Chadwick on the other hand believed their duties should extend into non-penal areas. He foresaw the Police 'superintending the labour on the turnpike roads', 'being in charge of Fire Engines, ladders and escapes', and looking after 'lost or found goods or children'. The provision of such services, Chadwick believed, would render the New Police 'less obnoxious' in the eyes of the public. In one area of social legislation Chadwick thought the Police had a central role to play:

the complete operation of the principles of the poor law Amendment Act is largely dependent on the aid of a rural Police whose chief functions would necessarily be clearly connected with the poor law business of a Board of Guardians - in respect of casual poor or mendicants and

44. Chadwick to Russell, August 1836, Chadwick Papers, UCL., CP 1733.
45. Russell to Chadwick, 1 September 1836, Chadwick Papers, UCL., CP 1733.
47. Chadwick to Russell, August 1836, Chadwick Papers, UCL., CP 1733.
48. Chadwick to Russell, 6 September 1836, Chadwick Papers, UCL., CP 1733.
vagrants, the pursuit and apprehension of runaway parents, the punishment of refractory paupers, the suppression of tumults connected with the administration of relief.49

When Chadwick came to write the Constabulary Forces Commission Report in 1839 he obtained most of his evidence through the agency of the Poor Law Commission. He painted a frightening picture: 100,000 people annually convicted for some form of criminal activity, and an annual prison population of 20,000 and rising. Of course the Report found that none of the crime was due to poverty or destitution: it was merely the result of greed, caused by the temptation to obtain property without working for it.50 The Report's recommendations were straightforward enough: a paid Constabulary Force was to be set up in all the counties of England and Wales on the same principles as the Metropolitan Police.51

Although there had been no specific mention of poor relief or the New Poor Law in the Constabulary Forces Commission Report, popular opponents of the New Poor Law were in no doubt that the rural Police were intended to work in harmony with the hated measure.52 As early as February 1837 a Mr. James Walton had warned an anti-poor law meeting at Haworth that 'after this essay of tyranny [the New Poor Law], Lord John Russell had thrown out another feeler, and that the rural police and the silent system would follow up and enforce the Poor Law Bill'.53 The appearance of London Policemen on the streets of northern towns in 1837-8 protecting Assistant Commissioners and keeping the populace out of Boards of Guardians' meetings only served to reinforce the warning.

Popular radicals feared that the proposed rural Police would restrict both their democratic liberties and their opportunities for popular protest. Some of these fears were caught up with the

49. Chadwick to Russell, August 1836, Chadwick Papers, UCL., CP 1733.
52. Chadwick was placed in the paradoxical position of using evidence about the increase in crime to justify the establishment of a rural Police and at the same time (in his role as secretary to the PLC) claiming that the New Poor Law had reduced the instances of crime. See above, Chapter Three, p.88.
53. The Times, 27 February 1837.
traditional English apprehension over a standing army, with which the Police were initially identified in many quarters. The Rev. J.R. Stephens even alleged that 'the New Poor Law Bastiles [were] ... intended to be a chain of barracks round the country, each capable of holding 500 to 1,000 men, and each intended to be garrisoned in part by regular military and in part by the Russellite military police'.

Others remembered Oliver the Spy and the use to which government agents and informers had been put in the immediate post-war years; they feared the New Police would be used as spies or agents provocateurs. Certainly if the use made of the London Police by the authorities at Bradford can be taken as an example, popular radicals had every reason to be fearful. John Foster tells us that by mid-1842 the spy system in Oldham was in full operation, with plain-clothes country police acting as agents.

But it was a fear of the Police being used as an auxiliary to the New Poor Law which caused most concern. 'The New Poor Law and the rural Police', warned one anonymous pamphleteer,

are both intended for the same class of persons, or supposed to be so intended; they are merely parts of the same system. But, bad as the New Poor Law is, I believe it is mercy itself to what it is intended to be; or what it will be, if a Police Force be generally established.

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At first glance the 1832 Anatomy Act would appear to have little to do with the New Poor Law. For the labouring population of England and Wales, however, the Anatomy Act (like the factory system, New Police and New Poor Law) was perceived as yet another example of how little those in positions of power and authority cared for the lives or feelings of working men and women. Under the terms of the Act the unclaimed bodies of paupers could be sold to anatomy schools for dissection. Peter Bussey, the radical publican and stalwart of the

54. Northern Star, 9 June 1838.
55. See above, Chapter Six, pp.179-80.
56. J. Foster, Class Struggle and the Industrial Revolution, p.68.
57. [Anon.], Series of letters, on Rural Police and the Poor Law Amendment Act, proving their Intimate Connexion, p.13.
anti-poor law movement in Bradford, told a meeting that the New Poor Law and Anatomy Act were part of the same oppressive system. 'If they were poor they imprisoned them, then starved them to death, and after they were dead they butchered them'.

Like the New Poor Law the Anatomy Act had its roots in changes which had taken place in British society in the previous century. The eighteenth century had seen important changes in medicine. The old trade of barber-surgeon had been slowly transformed into a science; a science based on the findings of empirical research carried out in the dissecting room. These new research methods brought with them a new emphasis on the practical training of doctors. It was no longer sufficient for a medical student to simply witness dissections; he was expected to gain practical, first hand knowledge and experience in the dissecting room. The combination of the requirements of empirical research and the new, practical, teaching methods, resulted in an increased demand for corpses.

Traditionally the scaffold had provided subjects for dissection, but increasingly the medical profession was forced to find other sources. The bodies of deceased hospital patients were acquired and increasingly even graves were robbed. As public awareness of dissection and the nefarious trade in bodies grew, so did bitterness against the surgeons and the 'resurrection men'. In 1801, a London crowd wrecked a public house used by resurrection men. Any surgeon or anatomist who offended popular sensibilities could also expect to become the target of crowd anger. And in Glasgow troops had to be called out on no less than four occasions to protect members of the medical profession after it had been discovered that they were being supplied with bodies from local graveyards. With increased awareness came an increased vigilance at the graveyard. Paid watchmen had always been available to those who could afford them. Now the poor organized to keep their own watch over the graves of their relatives and friends.

Popular vigilance in London, Edinburgh and Glasgow slowly drove up the price of corpses. In 1800 a good corpse had cost 1-2 guineas, by 1828 it cost 8-10 guineas and sometimes as high as 16 guineas.

58. The Times, 8 June 1838.
60. P. Linebaugh, 'The Tyburn Riot Against the Surgeons', in D. Hay et al. (eds.), Albion's Fatal Tree, p.78.
The private anatomy schools suffered most from the difficulties in obtaining corpses. Unlike the London teaching hospitals they had no built-in supply of illegal subjects, and were dependent on the gangs or resurrection men and the over exploited graveyards around the metropolis to supply their needs. A few private anatomy schools managed to obtain their subjects from outside London - the Hospital Fields burial ground in Dublin was a major supplier. But the system was less than satisfactory, especially when transport difficulties increased the risk of detection. Between 1810-1830 there was an unprecedented movement of private anatomy schools and teaching institutions into the provinces. Clearly the medical teachers were seeking places where the local inhabitants were less vigilant than in London, and where a plentiful and cheap supply of cadavers could be obtained.

It did not take long for the provincial populations to become aware of what was happening, however. In the 1820s the incidence of popular protests against the surgeons and resurrection men grew right across Britain. Eager to keep the peace, the local magistracy also began to hand out harsher sentences to those involved in stealing bodies from graves. Technically stealing a body was only a misdemeanour and did not warrant a harsh sentence. But increasingly the resurrection men were also being charged with disturbing the peace or even with stealing the clothing worn by the corpse. In 1824 at the Essex County Assizes, a resurrectionist who was found in possession of a clothed body was sentenced to 7 years' transportation for stealing the burial clothing. 63

For the medical profession, the matter reached crisis point in 1828 when William Gill, a 'respectable teacher of Anatomy' was tried and convicted by a Lancashire court for having in his possession a dead body, 'knowing it to be unlawfully disinterred'. 64 Until then those receiving corpses had been ignored by the law and only persons actually involved in the disinterment had been prosecuted. The new ruling meant that henceforth all teachers of anatomy who used illegally obtained corpses were liable to prosecution. Gill was unrepentant. He

informed the eminent London surgeon William Lawrence of the necessity of doing something for the Anatomists, particularly in the county where Magistrates are not yet accustomed to these matters .... Surely the law should content itself by punishing those who contravene the interests of society, not those whose labours tend to lessen human suffering.65

As a result of pressure from the Royal College of Surgeons a House of Commons Select Committee was set up to inquire into the manner of obtaining subjects for dissection in schools of anatomy.66 The Committee took evidence from distinguished members of the medical profession and three un-named resurrectionists. It recommended that murderers should no longer be dissected, but that the bodies of paupers dying unclaimed in workhouses, hospitals and other public institutions should be used instead. The Committee's logic appears to have been that popular prejudice against dissection was caused by its traditional use as part of the punishment for murder and accordingly once the stigma was removed, paupers would no longer mind being dissected.67

The scandalous revelations concerning the Burke and Hare murders in Edinburgh, assisted in getting the Committee's report accepted. Burke and Hare had murdered their victims so as to be able to sell their bodies to the surgeons. But although a Bill along the lines recommended was introduced, it was eventually withdrawn after the Bishops in the House of Lords objected to the want of provisions for the Christian burial of remains.68 At least one doctor thought the notion of a christian burial for the remains ridiculous, if not impossible.

[I]t would prohibit the art of making anatomical preparations, one of the chief means of teaching Anatomy. [And] Any one who knew the mere atoms to which dissection reduces a body would see that collecting and burying them with religious honours is quite a farce.69

65. Gill to Lawrence, 15 April 1828, Clarendon Papers, Bodleian Library, MSS. Villiers/c.548.
69. Gooch to Villiers, 27 August 1829, Clarendon Papers, Bodleian Library, MSS. Villiers/c.548.
In November 1831 the capital was scandalized by the arrest of Bishop and Williams for committing a series of murders similar to those of Burke and Hare. The brutality of Bishop and Williams (they were only detected because they had pulled the teeth from one of their victims while he was still alive) and the fact that the crimes were committed in London was a spur to renewed parliamentary activity. A new Bill, based on the 1829 proposals, was introduced. This time it contained provisions for the Christian burial of the remains. Although the Bill satisfied the Bishops and most of the medical profession it was not without its opponents. Thomas Wakley, editor of the *Lancet* and a severe critic of the medical establishment, was well aware of the effect the Anatomy Act would have.

Instead of removing the source of that deeply-rooted prejudice which exists against the practice of dissection, [the Anatomy Act] has added to its favour, because the public, and the poorer members of it especially, have reason to believe, that overseers will sell their bodies to the anatomists, and thus derive a profit from their dissolution.

For Wakley there was only one solution:

This foul, this disgusting, this anti-humanising, this blood-stained ANATOMY ACT, must be remodelled, or it will bring the profession into everlasting disgrace ....

In parliament it was the popular radicals and old-fashioned Tories who led the attack. Henry Hunt tabled amendments to almost every clause. He spoke of the fear of dissection being one of 'the natural feelings of mankind' and cited the case of Dr. William Hunter, the most famous of the eighteenth century anatomists, who although 'he had dissected so many himself, up to the very last moment of his life declared that he objected to the operation being performed on him[ self]'.

Hunt suggested that every surgeon who conducted dissections should give an undertaking to allow his body to be dissected after death. One of the arguments used by supporters of the Anatomy Act, both in the 1828 Select Committee Report and in the parliamentary speeches in favour of the Act, was that the poor and destitute who were maintained at public expense should repay society by allowing their bodies to be used for scientific research after death. Hunt skilfully showed the blatant hypocrisy of those who used

such arguments, when he moved that the bodies of all sinecurists and government pensioners, should also be given over for dissection.\textsuperscript{72}

In the House of Lords the Tory opposition to the Bill was less biting, but no less forceful. The Earl of Harewood 'did not see why the bodies of the poor and friendless should be particularly selected for the dissecting knife'.\textsuperscript{73} Lord Wynford supported him and said it was preferable that criminals should be dissected, rather than 'honest members of the community'. He admitted that something needed to be done, but he contended that there were other places, besides workhouses, hospitals and debtors' prisons from which an ample supply might be procured.\textsuperscript{74} However, the opposition was unavailing and the Anatomy Act was passed into law.

Most of the radical Press do not appear to have taken up the issue of the Anatomy Act; at least not while it was still before parliament. Part of the explanation might be that they simply did not know about it. The government was careful to restrict debate on the Bill to the late night sittings and on at least one occasion Hunt claimed that the doors to the gallery had been closed to reporters.\textsuperscript{75} But the most likely explanation is that the radical Press were too preoccupied with the 1832 Reform Crisis. Furthermore, radical opinion was deeply divided on the issue. Such prominent radicals as Major Cartwright and Augustus Hardin Beaumont, founder of the radical Newcastle Northern Liberator, had bequeathed their own bodies for dissection. And Francis Place's National Political Union supported the Anatomy Act. They admitted 'that the bill was defective in some particulars', but thought that ultimately it was in the interest of the working people.\textsuperscript{76}

But the closer one moves towards popular radicalism, the stronger the cry of opposition to the Anatomy Act. William Cobbett, the supreme spokesman for the popular conscience, was in no doubt that the 'Dead Body Bill' was a blatant attack on the poor and labouring population. '\textit{[T]his is a thing in which you are all most deeply interested}', he

\textsuperscript{72} Ibid, Vol.XII, col.316.
\textsuperscript{73} Ibid, Vol.XIII, col.827.
\textsuperscript{74} Ibid, Vol.XIII, cols.825-7.
\textsuperscript{75} Ibid, Vol.XII, col.322.
\textsuperscript{76} Proceedings of the 2nd Annual Meeting of the National Political Union, 4 February 1833, Place Papers, BL., Add MSS. 27835, f.49.
told his readers; the House of Lords will now soon decide whether you and your parents and wives and children, be, after death, to sleep quietly in your graves, or whether you be ... sold and cut up, like dogs and horses'.  

Cobbett pointed out that bodysnatching only constituted a misdeameanour, 'that is to say, a crime punishable by fine and imprisonment ... and I pray you mark, that to steal the dead body of a sheep, or pig, or calf, or an ox, or fowl of any sort, is a capital felony, punished with DEATH'.  

For Cobbett the implication was clear: 'If the poor had votes as well as the rich, members of parliament would not pass laws to sell the bodies of the poor'.

The Anatomy Act did not really become a burning popular issue, however, until the passage of the New Poor Law. This is not to say that dissection and the activities of some surgeons and resurrection men did not continue to cause popular concern - it certainly did during the cholera epidemic. But generally such incidents were perceived as being the fault of a particular surgeon or obnoxious anatomy school. What the New Poor Law appeared to do was provide the machinery for the introduction of a national scheme of dissection. The Anatomy Act and New Poor Law would work in harmony, serving up the bodies of the poor for the surgeon's knife. Such views were current across the whole popular political spectrum. Giles Marsh, a member of the Bolton Operative Conservative Association, told a local branch meeting that

Warburton's [Anatomy] Bill robs the grave of its victims, and the new Poor Law Bill provides the schools of anatomy with subjects, - the former whets the knife which is to be plunged into my body, and the latter prepares me for the dissecting table!

The Salford popular radical and Trade Unionist, R.J. Richardson, found himself in complete agreement. He told a meeting of Manchester Trades that the 'Dead Body Bill' had paved the way for the New Poor Law.

Why did Tory Lords, popular radicals, Conservative Operatives and the vast bulk of the labouring population of Britain look on dissection and the Anatomy Act with such horror? To start with there was nothing extraordinary about such feelings: the idea of having the

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77. Cobbett's Two-Penny Trash, Vol.II, No.12, 1 July 1832.
78. Ibid, Vol.II, No.8, 1 February 1832.
79. Ibid, Bol.I, No.4, 1 October 1830.
81. Manchester and Salford Advertiser, 15 April 1837.
body 'cut up' by the surgeons is unlikely to have appealed to many people. But having said that we can probably go a little further and examine the basis of such feelings. To start with those who opposed dissection, old fashioned Tories and popular radicals, shared an organic view of society. The proponents of dissection on the other hand, the scientific community, the philosophical radicals, the utilitarians, (and one could even add criminals like Burke and Hare) had an instrumentalist view of society. To those with an organic view of society it was simply not fair that the poor and the friendless should be singled out for dissection - such treatment went against the 'laws of human nature'. While popular radicals asked why not also the rich pensioners on the civil list, Tories suggested those who had committed crimes against society - murderers, suicides etc.

But what about the fear that the vast bulk of the labouring population had toward dissection? Because we live in an essentially agnostic, rationalist age, it is perhaps hard for us to appreciate the importance that death had for the labouring population of early Victorian Britain. While we cannot disentangle that complex web of Christian and quasi-pagan beliefs that guided popular understanding, we can at least identify some of its elements.

The importance to working men and women of having a decent burial has long been recognized by students of British history. No matter what other indignities the labouring population suffered during their lives, what they apparently feared most was to be denied a proper funeral and be buried 'like a dog'. Along with Friendly Societies and other working class self-help schemes, Burial Clubs proliferated in early nineteenth century Britain. Clearly a belief in the Bodily Resurrection, the Christian notion that on the last day the dead would rise up in bodily glory, was an important element in determining

82. The shortage of subjects for medical schools has continued right up until the present day, suggesting that the idea of being dissected after death still does not appeal to many people.

83. Linebaugh, 'The Tyburn Riot Against the Surgeons', in D. Hay et al. (eds), Albion's Fatal Tree, pp.102-117, unravels many of the beliefs which sparked off popular anger against the surgeons of the early eighteenth century. One can still detect their echoes in popular fears over the Anatomy Act.
popular attitudes to death and a decent burial. It was quite common for limbs lost earlier by the deceased to be buried along with the rest of the corpse. Presumably this was because the deceased and their relatives had a literal belief in the Resurrection of the Flesh. By allowing surgeons to cut up and remove organs and limbs from the poor, the Anatomy Act threatened such beliefs.

Furthermore it might not only have been for the benefit of the deceased that the proper formalities of burial had to be observed. A whole host of popular superstitions concerning death and burial - mirrors turned to the wall, clocks stopped and veiled, windows left open to let the spirit of the deceased escape - suggest that many people believed that the dead could still interact with the living; that unless the dead were comfortably laid to rest they might return. James Obelkevich, in his study of South Lindsey, reports that all hair and nail cuttings from the deceased were to be burnt or buried with the corpse, and that the body was to be placed in the coffin with its feet tied together - to prevent its untimely return, we are told.\(^84\) In such a climate of beliefs and superstitions we might well speculate that dissection could be seen as releasing potentially dangerous ghosts and spirits.

Popular radicals claimed the Anatomy Act to be part of a general conspiracy. The New Poor Law imprisoned them, starved them to death, and when they were dead their bodies were sold to the surgeons for dissection. The question immediately arises, of course, as to whether this view is supported by any hard evidence. To what extent, for instance, did the Home Office and Poor Law Commission actually accommodate themselves to the requirements of the Anatomy Act? The answer is to a surprisingly large degree.

Early in 1836, just as the New Poor Law was starting to be put into force, Dr. James Somerville, Inspector of Anatomy under the Anatomy Act, informed the Home Office that due to an oversight in the framing of the Poor Law Commission's regulations the operation of the Anatomy Act was seriously impeded. The regulations specifically stated that the workhouse master was to 'inform the friends of the

\(^84\) Obelkevich, *Religion and Rural Society*, p.297.
Pauper of his or her decease in order that they may remove the body for interment'. Somerville asked that the Poor Law Commission be requested to change the wording of the regulations and remove the specific instruction that the pauper's friends be informed of his or her death. Needless to say this would enable the pauper's corpse to be classified as 'unclaimed' and sent to one or other of the registered anatomy schools. In March 1836 the Poor Law Commission met with Dr. Somerville and agreed to make the changes he suggested.

Of course the Anatomy Act was simply enabling legislation and there was no compulsion on the workhouse masters, Guardians, or anyone else to give over the unclaimed bodies of the poor for dissection. In fact there appears to have been a marked reluctance on the part of many Boards of Guardians to supply pauper bodies for dissection. In November 1837 the Home Office again took a hand. They expressed concern to the Poor Law Commission that the composition of the Union Boards under the New Poor Law had materially obstructed the supply of unclaimed bodies to the anatomy schools. The Poor Law Commission was instructed to do all in their power to prevail on the Boards of Guardians to allow pauper bodies to be used for dissection.

Despite the good offices of the Home Secretary and the Poor Law Commission the Inspector of Anatomy's problems were not at an end. A disgruntled surgeon and an inventor of an 'antiseptic' method for preserving bodies for dissection, William Roberts, began to publicize the connection between the workhouses and the anatomy schools. In a letter marked 'secret', Somerville informed the eminent anatomist and physiologist, Richard Grainger, of Roberts' activities.

[W]e have now Mr. Roberts most actively putting in form his threat to blow up the Anatomical Schools, by placarding their nefarious transactions. My name is now placarded full length throughout the Metropolis, I receive constantly notices from the Vestries, that they require me to give explanations. For all this I was fully prepared, but not for the fact, that Mr. Roberts has somehow obtained a pretty correct information [sic.] of what is going on in the schools - in the meetings of the committee. The usual theme of the Roberts declaration is the very disgusting mode of

85. Somerville to Phillipps, 18 February 1836, PRO., MH 74/13.
86. Lewis to Phillipps, 4 March 1836, PRO., HO 73/51.
87. Somerville to Phillipps, 12 January 1836, PRO., MH 74/13, the official returns for the December quarter 1835 show that of the
Somerville suggested to Grainger that he speak to his students about the importance of treating a dead human body with marked respect.

The behaviour of medical students inside (and outside) the dissecting room had been a cause of comment and concern since the 1700s. William Dale recalling his days as a medical student in the 1830s wrote that

"drinking, smoking and brawling were the very rational occupations of the dissecting room. In those days, it was no uncommon thing to see a regular battle among the students, parts of the human body forming their weapons."

Dr. Somerville was well aware of the problem. In his capacity as Inspector of Anatomy he was forced to bring to the attention of the Home Office the management of the Anatomy School at Edinburgh University. He wrote:

"I saw on several occasions groups of persons of the labouring classes viewing ... the operations of the students on the Dead Body .... On finding four men thus situated witnessing not only the process of dissection of portions of bodies in a very offensive state, but also a scene of levity on the part of the students with a female employed in these rooms, and in the presence of the Demonstrator .... I took occasion to remonstrate with him and had the persons removed."

One has the impression that what infuriated Somerville about the incident was not so much the disgusting behaviour of the students, as that they should have behaved in such a manner in the presence of persons of the 'labouring classes'.

Although it is clear that the Poor Law Commissioners and the Home Office were prepared to accommodate the Inspector of Anatomy - to go along with his proposals and actively work to increase the supply of bodies - I do not think we can say that the Anatomy Act and the New Poor Law were designed to work in harmony; were part of a coordinated conspiracy against the poor and labouring populations.

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F.n. 87 continued.

250 bodies made available for anatomical dissection only 72 came from workhouses.

88. Phillipps to Lewis, 30 November 1837, PRO., MH 19/63.
89. Somerville to Grainger, 3 October 1837, PRO., MH 74/13.
I am not denying that both the Anatomy Act and the New Poor Law exploited and oppressed the poor, but one must recognize that fundamentally the aims of the Anatomy Act and the New Poor Law were opposed. The New Poor Law's whole thrust was to reduce the number of paupers; the Anatomy Act aimed to increase the supply of corpses - pauper corpses obtained from the workhouse.

Ruth Richardson wonders whether the Anatomy Act (like the principle of 'Less eligibility', which underpinned the New Poor Law regulations) had the effect of further encouraging people to stay out of the workhouse.92 I doubt that it would have had much effect in that regard. Anyone who could possibly avoid it did not go into the workhouse. Only dire necessity drove people to the workhouse: the Anatomy Act probably only succeeded in making them more fearful once they were there.

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The New Poor Law was part of a general attack on the wages and conditions of the labouring population of England and Wales. It combined with the factory system, the New Police, and the Anatomy Act to oppress and exploit working men and women. Let us listen again to the views of an anonymous Welsh working man:

we know that the framers of the laws of our land will not make any [laws] to mend or ameliorate our condition. Loading heavier, that is the religion of wealth. Lower, lower, with the condition of the workman and more labour added, 'that's the rub'. And after the workman fails to work, to the [Poor Law] Bastile with him to be plagued, to be separated from his wife and children, and to be slowly starved with water porridge; and after he dies, thro' the visitation of God, of course! his corpse will be given up to the Skilful Butchers to be hacked and sawed asunder with their tools for dissecting for the benefit of science and the faculty ....93

Lawrence Pitkethly, writing from the northern woollen town of Huddersfield, used almost identical imagery to attack


93. Udgorn Cymru [Trumpet of Wales], No.1, translation supplied to HO by Marquis of Bute, PRO., HO 40/57, ff.722-35.
the rich or those linked to them [who think they] have the power to dispose of their fellow creatures as they would dead matter [,] namely to transport them from the land of their birth, cast them into horrid bastiles and starve them and bring them to a lingering death in cells excluded from family and friends and given to the doctors for dissection after being starved or poisoned .... 94

The significance of the New Poor Law lay not only in its role as an instrument of exploitation and oppression, but also in the fact that it was perceived as such by working men and women. By being able to point to the apparent connections between the New Poor Law and the factory system, and the New Police, and the Anatomy Act, it became a symbol of class oppression to the working men and women of early Victorian Britain. Samuel Bower, an old popular radical who had been present at Peterloo, told a meeting at Bradford in March 1837, just after the New Poor Law had first appeared in the north of England, that to injure or abolish this greatest of the poor man's rights [the Old Poor Law] is calculated to weaken or destroy the tie of allegiance which binds him to the government of the King, [and] to undermine every kindly feeling which subsists between the different classes of society .... 95

By 1841 a bitter Richard Oastler, the Tory Radical who had tried all his life to maintain the old bonds, observed:

The working classes are now ... at war with all the superior classes. They are alienated and hostile, heart and soul. 96

The 1834 New Poor Law had played a central role in producing this state of affairs.

94. Pitkethly to Broyan, 4 March 1838, PRO, HO 40/47, ff.544.
95. The Times, 14 March 1837.
96. Fleet Papers, 16 January 1841.
Conclusion

RIGHTS AND INTERESTS

The campaign of popular opposition to the 1834 New Poor Law was a highly-organized form of protest, disciplined and with clear objectives. It began as a clash between two world views, moral economy and political economy, and ended in Chartism as a class struggle for political representation.

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Expectations created by the Old Poor Law fuelled popular opposition to the New. Far from being the great evil its detractors claimed, the Old Poor Law tried to cope in a humane manner with the problems of indigence, unemployment, old age, and death. More than any other single piece of legislation it directly affected the lives and well-being of ordinary men and women. Certainly there were few labouring families who were not grateful at some stage for the help and assistance the Old Poor Law provided.

Poor relief under the Old Poor Law was a personal service in which the recipients were relieved in familiar surroundings by people who were for the most part personally known to them. This personal contact meant that the parish officials were unusually well placed to judge the circumstances and needs of a particular pauper; it also meant that the officials were directly amenable to moral (and even physical) pressure from the poor. The Old Poor Law was nothing if not flexible. But one would be wrong to presume from this that the Old Poor Law operated on an ad hoc basis. Familial values and a moral concern for the needs of the poor and destitute guided the administration of relief under the Old Poor Law. They also fed popular notions about natural justice and the 'rights' of the poor.

Working men and women viewed poor relief under the Old Poor Law not as a handout, not as a dole, not as something to be gratefully received, but as a 'right'; they viewed it as something they had inherited or earned, something which belonged to them. They were supported in this belief by traditionally minded parish authorities.
The architect Redmond Pilkington, ridiculed the parish authorities at Hatfield near Doncaster for their traditional views. He informed Edwin Chadwick that the farmers and shopkeepers on the Vestry justified their liberal treatment of the poor by saying 'it is hard that those who have given the Parish the advantage of the labours of their youth should not be supported in their Age'. Pilkington continued in a mocking tone (and an assumed Yorkshire accent):

Of our [parishes'] Political Economy the following is a literal specimen ... the speaker a Farmer [,] a tenant of my own [,] a ratepayer, and therefore with a right of voting in the Vestry - 'Poor folk have as much right to bread as the rich, and that they niver can have, till every man has land enif to keep a Coo'.

As the new ideas of political economy gained ascendancy amongst the ruling elite in Britain in the late eighteenth and early nineteenth centuries, there was increased friction with the traditional moral economy notions embodied in the practice of the Old Poor Law. From the 1790s onwards the champions of political economy sniped at the Old Poor Law, slowly winning converts to their cause. The Old Law was condemned for promoting idleness, improvidence and degradation; it was said to be a spur to population growth; and with its constantly rising rates was even rumoured to be eating into the estates of the gentry. In this litany of extravagance there was one aspect of the Old Poor Law with which the disciples of political economy were especially incensed: the notion that the poor had a 'right' to relief. 'I am not at all disposed to consider legal relief as a right of the Poor', insisted S.W. Nicolls in 1818.

The great body of the Poor, have no more distinct claim on the property of the country at large, than any single pauper has on a private fortune .... The Poor ought to be informed of this; they ought to know that they are in the enjoyment of a bounty, not in the perception of a right.

These words were echoed sixteen years later by those who introduced the New Poor Law into parliament.

1. Pilkington to Chadwick, 20 October 1834, Chadwick Papers, UCL., CP 1585.
2. Nicolls, A Summary View..., p.31.
In 1834 the members of the reformed parliament tried to solve the problem of poor relief in England and Wales by bringing the Old Law into line with the precepts of political economy. They failed and in the process unleashed a storm of popular protest. Relieving officers were mobbed, Guardians stoned and workhouses attacked. Throughout southern England angry farm labourers demanded to have their 'rights' restored to them. During the previous fifty years there had been a gradual encroachment on the customary rights and privileges of the labouring population in rural England. First enclosure had denied the labourer the common lands; then his access to game and wood from the forest was severely restricted; then his gleaning rights challenged; and finally the New Poor Law threatened his right to poor relief. When the southern farm labourers protested over the changes to the system of poor relief it was not just the reduction in money they were complaining about (important as it undoubtedly was), it was the challenge being made to their traditional way of life.

The authorities responded to the protests with brutal efficiency. Special constables were sworn in, the military was placed on alert and detachments of Metropolitan Police were quickly moved into the troubled areas. All organized protests against the New Poor Law were ruthlessly crushed. The result was to drive the rural protesters underground. Traditional forms of rural protest - arson, intimidation, acts of personal violence - slowly took over from organized public protests. The incidence of rural protest crimes rose to a peak in 1844 and then slowly declined.4

But it was in the textile manufacturing districts of the north of England where the most sustained and forceful opposition to the New Poor Law was to be found. When the Assistant Commissioners moved into the area in late 1836 they were confronted by a militant and organized working class. There were protest meetings, demonstrations and a flood of petitions against the New Poor Law. The Assistant Commissioners were harassed, threatened and burnt in effigy. And as popular opposition to the New Poor Law gained momentum a network of local anti-poor law committees sprang up to coordinate the campaign.

The opposition of the northern textile workers to the New Poor Law was based on both practical and ideological considerations. The allowance system which had operated under the Old Poor Law had reached its most advanced form in the industrial north of England, supplementing the wages of poorly paid handloom weavers and other depressed outworkers. But beyond this the Old Poor Law also played a crucial role in maintaining the domestic economy of most labouring families and providing a bulwark against the threat of utter destitution during one of the period slumps to which the textile industry was prone. As if to reinforce the textile workers' concern, a severe depression hit the industry in late 1836. The economic downturn ensured that popular opposition to the New Poor Law in the manufacturing districts of the north of England would be sustained and hard fought.

But the most striking feature of the northern textile workers' opposition was undoubtedly their searching inquiry to understand and explain the ideology that lay behind the New Poor Law. Throughout Britain the labouring population recognized that there was something sinister and frighteningly different about the New Poor Law, but it was only in the manufacturing districts of the north, with its tradition of popular radicalism, that working men and women had the strong sense of class identity and conceptual tools necessary to mount a sustained ideological critique of the New Law. In their search to explain the New Poor Law to themselves, the northern workers were constantly polishing and refining their understanding of their own class identity, rights and interests.

The precepts of Christianity, popular radicalism and utopian socialism were all marshalled to help attack the New Poor Law. The 'rights of the poor' were supported by Holy Scripture, claimed the Rev. J.R. Stephens; they were 'natural rights' that needed 'not the aid of human law', insisted Matthew Fletcher; the nation was like an enormous Friendly Society, said the Barnsley linen weaver, Joseph Crabtree, and the poor obtained their right to relief through having contributed to the wealth of the nation. Popular radicals looked at the factory system, the Anatomy Act, the New Police and now the New Labor

5. J.R. Stephens, Political Pulpit, No.10 ..., p.77.
6. The Times, 9 January 1838.
7. The Times, 18 May 1837.
Poor Law and saw it as part of a general attack on the wages and conditions of the labouring population. Christians saw in it the hand of Mammon and the Devil. Everyone agreed it was caused by the greed and avarice of those in power.

As the northern textile workers and their families struggled to understand the New Poor Law they also struggled to stop its progress. A vigorous campaign of popular agitation was mounted to force parliament to repeal the measure: there were protest meetings, large demonstrations and mass petitions. It was hoped that just as popular agitation during the 1831 Reform Crisis had induced the conservative forces to capitulate, so the campaign over the New Poor Law would succeed. But the two situations were entirely different. There was no parliamentary majority favouring a repeal of the New Poor Law, and apart from some concern over cost there was no large-scale support for repeal from the middle classes. But most importantly, parliament was sufficiently isolated from the centre of anti-poor law agitation in the north of England not to feel threatened by it. In 1831 the Reform agitation and Swing had combined to raise the spectre of violent revolution in England. Although concerned, the government in London perceived no such threat from the demonstrations and petitions against the New Poor Law.

Northern opponents responded by stepping up pressure to ensure that the New Poor Law was defeated locally. They enforced boycotts of Boards of Guardians' elections, elected their own anti-poor law Guardians and mounted a campaign of intimidation against those who supported the New Poor Law. When the authorities counter-attacked by drafting in London Police and troops there were riots. Slowly at first, the popular opponents in the north even began toying with the idea that if they could not force those in power to repeal the New Poor Law they would try and achieve political power for themselves.

Tradition and logic both suggested that the New Poor Law would be repealed only after the system of political representation had been radically transformed. Since the 1810s the textile workers of the north of England had been agitating for universal suffrage, the ballot, short parliaments, equal-sized constituencies, the ending of property qualifications and the payment of members. It did not take them long to renew the agitation as soon as it became clear that parliament had no intention of granting their petitions for a repeal of the New Poor
Law. When the House of Commons overwhelmingly rejected John Fielden's motion for repeal in February 1838, the Manchester and Salford Advertiser summed up opinion amongst popular radicals:

The farce of representation is at an end. It is difficult to say whom the House of Commons do represent. They do not, in any sense, represent the English people.

When the national campaign to obtain the People's Charter began in early 1838, the anti-poor law movement in the north of England gave the agitation its wholehearted support. In fact so closely allied was the northern anti-poor law movement with the demand for political reform that it could be said to have spawned that militant and robustly working class brand of 'Fustian Chartism' which developed in the north.

Fustian Chartists retained a deep and consistent opposition to the New Poor Law. It was hatred of the New Poor Law which had drawn many of them into the Chartist movement; and it was a repeal of the New Poor Law which remained one of the Chartists' first goals once they had achieved political power. There was even a move towards suggesting an entirely new system of poor relief to replace it.

Popular opposition had begun with the notion of simply defending the Old Poor Law from attack. Gradually this changed in the north as people began to recognize that the Old Poor Law was not all it could have been. There were even suggestions for having direct government funding of poor relief. 'If society was properly constituted', claimed Feargus O'Connor, 'all the sick and infirm would be provided for by the government'. Bronterre O'Brien, the Chartist Schoolmaster, went even further and outlined in detail the policy he thought should be introduced. In place of the 'degrading' New Poor Law he would establish

a just and efficient poor-law (based upon the original Act of Elizabeth), which would centralize the rates, and dispense them equitably and economically for the beneficial employment and relief of the destitute poor ....

The employment to be of a healthy, useful, and reproductive kind .... Till such employment be procured, the relief of the poor to be, in all cases, promptly and liberally administered as a right, and not grudgingly doled out as a boon ....

8. Manchester and Salford Advertiser, 24 February 1838.
9. Sheffield Iris, 24 September 1839.
Perhaps because so little attention has been paid to the campaign of popular opposition to the New Poor Law, there has been an unfortunate tendency amongst historians of the social welfare system in Britain to see the New Poor Law as the foundation of the modern Welfare State. Derek Fraser claims 'the roots of the Welfare State lay in the nineteenth-century Poor Law', and David Roberts is sure 'there can no longer be [any] doubt that the origins of British collectivism run back to the Victorian era, alive with social reform and bureaucratic growth'. Apart from confusing the concept of social welfare with a centralized bureaucracy, they are also pitifully misinformed about the system of relief operating under both the Old and New Poor Law. I would want to argue that the origins of the modern British Welfare State lie not with those who supported the principles of 1834, but with those who most actively opposed them.

Popular opposition to the New Poor Law continued well into the second half of the nineteenth century. The 1852 Outdoor Relief Order, which applied a work test to those seeking poor relief in the north of England, met with a storm of protest. In 1855 a plan to build a new workhouse in Sheffield encountered vigorous opposition. At the next Board of Guardians' elections in Sheffield the pro-workhouse Guardians were swept from office. During the election campaign, the New Poor Law was repeatedly condemned as 'blasphemous, atheistic and materialistic'. And during the Lancashire Cotton Famine in the 1860s there were serious disturbances when the Guardians attempted to tamper with the scale and type of relief paid to the unemployed. In fact so persistent was opposition to the New Poor Law in the north of England that the full rigour of the measure was not pressed home in the area until the 1870s, when over 100,000 infirm and disabled paupers were forced off poor relief by the simple expedient of reclassifying them as able-bodied. In 1877 the Poor Law Board even managed to bring the dissident Todmorden Union into line when it threatened to break up the Union if the Guardians did not agreed to build a workhouse.

Ultimately the significance of the campaign of popular opposition to the 1834 New Poor Law lay not in its success or failure, but in its educative functions. The campaign of popular opposition began as an attempt to defend traditional rights of freeborn Englishmen. In the process of defending those rights it underwent modification, causing working men and women to rethink and rediscover their own class position and relationships. It emerged in Fustian Chartism as a forthright campaign aimed at asserting the class interests of the textile workers in the manufacturing districts of the north of England.
APPENDICES
TO THE POOR LAW COMMISSIONERS.

'The Memorial of the Clergy, Gentry, Merchants, and other Ratepayers of the township of West Derby, in the county of Lancashire,

'Showeth, - That, considering the efficient and satisfactory provision which has always been made for the relief of the poor in this township, both as regards those whose necessities have required in-door permanent support in a comfortable workhouse, belonging to, and situated within, the township, as well as those requiring only casual out-door relief, in cases so different with respect to circumstances, nature, and extent, in a commercial and manufacturing community, to those in an agricultural community, the easy rate of 9d. in the pound upon the inhabitants (with the prospect of it being rendered still easier) which has heretofore been found abundant for such efficiency.

'Also the existence in this township of an ample charitable fund for binding poor children apprentices.

'Your memorialists have heard with deep regret that it is your intention to interpose new arrangements upon those which after long-tried experience have been found to work well and satisfactorily, but most especially learn with regret the contemplated combination of this township with several other townships to form an union.

'In bearing testimony to the unqualified satisfaction which the economical and systematic plans adopted by the overseers for years past have been given, in the management of the affairs of this township, comprising in extent seven miles by three miles and a half, and containing a population of more than 13,000 souls, with an assessment of 72,000L., which latter two have doubled within the last 15 years, and are now proceeding in a much greater ratio.

'Your memorialists beg to express their strong disinclination to the proposed alteration, and hope that you will pause prior to
making any change in the government of their affairs from that system which long experience has proved to be eminently efficient and satisfactory'.

(Source: The Times, 15 April 1837)
Resolutions passed at the anti-poor law Demonstration, Peep Green Tuesday 16 May 1837.

1. That the act called the Poor Law Amendment Act virtually denies the poor the right to live in the land of their birth - a right which we hold to be inalienable, and which cannot be infringed upon without danger to the peace and welfare of society.

2. That [the] one great object of all Governments ought to be the welfare of the productive classes of society, that that object will be materially promoted by a well regulated system of poor laws, and that the wisdom and justice of our ancestors have given to the labourer in distress as great a right to relief as the landlord has to the profit of his estate.

3. That the Poor Law Amendment Act violates that principle of self-government upon which the most ancient and most cherished of our institutions are founded, inasmuch as it takes away from the ratepayers the power of managing their own local concerns, and disposing of their own funds, and vests this power in the hands of three commissioners living in London, whom it authorizes to make rules and regulations and orders equally binding with laws passed by King, Lords, and Commons.

4. That as the treatment of the female portion of society by those who have hitherto swayed their united destinies, has been considered to unerringly mark the degree of civilization at which a nation has arrived, it is matter of deep sorrow to find in the bastardy clause of the Poor Law Amendment Act an utter disregard of those obligations of justice towards women which it is so much to the honour and interest of man to fulfil. And whilst this meeting is anxious to express its abhorrence of, and to disclaim all sympathy with, the cold, heartless, and selfish spirit which here manifests itself so undisguisedly, and the presence of which may be detected throughout the whole act, it feels itself bound most solemnly to declare its conviction, that
neither the peace, happiness, nor honour of England can be maintained until that spirit be exorcised from the Legislature - until there be an utter abandonment of the policy which produces such results as the Poor Law Amendment Act.

5. That this meeting deprecates anarchy and civil strife, and foresees in the principle of the detestable and despotic Poor Law Amendment Act the inevitable destruction of all private property, being fully convinced that if the property of the poor is to be confiscated by law, the most awful consequences must follow. Therefore this meeting demands the immediate and total repeal of that act.

6. That this meeting considered any Government, Whig, Tory, or Radical, which adopts the principles of the Poor Law Amendment Act, as unworthy [of] the confidence or support of the people.

(Source: The Times, 18 May 1837)
Petition of the Huddersfield Board of Guardians to the House of Lords, 17 May 1838.

'To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland in Parliament assembled. The humble Petition of the Guardians of the Huddersfield Union Assembled in this Court House in Huddersfield this seventeenth day of May 1838, William Cooke in the Chair.

'Sheweth - That the people of this Union generally provide for themselves by independent labour. The able-bodied men are mostly united to a benefit Society and so prepare for seasons of sickness and death; but that many have suffered much by the insolvency of societies to which they had contributed 20 years.

'That in seasons of distress arising from want of work all the able-bodied desire is to have task work at such wages as may afford food in return for a full day's work.

'That independent labourers did during the long frost last winter buy coals to thaw and facilitate the breaking of Stones; and formerly they swept the snow from the stones and then brake [sic.] them rather than trouble the Overseer.

'That claimants for relief chiefly consist of the aged, blind and infirm persons and destitute children: to the former a weekly allowance of from one shilling to two shillings and six pence and from the latter about 1 shilling and 2d is given; but whatever allowance be continued your petitioners think it should be given in the least expensive and most convenient manner.

'That there are many aged paupers in this Union whose characters will bear the strictest scrutiny who profess to prefer starving to leaving their present cottages where they are maintained at less cost than they can be maintained at in a central workhouse.

'That for the education of poor children most townships are provided with charity Schools which will be rendered less serviceable by taking the children to a central School and the additional expense of building and supporting such School will be a hardship on the ratepayers.
'That to confine the able-bodied in a workhouse because they have no work is a very likely means of preventing them obtaining work and so making them permanent paupers.'

'That any means likely to improve the condition of the people especially in the villages will have the support of your petitioners' and they think such means deserving the attention of Government, but your petitioners believe that any material change in the administration of relief is not necessary and may be highly injurious.'

'That the change of affiliations from the Petty, to the Quarter Sessions is a serious charge upon ratepayers and ought to be altered.'

'That the power to affiliate should be extended to Mothers not absolutely destitute till some less expensive remedy than a trial at the Assizes be afforded them.'

'That the paupers of the several townships are intimately known to the Assistant Overseers who are better able to administer the affairs of the poor than any other persons whom you petitioners can appoint.'

'That the expenses of the poor have been decreasing sixteen years and were less during the last year than for any one year during the last 38 years in the township of Thurstonland.'

'That during the year ending March 1837 which is the last of which your petitioners have seen the commissioners report the expenses of many Unions under Boards of Guardians increased on the preceding year; that generally the expenses of the March quarter were the greatest; and in some exceeded the average previous to the formation of the Union.'

'That in the township of Thurstonland (included in this Union) which is not pretended to be one of the best managed in the Union the saving of the last year on an average of the last 38 years is 36 per cent, without hardship to the objects of poor laws. That the saving has been gradual during the last 8 years and probably will continue: the expense of the poor for the last year does not exceed one shilling and sixpence in the pound on the rental.'

'That to change the boards and dismiss the officers who have produced this state of things and to employ strangers is not in accordance with your petitioners views of expediency.'
'That some of your petitioners claim the honour of having contributed towards the good administration of the affairs of the poor in their townships; but neither have nor seek any personal advantages there from.

'That your petitioners strongly suspect that the new system of book keeping will not be understood by Guardians: and consequently the affairs will be left to the honour of the paid officers. The old system is easily understood and has answered for needful purposes.

'That the Justices of the Peace living in and acting for this District attended diligently to the affairs of the poor and to the interests of the ratepayers so long as they had power to do so efficiently which was the principal means of keeping off many of the evils complained of in the South.

'That the appointment of four additional Justices of the Peace for this District was designed to stifle the public voice in regard to the Poor Law Amendment Act; and to control the management of the ratepayers affairs.

'That your petitioners can much more conveniently and efficiently attend and act as members of a select, or open vestry in their several townships than travel from 3 to 8 miles to attend a Board in Huddersfield where frequently there may be no business of importance requiring their attendance.

'That the wholesome administration of relief is better secured by vigilance than by other means and that precise rules are not nearly so available as a discreet officer.

'That the principle advocates of the Poor Law Amendment Act in this Union appear to be men of restless spirits to whom any change is agreeable if accomplished by their party.

'That many of them travelled twice, last year, from Holmfirth to Kirkburton to oppose a Church rate of one penny in the pound: and were on the second time attended by a band of music and a mob which caused a riot.

'That the electors of the Holmfirth district should object to go to Huddersfield to vote for members of Parliament at an election; and transfer their weekly parochial business from their several townships to Huddersfield is one of the anomalies of the present age of which your petitioners disapprove.
'That your petitioners have observed with surprise that two Assistant Poor Law Commissioners are acting as auditors to six Unions while their whole time ought to be devoted to the duties of the Commission.

'That your petitioners think the Commissioner's Reports are negligently got up and are very contradictory.

'That this Union has never been duly constituted according to the Poor Law Amendment Act; and that an expense incurred by your petitioners as a Board can not be proportioned as that Act directs.

'That Cumberworth Lower included in this Union, is not a place maintaining its own poor; but merely a hamlet included in other townships and the population given by the Commissioners is supposed to be the population of Cumberworth not Cumberworth Lower; but that neither Cumberworth nor Cumberworth Lower has had notice to elect a Guardian to represent it at this Board according to the 38th Section of the Poor Law Amendment Act and according to the Rules of the P.L. Commissioners nor has either of these places elected a Guardian.

'That on these several accounts your Petitioners humbly pray your Right Honourable House that the Poor Law Amendment Act may not be required to incur any expense under the Registration Acts, till this Union have been duly constituted. And your Petitioners will ever pray.

'Signed by the Chairman of 22 freely elected Guardians'.

To the Queen's Most Excellent Majesty.

We, the Females of Elland, in the County of York, in public meeting assembled, this 12th day of Feb. 1838.

Approach your Majesty with confidence, as wives and mothers, to lay before your Majesty our grievances; for the more we contemplate the working of the New Poor Law Amendment Act, the more deeply we confirmed it is the most unconstitutional, unchristian, unjust, and cruel enactment that ever stained the statute book of a country calling itself free. It is unconstitutional, because the three estates of the realm have delegated the power of making laws to three commissioners unknown to the constitution. It is unchristian, because it empowers the commissioners to break the command 'That whom God hath joined together let no man put asunder,' which they have done by separating husband from wife, and parent from child. It is illegal, by making misfortune and poverty a crime, and punishing it by forcing us to live on worse than prison fare, and compelling us, and our husbands, and our families, to submit to it as the test of destitution, which is sure to bring down wages, and make us more wretched and miserable, which is next to impossible. And it is monstrously unjust to our daughters, particularly in the bastardy clauses; for it will of necessity drive them to commit suicide and child murder, which has already gone to an alarming extent.

Therefore, we approach your Majesty, and pray that you will exercise your prerogative, and remove from your councils those heartless men who are attempting to place us under this horrible law. We beg leave to remind your Majesty that allegiance is due only when protection is extended to the subject, and to state to your Majesty, that the Amended Poor Law has put us in a worse condition than the beast of the field, or the fowls of the air; and, therefore, we pray, we implore your Majesty to stem the torrent, to stay the calamity, and avert the pestilence which is coming fast upon us, and the nation, and your loyal subjects, as in duty bound, will ever pray.

(Signed on behalf of the meeting.) SUSAN FEARNLEY, Chairwoman.

(Source: Leeds Times, 17 February 1838).
PRIMARY SOURCES

1. MANUSCRIPTS
   (a) PRIVATE PAPERS
   (b) LOCAL AND COUNTY RECORDS
   (c) PUBLIC RECORD OFFICE

2. SPECIAL COLLECTIONS OF BROADSIDES AND HANDBILLS

3. OFFICIAL PUBLICATIONS
   (a) BRITISH PARLIAMENTARY PAPERS
   (b) OTHER OFFICIAL PUBLICATIONS

4. NEWSPAPERS AND PERIODICALS

5. CONTEMPORARY BOOKS AND PAMPHLETS

6. NOVELS AND MEMOIRS

SECONDARY SOURCES

1. BOOKS

2. ARTICLES

3. UNPUBLISHED THESSES
PRIMARY SOURCES

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Chadwick Papers, University College, London.

Clarendon Papers, Bodleian Library, Oxford.
    MSS. C.548, Thomas Hyde Villiers Correspondence.

Cobbett Papers, Nuffield College Library, Oxford.
    Box IV, Cobbett - Sapsford Correspondence.
    Box XXI, Faithfull Papers.

Fielden Papers, John Rylands University Library, Manchester.
    These extremely valuable papers, which were still uncatalogued when I used them in 1979, are grouped in four parts:
    Correspondence between the four Fielden Brothers and others (mostly business letters, but with some valuable information on opposition to the New Poor Law).
    Letters from William Clegg to various members of the Fielden family, 1836-1841 (Clegg was a business associate of the Fieldens and treasurer of the South Lancashire anti-Poor Law Association).
    Political and Personal Correspondence of John Fielden, 1831-1849 (head of the company Fielden Brothers and M.P. for Oldham).
    Letters from John M. Cobbett, Richard B.B. Cobbett and James P. Cobbett to John Fielden and Samuel Fielden, 1833-1844 (correspondence from the three sons of William Cobbett).

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    WWM/F47/1-50, Poor Relief, Destitution etc.
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    ZHE/30-46, Correspondence of Robert Heywood, 1834-1850.
    Add. MSS., 40442, Correspondence with Lyndhurst, 1841-1849.
    Add. MSS., 40446-52, Correspondence with the Home Secretary, 1841-1846.

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    Add. MSS., 27808-10, Collections on Political Societies.
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    Add. MSS., 35148-51, Political Correspondence, 1827-1850.
    Add. MSS., 35154, Letters concerning Poor Law Committee c.1830.
    Add. MSS., 37949-50, Correspondence, 1813-1852.

Richardson Letters, Local History Library, Manchester Central Library.
    MSC. 920, Correspondence by and concerning R.J. Richardson.

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(b) LOCAL AND COUNTY RECORDS

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    ______, 'Miscellaneous Poems', 1 Vol., Bound MSS.
    ______, 'Diaries', 1 Vol., Bound MSS., and cuttings.
    ______, 'Local History, Military Affairs, Chartism', 1 Vol., Bound MSS., and cuttings.

Bolton Metropolitan Borough Archives.
    PGB/7, Great Bolton Workhouse Account Book, 1777-1801.
    PHA/1/2, Halliwell Township Book, 1787-1813.
    PLB/2/1-3, Little Bolton Overseer's Accounts, 1744-1767, & 1817-1823.
    PMH/9, Middle Hulton Overseer's Accounts, 1759-1833.

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    EG: A/10, 13, 17, 20, 38-40, Elland Overseer's Correspondence, 1698-1840.
    MISC: 93/6, Halifax Board of Guardian Minutes, 1837-1841.
    MISC: 283, Halifax List of Out-Poor, April 1802.
Chethams Library, Manchester.

Kirklees Metropolitan Borough Archives, Huddersfield.
  CP/Ho/OP/21, Honley Poorhouse Accounts, 1763-1767.
  CP/Ho/OP/24-35, Honley Overseer's Accounts, 1766-1832.
  CP/Ho/OP/46-51, Honley Orders for the Maintenance of Poor Children, 1777-1807.
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  Huddersfield Vestry Meeting Minutes, 1835-1878.
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  LO/M/1, Leeds Workhouse Inmates Register, 1784-1795.
  PL/1/1, Leeds Poor Law Union Guardian Minutes, 1844-1850.
  SM 22/1, Sandal Magna Poor Law Correspondence, 1760-1850.
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L/41/8/1-3, Barrowford Booth Overseer's Accounts,
1717, 1813-1820, & 1825-1826.
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(c) PUBLIC RECORD OFFICE

(i) Home Office Papers

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HO 40/33 (3), Govt. Agents & Informers 1835.
HO 40/33 (4), Reform Newspapers & Pamphlets 1835.
HO 40/35, War Office and Civilians 1837.
HO 40/36, Bedford - Kent 1838.
HO 40/37, Manchester and Rochdale 1838-1839.
HO 40/38, Lancashire 1838.
HO 40/39, Leicester - Westmoreland 1838.
HO 40/40, Wiltshire - Wales, 1838.
HO 40/41, Berkshire Cambridge Chester Cornwall Cumberland
and Westmoreland 1839.
HO 40/42, Derby Devon Durham Gloucester & Hants 1839.
HO 40/43, Hereford Kent Lancaster Manchester 1839.
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HO 40/45, Monmouth 1839.
HO 40/46, Montgomery Northumberland Norfolk Surrey
Hertford Northampton Essex 1839.
HO 40/47, Nottingham Salop Somerset 1839.
HO 40/48, Stafford Suffolk Sussex & Worces 1839.
HO 40/49, Warwick Pt. 1 1839.
HO 40/50, Warwick Pt. 2 1839.
HO 40/51, York and Wales 1839.
HO 40/53, Military & Chartist intercepted Letters 1839.
HO 40/54, Buckingham - Lancashire 1840.
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HO 40/56, Suffolk - Worcester 1840.
Disturbances: Correspondence and papers (cont'd)
HO 40/57, Yorks Scottish & Welsh Miscellaneous 1840.
HO 40/58, Military Reports 1840.
HO 40/59, Miscellaneous 1841-1855.

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HO 41/12, Miscellaneous 1834-1837.
HO 41/13, Provinces 1837-1839.
HO 41/14, Provinces 1839-1841.
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HO 64/6, Correspondence 1836.
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