

PARLIAMENTARIANS AND THE POOR LAW

1803-1834

by

Mary L. Hill

Submitted in partial fulfillment
of the requirements of the degree
of Master of Arts
at Saint Mary's University, Halifax, Nova Scotia

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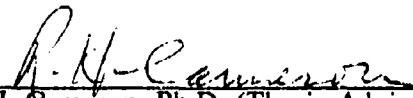
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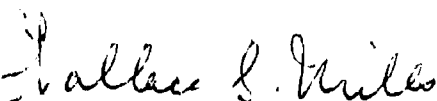
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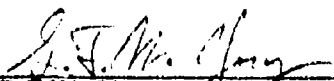
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ABSTRACT

This study focuses on the attitudes of Parliamentarians towards the poor. From researching Hansard, it became apparent that the majority of Parliamentarians were not at all sympathetic to the poor. The object of their attention was primarily the distress occasioned to the landed interests by taxation, of which poor relief was simply a part. Furthermore, due to the perceived maladministration of the poor laws, following Speenhamland in 1795, the poor were regarded as immoral, improvident and a drain on both the wallets and the paternalistic feelings of the landed interest. The government, probably because it did not want to interfere in the relationship which existed between the landed interest and the poor at the parish level, had no interest in becoming involved in poor law reform. It was not until the 'Swing' riots of 1830-31 that there was a realization on the part of Parliamentarians in general, and the government in particular, that there was something seriously amiss. Fear of the breakdown of order and stability now came to the forefront and prompted the Whig government to put forward a proposal to amend the poor laws which, despite some reservations, received general approbation.

This study begins by putting the poor laws in perspective, continues by giving a broad outline of agricultural costs and the economy and then goes on to investigate the attitudes of Parliamentarians which finally led, in 1834, to the passage of the Poor Law Amendment Act.

CHAPTER I
THE POOR LAWS IN PERSPECTIVE

"Throughout all Christendom the responsibility for the relief of destitution was, in the Middle Ages, assumed and accepted, individually and collectively, by the Church."¹ The Church, then, was the fundamental paternalist, ordained by God to care for the disadvantaged. The relief of the poor was, by extension, the duty of all God-fearing men and it was a duty which was both privately and charitably performed.

It was not until 1601, in the reign of Queen Elizabeth I, that the poor laws were institutionalized by the State, with funds being provided by means of the poor rates--a compulsory tax on all property owners within the parish boundaries--and levied in conjunction with tithes paid to the parish by the landowners, farmers and tenants. At that time also, the practice of appointing overseers of the poor commenced, with the overseers being charged with providing, from the rates, for all those persons who were unable to maintain themselves. Thus, while the charitable relief of destitution had been regarded by the rich as a duty prior to 1601, after that date, relief became institutionalized as a legal right of the poor.

¹ Sidney and Beatrice Webb, English Poor Law History, Part I: The Old Poor Law. Hamden, Conn.: Archon Books, 1963, p. 1. (First published in 1927).

Although the relief of the poor had become legally entrenched through act of Parliament and thus, in a sense, centrally directed, there was no central administration responsible for collecting the poor rates. Each parish was left very much to its own devices and inevitably there was social and geographical inequity, with numerous independent methods of poor relief being developed to meet the needs of individual parishes.

It was the landowners, as Justices of the Peace, who supervised and controlled the parishes. While the central government had made poor relief contributions compulsory, it had not instituted any central means of enforcing the law. Thus, while the central government was concerned with collecting revenue to finance its various external policies, it was the Justices who had the responsibility for governing at the local level. In this role they were responsible not only for maintaining order and stability but for administering the poor laws. The power of the Justices of the Peace was therefore extensive and far reaching.

Before 1601, the fact that any cognisance was taken of the plight of the poor can be seen as an aspect of the paternalism which existed among the various social strata. The most effective relief was not only charitably provided, but the relief systems themselves were activated at the parish level by the local magistrates. Poor relief was regarded as a duty vested in the landed interest and an integral part of the paternalism which existed in an agricultural

society. Paternalism and, accordingly, superiority and subordination, were the accepted norms, with the hierarchical structure being one upon which the country had come to depend. The upper classes not only had the money, but the education and time to actively carry on the business of government; the poor had an incentive to work for a living by the very reason of their being poor.

In an agricultural economy, the landowner had a paternalistic responsibility towards his labourers. In agriculture there was a mutuality of interests based on the respect of all parties for each other, and the landowner 'protected' his labourers in return for their labour and their deference to his superior social position.

Superiority and inferiority were traditionally understood as a basis of society and:

The upper classes were always well aware that the labourer was important, that the wealth of society depended on his exertions and social tranquillity on the acceptance of his lot.³

Paternalism, then, had its basis in property. Land gave its owners certain rights, the most important being the right to govern. However, the ownership of property conferred specific duties, namely to help the weak, the aged, the sick and the poor. Furthermore, paternalism embraced an aspect of guidance: the guidance by the wealthy

³ J.R. Poynter, Society and Pauperism: Ideas on English Poor Relief, 1795-1834. London: Routledge & Kegan Paul, 1969, p. 25.

of those who were dependent on them was a means of ensuring social harmony. It was easier to guide (and to govern) if there was an acknowledged dependence by the lower orders on their superiors. "To know and be known by those who governed was central to English paternalism,"⁴ writes David Roberts. Thus the wealthy provided for the poor as a father provides for his family. There was a certain authoritarianism tempered with benevolence, with all players united in a team effort. It was this traditional reciprocity between the upper and lower classes which allowed society to safeguard itself from problems of disorder and instability.

The administration of the poor laws then, based as it was on the principle of reciprocity, was regarded as a moral and social obligation which was of benefit to society as a whole: it aided in the maintenance of order and stability on the one hand, and fulfilled the Christian ideal of charity to one's fellows on the other. Local administration necessarily involved local paternalism and thus ensured a measure of protection for the poor. The wealthy, in their roles as Justices of the Peace, had the power to dispense relief as they saw fit; accordingly there was more humanity introduced into the benefits system than perhaps there would otherwise have been.

⁴ David Roberts. Paternalism in Early Victorian England. London: Croon Helm, Ltd, 1979, p. 4.

It was, however, this localized paternalism which found itself unable to cope with an ever-increasing pauper population. No account had been taken in 1601--nor could it have been--of the problems which were to be imposed by the industrialization and urbanization processes of the late eighteenth-century, with their attendant population growth. The Law of Settlement and Removal of 1661, provided that any poor person entering a parish was liable to be forcibly removed to the parish of birth unless it could be proved that he or she would not become chargeable to that parish. This law entrenched even further the already established principle that every person 'belonged' to a parish and should only be relieved by it. It was understandable that parishes should be eager to limit their financial liabilities as far as poor relief was concerned. However, because the Law of Settlement and Removal strengthened the parochial basis of poor relief, it served merely to compound the problem faced by the parishes by making them responsible for any pauper who could prove settlement.

While the parishes regarded the settlement laws as problematical, their implementation caused greater hardship to the poor. As the Webbs point out, the period between 1662 and 1723 saw conditions for acquiring settlement becoming "both complicated and more onerous,"⁵ with the labouring poor being confined to their own particular

⁵ Sidney and Beatrice Webb, English Poor Law History, Part I, p. 328.

parishes (where they might receive relief from the poor rates), rather than being permitted to move freely to find work. The landowner was thereby assured of what might be called a 'tied' source of labour and had the advantage of being able to keep wages low, especially in the agricultural areas which offered seasonal employment and an abundance of manpower.

By 1782, various proposals for reform resulted in the Act for the Better Relief and Employment of the Poor, or 'Gilbert's Act', after its initiator, Thomas Gilbert. The main thrust of this Act was to permit the parishes to form into unions to administer relief, and to move the administration of the poor laws from the aegis of the overseers. As has been mentioned, the position of overseer of the poor had been established in 1601, but appointments were made on an annual basis and the position was an unpaid one. In such circumstances it was unlikely that persons occupying the position would be well-equipped to properly perform the duties required of them. By Gilbert's Act, parishes were to combine into unions, with each parish establishing the paid position of guardian of the poor, and workhouses for the destitute were to be established by each union. Yet, despite the fact that Gilbert's Act was passed into law, little action was taken to enforce it.

While some parishes combined and set up workhouses, the tendency was for parishes to provide either outdoor relief (i.e., relief for persons in their own home), or employment for the poor. This outdoor

relief was further sanctioned by the Speenhamland Plan. Adopted by Berkshire magistrates at Speenhamland in 1795, partly in response to the failing woollen trade, this plan allowed for the augmentation of wages from the poor rates and the payment of a family allowance based on the number of children (legitimate or otherwise) per family. The Speenhamland Plan was widely adopted, especially in the South of England where lack of employment opportunities and population growth ensured a continuous and steady call on the poor rates.

The Speenhamland Plan, although devised and implemented by well-meaning magistrates, did not prove to be as beneficial as had been anticipated. Based on a system of wage supplementation with payments to cover children, the plan offered little incentive to labourers to work for the meagre wages they were offered. Thus, as calls for outdoor relief increased, poor rate expenditures climbed to levels high enough to cause consternation to those who paid them. Concern to relieve poverty consequently began to take a secondary place to concern over the costs involved.

Furthermore, as industrialization moved the entrepreneurial middle classes into the ranks of the property owners, the personal connections between rich and poor diminished as economic considerations became oriented to the profit and loss theories of the market place. While the feelings of paternalism displayed by the upper classes towards the poor had been firmly established by the Elizabethan Poor Law--the primary concern of which had been the

alleviation of poverty--the middle classes did not have the same paternalistic attitudes. As the economic distress, occasioned by the aftermaths of the Revolutionary and Napoleonic wars and lack of employment opportunities in the South, became more pronounced, the parishes became less able to deal with their pauper populations. This was especially so in the growing towns, where overcrowding, squalid conditions and the anonymity of urban living posed significant problems for the poor themselves, and where their relief, based on agricultural norms, was inadequate for the task it faced.

Increasingly after 1795, and particularly by the 1820s, it was evident that some review of the poor laws needed to be undertaken. However, because the approaches to poor law implementation were so diverse, the problem was not a simple one to solve. Change would necessarily mean a disruption of the existing social structure and this, in the context of nineteenth-century paternalistic thinking, posed a daunting task. So diverse were opinions on poor relief that individuals who did propose solutions were generally unsuccessful in having them adopted by Parliament. The government, for its part, was reluctant to become involved for fear of disrupting established social relations (and thus order and stability) by centralizing the administration of poor relief. By the early 1830s, however, social conditions had deteriorated to the extent that there was governmental recognition that it needed to be involved in poor law reform. The number of paupers had continued to grow, the amount of money needed for

their relief had increased significantly, and distress amongst the agricultural poor was manifested by the worst rioting the country had known. Furthermore, political radicals such as William Cobbett believed that relief of the poor could only be accomplished by Parliamentary reform. Thus, although the rioters' demands were for higher wages and an end to the use of threshing machines, Parliamentarians were faced with the possibility that political agitators could use the distressed poor as an effective tool to achieve their ends. The 'mob' had been used in the past as a weapon to gain political advantage: it was a weapon that was effective, and one to be feared.

The Commission on the Poor Laws of 1832-33, which resulted in the passing of the Poor Law Amendment Act or New Poor Law, heralded the disappearance of the traditional paternalism. As the Parliamentary debates of the period bring out, concern for the welfare of the poor did remain, especially within the aristocratic community. However, economic self-interest and a fear of insurrection had entered the political arena. As a result, the distress of the poor took a secondary role to the fear of social revolution and the need to prevent a breakdown of order and stability at all costs.

CHAPTER II
AGRICULTURE, THE ECONOMY AND THE POOR LAWS
1800-1834

As indicated by Patrick Colquhoun writing in The Critical Review of November 1807, £5,348,205 were spent in the years 1802-1803 to relieve the poor, with the actual number of persons receiving relief being 1,040,716 out of a total population of 9,000,000.¹ The fact that no definite method existed of counting the pauper population ensured that the figures were inaccurate; nonetheless, there can be no argument that the expenditures were large. Poor rates had doubled since the outbreak of war with France in 1793, as had the cost of cultivating arable land (Figures 1 to 4), and these costs continued to increase. While wheat imports declined significantly between 1801 and 1804, prices fluctuated significantly, with wheat costing 154s. per quarter in March of 1801. For A.G. Gayer et al., the years 1802 to 1806 contained "no important financial crises;"² however, there was undoubtedly agricultural distress. This was especially so in 1802-1803 when the advantages of good harvests and a consequent decline in the price of wheat, were offset by an over-abundance of agricultural

¹ Patrick Colquhoun, "Treatise on Indigence", in The Critical Review, Series III, Vol. XII, No. III, . Art. VI, November 1807, pp. 265; 266.

² A.D. Gayer, W.W. Rostow & A.J. Schwartz. The Growth and Fluctuation of the British Economy, 1790-1850, p. 58.

FIGURE 1

QUARTERLY POOR RATE EXPENDITURE

COMPARISON OF THE YEARS 1793, 1799 and 1800

1793			1799			1800		
£	s	d	£	s	d	£	s	d
0	2	6	0	3	0	0	5	0

FIGURE 2

YEARLY COST OF CULTIVATING ARABLE LAND (100 ACRES)

COMPARISON OF THE YEARS 1790, 1803 AND 1813

1790			1803			1813		
£	s	d	£	s	d	£	s	d
411	15	11¼	547	10	11½	711	16	4½

Figures compiled from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850.

FIGURE 3
YEARLY COST OF POOR RATES PER 100 ACRES OF ARABLE LAND
COMPARISON OF THE YEARS 1790 and 1803

1790			1803		
£	s	d	£	s	d
17	13	10	31	7	7½

FIGURE 4
ANNUAL AVERAGE PRICE OF WHEAT
COMPARISON OF THE YEARS 1790, 1803 and 1813

1790			1803			1813		
£	s	d	£	s	d	£	s	d
50	6		56	7		98	6	

All figures compiled from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850.

Although no figures for poor rates are quoted by Gayer et al. for 1813, the significant increase in the annual average price of wheat in that year would suggest a similar increase in the cost of the poor rates per 100 acres of cultivate arable land.

labourers due, in large part, to the demobilization of the armed forces, which caused the labour market to be flooded. The labour problem was further exacerbated by a rising population and a lack of agricultural employment, particularly in the south of the country. Strangely the situation is not reflected in the agricultural wages for the period, which rose steadily. It is not clear why this should have been the case. However, it is possible that, although fewer labourers were employed, they were more productive and hence better paid.

The excessive agricultural workforce might, therefore, be viewed as an initial factor in the subsequent demise of the traditional paternalistic relationship. Landowners no longer needed to retain their help on a permanent basis, nor provide them with lodging, since independent labour was always readily available. With more attention being paid to economic rather than ergonomic factors, the traditional reciprocity between landowner and labourer was allowed to lapse. The enclosure of common ground exacerbated the problem, in that it deprived the poor of the ability to cultivate smallholdings and graze animals. Thus, although the results of enclosure were generally more productive for agriculture, and certainly more economically advantageous for the landowner, any advantage afforded the poor to provide themselves with the necessities of life was immediately removed. Thus, vast numbers of agricultural labourers, unable to obtain employment within the agricultural sphere and deprived of self-provided sustenance, were either compelled to migrate to urban centres to find industrial

employment or forced onto the parish pauper rolls.

In 1804, a poor harvest coupled with the renewed outbreak of war caused prices to rise again, with wheat reaching 84s. per quarter by June 1806. However, wages also rose gradually during the years 1803 to 1806, despite renewed hostilities with France, causing Lord Grey to note, on June 20, 1805, "with a satisfaction unmingled,"³ the domestic situation of the country. One may, then, conclude that the period to 1806 was one of relative prosperity, despite the inevitable problems posed by continued warfare. One of two assumptions must therefore be made: either wages were adequate to meet the basic needs of the labouring population (and wages had increased significantly since 1793) (Figure 5); or the landowners were willing (and able) to contribute sufficient funds to the poor rates to maintain the poor. If the latter was the case, it may well have been that the spectre of the French revolution loomed large, with the landowners being willing to pay poor relief to ensure stability and order within their own society.

The years 1806-1811 present a different picture. In the budget of March 28, 1806, income tax was raised to ten percent, with the property tax being raised by a similar percentage on holdings worth £50 or more. In the Commons, Philip Francis (Appleby) voiced the fear that such an additional tax burden would "occasion much more general uneasiness, if not universal distress and discontent."⁴ However, Lord

³ Hansard Parliamentary Debates, Vol. 5, p. 494.

⁴ Ibid., Vol. 6, p. 576.

FIGURE 5
BOWLEY'S INDEX OF AGRICULTURAL MONEY WAGES
1793-1806

Year	Index
1793	112
1794	115
1795	127
1796	138
1797	142
1798	148
1799	152
1800	156
1801	160
1802	162
1803	164
1804	177
1805	188
1806	198

Base year 1700 = 100

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, pp. 54 and 81.

Castlereagh, speaking for the government, while admitting that "the people [were] necessarily called upon to submit to heavy burthens [could] by no means subscribe to [the] opinion that they [the people] seem[ed] likely to sink under them."⁵ Referring to Francis's opinion that an increase in taxation would occasion discontent, Lord Castlereagh mentioned the poverty existing in the country and noted that the poor laws had "grown out of the affluence and liberality of the nation" and, though liable to abuse, the system [of poor relief] was "generally considered as justifying a very different conclusion"⁷ from that drawn by Francis. Thus, for Castlereagh, increasing taxation was necessary in order to cope with an increasing poor population and, although he did not deny that the pressure of taxation was great, he felt that "it [was] not such as to check or disturb in any respect the industry, and consequently the prosperity of the country."⁸

The latter part of 1805 saw the price of wheat decline, due to a higher yield from the harvest than had been expected. Napoleon's Continental Policy, however, meant that grain was scarce in 1806 (208.1 thousand quarters imported versus 836.7 thousand quarters in 1805; see Table I) and the price of bread rose accordingly. By June

⁵ Hansard Parliamentary Debates, Vol. 6, p. 624.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid., p. 625

TABLE I
WHEAT AND FLOUR IMPORTS
(in 1,000 Quarters)
1793-1832

Date	Imports	Date	Imports
1793	475.8	1813	627.1
1794	318.7	1814	627.1
1795	299.3	1815	194.9
1796	879.2	1816	210.9
1797	421.2	1817	1,034.4
1798	379.2	1818	1,589.1
1799	447.9	1819	471.8
1800	1,263.8	1820	593.1
1801	1,424.6	1821	137.7
1802	538.9	1822	47.6
1803	312.5	1823	24.0
1804	391.1	1824	85.2
1805	836.7	1825	391.6
1806	208.1	1826	582.3
1807	360.0	1827	306.6
1808	41.1	1828	757.7
1809	189.0	1829	1,671.1
1810	1,440.7	1830	1,676.0
1811	188.9	1831	1,310.4
1812	132.4	1832	464.1

Figures compiled from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850.

TABLE II
WHEAT PRICES PER QUARTER
1801-1832
(Random Yearly Sampling)

<u>Date</u>	<u>Price of Wheat</u> <u>(in Shillings)</u>
March 1801	154.0
March 1804	50.0
June 1806	84.0
August 1812	152.0
March 1813	122.0
Dec. 1813	75.0
June 1817	113.0
Dec. 1817	84.0
April 1818	90.0
Dec. 1821	49.0
Sept. 1822	39.7
Jan. 1823	40.4
Dec. 1823	52.0
Feb. 1824	66.0
Sept. 1824	55.0
May 1825	69.0
Oct. 1826	54.0
Aug. 1827	60.0
Dec. 1827	52.0
July 1828	56.0
Jan. 1829	75.0
Nov. 1829	56.0
Feb. 1831	74.0
July 1832	54.0
Nov. 1832	53.0
Dec. 1832	54.0

Figures compiled from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850.

1806, wheat prices per quarter had risen to 84s. from 50s. in March of 1804 (Table II). In 1810, wheat prices were again on the rise, with the importation of that commodity being 1,440.7 (1,000 quarters) as against 1,263.8 imported in 1800 and 1,424.5 imported in 1801.

However, agricultural wages remained constant during the years 1806-11 and, with the burden of additional taxes, the distress of the agricultural poor was aggravated even further. Yet it was not until 1812, when the price of wheat reached 152s. per quarter in August of that year, that Parliamentarians began to express concern.

Agricultural wages declined after 1812 and reached a low in 1816 (Figure 6). The end of the Napoleonic Wars heralded a conclusion to what might be called the halcyon days of English agriculture. The enclosure and cultivation of common land, which had been so beneficial to the agriculturalists during the war years, proved costly to maintain. The defeat of Napoleon saw an end to his Continental Policy and the availability of foreign grain at relatively inexpensive prices, which contributed to a slump in the demand for domestic grain. To counter this, the agriculturalists demanded, and obtained, in 1815, the introduction of the corn law. The objective of this law was to keep foreign wheat off the market until the price of domestic wheat reached 80s. per quarter, although it was permissible to import for warehousing. While the corn law was of some benefit to the agriculturalists, it did nothing to relieve the distress of the agricultural labourer: the price of wheat continued to seesaw until

FIGURE 6
BOWLEY'S INDEX OF AGRICULTURAL MONEY WAGES
1806-1816

Year	Index
1806	198
1807	198
1808	198
1809	198
1810	198
1811	198
1812	198
1813	196
1814	194
1815	192
1816	190

Base year 1700 = 100

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, pp. 108 and 135.

1816 and the cost of bread was high. The general slump in agriculture in the immediate post-war years were especially hard for the smaller landowners and farmers and, of course, disastrous for the agricultural poor. Despite the corn law:

Farms were thrown up; notices to quit poured in; numbers of tenants absconded. Large tracts of land were left untenanted and often uncultivated. . . . Many large farmers lost everything, and became applicants for pauper allowances. . . ; the least possible amount of labour was employed. . . . In [1816] . . . the rise of wheat to the old prices aggravated rural distress without helping any person except dealers, and the wealthier farmers who could afford to wait. . . .⁹

An example of such distress was brought before Parliament on February 23, 1816, when Sir Charles Burrell (Shoreham) presented a petition to Parliament from the landowners/landholders of Steyning in Sussex. They complained of "the impossibility of paying poor rates, etc. from their produce."¹⁰ It was, thereafter, an often-voiced complaint. On March 7, 1816, during debate on the distressed state of agriculture, Charles Western (Essex) pointed to a:

⁹ Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, pp. 129-30.

¹⁰ Hansard Parliamentary Debates, Vol. 32, p. 819.

deplorable picture of distress universally pervading that portion of the community whose capital is engaged in agriculture, as well as those numerous classes whose employment is dependent thereon.¹¹

Preston remarked on the fact that land was the country's chief source of revenue; thus the fact that agricultural interests were heavily taxed not only had a detrimental effect on the landowner/landholder but also on the labourer, who was either denied employment altogether, or had to be content with a greatly diminished wage. The year 1816 saw increased concern at the distress which was apparent in the country, with Preston noting that "a vast trade was carried out in smuggling corn from other countries,"¹² undoubtedly in an effort to avoid the prices charged in the domestic marketplace. Charles Western, lamented the inability of the government to counteract the distress. "The alarm actually existing," he said, "can hardly, by any possibility be increased."¹³ In this he was wrong. The distress of the post-war years was accompanied, in 1816, by the traditional response of the poor--rioting. Aimed in large measure at the threshing machines which were seen as contributing to unemployment, the riots coincided with the emergence of a new force in the political arena--radicalism.

¹¹ Hansard Parliamentary Debates, Vol. 33, p. 34.

¹² Ibid., Vol. 32, p. 822.

¹³ Ibid., Vol. 33, p. 31.

Based on the belief that Parliamentary reform was the palliative of all social and political ills, radicalism tended to be used as a tool by William Cobbett and others in an effort to arouse the working class to a political awareness which was, at that time, alien to them. Rioting, especially if politically inspired, held sinister connotations for the aristocracy. With the French Revolution still fresh in their minds, organized insurrection was to be viewed with alarm.

In 1816, however, the fear of insurrection was less strong than the objection by some members of the landed interest to the tax burden. Even though the rioting subsided during 1817 and 1818, the pressure of taxes was more often than not the topic of those who spoke on the subject of distress. John C. Curwen (Carlisle) and Sir James Graham (Hull), argued that taxes had a more severe effect on the poor than on the rich, with the tax burden on the latter preventing them from employing the poor, who were thus "abandoned to want and misery."¹⁴ Furthermore, taxes imposed on foodstuffs (sugar, salt and malt in particular) ensured that the prices of these goods increased beyond the reach of the poor. On February 9, 1819, Curwen pointed out that by paying labour so poorly and taxing the necessities of life so heavily, the poor were reduced to an even more depressed state, since

¹⁴ Hansard Parliamentary Debates, Vol. 33, p. 473.

Labour is rarely paid beyond what is barely sufficient for the maintenance of a working man and his family; taxing . . . the necessities of life, presupposes a surplus beyond what his indispensable necessity requires. If no such surplus exists . . . it must operate a rise in the price of labour or force the individual into a state of pauperism.¹⁵

Even with the allowance system there was no surplus to be enjoyed by the labourer and with the widespread adoption of the Speenhamland Plan, it was unlikely that wages would increase. Thus individuals were more likely to be reduced to a state of pauperism than to enjoy a higher price for their labour. Although Curwen's remarks were, therefore, optimistic in the extreme, they served to make his point that increased taxation decreased the ability of the poor to maintain themselves.

From 1820 on, bread prices remained relatively stable due to an abundance of grain, both home-grown and imported; yet distress remained. Debate in May of 1820 brought the comment from John Bennett (Wiltshire) that "It would be idle to say the price of corn was the cause of distress among the poor."¹⁶ For Bennett, both the reduced

¹⁵ Hansard Parliamentary Debates, Vol. 39, p. 407.

¹⁶ Ibid., New Series, Vol. 1, p. 535.

price of labour and the reduced demand for it were the major causes of the problem. It was his contention that:

the labourer was now worse situated than when the value of corn was much above its present amount, for then he was employed, much better paid, and could afford to purchase at the higher price.¹⁷

Western concurred, stating that the cheapness of corn should be gauged not by price but by its relationship to the cost of labour. He asked Parliament, on May 30, 1820, "whether the labourer had benefited by our lowest prices of grain?"¹⁸ and answered his own question with a resounding, "by no means."¹⁹

The misery was, that there was not . . . a market for labour. The labourer was, therefore, reduced to a state of misery, of degradation, and of irritation, more dangerous to the tranquillity of the country than any other circumstance could possibly be.²⁰

The Marquis of Landsdowne, speaking in the House of Lords on February 5, 1821, was of the opinion that not only was "the consumption of the people diminished - the quality of their food was

¹⁷ Hansard Parliamentary Debates, New Series, Vol. 1, p. 536.

¹⁸ Ibid., p. 653.

¹⁹ Ibid.

²⁰ Ibid.

deteriorated,"²¹ for while prices had declined (Figure 7), agricultural wages had also steadily declined from 1816 (Figure 8), cancelling out any advantage of lower food costs.

On February 22, 1821, Curwen expressed his astonishment that "persons of information and ability [were] talking of the prosperous state of the country, [considering] the miserable state of the people" ²² and concluded on March 7 that same year that "ministers were ignorant of the real extent of the distress."²³ "Had they known it" [the extent of the distress] concluded Curwen:

it would have been their imperative duty long ago to have interposed relief. To such an extreme had it been carried, that unless a remedy were quickly applied, it would come too late.²⁴

He was probably right in his assessment.

²¹ Hansard Parliamentary Debates, New Series, Vol. 4, p. 358.

²² Ibid., p. 895.

²³ Ibid., p. 1147.

²⁴ Ibid.

FIGURE 7
COMPARISON OF FOOD PRICES
1816 AND 1821

	1816		1821	
	s.	d.	s.	d.
Flour (per 12 lb.)	3	0	1	11
Butcher's meat (per lb.)	0	7½	0	5½
Bacon (per lb.)	0	8	0	5
Potatoes (per 20 lb.)	0	8-14	0	6

FIGURE 8
BOWLEY'S INDEX OF AGRICULTURAL MONEY WAGES
1816-1821

<u>Year</u>	<u>Index</u>
1816	190
1817	188
1818	135
1819	183
1820	179
1821	165

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, p. 167

September 1822 saw the price of wheat fall to its lowest point since 1818 (39.7s. per quarter--a decline from 90s. in April 1818).

However:

There was still a lingering of opinion among farmers, and persons generally in the corn trade, that . . . although the prices might decline somewhat below the import rate, they could not fall very much, or continue for any considerable length of time much lower. And the grounds for this opinion seem to have been, that it was, in the first place, taken for granted, that in ordinary seasons we did not grow enough for our own consumption; and, in the next place, there was a strong impression, founded upon the experience of the preceding thirty years, that no interval was likely to elapse without the occurrence of a season of decided deficiency. There was, on the whole, therefore, under the influence of these opinions, a considerable degree of buoyancy in the corn markets upon every occasion of adverse weather, or of unfavourable appearances of the coming crops.²⁵

It will be seen from the figures for 1822-1826 (Table I) that wheat imports rose consistently, with an accompanying increase in price, although wages did not follow suit. Figure 9 shows a further substantial decline in agricultural wages for that period, with severe hardship being experienced by the agricultural labourers in 1824. By 1825, the government was cognisant that high unemployment and food costs (Figure 10) were beginning to stir social unrest and,

²⁵ Gayer, et. al., The Growth and Fluctuation of the British Economy, 1790-1850, p. 141.

FIGURE 9
BOWLEY'S INDEX OF AGRICULTURAL MONEY WAGES
1821-1826

<u>Year</u>	<u>Index</u>
1821	165
1822	144
1823	144
1824	136
1825	146
1826	146

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, p. 208.

FIGURE 10
COMPARISON OF BASIC FOOD PRICES
1825 AND 1826

	1825		1826	
	s.	d.	s.	d.
Beef (best: per lb.)	0	7½	0	6½
Beef (coarse: per lb.)	0	4½	0	4½
Cheese (per lb.)	0	7	0	7½
Bacon (per lb.)	0	8	0	7½
Bread flour (per 12 lb.)	2	2	2	5

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, p. 210.

faced with demands for lower duties on imported grain, together with the possibility of a breakdown of authority and order, the government allowed a substantial amount of wheat to be released from bond. A sliding scale for duties on grain had been proposed in 1822 to allow a freer trade in that commodity. Although it did not come into effect in that year, the sliding scale was put forward again in 1827, finally being incorporated into the revised corn law of 1828 (Figure 11).

Although the price of grain declined from 60s. per quarter in August 1827 to 52s. in December of the same year, it began to rise again almost immediately as a result of bad harvests. By July 1828, the price was 56s. and January 1829 saw it reaching 75s. per quarter. Twelve months later the price was again 56s., although it rose to 74s. by February 1831. The price rises corresponded to substantially increased wheat and wheat flour imports in the same period (Table I).

Agricultural wages remained static over the four year period 1826-1829, but dipped substantially in 1830 (Figure 12). Undoubtedly, wage cuts in a time of severe unemployment and high food prices were a major factor in the riots of that year, which in turn raised spectres of the French revolution. However, by 1831, wages had returned to their former level, and rose significantly in 1832, to be followed by a period of relative prosperity.

During the period under review, society was undergoing changes for which it was largely unprepared. Industrialization had not only created an entrepreneurial and capitalistic middle class, which

FIGURE 11
CORN LAWS REVISION (1828)
SLIDING SCALE

Home Price	1828 Duty	Duty Proposed in 1827
s. d.	s. d.	s. d.
52. 0	34. 8	40. 8
53. 0	33. 8	38. 8
54. 0	32. 8	36. 8
55. 0	31. 8	34. 8
56. 0	30. 8	32. 8
57. 0	29. 8	30. 8
58. 0	28. 8	28. 8
59. 0	27. 8	26. 8
60. 0	26. 8	24. 8
61. 0	25. 8	22. 8
62. 0	24. 8	20. 8
63. 0	23. 8	18. 8
64. 0	22. 8	16. 8
65. 0	21. 8	14. 8
66. 0	20. 8	12. 8
67. 0	18. 1	10. 8
68. 0	16. 8	6. 8
69. 0	13. 8	4. 8
70. 0	10. 8	2. 8
71. 0	6. 8	1. 0
72. 0	2. 8	1. 0
73. 0	1. 0	--

Figures taken from Gayer et. al., p. 234.

FIGURE 12

BOWLEY'S INDEX OF AGRICULTURAL MONEY WAGES

1826-1834

<u>Year</u>	<u>Index</u>
1826	146
1827	146
1828	146
1829	146
1830	142
1831	146
1832	150
1833	152
1834	148

Figures taken from Gayer et al., The Growth and Fluctuation of the British Economy, 1790-1850, pp. 238 and 273.

undermined the paternalism of the aristocracy; it had also created a new class of poor. The persons who made up this segment of society were caught in the middle of such social problems as over-abundance of labour and lack of employment opportunities, plus rising prices for the necessities of life. Coupled with this, the procedure of providing for the poor from the poor rates had become even more institutionalized by the general adoption of the Speenhamland Plan, which tended to undermine any initiative the poor might have had to provide for themselves. The ability of labourers to call upon the poor rates for a supplement to their wages became a point of irritation, especially for the small landowners and tenant farmers who paid the rates and who were facing hardships themselves. Many of those called upon to pay the poor rates came to regard them as nothing more than an inducement to laziness, immorality and improvident marriages, not to mention a drain on the finances of the landed interest. However, it was not until periods of depression, when large amounts of wheat had to be imported and food prices were high, that any specific attention was paid to the plight of the poor themselves. Then, the high proportion of labourers and their families that had recourse to the poor rates caused Parliamentarians to agitate for government action to reform the poor laws. This agitation, however, was not necessarily a product of concern for the starving; rather it was due to a fear on the part of the landed interest that their own position as far as money, property and freedom from revolution were concerned. Thus, as high food prices

and unemployment began to be a rallying point for agitation on the part of the poor, reform or amendment of the poor laws became the watchword of Parliamentarians.

CHAPTER III
THE NEED TO REFORM: DEBATE ON THE POOR LAWS,
1806-1818

The Hansard debates show that for much of the period, 1803-1834, Parliamentarians expressed little interest in the poor laws. This is particularly true for the period up to 1818. However, when the subject of the poor laws was raised, two themes emerged. The first was that the poor laws were considered to reduce the labourer to indifference and dependence by paying him a supplement to wages. The second was that the poor laws imposed a severe financial burden on the landed interest, a burden which that interest was anxious to lessen while remaining true to its paternalistic responsibilities.

The first substantial discussion of the poor laws came on May 21, 1806 when the subject was introduced by Samuel Whitbread (Bedford Borough). It was not uncharacteristic of debate on the poor laws that they were considered from a monetary point of view. Whitbread put forth the opinion that:

The poor laws of this country had grown into a system so complicated and embarrassing, and were become such a heavy and increasing expence upon the country, that some revision of them was absolutely necessary.¹

¹ Hansard Parliamentary Debates, Vol. 7, p. 292.

However, another concern was also articulated by Whitbread--that of the continuance of paternalism. While Whitbread wished:

to engage [the House] in an attempt at the solution of the most difficult of all political problems; namely, how to reduce the sum of human vice and misery, and how to augment that of human happiness and virtue amongst the subject of this realm. . . .²

he was adamant that he could not "consent to break that chain, which, with all its imperfections and disadvantages, binds the different classes of society indissolubly together. . . ." ³ The bill which he presented to the House of Commons on February 23, 1807, was aimed at:

the promotion and encouragement of industry amongst the labouring classes of the community, and for the more effectual relief and regulation of the criminal and necessitous poor.⁴

and while it was not Whitbread's wish to eliminate the laws entirely: "I would have such a code always remain upon your statute book, in order that there might be a sure and legal refuge under any change of circumstances, or society, for indigence and distress,"⁵ he wanted to "exalt the character of the labouring classes, [by] . . . render[ing]

² Hansard Parliamentary Debates, Vol. 8, p. 865.

³ Ibid., p. 874.

⁴ Ibid., p. 944.

⁵ Ibid., p. 875.

dependent poverty, in all cases, degradation in his [the labourer's] eyes, and at all times less desirable than independent industry."⁶ Interestingly, although Whitbread was anxious to stress the importance of dependent industry above dependent poverty, he gave no consideration to the fact that labourers could not, in many instances, find work, while those who could were unable to earn wages sufficient to support themselves and their families.

As Poynter notes,⁷ Whitbread was the last Parliamentarian to attempt to revise the poor laws in their entirety, and although his attempts fell on stoney ground, John C. Curwen (Carlisle) agreed that the poor laws "called loudly for parliamentary interference."⁸ However, from the tone and content of the various speeches, it was not interference on behalf of the poor that was called for. For Parliamentarians, it was the burden of taxation on the landed and middle orders of society that was intolerable, especially since a substantial amount of the taxes went towards poor relief.

There is evidence of similar feeling within the country. For example, letters and comments in Cobbett's Political Register, while

⁶ Hansard Parliamentary Debates, Vol. 8, p. 875.

⁷ J.R. Poynter, Society and Pauperism: Ideas on English Poor Relief, 1795-1834.

⁸ Hansard Parliamentary Debates, Vol. 9, p. 491.

recognizing the miserable condition of the labouring poor, tended to lay the blame for their plight on the shoulders of the poor themselves, thus following the argument of the political economists, especially the Rev. Thomas Malthus, whose population theory asserted the principle of reproductive self-control amongst the poor. For Malthus, as for other political economists, it was necessary for the poor to accept a certain discipline, both self- and externally- imposed, in order that society would not succumb to war, disease or starvation--generally regarded as the outcomes of over-population.

According to Malthus, population growth had to be kept at a level consistent with food production for, as he saw it, population increased geometrically while food production was arithmetic. Thus, if steps were not taken to control population growth, the net result would be a nation of paupers. For Malthus, the poor laws worked to the detriment of the poor, by providing them with an unrealistic security blanket. His approach to poor relief tended to ignore those who did not or could not work, and those who did not receive enough from their labour to cover their basic needs; yet he was correct in his assumption that dependent poverty was perpetuated into future generations by the very system which was designed to alleviate it, since the poor had to be entirely dependent on the welfare system before any relief could be given.

The attitude which became associated with Malthus' theory of population, then, was that the poor needed moral restraint more than the necessities of life, and until this fact was recognized and acted

upon, there could be no amelioration of their condition. Indeed, Gertrude Himmelfarb points to Malthus as having provided:

"the one thing needful" . . . to undermine the old [poor] law: a theory which made that law not the solution to the problem of pauperism but a large part of the problem itself, a major cause of the pauperization and demoralization of the poor.⁹

This statement echoes the feelings of Simplicius, writing in Cobbett's Political Register. While noting that Malthus' reputation had "great weight with many people on this subject [the poor laws]"¹⁰, Simplicius correctly asserted that it was "always easier to quote an authority than to carry on a chain of reasoning,"¹¹ and feared that "Mr. Malthus's reputation may . . . be fatal to the poor of this country."¹² Here we see a classic contradiction between the theories of political economy and evangelicalism. Simplicius wrote copiously in Cobbett's and one can see two opposing lines of thought in his contributions. It is evident that he recognized that relief needed to be provided to the poor in order to keep them from starvation. On the other hand, his leaning towards political economy indicated to him, as

⁹ Gertrude Himmelfarb, The Idea of Poverty: England in the Early Industrial Age. New York: Random House, Inc., 1985, p. 525.

¹⁰ Cobbett's Political Register, Vol. XI, March 14, 1807, p. 397.

¹¹ Ibid.

¹² Ibid.

it had done to Malthus, that early marriages and the production of numerous children led the poor to a dependence on the parish which caused a loss of both their pride and independence.

One of the methods which Whitbread proposed for amending the poor laws was the introduction of a national system of education through parochial schools, at which attendance would be voluntary. By making education available to the poor, Whitbread felt that order, morality and virtue would benefit, and there would be a great saving of poor rates. The education scheme, however, proved to be unpopular with Parliamentarians. Whilst it was generally agreed that the poor were lacking in morality and virtue, education was not seen as a remedy.

George Rose (Christchurch), for example, felt that:

to carry the system of education to the labouring poor would . . . tend rather to raise their minds above their lot in life, and by no means strengthen their attachments to those laborious pursuits, by which they were to earn a livelihood; pursuits to which, at present, there existed, throughout the poor of this country, a very strong reluctance.¹³

Rose's reluctance to see the introduction of a system of education for the poor is yet another illustration of the conflict between the interests of evangelicalism and political economy. Although an evangelical philanthropist, concerned with easing the plight of

¹³ Hansard Parliamentary Debates, Vol. 9, p. 539.

the poor and fulfilling the Christian ideal of duty to one's fellows, Rose was obviously concerned with another dimension of society's problems, i.e., the fact that an educated lower class might become discontented and begin to threaten the established order. This, of course, could not be tolerated.

A.O., writing in Cobbett's Political Register, was equally wary of educating the poor:

If working hard, and living sparingly are the chief lessons meant to be inculcated in their minds, they are already tolerably perfect in their parts. As for the rest, it is in vain to attempt to make men anything else but what their situation makes them. We are the creatures, not of knowledge, but of circumstances.¹⁴

One can read into these comments a desire to retain the status quo as far as society was concerned. Indeed, this can be seen throughout the debate on the poor laws during this period, and makes clear the difficulties experienced by the evangelicals in trying to remain true to their own ideals, while aligning themselves with those of the political economists. The topic of education is a prime example. There was obviously no thought given to the fact that education could help the poor to escape from poverty into a better living environment; rather, the feeling was that educating the poor would only be a precursor to insurrection on their part.

¹⁴ Cobbett's Political Register, Vol. XI, March 14, 1807, p. 401.

While members of the House strongly deprecated the system of the poor laws, one of the overriding concerns was that any remedy should lessen the burden on the payers of the poor rates, specifically the landowners and farmers. Debate on April 24, 1807 was sympathetic to Parliamentary interference on the question of the poor laws. The improvement of the lower classes of society was seen as highly desirable and Henry Erskine (Dumfries burghs) went so far as to laud the measures proposed by Whitbread as "auspicious in the highest degree to the industry, morality, happiness and good order of the people of the country."¹⁵ William Roscoe (Liverpool), felt that the "improvement of the lower classes [was] an object highly desirable: . . . [with] alleviation of the poor's rate . . . follow[ing] as a natural consequence;"¹⁶ Curwen, however, was skeptical of any benefit accruing from the measures.

Outside Parliament, other opinions were voiced on Whitbread's bill. The Critical Review was favourable, calling the bill "truly benevolent," occasioned by "motives and affections of the human heart."¹⁷ However, rather than drawing the state into the relief of distress, the writer espoused evangelical ideals by asserting that such

¹⁵ Hansard Parliamentary Debates, Vol. 9, p. 542.

¹⁶ Ibid., p. 541.

¹⁷ The Critical Review, Series III, Vol. XI, No. II, Art. 21, June 1807, p. 214.

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¹⁵ Hansard Parliamentary Debates, Vol. 9, p. 542.

¹⁶ Ibid., p. 541.

¹⁷ The Critical Review, Series III, Vol. XI, No. II, Art. 21, June 1807, p. 214.

want "would be better relieved by the judicious and considerable charity of individuals, than by the promiscuous distribution of a legalized fund."¹⁸

While there was little significant mention made of the poor laws in the early part of the 1800s, by 1814 the Commons showed more interest in the subject, with Sir Egerton Brydges' (Maidstone) Poor Relief Bill passing with a majority of nine on July 12 of that year. The main feature of Brydges' bill was to allow the Justices of the Peace "to determine and direct what relief shall be paid weekly, or otherwise, &c. without making any order for the removal of such poor person."¹⁹ While this bill was designed to remove some of the harshness from the settlement laws, its passage did not materially affect the poor and, while concern continued to be expressed on the subject of poor relief, the government remained unwilling to do more than simply pay lip service to the concept of reform. There was, it seemed, no desire to take any action which had the potential to disturb the existing relationship between rich and poor. On February 5, 1816, with Lord Western pressing for debate on the agricultural distress of the country, Lord Castlereagh, the Leader of the House of Commons, was more anxious to discuss "the subject of political relations . . . in

¹⁸ The Critical Review, Series III, Vol. XI, No. II, Art. 21, June 1807, p. 215.

¹⁹ Hansard Parliamentary Debates, Vol. 28, p. 679.

order to fix military and financial arrangements for the year."²⁰ This, in fact, was not new. The country had always been governed by the landed interests via mediums which were non-centralized, i.e., through Parliament as a legislative body, and through the parishes as quasi-governmental units. Thus, while the government concerned itself with external affairs and finance as a whole, it preferred to distance itself from intervention in the day-to-day social and economic activities of the country. The government's interests and priorities traditionally lay in other directions and there was no precedent for change. It is therefore understandable that the government showed no great interest in the poor laws. Yet concerned members continued to push for debate on the problems facing the country. On February 23, 1816, Richard Preston (Ashburton) asked if the House knew that "one part of the metropolis was starving? . . . some were supported by charity, and others running towards prison and ruin."²¹ He charged that the "country was rushing into ruin by the immensity of taxation"²² and decried the "weakness of ministers"²³ for doing nothing to ameliorate the situation. The lack of action on poor relief prompted

²⁰ Hansard Parliamentary Debates, Vol. 32, p. 326.

²¹ Ibid., p. 822.

²² Ibid.

²³ Ibid.

Western to note that:

however we might lament our inability to fulfil expectations, it is not sufficient reason for our refusing to investigate the causes and extent of our present unexampled distress [which were] excessive taxation, enormous amount of national debt, consequences of extensive paper circulation, pressure of tithe and severe burden of poor rate.²⁴

It was not until March 7, 1816, during a debate on agricultural distress, that the plight of the labourer was actually discussed and a connection with poor relief made. Lord Western did not consider the receipt of relief to be the cause of degradation and vice within the ranks of the poor which, in the wake of Malthus, had for so long been supposed. Rather, the suffering of the poor was linked to a problem facing the country at large: the agricultural downturn which had begun in 1814 and which profoundly affected the productivity of the country. The distress was such that Lord Castlereagh admitted it was a subject "full of difficulty"²⁵ and one which "he had not been confident enough in himself to bring before the House."²⁶ There was, however, general

²⁴ Hansard Parliamentary Debates, Vol. 33, p. 34.

²⁵ Ibid., p. 67.

²⁶ Ibid.

agreement that the duty of the House was to listen to any discussions on the subject, although it was doubted whether Parliament could do anything to effectively relieve the distress.

For Western, it was not the poor laws which led to degradation and loss of moral character on the part of the poor; rather, it was the fact that labour--generally regarded as the property of the lower orders--could not find a market, and thus the poor were "unable to treat with equal terms with those to whom it was necessary."²⁷ Western undoubtedly was being very realistic in his assessment of the situation, recognizing the inability of the poor to cope with continued unemployment and persistent charity in light of the changing relationship between the classes of society. The relationship of the labourer to his landlord was, as stated in Chapter I, based on reciprocity. The landowner, in the agricultural economy, had a responsibility to provide his labourers with a living in return for their co-operation and deference. It was the operation of these reciprocal obligations which was the cornerstone of society. Here, then, we see a problem actually being enunciated on the basis of traditional paternalism for, as industrialization and urbanization encouraged the landowners' interests to diversify, as the middle-class entrepreneurs became landowners, as enclosure forced the poor off the common ground and as settlement became more regulated by law,

²⁷ Hansard Parliamentary Debates, Vol. 33, p. 41.

paternalistic feelings seemed to diminish.

March 7, 1816 saw Frankland Lewis (Beaumaris)--later a poor law commissioner--following the Malthusian theory and pointing to the poor laws as "calculated to increase the evils they were intended to remedy."²⁸ For Lewis, those amongst the poor who had been reduced to calling on the poor rates for relief "due to their own imprudence or wickedness"²⁹ should be rejected as "objects of relief"³⁰ and he felt that he "should propose some amendment [to the poor laws] to bring them round to their original ends, and to render them less oppressive."³¹ He did not say to whom they would be less oppressive, neither did he propose an amendment.

During debate on the Committee on the Distressed State of Agriculture on March 28, 1816, Thomas Brand (Herts) espoused not only evangelicalism but a continuing paternalism. Although he regarded the poor law as a "source of much immorality, and a refuge to indolence,"³² it was his opinion that relief should be given according to the age of the claimant, with everyone other than the old or sick being left to

²⁸ Hansard Parliamentary Debates, Vol. 33, p. 62.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid., p. 673.

"the care of the benevolent and humane."³³ In this way, he contended:

Public morality would . . . be promoted and that connexion between rich and poor would be established, which was the natural bond of society, and which was unhappily broken by this plan of poor rates.³⁴

However, not everyone who spoke on the subject was of the same opinion. Henry Brougham (Winchelsea), for example, could not admit of a paternalistic connection at all. For him--a recognized Malthusian--the poor laws did nothing more than provide an open door for the poor to seek parish relief as a "fund out of which their wants may at all times be supplied,"³⁵ with the poor "now accustoming themselves to receiving relief almost as if it were a regular part of their wages."³⁶ This open door policy, he felt, inevitably led to poor work habits, loss of moral character and independence, and imprudent marriages, all of which threatened the fabric of society and forced the landed interest to dig even more deeply into its pockets.

Despite an obvious feeling within Parliament that the poor laws should be amended, the government was continuously unwilling to act, preferring instead to leave the matter in the hands of individual members. On March 28, 1816, Curwen stated his opinion that: "So

³³ Hansard Parliamentary Debates, Vol. 33, p. 673.

³⁴ Ibid.

³⁵ Ibid., p. 1115.

³⁶ Ibid.

complex and multifarious is the system, that I fear no individual will be found courageous enough to attempt to bring forth a plan."³⁷

"Humanity as well as policy," he said, "demands that the wisdom of the legislature should be exerted on the subject."³⁸ Yet, on April 24, 1816, Castlereagh indicated that he "was not prepared to state that his majesty's government intended to bring forward any measure on the poor laws."³⁹ For his part, Curwen was insistent that there should be action. On May 28, he drew the attention of the House "to one of the most important subjects which can occupy . . . deliberations; in which all ranks of society are deeply interested. . . ."⁴⁰ This was "the progressively increasing burthen imposed for the maintenance of the poor."⁴¹ It was Curwen's contention that the poor rates not only destroyed the happiness of the poor but also "wasted the wealth of the public."⁴² Because the poor had been encouraged over the years to accept relief as a right, it was, said Curwen, "now indiscriminately

³⁷ Hansard Parliamentary Debates, Vol. 33, p. 687.

³⁸ Ibid.

³⁹ Ibid., pp. 1177-78.

⁴⁰ Ibid., Vol. 34, p. 878.

⁴¹ Ibid.

⁴² Ibid., p. 883.

claimed as a right,"⁴³ with the poor being almost encouraged to contemplate pauperism as a way of life. However, in reference to the renewed paternalism espoused by Brand, Curwen evidenced, as others had done, the contradictory ideals of evangelicalism and political economy, by noting that:

In destroying this system [of poor laws] you will render mankind more alive to the feelings of benevolence; everyone will find he has a duty to perform. . . .⁴⁴

He further felt that:

The intercourse to which this plan would lead between the higher and lower classes in society could not fail of being attended with the most beneficial results. Whilst it called forth the interest and attention of the one to the welfare of the other, it would increase the sentiments of respect and veneration on the part of the people for their superiors.⁴⁵

As far as Curwen was concerned, the poor laws had detrimentally affected the attitudes of all classes of society. For example, the poor had been reduced to a state of idleness and immorality by the sure knowledge that they were entitled to relief, while:

In the higher orders it has lessened those feelings of compassion and interest

⁴³ Hansard Parliamentary Debates, Vol. 34, p. 887.

⁴⁴ Ibid., p. 889.

⁴⁵ Ibid., p. 896.

that would otherwise have been felt for the afflicted: the resources of a parish suspend the claims of charity.⁴⁶

For Curwen, as for others, there was no apparent recognition that the poor were likely to die of starvation unless they received relief from the poor rates. The cost of those rates was the main preoccupation, with paternalistic reciprocity receiving less attention. The espoused return to individual charity for relief of the poor undoubtedly would satisfy the ideals of evangelicalism. More importantly, however, it would lessen the burden of taxation on the land, and thus satisfy the requirements of both the landed interest and political economy.

Despite the fact that severe unemployment and the low cost of labour contributed enormously to the plight of the poor, there seemed to be a pervasive attitude within Parliament that the poor simply needed to work harder and thereby avoid recourse to poor relief. As long as the poor were not a taxable burden on the landed interest, the latter could tolerate their 'indigence and vice'; however, as the cost of poor relief increased, the blame was placed squarely on the shoulders of those who were least able to help themselves. Curwen, for all his advocacy of paternalism and evangelicalism, was also quite specific in pointing to the poor laws as occasioning a lack of prudence on the part of the poor:

⁴⁶ Hansard Parliamentary Debates, Vol. 34, p. 889.

The want of economy is the source of misery: the poor rates which have this direct tendency, have therefore had the effect . . . to destroy the happiness of the poor, at the same time that they waste the wealth of the public.⁴⁷

while William Lockhart (Selkirkshire) was insistent that:

It was necessary to convince the poor that [the] system, . . . if not remedied, must in the end effect the ruin of every class, and, beginning with the lower members, soon destroy also the nobler parts of the body.⁴⁸

Curwen continued to blame the poor laws for the shortcomings of the poor. For him, because the poor had nothing to look forward to but poverty, they simply lived each day as it came, calling upon poor relief as a matter of course. Since the poor knew that provision would be made for them by the parish, it was only to be expected that they would marry early and produce large numbers of children:

The enjoyments of the present moment are alone the object of attention of the poor: to them the present is everything, the future nothing.⁴⁹

⁴⁷ Hansard Parliamentary Debates, Vol. 34, p. 883.

⁴⁸ Ibid., p. 901.

⁴⁹ Ibid., Vol. 35, p. 516.

This state of affairs is hardly surprising, viewed from the twentieth century perspective; however, for the Parliamentarians of 1817, it was not the lack of employment, money or the necessities of life which occasioned this outlook: it simply could be attributed to a lack of foresight on the part of the poor for marrying prematurely and producing children who put an added burden on the parish. Thus, while charity was regarded by Parliamentarians as "a divine institution: . . . an imperious duty, binding on all,"⁵⁰ charity was only reluctantly extended to those who, by their own seeming improvidence, had occasion to call on it.

Despite the increased discussion of the poor laws in 1816-1817, the beginning of 1818 saw no change either in the laws themselves or in the cost of poor relief to the landed interest. While Lord Castlereagh had voiced the opinion, in February 1817, that the question of the poor laws was one which transcended party lines with "both sides of the House equally [feeling] its importance,"⁵¹ no action by the administration was forthcoming. Such lack of action, however, did not go unnoticed. While Curwen voiced his despair at the government's lack of action, Lord Cochrane issued a warning to Parliament on February 27, 1817 that action might be forced upon them by insurrection:

⁵⁰ Hansard Parliamentary Debates, Vol. 35, p. 519.

⁵¹ Ibid., p. 528.

if his majesty's ministers continued to oppose every change, it would come at last in that dreadful form which would not only sweep away the landed property, but involve the whole kingdom in confusion and utter ruin.⁵²

This warning may have been heeded by the government, especially in the wake of the 1816 rioting for, on May 9, 1817, the Earl of Liverpool (the Prime Minister) proposed, in the House of Lords, a committee "to consider the present state of the poor laws, and whether any and what remedy could be applied to the evils of which the system was productive."⁵³ It was, he said, "a subject entirely unconnected with party views and purposes,"⁵⁴ a comment which suggested a mutuality of interest in resolving the problem. The proposal was generally applauded as "one of the greatest boons that could be conferred on the country,"⁵⁵ and the committee was duly appointed. Its report, presented in July, warned of the dangers to the State implicit in supporting a significant pauper population from the poor rates. Such warnings prompted the Earl of Hardwicke to suggest that, if any measure were to be adopted concerning the poor laws, "it would come from the executive government,"⁵⁶ whose responsibility it was to protect the

⁵² Hansard Parliamentary Debates, Vol. 35, p. 910.

⁵³ Ibid., Vol. 36, p. 297.

⁵⁴ Ibid., p. 299.

⁵⁵ Ibid.

⁵⁶ Ibid., p. 1365.

State from harm. By the beginning of January 1818, however, no action had been taken and none was anticipated. Curwen asked if the government had any intention of bringing in an amendment to the poor laws since, without the support of ministers, he felt nothing could be effected. Castlereagh, as leader of the Commons, now voiced the opinion that the matter was not a question for government. It was his feeling that any measure on the poor laws would be better presented by individual members and this perhaps is a reason underlying Norman Gash's contention⁵⁷ that the distress felt in the country in the post-1815 period initiated a deterioration in the relationship between the executive and the landed interests, with the government being reluctant to institute any measures of benefit to the land. There can be no doubt that the Parliamentary debates afford ample mention of the ever-increasing burden of high taxation on the landed interest after 1815, despite the abolition of income tax in 1816. However, I would take issue with Gash that the landed interests' political power diminished significantly from 1815 on. It would seem to me that there was a considerable amount of concern for the agriculturalists by Parliament throughout the period under review, and this is reflected in this study. While the industrial development of the country necessarily meant that manufacturing and industry were to obtain an

⁵⁷ Norman Gash, Mr. Secretary Peel: The Life of Sir Robert Peel to 1830, pp. 8-10.

increasing share of political notice, it was the land that continuously was predominant in Parliamentary debate. Indeed, it would seem to me that it was the landed interest for whom the Poor Law Amendment Act was eventually introduced and passed, and undoubtedly they figured prominently in Althorp's speech on the subject (See Appendix).

In 1818, however, the government was intransigent as far as poor law amendment was concerned. For his part, Curwen was persistent in his attempts to obtain executive action. On February 4, 1818, during debate on the poor laws, he asserted that:

The House ought not to shrink from the odium which the enactment of the necessary measures would entail on them, as any measures must be attended with suffering to individuals.⁵⁸

Presumably Curwen meant that all classes would have to endure a certain amount of hardship in any attempt to amend the poor laws. However, it would seem that the landed interest would emerge relatively unscathed, with the most suffering being experienced by the poor who were least able to defend themselves.

During debate on February 4, Sir Francis Burdett (Westminster) made an observation which tends to stand out in contrast to the general feeling towards the poor. For Burdett:

⁵⁸ Hansard Parliamentary Debates, Vol. 37, p. 151.

There had been no great alteration in the character of the working people of England. There was not less industry, less energy, less desire of independence, than there had formerly been. The evil was, that people so disposed had no means of supporting themselves.⁵⁹

Burdett questioned the poor laws as the cause of the distress prevalent in the country, pointing out that there had been distress prior to their inception. Rather, he concurred with the opinion that excessive taxation was to blame, forcing those who were over-burdened by taxes onto the parish rolls. Although Castlereagh felt that the government should not be involved, he did acknowledge that he advocated the amendment and improvement of the system of poor relief. Consequently, he had no objection to the reappointment of the select committee on the poor laws (which was duly done on February 5, 1818). Dialogue between Parliamentarians was obviously as far as the government was willing to go however, and there was no commitment made on poor law reform.

In February 1818, Calcraft voiced an opinion which had been stated on other occasions, that "no effectual relief could be expected without the powerful co-operation of the government."⁶⁰ In March, Sir Charles Monck (Northumberland) made the observation that:

⁵⁹ Hansard Parliamentary Debates, Vol. 37, p. 152.

⁶⁰ Ibid., p. 155.

the country would not be satisfied unless government came forward and took under its charge some radical measure for relief of the country from the intolerable evil of the poor laws.⁶¹

while, on March 3, 1818, reference was made to the feelings of the landed interests concerning the price of food and the level of wages when Frankland Lewis stated that country gentlemen had no desire to see high prices for corn and low prices for labour. On the contrary:

If there was anything they [country gentlemen] were more anxious to do than another, it was to effect such a connexion between the price of food and the price of labour, as would enable the lower classes to maintain themselves without any assistance from the poor rates.⁶²

The renewed interest in paternalism was obviously the product of self-interest. One can detect an increasing concern that overwhelming pressure on the resources of the poor could be detrimental to the interests of the agriculturalists and, in light of the increasing influence of manufacturing, this may be to what Gash attributes the deterioration in the relationship between the landed interests and the executive. If, as Gash contends, agriculturalists felt their influence was declining in the political arena in the face of manufacturing, they [the agriculturalists] would be encouraged to retrench. The

⁶¹ Hansard Parliamentary Debates, Vol. 37, p. 736.

⁶² Ibid., p. 738.

re-espousal of paternalism would therefore give the landed interest a perfect opportunity to reassert their complete authority in the sphere of social relations.

In Chapter II we saw that a period of severe agricultural distress existed from 1814 and that distress continued into 1818. In June 1817, for example, the price of wheat was 113s. per quarter and, although it was less than that of March 1801 (154s.) and August 1812 (152s.), it was significantly higher than would be the case in 1821 and the years following. Indeed, the distress of those years was such that the calls for amendment of the poor laws increased significantly. As we have seen, there was a general lack of interest in the relief of the poor in the earlier years under study. The subject did receive renewed attention from mid-1815 on and by 1818 there was an obvious move afoot to persuade the government to act. Such action, however, was not urged because the poor were suffering; it was urged because the landed interests, upon whom the responsibility for poor relief fell, were anxious primarily (at that time, at least) to lessen their tax burden.

That the poor laws were inherently faulty became a deep-rooted belief; yet proposed changes were "checked by the usual clash of contradictory interests and opinions in Parliament, and above all by the continued refusal of the government to impose a remedy."⁶³ While

⁶³ J.R. Poynter, Society and Pauperism: Ideas on English Poor Relief, 1795-1834, p. 223.

reform was advocated, abolition was regarded as unfeasible since a complete dismantling of the poor laws would have had a devastating effect on the relationships that underlay rural society: namely, the dependence of the poor on their social superiors. Yet the Parliamentarians, most of whom represented landed constituencies, were anxious that the burden of the poor rates should be either eased or lifted completely from their shoulders.

The problems posed by the poor laws, then, were a pivot around which other issues revolved. The evangelicals were trying to marry their Christian ideals with those of the political economists; agriculture was anxious to maintain its dominant political position in the face of successful manufacturing interests; all segments of the upper classes wanted to reduce their required tax payments to support the poor and all were equally concerned that the poor should not be allowed to disturb the order of stability of society by forcefully agitating for relief of their distress. While the poor laws were debated in Parliament and the morality of the poor was called into question because of their dependence on relief, the poor continued to suffer the deprivations of either unemployment or low wages in the agricultural sector, and an inability to provide themselves with the barest necessities of life. As debate continued, the ranks of the poor swelled.

FIGURE 13

REVENUE OF THE COUNTRY, NUMBER OF PAUPERS, AMOUNTS NEEDED FOR
THEIR MAINTENANCE AND THE PERCENT OF CAPITAL TAXED
COMPARISON OF THE YEARS 1803, 1815 and 1817

Date	Revenue of Country	No. of Paupers	Maintenance	Percent of Capital Taxed
1803	38,000,000	1,234,768	4,267,965	12½
1815	56,000,000	2,000,000	6,400,000	16
1817	35,000,000	2,500,000	8,500,000	26

Figures taken from Hansard Parliamentary Debates, Vol. 34, pp. 513-14.
Quoted by J.C. Curwen on February 21, 1817.

It is significant that, while the revenue of the country in 1817
dropped below that of 1803, the number of paupers and their
maintenance had doubled, as had the percent of capital taxed.

CHAPTER IV

DEBATE CONTINUES, 1819-1829

The year 1819 saw a continuance of the debate over the poor laws. On February 9, Sturges Bourne (Christchurch) proposed the reappointment of the committee whose work had been ended by the dissolution of the previous Parliament, noting that the poor rates continued to be "an evil which was proceeding to take the whole produce of the land from the owner without benefitting the poor."¹

Curwen remained vociferous on the evils of the system and continued to press for a solution from the government. He opposed the call for the reappointment of the committee on the grounds that the:

evils complained of . . . could only be removed by a great and comprehensive view of the subject, taken by those whose situation in the state gave them an opportunity of investigating the question, with a reference to all the various relations of the country, and who alone were able to take upon themselves the responsibility of such measures as appeared best calculated to effect this object.²

¹ Hansard Parliamentary Debates, Vol. 39, p. 401.

² Ibid., p. 402.

It was Curwen's contention that relief of the poor could best be achieved by revising the existing system of taxation, whereby taxes were levied on the necessities of life rather than on property. In this way, Curwen contended, the financial burden imposed by the poor laws would be more equitably spread amongst "the great bulk of the monied interest and the whole of the trading community"³ rather than being borne solely by agriculture. Thus the rising middle class would be incorporated into the system of poor relief. Paul Methuen (Wilts) also considered that the government should act on the question of poor relief because:

the labourer was starving, and the gentleman was struggling. [and while] He did not expect impossibilities from his majesty's government . . . he at the same time felt, that it was their duty to apply some efficient correction of the mischief; they should even outrun the exertions of parliament, because, in his judgment, they possessed the power.⁴

While Lord Castlereagh remained adamant that the government had no place in any poor law amendment scheme, it was not, he asserted, because they [the government] were not "deeply sensible of the great importance of the subject . . . and the necessity of some remedy."⁵

³ Hansard Parliamentary Debates, Vol. 39, p. 404.

⁴ Ibid., pp. 411-12.

⁵ Ibid., p. 409.

Rather, it was because it would be far better to have the matter "handled in such a way as would excite something like common cause in its support."⁶ He was of the opinion that any measure would be viewed as harsh if it came from the government and this, of course, was to become a true philosophy with the passing of the Poor Law Amendment Act in 1834. At this point, however, it was more advantageous for the Tories to avoid taking any position that could be politically damaging to them. Lord Wellesley held an opposing view, feeling that "The state of the poor . . . required some measure emanating from the executive government, and [he] could not conceive a great object for the attention of government."⁷ Castlereagh, however, continued to insist that:

If the government were to introduce a measure upon the subject, the consequence would be to excite some jealousy. . . . It would not be wise, . . . for ministers . . . to undertake the responsibility of any extensive measure with respect to the Poor Laws.⁸

It is difficult to say to what he was referring. One can only surmise that Castlereagh was concerned that the agriculturalists would resent

⁶ Hansard Parliamentary Debates, Vol. 39, p 409.

⁷ Ibid., p. 412.

⁸ Ibid., p. 409.

any encroachment by the industrialists on what they saw as their paternalistic duty. One must also remember that the 'trading community' was the entrepreneurial middle class--the class which was ultimately to displace paternalism; no doubt the agriculturalists were well aware of the potential threat to their pre-eminent position and were jealous of any perceived attempt to oust them from it. However, it was only John Mansfield (Leicester Borough) who stated the opinion that any consideration of the poor laws should:

Not merely consider the weight with which the poor-rates pressed upon the landed interest, but . . . how they might best alleviate the misery and ameliorate the condition of the poor.⁹

The committee on the poor laws was duly reappointed, and included Sturges Bourne, J.C. Curwen, Lord Castlereagh, Frankland Lewis and Holme Sumner, to name but a few of its 34 members.

On March 25, 1819, Sturges Bourne proposed to regulate the settlement of the poor by means of the Poor Rates Misapplication Bill. This bill would have allowed settlement in a parish to any pauper who had a three year residency period, and would thus assure a labourer of a potential for his labour rather than prolonging the uncertainty of

⁹ Hansard Parliamentary Debates, Vol. 39, p. 414.

non-settlement. Furthermore, Sturges Bourne noted that one of the greatest evils attendant on the poor laws was the payment from the poor rates of a supplement to wages, based solely on the number of children in a family, as in the Speenhamland Plan. Here was yet another attack on Speenhamland, the provisions of which were regarded as the main 'stumbling block' as far as poor relief was concerned. Poor relief, under the provisions of the Speenhamland Plan, was regarded as a means of encouraging, rather than preventing, pauperism and thus was a prime example of removing responsibility for their own welfare from the poor.

The measures proposed by Sturges Bourne were not only aimed at prohibiting wage supplementation; they also provided for the removal of children from their parents and their placement in schools "where industry might be combined with education."¹⁰ This idea of educating the children of the poor had been put forward by Whitbread in 1807 and had received little support at that time. For Sturges Bourne, however, "it must be an overstrained humanity which would urge that there was any thing harsh in separating children from parents who could not feed, much less educate them."¹¹ Rather than the reservations voiced in 1807 against elevating the lower orders above their station in life,

¹⁰ Hansard Parliamentary Debates, Vol. 39, pp. 1157-58.

¹¹ Ibid., p. 1158.

David Ricardo (Portarlington) now advanced an objection that was most definitely Malthusian. For Ricardo, there was a tendency in the country "towards a redundant population, and the inadequacy of the wages to the support of the labouring classes."¹² Thus,

if parents felt assured that an asylum would be provided for their children, in which they would be treated with humanity and tenderness, there would be no check to that increase of population which was so apt to take place among the labouring classes.¹³

The Poor Rates Misapplication Bill was read for the second time on May 16, 1819, at which time Curwen took the opportunity not only to oppose it, but to vilify the government for not having taken action on the poor laws. It was Curwen's contention that the government was so weak and unpopular that it was completely unable to formulate effective legislation, and he challenged it to introduce taxation reforms and wage regulation. It was, he said:

the duty of government to have taken the business into their own hands. Efficient relief could only come from them. . . .

Whilst the nation considers this as the most momentous question, and the one that presses hardest on them, such is the apathy and indifference of ministers, that not one of them has thought it incumbent upon them to attend [the poor law committee meetings] or give their sentiments on the bill before us.¹⁴

¹² Hansard Parliamentary Debates, Vol. 39, p. 1158.

¹³ *Ibid.*, pp. 1158-59.

¹⁴ *Ibid.*, Vol. 40, p. 465.

This attitude is significant; yet it is still difficult to say why there was such apathy on the part of the government. In Chapter III, mention was made of Gash's thesis concerning a deteriorating relationship between the government and the agricultural interest after 1815, especially in the face of agricultural stress and distress and a growing industrial base. Despite its aristocratic (and thus agricultural) base, the government was undoubtedly cognisant of where its interests lay in the future; to be seen to be compliant in the face of agricultural demands would lessen its position vis-à-vis manufacturing. Yet to abandon the interests of the land would fly in the face of everything on which the country was based. Furthermore, although the policy of providing relief to the poor was undoubtedly very costly, it did give a modicum of security to rich and poor alike. To take away relief would benefit the rich in a monetary way but would leave a vast, starving population which might follow in the footsteps of its French counterparts and rise in revolt. Viewed from these perspectives, then, even if the government knew what to do, its wisest course was to do nothing.

At the third reading of the Poor Rates Misapplication Bill, the Whig, Lord Milton, revived the apparently long-forgotten subject of paternalism. He felt it was unjust that, seemingly at the pleasure of the higher orders, the poor were to be denied the relief "on which they

have been taught to depend,"¹⁵ especially after a long period of warfare "during which the poor had displayed more attachment to the higher orders than had ever been known before."¹⁶ While Milton understood that the bill was aimed at raising wages and encouraging the labourer to work harder, he noted that, since 1795:

there had been a strong desire among the farmers to keep down the rate of wages [since] It appeared to them better to make good the deficiency out of the poor-rates, on the ground that after a rise they never could be lowered.¹⁷

Consequently he did not feel it was incumbent on the upper classes to achieve the aims of the bill currently before the House by "previously inflicting much pain and misery"¹⁸ on the lower orders. Not every Parliamentarian was of the same opinion, however, which could be taken as an indication that attitudes towards the poor were beginning to harden. This hardening of attitude may well have been a direct result of the report of the select committee, which had been established in 1817, which placed the responsibility for their poverty on the poor themselves. Ricardo, for example, as a political economist, was

¹⁵ Hansard Parliamentary Debates, Vol. 40, p. 471.

¹⁶ Ibid.

¹⁷ Ibid., p. 1126.

¹⁸ Ibid.

apparently unconcerned that the bill provided for the removal of children from their home environment; and others showed no sympathy for the poor, expressing instead the belief that they should be self-reliant and make provision for their old age without having recourse to the poor rates. There was also the feeling that the action taken to ameliorate the condition of the poor would only benefit "the very lowest and worst part of society,"¹⁹ rather than help all the poor and it is interesting to note the ascendancy of the arguments of political economy over those of evangelicalism in this instance.

Despite objections, the Poor Rates Misapplication Bill passed the House of Commons on June 11, 1819, with 69 Ayes and 46 Noes. Even though the bill was later rejected by the Lords, the number of votes cast in the Commons indicates the low level of interest in any legislation concerning the poor. This lack of interest did not, however, go unnoticed. On June 11, 1819 Sir James MacIntosh (Knaresborough) accused the government of ineptitude. It was, he said:

a most lamentable proof of the imbecility of the legislature that for so many years these evils [of the poor laws] had been allowed to exist without the application of one efficient remedy. There appeared to be greater difficulty in carrying into effect any practical relief to the poor labourer, than in legislating upon any other subject, however intricate or however abstruse.²⁰

¹⁹ Hansard Parliamentary Debates, Vol. 40, p. 1125.

²⁰ Ibid., p. 1128.

For MacIntosh:

the interest of the poor was the interest of society itself; and if it were possible that by the sacrifice of the few, the interests of the many could be promoted, there would not remain a doubt as to what ought to be the course to be pursued.²¹

In MacIntosh's statement one can see the influence of the Benthamites, who were concerned with the greatest happiness of the greatest number. However, MacIntosh was also very perceptive of the problem facing the government. The poor were a substantial segment of society and to remove relief from them would be unfeasible for the continued good of society as a whole. One can see here a subtle change in outlook from earlier times as far as the importance of the poor was concerned. Although the value of the labourer to the land was still recognised, the focus was now more on the importance of the poor to peaceful relations within society. For MacIntosh, there could be no doubt that it would be far less costly for the landed interests to maintain the poor, than to risk social upheaval.

May 1820 saw agricultural distress as a significant topic of debate in Parliament, although one can see a shift in focus from the agricultural interest per se to the wider question of the population in general. The manufacturing districts were now gaining attention from

²¹ Hansard Parliamentary Debates, Vol. 40, p. 1128.

Parliamentarians, with a recognition that distress in those districts was brought about largely by the transition from war to peace and the subsequent slump in the requirement for manufactured goods. One can also sense antagonism between the agricultural and manufacturing interests. Sir Simon J. Newport (Waterford City), for example, "deprecated the doctrine, that the agricultural body had a separate interest from the rest of the community,"²² and echoed Sir Alexander Baring's (Taunton) sentiments of 13 March 1816 that "A number of candid [sic] gentlemen thought that when they were taking care of the landed interest, all the other classes might be trodden down at pleasure."²³ David Ricardo was of a similar opinion, arguing that the agricultural interest "was to be considered as one class, whose prosperity ought not to be forced at the sacrifice of the general good."²⁴ Meanwhile, the government--the traditional representatives of the landed interest--maintained the status quo.

By 1820, wheat prices had begun to decline and from then on remained relatively static, dipping to a low of 39.7s. a quarter in September 1822 and never rising above 75s. per quarter thereafter (January 1829). Manufacturing was also depressed but while there was some social unrest, it was neither orchestrated nor particularly

²² Hansard Parliamentary Debates, New Series, Vol. 1, p. 330.

²³ Ibid., Vol. 33, p. 213.

²⁴ Ibid., New Series, Vol 1, p. 331.

violent. Apart from Ricardo, who consistently cited the cost of wheat as the primary cause of distress in the country, the majority of speakers on the subject of the poor continued to blame the poor laws for most of the problems facing all segments of society.

In the House of Lords on May 16, 1820, Earl Stanhope recommended various means to encourage "the industry of the labouring classes, and revive amongst them those habits and feelings of independence, which are essential to their welfare."²⁵ Those habits and feelings were also essential to the welfare of the landed interest, since they would serve to lessen the call on the poor rates for, as Stanhope continued:

If no effectual remedy should be adopted, if the poor's rates should be allowed to increase as rapidly as they have done of late years, the destruction of the landed interest at no distant period is inevitable.²⁶

His recommendations to the House of Lords, to cultivate waste lands, encourage public fisheries and establish regulations regarding machinery were, however, rejected despite his warning of impending disaster if nothing was done to ease distress. It was Stanhope's feeling that industry could only be supported in time of war and that, in peacetime, agriculture should be rigorously promoted in order to ensure the stability and order of the country. Liverpool, however, had

²⁵ Hansard Parliamentary Debates, New Series, Vol. 1, p. 411.

²⁶ Ibid., p. 404.

different ideas. It was his contention that agriculture had benefitted from manufacturing as far as investment was concerned. No doubt this was true; yet Liverpool evinced remarkable insensitivity as far as the poor were concerned by saying that "all experience proved that, wherever there had been great wealth, there also had been at the same time great poverty."²⁷ He laid the blame for the distress on the 'enterprise' of the country which had forced itself "beyond its natural level,"²⁸ to which level it would not return until it had "experienced great distress and misery."²⁹ For Liverpool, apparently, taxation had nothing to do with the distress; neither had high food prices nor high unemployment. It was, for him, simply a question of 'enterprise.'

On May 30, 1820 in the Commons, George Holme Sumner (Surrey) expressed concern that agriculture was in such a state of decay that he feared that the ruin of that segment of society was imminent. Yet he still managed to temper his concern with paternalistic feeling:

however they [the agriculturalists]
might feel the pressure of the public
burthens, they felt likewise that it was
their duty to bear them to the utmost
limit of their power.³⁰

²⁷ Hansard Parliamentary Debates, New Series, Vol. 1, p. 421.

²⁸ Ibid., p. 422.

²⁹ Ibid.

³⁰ Ibid., p. 636.

Despite the declining price of corn, the poor were still in a desperate situation. Distress in the agricultural sector had been such that there were no funds available for land improvement; unemployment continued to be high, and wages low. Distress was such that warnings were again heard of unrest in the country. Lord Western raised such a concern on May 30, 1820:

The labourer was . . . reduced to a state of misery, of degradation, and of irritation, more dangerous to the tranquility of the country than any other circumstance could possibly be.³¹

This opinion was echoed on June 1 by Sir John Maxwell (Renfrewshire) who presented a petition from distressed mechanics in Paisley, and both he and Alexander Baring stressed the interdependence of the various sectors of society. Maxwell, like Stanhope, was concerned that action needed to be taken to curb the distress in the country and voiced an opinion which undoubtedly was held by a vast majority of the labouring classes:

They saw, indeed, that they had a House of Commons, but they must lament that it felt no interest for the distressed classes of society. . . .³²

For Maxwell, as for others:

³¹ Hansard Parliamentary Debates, New Series, Vol. 1, p. 653.

³² Ibid., p. 745.

It was politically prudent as well as humane to pay attention to their distress. In their misery they might be operated upon to engage in plans of reform, and even risings to any extent.³³

Obviously the government did not share this sentiment and, despite continued debate on both the poor laws and agricultural distress, no remedies were forthcoming. On February 19, 1821, William Huskisson (Chichester) pressed for action, noting that "The poor rates were a cancer which spread throughout the country; and it was not for Parliament to encourage the growth of an evil so monstrous."³⁴ However, the subject of the poor laws, it seemed, was "one to be touched with gentleness,"³⁵ with Liverpool's government, according to Alexander Baring, going on:

from year to year, trusting that the next year would be spontaneously productive of some favourable change, and apparently with very indistinct notions of what the real condition of the country was. Whenever a question arose between two classes of the community, government, without seeming to have any opinion of their own, stood by, until they ascertained which party could give them the most effectual support.³⁶

³³ Hansard Parliamentary Debates, New Series, Vol. 1, p. 745.

³⁴ Ibid., New Series, Vol. 4, p. 795.

³⁵ Ibid., p. 796.

³⁶ Ibid., New Series, Vol. 1, p. 171.

While manufacturing showed signs of improvement through 1821, on February 22 of that year several petitions were presented to Parliament on the subject of agricultural distress. Curwen was pleased, since "he hoped it would force upon ministers the consideration of the subject."³⁷ It did not. The petitions were, as others had been, ordered to lie on the table, prompting Curwen to question whether the government actually had any idea of the extent of the distress within the country.

On May 8, 1821, debate took place on a Poor Relief Bill presented by Sir James Scarlett (Peterborough), who was "aware that [a subject] of greater importance could not be brought under the consideration of the House."³⁸ It was, perhaps, an indication of the changing face of paternalism that Scarlett noted that:

relief was scarcely considered in the light of charity; there was nothing of grace about it; it was bestowed without compassion, and received without gratitude. . . . it dissolved between the poor and the rich those ties which had formerly bound together the different orders of society; there was no longer gratitude on the one hand, or real charity on the other; the poor received without thanks what they were entitled to receive, and the rich gave without compassion what they were compelled to bestow.³⁹

³⁷ Hansard Parliamentary Debates, New Series, Vol. 4, p. 895.

³⁸ Ibid., New Series, Vol. 5, p. 573.

³⁹ Ibid.

The Poor Relief Bill which Scarlett proposed on May 8 had essentially three components: first, to limit the taxes assessed for poor relief to the rate effective on March 25, 1821; secondly, to refuse relief to anyone--except the old or the sick--who was not married when the bill was passed; and thirdly, to repeal the settlement laws, thereby allowing the free movement of labour. Scarlett thought that the condition of the poor would be improved if a fear of poverty was instilled into them. This, of course, was a debatable point and one on which the poor would likely not agree with Scarlett. However, he was obviously sincere in his contention that "a man would work better upon a plentiful meal and a prospect of independence, than upon 9s. a week, with the prospect of a workhouse."⁴⁰ While Scarlett's intentions were undoubtedly of the highest, his bill was not looked upon favourably by John Hales Calcraft (Wareham). Although Calcraft felt that the burden of poor relief should be shared between all sectors of the community, he considered that any taxes levied for the poor rates were justifiable. Frankland Lewis did not agree, arguing that the House had a legitimate right to amend any legislation--including the poor laws--in any way it deemed fitting. Even though the bill received a second reading on May 24, there was concerted opposition to it. Calcraft insisted that the removal of unemployment relief, especially during periods of both agricultural and industrial

⁴⁰ Hansard Parliamentary Debates, New Series, Vol. 5, p. 994.

depression, would leave only two alternatives: widespread starvation or disruption of the established social order. For his part, Curwen urged Scarlett to withdraw the bill due to "the generally distressed state of the country,"⁴¹ and on July 2, 1821, during its third reading, Scarlett withdrew the bill, indicating his intention to raise the matter again the following year "If he should meet with encouragement"⁴² He did not.

While there were renewed predictions of violent social unrest unless action was taken to ameliorate the distress, Lord Castlereagh felt that the best way to handle the problem of the poor and their relief was by frequent Parliamentary discussion. However, as discussion continued, the difficulties remained, with no remedy in sight. During 1822 individual members continued to call on the government for action, not only on the poor laws but also on the distressed state of agriculture. Taxation remained a bone of contention and was continuously cited as the prime source of the distress encountered throughout the kingdom; this was especially the case with taxation imposed on necessary articles of consumption such as salt and candles, all of which were goods used by the poor. By 1822 also, the distress so long associated with agriculture was recognized as having reached all segments of society. Thomas Coke (Norfolk)

⁴¹ Hansard Parliamentary Debates, New Series, Vol. 5, pp. 987-88.

⁴² Ibid., p. 1479.

called the government "hard hearted and callous"⁴³ for ignoring petitions from the counties concerning distress and urged a "union of both whigs and tories [for] unless the country gentlemen on both sides of the House should combine their efforts, the total destruction of the agricultural interest might ensue."⁴⁴ On February 11, 1822 Sir Henry Brougham (Winchelsea) said that it was impossible, that "such distress should endure . . . without affecting most decidedly, every other class of people in the country,"⁴⁵ and he called for an immediate reduction of taxes.

With such widespread distress, any semblance of even moderate prosperity was diminished. Those who could not resist the pressures generated by the general depression sank into the realm of the pauper. It was recognised that the distress could ruin the landed interest and produce "a great change of property; much individual misery; the whole relations of the class destroyed; or the relations of that class to the rest of society. . . ."⁴⁶ Thus, the landed interest continued to be a focus of concern. The Marquis of Londonderry (Castlereagh)--the Chancellor of the Exchequer--acknowledged on February 15, 1822 that "the landed interest is that to which, if any preference can be shown,

⁴³ Hansard Parliamentary Debates, New Series, Vol. 6, p. 97.

⁴⁴ Ibid.

⁴⁵ Ibid., p. 225.

⁴⁶ Ibid., p. 254.

this House must always feel called upon to extend its utmost protection."⁴⁷ Robert Peel realised that the price of corn would fluctuate with its abundance or scarcity, and while he admitted that Parliament could do nothing to afford immediate relief to those engaged in agriculture, Londonderry was not willing to acknowledge the extent of the existing distress. With the focus so much on the agriculturalists, little consideration was given to the agricultural labourer, with Castlereagh assuring the members that relief would come as demand in the labour marketplace adjusted one to the other. George Robinson (Northampton borough) discounted this, arguing instead that the adjustment of labour as far as supply and demand were concerned would do nothing to relieve the distress of agricultural labourers:

If the farmer endeavoured to reduce the supply to the demand, he must begin by reducing the number of hands employed in labour; the immediate effect of that would be, to throw a greater portion of the peasantry out of employment; and when, without work, they would, as paupers, serve only to increase the public burthens.⁴⁸

The landed interests were anxious, on the one hand, that taxation should be reduced in order that agriculture could be placed on a more profitable footing. On the other hand, it was generally accepted that taxation, coupled with the inability to gain a living wage, reduced the

⁴⁷ Hansard Parliamentary Debates, New Series, Vol. 6, p. 355.

⁴⁸ Ibid., p. 574.

agricultural labourers to pauperism. It was, it seemed, a Catch-22 situation.

The Whig, Lord Althorp, speaking on February 21, 1822, felt that if taxation was, in fact, the cause of the distress, the proper and wise course was to diminish the price of labour by reducing taxes, and not to raise the price of produce. This would have been a facile remedy and one which would not have benefitted the poor, since there were no safeguards as far as food production, supply and prices were concerned. This notion of tax reduction was certainly not supported by Ricardo as far as agriculture was concerned; he contended that taxation was burdensome to all classes of society, and to reduce taxes would solve none of the problems of the poor.

Charles Western placed the blame for the agricultural distress squarely on the shoulders of the government, whose attempts to return to the gold standard had diminished the money supply. Reduced taxes would mean less money available for poor rates; reduced wages would mean there was less money available for the labourer to spend on his general needs. Thus, any move to lessen relief payments would undoubtedly mean trouble for the government since order in the country would be seriously affected. Robert Peel (Oxford University), speaking on February 18, indicated that, since the demand for corn was based on price inelasticity, i.e., a large supply would lead to falling market prices, "No measure could be adopted by Parliament which could afford

immediate relief. . . ."49 Lord Liverpool, the then Prime Minister, was also less than enthusiastic about offering government aid to the agriculturalists. He preferred instead to leave the resolution of the problem to what he termed 'natural causes', which would be occasioned by an increased consumption due to low prices and a corresponding decreased production due to lack of profit to producers. Liverpool's views could lend credence to Gash's theory of disaffection between the government and the landed interest, noted in Chapter III, although I would still maintain that this was not so.

The general depression which existed in the country between 1814 and 1818 and the various manifestations of discontent amongst the poor during that period eventually seemed to convince Liverpool and his government that any action taken on the poor laws would have to recognize that poor relief was a significant factor in ameliorating distress. With such recognition, Liverpool was suspicious of any proposal that would alter the supportive mechanism of relief to the poor, preferring instead to adopt a 'hands off' approach to the established procedures already in place. This attitude was, of course, in direct contrast to that of the Whigs. Dunkley⁵⁰ is particularly sensitive to the theory that the Tory governments were concerned with maintaining the local governmental units as vehicles of stability and

⁴⁹ Hansard Parliamentary Debates, New Series, Vol. 6, p. 496.

⁵⁰ Peter Dunkley, The Crisis of the Old Poor Law in England, 1795-1834: An Interpretative Essay.

social harmony, and in this way his conclusions are very similar to mine.

It was not until July 10, 1822 that the subject of the poor laws was again raised in the House of Commons. On that date, Michael Nolan (Barnstable) indicated his desire:

not to destroy the existing system for relieving the poor, but to restore and bring it back, . . . to the true spirit of the statute passed in the 43rd year of the reign of Queen Elizabeth.⁵¹

To some this seemed a retrograde step; however, it was Nolan's contention that neither taxation nor lack of employment was the chief cause of distress. Rather, it was the maladministration of the poor laws--specifically as a result of Speenhamland--which argument had surfaced on numerous occasions during the past two decades. Nolan was critical of the individual interpretations placed on the poor laws by the Justices of the Peace, calling them "an indulgence of private feelings at the public expense."⁵² However, he was not in favour of a centrally administered poor law:

The skill to apportion succour, with reference to the real wants of pauperism to be efficient, must be local and personal; to be accurate, it must be minute and perpetual; to be vigilant, it must be quickened and animated by some direct and visible interest.⁵³

⁵¹ Hansard Parliamentary Debates, New Series, Vol. 7, p. 1567.

⁵² Ibid., pp. 1571-2.

⁵³ Ibid., p. 1587.

In applying for leave to bring in a bill to amend the poor laws, Nolan contended:

It is upon active perseverance and vigilant superintendence of the magistrates; upon the unremitting, unwearied, paternal attention of the landed and manufacturing interests; upon the persuasion, influence, and example of those who spare from their own wants, that which is to lighten those of others; and upon the cordial, cheerful co-operation of the poor themselves, that we rely for any sound, substantial and lasting improvement.⁵⁴

For the time being, then, gone are the strident cries for government action on the poor laws. Nolan's comments brought the subject of poor relief back into the paternalistic realm, based on the reciprocity model; it was a model on which no member of the House commented adversely.

Nolan, however, did not bring in a bill on the poor laws in 1822, moving again for leave to do so on March 4, 1823. On March 27, Thomas P. Courtenay (Totnes) also moved for leave to bring in a bill on the subject. I could, however, find no record in Hansard of either bill having been read a second time, leading me to assume that they simply went the way of other attempts to amend the poor laws.

Indeed, for the period February 4, 1823 to June 25, 1824, very little discussion occurred either on the poor laws or agricultural

⁵⁴ Hansard Parliamentary Debates, New Series, Vol. 7, p. 1595.

distress, which had been such topics of debate in 1822. No doubt this apparent lack of interest on the part of Parliament during this period can be associated with the relative prosperity which the country was enjoying.

The select committee on the poor laws, which had been established in 1817 and re-established the following year, produced a report in 1824 in which it castigated the practices established at Speenhamland as adding to the distress of the poor. The committee not only condemned the making-up of wages from the poor rates, but were equally disenchanted by the practice of giving family allowance. Yet, when John Monck (Reading) introduced a bill aimed at implementing the report's recommendations, no action was taken on it.

In May 1825, while referring to the report of the select committee, Robert A. Slaney (Shrewsbury) said that he had waited in vain for governmental action on the poor laws and was now forced to bring the subject up himself since there was no-one else who was prepared to do so. He harked back to the age-old contention that the poor laws were ruinous not only to the interests of the poor, but to the whole agricultural sector, and was given leave to bring in a bill aimed at making the agricultural labourer independent of poor relief. However, Slaney did not rise again on the subject of the poor laws until April 17, 1828 at which time he brought in a motion respecting the necessity of an inquiry on the poor laws. He noted at that time that there was a decided lack of members in the House, which is itself

a comment on the amount of interest shown in the subject. However, he continued on his course, maintaining that the wages of labour should be regulated by supply and demand. He proposed to accomplish this by a return to the provisions of the 43rd Elizabeth, which would automatically eliminate wage supplementation and family allowance payments to those in the agricultural sector. Again there was diversity of opinion on the efficacy of any measure proposed. Peel agreed that "it was highly desirable that that government should form a decided opinion upon it,"⁵⁵ since it was one of those:

subjects which the more it was studied, the more difficult it was to come to a positive conclusion. It was in vain to call upon government to pronounce a decided opinion; for it was impossible for any man who had a proper diffidence of his own judgment to come to one.⁵⁶

Peel, then, while recognising that there was a need to reform the existing system of poor relief, was daunted by the enormity of the task as a result of the diversity existing in relief administration, and the fear that any interference could bode ill for future social relations. The Duke of Wellington confirmed that the government had no action in mind on the poor laws for, while the laws were a burden, they were also a necessity and:

⁵⁵ Hansard Parliamentary Debates, New Series, Vol. 18, p. 1544.

⁵⁶ Ibid.

required that work should be furnished to able-bodied men. This could not always be found; but still the system of relief must be persisted in, because, if work were not furnished to able-bodied men, and if no food were given to them, those able-bodied men would soon become sick and declare on the parish.⁵⁷

Despite this, Colonel Thomas Davies (Worcester City) expressed disappointment that the government would do nothing since:

if government would not take up the subject, nothing effectual could be accomplished [for] such was the magnitude of the question, that it was beyond the grasp of any individual.⁵⁸

For Davies, poor relief reform needed to come from the centre; it needed the legislative force of government to institute a cohesive, uniform system of relief which could be integrated into all areas of the country; and it needed the political influence of the government to obtain backing from Parliamentarians for any such reform. It is interesting that this recognition had crept back into Parliamentary argument during the 1820s and indicates a changing attitude towards centralized political responsibility and efficacy. Slaney continued to assert that the poor laws needed revision, and he managed to extract agreement for a committee of inquiry. The committee's report was completed in mid-1828, its recommendations being compatible with Slaney's own.

⁵⁷ Hansard Parliamentary Debates, New Series, Vol. 19, p. 258.

⁵⁸ Ibid., Vol. 18, p. 1545.

Emigration to the colonies was put forward as an alternative to providing for the poor from the poor rates. While emigration was considered, by many who spoke on the subject, as a worthwhile endeavour which would benefit those paupers who could be induced to go, it was considered by others as coercive and quite imprudent for the country, since the poor rates would have to be used to pay for the emigration. Furthermore, the cost was almost irrelevant beside the recognition that the vacuum created by the emigrants would quickly be filled by 'new' paupers, thus occasioning greater expense. Peel advocated the emigration of persons possessed of £5,000, who could then hire labourers from the pauper ranks, but this suggestion was discounted. Obviously, the landed interests had no desire themselves to emigrate to the colonies in order to take on anew the responsibility for the poor.

While the poor laws were apparently of little concern in the mid-to late-1820s, the corn laws occupied a substantial amount of time in the House. As Joseph Hume (Aberdeen burghs) noted, since a high protective duty on imported corn would automatically operate to the detriment of the rural poor:

The broad principle of the Corn-laws involved not only the interest of the people, but the peace of the country, and . . . Therefore the consideration of that question could not with safety be ignored.⁵⁹

⁵⁹ Hansard Parliamentary Debates, New Series, Vol. 16, p. 144.

Daniel W. Harvey (Colchester), called the attention of the House to the problems encountered by the labourer and wondered if the government regarded the people of England as worthless because they had no Parliamentary influence. He warned against such an attitude since, by advocating the theory that labour should be allowed to find its own level, the government was doing nothing but supporting the landed interest at the expense of the labourer. ". . . why erect the fortunes of the privileged few on the overthrow of the industrious many?"⁶⁰ asked Harvey since, by maintaining a high price for corn, the poor would be demeaned even further. Harvey contended that it was a governmental duty to protect the price of labour and thus ameliorate the prevailing distress, adding that "a system of government which gives an artificial dignity to the idle, by degenerating the people, a bad system, and cannot be tolerated."⁶¹ Colonel Wood concurred, remarking that "the poor man's labour was his all, and that whatever concerned the price of wages was deserving of the attention of the House."⁶² Furthermore, the corn law debate of May 1826 saw Huskisson supporting the poor laws as a beneficial means of relieving the distress of the poor in times of crisis:

⁶⁰ Hansard Parliamentary Debates, New Series, Vol. 18, p. 1616.

⁶¹ *Ibid.*, Vol. 16, p. 144.

⁶² *Ibid.*, Vol. 19, p. 262.

The beneficial effects of the poor laws --which in a crisis like the present were so beneficial as to reconcile him almost to the abuses of them--and the measures which had been proposed that evening (a release of corn from bond) were in his opinion the only measures by which the House could hope to see the distress of the country relieved.⁶³

Here, then, we see a link between the poor laws and the corn laws. Indeed, the corn laws could be regarded as a perfect vehicle for the final reinstitution of paternalism. With high prices for corn, the poor would of necessity have recourse to the poor rates; thus they would become the responsibility of the parish. The Justices of the Peace would therefore be able to practice the paternalism of the landed interest to the lower classes, not only reasserting their influence in the social arena, but in the political arena as well.

On February 24, 1829, Slaney was ready to move for leave to bring in a bill to amend the poor laws as far as the employment and relief of the able-bodied poor were concerned. It was his contention that the evils that were attendant on the operation of the poor laws arose solely from their maladministration and thus laid the blame squarely on the Justices of the Peace, whose "good and humane intentions"⁶⁴ had extended the provisions of poor relief to an overwhelming extent. By implementing the provisions of Speenhamland, the price of labour had

⁶³ Hansard Parliamentary Debates, New Series, Vol. 15, p. 826.

⁶⁴ Ibid., New Series, Vol. 20, p. 539.

been diminished and the poor had been encouraged to reject "forethought and providence."⁶⁵ Peel, however, was non-supportive, contending that the government could do nothing in times of severe distress. He felt that any interference with the poor laws by the government would only serve to exacerbate the distress and might even lead to a further disruption of the relationship between the poor and the higher levels of society. While evidencing a traditional Tory attitude of maintaining the status quo, Peel also evinced a strong paternalistic attitude characteristic of the aristocracy--an attitude which seemed to act as a rein on poor law reform. While based largely in aristocratic tradition, it also had a element of self-interest, as noted by Henry B. Lott (Honiton) on February 24, 1829, when he indicated that "it was in the interest of the large farmer that the wages of the labourer should be paid out of the Poor-rates."⁶⁶ With so much independent labour from which to choose, especially after 1815, the provisions of the Speenhamland Plan had given the landed interest an excuse to keep wages as low as possible, since they would be supplemented from the poor rates, to which all tax payers contributed. The effect of supplementing wages would benefit the large farmers at the expense of the small ones, who employed few labourers but who nevertheless paid poor rates.

⁶⁵ Hansard Parliamentary Debates, New Series, Vol. 20, p. 540.

⁶⁶ Ibid., p. 543.

However, one must also remember that as long as the poor had a 'living' wage, the rich had an insurance policy as far as the stability of the country and, by extension, the continuance of paternalism were concerned. Although the cost of poor relief was a substantial irritation to many who paid the rates, the fear of insurrection was greater. Thus, it may be conjectured that no attempt was made by the government to amend the poor laws for the simple reason that it was more advantageous to keep the poor relatively content, despite the expense.

CHAPTER V
THE FINAL STAGES, 1830-1834

The king's speech at the opening of the session of Parliament for 1830-31 included a call for government action on the plight of the country:

I believe distress does exist to a considerable extent; and I concur as heartily as any man in the opinion that Parliament should immediately . . . and without delay adopt such measures as the necessity of the case may demand. . . . [and he expressed his] full conviction, that Parliament will direct its best efforts to remedy the evils which have led to this species of disturbance [the Swing riots]. . . .¹

Distress had returned in 1829 and by 1830 was such that Parliamentarians were beginning to be concerned that the very stability of the country could become threatened. Lloyd Kenyon (St. Michael) felt that the subject of distress was one "which demanded the immediate notice of his Majesty's Government"² and was worried that "unless means were taken to mitigate it [the distress], the most serious and alarming consequences might ensue."³ His concern was justified. August 1830 saw the commencement of a series of rioting which was to sweep across a large part of England. Known as the 'Swing' riots, they were the most

¹ Hansard Parliamentary Debates, Third Series, Vol. 1, pp. 33-34.

² Ibid., p. 214.

³ Ibid.

serious expression of discontent on the part of agricultural labourers that any government had faced. After the Napoleonic wars especially, when employment was scarce and wages low, the landowners relied on the parishes to support the unemployed and the parishes relied on the poor rates to the same end. As poor rates increased, the resentment of some of those who paid them increased accordingly, with the poor being the object of that resentment. In turn, the resentment and frustration of the labourers was vented on the threshing machine, which was regarded as a prime cause of their being unemployed.

There can be no doubt that there was a significant amount of despair and discontent even though, prior to 1830, militancy was unusual as far as the agricultural labourers were concerned. Why, then, should they choose to riot so alarmingly in 1830? As mentioned in the previous chapter, there was severe depression in 1829-1830, following poor harvests in both 1828 and 1829. The harvest of 1830 was hardly any better and pressure on the poor rates must have been great. The amended corn law of 1828 did nothing to ease the situation of the poor, with prices continuing to be high. The prospect of having to face yet another winter in desperate conditions was, therefore, undoubtedly a contributing factor to the outbreak of rioting. The desire for political reform has also been posited as a contributing factor to 'Swing'. There may be an element of truth in this, although it seems to me to pre-suppose a political sophistication on the part of the poor which was unlikely. Agricultural labourers, because they had

no political voice and no prospect of one, were more likely to agitate for higher wages and lower food prices than for specific political reform. They may, however, have been encouraged in their rioting by political radicals, who had an ulterior motive in fanning the sparks of discontent into flames of potential rebellion.

That distress was severe enough to warrant rioting on the scale of 'Swing' indicated a requirement for immediate attention, but Sir Robert Peel still was not prepared to commit the government to action. While he assured the Commons that "his Majesty's Government was deeply interested in the preservation of the general tranquillity,"⁴ he continued the governmental policy of the past by urging individual members to introduce measures concerning the poor.

The weight of taxation pressed heavily upon all classes of society, including the labouring classes and throughout the period under review this had been cited as one of the chief evils afflicting the country, especially as far as poor relief was concerned. The unwillingness of the government to act on either subject was undoubtedly more complex than a simple desire to uphold the interests of the upper classes. There were some Parliamentarians who would not agree, including Kenyon, who noted that there were:

⁴ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 219.

in that and the other House of Parliament
so many individuals who were interested in
the continuance of the present system,
because it worked well as it respected
them. . . .⁵

and both he and Joseph Hume warned of further insurrection in the country if no remedy was forthcoming. It was well known, said Edward B. Portman (Dorset) on November 9, 1830, that there was a "state of great excitement"⁶ in the country (referring to 'Swing') and that any delay in bringing in measures to alleviate distress could be "very dangerous."⁷ The lack of a suitable reply from Peel as to what measures the government intended to take occasioned the Whig, Lord Althorp, to remark that:

the country would be very much
disappointed . . . that the Ministers
did not intend to submit to Parliament
any measures for the relief of the
labouring poor [since the subject was one]
of the deepest importance, and one that
called for the special consideration of the
Government and of the Parliament. This
subject had hitherto been left to individual
Members of the House, and the difficulty
individual Members had met with in prosecuting
their task had made every Gentleman lament that
Government did not take this important subject
into their own hands.⁸

⁵ Hansard Parliamentary Debates, Third Series, Vol. 1, pp. 335-36.

⁶ Ibid., p. 335.

⁷ Ibid.

⁸ Ibid.

The Tory government, however, appeared intransigent. Despite warnings from both Portman and Sir John Wrottesley (Staffordshire) that the people might become desperate enough to rise in revolt if nothing was done to relieve their distress, Sir Robert Peel continued to express the sentiment--uttered by Castlereagh some years earlier--that the subject of distress would be better handled by individual members, rather than by the government. For their part, individual members continued to voice the opinion that no efforts on their part could be hopeful of success unless the government offered some co-operation. There was, it seemed, a political impasse on poor relief.

With the advent of 'Swing', interest in the operation of the poor laws was expressed by the House of Lords, who had paid scant attention to the subject in the past. This was undoubtedly as a result of the riots, which brought the seriousness of the situation rudely to their attention. The Earl of Winchelsea wished to restore the operation of the poor laws to those whom they were originally intended to serve (thus wishing to return to the specific operation of the 43rd Elizabeth). Lord Suffield, for his part, felt it was:

the duty of the Government . . . to originate measures of relief, and not leave that to individuals. . . . [and] He had reason to find fault with the Ministers for not taking the lead in such matters; they preferred waiting for circumstances. [but now] The great

destitution of the people, and their want of occupation, must be remedied by going a step beyond the Poor-laws.⁹

The Duke of Richmond advocated a governmental inquiry into the distress of the country, while Lord Stourton thought the question of the poor "one of deep concern to the country, and any suggestion, coming from any quarter . . . would not fail to interest the feelings, and excite the sympathy of their Lordships."¹⁰ For his part, the Duke of Wellington offered his assurances to the Lords that the government had not ignored the problems of distress in the country and "felt every disposition to do all that lay in its power to remedy the evils which had been the subject of so much complaint."¹¹ However:

the real truth was, that the administration of the poor-laws was so various in different places, that it was impossible to find out where the evil lay, or to prepare any one measure which would apply to all. . . .¹²

On November 19, 1830, Lord Nugent (Aylesbury) rose in the Commons to move for leave to bring in a bill to provide employment for the poor "at fair and adequate wages,"¹³ while Edward H. Curteis (Sussex), a

⁹ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 374.

¹⁰ *Ibid.*, p. 378.

¹¹ *Ibid.*, pp. 381-82.

¹² *Ibid.*, p. 381.

¹³ *Ibid.*, p. 596.

staunch supporter of the Tory government, felt that while "the state of the labouring poor [could not be attributed] to the conduct of Government"¹⁴ no relief of distress could be achieved by the government "unless the higher agricultural classes did something [for the poor]."¹⁵ Since the aristocrats who were the government were also the 'higher agricultural classes,' Curteis presumably was advocating--albeit in a roundabout manner--that some action should be taken by the government. Daniel W. Harvey (Colchester) agreed that all classes should be included in remedying the distressed state in which the country found itself. However, Sir Matthew W. Ridley (Newcastle-upon-Tyne) could not concur that the landed interests were indifferent to the plight of the poor, drawing on the often-expressed opinion of prior debates that the law of supply and demand was the only means by which labour could be regulated. For him, the only way to eradicate distress was to allow a free market in which labour could find its own level. A free labour market, however, would entail the dismantling of the settlement laws, and no-one was prepared to contemplate that.

As for the poor laws, there was a feeling that it would be impossible to find a remedy which would be uniformly applicable.

¹⁴ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 598.

¹⁵ Ibid.

This view was expressed by Lord Nugent, who felt that "The most sure mode of removing the evils of the Poor laws was, by applying a practical remedy to each single abuse,"¹⁶ with the end result being to give labour a free market. If, by this, he meant taking each case of distress as it appeared before the individual parishes and applying a remedy to it, he had no conception of the impossibility of the task. If, on the other hand, he envisaged looking at the various components of the poor laws and applying a remedy to each one, then any policy would very difficult to implement. The poor laws were considered an entity which should be dealt with accordingly; any effort to amend them would, therefore, need to encompass all their provisions.

On November 29, 1830, Lord Salisbury indicated that he was of the opinion that because the wages of agricultural labourers were higher than they had previously been this, together with a decrease in the price of corn, somewhat ameliorated the distress of the lower classes. However, the adoption of the Speenhamland Plan had occasioned the maladministration of the 43rd Elizabeth--a situation which he wished to correct in order to better the condition of the poor and to raise their moral standards. On December 10, the Earl of Radnor presented a petition to the House of Lords which asked for a reduction of taxes, "especially those which pressed most severely upon

¹⁶ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 600.

the poorer orders of the community, such as the house and window taxes, and the taxes upon malt, sugar, &c."¹⁷ He expressed the feeling that "it would be a mere farce if Ministers should . . . shut their eyes to [the distress which] was passing before them."¹⁸ In reply, the Duke of Wellington denied that the government had any responsibility for correcting the problems--an interesting comment on the paternalistic attitude which the government espoused. While Parliamentarians were conscious that the distress of the poor needed immediate attention, Wellington's attitude was that "the King's Ministers were not responsible for that which it was not their duty to set right,"¹⁹ and maintained--presumably because the Elizabethan Poor Law laid the responsibility for the poor on the individual parishes--that "It was not in the power of Ministers, and it would be illegal for them, to interfere in . . . such matters."²⁰

With the fall of the Tory government in late November 1830, and the success of a Whig government which had some commitment to reform, there was a feeling that action would be taken on poor relief. Commitment to poor law reform, however, was not immediately noticeable, with Stanhope maintaining that:

¹⁷ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 957.

¹⁸ Ibid.

¹⁹ Ibid., p. 959.

²⁰ Ibid.

the cause of the distress which prevailed now, was only to be found in the measures of [the] House, which had refused to inquire into the distresses of the people. That distress had existed for a long time, it existed throughout the country, and had been frequently . . . brought under [the Government's] notice. The distress was not the consequence of local but general causes, and he was extremely sorry to find that the present Ministry had adopted the views of the late Ministry, and meant to refuse inquiry.²¹

In refusing to initiate government action on the state of the poor, past Tory Ministers had encouraged, and the Whigs continued to encourage a disaffection for the government which could quite easily have led to civil insurrection. Following 'Swing', it was apparent that the reduction of taxes would not automatically return the country to a stable footing; such a measure would not guarantee an end to the distress of the poor, nor would it guarantee equalization in the area of the supply and demand of labour. It was unfeasible to suggest the total abolition of poor relief for fear of the consequences, and it was equally unfeasible to allow the poor to continue to depend on the parish as their only means of survival. It was necessary, therefore, to find another alternative.

On December 21, 1830, Joseph Hume (Middlesex), presented a petition from his constituents requesting reform of the poor laws.

²¹ Hansard Parliamentary Debates, Third Series, Vol. 1, p. 959.

That the country expected relief from the continuing distress was apparent; that no relief was forthcoming from the new Whig government was also apparent. While Curteis maintained that the distress of the landed interests was substantial, most attention was now paid to the labourers. On February 16, 1831, John Briscoe (Surrey) proposed that parishes should be allowed to purchase more than the 20 acres of land to which they were presently entitled in order to let it out to the poor. This measure would allow the poor to become independent and thus not need recourse to parish relief. Lord Althorp, for the government, while not lending his approbation to the proposal, indicated (for the first time) that:

his Majesty's Ministers had the question of the Poor-laws now under their consideration, but they found it was a difficult subject on which to come to any satisfactory conclusion. It would be most imprudent to take any ill-advised step on the subject.²²

This was a somewhat different stand from that which Althorp had taken a few months before, when he had castigated the Tory administration for not dealing with poor relief. Expected, as the government, to resolve the problem, the Whigs must suddenly have realized the complexities of the task with which they were faced. It was this realization which undoubtedly made them hesitant.

On March 4, 1831, the Marquis of Salisbury laid before the House

²² Hansard Parliamentary Debates, Third Series, Vol. 2, p. 607.

of Lords the evidence that had, up to that time, been submitted to the committee on the poor laws. From a review of the evidence, the committee had recommended that the poor should be given plots of land --a similar recommendation to that put before the House of Commons by Briscoe in mid-February. However, their Lordships were anxious that this measure should not be seen as the only one put forward for the relief of the poor, and urged the committee to continue its deliberations. Parliament, however, was prorogued before any other recommendations were forthcoming.

The new session of Parliament saw the Earl of Winchelsea asking if the government had any intention of bringing forward a plan for the relief of agricultural distress, without which:

they [the lower orders] would be ready again to break forth into outrages, and there would be a display of much worse feeling, and a more terrible and mischievous spirit, among the agricultural peasantry, than that which created so much alarm some months ago.²³

He was assured by Viscount Goderich that it was the intention of the government to bring in a bill concerning emigration which "would probably give great relief."²⁴ However, Viscount Melbourne, the Home Secretary, said that he was embarrassed by having to reply to the Earl of Winchelsea because:

²³ Hansard Parliamentary Debates, Third Series, Vol. 4, p. 262.

²⁴ Ibid., p. 263.

if he said that Ministers had no measures for that object [relief of distress] in contemplation, they might be accused of supineness and indifference to the wants of the poor; and if he replied that Government had some plan in view, he might excite hopes which would end in disappointment.²⁵

The topic was, he said:

one of great difficulty, of which no other proof need be given than the length of time during which it had been agitated . . . and the difference of opinion which prevailed on the subject.²⁶

The committee whose work had been cut short by prorogation, was not reinstated, since it was tacitly understood that the government would take steps to amend the poor laws. Debate on poor relief was also postponed on the same understanding. On June 28, 1831, Major Weyland (Weymouth) raised the subject again. For him:

It was clear, that no country could be safe in which the condition of the labouring classes was degraded and servile. . . . There was a growing spirit of discontent which not unfrequently tended to outrage.

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In fact, the moral and political condition of the poorer classes could no longer be neglected with safety to the State, and if success did not attend their [Parliament's] deliberations, he could look forward to nothing but calamity and continual danger.²⁷

²⁵ Hansard Parliamentary Debates, Third Series, Vol. 4, p. 263.

²⁶ Ibid.

²⁷ Ibid., pp. 445; 447.

Although Parliamentarians continued to express the view that the poor laws were, of themselves, wise and humane, it was a general feeling that those laws were maladministered, and it was this maladministration which was the root cause of the problems continuing to assail the poor. The Earl of Winchelsea stated his opinion that to give poor relief to able-bodied labourers, without work, had "diminished, if not totally destroyed, the good feeling which formerly prevailed between the labourer and his employer,"²⁸ while the Marquis of Lansdowne felt that:

the state of the labouring poor deserved the serious attention of Parliament . . . [especially since] there were circumstances, . . . in the state of the labouring classes which called for anxious consideration on the part of every man who valued the peace and happiness of the country.²⁹

Such circumstances, however, were not sufficient to compel the Lords to accept a bill to give labourers land, and the bill was withdrawn.

On August 22, 1831, the Duke of Richmond proposed the second reading of a bill by which overseers of the poor were to be allowed to enclose 50 acres of common ground for allotments. The proposal would not only have meant that the poor would be less dependent on the parish for their survival, but would also have recognised that Parliament was not "inattentive to the improvement of their [the

²⁸ Hansard Parliamentary Debates, Third Series, Vol. 4, p. 930.

²⁹ Ibid, p. 935.

poor's] position."³⁰ There was, however, controversy over who should serve as overseers of the poor. Lord Teynham wished to preclude professional men, with the exception of military and naval officers, while the Duke of Richmond did not. Further, the competency of magistrates was also beginning to be questioned, especially given the volatile nature of the country in the wake of the agricultural riots. Lord Ingestrie considered the country to still be in "a very unsettled state,"³¹ while George Robinson (Worcester City) was concerned that "fires were again beginning to make their appearance [in Kent]"³² and that rioting would occur again unless a remedy was taken "to facilitate the labourers obtaining the means of subsistence."³³ However, Sir Richard Vyvyan (Okehampton), in praising the appointment of magistrates with low qualifications, made an interesting remark on both the administration of the poor laws and the juxtapositioning of the various interests in society. Low qualifications in a magistrate were, for Vyvyan, advantageous in that they "gave a greater choice, and permitted persons to be chosen who were connected with the people, which produced a species of self-government."³⁴ This is an attestation to the

³⁰ Hansard Parliamentary Debates, Third Series, Vol. 6, pp. 379-80.

³¹ *Ibid.*, p. 1376.

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*, p. 1377.

diversity of the parish administrations and thus to the administration of the poor laws, which came under the aegis of the local magistrates. The discussion of qualifications, however, revealed a noticeable shift in the class of persons appointed to such positions. Traditionally, magistrates were of the landed interest, the upper strata of society, who were concerned to maintain the reciprocal social connections of responsibility and deference. A change in the class of person being appointed would undoubtedly herald a different pattern of relationships between the poor and those responsible for them, and undermine the paternalism which had existed towards the poor.

Concern for the peace of the country continued throughout 1831. On October 4, Colonel Evans alluded to "the present peculiar state of affairs"³⁵ (i.e., popular discontent) which existed in anticipation of the passage of the Reform Bill, and warned of the danger of a revolution in the country should the bill not pass. And while his warning came in connection with the proposed reform of Parliament, undoubtedly any insurrection would, in large part, have been occasioned by a desire for employment and a living wage rather than for the franchise. This is not to deny that there was agitation for political but with the help of the political radicals, the term 'reform' came to be associated with the poor law. However, as Henry Hunt (Preston)

³⁵ Hansard Parliamentary Debates, Third Series, Vol. 7, p. 1210.

noted--and correctly so--during debate on the labouring poor on October 11, "It was a delusion to hold out that the poor would derive any benefit from the Reform Bill."³⁶

On October 5, 1831, the Commons passed, by a vote of 61 to 4, the Money Payment of Wages Bill, which precluded employers from paying their employees in kind and thus precluded labourers from "having damaged goods forced upon them."³⁷ This, it would seem to me, was something of a backwards step. With payment in kind, the labourer was probably living reasonably well. If, on the other hand, he had to rely solely on wages, the chances were that he would be poorly paid and would have to have recourse to the poor rates to supplement his income. There was still the expectation that labour should fulfil the requirements of supply and demand; it did not. Consequently, wages remained low while prices were relatively high and the parishes continued to support the poor to the detriment of all concerned.

Throughout the period under study, the situation of the manufacturing poor received scant attention and this was still the case in 1831. Industrialization may be given the benefit of the doubt in this instance since, with little being said as far as industrial labourers were concerned, one could assume that their condition was tolerable. This, in fact, is borne out by the figures given in

³⁶ Hansard Parliamentary Debates, Third Series, Vol. 8, p. 545.

³⁷ Ibid., p. 9.

Figures 15 and 16 which show that, by comparison, the manufacturing labourers fared better than their agricultural counterparts. On October 11, 1831, Richard Sadler rose to address the question of the poor, specifically the agricultural poor. He indicted the upper classes for their selfish pursuit of wealth at the expense of the poor, and he urged Parliament to immediately remedy the situation. Delay, he said, would "render the attempt more difficult, and at last hopeless."³⁸ While the benevolence of individual aristocrats and landed proprietors in "their personal and local sphere,"³⁹ was lauded, as an interest group the landed classes were viewed as sacrificing the well-being of their labourers in pursuit of profit and the government needed to act quickly on poor relief in order to avoid "evils very affecting and serious in their consequences."⁴⁰ Comments from other members showed that they agreed.

The Duke of Wellington, on becoming Tory Prime Minister in 1828, had indicated that his government would be initiating action to ameliorate the condition of the poor. Yet he was not long in retracting his promise, saying that nothing could be done and that the government would merely be embarrassing itself by putting forward proposals that would 'excite expectations'. Alluding to Wellington's

³⁸ Hansard Parliamentary Debates, Third Series, Vol. 8, p. 500.

³⁹ Ibid., p. 503.

⁴⁰ Ibid., p. 543.

remarks, John Weyland called upon the new Whig government to act immediately, especially since "Any improvement of the labouring classes was highly advantageous to all the higher classes."⁴¹ He warned of the dangers inherent in a failure to respond to the distress, saying that "the consequences would be dangerous if some effective measure for the relief of the lower classes was not brought forward."⁴²

By the third quarter of 1831, then, even Parliament had become irritated by the lack of action on the part of the government. The events of 1830 had roused sufficient feeling within Parliament that further inattention to the plight of the poor would be disastrous. The debate on October 11, 1831 was heated, with the government being accused of abrogating its responsibilities to the poor while protecting the rich. If the government was to wait for prosperity to return before undertaking any measure of poor relief, said Sadler, "they must never look forward to doing anything for them at all."⁴³ That there was a fear of renewed uprisings was evident and, as Sadler remarked:

⁴² Hansard Parliamentary Debates, Third Series, Vol. 8, p. 547.

⁴³ Ibid., p. 548.

⁴⁴ Ibid., p. 554.

the agitation which had been occasioned by the present distress could not be calmed without going at once to the bottom of it. The surface of society might be calmed, but the mass of suffering and of distress beneath would heave, and if not counteracted, lay prostrate all existing institutions.⁴⁴

"Let them [the poor] be taught again to entertain feelings of respect and affection towards their superiors,"⁴⁵ urged Sadler and, to this end, he proposed the revival of cottage horticulture by allowing the poor to cultivate gardens. He thus followed on the heels of others who had advocated allowing the poor to provide for themselves from the produce of allotments. While the clamour for government intervention on behalf of the poor continued, the remedies which were proposed remained--as they had done under the Tories--the prerogative of individual members.

To a question from the Marquis of Salisbury in the Lords on December 9, 1831, as to whether the government had any intention of redeeming "the pledge given . . . during the last Session, to submit some proposition . . . for amending the present system of Poor-laws,"⁴⁶ the response was not one of true commitment.

⁴⁴ Hansard Parliamentary Debates, Third Series, Vol. 8, p. 554.

⁴⁵ Ibid.

⁴⁶ Ibid., Vol. 9, p. 130.

"Unquestionably some measure on the subject would be brought forward by some member of His Majesty's Government"⁴⁷ during the session, said the Lord Chancellor but one can again infer a decided governmental hesitancy to attempt to deal with a complex subject.

With more questioning on February 1, 1832 as to whether the government would propose any measure for amending the poor laws, Lord Althorp replied that while:

the subject had been under the serious consideration of His Majesty's Government
.....
the general question of the Poor-laws was a subject of such great magnitude, and involved such a variety of important considerations, that any Member of the Government, or of that House, would not be justified in bringing forward a measure that would apply generally to the whole collective system of the Poor-laws of this country.⁴⁸

His comments hark back to the Tory administration's preference for individual proposals on poor law reform and show a close alignment of the attitudes of both administrations. However, in light of Parliamentary expectations, the government announced on that same day

⁴⁸ Hansard Parliamentary Debates, Third Series, Vol. 9, p. 130.

⁴⁹ Ibid., pp. 1098-1099.

that it was appointing commissioners to "ascertain how the different systems [of poor relief] worked in different parishes throughout the Kingdom."⁴⁹ This was to be achieved by comparative, on-the-spot inquiry which, according to Althorp, would not take long. Considering the known and acknowledged diversity of poor law administration, it is strange that he would have come to such a conclusion unless he did not anticipate any in-depth probing. However, it was felt that once the reports of the commissioners were available, the government would then be able to determine whether anything could be done. Indeed, the following day, the Lord Chancellor felt he could assure the Lords that "a bill for the better regulation of the Poor-laws would certainly be laid on their Lordships' Table before their separation,"⁵⁰ which prompted the Marquis of Salisbury to indicate his intention to submit a motion on the subject if the government did not "pledge to appoint a commission and legislate upon its report."⁵¹ Three weeks later, on February 27, Salisbury again asked what steps had been taken to form the promised poor law commission. It was, he said, "nearly

⁴⁹ Hansard Parliamentary Debates, Third Series, Vol. 9, p. 1099.

⁵⁰ Ibid., p. 1145.

⁵¹ Ibid., p. 1146.

two years since his Majesty's Ministers had promised to take up the subject, and it was full time that something effectual should be done."⁵²

On March 15, 1832, Weyland was still lamenting in the Commons that:

the successive Administrations who had governed the affairs of this country had been deterred by an exaggerated view of the difficulties involved in this subject, from taking an enlarged and comprehensive view of the interests of this all-important class of the community and from laying down fixed principles upon which their conduct towards them ought to be regulated.⁵³

Weyland felt that "the true greatness of kingdoms and estates depended upon a good moral and political condition of the mass of the people,"⁵⁴ and while the difficulties involved in any amendment of the poor laws were a logical explanation for why nothing had been done on the subject, the time had now come for the government to stop "fiddling; [and to] throw away the violins and betake itself to the more serious and practical inquiries which the times demanded."⁵⁵ It was time, he said, that the interests of the poor were dealt with by a "paternal

⁵² Hansard Parliamentary Debates, Third Series, Vol. 10, p. 723.

⁵³ Ibid., Vol. 11, p. 286.

⁵⁴ Ibid.

⁵⁵ Ibid., pp. 289-90.

Legislature and Government"⁵⁶ as a matter of importance to the well-being of the country as a whole and proposed the letting of allotments to the poor. In this he fared as badly as others who had made similar proposals.

The subject of the poor laws was not raised again until the new reformed Parliament opened under the Whig administration. On February 8, 1833, Lord Brougham, the Lord Chancellor, indicated that the report of the poor law commissioners would shortly be laid before the House. Brougham had initially been against the appointment of commissioners, since he had wished to legislate on the subject of the poor laws at once. However, he had subsequently been convinced that a commission was the correct means of proceeding with the complex question. The government continued to insist, however, that they had no intention of originating any measure on the subject of the poor laws, even though there was still a demand from the Commons that they should. The subject, said Sir Thomas Freemantle (Buckingham borough), on February 24, 1833, was one which:

could not be deferred much longer, it was a subject of too much magnitude for any individual member to take up, but was one that required the talent, the means, and the responsibility of His Majesty's Government.⁵⁷

⁵⁶ Hansard Parliamentary Debates, Third Series, Vol. 11, p. 287.

⁵⁷ Ibid., Vol. 15, p. 636.

and he hoped that the commission would not be tardy in presenting its report.

On March 31, 1833, Major Aubrey W. Beauclerk (Surrey) concluded that the House needed to remove taxes which "pressed most heavily on the poor"⁵⁸ for fear that "the feeling of discontent . . . would be increased, and the property of the rich invaded."⁵⁹ Matthias Attwood (Boroughbridge), echoed the sentiments, expressing regret that the reformed Parliament, towards which the poor had looked for redress of their distress, had done nothing for that segment of society. Indeed, so great was the distress of the poor, asserted Attwood, that "dangers of many kinds were gathering . . . and they were waiting in alarm the coming of the threatening storm."⁶⁰ There was, he said, little reciprocity of good feeling between the various classes of society as a result of the continued distress:

poverty, bitter grinding poverty, had closed the gates of mercy, and hardened the hearts of the middle classes, so that the poor were not half so well relieved. Notwithstanding the enormous wealth which labour gave to the nation the labourers were everywhere starving [and] The blackest passions were everywhere called into existence.⁶¹

⁵⁸ Hansard Parliamentary Debates, Third Series, Vol. 16, p. 910.

⁵⁹ Ibid.

⁶⁰ Ibid., p. 919.

⁶¹ Ibid., p. 922.

The middle classes, of course, had never been open to the paternalism of the landed interest. It is interesting here that Attwood does not make mention of any hardening of hearts by the upper classes, which would lead one to conclude that notions of paternalistic responsibility continued to exist. Attwood again warned of insurrection unless something was done to relieve the distress of the poor, noting that it was misery, "revenge and despair"⁶² which led the poor to set fires and to destroy machinery. The 'Swing' riots had been a prime example:

Two years ago the agricultural labourers had broken out into outrage; and Ministers deceived themselves if they thought such breakings out were at an end, and that the causes which had given rise to them were at rest . . . the people of England had never gained anything from their rulers but by a resort to force.⁶³

Should the government not act, declared William D. Gillon (Lanark boroughs), he would not and could not "answer for the safety of the State,"⁶⁴ since it was likely that the poor would rise up and "obtain . . . a Parliament [that would] respond to the people."⁶⁵ Lord

⁶² Hansard Parliamentary Debates, Third Series, Vol. 16, p. 926.

⁶³ Ibid., p. 925.

⁶⁴ Ibid., p. 939.

⁶⁵ Ibid., pp. 939-40.

Althorp, however, stated categorically that the Ministers of the Crown "did not believe"⁶⁶ that the country was in such a distressed state as the honourable gentlemen supposed. Although Althorp made no mention of the poor law commission, Edward Lytton Bulwer (Lincoln) did, saying that the maladministration of the poor laws produced many evils which needed to be addressed. This was a cry that had been heard continuously since 1795 when the Speenhamland Plan had brought into existence a diverse system of poor relief. Joshua Scholefield (Birmingham) was convinced that, unless the government acted to reduce distress, "fearful consequences would be the result,"⁶⁷ and while the Marquis of Bute did not contradict him, he took the opportunity to note in the Lords, on July 10, 1833 that:

the fact was, that the Poor-laws had been the worse administered for the last thirty or forty years, in those places where the measure had operated beneficially.⁶⁸

What undoubtedly came into play in such circumstances were the paternalistic feelings of the Justices of the Peace, who dispensed relief as they saw fit, according to the circumstances brought before them. However, there might also have been higher employment in those areas, which would have lessened the call on the poor rates.

⁶⁶ Hansard Parliamentary Debates, Third Series, Vol. 16, p. 941.

⁶⁷ Ibid., p. 945.

⁶⁸ Ibid., Vol. 19, p. 469.

The Marquis of Chandos, in the Commons, drew attention to the distress that prevailed in agriculture in general and called the attention of the House to the state of "deep and dangerous distress"⁶⁹ caused by taxation in general and the poor rates in particular and contended that anything that could be done to relieve the distress in one sector of the agricultural community would automatically benefit the others. This was doubtless the case since the landowner, when faced with high expenditures, passed them on to his tenants who, in turn, reduced their labour force. The case for the agricultural interest versus the manufacturing was clear, especially in the mind of Alexander Baring (Essex). For him:

The manufacturer took up labour. He used it while he wanted it, and threw it down when he no longer needed it, without caring for or looking any further about it. But not so the farmer; when he employed labourers he was saddled with them in one shape or another for all his life afterwards, no matter whether he wanted them or not.⁷⁰

This statement of Baring's was obviously an exaggeration although it did have a ring of truth in it. Manufacturers could hire and fire at random, and undoubtedly many did. There were, however, those manufacturers who were anxious to treat their workers with respect and

⁶⁹ Hansard Parliamentary Debates, Third Series, Vol. 19, p. 653.

⁷⁰ Ibid., p. 666.

kindness, and this also applied to some farmers. However, Baring was correct in stating that the farmers were always 'saddled' with their labourers--not as hired help, perhaps, but as recipients of poor relief for which the farmer and landowner had to pay.

As mentioned previously, the allotment system was one which had the approval of some Parliamentarians. George Pryme (Cambridge) was yet another member who proposed such a scheme on February 25, 1834, justifying his proposal with the statement that:

In the November of 1830, when the firing of stacks and farmyards was occurring in different parts of the country, it was not found that labourers having these small allotments were in any instance connected with such outrages.⁷¹

Not only would the granting of allotments be beneficial to the labourer, argued Pryme, but they would allow a reduction in the poor rates since those who presently had recourse to poor relief would become self-sufficient. The idea of allotments found favour with a number of Parliamentarians, undoubtedly because of the benefits they would produce in lowering taxes. However, as with all other proposals to lighten the burden of agricultural taxation, the matter was not taken up by the government.

The subject of taxation was a recurring one throughout the debate on poor relief. For a vast majority of those who had spoken on the

⁷¹ Hansard Parliamentary Debates, Third Series, Vol. 19, p. 789.

subject over the years, it was taxation which occasioned the distress of rich and poor alike. By overly-taxing the rich, the poor ultimately suffered. William Cobbett pointed to the fact that the poor rates had increased in direct relation to increased taxation. Daniel O'Connell (Dublin City) agreed and expressed his contempt for all those who were connected to the land and who advocated relief of distress. Any concern, O'Connell felt, was not for the poor but for the rich for he had "never perceived, amongst the monied interest [of which the landowners were a part] the slightest feeling of compassion for the sufferings of the agricultural [lower] classes."² This assertion of O'Connell's is, in fact, borne out by the debates, especially in the earlier period under review. The plight of the poor was not, of itself, the subject of serious consideration. It was more the problems posed by taxation--of which poor relief was a part--and the morally degraded state of the poor (brought about by the allowance system) which was regarded as a threat to the well-being of the country.

The report of the poor law commissioners was produced in August 1834 and Edward G. Stanley, Chief Secretary for Ireland, was the Minister to whom it fell to indicate that the report "was under the anxious consideration of his Majesty's Government, and a general measure would be submitted to the House founded on it."³ William

² Hansard Parliamentary Debates, Third Series, Vol. 19, p. 686.

³ Ibid., Vol. 22, pp. 646-47.

Cobbett, on March 25, 1834, immediately expressed concern over the report, saying that the commissioners "had put many gross falsehoods into circulation [and] many statements in their report were utterly and entirely without foundation."⁷⁴ Such concern as was expressed, however, did nothing to deter the course of events.

On April 17, 1834 Lord Althorp rose in the House to address the subject of the poor laws. He noted that when the Whigs came to office, they had found that the system of poor relief was injurious to the landed interests, farmers and agricultural labourers alike:

Such being the case, his Majesty's Ministers thought it their imperative duty, as a Government, to apply themselves at once to this question, and to consider what course they ought to pursue with a view to remedy the evils connected with it - evils of long standing and of serious injury to the country at large.⁷⁵

Althorp admitted that he had no great hope that any legislative attempt made by the government would have any better fate than attempts made heretofore by individual members. However, the poor law commission had provided a general view of the poor laws and their administration throughout the country. This in itself, Althorp felt, was a benefit

⁷⁴ Hansard Parliamentary Debates, Third Series, Vol. 22, p. 647.

⁷⁵ Ibid., p. 875.

since it enabled the government to see how diverse was the practice of implementing poor relief. This diversity led him to believe that:

it had now become the bounden duty of the Legislature to interfere and endeavour to remedy any evil fraught with the most destructive consequences to the whole community.⁷⁶

However, a centrally administered poor law was not to be understood as a lessening of the feelings of paternalism on the part of the aristocracy, even in the face of political economy. The "exercise of private charity"⁷⁷ was still to be commended said Althorp, for:

as long as we were accessible not only to the feelings of religion, but to the dictates of humanity, we must be convinced that the support of those who were really helpless, and really unable to provide for themselves, was not only justifiable, but a sacred duty imposed on those who had the ability to assist the distressed.⁷⁸

What was to be addressed then was the perceived mal-administration of the poor laws and not the laws themselves. To do this, Althorp proposed the appointment of a central board of commissioners, "a new and great power in the country,"⁷⁹ charged with

⁷⁶ Hansard Parliamentary Debates, Third Series, Vol. 22, p. 877.

⁷⁷ Ibid.

⁷⁸ Ibid., pp. 877-78.

⁷⁹ Ibid., p. 880.

implementing measures to "introduce sound principles and the fruits of salutary experience into the administration of the Poor-laws"⁸⁰ and with overseeing assistant commissioners who would operate in the field. Thus the magistrates--of whom Althorp had been one--who were now considered to be "biased by local prejudices and local feelings,"⁸¹ were to be supplanted as arbiters of poor relief by a completely new and powerful body. The board was to be given broad powers to establish a uniform system of poor relief throughout the country by stopping the allowance system; depriving the magistrates of the power to order outdoor relief; giving large discretionary powers to central commissioners; abolishing settlement except by birth and marriage; and by making mothers liable for the support of their illegitimate children.

Colonel De Lacy Evans (Yorkshire) complained that the very constitution of the country would be undermined by giving such wide powers to a central board of commissioners and warned of a revolution in the country if the allowance system was curtailed. Robert Slaney, while commending the government for making some attempt to deal with the problems occasioned by the poor laws, was similarly concerned.

⁸⁰ Hansard Parliamentary Debates, Third Series, Vol. 22, p. 881.

⁸¹ Ibid.

A great deal of apprehension was expressed as far as the Central Board were concerned. Its powers were considered to be too broad and too all-encompassing and certainly unconstitutional. However, one cannot dispute the fact that a central authority of some sort was required in order that the local administrative bodies proposed by the poor law commission could be brought into existence and maintained. It would undoubtedly have been very difficult to bring about change in any other way since the landed interest--the prime authority in the old parishes--had no wish to see its authority over the administration of poor relief removed. Although Althorp had indicated that the board would be controlled by Parliament, there were many--of whom William Clay (Tower Hamlets) and George Grote (London) were two--who were not in favour of entrusting the overseeing of the the Poor Law Amendment Act:

to persons who were merely public servants, possessed of no external authority, allied to no party, and against whom every man's hand might and would be raised in the event of their misconduct.⁸²

Being anxious to have the bill passed into law, Althorp was receptive to a diminution of the commissioners' powers as long as it did not endanger their ability to perform their mandate. The Poor Law

⁸² Hansard Parliamentary Debates, Third Series, Vol. 23, p. 821.

Amendment Bill was read for a second time on May 9, 1834. When the House divided, the majority for the Bill was 299 (Ayes - 319; Noes - 20). The question of the power of the commissioners was still of prime importance however, and the committee on the bill, which sat on May 14, 1834 was well aware of this problem. Richard Godson (Kidderminster) felt that the bill gave the commissioners "unconstitutional and unknown powers; . . . kingly, judicial, legislative, and administrative functions, - a power beyond precedent or public safety."⁸³ Since the commissioners had no Parliamentary representation, they had no constitutional responsibility, and this was a subject of great concern. Colonel de Lacy Evans (Westminster) was surprised that a measure allocating "power unknown to the Constitution . . . could be brought forward by an Administration professing liberal principles."⁸⁴ George Robinson (Worcester), on the other hand, was distressed not so much by the proposed power of the commissioners as by the haste which seemed to be accompanying the process of the bill, which, he contended, "one-half of the hon. Members of [the] House had not even read. . . ."⁸⁵ Robinson referred the House to the report of the poor law commission, and urged the members to take note of what it had said:

⁸³ Hansard Parliamentary Debates, Third Series, Vol. 23, p. 954.

⁸⁴ Ibid., p. 959.

⁸⁵ Ibid., p. 962.

The history of the Poor-law abounds with instances of legislation, which have been worse than unsuccessful, which have not merely failed in effecting their purpose, but actually produced effect in a decidedly opposite direction, creating what they were intended to prevent, and fostering what they were intended to discourage.⁸⁶

If the magistrates and overseers of the poor had been unable to properly administer the poor laws, he said, the commissioners were unlikely to fare any better unless they were both severe and cruel. Robinson went so far as to accuse the government of introducing a bill which had nothing to do with poor law amendment. The bill, so recently introduced, was nothing more than "a new law for the management of the poor"⁸⁷ and, as such, would achieve nothing but "most materially increase the discontent which at present so alarmingly prevailed. . . ."⁸⁸

With the House in committee, Althorp, on May 14, 1834, proposed limitations upon the power of the poor law commissioners which were intended to quieten the fears and objections of members. The commissioners were to act as Justices of the Peace and were to be under the control of the House of Commons; thus, their powers under the Poor Law Amendment Act would be limited. The very fact that the

⁸⁶ Hansard Parliamentary Debates, Third Series, Vol. 23, p. 964.

⁸⁷ Ibid.

⁸⁸ Ibid., p. 963.

administration of the act would be centralized caused some members of the House to express concern that the principles of poor relief would be subverted by a central administration. Althorp countered by saying that the reason why measures for the regulation of the poor laws over the years had been unsuccessful was probably the fact that there was "no superintending authority to see to their execution."⁸⁹ Until the introduction of the Poor Law Amendment Bill by the Whig government, the administration of the poor laws had been both localized and diversified, and the newly centralized administration of poor relief was expected to benefit all involved.

Here then was the beginning of centralized administration in government and while it was "a new word in [the] Legislation,"⁹⁰ Althorp urged the Members of the House not be afraid of it. Robert Cutlar Fergusson (Kirkcudbright Stewarty) and Sir James Scarlett agreed. Largely due to the wide differences in poor relief adopted throughout the country, and the individual feelings of benevolence and responsibility of the local administrators of that relief, it was widely acknowledged within Parliament that the magistrates and overseers of the poor were unable to operate effectively. Furthermore, the 43rd Elizabeth had effectively made relief the 'right' of the poor

⁸⁹ Hansard Parliamentary Debates, Third Series, Vol. 23, p. 995.

⁹⁰ Ibid.

and this in itself had made the law an intimidating one for those who were charged with administering its provisions. Thus, in a sense it was "necessary to erect a body distinct and separate from the local authorities to remedy these evils and to establish a uniformity of practice. . . ." ⁹¹ Sir Henry Willoughby (Evesham), on the other hand, was one of the few who asked what would happen to the poor following the establishment of the central board of commissioners. Paternalism would be destroyed by the government's very act of abrogation of responsibility for the poor, simply because:

The power of the common vestries, which . . . had a sympathy for and an influence over the poor, would be taken away; and that intermediate power between the poor and the rich being taken away, and the management and support of the poor being left to strangers and a distant and despotic power, the consequences would be dreadful. ⁹²

It was agreed that the House should sit again in committee, which it did on May 23, 1834. The fact that a process was in place to amend the poor laws seemed now to trigger a note of alarm that social relations would be affected. Sir Samuel Whalley (Marylebone) once again raised the question of a paternalistic relationship by asking if, by creating a central board of commissioners in place of the local magistrates, the government meant to sever the bonds that held the

⁹¹ Hansard Parliamentary Debates, Third Series, Vol. 23, p. 101.

⁹² Ibid., p. 1002.

various strata of society together by making:

the poorer classes look to a new and inferior class of Magistrates for protection, rather than the gentlemen of the country, for whom they entertained a high respect.⁹³

Edward Cayley (Yorkshire), in contradiction, said that:

the ultimate object of appointing this commission was certainly not to take from the Magistracy the exercise of the powers presently vested in them, but to create a uniformity of practice throughout the kingdom, and to ensure obedience to the law - objects which the Magistrates had hitherto been unable to effect. It was complained that this bill would establish an autocracy on the part of the Commissioners; but this complaint . . . was principally raised by those who were themselves anxious to establish autocracies in parish vestries.⁹⁴

Certainly while uniformity was desirable, it was acknowledged--even by the commission--that that its implementation would be difficult, due principally to the existing diversity in administration of poor relief. However, when the committee sat again on May 26, 1834, Poulett Scrope rose to state his opinion that the Poor Law Amendment Bill, which was currently before the Commons:

⁹³ Hansard Parliamentary Debates, Third Series, Vol. 23, p. 1277.

⁹⁴ Ibid., pp. 1284-85.

appeared to go to a length which was altogether uncalled for, and was, in fact, of so extraordinary a nature that he could scarcely reconcile it with the principles of common sense, much less with those of justice. [since] With all its defects, the Poor-law of England was a noble, a God-like institution, . . . For more than two centuries it had been the guarantee of [England's] internal tranquillity - the security of the lives of the poor - and for the property and peace of the rich.⁹⁵

It seemed to Scrope that the Poor Law Amendment Bill did nothing more than repeal the 43rd Elizabeth and subsequently placed "the lives and securities of the poor of this kingdom at the disposal of three commissioners."⁹⁶ By so doing, Scrope maintained, the government would be destroying:

the tranquillity, peace and order of society. . . . Remove the security which the people of England had enjoyed for centuries under the paternal shade of the Poor-laws; and either the just indignation of this class, at the shameless contempt shown of the legal and ancient rights, would speedily bring on a desolating convulsion, uprooting the whole framework of society from its foundations. . . . The country would be exposed to insurrectionary violence, and it would be found too late, that, by depriving the poor of their rights, the property of the rich as well as their security, would be destroyed.⁹⁷

⁹⁵ Hansard Parliamentary Debates, Third Series, Vol. 23, pp. 1321-22

⁹⁶ Ibid., pp. 1330.

⁹⁷ Ibid., p. 1333.

Lord Althorp contended that the government's intention was simply to return the law to what it had originally been, and not to destroy the poor laws entirely. William Cobbett was not convinced. On June 12, 1834 he contended that the appointment of commissioners to oversee poor relief was simply a ruse to "destroy the system of relief altogether."⁹⁸ He further insisted that "to pass any law to abrogate, to nullify, or to less [the] right of the poor [to relief] was a violation of the contract upon which all the real property of the kingdom was held,"⁹⁹ and accused the Chancellor of the Exchequer of not having "the honesty, the sincerity, the manliness, to deny relief directly [by putting] the power of denying it into the hands of his three red herrings stuck up in London."¹⁰⁰ While Cobbett saw the Poor Law Amendment Act as being nothing more than an attempt to "grind down the people of England and to take away their right of relief,"¹⁰¹ others were more concerned that any destruction of the relations between the magistrates and the poor would be less than beneficial. Sir Edward Knatchbull (East Kent), for example, felt that the magistrates should be maintained in their role of arbiters of poor relief:

⁹⁸ Hansard Parliamentary Debates, Third Series, Vol. 24, p. 386.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

in order to preserve and cherish that community of feeling between the Magistrates and the lower classes of society which was so essential to the satisfactory administration of the Poor-laws.¹⁰²

G.F. Young (Tynemouth) was of the same opinion, supporting the concept of charity to one's fellow men. For him:

The Constitution of this Country was dependent on the habits of the people, and he particularly thought all matters relating to charity, such as the relief of the poor, should be left to the feeling and good sense of the people without any interference on the part of the Government.¹⁰³

However, paternalism ultimately took a back seat to the perceived need to remedy the distress allegedly caused by the poor laws. Slaney was satisfied that the Bill would have the effect of "enabling the industrious poor to better their situation, and would, at the same time, afford great relief to the landed interest,"¹⁰⁴ while Wolryche Whitmore (Wolverhampton) felt that Parliament was "bound as legislators at once to meet the evil, which . . . if permitted to continue, would involve all the property and interests in the country in one common ruin. . . . [Thus] as legislators, they were bound at once to meet a great and increasing danger, and to apply an efficient remedy."¹⁰⁵

¹⁰² Hansard Parliamentary Debates, Third Series, Vol. 24, p. 432.

¹⁰³ Ibid., p. 918.

¹⁰⁴ Ibid., p. 920.

¹⁰⁵ Ibid., p. 1038.

In general, then, the Poor Law Amendment Bill, as proposed by Althorp, met with the general approbation of Parliament and on July 1, 1834 the Poor Law Amendment Act was passed with a majority of 137 (187 ayes; 50 noes). Anthony Brundage¹⁰⁶ contends that the New Poor Law was passed by the rich for their own benefit, since it incorporated the established 'deference communities' and thus sought to maintain the dominance of the aristocracy over the lower orders. While it may be difficult to see how this could be otherwise--since aristocratic authority had for so long been based on this premise--one must also take account of the agricultural distress in the years following the Napoleonic wars. The 'Swing' riots of 1830-31 were the culmination of years of this distress and alerted the aristocracy to the fact that they were not as secure as they would like to have been. While recognition of this fact helped to rekindle the waning fire of paternalism, the fire was never again to burn brightly.

While of allegedly different political mores, both Tory and Whig Parliamentarians had their bases in the land; they had no wish to be dislocated from their traditionally held bastions and consequently were anxious to consolidate both their positions and their property. The Poor Law Amendment Act of 1834, therefore, saw the inextricable involvement of the landed interest in its administration and,

¹⁰⁶ Anthony Brundage, in E.H.R., LXXXVIII, 342 (1972), 27-48.

consequently, in the drive to re-establish the pre-eminence of land and its duties. It may be argued that they achieved their goal, albeit in a limited way. It was an achievement, however, based not on true paternalistic ideals but on fear. As David Roberts admits, "Deep class changes and urgent social problems combined to place an enormous strain on old paternalistic ideas,"¹⁰⁷ and while the underlying principle was the duty of aristocracy to the lower orders, the dimension of fear loomed ever larger. The aristocratic fear of losing their pre-eminence in a changing political and social arena combined with a desire to reduce costs incurred for poor relief to allow the introduction of a policy of harsh deterrence in the guise of humanity. Thus was opened another dimension in the relief of the poor which will not be the subject of review here.

¹⁰⁷ David Roberts, Paternalism in Early Victorian England, p. 277.

FIGURE 14

PERCENTAGE OF POPULATION ON POOR RELIEF
BY COUNTY
1831

Berkshire	17
Wiltshire	15
Essex	14
Sussex	14
Dorsetshire	13
Oxfordshire	13
Buckinghamshire	12*
Huntingdonshire	12*
Suffolk	12*
Cambridgeshire	11*
Kent	11*
Hertfordshire	11*
Norfolk	11*
Herefordshire	10*
Leicestershire	10*
Bedfordshire	10*
Shropshire	10*
Hampshire	10*

Taken from Peter Dunkley, The Crisis of the Old Poor Law in England, 1795-1834: An Interpretative Essay, p. 46.

FIGURE 15
TOTAL EXPENDITURES ON THE POOR RATES
BY POPULATION
A COMPARISON OF 1821 and 1831 COSTS

Population		Total Expenditures Poor Rates		
	1821	1831	1821	1831
Principally Agricultural				
Norfolk	344,368	390,054	267,869	358,227
Suffolk	270,542	269,304	244,801	313,405
Essex	289,424	317,233	288,911	324,421
Sussex	233,019	272,328	276,499	328,709
Principally Manufacturing				
Lancaster	1,052,859	1,336,540	288,688	421,770
Staffordshire	345,895	410,485	151,177	179,036
Warwickshire	274,392	336,988	164,799	210,502
York, West Riding	801,274	976,415	330,510	376,092
England	11,261,437	13,089,358	6,674,938	8,316,651

Figures presented to the House of Commons on February 19, 1834 by Lord William Lennox.

Taken from Hansard Parliamentary Debates, Third Series, Vol. 21, pp. 551-552.

FIGURE 16
APPROXIMATE AVERAGE COST OF POOR RATES
PER HEAD OF POPULATION
A COMPARISON OF 1821 and 1831 COSTS

	1821			1831		
	£	s	d	£	s	d
Principally Agricultural						
Norfolk	0	15	6	0	18	4
Suffolk	0	18	1	1	1	1
Essex	0	19	10	1	0	5
Sussex	1	3	8	1	4	2
Principally Manufacturing						
Lancaster	0	5	6	0	6	3
Staffordshire	0	8	8	0	8	8
Warwickshire	0	12	0	0	12	6
York, West Riding	0	8	3	0	7	8
England	0	11	10	0	12	8

Figures presented to the House of Commons on February 19, 1834 by Lord William Lennox.

Taken from Hansard Parliamentary Debates, Third Series, Vol. 21, pp. 551-552.

CHAPTER VI.

CONCLUSION

Since medieval times society had been paternalistic: it was a paternalism which had a rural base and which could only work in a situation of deference and reciprocity. The ownership of land bestowed rights and privileges, but it also implied certain duties. The relationship of master and servant, then, was based on a pattern of mutual self-interest; yet it was also a personal bond, and while there was no equality in the social strata, the deference ideal ensured the maintenance of a certain social harmony and thus stability and order.

The duties which were inherent in the paternalistic society were so based in tradition that it was very difficult to induce the landowner, especially up until the 1830s, to discard them. A fundamental regard for those who worked one's land and a deference on the part of the labourers towards the landowner or tenant farmer was a considerable binding factor, and there was an innate abhorrence on the part of the landed interest towards breaking the bond which had for so long been part of their established social hierarchy. Thus it is not difficult to understand why there was a basic reluctance in the beginning to amend the poor laws. To make any change in the established ways of providing for the welfare of the poor would mean

a fundamental alteration in the very fabric of paternalistic society. It must be remembered, of course, that the central government was originally not involved in the administration of the poor laws. Indeed, the role of the government was essentially what it had been since the mid-17th century: to defend the country, maintain its external relations and to raise money by taxation to enable it to achieve those ends. It was left to the Justices of the Peace, themselves landowners and thus inherent paternalists, to maintain order and stability within the country. Here again, the application of relief was more likely to be based on traditional paternalistic thinking, with the moral duty of the landowner to labourer coming to the fore, and with poor relief being considered as contributing to the maintenance of order.

By 1807 the poor laws were regarded as both expensive and a root cause of many problems encountered in relieving the poor:

the system of our poor laws has served to degrade those whom it was intended to exalt, to destroy the spirit of independence, throughout our land; to to hold out hopes which cannot be realized; to encourage idleness and vice; and to produce a superfluous population, the offspring of improvidence, and the early victim of misery and want.²

² Hansard Parliamentary Debates, Vol. 6, pp. 920-21; Vol. 7, p. 55.

Poynter³ feels that the poor laws were attacked from an abolitionist standpoint, and although there was some call for total abolition, his thesis is one with which I do not agree. There was, however, a general appreciation that the system of providing relief to the poor was not all it could be, and while there was agitation to amend the poor laws, there there was also an insistence that paternalism should remain. Here, then, was a problem in itself, for in order to significantly amend the poor laws to 'encourage' the poor to be more self-reliant, the tradition of paternalism would have to be laid aside. Parliamentarians were hesitant to take such a step, especially since responsibility for the morality of the poor was one of the topics which the landowners had initially taken under their purview of 'guidance'. Furthermore, it was not specifically the cost of relieving the poor which was the focus of the problem. More important for the Parliamentarians was the subject of taxation in general, of which the poor rates were simply a part. Of course, there was interest expressed in bettering the condition of the working classes--although by no other means than by encouraging them to help themselves--but there was no question of removing the paternalistic hand. It had traditionally been the moral duty of the rich to support the poor, and this would continue to be the case.

³ J.R. Poynter, Society and Pauperism, p. xxii.

The fact that no action was taken on the poor laws until later in the period under review, would suggest that Parliamentarians in general were still inherently paternalistic and jealous of their authority, which they were in no hurry to relinquish. One must not, however, lose sight of the fact that politicians were also very much aware of the problems which France had faced in the recent past. There can be no doubt that English Parliamentarians were cognisant of the fact that there was always the possibility of a revolution similar to France's breaking out in their own country. As such, there had to be a perception by the general public that some attention was being paid to the plight of the poor, even though very little positive action actually resulted.

By the time discussion of the poor laws resumed in 1814, there had been a subtle change in focus. Morality, or the perceived lack of it, was now less important than the fact that the working man was unable to find a market for his 'property', i.e., his labour, and was thus less able to maintain his position in the paternalistic structure. If the poor were "unable to treat on equal terms with those to whom it was necessary"⁴ then the deference ideal could not be upheld and the reciprocity factor would not come into play. This was a cause for concern. If left to their own devices, the poor could join

⁴ Hansard Parliamentary Debates, Vol. 33, p. 62.

together to form a considerable threat to established society. Coupled with this, ever-encroaching industrialization and urbanization were already posing a threat. Commerce, finance and manufacturing had seen the growth of a 'new' ruling class--men ascended from the ranks of the middle classes to become landowners through no other means than their business acumen. It was these men who exhibited a different attitude towards poor relief. Theirs was not a paternalistic background; they had provided their own impetus to self-improvement and had employed their own talents and industry to achieve their goals. It was this new class of men who firmly believed that the poor should help remedy their own plight by their own efforts. Political economy was now the order of the day.

Tory governments, steeped as they were in aristocratic traditionalism, were not desirous of any change in the established order. John Curwen and others advocated legislation to return the system of poor relief to its original focus of individual charity, but Speenhamland had instituted a system of relief by which the poor had come to regard welfare as a right. The government was unwilling to take any action to change that perception. It was apparently better to keep the poor in a relative state of contentment rather than risk general and substantial discontent as a result of legislation. Apart from that, government had no wish to interfere in the localized

administration of the poor laws; centralization would not only put an added burden on government but would undermine the paternalistic authority of the local landowners. Thus, government was anxious that any proposals on the poor laws should come from individual politicians and be passed through Parliament without interference by the executive.

As population growth outstripped the demand for labour in the rural areas and the labourer was prevented by settlement laws from having the mobility he required to obtain employment elsewhere, the numbers of paupers relying on the poor rates increased dramatically. It was inevitable under such circumstances that the poor rates would increase. Hence the general clamour in Parliament was not only against the poor rates but against the burden of taxation in general which the landed interest had to pay. Despite the demand for reduced taxation, no positive action was taken by the government which, as has been noted, was not anxious to act as the pivot for change. Furthermore, the problem of rural--and urban--poverty was so daunting and the interest groups within Parliament so diverse that any individual bringing a bill before the House on the subject of poor relief could be virtually certain of being frustrated by the lack of consensus for change.

While no agreement could be reached on how best to correct the problems posed by the perceived maladministration of poor relief, there was a marked increase in the attitude that the poor were largely the authors of their own misfortune. As such, the attitude towards the

poor became less benevolent. The traditional paternalistic theory remained as a basis of social relations; however, increasing concern was expressed within Parliament over the possibility of insurrection in the country. Any change in the poor laws would mark a fundamental change in the nature of society; such a change in itself could prove disruptive. It was for these reasons that the government came to be regarded as the only authority capable of generating the necessary revisions in the policy towards the poor, and being able to ensure their success. However, because government had traditionally been localized, the implementation of a centralized policy was a major hurdle to be overcome. Undoubtedly the government was apprehensive about subverting the local established institutions which had the recognized capability of ensuring social stability, in favour of an untried, centrally-administered system which might provoke the very insurrection it was designed to prevent.

We see, then, a subtle change in the focus of concern for the poor. Up until 1820, dependent poverty had been regarded as a major problem, together with the indolence and vice which payments to the poor were alleged to generate. Accompanying the morals question was an even greater concern over the level of taxation, which was viewed by many as a prime cause of distress in the country--a cost of which the poor rates were a part. As discontent amongst the lower orders became more apparent, especially in the 1820s, there was a growing concern for the continued stability and order of the country. It was a concern

which was to be increasingly enunciated during the later years of the period under review.

The Elizabethan poor laws, albeit irregularly applied, had been able to deal with the problem of the poor in a rural, static society by decentralizing their management to the parish level. With high unemployment and low wages in the agricultural sector, especially after 1815, parishes were unable to cope with an increasing number of paupers. The settlement laws tended to aggravate the situation more by limiting free movement in the job market. Furthermore, the rural paternalism was unable to function in an urban setting where the personal element became obliterated in a confusion of overcrowded, dirty living conditions, and a new evolving relationship between the industrialist and his workers, where relationships were anything but personal and workers were hired and fired at random. There was definitely not the sentimentality in capitalism that there was in rural paternalism. The family unit which had existed harmoniously in the rural setting now came under pressure in the urban. Industrialization and, by extension, urbanization, offered migrant rural workers new expectations which were, for the most part, unfulfilled. The aristocracy of the towns were often men risen from the ranks of the middle classes, men whose philosophy was individualistic rather than traditionally collectivist; men who did not embrace the paternalistic philosophies. And urbanization tended to produce a new working class; one that was not willing to be as deferential as its forebears; a

working class oriented towards trade unions and a political awareness not known in the rural areas. It was a movement of the working class which had not been encountered before; one that was inclined even more to instill fears of insurrection into the ruling classes.

This industrial non-paternalism was instrumental in reducing poor relief to nothing more than a system of payments, given more grudgingly than charitably by the rich and received by the poor in a similar manner. Traditional paternalism, therefore, diminished under the influence of industrialization and urbanization on the one hand and, in agricultural areas, suffered from what one might call a crisis in identity: poor relief was desirable, but at what cost?

It is interesting that, throughout discussion of the poor law, the plight of the poor themselves received scant attention. As will be seen from preceding chapters, the focus of Parliamentarians rested primarily on the pressures faced by the landed interest as a result of taxation. This remains true throughout the period under review as far as most Parliamentarians were concerned. For the majority, the poor were considered able to stoically endure all hardships. Thus, to increase poor relief was simply to increase the public burden. However, as the burden imposed on the landed interests by taxation became a contentious issue, the plight of the poor became correspondingly more acute. The whole of that segment of society which was forced to accept deprivation and despair seemed about to be engulfed by unrelenting poverty, and saw itself as being deserted by

those upon whom it had come to depend.

Agricultural disturbances in the first quarter of the nineteenth century, especially in the south of England where the Speenhamland provisions had been widely adopted, were the only means by which the agricultural labourers could show their despair at a situation beyond their control. The riots of 1830-31, although largely unorganized and spontaneous, were the culmination of years of depression and deprivation which the labouring poor had endured. These riots were the beginning of a new relationship between the poor and those who provided for them. Peter Dunkley feels that, not only were the riots a means by which the labourers could show their despair, they also indicated:

the extent to which landowners had lost their grip on crucial aspects of rural life. . . . The riots . . . seemed proof enough that the resources of the old order, including popular patronage and paternal discipline, were no longer sufficient to ensure the content and obedience that were essential for the maintenance of stability. . . .⁵

Both Dunkley and Gertrude Himmelfarb⁶ point to the labourers as being

⁵ Peter Dunkley, The Crisis of the Old Poor Law in England, p. 106.

⁶ Gertrude Himmelfarb, The Idea of Poverty: England in the Early Industrial Age.

equally cognisant of the demise of paternalism and being equally concerned about it. Indeed, it is their contention that the riots were an attempt by the poor to enforce a return to traditional paternalism. This may well be the case, although it would seem to me that this presupposes a sophistication of thinking on the labourers' part which was not likely. Nevertheless, the problems of 1830-31 recalled the concerns expressed by Curwen and others a full decade earlier and brought home to the landed interest the fact that the relationship between the rich and the poor had seriously deteriorated. Thus, in the 1830s we see a call on the part of some Parliamentarians to renew the paternalistic reciprocity of rich and poor. Whether this call for renewal was based on fear of social upheaval or simply on a desire to return to the well-known traditions of the past might form the basis of future research; however, the riots had certainly signified that the overthrow of order and stability was a distinct possibility unless the overwhelming distress of the poor was addressed in a realistic manner. Political radicals, like Cobbett, made the possibility even more realistic. While the poor were by no means highly politicized, the insistence that political reform was an inevitability only served to heighten the apprehension felt by Parliamentarians. They were concerned that it was only a short step from economic to political rioting, and thus perhaps only a short step from order and stability to revolution.

Dunkley makes the point that "the formulation of social policy

. . . only began at the point when intolerable conditions were identified."⁷ Although he does not specify to whom the conditions had to be intolerable, it is evident that after the Swing riots of 1830-31, it was the rich who began to fear the consequences of working class unrest. Prior to that time, as long as the poor could draw on the poor rates, they were essentially considered a problem of minor significance to the rich. The riots, consequently, marked a hardening of opinion on the whole question of the poor and the poor laws.

It was, perhaps, the realization of imminent social turmoil which more than anything else prompted Parliament into action on the poor laws. As Dunkley notes:

The ways in which policy-makers perceived the problems confronting them, the means they had available to them, the effectiveness of those who remained attached to traditional institutions, and the influence of special interests affected the timing and . . . the shape of official response.⁸

Even before 'Swing' it had become increasingly apparent that the poor laws were in need of revision. The so-called Speenhamland system, so widely adopted throughout the country after its inception in 1795, had,

⁷ Peter Dunkley, The Crisis of the Old Poor Law in England, p. iii.

⁸ Ibid.

by that time become an unwieldy problem for the parishes, burdening them with the overwhelming problem of providing for an ever-increasing pauper population with inadequate resources. As we have seen, opposition to the poor laws took various forms and combined arguments of evangelicalism and political economy with those of paternalism and utilitarianism. Some opponents of the laws thought that more needed to be done for the poor; others felt that there was too much largesse. Others were concerned that by giving a wage supplement in the form of family allowance encouraged procreation without thought for the future, and produced a morally-defective society into the bargain. Still others felt that more effort should be made by the parish administrations to provide work instead of welfare for the poor, thereby encouraging a feeling of self-sufficiency amongst them. This, of course, would have been the best course to take. Unfortunately, although the proposition was a sound one in principle, industrial downturns, seasonable agricultural employment and population growth made it unworkable in practice. Furthermore, there were two inescapable facts to be confronted when dealing with the problem of poverty: the poor laws were extremely expensive and--because their administration was localized at the parish level--highly diversified.

Tory governments had their basis in the land and were cognisant that the possession of property endowed the owner with rights and privileges, and thus authority and power. Although the Tories, like the Whigs, had a reformist element, for the most part, they had little

interest in disrupting existing social structures. One must also bear in mind that, whatever their political fragmentation, the Whigs were basically the same as their Tory counterparts: they were aristocratic and eager to continue and support the traditional, property-based aristocratic authority. Anthony Brundage⁹ sees relief for the landed interest as the impetus behind the amendment of the poor laws, with the so-called New Poor Law being an act by and for the landed interest rather than for the poor. For Brundage, the purpose and result of the new law was nothing more than a reorganization and strengthening of the power of the aristocracy over their localities, thus ensuring the continuation of aristocratic authority and the payment of at least lip service to the requirements of traditional paternalism. On the other hand, one must take into consideration the espoused principles of the new law. Significant concern had been expressed for many years about the spiralling cost of the poor rates, coupled with the perceived decline of morality and a lack of a disciplined labour force--all allegedly occasioned by welfare payments to the poor. Such factors not only raised the spectre of instability and disorder, but highlighted a resentment of taxation, of which the poor rates were an integral part.

While sympathy for the poor remained, the methods of dealing

⁹ Anthony Brundage, "The Landed Interest and the New Poor Law: A Reappraisal of the Revolution in Government", in E.H.R., LXXXVIII, 342 (1972), 27-48.

with the problems posed by a distressed population became more harsh. With the passage of the Poor Law Amendment Act in 1834, paternalism became a centralized function of government and although this ensured the continuation of traditional aristocratic authority, it effectively shifted the responsibility for the poor from the aristocracy to the poor themselves. The harshness of the criteria for poor relief was purposely intended to act as an incentive to the poor to provide for themselves and the creation of a central board of commissioners was an effective means of allowing the government to abrogate its responsibilities in the matter of poor relief.

Throughout our examination of the poor law, there had been an expressed desire by Parliamentarians to return the poor to a state of independent, rather than dependent, poverty. Undoubtedly there was here a large element of self-interest on the part of Parliamentarians: the cost of poor relief was progressively higher as the years went by and, with the 'morally-defective' society that was produced by the payment of welfare as opposed to the provision of work, it might be said that the return on investment was insufficient. The problems faced by the poor did not disappear with the inception of the new poor law. While they continued to experience the poverty which had plagued them, especially since the end of the Napoleonic Wars, the Poor Law Amendment Act of 1834 in effect instituted a system which demanded a great deal of the poor and penalized them for being unable to live up to expectations.

There can be no doubt that the landed interest was involved in the administration of both the old and new poor laws. Brundage asserts--as does David Roberts and Gertrude Himmelfarb--that the new poor law "incorporated the many hierarchically-structured 'deference communities,'" ¹⁰ and, as such, did not differ from the old poor law since the authority of the aristocracy had always been based on hierarchical superiority. Furthermore, it was the aristocracy, in their role as Parliamentarians, who had to accept or reject the concept of poor relief. However, as the focus of the landed interest began to change, and as profit became the byword, the attitude towards the poor correspondingly began to change. The attitude of the 'old' paternalists, that the poor had a right to relief and the rich had a duty to provide it, was replaced by one which encouraged the labourer to find work in the open market rather than to rely on poor relief. This concept of 'self-help', sounded the death knell for the traditional paternalism, the "true, natural bond between classes," ¹¹ and the centralized paternalism which resulted from the Poor Law Amendment Act was not open to the individualistic approach which had been employed at the localized administrative level.

The final impetus to poor law amendment had been given by the riots of 1830-31. Prior to 'Swing', the cost of poor relief had been

¹⁰ Anthony Brundage in E.H.R., LXXXVIII, 342 (1972), p. 27. See also, David Roberts, Paternalism in Early Victorian England and Gertrude Himmelfarb, The Idea of Poverty: England in the Early Industrial Age.

¹¹J.R. Poynter, Society and Pauperism, p. 40.

considered an acceptable price to pay to maintain stability and order. The 'Swing' riots, both because they were widespread and took place during a time of radical agitation for political reform, alerted the governing classes to the possibility that there might be something more sinister--other than mere poverty--behind the uprisings. It was therefore a propitious time to take steps to deal with the question of poor relief--a question which had managed to evade a positive answer for a considerable time.

The Poor Law Amendment Act was passed by a Whig government with the support of the Tories. It may be that the Tories were in accord with the idea of reform simply because they were relieved that some action had, at last, been taken on the subject of poor relief. Yet, as was mentioned previously, both Tories and Whigs were aristocratic: revolution would take no account of party; the rich would suffer equally. Thus, the Poor Law Amendment Act of 1834 was in effect an aristocratic insurance policy. Had it not been for 'Swing', it is possible that no action on the poor laws would have been taken. The events of the early 1830s, however, together with political agitation for Parliamentary reform, focused attention on the possible overthrow of aristocratic authority. Thus, poor law reform in 1834 saw the demise of the traditional paternalism, and the institution of a "more cynical and calculating approach to charity, animated by fear of the poor."¹²

¹² David Owen, English Philanthropy, 1660-1960, pp. 97-98; quoted in Peter Dunkley, The Crisis of the Old Poor Law in England, p. 45.

APPENDIX A

LORD ALTHORP'S SPEECH TO THE HOUSE OF COMMONS ON THE BILL TO AMEND THE POOR LAWS

Lord Althorp, in rising to call the attention of the House to the existing laws for the relief of the Poor in England, said, that most undoubtedly the Motion which he was about to introduce for the consideration of the House, was one of as great importance as any that had ever been submitted to its notice. The present state of the Poor-laws of this country had long been a subject which had occupied the attention and engaged the minds of the ablest men in it, and various attempts had been made from time to time by persons very conversant with their operation and effects to amend those laws, to remedy the evils, and to correct the abuses engendered by them; but hitherto unfortunately all such attempts had uniformly been unsuccessful. Such was the state in which his Majesty's Ministers, when they came into office, found the present system of Poor-laws. They found, that for many years complaints had been made as to the mode in which the administration of the Poor-laws had affected every class more immediately connected with or interested in the soil,--the landed proprietors, the farmers, and the poor themselves; they found that the

administration of the Poor-laws had been injurious in its operation to every one of those classes; but, most of all, it had been injurious to the labouring classes themselves. Such being the case, his Majesty's Ministers thought it their imperative duty, as a Government, to apply themselves at once to this question, and to consider what course they ought to pursue with a view to remedy the evils connected with it--evils of long standing, and of serious injury to the country at large. After giving the subject that consideration which its importance demanded, they felt, that the best course to adopt in the first instance was, to issue a commission of inquiry. There had already been, they were well aware, many committees of inquiry in that House upon the subject, and a great mass of information had been in that way collected with regard to it. But such a mode of proceeding, it was obvious, always carried this defect along with it--that all such information being collected from gentlemen who had come up generally as volunteers to give evidence on the subject, each prepared with his own particular system as the grand remedy that ought to be adopted, it was greatly deficient in facts, while it was abundantly contaminated with opinions and theories. They had collected a vast deal of valuable information as to opinions on the subject, but not so much as to the facts connected with it; though he need not remark, that the latter species of information was by far the more important of the two, and was indeed indispensably necessary to guide the Legislature to anything like a safe and sound system of reformation. Under these

circumstances, His Majesty's Government thought that the best mode was to issue a commission to make inquiries in the country districts of the south, in order to ascertain what was the cause why in some parts of the country the Poor-laws were considered a benefit by parishes, while in others their operation had been ruinous and destructive, and why, in some agricultural districts, certain parishes existed in which the Poor-laws appeared to do no harm at all. In issuing such a commission of inquiry, his Majesty's Government conceived that this benefit (no small one) would at all events be reaped from its labours--that having a general view of the state of the Poor-laws and of their administration, and a large body of important facts connected with that administration, thus laid before the country, those parishes throughout the kingdom, where injurious effects had arisen from their operation, might profit by the experiments made in other parishes where different effects had followed, and might adopt the improvements which the examples of such parishes suggested to them. He would confess, that he himself had been one of those who, in the first instance, thought that the experiment of issuing a commission would be able to carry them nothing further than this, which, however, he conceived would be in itself a great benefit for the country--namely, the exhibiting the proofs how an improved management had produced an improved state of the Poor-laws in certain parishes, while in others bad management had been productive of the most calamitous results. He was ready to admit, that, having experienced the failure of so many attempts of the

Legislature to remedy the defects and abuses of the Poor-laws, he had not been sanguine that any legislative attempt which he might make would be more successful. It was under these circumstances, and with a view to guide the Legislature in its decision on this important subject, that the commission of inquiry had been issued; and he was borne out in saying, that the report of that commission was a most valuable document. It had shown to the whole country what was the state and operation of the Poor-laws in different parts of it. It had shown to the country what great improvements might be made in that state by exhibiting the trial and consequences of alterations and improvements in the administration of the Poor-laws in various parishes, while it furnished at the same time a frightful picture of the horror and misery occasioned in other parishes by the mismanagement of those laws. Even in that respect, leaving other considerations for the present out of account, the Report of the Commissioners would be productive of the greatest advantage to the country, and to no class more advantageous than to the labouring population. He believed that, in fact, it had been already productive of much good; he believed that the Report of the Commissioners--that was to say, the abstract of the evidence collected by them that had been published last session--had already operated in the most beneficial manner. It had been disseminated throughout the country; gentlemen in various districts had profited by the examples and facts which it furnished, and already improvements in the administration of the Poor-laws had been effected

in several parishes. He must say, however, that the principal advantage produced by the Report of the Commissioners was this--that it had exhibited such a picture of the bad effect of the Poor-laws in many districts of the country, that he did think it had now become the bounden duty of the Legislature to interfere and endeavour to remedy an evil fraught with the most destructive consequences to the whole community. He had already said, that the effects of the Poor-laws had been injurious to the landed proprietors, injurious to the farmers, and, above all, injurious to the labouring population. He would now assert, and he would appeal to the facts detailed in the Report of the Commissioners for the confirmation of what he stated, that the effect of the Poor-laws tended directly--he meant to say, that the present administration of the Poor-laws tended directly--to the destruction of all property in the country. It had been said, that this would lead to an agrarian law--it would lead to worse than that. An agrarian law was the division of property, but the present state of the Poor-laws in this country tended to the destruction of all property. He could not conceive any thing more fatal to the very class for whose benefit those laws had been enacted, than to allow them to go on in their present destructive course, without an attempt on the part of the Legislature to put a check on them. He begged, however, that in making that statement, he should not be understood as expressing his disapprobation of a well-regulated system of Poor-laws. So far from that being the case, he was of the opinion, that a well-regulated system of Poor-

laws would be productive of great benefit to the country. He was aware that he was now expressing an opinion contrary to the more strict principles of political economy. Indeed, those principles went further, for they even prohibited the exercise of private charity itself. The more strict principles of political economy implied that every man should be left to provide his own subsistence by his own labour--that he must know what his family cost--that he alone should provide for them; and that he ought to make a provision for the calamities which sickness and misfortune might bring upon him out of his previous savings. Such was the doctrine of political economy. But as long as we were accessible, not only to the feelings of religion, but to the dictates of humanity, we must be convinced that the support of those who were really helpless, and really unable to provide for themselves, was not only justifiable, but a sacred duty imposed on those who had the ability to assist the distressed. It was, therefore, to the abuses of the system of Poor-laws, not to the system itself--it was to the bad administration of those laws, not to their principle--that he objected. For a long period of years, the administration of the Poor-laws was free from the evils and abuses now connected with it. He believed, that he was correct in stating, that the present bad effects experienced from the administration of the Poor-laws dated their commencement from about the beginning of the present century, and that they originated in measures intended for the benefit of that class of the community--the labouring population--to

whose interests and welfare they were now most destructively opposed. A feeling at that period had got abroad, that discontent existed amongst the working classes of the country, and a principle was then adopted in legislation, which, though no doubt well intended, and though it might be said to be a very humane principle, had been productive of the most baneful effects. He was now alluding to the 36th George 3rd, in which the principle was laid down, that the relief to paupers ought to be given in such a manner as to place them in a situation of comfort. Now, however we might wish to place all our countrymen in a situation of comfort, to give such relief as that described in this statute, was, he considered, the duty of private charity, and should not be provided for by a compulsory rate. The effect of this law was, to give the Magistrates the power of ordering relief to be given to the poor in their own dwellings. That had been followed up by the Magistrates acting upon the same principle, which was so consistent with every good feeling of human nature, that it was impossible to blame them; and yet it was a great mistake, though originating, undoubtedly, as he had already said, in the best feelings that animate mankind. The consequence of it had been, to lead from bad to worse. All feelings of independence on the part of the labourers had been almost entirely extinguished in many parts of the country, and the result had been, that, instead of placing the paupers in a state of comfort, all the labouring population in many districts of the country had been reduced to a state of deplorable misery and distress. That

the present was a question of extreme difficulty no one who had given it the slightest or the most cursory attention could for a moment doubt. The length of time during which the operation of this system had been going on, in its consequences producing throughout whole districts of the country that distress which it was intended to relieve, rendered it impossible to expect that at once, or by any rapid measure of legislation, we should endeavour to counteract the evils engendered by it. The greatest caution was undoubtedly necessary in dealing with such a question; at the same time, the present system could not be allowed to continue. The consequences to which it tended were so frightful--the dangers incurred by leaving it as it was were so urgent and so great, that the Legislature was bound boldly to meet the difficulties of the case, and, while they acted with the utmost caution, to adopt right principles, and unflinchingly carry them into execution. They had the advantage, in legislating on this question now, that they were not working entirely in the dark, because, in many parishes in the country, a good system in the administration of the Poor-laws had been already adopted and acted upon. They could see how the system, improved and well-regulated, had worked in those parishes; they could see the advantages which had been there derived from it, and they were thus enabled to refer to experiments already made, to guide them elsewhere in the work of reformation. He was ready to admit, that it did not follow, that, because such experiments, tried in isolated and individual parishes, had been successful, that, therefore, the

same alterations, if adopted all over the country, would be attended with equal success. It was obvious, therefore, that to legislate successfully on this subject, to benefit by the examples already set, and the experiments which were now witnessed in successful operation, the House must act gradually, introduce the improved system into different parishes step by step, ascertaining its effects in its progress, and thus more certainly insure its final success. He was aware that there were many difficulties in following such a course, because they could not expect to find, in all parishes, the same zeal and ability which had caused improvements in particular parishes. To force improvements, which had been voluntarily made in one place, into another, very much enhanced the difficulty of legislating on the subject. He believed, that the number of parishes in which an improved system had been already, either entirely or partially, adopted, amounted to 100. In Berkshire, it had been adopted in two parishes; in Buckinghamshire, in one; in Cornwall, in one; in Devonshire, in one; in Dorsetshire, in one; in Hertfordshire, in three; in Lancashire, in one; in Nottinghamshire, in fifty-four; in Suffolk, in twenty-four; and in Brecon, in one parish. It appeared, therefore, that the experiment had been tried in every part of the country--in some districts, even, which had been extensively pauperized; and, in every one of them, he believed, the experiment had succeeded as far as it had been already tried. Notwithstanding such facts would justify them in acting on such an experiment--so generally, and, in so many different places, tried

with success--yet still he would say, that they should proceed with the greatest caution. If they should attempt, in an Act of Parliament, to fix a time when an alteration of the present system should take place, they might find themselves placed in this difficulty--that it might be fit to direct a change of the system at an earlier period in some parishes than others; that, in some districts of the country, though the evils inseparable from the present system had already begun to show themselves in all places, they had not yet reached the height in some which they had in others; and certainly, it would be impossible, at once, to apply the same system to parishes almost pauperized, and parishes where the evil was not so pressing, nor the distress so great. The course which, under such circumstances, he was about to recommend to the House for its adoption, was, he was free to admit, an anomalous one, and one which went to establish a new and a great power in the country. He would, however, ask the House to consider the alternative which they had between the measure he now proposed and leaving things as they were. He would again entreat the attention of the House to the frightful consequences of the present system, if it should be allowed to go on as it was proceeding. If it should proceed in its course of destruction for the future as rapidly as it had hitherto done, and that rapidity was likely as it went to be accelerated, what would be the result? At present some parishes had been actually abandoned, so heavy was the pressure of the rates, and so great the evils of mismanagement. The consequence was, that the neighbouring parishes were compelled to

support the poor of the deserted parishes, they, too, would soon be reduced to a similar situation, and this pauperism would stride with increased and every-day increasing rapidity throughout the land. He felt justified, therefore, under the circumstances, in submitting the present measure to the House. It was a measure he conceived, at all events, grounded upon prudence and caution. It was absolutely necessary that there should be a discretionary power vested in some quarter to carry into effect recommendations calculated he hoped, to introduce sound principles and the fruits of salutary experience into the administration of the Poor-laws. The principal subject then for them to consider was, where that discretionary power should be placed. If they vested it in the local authorities, or in the local magistracy, however well intentioned they might be, deprived as they would be of those sources of general information and comparison open to a board of Commissioners, and however excellent their motives, biassed as they must be by local prejudices and local feelings, it was plain that such a quarter would not be the fittest one to invest with a discretionary power for carrying the measure into effect. It was therefore his intention to propose, that his Majesty should be authorized to appoint a central board of Commissioners, vested with such power for that purpose. It would be necessary to invest the Board with extraordinary power, to enable it to accomplish the object proposed, but that power would be subject to the constant control of the Parliament and the Executive Government. There was one part of the administration of the

Poor-laws which, however difficult it might be to effect, yet was essentially necessary, and without which no discretionary power ought to be extended, and that was, to fix a day (and that day he should propose, in the measure he sought to introduce, to be in one of the summer months of the next year, when the agricultural labourers would, of course, be in full employment), when the allowance system, as it was called, should entirely and altogether cease. He was aware of the great difficulties which might be suggested to this proposition, but having for many years acted as a magistrate in a county in which the allowance system had been adopted, from his own experience of its operation, he was perfectly satisfied that so long as that system was permitted to exist, it would be impossible to carry into effect any suggested improvement, or to bring the Poor-laws into a better condition. The present was not the first time by many that he had advocated such a measure in his place in Parliament, for the purpose of preventing persons employed by individuals receiving parochial relief. He had supported a Bill which had been repeatedly brought before the House by his hon. friend the member for Shrewsbury; indeed, he had ever thought that such was the first step necessary to bring the Poor-laws into a proper state. He begged the House to consider on what grounds it could be thought that such a change could produce that difficulty and danger which he had reason to believe was so feared by some hon. Members. He admitted, that at first sight the proposition might appear difficult to adopt, but it was well to bear in mind that the payment of

labourers as much by the parish as was paid by their employers was, in many and innumerable instances, wholly derived from the parochial funds; so that the farmer gained an advantage which he ought not to gain--namely, that of receiving assistance for the payment of those whom he employed. Against any difficulty which might be opposed to the abrogation of the allowance system he would set off the advantage to be derived by the farmer from obtaining independent labourers, and if he lost a little money by paying full wages instead of employing men paid partly by the parish and partly by himself, he thought the advantage of having superior labourers, and his work better and more cheerfully done, would be found fully to compensate the pecuniary loss. He thought no man could doubt but that the change in the system would be productive of benefit and advantage to the labourers themselves. It was possible it might appear to some hon. Gentlemen that the agricultural labourer, having at present an addition from the parochial funds to the amount of the wages paid by his employer (that addition being regulated according to the number of his family), the effect of taking away that assistance would make it impossible for him to maintain himself and family. He (Lord Althorp) did not think such would be the case, for he believed, nay, he felt confident, that as the labourer regarded the parochial assistance now added to the wages he received from his employer as making the total wages to which he was entitled for his labour and industry, a very short time would elapse after the removal of that assistance before wages would rise to an

equivalent amount, and as soon as that was the case, the situation in which the labourer would be placed would be infinitely preferable to that in which he at present stood. He repeated, therefore, that before it was possible successfully to proceed with the amendment of the present system of Poor-laws, whatever difficulty might appear, it was absolutely necessary to get rid of this most leading error--the allowance system--an error which was the foundation of almost all the evils arising from the existing system. Having stated thus much, he again came to the consideration of the discretionary powers with which it would be necessary to vest the Central Commissioners. He need not say, that an immense advantage would be obtained by the establishment of an uniformity of system throughout the country, and therefore he proposed, that the Commissioners should have power to make general rules and order as to the mode of relief and for the regulation of workhouses, and the mode of relief afforded therein. He admitted, that these were great discretionary powers to be given to any body of men, but he should propose, as a check against any abuse, that before any such rule, order, or regulation so proposed by the Commissioners should be valid, it should be submitted to the Secretary of State, and remain forty days, and it could only be brought into action if during that period an Order in Council, issued for that purpose, did not prohibit it from being carried into effect. He observed some hon. Gentlemen seemed to dissent with this portion of the proposition; he admitted, that by this measure he was asking for extraordinary discretionary

powers, but at the same time he must contend that it would be utterly impossible to carry an improvement in the present system of Poor-laws into effect without acting upon great discretionary powers. If any hon. Gentleman would find a better authority in whom to vest these powers, he should be happy to attend to any suggestion to that effect; but as he believed no better or more competent authority could be established, he hoped the objection would not be generally supported by the House. To return to the powers which he proposed to vest in the Board of Central Commissioners; they would be enabled to make general rules and regulations subject to the approbation, or, he should rather say, the non-disapprobation of the Secretary of State and the Government, in the manner he had already stated--to have power to make specific rules and orders for the regulation and mode of relief of the poor in separate districts and parishes--to form unions of parishes in order to make larger districts--to arrange classifications of poor in the same or different workhouses, and also to have a general power of control in such unions as might be established without their consent, and to dissolve unions which might now exist. As to the unions when formed, each parish in such unions must maintain its own poor, or contribute to the general fund the proportion of expense which it had heretofore borne itself. He did not mean to say, that it was not intended to empower individual parishes, if they so thought fit--that was to say, if the vestries in each parish should agree to such a proposition--to make a different arrangement, but he thought it was

desirable that parishes should have power to unite for the purpose of parochial settlements, and for the Poor-rates altogether. Such a power, however, ought not to be vested in the vestries of parishes themselves, as such a body could not be considered competent to form satisfactorily or safely such unions. He should also propose, that the Commissioners should have authority to suggest to parishes or unions of parishes the propriety of adding to their workhouses, or of building new workhouses, as circumstances might require. In the present state of the agricultural interest of this country, he should be sorry to place in the power of any body of men the authority of compelling the expenditure of any large sum of money, but he at the same time should wish that the Central Commissioners should be invested with power to call the attention of parishes and unions to the state of their workhouse establishments, and to suggest to them the propriety of adding to those formed, or building, separate or distinct establishments. He should also propose, that in certain cases a difference should be made in the constitution of parochial vestries. At present these bodies were composed of rate-payers and no one else, and in many instances the means of a large expenditure was inflicted on those who had no vote in the vestry. He should, therefore propose, that with respect to raising permanent sums of money, such as for the purpose of facilitating emigration, and improving and building workhouses, the landlord as well as the occupier of land should have a vote in the vestry. It was only equitable that such should be the

case, because where the occupier had not been long in possession of a farm, and had very little interest in the expenditure, it was most desirable that the permanent interest in the land should have a vote in these cases. He had already stated, that from the conclusion of the last century up to the present time, the Magistracy of this country, though acting with very good feeling of humanity, had in the administration of the Poor-laws fallen into considerable mistakes, and he had himself, in his own situation of a Magistrate, not unfrequently felt bound to act upon bad and erroneous principles in this respect. With this view he should propose, that justices should not in future have the power of ordering parochial relief to persons in their own houses--he meant outdoor relief to the poor. This would not be an alteration of the present law, but would be a restoration of the law to the state in which it was previous to the year 1796, a period since which the abuses in the management of the Poor-laws had very considerably increased. He had now submitted the main and principal part of the propositions which he had to propose for the adoption of the House. The House would now see, that the effect of this measure was, to stop the allowance system--to deprive the Magistracy of the power of ordering out-door relief--to alter in certain cases the constitution of parochial vestries--to give large discretionary powers to the Central Commissioners--and to carry into operation further regulations which might be found essential, in order to improve and bring into a good state and condition the present system of laws

regulating the relief of the pauper portion of the community. There remained, however, two other subjects to which he should also wish to call the attention of the House. The first point was with reference to the existing law of settlement. He need not say to those who were acquainted with the subject, that the present law was most complicated in its character, involving great litigation, and consequently considerably expense, to every parish in the country. In addition to these evils, a still worse effect arose from the present law; he alluded to its interference with the free circulation of labour. The worst portion of the law was that which gave a settlement by hiring and servitude, but he was inclined to say, that every mode of acquiring a settlement ought to be abolished except only those of birth or marriage. With regard to the mode of fixing birth as the test of settlement, he should say, that the children should follow the settlement of their parents until they attained the age of sixteen years, and that after that period their settlement should be fixed at the place of their birth. To the proposition as to settlement he only anticipated two objections. The first was the hardship which would be inflicted upon an individual who had quitted the place of his birth in early life, and in another parish supported himself for a long series of years by his own industry, by his removal when fallen into want and decay, and thereby become chargeable on the parish, to the place of his nativity. He was aware that such might be the case; but he did not think, that when a man had supported himself in a distant parish from

that in which he was born, by his industry and labour to an old age, it would be likely that he would be so destitute of friends that his removal would be permitted. The other objection was not intitled to so much weight as that to which he had alluded. It was generally considered that the best labourers were those who did not belong to the parish in which they exercised their industry, and that the effect of making birth the test of settlement in all cases would be, that such labourers would always come back to their own districts. From his own experience he could say, that he had seen as good labourers in the parish of which they were natives as those who did not belong to it; but even if the latter were the best servants, as was supposed, he did not think that any man would speculate on a settlement sixteen years hence, and on that speculation abstain from his giving employment to those whom it would be most to his advantage to have in his service. He, therefore, conceived the fears which might be entertained from a change in this respect were merely imaginary, and, in his opinion, the advantages to be gained by the removal altogether of local settlements otherwise to be acquired, were so great as completely to counterbalance the objections which he had anticipated. One of the advantages to be gained would be the complete simplification of the system; the apprehensions at present entertained by the farmer of hiring a man for longer than fifty-one weeks lest he should gain a settlement would be abolished; the removal of his clothes from the house of his employer within that period for a day would become unnecessary, and, therefore,

it would follow that the farmer would not hesitate to take the labourer best calculated to suit his purposes, and consequently the labourer who best deserved it would obtain employment. These advantages were of themselves important; but to them must also be added the immense diminution in the expenses of litigation on questions of settlement, because by simplifying the law the difficulty of proof which at present prevailed would be almost entirely removed, while, at the same time also, it would give a freedom to labour which would be beneficial to the whole population of the country. He had also already spoken of another alteration in the present law, with respect to orders of removal, and of appeal therefrom. He would propose that it should be provided in the measure he hoped to introduce, that no order of removal should take effect until a copy of that order, and of the examination upon which it had been pronounced, should have been served upon the authorities of the parish to which the removal was contemplated; and he should further propose that every notice of appeal should set forth the precise grounds upon which it was to be sustained, and also that it should be provided, that on the trial of such appeal before the Quarter Sessions nothing should be pleaded or discussed, and no points raised beyond those stated in the notice given in the manner he had suggested. He need not say, that the first of these measures would have a very considerable tendency to prevent litigation, inasmuch as the parish which was sought to be burthened with the maintenance and support of a pauper would be enabled to ascertain whether or not it was properly

chargeable; whereas, under the present state of things, it was well known that removals of paupers were made under mistake, and those mistakes were not discovered until the appeal was brought before the Quarter Sessions. The second regulation which he proposed also was calculated to prevent litigation, because by such explicit statement the parties ought to be affected would be enabled to judge whether they had any prospect of success by opposing, and if not, the order would necessarily be abandoned. Such would be the case as to the amount of litigation between individual parishes; but he must remark that by the change he proposed, the advantage would be still greater by the union of parishes, which would diminish considerably the number of pauper removals. There still remained another point bearing upon the subject of the existing Poor-laws, and on which, though he had long felt considerable difficulty, he felt himself forced to come forward on the present occasion to state the opinions entertained by himself and the Government: he alluded to the law as it now stood relating to illegitimate children. On this topic he did not hesitate to say, that the present state of the law in this respect was a direct encouragement to vice and immorality, and that the effect of imprisoning the reputed fathers of illegitimate offspring, frequently the finest young men in the country, was to demoralize and corrupt them, and the consequent mischief and injury inflicted upon the whole community was incalculable. He begged hon. Members to consider the state of the law as it at present stood. If a woman chose to swear, that she was

pregnant of an illegitimate child, the party whom she charged upon oath as the father was ipso facto liable to be committed to prison until he could find security for the maintenance and support of the child. Now, hon. Members must know the difficulty to which a labourer in husbandry so situated would be exposed, and that difficulty in finding securities not being surmounted, the effect of the law was the committal at once of the individual to prison for five or six months, there to be associated with the very worst characters. He would, therefore, take away such a power of imprisonment, and at the same time make the mother liable for the support of her child, in the manner and mode of a pauper widow. He felt most completely the difficulty and delicacy of the subject, but he was equally confident that it might be proved to demonstration the proposed change, so far from increasing demoralization, would be in every manner beneficial to the country at large. He believed he had now gone through all the various important topics which would be embraced by the Bill which he hoped to have the honour to introduce. He was fully aware of the importance of the measure--no man felt that more strongly than he did, but he believed--nay, he was confident--if it was successful, that the benefits to the country would be very great. He was, however, aware of the fact, that by the proposition he had now submitted, the Government exposed themselves to the opposition of those who pretended to be the friends of the labouring poor; he, however, would fearlessly assert that the measure he had proposed was designed principally for the

benefit of that portion of the population of the country; and they would, he was satisfied, be the gainers by the measure if it were successful. He confidently anticipated that it would have the effect to restore the British labourer to that degree of independence for which he was once proverbial, and to raise him from the condition of a pauperized slave. So far from the labourer being apprehensive as to the effect of the abolition of the allowance system, he believed he would hail it as a great boon. The labourer ought to be remunerated for his industry according to his own merits, and not on a scale regulated by the number of his children; by this change, therefore, the advantage would be given to the most industrious and meritorious. At present no difference existed between the good and the bad, both were in the same situation as to remuneration, if such could be called the subsistence derived from the abuse of these laws. It had been said, that poverty ought not to be visited as a crime. In that sentiment he most entirely agreed; but it was impossible to prevent it as a misfortune. In every attempt which had been as yet made to remove that misfortune, instead of confining it to those who suffered under the chilling hand of poverty, the misfortune had been extended to almost every other class. It was with these views, and in the hope that the House would give it that calm and deliberate attention which the momentous importance of the measure demanded, he should conclude by moving "That leave be given to bring in a Bill to alter and amend the law relative to the relief of the poor in England and Wales."

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