

CHAPTER 4. RURAL CRIME IN WORCESTERSHIRE 1790-1829

Most historians accept that by the 1820s the condition of England's agricultural labourers had worsened considerably with periodic economic depressions having a major impact at both county and local level. Periodic depressions in Worcestershire had adverse effects on at least two of the chosen parishes, but other studies based on the southern counties in the 1820s suggested that the position there was even worse. By 1823, 8,263 people out of a total of 21,718 inhabitants in 16 Kent parishes were classified as paupers and of these, 682 able bodied were wholly unemployed.¹ In Essex, in 1827, 634 labourers in 31 rural parishes were wholly unemployed,² while in Eton Socon, Bedfordshire, the numbers of able-bodied men receiving allowances rose markedly from 1821 to 1834 and there were never less than 100 receiving relief during this period.³ Giving evidence to the Select Committee on Labourers Wages in 1824, the Reverend Philip Hunt of Bedford, a local clergyman, claimed that there was a surplus of 30 to 40 able-bodied labourers in several of the county's parishes for whom no work could be found.⁴ Whilst one cause of unemployment lay in the immediate after effects of the agricultural depression of 1817 to 1820, this simply exacerbated established trends in some agricultural areas. Giving evidence before the Select Committee on Agriculture in 1820, Robert Crycroft Harvey, a farmer at Aldburgh, admitted that in his part of Suffolk there were fewer hirings by the year and men and women were usually hired a few days after Michaelmas until the following Michaelmas. This meant that agricultural servants served just under a full year without gaining Settlement; an increasingly common practice aimed at ensuring that local poor rates did not rise any further.⁵

There was similar evidence from Worcestershire, where it seems clear that the distinctions between farm servants and day labourers were becoming increasingly

¹ Alan Armstrong, *Farmworkers: a Social and Economic History, 1770-1980* (London: Batsford, 1988): 72.

² Armstrong, *Farmworkers* : 64. Armstrong, however, did not give the total population for these parishes.

³ Snell, *Annals of the Labouring Poor*: 207.

⁴ BPP, *Agriculture, Volume 1, Report from the Select Committee on Labourers' Wages 1824*: 36.

⁵ BPP, *Agriculture, Volume 1, Report of the Select Committee on Agriculture 1820*: 41.

blurred. For example, as early as 1813, Samuel Oliver of Droitwich could only get a six month hiring at Ombersley and William Nott, another labourer, who had regular yearly hirings before 1809, could only find weekly employment between 1810 and 1812.⁶ That said, agriculture was not depressed nationally. Armstrong pointed out that in northern areas like Cheshire and Nottinghamshire, agricultural labourers' wages rose during this period faster than prices.⁷ In southern England although there was evidence of falling wages, the price of food and common household items also fell. Armstrong found, however, that cottage rents remained high, that fewer labourers received regular weekly wages and fewer families benefited from the supplementary income of wives and children.⁸ At best, falling prices made only a marginal difference to the lives of southern labourers and those families with supplementary incomes probably benefited most.

With little opportunity for overt protest, some historians argued that labourers adopted traditional forms of protest in the form of arson and the threatening letter, particularly in high price years.⁹ Whilst these were undoubtedly offences against the legal code it has been argued that they were inevitable reactions justified by labourers' 'unwritten popular codes'. This led to offences such as arson being seen in certain circumstances as a 'social crime', sanctioned by popular opinion and a protest aimed against an unpopular event or innovation.

E. P. Thompson was amongst the first to suggest that whilst labourers vilified some criminal activities, such as wife or child murder, they condoned certain anti-establishment crimes such as coining, poaching, smuggling and the evasion of taxes. Thompson also argued that some riots were more than spontaneous protests since they were often planned and directed by individuals in order to bring about economic or social change.¹⁰ The problem, as highlighted by Thompson in *Whigs and Hunters*, was that what labourers thought of as justifiable actions, the judiciary considered to be capital offences. Although Thompson pointed out that the Waltham Black Act Of 1722 was initially passed to suppress marauding gangs going armed and disguised in the forests of Waltham, it was the basis for much

⁶ WCRO: BA/35721/13, See examinations of Samuel Oliver, 3rd June, 1814 and William Nott, 22nd, May 1812.

⁷ Armstrong, *Farmworkers*: 66.

⁸ Armstrong, *Farmworkers*: 67.

⁹ Wells, 'The Development of the English Proletariat', 41-44.

¹⁰ Thompson, *The Making of the English Working Class*: 69-70.

subsequent punitive legislation. Under the Black Act, some forms of poaching were considered to be capital offences, as was the destruction of trees in avenues, gardens, orchards and plantations. The Act also covered offences of killing, maiming or wounding livestock and setting on fire any house, barn, out-house, hovel or any stack of corn, straw, hay or wood. Overall, the Act embraced a wide range of crimes and Thompson argued that it was specifically aimed at the rural poor. Nevertheless, judges usually invoked technicalities to avoid inflicting a capital penalty wherever possible, so that the application of the Act remained uneven and unpredictable.¹¹ The victim's attitude to the crime also affected the outcome since capital verdicts were more likely to occur if the victim decided to press for such a verdict. Yet despite this legislation and the danger of execution, labourers continued to commit offences legitimised by popular opinion.

In the late 1970s John Rule strengthened the case for social crime by distinguishing between crimes that were part of a rural 'black economy', like poaching and smuggling, and those which were forms of social protest representing genuine collective grievances rather than motivated by economic necessity.¹² More recently, Shakesheff applied Rule's criteria to determine the type and incidence of social crime in rural Herefordshire and linked it to a significant number of offences.¹³ For Shakesheff, crime, poverty and protest were the by-products of capitalism and 'criminality' was created by those who made and enforced the law rather than by those who suffered its consequences.¹⁴ Whilst accepting the danger of romanticising crime, he found many cases of arson, sheep stealing, crop stealing, hedge breaking, wood theft, trespass and offences against the game laws were social crimes rather than acts committed by habitual criminals. Some of these offences, like wood theft, usually had connections with ways in which rural labourers traditionally supplemented their incomes and some offences could be traced back to enclosures and the end of labourers' common rights.¹⁵

¹¹ Leon Radzinowicz, *A History of English Criminal Law and its Administration* (London: Steven and Sons, 1943) Vol.1: 51-68. The Act therefore made no distinction between crimes of necessity and offences seen by some historians as motivated by 'class warfare'.

¹² J. Rule, 'Social Crime in the Rural South in the Eighteenth and Early Nineteenth Century', *Southern History*, Volume 1, (1979), 138-139.

¹³ Shakesheff, 'Crime, Petty Crime and Social Crime', 23.

¹⁴ Shakesheff, 'Crime, Petty Crime and Social Crime', 9.

¹⁵ Shakesheff, 'Crime, Petty Crime and Social Crime', 10. This means that without clear evidence of motivation, the demarcation point between 'social crime' and ordinary crime can be difficult to apply.

Clive Emsley, however, had argued earlier that, whilst some rural labourers committed social crimes, there were also many criminal gangs of both poachers and sheep stealers motivated not by want, but stealing to supply a ready market of urban poulterers, innkeepers and victuallers.¹⁶ Emsley believed, however, that exploring the concept of social crime was valuable because laws governing offences like poaching and crop theft were not universally accepted and that some social groups and local communities undoubtedly legitimised some types of theft.¹⁷ His survey of criminal activity during this period also revealed that hard evidence relating to crime and the causes of crime was difficult to come by. Before 1805 there were no national statistics and when these were first published in 1834 they came under six simple headings regardless of the severity of the crime involved:

- Offences against the person
- Offences against property involving violence
- Offences against property not involving violence
- Malicious offences against property (including arson and machine breaking)
- Offences against the currency
- Malicious offences (including riot, sedition and treason).¹⁸

Emsley suggested that although ideas changed over time, some increases in criminal activity resulted from new laws being passed which created offences where none existed previously. That said, he also detected a gradual increase in all criminal offences from the second half of the eighteenth century onwards. He argued that the number of criminal offences was relatively steady until 1811, but rose sharply in rural areas after the Napoleonic Wars, with peaks in 1817 and 1819. This was followed by a brief decline until 1825 and then a sharp trend upwards to another peak in 1832. These peaks coincided with years of economic depression and periods of social unrest suggesting that more rural labourers were being driven into crime out of necessity.¹⁹ Emsley's argument concluded with a reminder that

¹⁶ Clive Emsley, *Crime and Society in England 1750-1900* (Hong Kong: Longman, 1987): 3. The same point is made by Frank McLynn, *Crime and Punishment in Eighteenth-Century England* : 210.

¹⁷ Emsley, *Crime and Society in England*: 5.

¹⁸ Emsley, *Crime and Society in England*: 19.

¹⁹ Emsley, *Crime and Society in England*: 27-29.

although modern historians have justified the case for social crime, contemporaries looked at criminals through Malthusian blinkers. In the early nineteenth century criminals were thought to be motivated by moral weakness; their numbers increasing because those in poverty had become too used to idleness. Responsibility for moral weakness in rural areas was also blamed on country gentry who preferred a life of indolence in London to staying at home and supervising the local poor.²⁰

Emsley also believed that rural arson was not necessarily motivated by personal distress or 'the class war'. Arson was sometimes the result of a family feud or farmers defrauding insurance companies and there were some career incendiaries, like George Serle of Belper, who simply delighted in lighting fires.²¹ He also believed that some cases of rural animal maiming involved personal feuds, but suggested that others, involving injuries to an animal's sexual organs, implied perverted sexual gratification rather than a means of social protest.²² He conceded, however, that customary practices like gleaning and collecting firing were becoming restricted during this period. This meant that labourers who persisted in exercising customary rights were committing a social crime because what was permissible under an unwritten popular code had become subject to new laws, which criminalized the rural poor. That said, Emsley also argued that there was never a blanket assault on gleaning by all rural magistrates and that other offences, such as apple stealing, like poaching, were sometimes the work of organised gangs.²³

The exploration of crime in rural Worcestershire in this study set out firstly to determine whether crime rose in periods of agricultural depression and, if so, which crimes were the most prevalent. Secondly, it looked for evidence of social crime in Worcestershire and whether the depression of 1815 to 1820 led to an increase in collective forms of protest such as bread riots, arson and the threatening letter. The third purpose of this study was to determine what surviving records could reveal

²⁰ Emsley, *Crime and Society in England*: 52.

²¹ Emsley, *Crime and Society in England*: 81.

²² Emsley, *Crime and Society in England*: 80-82.

²³ Emsley, *Crime and Society in England*: 104-107.

about labourers' everyday lives. However, just as Emsley and Tobias²⁴ had difficulties with a lack of national data, this study, not surprisingly, had a similar problem with a general lack of data for Worcestershire during this period.. Shakesheff had similar difficulties regarding rural Herefordshire and concluded that existing records for the early nineteenth century probably understated existing criminality since many crimes went unrecorded and many reported cases did not necessarily end up in court.²⁵ This was also true in Worcestershire, despite the fact that, in theory, JPs were always on duty, either waiting for cases to be brought before them or investigating criminal activity in their own neighbourhoods. Eventually, it became the practice for two JPs to hold regular meetings at Petty Sessions to determine whether offenders had a case to answer and to refer these cases on to the Quarter Sessions in Worcester. Even then, an offender's guilt or innocence was open to question, because there were reward systems for the successful prosecution of offenders. Although these were repealed in 1818, courts were still able to pay all the expenses involved in the arrest and prosecution of an offender.²⁶ Such rewards, may have acted as an incentive for more crimes to be detected or for offenders to be arrested for trivial offences on insubstantial evidence.

On the other hand, it was also true that prosecution was not inevitable in rural parishes and Douglas Hay (1975) has pointed out a number of circumstances where prosecution might not take place. An accused man, for example, could post a bond promising not to offend again or be given the choice to leave the neighbourhood. Sometimes a prosecution was not pursued, so that the threat of prosecution hung over an offender as a possible threat in the future. Offenders could also escape prosecution by making compensation for the crime or by simply throwing themselves on the mercy of the person bringing the prosecution. It can also be assumed that some prosecutions were not brought for fear of reprisal.²⁷

²⁴ Emsley, *Crime and Society in England*: 18. J.J. Tobias *Crime and Industrial Society in the Nineteenth Century*, (London: Batsford 1967) (Middlesex: Harmondsworth 1972): 24.

²⁵ Shakesheff, 'Crime, Petty Crime and Social Crime', 36.

²⁶ Anthony Babington, *The Rule of Law in Britain* (1978) (Chichester: Barry Rose, 1995): 198-197.

²⁷ Douglas Hay, 'Property, Authority and the Criminal Law', in Hay (et al) *Albion's Fatal Tree, Crime and Society in Eighteenth-Century England* (London: Allen Lane, 1975): 41.

However, in order to determine which crimes were committed most frequently during this period, 977 Quarter Sessions prosecutions were examined and some crimes involving agricultural labourers were considered in detail. The 977 cases broke down into the following categories:

Table 4.1: Number and Type of Criminal Offences in Worcestershire
1795-1820

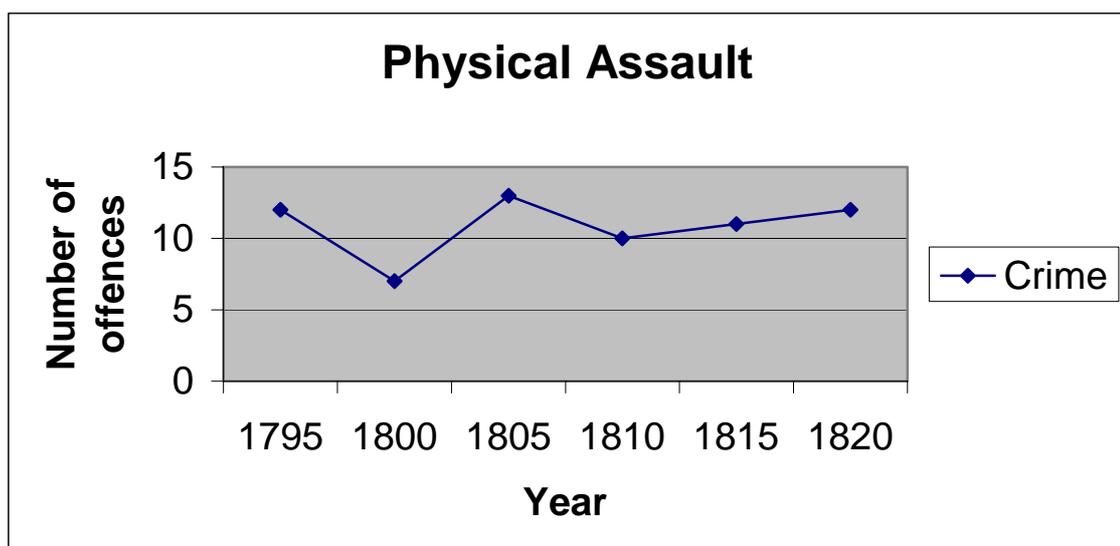
Offences against the Game Laws	200
Theft of household clothing/materials	132
Theft of crops	131
Theft of equipment/tools	95
Theft of livestock (including poultry)	73
Theft of coal/iron	70
Physical assault	65
Theft of food/wine	40
Theft of timber/wood	37
Theft of household goods	35
Theft of money	26
Threatening behaviour	24
Counterfeiting	19
Theft from boats	12
Employment disputes	6
Sexual offences	5
Deception	3
Arson	3
Attempted murder	1

It was noticeable that the most numerically significant crimes, such as poaching and crop theft, were those which some historians have associated with the concept of social crime: offences against the game laws, crop theft and theft of livestock. It was also noted that few cases of arson reached the Assizes during this period despite the fact that many such incidents were reported in local newspapers, usually as an indicator of rural unrest. The offences examined also showed an

unexpectedly high incidence of agricultural labourers being involved in thefts of household clothing, physical assault and threatening behaviour. This was not surprising, however, given that allowances made under the Old Poor Law were predominantly for clothes, shoes and bedding and were basic necessities that the poorest sometimes needed desperately. In many cases thefts of clothing simply involved rural labourers stealing shirts, shifts and shoes from each other, or sheets and garments left on hedges to dry. Cases of physical assault and threatening behaviour were also common features of rural life and usually involved incidents fuelled by drink, husbands abusing their wives, or quarrelsome neighbours. Just as there was often a dark side of the village, there was also a dark side to marriage, although cases of domestic violence only usually came to court when injuries were severe or a husband's regular violence was no longer socially tolerated.²⁸

It was also interesting to note that when offences were put into graph form, the incidence of crimes of physical violence was constant across period suggesting that they were part-and-parcel of everyday life. This was in stark contrast to other types of offences.

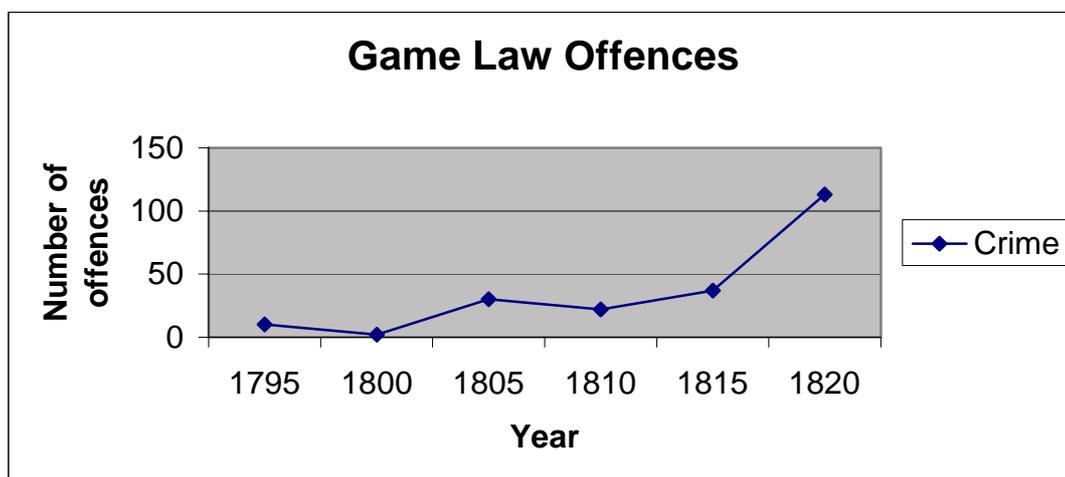
Figure 4.2: Cases of Physical Assault before Worcestershire Quarter Sessions
1795-1820



²⁸ For a feminist perspective see A. Clark, 'Humanity or justice. Wifebeating and the law in the eighteenth and nineteenth centuries', in C. Smart (ed.), *Regulating Womanhood: Historical Essays on Marriage, Motherhood and Sexuality* (London: Routledge, 1972).

The graph for physical assaults was included to demonstrate a pattern of offences that was relatively constant throughout the period 1795 to 1820, apart from some fluctuation between 1795 and 1805. This fluctuation was probably linked to both the increased numbers of men absent during wartime and the fact that 1800-1801 was a year of high prices and increased unemployment and underemployment. The relative stability of this pattern, however, was in stark contrast to offences most linked to social crime, which rose from 1795-1820 and significantly between 1815 and 1820. This evidence reinforces the view that crime was rising sharply during this latter period, largely due to an increase in food related offences taking place during a major period of agricultural depression.²⁹ The sharpness of this rise in relation to the major depression of 1815-20 can be seen clearly in the following series of graphs and corresponds with other studies which indicate that crime rose markedly during this period:³⁰

Figure 4.3: Cases of offences against the Game Laws heard at Worcester Quarter Sessions 1795-1820



²⁹ Shakesheff, 'Crime, Petty Crime and Social Crime', 179-180. This view is also held by Emsley, and Wells.

³⁰ Jones, *Crime, Protest, Community and Police*: 4.

Figure 4.4: Cases of Crop Theft heard at Worcestershire Quarter Sessions
1795-1820

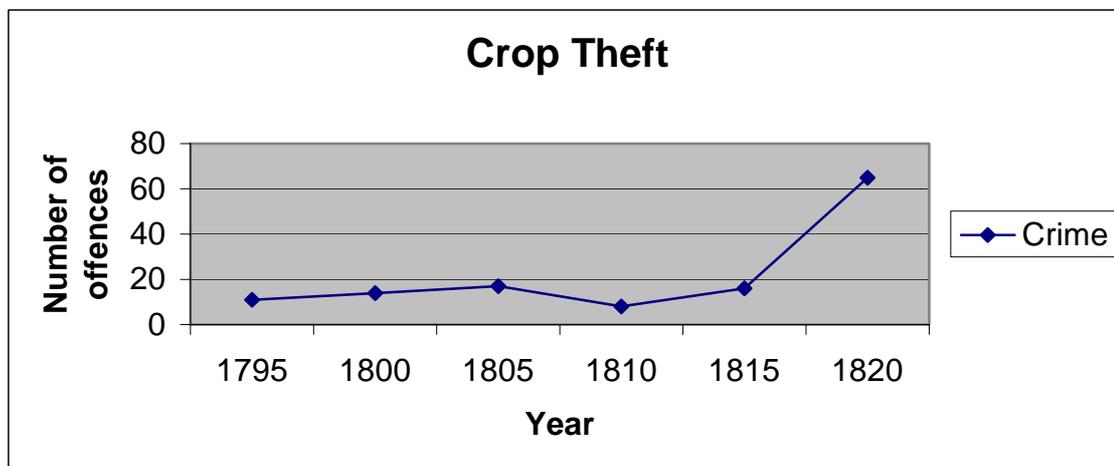
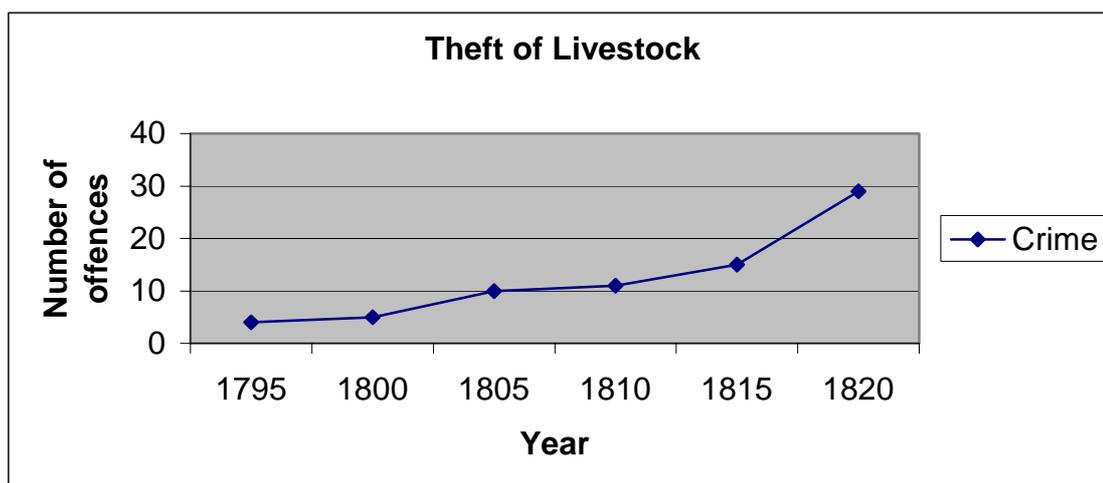


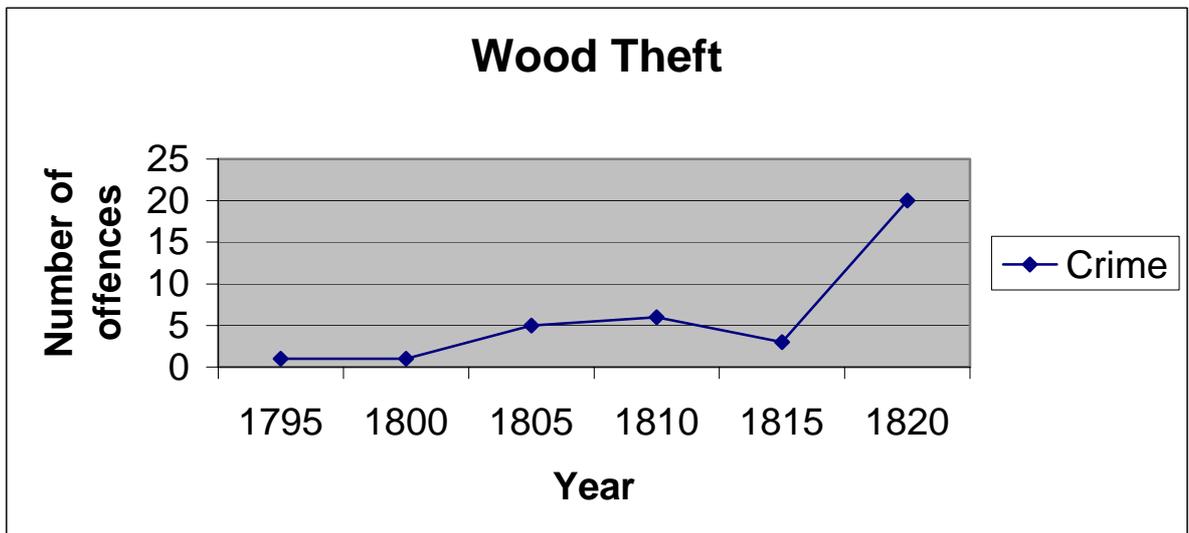
Figure 4.5: Cases of Livestock Theft (including poultry) heard at
Worcestershire Quarter Sessions 1795-1820



With regard to wood theft, there were frequent newspaper reports about hedging and fencing being stolen from enclosures prior to 1815, but few cases of

wood theft came before Quarter Sessions. Many offences, therefore, appear to have gone undetected or simply failed to result in a prosecution. Newspaper attitudes were ambivalent towards such thefts. They were generally sympathetic to individuals who stole hedging for fuel out of necessity, but condemnatory when such thefts appeared widespread. The graph for wood theft is included here because one theft of timber considered later was probably a social crime even though the offender was a carpenter rather than an agricultural labourer. That said, in keeping with all crimes, except physical assault, the number of offences for wood theft rose sharply from 1815-20:

Figure 4.6: Cases of Wood Theft heard at Worcestershire Quarter Sessions
1795-1820



Finally, thefts of household clothing, farm equipment and tools also rose sharply 1815-20 (See: Figures 4.7 and 4.8). This was in keeping with the fact that clothing and tools were necessities and essential to maintain respectability as well as employment. That said, there was also some evidence that agricultural equipment was stolen for sale rather than personal use.

Figure 4.7: Cases of Clothing Theft heard at Worcestershire Quarter Sessions
1795-1820

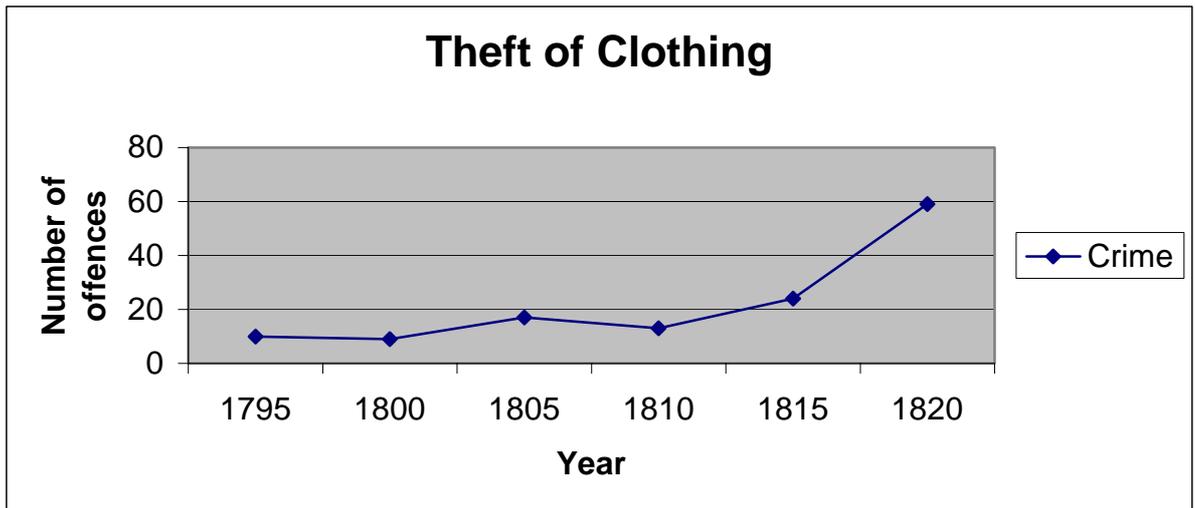
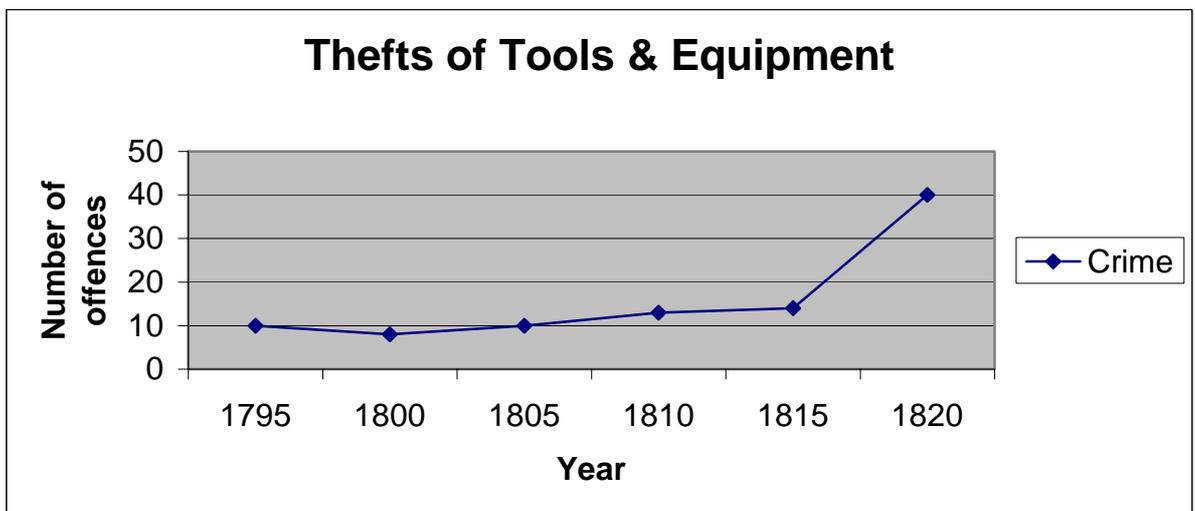


Figure 4.8: Cases of Tool and Equipment Theft heard at Worcestershire
Quarter Sessions 1795-1820



The fact that all crimes rose significantly during the agricultural depression of 1815-20 suggested a strong link between rural unemployment and rising crime. This fact was not lost on contemporaries:

The business of the various Quarter Sessions, both judicial and criminal, has exceeded all precedent. The number of offenders presents a melancholy evidence of the demoralised state of the poorer orders, which, however, it is but charitable to place to account of the want of employment and other distresses so generally felt within the last two years. At almost every sessions, the trials of the poachers have been unusually prominent. We are sorry, though not surprised to observe, that the increasing severity of the law against poaching does not seem to have diminished the crime, but has rather tended to increase the daring of the poachers.³¹

Stealing game, crops or livestock out of necessity, however, did not automatically mean that all such offences in Worcestershire could be linked to the concept of social crime. To fall into this category, there had to be some contemporary evidence that Worcestershire labourers had unwritten social codes that tolerated certain kinds of criminal activity whilst abhorring others. There also needed to be evidence that criminal offences could be seen as overriding customary practice and therefore invoking spontaneous protests aimed against anyone seen as ending specific customary rights or deviating from acceptable moral behaviour. Whilst such evidence was difficult to find, it was not impossible, although a detailed examination of some crimes found that not all were so easily categorised.

To begin with it was not hard to find evidence that many agricultural labourers had strong moral principles about certain criminal offences. Poor though they were, they sometimes took collective action to prevent further abuses.³² William Appleby, for example, was the son of an impoverished labouring family at

³¹ *BWJ*: January 29th 1818.

³² The roots of such morality were undoubtedly complex and probably involved a mixture of popular culture and elements of religious instruction. Morality was also influenced by notions of 'fair play', conformity to group values and the 'moral economy' of the crowd.

Hanbury and was duly placed out by the parish overseers as an apprentice to James Griffin of Feckenham, a needlemaker. As was typical in cases of apprenticeship, no check was made on Griffin as an employer and the overseers were no doubt relieved to get another pauper out of the parish. James Griffin and his son, however, treated their young apprentice with abominable cruelty by starving and beating him on numerous occasions. Once, when William took some garden beans and unboiled potatoes to bed to eat raw, he was beaten with a large stick and cut with a knife. On another occasion Griffin put a halter round the boy's neck and hauled him up to the height of the ceiling before dropping him onto the floor and kicking him. The boy was so hungry that he was once driven to eat a raw pig's pizzle.³³ These incidents of cruelty, however, had been witnessed by others, including Thomas Lewis, who had seen William at Griffin's house after one of these beatings and noticed that it took the boy half an hour to put his stockings on, because his injuries left him unable to stoop. Elizabeth Phillips of Feckenham, James Griffin's washerwoman, had seen the pig's pizzle and been told by her employer that Appleby had eaten part of it.³⁴ Somehow, these people, or others, reported William's ill-treatment to his father in the neighbouring parish and on 17th March a group of Feckenham villagers accompanied William Appleby Sr. to help him remove his son from Griffin's premises. A furious Griffin behaved aggressively towards William's father and threatened to beat the boy whenever he pleased.³⁵ The crowd's moral indignation and strength of numbers prevailed, however, and William Appleby took his son home.

The significance of this incident lay in the fact that nobody asked anyone in the village hierarchy to intervene on behalf of the badly abused young apprentice, nor were any parish officers asked to take part in the rescue. This may have been due to the fact that the Hanbury vestry had apprenticed the boy in the first place and would probably have been unwilling to break a legal contract. Instead, those who intervened and acted as witnesses against Griffin comprised labourers and a village washerwoman. It was also William Appleby Sr. an

³³ WCRO: BA/110/543/34, Easter Quarter Sessions, 1796. Testimony of William Appleby Jr. 18th March 1796.

³⁴ WCRO: BA/110/543/34, Easter Quarter Sessions 1796. Testimony of Thomas Lewis and Elizabeth Phillips 24th March 1796.

³⁵ WCRO: BA/110/543/34, Easter Quarter Sessions 1796. Testimony of William Appleby Sr. 18th March 1796.

agricultural labourer, who reported the ill-treatment to the magistrates. Ordinary people, therefore, had a moral code and felt duty bound to take personal action when their own code of conduct for communal behaviour had been violated. More importantly, perhaps, this incident suggested collective action for the common good and showed village morality was not simply centred on the need for hounding adulterers with ‘rough music’ and the Skimmington ride.³⁶

There was another interesting case of physical assault, which could have fitted into the category of social crime, although it could also be called a symbolic crime because of the rank and status of the two antagonists. In 1792, Joseph Knight of Lenchwick had Articles of Peace taken out against him, in his absence, by Charles Grove, Gentleman of Norton and Lenchwick. The case came about because Grove had seen Knight in his farm rickyard with a large quantity of hedge stakes on his back and ordered the labourer to put them down immediately. Knight threw them to the ground, but seized one and threatened to knock Grove down with it. Just over a month later Knight was again found in the rickyard and Grove, who had rode in on horseback, immediately asked him to leave. This time Joseph Knight hit Grove across the thigh with the wooden part of a plough saying, ‘Damn your old bones. I will give you a damned good dressing some time’.³⁷ Whilst it was impossible to determine what Knight was doing on Grove’s property, the significance of this case lay in the symbolic power relationship between farmer and labourer, which was clearly based on existing notions of status and authority. Because Knight was physically strong, he felt that he had no need to defer to Grove’s sense of economic superiority and higher social status. Not surprisingly, however, Knight left the parish quickly after these incidents, since threatening and assaulting his social superior was certain to result in imprisonment. Grove pursued a legal means of redress not simply because he had been physically assaulted, but because his ‘natural’ authority had been undermined by Knight’s refusal to kowtow to him. As Knight’s superior, the law would have been on Grove’s side regardless

³⁶ Both of these were features of collective action usually taken against adulterers or other sexual miscreants. Villagers usually gathered outside the offenders’ houses at night and banged tin kettles and saucepans together before sometimes forcing the inhabitants out and parading them around to humiliate them.

³⁷ WCRO: BA/110/37, Midsummer Quarter Sessions, 1792, Articles of Peace exhibited by Charles Grove of Norton & Lenchwick, Gentleman against Joseph Knight late of the parish of Norton and Lenchwick, 12th July 1792.

of any assault, simply because the law's view of master-servant relationships was framed to punish any form of disobedience of a master's orders. Although Knight was not an employee of Grove, he was clearly not behaving in a way expected from someone of inferior status.

Although there was some evidence that labourers shared a sense of outrage at the treatment of poor apprentices and that at least one was unwilling to defer to a wealthy farmer, evidence was still required to demonstrate that labourers condoned specific incidents of criminal activity in Worcestershire that could be designated as social crimes. All crime rose sharply after 1815 and included cases where the poor were as likely to steal from each other as they were from local farmers. Periods of agricultural depression also made some individuals more desperate than others, leading to opportunistic thefts regardless of the consequences. For example, during the depression of 1810, Honor Smith went to the house of Mary Dinely, one of the prosperous residents of Peopleton, in order to beg food for her children. Mary Dinely gave her food, but while Smith was inside the house she spotted a shawl and handkerchief left on the dresser by Jane Heming, a visitor. Despite being given charity, Honor Smith took the articles, which were missed almost immediately. Since Honor Smith was the only potential culprit, she was taken to the Magistrate immediately and the goods recovered. Although there were clearly mitigating circumstances in this case, Mary Dinely was probably incensed by the fact that Smith was biting the hand that had literally fed her. On the other hand, Honor Smith's straitened circumstances suggested that she was stealing out of necessity, if not out of desperation. Although condemned by her superiors, village neighbours, who might only be one step away from such necessity themselves, would possibly have condoned Honor's actions.³⁸

It would be unwise, however, to categorise thefts committed in prosperous times as social crimes and this particularly applied to crop theft, and crop thefts associated with gleaning provided an interesting example. Although gleaning was increasingly under attack throughout the period 1790 to 1820, it was still practised in some parts of Worcestershire and groups of poor women were still able to go

³⁸ WCRO: BA/110/599/73, Easter Quarter Sessions, 1810. Information and Complaint of Jane Heming against Honor Smith.

into the harvest fields to glean at the end of each day's reaping.³⁹ The trouble was that some of them were not averse to stealing as well, as illustrated by the behaviour of four women in a case that came before the Quarter Sessions in 1807. On the 18th August 1807 William Day, a Bromsgrove nailer, was walking in the fields at six o' clock in the evening when he saw a sheaf of wheat sail over a hedge and land by a hayrick. As he drew nearer, he saw some women climbing over the hedge after it and hiding the sheaf behind a haystack. He then went closer and observed four women leasing from the sheaf of wheat. Day then confronted them and said he would report them to the owner of the wheat field. The women's response was simply to laugh and claim the sheaf they were leasing came from the haystack. The nailer then reported the theft and the owner subsequently found several sheaves missing from his field.⁴⁰ The women were prosecuted and fined accordingly. There were no known mitigating circumstances and 1807 was not a year of scarcity. William Day, despite his own low status as a nailer, might have had less natural sympathy for the women gleaners than if he had been an agricultural labourer. It might also have been the case that Day was rewarded by the farmer for information that led to a successful prosecution.

From the 1790s onwards, many landowners and farmers experienced increasing amounts of crop and livestock theft, and damage to property, which led to the formation of local associations for the prosecution of felons. Most associations, like the one at Alvechurch, which was formed in 1790, offered substantial rewards depending on the seriousness of the crime. A reward of five guineas, for example, was offered in cases of burglary and arson, whilst 10s 6d was the reward for apprehending those stealing turnips or damaging fences and posts.⁴¹ These rewards may have attracted informants and led to more labourers being

³⁹ WCRO: BA/110/585/57, Michaelmas Quarter Sessions, 1806. See information on gleaning in the Deposition of Sarah Kent, widow and Mary Barns widow of Longdon, 7th October 1806. Where gleaning still existed in Worcestershire it appeared to have been generally available to the poor rather than restricted to relatives of the landowner's employees.

⁴⁰ WCRO: BA/110/589/54, Michaelmas Quarter Sessions 1807, The Examination of William Day of the parish of Bromsgrove in the said county, nailer, 21st August 1807. Such cases were not uncommon. In the Michaelmas Assizes of 1804, a labourer, John Priddy, was charged with pulling barley from a rick and putting it in his sack. He had been given permission to lease by a farmer, Thomas Wall, who subsequently had Priddy prosecuted for crop theft.

⁴¹ *ABG*: March 8th 1790. By 1810 associations existed in most Worcestershire villages e.g. Tenbury Wells 1786, Kings Norton 1797, Worcester 1805. Hagley, Lutley, Clent, Pedmore and Broom all formed associations in 1809.

prosecuted for taking livestock or stealing crops, although later evidence suggested otherwise.⁴² Nevertheless, Worcestershire farmers certainly began to initiate prosecutions against labourers for damaging fences and posts and for ‘wood gathering’ which, until then, many labourers probably still regarded as a customary right. At the Michaelmas Quarter Sessions in 1807, for example, two labourers’ wives, Sally Waters and Mary Perkins, were convicted of taking a quantity of stakes and wood for firing from the farm of Richard Dowding at Wick Episcopi.⁴³ Such prosecutions were low in number between 1790 and 1815, but rose markedly from 1815 onwards, because offences increased – as indicated earlier - during the agricultural depression. Indeed, so prevalent was wood theft by the spring of 1817 that *Berrow’s Worcester Journal* referred to it as, ‘a great and growing evil’ since fences and hedges were being destroyed across the county.⁴⁴ Not surprisingly, therefore, when a case did come before the assizes after 1815, those guilty of damage to woodland were dealt with severely. One case, however, was worth noting in detail, because the men involved may well have been committing a social crime rather than a criminal act.

In the early summer of 1818, three Belbroughton labourers – John Brineton, Edward Palmer and James Payne – were taken to court by the Reverend George Blakison and Benjamin Seager, a farmer, for lopping wood from oak trees. The three men were found guilty. Edward Palmer, probably seen as the leader, was fined 20 shillings for his offence and John Brineton with James Payne fined 10s each, probably well beyond their means to pay.⁴⁵ What was interesting about this case, however, was that the offence took place on May 29th, Oak Apple Day. In Worcestershire Oak Apple Day not only celebrated the anniversary of Charles the Second’s restoration, it also celebrated the day he had hidden in the ‘Royal Oak’ at Boscobel, after the Battle of Worcester. An Act of Parliament in 1664 ordered that May 29th should be a day of thanksgiving and a special service was inserted in the

⁴² BPP, *Crime and Punishment: Police, Volume 8, 1839-1853*. In their *First Report* of 1839, the Commissioners taking evidence about establishing an efficient police force heard evidence from Barnet that such societies were ineffective until they employed officers to patrol a district to prevent crime. It was suggested that farmers might well know who local offenders were, but were afraid to prosecute because of reprisals.

⁴³ WCRO: BA/110/589/40/41, Michaelmas Quarter Sessions. Prosecution papers relating to the case of Sally Waters and Mary Perkins.

⁴⁴ *BWJ*: March 17th 1817.

⁴⁵ WCRO: BA/110/633/142-144, Midsummer Quarter Sessions, 1818, Memorandum of conviction.

Book of Common Prayer. It was customary on this day for people to wear sprigs of oak with gilded oak-apples.⁴⁶ The Belbroughton labourers were clearly taking oak branches from the tree as part of Oak Apple Day celebrations as a customary right, although it was unclear whether they intended to sell sprigs of oak to others as a means of earning money during the depression or whether sprigs were to be given away gratis. The significance of this prosecution was two-fold. Firstly, it was instigated, in part, by a local clergyman at a time when Oak Apple Day involved a special Anglican service designed to promote loyalty to the Monarchy amongst the general population. Secondly, Oak Apple Day was widely celebrated in Worcestershire from the 1790s onwards as part of a conservative reaction to the French Revolution. In 1821, for example, it was reported that the Mayor of Worcester organised a pageant and procession of the Corporation, trades and clubs, while in country districts village clubs walked in procession to celebrate the day.⁴⁷ Since agricultural labourers were clearly encouraged to celebrate the day and believed they had a customary right to wear sprigs of oak leaves, why were these particular labourers prosecuted and punished with heavy fines? Part of the explanation could have been that they taking undue quantities of oak branches for sale or distribution, or because oak was a much more valuable commodity and after the Napoleonic Wars landowners tried to ensure that undue vandalism did not affect the value of their timber. It might simply have been the case, however, that these labourers were asserting their customary rights as a means of protest regardless of the consequences.⁴⁸

In his evidence to the Select Committee on Labourers' Wages in 1824, however, the Reverend Philip Hunt of Bedford also claimed that crime in Bedfordshire was rising because able-bodied young men on low pay were turning to poaching and other misdemeanours in order to save sufficient money to get married.⁴⁹ Another witness, John Danns of Little Stukely, Huntingdonshire,

⁴⁶ Ivor H. Evans (ed.), *Brewers Dictionary of Phrase and Fable* (revised) (London: Cassell, 1971): 771.

⁴⁷ Bill Gwilliam, *Worcestershire's Hidden Past* (Cutnall Green: Halfshire Books, 1991): 37. The *Worcestershire Herald* reported on June 2nd 1821 that the Mayor was accompanied by the city band, the Lodge of the Druids, the Orange Club and the Society of Odd Fellows.

⁴⁸ Wood was such a valuable commodity that the government of the day appointed a Minister of Woods and Forests.

⁴⁹ BPP, *Select Committee on Labourers Wages 1824*: 36.

claimed that young labourers could not manage on their wages because they had expectations above their station and had got used to eating wheaten bread instead of the old barley loaves that he was satisfied with in his youth.⁵⁰ There was some evidence in Worcestershire that by 1820 unemployed young male labourers were regarded with similar suspicions, albeit by a minority of local farmers, clergy and overseers. There was a distinct campaign to get rid of unemployed young men from Ombersley between 1820 and 1821, for example, when four young men aged between twenty and twenty-five years old were removed from the village. A little earlier than this, in 1818, four young Fladbury labourers, Robert Stephens, Thomas Green, Thomas Ingles and Samuel Beard, were each fined 3s 4d for playing football on the afternoon of 27th December at the same time as a church service was going. This prosecution again seemed a little harsh since the men were playing football during the Christmas holidays, a time of customary celebration. The fact that they were reported on the 27th December and fined by the magistrate two days later on the 29th December indicated a certain level of animosity and intolerance.⁵¹ Perhaps their game had been seen by the local vicar who was affronted that they were playing close to church property when they should have been in church.

Although fining young men a significant amount of money, about half a week's wages, seems harsh and vindictive, many magistrates and judges appeared to be following advice laid down by William Paley in his *Principles of Moral and Political Philosophy* (1795). In this book, Paley argued that punishment was the best means of preventing crime and that it also had to reflect the seriousness of the crime. Fines were important for minor offences, but capital punishment had to be passed for some crimes, because even if prisoners were reprieved, it was good for them to have the 'dread and danger' of execution hanging over them.⁵² Paley was also particularly concerned about the relationship between masters and servants and recommended strict punishment for servants who disobeyed their masters or stole

⁵⁰ BPP, *Select Committee on Labourers Wages 1824*: 9.

⁵¹ WCRO: BA/110/636/150, Epiphany Quarter Sessions 1819. Memorandum of conviction. Such incidents, however, could also be seen as symptomatic of the contemporary view that even the rural unemployed might prove a focus for dangerous political agitators. See Jones, *Crime, Protest, Community and Police*: 17.

⁵² V.A.C. Gattrell noted, however, that sentences tended to be harsher in times of social unrest or if a particular crime appeared to be on the increase. He also noted some judges had aversions to particular types of crime. V.A.C. Gattrell, *The Hanging Tree*, (Oxford: Oxford University Press, 1994): 540.

from them whilst in positions of trust.⁵³ Radzinowicz thought Paley extremely influential and his views were certainly reflected in sentences passed in Worcestershire throughout this period and in speeches made by magistrates at the opening of Worcestershire Quarter Sessions. Such speeches generally involved some moralising about the state of agriculture, the employment of labourers and generally supportive of landowners and clergy in their dual role of both alleviating distress and punishing crime. Local newspapers summarised such speeches and always published detailed reports of the Quarter Sessions at Worcester, particularly trials that ended in a sentence of death. There were, however, occasional exceptions. When, as noted, *Berrow's Worcester Journal* reported on the cases before the Quarter Sessions in January 1818, the paper linked increased crime to agricultural distress and noted that the severity of the Game Laws had not prevented a marked increase in poaching because of the prevailing economic circumstances.⁵⁴

Although offences against the Game Laws and other forms of livestock theft could both be classified as social crimes in times of economic depression, an initial examination of both offences in Worcestershire indicated that it was unwise to see all offences involving livestock in the same light. In particular, sheep stealing and poultry theft had close links with the historic nature of Worcestershire agriculture. Both crimes were particularly prevalent in the eighteenth century in areas of open fields, commons and wastes. This was because sheep belonging to several owners grazed together and chickens, geese and ducks were 'free range'. In these circumstances, it was relatively easy for individual livestock like sheep or fowl to vanish without being missed immediately. For example, in 1757 when Joseph Rowbottom stole a sheep from Pedmore Common and another from Stourbridge Heath, he was able to do so because as well as belonging to several owners, the sheep were counted irregularly and so it was some time before their owners reported them missing.⁵⁵ Nor was Rowe's case a rarity. Sheep stealing was a regular occurrence in the 1750s and 1760s and incidents increased markedly during the food crisis of 1766-67. It was likely, however, that sheep theft was stimulated

⁵³ Radzinowicz, *A History of English Criminal Law*: 254.

⁵⁴ *BWJ*: 29th January 1818.

⁵⁵ WCRO: BA/3762, *Foley Scrapbook* 10c, Vol. 5: 365. Account of the King v Joseph Rowbottom.

by a ready market for meat as well as sheep being a target for hungry labourers. Although Shakesheff has suggested that the thefts of single sheep were often a labourer's defence against hunger⁵⁶, killing a sheep and skinning it on the spot in order to take away the meat required a relatively high level of skill especially as most thefts occurred on winter nights and the sheep-stealer had to skin and joint the meat in the dark. Such offenders were canny enough to realise that the head and skins of the beasts were of no use to them since all sheep were marked and many farmers and shepherds could recognise their animals by their faces and markings. It was likely, therefore, that these were superfluous to requirements and too dangerous to carry away rather than being deliberately left in the fields as symbols of labourers' impoverished conditions. That said, there were incidents in Herefordshire where heads and entrails of animals were deliberately put on display or thrown into a farmer's garden as a sign of contempt.⁵⁷ No such evidence, however, was found in Worcestershire, although this thesis has uncovered the fact that two of the 'Persore rioters' involved in the Last Labourers' Revolt of 1830 were known sheep stealers who killed for both profit and personal consumption.

The situation in Worcestershire and other Midland counties, in the 1760s, however, was markedly different from Shakesheff's rural Herefordshire between 1800 and 1832. Whilst Shakesheff found little evidence wholesale theft of sheep to supply a commercial market, the reverse was true in the Midland counties. For example, the theft of 16 sheep at Sutton Coldfield in March 1766 was clearly the work of highly organised gang, since it would take a number of criminals to herd the sheep, secure them and transport them to a safe hiding place.⁵⁸ Since these sheep were probably stolen for their meat, the gang would also need premises to act as a slaughterhouse and somewhere safe to dispose of the carcasses. The discovery of 40 sheep skins in a disused coal pit near Wellington in Shropshire and reported on the same day as the sheep stealing at Sutton Coldfield, suggested there were similar gangs elsewhere able to steal on a large scale. Such gangs probably had a

⁵⁶ Shakesheff, 'Crime, Petty Crime and Social Crime', 109.

⁵⁷ Shakesheff, 'Crime, Petty Crime and Social Crime', 104.

⁵⁸ *ABG*: March 10th 1766.

ready market for meat in the rapidly developing industrial towns of Birmingham, close to Sutton Coldfield, and Ironbridge, close to Wellington.⁵⁹

Between 1795 and 1815, however, there was less evidence of sheep stealing in Worcestershire. This may have been because, as Shakesheff has pointed out, sheep stealing was a capital offence and those convicted were almost inevitably sentenced to death or, if the sentence was commuted, transported for life.⁶⁰ On the other hand, the incidence appeared to have decreased with the growth of enclosure. When fields were hedged and fenced in, animals no longer shared common pasture and their numbers could be counted more easily. With the decline of sheep stealing, the most common forms of livestock theft were those of chickens, ducks and geese and a fuller account of this type of theft will be given when considering the impact of crime on each of the chosen villages.

The number of cases of poaching, however, showed the most dramatic increase over the period in question and offences continued to rise as the 1820s progressed. This raised important questions about why the number of cases increased so rapidly, to what extent poaching could be designated a social crime and whether any incidents of poaching were symbolic acts and forms of social protest. Not surprisingly, modern historians' views on poaching tend to be emphatic and partisan. Wells, for example, saw poaching as endemic during the eighteenth century, rising in direct correlation to prices, motivated by hunger and usually directed against the propertied classes.⁶¹ Shakesheff took the same view, although he did accept that this crime also occurred in years of full employment and reasonable prices, suggesting that there were other reasons for its prevalence amongst rural labourers. He suggested that most labourers did not see poaching as a crime and that some offences against the Game Laws could be seen as labourers protesting against 'class-based legislation'.⁶² Jones points out, however, that although contemporaries cited temptation, demoralisation and distress as reasons for poaching, a distinction has to be made between individual poachers and poaching gangs. He believes the latter were generally motivated by profit and

⁵⁹ *ABG*: March 10th 1766.

⁶⁰ Shakesheff, 'Crime, Petty Crime and Social Crime', 107.

⁶¹ Wells, 'The Development of the English Rural Proletariat and Social Protest', 42.

⁶² Shakesheff, 'Crime, Petty Crime and Social Crime', 160.

sometimes poaching to order. Poaching gangs also behaved differently to individual poachers, since they were more likely to be armed and intimidating.⁶³

Figure 4.3. in this chapter indicated a clear correlation between increased offences against the Game Laws and the post-1815 agricultural depression. The real difficulty lay in determining whether significant numbers of labourers were poachers throughout the period 1790 to 1820 and whether they were in any way protesting against landowners as representatives of the 'propertied classes'. Available evidence indicated that between 1795 and 1815, the cases that reached the assizes did not tend to involve only labourers. Of the seven cases tried in the 1802 Quarter Sessions, for example, four of the men charged were, respectively, a cordwainer, a blacksmith, a weaver and a farmer. Two farmers were amongst the six men charged in 1805 and the eight men charged in 1808 included a baker and a barber. Taking game, therefore, was as much a sport for some men as it was a crime of necessity for others, although concepts of sport probably varied. For a blacksmith or a weaver, snaring wild animals like rabbits or hares was probably seen as a break from routine as well as a chance to bring home something for the pot. For farmers, shooting and snaring served a double purpose, since as well as being edible, rabbits were also seen as vermin, as were foxes and rooks. When farmers at Inkberrow and Feckenham were said to have destroyed 85 foxes in the neighbourhood in 1797 they were no doubt less interested in the pleasure of hunting them out as they were in culling them out of professional necessity.⁶⁴ There was only one hunt meeting across Worcestershire during this period, so that killing foxes was the province of the farmer rather than the sport of local gentry.

After 1818, however, there was a significant rise in prosecuting agricultural labourers for taking game illegally and a growing willingness on the part of the magistracy to pass harsher sentences. This was no doubt a reaction to the 'Bread and Blood' riots in East Anglia and the passing of the Night Poaching Act, both of which took place in 1816. By this Act a person who was found at night unarmed, but with a net for poaching was to be transported for seven years. This was repealed the following year, but the Act that took its place only softened the law to

⁶³ Jones, *Crime, Protest, Community and Police*: 76.

⁶⁴ ABG: May 22nd 1797.

the extent of withdrawing this punishment from persons found with nets, but without any firearms or bludgeon, thus making a distinction between individual poachers and poaching gangs. The punishment, however, was still transportation seven years with the proviso that if the offender returned to England before his time he was to be transported for life.⁶⁵

The injustice of this Act became apparent in those cases where labourers were probably taking out of necessity what landowners were preserving for mere sporting indulgence. For example, two labourers, Thomas Duglis, aged twenty, and his brother John Duglis, aged twenty-two, were transported for seven years for poaching in a wood belonging to the Earl of Plymouth in the winter of 1817-18.⁶⁶ The plight of these two young men appeared all the more ironic since three years later the same newspaper reported a private winter shoot on the Earl of Plymouth's estate at Hewell Grange, near Tardebigge, which bagged 569 pheasants, 551 hares, 1,462 rabbits, six woodcocks, four partridges and six ducks.⁶⁷ Yet although transportation was a harsh punishment, it provided opportunities for some prisoners to demonstrate their contempt for the law. Shakesheff has pointed out that some prisoners convicted in 1821 seemed pleased they were leaving the country and wore ribbons and cheered as they were being transported from Hereford Gaol to the 'Hulks' at Woolwich.⁶⁸ This practice, however, appears unknown in Worcestershire since a report carried by the *Worcester Herald* expressed shock and indignation when the same men passed through Worcester because 'the prisoners' hats were decorated with purple ribbons and their manners and language evincing a shameless insensibility of their disgraceful situation'.

In Worcestershire rising crime led to an expansion of local law and order facilities in the county and an extension to the county's gaols. A lock-up, for example, was built at Tenbury Wells in 1817 and by 1823 plans were in hand to

⁶⁵ Hammond, *The Village Labourer*: 109-110. In 1828 a new Night Poaching Act introduced transportation for 14 years for some offences.

⁶⁶ *ABG*: January 19th 1818.

⁶⁷ *ABG*: January 20th 1821.

⁶⁸ Shakesheff, 'Crime, Petty Crime and Social Crime', 108. This incident was reported in the *Hereford Journal* on June 6th and in the *Worcester Herald* on June 9th. The prisoners were transported in nine coaches and their behaviour obviously drew more attention to the convoy. Tobias also noted that many convicted criminals welcomed transportation. Tobias, *Crime and Society in the Nineteenth Century*: 246-247.

extend Worcester Gaol. A proposal was made in 1822 to erect a treadmill at the gaol in order to replace what some magistrates considered to be the ‘softer’ punishment of hand-cranking a corn grinding machine and this was in operation by Midsummer 1825.⁶⁹ The expansion of custodial provision and increased use of transportation as a punishment for poaching, however, did not lead to a fall in offences, which continued to rise during the 1820s, probably because more crimes were being reported and detected. Cases were now mostly dealt with by magistrates at Worcester Petty Sessions and the number of cases between 1827 and 1832 was almost double the number of those heard at Quarter Sessions between 1815 and 1820.

Table 4.9: Cases of offences against the Game Laws reported from Petty Sessions, 1827-1832

Quarter Sessions	1827	1828	1829	1830	1831	1832	Total
Epiphany	14	28	17	23	5	20	107
Easter	6	11	6	7	8	8	46
Midsummer	5	1	1	3	0	6	16
Michaelmas	0	1	12	11	6	7	37
Total	25	41	36	44	19	41	206

This table also indicates that poaching was predominantly a winter crime and therefore tied explicitly to periods when many labourers were either unemployed or underemployed and probably hungry. More importantly, the numbers of men charged was probably an underestimate, because the Malicious

⁶⁹ WCRO: BA/6, Judges Order Books: Midsummer 1825.

Trespass Act 1820 resulted in a marked increase of prosecutions for trespass, which contemporaries often regarded as trespass with intent to commit offences against the Game Laws. Even when trespass was not connected with poaching, punishment was severe. In 1828, for example, a Worcester boy faced a maximum fine of £5 for trespassing in a field of mowing grass, although in the end he received a fine of 5s. This was not, however, an uncommon case, as the following year saw 35 cases of trespass heard at Worcester Petty Sessions. Some people had simply been caught on other people's property while others were found in possession of gins and snares. More importantly, from 1827 onwards there were major crackdowns taking place against poaching in individual towns and villages. In 1828, for example, there were 'purges' at Tenbury Wells and Pershore, while in 1829, Mamble, Claines and Croom D'Abitot, the seat of the Earl of Coventry, were singled out for action.⁷⁰ It was likely that these purges were being undertaken by local gamekeepers under instruction from landowners who were determined to preserve their game at all costs. These actions, plus an increase in the use of man-traps and spring-guns before 1827, must have made landed estates in Worcestershire increasingly isolated from local villages and villagers.⁷¹ Certainly, they would have offended the rural labourers' own sense of morality. Writing in 1910, W. H. Hudson, who had interviewed elderly labourers in Wiltshire, noted that the law of the land on poaching, 'does not square with the moral law of the peasant'. Labourers, Hudson said, believed in their natural right to take wounded gamebirds and to snare rabbits and hares, although they also made a distinction between what they did to supplement their diets and the systematic poaching of village ne'er do wells. Wiltshire labourers' general view of the Game Laws was that they were, 'hard, arbitrary, unnatural' and made by 'their betters to be conformed to or else'!⁷²

In high price years and during agricultural depressions, it was not surprising either to find some labourers resorting to arson and riot, traditional means of

⁷⁰ WCRO: BA/6, Judges Order Books: Midsummer 1825. Figures taken from Petty Sessions' cases 1827 to 1832.

⁷¹ Frank McLynn suggests that from the 1750s onwards, enclosure led to an increase in poaching, because it was easier to catch game when it could not run freely across open fields. He also argued that an increase in spring guns and man traps, from the 1770s, and game-keepers being instructed to shoot to kill, led to increased battles between keepers and poaching gangs after 1780. See McLynn, *Crime and Punishment in Eighteenth-Century England*: 213.

⁷² W.H. Hudson, *A Shepherd's Life (1910)* (Aylesbury: Macdonald Futura, 1970): 72.

venting frustration in order to lower the price of bread or to encourage the creation of special funds to alleviate distress. These forms of protest have been well documented by Rudé,⁷³ E.P. Thompson,⁷⁴ and in Hobsbawm and Rudé's joint work.⁷⁵ Research, however, has moved on since the 1960s and 1970s and evidence suggests that social protest and arson were more common prior to 1830 than the instances of 'improvised resistance' cited by Hobsbawm and Rudé.⁷⁶ Recently, Wells suggested that food riots were a common remedy to redress high prices, but that they were largely confined to urban areas and they were predominantly clashes between urban customers and wholesalers and retailers of food.⁷⁷ This was certainly the case in the Midlands, where bread riots usually led to money being raised from affluent townspeople through public subscriptions in order to subsidise the price of wheat and enable farmers to lower their prices. Riots also usually resulted in magistrates taking more action against traders who sold underweight grain or loaves.⁷⁸

Wells also found an upsurge of incidents of arson and threatening letters in the 1790s, with 17 fires in East Anglia alone in 1800.⁷⁹ Emsley, however, sounded a note of caution with a reminder that not all arson was motivated by 'the class war'. Nevertheless he also accepted the fact that arson was a common rural crime, made easier by the fact that a farmer's house was usually well-known to any local person who might bear a grudge and its barns, ricks and livestock were particularly vulnerable on dark nights. There were also no police patrols to worry about and no street lighting to expose people moving about under cover of darkness.⁸⁰

This study looked for evidence related to Worcestershire and found that arson, food riots and the threatening letter also had a long history in Worcestershire. As elsewhere, incidents usually occurred during periods of high prices and urban or agricultural distress. The year 1766-67, for example, provided interesting evidence

⁷³ George Rudé, *Protest and Punishment* (Oxford: Oxford University Press, 1978).

⁷⁴ Thompson, *The Making of the English Working Class*: Chapter 3.

⁷⁵ E.J. Hobsbawm & George Rudé *Captain Swing* (London: Lawrence and Wishart, 1969).

⁷⁶ Hobsbawm and Rudé, *Captain Swing*: 16.

⁷⁷ Wells, 'The Development of the English Rural Proletariat and Social Protest', 40.

⁷⁸ See *ABG*: July 13th and July 29th 1795. Also *ABG*: September 1st 1800 and September 22nd 1800.

⁷⁹ Wells, 'The Development of the English Rural Proletariat and Social Protest', 43-44.

⁸⁰ Emsley, *Crime and Society in England*: 80.

of both how local protests fitted into the wider picture of national unrest and how urban unrest spilled over into the countryside. Although these events took place before 1790, they have been included in this study to show that patterns of protest took similar forms throughout the period in question. Newspaper reports from February 1766 indicated that the year had begun badly, with food riots in Edinburgh and a slump in the cloth industry around Melksham, Wiltshire, and the blanket industry at Witney, Oxfordshire.⁸¹ In Birmingham boys threw snowballs at countrymen coming into the town to sell butter, because of the high prices they were charging⁸² and local newspapers were concerned about what would happen to the high price of provisions if a bad harvest were to occur.⁸³ This concern proved prophetic, because adverse weather in June and July indicated a bad harvest that year and that prices would rise further.⁸⁴ The first food riots occurred shortly afterwards at Exeter when flour mills were destroyed. Then unrest spread to Honiton where mobs seized farmers' corn and sold it cheaply at market. On the same day it was reported that mobs at Newbury, Berkshire, seized all the bread from the bakers and threw it into the street, before proceeding to do the same with meat, eggs and butter.⁸⁵ By September, there were threats of insurrection at Whitney, Oxfordshire, which led to a lowering of prices, and mobs assembling at Gloucester and Stroud, in the same county, for the same purpose.⁸⁶

The riots reached Worcestershire at roughly the same time and on September 3rd a crowd of weavers went to Kidderminster market and forced farmers to lower prices. Four days later, there were similar riots at Bewdley and Stourbridge.⁸⁷ By late September, there was evidence of large scale collective action in Worcestershire, when a mob of people from Kidderminster, Bewdley and Bromsgrove joined up with 300 colliers from Stourbridge because of a rumour that a local miller called Turner was solely responsible for raising the price of grain. The crowd converged on Turner at Stourbridge market, but he managed to convince

⁸¹ *ABG*: February 3rd 1766 and February 10th 1766.

⁸² *ABG*: February 10th 1766.

⁸³ *ABG*: May 26th. 1766. Pamphlet sent to the Editor of the *Gazette*.

⁸⁴ *ABG*: June 16th 1766 and July 14th 1766.

⁸⁵ *ABG*: August 11th 1766

⁸⁶ *ABG*: September 15th and September 22nd 1766.

⁸⁷ *ABG*: September 22nd 1766

them that this was a false rumour and they dispersed quietly.⁸⁸ In late autumn 1766 there were incidents of arson taking place, which destroyed the very grain crops that were in short supply. In October, two barns of grain were destroyed at Wellington, Shropshire, and grain stored in Kettering, Northamptonshire, went up in flames on Guy Fawkes Night. The latter event was greeted with dancing and cheers from the crowd who witnessed it, despite the distress they were in.⁸⁹ The fact that the incident took place on Guy Fawkes Night suggests that this particular act of arson was undoubtedly a symbolic crime.

Although such riots achieved temporary falls in prices and forced richer townspeople to raise funds to subsidise staple food supplies, usually through newspaper adverts for donations, the winter of 1766-67 was one of extreme distress. In Worcestershire, there was some evidence that urban labourers were more organised and had now added the threatening letter as a method of putting pressure on grain suppliers. One thrown into a Kidderminster house called for grain to be sold at a reasonable price and threatening that, if it was not, ‘in wicks time some man com ought of the colepits by nigt to meak fire brans of all the abitations of the forestallers of grain’(sic).⁹⁰ A fortnight later a man called Ruby in Birmingham received another threatening letter saying that a large number of men in Kidderminster and Stourbridge ‘upwards of two thousand sworn’ were ready to mount an insurrection and ‘have all the gaols and prisons down’ unless distress was rapidly alleviated.⁹¹

The existence of two letters indicating very different levels of literacy suggested that there was some organisation behind the protests in urban areas. It was also interesting to note that there was similar evidence of an articulate protester in rural Worcestershire. On May 11th, 1767 an anonymous well-written address was posted on the church door at Ombersley calling on the gentlemen of the parish to raise wages and lower the price of corn because labourers were now physically unfit to tackle a week’s work and that a poor person could not afford a sixpenny

⁸⁸ *ABG*: September 29th 1766

⁸⁹ *ABG*: 20th October 1766 and November 11th 1766.

⁹⁰ *ABG*: March 16th 1767.

⁹¹ *ABG*: March 20th 1767.

loaf without a sixpence to pay for it.⁹² Although no large army of men ever mounted an insurrection in Stourbridge and there was no evidence of local unrest at Ombersley, both communications were remarkably similar to the threatening letters used in the Last Labourers' Revolt of 1830, implying that this technique was part of a long-standing tradition.⁹³ There was no evidence of subsequent unrest in rural areas that summer, although sporadic protests continued in Stourbridge and Kidderminster, where most urban labourers went to buy their provisions. By the autumn of 1767 the situation had changed dramatically, due to prices rising again and a fear that food supplies would run out during the winter. In November 1767, Stourbridge miners assembled in Kidderminster and, when joined by others, they seized grain and other provisions and shared them out amongst themselves.⁹⁴ A few weeks later, the first reported incident of arson took place in rural Worcestershire when two ricks of wheat, one of beans and one of pulse, belonging to a wealthy farmer at Stoke Prior were set on fire.⁹⁵ The following February another suspected case of arson took place near Hanbury Hall when fire burnt down Widow Parkes' grain barn.⁹⁶ Whilst such incidents were often associated with men, women were also a force to be reckoned with, so it was not surprising that on December 21st, 1767 a group of women were quite capable of stopping a wagon load of wheat at Droitwich and seizing the contents.⁹⁷

The years 1766-67 have been dealt with at some length to establish that food riots, arson and the threatening letter were not new phenomena in the 1820s and 1830s. This meant that the eastern counties were not alone in having a pattern of arson in high price years.⁹⁸ Indeed, in the next high price period of 1800-01 there was evidence of food riots, arson and the threatening letter being used again. In May 1800, for example, handbills were distributed by 'incendiaries' at Newcastle-under-Lyme, Staffordshire, urging the Cheshire Militia to demand an

⁹² ABG: May 11th 1767.

⁹³ E.P. Thompson argues persuasively that the purpose of writing threatening letters and handbills was to instigate action on the part of the authorities to lower food prices. He regards it as one element within a regular and ritualised code of behaviour that accompanied food riots. See E. P. Thompson, 'The Crime of Anonymity', in Hay (et al) *Albion's Fatal Tree*: 279.

⁹⁴ ABG: November 16th 1767.

⁹⁵ ABG: November 23rd 1767.

⁹⁶ ABG: February 1st 1768.

⁹⁷ ABG: December 21st 1767.

⁹⁸ Wells, 'The Development of the English Proletariat and Social Protest', 42-43

increase in pay⁹⁹ and earlier that year women and boys in Birmingham had attempted to stage a riot over the price of potatoes.¹⁰⁰ In Worcestershire, there were food riots at Worcester in late August and suspected arson at Forthampton.¹⁰¹ There was also trouble in Redditch and John Crane, who was called in as a special constable to help quell the disturbances, wrote a poem later describing:

A line of stout women
With ladies three deep
Determined to drive us
Or send us to sleep
The leader well arm'd
With a stout wooden crutch
Ten women to one Bromsgrove man
Is too much¹⁰²

During the same period, there were also incidents of arson at Shrewsbury, Great Barr near Birmingham and Coton, near Hanbury in Staffordshire. Nor was arson always restricted to high price years, suggesting that it was a weapon used for general protest. In 1789, a barn and stables at Ombersley had been set on fire maliciously and, in 1805, Henry Haywood was tried for setting fire to a barn at Pershore.¹⁰³ In August 1805 arson was the cause of Mr Finch's grain barn being destroyed at Dudley¹⁰⁴ and in October 1806 two labourers were arrested for setting fire to the Reverend Henry Dannett's hay-ricks at Shelsey Beauchamp.¹⁰⁵ Whilst it might be feasible to explain some of these incidents away as accidents or insurance frauds, contemporary newspapers always made a clear distinction between spontaneous combustion, negligence and deliberate arson.¹⁰⁶ In high price years, arson, food riots and threatening letters were all clearly social crimes, since they

⁹⁹ *ABG*: May 5th 1800.

¹⁰⁰ *ABG*: February 17th 1800.

¹⁰¹ *ABG*: September 1st 1800 and August 21st 1800.

¹⁰² A Bird at Bromsgrove (John Crane), 'The Siege of Redditch', *Poems*, Volume 1, Seventh Edition. (Bromsgrove: 1827): 267.

¹⁰³ *BWJ*: March 14th 1805.

¹⁰⁴ *BWJ*: August 15th 1805.

¹⁰⁵ *BWJ*: October 30th 1806.

¹⁰⁶ *ABG*: August 27th 1800. See report of haystacks catching fire through spontaneous combustion. See also *BWJ*: December 3rd 1807 regarding the trial of Edward Cowell for setting hay barn on fire through negligence.

occurred in periods of economic distress and were clearly targeted at specific people profiting out of others' misery.

This was also the case, however, when a crowd took action against a specific individual whose actions instigated a food riot in Tenbury Wells, Worcestershire on June 7th, 1805. It was a market day, and Samuel Booton, a labourer from Knighton-on-Teme, came to Tenbury with his wife Ann, to buy butter and eggs for his father-in-law, a Knighton farmer. Booton made himself particularly conspicuous that day because he bought 170 pounds of butter and had it sent to the Talbot Inn for storage before proceeding to attempt to buy more butter and 30s worth of eggs. By this time, word had obviously got around that somebody was buying large quantities of butter and eggs, which would force up prices. While Booton was selecting his eggs, a local woman, Sarah Shepherd came up to him and told him that if he bought any eggs they would be smashed and that if he bought butter he would not be allowed to carry it away. Almost immediately, Booton was set on by a crowd of men, women and children, who grabbed the butter and eggs he had just bought and smashed them in their containers. Sarah Shepherd, who had urged the crowd on, had encouraged all of this.

Shortly afterwards, Booton was told by a George Lock that he was wanted in the Oak Yard, but when he arrived there he found himself confronted by more people, who pelted him with eggs and stones.¹⁰⁷ Booton then had no option, but to try and escape and get back to his wife, who was waiting with the 170 pounds of butter at the Talbot Inn. The crowd pursued him, past the Crow Inn and towards the Talbot, still pelting him with eggs.¹⁰⁸ Meanwhile, Booton's wife, who had obviously been informed of her husband's plight, had locked herself in the brewhouse of the Talbot Inn with the 170 pounds of butter. The ostler, who was with her, however, unlocked the door and let the crowd in! Ann Booton was then also pelted with eggs and the butter was taken out and destroyed.¹⁰⁹ Afterwards, Samuel and Ann Booton were forced to leave Tenbury empty-handed, although

¹⁰⁷ WCRO: BA/110/616/93, Midsummer Quarter Sessions 1814. Information and complaint of Samuel Booton of Knighton-on-Teme, labourer, 14th June 1814.

¹⁰⁸ WCRO: BA/110/616/95, Midsummer Quarter Sessions 1814. Statement of Thomas Aymes 14th June 1814.

¹⁰⁹ WCRO: BA/110/616/94, Midsummer Quarter Sessions 1814. Examination of Ann Booton 14th June 1814.

Samuel did return on the 13th June to deliver a warrant against Sarah Shepherd and George Lock. News of his arrival quickly spread and he was again surrounded by a crowd of people who threw dirt and rubbish at him.¹¹⁰

The Tenbury riot emphasised again some key elements of popular morality. Firstly, Samuel Booton was a labourer who had presumably bettered himself by marrying a farmer's daughter. His purpose in Tenbury was clearly to buy eggs and butter in bulk, possibly for his father-in-law to make a profit. Buying in bulk would naturally have forced prices up since significantly reducing the local supply of butter and eggs meant there was little for anyone else to buy. This meant that Booton could either resell the butter and eggs in Tenbury market at higher prices or take his purchases back to Knighton-on-Teme and sell them there. The townspeople of Tenbury had obviously noticed a stranger in their market place and understood the implication of what he was doing. Sarah Shepherd was probably informed immediately and she then led the crowd in their attempt to stop Booton. Rough justice was then meted out to Booton and his wife, regardless of any fear of arrest, because in the minds of the rioters natural justice took precedence over legal consequences.

The Tenbury riot also falls in line with the view that food riots did not always occur in years of scarcity or price rises, but were liable to occur whenever any activity smacked of illicit market manipulation. Protest erupted in Tenbury, not simply to ensure that butter and eggs could be bought at a price that people could afford, but also to prevent abuses and punish those who perpetrated them.¹¹¹ It should also be noted, in terms of this thesis, that food riots in Worcestershire were clearly a manifestation of wider moral values, since this study has provided an example of such behaviour in action. When William Appleby, as cited earlier, went to rescue his son from a cruel and violent master, he was accompanied by a crowd also seeking to prevent abuse. Although there is insufficient detail to prove the case, the Appleby incident is likely to have followed the same pattern as other examples of the moral economy of the crowd. Once the apprentice's plight was

¹¹⁰ WCRO: BA/110/616/93, Midsummer Quarter Sessions 1814. Information and Complaint of Samuel Booton.

¹¹¹ Adrian Randall and Andrew Charlesworth, 'The moral economy: riots, markets and social conflict', in Adrian Randall and Andrew Charlesworth (eds.), *Moral Economy and Popular Protest*.

known, word was sent to William Appleby and the crowd clearly planned to assemble on the day he came to take his son home. Like food riots, their stand against James Griffin, the needle-maker revealed the values of labourers which in other times went unvoiced.¹¹² There can be little doubt that such incidents could all be classified as social crimes, since as Frank McLynn has pointed out, crowds gather to seek justice when they have no other way of processing their rights within a closed political system.¹¹³

Turning to the local villages chosen for this study, there were fewer records of reported crime, but those that survived were telling. The first incident that took place at Elmley Lovett concerned two farm servants, John Hill and William Williams, who decided to break service with their employer, John Bill. When Bill woke up and discovered the two men gone, he went after them on horseback and discovered them in a public house at Tardebigge in the company of another servant, William Taylor, whom Bill had sacked the day before. Hill and Williams ran out, leaving their bundles behind them, but Hill was chased and caught by the farmer and a local Tardebigge man called Joseph Bing. Williams then gave himself up. When one of the men's bundles was opened up it was found to contain a stolen cheese.¹¹⁴ The significance of this incident was to reinforce the fact that farmers had considerable power over their servants and that to break service was a punishable offence. Not knowing a cheese had been stolen, John Bill knew he had every legal right to pursue his servants for breaking their contract and apprehend them, but not to charge them with theft. The fact that a Tardebigge stranger assisted Bill demonstrated that farmers had the weight of legal authority behind them and that absconding labourers were treated like truanting children. It may also have been the case that Joseph Bing from Tardebigge sensed the opportunity of a reward. The fact that Williams gave himself up was more evidence of a servant's deference to his master and the fact that both men carried away their possessions in manageable bundles suggested that farm servants often had scanty personal possessions.

¹¹² Randall and Charlesworth, 'The moral economy', 4. For another aspect of this debate see Roger Wells, 'The moral economy of the English countryside' in Randall and Charlesworth (eds.) *Moral Economy and Popular Protest*: 209.

¹¹³ McLynn, *Crime and Punishment in Eighteenth-Century England*: 241.

¹¹⁴ WCRO: BA/110/536, Epiphany Quarter Sessions 1794. Examination of John Bill of Elmley Lovett 14th October 1793.

A case with more resonance, perhaps, was that of John Bellamy, an Elmley Lovett yeoman who appeared before the assizes for killing a hare on the night of February 14th-15th 1814, between 7.00pm and 6.00am in the morning. Although it was Bellamy's first offence, he was fined £20, a considerable sum given the circumstances.¹¹⁵ Here, the significance of the crime lay in its aftermath, because in the 1841 Census John Bellamy was recorded as an agricultural labourer living with his wife in a house also shared by an elderly widow and a younger agricultural labourer.¹¹⁶ It was logical to assume that Bellamy's costly fine in 1814 put an end to his career as a yeoman and that he was reduced to earning his living as a labourer. In an age where the general philosophy was that the punishment should fit the crime, punishment here also reflected the offender's social status at the time of his offence and the result could be ruinous. John Bellamy, it seems, paid a huge price for his original indiscretion.

By way of contrast, Inkberrow, provided two cases which suggested that historians should not, perhaps, overstate the case for social crime. Both concerned thefts of poultry, but the incidents occurred in completely contrasting circumstances. The first case was especially interesting because it took place on common land at the Ridgeway in 1813, a year before enclosure. On Monday, October 4th, Susannah Parker of the Ridgeway watched as two sisters, Mary and Charlotte Harrison, enticed several geese off the common into the yard of their house. They then turned six back out, but kept one and drove it down the garden before Charlotte caught it and took it towards the house. Susannah Parker knew the geese belonged to Elizabeth Dolphin, who lived nearby and went off to tell her what had happened.¹¹⁷ When Elizabeth Dolphin heard the bad news, she went immediately to the Harrison's house and saw Charlotte, when her sister Mary was upstairs. Elizabeth Dolphin wanted to know what Charlotte Harrison had done with her goose, but the latter denied ever seeing it, until Elizabeth Dolphin spotted some blood and feathers behind the house door. Charlotte Harrison then told Elizabeth Dolphin to get off her premises. Elizabeth Dolphin then got her neighbour to keep

¹¹⁵ WCRO: BA/110/615/79, Easter Quarter Sessions 1814. Memorandum of conviction.

¹¹⁶ WCRO: Census Returns 1841, Elmley Lovett, Microfilm 5.

¹¹⁷ WCRO: BA/110/614/89, Epiphany Quarter Sessions 1815. Examination of Susannah, wife of James Parker, labourer, of the Ridgeway 13th October 1813.

an eye on the Harrison's house while she went off for her husband. When she came back she saw Charlotte Harrison hurrying along a field leading from the wood. Elizabeth Dolphin then waited until she was out of sight and went to the part of the wood Charlotte Harrison had just come from. There she found an old red cloak wet with blood and with feathers still sticking to it. Then, nearby, she found her goose buried under leaves.¹¹⁸

This case was interesting in a number of ways, not the least because it provided a snapshot of life on the common immediately prior to enclosure. That snapshot revealed was that there were a few labouring families living at the Ridgeway who were sufficiently well-off to be able to keep a flock of geese, but these lived alongside impoverished neighbours like the Harrisons. Secondly, it reinforced the fact that poor labouring families were sometimes prepared to steal from their neighbours, perhaps out of necessity or in order to sell what was stolen to generate some money. Living in the same community, therefore, did not guarantee any ties of mutuality between agricultural labourers, although the incident also demonstrated that some residents were more neighbourly than others. This did not mean that the solidarity of the poor in times of adversity was a myth, but highlighted the fact that in this particular local community the Harrisons were probably regarded as feckless ne'er-do-wells by better-off labourers like the Parkers and the Dolphins. No doubt that was why Susannah Parker was keeping a close eye on the Harrison sisters in the first place.

The second case at Inkberrow also concerned poultry and began when Hannah Fawkener, a farm servant, checked the poultry she looked after on George Ladbury's farm at 4.00 pm on 17th June 1819. During the night, she heard the fowl making a noise at about 4.00 a.m. and when she went to the cowshed where they were roosting she discovered 16 of them were missing. She told her master and mistress and the latter was particularly upset because she had wanted the fowls to sell at Inkberrow Wake. Hannah Fawkener heard a little later that William Marshall, who lived nearby had fowls for sale and went to see if any of these would do as replacements. When she saw the chickens that were up for sale, she

¹¹⁸ WCRO: BA/110/614/90, Epiphany Quarter Sessions 1815. Examination of Elizabeth wife of David Dolphin, labourer, 13th October 1813.

recognised three of them instantly as belonging to her master. Suspicious by now, she asked if there were any ducks for sale and was taken to another room with twenty ducks in. Three of these she recognised as Ladbury's and later recognised the same three in court.¹¹⁹ When Hannah Fawkener reported her suspicions back to her master and mistress, John Houghton was ordered to search the premises and found fourteen of Ladbury's chickens in the pig-stye and the three ducks belonging to Ladbury in the kitchen.¹²⁰ Marshall, not surprisingly, denied all charges and claimed his wife had bought the ducks.¹²¹

What was telling about this second case at Inkberrow was the fact that in a period of agricultural depression when others stole livestock out of necessity, Marshall and his wife were clearly stealing poultry to sell for profit. The reason that they were caught was simply due to a sharp-eyed servant girl who tended the fowl and could clearly recognise her own charges, leading to Marshall's prosecution. Whilst this might seem strange to twenty-first century town-dwellers, recognising individual geese and poultry was not thought to be unusual in the nineteenth century and even a blind lady of the manor, like Mrs. D'Urberville in Thomas Hardy's novel *Tess of the D'Urbervilles*, knew all her many poultry by touch.¹²²

Turning to Powick, there were two cases of equal significance here, one concerning apple theft and the other concerning wood theft. Firstly, on the 14th September 1818, two labourers were convicted of stealing apples from Richard Hill, a Powick farmer, two others of stealing apples from Sir Edward Denny of Powick and another, James Pinnall, was convicted of stealing apples from Richard Winnall. It was a first offence for all men and four of the five were fined 10s, except Edward Slaughter, who was fined £1 which, if not paid, would be replaced by a whipping.¹²³ Apple theft was a common crime at this time of year and similar

¹¹⁹ WCRO: BA/110/638/16, Midsummer Quarter Sessions 1819. Examination of Hannah Fawkener 28th June 1819.

¹²⁰ WCRO: BA/110/638/166, Midsummer Quarter Sessions 1819. Examination of John Houghton 28th June 1819.

¹²¹ WCRO: BA/110/638/163, Midsummer Quarter Sessions 1819. Examination of William Marshall 28th June 1819.

¹²² Thomas Hardy, *Tess of the d'Urbervilles* (1891) (London: Macmillan, 1917): 70.

¹²³ WCRO: BA/110/635, 134-137, Midsummer Quarter Sessions 1818. Memorandum of conviction.

thefts had taken place during the same month at St John in Bedwardine, Newland, Worcester and Bransford. It is also possible that these men were part of a gang stealing apples for sale since all were arrested in the same parish on the same night.¹²⁴ What was more interesting, however, was that a few weeks later Thomas Chance of Powick was convicted of stealing a gate-post belonging to Richard Winnall. It was his first offence and he was ordered to pay 7s compensation to Winnall and 3s to the poor of Powick.¹²⁵ Richard Winnall, therefore, had been the victim of crime twice in a fortnight. This was the same Winnall, however, whose wagon load of furze was later to be set on fire after the enclosure of part of Old Hills Common in 1827 suggesting that there were reasons why he was a more frequent target for criminals than others and these were not hard to find. Richard Winnall was a long-standing poor law overseer and part of a group of men who were taking a particularly harsh line on poor relief, particularly from the summer of 1818 onwards so that stealing something from him was seen as justifiable theft and, in modern terminology, a social crime.

Based on this significant sample of offences over a long period, there was sufficient evidence in Worcestershire to show a clear correlation between increased criminal activity and periods of agricultural depression, particularly during the period 1815-20. The evidence suggested that during this period more agricultural labourers were committing crimes out of necessity than as a means of social protest, particularly offences against the Game Laws and, increasingly, thefts of crops, livestock and wood. There was also evidence that concerted 'purges' on poachers in individual villages was these were probably opening up a gulf in social relations between agricultural labourers and the local gentry. There was every indication that related offences like trespass rose rapidly from 1815 onwards and those caught were subject to severe punishments. That said, it was also clear that agricultural labourers in Worcestershire did have their own code of conduct and that some offences could be categorised as both social and symbolic crime. An examination of specific offences in Elmley Lovett and in Inkberrow, however, indicated that some labourers stole for profit as well as from necessity, although at least one theft

¹²⁴ Emsley, *Crime and Society in England*: 107. Emsley noted that apples were a frequent target for gangs during this period.

¹²⁵ WCRO: BA/110/635/133, Michaelmas Quarter Sessions 1818. Conviction of Thomas Chance of Powick, 24th September 1818.

in Powick was aimed at a poor law overseer known for his harsh administration of the Old Poor Law.

Despite the inevitable complexities involved in applying modern categories to past criminal offences, it was very clear that by 1829 large sections of the agricultural labouring community in Worcestershire were becoming increasingly subject to underemployment and unemployment. This meant that many fell into poverty and were subject to a relief system that, in some rural parishes, had become increasingly harsh, petty and parsimonious. Some labourers, no doubt, were then driven to commit crime out of necessity. There was also sufficient evidence to suggest that when major periods of agricultural depression had coincided with high price years, significant numbers of rural labourers were quite capable of spontaneous violent protest in order to bring down the price of basic foodstuffs, especially as this, in turn, encouraged local gentry and parish authorities to raise money to subsidise those commodities. Arson was also a significant feature of some protests and at least one incident on Guy Fawkes' night in Kettering during the 1766 food riots could be designated a symbolic crime. When these elements were added to the fact that agricultural labourers clearly had a strong sense of collective morality, it was possible that by the time of the Last Labourers' Revolt of 1830, popular morality combined with a developing sense of economic decline and harsher treatment under the Poor Laws led to more organised forms of social protest when the Revolt finally reached Worcestershire.

