

CHAPTER 7. CONTINUITY AND CHANGE: LABOURERS' LIVES IN WORCESTERSHIRE 1830-1841

Since the Last Labourers' Revolt was the inevitable outcome of agricultural labourers' experiences between 1815 and 1829, the decade that followed was perhaps best explained by linking the consequences of the uprising, both nationally and in Worcestershire, to the themes chosen for this study. After the Revolt was over, contemporaries in rural areas tried their best to explain why it had taken place and what the remedies should be. In Billenge's study of Wiltshire, the Revolt was attributed to a number of factors: the operation of the Old Poor Law, the July revolution in France that ousted Charles X, the presence of Henry Hunt spreading radical ideas in the county, newly legalised beer shops and the lack of land for labourers to cultivate.¹ Similarly a series of letters to *Berrow's Worcester Journal - On the Sufferings of the Rural Peasantry*, published between March and April 1832, suggested that other factors were more important than the use of agricultural machinery, particularly a growing rural population, the Laws of Settlement, low rates of pay and the increased cost of poor relief. Rather perceptively, the author, known only by the initials E.T.A., argued that the root of the problem lay in the miserable condition of the agricultural day-labourer rather than any changes in the working conditions of farm-servants. The day labourer's particular problem was that his weekly earnings were low and were no longer supplemented adequately by those of his wife and children.² E.T.A.'s main concern, however, was that the Revolt demonstrated that the order and well-being of society was in danger and that one of the first duties of those benefiting from the 1832 Reform Bill was to do something about it.³ He suggested that no amount of education or Sunday school teaching would ensure that labourers would behave like good Christians if they all lacked 'the common necessities of life'.⁴ That said, in his final letter, E.T.A. painted a Malthusian picture of the countryside of the future. Dealing with an imaginary parish, presumably based on his own, E.T.A. wrote that its population

¹ Billenge, 'Rural Crime and Protest in Wiltshire', 160–170.

² WCRO: BA/3762/ Foley Scrapbook 11c: 383-385. E.T.A. (thought to be a local landowner Thomas Hawkwood) *On the Sufferings of the Rural Peasantry*.

³ This was no more than a general comment. It seemed unlikely that those who gained the vote in urban areas would be particularly interested in the well-being of agricultural labourers.

⁴ WCRO: BA/3762/ Foley Scrapbook 11c, *On the Sufferings of the Rural Peasantry*, Letter 1: 383.

had increased from 368 in 1805 to 460 in 1831, with no 'emigration and no migration'. He then presented his readers with a speculative nightmare vision of small parishes in the future having to raise poor rates substantially in order to house and support several hundred paupers.⁵

At a national level, the pamphleteer and future colonialist, Edward Gibbon Wakefield, presented his own analysis. It began by describing the rural labourer to the reading public in the worst of stereotypes:

What is that defective being, with calfless legs and stooping shoulders, weak in body and mind, inert, pusillanimous, and stupid, whose premature wrinkles and furtive glances tell of misery and degradation. That is our English peasant or pauper; for the words are synonymous.

For Gibbon Wakefield the typical agricultural labourer lived on bad food, was half-clothed, worked in the cold and wet and was driven into early marriage by the Poor Laws. This stereotypical labourer lived in a hovel, was unable to support his family, pilfered from others and taught his children to lie and steal. Gibbon Wakefield also believed that, though subdued and slavish towards his betters, the English labourer actually dreaded and hated them, although he would never resort to violence against them. He then went on to analyse the cause of the Last Labourers' Revolt and, shifting his emphasis, placed the blame principally on landowners and the poor rates. Landowners were attacked for enclosing commons and wastes and for breeding pheasants, which encouraged poaching. He accused them of keeping wages low and encouraging low wages to be supplemented from the poor rates. Landowners demoralised labourers even further by attacking what limited pleasures they had in their lives, such as alehouses, skittles and fairs.⁶ To all these causes, Gibbon Wakefield proposed solutions. Dismissing charitable soup kitchens and the distribution of religious tracts, saying the poor only used them to boil their own kettles with, Gibbon Wakefield suggested some cynical and witty

⁵ WCRO: BA/3762/ Foley Scrapbook 11c, *On the Sufferings of the Rural Peasantry*, Letter 7: 385.

⁶ Wakefield, *Swing Unmasked*: 9-16. Wakefield's publication, in keeping with good polemic, was structured in such a way to make his final points particularly sharp and succinct.

possibilities, hanging, moral education, increasing wages and taxing landlords and parsons more heavily. His main conclusion was that only those in power could remove the miseries that had caused the unrest in the first place.⁷

Given that almost everyone had a view about the events of 1830-31, much was expected of the Select Committee on Agriculture that took evidence between 1831 and 1833. The Committee, however, appeared highly prejudiced since it questioned witnesses with a number of possible causations in mind. These included most of the factors mentioned by E.T.A. and Edward Gibbon Wakefield, plus the potential impact of grain prices, changing land use, the Corn Laws, tithes and the gentrification of farmers. Two witnesses from Worcestershire gave evidence about the state of farming in the county in 1831, and the condition and mood of farm labourers. William Woodward, the first witness, stated that he farmed 1,100 to 1,200 acres in partnership with his two sons.⁸ He was also land agent for Sir John Sebright and for the Dean and Chapter of Worcester Cathedral. He told the committee that Worcestershire was predominantly a county of small farmers and freeholders and that neither group was employing as many labourers as they had during the Napoleonic War years. Nevertheless, Woodward claimed that most labourers in the county were living in comfortable cottages and had well-cultivated gardens.⁹ The second witness, Joseph Stallard, was also a large farmer, with 645 acres in Red Marley. He claimed that labourers were only worse off in poor soil areas, and that labourers in most parts of Worcestershire were better clothed than they had been thirty-years previously, ate wheaten bread and could afford to keep pigs. Stallard accepted that more labourers were unemployed, but believed that this situation was perfectly manageable provided the 'idle and undeserving' were sent to the workhouse. He did, however, accept that some wealthier farmers were aping the gentry and were not so close to their labourers as they had been twenty or thirty years before.¹⁰

⁷ Wakefield, *Swing Unmasked*: 46.

⁸ Woodward did not say where his farms were, but there were Woodwards at Upper Arley, close to Sir John Sebright's estate at nearby Wolverley.

⁹ BPP, *Agriculture, Volume 2, Select Committee on Agriculture 1833*. Evidence of William Woodward and Joseph Stallard: 83-91.

¹⁰ BPP, *Agriculture, Volume 2, Select Committee on Agriculture 1833*: 487-493.

Yet, while the evidence of Woodward and Stallard seemed convincing, it was not necessarily representative since both men farmed exceptionally large acreages and were untypical of the majority of Worcestershire farmers. Stallard, in particular, farmed in the extreme south of the county and was unlikely to have had much intimate knowledge of agricultural areas to the north and west. He appeared to have been chosen as a witness because he came from one of the two parishes in Worcestershire where a threshing machine had been destroyed by local labourers. Woodward, on the other hand, was probably called as a witness because as well as being a substantial farmer, his role as a land agent for the Dean and Chapter of Worcester Cathedral should have given him some insight into farming conditions across the county, albeit at second hand. He may also have been chosen as representing the views of both the landed gentry and the Anglican Church.

While the Committee took evidence, some landowners, Magistrates and clergy in Worcestershire tried to improve the situation of local labourers in order to discourage future unrest. Much publicity was given to attempts from 1832 onwards to provide local labourers with allotments. In March 1832, for example, the Earl of Harrowby gave roods and half roods of land to forty families at Bishampton for gardens,¹¹ and the Reverend T. Miller of Bocklehampton, near Tenbury Wells, was providing allotments of up to a quarter of an acre for local villagers.¹² Allotments, however, often came with conditions attached that encouraged deference and appeared patronising. Under the Reverend Miller's Bockleton scheme, labourers had to apply for an allotment and agree to keep a quarter of it fallow each year. Allotments also cost six shillings a year to rent and holders had to make a contribution towards the poor rates. There were also strict conditions about how much land could be allocated to potatoes and how many inches should separate each row of crops.¹³ Mr. Holland's scheme at Cropthorne limited the amount of

¹¹ *WH*: March 3rd 1832. *The Worcester Herald* was particularly effusive about the Earl of Harrowby's scheme and recommended allotments as, 'an efficient mode of relieving the distress and regaining the affections of the rural population'. There was little evidence, however, that such schemes caught on and the only other publicity given to allotments was when a Mr. Holland of Cropthorne gave land for allotments in 1834 as a means of maintaining the bond between landlord and labourer and when Sir Thomas Phillips of Middle Hill, Gloucestershire allotted 200 acres of land to 150 cottagers at Buckland, Gloucestershire and Childs Wickham, Worcestershire.

¹² *Worcester Guardian*: January 3rd 1835.

¹³ *WH*: March 24th 1832.

land individuals could rent and also recommended what crops a labourer could grow.¹⁴

Given these circumstances, any allotments on offer could only benefit labourers with a regular income and sufficient money to rent a plot. It is likely that landowners, while wishing to be helpful, were probably unaware of this. Billenge noted that similar schemes took place in Wiltshire, but were usually applied piecemeal and therefore stood little chance of success.¹⁵ In any case, there was greater provision of allotments in Wiltshire¹⁶ than in Worcestershire, because there was thought to be plenty of work available for agricultural labourers in the Vale of Evesham if they really wanted it.¹⁷ It was also likely that part of the motivation for creating new allotments in Worcestershire, as elsewhere, was to keep labourers out of the beer house and off poor relief.¹⁸

Enclosure of common land had proved a significant part of labourer grievances in both Otmoor in Oxfordshire (1830) and the Forest of Dean (1831) in nearby Gloucestershire.¹⁹ This probably influenced attitudes towards enclosure in Worcestershire in the years immediately following the Last Labourers' Revolt. There were only six enclosures in Worcestershire between 1831 and 1840, compared to 14 between 1840 and 1850, a sign perhaps of some caution regarding the enclosure of remaining commons and wastes. That said, the enclosure process was far from over and a total of 36 enclosures took place in the county between 1841 and 1881. Some of these, however, involved residual land from earlier enclosures previously regarded as unproductive. There was no evidence that further enclosure was a significant source of discontent amongst agricultural labourers in the county after 1830, probably because some enclosure awards ensured that allotments of land were made to the poor. For example, allotments to the poor were

¹⁴ *BWJ*: November 13th 1834.

¹⁵ Billenge, 'Rural Crime and Protest in Wiltshire', 191.

¹⁶ Billenge, 'Rural Crime and Protest in Wiltshire', 75.

¹⁷ *BWJ*: November 13th 1834. When the Select Committee enquiring into the administration of the 1834 Poor Law Amendment Act questioned rural parishes about gardens and allotments, responses from Worcestershire confirmed a lack of allotments.

¹⁸ Chambers & Mingay, *The Agricultural Revolution*: 134. For a full history of the allotment movement see Jeremy Burchardt, *The Allotment Movement in England, 1793-1873* (Woodbridge: Boydell Press, 2002).

¹⁹ John Stevenson, *Popular Disturbances in England: 1700-1832* (Second edition) (London: Longman, 1992): 239.

included in the Hagley Enclosure Award of 1830²⁰ and there was a suggestion by a correspondent to the *Worcester Herald* in 1832 that all surviving wastes in the county should be distributed to agricultural labourers for cultivation.²¹

In the early 1830s, local landowners also established Worcestershire Agricultural Association, which was initially sympathetic to the labourers' lot. In March 1835, after a winter of acute distress, the Association petitioned Parliament for action to relieve labourers and to provide help for the farming sector. The Association believed that the Select Committee of 1833 resulted in very little change for labourers and that farmers were still taxed heavily.²² A few years later, in 1838, the Association's proposals appeared to change direction. It stated that it was founded to 'protect agricultural interest from legislative oppression' and 'to promote exertion in every *species* of agricultural labourer' (author's italics).²³ With no sign of further unrest in the county, the Association appeared to view labourers as inferior beings who had to be encouraged towards hard work and self-discipline. The Association tried to play its part by giving annual premiums to labourers who had brought up the largest families 'without parochial assistance' because this encouraged others to bring up their children 'in more regular and moral habits' and to lay the foundations for an improvement of better 'general moral conduct' in the future. This suggests that a Malthusian value system predominated amongst the Association's members.²⁴

Improving the labourers' lot post 1830, however, did not result in increased wages, better housing or better working conditions. Although Snell suggested that labourers' average wages in Worcestershire were 10s per week in 1833 and fell to 7s 8d a week in 1850, the local reality was somewhat different.²⁵ In his evidence to the Select Committee on Agriculture, Woodward said that wages varied between 9s and 10s a week and Stallard claimed they were 9s a week. Stallard justified low

²⁰ WCRO: BA/4600/355, Receipt and Minute Book of the Harberrow and Blakedown Enclosure Commissioners 1832.

²¹ *WH*: February 18th 1832. Local newspapers occasionally published letters on various topics of public concern, but expressed no editorial opinion about them. No letters came back in support of this idea, so it must assumed to be a minority opinion.

²² *WG*: March 14th 1835.

²³ *WH*: May 26th 1838. Account of a meeting of the Worcestershire Agricultural Association.

²⁴ *WH*: January 13th 1838.

²⁵ Snell, *Annals of the Labouring Poor*: 128.

wages by saying that prices were lower and labourers could always benefit from the perk of collecting ‘straggling fruit’, usually damsons that grew in local hedgerows.²⁶ E.T.A. gave labourers’ wages in 1832 as 9s a week or 1s 6d a day, but claimed that the supplementary wages of wives and children made little impact on family incomes and that any benefits from gleaning were now incidental.²⁷ More telling, however, were the answers to queries about rural areas sent to the Select Committee looking into the administration of the 1834 Poor Law Amendment Act. These revealed that wages varied according to the prosperity of individual parishes, the work available and the time of year. Whilst wages in Stone were 9s a week with beer, summer and winter, farmers in Hanley Castle paid 10s to 12s a week in summer, but 8s a week in winter. Work available for women and children varied even more. Women at Tardebigge could earn up to 5s a week as labourers and 8s a week in needle-making and their children could earn up to 2s 6d. At Stone, on the other hand, there was ‘very little work for women and none for children’.²⁸

Wages in the 1830s also fluctuated and Frank Wheeler, farming at Cleeve Prior, as noted, reduced his labourers’ wages in October 1834 from 9s a week plus beer to 7s a week plus beer or 8s a week without beer because wheat prices had fallen. Wheeler, however, was still hiring farm servants by the year and that autumn engaged a man for £9.9.0 and a boy at 2s 9d a week.²⁹ Yet whilst wages from 1830 onwards varied and were still being paid according to age and ability, it was impossible to determine how many men, women and children were in regular employment and how many were having to survive as day labourers.³⁰ That said, agricultural work remained labour intensive throughout the period 1830 to 1840 and there was little evidence of any great advance in mechanisation leading to further unemployment and underemployment. An article on scythe reaping in the

²⁶ BPP, *Agriculture, Volume 2, Select Committee on Agriculture 1833*: 83-91. 487-493.

²⁷ E.T.A., *On the Sufferings of the Rural Peasantry*, Letter 2.

²⁸ BPP, *Poor Law 1834, Volume 10, Report from the Select Committee to inquire into the administration of the relief of the poor under the provisions of the 1834 Poor Law Amendment Act, Part One*: 581b-590b. This information was collected by questionnaire and the response of one individual, therefore it may not be wholly accurate. Nevertheless, it does indicate significant variations in individual parishes.

²⁹ WCRO: BA/5044/7, Memorandum books of Frank Wheeler. See entries for October 6th and October 27th 1834. Since hiring by the year was contractual, a well-paid farm servant was undoubtedly better off than a labourer paid weekly, since the farm servant’s wage could not be varied.

³⁰ BPP, *Population, Volume 8, 1852-53* stated there were 13,946 male labourers in the county and 1,728 male servants. There were only 1,435 women working as outdoor labourers, 447 working as farm servants and 9,242 working as domestic servants.

Worcester Guardian in June 1835 indicated attempts to introduce reaping machines had proved to be impractical. A few years later, in 1838, the paper also published a large article on Heathcote's Steam Plough, which although patented in 1832, was only just being used for ploughing in some parts of England. The same article also mentioned newer and more advanced threshing machines being used in Devon and a new steam engine that had just been invented at the British Alkali Works, Stoke Heath, Worcestershire.³¹

When a comparison was made between agricultural labourers and farm servants in Elmley Lovett (chosen for this study) and Eastham (see Map), a village of comparable size, some interesting new factors emerged:³²

Table 7.1: Age of Agricultural Labourers in Elmley Lovett and Eastham in 1841 (derived from 1841 Census)

<u>Age</u>	<u>Elmley Lovett (%)</u>	<u>Eastham (%)</u>
60+	10	17
51-60	14	9
40-50	20	40
30-39	26	21
20-29	30	13
16-19	0	0
10-15	0	0
Not known	0	0

³¹ *WG*: June 30th 1835 and January 20th 1838.

³² For Eastham see Maynard, 'Class, Community and Social Relationships'.

Table 7.2: Age of Farm Servants in Elmley Lovett and Eastham 1841
(derived from 1841 Census)

<u>Age</u>	<u>Elmley Lovett (%)</u>	<u>Eastham(%)</u>
60+	0	7
51-60	4	1.5
40-50	5	1.5
30-39	9	12
20-29	30	28
16-19	18	3
10-15	30	47
Not known	2	0

These Tables indicated that farm service remained the normal route into employment for young men and young women in rural areas between 1830 and 1840, but, as expected from the profile of the two communities, more young people in Eastham took this route compared with Elmley Lovett. This was probably because Elmley Lovett was close to the industrial town of Kidderminster and on a direct road to the nearby salt-industry town of Droitwich, both offering more varied employment opportunities. Eastham, however, was far more rural and its nearest town, Tenbury Wells, had little in the way of industrial development. In a previous study of Eastham, it was clear that by the 1830s small farmers increasingly employed young boys and girls aged under 16 as farm servants and some as young as 7 or 8, rather than engaging adults who cost more money. This accounted not only for the difference between the number of 16 to 19 year olds employed in each parish, but also indicates a sharp difference in terms of employment continuity. In Elmley Lovett young farm servants were more likely continue in a yearly hiring than at Eastham, where supply exceeded demand and 16 to 19 year olds were simply replaced by new 10 to 15 year olds coming onto the labour market, usually from inside the parish. The number of farm servants in each

village was comparable in the 20 to 29 age group, because these servants were mostly employed on large 'mixed' farms whose acreage demanded a more mature workforce with more specialist skills. The number of those remaining in service after the age of 29, however, declined in both villages, although in Eastham there were still a few elderly farm servants who survived as residential employees well into their sixties.

The transition to weekly employment and independent living in both villages was indicated by increasing numbers of labourers in the 20 to 29 age group, particularly in Elmley Lovett. This was probably due to marriage or people choosing to be independent workers, or forced to be independent because it was cheaper to employ farm servants under the age of 16. The tables also suggested declining employment opportunities after the age of 50, although more labourers were working in Eastham after the age of 60 than there were in Elmley Lovett. Whilst there may have been underemployment and unemployment in both parishes, the tables highlighted some issues affecting farm service and weekly or daily labour in the period 1830 to 1840. What could not be determined, however, was how many of those designated 'agricultural workers' in the 1841 Census were worked by the day or by the week. The tables, however, did indicate that in this case an isolated rural parish was more likely to have a surplus of labour and that small farmers took advantage of this by employing the youngest as farm servants at the cheapest rates.

There was, however, some evidence that, after 1830, some Worcestershire labourers and farm servants became more assertive and that local magistrates, usually Tory, sometimes treated day labourers more favourably than farm servants hired by the year. There was a noticeable increase post-1830 in the number of cases of disobedient servants coming before the courts and labourers taking farmers to court for non-payment of wages. The outcomes of such cases, however, were significantly different. For example, when Louisa Patrick, a farm servant from Hallow, was taken to court in 1834 for neglecting her duties, she received fourteen days' imprisonment with solitary confinement largely on the grounds that solitary

confinement was good for young people.³³ Similarly in June the next year when John Winnall, a farmer at Leigh, took his servant William Howell to court for being drunk and disobeying orders, Howell received one month's imprisonment with hard labour.³⁴ However, when an elderly day labourer called Swettman took Thomas Hook, a Norton farmer, to court for non-payment of 11s 9d hay-making money, it did Hook no good to counter-claim that Swettman had been engaged at a cheaper rate and neglected his duty. Hook was ordered to pay the money due.³⁵ Magistrates were similarly sympathetic when a boy took another Worcestershire farmer to court for 10s 3d unpaid wages in 1835 and when John Coombs, a day labourer, took a Broadheath farmer to court in 1838 and won the 4s wages due plus 4s expenses.³⁶ Most telling of all, perhaps, was a case brought by a contract labourer in September 1835 against another Norton farmer William Hook. J. Russell was claiming 10s 4d wages due, but Hook counterclaimed by accusing Russell of never finishing his work. He claimed that he should never have employed a 'job workman' in the first place as they were 'the scum of the county'.³⁷ The magistrates found in Russell's favour and simply ordered Hook to pay the wages due. Hook's outburst in court, however, indicated his anger at having to defend his non-payment of wages and conveyed the feeling that magistrates were being over-generous to idle labourers.

It was also significant that these cases were always reported in the *Worcester Guardian*, a Tory newspaper established in the county almost immediately after the Reform Act of 1832. Anti-Whig and anti-Catholic, the *Guardian* was generally pro-law and order, although it was vehemently opposed to the New Poor Law when it was passed in 1834. Since many rural Magistrates were also Tory, it was not surprising that the paper published cases that showed them in a favourable light. Magistrates probably behaved more favourably to day labourers during this period because 1834-35 proved to be another year of agricultural distress and day-

³³ *WH*: July 25th 1834.

³⁴ *WH*: June 11th 1836.

³⁵ *WH*: June 11th 1836.

³⁶ *WG*: June 27th 1835 and April 28th 1828.

³⁷ *WG*: September 12th 1835. Thomas Hook and William Hook may have been related and therefore shared a similar attitude towards engaging labourers at one rate and then trying to pay them less. In this instance Russell was contracted to do a job for a set amount, but William Hook appears to have reneged on the deal.

labourers were more likely to be unemployed and underemployed during any recession. These cases also indicated that farmers were becoming more reliant on day labour and that such labourers were being contracted for even shorter periods of time. This did not mean, however, that day labourers were always quiescent and desperate for work at any cost. Joseph Evans, for example, contracted with Mr. Loton, a Spetchley farmer, to do his hay-making, started the job, but left it to finish another task elsewhere. Although Loton took Evans to court and the magistrates were sympathetic to Evans' circumstances, they still ordered him to complete the contracted work for Loton as soon as possible.³⁸ Similarly, when Samuel Redding and William Janes were taken to court a few years later for leaving their work because they refused to do certain tasks or to use certain equipment, the men counter-claimed that the farmer's equipment was bad and they had not received their beer allowance. In this instance the workers acted in unison and won their case. More telling significant collective action was evident in 1838 when Samuel Atkins, James Wilson, William Booth and J. Smith were brought before the Worcestershire Michaelmas Assizes and charged with conspiring together illegally to obtain an advance of wages. In this instance the men were fined only a nominal shilling because of lack of evidence.³⁹

A dichotomy of views between Worcestershire farmers and local magistrates also became evident with the introduction of the New Poor Law in 1834. As Poynter has indicated, the Royal Commission, which took evidence between 1832 and 1834, was deeply influenced by successful local initiatives, not least the work undertaken by the Reverend J.T. Becher in Nottinghamshire and his followers. Becher's fundamental principles relating to pauperism were that parishes should have a moral regime of encouragement, restraint and coercion. While schools, allotments and friendly societies all had a role to play in encouraging independence, Becher believed that all able-bodied people applying for relief should undergo a work test, preferably in a workhouse and that no local wages should be subsidised.⁴⁰ Whilst the Commission did not take on all of Becher's ideas, they

³⁸ *WH*: July 12th 1834.

³⁹ *WH*: October 2nd 1838. This case took place four years after the Tolpuddle Martyrs and indicated a cautious change in attitude to trades unionism.

⁴⁰ Poynter, *Society and Pauperism*: 313. Becher's principles were outlined in his book, *The Anti-pauper System, exemplifying the positive and practical good, realised by the relievers and the relieved*

were clearly open to the general view that an allowance system demoralised the poor and made them reluctant to work or move away from their settlement to find work. There were also some voices arguing that rural disorder demanded radical action lest the events of 1830 should repeat themselves.⁴¹ So far as Worcestershire was concerned, the idea of a harsher poor law regime would have fallen on receptive ears, particularly in two of the parishes chosen for this study. In Elmley Lovett, the memorandum book kept by the vicar or curate in 1833 already made distinctions between local families thought to be deserving and undeserving. Moreover, the select vestry in the 1830s took a harsher view of the allowance system and withdrew allowances from any individuals who did not fulfil the parish's strict criteria for relief.⁴² At Powick, the select vestry had been equally punitive in the 1820s and continued to act in the same manner despite – or perhaps because of – the unrest of 1830. In March 1833, for example, new rules were set for Powick workhouse that included punishing the able-bodied who refused to work by ensuring that they were 'confined altogether within the premises and the allowance of drinks withdrawn'. The poor were also to be 'mustered and inspected' every Friday morning, the very phraseology suggesting that they were to be dealt with in military fashion rather than sympathetically and humanely.⁴³

In both Powick and Inkberrow, the largest parishes in this study, payments for poor relief rose for a short while after 1830, but fell quickly once the New Poor Law came into operation in 1834, as the proponents of the new act intended. Powick overseers disbursed £1018 in 1831-32 and £1044 between 1833-34. Thereafter payments fell to only £785 in 1836-37, the year before Powick became part of Upton Union and the 1834 Act became operational.⁴⁴ Similarly, in Inkberrow, payments were £1418 in 1831-32, £1428 in 1832-33, but fell back to £335 in 1835-36, the year before Inkberrow became part of Alcester Union.⁴⁵ In

under the frugal, beneficial and lawful administration of the Poor laws prevailing at Southwell etc., (1828).

⁴¹ Poynter, *Society and Pauperism*: 308-309.

⁴² WCRO: BA/9845/5, Curates Memorandum Book 1833.

⁴³ WCRO: BA/3802/14, Powick Vestry Minute Book entry for March 15th 1833. The Vestry representatives were still mostly drawn from prominent local farmers, suggesting that changes in policy were a result of changes in attitude.

⁴⁴ WCRO: BA/3802, Powick Poor Law Accounts. Inkberrow was close to Alcester, although why a Worcestershire parish should become part of a Warwickshire Union remains unclear.

⁴⁵ WCRO: BA/818/5, Inkberrow Account Book.

both parishes overseers continued to have cash in hand at the end of every year. Evesham to the south of the county, however, went one step further and began publishing its accounts in order to show that ‘money has been properly applied and every effort made to prevent unnecessary offence’.⁴⁶ Since the list also named the 14 widows, 36 women and 22 men on relief, no doubt part of the intention was probably to shame them as well. That said, Evesham also attempted to proselytise the poor by giving them a dinner to celebrate the passing of the 1832 Reform Act, news of which led to the churchwardens and overseers of Dorking, Surrey writing to their Evesham counterparts enquiring about costs, since they wished to put on a similar event.⁴⁷

It was likely that Tory landowners and clergy saw the Poor Law Amendment Act of 1834 as removing power from local magistrates and giving it to poor law unions likely to be dominated by farmers in the countryside and Whig reformers in the towns. In Worcestershire, one of the county magistrates, the Reverend John Foley stated publicly that magistrates still had the right to intervene should any applicants be refused relief and encouraged them to appeal to local magistrates.⁴⁸ Such pronouncements, however, were quickly followed by a notice from Edwin Chadwick inserted in the local paper announcing that overseers had to set the able-bodied to work in return for an allowance considerably less than the ordinary wages locally, but if no work was available they should receive half their relief in food or ‘the other necessaries of life’. He advised, however, that weekly payments to the poor should not be withdrawn hastily, especially to the old and infirm and if local parishes had workhouses they should seek to relieve the able-bodied there.⁴⁹

Tory magistrates did have some initial success in trying to influence local policy. For example, in the 1835 Petty Sessions at Worcester, the Reverend John Foley and his fellow magistrate Edward Sanderson dealt with a complaint from

⁴⁶ WCRO: BA/8719/8, *An abstract of the receipts and disbursements of the overseers of the poor of the parish of All Saints, Evesham*. (Evesham: 1833).

⁴⁷ WCRO: BA/8719/8. Letter July 29th 1832 from the churchwardens and overseers of Dorking to the churchwardens and overseers of Evesham.

⁴⁸ *BWJ*: Thursday, November 3rd 1834.

⁴⁹ *BWJ*: November 20th 1834. Major General Thomas Marriott reported to the Select Committee inquiring into how the 1834 Act was being administered that in the sixty-six rural parishes around Pershore, ‘Worn out men, cripples and children are also sometimes sent out as “Roundsmen” at fair average wages according to their work’.

Sophia Caswell, mother of two illegitimate children, who had appealed to Knightwick magistrates for relief while she nursed her baby. The overseers refused Sophia relief on the grounds that there was work available in the local hop fields at 3s a week and she had taken her case to the petty sessions. When the magistrates asked the Knightwick overseer how she could care for her baby in the fields, he replied: 'She can lay it down while she is at work; I have known women carry their cradles on their backs while at work'. The magistrates' view was that the child should not be neglected and they ordered the overseers to pay Sophia 2s 6d a week for a month and to get their local poor house repaired. The poor house was presumably neglected in anticipation of a new workhouse being built under the 1834 Act.⁵⁰ For the most part, however, the Tory press could only propagandise their views on the new Act and its implications. For example, in June 1835 the *Worcester Guardian* fulminated against new contracts being awarded by the Poor Law Commissioners for care of the pauper sick of various parishes and Unions. The Tory view was that such contracts would be 'degrading to the profession and cruel to the poor' since contractors could only be mere 'adventurers' in business for the profit and never able to understand the needs of individuals.⁵¹ When local unions came into being, however, elections of guardians quickly became politicised and by 1838 the *Worcester Guardian* was covering all such local elections and noting which appointees were Tory or Liberal.⁵²

So far as agricultural labourers were concerned, the 1834 Act was a disaster. As Snell has pointed out the arrival of Unions and Boards of Guardians simply meant that the administration of the Poor Law was now firmly in the hands of the employing and tenant farmer classes. It was also no longer parish- administered and was therefore less reactive to immediate local needs. Despite Tory propaganda and attempts at local interference, gentry appointed to be guardians were often absent from meetings, leaving farmers to use the law for their own economic benefit. This usually meant compelling labourers to accept low wages and taking action against applicants they did not like.⁵³ The real problem for the poor,

⁵⁰ *WG*: May 16th 1835.

⁵¹ *WG*: June 20th 1835.

⁵² *WG*: April 7th 1838. Not all elections were covered in this way, but it was interesting that the paper began to note the political sympathies and affiliations of some appointees.

⁵³ Snell, *Annals of the Labouring Poor*: 116-117.

however, was simply applying for relief in the first place since initial applications had to be made to the Union relieving officer who then discovered the ‘facts’ of the case before reporting to the guardians. Since relieving officers dealt with a number of parishes, they might only visit a parish once a week and the poor themselves often lived some distance from where guardians met. The guardians also met in secret and even when the poor did attend they were excluded from the room while discussions about their application took place.⁵⁴ The workload of the relieving officer in each Union was also enormously heavy and the scale of the problem can be gauged by looking at the parishes chosen for this study. Elmley Lovett became part of the Droitwich Union, consisting of 26 parishes, Powick became part of Upton-on-Severn Union, consisting of 23 parishes and Inkberrow part of the Alcester Union, Warwickshire, consisting of 22 parishes. This meant large populations to be dealt with and some distance to travel in order to carry out parochial duties. For example, the population of the Alcester Union in 1861 was 16,878 and the area covered 52,430 acres.⁵⁵ The poor also suffered when parishes put interim arrangements in place before the new Unions came into operation, usually cutting the cost of local relief in anticipation of making financial contributions to the new Union.

The Poor Law Amendment Act also enabled all parishes to remove unwanted residents. Although Poor Law Unions made arrangements for temporary workhouses, when new Union workhouses were being built they were located in the county’s largest towns and some were significant distances away from the parishes they served. This meant that the poor were often removed completely from their native villages and ordered into regimented institutions where they might not even have the company of people they knew. In November 1836, for example, ‘John Smith a pauper boy (being deaf)’ was removed from his home village to the Union workhouse and in November 1838 the Guardians of Droitwich Union forced the poor law overseers of Doverdale to bind another pauper lad, Thomas Moule, as an apprentice to William Roughton, a miner from Kingswinford.⁵⁶ The Union took this action because of local resistance at Doverdale led by the Reverend G. Larden.

⁵⁴ Snell, *Annals of the Labouring Poor*: 123.

⁵⁵ <http://www.institutions.org.uk/workhouses>

⁵⁶ WCRO: BA/401/2, Minute Book Droitwich Union 1836-1838. See entries for 30th November 1836 and 14th November 1838.

Larden was elected as a guardian, but frequently challenged the rest of the board about matters of policy and procedures. He resigned office in December 1838 and was replaced by William Bullock, a local farmer, who appeared more amenable to the Board of Guardian's determination to end outdoor relief and set the able bodied poor to work grinding flour using hand-cranked mills. This last idea particularly appealed to the Board of Guardians, because if the workers stopped cranking or went slow, a bell rang and they could be urged to work harder. Often a man on the crank had to grind a set number of bushels of flour before he could stop work. A similar device was used in Worcester Gaol in the 1820s, making comparisons between the gaol and the new workhouse almost inevitable.⁵⁷

Powick became part of Upton-on-Severn Union in 1835 and elected Edward Herbert of Powick Farm and Charles Clarke as Guardians. Upton Union established two temporary workhouses - one at Upton for the old and infirm and another at Kempsey for the able-bodied. It also pursued a policy of removals to the workhouse and swingeing cuts in outdoor relief. The only resistance to this practice came from another clergyman, the Reverend George Tuberville of Hanley Castle, who was an ex-officio guardian and also a JP. In order to prevent four poor elderly women being removed from his village, Tuberville agreed to maintain them out of his own pocket. A month later he also saved a poor girl from removal by paying her to look after the old women he had already agreed to support.⁵⁸ Together with another ex-officio guardian, the Reverend G. Duccie, Tuberville set up a small committee to look into the possibility of establishing sick clubs for the poor so that they could remain in their own villages rather than being forced into the workhouse.⁵⁹ This came to nothing, and the guardians were soon getting paupers removed from villages into the temporary workhouses. Not surprisingly, some people proved quite resistant and one elderly man forced into Upton Workhouse for the elderly attacked the Master and ended up being punished with

⁵⁷ WCRO: BA/401/2, Minute Book Droitwich Workhouse 1836-1838. See entries 29th August 1838, 14th November 1838, 12th December 1838 and 3rd April 1839.

⁵⁸ WCRO: BA/414, Minute Book of Upton-on-Severn Union. See entries 28th January 1836 and 4th February 1836.

⁵⁹ WCRO: BA/414, Minute Book of Upton-on-Severn Workhouse. See entry for 6th October 1836.

short rations for three days and the threat of worse to come if he repeated the offence.⁶⁰

Given the tensions still existing after 1830 and the implications of the New Poor Law, it was not surprising to find evidence of serious resistance to the new workhouses, both nationally and locally. On Thursday, 11th December 1834, for example, the overseers of Broadway were gathered around the fire in the parish chapel when a paper parcel with a pound of gunpowder in it was dropped down the chimney on a piece of string and the string cut. It was snatched out of the fire before it could explode and a reward of fifty guineas offered to catch the perpetrators.⁶¹ Two men, Thomas Smith, a gardener, and William Jackson, a labourer, were quickly brought to trial for the offence, but because the evidence was only circumstantial they were acquitted.⁶² This local version of the Gunpowder Plot of 1605 demanded some explanation. It was clearly a serious criminal act and one that fulfilled John Rule's second category of social crime as being 'criminal actions committed as an act of explicit protest which represented social grievances'.⁶³ Other more traditional forms of rural protest also continued to occur periodically in Worcestershire after the Revolt of 1830. In keeping with Billenge's findings in Wiltshire⁶⁴ and Shakesheff's research on Herefordshire,⁶⁵ arson attacks occurred in Worcestershire and in neighbouring Shropshire almost as soon as the Revolt was over. In February 1832 there was an arson attack on a farm at Abbots Salford, near Evesham, where a stranger asked for money or food from a female servant but was refused. He was assumed to have then started a fire in revenge.⁶⁶ In the following month there was another case at Whixall, Shropshire, where Hannah Symonds set fire to her employer's cowhouse when he threatened to

⁶⁰ WCRO: BA/414, Minute Book of Upton-on-Severn Workhouse. See entry 1st December 1836. A workhouse specifically for the elderly was unusual and it only existed as a separate institution until the new workhouse was built.

⁶¹ *BWJ*: 11th December 1834 and January 1st 1835.

⁶² *BWJ*: January 8th 1835. This incident reinforces Jones' view that there may have been more protest in rural areas against the Poor Law Amendment Act of 1834 than has been realised. Jones, *Crime, Protest, Community and Police*: 16.

⁶³ Rule, 'Social Crime in the Rural South in the Eighteenth and Early Nineteenth Centuries'.

⁶⁴ Billenge, 'Rural Crime and Protest in Wiltshire', 207. Billenge detected 189 cases of arson in Wiltshire between 1831 and 1875 and found that because of their scattered nature they seldom attracted publicity.

⁶⁵ Shakesheff, 'Crime, Petty Crime and Social Crime', 202. Shakesheff has identified 101 reported attacks to farm property between 1800-1860, with a sharp rise in cases of arson between 1841-1850.

⁶⁶ *ABG*: February 6th 1832.

beat her. She was consequently sentenced to death, but with a recommendation of mercy.⁶⁷ More interesting, perhaps, was the case of James Lee and Joseph Grindley who set fire to a barley stack at Prees Heath, near Whitchurch, Shropshire and whose trial was reported on the same day as that of Hannah Symonds. The Lee and Grindley case was interesting because they started a fire with a combustible ball made of gunpowder, tow and tinder covered in a rag soaked in nitre. At their trial this gunpowder 'ball' was described as being sophisticated because it operated like a crude time-bomb and took between fourteen and half minutes and three hours to ignite. Grindley had made this gunpowder ball and the existence of this kind of device indicated that some arson attacks could take place some time after those who had set the device had left the area making the crime harder to detect.⁶⁸

It was also worth noting that Smith and Jackson's alleged offence against the Broadway overseers took place in the winter of 1834-35 when agriculture was particularly depressed, so much so that in March 1835 there was a public meeting of labourers at Kington, Herefordshire to petition Parliament for relief and a petition by Worcestershire landowners also asking for relief because 'distress was increasing daily'.⁶⁹ Distress, however, resulted in a mixture of old and new responses. On the one hand, landlords and clergy began to remit rents and tithes as part of their patriarchal duty,⁷⁰ while on the other, some farmers reduced wages.⁷¹ Most parishes, however, continued to run down their allowance systems and less money was spent on the poor. Given this situation, it was small wonder that a person or persons unknown saw the Broadway overseers as the new enemy and attempted to blow the whole vestry up with gunpowder.

The same period of distress also saw another major incident of arson in Worcestershire, although this was not reported in any local paper and never came to the assizes. On October 24th 1834, Frank Wheeler reported in his memorandum book that there was a major fire at a barn of Court House, Cleeve Prior, which

⁶⁷ *WH*: March 24th 1832.

⁶⁸ *WH*: March 24th 1832.

⁶⁹ *WG*: March 14th 1835.

⁷⁰ *WG*: Dec 20th 1834. Brooke Forester of Elmley Lovett remitted tenants 15% of their rents. *WG*: January 10th 1835. The Reverend Henry Hill of Rock returned 10% of tithes, as did the Reverend Charles Whitmore of Stockton.

⁷¹ *WCRO*: BA/5044/7, Memorandum book of Frank Wheeler October 27th 1834.

destroyed 700 bags of wheat along with winnowing and hay-making machines. It was later claimed that the barn had been set on fire by persons unknown, but a local man called Collett had been arrested for the offence, although he was later released. Wheeler wrote that it was widely believed that Collett was the arsonist.⁷² He also reported the theft of hay from his barn on December 11th the following year and a spate of robberies in other villages nearby.⁷³ These reports were in keeping with the fact that crime, particularly rural crime, appeared to be increasing throughout the county post-1830.⁷⁴ In the Midsummer Assizes of 1832, for example, 34 per cent of all prosecutions involved agricultural labourers and the majority were under the age of 25.⁷⁵ Not surprisingly Worcester Gaol became overcrowded so that by 1841 the gaol held 251 prisoners, 70 of whom had to be lodged in the garret because of a lack of cells.⁷⁶ Even subjecting them to hard labour became increasingly difficult since the treadmill, introduced in 1824, only took 35 prisoners at a time and by 1839 there were a hundred prisoners in the gaol sentenced to hard labour. This meant that their sentences could only be fulfilled by working the treadmill in three relays.⁷⁷

Shakesheff identified a rise in rural crime in Herefordshire in the same period and suggested that much of this was stimulated by declining economic and social conditions amongst rural agricultural labourers.⁷⁸ The same appeared true of Worcestershire and some of the offences identified by Shakesheff as social crimes, such as wood theft, sheep stealing, crop theft and animal maiming, were more prevalent in Worcestershire post-1830. Wood theft, in particular, increased noticeably and animal maiming became a serious issue for the first time. Interestingly, whereas Shakesheff found evidence that most social crimes decreased in Herefordshire between 1834 and 1836 and then rose sharply until 1840, this

⁷² WRCO: BA/5044/7, Memorandum book. See entry for October 22nd 1834.

⁷³ WRCO: BA/5044/7, Memorandum book. See entry for December 11th 1835.

⁷⁴ BPP, *Crime and Punishment, Police. Volume 8*. Thomas Marriott reported from Pershore in 1838 that there was significantly more hidden crime, 'not brought to light for want of police'. See *First Report of the Commissioners, 1839*: 3. The percentage of prisoners under the age of 25 corroborates other research indicating that by the 1830s the national pattern was for up to fifty percent of all prisoners to fall into this age group. Jones, *Crime, Protest, Community and Police*: 6.

⁷⁵ WH: July 7th 1832.

⁷⁶ WCRO: BA/1/122/4/2, Magistrates Visitors Book. See entry April 3rd 1841. An additional 80 cells had been added to the Gaol when it was rebuilt in 1823 and a further 60 cells added in 1839.

⁷⁷ WRCO: BA/1/122/4/2, Magistrates Visitors Book. See entry 4th July 1839.

⁷⁸ Shakesheff, 'Crime, Petty Crime and Social Crime', 34.

study found more evidence of wood theft and sheep stealing in Worcestershire between 1834 and 1836 than there had been prior to 1830.⁷⁹

In an article on wood theft in Herefordshire, Shakesheff maintained that while thefts were motivated by a number of factors, they mostly rose from a need for domestic fuel, especially during the winter. The majority of labourers in the county could not afford coal and whilst firewood could be bought very cheaply, it was also a drain on a labouring family's already stretched resources. A hundred faggots cost 32s, but this represented some 15 per cent of a Herefordshire labourer's annual income, an unnecessary expense when a free alternative lay all around the lanes, highways and nearby woods.⁸⁰ Farmers and landowners, Shakesheff argued, were eager to prosecute such offences and had the means to do so under the Malicious Trespass Act of 1820 that allowed for a £5 fine or three months imprisonment if damage could be proved. A modification of the 1825 Protection of Property in Orchards Act also allowed for fines and short terms of imprisonment for thefts from gardens and orchards. Nevertheless, if they prosecuted, farmers ran the risk of becoming the focus of other acts expressing discontent as well as the expense of prosecuting labourers for what magistrates might regard as trivial offences.⁸¹

As far as Worcestershire was concerned, Shakesheff's argument may be taken one step further, because not only was wood theft more noticeable in the winter of 1834-35, but also increases in this type of offence coincided with the run-down of the allowance system under the Old Poor Law. The increasing disappearance of allowances for clothes, shoes, smocks, shifts, bedding and coals, plus a reduction in weekly and casual pay, inevitably meant that those who were poor and unemployed had to survive the winter on reduced incomes.⁸² Small wonder then that they sought fuel from the resources all around them. Nor was it surprising to learn that that when six women were charged with entering a farmer's field at Beoley in 1834

⁷⁹ Shakesheff, 'Crime, Petty Crime and Social Crime', 110. 129. 165.

⁸⁰ Tim Shakesheff, 'Wood and Crop Theft in Rural Herefordshire', 1800-1860', *Rural History* (2002) 13: 1-17.

⁸¹ Shakesheff, 'Wood and Crop Theft in Rural Herefordshire', 6-7.

⁸² BPP, *Poor Law 1834, Volume 11*. In the *Report from the Select Committee enquiring into administration of the relief of the poor under the Poor Law Amendment Act*, correspondents from several Worcestershire villages made it clear that agricultural labourers could barely subsist on their earning. They had just enough income to cover a basic diet and this depended on their being in constant employment: 590b.

to steal hedge stakes, the *Worcester Herald* commented that this was now ‘an offence of too frequent occurrence’. These women, however, were allowed to go free on the grounds that they had already paid the farmer 5s compensation.⁸³ This was not the case, however, when Benjamin Thomas, a labourer from Hallow, was fined 6s 8d for cutting sticks out of a farmer’s coppice in 1836, probably because he had committed his offence on a Sunday. He was told by magistrates that he was setting a bad example by stealing on the Sabbath when he should have been taking his children to church.⁸⁴

The most interesting case of wood theft in Worcestershire during this period, however, was reported in the *Worcester Guardian* in February 1835. J. Joiner a poor labourer of Broadwas, went out one day and stole ash poles from a coppice belonging to Edward Pullen, a butcher. Pullen had been able to follow Joiner’s footprints to his home and initiated his arrest, despite the fact that Joiner had once been his apprentice. When the case came to court, however, the Tory magistrates heard evidence from Joiner’s wife about the distress that they were in and the fact that the parish was only allowing 1s a week relief for the four of them. Clearly, her husband had simply gone out to steal wood for fuel as an act of desperation. The magistrates then expressed their indignation about the Broadwas overseers and asked Joiner and his wife to leave the room. Pullen was then told that if Joiner went to gaol, the parish would have to support the whole family and Joiner would come out of prison a worse man. Pullen, however, retorted that gaol would do his ex-apprentice good. Despite this, the magistrates were still reluctant to commit him and compromised by settling on the fine of 1s, the cost of the wood and 7s 6d expenses. Joiner asked for a fortnight’s grace to try to raise the money and was released to do so.⁸⁵ The magistrates’ leniency in this case appeared to have been stimulated by their dislike of the New Poor Law and the fact that the farmer was pursuing a poor labourer through the courts when the cost of the stolen goods was so low.

⁸³ *WH*: July 12th 1834.

⁸⁴ *WH*: June 11th 1836.

⁸⁵ *WG*: February 7th 1835.

In one of the parishes chosen for this study, even the old and the sick were unable to escape prosecution for wood theft, albeit that the farmers involved were reluctant to take action. In October 1835, Nicholls, a Powick farmer, reluctantly brought an action against an old man called Thomas Carradine for taking a hurdle out of a fence. Nicholls said that he would not normally prosecute, but that such thefts were happening a lot on his land recently and cattle were straying.⁸⁶ Similarly, in March 1836, John Edwards, another Powick farmer, brought an action against James Dibble, a labourer ‘of weak intellect’, for stealing part of a fence, largely because Dibble had done the same the previous week and Edwards resented the offence being repeated. Dibble was fined 7s.⁸⁷ These offences, however, can be linked directly to changes in local Poor Law practice. By 1830, Powick was a parish with a select vestry extremely antipathetic towards the poor and running a local workhouse with stringent rules and regulations. It had also cut the cost of poor relief from £1044 in 1833 to £791 in 1834 and £785 in 1835 in anticipation of its powers being taken over by Upton-on-Severn Union after October 1835. Given these cuts and the even harsher attitude of the new Union, it was not surprising that some elderly people turned to wood theft in order to survive and stay in their own villages. In these instances, however, taking fencing from local farmers was hardly a social crime, but due to the fact that these elderly offenders were probably unable to walk any distance in search of free wood. Despite his weak intellect, no compassion appeared to have been shown towards James Dibble.

So far as the Game Laws were concerned, a minor change in 1831 abolished property qualifications and allowed anyone who purchased a licence to take game. For labourers, the cost of a licence was prohibitive and, as Martin pointed out, many labourers regarded poaching as a right that allowed them ‘some injudicious retaliation against servitude’.⁸⁸ That said, there were still those who chose to poach for a living, selling produce to local butchers and others who poached for sport or out of a need to supply food for their own table. For example, there were always likeable rogues such as a poacher with the alias ‘Joe Mason’ who appeared before Worcester magistrates in September 1832 for setting gins for hares and pheasants in

⁸⁶ WH: October 3rd 1835.

⁸⁷ WH: March 26th 1836.

⁸⁸ Martin, *The Secret People*: 188.

a wood at Wardon. ‘Joe Mason’ claimed he didn’t know his real name and was not the least upset to be convicted and given a five guinea fine or three months in prison. He chose prison and hoped the same magistrate would be sitting on the bench the next time he came before the court.⁸⁹ Offences against the Game Laws continued increasing after 1830 and this was commented on by Justice Litterdale at the opening of the Worcestershire Lent Assizes in 1832 and by the magistrates at the start of the Michaelmas Quarter Sessions in 1835.⁹⁰ Part of this increase was undoubtedly due to the vigilance and litigious nature of some of the county’s gamekeepers. Surman, the Berkeleys’ gamekeeper on their Spetchley estate, for example, was vigorous in pursuing all offenders and brought charges against a number of poachers between 1835 and 1836. On one occasion, he got his wording wrong and two of his cases against poachers were thrown out of court.⁹¹ Undeterred, he returned to court with a new vigour, and the right wording, and his cases were proven a fortnight later.⁹²

If cases of poaching resulted in fines, periods of imprisonment and transportation, sheep stealing was still a capital offence until 1832, although those sentenced to death usually had their sentences commuted to seven years’ transportation or, in the case of repeat offenders, transportation for life. After some tailing off of offences during the period 1815 to 1830, such offences increased noticeably between 1830 and 1840. Where agricultural labourers were involved, however, existing evidence suggested that some stole for profit rather than out of necessity. For example, in 1835, William Drew, a Powick labourer, stole seven sheep from Powick Hams belonging to Richard Harris and tried to sell them at Worcester market. The sheep, however, were identified, and Harris and Drew transported for life.⁹³ Powick Hams at this time were still common fields where freeholders grazed hundreds of sheep and Drew had taken a calculated risk that seven out of so many would not be missed. This was not the same as a case a year later, however, when a Shrawley labourer, Richard Nash, killed a sheep locally and carried off two shoulders and one leg of mutton for his own consumption. In this

⁸⁹ *WH*: September 29th 1832.

⁹⁰ *WH*: March 10th 1832 and October 24th 1835.

⁹¹ *WH*: January 2nd 1836. Surman appeared to have made his complaint using the wrong terminology so that his paperwork was inaccurate and the case could not be heard.

⁹² *WH*: January 14th 1836.

⁹³ *WH*: July 4th 1835.

instance Nash was clearly been driven by want. However, as he had a previous conviction and he had served a prison sentence in 1833, his sentence for sheep stealing was transportation for life.⁹⁴

Given that emigration was the respectable face of transportation, it was unusual to find no evidence of local schemes being set up in rural Worcestershire before the 1850s.⁹⁵ The only encouragement to emigrate during this period came when the *Worcester Herald* reprinted a letter from the *Essex Herald* from a man called Unwin who had emigrated to Canada in 1832. In a letter home to his son, Unwin claimed his family was doing well and that there was plenty of work available for agricultural labourers. He encouraged his son, who was still living in Essex, to spread the word and to 'tell them...[that]... this is a much better country for labourers than England'.⁹⁶ Those who were about to emigrate against their will via transportation undoubtedly saw things somewhat differently. Many tried to escape from Worcester Gaol or tried any means within their power to avoid their fate. In 1832 three men awaiting transportation in Worcester gaol, William Jones, George Panton and William Fryer, first tried to escape and then obtained temporary respite through making their legs sore by rubbing their double leg irons against their ankles.⁹⁷ These injuries had to be treated before the men could be taken from the gaol. A few years later, Mary Haywood, a single mother, tried to hang herself, rather than be transported and face the future in an unknown land. In order to make her docile and acquiescent, she was put into solitary confinement, with her child taken from her.⁹⁸

Physical assaults also remained a feature of village communities in the 1830s, often involving neighbours, married couples and fellow villagers. An example from Powick, however, did cast some interesting light on how social relationships may have been changing between agricultural labourers and their better-off neighbours. On September 8th, 1832 Sophia Hartland of Powick was fined 5s for beating her neighbour Ann Holiday with a stick after Holiday's children had thrown

⁹⁴ *WH*: July 26th 1836.

⁹⁵ The Bromsgrove Union established a scheme in the 1850s to get children to emigrate to Canada.

⁹⁶ *WH*: August 15th 1835.

⁹⁷ WCRO: BA/122/4/1, County Gaol Visiting Magistrates Minute Book. See 26th December 1831 and 24th March 1832.

⁹⁸ WCRO: BA/122/4/1, See entry for 8th July 1839.

mud at her door. Ill-feeling between the Hartlands and the Holidays, however, may have been motivated by factors other than badly behaved children. Although both couples were roughly the same age, Sophia's husband John Hartland was an agricultural labourer, whereas Ann Holiday's husband was a blacksmith. Both families lived in Beauchamp Court Lane, which housed seventeen families, thirteen of which were agricultural labourers. John Holiday, the blacksmith, therefore, was part of what Reed calls 'the middling group' of village residents, someone whose life was economically different from his immediate neighbours and probably socially different as well.⁹⁹ It may be that the friction between Sophia Hartland and Ann Holiday, was not so much the result of children's pranks but growing tensions between poorly paid agricultural labourers and their more prosperous neighbours. Reed has suggested elsewhere that such tensions did exist and that social relationships during this period were changing according to the occupational make-up of individual villages.¹⁰⁰ It may be, of course, that the Hartlands and the Holidays were simply bad neighbours who remained living next door to each other in mutual antipathy, unable to bear the sight of each other but unwilling or unable to move.

As well as physical violence, there was also a darker side to labourers' lives, one of marital violence, incest, rape and bestiality, although it was rare for such crimes to come to court. Many women undoubtedly suffered in silence, so it was interesting to find one woman, Hannah Brough of Bransford, taking her husband to court in 1835 for common assault. In her evidence she told how shortly after their honeymoon he had taken a horsewhip to her and how, during three years of marriage, he had kicked her frequently. Hannah's bravery earned her husband an 11s fine or two month's imprisonment, a lenient sentence compared to many received for poaching and insignificant compared to sentences for sheep stealing and animal maiming. Animal maiming, however, was still a rare crime in Worcestershire and the only significant instance to occur in this period might at first sight be classified as a 'social crime' but its undertones suggested something darker about labourers' attitudes towards sexuality. In July 1835, a Bockleton labourer, Thomas Adams, aged 47 stood trial for wounding a farmer's mare in 'a

⁹⁹ Reed, 'Class and Conflict in Rural England: Some Reflections on a Debate', 21.

¹⁰⁰ Reed, 'Class and Conflict in Rural England: Some Reflections on a Debate', 24.

revolting and brutal nature as to be unfit for detail'. His motive reported in the paper was that he wanted to murder the mare and thus bring about the farmer's ruin. Adams was found guilty accordingly and sentenced to transportation for life.¹⁰¹ Since the injuries were unfit to describe they were presumably linked to sexual areas of the mare's body. This was not the easiest way to kill an animal, however, nor would killing one horse bring about a farmer's financial ruin. So although this was clearly the act of a disaffected individual, it bore no relationship to the basic acts of cruelty to animals or thefts of horsehair that Shakesheff detected in Herefordshire during the same period, although he did find one similar case in 1809 where a maimer attacked two mares by forcing the end of a cart whip into their wombs.¹⁰² Whilst agreeing with Shakesheff that all animal maiming represented an expression of hatred towards the animal's owner, the sexual element of some crimes required a more satisfactory explanation than that of 'symbolic murder'.¹⁰³ The most logical explanation was that some agricultural labourers' were simply sado-masochists, capable of using horsewhips to beat women, knives to attack animals' sexual organs and cart whips to penetrate brood mares.

In 1838, however, there were two significant outbreaks of violent social unrest, one in Kent and one in Norfolk. The Kent incident was reported in the Worcestershire press in some detail and has recently been subject to closer scrutiny by Barry Reay.¹⁰⁴ 'The Battle of Bossenden Wood', sounded alarm bells in Worcestershire because it seemed possible that the events of 1830 were about to repeat themselves. Although the leader of the uprising, Courtney, was described as a 'madman' in the *Worcester Herald*, his offer to lead Kent labourers in the Faversham- Sittingbourne area in a fight against the New Poor Law was in tune with what labourers were thinking and brought him an army of followers armed with guns and clubs. Although the *Worcester Herald* was probably deliberately exaggerating when it claimed that Courtney was recruiting a hundred followers a day, the fact that he was attracting militant supporters was a clear sign of collective disaffection. In the event the uprising was short-lived and speedy military

¹⁰¹ *WH*: July 4th 1835.

¹⁰² Shakesheff, 'Crime, Petty Crime and Social Crime', 224-226

¹⁰³ Shakesheff, 'Crime, Petty Crime and Social Crime', 228

¹⁰⁴ Barry Reay, *The Last Rising of the Agricultural Labourers: rural life and protest in 19th century England* (Oxford: Clarendon Press, 1990).

intervention resulted in Courtney and twelve of his followers being killed and the total collapse of his uprising.¹⁰⁵ The *Worcester Herald* was still worried a week later by reports that Courtney's blood-stained blouse was said to have been torn up for relics by 'thousands of his admirers' who had also queued to view his body in order to take hair from his beard and head.¹⁰⁶ Whether this latter report was true or not, Courtney failed to achieve popular martyrdom outside this locality and the events at Bossenden Wood were quickly forgotten. A second cause for alarm, however, occurred in October of the same year when it was reported that a man called Lerner and a large mob had attacked the home of Isaac Jermy at Stansfield Hall in Norfolk - another county much affected by the 1830 riots - and taken possession of it. As was the case in Kent, the Militia were sent for and the mob ejected. Sixty-three arrests were made and fourteen men were sent for trial.¹⁰⁷ The *Worcester Herald* assumed the motives for the attack were connected with agricultural labourers' discontent, but once swift action by the military had quelled the disturbance the story quickly ceased to be of any interest in Worcestershire.¹⁰⁸

Worcestershire, however, was changing and even before the 1835 Municipal Corporations Act shifted the focus away from a rural to an urban society, local authorities and residents in towns began to display a growing sense of civic pride. In Evesham, for example, the 1831 Census indicated that the town's economy was increasingly reliant on commerce and the town had a growing retail sector. With ten butchers, eight drapers, 11 tailors, 12 blacksmiths and 12 boot makers living and working in the central parish of All Saints, compared to 23 agricultural labourers, there were clearly different economic interests influencing town politics and social behaviour.¹⁰⁹ In 1831, for example, an inspection of nuisances in All Saints parish was specifically undertaken to determine what houses and streets occupied by its poorer residents needed a thorough cleaning, not only because some

¹⁰⁵ *WH*: June 9th 1838.

¹⁰⁶ *WH*: June 16th 1838.

¹⁰⁷ *WH*: October 14th 1838.

¹⁰⁸ It was worth noting, however, that ten years later Isaac Jermy and his son Jermy Jermy were murdered because of debts owed to Isaac by James Blomefield Rush, a land agent and farmer. The role of the Jermys in the area of Stansfield Hall are worthy of further investigation to see if events in Norfolk have any relationship to events in Kent earlier that year and why Isaac Jermy was an target for disaffected labourers. The Norfolk Record Office has papers relating to the murder of Isaac Jermy located at MC70.

¹⁰⁹ WCRO: BA/8798/8, See materials collected for the 1831 census and a description of nuisances in All Saints Parish.

properties were a health hazard, but also because their occupants were disreputable and needed keeping in check. The inspection itself may well have been intended as a form of harassment that might encourage such occupants to leave the parish. Between 1831 and 1832 the town also employed a ‘street-keeper’ to deal with nuisances and to keep the streets free of vagrants.¹¹⁰ Evesham also published details of payments made to the poor in 1833, both as a means of justifying civic spending and as a means of naming and shaming those in receipt of relief. The county town of Worcester, an Anglican stronghold, also demonstrated its sense of civic pride and political allegiance in 1832, firstly by celebrating Oak Apple Day with bell-ringing and civic buildings decorated with oak boughs and, secondly, by staging impressive illuminations at the passing of the Reform Bill in 1832. Although the Dean and Chapter decorated the cathedral’s Edgar Tower for the occasion, the chief celebrants were the town’s retailers and owners of small businesses. Mr. Southam, a fishmonger, for example, lit up his premises with an illuminated star while Mr. Sterry, a gilder, came up with a transparency of Peace alighting the earth.¹¹¹ A letter from a local Quaker indicated that the passing of the Reform Act was also celebrated by bell ringing, processions, celebration dinners, fireworks and guns fired in the streets.¹¹²

At well as emphasising the importance of civic celebrations, the Worcester authorities began a crackdown on Sabbath breakers and began to suppress violent popular sports. There was also a call by the *Worcester Herald* for action to be taken against ‘turbulent idle boys’ who congregated on the South Quay and Parade on Sundays¹¹³ and praise for a petition handed in at the Guildhall in 1835 asking the authorities to uphold the Sabbath.¹¹⁴ This led five young men and boys aged fourteen to twenty being made an example of and fined 11s for damaging fences and shrubs during church time, presumably through playing football.¹¹⁵ The *Worcester Herald* also began a campaign in the same year for the authorities to end

¹¹⁰ BPP, *Municipal Corporations, Volume 2, 1835, Report on the Borough of Evesham*: 55. This may only have been a temporary post, since the job was discontinued in 1832, much to the annoyance of many residents.

¹¹¹ *WH*: June 18th 1832.

¹¹² WCRO: BA/8720/1/ii, Letter from M. A. Spriggs to A. and H. Spriggs 1832, 6mo 13th (13th June).

¹¹³ *WH*: June 14th 1832.

¹¹⁴ *WH*: March 14th 1835.

¹¹⁵ *WH*: March 21st 1835.

local prize fights after Thomas Thorley, a tinker from Ledbury, died from injuries received during a fight by candlelight held on the Pitchcroft.¹¹⁶ This incident was the second case in a month since, a fortnight earlier, Francis Braidley of Birdport was fined £20 when he and a hundred others broke into a local field where Braidley stripped off to take part in a prize-fight.¹¹⁷

In the Worcestershire countryside, attitudes to popular culture were also changing but for different reasons. Although landowners continued to give local labourers their traditional Christmas bounties,¹¹⁸ Tory Magistrates and farmers began a concerted attack on beer-houses and the social activities that took place in them.¹¹⁹ In 1832 Mr Bennett, described as a respectable farmer, brought an action against Thomas Crisp who kept a beer-shop at Upper Howsell, Leigh, on the grounds that he was demoralising local agricultural labourers and farm servants by allowing them to stay on his premises after eleven at night and involving them in dances, raffles and gambling. Crisp was fined two guineas.¹²⁰ Subsequently there were similar prosecutions of rural beer shop owners at Alfrick in 1832, St John in Bedwardine (1835) and Tibberton (1838). In 1838 there was also a general concern expressed at the Midsummer Quarter Sessions that beer houses were a major cause in spreading crime.¹²¹ At the same time, more labourers were being arrested and fined or imprisoned for being drunk and disorderly at village wakes. For example, John Matthews and William Jones received six months' imprisonment for being drunk and disorderly on the night of Hill and Moor wake, near Pershore in 1832¹²² and John Salisbury of Hindlip was fined 14s in 1835 for being drunk and obstructing the village constable.¹²³ Although such instances appear infrequent, they were indicative of a feeling that agricultural labourers had to be both morally educated and constrained so that they subscribed to the work ethic or faced the

¹¹⁶ WH: August 15th 1835.

¹¹⁷ WH: August 2nd 1832.

¹¹⁸ WH: January 1st 1834. See accounts of Earl of Coventry's gifts to the poor of Croome, Severn Stoke and Birton and of the Bishop of Worcester's gifts at Hartlebury. These mostly took the form of gifts of beef and bread.

¹¹⁹ This was largely the result of the Beer House Act 1830 which lowered the cost of a licence to sell beer to two guineas. No doubt local farmers associated the growth of beer houses with rural unrest.

¹²⁰ WH: August 25th 1832.

¹²¹ WH: July 7th 1838. This was in keeping with contemporary opinion nationally. See Jones, *Crime, Protest, Community and Police*: 68.

¹²² WH: September 29th 1832.

¹²³ WG: June 13th 1835.

consequences of the Union Workhouse. This is not to say that agricultural labourers' traditional customs, beliefs and pastimes died overnight or that landlords of beer shops did not fight back. In 1835, John Griffin, a cider dealer at St John in Bedwardine, was informed against for selling beer illegally. By the time the case came to court Griffin, a father of six children, was unemployed, yet although he was found guilty and fined £4.11s he behaved as if he were the victor. Griffin left court, went home and assembled a body of men and boys, 'who, with blue ribands and green boughs and tin kettles paraded the road, to the terror of the inhabitants'. Presumably the parade took place in the road where Griffin's accuser lived and Griffin was using the tradition of 'rough music' to humiliate and show up whichever local inhabitant had informed on him.¹²⁴

Although village wakes, cock-fights and backsword fighting continued into the 1830s, the influence of folk beliefs was still on the wane and customary practices frowned on.¹²⁵ By 1847 John Noake could write about the cruder country sport of cock throwing as being discontinued and that collecting gifts on St Catherine's Day, popularly referred to as Catherining, was no longer a common occurrence. He also noted that bonfires were generally a thing of the past unless organised by civic authorities.¹²⁶ By 1861, although it was claimed that in parts of Worcestershire people believed in magic and were still superstitious, most traditional beliefs, customs and practices had become part of folklore rather than a major influence on labourers' lives.¹²⁷ Paternalism was also on the wane, although there was one great occasion at the end of the 1830s that encouraged a brief revival. To celebrate Queen Victoria's Coronation, dinners and parties were arranged for labourers in almost every parish in Worcestershire. At Feckenham, 300 labourers were treated to roast beef and ale, at Hadley Green Lord Sandys gave a dinner for 80 of his labourers, their wives and children and at Cleeve Prior labourers followed their free celebration dinner with dancing on the vicar's lawn.¹²⁸ The reign of William IV was over, Victoria's had just begun.

¹²⁴ *WG*: May 3rd 1835.

¹²⁵ *WCRO*: BA/5044/7, Frank Wheeler's memorandum books record him going to these events well into the 1830s.

¹²⁶ John Noake, *Worcester in Olden Times*. (London: 1847).

¹²⁷ *BWJ*: March 30th 1861. Account of a talk given at Worcester Archeological Club.

¹²⁸ *WH*: July 7th 1838.

