

## BOOK THREE

### THE DOMESTIC FIEND OF SOMERSET HOUSE

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#### FOREWORD

CHADWICK'S reputation as an administrator and a reformer has never recovered from its association with the early years of the New Poor Law. The savage charges endlessly brought against his Public Health administration were readily believed because they fitted in with his alleged behaviour as Secretary to the Poor Law Commission. Thus a double injustice has been perpetrated. Much criticism of his work at the Board of Health turns out under examination not to be entirely baseless; the immediately succeeding chapters will show how different from popular conception was his administration of the Poor Law Office. He influenced its high policy for merely seven years, he could not at any one time do more than veto the Commissioners' policy, and even then only after appeal to the Cabinet. Three factors must be borne in mind in trying to pass judgement on his capacity.

In the first place his extraordinary status was too ambiguous to be workable. Though a subordinate to the Commissioners, in practice he was irremovable. Though empowered to appeal from their decisions, in practice he was prevented from learning what these were. Expected to act '*as a Commissioner*' the hard fact was that he was *not* a Commissioner. Therefore he could not *prevent* his colleagues from making mistakes but only veto decisions to which his superiors had committed themselves: he could not insist that his colleagues perform certain actions, but only suggest to his superiors that the action was desirable. Refused the status of Commissioner, he had accepted that of an irremovable and licensed sneak.

In the second place there was a fundamental cleavage of opinion between Chadwick and the majority on the Board. One issue which perpetually recurred turned on the significance of less-eligibility—whether it was to reduce the rates or to restore the agrarian economy. If the first, then its harshness must be tempered by mercy to the poor: if the second, its harshness *was* mercy to the poor. If the first, it must be gradual and necessarily incomplete: if the second, it must be complete, and so the quicker the better. Chadwick stood for the second

view, his opponents for the first. In the constant disputes over the application of the less-eligibility principle the antagonists were, therefore, always at cross purposes.

Thirdly, personalities entered into this already highly charged situation. Had Chadwick been a full Commissioner his interventions could hardly have been resented, and had he never intervened against the Commissioners his extraordinary status as Secretary could hardly have been noticed. As an irremovable inferior who exercised his right of protest, *manner* became all-important. Lewis was a curious mixture of Polonious and Pecksniff. Where Lewis was long-winded, Chadwick was curt: where Lewis stood on ceremony, he was uninhibited. He never in his life regretted the things he did but only the things he did not do. He never conceded that there were two sides to any question without the reservation that only one was right and that was his. If he met with opposition it was either unwise or dishonest, either due to ignorance or to sinister self-interest. Accordingly he never met differences half-way either in social theory or administrative practice. In all he was a perfectionist. His career at the Poor Law Office was to prove—though not to him!—that the enemy of the good is the best.

## CHAPTER I

## MR. THOMAS FRANKLAND LEWIS

## I

AS soon as the Poor Law Commission began its work it became obvious that the less-eligibility principle was in no sense self-acting. On the contrary, there could be legitimate dispute over the strategy of introducing it. It proved arguable also whether particular modes of dispensing relief were indeed less eligible than the lowest paid independent work, or again, whether the practices were sufficiently widespread to warrant the Commissioners' intervention.

Chadwick realized that the law would prove very unpopular in the first stages. His strategy was to introduce as much of its provisions as possible over the widest geographical area in the shortest space of time. The parishes which were still waiting to be Unionized must at least be made to present accounts and to tender publicly for their supplies. The transition from outdoor to indoor relief must be undertaken gradually, the paupers being classified; each class, in turn, being submitted to the new system. Most important of all, the most pauperized parishes should be left till last. In these the Commissioners would always get a ready welcome. The 'perfect poor law weather' of 1834-6 must be utilized by spreading Unions in the North where, as he well knew, opposition would be at its fiercest.

The Commissioners rejected this advice. The districts in which the Unions were to be formed were selected in the order of pauperization, except where emergencies pressed, such as the incendiarism at Calne in Wiltshire. By the end of its first year they had extended the law only to one-tenth of the population, and exclusively in the South, and even at the end of its second year it extended only to 45 per cent. By 1838 there were still two million Northerners who had no experience of the Act and the severe trade depression made them resolve to oppose it tooth and nail. This created a new situation where, once again, Chadwick's advice was rejected. He demanded that the lost ground be made good in a vast and ruthless drive to establish the Act for once and all. The Commissioners, having procrastinated so long, now made a virtue of their short-sightedness, and claimed that the law was inapplicable to the manufacturing areas. The fact that they were right in this respect

and Chadwick wrong does not alter the fact that they were themselves to blame for the situation.

The exact interpretation of less-eligibility gave rise to equally violent clashes of opinion. Frankland Lewis had no faith in its effectiveness. He was a Malthusian; if one were to reform the Poor Laws there was no way short of their complete abolition—and such abolition he was not prepared to recommend. To Chadwick's view that the less-eligibility principle could break the allowance system in four years, he returned that it could not be abolished in thirty. Since he was quite unconvinced by Chadwick's major premise he naturally had no use for the refinements of political economy which Chadwick argued in attempting to get the principle to work. Since the principle itself was but 'theory' and 'speculation', the demands which its logic made on the poor law administration were 'principles carried to their extremes'. He stood consequently for a safe, middle-of-the-road administration which should reduce the rates while not giving too much offence to any class. Lefevre, with no previous experience of Poor Law administration, was by contrast open minded, but quite at sea. He began his appointment under the misapprehension that the less-eligibility principle meant granting relief according to the applicant's character, and that the workhouses, instead of being Chadwick's classified establishments which automatically supplied a self-acting test of destitution, were to be 'objects of wholesome horror' for the idle and dissolute.

The attempts to define precisely what situations were or were not less eligible than the condition of the independent labourer produced a series of acute disputes throughout Chadwick's active association with the Commissioners' policy. When Lewis discovered the exact terms of Chadwick's appointment and found that he was irremovable, the issues became personal. Their mutual dislike accentuated still further their differences of view, until it becomes hard to distinguish the one from the other.

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The personal hostility between Chadwick and T. F. Lewis began to wreck the administration of the new law from the very outset. Mutual distrust and dislike matured under the impact of genuine differences on policy, and within a few months Chadwick and the Chairman of the Board were at loggerheads on all matters of importance. 'I felt', said Lewis, 'that (Chadwick's) position was, if I may so call it, *antagonistic* to mine'.<sup>1</sup> Chadwick replied:

<sup>1</sup> Edwin Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

'Here, motives of jealousy towards the person, and through the person antagonistic to the law, and to previously sanctioned opinions are intelligently set forth. My opinions and measures had been adopted by the Government and the legislature; but being mine they were treated as those of another person and were antagonistic. If it had been contrived at the outset to bring a powerful influence against the law, no more effectual modes could have been adopted than the one of blinding the judgment by strong personal jealousies against it. It was only under pressure of emergencies and frights that it was overcome. . . . It would be incredible to describe the extent of the mischief which has arisen from the jealousies above'.<sup>1</sup>

Only with Nicholls could Chadwick act cordially and indeed, they soon became lifelong friends. Lefevre he found pleasant but timid, 'about as fit to act for the Poor Law Amendment Act as a delicate girl would be to assist in performing an amputation'.<sup>2</sup> But Lewis was a self-opinionated man, vain and long-winded, a great stickler for ceremony. Neither he nor Nicholls knew aught of the special terms on which the Secretary had been appointed. Chadwick's independent and truculent behaviour struck him as boorish and insubordinate. Lewis was especially shocked and mortified.

"I did feel from the first", he said, "and my colleagues felt that with his knowledge of the Act, with his experience in the Enquiry, he was persuaded he had more knowledge on the subject than we had and I felt or rather *knew* that he thought his position was one which enabled him rather to sit and superintend the operations of the Commission than to take our directions as Secretary. . . . He had an impression that he sat there to watch and overawe us. . . ."<sup>3</sup>

For the first three months of the Commission's life T. F. Lewis could do little but sit still and fume. Chadwick was indispensable. By their own admission the Commissioners spent their first weeks finding out what they had to do.<sup>4</sup> Chadwick attended all the Board meetings, and read all the documents addressed to the Commission, aired his opinions and disagreements as freely as if he were indeed a fourth Commissioner. The initial work of the Commission was entirely his. On his direction, circular letters bade the vestries continue until further notice<sup>5</sup>; it was he who distributed copies of the Act among the parishes.<sup>6</sup> He circulated among them questionnaires relative to work-house accommodation, drew up the new rules of outdoor relief and,

<sup>1</sup> Edwin Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

<sup>2</sup> Edwin Chadwick to Bishop Blomfield, 16th December 1844.

<sup>3</sup> The Select Committee on the Andover Union, Parliamentary Papers, 1846, v (hereafter styled *Andover Enquiry*), Q. 22312.

<sup>4</sup> *Andover Enquiry*, Q. 22309.

<sup>5</sup> Edwin Chadwick's memo. to Althorp, N.D., 1841.

<sup>6</sup> F. Place to Edwin Chadwick, 7th August 1834.

with Lefevre's help, the new form of accounts to be used by the Unions.<sup>1</sup> He superintended the choice of the Assistant Commissioners and headquarters staff.<sup>2</sup>

As soon as the Commission had got under way and the Commissioners had collected themselves, Lewis brought matters to a head. He was astounded at the Secretary's domineering manner and soon became obsessed with the idea that he was aiming to get all the Board's business into his own hands. 'Mr Chadwick', he said, 'had been a Commissioner of the Enquiry which led to the alteration of the Poor Laws; he had been an influential Commissioner; he had been very instrumental and very confidentially employed in preparing the Act of Parliament. But Mr Chadwick was not a Commissioner of the Board at which I sat.'<sup>3</sup> A Board meeting was being held and Chadwick was, as usual, present. Thereupon, with the pretext that the Board had confidential business to discuss, T. F. Lewis requested him to quit the room. Chadwick had no choice but to comply. The next day saw the matter out. Chadwick passed word by Lefevre that any Board meeting held without the presence of the Secretary was illegal. Lewis was furious. He summoned the mutineer, and flanked by his fellow-Commissioners waved a copy of the Act and launched a long harangue.

'Mr Chadwick,' he began, 'I have been surprised at the claim you have communicated to us through Mr Lefevre. I have served on a great many Boards and have seen a great many Secretaries and I never in my life thought of the possibility of there existing on the part of a Secretary a claim of right to be present at a Board; therefore,' he continued, 'I cannot admit it in your case; and I tell you fairly that I shall never be able to admit it; it is against my entire conviction on the subject...' 'Mr Chadwick,' he went on, seizing the Act and brandishing it about him, 'Mr Chadwick, we have the authority to dismiss you, and I put it to your judgement, do you suppose it possible in the nature of things, if we had to deliberate among one another on the subject of dismissing you, you could have the right to sit there and hear the reasons urged with one another on the subject? The thing appears impossible!'<sup>4</sup>

Then Chadwick staggered him. First of all the Board could *not* dismiss him! Next, apart from any legal considerations as to the duties of a Secretary, let Mr Lewis make no mistake: he was a very special Secretary. He was a government nominee who had accepted the post

<sup>1</sup> D. G. Adey to E. Chadwick, 18th October 1835.

<sup>2</sup> Cf. 'Papers relating to the Reorganization of the Civil Service' (H.M.S.O.), Parliamentary Papers, 1854-5, xx. Chadwick's contribution (pp. 135 et seq.).

<sup>3</sup> Andover Enquiry, Q. 22312.

<sup>4</sup> Ibid. Q. 22502.

only upon the condition 'that he had the standing of a Commissioner'.<sup>1</sup> This was monstrous, said Lewis. Had Mr Nicholls ever heard of such a condition? As it happened Nicholls had not and Lewis exploded with indignation. Nothing he declared, nothing, would have induced him to accept a position where the Secretary might speak on equal terms with himself. It was unthinkable!<sup>2</sup>

Unthinkable or not it turned out to be true and Lewis had to put up with employing a Secretary whom he distrusted, disliked, and could not remove. But he resolved to eliminate Chadwick's influence as far as these unhappy conditions allowed. To this end he made certain apparently insignificant changes in office procedure. Henceforth although Chadwick was present at practically all the Board meetings he had no part in their decisions. These were made an act of the Commissioners alone and concealed except from a minute-clerk. Furthermore he arranged that all future meetings of the Board could take place only on a Commissioner's initiative.<sup>3</sup>

This grotesque manoeuvre hampered administration still further and did not effectively cramp Chadwick's initiative. He still knew all that went on inside the office, he still disagreed with the Commissioners' policy and above all he did not abate his pretensions one jot. All that Lewis had achieved was to deprive him of the means of *constitutional* and constructive opposition. He forced Chadwick to take his complaints to outsiders and appeal to Ministers above the Commissioners' heads. (To the outside world it looked like insubordination, and this interpretation has lasted to this day.) This course was possible only with a Whig administration. When Peel's short-lived Ministry was in office Chadwick met with the sharpest of rebuffs. 'We have absolute confidence in the Chief; you must quit the office',<sup>4</sup> was Wellington's reply to his complaints. He had to nurse his anger until the Whigs were back again. Thereupon he launched a volley of complaints.

Senior was his confidant and through him Chadwick took care that they should reach the Home Secretary. He complained of the slow rate of unionization—it would take another nine years to unionize the country. He complained that they had failed to win the support of the large

<sup>1</sup> Edwin Chadwick to Lord Althorp, 8th May 1841. Edwin Chadwick to Sir G. Grey, 21st June 1847.

<sup>2</sup> Andover Enquiry, Qq. 22502-5.

<sup>3</sup> See Letters to the Secretary of State on the transaction of the business of the Commission (1847). Andover Enquiry: evidence of T. F. Lewis, *passim*. MSS. minutes of the P.L.C. (P.R.O.), 6th and 15th November 1834.

<sup>4</sup> Edwin Chadwick to Lord Althorp, 8th May 1841.

landlords and that the old corrupt village oligarchies were seizing control of the Boards of Guardians. He blamed the Commissioners for the sporadic rural opposition that made itself felt in the Home Counties. He deplored their strategy.

"I urged", he said, "that this was the time for carrying out the Act rigorously in the large towns and in the manufacturing districts; that the continuance of such a high state of prosperity could not reasonably be anticipated; that the chief agitators were then engaged with other objects, that the principal town parishes were then in expectation of the Commissioners, that the greater pressure in the more pauperized districts would at all times secure the co-operation of the chief ratepayers and that after the Unions in the agricultural counties were put into action, they might many of them be left for a time to advance how they could in the light of general instructions, whilst several of the Assistant Commissioners were detached to secure the ground in the more densely peopled districts; that at all events isolated Unions should be formed in favourable parts of the Northern Counties in order that their operation might serve to dispose the people favourably to the advancement of the change."<sup>1</sup>

At this moment occurred the first of the many clashes over the less-eligibility principle. The Assistant Secretary, George Coode, secretly brought to him a circular letter which Lefevre was about to issue.<sup>2</sup> It was called 'Suggestions to parish officials as to the most eligible modes of providing employment for able-bodied paupers', and is probably the first important circular letter the Commissioners drew up in independence of their Secretary. It showed an almost incredible lack of understanding of the less-eligibility principle. The preamble did indeed recite all the pre-conditions of this principle in terms Chadwick himself could hardly have bettered. The sting lay in the tail. As the very last resort, where no other means of pauper employment were available, Lefevre suggested that parishes might hire out their paupers to dig private farmers' land at less than ordinary wages. The economic argument ran, that since the work was unusually onerous and since the wage was less than that of independent labour, paupers would be effectively deterred, and the less-eligibility principle would operate. Chadwick thereupon composed a minute of twenty-seven foolscap pages. It was a very fine piece of abstract reasoning. First, the farmer would benefit by changing over from plough cultivation to spade cultivation: for unless it were profitable why would he make the change? Secondly, distance would prevent the labourer leaving the parish. Consequently farmers would begin to discharge their labourers in order to hire them

<sup>1</sup> Edwin Chadwick to Lord J. Russell, 21st October 1837.

<sup>2</sup> Edwin Chadwick to G. Coode, 8th August 1846. Edwin Chadwick to Bishop Blomfield, 16th December 1844.

back from the parish at reduced wages. The labourers, 'instead of bidding their work to the farmer as a free competitor . . . are now compelled to do horses' work at reduced wages'. Under the specious plea of less-eligibility the Commissioners had forgotten the 'first principle of correct administration'—that it must be confined to cases of destitution and not interfere with the labour market. He reminded them of the 'old system'—the vestry and labour exchange for a narrow labour market run by the employers who disposed of the only commodity earned by the poor man. The present proposal was worse than this: formerly the farmer chose his men and paid them two-thirds of their wages. Now he might not even choose his men!<sup>1</sup> Not even Nicholls would agree with this. He and Lefevre replied to the remonstrance point by point and concluded by suggesting that he was being 'theoretical' to a degree and also that even if he were right, such criticism was out of place from a subordinate. Nicholls even threatened that unless Chadwick withdrew his opposition he would refuse to work any longer with him.<sup>2</sup> Chadwick refused to withdraw and took the whole matter to Senior. Senior succeeded in showing Lord Lansdowne the un wisdom of the circular, and armed with his approval delivered a ringing protest to the Home Secretary.<sup>3</sup> The circular had to be withdrawn.

Once Senior was back in London, Chadwick used him to deliver a wholesale criticism of the Commissioners' work. He drew up a letter which Senior signed and passed it on to the Home Office as his own.<sup>4</sup> It said that after nine months the Commissioners had reached that knowledge of their problem which the Enquiry had had *before* it began to investigate! It demanded that the Commissioners should be made to fill in a progress report, and that the Secretary should report weekly to the Home Office on their current business: 'The Secretary *especially*' ran the letter 'and for various reasons'.<sup>5</sup> Russell weakly replied that 'The Commissioners were highly respectable men and to require detailed information from them would be an affront'.<sup>6</sup> 'I am ready',

<sup>1</sup> E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847. Proposed circular dated 20th January 1835. Edwin Chadwick's 'Objections to proposed circular', January 1835 (in Chadwick MSS.).

<sup>2</sup> Edwin Chadwick to Lord Liverpool, 18th October 1841: the Commissioners' comments are endorsed upon Chadwick's memo, 'Objections, etc.', cited in note above.

<sup>3</sup> N. Senior's 'second letter' to the Home Office, June 1835 (in Chadwick MSS.).

<sup>4</sup> This is an inference. The letter is in Chadwick's handwriting and contains some slips in its pretence of anonymity: but it is endorsed 'Mr Senior's letter on original progress in 1835, to the Home Secretary'.

<sup>5</sup> 'Mr. Senior's letter on original progress in 1835, to the Home Secretary' (see note 5, above).

<sup>6</sup> Senior's 'second letter' to the Home Office, June 1835.

Senior replied in a second letter, 'I am ready to admit that they are men of great zeal, integrity and industry, and that two of them, Mr F. Lewis and Mr Nicholls have had considerable experience in Poor Law administration. But it must be recollected that the experience of both of them is local, is of old date, and that the third, Mr Lefevre, has none whatever.' But Russell had his way, and Chadwick did not become the official channel of communication between the Home Office and Somerset House.

The quarrels in the office continued. Lewis seems to have become more and more obsessed with the treason and megalomania of his Secretary. There was for example the affair of the 'Consolidated Order'. It was late in 1835. Chadwick proposed to run together two existing orders dealing with workhouse accommodation and forms of relief, and amend them to apply to the urban Unions. The new Order would then be used as required to prohibit *all* outdoor relief—whenever the Commission deemed the time ripe. Lewis, however, felt that such a complete suppression was quite impracticable and therefore the Commission should not even attempt it. He later protested, even swore, that he had asked Chadwick merely to consolidate the two Orders, not to amend the terms of relief. Chadwick for his part insisted that he had initiated the move and had deliberately suggested that the relief regulations must be altered.<sup>1</sup> He did so alter them. All paupers (according to this Order), even the sick and aged, were to receive relief inside the workhouse, the rule to come into effect twelve months after the issue of the Order. As soon as he saw it Lewis claimed that this was an underhand trick of Chadwick's to alter the Commission's fixed policy, and that he had inserted the changes in the hope that they would slip by. He never said why he opposed the order except to repeat again and again that it was 'impracticable'.<sup>2</sup> He insisted that it must be altered at once and Lefevre sat up all night to do so. *What he did to it Lewis never bothered to enquire.* Apparently so long as it was not Chadwick's Order, any Order would suffice.<sup>3</sup>

A similar dispute arose over the so-called 'Burial Order'. The Commissioners asked Chadwick to draw up a list of local charges that were customarily but illegally paid out of the poor rate. To his list the Assistant Secretary George Coode added other items among which was the charge for tolling bells at pauper funerals. Chadwick's view was that the Commission should formally legalize this charge. Lewis was away when he brought the list down for approval and the two other

<sup>1</sup> Andover Enquiry, Q. 22335.

<sup>2</sup> Ibid., Q. 22406 et seq.; also Qq. 22569-22597.

<sup>3</sup> Ibid., Q. 22570. See below, pp. 269-70.

Commissioners approved it in his absence. As soon as he returned, Lewis charged Chadwick with having tried to get the list approved behind his back.

"When I was in daily attendance", he stormed, "when on the very day it was produced I remained at the Board from 11 to 4, and when he had the paper of instructions ready cut and dried up in his own room, when there was no pressure as to the time at which it was desirable to issue it, and when he might with the greatest possible facility as well have obtained my opinion upon it as well as my colleagues', when he knew also I was sure to be at the Board on the following morning, he took the occasion, deliberately, and as I think, intentionally, when I had gone accidentally away, to produce the paper. . . ."<sup>1</sup>

Furthermore Lewis irritated Chadwick profoundly by opposing his conceptions of 'preventive' Poor Law administration. The Consolidated Order was a good case in point. Chadwick designed it to apply to urban Unions. It forbade the sick and aged to receive relief except inside the workhouse. Lewis, of course, thought this heartless. Chadwick defended it because, he alleged, any workhouse was better than the vile overcrowding to which the paupers were subject in the Unions where the order applied. 'To those whose impression of the abodes of the poorer classes in town districts or in any others are chiefly derived from Cabinet paintings,' he sneered, 'which misinform the eye and give no information to the sense of smell, agreeable scenes will be presented of cleanly inmates and cottage comforts, and indoor relief may sound harsh.'<sup>2</sup>

### III

Now, while the feud inside the office sharpened, Chadwick began to lose ground outside—in the country at large, and with the Cabinet. His great prestige began to fade. . . .

The 'Migration Scheme' was one of the cardinal causes. Chadwick entered into a long correspondence with the Ashworths of Bolton, and found that while the rural South was pauperized and overflowing with redundant labour, the Northern manufacturers were crying out for new hands. A detailed report by Assistant Commissioner Kay amplified and confirmed this impression. The manufacturing districts could use

<sup>1</sup> Andover Enquiry, Q. 22601.

<sup>2</sup> *First Vindicating Letter to Sir G. Grey*, 21st June 1847. His defence of this Order was never made public: the 'inhumanity' was. It is striking to find the Royal Commission on the Poor Laws of 1909 defending his opinions in almost identical terms. 'Outdoor relief', it said (p. 150), 'subsidizes dirt, disease, and immorality, where the strictest enforcement of any indoor policy would have been not only more humane, but wiser.'



thousands of rural families. Chadwick forthwith attached to the Commission a Migration Agency to facilitate and superintend the movement and placing of families. Two agents were installed, one at Leeds and one at Manchester. The manufacturers claimed to be delighted, and Ashworth painted warm pictures of hapless and ragged wretches blooming into prosperity, with butcher's meat every day and coal fires for the first time in their lives. As the scheme came into operation over 10,000 families used the migration service.

The scheme may certainly have pleased the master manufacturers, but the operatives saw Chadwick as strike-breaker-in-chief. So long as it endured they denounced it up and down the country as an atrocity and, since Chadwick had proudly published his letters to Ashworth in the Commission's Annual Report, they blamed him for it personally. Radicals like Fielden, Ultra-Tories of the Ferrand school united with the operatives in abuse of the scheme. Fielden's friends claimed that by it, paupers were being 'transported into slavery'; the Ultra-Tories claimed that Chadwick was destroying 'Old England', pointed to Assistant Commissioner Kay's *Manchester*<sup>1</sup>, and asked why the Commission was sending paupers to a city which one of their staff had painted in such appalling colours. Both claimed that Chadwick was a 'monster in human shape', transporting labourers like so many cattle with 'placards hung around their necks'.<sup>2</sup> The operatives themselves bluntly suggested that the Migration Agency was just a fancy name for organized black-legging. They said that the migrants were drawn in for the sole purpose of undermining strikes and trade unions, and denounced them for accepting wages lower than the normal rates.<sup>3</sup> When the luckless Agency collapsed in the depression of 1838 Chadwick had become the target for a formidable outcry which was merging into the general anti-Poor Law and Chartist agitation.

More serious, perhaps, than this outburst of working-class fury was his association with the Registration Act of 1836, for this cost him the confidence of the Whig Whips and a good deal of Church support. This Act which originated in the religious dispute of Church and Chapel was not of Chadwick's suggestion at all. He was quick, however, to see its possibilities and although Russell declined most of his suggested improvements he had two significant successes: the registration districts

<sup>1</sup> *The Moral and Physical Condition of the Working Classes employed in the Cotton Manufacture in Manchester*, by J. P. Kay, M.D., London 1832.

<sup>2</sup> See A. Redford, *Labour Migration in England, 1800-1850*, Cf. First Annual Report of Poor Law Commissioners. (Exchange of letters between Chadwick and Ashworth, and Kay's report.)

<sup>3</sup> Redford, *op. cit.*, pp. 96-101.

were made coincident with the Poor Law Unions, and of vital importance, the registrars were to record not only the fact of death but its *causes*.<sup>1</sup> At one stroke the register was raised from record to diagnosis and, in Simon's phrase, 'arithmetic was made argumentative'.<sup>2</sup>

Chadwick was, however, falsely assumed to be the Bill's real author. Perhaps this was because he defended the Bill so strongly, perhaps because he drafted and signed the Commission's circular letter which apprised the Poor Law Unions of their new registration duties. All England and even the greater part of Parliament ascribed it to him and this did him incalculable harm. The Church was bitterly opposed and never forgave Melbourne for passing it, and Melbourne, prompted by Tom Young, never forgave Chadwick.<sup>3</sup> In the Commons, Goulburn returned again and again to his thesis that this Bill struck a blow at all religion for, by divorcing the naming of the child from its baptism, the religious rite would be forced into disuse and oblivion.<sup>4</sup> In the country, poor people sarcastically referred to registration as being 'Chadwicked'.<sup>5</sup> 'Marriage', said solemn pamphleteers, 'is a solemnity already too little regarded. Will it be rendered more sacred and binding in the eyes of the multitude by reducing it to a formula of repeating two sentences in a magistrate's office?'<sup>6</sup> Chadwick claimed to feel only contempt for the 'narrow sectarian spirit' with which the Bill was both introduced and opposed. Melbourne, more concerned with election chances than the respective mortality rates of Kensington and Bethnal Green, lost what tenuous confidence he had ever had in the man. The Church had defected, he said, and Chadwick had 'done all the damage'.<sup>7</sup>

At the same time the Whig Party Whips turned against him. In its original form the Bill made the appointment and dismissal of the local registrars the sole responsibility of the Poor Law Commission. Chadwick warmly approved this course, for it was a guarantee that appointments could be made on merit and not for political reasons. For this very cause the Whig Whips and back-benchers opposed the Bill. It was mad they cried, to abandon so much useful patronage. Their protests were so effective that in its next form the Bill provided that the local appointments should be made by the Registrar-General—who was, of course, a political appointment. Chadwick naturally protested that every local

<sup>1</sup> Edwin Chadwick to Russell, 3rd July 1836. Edwin Chadwick to Dr Laycock, 13th April 1844.

<sup>2</sup> J. Simon, *Sanitary Institutions*.

<sup>3</sup> Edwin Chadwick to Lord Ellenborough, 27th October 1841.

<sup>4</sup> *Hansard*, Parliamentary Debates, 12th February 1836.

<sup>5</sup> Spencer to E. Chadwick, 28th April 1838.

<sup>6</sup> *The Case of the Church of England*, 1835, p. 19.

<sup>7</sup> Edwin Chadwick to Lord Ellenborough, 27th October 1841.

appointment would be a job, and the prospects of the Act ruined. The same idea had, not surprisingly, occurred to the Tory opposition and Lord Ellenborough forcibly made the point that as it stood the Act would distribute 'through the Unions a strong battalion of Whig attorneys to act as Party agents at the public expense.'<sup>1</sup> He won his point and the Act finally turned the local appointments over to the Boards of Guardians themselves. To Chadwick this was most unsatisfactory; but the Whips regarded him as its author, and all their disappointment was vented upon him. From that day on, the Treasury 'subalterns' were the stubborn foe of Chadwick and all his work.

So the year ended with a wind of opposition blowing against him. Soon it was to blow a tempest.

## IV

Almost from the start, Chadwick felt that the New Poor Law needed the aid of a strong rural police force. He had urged this strongly in the MSS. of his 1833 report in the *Extracts of Information*. Since then, Assistant Commissioner Gulson had pleaded for a force to resist the 'disorderly fen bipeds' of East Anglia. In the year 1836 the need became pressing. The Second Annual Report could not conceal the increasing resistance to the law. The Southern labourers had been slow to realize the import of the Act, but now resistance sprang up everywhere. There was a clamour against the separation of families in the 'Althorp bastilles'. At Hackingham, Suffolk, the labourers burned the workhouse to the ground. Similar alarums agitated Saffron Waldon, sleepy Bishops Stortford, South Molton, and elsewhere.<sup>2</sup> Chadwick pointed out to Russell how badly a rural police was needed, not only to deal with beggars, vagrants, and casuals, but 'for the suppression of tumults connected with the administration of relief'.<sup>3</sup>

Russell was dubious. If these police were uniformed, he said, he 'would have to meet many obstacles'.<sup>4</sup> Chadwick suggested that the manoeuvres of 1834 be repeated. Let public opinion be moulded by a Royal Commission. It need not be a *real* Royal Commission. Just let Russell 'obtain the sanction of other names' and he himself would perform all its work in his spare time!<sup>5</sup>

When Russell finally accepted this offer, Chadwick made difficulties

<sup>1</sup> Lord Ellenborough to Edwin Chadwick, 27th October 1841.

<sup>2</sup> Second Annual Report of Poor Law Commission, 1837.

<sup>3</sup> Edwin Chadwick to Lord J. Russell, N.D., August 1836.

<sup>4</sup> Lord J. Russell to Edwin Chadwick, 1st September 1836.

<sup>5</sup> Edwin Chadwick to Lord J. Russell, N.D., August 1836.

over the terms of reference. He was intent on producing a gigantic sequel to his *Essay on a Preventive Police* and again 'work over the whole field of penal judicature'. This did not suit the Cabinet. The terms were limited solely to 'Police'. Chadwick got them modified to read 'the means of preventing crime within the rural districts especially by the agency of a paid constabulary force or police'. So after many difficulties in 'obtaining the sanction of other names', those of Captain Rowan of the Metropolitan Police and Charles Shaw-Lefevre, brother of the Commissioner, were added to Chadwick's.<sup>1</sup> In September the Royal Commission went out.

It was delayed by the rise of an agitation against the Poor Law, which, however much it proved the need for a rural police, checked the fair progress of the first two years and threw the law and Chadwick on to the defensive. In 1837 the New Poor Law reached the factory districts. So did the great depression. In the cold, bad autumn of 1836—the harbinger of a harvest even worse than that already gathered in—the North was already seething. The long and still active campaign for the Ten Hours Bill had banded the factory workers together in local committees which served as the nucleus of a fierce and unremitting campaign against the New Poor Law. Between masters and men there was incessant warfare, fought on one side by the persecution of trade unionists and the importation of scabs, and on the other by strikes, intimidation, and terrorism. Among the individualistic, stubborn artisans, Radical revolutionary hatreds matured. Chartism, declared dead so often in its lifetime, was alive and struggling before it was declared born.

The New Poor Law was based on the assumption that all who possessed the middle-class virtues need never fear the workhouse. 'The upward progress of the professional classes', wrote Chadwick's friend, the Scotsman John Hill Burton, 'is to be attributed to the increased value of their labour—to the skill which study, industry, and regularity have endowed them with; to their general freedom from those grosser vices which reduce a man's value in the productive world as they sink his estimate in the moral world; to the intelligence which has enabled them to rear their children in the occupations where there is room for them . . . to the prudence and self-restraint which have taught them that all their gains are not the mere instruments of immediate luxury and sensual indulgence, but are entrusted to their hands for the education and training

<sup>1</sup> Edwin Chadwick to Lord J. Russell, 6th September 1836. Charles Shaw-Lefevre to Edwin Chadwick, 18th September 1836. Lord J. Russell to Edwin Chadwick, 9th October 1836.



of their children. . . .<sup>1</sup> The New Poor Law sought to inculcate these virtues and it was a new, an alien culture which Chadwick was trying to impose. To those working at loom, mine, or forge, the virtues of frugality, industry, and prudence offered no escape from their disease-wracked and work-ridden lives. 'Self-denial' was an obnoxious mockery to those who rarely knew sufficiency. 'Ambition to rise in the world' was too cruel a reminder of the indignities of the moment. So the New Poor Law seemed alien, unjust, cruel. The allowance system did not obtain here. Public relief tided the worker over when his mill was forced to close down. To the operative, never consulted as to the incidence of booms and slumps, never consulted as to the incidence of unemployment, the workhouse test of indigence seemed a gratuitous injury. To the handloom weaver whom public assistance alone kept alive, it menaced existence itself. To both alike, Chadwick's conception of a well-regulated workhouse appeared as an infamous device to break up families, and to impose upon the unemployed, the uniform, the restraint, the silence and the hard labour that were associated only with the prison. And the dietaries, however much they conformed to Bentham's standards of what was fitting, seemed to them only a monstrous attempt to punish the poor at their most helpless.

When the Commissioners turned their attention to these Northern workmen, Chadwick found all his old opponents in the field.<sup>2</sup> Bull and Stephens, Oastler and Fielden—all who campaigned against the Factory Act—now came to the fore in the anti-Poor Law agitation. Torchlight meetings, wild gatherings upon the moors spread all over the North. Stephens would scream to his hearers to 'light up the torch of anarchy' and 'raise the tocsin of revolt', or conjure them apocalyptically to 'tumble the Whig filth and rottenness into the pit'. The word passed from mouth to mouth that the new law would tear parent from child, would separate those whom God had joined together. Worse! it was whispered that being a product of the dark name of Malthus, it would strangle every man's fourth child and that only the rich might have more than three children! The North rose to a frenzy of opposition which old Cobbett, for all his bitter hatred of the Act, would never have deemed possible. Petitions poured into Parliament. There were 31 for the Act, 127 for its amendment and only 82 for its repeal; but only 892 people had signed the first, as many as 56,000 the second, while total repeal of the Act had gathered as many as 126,769 names!<sup>3</sup> Fielden held Tod-

<sup>1</sup> J. H. Burton, *Political Economy*, 1849, pp. 137 et seq.

<sup>2</sup> The *Northern Star* began publication in late 1837.

<sup>3</sup> *Annual Register* for 1837.

morden against the Commissioners and had his agents raking for anti-Poor Law scandals in Woburn and Bedford and Ampthill.<sup>1</sup> Walter threw open the pages of *The Times* to any story that would damage the Commissioners. In Huddersfield, Oastler drove out two successive Boards of Guardians and dispersed the third, which had met for safety inside the workhouse, by leading the factory workers in person to storm the building, break down its doors, and put the terrified Guardians to flight, not to meet again for more than a year. There was a violent and successful effort to resist the Commission in Oldham and in Rochdale, while in Bradford it provoked a minor revolution. In this town, Assistant Commissioner Power, officiating at the opening of the new Board, was set upon and manhandled by a crowd so fierce and numerous that the police did not dare interfere. Intoxicated by their success the operatives seized complete control of the town, drove out with staves and brickbats a troop of cavalry and foot soldiers and abandoned a long siege of the courthouse itself only after the cavalry had returned to open fire upon them. After a month during which they were the town's unquestioned masters the tumult ended only in the presence of two whole regiments of horse and foot.<sup>2</sup>

Chadwick would not be intimidated. He ascribed the opposition to two causes. The first was 'The persevering misrepresentations pervading the working classes in general'—and with a rare flash of bitterness he denounced the agitators, Bull and Stephens and Fielden as 'doing that which in times deemed "good old times of English constitutional liberty" would have put them on their deliverance for their lives'. The second reason, he said, was the sinister interests of 'assistant overseers and medical men, attorneys and jobbers (who) had not recovered from the irritating sensation of loss', and the small shopkeepers also 'who had not found from experience that their loss was not so great as they had cause to apprehend'. In either case, his practical conclusion was the same—to push forward with the law as quickly as possible and take it forward from this dangerous 'transition state'.<sup>3</sup>

It was only a matter of time before the anti-Poor Law cry was taken up in Parliament. D. W. Harvey, Fielden, and John Walter at last resolved to turn the popular agitation to account and to move for a Select Committee into the working of the law.<sup>4</sup> They would bring the scandals which their itinerant agents had uncovered to Parliament's very doorstep. Russell slightly amended the terms of reference of the

<sup>1</sup> Edwin Chadwick to Lord J. Russell, 3rd January 1837.

<sup>2</sup> Cf. Fourth Annual Report of Poor Law Commission.

<sup>3</sup> Edwin Chadwick to Lord J. Russell, 21st October 1837.

<sup>4</sup> *Hansard*, Parliamentary Debates, 24th February 1837.

Committee, but none the less it was set up. Its duty was to investigate the petitions which were pouring into Parliament from all parts of the country. Chadwick accepted this challenge with alacrity. The Committee was packed. According to Harvey, twenty-two out of the twenty-six members were known supporters of the Act and only four were known opponents. According to Walter, there sat two of the very ministers who had helped pass the law, one ex-Assistant Commissioner, and no less than eight chairmen or clerks of Boards of Guardians about which he had received complaints!<sup>1</sup> Chadwick himself admitted that the Committee was 'notoriously' composed of persons 'interested in favour of the Act'.<sup>2</sup> He did not stop even at this. He persuaded Russell to sit on the Committee, learn all he could of the Commission's proceedings, and turn the Committee against the opponents of the measure. He acquainted him with the amendments to the law in which the Commission was interested, and trusted him to manœuvre the Committee so that these would be the very 'conclusions it should arrive at'.<sup>3</sup> In brief, it was a packed Committee which was to act as the mouthpiece of the Commissioners, and Chadwick stage-managed it with his customary thoroughness throughout the whole session.

His subterranean tactics drove Walter half frantic. By a lucky chance he managed to lay his hands upon the petitions which the Committee was to examine. The Chairman asked him to index these for the Committee's use, so Chadwick arranged them in such a way that they seemed to favour the Act.<sup>4</sup> Next he featured all the favourable petitions in the *Morning Chronicle*. His last effort was Machiavellian and it did for Walter completely. Having the petitions still in his possession, he drew up, first a list of the witnesses who would rebut the charges which they contained, and next, 'the points of amendment (of the Act) which they (the witnesses) could evolve if properly directed'.<sup>5</sup> The result was foregone. To every charge which Walter made the Commissioners were able to produce whole masses of documents and clouds of witnesses who contested the most trivial points. A hostile witness (a Mr Murphy, speaking at the Freemason's Tavern) described the scene thus:—

'Exactly opposite to the Chairman was seated Mr Penny-a-liner Chadwick, supported on either side at his back by a string of Assistant Commissioners, and four or five messengers, the latter of course kept there for the purpose, if the emergency should arise, of being sent off with a message for documents to the headquarters at Somerset House. Bye-and-bye, a question was put and an

<sup>1</sup> Russell, Graham, and C. P. Villiers respectively.

<sup>2</sup> Edwin Chadwick to Lord J. Russell, 1st November 1837.

<sup>3</sup> *Ibid.*, 8th April 1837.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

answer given, which probably was not altogether calculated to add to the popularity of the measure, when up got this Mr Chadwick, and off he walked to Mr Miles or to Mr Poulett Scrope, or some such other member, and put into his hand another question, or a series of questions, the answer to which, from its nature, would remove to a certain extent, the impression of its objectionable predecessor. That was the way the inquiry was conducted. Did anybody ever hear of such a course of procedure? He had also been present when evidence was adduced of an unfavourable tendency to the views of the supporters of the New Law; and, on one of these occasions, he observed no fewer than eleven Assistant Commissioners supported by Mr Penny-a-liner Chadwick, each of whom was continually handing up questions to suit the particular purposes of the New Bill to the various members of the Committee. He had also been present when messengers had been sent off by Mr Chadwick to Somerset House and had quickly returned with paper and documents, all or many of which, were at a convenient opportunity handed in to the Committee. . . .<sup>1</sup>

Harvey resigned in disgust half-way through the Committee's proceedings. Walter stayed on, in despair, though after four months it had investigated only *two* of the hundreds of Unions which he had wished to examine! In the end, he also gave up the ghost. He announced to the Commons that the moment he alleged any case of cruelty, he was overwhelmed by a host 'of Poor Law Commissioners', chairmen and clerks of Guardians who 'poured in numberless general documents which it was difficult for him either to estimate or enter upon'. He thereupon moved that the Committee should cease its labours and report immediately. When his motion was rejected, he declared that he intended to resign.

At this very moment King William died. The session, therefore, came to a sudden close and the Committee had to report immediately. Above all, a general election pended when the anti-Poor Law feeling in the country would be put to a test. But one by one every proposal Walter put forward was rejected. The proposal to reduce the size of the Unions, the proposals to take outdoor relief from the discretion of the Board and put it back into the hands of the Guardians, and to allow the J.P.s to decide upon the amount of outdoor relief thus granted—all were thrown out. Walter's solitary vote alone was cast in their favour. The Committee passed instead a series of resolutions which put Chadwick into an increasingly good humour.

'Upon the whole,' it reported, 'and speaking of those unions to which their evidence relates, your committee are distinctly of opinion that the operation of the new poor law is satisfactory and that it ought to be maintained. They entertain no doubt of the wisdom and efficiency of its provisions. They think

<sup>1</sup> Baxter, *The Book of the Bastilles*, p. 22 (n.).

also that the administration of the law has been, in the main, judicious. . . . The authority of the Poor Law Commissioners has, in the opinion of your Committee, and as far as they have had an opportunity of observing it, been exercised with great discretion. A more difficult task could scarcely have devolved on any department of government.<sup>1</sup>

It even exonerated Chadwick personally from all blame in that unfortunate matter of the Burial Order. In addition Russell told Chadwick that if all went well at the elections the Committee would sit next session and, it seems, he more than hinted that the amendments which the Board was seeking would be recommended by the Committee just as Chadwick had suggested.<sup>2</sup>

And then, unexpectedly, Chadwick found himself hoist with his own petard. He had been alarmed for some time past about a clause which certain Committee members were known to favour. It suggested that labourers with large families had been severely injured by the Act, and hinted that in future the Guardians might take into their workhouses all those children whom the labourer himself could not support. It would, in fact, abrogate the Board's rule that families were units and had to be taken into the workhouse as units and not as component parts. Chadwick not only denied that labourers had been injured as this resolution seemed to suggest, but claimed that any such resolution would be a flat return to a form of allowance system.

A supporter of the resolution bided his time, until he finally collected a couple of voices in its favour. No sooner had he obtained this support than he made off, unbeknown to Chadwick, to the Commissioners at Somerset House whom he told that the Committee insisted upon the resolution. Lewis and Lefevre had little objections to make to the resolution itself and any doubts they might have had were swept away by what they believed was the Committee's insistence. They yielded, and Gordon, the Committee man, now marched off to the Committee, related what had happened, twitted the recalcitrants with being '*plus royalistes que le roi*' and got his motion approved by a sweeping, if rather staggered majority.<sup>3</sup>

Chadwick was alarmed. The whole band of Assistant Commissioners thought with him. The country at large might think that it was the *ridiculus mus* of the proverb, but to Chadwick, the very bias of the Committee made this slight concession seem the more dangerous. The elections would decide its fate, and the elections alone. Russell had gone to the polls declaring that although he 'could not entertain a doubt of

<sup>1</sup> Report of Select Committee on the Poor Law Amendment Act, 1837. (P.P., 1837, xvii.)

<sup>2</sup> Edwin Chadwick to Lord J. Russell, 24th November 1837.

<sup>3</sup> Ibid.

the utility of the measure' he would be willing 'to consider and adopt any improvements that can be made in its enactments'. Though Tadpole and Taper might debate the rival virtues of 'the repeal of the Malt Tax' or 'Our Young Queen and our ancient institutions', the issue of the elections was bound to be the continued existence of the New Poor Law.

Chadwick had also a personal stake in the issue of this election. The unrelieved animosity of Frankland Lewis, the mortification of seeing the New Poor Law mismanaged, and the pressing danger in which the Act might stand next session, all prompted Chadwick to circumvent that unhappy understanding with Althorp (now Earl Spencer), and put himself on an equality, even on a superiority, to the Poor Law Commissioners. On the other hand, the certain resentment of Lewis in the event of failure kept him at first from seeking a parliamentary rotten borough. It is a remarkable sidelight upon his reputation as a man of business, and a tribute to the loyalty he could inspire that no less than six Assistant Commissioners demanded that he should stand as candidate! They were willing to make up a fighting-fund for the election, and under the leadership of Gulson, were ready to seek assistance from Lord Fitzwilliam, the owner of the rotten borough of South Molton and an enthusiast for the Act.<sup>1</sup> Chadwick hesitated. 'There is no personal feeling', he told Gulson, 'which ought not to be *driven* aside if any great benefit is impeded by it, but the feeling does exist and I every day see, as you would see if you were here, the progress of the greater good obstructed by the operation of narrow and selfish interests and petty animosities'.<sup>2</sup> Gulson held his course for he and the other Assistant Commissioners feared the next session. 'A new Committee', Chadwick had told them, 'will perhaps be appointed next year. If it were only for that it would be worth while to go in and direct the examination. There will also be a new Bill of our own and the Irish Bill and possibly the measures affecting the new machinery which can only be protected by one who has an intimate knowledge of the machinery.'<sup>3</sup> In the event, Chadwick was promised the reversion of the South Molton seat, if Fitzwilliam's son, Lord Milton, should be returned by his county constituency.

But Lord Milton was beaten in his county constituency. Nearly every Whig candidate was beaten in the counties. 'An endless succession of triumphs for the Conservatives', wrote Greville, a shrewd observer.

<sup>1</sup> E. Gulson to Edwin Chadwick, 11th July 1837. Edwin Chadwick to E. Gulson, 11th July 1837.

<sup>2</sup> Edwin Chadwick to E. Gulson, 15th July 1837.

<sup>3</sup> Idem, 11th July 1837.

'The Whigs are astonished and dismayed at this result for they had not a notion of being bowled down as they have been, one after another . . .'<sup>1</sup> It was indeed a signal victory for Peel. 'After much disputing between the two Parties as to the actual result, it appears,' went on Greville, 'that the Minister will have a majority of thirty, possibly a little more. . . . The Conservatives are exceedingly triumphant. . . . The English counties have made a very important demonstration in their favour; they have not lost the towns, and the Radicals have been almost everywhere defeated.'<sup>2</sup>

Any personal disappointment Chadwick felt was swallowed up in the tremendous outburst of feeling against the New Poor Law. It became plainer and plainer that whatever happened the wretched resolution of the Select Committee would be adopted by the Commissioners. Another struggle with them loomed directly ahead and this time it would be supported not only by the Whig whips and the rank and file of the shattered Party, but the Tory majority who had ridden triumphantly upon their storm of anti-Poor Law feeling. It would be backed by the agitation outside Parliament which was fast becoming Chartism.

Chadwick had actually visited the revolutionary districts of the North, during his summer holiday. His friends—the Ashworths, the Gregs, and the Ashtons—had begged him to travel incognito, urging him that his life was in danger. Instead, he went to Manchester and mixed freely with all manner of people—in their homes, in their factories, in their meetings, in the streets. Apart from newspaper attacks he experienced no opposition whatsoever. The working people were over-polite to him. If they had manhandled him as they were already maltreating the Assistant Commissioners, Chadwick might have learned how bitterly they hated 'his measure', but he learned nothing of the kind, and came back, with his preconceived notions fixed firmer than before. The law was 'popular'. Ignorance and a handful of agitators were alone responsible for the huge demonstrations of discontent. He dismissed the protests of defeated Whig candidates as nonsense; Walter, he said, had placarded the whole of Bedfordshire with his anti-Poor Law slogans but had had to retire from the contest in favour of Lord Barrington, a Tory supporter of the Act. Harvey's victory in Southwark had been achieved only at the cost of 'lowering his anti-Poor Law tone'. The defeat of Hume in Middlesex, and the narrow escape of Grote in the City of London was due not to the law's continued operation at all, but solely to the fact that in these districts it had been introduced but recently.

<sup>1</sup> C. C. Greville, *Journals*, 8th August 1837.

<sup>2</sup> *Ibid*, 25th August 1837.

In brief, if there had been a Whig loss instead of a Whig gain at the elections, 'the failure to obtain this gain at present is ascribable not to the carrying-out of this measure but to its not having been carried out more early and completely. . . .' It was his ancient analysis and his ancient conclusion.<sup>1</sup>

And they were contradicted by nearly everybody who had taken part in the elections. Even Hume reproached him angrily with his New Poor Law and ascribed his defeat to its unpopularity; and when Hume, the apostle of the Act could talk in this way, what was not to be expected of the Whigs? From Malta, Lewis's son, George, was writing that 'the difficulty of introducing the measure into the manufacturing districts seems at present insuperable; the distress must make the working people ten times more alert than they would otherwise be on the subject'.<sup>2</sup> Greville was reproaching the Tories for behaving 'exceedingly ill, during the late contest in availing themselves as much as possible of the cry that has been raised against the Poor Law'.<sup>3</sup> A crowd of disappointed Whig candidates besieged Chadwick and blamed him angrily for their defeat. Others said that because of him the Whigs had lost twenty seats at the very least. Finally, like a knell of doom, the Whig whip E. J. Stanley, another 'subaltern of the Treasury', added to his earlier grievances over the Registration Act by observing:

'My opinion, founded on personal observation, and very general information, leads me to a very different conclusion from that which you have come to.

'North of Trent the law is as unpopular as it is possible with all classes—Justices and Guardians for political purposes—overseers, now discontinued, from interested motives and remember that in every parish the most active and intelligent farmer was generally the paid overseer. The whole of the manufacturing population vehemently against it, the agricultural population stubbornly against it.

'But little visible advantage has been as yet derived from it in these districts and unfortunately it has been, I think, too much pressed by your Board during the present year when there had been a general depression in all trades and manufacture. . . .

'I have not time to go at length into the subject. I am satisfied of this, that the law must be relaxed and altered in several of its severe enactments and in some respects as it seems to me, unnecessary refinements of system.

'I think you will be compelled to give certain discretionary powers to the Boards of Guardians. . . . Some discretion as to outdoor relief must be given to able-bodied men and this, I think, believe, is much desired even in the South.

<sup>1</sup> For all preceding, Edwin Chadwick to Lord J. Russell, 21st October 1837.

<sup>2</sup> G. C. Lewis to Assistant Commissioner Edward Head, July 1837. *Letters of the Rt. Hon. Sir George Cornwall Lewis* (London, 1870), p. 83.

<sup>3</sup> C. C. Greville, *Journals*, at 25th August 1837.

'You had better do what is to be done of your own accord than be compelled to do it by Parliament which, I am sure, you will be compelled to do when it meets. . . .'<sup>1</sup>

Chadwick was perfectly resolved neither to surrender nor to be 'compelled'—whether by Parliament, by the Press, or even by the Commissioners themselves. 'The law relaxed', 'discretion to the Guardians'—why, even the Committee had not dared suggest these! Together they meant an end to the Central Board, and a long life to the allowance system!

The Commissioners thought otherwise. The elections had gone against the New Poor Law, and the very least they could do was to sanction that resolution of the Committee.

'Labourers', the Committee had reported, 'with large families under an age fit for work are said to feel severely the loss of the allowances which they formerly received in proportion to the number of their children, and of the payment of a great part of the rent of their cottages. . . . To meet these difficulties the members of the board of guardians seemed generally inclined to take into the workhouse a certain number of the children of parents married before the change of the law.'

This practice the Commissioners were now prepared to sanction in a General Order to be countersigned by the Home Secretary. It was true that they hedged it round with restrictions; they would apply it only to Unions where outdoor relief had not already been prohibited, they would use it only until the renewal of the Act in 1839, and they would have to be consulted in any case where the Union wished to apply it. But to Chadwick the resolution was a fatal and retrograde step, the Committee's evidence on which it was based 'wickedly against the preponderant evidence', its principle one of 'half-knowledge and the production of half-measures'.<sup>2</sup> 'As the Committee was notoriously composed of persons interested in favour of the Act,' he said, 'its conclusions in the way of praise were held to be not worth a straw whilst the suggestions of amendments and faults were represented as mere bits and fragments of the concession justly due, but wrung by the force of evidence from thick and thin support of the measure.'<sup>3</sup>

Thus arose a struggle inside the office more acrimonious than anything that had preceded it. Chadwick demanded that the Commission should pay no heed to the Committee's resolution. The two Commissioners

<sup>1</sup> E. J. Stanley to Edwin Chadwick, 15th August 1837.

<sup>2</sup> Edwin Chadwick to Lord J. Russell, 21st October 1837.

<sup>3</sup> Ibid.

still left in London, Lewis and Lefevre (for Nicholls was in Ireland), told him that his objections were absurdly doctrinaire.<sup>1</sup> Chadwick insisted on circularizing the Assistant Commissioners, got his way, and was able to show the two Commissioners that of the whole staff only three Assistant Commissioners supported the proposed Order, and that they did so, not because they approved its contents but solely because they thought it expedient to obey a Committee of the House of Commons.<sup>2</sup> Yet although the common opinion of such staunch supporters of the law as Gulson and Tufnell, Hawley, Gilbert, Mott and Stephens was that 'if the proposed relaxation is placed in the hands of the Guardians you may at once throw the Poor Law Amendment Act into the fire',<sup>3</sup> Lewis and Lefevre went on with their preparations, drafted the circular and sent it to Russell for his signature.<sup>4</sup> The fight was on. In hot haste Chadwick collected the opinions of the Assistant Commissioners and sent them to Russell together with a cumbersome memorandum on the relation between Poor Law and the elections.<sup>5</sup> He then marched personally to Lewis and stated brazenly, that the proposed Order was flatly illegal and that even if it were not, it was retrograde and damaging to the Poor Law administration. Lewis had hardly any alternative but to suggest that Chadwick put his heated objections into writing,<sup>6</sup> and so once again the indefatigable Secretary compiled an enormous screed, this time seventy-six foolscap pages long.<sup>7</sup> He had no time to lose, for the Order was even now awaiting Russell's consent. Within a week, accompanied by the sneers of Lewis and the most bitter and strenuous protests from Lefevre, the complicated document was ready. It proved to a very perplexed Home Secretary that the Order was illegal, that even if it were legal it would injure the working classes, and that even if in particular cases it would aid the working classes, its general principle was repugnant to the principles and policy of the New Poor Law.<sup>8</sup>

The dispute showed once again what divergent interpretation could be given to the less-eligibility principle. Chadwick did not hesitate to reopen the question of the Commissioners' mistaken strategy. He had always urged that the law should be extended to the North in double quick order. For this he had been accused of 'over-eagerness' and a

<sup>1</sup> Edwin Chadwick to Lord J. Russell, *First Vindicating Letter to Sir G. Grey*, 26th July 1847.

<sup>2</sup> Ibid.

<sup>3</sup> Assistant Commissioner Hawley to Edwin Chadwick, 5th November 1837.

<sup>4</sup> Edwin Chadwick to Lord J. Russell, 21st October 1837.

<sup>5</sup> *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

<sup>6</sup> Ibid.

<sup>7</sup> Edwin Chadwick to Lord J. Russell, 1st November 1837. *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

<sup>8</sup> *Objections to the Proposed Order*, November 1837 (MSS.).



'proneness to disregard obstacles'. Now the opposition in the North had proved him right. The Commissioners, he said, had been over-slow in territorial extension and over-hasty in altering modes of relief. 'If, on some points the proceedings had been less in gross and more with devised approaches, especially getting rid of sinister interests, the proceedings would have been more efficient and rapid. It would have reduced irritation, effected greater pecuniary reduction and stopped a number of dangerous tumults among the working classes'. When he turned to the offending General Order, he first based his arguments upon the Report of 1834. This gave him a very powerful case, for he was able to show what Russell knew very well, that the intention of the Act had to be read in the Report, and that the Report had considered and rejected the very suggestion the Commissioners were now sanctioning. For that reason it had *specifically* provided that 'relief to children under 16 is to be considered as relief to the parent'. His second argument was that the proposed order was dangerous to the working classes because, as the Report had said, 'the bane of all pauper legislation has been the legislating for extreme cases.'

An ugly spirit flourished in the office. Clerks looked askance at the Secretary as he came in the morning or left at night. The Assistant Commissioners held bated parleys between themselves and hoped in their hearts that Chadwick would win.<sup>1</sup> Lewis and Lefevre roundly cursed the damnable impertinence and dangerous theorizings of their Secretary. Chadwick was always far better on paper than in the flesh. At the end of his exhausting document one could not but feel that nothing in human imagination could possibly damage the Poor Law more than this particular amendment on which the Commissioners had been so egregiously stupid as to pick. Russell hardly hesitated. Not two days after he received the manuscript, he summoned the Commissioners to a conference. When they returned they entered upon their minutes what caused the most genuine and carefree rejoicing among the whole band of Assistant Commissioners—this impersonal announcement:

'That his Lordship had carefully considered the exception to the proposed Order which related to able-bodied men with large families who might be in actual employment and having reference solely to the expediency of giving effect to that exception: he was of opinion that it might be productive of considerable embarrassment and enable the Guardians to throw upon the Commissioners a greater responsibility . . . in deciding upon individual cases than it was intended they should bear.

'That for these reasons and having reference generally to the expediency of

<sup>1</sup> Cf. Hawley's letter above. Stephens to Edwin Chadwick, 9th November 1837.

the measure he deemed it undesirable for the Commissioners to adopt the proposed exception.

'The Commissioners under these circumstances resolved not to issue the Order in its present shape.'<sup>1</sup>

Against the New Poor Law there had pressed people, Press, and the larger part of Parliament: not only these, but the Commissioners themselves. In favour of its strict administration there was only Chadwick and the faithful Assistant Commissioners. And Chadwick had won! This triumph gave the Poor Law two or three years more resistance to the Northern agitation. On his personal relations and fortunes, the effect was disastrous.

<sup>1</sup> Edwin Chadwick's manuscript note of the Poor Law Commissioners' minute. (Chadwick MSS).

## CHAPTER II

### '... AND PROMISES FORGOT'

WHEN the new year 1838 opened, Chadwick was working ten hours a day in Somerset House; at home, he put in at least two hours upon the Constabulary Report. He was used to this. The new year, however, was an exceptional one. When Parliament met there would be the heavy and anxious task of managing the new Select Committee which would certainly be demanded. The great measure of the session would be the Irish Poor Law Bill, and not only would this have a stormy passage, but Chadwick had vital amendments to press upon the Cabinet. Outside Parliament the English law was more wildly unpopular than ever; while over London lay the stink of death, as influenza and typhoid raged in the poorer quarters. The epidemics thinned the office staff, and heightened the labours of the survivors. Chadwick, though crippled by rheumatism, was immune from fever. He could stay at his post, and so the new burdens fell on his shoulders.

Chadwick was still groping towards his broader conception of 'pauperism', but although this cost him the last shred of Lewis's confidence, it had no effect at all upon the unpopularity of the law and Chadwick's personal unpopularity outside Somerset House.

The anti-Poor Law movement had fallen into the hands of fanatics. 'The people are not going to stand this', screamed Stephens. 'I will say that sooner than wife and husband and father and son shall be sundered and dungeoned and fed on "skillee"—sooner than wife and daughter shall wear the prison dress—sooner than that—Newcastle ought to be, and shall be, one blaze of fire with only one way to put it out and that with the blood of all who support this abominable measure.'<sup>1</sup> 'I tell you churchmen, I tell you dissenters'—here Oastler took up the cry—'before I will submit to such an Act, I will set the whole kingdom in a blaze. I am no incendiary but I have affection in my heart and will breathe out.'<sup>2</sup>

Abuse of Chadwick ranged from jeers to threats of murder. At the Freemasons' Tavern a Mr Murphy could make his audience shout with laughter by suggesting that 'Mr Chadwick, the penny-a-liner, some years ago, had probably been in a situation to render it likely that he might himself have applied to the overseers for relief, and I remember

H. Jephson, *The Platform*, p. 215.  
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<sup>2</sup> *Ibid*, p. 219.

the time when he almost appeared in that situation.'<sup>1</sup> But, as Chadwick complained to Russell, 'Beaumont conducts a paper called the *Northern Liberator* which is engaged in incessant attack on the Poor Law Agency and in which he very distinctly recommends the assassination of Sir John Walsham the Assistant Commissioner of the district and does me the honour of singling me out for perpetual abuse, and he also holds me up as an enemy of the poor, to be got rid of, pointing to the example of Foulon<sup>2</sup> the French Minister whose head was borne through the streets for expressing sentiments adverse to the labouring classes. . . . His favourite figure of speech when he addresses meetings is that Chadwick and Walsham ought to be forthwith gibbeted.'<sup>3</sup>

The agitation did not stop short at words. Alfred Power 'has been pursued by wild persons intent on assassinating him and has three times been assaulted with serious intent.'<sup>4</sup> Revans, another Assistant Commissioner, was manhandled. A party of workmen broke open the skull of some poor wretch they mistook for Assistant Commissioner Stephens. Edmund Head was shot at, Gulson and Gilbert driven from towns by threats.<sup>5</sup> In Kent the madman Thom found hatred for the law so intense that without any difficulty he could collect a thousand men for his lunatic echo of Jack Cade's march on London.<sup>6</sup> At the other end of the country in Todmorden, Fielden closed his works as a protest against the law and neither threats nor fines nor even *mandamus* could get the rates collected. When special constables were called in, the workmen attacked them and put them to flight. To arrest some of the workers, troops had to be brought into the factory. Only a troop of horse and foot kept order in the town and even so, it was a generation before Todmorden experienced the blessings of the workhouse.<sup>7</sup> And this wild discontent was widespread. Only 22 petitions supported the Act this year. As many as 57 demanded its amendment or exemption from its provisions, while for its total repeal there were no less than 263 petitions and nearly 250,000 names.<sup>8</sup>

<sup>1</sup> Edwin Chadwick to Lord J. Russell, 1st February 1838.

<sup>2</sup> T. Carlyle, *French Revolution* (Chelsea ed.), p. 88:

'This is that same Foulon named *âme damnée de Parlement*; a man grown grey in treachery, in griping, projecting, intriguing and iniquity; who once when it was objected, to some finance scheme of his "What will the people do?" made answer in the fire of discussion, "The people may eat grass".' For his assassination, *ibid.*, p. 166.

<sup>3</sup> Edwin Chadwick to Lord J. Russell, 1st February 1838.

<sup>4</sup> *Ibid.* (Revans, Stephens, Head, Gulson, and Gilbert were Assistant Commissioners.)

<sup>5</sup> *Ibid.*

<sup>6</sup> See *Annual Register*, June 1838.

<sup>7</sup> Cf. Fifth Annual Report of Poor Law Commission.

<sup>8</sup> Cf. Report of 1838 Select Committee on the Poor Law, vol. i. (Parliamentary Papers, 1837-8, xviii.)

This 250,000 saw in Chadwick simply the advocate of workhouses and the suppressor of outdoor relief. If this was not the whole truth, it was an important part of the truth. Chadwick still attributed the agitation to the propaganda of professional men whose sinister interests the Poor Law had disturbed. He still urged Russell to the more rapid introduction of the law in the factory districts,<sup>1</sup> likening the Poor Law to a cold bath—unpleasant in contemplation but invigorating once it was made. At that very moment he was trying to get Russell to pack the new Select Committee on the Poor Laws. He desisted only when it was clear that it would not contain more than three anti-Poor Law members.<sup>2</sup> He was still anxious lest Russell should be forced to reverse his decision on the General Order. He still had no doubts at all on the efficacy of the workhouse test. Indeed he had just persuaded George Nicholls and the Cabinet to introduce the English Poor Law into Ireland. Nicholls had not suggested more than the construction of workhouses for the Irish non-able-bodied and children. Chadwick had over-persuaded him and Russell too, not by specific reference to Irish conditions but by arguing from the effectiveness of the workhouse in England. It was an argument that certainly justified the hatred the people of England bore him.<sup>3</sup>

Detested by the country at large, the grudge of the 'Treasury Subalterns' still unpaid, and at loggerheads with the two London Commissioners, to whom could Chadwick turn for assistance? Nicholls was in Ireland. Lord Althorp had retired to the country as Earl Spencer. Poulett Thomson had gone to Canada as Lord Sydenham. Lord Brougham had suddenly, in his erratic manner, lost all interest in the Poor Law and in Chadwick. A fourth of the Cabinet that had passed the Poor Law Act, Sir James Graham, faced Chadwick at the Select Committee almost with malevolence. Indeed, inside the Cabinet Chadwick could rely for wholehearted support only upon Lord Howick, for a vacillating support only on Lansdowne and Russell. What did this avail against the active dislike of Lord Melbourne, the Prime Minister?

It was small wonder that Chadwick should have meditated whether his future did not lie behind him. The nepotism of the Whig administration revolted him. Having felt their rod on his own back he was quick

<sup>1</sup> Edwin Chadwick to Lord J. Russell, 2nd July 1838.

<sup>2</sup> Ibid., 24th November 1837.

<sup>3</sup> (a) *First Vindicating Letter to Sir G. Grey*, 21st June 1847. For Edwin Chadwick's memo. to Cabinet on Irish Poor Law, see G.D.22 in Public Record Office (The Russell papers) for 1838.

to sympathize with all those others who were now feeling it for the first time. The Whigs had, for example, shamelessly jobbed the Registration Act. Babbage, the brilliant mathematician whom Chadwick had recommended for the post was undoubtedly the fittest appointment they could have made. The Whigs had treated the Registry as they had the Poor Law Amendment Act. The post was given to Thomas Lister, a flatulent young novelist, but an extremely good Whig, since he was the brother-in-law not only of Lord Clarendon but of Lord John Russell himself. Lister—who, in Chadwick's opinion 'cared nothing for the subject and was the least fitted to deal with it', was a decorative headpiece at £1,000 per annum while all the work of the Registry was done by William Farr, the young doctor whom Arnott pointed out to Chadwick as the only medical man he knew as being acquainted with vital statistics and whom Chadwick had recommended to Lister.<sup>1</sup> And then—so Chadwick reflected—there was the case of Arthur Symonds, the author of *The Mechanics of Law Making*. Symonds had planned to get the post of parliamentary preparer of breviate (the analyses of Private Bills). To this end he had got up the evidence and moved a Parliamentary Committee. Everything succeeded up to the matter of appointment, when in the place of Symonds, the Whigs appointed a young barrister named Booth, who had ingratiated himself into the circle of Lord Langdale and the younger Romilly. 'In his hands,' commented Chadwick disgustedly, 'the breviate have been very summary productions which give only false securities to the legislature and will probably stand in the way of better precision.'<sup>2</sup>

Chadwick might have forgiven the jobbery if the Cabinet had not been cowards into the bargain. They made no attempt to shield their civil servants even from the most outrageous personal attacks. The *Spectator*, for instance, attacked the Government's colonial policy by alleging that not Glenelg, but Sir James Stephen was its real author; it attacked the Irish Poor Law by saying that the 'real authors' were Senior, Nicholls, and Chadwick. Chadwick protested. The civil servants could not reply to the charges; 'it is,' he said, 'like striking a woman'. But the Government made no movement in their defence.<sup>3</sup>

It was while Chadwick was buried in these sombre reflections that there suddenly broke on him the possibility of promotion to the rank of Commissioner! For, after all, the Irish Poor Law would pass; the Irish Commission would be the English Board's 'branch office' in

<sup>1</sup> Edwin Chadwick to Laycock, 13th April 1844.

<sup>2</sup> Edwin Chadwick to J. H. Burton, 3rd June 1844.

<sup>3</sup> Undated fragment, c. 1838.

Ireland. How would it be staffed? Would there not have to be a fourth Commissioner, so that one could act in Ireland? And if there were at last to be *four* Commissioners then this was the very occasion for Althorp to fulfil his promise!

In his eagerness for release from the humiliations and quarrels in the office, Chadwick almost overshot the mark. In his letter to Althorp, Earl Spencer, he poured out his hopes and fears and dwelt on the unhappy differences inside the Commission. He begged Spencer to tell Russell and Melbourne of the part he had played in the Commission of Enquiry.<sup>1</sup> Chadwick's heart almost stopped beating when Althorp made it quite clear that 'if the appointment rested with me, I should think any want of cordiality between you and any one of the Commissioners an insuperable objection to you'. However, Spencer did not wait for Chadwick's flurried explanation, but despatched a letter to Russell at once.<sup>2</sup>

It was a letter which put Chadwick's case very strongly: it ran,

'I find you are going to appoint a fourth Poor Law Commissioner, and that Chadwick wants to have the appointment. He has written to me to beg me to interfere in his favour, this of course is out of the question, but he tells me that you and Melbourne are not aware of the service he did in the original Commission of Enquiry. I was very much surprised you are not and I think you must be. He, I believe, was the man who suggested the whole plan of the amendment of the law and actually wrote the greatest part of the report. He is . . . in ability and knowledge quite fit to be a Commissioner but in such an appointment you have many other things to take into consideration. . . .'<sup>3</sup>

For two months nothing happened; the Irish Poor Law was being debated. While Russell was still hesitating, further support came to Chadwick. Not only Nicholls, but Lefevre also, backed up his demand for promotion.<sup>4</sup> Nicholls, indeed, was quite determined that Chadwick must have the post, for, he told Russell, he could rely only upon Chadwick to hold the law on its course if he himself were to be sent to Ireland.

Chadwick had reckoned without his host. Lewis was tired of the Poor Law. He was sick and worried and nervous at the abuse which was heaped upon him by the anti-Poor Law agitators. He stomached public criticism badly. He was timid in the face of popular opposition. And at this moment he was broken with grief at the recent loss of his wife. In addition he hated the very idea of the new Irish Poor Law and nothing

<sup>1</sup> Edwin Chadwick to Lord Althorp, 28th April 1838.

<sup>2</sup> Lord Althorp to Edwin Chadwick, 28th April 1838.

<sup>3</sup> Lord Althorp to Russell, 30th April 1838.

<sup>4</sup> Edwin Chadwick to Lord Liverpool, 18th October 1841.

could induce him to see eye to eye with his colleagues on that question.<sup>1</sup> In addition, his peremptory nature and his implacable dislike for Chadwick could not stomach the thought of his rival's promotion. Lewis point-blank refused to agree to the creation of any fourth Commissioner.<sup>2</sup>

Nicholls was equally determined that if he went to Ireland, Chadwick must have equal powers with the other two Commissioners. He did not mind in what form the powers were exercised, but exercised they must be. He broke the deadlock by suggesting that if it was undesirable to create a fourth Commissioner, then Chadwick should remain Secretary but with the powers and status of an Acting Commissioner.<sup>3</sup> Lefevre again supported Nicholls. Lewis was driven into a corner. Once again his hatred for Chadwick drove him to opposition. He found a fitting companion in his crony of the Cabinet, Lord Melbourne. Without the slightest foundation for what he said except his own malevolence, he assured Melbourne, and through Melbourne the whole Cabinet, that it was useless to offer the powers of Acting Commissioner to Chadwick, for he had certain knowledge that Chadwick would reject it as 'incompatible with his feelings'.<sup>4</sup>

Even this manoeuvre failed before Nicholls's determination to have Chadwick. Nicholls renewed his demand that Chadwick should be promoted to a full Commissionership. For a whole month the Commission could not agree on the most elementary principles of the Irish Poor Law organization, because the question of Chadwick was so bound up with it.<sup>5</sup> Lewis was determined that come what might, there would be no fourth Commissioner. And finally he won. A compromise there had to be, or else the Commission could never have got down to its business. The compromise was that no change should be made in the character of the Commission, that Nicholls should go to Ireland and his two colleagues should stay in London. 'A fourth Commissioner', Chadwick was told, 'does not appear to be necessary at present'.<sup>6</sup> Russell tried to sweeten the pill a little more by telling the crestfallen man that on grounds of economy the country could simply not afford a fourth Commissioner.

Chadwick was bitterly disappointed. Promotion had seemed so near. Would it ever come nearer than this?

It did come nearer—far nearer. When it came, Chadwick could

<sup>1</sup> T. F. Lewis to Lord J. Russell, July 1838: in G.D.22 (Public Records Office).

<sup>2</sup> Edwin Chadwick to Lord J. Russell, 2nd July 1838.

<sup>3</sup> Ibid.

<sup>4</sup> Edwin Chadwick to Lord Althorp, 8th May 1841.

<sup>5</sup> A second undated letter from Lewis to Russell, August 1838: (in G.D.22, Public Records Office).

<sup>6</sup> Ibid.

only conclude that it was his personal unpopularity in the country, the snobbery and nepotism of Whig Cabinets, and the persuasive powers of Thomas Frankland Lewis that had ruined his chances of promotion, and ruined them, perhaps for ever. For in December, refusing to be a party to the Irish Poor Law, and worn out by his unpopularity, Lewis resolved to quit the Poor Law Commission, and retire as far from it as his tormenting memories would permit.<sup>1</sup> An appointment was, it seemed, laid open to Chadwick such as the Whigs could not possibly refuse him. But it was not to be so at all. Without hesitation, without even a hint of explanation or apology, the Whigs passed Chadwick by—and gave the appointment to Lewis's eldest son, George Cornwall Lewis. He had served on two minor government enquiries. His knowledge of philology was very great. His Poor Law experience had been derived solely as an Assistant Commissioner on the Irish Poor Law Enquiry.

George Lewis took over from his father without éclat. He had a cold on the day he was to be sworn in, and had to postpone the ceremony till the morrow. He asked Chadwick to make all the necessary arrangements.<sup>2</sup> Chadwick did so. He was to be married the following year and this was no time to think of resigning his position.

<sup>1</sup> On 13th August, after his wife's death, he had written to Russell thus: 'What it may be in my power hereafter to do, I can at this moment form no just estimate of. It may perhaps be right that I should not conceal from your Lordship that the peculiarly anxious and responsible character of the business of the office—the constant obloquy which is so perseveringly poured out upon those who administer it—and the change which the undertaking has altogether produced in my whole condition of existence have for some time necessarily produced so heavy a pressure upon me that it has required the exertion of all the resolution I could command to enable me to go through with it. Whether under the pressure of such severe affliction as I have to endure—and under the weight of the bereavement which I pray that your Lordship may never experience, I shall ever find myself able to carry through the work which I undertook to devote myself to, I cannot at this moment foresee or determine. I beg however that your Lordship will do me the favour to assure Lord Melbourne that it is still my wish to do all which I may be able to accomplish.'

<sup>2</sup> G. C. Lewis to Edwin Chadwick, 29th January 1839. (Two letters on same day.)

### CHAPTER III

## THE PREVENTION OF PAUPERISM

### I

AS soon as able-bodied pauperism began to decline and the new machinery extended itself over the country, Chadwick began to devise the 'preventive measures on which he relied to make the law more popular'. He saw the repression of able-bodied pauperism as merely a first stage of a wide programme of eliminating pauperism in general. Furthermore he held it to be an indispensable stage. Without the new machinery, there would be no systematic execution; there would be no work-houses to provide the preventive services. Until less-eligibility had relieved the rates of a deadweight of able-bodied pauperism it was folly to attempt the extensive measures necessary to prevent non-able-bodied pauperism.

By 1838, in Chadwick's opinion, the law could only go forward or back. Only 1000 parishes still lay outside the new Unions. In three-quarters of the counties the Outdoor Relief Prohibition Order was in force and the allowance system, officially, abolished.<sup>1</sup> By securing the defeat of the Commissioners' General Order, he had pegged the law to this stage of development, but could not induce the Commissioners to move forward from it. Consequently, he claimed later, there was 'an exclusion of a course of proceedings upon measures of *prevention* which I should have confidently relied upon for strong public support'.<sup>2</sup> At the most, he continued, the Commissioners chose to alleviate. They did not try to cure. To cure one had to prevent, and to prevent one must investigate all the contributory sources of pauperism. 'Frequently', he said, (it was) 'only necessary to go a few links or a few steps back beyond the range of popular discussion and legislation when we are brought upon causes which, upon due investigation, are found to be preventable and frequently and generally with large pecuniary economy.'<sup>3</sup>

A remarkable memorandum, entitled '*Instructions for entering the causes of pauperism*', throws light on his approach at this period. Involuntary pauperism is defined herein as: 'where the destitute

<sup>1</sup> E. Chadwick to Lord J. Russell, 1st February 1838.

<sup>2</sup> *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

<sup>3</sup> *Ibid.*



person has fallen from circumstances which ordinary prudence could not have avoided', and the key condition is: 'whether the pauper has been sober, steady, and industrious and do others of the same wages provide for themselves without coming on the parish'. This spread the net very wide indeed, and few paupers could have escaped it. What is remarkable, however, is the analysis of the possible causes of pauperism, whether defined as 'voluntary' or 'involuntary'. It states that orphan children, brought up in a mixed workhouse, or badly taught by the workhouse teacher, might become perpetual burdens on the rates or 'get on the streets to burthen the public at large by crime and vice, as thieves, prostitutes and mendicants'. Accidents are listed as a possible cause—was the accident preventable and by whom, workman or employer? Was it a result of a fight?—(Upwards of 11,000 die annually, he added, by acts of violence). If disease was the cause, was it occupational: if so, was it insurable? Is it a case of fever, and if so, does it result from bad drainage? Who are responsible for the drains? Does it arise from overcrowding and poor ventilation, or from the filthy habits of the inmates? (Deaths by fever and epidemic, warns the memorandum, are more numerous than deaths from war.) Lunacy, Idiocy, Drunkenness, and Crime are similarly catalogued as possible causes of pauperism.

As well as undertaking many of his own, Chadwick encouraged the enquiries which were being made spontaneously by the Assistant Commissioners. Kay and Tufnell were now pushing their educational efforts independently of, and with no encouragement from, their chiefs. Gilbert was anxious to investigate pauper lunacy and idiocy. The Commissioners turned a deaf ear to such enquiries. Beyond the ending of the allowance system and the reduction of the rates, the minds of Thomas Lewis and Lefevre made a dead stop. Lewis was a tired old man, crushed down by the burden of popular hatred, and Lefevre himself was near the end of his tether, timid, legalistic, with no social vision. The most recent historians of the Commissioners record of their policy only that they 'deliberately reversed' Chadwick's plans for segregating workhouse children into separate schools; that beyond regularizing the old system of outdoor relief, medical aid, and providing workhouse doctors, they 'deliberately avoided the problem of sickness'; and that in respect to the feeble-minded paupers whom they permitted to gibber and roam the workhouse, they had no policy at all.<sup>1</sup>

While the allowance system flourished and the Unions were weak—

<sup>1</sup> S. and B. Webb, *English Poor Law History, The Last Hundred Years*, vol. i, chapter IV *passim*.

i.e. up to 1838—Chadwick acquiesced in this unimaginative apathy. Now, he said, the Law 'had passed its first difficulties' and he acquiesced no more. So began a new set of disputes which, unlike the open conflict over less-eligibility, was continuous, half-hidden and wearing. Every suggestion rejected fanned the flames of his smouldering rancour. An enquiry into the number of workhouse lunatics, with a view to segregating and curing them, was ready to be launched when Lewis forbade it. Another, which sought to determine the statistical composition of indoor pauperism, and which was a precondition of any classified treatment, was grudgingly sanctioned, only to be shelved. Hints that the effect of the settlement laws needed investigation met with no response. In a remarkable enquiry into pauperism among military pensioners, Chadwick discovered the cause to lie in the mode of paying pensions in large quarterly sums, which provided a standing temptation to drunkenness. This report the Commissioners suppressed before more than one or two copies were struck off.

'Seeing the deep hold that such feelings had got, that nothing which I could propose would be adopted for fear it should by its success increase this reproach of thralldom, I was compelled to disguise as much as possible the suggestions which it was requisite in the pressing exigencies of business to make. In this view I bestowed additional care on the private instruction and suggestion to the Assistant-Commissioners and founded as much suggestions as I could upon their reports. On one occasion when I had given some suggestions as to regulations to a young Assistant-Commissioner on a subject referred to him, and when he brought them forward and read them at a Board, there was a brightening of countenances and strong and immediate praise to him for the ability of the suggestion. When he unwittingly and ingenuously declared that the praise was not due to him but to the Secretary sitting at the bottom of the table, there was such a change in the expression of the countenances to sour blank, and the scene was so ludicrous that I could scarce refrain from laughing outright.'<sup>1</sup> . . .

'On one occasion a Commissioner, as it was reported to me, came from a conference with the Minister, bright with an important suggestion which the Minister had made; it was that the Owners of Mines or Manufactories should be charged with the consequences of accidents of maiming or death which usually fell upon the Poor Rates; in expenses of sickness or widowhood or orphanage. The Commissioner was dilating with admiration at the policy of this suggestion when Mr Coode, to whom it was communicated with the view to the preparation of clauses, incautiously stated that the suggestion was a favourite idea of mine which I had advanced as one of the Factory Commissioners. On this unfortunate announcement there was an immediate change of countenance and view of the whole matter, and it was no more heard of. What, or whether any grave practical difficulties were found in its way and told to the Minister, I have no means of knowing, but a favourable opportunity was lost of advancing the

<sup>1</sup> 'Notes on a Personal Paper', N.D., c. 1847.

discussion, which has been recently fully recognized in an able report of the Committee of Enquiry on the Condition of Railway Labourers and partially adopted by the legislature in the Accidents Compensation Act brought forward by Lord Campbell. . . .<sup>1</sup>

He had no recourse against these decisions. In such matters only Nicholls could help him and Nicholls was still away in Ireland. The position inside the office grew more and more uncomfortable. 'I am badly off just now', Chadwick himself confessed. 'I have nobody here to whom I care to grumble, or wish. It is never satisfactory to grumble with inferiors'. A faction among the Assistant Commissioners sought to ingratiate themselves with their superiors by calling him 'absurd and visionary'. One even went so far as to accuse him of 'a tendency to exaggerate personal eccentricities of manner in order to make out cases of unworthiness and folly'. Chadwick complained bitterly to Nicholls 'whenever any measure of improvement is proposed that may be of public utility, and, either from any feelings as towards the individual or from mere carelessness, a deaf ear is given to the statement of the measure, or insensibility is manifested towards the considerations on which it is supported, an injury is done to the individual as well as to the public service; evil is inflicted, or mischief allowed to go on, for private gratification of a maleficent order.'<sup>2</sup>

When Chadwick did succeed, it was despite the Commissioners, never because of them. He could deal with vagrancy and mendicancy through the Constabulary Report. He managed to persuade them to investigate the epidemics of 1838 only because of the panic dread of cholera. He could force on them the policy of District Schools only because the unpaid and pioneer work of Tufnell and Kay found such high favour with such statesmen as Russell and Lansdowne. Although they were his only successes, each was of a major order.

## II

### Education

Any Benthamite was automatically an educationist, since his philosophy depended on the perfectability of society through the free play of its members' *enlightened* self-interest. Chadwick's justification of universal education seems completely free of any suggestion that it was desirable in itself, and, on the contrary, is marked by the harshest utilitarian overtones. Education was desirable because it turned pauper

<sup>1</sup> Notes on a Personal Paper, N.D., 1847.

<sup>2</sup> E. Chadwick to G. Nicholls, 14th November 1838.

children into productive citizens and prevented them from becoming permanent inmates of the workhouses; because it prevented juvenile delinquency and mendicancy; because it increased a labourer's skill, productivity, and earning power; because it prevented the growth of criminal classes; and because it led the workman to realize that his true interests lay not in 'communism' or Chartism, but in harmony with his employers. He developed these themes continuously, throughout his connexion with the Poor Law Commission. The very last words of the 1834 Report had been 'that as soon as a good administration of the Poor Laws shall have rendered further improvement possible, the most important duty of the Legislature is to take measures to promote the religious and moral education of the labouring classes.'<sup>1</sup>

In trying to push educational measures Chadwick was powerfully assisted by E. C. Tufnell and James Kay, two of the Assistant Commissioners. Tufnell, brother to Henry Tufnell the Whig Whip, had served on both the Poor Law and Factory Commissions of Enquiry and in 1834 founded the London Statistical Society. James Kay, the author of *Manchester*, was connected with Poulett Thompson, Senior, and the Mills, and in 1835, on Senior's recommendation, he joined the Poor Law staff. He and Chadwick thought very much alike on the three conjoint questions of the Poor Law, Public Health, and Education, and their relations were excellent. Kay's view of Chadwick was<sup>2</sup> that he 'displayed rare ability and public spirit in the exposure of the abuses in the administration of the old Poor Laws and in the suggestion of remedies. He possessed singular sagacity and skill to avail himself of all the indications in existing arrangements (in public health) by which the most effectual system could be discovered'. Chadwick had an equal admiration for Kay. In a curious memorandum entitled *Practical Christianity vs. Professing Christianity but practical infidelity*, he contrasted the 'professedly Christian but practically infidel' charges of *The Times* and the Bishop of Exeter against James Kay, with the 'practical Christianity' of their victim. Kay's *acts*, he wrote

'could have afforded high examples of practical Christianity in his promotion of public charity, not of the false pharisaical charity which creates the misery it pretends to alleviate and only dispenses bounties in imposture or idleness and filth and mendicity, but *removes* the causes of suffering and evil. One of his first conspicuous acts of practical Christianity as a young man was to examine the state of the residences of the poor and helpless of the labouring classes in Manchester: to call attention to the sources of the pestilence and of the evils

<sup>1</sup> Poor Law Report, p. 262.

<sup>2</sup> F. Smith, *Life of Sir J. Kay-Shuttleworth*, p. 34.

which had hitherto fallen upon the poor but industrious artisan like the arrow that flieth in the dark. The pamphlet of Dr Kay on the condition of the labouring classes in Manchester was the precursor of the most beneficial course of enquiry in modern times as to the sanitary condition of the labouring classes in respect to the surrounding physical circumstances of defective drainage and the condition of their residences now in progress throughout the country.<sup>1</sup>

Chadwick's role was that of a director rather than an originator. When Kay joined the Commission in 1835, Chadwick required him to report on the apprenticeship system in East Anglia, and this seems to have diverted Kay from his interests in Public Health to an ever-increasing absorption in education. Meanwhile Chadwick was setting enquiries afoot in the Metropolis, using Mott, the Assistant Commissioner, and W. E. Hickson, son of a wholesale shoe merchant, who volunteered service because, as he confessed in a very revealing phrase, 'the time is not come for Assistant Commissioners to be made of tradesmen's sons'. These enquiries were to secure information on the most approved methods of industrial training adopted for the children of paupers belonging to the industrial unions. In 1837, a coherent pattern began to grow from these various investigations. Tufnell and Kay visited schools in Scotland; Nicholls and Kay visited schools in the Netherlands; Mott, who had already made contact with Aubin's school at Norwood, 'prepared the way for the introduction of every measure the Commissioners may sanction'<sup>2</sup> and was himself in contact with Kay. The next year Kay himself took over the Metropolitan Area. In his 1838 Report on the Training of Pauper Children he broached the plan of district schools, alleging that internal classification of workhouses could not provide schools either big enough or well conducted enough, and that only a Union of Unions for school purposes would suffice. This solution Chadwick took up enthusiastically, and began to urge upon Russell and Lord Lansdowne. The Commissioners who had hitherto encouraged the educational enquiries now began to retreat.

'The majority of the Boards of Guardians appear to be indifferent', wrote Chadwick. 'There are as yet but few advertisements or applications for schoolmasters, though those few cannot be supplied. I am not sure whether the number of Boards which are positively and actively hostile to any attempts to extend mere reading [*sic*]. The farmers say it is proposing to give to children more than they received themselves and they do not see the necessity of doing so. Not long since when it was proposed to introduce a map of the world into the school of the West London Union to give the children instruction in geography, the majority of the Guardians opposed it, and the son of the late

<sup>1</sup> Memo, dated probably 1841.

<sup>2</sup> C. Mott to E. Chadwick, 17th October 1837.

Alderman Waithman joined the opposition saying that his father had been Lord Mayor of London without any knowledge of geography and for his part he saw no need of it. A member of Her Majesty's Government (not of the Cabinet) expressed to me his regret that it has ever been meddled with, and said he did not see why unpopularity should be incurred by taking up merely speculative and abstract questions . . . the powers to form district schools under the Factory Act for the factory children, and also the Bill empowering the Poor Law Commissioners to unite Unions for the purpose of maintaining separate classes of paupers in houses belonging to the several Unions united, may be submitted as deserving your Lordships' particular attention, as available and efficient means for spreading model schools'.<sup>1</sup>

This Bill—the Renewal Bill of 1839—was withdrawn, and the Commission did not get the powers mentioned until 1844. By that time the indifference of the Commissioners had become open hostility and the powers were hardly exercised. Kay had left the Commission in 1839 to become Assistant Secretary of the Education Committee of the Privy Council, while Tufnell's continued interest in education landed him in an increasingly bitter feud with the Commissioners. He had spent all his official salary to maintain, in conjunction with Kay, the Battersea Normal School to educate workhouse schoolmasters. If he had resigned, he said, the school would have been broken up and he would have broken faith with the school's pupils and supporters. Yet, he added, his sacrifices were 'coldly looked upon by the Commissioners'. Sir Edmund Head (who became a Commissioner in 1841) was the only person connected with the office who, when asked to subscribe in support of the school, 'positively refused to give a farthing'.

Chadwick's interest continued, though unavailing, until 1842. In 1840 he had secured an enquiry into the Training of Pauper Children. In 1841 this volume was published, but it had no influence inside the Commission.<sup>2</sup> Meanwhile he had become absorbed in the problem of sanitation. In 1838 he had got Kay to report on the drainage of the Metropolis. By 1840, when Kay was launched on his career at the Privy Council, he gave advice to Chadwick. 'I recommended *him*,' he wrote, 'to undertake the prosecution of this investigation into town drainage and water supply and other connected questions of Sanitary Improvement.'<sup>3</sup> When Chadwick published his Sanitary Report in 1842 he found that the problem was too large to be shared with Education. This dropped from his immediate attention and was only revived many years later when he was no longer in government employment.

<sup>1</sup> E. Chadwick to Lord Lansdowne, 2nd December 1839.

<sup>2</sup> Report to the Secretary of State . . . from the Poor Law Commissioners on the Training of Pauper Children, 1841.

<sup>3</sup> Smith, *op. cit.*, p. 33.

## THE HEALTH OF THE PEOPLE

IT was during Frankland Lewis's last days and in his son's first year of office, i.e. in 1838-9, that the prevention of disease began to claim Chadwick's exclusive attention. Between 1839 and 1842, when the son was bettering his father's vain efforts, and excluding Chadwick from all say in Poor Law management, Chadwick, a Secretary in name only, was willy-nilly forced to undertake work in other fields. His work on the prevention of disease marched the quicker for Lewis's increasing mastery over the office. With Lewis's final victory and the destruction of all his influence in the office, Chadwick betook himself exclusively to this field.

The Registration Act stimulated his already keen interest. In a reprint of his *Essay on the Means of Insurance*, in 1836, he catalogued the uses to which the Act might be put. The list illustrates how firmly he believed, even at this early date, in the preventability of disease :

- (a) 'The registration of the causes of disease, with a view to devising remedies or means of prevention.
- (b) 'The determination of the salubrity of places in different situations, with a view to individual settlements and public establishments.
- (c) 'The determination of comparative degrees of salubrity, as between occupation itself and occupation in places differently circumstanced, in order that persons willing to engage in insalubrious occupations may be the more effectually enabled to obtain adequate provision for their loss of health.
- (d) 'The collection of data for calculating the rate of mortality, and giving safety to the immense mass of property insured, so as to enable every one to employ his money to the best advantage for his own behalf, or for the benefit of persons dear to him ; and that without the impression of loss to any one else.
- (e) 'The obtainment of a means of ascertaining the progress of population at different periods, and under differing circumstances.
- (f) 'The direction of the mind of the Government and of the people to the extent and effects of calamities and casualties ; the prevention of undue interments ; concealed murder ; and deaths from culpable heedlessness or negligence.'<sup>1</sup>

As it proved next to impossible to persuade T. F. Lewis of its importance, Chadwick's successes here were very local. It was he who drew up the circular letter which instructed the Guardians in their new

<sup>1</sup> Quoted, Sir B. W. Richardson, *The Health of Nations*, pp. 77-8.

registration duties. Not only Lister but T. F. Lewis himself acknowledged its excellence. And although the Act did not come into force until July 1837, Chadwick was planning new uses for it months before that time. He urged a special register for epidemic diseases. He tried to set up a Bureau of Medical Statistics inside the Poor Law office. He wished to conduct an enquiry as to the proportion of sick paupers throughout the Unions.<sup>1</sup> Knowing that Lister himself was incapable of guiding the new office, Chadwick took it on himself to supply him with an efficient subordinate. This was the since famous William Farr. Although Chadwick soon quarrelled with him, under Farr's direction the office took on something of the velocity which Chadwick hoped from it.

Frankland Lewis, however, seemed bent against any deep-seated enquiry into the effect of sickness on poor rates, and, wrapped up in his very heavy departmental duties and the completion of the Constabulary Report, Chadwick acquiesced. Events themselves proved Lewis wrong. It proved impossible to isolate the administration of the Poor Laws from the effects of epidemic influenza and typhoid which ravaged London in 1837-8. Since 1834, the policy had been to turn a blind eye to epidemic diseases : for example, the Guardians no longer had their predecessors' power to indict for nuisances and spend public money on their removal, even in the interests of the public health.

Precisely this circumstance gave Chadwick his opportunity to win over Frankland Lewis. To remove the stinking refuse and stagnant pools which were breeding the diseases, the East End Unions were forced to spend their money, although this was illegal. When the auditors disallowed such payments, the matter was brought to the Commission's very doorstep. This matter-of-fact problem, the violence of the epidemic, and finally the fear that cholera might return, worked on Lewis's mind more than Chadwick had been able to do. So, when a particularly fatal outbreak of typhoid occurred near one of Shoreditch's stagnant ponds and the Poor Law Guardians defied their auditor by spending money on the removal of nuisances, Chadwick seized his opportunity.

'In general', so Chadwick expressed the situation, 'all epidemics and all infectious diseases are attended with charges, immediate and ultimate, on the Poor Rates. Labourers are suddenly thrown by infectious disease into a state of destitution, for which immediate relief must be given. In the case of death, the widow and the children are thrown as paupers on the parish. The amount of burthens thus produced is frequently so great as to render it good economy on the part of the administrators of the Poor Laws to incur the charges for preventing the evils where they are ascribable to physical causes, which there are

<sup>1</sup> W. Farr to E. Chadwick, 13th February 1837.

no other means of removing. The more frequent course has been, where the causes of disease are nuisances, for the parish officers to indict the parties for nuisance, and to defray the expenses from the Poor Rates. During the last two years the public has suffered severely from epidemics. At the present time fever prevails to an unusually alarming extent in the Metropolis, and the pressure of the claims for relief in the rural Unions on the ground of destitution caused by sickness, have recently been extremely severe.<sup>1</sup>

On these ostensible grounds he pressed for an enquiry, and Lewis perforce could not but agree with them. So began an 'entirely new sort of government action', 'the first step in the modern utilization of medicine by the State'.<sup>2</sup> In the scope of the enquiry, in the persons by whom it was carried out, the glory might go to the Poor Law Commissioners, but the inspiration and initiative came from Chadwick alone. Eager to use the 'new machinery' he left one part of the enquiry to the medical officers of the new Unions. ('The Boards of Guardians,' he said, 'have now the services of an efficient body of experienced medical officers, to guide them in the application of sanitary measures more efficiently than was practicable by the overseers of single parishes under the old system.'<sup>3</sup>) But the rest of the enquiry (and it was this that marked the revolutionary step forward) he entrusted to the three men whom he justly regarded as the pioneers of preventive medicine. 'Dr Arnott,' he said, 'was requested to assist in the enquiry because he was known to have paid attention to the circumstances governing the public health. Dr Kay . . . because he had called public attention to the low sanitary condition of the labouring population in Manchester, which had previously been urged upon attention in that town by Dr Ferriar<sup>4</sup> about the same period as had been done by Dr Currie in Liverpool<sup>5</sup>.'<sup>6</sup> Dr Southwood Smith was called upon 'from the knowledge given by his position as physician to the London Fever Hospital'.<sup>7</sup> The scope of their enquiries indicated far more eloquently than his own public explanations, Chadwick's real intention in promoting the investigation and of how well he had chosen his men for that purpose. When the joint report of Kay and Arnott appeared, its title was '*On the prevalence of certain physical causes of fever in the Metropolis which might be prevented by proper sanitary measures*'.<sup>8</sup> Southwood Smith's enquiry (based exclusively on his own personal observations) appeared under the

<sup>1</sup> Commissioners' letter to Home Secretary, 1838, published as App. A, No. I, Fourth Annual Report of Poor Law Commission. It was drafted by Chadwick.

<sup>2</sup> J. Simon, *Sanitary Institutions*, pp. 184-5.

<sup>3</sup> Commissioners' letter, loc. cit.

<sup>4</sup> I.e. about 1800.

<sup>5</sup> About 1800.

<sup>6</sup> Undated letter to Dr Southwood Smith, c. 1848.

<sup>7</sup> Ibid.

<sup>8</sup> Fourth Annual Report of Poor Law Commissioners, App. A, 1838.

title of '*On some of the physical causes of sickness and mortality to which the poor are particularly exposed and which are capable of removal by Sanitary Regulations, exemplified in the present condition of Bethnal Green and Whitechapel Districts, as ascertained on a personal inspection*'.

At this stage, Chadwick's views on sickness were narrow. The prevention of disease was only another administrative gadget, a mechanical solution of an administrative problem. Where the evils were 'ascribable to physical causes', it was 'good economy' to 'prevent the evils', instead of indicting the parties for nuisance and paying the expense out of the Poor Rates. This was precisely how he argued against the existing Audit; to inflict heavy disallowances *after* the illegal expenditure had been incurred, offended common sympathies, and therefore this common law method should be abandoned and replaced by measures 'more immediately preventive'.<sup>1</sup>

Dominated solely by the actuarial problems of pecuniary profit and loss, Chadwick laid no claims to universal humanitarianism but frankly admitted his narrow interests in keeping the poor rates down:

'When acting as Secretary to the Commission,' he said, 'it came under my observation that whatsoever might be the condition of the working classes as to wages and frequently at times when employment was the highest, claims for relief on account of sickness came regularly in the greatest proportion from ill-drained places where ordure was retained in cesspools.'<sup>2</sup>

'The sanitary measures . . . had strictly and exclusively an official origin . . . they arose as a consequence, though an indirect and perhaps an accidental one of measures directed by Government in 1832, viz. the Enquiry into the administration of the Poor Laws; in the course of some investigations with the view to discriminate the causes of pauperism, excessive sickness, and its preventible causes were suggested by circumstances which appeared in the course of that enquiry and are noticed as one of the topics of examination in my report, laid before Parliament with others . . . afterwards, under the Administrative Commission, in 1838 when a heavy amount of claims appeared as a consequence of the prevalence of an epidemic, I felt it my duty to call the attention of the Commissioners to the preventible nature of the causes of a large proportion of these cases and recommended a special investigation of them. . . . In directing the enquiry, the Commissioners were influenced by the circumstances which appeared before them in the course of the business of the day and by no representation of . . . as I am aware of, any person whatsoever.'<sup>3</sup>

This desire to prevent the evils was reinforced by his deep-rooted distrust of curative medicine. He thought it a sham, 'administering',

<sup>1</sup> Edwin Chadwick to Lord Normanby, on 'Audit', N.D., 1840.

<sup>2</sup> Edwin Chadwick to unknown correspondent, c. 1853.

<sup>3</sup> Edwin Chadwick to Southwood Smith, c. 1848.



he laughed, 'nothing but *consolatio animi*, (and) . . . pretending to alleviate disease which if they (i.e. the doctors) had the will they had not the skill to *prevent*'.<sup>1</sup> 'From Arnott and Smith,' he said, 'I derived a strong conviction of the superior importance of the study (as a science) of the means of *preventing* disease, and I was the better enabled to perceive some of the important relations of the facts expressed by vital statistics which were brought before me in my public investigations.'<sup>2</sup>

This contempt for medical science doubtless influenced Chadwick's treatment of the Poor Law medical service, and the resentment the doctors felt against him lowered still more his estimate of their usefulness. Under the old Poor Law the parish officers had entered into a general contract with the doctors for the care of the sick poor. The New Poor Law confined the contract only to 'sick paupers', and limited it only to 'a person licensed to practice as a medical man', a qualification which it was left to the Guardians to determine. This change was not of itself injurious to doctors. The limitation from 'sick poor' to 'sick paupers' hardly affected them since their private patients among the poor were so few in number.<sup>3</sup> What injured their position, so they said, was the parsimonious policy the Board deliberately continued, under Chadwick's pressure, until 1842 when Chadwick was jettisoned.<sup>4</sup> Although, in the Second Annual Report, Chadwick equivocally sought to throw the responsibility for this policy on the Guardians,<sup>5</sup> it really was the Board's own policy, and it secretly directed its Assistant Commissioners to recommend larger medical areas, so that fewer doctors would be needed and there would be greater competition between them.<sup>6</sup> Where the older men refused to agree to the new terms, younger men were encouraged to settle in the countryside. In addition, Chadwick and the Assistant Commissioners did their best to place the contracts by public advertisement for the lowest tender. Despite Chadwick's denials even Tufnell, who approved the system, had to admit that 'in many cases the regular medical salaries were too low'.<sup>7</sup> Chadwick met the doctors' complaints at every stage; he said that as their common practice was to 'break in' their apprentices on the poor, 'no attendance we may obtain

<sup>1</sup> Edwin Chadwick to J. Kay-Shuttleworth, 15th May 1843.

<sup>2</sup> Edwin Chadwick to Dr Willis, 31st July 1844.

<sup>3</sup> Second Annual Report of Poor Law Commissioners, 1836—'Medical Service' (pp. 18-21).

<sup>4</sup> See below, pp. 206-7.

<sup>5</sup> Second Annual Report, loc. cit.

<sup>6</sup> *Examples of the Promotion of Abusive Expenditure charged against the Poor Law Commissioners, Mr George Cornwall Lewis and Mr Edmund Head*, by Mr Tufnell (MS., March 1845). Sir Francis Head told Tufnell that in one instance he paid the whole establishment charges of a Union by reductions in the medical salaries.

<sup>7</sup> Ibid.

is worse',<sup>1</sup> that the tender by open competition was the only way Guardians could form an estimate of what ought to be paid;<sup>2</sup> that the size of the medical districts was a matter for the Guardians to decide; and that (in Tufnell's phrase), 'they are really and fully paid by the experience they acquire which brings them credit and private patients'.<sup>3</sup> But at the root of this treatment of the medical profession which animated Wakley to his most bitter attacks upon the New Poor Law, attacks which Chadwick would not forgive, lay Chadwick's contempt for medicine. He charged the medical officers with abusing their powers and prescribing joints and wines and hams to the poor upon their list. His view was that although the doctors prescribed little but 'comfort to the soul' they had an incentive to treat as many cases as possible, and so made paupers of otherwise independent labourers.

The most striking example of his contempt for the general practitioner was to be seen when he opposed the appointment of a Medical Commissioner to the Poor Law Commission. This suggestion was put before the 1838 Select Committee, but rejected. It persisted in the parliamentary debates on the Poor Law Bills of 1839 and 1840. Even Southwood Smith supported it. He promised Chadwick that it 'would relieve the Commissioners of a large portion of responsibility which they cannot be well qualified to incur' and that it would provide the Poor Law Reports with general summaries on the state of disease among the pauper population.<sup>4</sup> Despite his deference to Dr Smith's friendship and opinions, Chadwick's reply was an unequivocal 'No'.

'One alternative moved by Mr Serjeant Talfourd is' (Chadwick said) 'the appointment of a Medical Commissioner . . . that project was presented to the Committee and rejected. It was pressed, and is now only pressed, not by the Lords, but by a few inferior members of the tail of the profession, composing what is called the British Medical Association. It does not comprehend any of the superior members of the profession and it is chiefly moved by Mr. Wakley. I have been informed that the chief witness who attended the committee, has on account of some proceedings which are considered irregular, been compelled to quit his practice.'

On the same grounds that the feelings of the Association claim the appointment of a Medical Commissioner, they might claim the appointment of a Medical Cabinet Minister. Medical relief is in quantity only a subordinate branch of the relief, which, on the same ground, would require to be superintended by technical or professional aid. The amount of money expended in

<sup>1</sup> To use Assistant Commissioner Adey's words. D. G. Adey to Edwin Chadwick, n.d., July 1835.

<sup>2</sup> Second Annual Report of Poor Law Commissioners, 1836, loc. cit.

<sup>3</sup> *Examples of . . . Abusive expenditure*, by Mr Tufnell (March 1845).

<sup>4</sup> Dr S. Smith to Edwin Chadwick, 23rd July 1839.

building new workhouses or repairing old ones is enough to justify the builders in claiming the appointment of a building or architecture Commissioner : or the attorneys may claim to have an attorney and the bakers who furnish bread and the tradesmen who contribute supplies and exclaim against the degradation of competition and the arbitrary terms of the contracts prescribed by the commissioners, may *a fortiori* ask for the authoritative protection of a baker or trades commissioner in framing regulations.'

In short, the doctors' work was no more important than the supply of any other commodity. His reason for thinking this was simply that he had a low opinion of their skill and a thorough distrust of their opinions : for, as he went on to say,

'... not merely that the public would not gain anything but that they would greatly lose in the lights of professional or technical knowledge by the arbitrary appointment of professional or technical commissioners.

'Whenever any professional man is appointed, the knowledge obtainable is usually the knowledge only of the particular individual whose professional jealousy or prejudice will commonly exclude much more knowledge than he brings. . . .'<sup>1</sup>

Chadwick approached the problem, therefore, with a distrust for curative medicine, and in the belief that it would be good economy to prevent rather than cure. In none of these respects did the doctors' reports disappoint him. All three had spent their lives in pointing out the effects of physical environment on health,<sup>2</sup> and it was not surprising that they should confine their attention to the removable physical concomitants of disease. Thus in one breath they affirmed two propositions which Chadwick knew, but the politicians did not ; that there was a direct connexion between certain physical conditions and disease and that the diseases were preventible by the removal of these conditions. They showed not only this, but the good economy of doing so besides. Out of 27,000 pauper cases which he investigated, Southwood Smith showed that 14,000 had been rendered destitute by fever. Of these no less than 13,000 had died ! All three recommended the necessity of better ventilation by widening streets and letting windows into the houses ; that 'noxious atmospheres' must be kept sweet by removing the refuse and ordure which gave off the 'emanations', and by draining and sewerage the land which gave rise to malaria ; that lack of water must be remedied and the proximity of slaughter-houses and other noxious trades to water supply prohibited. None of this was new to

<sup>1</sup> Edwin Chadwick to Lord John Russell, 12th June 1840.

<sup>2</sup> Cf. Kay's *Manchester* (pub. 1833) ; and Southwood Smith, *A Treatise on Fever* (pub. 1830).

Chadwick. As early as 1834 he had seen that one means of preventing drunkenness was by supplying working people with decent cottages and so it could hardly have surprised him when Kay and Smith and Arnott all recommended a Building Act to bring sewerage, drainage, refuse removal, and water supply to the working-class quarters.

To Chadwick, the reports offered not a solution to his queries but the very opposite. If one-quarter of Smith's 77,000 cases had been pauperized by fever, what were the proportions in the country at large ? The prevention of disease was a far greater problem than he had at first thought. And assuming the doctors' recommendations to be correct, by what administrative means were they to be put into operation ? Would it pay to do so ? The enquiry confirmed Chadwick's prepossessions on the subject but went on to whet his curiosity.

One thing had been achieved. The enquiries had aroused among the middle- and upper-class public a most widespread and altogether horrified shock and indignation. Lord Normanby, for example, could hardly believe that what he read was true. He was sure that the reports exaggerated. It was not till Southwood Smith took him on a personal tour through Bethnal Green that he could be brought to believe, and then his reaction was : 'so far from any exaggeration having crept into the descriptions which had been given, they had not conveyed to my mind an adequate idea of the truth'.<sup>1</sup> Through their graphic descriptions of working-class tenements the doctors succeeded in reawakening almost the same panic dread and bewildered disgust as the visitation of Asiatic cholera six years previously. It was the horrors they described, rather than the theories they set forward, by which the doctors had achieved this result.

Southwood Smith summed up the tenor of all three reports by writing :

'While systematic efforts on a large scale have been made to widen the streets, to remove obstructions to the circulation of free currents of air, to extend and perfect the drainage and sewerage, and to prevent the accumulation of putrefying vegetable and animal substances in the places in which the wealthier classes reside, nothing whatever has been done to improve the condition of districts inhabited by the poor. These neglected places are out of view, and are not thought of ; their condition is known only to the parish officers and the medical men whose duties oblige them to visit the inhabitants to relieve their necessities and to attend the sick ; and even these services are not to be performed without danger. Such is the filthy, close and crowded state of the houses and the poisonous condition of the localities in which the greater part of the houses are situated from the total

<sup>1</sup> *Memoir of Southwood Smith*, by Mrs Lewes, p. 70.

want of drainage, and the masses of putrefying matter of all sorts which are allowed to remain and accumulate indefinitely, that during the last year, in several of the parishes, both relieving officers and medical men lost their lives in consequence of the brief stay in these places which they were obliged to make in the performance of their duties.'<sup>1</sup>

Chadwick now pressed the Commissioners for further enquiry. Frankland Lewis, still resentful of the violent quarrel in 1837 and engaged in incessant bickering over the numberless enquiries which Chadwick was proposing to him, was in no mood to comply. Chadwick went about the matter in his own way. He formed a public opinion on the tried method of the Poor Law Report of 1834, and 7,000 copies of the Reports were circulated. Russell and Normanby, well-informed of the course of the enquiries, were both favourable to further investigations. In the Commons, two members, Slaney and Ebrington, were willing to support Chadwick. And in the Lords he had the fullest support from his old friend and admirer, Blomfield, the Bishop of London. With such support Chadwick did not need to secure the assent of Lewis for renewed investigation. The cards were stacked, whenever he was ready to play his hand.

But he hesitated. All through the session of 1839 he was occupied with the Constabulary Bill. Having finished the First Constabulary Report he was now writing the Second Report. He was perplexed. After a talk with Kay, he relinquished the advancement of national education into the hands of this Assistant Commissioner whose attention he himself had drawn in 1836 to the problems of education.<sup>2</sup> But what of the Constabulary Report? 'I could not but perceive,' he explained afterwards, 'being left to my election that this enquiry into the sanitary condition of the population was the most important enquiry of the two, and indeed that it involved a much larger measure for the prevention of crime than the public or the legislature are aware of; the prevention of overcrowding, and the violations of decency and the opportunities of sensual enjoyment in the prevention of a large proportion of crimes of passion.'<sup>3</sup>

By the end of the 1839 session, George Lewis had succeeded his father. Rather than beg permission of him, Chadwick approached

<sup>1</sup> In 1839 Dr Smith produced a supplementary report called 'On the Prevalence of Fever in Twenty Metropolitan Parishes and Unions' (pub. as App. C (2) to Fifth Annual Report of Poor Law Commissioners. The quotation is from this, loc. cit., p. 70.

<sup>2</sup> At Chadwick's request he had, in 1835, his first year at the Poor Law Commission, drawn up a report on the compulsory apprenticeship of pauper children (Smith's *Life of Kay-Shuttleworth*, p. 45).

<sup>3</sup> Edwin Chadwick to Sir G. Grey, 11th June 1847.

Bishop Blomfield, and on 19th August the worthy Bishop rose in the House of Lords, delighted to put forward the motion,

'that Her Majesty will be pleased to cause enquiry to be made as to the extent to which the causes of disease stated in Appendix A, Number I of the Poor Law Commissioners Fourth Annual Report, and Appendix C, Number II of their Fifth Annual Report, to prevail amongst the labouring class in the Metropolis, prevail also amongst the labouring class in other parts of England and Wales, and that Her Majesty will be graciously pleased to cause the results of such enquiry to be communicated to the House.'

Two days later Lord John Russell commanded the Poor Law Commissioners to set the enquiry afoot and Chadwick had had his way.

This was the beginning of the great *Report on the Sanitary Conditions of the Labouring Population*, a wonder to its own age, an inspiration and text to its successors.

## CHAPTER V

### THE POLICE ACT OF 1839

#### I

IN addition to his Poor Law duties, Chadwick was engaged after 1836 in conducting the Constabulary Enquiry. The sole immediate result of his labours, the timid Act of 1839, has obscured his important contribution towards the modern police system. His views on police were complete in 1829. Thenceforward he snatched at every opportunity to foist his plan upon sceptical Cabinets. This was clearly his intention in 1836, when Russell took his bait; for he made it clear that he asked for a Royal Commission only 'to get the sanction of other names'. Furthermore, his plans for the Enquiry as outlined to Russell, are identical with the heads of his 1829 proposals.

The only changes introduced between 'Preventive Police' of 1829 and the 'Constabulary Report' of 1839 were in emphasis and presentation. For one thing, the appeals to Bentham and the French Codes were dropped. In his 1828 MSS.,<sup>1</sup> for instance, he cites at length the French 'Code d'Instruction Criminelle'; but the Report went out of its way to cite only English precedents. The style of the earlier MSS. is more trenchant and sarcastic: thus, speaking of the hindrance to good policing caused by the extensive overlapping and sub-division of municipal services in 1832, he even permitted himself the couplet:—

'Where's the infallible fire-escape?  
Alas, it is not fixed.  
Where's the newly invented anti-phlogistic mixture?  
Ah me, it is not mixed!'

Such sarcasm was out of place in an official document such as the Report.

Another significant change was due to the developments which had occurred in the decade, notably the existence in London of a trained and efficient police, the existence of police forces in the municipalities, and the tendency to send the Metropolitan police to the provinces to afforce the local troupes. The arguments of 1829 were again made to do service but twisted to fit the new circumstances, so as to seem not to precede them but to flow from them. The result was that many of the

<sup>1</sup> See page 29, above.

revolutionary proposals of 1829—for example, the demand for local public prosecutors—were introduced in the Report apologetically, behind a smoke-screen of 'evidence'.

The most significant difference, however, is that his proposals of 1829 and 1832 were a complete plan, and the Report of 1839 merely a fragment. It dealt with only the first of three main topics, viz. the preconditions for a more effective police force. The second topic was to have been an attack upon the collateral causes of crime, namely, juvenile delinquency, vagrancy, lodging-houses, 'fences' and 'receivers', and the available means of preventing by careful moral or religious training, the disposition to commit offences.<sup>1</sup> This section was never written. The third subhead entitled 'The available means of prevention by controlling the actions of persons known to have been addicted to and therefore to be disposed to commit depredations'<sup>2</sup> was printed but never published. It followed his early views in their entirety, and shows an extensive borrowing from the French Penal Code. Chadwick was wholly opposed to punishment by long terms of imprisonment. He maintained that because of the Howards and the Frys the prisons had been so reformed by 'narrow sentiment and blind zeal' as actually to attract vagrants and others who preferred their comfort to labour. He put the excess cost of prisoners over their subsistence cost at more than £80,000 per annum. Not only were the prisons 'more eligible', but they were still 'thief's colleges', and neither the separation of juveniles from older prisoners nor the newly introduced 'silent system' had altered this character. The 'separate system' alone might conceivably do so, but few local authorities could be expected to press it, because it involved reconstruction of nearly all the prisons. Rejecting the prison system as it stood, he therefore advocated short terms of imprisonment followed by extensive periods of police surveillance. Ex-convicts were to be placed under the control of the police, and were to be forbidden to frequent specified places or to associate with specified persons and classes of persons. Infraction of these rules would be dealt with summarily by a magistrate, and would be punished by solitary confinement.

These suggestions were elaborated at length in twenty-seven printed pages entitled 'The Second Report of the Constabulary Commissioners'—an incomplete fragment.

Yet even the first topic, i.e. the preconditions for a more effective constabulary, with which the 1839 Report alone concerned itself, was

<sup>1</sup> Second Report of Constabulary Commissioners (MSS.) and fragment, 30th September 1839.

<sup>2</sup> Second Report of the Constabulary Commissioners (MSS.).

incomplete as compared with his earlier plan. That had been entitled a 'Preventive Police', and the significance of the title is concealed by the subtle shift in language which has taken place since 1829. 'Police' meant more than a body of men; it still meant a regime or polity<sup>1</sup> and a 'preventive police' meant a regime of repression and guard effective enough to prevent the commission of crime. 'Every arrangement which renders increased exertion necessary to obtain property illegally is so much gained to the prevention of crime'. A well organized constabulary force was such an arrangement. Instead of 'bodies of men in most places governed separately by conflicting authorities and in all places acting under the earliest and most rude expedients, and then, when called upon receiving in custody and seizing the offender after the commission of an offence', he proposed: 'a well-organized body of men acting on a system of precautions to prevent the necessity of punishments, to render infraction of the rights of property difficult'.<sup>2</sup>

First, private individuals must co-operate with the police by charging criminals and by laying information. Consequently, the delay and cost of prosecutions to private individuals must be reduced, and where necessary the police themselves should have power to prosecute on behalf of the public. Secondly, the police must be kept informed up to the very last minute of all crimes committed throughout the area, and indeed, throughout the nation. This was to be achieved by the developed circulation of an improved Police Gazette. Thirdly, the police must be enabled to make a 'swift and fresh pursuit'—to which end the magistrates ought to have investigatory powers similar to their French counterparts. Fourthly, the police forces must be organized in military gradations, must be consolidated into single forces in each geographical district, and these must be brought under the supervision and control of one national agency. Finally the police must be omniscient. They must not only make theft, receiving, and escape difficult, but must preserve order, repress mendicity, abate nuisances, regulate traffic and public gatherings, co-operate with the firemen, and be ready to assist in all cases of accident or commotion.<sup>3</sup>

Now, only the fourth and fifth of these points were dealt with thoroughly in the 1839 Report. The first was not treated at all, the second was mentioned, the third was severely modified. These matters Chadwick tended to reserve for the Second Report. It was never

<sup>1</sup> Cf. J. T. Smith, *The Parish* 1857, p. 120.

<sup>2</sup> 1832 MSS., 'Police', by E. Chadwick.

<sup>3</sup> These points are summarized from Chadwick's 1828 and 1832 MSS on Police (pp. 29 and 36 above), and from 'Preventive Police' (*London Review*, 1829).

finished. A set of draft instructions, which he drew up in January 1855 in the hope he would be permitted to finish the investigations, gives the outline of the proposed scheme:—

'Lord Palmerston is especially desirous that you should investigate and distinguish in your report as clearly as the available evidence will admit:

1. What offences admit of prevention by the action of a police alone?
2. What by a police in concert with the public?
3. What offences must be prevented if at all by the care taken by the public themselves?

Especial attention to prevention of offences by discharged convicts; ticket of leave and practical amendments it may require. Evidence previously collected as to proceedings before trial by which the apprehension of prisoners shall be made more certain will involve the question of prosecution by Public prosecutors and of the aid the Police can give them in evidence. The collection of data regarding facilitation of prosecution by police. . . .'<sup>1</sup>

# II

The Police Report of 1839 was a worthy successor to that on the Poor Laws. Its differences from that Report were also noteworthy. Chadwick had learned a lesson from the incessant protests against the alleged unconstitutionality of the Poor Law Act. He now devoted a large part of his exposition to antiquarian researches which 'proved' that central control of the police was an ancient and constitutional usage.

Both he and Rowan worried about the public reaction to their proposals. They recommended a completely centralized and paramilitary body of trained policemen. The times were not ripe for such sweeping measures. Rowan's comments upon the completed draft were favourable, but very anxious: 'I think substantially it is exceedingly good and if there be any candour in existence (which I doubt) will produce a good effect';<sup>2</sup> and again, 'I am now fully satisfied with the Report but what will be said of it'.<sup>3</sup> To evade this difficulty Chadwick sought to repeat the tactics of 1834 and present so alarming a picture that the public would stampede in the direction he pointed out.

This indeed gave the Report its popularity. The part which dealt with the existing evils made grand reading. In a section which dealt with the different types of crime, Chadwick interpolated long confessions which he or his myrmidons had wrung from convicts and repentant

<sup>1</sup> E. Chadwick to Lord Palmerston, 15th January 1855.

<sup>2</sup> Sir C. Rowan to Edwin Chadwick, 11th February 1839.

<sup>3</sup> *Idem.*, March 1839.



thieves. These and other picturesque anecdotes conveyed the impression that the life and goods of every section of the community were in imminent danger.

Though he did not directly state the number of criminals at large, it was conspicuous that on the basis of his calculations there must be between 72,000 to 120,000. This in itself was frightening, but he fairly laid on the horror once he started to describe them. He was trying to stress that the problem had now changed—that since the Metropolitan police and the corporation police forces had been set up, the great danger arose from *migratory* bands of criminals, who, driven out of the populous centres which possessed police forces, took to others which had none. Among these migrants were the 'habitual depredators, house-breakers, horse-stealers, and common thieves'. Then there were the beggars, who, Chadwick complained, 'paraded the whole country, rendering property insecure, propagating pernicious habits and afflicting the minds of the sensitive with false pictures of suffering, and levying upon them an offensive impost for the relief of that destitution, for which a heavy tax is legally levied in the shape of the Poor Rates'. A network of unlicensed lodging-houses had grown up to shelter these beggars: these acted, therefore, as the 'flash-house of the rural district', the 'more extensively established school for juvenile delinquency' and 'commonly the most infamous brothel in the whole district'. Legal powers of search and control hardly affected such places, where in the description of a prisoner:

'I have known as many as ten men and women lying indiscriminately on the floor. A lad who has over-run his parents is sure of a home there, where he is picked up by some known prig (thief) and after being once there, there is little chance of reclaiming him. . . .'

In the countryside, sheep-stealing, poultry-stealing, and the destruction of fences, etc., were common occurrences. Allotments were plundered, and even in Chester, where there was some pretence to a paid constabulary, cheese rooms were broken open, granaries raided, and the farmers continually robbed. On the canals and railroads a series of thefts took place, which were extremely difficult to detect, because small quantities were stolen at a time. The menace of footpads still existed on the country roads. In towns, varieties of violence were common. Non-payment of rent caused trouble frequently. In Manchester the agents who served process for rents were frequently beaten up by the enraged tenants: 'the strongest aid of the police has been necessary in the enforcement of the legal process by which the

collection of rents and the rights of property have been maintained'. On the South coast *wrecking* was still extensively practised. Sometimes it constituted not only the traditional, but the sole livelihood of whole villages!

It was no accident either, in the thick of the Chartist troubles, that Chadwick should devote nearly half his catalogue to crimes of the organized operatives. Strikes, violence, the destruction of new machinery, the obstacles which trade unions put in its way, the sinister interests among the masters who fomented strikes for private purposes, were luridly painted on a large canvas.

His full intentions became patent in the concluding chapters. Knowing that he must expect public opposition, he got his blow in first:

'The appointment of a proper force for the prevention or repression of crimes has sometimes been viewed with apprehension on the supposition that such a force might be used to impair the political liberty of the subject.

'If we were to admit that a diminution instead of an increase of political liberty of the subject were the probable consequences of the establishment of an efficient constabulary force, we should nevertheless be prepared to show that the evils we have found in existence in some districts, and the subjection of the population to fears which may be termed a state of slavery, which the objectors would endure from a groundless fear of the loss of liberty, forms a condition much worse in all respects than any condition that could be imposed by any government that could exist in the present state of society in this country. We do not believe that in this country any government could possibly exist which subjected the people to domiciliary attacks, and to have their houses broken open and plundered, and their lives endangered at night, or which caused a large proportion of the population to abstain from travelling after dark for fear of being put in danger of their lives and stripped of their property by armed men—which allowed its agents to pillage or maltreat the unfortunate people wrecked on the coasts, or which generally inflicted such evils as are now inflicted by upwards of 40,000 thieves, robbers, or marauding hordes of various descriptions against whom the honest in almost every part of the country have been driven to associate for self-defence. Neither do we see any motives which could induce any government in these times to impose political restraints so oppressive or so mischievous on any industrial community as we find imposed by illegal means on the manufacturing population of the city of Norwich and other parts of the kingdom; nor do we believe that by any form of the abuse of the powers of government, it could use any agency as secret committees have employed in the manufacturing districts to coerce the honest and industrious, but peaceable, to purposes injurious to those by actual murder or the fear of life and maiming, or the threats of a such fire and pillage as were displayed in the burning of the city of Bristol. . . .'<sup>1</sup>

<sup>1</sup> *First Constabulary Report*, 1839, pp. 351-2.

This echoed clearly his former disgust with the timid Committees of 1818 and 1822. He had mocked their preferring popular liberty to efficiency. But although Chadwick's views were the same as in 1832, he was as much concerned to frighten rather than convince his public.

For the gist of the recommendations was identical with his former plan for a 'Municipal police'—co-ordinated professionalized forces, with their range of duties extended, and the whole subordinated to general rules. His arguments were the same, pushed home with the additional weight of the Commission's evidence. He pictured the unhappy parish policeman as in his diatribe of 1832. He mocked his reluctance to serve, his unfitness, his local connexions and his local fears. Now, however, he could add to these former opinions a judgement on the superior efficiency of the *paid* constabulary of Chester! From this point he showed how far this paid constabulary was inferior to the paid and trained constabulary of such private associations as the Barnet Police Association.

His next recommendation, that the police be centralized, followed not only from the earlier arguments, but from his new investigations into the 200 private police associations of England. Just as in 1832 he had likened various forces of the City of London to an army broken into small companies acting independently of one another, so he now argued that the various forces throughout England must be co-ordinated. That the local police acted upon deficient information was one reason; that they indulged in local quarrels with neighbouring forces, another; that they drove thieves from their own districts into unpoliced areas was a third. Every argument was an echo of his 1832 MSS.

Similarly with Chadwick's principle of 'omnicompetence'. In 1839 he drew up the very same range of duties for his police as he had prescribed in 1832 after borrowing them from the French Penal Codes.<sup>1</sup> Nor was the fourth and last of Chadwick's early maxims lacking. The force must act under one set of rules, constantly shift about the country, so that its illegalities should be open to the public eye, and also—and this was a point on which Chadwick had collected a truly imposing mass of evidence—so that it should be entirely impartial, and unconnected with local interests and feuds.

The difficulty lay in giving practical effect to this last proposal. There were two problems to overcome, a mechanical and a constitutional one. A trained police, organized on the Metropolitan model, could not be raised at once; by what stages was the national force to come into existence? Secondly, the justices would never surrender their control

<sup>1</sup> See book I, chapter II, part I.

of the constabulary, and the whole mass of popular feeling would be on their side. Chadwick reconciled these difficulties with centralization by recommending for systematic and nation-wide use a practice which had grown up in connexion with the Metropolitan police. Since 1830 detached bodies of constables had been sent on the request of the local constabulary in various parts of the country. He suggested therefore that the force should be built up piecemeal in the Petty Sessional areas, the Poor Law Unions and even in individual parishes. In these, at the request of the local J.P.s, the Home Office would send down an appropriate number of Metropolitan-trained constables. This scheme met such approval from the J.P.s that Chadwick bettered it, just before the Report was published, by making the unit of jurisdiction not these petty divisions but the whole *county*,<sup>1</sup> and making no exception for the corporate towns.

Now although such forces would be provided only on the request of the J.P.s, the *general management* of these forces was to reside not on the J.P.s but in a central agency. The Report made it clear that this involved not only its internal discipline and training, but its general strategical disposition. Furthermore, the local forces would be continually shuttled between the various counties to prevent them acquiring any local bias. The J.P.s, however, would be allowed to dismiss any officer or constable whose discretion they suspected. 'It occurred to me', wrote Rowan, after discussing this matter with the Permanent Under-Secretary of the Home Office:

'that one means of getting over the cry of dangers to the liberties of the country would be to give the power *absolutely* of dismissal to the magistrates. Thus, if the Secretary of State should take it into his head to endeavour to enslave a whole county (which is not at all unlikely after paying 20 millions to enfranchise the Niggers) by sending six or seven additional police constables "armed with a bare bodkin" into that county, the magistrates might, seeing the immensity of the danger, immediately dismiss the said dangerous individuals and thus frustrate the base attempt.

It is impossible to maintain gravity on the subject. What a pity it is that all men who are not rogues are fools. Present company excepted.'<sup>1</sup>

The final plan was stated as follows:—

- 'I. That as a primary remedy for the evils set forth, a paid constabulary force should be trained, appointed and organized on the principles of management recognized by the legislature in the appointment of the new Metropolitan Police Force.

<sup>1</sup> Sir C. Rowen and E. Chadwick to Lord J. Russell, 5th March 1839.

- 'II. That for this purpose an application in writing under the hands and seals of a majority of the Justices assembled at any Quarter Sessions of the Peace for the County, setting forth the insecurity of person and property and the want of paid constables, the Commissioners of Police shall, with the approbation of the Secretary of State for the Home Department, direct the location of such constables and such officers as may, upon examination by the said Commissioners, be deemed adequate for the due protection of life or property within the County.
- 'III. The force shall be paid one-fourth from the Consolidated Fund and three-fourths from the County Rates as a part of the general expenses of the whole county.
- 'IV. That the constables so appointed shall report their proceedings to the Justices of the Peace of the Quarter Sessions and Petty Sessions where they are stationed.
- 'V. That the superintendents shall be subject to dismissal upon the representation of the Justices of the Peace in Quarter Sessions, and that the sergeants and constables shall be subject to dismissal upon the representation of the Justices of the Peace in Petty Sessions.
- 'VI. That the Justices of the Peace shall frame rules and regulations for the service of process and attendance at Petty or Quarter Sessions of such force, which rules shall be submitted to the Secretary of State and, if approved by him, shall be binding.
- 'VII. That the Commissioners shall frame rules and regulations for the general management of the Police, which rules shall, on the approbation of the Secretary of State, be binding.'<sup>1</sup>

While ogling the magistracy, Chadwick was trying to work up a more general public opinion. He addressed himself to a publicity campaign. A return made in November 1839, shows to what extent it was carried out—exclusive of the copies sold which numbered about 5000, the Commission managed to distribute,

To Lord-Lieutenants . . . . .	59
Petty Sessions . . . . .	1392
Watch Committees . . . . .	196
Newspapers . . . . .	210
Individuals directed by the Cts. . . . .	1105
Lancashire Magistrates . . . . .	35
Mr Lefevre . . . . .	21
Col. Rowan . . . . .	26
Mr Chadwick . . . . .	195
Various persons . . . . .	41
	<hr/>
	3280
Remaining in store . . . . .	260

<sup>1</sup> *First Constabulary Report, 1839, pp. 350-1.*

Rowan<sup>1</sup> prevailed upon the Tory leaders to read it, and, wrote excitedly that 'The Duke' and Sir Robert had thanked him for the Report, and 'say *they will read it*'.<sup>2</sup> No effort was spared to rally friends and convince possible foes. And so, with some stage-fright, Chadwick and Rowan awaited the public reaction.

Unhappily it was not a moment when Parliament could be expected to pay much attention to reports or to police. The Tadpoles and Tapers, Treasury Bench and Opposition were caught up in a whirl of 'high' politics in which 'the ever-rankling thorn of Ireland', Chartists, and anti-Corn Law agitators harassed the days and troubled the nights of the decrepit Cabinet, holding office without power, dispensing patronage without popularity, and existing only on the active sufferance of the Leader of the Opposition. The floating mass of middle-class opinion which saw politics as a pageant of personalities, was titivated by a succession of scandals. Close on the murder of Lord Norbury followed the affair of Flora Hastings, and hard on the heels of that *cause célèbre*, the excitement caused by Head's allegations against poor Sir James Stephen. Only the people—Chartists and trade unionists—followed the police question with painful attention. Then knitting up all trends of political opinion, the trivial together with the earthy, came the affair of the Bedchamber.<sup>3</sup>

This scandal completely dispersed the effects of Chadwick's publicity campaign. The Report was barely on sale than the Whig Cabinet collapsed. For the next few days the whole attention of the country was wholly absorbed in the rights and the wrongs and the personal characteristics of the young Queen and her court ladies. When the clouds of face-powder and gilt-dust had cleared away, it revealed the Whigs in the same high station as before, but uncomfortably aware of their unpopularity, their powerlessness, and their dependence upon Sir Robert Peel. Public attention finally centred itself upon the Report, but only to raise on all sides (except in the semi-official Whig journals) a cry of opposition, and, in the popular Press, of defiance. Because the proposals tampered with their absolute right to appoint constables, the larger section of the J.P.s still held aloof. Because the new county force was to supersede the borough forces, the corporations fairly bellowed in chorus against centralization and 'taxation without representation'. From the Ultra-Radical and Chartist Press, there was ferocious opposition to the whole measure.

<sup>1</sup> Rowan had been a Tory appointment, and he got on very well with them and rather badly with the Whigs. See Reith, *British Police and the Democratic Ideal* (1943), pp. 192, 196, 198, 199, 201-2, 210-14.

<sup>2</sup> Sir C. Rowan to Edwin Chadwick, 5th April 1839.

<sup>3</sup> Cf. C. G. Greville, *Journals*, 24th Feb. to 19th May 1839.

Chadwick himself recognized that there was no hope of carrying the original plan.

'... At the time we sent in our report, there were strong political conflicts and it had little attention except from parties who studied the subject. It has been referred to as a text book and has been praised by foreign jurists as a work of science.

'The Government was then very weak and the recommendations required a very strong one to carry and execute them. The principle that a trained constabulary must centre in its action, in and from the towns, involved an interference with the corporations who had received functions as to police which it is acknowledged they never ought to have had, as being incompetent to them and it would also have interfered with the local magistrates. The Government would not venture to do either; or it may be said that the House of Commons would not then have agreed to do either. They therefore passed a merely permissive measure which authorized the appointment of constabulary forces by the county magistrates, where it did not interfere with the corporate towns. . . .

'The landed gentry such as the Lord-Lieutenants, whose houses have outer walls and porters' lodges, garrisoned as it were by servants, who ride out attended by grooms . . . feel and see no real danger to person and property, while they feel a strong objection to increased rates. . . . On the other hand the corporations or the towns were content with their own wretched constabularies, tenacious of patronage, and ready to raise a yell against the slightest interference.

'It was somewhat curious to find how many of the watch committees of towns we found under the direct influence of the publicans of the towns.<sup>1</sup>

'We were quite aware of the strength of the two influences at that time, but we could perceive no other means of obtaining efficiency but a trained force and consolidation.

'We could only say, that if the House of Commons chose the maintenance of these influences to the suppression of crime, there was no help for it. . . .'<sup>2</sup>

Instead of riding on the crest of a wave of public opinion, Chadwick became a personal target for abuse and mockery. Charles Buller went around poking fun at him. He said Chadwick wanted to vest the entire administration of England in the Poor Law Commission and enforce his rule through the centralized police forces. The Queen would be imprisoned in a workhouse, and the country ruled by 'a sanguinary triumvirate' of which Lefevre was the Lepidus and Chadwick the Octavius.<sup>3</sup> The Chartist Press did not express itself in such droll terms. He was one of the 'tools and mouthpieces of the Whigs',<sup>4</sup> a 'worse

<sup>1</sup> Cf. S. and B. Webb: *Manor and Borough*.

<sup>2</sup> Edwin Chadwick to ?, 11th October 1853.

<sup>3</sup> C. Buller to Edwin Chadwick, N.D., May 1839.

<sup>4</sup> *The Charter*, 28th April 1839.

than Russian satellite and adviser',<sup>1</sup> a mere 'Poor Law Commissioner's clerk'. One writer, after describing with elaborate irony the 'fairyländ' which Chadwick promised, from his proposals, sneered openly that 'much credit is due to Mr Chadwick from whose ample storehouses of imagination all these bright conceptions have issued forth, upon an amazed, delighted, and grateful world'.<sup>2</sup>

Chadwick supported the opposition very badly. So humourless was he and so ill-tempered at the public hostility, that he actually took Buller's mock suggestions seriously:

'DEAR BULLER (he wrote)—I have heard from more than one quarter of statements made by you which though in jest convey the imputation that in making the recommendations . . . I have been actuated by private motives or motives of personal power or otherwise! . . .'<sup>3</sup>

He even demanded an apology!

The fact was—the plan was ruined. The Government had to placate both the gentry and the borough corporations. A police force would be set up, but Chadwick contended that it would be neither centralized nor trained. He expressed his opinions on these matters very clearly to Charles Buller. Buller was willing to approve county districts and even a central authority, if this was merely for superintendence, but he insisted, as many of the parliamentary Radicals did, that the control should lie with the ratepayers.

'In considering the subject of rural police,' Chadwick wrote in reply, and with some animus, 'I would recommend you to lend your attention to the securities on the means for avoiding conferring power on one or other of local factions, how an uncontrolled police is to be given to the manufacturing districts without giving power to the masters on one side or the men on the other. How you will by separate management deal with a centralized system of depredation; how you will change and reduce local forces separately managed. When you have obtained conclusions and facts to sustain them, which is more than we have been enabled to do upon any local system, pray inform me as I shall immediately move my colleagues that we examine you as a witness. . . .

'Place writes that he considers that a police cannot be too closely centralized: herein he talks like a well-informed man as to the interests of the operative classes. . . .'<sup>4</sup>

He went on to say that, if the county and borough forces were separate, and the police of any one area independent of the rest and free from central regulation, the forces appointed would be untrained. Even

<sup>1</sup> *The Charter*, 23rd June.

<sup>2</sup> 'Reformer', in *The Charter*, 14th July

<sup>3</sup> Edwin Chadwick to C. Buller, 17th April 1839.

<sup>4</sup> To C. Buller, 16th May 1839.

if trained, their independence of neighbouring troupes would render them ineffective unless they were very numerous. There would be fifty-two competing and unskilled forces, county constables would squabble with town constables, and the 'bane of the country', the local feuds which divided the towns, would be given a freer field of action than ever before.<sup>1</sup>

But the measure which Russell finally introduced was based on Buller's principles, not on Chadwick's. The Boroughs of 1835 were left entirely independent. The act was permissive, not compulsory. The disposition of the forces was placed in the hands of the Quarter Sessions: whenever a majority of the magistrates at Quarter Sessions decided, they appointed a Chief Constable who thereupon raised the force. The whole cost was borne by the County. Thus local control was firmly retained and the only concession to centralization lay in the provision that, to secure uniformity, the Home Secretary might draw up rules for the discipline and pay of the local forces.

As this was the best the Government could do, he had to acquiesce. The animosities of squires and corporations died down and the passage through Parliament was guaranteed.

All opponents of the measure had been fobbed off—except one—the mass of the working-class organizations. From the very mention of the Act in the spring they had sounded the alarm. As it progressed through Parliament, their agitation grew fiercer and fiercer. They had first denounced the Bill in the National Convention, in March. The police would be, they shouted, like that of Ireland and France, destructive of liberty. A new force had had to be made up, because soldiers were disaffected! The police would be 'blue butchers' sent into the country to enforce the Poor Laws! Dr Fletcher wound up with the wild call that the people had the right and the duty to arm themselves and strike back so that 'there would be no need to strike again'.<sup>2</sup>

From there, the excitement spread all over England. In Bury, for example, opposition to a force of about twenty Metropolitan police reached such a pitch, that in June it broke into open riot and street fighting. Nor did it stop at that. A meeting of citizens called immediately after the affair, declared that the police were there, not to preserve peace but to infringe the liberties of Bury. It called them a 'brutal, bloody, bullying and unconstitutional force'. It alleged that their introduction into the town against the wishes of the majority of the inhabitants was 'a foul conspiracy between Lord John Russell and the magistrates, mill

<sup>1</sup> Memo. on Permissive Act (MSS. by Edwin Chadwick, N.D., 1839).

<sup>2</sup> The Charter, 24th March 1839.

owners and a few of the shopkeepers . . . for the purpose of introducing the New Poor Law into the neighbourhood'. Finally the meeting pledged itself to refuse rates and taxes until they cleared out.<sup>1</sup> In Birmingham, the Metropolitan police tried to clear the Bull Ring and there was a long, exhausting battle in which they were only saved from death by the timely arrival of military reinforcements. So great a stir did this make that the Government was forced to appoint a Committee of Enquiry. Everywhere, it may be said, the working classes were uniformly hostile. Perhaps the clearest example arose in the struggle for the Municipal Charter of Manchester, where popular fury reached an almost unbelievable pitch. It was well known that the manufacturers supported incorporation, primarily, to get up a police force. The whole mass of the working classes was urged to vote down the proposal.

'Remember', ran one handbill,

'THE PENALTIES FOR NON-ATTENDANCE ARE  
NEW AND OPPRESSIVE TAXES  
A BOURBON POLICE  
AND THE PREMIUM FOR  
BASTARD-BEGETTING, INFERNAL NEW POOR LAW'

Resentment against the Whigs incorporated the whole gamut of working-class grievances, and workmen were exhorted to remember

'Who refused the prayer of 100,000 working men in favour of the Dorchester labourers?

The coward Melbourne, Whig Premier.

Who sent the London policemen to Cold Bath Fields, Bradford, and Huddersfield as spies?

The Poor Law Whigs.

Who sent the London Police and Government Reporter to Manchester to watch the working man's friends and to write down treason?

The Manchester Whigs.

Who calls the Trade Unions a Board of Assassins?

The Guardian Whigs.

Who are the main supporters of these mean, dirty, truckling, shuffling, fake, treacherous, Malthusian, Poor Law Whigs?

The Incorporate Your Borough Patriot.'<sup>2</sup>

This frenzied feeling did not arise from a desire to retain the old inefficient local police. At least one Chartist spokesman would have been willing to see them superseded by a professional force, providing

<sup>1</sup> The Charter, 23rd June 1839.

<sup>2</sup> Quoted from Shena Simon's *Century of City Government*, pp. 150-3.



that this were controlled by the ratepayers.<sup>1</sup> As an administrative machine Chadwick's smooth-running, centralized police was excellent; but the controlling hands were—as it will appear—only too justly suspect. The Chartist Press urged that the police force was necessary only because the soldiers had proved unreliable. 'Centralization and espionage!' cried one.<sup>2</sup> 'To arm ignorant and uncultivated men, and to authorize them to enter public and private houses . . . is an evident attempt to put down all associations of a popular character', continued another.<sup>3</sup> 'The New Poor Law', wrote a third, 'has produced such an overwhelming avalanche of discontent and disaffection that its authors and advocates are now urging the establishment, at an enormous annual expenditure, of a sort of French gendarmerie, whose military hordes, under the denomination of a "rural police", are to be dispersed over the whole country for the manifest purpose of coercing the people into tame submission to the mandates of the Poor Law Commissioners.'<sup>4</sup>

The crux of this matter was expounded by *The Herald*. 'The Centralized Police Bill', it wrote 'is a pendant to the New Poor Law. The object of the Centralized Police Bill is amongst other things to create a force that shall be available at any point for the enforcement of the odious Malthusian Act. But the centralized police force is destined yet further to debase the condition of the labouring poor, by rendering combinations on their part impossible—combinations that may be indispensable in self-defence in consequence of previous combinations on the part of capitalists. The New Poor Law, in short, tends at every moment to lower the rate of wages and to debase the condition of the labourer—the Centralized Police Bill will render it impossible for the labourer to struggle against the tendencies of the New Poor Law System. The Centralized Police Bill is unconstitutional in its very essence; in its operation and effects it will prove the most frightful instrument of despotism—of money despotism—ever introduced into England.'<sup>5</sup>

This summary was perfectly just. We have already seen Chadwick urge the enquiry on the express grounds that the Poor Law needed police as its supplement.<sup>6</sup> It was no less true that he equally desired to suppress trade unions.

The Report itself supplies the evidence. No less than forty pages out of the whole 300 were devoted to the misdeeds of the unions; i.e. an entire half of the section which described the prevalent types of

<sup>1</sup> 'Reformer', quoted above (*The Charter*, 24th March 1839).

<sup>2</sup> West London Radical Association, 17th August, 1839.

<sup>3</sup> *The Charter*, 23rd June 1839.

<sup>4</sup> *The Herald*, 4th May 1839.

<sup>5</sup> *Idem*.

<sup>6</sup> P. 126, above.

crime. Of seventy-five paragraphs devoted to crimes, no less than thirty dealt exclusively with industrial disorders. The witnesses called were another illustration of the angle from which the matter had been viewed. When E. C. Tufnell, Detrosier, Ashton, and Ashworth were the authorities what trust could the operatives put in the Report? How were they to stomach the approval with which Chadwick underlined the statement of his brother-in-law, Peter Kennedy, that his Austrian factory worked sixteen hours a day, because 'In Austria they do not like people who combine'?<sup>1</sup>

Furthermore Chadwick spared no pains in going over the whole character, objects and effects of the unions which he condemned at all points. He gave full credence to all tales of the violence which they were alleged to have practised. He left no doubt in the reader's mind that the police would put such actions down. Similarly when he showed how trade unions prevented the introduction of new machinery, he urged that only an efficient police could prevent capital migrating from one part of the country to another, or from leaving England for ever. The operatives did not need to guess why Chadwick preferred police to the military. It was all there, in picturesque terms:

'Of the military force it may be observed that the private soldier has both hands occupied with a musket, with which his efficient action is by the infliction of death by firing or stabbing. The constable or policeman whose weapon is a truncheon or on desperate occasions the cutlass, has one hand at liberty to seize and hold his prisoner, whilst with the other he represses force by force. . . .'<sup>2</sup>

Chadwick was equally frank in avowing his intention to put down strikes by arresting the pickets. In fact the whole of the evidence he published openly preached that a constabulary was needed to protect industry, property, and prevent

' . . . the dangers of violence on the occasion of extensive stoppage in manufactures, by war, or other more probable occasions or reverses in trade; and also the especial need in regard to such a population that they should be made to know the law and habitually respect its enforcement by the civil authority.'<sup>3</sup>

Moreover, his deliberate intention to put down industrial organizations is borne out by his private correspondence. As soon as the Commission opened, Ashworth and Chadwick were in communication upon this very subject. 'We have our men under engagements that they shall not belong to any union,' wrote Henry Ashworth, 'but it is proved that a few of them are contributing to the funds and by way of concealment, the names are altered. This "Return" was found in the course of

<sup>1</sup> *First Constabulary Report*, p. 151.

<sup>2</sup> *Ibid.*, p. 160.

<sup>3</sup> *Ibid.*, p. 166.

circulation through the works, and the "Black-list" also—thou wilt use due precaution in keeping our names out of sight.' In an accompanying letter, Ashworth sent facts about the strikes at Preston and Oldham. He concluded darkly, 'In doing this (i.e. supplying the information) we considered thy situation as one of the Commissioners for the "rural police" and leave the conclusions and provisions needful to thy care and management'.<sup>1</sup>

There is a further evidence in a letter which Chadwick wrote to Russell, on the occasion of the famous trial of the Glasgow cotton spinners. He concluded that the manufacturers wanted a paid and well-appointed police and increased powers against 'pickets or picquettes . . . (who) are hired by the Secret Committee and brought from a distance to molest the operatives who are willing to work'.<sup>2</sup>

He was perfectly sincere and deliberate in advocating this use of force against the independent working-class organizations. He thought that these organizations were harmful to the working classes who composed them and he was willing, if education failed, to destroy them by force. We must conceive of Chadwick's State as one which he believed to be the essential precondition of economic progress and which he was prepared to defend by force. For the working classes, his actions presented a very different aspect. They saw in him, and they were quite right, the zealous engineer of the industrialists. Between them and Chadwick there was yawning an unbridgeable gulf—it was the gap between what was in truth two nations, neither of which understood or even cared to understand the other. But within the framework of Chadwick's middle-class State, there was still room for measures which would commend themselves to his philosophy and theirs alike. Prison reform was one; public health another. There is one interesting difference between them. Prison reform hardly cut at fundamentals, either those of the working class or those of the middle class. But public health did affect the pockets of the middle class. At this moment, however, this implication was not yet clear to him. He had only begun his researches into public ill-health. Meanwhile the continuing depression was throwing a fatal strain upon the Poor Laws, and pushing him into further conflict with the manufacturing working class.

<sup>1</sup> E. Ashworth to Edwin Chadwick, 24th and 26th December 1836.

<sup>2</sup> E. Chadwick to Lord J. Russell, 29th January 1839.

## BOOK FOUR

### THE PEOPLE AND THE NEW POOR LAW

#### CHAPTER I

#### CLIMAX IN THE NORTH

##### I

THE Commission's five-year term of life was due to expire in August 1839. Unless Parliament chose to renew it, the Commission would then disappear. The provisions of the 'Renewal Bill' not unnaturally monopolized the attentions of Somerset House. Such, however, was the weakness of the Whig Cabinet, such the unpopularity of the law, and so venomous the intestine feuds among the Commissioners that the Commission was renewed on a purely annual basis until 1842. Instead of being as Nicholls had once cheerfully put it 'enlightened and irremovable'<sup>1</sup>, its dependence on politics became extreme, its existence precarious. A crowd of hostile influences burst in upon its administration. Continued only on sufferance, it provided an annual target for unrelenting and unscrupulous attacks, for every trick of parliamentary obstruction and denunciation, its principles eternally re-argued, its provisions jeopardized.

For the North lay prostrate. England was caught in the worst depression of her history. One-fourth of Carlisle's population were on the point of death by starvation. In Sheffield the poor rate had risen from £142 per quarter in 1836 to £4,253 in 1842. In Manchester the consumption of provisions declined by one-third. In Accrington, out of 9,000 people only 100 had full employment. Families subsisted for days on boiled nettles. By the end of 1841, one-tenth of the population of England were drawing poor relief.

In such circumstances the New Poor Law in the North ceased to have any utility. Here was the nemesis of the theoretical system designed to create a free labour market in the pauperized rural Home Counties. In these manufacturing districts the free labour market already existed. The allowance system had hardly operated. The extent of the mass unemployment made the principle of less-eligibility academic. It

<sup>1</sup> G. Nicholls to E. Chadwick, 25th March 1840.