

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'.¹

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'.²

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.

¹ E. Ashworth to Edwin Chadwick, 24th and 26th December 1836.

² 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'¹, 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

¹ G. Nicholls to E. Chadwick, 25th March 1840.

presupposed that the workman might choose between the workhouse and the lowest paid independent labour. But there was no such labour to be had, no work of any kind at all! Industry had collapsed. This left the workman the choice of the workhouse, the gutter, or starvation. Since—on the principle of less-eligibility and the 'calculus of pleasures and pains'—most opted for the first choice, the 'workhouse test' became a meaningless piece of mumbo-jumbo. It became impossible to accommodate all the paupers in the workhouses which were crowded to bursting. It was increasingly pointless, for there was no 'allowance system' to break, it imposed a disgraceful stigma on the genuinely unemployed and their families, it was actuarially far more costly than out-relief, and finally, it was tantamount to waging social war upon the very shock troops of Chartism!

This seems so obvious now and was indeed so obvious to the most various men of the time, men so far removed as the Ashworths from George Lewis, and Disraeli from Graham, that Chadwick's wilful and obstinate blindness has in itself a major importance. It reveals the cast of his mind, the weaknesses of his own strength far more sharply than any amount of commentary or analysis. In late 1841, when the depression was at its worst, Ashworth wrote explaining the true state of affairs:

'When we who live amongst it, see a thousand families (which we are about to enumerate) brought to poverty by mere want of employment, the Poor Rates doubled, and parties asking relief or pining in want who never asked for relief before, we cannot stand silently by or stamp them all impostors. I wish we could. . . .

'I shall be glad to hear thy opinion upon "the condition of our district and the general manufacturing prospects" whether for or against us. We are getting worse every day and there will be a loud clamour before winter is over, if not some outbreak; the patient endurance of the people hitherto is beyond belief and deserving all praise.'¹

To this Chadwick responded by using all the parliamentary influence he still retained to get the Consolidated Order (totally abrogating outdoor relief) enforced throughout the Bolton and Macclesfield districts from which his correspondent was writing!

II

In Westminster, the great cry of the Act's opponents was its 'un-constitutionality'. They clamoured against 'centralization'. The law injured the poor but it had also displaced the rich. The working-class

¹ E. Ashworth to Edwin Chadwick, 12th November 1841.

rank and file of the anti-Poor Law movement had no quarrel with 'centralization' as such. Indeed they wanted more: they wanted wage boards, allotment boards, more factory inspectors. The cry of 'centralization' was introduced by the 'upper-class' leadership excessively over-represented in Press and Parliament. There were the Metropolitan Radicals like Tom Duncombe or Wakley, there were the High Tories like Oastler, Stephens, and Disraeli who defended their Throne-and-Altar Toryism against Peel's latitudinarianism; and there were the country squires. To Disraeli, these were demi-gods, 'men of the broad aced shires', to Senior and Chadwick, they were the 'idol of the labourers for twenty miles around', eager once again to 'indulge their love of power without appeal and their benevolence without expense'.¹ Crying 'despotism', they rallied the whole movement. The working classes who felt the cautery of the New Poor Law, the beadles and parish officers whom the law had supplanted, the farmers who had done well out of the allowance system, the local magnates who resented the filching of their privileges, here met on common ground.

They suggested no new principle of administration. The cry of 'centralization' was barren, negative. It formed a common focus, however, because to dissolve the central control was to permit the local administrators to do as they pleased. All who were in any way disappointed with the Act might gain something thereby. Until the Depression became so terribly severe, the agitation had met with little success. It was far otherwise when, during this critical inter-regnum of the New Poor Law (1839-42), the Boards of Guardians themselves revolted from the Commission; the army of unalterable law had changed its loyalties! Formerly Chadwick had relied upon the Guardians. He had played what he called 'the sentiment of the Boards' against the wishes of Cabinets or Commissioners to relax the law. After 1839 his hope of isolating the administration of relief from public opinion, none too successful in London, failed altogether in the provinces. Whig and Tory canvassed the rival claims of candidates; Boards were elected specifically to alter and relax the administration of relief, or to defy the Commissioners; shopkeepers and farmers, the so-called 'job-ocracies', returned to control.

This defection was serious because it was no longer the work of Ultra-Tories and working-class Radicals alone: the great manufacturing middle class had thrown their weight behind it. Face to face with mass unemployment they could not, had they dared, any longer implement

¹ *On the Opposition to the Poor Law Act*, N. Senior, 1841, p. 11.

the Act in all its severity. People starved despite the Act; poor rates climbed despite the Act. Only repeal of the Corn Laws could restart the factories. Panic clutched the manufacturers. Ashworth—the quondam enthusiast for the Act—now publicly declared:

'The law was never intended for anything but to relieve the agriculturalists and to saddle us with a heavy burden . . . the business was better done when the magistrates had a discretionary power. . . .'¹

According to Chadwick's own admission only some 200 Unions showed any improvement in their poor rates—the rest had slipped back, were relaxing the law.²

It was unlucky for Chadwick that so many of its friends failed entirely to see that the law and its machinery of administration were of one piece. Some, like Hume, approved the law but disapproved the Assistant Commissioners because of the expense. Others complained with an astonishing naïvety that since the Assistants had formed the Unions there was no work for them to do.³ Even more significant was Cornwall Lewis's total inability to appreciate the connexion between the law and its administrative machinery. It was possible to defend his policy of relaxing the modes of granting relief, but never his indifference to the apparatus of central control. He regarded reductions in his staff of Assistant Commissioners with indifference. He never grasped the importance of centralized and 'administrative' audit. He brought no support at all to Chadwick's defence of the machinery of administration.

The large area of some of the Unions came in for widespread attack. In 1844 some had to be broken down, but on the whole Chadwick managed to keep matters much as they were. If Guardians could not attend, he argued, then *tant mieux*; the Union business would get on better without them! If paupers had to trudge all day to the Board meeting, so much the better; 'why should relief instead of being rendered difficult except in cases of emergency . . . be brought to the doors of the pauperized population?' Nobody need *die en route*, if the Guardians provided the proper relief stations. And he stated with conviction the beauties of large areas; how they forced Guardians to deal with classes of cases rather than exceptional cases, how 'narrow and sinister motives' were 'impeded', how the presence of property owners as *ex officio* Guardians prevented the squandering of the rate fund.⁴

A more serious attack developed upon the size of the Assistant

¹ *Bolton Chronicle*, 6th February 1841.

² Edwin Chadwick to Lord J. Russell, 7th February 1841.

³ See the debates on the Poor Law, Spring 1841, *passim*.

⁴ Memo. on the *Size of Unions*, n.d., 1840.

Commissioner staff. No less than twelve of these would suffice and only then if they were aided by district auditors such as the 1838 Select Committee had (under his influence) suggested.¹ Since 1838 the pressure of distress caused Guardians to relax the law unless the Assistant Commissioner were at hand to stiffen them, and there were not now enough to make this possible any longer. He calculated that each Assistant had some fifty Unions to attend, that under ideal conditions this would only permit of one visit per Union each quarter. This was obviously insufficient for 'effective control'.² They had no time to examine details, they could not detect concealed abuses, and they had degenerated through sheer overwork into the standby of the local Board in grave emergencies, and the referees for settling local conflicts.³

He managed for the moment to stave off any reduction, but he had been desperately counting upon an increase. Above all he failed to get them supplemented by a staff of district auditors. Chadwick originated that great and seminal idea in English local government, the centrally controlled administrative audit. The existing audit was simply arithmetical; the auditor 'had no means of determining the propriety or efficiency of the expenditure'. Also, it operated by disallowance *after* the illegal expenditure had occurred. Yet, he said, 'it is only by a regular supervision in the nature of an audit that the *functions of control* can be regularly, easily and cheaply afforded'.⁴ 'As a substitute for disallowance *after* the charge has been incurred I should propose to give the auditor the right of attending Boards of Guardians, of inspecting the workhouse and the administration of relief, and preventing illegal charges accruing or of stopping them at once. . . .'⁵ This immense power he proposed to vest in the Central Board; and indeed it would have proved a formidable weapon of control. From 1838 he pressed this policy again and again. The auditors would be the 'captains of the Assistant Commissioners with the power to prevent illegal charges'. (The granting of outdoor relief where the Consolidated Order was in force would be such an illegal charge.)⁶ With this additional power he could have broken the back of the mutinous Guardians. But the Commission's very existence was in such peril during these years that Russell could not do more than continue it by makeshift 'Renewal Bills', and the improvement was never introduced.

¹ Edwin Chadwick to Lord J. Russell, 27th July 1838.

² *Ibid.*, 7th February 1841, and 12th June 1840.

³ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

⁴ Fragment: 'On audit', c. 1840.

⁵ *Objection to Proposed Statute*, 7th March 1840 (MSS. by E. Chadwick).

⁶ Edwin Chadwick to Lord J. Russell, 7th February 1841.

The Guardians had defected, the central control was weakened at the very moment that the Commission became involved in Party politics, and a roaring torrent of opposition rolled down from the Northern Counties. This was the watershed of Poor Law policy. The Commission split into two camps, a final set of convulsions shook the office, and Chadwick was swept out of control upon a tide of surging popular hatred.

III

For 1839 was the 'Chartist Year', and no time to be toying with a Poor Law Renewal Bill. While the Commons were debating Chadwick's Police Bill, the rioting at the Bull Ring had broken out. While the Fourth Annual Report of the Commission expressed satisfaction at the 'state of the law', there were turnouts in Bolton which ended in arson, riot, and military suppression. The Chartist Convention was sitting, pikes were being ground, there was wild talk of 'meeting force with force even to the slaying'. John Russell thrilled with alarm at the reports from mayors and corporations, spies and police informers. Here he had to face a hostile Parliament and a hostile country with a New Poor Law Bill—and a general election might occur at any moment.

Nobody in the Cabinet could be said to 'understand' the Act any more, in the political economists' sense. The enthusiasm which Althorp and Brougham had brought had long since disappeared, Brougham discredited and Althorp 'mixing more with oxen than with men'. The rest of them, whom Greville described as the 'most mediocre administration the country has ever seen' were apathetic over the Poor Laws, and at loggerheads with one another. They considered the Act as a political danger, not a 'social duty' as Lansdowne had once claimed. Their position in the Commons was a hollow grasp of office without power: 'in a wretched state of weakness . . . tottering and straggling between one great Party and one fierce faction'. The Commons itself was adamant that Russell must adopt that very resolution of the Select Committee of 1837 which Chadwick had persuaded him to suppress.

Russell decided to postpone what he foresaw would be an ugly struggle. For 1839 he would pass a makeshift Bill, continuing the Commission till 1840, and, furthermore, to disarm opposition would include the 1837 resolution in the new statute. Lefevre, who had supported the resolution in 1837 naturally supported it again. Lewis also proved compliant. He could not see why he should shoulder a personal responsibility for the Acts of the Commission as his father had

had to do; he was ever ready to have statutory authority behind which he could shelter. Surprisingly, however, Nicholls, who was in Ireland, declined under any circumstances to support such a Renewal Bill. He was outraged. 'I would rather have no Renewal Bill at all and trust to chances next year,' he wrote Chadwick in confidence, 'than have the renewal clogged as Lord John has proposed.'¹ His formal objections were more measured. He feared that once the principle was admitted in a statute it must become general. 'Instead of being the exception under the Commissioners' regulations, it will be the rule under the sanction of the law.'² Lewis had perforce to yield. Russell succeeded in getting Parliament to sanction the renewal of the Commission's life till 1840, after promising that he would then introduce another Bill incorporating the suggestions of the Select Committees of 1837 and 1838.

But by the end of the session the already palsied Government had become still feebler. Among its 'unaccountable intestinal movements' Russell decided to change places with Normanby. The House thereby lost the most able and consistent defender of the law. Normanby, easy-going, but not over-competent, made a poor substitute, while his Under-Secretary, Fox Maule, young and inefficient, was far from 'being imbued with that degree of horror at any symptoms of relapse into the old chaos of mismanagement as an English statesman who can hardly have lived to maturity without due sensibility on the subject'.³ In any case it was outside Parliament that one felt the real weight of the anti-Poor Law agitation. The Chartist and Ultra-Radical Press rang with recrimination and attack. *The Times* was always at hand with new cases of hardships and deaths from starvation. In the North feeling had now been whipped to frenzy by the publication of the infamous tract *Marcus on Populousness*. Supposedly by one of the Commissioners (despite Chadwick's denial of the alleged authorship) it was held up by the *Northern Liberator* and other sheets as a coldly calculated plan for using the lethal chamber upon working-class children! The publication only gave a sharper edge, however, to what was already there—the hatred of the Bastilles and of the Bourbon police, shame mingled with indignation at the separation of families inside the work-house. The unpopularity of the Whigs among the poorer sections of the population beggars description. Chadwick must have been the most unpopular single individual in the whole kingdom. The Tories, thinking

¹ G. Nicholls to Edwin Chadwick, 31st July 1839.

² G. Nicholls to Lewis, 24th July 1839 (P.R.O., G.D.22, Box 3).

³ G. Rickman to Edwin Chadwick, 19th September 1839.

that an election was pending, did not scruple to turn the hysteria and rage to their own Party purposes.

The experience of the past session and the advice of the Party Whips confirmed Russell in his fears; unless modified, the Poor Law might cost his Party the elections. He decided to yield all along the line and bade the Commissioners embody in a new statute all the concessions for which the Commons were pressing. Lewis and Lefevre were only too ready. The objections of Nicholls were stifled. The proposed statute allowed the Commissioners, its authors, no discretion to modify or limit the various exceptional modes of granting relief, merely the liberty either to operate the statute *as a whole* or suspend it as a whole. The concessions it contained were far-reaching. Outdoor relief might be granted freely where there was 'urgent necessity', 'any sickness', where a funeral was to take place in the applicant's family, where a woman was not six months a widow, where a widow had dependent children. Workhouse relief might be given to the dependents of a man who was away from home or who resided in another Union.

With Nicholls neutral, the Cabinet favourable, and the Whips' tongues hanging out for a breath of popularity, Lewis and Lefevre seemed to have a full and fair field. Once again Chadwick stood in their way.

The widespread distress did not shake his resolution one jot. 'In proportion as the principles of 1834 were carried out,' he said, 'so far, and only so far was success achieved'!¹ The prime necessity was in fact 'restriction of the power of making supposed indulgences'. (But 400 Carlisle weavers had just told the Board that they were expected to feed themselves and their families on 3s. 4d. per week!)² No new cases must be allowed to have outdoor relief—'any objection possible would be one directed against the whole principles of the workhouse system and the demand for out-relief to be continued indefinitely'.³ (The skies of the North were ringing that moment to the cry of 'No Bastilles'.) Since there was mass unemployment in the North, all outdoor relief should actually be *suspended* until the workhouses were full, and Unions must be prepared to lend one another the use of their workhouses.⁴ ('Will you permit,' ran a Chartist appeal of June 1839, 'will you permit the stroke of affliction, the misfortunes of poverty or the infirmities of age to be branded and punished as crimes, and give our selfish oppressors an excuse for rending asunder man and wife, parent and child . . . ?')⁵

¹ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

² Place Collection, vol. 53 (B.M., Add. MSS.).

³ *Objections to Proposed Statute*, 7th March 1840.

⁴ *Ibid.*

⁵ Hovell, *The Chartist Movement*, p. 148.

The country was stricken, outraged, desperate. The Poor Law was so unpopular that Cabinet, Parliament, the Commission itself, wished to relax it. But Chadwick checked what he had written and concluded:

'If the finger be placed on the map of almost any part of the country where within the last two years there has been irritation [*sic*] it will be found either that it is a place where the law has not been introduced at all, where the old fangs remain in the shape of a local act or a Gilbert's Act or a vestry clerkship with a large salary attached, or it is a place where only partial relief has been administered.'¹

And so by hysteron-proteron he solved the social problem. He sat there, in his office, one of the finest of his type since St Athanasius.

As soon as he saw the Commissioners' proposed statute, he interviewed Lord John Russell. (Russell was no longer Home Secretary but Chadwick had worked very long with him. No doubt the fact that he knew of Chadwick's right to proffer complaints made him more approachable than Normanby.) Forthwith he denounced, root and branch, the whole statute and the very principle of introducing 'exceptions' into a statute. It says a great deal not only for Chadwick's brief but for Russell's patience that this harassed and tired Minister was so impressed as to ask Chadwick to put the complaints into writing.²

Within a fortnight Chadwick had completed his memorandum. It made a fat document of no less than twenty-four printed foolscap pages.³ When he presented it to Normanby that likeable worthy seems to have been rather staggered by its size: at any rate he asked if Chadwick would not supply a *précis* of it for the use of the Cabinet.⁴ This was child's play to the industrious Chadwick who now threw in, as good measure, a complete *alternative* statute which he had got the office draughtsman to draw up for him. Nor did he lose time while it was preparing, but circulated the fatter copies, wet from the press to Normanby and Russell, to Mounteagle and to Lord Lansdowne!⁵

It was certainly a most able, convincing and altogether destructive retort. It turned every one of the proposed 'exceptions' inside out. Its primary aim was to show that these exceptions virtually gave the Guardians the power to do exactly as they pleased and abrogate the entire New Poor Law. The cumulative upsetting of one exception after the other made a powerful impression. Chadwick had an answer

¹ *Objections to Proposed Statute*, 7th March 1840 (MSS. by Edwin Chadwick).

² Edwin Chadwick to Lord Normanby, 7th March 1840.

³ *Idem.*, 13th March 1840.

⁴ *Idem.*

⁵ *Idem.*, 7th March 1840.

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for everything, and each answer was thoroughly documented. What *was* an *urgent necessity*?—anything! It had been used to excuse everything from the complete reintroduction of the allowance system, to relief on account of the frost and snow. *Any sickness* was a provision which allowed teething, bruises, even measles (!) to validate claims for relief, not to speak of M.O.s like that of Windsor who allowed legs of pork as medical relief! Upon the exception relating to widows he poured a withering vitriol of contempt, paraphrasing it with a snort as: 'for the more effectual abrogation of all motives to forethought in respect of marriages. It says, "Spend all you have, the State will take care of you".'

As for the Commissioners' power to suspend the entire statute—and with it, all these extensive exceptions—all very fine, but would they ever *dare* to do so? Chadwick had shrewdly taken Lewis's measure. Through Lefevre he had seen years ago.

Instead of all this, then, his 'sentence was for open war, no less'. No retreat; advance the New Poor Law, smash the allowance system. Let old cases be relieved as before, and let them die off; let the new ones come singly (yes, but they came in droves!) and refuse them anything but indoor relief. 'If the popular opposition was to be consulted' (he said), this was the means of offending it the least! Secondly, insist upon an adequate workhouse accommodation and unite Unions for this purpose. Lastly, give the Central Board stronger powers of audit to help the Assistant Commissioners in their duties (i.e. to keep the rebellious Boards, whose number grew daily, well under central control).¹

Normanby not unnaturally agreed that this was all very well, but what about the manufacturing areas? Surely Chadwick would not deny that there had been severe pressure there? He little knew his antagonist. Chadwick had his statistics ready. The pressure on the rates, he told the miserable Normanby, was not due to distress at all! It was due to the way the Guardians were administering relief; and he quickly followed up this riposte by volleying at the undecided Home Secretary a batch of Poor Law summaries with the promise that tables of the 'relapsing' Unions and further information on the manufacturing districts were on the way.²

Normanby, poor man, was very perplexed at this sudden change in events. He was new to his office, having been installed only in September 1839. In any case, though Greville granted him a man of 'application,

¹ For all this see the *Objections to Proposed Statute*, 7th March 1840. (MSS by Edwin Chadwick.)

² *Objections to Proposed Statute*, 7th March 1840, and Edwin Chadwick to Lord Normanby, 13th March 1840.

courage and sense', his experience had hardly fitted him to be Home Secretary at that particular moment. Until February 1839 he had been Lord-Lieutenant of Ireland, and it was after a tenure of only six months at the Colonies that he was suddenly pitchforked into Chartist trials and Poor Law matters. Furthermore, no matter what office he had undertaken, he seems to have been cursed with (or blessed—at any rate, yoked to) a succession of interfering and extremely able subordinates, Drummond in Ireland, James Stephen at the Colonies, and now the most peppery, earnest, and insistent of them all, Edwin Chadwick. When Chadwick finally presented him with an alternative draft statute restating the 43rd Eliz. and the principles of 1834 in the most specific and stringent terms,¹ he must have felt that the matter was more than he could deal with on his own responsibility. Inexperienced in his office he had expected to guide a modified Bill through Parliament. By the time the session of 1840 had begun, there was not one Bill and one formula; there were two of each, diametrically opposed to one another. Normanby decided to take the opinion of the Cabinet, and forthwith asked Chadwick to circulate his objections to all the members.

All this while, Lewis and Lefevre were sparing no effort to defeat Chadwick's rebellion. They claimed he was a 'theorist', 'difficult to work with', 'a man who pushed principles to extremes'.² Lewis was fed up with Chadwick, and Lefevre, who had proved complaisant after the trouble in 1837, this time never forgave him.³ So, while a decision still hung fire, Chadwick, deciding to leave nothing to chance, called up his heavy reserves—in the person of Nassau Senior.

It was a shrewd stroke, for Lansdowne still enjoyed an immense authority over the Whig leaders and Senior's views had great influence with Lansdowne. No sooner had he read the statute over than Senior agreed with Chadwick, and between them they arranged that he too should write a protest to the Cabinet. There is something decidedly curious about the whole transaction. Senior's views were almost identical with Chadwick's: the same objection to judicial review, the same fear that the Commissioners would not dare suspend the statute, practically identical objections to each of the statutory exceptions; and to crown all, evidence that he had Chadwick's MSS. at hand as he wrote!⁴

But even Senior's opinions did not turn the scale. His graceful

¹ E. Chadwick's Alternate Draft Statute, March 1840.

² E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

³ See p. 206 below.

⁴ Nassau Senior's Letter to Normanby on the proposed statute (N.D., Feb.-March 1840).

tribute to the Board hardly outweighed riots or starvation in the industrial districts. It was already March, and although Walter had been defeated on the anti-Poor Law cry at Southwark, the depression seemed to worsen rather than to ease. Conscious of the hostility of Parliament if they failed to introduce their promised amendments, and with one eye ever turned anxiously to the latest reports from the North, the Cabinet were in an awkward position; and in view of the open bitterness with which the country regarded the law, Senior's conclusion seemed more like hollow mockery than encouragement:

'The working of the Poor Law Amendment Act has differed from my anticipations in one point. I did not expect it to be so well administered. . . . The zeal, diligence and prudence of the Central Board, aided by their admirable staff, have produced results not greater than I expected, but more rapid and more easy.'¹

A graceful tribute, pointing the moral, 'let the Board alone'; but without immediate effect. Suspense; rumour; Chadwick's letter was under consideration for ten days and still nothing was decided. Senior presented *his* letter. There was still no sign of a decision. The Cabinet decided to summon Nicholls from Ireland. Hitherto he had acquiesced in his colleagues' statute, but privately, as he told Chadwick, he opposed any such change in the Commissioners' powers. He preferred matters as they were 'i.e., in our hands . . . insulated from political, clerical, sectarian, humanitarian and all other influences . . .'²

Suddenly the Cabinet countermanded Nicholls' summons and Chadwick and Senior were called to the Home Office. There they learned that the Government would submit neither Chadwick's proposed statute nor the Commissioners'. They would seek to persuade Parliament to extend the Commission's life for yet another year and introduce their promised amendments in 1841.

Normanby, and indeed most of his colleagues agreed to this plan most reluctantly. They lost faith in Chadwick and Nicholls. The state of tension inside the Poor Law office can best be imagined. The stage was all set for the final quarrel, in 1841.

¹ Loc. cit.

² G. Nicholls to E. Chadwick, 25th March 1840.

CHAPTER II

DROPPING THE PILOT

I

AT the beginning of 1841, Russell made his third attempt to settle the Poor Law question. Chadwick's views had very largely triumphed, for the Commissioners' draft statute was abandoned. The new Bill was framed upon a Chadwick interpretation of the original statute, and embodied many of his suggestions, notably the union of Unions for various purposes. It envisaged continued use of the Consolidated Order. Its sole result was to expose the Cabinet to the full blast of the law's desperate unpopularity. The attack was led by *The Times* and it was unremitting. Two shocking cases of maladministration—the Eton case and the Hoo Union scandal—aided the anti-Poor Law party. The return of Walter to Parliament on a straight anti-Poor Law platform at Nottingham seemed to confirm the case against the law. Over 140,000 people petitioned against it. Fifty-one M.P.s voted for its abolition, more than twice that number demanded far-reaching concessions. The Cabinet was moribund, ready to expire at any day, on any issue. Failing to press his Bill through Parliament before Easter, Russell withdrew it. The fate of the Commission hung now upon the inevitable general election.

The Times assured its public that in every clause the letters of the Bill formed themselves into the name of EDWIN CHADWICK.¹ This wild inspiration was the sober truth. The Bill expressed Chadwick's views: this was the last time the Commons would have to consider them. Behind the clauses of the proposed statute a drama was being played, for inside the Poor Law office the Bill had served to show only one thing—that on every fundamental issue of Poor Law administration Lewis and Chadwick took opposite views. Lewis was eager to bow to the public opinion, Chadwick determined to thwart it. Where the Consolidated Order operated Lewis continually tried to modify it, but Chadwick maintained it; and where it did not yet operate Lewis tried to ban it and Chadwick to get it adopted. Lewis neither understood nor approved of Chadwick's desire for enquiries, enquiries into idiocy, into workhouse classification, into soldiers' pensions, and passively

¹ *The Times*, 2nd February 1841.

resisted them.¹ Lewis tried to shelter his responsibility behind the counter-signature of the Home Secretary or the clauses of a statute and tried also to let the local Boards have a little more of their own way; Chadwick stubbornly stuck out for the absolute discretion of the Commissioners and ever stronger coercive powers against the rebel Guardians. The quarrel even extended itself to the apparently trivial details of the way the Commissioners went about their office business.

As the parliamentary struggle was first deferred and then indefinitely postponed, affairs in the office marched to a climax. Perched on their tall office stools even the humblest clerks sensed the tension. A show-down was expected, even by the gravest and most experienced Assistant Commissioner.² The whole office was affected. The business of the Commission became individualized, parties took sides, and the Commission began to split up into two hostile groups. Among some of the Assistant Commissioners, an ill-concealed partisanship sprang up—Gulson and Tufnell, Parker, Day, Clements, and Aday, possibly others, but at least half the Assistants—siding with Chadwick, Gael and Symonds (Assistant Secretaries) resigning in disgust at Lewis, and George Coode sorely wishing to follow suit.³ Among the still 'orthodox' Boards of Guardians a feeling developed in Chadwick's favour. They regarded him as the 'strong man' behind the Commissioners. At no time had he been so bombarded with letters appealing for his personal advice and assistance—far more than either Lewis or Lefevre received. At least two Boards of Guardians—Hereford and Gloucester—petitioned Parliament that the Commissioners be discharged and the Secretary left to carry on the business of the Commission!⁴ The continual range of issues on which Lewis and Chadwick differed and the extreme incompatibility of their temperaments soon involved personal feelings of prestige and pride. Rumours spread, and not merely through the office, that Chadwick and Lewis were not on speaking terms. It was not true and Chadwick denied it, but Tufnell at least recalled that 'Your differences with Mr Lewis were so notorious that I remember once mentioning to Mr Coode that I wondered you were not dismissed or could stay at your post . . .'⁵

Indeed the whole dispute was shot through by personalities. A large, burly, big-boned individual, moon-faced and ruddy—such was Edwin

¹ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

² E. C. Tufnell to E. Chadwick, 28th May 1847.

³ Edwin Chadwick to Earl Spencer, 8th May 1841.

⁴ Edwin Chadwick to Lord J. Russell, 17th June 1841. Edwin Chadwick to Earl Spencer, 8th May 1841.

⁵ E. C. Tufnell to Edwin Chadwick, 28th May 1847.

Chadwick at the age of forty-one, in the prime of life. Entertaining, even amusing, within his own circle of acquaintances by reason of his bounteous fund of example and anecdote, his range of interests was limited to his profession. Outside it he never ventured. The cast of his mind was hard, cold, and intellectual, intolerant of opposition and entirely unsusceptible to gusts of humanitarianism. He chose his friends with reference to their opinions. If his own were crossed he fired up easily, eager to impute either stupidity or sinister interest to those who disagreed with him. Within the limits of his tenaciously held Radicalism his mind was exhaustive and courageous; but he lacked imagination, fantasy, and sense of humour too utterly ever to doubt the justice of his own conclusions. He had little warmth and sympathy to win over doubting friends and endear honest enemies. Once his mind was made up he was opinionated and sanguine, prepared to go to all lengths, to any extremes, to face all dangers and obloquy in justifying it, by word and deed. On such occasions—and alas, they were all too many—obstinate to the point of doctrinairism, his obstinacy was noisy, impatient, obstreperous, and harsh. His zeal and energy were inexhaustible, his initiative impatient, earnest, importunate, unappeasable. His profession was his joy, his life, his hobby, and he steeped himself in it, as much out of office hours as in. He was supremely confident of what administration could achieve, he looked on it as a machine from which one might expect the utmost exactitude; and he hoped all things from it.

Embittered with his quarrel, Chadwick suspected Lewis of personal animus. He ascribed it to the 'family bias' of the Lewis family. He sought a possible reason for it in the past. Frankland Lewis had once wanted to appoint his son Assistant Commissioner; Chadwick, through the other Commissioners, had opposed it on the grounds that it would be taken for a job.¹ When George Lewis had been appointed Commissioner, over Chadwick's head and despite his weighty claims to promotion, he compressed his lips tight; though he studiously refrained from calling the appointment a job he could not help grimly commenting that it was almost as bad, since it gave that impression.² He evinced great contempt for Lewis, the man of letters, the man who believed 'that a well educated man was competent to undertake any office and write on any subject' and sneered at him for writing philological essays when he might so much more profitably have devoted his time to improving his

¹ *Letters of the Rt. Hon. Sir George Cornwall Lewis*, p. 56. Lewis had deeply resented the matter. It had been represented to him that the appointment was cut and dried, and he felt humiliated and foolish at the outcome. But it is extremely unlikely that he bore Chadwick a grudge further.

² E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

grasp of Poor Law principles. In his excess of spleen he imputed to Lewis a desire always to thwart any proposals that came from him, and accused him of having maliciously retarded or stopped all the preventive measures he was bringing forward.¹

Lewis,² formed a complete contrast to Chadwick. Five years younger, he appeared a grave mild man with a scholar's stoop. His real interests lay far away from his administrative work, in the study of classics, of languages, history, and political philosophy. He won golden opinions from the most diverse and even the most hostile quarters—by possessing that priceless social grace in which Chadwick was so sorely lacking—by what Gladstone described as 'his singular courtesy and careful attention to others in all transactions great and small; his thoroughly warm and most forthcoming and genial disposition . . . his noble and antique simplicity of character which he united with such knowledge of men and of affairs . . .' Enjoying a fund of miscellaneous knowledge second only to Macaulay's, Lewis was, however, as an administrator, prosaic, cautious, and suspicious of anything showy. 'He took a plain, obvious view of every subject that came before him.' Bagehot, who knew him well, said that his mind was 'complication-proof'. He was every inch as obstinate as Chadwick but in a quiet persistent way, for he lacked all Chadwick's drive, fervour, and brisk enthusiasm. As deficient as Chadwick in fantasy and imagination, Lewis's administration was in fact, in harmony with his whole temperament 'coldblooded as a fish, totally devoid of sensibility or nervousness, of an imperturbable temper, calm and resolute, labourious and indefatigable.' He himself described his temperament as 'vegetable'. Quite at a loss to account for the passions of mankind, passions he in no wise shared, he brought neither warmth nor enthusiasm to administration. He had no mind either to prepare far-reaching schemes or to put them into practice. He believed that nine times out of ten cure was better than prevention. Hopes of benefiting the human race broke down before his half-quizzical, half-cynical matter-of-factness, his sceptical attitude to the actions of governments. Never sanguine, never confident, never, above all, an enthusiast, his ideals of administration were as unexciting and as unexact as his whole frame of mind. 'Government', he said, 'is a very rough business. You must be content with very unsatisfactory results.' It is no wonder that he could not get on with Chadwick! Certainly, on his side, he showed little of that 'forbearance and courtesy' which usually marked his

¹ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

² For what follows I have drawn on: (1) Morley's *Life of Gladstone*; (2) C. G. Greville, *Journals*; (3) Bagehot's essay on G. C. Lewis in *Biographical Studies*.

dealings with his colleagues. He ascribed Chadwick's doings to personal pique at lack of promotion. He suspected him of organizing rebellion among the Assistant Commissioners. He resented his unasked for interference in matters which, with some justice, he regarded as his own affair and not those of the Secretary.¹ It did not take long for Lewis to come to loathe the sight of the man; he made no bones about it to Cabinet and colleagues that Chadwick was a pedant, that he favoured extreme measures, that he was a theorist overfond of abstract principles, was altogether for going 'too fast and too far' and in brief, was impossible to work with.²

Chadwick, of course, thought that he had been shabbily treated. His claims to office were weighty. They had been supported by the promise of the Whig Cabinet. Yet nothing had been done about the matter. Indeed the Cabinet had not even bothered to warn the Commissioners of his special position. He could initiate next to nothing; every protest he made, every suggestion he put forward, even the most obvious reforms, were treated as impertinence, as uncalled for interference. He was subjected to a regime of spite and humiliations. Furthermore, in his opinion the law was going from bad to worse, under the control of closet-philosophers. Chadwick suffered personal pain at this mis-handling. It was his *own* measure. He brought to it an enthusiasm which meant less than nothing to the passionless intellectuality of Lewis. Repeated demonstrations of his impotence drove Chadwick almost frantic. His nerves quite frayed out, he wildly demanded justice; all he wanted, he declared was that the Whigs carry out their promise to him so that he might take his share in the popularity or the unpopularity of the law.³

II

The imminent collapse of the Whig Cabinet, the rosy chances of a Conservative victory, would prevent his promotion for ever. He was a Whig appointment. The special terms of that appointment were a Whig secret, a private arrangement. If he was to bring this unbearable tension to an end it was useless to wait upon events any longer. He himself must take the initiative and force his claims upon the reluctant Cabinet. There was no vacancy; but he could resurrect the old 'Fourth Commissioner' plan.

Lansdowne, to whom he applied, referred him to Russell. This

¹ See Andover Enquiry (Parliamentary Papers, 1846, v): G. C. Lewis's evidence, *passim*.

² Edwin Chadwick to Lord Normanby, 14th(?) June 1841.

³ *Idem.*, 12th June 1841. All the letters to Spencer, Russell, and Normanby contain precisely similar sentiments.

was useless. Chadwick had already approached Russell on the matter a twelvemonth before. Melbourne had replied with a cutting refusal and Russell had told him that it would be 'unpalatable' in the country and indefensible in Parliament.¹ After the riot and rebellion of the past year, after the mutilation of the Renewal Bill in the Commons, even Chadwick could hardly suppose that those arguments no longer applied. To whom else could he turn? Brougham was discredited. In any case he had quarrelled with Chadwick and no longer received his letters. He had taken offence at an article which Chadwick had published attacking his theories of 'License of Counsel', and was so piqued that he had even lodged a formal complaint at the Poor Law Office.² Earl Spencer was in retirement. For years now he had been politically dead.

Still—Spencer had made the original appointment and to him Chadwick finally went. His reproaches were bitter. He reminded him of the privileged position he had been given, reiterated Spencer's excuse that he had been passed over only because there was no vacancy at that time, twitted him with the unkept promise that he would act 'as if he were a Fourth Commissioner'. Why, he asked was the promise not kept? The Cabinet was on the point of going out. If kept at all, surely this was the time?³

Spencer had no ready reply. He promised to see Melbourne and put his case. As soon as his angry guest had gone, he wrote a letter which for the first time explained the *real* reasons which had swayed the Cabinet in 1834:

'I must speak frankly', Spencer wrote, 'your station in society was not as would have made it fit that you should be appointed one of the Commissioners.'

After such plain-dealing, however, he went on to give Chadwick a little hope:

'Your station, however is a much higher one than it was when the Poor Law was passed. You are well known to the public, no objections could be made on the ground of rank in society to appoint you a commissioner and I think that if a commissioner was to be appointed your claims to the office are extremely great indeed. . . .

'It is however probable that the Ministers, if they are on the point of going out, will not like to finish their official career by the creation of a New Plan which the appointment of a Fourth Commissioner would be. I will mention to Lord Melbourne your wish and the grounds for it but I cannot say that I will ask him to comply with it because I never ask any man to do that which in his

¹ Lord J. Russell to Edwin Chadwick, 5th February 1840. Lord Melbourne to Edwin Chadwick, 8th February 1840. ² 'License of Counsel', *Westminster Review* 1841.

³ The nature of the interview appears from an exchange of letters between the two on 8th May 1841.

place I would not do myself. Failing this I will talk with him about the possibilities of framing your minute or other document defining more accurately than you say are now defined the Duties of your office. . . .'¹

Althorp went up to London, while Chadwick began to prepare—too late to catch him—an enormous screed bearing upon his claims to promotion, which he intended to be shown to Lord Melbourne.

Neither he nor Althorp knew how hopeless these claims were. For him the impending collapse of the Cabinet was an incentive to raise the issue: for the Cabinet, afraid of the polls, it was just the reverse. Chadwick personified the hated law throughout the Country. The working-class Press denounced him as 'tyrant', 'enemy of the working classes', a 'monster in human shape'. *The Times* alleged that he personally had prepared the ill-fated 1841 Bill, that his personal intervention had prohibited medical relief in the shape of food. It coupled his name with that of Malthus.² When the Seventh Annual Report was delayed, it held him responsible.³ Even Senior had to admit that 'Chadwick's position as the visible organ of the Commission has loaded him with an amount of unpopularity which is not the less mischievous for being undeserved'.⁴

When Lord Spencer arrived for his interview with Lord Melbourne he found Russell and Normanby also present. With one voice they declared, roundly: Chadwick is *impossible*! An alternative appointment perhaps, but promotion inside the Poor Law office—never!⁵

Spencer returned to find Chadwick's long memorandum waiting for him. He was angry. For the first time he had heard of Chadwick's persistent contumacy. The statement of claims did not improve matters. There was one angry paragraph, where Chadwick sneered that although the Cabinet of 1834 had not thought fit to make him a Commissioner, they had not hesitated to use him on the Poor Law and Factory Enquiries. For the rest it was an arid recital of his services, his capacity, his ill-treatment, the unfulfilled promises made to him. Only at the end did his despair shine through. Surely, he urged, Spencer had not intended this fate for him?⁶

'My dear sir,' replied Spencer with acrimony,

'you tell me that you are quite sure that I never could have intended to place any man in so painful a position as you have been in. As to the degree I can say nothing to it but most certainly when I wished and intended that you take upon

¹ Earl Spencer to Edwin Chadwick, 8th May 1841.

² *The Times*, 23rd March 1841.

³ *The Times*, 20th May 1841.

⁴ N. Senior to Sir J. Graham, 6th June 1842.

⁵ Lord Normanby to Lord J. Russell, 14th June 1841 (P.R.O., H.D.22, Box 3).

⁶ Edwin Chadwick to Earl Spencer, 8th May 1841.

yourself a responsible public situation I cannot but admit that I did wish and intend to place you in what from my own experience was a very painful and disagreeable position. Whether you have been subject to greater annoyance than public men are subject to I am not prepared to say and I do not think your letter proves this. If you have I can only apologize to you for the part I took in inducing you to accept the office. Your letter however refers entirely to personal matters, to the treatment you personally have received, to your individual feelings and wishes and you argue thoroughly and ably that it would render your position more agreeable if you were appointed a fourth commissioner, but you do not show, indeed attempt to show the necessity as far as the public is concerned for the creation of this new office. Before a minister creates a new office in any circumstances such a necessity ought to be clearly proved but this applies with tenfold force to the ministers in the circumstances Lord Melbourne now is. . . .¹

Thus the true reason for refusing to appoint him—his vast and unjust burden of personal unpopularity—was politely concealed. Chadwick accepted the situation resignedly, for Normanby, anxious to rid the Poor Law office of him, kept his word about a transfer to some new post. Chadwick suggested that a much needed office, that of Head Factory Inspector, might be created for him.² Suddenly the Government were challenged by the Opposition on a vote of no confidence. They were beaten by one vote. Melbourne declared for a dissolution, in two weeks' time. Chadwick felt he must hurry his new appointment.

At this very moment the bottom fell out of Normanby's scheme. Lefevre announced his resignation! The succession was vacant, Chadwick would (and did) immediately file formal claim to it. . . . Dumbfounded, Normanby denounced Lefevre's action as a 'secession'!³ Why, to promote Chadwick now, on the very eve of the elections, with the Tories already denouncing the Poor Law up and down the countryside—this was lunacy, it spelt inevitable political defeat!

III

With Lefevre gone and Lewis acting as sole Commissioner by delegation, the issues were finally and clearly polarized: whose opinion was to prevail, the Commissioner's or the Secretary's? One paramount issue arose from Chadwick's strictures on the transaction of office business. Lewis wearily suggested that he put his objections in writing. Chadwick complied with a massive document on thick legal paper, thirty pages long, on huge pages nearly two feet square! He had

¹ Earl Spencer to Edwin Chadwick, 10th May 1841.

² E. Chadwick to Lord Normanby, 12th May 1841.

³ Lord Normanby to Lord J. Russell, 14th June 1841 (P.R.O., H.D.22, Box 3).

drafted it in the shape of a case for counsel, and it was full of glosses, references to the 1834 Statute, and innumerable citations of precedents.¹ This weight of legal erudition moved Lewis to make just *one* trifling and nominal change in the mode of taking the minutes. Chadwick hotly demanded that the 'case' go to the Crown Law Officers. Lewis flatly refused. In fact this question was later to play a very sinister role in the life of the Commission.

For the moment, however, the dispute was merely caught up into an even more acrimonious one. This indeed raised a decisive issue—was the Consolidated Order to be introduced further into the Northern Unions or was it not? Thenceforth Chadwick's promotion to the vacant post was made tantamount to a vote of 'no confidence' in Lewis. The dispute became known to that political generation as the 'Great Mott Case'.²

Assistant Commissioner Mott had been trying, ever since 1839, to make the Macclesfield Guardians build a workhouse.³ He had mishandled the whole affair. Now he had got himself into trouble with the Bolton Guardians.⁴ The Macclesfield affair was put into the hands of Assistant Commissioner Gilbert.⁵ Nicholls, who happened to be in London for a few days, noticed their difficulties and asked Chadwick to go and handle both Unions personally.⁶ He did so and returned after a prolonged investigation feeling that the allowance system was getting hold of both Unions. He took from both Gilbert and Mott the reports they had drawn up and completely rewrote them, only omitting to sign his name.⁷ The finished and consolidated Report had become a general and uncompromising vindication of the Consolidated Order policy.⁸

Chadwick now called on Lewis to publish it. He himself saw only the Political Economy argument. In the Report's own words: 'Whatever be the depression in trade here (Bolton) I believe it will not be denied that it can only be overcome by the skill and energy of the workmen and nothing will tend to aggravate the depression more seriously than an administration such as is found in the two Unions in question . . . it is absolutely necessary that the Union machinery should be maintained and the amended law enforced in the districts in question'.⁹

¹ Andover Enquiry (Parliamentary Papers, 1846, v), Appendix 29 (pp. 1781 et seq.).

² Money Penny and Buckle, *Disraeli*, India paper ed., vol. i, pp. 634 and 834.

³ E. Davenport to Edwin Chadwick, 25th July 1846.

⁴ See the *Bolton Chronicle* and *Bolton Free Press*, February–May 1841.

⁵ E. Davenport to Edwin Chadwick, 25th July 1846.

⁶ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

⁷ Edwin Chadwick to C. Mott, 15th August 1846.

⁸ Bolton and Macclesfield Report, May 1841 (reprinted as App. 32 to Andover Enquiry (Parliamentary Papers, 1846, v, p. 1770)).

⁹ *Ibid.*, loc. cit.

Lewis thought this political madness. 'At this time,' he exclaimed, 'we cannot even get some of the Northern Boards to operate the law at all, in any shape or form; already there is a cry to prevent us interfering in the manufacturing districts either through our regulations or through our Assistant Commissioners. Besides,' he continued, 'the Government is on the point of dissolving. With the North in its distressed condition they certainly do not want to raise the issue of relief to the able-bodied. Yet, if we do publish this Report, nobody will take it to be Mott's personal view—they will simply say that the Board is speaking through one of its Assistants.'¹ Of course Lewis well knew that Chadwick had written the Report, and Chadwick well knew that its effect, if published, would, as Lewis had seen, commit the Commission to the immediate application of the Consolidated Order.² Lewis explicitly refused. 'I do not think,' he returned angrily, 'that we can do away with the allowance system.'³

At this very minute the Government was considering the vacancy in the office.

IV

'They would have none of him. He would lose them votes! Spencer made no bones about it:

'MY DEAR SIR,—Having already spoken to Lord Melbourne and Lord John Russell about you I do not think I should be justified in doing so again. I certainly think your claims as an individual to be appointed to the vacant Commissionership as great if not greater than any other man's, but how should the place be filled so as to conduce most to the public good, and, at the present time most especially, the responsibility of filling up the office is a most serious one indeed [*sic*]. For you may depend on it the New Poor Law is in jeopardy and I think there is every reason to expect that if not so altered as to be virtually repealed it is most probable that when the Tories come in, their friends having made the New Poor Law the great object of attack as they will have done, during the General Election, they will be obliged to make alterations that will greatly impair its efficiency. The only way to guard in any degree against this is that this appointment should be one which will give the most general satisfaction to the public; for if in addition to the other disclamatory topics which can be urged at a hustings against the provisions of the law, any clamour can be raised as to the way an appointment was made, the danger of injury to the measure will be very much increased indeed. I will fairly say that whatever I may think of your individual claims, from what I collected of the opinions of well-informed

¹ This synoptic view from Lewis's Andover Enquiry evidence, e.g. Qq. 21560–21561.

² Andover Enquiry, Qq. 21831, 21847, 21854–21866.

³ *Ibid.*

and well-judging men when I was in town, I should fear your receiving the appointment would not be satisfactory to the public generally. . . .'¹

Alarmed at this plain speaking, Chadwick made off to Normanby himself. Quite clearly, Lewis had related to him the current crisis inside the office. He gave Chadwick short shrift. He told him he was a purist, that he favoured extreme measures, that unpopular as the Commission well might be he enjoyed a particularly unsavoury reputation, a boundless unpopularity, which was an insuperable bar to any such promotion.² 'Chadwick', he told Russell, 'would be quite impossible to confer the appointment on [*sic*], and the difficulties of any new man in the Commission would be very much increased by being nominally over this so unquiet a spirit in a high state of discontent.'³ In vain did Chadwick protest. He said the alleged unpopularity was due to a cruel caricature: he urged that his appointment would prove economical; he claimed that the 'loyal' Boards regarded him as their 'champion'. In vain: Normanby feared the pressure the common folk would bring upon the voters at the hustings. Chadwick said that the mass attacks on Assistant Commissioners were as misguided as the mobs which attacked doctors during the cholera epidemic. What did it matter?—misguided or not, the Poor Law and Chadwick was the object of their present fury. Chadwick affected to be amazed—did such a kind of unpopularity weigh, he asked, with H.M. Government? The answer was that during election time it did weigh—very much.⁴ Chadwick might consider transfer to some alternative position. The Commissionership was not for him.

To whom was it to go? 'There is no doubt', lamented Normanby, 'any appointment is fraught with difficulties.'⁵ For a moment there was talk of conferring it on Mr Rich, a groom of the Stole, who knew as much about Poor Law matters as he did work for the Stole. But this job was too flagrant even for an outgoing Whig Cabinet to undertake, and the choice ranged back and forth. Kay was considered to be indispensable where he was, at the Privy Council Office. Gulson was suggested, but dropped immediately on 'account of his manner'.⁶ Then Lewis entered the arena, pushing forward his intimate friend, Assistant Commissioner Sir Edmund Head. Normanby, who had neither seen nor even heard of the man before, was soon praising him. 'I think,'

¹ Earl Spencer to Edwin Chadwick, 13th June 1841.

² Edwin Chadwick to Normanby, 14th June 1841.

³ Lord Normanby to Lord J. Russell, 14th June 1841 (P.R.O., H.D.22, Box 3).

⁴ Edwin Chadwick to Lord Normanby, 14th June 1841.

⁵ Lord Normanby to Lord J. Russell, 28th June 1841 (P.R.O., H.D.22, Box 3).

⁶ *Ibid.*, 14th June and 28th June 1841 (P.R.O., H.D.22, Box 3).

he wrote, 'from all I have heard of him, that Sir Edmund Head ought to be the person selected. I have no personal acquaintance with him, but certainly he has managed some very difficult matters in that department with singular efficiency.'¹ But Nicholls did not want Head and threatened to reopen the whole matter by demanding Chadwick! At this, Lewis called out Lefevre to the support of Head.² Thereupon, Chadwick fired a characteristic broadside against Head, this man of 'such singular efficiency'.

'If popularity were the ground of appointment', he sneered, 'it would be found that more petitions have come against Assistant Commissioners from the district where he acted than I believe from any other. The organization of the Unions where he acted is extremely defective; the officers and especially the relieving officers were badly appointed . . . within his district (there is) a large share of relapsed Unions and a large share of discontent.'³

Normanby hesitated. Two days later, Parliament was dissolved, the vacancy remained unfilled, no alternative appointment had been found for Chadwick, and the country was in the thick of a general election.

v

Chadwick's fate was bound up in the election. However little he could expect from the Whigs, from the Tories he could expect nothing. He could shame the Whigs into offering an alternative appointment. Upon the Tories he had no claims whatsoever. In any case, the unpopularity of the Poor Law among the Tory Ultras would make him unpopular with a Tory Cabinet. More important still, Chadwick was without any Tory connexions save Lord Liverpool, while he had everything to fear from Peel's right-hand man, Sir James Graham. Graham's star was of the most malignant aspect towards Chadwick, for both personal and political reasons. In the first place, while a close friend of George Lewis, he had taken a strong dislike to Chadwick. The two had confronted one another on the Select Committee of 1838. Graham had seen Chadwick on the verge of a nervous breakdown and his brusque manner had made the most unfortunate impression. For his part Chadwick affected to believe that Graham had himself acted every inch as though he were a public accuser.⁴ In the second place

¹ Lord Normanby to Lord J. Russell, 14th June and 28th June 1841 (P.R.O., H.D.22. Box 3).

² Ibid., loc. cit.

³ Edwin Chadwick to Lord J. Russell, 19th June 1841.

⁴ Edwin Chadwick to Lord Liverpool, 14th October 1841

Graham was at issue with Chadwick over the Consolidated Order policy. On the 1838 Committee he had supported all those relaxations which had been so repeatedly postponed by Russell ever since.¹ Since that time, in the various debates on the Poor Law, Graham had shown no disposition to withdraw from the position he had then taken up.² His influence in the Cabinet would be thrown for relaxations. Certainly, then, Graham could do Chadwick no good. Chadwick hoped for a Whig victory.

In this the dice of fortune rolled heavily against him. Once more he applied, through the good offices of his friend Gulson, for one of the Fitzwilliam rotten boroughs, but the event of the election was never for one moment in doubt.³ By July the matter was virtually over, the Whigs a ragged and dispirited remnant, and Peel's party triumphant with nearly a 100-vote majority. Chadwick's alarmed request to Melbourne for promotion to the vacancy called forth only the laconic reply that he should apply to 'the real Secretary of State' and the next day the Whigs resigned.⁴ By the end of the week all the world learned that in Peel's overwhelmingly strong Cabinet, Graham would not go back to his old place at the Admiralty, but would fill no less a position than the Home Office. The wheel had come full circle and Chadwick seemed faced with an alliance between Graham and Lewis, supported by all the too-acute knowledge of the out-going Cabinet, and all the anti-Poor Law prejudice of the new.

Yet he still could not gauge how serious his position really was. Lewis was already discrediting him in Graham's eyes, instancing the recent disputes in the office as proof that he was one 'for carrying things to an extreme' and 'very difficult to act with'.⁵ One of Graham's first actions was to instruct the compliant Lewis to make an order embodying the very six principles of relaxation which Chadwick had fought against in the 1840 Statute.⁶ For his part, Lewis, with Lefevre's assistance, was pressing Graham as hard as he could for the appointment of Sir Edmund Head.⁷ (By now, indeed, the general impression was that A'Court would be the successful candidate.)⁸ Convinced that his attitude was so correct that no honest man could possibly doubt of its truth and value, Chadwick immediately asked Graham for an interview to discuss, not only the Sanitary Report (on which he was engaged)

¹ Edwin Chadwick to Lord Liverpool, 14th October 1841.

² E.g. in 1840 and 1841.

³ E. Gulson to Edwin Chadwick, 29th May 1841.

⁴ Lord Howard to Edwin Chadwick, 27th August 1841.

⁵ E. Chadwick to Lord Liverpool, 14th October 1841.

⁶ Sir J. Graham's speech, 29th September 1841 (*The Times*).

⁷ E. Chadwick to Lord Liverpool, 14th October 1841.

⁸ Greville had this impression.

but the state of the Poor Law and his own claims to the Commissionership! And as if this were not enough—he did not hesitate to enclose an indictment of Lewis for the illegal way in which he conducted the office business. To make good measure, he threw in an angry protest against Lewis's 'concealment' of the Bolton evidence! In reply, Graham simply indicated (in the third person and through his secretary) that no interview would be granted. Not even Lord Liverpool's intercession shook his resolution. Strangely enough, however, he made the suspiciously extravagant promise that before a new appointment was made he would order a full enquiry into the state of the office.¹

This promise, his belief that no appointment would be made till after the Continuance Act was passed, and the general belief that A'Court would supplant Head as the likely appointment, all served to lull Chadwick's vigilance. He even went so far in his expectation of an enquiry as to send Graham the enormous draft-case on the office business.² But Graham had not the slightest intention of carrying out his promise. He was now seeing nobody but Lefevre, and Lefevre was as out and out against Chadwick as he was in favour of Sir Edmund Head. After about a fortnight of such false calm, a casual word from Lewis to the effect that a new Commissioner would shortly be appointed roused Chadwick to a sense of his danger. At once he was all alarm.³ At any rate, he exclaimed, an end to these hole-in-the-corner methods of appointment—let there at least be an open examination of the claims of the various candidates. Alas—public appointments are not governed by such considerations!⁴ It was in vain that he supplied Liverpool with all the facts concerning his original appointment, and with the draft of objections to the 'exceptions' which Graham and Lewis were on the point of introducing, and vainest of all, a demand that a full enquiry be held before the appointment was made.⁵ Graham had forgotten or ignored his promise, and to Chadwick's formal statement of his claims to the vacancy, documented as fully as Chadwick could manage, he returned back a letter, in the first person this time, but as frigid as a tombstone:

'SIR,—In answer to your letter requesting that you may be appointed one of the Commissioners of the Poor Law in the room of Mr Lefevre who retires, I am bound frankly to state to you that I contemplate a different arrangement and that I must discourage any such expectation on your part. . . .'⁶

In his despair, Chadwick even feared for the security of his present appointment. Liverpool, who at his request investigated the matter,

¹ E. Chadwick's *First Vindicating Letter to Sir G. Grey*, 21st June 1847.

² E. Chadwick to Lord Liverpool, 13th October 1841.

³ Sir J. Graham to Edwin Chadwick, 14th October 1841.

⁴ Ibid.

⁵ Idem.

⁶ Ibid.

could reassure him on this point; but for the rest he had a melancholy tale to tell. The disputes inside the office—by stressing which Chadwick had hoped to break his way through to promotion—had been the instrument of his disgrace. The Government had thrown him over—whether for Head was not yet certain. At any rate, Chadwick had lost.

The announcement of Head's appointment a few days afterwards completed his downfall.¹ He was heart-broken. Looking back over the vista of continual quarrels he asked himself if it were really his fault? He had done what he conceived was his bounden duty—was it not he who should feel hurt rather than the others, he who had written those long protests and ruined both friendships and opportunities because he had put convictions before time-serving? He was in utter despair. He felt he could never withstand the combined forces of Head and Lewis and Graham. Utterly wretched, he concluded his letter to Liverpool with the disconsolate lines:

'I had proposed to draw up a paper of suggestions, but really have no heart to proceed with them.'

His fears were well grounded. Graham was not prepared to get rid of him, but offered no objections to Lewis rendering him harmless. Lewis once more rearranged the office procedure. This time Chadwick was excluded totally. Henceforth the compilation of the minutes became the task of a common clerk and Chadwick was relieved of the duty of supervising them. He was left entirely to his own devices. Head both disliked and despised him. He never enquired for him nor bothered whether he were in the office or not. Wherever possible he ignored him, expressing amusement and contempt for the numerous enquiries with which Chadwick perforce filled in his time. The control of the office became a very personal affair between three very good friends, the two Commissioners and the Home Secretary, and questions were settled not, as previously, by earnest discussion at a Board, but by privileged and amiable chats, tacit understandings, with a complaisant Home Office.

He had lost. From now on he withdrew from Poor Law affairs completely. He turned away to complete the Sanitary Report on which he had long been labouring. This new interest was soon to become his life work.

¹ Edwin Chadwick to Lord Liverpool, 18th October 1841.