

CHAPTER FIVE

The Labourer in 1795

In an unenclosed village, as we have seen, the normal labourer did not depend on his wages alone. His livelihood was made up from various sources. His firing he took from the waste, he had a cow or a pig wandering on the common pasture, perhaps he raised a little crop on a strip in the common fields. He was not merely a wage earner, receiving so much money a week or a day for his labour, and buying all the necessaries of life at a shop: he received wages as a labourer, but in part he maintained himself as a producer. Further, the actual money revenue of the family was not limited to the labourer's earnings, for the domestic industries that flourished in the village gave employment to his wife and children.

In an enclosed village at the end of the eighteenth century the position of the agricultural labourer was very different. All his auxiliary resources had been taken from him, and he was now a wage earner and nothing more. Enclosure had robbed him of the strip that he tilled, of the cow that he kept on the village pasture, of the fuel that he picked up in the woods, and of the turf that he tore from the common. And while a social revolution had swept away his possessions, an industrial revolution had swept away his family's earnings. To families living on the scale of the village poor, each of these losses was a crippling blow, and the total effect of the changes was to destroy their economic independence.

Some of these auxiliary resources were not valued very highly by the upper classes, and many champions of enclosure proved to their own satisfaction that the advantage, for example, of the right of cutting fuel was quite illusory. Such writers had a very superficial knowledge of the lot of the cottagers. They argued that it would be more economical for the labourer to spend on his ordinary employment the time he devoted to cutting fuel and turf, and to buy firing out of his wages: an argument from the theory of the division of labour that assumed that employment was constant. Fortunately we have, thanks to Davies, a very careful calculation that enables us to form rather a closer judgment. He estimates^(1*) that a man could cut nearly enough in a week to serve his family all the year, and as the farmers will give the carriage of it in return for the ashes, he puts the total cost at 10s. a year, or a little more than a week's wages.^(2*) If we compare this with his accounts of the cost of fuel elsewhere, we soon see how essential common fuel rights were to a labourer's economy. As Sidlesham in Surrey, for instance,^(3*) in the expenses of five families of labourers, the fuel varies from £1, 15s. 0d. up to £4, 3s. 0d., with an average of £2, 8s. 0d. per family. It must be remembered, too, that the sum of 10s. for fuel from the common is calculated on the assumption that the man would otherwise be working; whereas, in reality, he could cut his turf in slack times and in odd hours, when there was no money to be made by working for some one else.

There was another respect in which the resources of a labouring family were diminished towards the end of the century, and this too was a loss that the rich thought trifling. From time immemorial the labourer had sent his wife and children into the fields to glean or leaze after the harvest. The profits of gleaning, under the old, unimproved system of agriculture, were very considerable. Eden says of Rode in Northamptonshire, where agriculture was in a 'wretched state, from the land being in common-fields,' that 'several families will gather as much wheat as will serve them for bread the whole year, and as many beans as will keep a pig.'(4*) From this point of view enclosure, with its improved methods of agriculture, meant a sensible loss to the poor of the parish, but even when there was less to be gleaned the privilege was by no means unimportant. A correspondent in the *Annals of Agriculture*,(5*) writing evidently of land under improved cultivation in Shropshire, estimates that a wife can glean three or four bushels. The consumption of wheat, exclusive of other food, by a labourer's family he puts at half a bushel a week at least; the price of wheat at 13s. 6d. a bushel; the labourer's wages at 7s. or 8s. To such a family gleaning rights represented the equivalent of some six or seven weeks' wages.

With the introduction of large farming these customary rights were in danger. It was a nuisance for the farmer to have his fenced fields suddenly invaded by bands of women and children. The ears to be picked up were now few and far between, and there was a risk that the labourers, husbands and fathers of the gleaners, might wink at small thefts from the sheaves. Thus it was that customary rights, which had never been questioned before, and seemed to go back to the Bible itself, came to be the subject of dispute. On the whole question of gleaning there is an animated controversy in the *Annals of Agriculture*(6*) between Capel Lofft,(7*) a romantic Suffolk Liberal, who took the side of the gleaners, and Ruggles,(8*) the historian, who argued against them. Capel Lofft was a humane and chivalrous magistrate who, unfortunately for the Suffolk poor, was struck off the Commission of the Peace a few years later, apparently at the instance of the Duke of Portland, for persuading the Deputy-Sheriff to postpone the execution of a girl sentenced to death for stealing, until he had presented a memorial to the Crown praying for clemency. The chief arguments on the side of the gleaners were (1) that immemorial custom gave legal right, according to the maxim, *consuetudo angliae lex est angliae communis*; (2) that Blackstone had recognised the right in his Commentaries, basing his opinion upon Hale and Gilbert, 'Also it hath been said, that by the common law and custom of England the poor are allowed to enter and glean on another's ground after harvest without being guilty of trespass, which humane provision seems borrowed from the Mosaic law, (iii. 212, 1st edition); (3) that in Ireland the right was recognised by statutes of Henry VIII's reign, which modified it; (4) that it was a custom that helped to keep the poor free from degrading dependence on poor relief. It was argued, on the other hand, by those who denied the right to glean, that though the custom had existed from time immemorial, it did not rest on any basis of actual right, and that no legal sanction to it had ever been explicitly given, Blackstone and the authorities on whom he relied being too vague to be considered final. Further, the custom was demoralising to the poor; it led to idleness, 'how many days during the harvest are lost by the mother of a family and all her children, in wandering about from field to field, to glean what does not repay them the wear of their cloathes in seeking;' it led to pilfering from the temptation to take handfuls from the swarth or shock; and it was deplorable that on a good-humoured permission should be grafted 'a legal claim, in its use and exercise so nearly approaching to licentiousness.'

Whilst this controversy was going on, the legal question was decided against the poor by a majority of judges in the Court of Common Pleas in 1788. One judge, Sir Henry Gould,(9*) dissented in a learned judgment; the majority based their decision partly on the mischievous consequences of the practice to the poor. The poor never lost a right without being congratulated by the rich on gaining something better. It did not, of course, follow from this decision that the practice necessary ceased altogether, but from that time it was a privilege

given by the farmer at his own discretion, and he could warn off obnoxious or 'saucy' persons from his fields. Moreover, the dearer the corn, and the more important the privilege for the poor, the more the farmer was disinclined to largess the precious ears. Capel Lofft had pleaded that with improved agriculture the gleaners could pick up so little that that little should not be grudged, but the farmer found that under famine prices this little was worth more to him than the careless scatterings of earlier times.(10*)

The loss of his cow and his produce and his common and traditional rights was rendered particularly serious to the labourer by the general growth of prices. For enclosure which had produced the agrarian proletariat, had raised the cost of living for him. The accepted opinion that under enclosure England became immensely more productive tends to obscure the truth that the agricultural labourer suffered in his character of consumer, as well as in his character of producer, when the small farms and the commons disappeared. Not only had he to buy the food that formerly he had produced himself, but he had to buy it in a rising market. Adam Smith admitted that the rise of price of poultry and pork had been accelerated by enclosure, and Nathaniel Kent laid stress on the diminution in the supply of these and other small provisions. Kent has described the change in the position of the labourers in this respect: 'Formerly they could buy milk, butter, and many other small articles in every parish, in whatever quantity they are wanted. But since small farms have decreased in number, no such articles are to be had; for the great farmers have no idea of retailing such small commodities, and those who do retail them carry them all to town. A farmer is even unwilling to sell the labourer who works for him a bushel of wheat, which he might get ground for three or four pence a bushel. For want of this advantage he is driven to the mealman or baker, who, in the ordinary course of their profit, get at least ten per cent. of them, upon this principal article of their consumption.'(11*) Davies, the author of *The Case of Labourers in Husbandry*, thus describes the new method of distribution. 'The great farmer deals in a wholesale way with the miller: the miller with the mealman: the mealman with the shopkeeper, of which last the poor man buys his flour by the bushel. For neither the miller nor the mealman will sell the labourer a less quantity than a sack of flour, under the retail price of shops, and the poor man's pocket will seldom allow of his buying a whole sack at once.'(12*)

It is clear from these facts that it would have needed a very large increase of wages to compensate the labourer for his losses under enclosure. But real wages, instead of rising, had fallen, and fallen far. The writer of the Bedfordshire Report (p. 67), comparing the period of 1730-50 with that of 1802-6 in respect of prices of wheat and labour, points out that to enable him to purchase equal quantities of bread in the second period and in the first, the pay of the day labourer in the second period should have been 2s. a day, whereas it was 1s. 6d. Nathaniel Kent, writing in 1796,(13*) says that in the last forty or fifty years the price of provisions had gone up by 60 per cent, and wages by 25 per cent, 'but this is not all, for the sources of the market which used to feed him are in a great measure cut off since the system of large farms has been so much encouraged.' Professor Levy estimates that wages rose between 1760 and 1813 by 60 per cent, and the price of wheat by 130 per cent.(14*) Thus the labourer who now lived on wages alone earned wages of a lower purchasing power than the wages which he had formerly supplemented by his own produce. Whereas his condition earlier in the century had been contrasted with that of Continental peasants greatly to his advantage in respect of quantity and variety of food, he was suddenly brought down to the barest necessities of life. Arthur Young had said a generation earlier that in France bread formed nineteen parts in twenty of the food of the people, but that in England all ranks consumed an immense quantity of meat, butter and cheese.(15*) We know something of the manner of life of the poor in 1789 and 1795 from the family budgets collected by Eden and Davies from different parts of the country.(16*) These budgets show that the labourers were rapidly sinking in this respect to the condition that Young had described as the condition of the poor in France. 'Bacon and other kinds of meat form a very small part of their diet, and cheese becomes a luxury.' But even on

the meagre food that now became the ordinary fare of the cottage, the labourers could not make ends meet. All the budgets tell the same tale of impoverished diet accompanied by an overwhelming strain and an actual deficit. The normal labourer, even with constant employment, was no longer solvent.

If we wish to understand fully the predicament of the labourer, we must remember that he was not free to roam over England, and try his luck in some strange village or town when his circumstances became desperate at home. He lived under the capricious tyranny of the old law of settlement, and enclosure had made that net a much more serious fact for the poor. The destruction of the commons had deprived him of any career within his own village; the Settlement Laws barred his escape out of it. It is worth while to consider what the Settlement Laws were, and how they acted, and as the subject is not uncontroversial it will be necessary to discuss it in some detail.

Theoretically every person had one parish, and one only, in which he or she had a settlement and a right to parish relief. In practice it was often difficult to decide which parish had the duty of relief, and disputes gave rise to endless litigation. From this point of view eighteenth-century England was like a chessboard of parishes, on which the poor were moved about like pawns. The foundation of the various laws on the subject was an Act passed in Charles II's reign (13 and 14 Charles II. c. 12) in 1662. Before this Act each parish had, it is true, the duty of relieving its own impotent poor and of policing its own vagrants, and the infirm and aged were enjoined by law to betake themselves to their place of settlement, which might be their birthplace, or the place where they had lived for three years, but, as a rule, 'a poor family might, without the fear of being sent back by the parish officers, go where they choose, for better wages, or more certain employment.' (17*) This Act of 1662 abridged their liberty, and, in place of the old vagueness, established a new and elaborate system. The Act was declared to be necessary in the preamble, because 'by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest commons or wastes to build cottages, and the most woods for them to burn and destroy; and when they have consumed it, then to another parish; and at last become rogues and vagabonds; to the great discouragement of parishes to provide stock, when it is liable to be devoured by strangers.' By the Act any new-comer, within forty days of arrival, could be ejected from a parish by an order from the magistrates, upon complaint from the parish officers, and removed to the parish where he or she was last legally settled. If, however, the new-comer settled in a tenement of the yearly value of £10, or could give security for the discharge of the parish to the magistrates' satisfaction, he was exempt from this provision.

As this Act carried with it the consequence that forty days' residence without complaint from the parish officers gained the new-comer a settlement, it was an inevitable temptation to Parish A to smuggle its poor into Parish B, where forty days' residence without the knowledge of the parish officers would gain them a settlement. Fierce quarrels broke out between the parishes in consequence. To compose these it was enacted (1 James II. c. 17) that the forty days' residence were to be reckoned only after a written notice had been given to a parish officer. Even this was not enough to protect Parish B, and by 3 William and Mary, c. 11 (1691) it was provided that this notice must be read in church, immediately after divine service, and then registered in the book kept for poor's accounts. Such a condition made it practically impossible for any poor man to gain a settlement by forty days' residence, unless his tenement were of the value of £10 a year, but the Act allowed an immigrant to obtain a settlement in any one of four ways; (1) by paying the parish taxes; (2) by executing a public annual office in the parish; (3) by serving an apprenticeship in the parish; (4) by being hired for a year's service in the parish. (This, however, only applied to the unmarried.) In 1697 (8 and 9 William III. e. 30) a further important modification of the settlement laws was made. To prevent the arbitrary ejection of

new-comers by parish officers, who feared that the fresh arrival or his children might somehow or other gain a settlement, it was enacted that if the new-comer brought with him to Parish B a certificate from the parish officers of Parish A taking responsibility for him, then he could not be removed till he became actually chargeable. It was further decided by this and subsequent Acts and by legal decisions, that the granting of a certificate was to be left to the discretion of the parish officers and magistrates, that the cost of removal fell on the certificating parish, and that a certificate holder could only gain a settlement in a new parish by renting a tenement of £10 annual value, or by executing a parish office, and that his apprentice or hired servant could not gain a settlement.

In addition to these methods of gaining a settlement there were four other ways, 'through which,' according to Eden, 'it is probable that by far the greater part of the labouring Poor... are actually settled.'(18*) (1) Bastards, with some exceptions, acquired a settlement by birth;(19*) (2) legitimate children also acquired a settlement by birth if their father's, or failing that, their mother's legal settlement was not known; (3) women gained a settlement by marriage; (4) persons with an estate of their own were irremovable, if residing on it, however small it might be.

Very few important modifications had been made in the laws of Settlement during the century after 1697. In 1722 (9 George I. c. 7) it was provided that no person was to obtain a settlement in any parish by the purchase of any estate or interest of less value than £30, to be 'bona fide paid,' a provision which suggests that parishes had connived at gifts of money for the purchase of estates in order to discard their paupers: by the same Act the payment of the scavenger or highway rate was declared not to confer a settlement. In 1784 (24 George III. c. 6) soldiers, sailors and their families were allowed to exercise trades where they liked, and were not to be removable till they became actually chargeable; and in 1793 (33 George III. c. 54) this latter concession was extended to members of Friendly Societies. None of these concessions affected the normal labourer, and down to 1795 a labourer could only make his way to a new village if his own village would give him a certificate, or if the other village invited him. His liberty was entirely controlled by the parish officers.

How far did the Settlement Acts operate? How far did this body of law really affect the comfort and liberty of the poor? The fiercest criticism comes from Adam Smith, whose fundamental instincts rebelled against so crude and brutal an interference with human freedom. 'To remove a man who has committed no misdemeanour, from a parish where he chuses to reside, is an evident violation of natural liberty and justice. The common people of England, however, so jealous of their liberty, but, like the common people of most other countries, never rightly understanding wherein it consists, have now, for more than a century together, suffered themselves to be exposed to this oppression without a remedy. Though men of reflexion, too, have sometimes complained of the law of settlements as a public grievance; yet it has never been the object of any general popular clamour, such as that against general warrants, an abusive practice undoubtedly, but such a one as was not likely to occasion any general oppression. There is scarce a poor man in England, of forty years of age, I will venture to say, who has not, in some part of his life, felt himself most cruelly oppressed by this ill-contrived law of settlements.'(20*)

Adam Smith's view is supported by two contemporary writers on the Poor Law, Dr. Burn and Mr. Hay. Dr. Burn, who published a history of the Poor Law in 1764, gives this picture of the overseer: 'The office of an Overseer of the Poor seems to be understood to be this, to keep an extraordinary look-out to prevent persons coming to inhabit without certificates, and to fly to the Justices to remove them: and if a man brings a certificate, then to caution the inhabitants not to let him a farm of £10 a year, and to take care to keep him out of all parish offices.'(21*) He further says that the parish officers will assist a poor man in taking a farm in a neighboring

parish, and give him £10 for the rent. Mr. Hay, M.P., protested in his remarks on the Poor Laws against the hardships inflicted on the poor by the Laws of Settlement. 'It leaves it in the breast of the parish officers whether they will grant a poor person a certificate or no.'(22*) Eden, on the other hand, thought Adam Smith's picture overdrawn, and he contended that though there were no doubt cases of vexatious removal, the Laws of Settlement were not administered in this way everywhere. Howlett also considered the operation of the Laws of Settlement to be 'trifling,' and instanced the growth of Sheffield, Birmingham, and Manchester as proof that there was little interference with the mobility of labour.

A careful study of the evidence seems to lead to the conclusion that the Laws of Settlement were in practice, as they were on paper, a violation of natural liberty; that they did not stop the flow of labour, but that they related it in the interest of the employing class. The answer to Howlett is given by Ruggles in the *Annals of Agriculture*.(23*) He begins by saying that the Law of Settlement has made a poor family 'of necessity stationary; and obliged them to rest satisfied with those wages they can obtain where their legal settlement happens to be; a restraint on them which ought to insure to them wages in the parish where they must remain, more adequate to their necessities, because it precludes them in a manner from bringing their labour, the only marketable produce they possess, to the best market; it is this restraint which has, in all manufacturing towns, been one cause of reducing the poor to such a state of miserable poverty; for, among the manufacturers, they have too frequently found masters who have taken, and continue to take every advantage, which strict law will give; of consequence, the prices of labour have been, in manufacturing towns, in an inverse ratio of the number of poor settled in the place; and the same cause has increased that number, by inviting foreigners, in times when large orders required many workmen; the masters themselves being the overseers, whose duty as parish officers has been opposed by their interest in supplying the demand.' In other words, when it suited an employer to let fresh workers in, he would, qua overseer, encourage them to come with or without certificates; but when they were once in and 'settled' he would refuse them certificates to enable them to go and try their fortunes elsewhere, in parishes where a certificate was demanded with each poor new-comer.(24*) Thus it is not surprising to find, from Eden's *Reports*, that certificates are never granted at Leeds and Skipton; seldom granted at Sheffield; not willingly granted at Nottingham, and that at Halifax certificates are not granted at present, and only three have been granted in the last eighteen years.

It has been argued that the figures about removals in different parishes given by Eden in his second and third volumes show that the Law of Settlement was 'not so black as it has been painted.'(25*) But in considering the small number of removals, we must also consider the large number of places where there is this entry, 'certificates are never granted.' It needed considerable courage to go to a new parish without a certificate and run the risk of an ignominious expulsion, and though all overseers were not so strict as the one described by Dr. Burn, yet the fame of one vexatious removal would have a far-reaching effect in checking migration. It is clear that the law must have operated in this way in districts where enclosures took away employment within the parish. Suppose Hodge to have lived at Kibworth-Beauchamp in Leicestershire. About 1780, 3600 acres were enclosed and turned from arable to pasture; before enclosure the fields 'were solely applied to the production of corn,' and 'the Poor had then plenty of employment in weeding, reaping, threshing, etc., and could also collect a great deal of corn by gleaning.'(26*) After the change, as Eden admits, a third or perhaps a fourth of the number of hands would be sufficient to do all the farming work required. Let us say that Hodge was one of the superfluous two-thirds, and that the parish authorities refused him a certificate. What did he do? He applied to the overseer, who sent him out as a roundsman.(27*) He would prefer to bear the ills he knew rather than face the unknown in the shape of a new parish officer, who might demand a certificate, and send him back with ignominy if he failed to produce one. If he took his wife and family with him there was even less

chance of the demand for a certificate being waived.(28*) So at Kibworth-Beauchamp Hodge and his companions remained, in a state of chronic discontent. 'The Poor complain of hard treatment from the overseers, and the overseers accuse the Poor of being saucy.'(29*)

Now, at first sight, it seems obvious that it would be to the interest of a parish to give a poor man a certificate, if there were no market for his labour at home, in order to enable him to go elsewhere and make an independent living. This seems the reasonable view, but it is incorrect. In the same way, it would seem obvious that a parish would give slight relief to a person whose claim was in doubt rather than spend ten times the amount in contesting that claim at law. In point of fact, in neither case do we find what seems the reasonable course adopted. Parishes spent fortunes in lawsuits. And to the parish authorities it would seem that they risked more in giving Hodge a certificate than in obliging him to stay at home, even if he could not make a living in his native place; for he might, with his certificate, wander a long way off, and then fall into difficulties, and have to be fetched back at great expense, and the cost of removing him would fall on the certificating parish. There is a significant passage in the *Annals of Agriculture*(30*) about the wool trade in 1788. 'We have lately had some hand-bills scattered about Bocking, I am told, promising full employ to combers and weavers, that would migrate to Nottingham. Even if they chose to try this offer; as probably a parish certificate for such a distance would be refused; it cannot be attempted.' Where parishes saw an immediate prospect of getting rid of their superfluous poor into a neighboring parish with open fields or a common, they were indeed not chary of granting certificates. At Hothfield in Kent, for example, 'full half of the labouring poor are certificated persons from other parishes: the above-mentioned common, which affords them the means of keeping a cow, or poultry, is supposed to draw many Poor into the parish; certificated persons are allowed to dig peat.'(31*)

In the Rules for the government of the Poor in the hundreds of Loes and Wilford in Suffolk(32*) very explicit directions are given about the granting of certificates. In the first place, before any certificate is granted the applicant must produce an examination taken before a Justice of the Peace, showing that he belongs to one of the parishes within the hundred. Granted that he has complied with this condition, then, (1) if he be a labourer or husbandman no certificate will be granted him out of the hundreds unless he belongs to the parish of Kenton, and even in that case it is 'not to exceed the distance of three miles;' (2) if he be a tradesman, artificer, or manufacturer a certificate may be granted to him out of the hundreds, but in no case is it to exceed the distance of twenty miles from the parish to which he belongs. The extent of the hundreds was roughly fourteen miles by five and a half.

Eden, describing the neighbourhood of Coventry, says: 'In a country parish on one side the city, chiefly consisting of cottages inhabited by ribbon-weavers, the Rates are as high as in Coventry; whilst, in another parish, on the opposite side, they do not exceed one-third of the City Rate: this is ascribed to the care that is taken to prevent manufacturers from settling in the parish.'(33*) In the neighbourhood of Mollington (Warwickshire and Oxon) the poor rates varied from 2s. to 4s. in the pound. 'The difference in the several parishes, it is said, arises, in a great measure, from the facility or difficulty of obtaining settlements: in several parishes, a fine is imposed on a parishoner, who settles a newcomer by hiring, or otherwise, so that a servant is very seldom hired for a year. Those parishes which have for a long time been in the habit of using these precautions, are now very lightly burthened with Poor. This is often the case, where farms are large, and of course in few hands; while other parishes, not politic enough to observe these rules, are generally burthened with an influx of poor neighbours.'(34*) Another example of this is Deddington (Oxon) which like other parishes that possessed common fields suffered from an influx of small farmers who had been turned out elsewhere, whereas neighbouring parishes, possessed by a few individuals, were cautious in permitting newcomers to gain settlements.(35*) This practice of hiring servants for fifty-one weeks only was common: Eden thought it fraudulent and an evasion of the law that would not be upheld

in a court of justice,(36*) but he was wrong, for the 1817 Report on the Poor Law mentions among 'the measures, justifiable undoubtedly in point of law, which are adopted very generally in many parts of the kingdom, to defeat the obtaining a settlement, that of hiring labourers for a less period than a year; from whence it naturally and necessarily follows, that a labourer may spend the season of his health and industry in one parish, and be transferred in the decline of life to a distant Part of the kingdom.'(37*) We hear little about the feelings of the unhappy labourers who were brought home by the overseers when they fell into want in a parish which had taken them in with their certificate, but it is not difficult to imagine the scene. It is significant that the Act of 1795 (to which we shall refer later), contained a provision that orders of removal were to be suspended in cases where the pauper was dangerously ill.

From the Rules for the Government of the Poor in the Hundreds of Loes and Wilford, already alluded to, we learn some particulars of the allowance made for the removal of paupers. Twenty miles was to be considered a day's journey; 2d. was to be allowed for one horse, and so on in proportion per mile: but if the distance were over twenty miles, or the overseer were obliged to be out all night, then 2s. was to be allowed for him, 1s. for his horse, and 6d. for each pauper.(38*) It is improbable that such a scale of payment would induce the overseer to look kindly on the causes of his trouble: much less would a pauper be a *persona grata* if litigation over his settlement had already cost the parish large sums.

It has been necessary to give these particulars of the Law of Settlement for two reasons. In the first place, the probability of expulsion, 'exile by administrative order,' as it has been called, threw a shadow over the lives of the poor. In the second place, the old Law of Settlement became an immensely more important social impediment when enclosure and the great industrial inventions began to redistribute population. When the normal labourer had common rights and a strip and a cow, he would not wish to change his home on account of temporary distress: after enclosure he was reduced to a position in which his distress, if he stayed on in his own village, was likely to be permanent.

The want and suffering revealed in Davies' and Eden's budgets came to a crisis in 1795, the year of what may be called the revolt of the housewives. That year, when exceptional scarcity sharpened the edge of the misery caused by the changes we have summarised, was marked by a series of food riots all over England, in which a conspicuous part was taken by women. These disturbances are particularly interesting from the discipline and good order which characterise the conduct of the rioters. The rioters when they found themselves masters of the situation did not use their strength to plunder the shops: they organised distribution, selling the food they seized at what they considered fair rates, and handing over the proceeds to the owners. They did not rob: they fixed prices, and when the owner of provisions was making for a dearer market they stopped his carts and made him sell on the spot. At Aylesbury in March 'a numerous mob, consisting chiefly of women, seized on all the wheat that came to market, and compelled the farmers to whom it belonged to accept of such prices as they thought proper to name.'(39*) In Devonshire the rioters scoured the country round Chudleigh, destroying two mills: 'from the great number of petticoats, it is generally supposed that several men were dressed in female attire.'(40*) At Carlisle a band of women accompanied by boys paraded the streets, and in spite of the remonstrances of a magistrate, entered various houses and shops, seized all the grain, deposited it in the public hall, and then formed a committee to regulate the price at which it should be sold.(41*) As Ipswich there was a riot over the price of butter, and at Fordingbridge, a certain Sarah Rogers, in company with other women started a cheap butter campaign. Sarah took some butter from Hannah Dawson 'with a determination of keeping it at a reduced price,' an escapade for which she was afterwards sentenced to three months' hard labour at the Winchester Assizes.' Nothing but the age of the prisoner (being very young) prevented the Court from passing a more severe sentence.(42*) At Bath the women actually boarded a vessel, laden with wheat and flour. which was lying in the river and refused to let

her go. When the Riot Act was read they retorted that they were not rioting, but were resisting the sending of corn abroad, and sang God save the King. Although the owner took an oath that the corn was destined for Bristol, they were not satisfied, and ultimately soldiers were called in, and the corn was reloaded and put into a warehouse.(43*) In some places the soldiers helped the populace in their work of fixing prices: at Seaford, for example, they seized and sold meat and flour in the churchyard, and at Guildford they were the ringleaders in a movement to lower the price of meat to 4d. a pound, and were sent out of the town by the magistrates in consequence.(44*) These spontaneous leagues of consumers sprang up in many different parts, for in addition to the places already mentioned there were disturbances of sufficient importance to be chronicled in the newspapers, in Wiltshire, Suffolk, and Norfolk, whilst Eden states that at Deddington the populace seized on a boat laden with flour, but restored it on the miller's promising to sell it at a reduced price.(45*)

These riots are interesting from many points of view. They are a rising of the poor against an increasing pressure of want, and the forces that were driving down their standard of life. They did not amount to a social rebellion, but they mark a stage in the history of the poor. To the rich they were a signal of danger. Davies declared that if the ruling classes learnt from his researches what was the condition of the poor, they would intervene to rescue the labourers from 'the abject state into which they are sunk.' Certainly the misery of which his budgets paint the plain surface could not be disregarded. If compassion was not a strong enough force to make the ruling classes attend to the danger that the poor might starve, fear would certainly have made them think of the danger that the poor might rebel. Some of them at any rate knew their Virgil well enough to remember that in the description of the threshold of Orcus, while 'senectus' is 'tristis' and 'egestas' is 'turpis,' 'fames' is linked with the more ominous epithet 'malesuada.' If a proletariat were left to starve despair might teach bad habits, and this impoverished race might begin to look with ravenous eyes on the lot of those who lived on the spoils and sinecures of the State. Thus fear and pity united to sharpen the wits of the rich, and to turn their minds to the distresses of the poor.

NOTES:

1. Davies, *The Case of Labourers in Husbandry*, p. 15.
2. In some instance it is reckoned as costing only 7s. Ibid, see p. 185.
3. Davies, p. 181.
4. Eden, vol. ii, p. 547.
5. Vol. xxv, p. 488.
6. See *Annals of Agriculture*, vol. ix, pp. 13, 14, 165-167, 636-646, and vol. x, pp. 218-227.
7. Capel Lofft (1751-1824); follower of Fox; writer of poems and translations from Virgil and Petrarch; patron of Robert Bloomfield, author of *Farmer's Boy*. Called by Boswell 'This little David of popular spirit.'
8. Thomas Ruggles (1737-1813), author of *History of the Poor*, published in 1793, Deputy-Lieutenant of Essex and Suffolk.
9. Sir Henry Gould, 1710-1794.

10. *The Annals of Agriculture* (vol. xvii, p. 293) contains a curious apology by a gleaner in 1791 to the owner of some fields, who had begun legal proceedings against her and her husband. 'Whereas I, Margaret Abree, with of Thomas Abree, of the city of New Sarum, blacksmith, did, during the barley harvest, in the month of September las, many times wilfully and maliciously go into the fields of, and belonging to, Mr. Edward Perry, at Clarendon Park, and take with me my children, and did there leaze, collect, and carry away a quantity of barley... Now we do hereby declare, that we are fully convinced of the illegality of such proceedings, and that no person has a right to leaze any sort of grain, or to come on any field whatsoever, without the consent of the owner; and are also truly sensible of the obligation we are under to the said Edward Perry for his lenity towards us, inasmuch as the damages given, together with the heavy cost incurred, would have been much greater than we could possibly have discharged, and must have amounted to perpetual imprisonment, as even those who have least disapproved of our conduct, would certainly not have contributed so large a sum to deliver us from the legal consequences of it. And we do hereby faithfully promise never to be guilty of the same, or any like offence in future. Thomas Abree, Margaret Abree. Her + Mark.' It is interesting to compare with this judge-made law of England the Mosaic precept: 'And when ye reap the harvest of your land, thou shalt not make clean riddance of the corners of they field when thou reapest, neither shalt thou gather any gleanings of thy harvest: thou shalt leave them unto the poor, and to the stranger.' (*Leviticus* xxiii, 22).

11. Kent, Hints. p. 238.

12. p. 34; cf. Marshall on the Southern Department, p. 9, 'Yorkshire bacon, generally of the worst sort, is retailed to the poor from little chandlers' shops at an advanced price, bread in the same way.'

13. *Notes on the Agriculture of Norfolk*, p. 165.

14. *Large and Small Holdings*, p. 11.

15. Young's *Political Arithmetic*, quoted by Lecky, vol. vii, p. 263 note.

16. See Appendix B for six of these budgets.

17. Ruggles, *Annals of Agriculture*, vol. xiv, p. 205.

18. Eden, vol. i, p. 180.

19. The parish might have the satisfaction of punishing the mother by a year's hard labour (7 James I, c. 4, altered in 1810), but could not get rid of the child.

20. *Wealth of Nations*, vol. i, p. 194.

21. Quoted by Eden, vol. i, p. 347.

22. See *Ibid.*, p. 296.

23. Vol. xiv, pp. 205, 206.

24. An example of a parish where the interests of the employer and of the parish officers differed is given in the House of Commons Journal for February 4, 1788, when a petition was presented from Mr. John Wilkinson, a master iron founder at Bradley, near Bilston, in the parish of Wolverhampton. The petitioner states 'that the present Demand for the Iron of his

Manufacture and the Improvement of which is capable, naturally encourage a very considerable Extension of his Works, but that the Experience he has had of the vexation Effect, as well as of the constantly increasing Amount of Poor Rates to which he is subject, has filled him with Apprehensions of final Ruin to his Establishment; and that the Parish Officers... are constantly alarming his Workmen with Threats of Removal to the various Parishes from which the Necessity of employing skilful Manufacturers has obliged him to collect them.' He goes on to ask that his district shall be made extra-parochial to the poor rates.

25. Hasbach, pp. 172-3.

26. Eden, vol. ii, p. 384.

27. See p. 148.

28. The unborn were the special objects of parish officers' dread. At Derby the persons sent out under orders of removal are chiefly pregnant girls. (Eden vol. ii, p. 126). Bastards (see above) with some exceptions gained a settlement in their birthplace, and Hodge's legitimate children might gain one too if there was any doubt about the place of their parents' settlements.

29. Eden, vol. ii, p. 383.

30. vol. ix, p. 660.

31. Eden, vol. ii, p. 288. 'In considering the accounts of the state of the commons, it must be remember that the open parishes thus paid the penalty of enclosure elsewhere. Colluvies vicorum. But these open fields and commons were becoming rapidly more scarce.

32. Ibid, p. 691.

33. Eden, vol. ii, p. 743.

34. Ibid.

35. Ibid, vol. ii, p. 591.

36. Ibid, p. 654, re Litchfield. 'In two or three small parishes in this neighbourhood, which consist of large farms, there are very few poor: the farmers, in order to prevent the introduction of poor from other parishes, hire their servants for fifty-one weeks only. I conceive, however, that this practice would be considered, by a court of justice, as fraudulent, and a mere evasion in the master; and that a servant thus hired, if he remained the fifty-second week with his master, on a fresh contract, would acquire a settlement in the parish.'

37. See *Annual Register*, 1817, p. 298.

38. Eden, vol. ii, p. 689.

39. *Reading Mercury*, April 20, 1795; also *Ipswich Journal*, March 28.

40. *Ipswich Journal*, April 18.

41. Ibid, August 8.

42. Ibid.

43. Ibid.

44. *Reading Mercury*, April 27, 1795.

45. Eden, vol. ii, p. 591.