

bands, under the orders of a chief, held the inhabitants in nightly terror, commanding them to put out their lights, and keep within their houses, under penalty of death. Their ravages were not confined to the towns; they would march with suddenness and secrecy to distant villages, and rapidly effect their purposes of destruction. The General Ludd, who led on these armed and disguised desperadoes, would address his forces in a short speech, divide them into parties, and assign their respective operations. Then, in the silence of night, would houses and factories be broken open, frames and other machines be demolished, unfinished work be scattered on the highways, furniture be wholly destroyed. The ignorance which has more or less prevailed at all times on the subject of machinery—coupled with the want of employment produced by the depression of every branch of industry—was the cause that, undeterred by the terrible penalties of the law, the Luddites still pursued the course which had well-nigh driven the lace manufacture from their district, and converted temporary distress into permanent ruin.

The sufferings of the poor in 1816 were too manifest not to call forth an unusual amount of public sympathy, displayed in subscriptions for relief, and in schemes for providing employment. However local charity may have mitigated the intensity of the evil arising out of the general exhaustion of capital, the more ostentatious exertions of that period were economic mistakes, which would have become fatal delusions if they had not quickly broken down. Every scheme to provide unprofitable employment by what is called charity must necessarily be fallacious. Affording no returns to produce continued employment, it soon comes to an end. The higher benevolence which goes to the root, as far as possible, of the evils of society, was then little understood and less practised. Let us endeavour to trace the operation, during the first year in which Parliament had leisure to attend to the condition of the people, of that legislation which seeks to remove evil laws and to amend worn-out institutions.

The notion that had been engendered by the French Revolution that to innovate was to destroy, that to reform was to revolutionize, was the creed of the majority from the close of the war to the end of the reign of George the Fourth. The re-action, which in 1816 had commenced, of a more enlightened public opinion, finally produced the remarkable progress in social improvement which is the great characteristic of the happier eras of William the Fourth and of Victoria. This re-action acquired efficiency and permanence from the very obstinacy with which it was resisted.

It grew up during an incessant conflict, in which the roughest weapons of controversy were freely used by speakers and by writers. The amount of acrimony and intolerance which we may trace in the periodical press of that time, now appears ludicrous to the few who have survived what Sidney Smith calls "an awful period for those who had the misfortune to entertain liberal opinions." A later generation turns with loathing from the mode in which educated men denounced those who differed from them in the notion that the English constitution, as then understood, was the best possible form of government, and that what those who were sneered at as enthusiasts called social evils were really blessings in disguise. When the enthusiasts attempted to repeal or modify laws wholly unsuited to the advanced opinions of the age, and which appeared unlikely to provoke the hostility of mere selfish interests, there was always some formidable adversary to stand in the breach, ready to defend the crumbling outer walls of our time-honoured institutions, as if they constituted the strength and glory of the citadel. Wise men looked upon English life, and thought—

" 'tis an unweeded garden
That grows to seed; things rank and gross in nature
Possess it merely."

They were levellers—they were visionaries—they would make government impossible, said an overwhelming majority. A type of the class who resisted every approach to improvement was the Lord Chancellor Eldon. His thought by day, his dream by night, was to uphold what he called the Constitution—that indefinable compound of principles and expedients, that to him was as sacred as the commands of Holy Writ. Whoever approached to lay his hands on that ark, whether he came to blot out a cruel statute, or to mitigate a commercial restriction, or to disfranchise a corrupt borough, or to break down a religious disability, was his enemy. It has been truly observed, that he confounded every abuse that surrounded the throne, or grew up within the precincts of the altar, with the institutions themselves—"alike the determined enemy of all who would either invade the institution or extirpate the abuse." Romilly was the foremost amongst the courageous spirits who risked something for the amelioration of the lot of their fellow-men. His perseverance was an example to other earnest labourers, who, amidst much suspicion, and some ridicule, rested not till they had secured a neutral ground on which the benevolent and wise of each party might labour without any compromise of their political consistency. Criminal Laws; Police; Poor-

Laws; Education; these offered themselves, when the excitement of the war had passed away, as subjects that might be dealt with in the same spirit which had finally carried the abolition of the Slave Trade. Tory might unite with Whig in measures whose necessity was proclaimed in many forms of misery, of oppression, of neglect. Resistance to change gradually became feebler and feebler. There was a wide gulf between the land of promise and the land of reality; but it was first bridged over with a single plank, and then a solid structure arose, across which the advocates of "things as they should be" securely passed to an enduring triumph, of which the wisest of the adherents of "things as they are" came, in the fulness of time, to share the honour.

The name of reform in the Criminal Laws had not been heard in the House of Commons for fifty-eight years, when, in 1808, Romilly carried his Bill for the abolition of the punishment of death for privately stealing from the person to the value of five shillings; in other words, for picking pockets. His friend Scarlett advised him to attempt at once to repeal all the statutes which punish with death mere thefts unaccompanied by any act of violence, or other circumstance of aggravation; but Romilly, seeing that he had no chance of being able to carry through the House a Bill which was to expunge at once all those laws from the statute-book, determined to attempt the repeal of them one by one. Upon this prudential principle Romilly carried his first reform in 1808. Nevertheless, the House of Commons, which consented to pass the Bill, forced upon him the omission of its preamble:—"Whereas, the extreme severity of penal laws hath not been found effectual for the prevention of crimes; but, on the contrary, by increasing the difficulty of convicting offenders, in some cases affords them impunity, and in most cases renders their punishment extremely uncertain." The temper with which too many persons of rank and influence received any project of amelioration at the beginning of this century, is forcibly exhibited in an anecdote which Romilly has preserved for our edification. The brother of a peer of the realm, fresh from a debauch, came up to him at the bar of the House of Commons, and stammered out, "I am against your Bill; I am for hanging all."*

In 1810 Romilly brought in three Bills to repeal the Acts which punished with death the crimes of stealing privately in a shop goods of the value of five shillings, and of stealing to the amount of forty shillings in a dwelling-house, or on board vessels in navigable rivers. The first Bill passed the House of Commons, but was

* Romilly.

lost in the Lords. The other two were rejected. In 1811 the rejected Bills were again introduced, with a fourth Bill, abolishing the capital punishment for stealing in bleaching-grounds. The four Bills were carried through the House of Commons; but only that on the subject of bleaching-grounds was sanctioned by the Lords. The constant argument that was employed on these occasions against the alteration of the law was this—that of late years the offences which they undertook to repress were greatly increased. Justly did Romilly say, "A better reason than this for altering the law could hardly be given." On the 24th of May, 1811, when three of the Bills were rejected in the House of Lords, lord Ellenborough declared, "They went to alter those laws which a century had proved to be necessary, and which were now to be over-turned by speculation and modern philosophy."* The Lord Chancellor, Eldon, on the same occasion stated, that he had himself early in life felt a disposition to examine the principles on which our criminal code was framed, "before observation and experience had matured his judgment. Since, however, he had learnt to listen to these great teachers in this important science, his ideas had greatly changed, and he saw the wisdom of the principles and practice by which our criminal code was regulated."† In 1813 sir Samuel Romilly's Bill for the abolition of capital punishment in cases of shoplifting, was carried by the Commons in the new Parliament; but it was again rejected in the House of Lords. No further attempt was made towards the amelioration of this branch of our laws till the year 1816.

On the 16th of February sir Samuel Romilly obtained leave to bring in a Bill repealing the Act of William the Third, which made it a capital offence to steal privately in a shop to the value of five shillings. He described this Act as the most severe and sanguinary in our statute-book. As recently as 1785, no less than ninety-seven persons were executed in London for this offence alone; and the dreadful spectacle was exhibited of twenty suffering at the same time. The capital sentence was now constantly evaded by juries committing a pious fraud, and finding the property of less value than was required by the statute. The consequence, if severe laws were never executed, was, that crime went on to increase, and the crimes of juvenile offenders especially. On moving the third reading of the Bill, on the 15th of March, sir Samuel Romilly called attention to the great number of persons of very tender age who had recently been sentenced to death for pilfering in shops. At that moment there was a child in Newgate, not ten years of age,

* Hansard, vol. xx. p. 299.

† *Ibid.*, vol. xx. p. 300.

under sentence of death for this offence; and the Recorder of London was reported to have declared that it was intended to enforce the laws strictly in future, to interpose some check, if possible, to the increase of youthful depravity. The Bill passed the Commons, but was thrown out in the Lords on the 22nd of May. On this occasion the Lord Chief Justice agreed with the Lord Chancellor, "that the effect of removing the penalty of death from other crimes had rendered him still more averse to any new experiment of this kind. Since the removal of the vague terror which hung over the crime of stealing from the person, the number of offences of that kind had alarmingly increased." * Thus, with the absolute certainty of experience that bloody laws rigorously administered did not diminish crime, the legislators of the beginning of the nineteenth century believed, or affected to believe, that the same laws scarcely ever carried into execution would operate through the influence of what they called "a vague terror." The inefficiency of this system is forcibly demonstrated by a comparison of the number of forged notes presented at the Bank of England, with the number of persons convicted of forging and uttering such notes, and the number of these executed for forgery. In 1816 there were 17,885 forged notes presented at the Bank of England; 104 persons were convicted of forgery; 18 were executed. The capital punishment for forgery was not abolished till 1833; but there was no execution for that offence after 1829. The crime had decreased by removing the temptation to its perpetration upon a large scale. In 1820 there were 29,035 forged notes presented at the Bank; the convictions were 352; the executions were 21. In 1823 the forged notes presented were 1648; the convictions were 6; the executions were 2. The resumption of cash payments had extinguished the notes for one pound and two pounds, which had previously constituted the chief circulating medium.

In 1816 our system of police had arrived at its perfection of imbecile wickedness. The machinery for the prevention and detection of crime was exactly accommodated to the machinery for its punishment. On the 3rd of April, on the motion of Mr. Bennet, a Committee of the House of Commons was appointed to inquire into the state of the police of the metropolis. The Committee was resumed in 1817; and two Reports were presented, which were among the first causes of the awakening of the public mind to a sense of the frightful evils which were existing in what we flattered ourselves to be the most civilized city in the world. There was no unity of action amongst the petty jurisdictions into which the

* Hansard, vol. xxxiv. p. 684.

metropolis was divided. The notion of a preventive police was utterly unknown. The "thief-taker," as the police officer was called, was the great encourager of crime. The suppression of crime would have taken away the chief profits of his occupation. Flash-houses, known in the scientific phraseology of the police as "flash-cribs," "shades," and "infernals," were filthy dens, where thieves and abandoned females were always to be found, riotous or drowsy, surrounded by children of all ages, qualifying for their degrees in the college of crime. "There," says a Middlesex magistrate, examined before the Committee of 1816, "they (the children) see thieves and thief-takers sitting and drinking together on terms of good-fellowship; all they see and hear is calculated to make them believe they may rob without fear of punishment, for in their thoughtless course they do not reflect that the forbearance of the officers will continue no longer than until they commit a forty-pound crime, when they will be sacrificed." A forty-pound crime!—the phraseology is as obsolete as if it were written in the pedlar's French of the rogues of the sixteenth century. A forty-pound crime was a crime for whose detection the State adjudged a reward, to be paid on conviction, of forty pounds; and, as a necessary consequence the whole race of thieves were fostered into a steady advance from small offences to great, till they obligingly ventured upon some deed of more than common atrocity, which should bestow the blood-money upon the officers of the law who had so long petted and protected them. The system received a fatal blow in 1816, in the detection of three officers of the police, who had actually conspired to induce five men to commit a burglary, for the purpose of obtaining the rewards upon their conviction. The highwaymen who infested the suburbs of the metropolis had been eradicated—they belonged to another age. Offences against the person were very rarely connected with any offences against property. But the uncertainty of punishment, the authorized toleration of small offenders, and the organized system of negotiation for the return of stolen property, had filled the metropolis with legions of experienced depredators. The public exhibitions of the most profligate indecency and brutality can scarcely be believed by those who have grown up in a different state of society. When Defoe described his Colonel Jack, in the days of his boyish initiation into vice, sleeping with other children amidst the kilns and glasshouses of the London fields, we read of a state of things that has long passed away. But, as recently as 1816, in Covent Garden Market, and other places affording a partial shelter, hundreds of men and women, boys and girls, assembled together, and

continued during the night, in a state of shameless profligacy, which is described as presenting a scene of vice and tumult more atrocious than anything exhibited even by the lazzaroni of Naples.

The brilliantly lighted, carefully watched, safe, orderly, and tranquil London of the present day, presents as great a contrast to the London of 1816, as that again, contrasted with the London of 1762, the year in which the Westminster Paving and Lighting Act was passed. Street robberies, before that period, were the ordinary events of the night. Security was the exception to the course of atrocity, for which the Government applied no remedy but to hang. For half a century after this the metropolis had its comparative safety of feeble oil-lamps and decrepit watchmen. The streets were filled with tumultuous vagabonds; and the drowsy guardians of the night suffered every abomination to go on in lawless vigour, happy if their sleep were undisturbed by the midnight row of the drunken rake. In 1807 Pall-Mall was lighted by gas. The persevering German who spent his own money and that of subscribers to his scheme, had no reward. The original gas company, whose example was to be followed, not only by all England, but by the whole civilized world, was first derided, and then treated in Parliament as rapacious monopolists, intent upon the ruin of established industry. The adventurers in gas-light did more for the prevention of crime than the Government had done since the days of Alfred. We turn to the Parliamentary Debates, and we see how they were encouraged in 1816,—nine years after it had been found that the invention was of inappreciable public benefit. "The company," said the earl of Lauderdale, "aimed at a monopoly, which would ultimately prove injurious to the public, and ruin that most important branch of trade, our whale fisheries."* Alderman Atkins "contended that the measure was calculated to ruin that hardy race of men, the persons employed in the Southern and Greenland-whale fisheries, in each of which a million of money, and above a hundred ships, were engaged. If the Bill were to pass, it would throw out of employ ten thousand seamen, and above ten thousand rope-makers, sail-makers, mast-makers, &c., connected with that trade."† Who can forbear to admire the inexhaustible fund of benevolence that for ages had been at work in the advocacy of the great principle of protection?

A Committee of the House of Commons was appointed in 1815 to inquire into the state of mendicity and vagrancy in the metropolis and its neighbourhood; and they continued their sittings in 1816; reporting minutes of the evidence in each year. Beyond

* Hansard, vol. xxxiv. p. 1280.

† *Ibid.*, p. 1072.

these Reports no legislative measure was adopted. The evidence went rather to show the amount of imposture than of destitution. To collect such evidence was an amusing occupation for the idle mornings of Members of Parliament. To inquire into the causes of destitution and its remedies would have been a far heavier task. The chief tendency of the evidence was to show how the sturdy beggar was a capitalist and an epicure; ate fowls and beefsteaks for supper, and despised broken meat; had money in the funds, and left handsome legacies to his relations. The witnesses, moreover, had famous histories of a lame impostor who tied up his leg in a wooden frame, and a blind one who wrote letters in the evening for his unlettered brethren; of a widow who sat for ten years with twins who never grew bigger, and a wife who obtained clothes and money from eleven lying-in societies in the same year. But the Committee had also some glimpses of real wretchedness amidst these exciting tales of beggar-craft—as old as the days of the old Abraham men. They heard of Calmel's Buildings, a small court of twenty-four houses in the immediate vicinity of Portman Square, where more than seven hundred Irish lived in the most complete distress and profligacy; and they were told that the court was totally neglected by the parish; that it was never cleaned; that people were afraid to enter it from dread of contagion. In George Yard, Whitechapel, they were informed that there were two thousand people, occupying forty houses, in a similar state of wretchedness. Much more of this was told the Committee; but the evil was exhibited and forgotten. Legislation for Public Health was unknown till 1848, except in the old laws of quarantine. Very much of what was called the vagrancy of the metropolis was a natural consequence of the administration of the Poor Laws throughout the kingdom. A large proportion of the money raised for the relief of the poor was expended in shifting the burthen of their relief from one parish to another; and Middlesex kept a number of functionaries in active operation, to get rid of the vagrants that crowded into London, by passing them out of the limits of the metropolitan county, to return, of course, on the first convenient occasion. As Middlesex worked under the Law of Settlement, so worked the whole kingdom. An intelligent foreigner, who travelled in England in 1810, saw how the poor were repulsed from one parish to another "like infected persons. They are sent back from one end of the kingdom to the other, as criminals formerly in France, *de brigade en brigade*. You meet on the high roads, I will not say often but too often, an old man on foot with his little bundle—a helpless widow, pregnant perhaps, and two or three barefooted

children following her—become paupers in a place where they had not yet acquired a legal right to assistance, and sent away, on that account, to their original place of settlement.”* This Law of Settlement was in full operation, playing its fantastic tricks from the Channel to the Tweed, when the peace filled the land with disbanded seamen and other servants of war; and agricultural labourers, who could find no employ at home, were wandering, as it was called, to search for capital in some unknown region where capital was seeking for labour. The statute of 1662, the foundation of the Law of Settlement, † forbade this wandering, and gave a very amusing explanation of the ground of its prohibitions: “Whereas, 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 great natural law of labour seeking exchange with capital was to be resisted, by a law which declared that those who sought to effect this exchange were “rogues and vagabonds.” In this spirit agricultural parishes very generally came to the resolution of employing none but their own parishioners. “The immediate consequence of this determination was, the removal of numbers of the most industrious families from homes where they had lived in comfort, and without parish relief, all their lives, to a workhouse in the parish to which they belonged.” ‡

It was not till 1861 that the wedge was introduced that might break up the selfish and ignorant laws for the removal of the poor. One of the greatest evils attending the parochial terror of new settlers was the filthy and ruinous state of the dwellings of agricultural labourers. The evil has been remedied in some degree, but in too many districts it exists now as it existed when Simond “asked proprietors of land, or farmers, why they did not build houses for their labourers;” and was told that “far from building, they would rather pull down such houses.” The labourers were crowded in hovels of the adjacent town or village. Cottages were not built or properly upheld in agricultural parishes, for what capitalist would speculate in houses for the labourers, when the most industrious might be hurried away at the bidding of the overseer? The tyranny seems likely to be destroyed by the intelligence which, sooner or later, sweeps away the great or the petty tyrant.

On the 28th of May, Mr. Curwen, an intelligent agriculturist,

* Simond—“Tour in Great Britain,” vol. i. p. 293.

† See *Ante*, vol. iv. p. 172.

‡ Answers from Sussex to Commissioners of Poor Law inquiry.

brought the subject of the Poor Laws before the House of Commons, on a motion for the appointment of a Committee of Inquiry. Mr. Curwen had a plan—as many others had their plans. His scheme formed small part of the deliberations of the Committee, which reported in 1817. Their recommendations for the remedy of the enormous evil of the existing Poor Laws did not penetrate beneath the surface. In 1816 the amount of poor-rate levied was 6,937,425*l.* This charge was at the rate of 12*s.* 4½*d.* per head upon the population of England and Wales.* The average annual expenditure for the relief of the poor had gradually increased from about two millions at the commencement of the war, to seven millions at its close. A very large portion of the money that had been spent in fostering pauperism during the war years, by parish allowances in aid of wages, represents the amount of degradation and misery which the labourers endured, as compared with their unallowanced forefathers. The national debt represents, in a great degree, the money expended in unprofitable wars,—the waste of capital upon objects that can only be justified by the last necessity, and which are the result of those evil passions which the improved knowledge and virtue of mankind may in time root out. In the same way, had the money expended upon fostering pauperism been raised upon loan, we should have had an amount of some two hundred millions, representing, in a like degree, the waste of capital expended in drying up the sources of industry and skill, and paying the alms of miserable indigence instead of the wages of contented labour. It is difficult to conceive a more complete state of degradation than the allowanced labourers exhibited in 1816. With the feudal servitude had passed away the feudal protection. The parish servitude imposed the miseries and contumelies of slavery, without its exemption from immediate care and future responsibility. The old workhouse system was as productive of evil in principal, though not in amount, as the allowance system. In the parish workhouse the consequences of want of classification and bad management operated with the greatest hardship upon children. Habits were formed in the workhouse which rendered the path to respectability almost inaccessible. These children were disposed of under the apprenticing system, and were doomed to a dreary period of servitude, under some needy master who had been tempted in the first instance to take them by the offer of a small premium. The parochial plan of putting out children, with its attendant evils,

* Purdy, “On the English Poor Rate.”

was a necessary consequence of the want of training while in the workhouse.

In 1807, Mr. Whitbread proposed to the House of Commons a very large and comprehensive measure of Poor-Law Reform. The principles which he advocated were those of real statesmanship. To arrest the constant progress of pauperism, he desired to raise the character of the labouring classes. He called upon the country to support a plan of general national education; he proposed a method under which the savings of the poor might be properly invested in a great national bank. At the period when Mr. Whitbread brought forward his plan of Poor-Law Reform, the system of mutual instruction, introduced by Lancaster and Bell, was attracting great attention. Too much importance was perhaps at first attached to the mechanical means of education then recently developed; but the influence was favourable to the establishment of schools by societies and individuals. The Government left the instruction of the people to go on as it might without a single grant, for more than a quarter of a century.

From 1807 to the close of the war, the Legislature heard no word on the Education of the People. The man who for forty-five years has devoted much of his untiring energy to this great question, had in 1816 come back to the place in the councils of the nation which he won in 1812 by a combination of industry and talent almost unprecedented. Henry Brougham had not been in Parliament for three years. On the 21st of May, 1816, he moved for the appointment of a Select Committee "to inquire into the state of the Education of the lower orders of the people in London, Westminster, and Southwark." The motion, which was brought forward with great caution by the mover, was unopposed. The Committee made its first report on the 20th of June, having conducted its inquiries with more than usual activity. The energy of Mr. Brougham, who acted as chairman, gave a remarkable impulse to this important investigation. It was found that in the metropolis there were a hundred and twenty thousand children without the means of education. The principal labours of the Committee had consisted in their examination of evidence as to the number and condition of the charity and parish schools destined for the education of the lower orders. The number of such institutions exceeded anything that could have been previously believed; but the expenditure of the funds was, in many cases, neither pure nor judicious. A few were educated and brought up—the many were neglected. In the country, instances of flagrant abuses had been heard of. Mr. Brougham's Report produced no hostile feelings on this occasion.

In 1818 the powers of inquiry granted to the Committee were no longer confined to the metropolis. Then the larger question of the extension of education was merged in a furious controversy as to the amount of abuses in endowed charities, and the propriety of subjecting the higher schools, such as Eton and Winchester, and also Colleges in the Universities, to a searching inquiry into the nature of their statutes, and their adherence to the objects of their foundation. An Act was subsequently passed, in consequence of the labours of the Committee, to appoint Commissioners to inquire concerning the abuse of Charities connected with Education; and by a second Act the right of inquiry was extended to all charities, the Universities and certain great Foundation schools excepted. The Education Commission was thus merged in the Charity Commission. Of the great national benefits that resulted from that Commission no one can doubt. But it may be doubted whether the controversial shape which the question of education assumed in 1818 did much to advance the disposition which prevailed in 1816, to provide a general system of popular instruction. From some unhappy prejudice—from apathy, or from cowardice—the education of the people made small legislative progress for twenty years. Perhaps the old fable of the sun and the wind experimenting upon the removal of the traveller's cloak, may afford us some solution of this problem. But the Reports of the Education Committee were of the highest value in showing us the extent of instruction at the time of its labours. There were 18,500 schools, educating 644,000 children; of this number 166,000 were educated at endowed schools, and 478,000 at unendowed schools, during six days of the week. This number was independent of Sunday schools, of which there were 5100, attended by 452,000 children; but of course many of these Sunday scholars were included in the returns of other schools.

In the plan of Poor-Law Reform brought forward by Mr. Whitbread in 1807, he earnestly advocated the consideration of a mode by which the savings of the poor might be safely and profitably invested. Three or four years previous, Mr. Malthus, in his "Essay on Population," had argued that "it might be extremely useful to have county banks, where the smallest sums would be received, and a fair interest granted for them." Mr. George Rose had, as early as 1793, legislated for the encouragement of Friendly Societies. In 1798 a bank for the earnings of poor children was established at Tottenham; and this was found so successful, that a bank for the safe deposit of the savings of servants, labourers, and others, was opened at the same place in 1804. Interest was

here allowed to the depositors. A similar institution was founded at Bath in 1808. But the greatest experiment upon the possibility of the labouring poor making considerable savings was tried in Scotland. "The Parish Bank Friendly Society of Ruthwell" was established by the Rev. Henry Duncan in 1810. The first London Savings-Bank did not commence its operations till January, 1816. In the Parliamentary Session of 1816, Mr. Rose brought in a bill for the regulation of Savings-Banks, which was subsequently withdrawn for revision. Of the possible benefits of these institutions there could be no doubt in the minds of all men who were anxious to improve the condition of the people. "What a bubble!" wrote Cobbett.

In the Session of 1816 one step was made towards some improvement of that code which Blackstone termed "a bastard slip of the old forest laws; . . . both productive of the same tyranny to the Commons, but with this difference,—that the forest laws established only one mighty hunter throughout the land; the game-laws have raised a little Nimrod in every manor." The attention of the House of Commons was called to this subject in consequence of the murder of colonel Berkeley's gamekeeper by a gang of armed poachers; and a Committee was appointed "to take into consideration the laws relating to game."* They came to the Resolution, "that it is the opinion of this Committee, that all game should be the property of the person upon whose lands such game should be found." They contemplated the removal of the qualification to kill game—that law which had its beginning in the reign of Richard II., and which, perfected by the aristocratic legislators of the time of Charles II., required "fifty times the property to enable a man to kill a partridge as to vote for a knight of the shire."† The Committee of 1816 evidently pointed to the necessity of "removing the restraints upon the sale of game." It was not till after fifteen years of controversy that the statute of William IV. dispensed with the qualification for killing game, and legalized its sale. The statute of the 9th of George IV., and that of William IV., rendered the law more stringent and effective against poaching, especially by night. The number of convictions under the Acts for the preservation of game furnish no uncertain test, not only of the state of morals amongst the agricultural labourers, but of the presence or absence of those qualities which make the landed proprietor a blessing or a curse to his humble neighbours. In the more daring and depraved of the population of the rural districts, the

* Hansard, vol. xxxiv. col. 586.

† Blackstone.

severe administration of the game-laws produced a spirit such as was displayed in January 1816, by the Berkeley poachers, who cried out "Glory! glory!" when they had killed one gamekeeper and wounded six others.*

* "Annual Register," 1816—Chronic 6, p. 11.