

CHAPTER VII.

Poor Law Amendment Act.—Commission for preliminary inquiry.—Commissioners' Report.—Striking instances of Parochial Reform at Cookham and Southwell.—State of the Southern Agricultural Counties.—Of the Manufacturing Districts.—Violent opposition to the measure.—The Bill passed.—Debate on the Repeal of the Union with Ireland.—Irish Church.—Resignations of Mr. Stanley and three of his colleagues.—Resignation of lord Grey.—The Melbourne Administration.—The Budget.—Prorogation.—The Grey Banquet at Edinburgh.—The Houses of Parliament destroyed by fire.

THE great measure of the Session of Parliament for 1834 was the passing of the Act for "the Amendment and better Administration of the Laws relating to the Poor in England and Wales." That session was opened on the 4th of February, and concluded on the 15th of August. The Speaker, in his Address to the King on the day of prorogation, said, that the Poor Law Amendment Bill had almost from the commencement to the close of the session occupied the unwearied attention of the Commons. It was impossible, he continued, for them to approach a subject of such infinite delicacy and such immense importance "without much of apprehension and he might say, much of alarm." It was several years before the apprehension and alarm passed away; before the hope of the Speaker could be generally entertained, "that its benefits will be as lasting as they will be grateful to all ranks and classes of society." The Bill was brought in by lord Althorp on the 17th of April. To understand the scope of the Parliamentary proceedings, we must notice with some detail the preliminary steps of a Commission which was appointed in 1832, "to make a full inquiry into the practical operation of the Poor Laws, and into the manner in which those Laws are administered." These Commissioners were also charged to report their opinion as to "what improvements might beneficially be made in these laws, and in the manner of administering them." This Report was signed by Charles James Blomfield, bishop of London; John Bird Sumner, bishop of Chester; and by Sturges Bourne, Nassau W. Senior, Henry Bishop, Henry Gawler, W. Coulson, James Traill, and Edwin Chadwick,—all known to the public for their capacity to deal with a question which had never yet been approached in a philosophical and courageous spirit of legislation.

The Report of the Commissioners, dated the 20th of February, 1834, was preceded by the publication of "Extracts from the information received," which volume was addressed to viscount Melbourne, Secretary of State for the Home Department. The Commissioners, in their introductory letter to this volume, expressed their belief that, although only a small part of the evidence which they were preparing to report, it contained more information on the subject to which it related than had ever been afforded to the country. These extracts were very largely circulated; and they contributed in a remarkable manner to the establishment of the principle that the utmost publicity and the freest discussion afford the best security for an eventual triumph of sound statesmanship over popular prejudice, enabling a government resolutely to labour for the removal of a deeply-rooted mischief—a task whose difficulties might have appeared almost insurmountable when "the inveterate canker" had eaten into the heart of the largest portion of the community.

The annual amount of the poor-rate at the close of the American War in 1783 was 2,132,487*l.* In half a century, that is, in 1833, the amount had risen to 8,606,501*l.* The population of England and Wales in the first period was about eight millions; in the second period about fourteen millions. The poor-rate levy had increased 300 per cent.; the population had increased about 75 per cent. Assuming that the increase of taxation, the fluctuation of the currency, and other disturbing causes, had contributed to produce this enormous increase, there could be no doubt in the minds of thinking men, that there was something beyond the mere pressure of the times which had long deranged the usual relation of labour and wages, and had produced, amongst the agricultural labourers especially, a reliance upon other means of support than their own industry and foresight. There had been several successful experiments of a parochial struggle against the mischievous system, which appeared to be rapidly proceeding to a consummation which would be equivalent to the whole rental of the country being swallowed up, not by poverty but by pauperism. Two or three remarkable men had been able to show, in their respective localities, that a consistent assertion of a principle might arrest the evil which a nation deplored, but of which few could see the way to a remedy. Of the parish of Cookham, in Berkshire, more than thirty years before the passing of the Poor Law Amendment Bill, the Rev. Thomas Whateley was the vicar. Under his active promotion and superintendence the most important reforms had been produced in an agricultural population, which, in common with the populations

of all the southern counties, had sunk into the lowest state of pauper degradation. "The moral and intellectual character of the good old English labourer, who in former times had boasted with honest pride that he never was beholden to a parish officer, was destroyed altogether."* Upon the termination of Mr. Whateley's pastoral residence in Cookham for forty years, his parishioners presented him with a service of plate. In his address of thanks he told them, that they, with no precedent to refer to, no authority to quote, had carried into active operation the great principles upon which the new Poor-Law Amendment Bill was founded. The destruction of the allowance system in aid of wages was the foremost of the principles to which Mr. Whateley alluded. You have effected, he said, "a saving of thirty thousand pounds to the ratepayers; but you did that which was worth more than double the money—you bettered the condition while you improved the manners and morals of the lower orders to a degree that is scarcely credible. . . . You have the satisfaction of having placed a Bible in every house, blankets upon every bed, fuel upon every fire, clothes upon every back, and plenty of wholesome food in every pantry." There was another great principle upon which the Poor-Law Amendment Bill was founded. Southwell, in Nottinghamshire, deserves especial mention as having been the parish where, with the humble experience of an overseer of the poor, one of the most energetic, clear-headed, and truly benevolent poor law reformers saw clearly what great effects would result from refusing out-door relief to the able-bodied poor, and offering the workhouse as a test of destitution. Mr. Nicholls, afterwards sir George Nicholls, in 1821 addressed a series of letters to the editor of the "Nottingham Journal," which were subsequently collected and published under the title of "Eight Letters on the Poor-Laws, by an Overseer." In the parish of Southwell at that time there was living, under the shade of the magnificent collegiate church, a pauper population constantly supported in their demands upon the rates by a bench of magistrates assembled weekly in petty sessions. There was a paid overseer to assist the ordinary overseers; there was a workhouse maintained at a considerable expense, without order or discipline, which had become the resort of the idle and profligate of both sexes. Under the bench of magistrates and the paid overseer the circle of pauperism became so widened as to embrace nearly the whole labouring population. Self-reliance and provident habits were destroyed. "In youth and in age, in sickness and in health, in seasons of abundance and in seasons of scarcity, with low prices

* Mr. Whateley's Evidence.

or with high prices, the parish was still looked to and relied upon as an unfailing resource to which every one clung, and from which every poor man considered that he had a right to obtain the supply of every want, even although such want was caused by his own indolence, vice, or improvidence."* The remedy for this evil was effected by discontinuing employment by the parish; by refusing allowances in aid of wages; by withholding the payment of rents of cottages; by excusing none from paying the poor's-rate; by establishing a school where the children of labourers burdened with large families might be fed and taught during the day; and by making workhouse relief the foundation of all other reforms. The workhouse principle insured the non-acceptance of parish relief unless under circumstances of actual want; such want being, at the same time, always certain of finding the relief of which it stood in need. By these energetic means the expenditure for the relief of the poor was reduced from 2,006*l.* in 1820-21 to 517*l.* in 1823,24. The examples of Southwell, and of Bingham, a parish on the opposite bank of the Trent, "were therefore of infinite value to the Commissioners, on whom had devolved the duty of devising a remedy for the abuses of the Poor-Laws; and they were relied upon accordingly as instances of substantial reforms, founded upon and growing out of the practical application of a principle simple and effective, and that might be reasonably expected, wherever it was adopted, to be as effective as it had proved in the case of these two parishes."†

In the Report of the Commissioners of Inquiry the workhouse of Southwell is described as one of the few instances of a place in which the aged and impotent are maintained in comfort, and the able-bodied supported, but under such restrictions as not to induce them to prefer it to a life of independent labour. Let us compare such a workhouse system with that which prevailed in parishes where the great ambition of the managers of the poor was to make the condition of the pauper infinitely superior to that of the independent labourer. Some of the details brought to light by the Commission of Inquiry are almost too ludicrous to be readily believed by those of the present generation. And yet no one who had experience of the parish business of the time of George IV. and William IV. would hesitate to admit their correctness to the fullest extent. Mr. Chadwick goes to the parish of St. Lawrence, Reading. The governor of the workhouse little knew the quality

* "Statement of the Proceedings at Southwell, drawn up by Mr. Nicholls in 1834, at the request of the Inquiry Commissioners.

† "History of the English Poor Law," by Sir George Nicholls, vol. ii. p. 230.

of the gentleman with whom he had to deal. Q. "What description of food do you give those under your charge?" A. "Good wholesome victuals as anybody would wish to taste. You shall taste it yourself. We give them all meat three times a week. The working men have a bellyful. We never weigh anything, and there is no stint, so as they do not waste anything. Then they have good table-beer and good ale." The querist then asked whether he might say that not only was the condition of those under the complacent governor's care better as regarded food, clothing, lodging, and comfort, than the labourers who toil out of doors, but that they were under no uncertainty, and had no anxiety about providing for themselves. "Yes, sir; you may say that. You may say, too, that they are better off than one-half of the ratepayers out of the house."* In this favoured parish of Reading the management of the out-paupers was equally characteristic, they having nearly the same amount of wages allowed them without work as could have been obtained by independent labourers with hard work. It was the same everywhere. The pauper was the favoured of God's creatures. Imposture and crime were bountifully rewarded, whilst industry and frugality met either with neglect or with persecution. There was a systematic slavery enforced in many parishes almost as cruel and certainly as demoralizing as the slavery in the West Indies. Mr. Hickson, a manufacturer at Northampton, a tradesman in London, and the owner of land at Stansford in Kent, thus describes his country experience. Some circumstance had occurred which obliged him to part with a hard-working industrious man, who had saved some money, who had cows and pigs, and who lived in a well-furnished cottage. Mr. Hickson says, "He told me at the time I was obliged to part with him,—'Whilst I have these things I shall get no work. I must part with them all. I must be reduced to a state of beggary before any one will employ me.' I was compelled to part with him at Michaelmas—he has not yet got work, and he has no chance of getting any until he has become a pauper; for, until then, the paupers will be preferred to him. He cannot get work in his own parish, and he will not be allowed to get any in other parishes."† When the hard-working industrious man became utterly destitute he would most probably get work, but his spirit would be broken. He might become reckless—he would certainly become surly. The administrators of parish relief, before they administered to

* "Extracts from Information," pp. 216—217.

† "Extracts of Evidence," p. 270. As to the operation of the Law of Settlement, see *ante*, vol. vii. p. 442.

the actual necessities of a poor man, were always occupied in discussions about his character. It was this pottering about "character," about "governors" (that is, magistrates and overseers), "being appointed for the punishment of evil-doers, and for the praise of them that do well," that produced grievous injustice under the old administration of the Poor-Laws. The squire, the clergyman, and the farmer, constituted themselves a tribunal for the suppression of vice and the encouragement of virtue, and they succeeded in producing either desperation or hypocrisy amongst the entire labouring population. If the junta was completed by the addition of a paid assistant overseer the discrimination was perfect. Those who have ever been conversant with the workings of the old system know that squalid filth was the test of destitution, and whining gratitude, as it was called, for the alms distributed was the test of character. If a labourer with a manly bearing came to the overseer, or to the Parish Committee, to remove some sudden calamity—if he asked something to prevent him selling his bed—he was insulted. The writer has seen the agonized tear of wounded pride start from the eye, and perhaps the groan of suppressed indignation escape from the lips;—if the groan was heard, that man's "character" was gone for ever. This pretence to discriminate between the good and the evil did much worse for the community than occasional injustice. It led away parish functionaries from the real object of their appointment—to administer relief to the indigent—into the belief that they were the great patrons of the whole labouring population, who could never go alone without their aid. They almost forced the condition of pauperism upon the whole working community by their beautiful system of rewards and punishments. They forgot that it was their business to give relief to destitution, and to destitution only, and so they established every sort of false test to guide them in the one duty of their office—to find out whether the want was real, and if so, to relieve it in a manner that would satisfy the necessity without destroying the honest pride of self-reliance.

The facts which we have thus touched upon as to the operation of the Poor-Laws in the southern counties must not be considered as exhibiting the general condition of the agricultural peasantry in the north, and certainly not as paralleled amidst the manufacturing population. The Commissioners indeed say in their letter to lord Melbourne, that "the mal-administration which was supposed to be confined to some of the agricultural districts appears to have spread over almost every part of the country and into the manufacturing towns." In the manufacturing districts

there was a peremptory and comparatively sudden necessity for the extension of the allowance system, arising out of the transition from hand to power-loom weaving. This vicissitude affected three-fifths of the population of Lancashire, especially in the country places, where the power-loom was not used, but where its effects had reduced the wages of the country weavers to a minimum which was not adequate for their maintenance. In the manufacturing towns the power-loom created a new but partial demand for labour, especially for that of children. To mitigate the inevitable distress the allowance-system was applied to able-bodied weavers. The farmers in their management of the parish funds could depress the rates of wages below the natural level. The manufacturers could not attempt—they certainly did not attempt—to imitate this practical oppression. The rate of wages of the hand-loom weavers did not sink lower than was to be expected as the natural result of an invention which compelled them to compete with the power of steam.*

On the 17th of April lord Althorp moved that leave be given to bring in a Bill to alter and amend the laws relative to the Relief of the Poor in England and Wales. It was absolutely necessary, he said, that there should be a discretionary power vested in some quarter to carry into effect recommendations calculated to introduce sound principles and the fruits of salutary experience into the administration of the Poor-Laws. It was his intention therefore to propose that his Majesty should be authorized to appoint a Central Board of Commissioners, invested with extraordinary power to enable it to accomplish the object proposed. The Bill introduced by lord Althorp was founded upon the recommendations of the Commissioners of Inquiry. It had remained a month under the consideration of the Cabinet, two of the Commissioners, Mr. Sturges Bourne and Mr. Senior, occasionally attending to afford explanations.† The great value of the preliminary inquiry and of the able Report of the Commissioners, as well as the sedulous attention which was bestowed upon all the details by a Committee of seven members of the Cabinet, may be inferred from the fact that, with very slight modifications, the Poor-Laws, as they are now administered throughout the country by Boards of Guardians acting under a Central Board, have during twenty-eight years been prescribed by the legislation of 1834. The proposition of this great measure was very favourably received by the House of Commons. The

* "Extracts," &c., p. 340.

† Nicholls—*History of the English Poor Law*, vol. ii. p. 278.

second reading was carried by a large majority; ayes, 299; noes, 20.

Between the second reading on the 9th of May, and the third reading on the 1st of July, a most powerful opposition had been got up against the measure. It was maintained, and of course popularly believed, that it was a bill of pains and penalties against the poor; that the endeavour to take the relief of the necessitous out of the hands of benevolent magistrates was to expose the poor to the grinding tyranny of centralization which could have no sympathy with local or individual wants. The metropolitan parishes, whose select vestries had long enjoyed a fame for the most outrageous jobbery, were amongst the loudest opponents of the measure. The sentiments of Marylebone were spoken by sir Samuel Whalley, who maintained that the power proposed to be given to the Commissioners—"to these bashaws, to these three-tailed bashaws, was subversive to all constitutional principles. . . . He believed that one of the effects of this measure would be, that men of character would abstain from filling parochial offices, while those who undertook them must consent to be the degraded tools of the Commissioners."* On the day of the second reading the Common Council of London had, with only two dissentient voices, agreed to a petition against the Bill. Mr. Grote, one of the members for the City, nevertheless did not hesitate to express his approval of the main ends of the Bill, and of the new machinery by which those ends were to be accomplished. He declared that so strong was his conviction of the absolute necessity of some large remedial measure as an antidote to the overwhelming evil of pauperism—so firm was his belief of the necessity of some central supervising agency—that if it were to cost him the certain sacrifice of his seat he should feel bound to tell his constituents that he dissented from them, and that he would do his best to promote the attainment of this necessary, and in the main valuable, remedy.† Upon the third reading of the Bill the ayes were 157, the noes 50. The duration of the measure was then limited to five years.

Between the passing of the Bill by the Commons on the 2nd of July and its proposed second reading by the Lords, lord Grey had retired from the government, and lord Melbourne had become the head of the administration. It was not till the 21st that lord Brougham moved the second reading. "My lords," he said, "I should have been unworthy of the task that has been committed to my hands, if by any deference to clamour I could have been made to swerve from the faithful discharge of this duty. The subject is

* Hansard, vol. xxiii. col. 811.

† *Ibid.*, col. 815.

infinitely too important, the interests which it involves are far too mighty, and the duty correlative to the importance of those interests which the government I belong to has to discharge, is of too lofty, too sacred a nature, to make it possible for any one who aspires to the name of a statesman, or who has taken upon himself to counsel his sovereign upon the arduous concerns of his realm, to let the dictates of clamour find any access to his breast, and make him sacrifice his principles to a covetousness of popular applause.* Never were the qualities of the great orator more remarkably displayed than in this speech. Historical research, accurate reasoning, a complete mastery of facts, majestic rhetoric,—all were brought to bear upon a subject which the mere utilitarian would have clothed with the repulsive precision of statistical detail. The measure was opposed by lord Wynford; it was supported by the duke of Wellington. The House divided upon the motion for the second reading: contents, 76; non-contents, 13. During the progress of the Bill through both Houses many of the clauses were strenuously resisted in Committee. The amendments that were carried were however comparatively of little importance, and it finally received the royal assent on the 14th of August.

The three Commissioners, Sir Frankland Lewis, Mr. John Lefevre, and Mr. Nicholls, entered upon the functions of their office on the 23rd of August. On the 8th of August, 1835, they issued their first Report, which clearly indicated the extent and complicated nature of the subjects which had come under their consideration, and furnished an evidence of the sagacity with which they had set in motion an organization which was to comprehend the whole of England and Wales. This vast machinery, which, in 1860, was in force in six hundred and forty-six unions, including 14,427 parishes, with an aggregate population of 17,670,938 souls, has become so complete in its working, and is so thoroughly applied by Boards of Guardians throughout the country, that the provisions of the Act in 1834 with its subsequent amendments are perfectly familiar to the intelligent part of the community, and therefore any analysis of its enactments would be unnecessary in this place.

When the King closed the session of 1834, he with great justice complimented the two Houses upon their extraordinary exertions, and expressed his deep sense of the care and labour which they had bestowed upon the public business. There was one quality of the House of Commons as conspicuous as its energetic industry—its patience under the most wearisome inflictions. That it should

* Hansard, vol. xxv. col. 212.

have endured six nights of debate on the question of the Repeal of the Union with Ireland,—having the perfect certainty that nothing could be produced by Irish members on that subject which had not formed the staple of popular orations in many a mob-gathering, and that what could be replied would only be a rose-coloured version of well-known facts,—such a triumph of temper is a signal instance of meekness, only to be paralleled by that of a creature generally obstinate, and sometimes vicious, who was equally placid whether eating the bitter stem of an artichoke or the sentimental traveller's macaroon. One of the Irish members informs us how it became inevitable that such an infliction should fall upon the House of Commons. Mr. Feargus O'Connor insisted at the beginning of the session that the testing of the Repeal question in Parliament should no longer be delayed. Mr. O'Connell in vain remonstrated. A cry was got up in Ireland in support of Mr. Feargus O'Connor's patriotism: "and, sorely against his will, and with very uncomfortable forebodings, the originator of the Repeal movement had to yield, and give notice for an early day of subjecting it to a Parliamentary discussion."* On the 22nd of April Mr. O'Connell, in a speech which lasted nearly six hours, moved for a Committee "to inquire and report on the means by which a dissolution of the Parliament of Ireland was effected; on the effects of that measure upon Ireland; and on the probable consequences of continuing the legislative Union between both countries." After a tremendous homily of the cruelties practised upon Ireland in barbarous times, and of the bribery by which the Union was effected, the debate was adjourned. On the second night Mr. Spring Rice occupied as long a time in showing what benefits Ireland had derived from the Union, and concluded by moving, as an amendment, that an Address should be presented to his Majesty, expressing the resolution of the House to maintain the legislative Union inviolate, but persevering in giving its best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement. On the sixth night of the debate five hundred and twenty-three members voted for the Address, only thirty-eight members voting with Mr. O'Connell. The Address was sent up to the Peers for their concurrence, which was given unanimously. It was presented to the King by deputations from both Houses.

The consequence of the pledge of removing all just causes of complaint, and of promoting all well-considered measures of improvement, was, that the affairs of Ireland occupied the greater

* John O'Connell, "Recollections and Experiences," vol. i. p. 82.