

Agricultural trade unionism and the crusade against outdoor relief: poor law politics in the Brixworth Union, Northamptonshire, 1870–75*

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Abstract

This article examines the impact of the crusade against outdoor relief in the Brixworth Union (Northamptonshire), which was one of the most fervent supporters of central government's poor law retrenchment campaign in the late-Victorian era. The paper examines the relationship between the origins of the crusade against out-relief and the advent of agricultural trade unionism. It argues that guardians of the poor in the Brixworth Union anticipated central government's new anti-out-relief guidelines because they wanted to make a pre-emptive strike against trade union combination in 1871–2. This set the stage for a very protracted and bitter contest that was not resolved until the poor law was democratized in the mid-1890s.

In the nineteenth century one of the key welfare debates within government was whether guardians of the poor ought to grant outdoor relief allowances to claimants such as the able-bodied unemployed, disabled, elderly and sick, rather than compelling them to be admitted as paupers into the workhouse.¹ The Poor Law Amendment Act of 1834 stipulated that guardians

* I am indebted to Peter Bartrip and Peter King of University College Northampton, my doctoral supervisors, for their comments and suggestions regarding this article. I am also grateful to Emily Elsie Hurren (1909–1995) and Charlotte May Poole (1904–1989) who first shared the radical history of their native county, Northamptonshire, with me in 1988.

¹ Although there is an extensive poor law historiography that discusses mid-Victorian out-relief debates, few welfare textbooks analyse the crusade against out-relief after 1870. The following selection of texts examine aspects of the crusade controversy: Derek Fraser, *The evolution of the British welfare state* (1973); Karel Williams, *From pauperism to poverty* (1981); Michael E. Rose, 'The crisis of poor relief in England, 1860–1900', in W. J. Mommsen and W. Mock (eds), *The Emergence of the Welfare State in Britain and Germany, 1850–1950* (1981), pp. 50–70; Anne Digby, 'The rural poor', in G. E. Mingay (ed.), *The Victorian Countryside* (2 vols, 1981), II, pp. 591–601; Anne Digby, *The poor law in nineteenth-century England and Wales* (1982); David Thomson, 'Workhouse to nursing home: residential care of elderly people in England since 1840', *Ageing and Society* 3 (1983), pp. 43–69; David Thomson, 'I am not my father's keeper: families and the elderly in nineteenth-century England', *Law and History Review* 2 (1984), pp. 265–86; David Thomson, 'The decline of social security. Falling state support for the elderly since early Victorian times', *Ageing and Society* 4 (1984), pp. 299–336; Michael E. Rose, *The relief of poverty* (1986); David Thomson, 'Welfare and the historians', in L. Bonfield, R. M. Smith and K. Wrightson (eds), *The world we have gained* (1986), pp. 355–78; Mary Mackinnon, 'English poor law policy and the crusade against out-relief', *JECHist* 47 (1987), pp. 603–25; Christine Bellamy, *Administering central-local relations, 1871–1918* (1988); David Thomson, 'The welfare of the elderly in the past, a family or community responsibility?', in M. Pelling and R. Smith (eds), *Life, death and the elderly, historical perspectives* (1991), pp. 194–222; Felix Driver, *Power and Pauperism. The workhouse system, 1834–1884* (1993); G. Finlayson, *Citizen, state and social welfare in Britain, 1830–1990* (1994); Robert Humphreys, *Sin, organized charity and the poor law in Victorian England* (1995); David Englander, *Poverty and the poor law in nineteenth-century Britain, 1834–1914. From Chadwick to Booth* (1998); Alan Kidd, *State, society and the poor in nineteenth-century England* (1999).

ought to apply the workhouse test to each poor relief applicant to ensure that the rates were being spent on the relief of destitution, rather than poverty. Guardians were advised to compel each destitute pauper to accept indoor relief care for the duration of their claim for welfare assistance and to refuse out-relief funding, particularly if the applicant was categorized as 'able-bodied'. Benthamite reformers, who framed the New Poor Law, argued that by utilising the workhouse test guardians would ensure that poor relief was each claimant's 'less eligible' option, which would deter undeserving applicants from applying for parish funding, thereby discouraging them from becoming welfare dependants. They believed that these new anti-out-relief regulations would promote an ethos of self-help, introduce more uniform administrative practices and reduce the national cost of poor relief expenditure. In reality, as numerous regional studies have shown, the 1834 statute contained a number of procedural loopholes that gave guardians considerable discretionary powers to continue to grant out-relief allowances. Guardians were able to administer poor relief according to local economic conditions. As an example, Anne Digby's studies of East Anglia have shown that in many rural areas, out-relief was a useful wage supplement which arable farmers, who served as guardians of the poor, used to maintain their labour supplies over the winter season when work was scarce.² Medical out-relief (allowances granted on medical advice which included supplements of 2s. 6d. and medical extras in kind such as bread) could potentially form an important part of the income of the non-institutionalized poor. In addition, most guardians, both rural and urban, preferred to spend the poor rates on out-relief provision because it was cheaper than the costs of housing pauper families in the workhouse. Consequently, 'variety rather than uniformity characterized out-relief administration' throughout the mid-Victorian period.³

In 1863-4 debates concerning out-relief funding were revived after the national cost of poor relief expenditure increased by around 20 per cent during a series of trade slumps and industrial crises, most notably in Lancashire and London.⁴ Many poor law unions did not have the workhouse capacity to provide unlimited indoor relief provision during the economic downturn and they were forced to pay out-relief allowances more liberally. Guardians feared if they did not reintroduce out-relief funding but turned away poor relief claimants who they could not admit into the workhouse, their inaction would result in social unrest (which in fact did break out in the East End of London in 1867-9). However, this trend alarmed senior civil servants and at their instigation, central government passed the Union Chargeability Act of 1865, which compelled individual parishes to pool their rates into a centralized pauperism fund in each poor law union to fund the expansion of workhouse facilities.⁵ In the following decade, central government commissioned three reports by senior civil servants, which re-examined the contentious issue of out-relief management. They culminated in a set of radical recommendations, which advocated that guardians should withdraw all out-relief funding and only implement the workhouse test. Each of the three reports represented a formative stage in what became known as the crusade against out-relief.

After the Poor Law Board was merged into the newly created Local Government Board in

² A. Digby, *The Poor Law in nineteenth-century England and Wales* (1982), pp. 19-26.

p. 107.

⁴ Rose, 'Crisis of poor relief', pp. 50-70.

³ David Roberts, *Victorian origins of the welfare state* (1960), p. 109; Williams, *From pauperism to poverty*,

⁵ *Ibid.*, p. 59.

1871, civil servants encouraged guardians to adopt the Goschen Minute (1869) which recommended that poor law unions should work in tandem with large charitable bodies, as exemplified by the Charity Organisation Society, to eradicate out-relief funding.⁶ Then the Fleming Report (1871) advocated major cuts in out-relief expenditure on a broad front. Finally, the Longley strategy (1874) was sent to all poor law unions asserting that out-relief should be totally abolished. This final report created a new competitive administrative poor relief climate with the introduction of poor law charters, performance league tables and annual reports on out-relief expenditure. Civil servants praised those who adopted the 'crusade' ethos and condemned recalcitrant poor law unions which continued to grant liberal out-relief. Karel Williams has explained how a total of 41 'model' poor law unions, responsible for about 16 per cent of the total population in England and Wales, adopted these new tactics of deterrence for over twenty years, approximately 1873–93.⁷ Arguably the most notorious strict 'model' rural poor law union to implement these guidelines was the Brixworth Union in Northamptonshire, which is the subject of this article.

The Brixworth Union was established in 1835 when the first Assistant Poor Law Commissioner for the south Midlands region, Richard Earle, allocated 33 parishes (later increased to 36) under section 38 of the Poor Law Amendment Act to form a new rural poor law union in mid-Northamptonshire.⁸ As a result of political pressure which the leading local landowners exerted on central government, the boundaries of the Brixworth Union were not centred on a market town. The Spencer family, who owned the largest landed estate in the area, Althorp Park (17,030 acres), dominated farming life in mid-Northamptonshire.⁹ In fact, their land agent managed three out of five of the largest landed estates in the district (Althorp, Overstone and Holdenby) and this gave him *de facto* control over some 37,000 acres or around two-thirds of farming land in the Brixworth Union. Thus, the Spencers set the farming tone for the district and they were determined to continue to control the poor law. Consequently in 1835, the third Earl Spencer used his political position as Chancellor of the Exchequer, Leader of the House of Commons and Lord Lieutenant of Northamptonshire to ensure that the Brixworth Union boundaries were drawn around his Althorp estate.¹⁰ This boundary agreement, the creation of *ex-officio* guardians (appointed by Spencer) and the property qualifications in rural poor law elections (which favoured landowners and their tenant farmers by discriminating against ordinary small rate-payers, professionals, traders, artisans and agricultural workers) allowed the Spencers to dominate the local poor law decision-making process.¹¹ Consequently, residents accurately

⁶ Charles L. Mowat, *The Charity Organisation Society, 1869–1913: its ideas and work* (1961); J. Fido, 'The COS and social case-work in London, 1869–1900' in A. P. Donajrodzki (ed.), *Social control in nineteenth-century Britain* (1977), pp. 207–30; A. W. Vincent, 'The poor law reports of 1909 and the social theory of the Charity Organisation Society,' *Victorian Studies* 27 (1983–4), pp. 343–65; Humphreys, *Sin*, pp. 21–8, 50–9.

⁷ Williams, *From pauperism to poverty*, pp. 102–5, 107.

⁸ Anthony Brundage, 'The landed interest and the New Poor Law: a reappraisal of the revolution in government', *EcHR* 27 (1972), pp. 27–48.

⁹ Charles Spencer, *The Spencer family* (1999), pp. 185–289, outlines the Victorian history of the Spencer family.

¹⁰ Brundage, 'The landed interest and the New Poor Law', p. 42.

¹¹ *Ibid.*, pp. 29–30. Brian Keith-Lucas, *The English local government franchise. A short history* (1952), explains that in rural guardian elections, landowners who paid annual rates on land valued above a threshold of £175 could vote up to six times, whereas ordinary rate-payers had to own property rated annually above a much higher threshold of £400 to be able to vote three times.

described the Brixworth Union as a 'farmers' parliament' because the five major landowners and their tenant farmers held, on average, two-thirds of the guardians' seats by virtue of their economic hegemony and property rights.

Contemporary accounts suggest that the New Poor Law settled down into a regular administrative pattern in the Brixworth Union during the mid-Victorian period. In 1835-6 guardians commissioned the building of a new workhouse in Brixworth parish, which was the logical administrative centre of the district. In common with other mixed-farming areas, farmer guardians exploited a number of out-relief procedural loopholes. They calculated that it was advantageous to use the poor rates to supplement low wages. For instance, they often paid out-relief to the able-bodied unemployed in winter, rather than applying the workhouse test, which would have been more costly and might have depleted labour supplies. Spencer's land agent's records also suggest that a number of poverty safety nets, most notably generous medical out-relief and charitable provision, were revived in the high farming era by tenant farmers in the interests of higher profitability. Although wage relations in the district were antagonistic, the farmer exploiting agricultural workers for minimal wages and labourers needing higher wages to avoid the workhouse, these customary wage supplements seem to have stabilized social relations. After 1865, however, the economic and political climate in the Brixworth Union started to change. There was a series of poorer harvests that resulted in severe cut backs in out-relief, which anticipated central government's crusade against out-relief. This retrenchment policy appears to have been a key motivating factor behind the advent of agricultural trade unionism in the district, which then led to a full-scale crusade against all out-relief provision because farmers were determined to use the poor law to make a pre-emptive strike against union combination.

Although the advent of agricultural trade union combination was linked to a wide range of grievances, not simply reductions in out-relief expenditure, and the reaction of farmer guardians in the Brixworth Union was not uncommon, the relationship between unionisation and the crusade controversy is seldom discussed in textbook accounts. Yet, agricultural historians, like Arthur Brown, Pamela Horn and Alun Howkins have noted its influence.¹² This case study has been chosen because the Brixworth Union was one of the most notorious poor law unions to adopt the crusade against out-relief and guardians have left a well-documented account of the political battle over out-relief that unfolded throughout the late-Victorian period. It gives us an opportunity to analyse the relationship between central government and local poor law authorities, revealing how guardians of the poor exploited an anti-out-relief policy to pursue their political goals for economic and ideological reasons after 1870.

I

Three guardians of the poor, all of whom were leading supporters of the ethos of the Charity Organisation Society (COS), championed the crusade against out-relief in the Brixworth Union.

¹² Arthur Brown, *Meagre harvest. The Essex farm workers' struggle against poverty, 1750-1914* (1990); Pamela L. R. Horn, 'Agricultural labourers in four Midlands counties, 1860-1900' (unpublished Ph.D. thesis, University of Leicester, 1968); id., 'Nineteenth-century Naseby farm workers', *Northants. Past and Present* 3 (1968/9), pp. 167-73; id., 'Northamptonshire agricultural labourers the quest for allotments - the 1870s', *ibid.*, 6 (1971/2), pp. 371-77; Alun Howkins, *Poor labouring men. Rural radicalism in Norfolk, 1870-1923* (1985).

Mr Albert Pell, Conservative MP for south Leicestershire and the newly appointed *ex-officio* guardian of the poor for Haselbech parish, was primarily responsible for reviving local interest in the contentious issue of out-relief funding at a meeting of the Brixworth Union board of guardians in December 1866.¹³ Pell was a gentleman farmer who rented 685 acres of mixed-farming land near the Northamptonshire-Leicestershire border on a 21 year lease from Sir Charles Isham of the Lamport estate (his wife's cousin), who was one of the major landowners in the Brixworth Union.¹⁴ Pell also jointly owned Wilburton Manor in Cambridgeshire and land on the Isle of Ely, which was managed by his brother. When the COS was established in 1869, Pell became one of its leading members. He believed that poverty was the moral fault of each individual and that lax out-relief administration encouraged work-shy individuals to become welfare dependants. Pell's biographer described his poor law convictions,

as I have already said, upon all Poor Law matters he was a Whig of the highest economic orthodoxy, going rather beyond the famous Poor Law Commission Report of 1834, in his aversion to outdoor relief, and scouting all proposals for Old Age Pensions.¹⁵

Pell first became interested in debates concerning out-relief when he met Mr Stevens of Bradfield, who was one of the original assistant Poor Law Commissioners and later a leading guardian in Berkshire, in the House of Commons in the mid-1860s. Stevens advised Pell that many guardians of the poor did not follow out-relief guidelines and this was contributing to the spiralling cost of poor relief expenditure nationally. Since Pell was a co-opted COS guardian in St George-in-the-East in London and an *ex-officio* guardian in the Brixworth Union, he thought that he ought to research the subject in greater depth in the House of Commons library. He studied 'Walker (the Original), Dr. Chalmers, Arthur Young and above all the reports of the great Poor Law Commissioners in the 1830s'.¹⁶ His research convinced him that poverty was the moral fault of each individual and generous out-relief provision exacerbated, rather than resolved, problems of impoverishment. Pell concluded that,

The administration of the Poor Laws is a matter of police, not sentiment, and should be applied unswervingly in obedience to fixed principles, and not become the haphazard display of sentiment and a counterfeit charity ... [otherwise] the incentives of industry are weakened; the fear of the consequences such as cold, hunger and distress, is diminished or vanishes; and a distinct and pernicious inducement offered to the practice of deceit and fraud, and the total abandonment of conscientious, honest effort for self-maintenance unfolds.¹⁷

Pell published numerous articles outlining his convictions and his stance earned him the position of chairman of the central committee of Poor Law Conferences, a post he held from 1869 until his retirement in 1896.¹⁸ He often referred to the writings of Arthur Young, whom he admired. He was fond of repeating Young's oft quoted remark that, 'in England the more

¹³ Northamptonshire RO (hereafter NRO), P/L 2/14, Brixworth Union guardians' minute books, 2 Dec. 1866.

¹⁴ Albert Pell and Thomas MacKay, *The reminiscences of Albert Pell, sometime MP for south Leicestershire* (London, 1908).

¹⁵ Pell and MacKay, *Reminiscences*, p. 14, introduction.

¹⁶ *Ibid.*, pp. 236-7.

¹⁷ Albert Pell, 'Out-Relief. A paper read at a poor law conference as chairman of the Central Committee held at Crewe Arms Hotel on Tuesday October 14th 1890,' in *Tracts, 1843-1893* (London, 1900), pp. 1-16.

¹⁸ I am indebted to Sir David Hughes Bt who kindly gave me access to the Pell family archive, which he retains in his possession.

money is expended, even well, and humanely, the more poor are created, and that the degree of indigence and misery is exactly in proportion to the assistance given them by the rates'.¹⁹ Pell was convinced that out-relief created a culture of welfare dependency and therefore guardians had a duty to teach the poor that outdoor allowances were not a customary right.

Pell decided to implement a crusade against out-relief in the two poor law unions where he served as a guardian of the poor. In St George-in-the-East in London he had the support of a number of national COS leaders, such as George Crowder, but in the Brixworth Union he lacked supporters. Consequently, he focused attention on the high cost of out-relief provision, which had risen to an unprecedented sum of around £6000 per annum by the late 1860s. Pell hoped that those farmer guardians who were starting to experience a series of poorer harvests and rate changes under the Union Chargeability Act of 1865, which made paupers the responsibility of all the parishes of a union and not simply ratepayers in the villages where pauperism occurred, might support a campaign to cut expenditure by withdrawing medical out-relief. In April 1867 he managed to convince a sufficient number of tenant farmers on the Brixworth board of guardians to pass a motion to set up a review process to re-examine all grants of out-relief made between 1846 and 1866. The review committee's primary aim was to ascertain 'whether the feeling of the poor is as independent as it was, or whether they are abandoning their own resources for medical relief out of the rates'.²⁰ The review took two years to complete and reported in the summer of 1869 that medical out-relief expenditure was excessive, recommending that it should be abolished and replaced by the offer of workhouse medical care only. However, few tenant farmer guardians, at this juncture, would support such a far-reaching measure because they recognized that it would damage social relations and therefore further undermine profitability. Consequently, Pell decided that he needed to recruit to his cause the landowners who could exert influence over their tenant farmers who sat on the Brixworth Union board. He decided to approach the largest landowner in the district, the fifth Earl Spencer.²¹

Spencer was a leading Whig grandee and close political ally of W. E. Gladstone, then Prime Minister. Like his family predecessors, he also served as Lord Lieutenant of Northamptonshire and therefore was a figure who exerted considerable national and local political influence. Pell first became acquainted with Spencer in the early 1860s when they both served on a number of local charitable bodies.²² They discovered that although their political allegiances differed (Pell was a staunch Conservative and Spencer was a devout Liberal), in poor law matters they took a similar Whiggish stance. Both believed that out-relief accentuated problems of poverty. Spencer had always believed in the strict application of the workhouse test, but like most Whig grandees he had preferred to delegate tedious poor relief management to his fellow guardians of the poor in the high farming period.²³ However, during his first tenure as Lord Lieutenant of Ireland (1868–74) he began to take a closer interest in poor relief management because

¹⁹ Albert Pell, 'Arthur Young: agriculturalist, author and statesman', *J. of the Farmers' Club*, April (1882), p. 62.

²⁰ British Library (hereafter BL), Althorp Mss, K372, Pell to Spencer, 30 Apr. 1867.

²¹ Spencer, *The Spencer family*, pp. 255–89. The fifth Earl succeeded to the title in 1857, d. 1910.

²² BL, Althorp Mss, K372, Pell to Spencer 22 Jan., 2 Jan., 19 Feb. 1861.

²³ J. P. D. Gordon (ed.), *The Red Earl. The papers of the fifth Earl Spencer, 1835–1910*, I (1981), pp. 1–20 outlines Spencer's COS and retrenchment ethos.

one of his duties was to oversee a review of Irish out-relief procedures.²⁴ As a leading member of a government hostile to out-relief, he needed to be seen to be promoting the anti-out-relief campaign, which was instigated by the newly created Local Government Board.²⁵ He had also wanted for some time to reduce his charitable expenditure on his Althorp estate because, following the passing of the Union Chargeability Act of 1865, it was no longer in his financial interest to supplement out-relief. Any cost savings that Spencer hoped to make by supporting a range of poverty safety nets now served to reduce the rates throughout the Brixworth Union. Hence his estate charities no longer made financial sense. Consequently, his attitude to out-relief hardened and, at about the same time, he instructed his land agent to set up a contributory pension scheme to compel agricultural workers on his Althorp estate to save for their old age so that he could abolish estate pensions.

I wish some plan would be discussed for some superannuation fund for all whom I employ. I would act as a banker and pay a percentage to the fund. It would not be difficult to draw a scheme out. Provision would be made for them to withdraw their money. It would then be made that no parish pension would be thereafter granted.²⁶

By 1871 Spencer was determined to limit the number of requests he received through his land agent for charitable assistance for elderly paupers. Yet, the Spencer archive is filled with descriptions of worn-out labourers who could not afford to save for their old age. For example:

John Manning. He is 78 years of age has worked all his life for Lord Spencer and is predominantly a good honest man. He is now left quite alone in the world and has nothing but his parish allowance and is literally starving. An addition to his income of two or even one shilling would be a great boon ...

Thomas Worley ... he has been a useful and valuable man. Whatever, however, he had saved is now gone. He suffers painfully from heart disease and has been unable to work but little for some time, indeed he cannot walk to work.²⁷

Spencer agreed to give these men a temporary pension of 2s. 6d. per week on the condition that they also applied for parish funding and submit to the workhouse test. He anticipated that they would have to accept workhouse admittance, but he believed that it should be mandatory for the state to support only the destitute. He held that the only way to alleviate poverty and reduce poor relief expenditure was to promote 'Smilesian attitudes about individual motivation', such as hard work and thrift.²⁸ Although Spencer was away in Ireland, he instructed his land agent to inform Pell that he supported his campaign to limit out-relief provision. This delighted Pell, but he also needed to win the support of a local guardian who attended poor law board meetings regularly and could speak on their behalf when he and Spencer were absent at

²⁴ Sir Alfred Power, *A paper on out-door relief in Ireland prepared at Earl Spencer's request* (London, 1875), summarizes the Irish review process and Spencer's involvement.

²⁵ Alan Sykes, *The rise and fall of British liberalism, 1776-1988* (1997), pp. 75-87, outlines the Liberal government's retrenchment priorities.

²⁶ NRO, Spencer Mss, Sox 571, Beasley to Spencer, 14 Feb. 1871, Spencer to Beasley, 15 Feb. 1871, Beasley to Boyle, 7 May 1872.

²⁷ NRO, Spencer Mss, Sox 571, Beasley to Boyle, 30 Apr. 1872.

²⁸ Humphreys, *Sin*, p. 24.

Westminster or in Ireland. That guardian needed to be a conscientious administrator and skilled bureaucrat who was capable of out-witting opponents who would try to ignore poor law technicalities. Pell discovered that the Rev. William Bury, his local rector, was the ideal candidate

Bury, rector and guardian of the poor for Haselbech parish in the Brixworth Union, was not Pell's natural ally because he had believed in generous out-relief provision in the early 1860s. He had considerable sympathy for the plight of the labouring poor. However, Pell was determined to convert Bury to his retrenchment cause. He persuaded Bury to visit every pauper on Haselbech's relieving officer's lists and apply the workhouse test. Pell hoped that this would teach Bury that the labouring poor abused the poor law system. Bury found that many pauper families had meagre savings or relatives who could support them. However, he argued that it was every clergyman's 'duty to protect these unfortunates, and that any confidences' about other sources of funding 'should not be betrayed' to the relieving officer.²⁹ Consequently, Pell took Bury on a tour of the homes of elderly paupers in the neighbourhood and showed him their appalling living conditions. The sub-standard housing, poor sanitation and the depths of poverty convinced Bury that out-relief only accentuated pauperism. They visited one bed-ridden female pauper who lived 'in a miserable hut of only one room, the wall of which was made of cobble or red earth', where she slept in a recess that had been cut out of the wall.³⁰ She was a lace-maker who was 'half-blind', as a result of doing intricate work in a poorly lit cottage. Pell argued that as the woman's 'pay, supplemented by the Poor Law dole, was starvation pay', she should be forced to enter the workhouse. He informed Bury that a clergyman ought to use his position of influence to 'guide and govern' his parishioners. As a result of these enquiries Bury became a convert to the COS and a zealous exponent of the anti-out-relief cause. He defended his conversion on that basis that although,

a reform so radical ... cannot have been effected without a certain amount of suffering often endured in silence, escaping the notice of the most careful investigation and difficult to estimate as it is to prevent. Yet, as the same time it should be remembered that such consequences, however, much to be deplored, are really due not to the reform itself, but to the neglect in former years which rendered such reform necessary.³¹

It is somewhat ironic that Bury came to take this stance since out-relief abuses were the result of his lax administrative practices before 1870, but for ideological reasons he was now prepared to overlook his former views and sympathy for the impoverished. Bury, like Pell, published numerous papers outlining the reasons for his conversion. He argued that 'exceptional cases of hardship, can, ought to be, and are met by individual charity', which was a much more discriminating way of relieving the poor.³² This prevented guardians acting impulsively because 'kindness to an individual ... often means cruelty to a class'. Charity was not a legal, civil or customary right. Its judicious management encouraged thrift and independence. Instead of giving generous out-relief allowances, which would be 'injurious', charity could be 'safely and widely exercised'. Bury was convinced that charity, not out-relief funding,

²⁹ Pell, *Reminiscences*, pp. 238-9.

³⁰ *Ibid.*, pp. 240-1.

³¹ BPP, 1873, *Third annual report of the Local Government Board*, App. B, W. Bury, 'Report on outdoor

pauperism in the Brixworth Union', pp. 119-125.

³² W. Bury, 'Charity and the poor law,' *Poor Law Conference Report* (1876), p. 44; *id.*, 'Poor law progress and reform', *Poor Law Conference Report* (1889), p. 319.

was the only appropriate poverty safety net in society. He explained that 'the *desire* to do good is easy enough, but to *do* good was the hardest thing' because it meant taking unpopular decisions. Bury admitted that Pell taught him to act in a more discriminating objective manner in poor law affairs.

By 1871 Spencer, Pell and Bury had decided to try to implement a crusade against out-relief in the Brixworth Union. Pell and Bury were primarily motivated by ideological convictions, whereas Spencer believed in a COS ethos, because it was politically expedient and would cut his expenditure. At first Pell faced overwhelming opposition amongst farmer guardians, but Spencer's influence and the growth of agricultural trade unionism in the district during late 1871 persuaded many of his opponents to change allegiance. Farmers used Pell's crusade against out-relief to make a pre-emptive strike against union combination.

II

The timing and extent of the growth of agricultural trade unionism in south-eastern English counties differed considerably in the late Victorian period. Pamela Horn's studies of midland counties suggest that agricultural trade unionism in Northamptonshire began around mid-1872.³³ Horn found that by 1874 there were a number of small trade union branches in the Brixworth Union, which were affiliated to the Market Harborough regional office of Joseph Arch's National Agricultural Labourers' Union (NALU). For example, local newspapers reported in 1874 that 220 labourers from the village of Naseby met to advance union combination and to celebrate the annual commemoration of Cromwell's defeat of Charles I in their parish.³⁴ However, the recently catalogued Spencer archive at the Northamptonshire Record Office reveals that agricultural trade unionism in the Brixworth Union began a little earlier than Horn's studies suggested, around March-April 1872. This confirms Dunbabin's findings that there was some early union combination in 1871 (and more in 1872) in some of the corn-growing areas of south-eastern England.³⁵ Labourers felt aggrieved about their low wages of around 12s. per week, at a time when farmers, despite the poorer harvests of the late 1860s, were still making substantial profits. They wanted an equitable share of the profits of their labour, a 'stake in the soil', at a time when labourers believed farmers could afford to pay them higher wages.³⁶ The advent of union combination, although highly localized at first, made a significant impact in the Brixworth Union because farmers believed that it undermined the traditional social order by challenging their authority.

³³ Horn, 'Agricultural labourers', p. 95.

³⁴ Ibid., pp. 167–8.

³⁵ J. P. D. Dunbabin, 'The "Revolt of the Field". The agricultural labourers' movement in the 1870s', *Past and Present* 26 (1963), pp. 68–96.

³⁶ There is a very large historiography that discusses the formation of the NALU including J. P. D. Dunbabin, 'The incidence and organisation of the agricultural trades unionism in the 1870s', *AgHR* 16 (1968), pp. 114–141; J. P. D. Dunbabin (ed.), *Rural discontent in the nineteenth-century Britain* (1974); Howkins, *Poor labouring*

men: John Archer, 'By a flash and a scare'. Arson, animal maiming and poaching in East Anglia, 1815–1870 (1990); Nigel Scotland, *Methodism and the Revolt of the Field. A study of the Methodist contribution to agricultural trade unionism in East Anglia, 1872–96* (1981); id., 'The National Agricultural Labourers' Union and the demand for the stake in the soil, 1872–1896', in E. F. Biaginni (ed.), *Citizenship and community. Radicals and collective identities in the British Isles, 1865–1931* (1996), pp. 151–67; Bob Scarth, 'We'll all be union men'. *The story of Joseph Arch and his union* (1998).

Although Pell's initial review of medical out-relief procedures in 1866–9 failed to convince the majority of farmer guardians to support his campaign to eradicate all poor relief funding outside the workhouse, by 1870–1 farmers were prepared to reconsider his schemes for cutting rateable expenditure. They changed allegiance primarily because there had been a poor farming season in 1868 and another in 1871. Pell recorded that 'the drought in 1871 was excessive' and he noted that farmers who borrowed in the high farming period to make improvements and had large loans to service were determined to cut out-relief expenditure to save on the rates.³⁷ Consequently, a majority of guardians had decided to implement a campaign to reduce out-relief funding by the late spring of 1871. This action anticipated the second stage of central government's crusade against out-relief, outlined in the Fleming Report (December 1871) by some six months. Their decision to cut out-relief spending alarmed traditional out-relief claimants who were already experiencing cut backs in conventional income supplements, as exemplified by Spencer's decision to withdraw his estate pensions. Spencer's land agent's records reveal that the labouring poor's primary concern was the contentious issue of the sudden withdrawal of medical out-relief and that this exacerbated farmer-labourer tensions, which were probably growing throughout the high farming period. The labouring poor relied on medical out-relief payments to feed their families over the winter period and few could afford to lose such a vital supplement to their incomes. Consequently, in the late-winter and early spring of 1872, agricultural workers in the Brixworth Union began to combine into small localized trade union branches to fight for a wage increase to replace the sudden withdrawal of out-relief. However, this produced a strong reaction amongst the majority of farmer guardians who felt threatened by unionisation. They decided to take pre-emptive action by supporting Pell's crusade to eradicate out-relief totally. Again, guardians anticipated the third stage of central government's crusade against out-relief, as exemplified in the Longley strategy of 1874 which advocated that out-relief should be wholly abolished.

Spencer first learned about the impact of these out-relief changes and how they influenced the advent of unionisation in a letter he received in Ireland from a fellow Liberal *ex-officio* guardian, H. O. Nethercote, in late March of 1872. He informed Spencer that, 'the weather is winterly to a degree and the contemplated labourers' strikes will probably be deferred to a more *convenient* season'. Nethercote noted that the out-relief issue was dividing the agricultural community along class lines, but complained, 'how the farmers are to meet increasing wages and decreasing prices I do not see'.³⁸ In early April Spencer's land agent, John Beasley reported that the out-relief controversy had convinced an increasing number of labourers to establish union branches. 'The Labourers are giving much trouble and forming unions. Our own people have hitherto behaved well but I fear will get contaminated'.³⁹ These comments reveal how social relations in the district were very strained by the spring of 1872. Moreover, Beasley noted that labourers' main complaint was that farmers expected them to put aside their differences during harvest in the interest of profitability, but in the autumn they refused to listen to their legitimate wage demands.⁴⁰ Tenant farmers argued that labour rates were set by market condi-

³⁷ Pell and MacKay, *Reminiscences*, p. 233.

³⁸ BL, Althorp Mss, K383, Nethercote to Spencer, 29 Mar. 1872.

³⁹ NRO, Spencer Mss, Sox 571, Beasley to Spencer, 8

Apr. 1872.

⁴⁰ *Ibid.*, Beasley to Spencer, 1 Apr. 1873, recounts wage grievances in 1872–3.

tions and for this reason they had introduced piecework wages, which paid each worker for their productivity. Beasley understood why poorer labouring families resented the insecurity of this unpredictable seasonal wage pattern. In private he had considerable sympathy for their precarious financial position. Local newspapers also sided with the labourers' cause. 'Facts', an editorial in the *Northampton Radical* warned, 'make short work of bombastic rhetoric, about happy and contented labourers'.⁴¹

One of the first local unions to be formed on the Althorp estate was the 'Brington, Harlestone, Brampton and Whilton' section, comprising 'over 200 members' in early 1872. There is no evidence that they were affiliated at this stage to the NALU in Warwickshire, but a hand-copy of a farm labourers' catechism written by the Chairman of the North Essex district of the NALU has survived amongst the Spencer papers dating from the Spring of 1872.⁴² It suggests that the NALU probably sent recruitment officers into the Brixworth Union at that time and found a ready audience. Spencer's land agent kept a copy of the NALU's recruitment paraphernalia and monitored the growing tensions between farmers and labourers closely. In a letter of early April 1872, Beasley informed Spencer that although a meeting had been convened between the two sides in late March to discuss wage differences, it had not been a resounding success, even though it persuaded labourers not to go on strike *en masse* immediately. The land agent anticipated further tensions during the summer when it was more prudent from the labourers' viewpoint to strike during the harvest. He commented that

Your lordship's tenants have all hired a sufficient number of men to get the harvest and plenty more are to be had. They are giving higher wages and there have been some strikes but could not discover if the difficulty had been greater in this neighbourhood than elsewhere. I quite believe that if farmers and labourers are left to make their own arrangements, the difficulty will soon subside. The labourers will get higher wages which the farmers are able and willing to pay. If however busy bodies and men who want to make political capital out of anything, will unite here much mischief will be done.⁴³

This quotation reveals three important points. First, one of the problems labourers faced was under-employment even during harvest, which decreased wage levels. As we saw, some farmers were increasing wages during harvest and then using piecework rates to make pay cuts in the autumn, which was deeply resented. Secondly, even though farmers were concerned about lower profit margins, most conceded privately that higher wage demands were justified and they could afford to pay them. Thirdly, farmers feared the growth of the NALU in the area and were determined to oppose union combination. They would not tolerate an intermediary in the district. Farmers were convinced that unionisation was encouraging labourers to make excessive demands and, if they increased wages under union pressure, they would be setting a dangerous precedent.

The Brington union did not strike in the summer of 1872. Instead its leaders tried to negotiate a wage increase. After that was temporarily introduced during harvest and then withdrawn,

⁴¹ *Northampton Radical*, 11 Nov. 1874.

⁴² NRO, Spencer Mss, Sox 393, *The farm labourers' catechism - prepared for the special use of those agricultural labourers who are not in a union by the chairman of the*

north Essex district of the National Agricultural Labourers' Union, price one penny (undated).

⁴³ NRO, Spencer Mss, Sox 571, Beasley to Spencer, 8 Apr. 1872.

they petitioned Spencer directly during March 1873.⁴⁴ They asked him for 'an advance of wages of 2s. per week, owing to the price of bread and all other commodities'. Farmers in the area had offered a permanent 'extra 1s. per week', but the labourers rejected their offer because they wanted 'a fair days pay, for a fair days work'. They explained that if they could not earn a living wage of 16s. per week they could not raise their families 'respectfully', that is it would be impossible to remain outside the workhouse without wage increases to replace medical out-relief and charitable supplements. If guardians withdrew all out-relief provision, then farmers would have to introduce a commensurate rise in wages, otherwise more labouring families would be impoverished. The petitioners explained that labourers could 'leave their employ to seek work at a better market' in town but that would have meant giving up their homes in tied estate cottages too, which families could not afford to do. Many young men were willing to migrate elsewhere, but married labourers with young families and older labourers were reluctant to relocate.

Eight Althorp estate workers who lived in tied cottages established the Brington union. They risked losing their homes and jobs to fight for a much-needed wage increase. Spencer's land agent's records reveal that the union's committee members earned on average 12s. per week.⁴⁵ The highest paid man was a blacksmith, John Manning, aged 41, who earned 16s. per week. However, although he had only a wife and daughter to support, because he was an artisan/tradesman on the Althorp estate he was paid piecework rates, and so his wages probably fluctuated considerably. One of the lowest paid men was an elderly labourer, John Anderson, aged 74, who earned just 10s. per week. He lived with his middle-aged son (a common day labourer on the Althorp estate), his daughter-in-law and their five children all aged under nine. A labourer who lived in Pitsford village in the early 1870s recalled that 12s. per week was the average wage in most villages in the Brixworth Union, a reduction from the wage levels of the 1860s, and most labouring families could barely make ends meet.⁴⁶ It seems likely that many agricultural workers in the Brixworth Union who hoped to avoid compulsory workhouse admittance felt that they had no option but to combine into trade unions. For this reason the Brington union later joined the NALU officially in 1874 to try to increase its bargaining power.⁴⁷

The Brington petitioners asked Spencer for the use of a schoolroom on his estate for their union activities in 1873. Spencer reacted angrily, telling his land agent to 'reply to the memorialists that I am unable to alter my position, decision as to the school-room.' He felt that 'it would be inconvenient to have the school-room used for meetings of various grouches'.⁴⁸ Spencer, like his tenant farmers, believed unionisation upset the traditional social order and might have far-reaching repercussions. Therefore, he stressed the apolitical nature of his decision, hoping this would dispel any class tensions, but his tenant farmers took the opposite view.

⁴⁴ NRO, Spencer Mss, Sox 393, 'Brington, Harlestone, Brampton and Whilton National Agricultural Labourer's Union branch petition to the fifth Earl Spencer', 27 Mar. 1873.

⁴⁵ NRO, Spencer Mss, Misc. vol. 75f., 'Number of poor and working class people of Brington parish taken in December 1871'.

⁴⁶ T. G. Tucker, 'Memories of Pitsford one hundred

years ago', *Northants. Past and Present* 1 (1978), pp. 50-1.

⁴⁷ *Royal Leamington Chronicle*, 13 June 1874, records NALU unionization by county.

⁴⁸ NRO, Spencer Mss, Sox 393, Spencer's reply to the Brington NALU petition, 3 Apr. 1873. The reply was written across the top of the petition as a memo; this was Spencer's characteristic means of instruction to his secretary on how to deal with correspondence.

Spencer's land agent revealed that the farmers supported a full-scale crusade against out-relief in order to penalize labourers for union combination.⁴⁹

The labourers have no doubt a right to form unions, but they are doing an immense amount of mischief, and causing great disorganisation. The farmers in several parishes have met and resolved not to increase wages at the dictation of any union. I regret this ... I think it is best for employers to be passive ... The farmers would be willing to meet the labourers upon the question, but they will not meet the union agents. It is intolerable that they should dictate terms ... and that all men, skilled and unskilled, old and young, able or partly disabled, should have the same wages, is a condition to which I am sure the farmers will never submit ... One of the effects of the unions is that many of the members have left off going to Church, and that the Poor Law Guardians have become very stringent, I think too stringent in administration of relief ... the farmers have left off subscribing to clothing and sick clubs, to coal clubs, etc. All this is creating bad feeling.⁵⁰

Farmers retaliated against the growth of the NALU in the Brixworth Union in three significant ways. First, they refused to negotiate with union agents and this refusal meant that wage grievances were not resolved quickly, accentuating local tensions. This reaction was common, as Dunbabin observes, because 'there was an element of double-think in the farmers' response to unionism'.⁵¹ They would negotiate with labourers but not intermediaries, stressing that the latter were outside agitators. Farmers believed they were entitled to act defensively because they, not union agents, were labourers' true friends. Unsurprisingly, agricultural workers took the opposite view. Secondly, customary charitable payments, which were indispensable parts of labouring families' subsistence calculations, were being withheld to penalize labourers. Dunbabin notes that 'it was common to threaten to abandon paternalism for a rigid adherence to the dictates of economics'.⁵² Most farmers in the Brixworth Union decided to take harsh retaliatory action, regardless of the social cost. Third, farmers changed allegiance on the poor law union board and supported a crusade against out-relief. Although this was a rather short-sighted response, they were determined to take pre-emptive action against union combination.

Regional studies, such as those by Brown in Essex and Horn in Oxfordshire, have shown that many farmer guardians reacted in this manner. For example, similar poor relief discrimination was so rife in Oxfordshire that boards of guardians in the area passed a motion at their annual conference in 1873 deploring this type of retaliatory behaviour.⁵³ In Essex boards of guardians acted like the farmer guardians in the Brixworth Union, refusing all out-relief applications until the NALU left the area and local branches were disbanded. One NALU Essex leader explained that this retaliatory poor law policy was an effective weapon. 'There lingers in their minds the cursed fear that they might be punished if they join'.⁵⁴ However, this was a very dangerous political strategy. On the one hand this parsimonious reaction enabled farmer

⁴⁹ NRO, Spencer Mss, Sox 571, e.g. extensive letters from Calverley to Beasley on this subject in early 1870s.

⁵⁰ NRO, Spencer Mss, Sox 571, Beasley to Spencer, 1 Apr. 1873.

⁵¹ Dunbabin, 'Revolt', p. 87.

⁵² Ibid., p. 81.

⁵³ *Labourers' Union Chronicle*, 8 Jan. 1873 reported on

discrimination at Oxford; *Royal Leamington Chronicle*, 13 Jun. 1874; J. Dunlop, *The Farm Labourer* (1913), p. 154, recounts instances of similar discrimination in Warwickshire; Brown, *Meagre Harvest*, pp. 86-7, details Essex cases.

⁵⁴ Brown, *Meagre Harvest*, p. 36.

guardians to reassert their authority in the labouring community, but on the other it also accentuated the pace of unionisation. Beasley noted that Church of England attendance had fallen sharply, as non-attendance was one way of registering a protest against the traditional sources of authority in the area. He also observed that labourers refused to compromise their demands when farmers acted harshly. It was probably unrealistic to demand one wage rate for every labourer regardless of their productivity, but the problem with farmers' stubborn attitude was that it made labourers' intransigence seem reasonable. Growing wage disputes and the out-relief controversy created tense social relations in the Brixworth Union by 1872/3, but farmers would not relent. In Ravensthorpe parish, on the Holdenby estate owned by Spencer's brother-in-law, farmers 'met and bound themselves in a £50 penalty not to employ any union man'.⁵⁵ Paradoxically, that sort of action created further resentment and made labourers even more determined to form local trade unions.

The growth of unionisation in the Brixworth Union was both a problem and an opportunity for guardians who wanted to introduce a crusade against out-relief. Farmers feared that unionisation threatened their oligarchy and so their action was extreme. However, even though Spencer worried about the deepening social tensions, Pell was delighted by this turn of events. Suddenly, he had won the support of disgruntled tenant farmers who held the largest block of votes on the Brixworth Union board of guardians, around two-thirds of the available seats.⁵⁶ He could now forge ahead with his retrenchment experiment by inflaming the farmers' worst anxieties about NALU. If he could retain that support until his new anti-out-relief policy was in place, it would be very difficult to overturn the revised regulations in the future. Pell had a window of opportunity to consolidate his position and he acted decisively.

Pell gave notice at a Brixworth Union board meeting on 2 January 1873 that he intended 'to ask for a committee of the Guardians to consider the mode of administration of out-door relief in this and other unions'.⁵⁷ He expanded his enquiries across the whole of the district. A committee was set up chaired by Pell, Bury and three large farmers in the area. They visited every pauper on the relieving officers' outdoor lists to test whether they should be entitled to parish funding. Two hundred and forty one cases were struck off the lists immediately.⁵⁸ This delighted central government because at the end of 1872 out-relief claimants in the Brixworth Union had risen to an unprecedented 1,062 out of a total population of just under 14,000, at an annual cost of £5899.⁵⁹ The Poor Law inspector for the district drew up a map of the union and coloured it according to the scales of pauperism in each parish. One senior Poor Law inspector, Courtney Boyle (Spencer's former private secretary), told Spencer that out-relief funding levels were highest in his Althorp estate parishes and his villages had all been marked in 'black'. Boyle informed Spencer that, 'Brington is the highest of all, an inevitable result of

⁵⁵ *Northampton Guardian*, 25 Nov. 1876, report of a speech by Joseph Arch to labourers at Ravensthorpe where Arch recalled how farmers had made a £50 pact in 1872/3.

⁵⁶ Unfortunately votes were not recorded in the guardians' minute books, so it is impossible to analyse political

allegiances accurately in this period.

⁵⁷ NRO, P/L 2/17, Vol. 14, 20 Jan. 1873.

⁵⁸ BPP, Bury, 'Outdoor', p. 125.

⁵⁹ NRO, Spencer Mss, Sox 393, 'Outdoor relief committee report of the Brixworth Union' (1873).

where there is charity ... the less the poor depend on relief, the more valuable they are to the nation; Ergo: do all one can to diminish out-relief'.⁶⁰

The report of Pell's committee, published in early 1874, confirmed the Local Government Board's findings. The ratio of average outdoor to indoor paupers in England and Wales was 5:1, at a cost of 6s. 11d. per head. In the Brixworth Union that ratio was much higher, 17:1 at a cost of 12s. 1½d. per head. Pell claimed that in 'no other union is the disproportion so great'.⁶¹ Pell's committee recommended that the guardians adopt the government's anti-out-relief guidelines, as outlined in the Longley Strategy which stated that outdoor relief should be totally abolished. Consequently, the guardians published an anti-out-relief charter, which was placed in the Brixworth Union workhouse boardroom and on local church doors. The guidelines aimed to deter the poor, even the 'deserving' poor, from applying for out-relief funding. If the elderly, infirm, disabled and widowed wanted to avoid indoor relief, they had to rely upon their friendship and kinship networks. Medical relief was now only to be given in the form of indoor care and medical extras were only to be given to very ill workhouse inmates or members of sick clubs. In practice, most paupers gave up applying for medical aid, which had a profound impact locally. Brixworth Union's expenditure on 'fevers and epidemics' rose in 1873-4. Reformers would not concede that this was related to the sudden withdrawal of medical relief but there must have been a correlation between changes in funding and increased illness.⁶² Paradoxically, the withdrawal of medical extras contravened poor relief *laissez-faire* economics. Paupers were ill for longer and more had to be admitted to the workhouse infirmary, increasing indoor relief bills, which were more costly. Therefore, in practice, as Williams explains, the new regulations were a form of 'brutal dispauperisation'.⁶³ They allowed guardians to purge out-relief recipients from their lists ruthlessly, whatever the social cost. However, after initial reductions had been achieved, some guardians began to advocate a moderate policy.

III

Once an anti-out-relief crusade was underway in the Brixworth Union, many guardians felt uneasy about making further reductions. Membership of the NALU had begun to level off and farmers realised that union combination was not as great a threat as they first feared. They also calculated that abolishing out-relief was damaging the local economy because it forced the labouring poor to migrate, creating labour shortages during harvest. The chaplain of the Brixworth Union workhouse, Rev. J. L. Roberts, became a spokesman for guardians who wanted to revert to a more moderate out-relief policy. He wrote to Spencer in March 1875 outlining

⁶⁰ Regrettably it has not been possible to discover these maps. They were probably destroyed in the early twentieth century. Boyle was Spencer's private secretary during his first period in Ireland (1868-1874). Spencer recommended him for a senior poor law appointment at the Local Government Board and became senior inspector for the east Midlands district. He corresponded regularly with Spencer and Dasent (his predecessor as private secretary who also later joined the Local Government Board) on poor law matters and the

problems of inspection, which give a fascinating insight into the tedious bureaucratic nature of the job. e.g. BL, Althorp Mss, K398, Boyle to Spencer, 1 May, 20 June, 2 July, 21 Aug. 28 Nov. 1873, etc; Dasent to Boyle 25 June 1884; PRO, MH19/86, 1874 volume, inspectors at the Local Government Board.

⁶¹ Pell and MacKay, *Reminiscences*, p. 291.

⁶² BPP, XXIX, 1872-3, App. 32, Bury, *Second annual report of the Local Government Board* (c. 748), p. 74.

⁶³ Williams, *From pauperism to poverty*, p. 107.

his fellow guardians' concerns. He stated that whilst a majority of guardians were in favour of the 'application of the house tests in proved cases of improvidence or of notorious bad conduct', most did not believe that 'the aged or infirm labourer, & of his widow' should be treated like able-bodied applicants. He argued that the law made provision for elderly paupers because legislators recognized that they had not the opportunity to earn enough money to save for their old age:

at least for the closing generation, there has been an implied contract upon which the agricultural labourer has given his life's work ... And, at the end of their days for the employer, who has received his consideration to the full, to withhold from the poor man his equivalent, appears to me a most oppressive, if not actually dishonest course. In addition to this, the workhouse is not *and cannot be made*, a substitute home for the declining years of the labourers and their widows, who have a right to be considered, and in many cases are, to the full as respectable as the classes above them ... The widow of the respectable cottager should not be compelled to eat, live, sleep and die in the same room of society, *unreformed*.

The chaplain stated that although he met 'some of the roughest specimens' of the agricultural labouring class in the course of his poor law duties, he also encountered 'men and women whose honesty of principle and frugality of life and deep piety of character' filled him with 'admiration'. He insisted that 'the more intelligent Guardians know perfectly well' that most could not avoid the workhouse and that a retrenchment policy accentuated impoverishment. Many farmer guardians had started to recognize that the sudden withdrawal of out-relief had created a 'bitterness among the suffering class which may change them into dangerous classes'. One effect of the farmer's parsimonious action was that it encouraged 'the most violent agitators of the labourer's union ... from the apprehension of extreme measures on the part of the Guardians'.⁶⁴ Regrettably no record of Spencer's reply has survived but the guardians' minute books indicate that a number of farmer guardians were expressing similar concerns about the severity of the anti-out-relief policy.⁶⁵ They may have been influenced by the bad publicity they were receiving in local newspapers. One outspoken letter gives us a flavour of the criticism.

Sir, I was glad to see the account of the Brixworth board of guardians in your paper on Saturday last and feel quite certain the ratepayers of the Union cannot wish the poor to be oppressed in the way they are now. The letter contained several cases of oppression, but from what one hears and knows, it is not a tenth of a tithe of hard cases. Every one must regret to see one class set against another but what the guardians are now doing so most effects. Why could their alterations not be made in the same way as other Unions? ... One thing is quite certain: ratepayers should be very careful whom they entrust to administer the rates; some Guardians know how to deal with the poor justly and firmly; whilst others don't care how the poor suffer so long as they can save their pockets ... I remain – PAUPER on 1s. 6d. and LOAF.⁶⁶

As the *Northampton Mercury*, which carried this letter, had a Liberal bias, such criticisms

⁶⁴ BL, Althorp Mss, K157, Roberts to Spencer, 20 Mar. 1875. throughout 1875.

⁶⁶ *Northampton Mercury*, 10 May 1873.

⁶⁵ NRO, PL2/15. The issue was raised in the board

were not unexpected. The peculiar brand of radicalism in this part of Northamptonshire, influenced by 'Old Dissent and even older strains of Puritanism' and allied to Chartism and later to Braudlaughism, seems to have been determined to oppose Pell's policies from the outset.⁶⁷ Consequently, an editorial in the same newspaper issue noted wryly that 'Guardians are going Pell-mell for economy' and it hoped that moderates would win the day in the Brixworth Union. Unfortunately, the timing of this criticism coincided with a workhouse scandal, which seems to have persuaded moderate guardians to close ranks and continue to support Pell's policy changes.

In December 1874 local newspapers reported that two elderly paupers, Thomas Hanson and Thomas Cooper, had died in the Brixworth Union workhouse in suspicious circumstances.⁶⁸ An editorial explained that it was difficult to ascertain the facts of the cases because the guardians were acting in a furtive manner, but it was reported that the two men had died from medical neglect. This created a furore in the district because the paupers had been forced to accept indoor relief after being denied out-relief in 1873. Local newspapers were unable to uncover any more details and were forced to wait for the subsequent inquest. Only the bare facts of the deaths were recorded in guardians' minute books. However, as the deaths were as a result of medical negligence, central government demanded a full report, which although never published, has survived.⁶⁹ The report confirms the truth of local rumours. The facts of the case were these. In the winter of 1874 Hanson, aged 60 and Cooper, aged 78, were admitted to the workhouse. On 1 December, a Sunday evening, the two men fell ill and the master of the workhouse asked the Brixworth Union surgeon, a Dr Harpur, to make a visit. The doctor examined both men that evening and injected them with '8 minims [milligrams] of morphine' each. At 7 a.m. on Monday morning, a workhouse nurse checked both patients and reported that they were 'fast asleep'. The master asked her to keep checking the patients at two hourly intervals. At 9 o'clock she reported that the patients were 'thought queer'. The master sent for the doctor immediately. Meanwhile, at about 10 o'clock, he tried to revive the patients with cold water but failed. There were no further attempts to waken the patients. The doctor did not return to the workhouse until 5.30 p. m. on Monday evening when he found that one patient had died at 5 o'clock and the other had sunk into a deep coma, dying at 7 o'clock that evening.

At the inquest into the deaths of Hanson and Cooper held on 4 December, the coroner cross-examined the union doctor about his treatment of the two men. As local newspaper reporters were denied full access to the proceedings, only the central government files detail the cross-examination. The coroner asked the doctor why he did not attend the patients immediately when called upon to do so. Harpur explained that he called at the union workhouse at 2 o'clock on Monday afternoon, but no one answered the bell, so he completed his rounds and returned in the evening. This rather feeble excuse did not persuade the coroner. The autopsies had shown that both the deceased had been suffering from kidney disease, a common

⁶⁷ R. Greenall, *A History of Northamptonshire and the Soke of Peterborough* (1979), p. 78.

⁶⁸ The following account is based on the widespread coverage given the case throughout Dec. 1874 in the *Northampton Herald*, *Northampton Mercury*, and *Northampton Guardian*, and the Local Government Board file,

PRO, MH12/8700.

⁶⁹ PRO, MH 12/8700, dated 'Dec. 1874', letter from 'RJP' marked 'private' to Local Government Board; internal memos discussing the facts of the case dated 4 Dec. 1874, and note of a decision: 'to let guardians resolve the matter themselves'.

compliant in elderly, worn-out, labourers. Yet, current medical opinion held that morphine aggravated kidney disease. And the doctor had injected the patients with '8 minims', instead of the proscribed maximum of '6 minims' of morphine. The coroner concluded that the doctor's misdiagnosis and overdose of morphine killed the paupers. Harpur denied knowing that Cooper suffered from kidney disease and defended himself by saying that he 'thought 8 minims would revive better'.

Even though local newspapers could only report a fraction of the proceedings because of their limited access to the court, nevertheless what little they could discover caused an outcry in the area. A leading editorial in the *Northampton Mercury* noted that it seemed to have been pre-arranged by leading magistrates in the Brixworth Union that the vice-chairman of the Brixworth Union board of guardians, a large farmer who supported Pell, should chair the inquest jury. The newspaper alleged that he instructed his fellow jurors to record a verdict of 'death from natural causes' in the face of evidence as seen by the coroner.⁷⁰ Editorials in all the local newspapers were unanimous in their condemnation of this action: they did not divide along traditional radical/Liberal/Conservative lines. They agreed that at the very least the doctor should have been reprimanded for his medical neglect in a public statement by the chairman of the Brixworth Union. Newspaper reporters complained about the guardians' silence on the matter, commenting that their exclusion from the coroner's court seemed to indicate foul play. Only central government and Brixworth Union guardians knew the full facts of the cases, but these were not recorded in the local official records to ensure confidentiality because the case was so sensitive. However, correspondence from a relative of a local clergy guardian was placed in central government files alongside the rather mundane official report on the matter and it reveals what really happened.

My brother-in-law (who tells me that the enquiry made the case blacker than ever) has sent you the resolution which he and Lord Spencer and Mr Pell ... proposed ... The doctor's friends back him well; though there can be no earthly doubt that the paupers were killed by the Opium & might (in my opinion) have been saved had proper attempts to save them been made. My reason for believing they would have been saved under the treatment is: that they lived for some 20 hours after the morphine was given. The Master at 10 am finding they would not wake up put some cold water on their faces and sent for the Doctor and this was the sum of their treatment. I have no doubt the 12 [guardians who supported the doctor] take an economical view and philosophical view of the matter – holding that paupers are relieved of their woes and the rates relieved from the Paupers ... and [they] join classes/chums.⁷¹

This letter gives us a rare insight into the social cost of the medical out-relief changes and the true attitudes of Pell and his supporters. It suggests that Pell's party covered up the scandal and supported the crusade against out-relief for primarily economic reasons. Harpur was evidently responsible for the pauper's deaths. This was the view of two of his medical colleagues who, in a letter to the Local Government Board accused him of both misdiagnosing the two

⁷⁰ *Northampton Mercury* and *Northampton Herald*, 6 Dec. 1874 carried details of the case and editorials condemning the jury's action. Also PRO, MH 12/8700, internal memos during December.

⁷¹ PRO, MH12/8700.

deceased men and neglecting them for business reasons.⁷² Harpur himself admitted to the Local Government Board that having gone to the workhouse at about 3 o'clock and receiving no reply at the door, he went onto a neighbouring village to make a house call there, returning to the workhouse at the end of the afternoon. In his defence he held that the workhouse master's note did not alert him to the seriousness of the problem and that even if he had attended immediately in response to the note, the men were beyond help. He was censured by the Local Government Board who felt that his conduct was not satisfactory.⁷³ The medical regime within the workhouse also failed the paupers. A poorly paid nurse and a busy workhouse master tried to revive the patients but failed.

The evidence indicates that the charge of negligence against the doctor was not pursued for two reasons. First, Pell needed to retain the support of the poor law medical officers in the area to implement his retrenchment experiment. Therefore, he, and his supporters who sat on the jury, appear to have agreed before the inquest to exonerate the doctor. Secondly, moderate farmers seem to have judged that to protect their standing in the community, they should close ranks by putting on a united front in public, despite their reservations, otherwise they would have to accept a degree of culpability for the paupers' deaths. However critical they were in private, it was imperative that they did not criticize the guardians' regime in public.

It is very difficult to assess what impact these two deaths had on the psyche of the elderly labouring poor because no record has survived of their individual reactions. Local newspapers, however, reported that the deaths and subsequent inquest heightened labourers' fears of workhouse incarceration. This was expressed in the radical biblical sentiments of local non-conformity in an editorial in the *Northampton Guardian*, which warned guardians in the Brixworth Union that,

He that oppresseth the Poor reproacheth his Maker, but he that honoureth him hath mercy on the Poor (Proverbs Chp. 14, v. 31) ... Rob not the poor because he is poor, neither oppress the afflicted in the gate, for the Lord will plead their cause and spoil the soul of those that spoiled them (Proverbs Chp. 22, v. 23).⁷⁴

This was a sensitive case and it seems unlikely that guardians would have closed ranks so completely unless they feared its local impact. It was visible proof of the power of the retrenchment party and the powerlessness of the labouring poor. Uncharacteristically, neither Pell, Spencer nor Bury ever made any public statement about the scandal and any private correspondence on the matter between them has not survived. Bury supported Pell in public, but he confined his comments to statements about the national anti-out-relief policy, probably to deflect attention from the local controversy. It is interesting that he did not chair the inquest jury, but left the vice-chairman of the Brixworth Union to pre-arrange matters, which suggests he may have been critical of the cover up in private. We can only speculate about the extent of his involvement in the aftermath of the medical scandal, but he seems to have been careful to distance himself from the controversy.

⁷² Ibid., Mortimor and Wilson to the Local Government Board, 4 Dec. 1874.

1874.

⁷⁴ *Northampton Guardian*, 12 Dec. 1874.

⁷³ Ibid., Harpur to Local Government Board, 22 Dec.

Although few sources have survived that comment on these controversial deaths, letters did flood into the Local Government Board from guardians, rate-payers and paupers complaining about the dehumanising implications of the retrenchment experiment, but most were ignored.⁷⁵ Other poor law unions also began to complain about both the radical harsh policies of the Brixworth Union and their promotion by the Local Government Board in its annual reports. For example, the chairman of the Sheffield Union sent an extensive petition to the Board complaining that 'by publishing the resolutions of the Brixworth Board of guardians not to give outdoor relief', civil servants were 'giving encouragement to resolutions, which are contrary to the spirit of the law'.⁷⁶ The relieving officer for the same union later stated that,

Hundreds of thousands of our aged and infirm poor are in a most miserable condition; that the small [out-relief] allowance, which we make to them is not sufficient to sustain nature, and that the horses, nay the very dogs of our aristocracy, are better stabled, kennelled, and fed than our deserving poor are housed, clothed and fed.⁷⁷

He concluded by complaining about the extreme policies of the Brixworth Union, which were 'painful to contemplate' in the light of recent rumours about the fatal consequences of such radical out-relief changes. An internal Local Government Board review concluded that the complaints did 'not ... merit the special attention of the Board' and a standard reply was sent outlining that civil servants were not authorized to intervene in specific out-relief cases. It was not in government's interest to criticize the Brixworth Union in public, since it wanted to uphold this 'model' rural poor law union as an exemplar of anti-out-relief management.

The attitude of the central government authorities and the closing of ranks by the moderate guardians on the Brixworth Union board after the paupers' deaths gave Pell a unique opportunity to consolidate his power. He knew some of his supporters were wavering, but the workhouse deaths gave him more time to introduce a number of administrative changes that would make it very difficult to reverse his policies. Thus, he created finance and out-relief sub-committees to deal with all expenditure matters. These committees dealt with all out-relief applications; their members were all committed retrenchment supporters. They ensured that very few out-relief applications came before a full board meeting of guardians, at which Pell's supporters might be out voted. Some farmer guardians argued that medical procedures should be reviewed after the workhouse deaths. Pell pre-empted this proposal by having Spencer establish sick and burial clubs to compel the poor to save for illness and funeral expenses. He also enhanced the role of the workhouse medical dispensary by reforming internal procedures. However, as Pell refused to increase indoor medical expenditure, this created more bureaucracy for the master and nurses who did not have the time to introduce substantial procedural changes.⁷⁸ Finally, Pell persuaded the chairman of the board of guardians, Rev. Robert Isham, who had administered poor relief liberally, to resign from office. He had been ill for some time and Pell argued that it was an opportune moment to appoint a successor.⁷⁹ Unsurprisingly, his

⁷⁵ For instance PRO, MH12/8699, 7 Mar. 1871, 13 May, 2 June 1873; NRO, PL2/15, 31 Dec. 1874.

⁷⁶ PRO, MH25/25, Searle, chairman of Sheffield Union to Local Government Board, 14 Jan. 1874.

⁷⁷ PRO, MH25/24, Jos. Turnell, pamphlet on outrelief.

⁷⁸ NRO, PL2/15 *passim*.

⁷⁹ BL, Althorp Mss, K154, Pell to Spencer 10 Apr. 1874 (discusses chairmanship); Morton to Spencer, 15 Aug. 1874 (discusses chairman's ill health).

supporters elected the Rev. Bury. Pell was now in power and the stage was set for a very bitter and protracted contest over the out-relief issue for the next twenty years.

It soon became apparent that the dominance of Pell's party on the Brixworth Union board would have far-reaching repercussions, straining social relations and impoverishing the local community. Once Pell was in power he introduced a series of anti-out-relief measures that were deeply unpopular amongst labouring people. For example, Pell introduced a number of devices to deter applicants for out-relief in 1875–85.⁸⁰ Guardians decided to prosecute the adult children of elderly paupers to compel them to pay the maintenance costs of their parents. Pell adjudicated that anyone in receipt of charitable provision, such as elderly almshouse residents, had to support themselves independently or accept compulsory admittance into the workhouse. He also persuaded central government to reduce the number of relieving officers in the Brixworth Union to just one to give his party greater control of the poor law decision-making process. These changes reduced the number of out-relief claimants in the Brixworth Union from 2017 in 1870 to 494 by 1880, and the total cost of poor relief expenditure decreased from a high of just under £6000 to around £1600 in the same period. Thereafter, it proved more difficult to make further reductions in out-relief expenditure, especially after the onset of an agricultural crisis in the area around 1879. Consequently, Pell's party implemented some rather unorthodox out-relief deterrent policies to maintain their rate of reduction of out-relief expenditure to meet central government targets. For instance, Pell, Spencer and Bury set up a private charity, dubbed the 'Secret Service Fund', to support elderly deserving paupers who should have been given out-relief. Every time a legitimate out-relief applicant applied to the board of guardians for parish funding, they were directed to the private charitable scheme and given a temporary allowance for a maximum of four weeks on the strict understanding that they could not reapply for further out-relief support. In addition, during the agricultural crisis, guardians refused to reintroduce out-relief funding, preferring instead to set up privately funded small-scale welfare to work schemes, which were portrayed as benevolent gestures to alleviate unemployment. In reality, they were too small-scale to resolve the problem of endemic unemployment and in fact were designed to persuade labourers to migrate, allowing the Brixworth Union to export its social problems elsewhere. This meant that guardians continued to achieve their central government targets at the expense of others.⁸¹ Further out-relief medical changes were implemented in the late 1880s when guardians refused to pay the funeral costs of paupers who died outside the workhouse. Finally, Pell's party used sanitation funds, which should have been spent on providing clean drinking water supplies and sewerage farms in the Brixworth Union district, to balance over-expenditure on costly anti-out-relief administrative schemes and to improve the expenditure performance indicators that were sent to central government. They showed that out-relief numbers in the Brixworth Union fell to just 97 pauper claimants by 1895, out of a total population of 12,186. Out-relief expenditure had fallen from just over

⁸⁰ Elizabeth T. Hurren, 'Labourers are revolting: penalising the poor and a political reaction in the Brixworth Union, Northamptonshire, 1875–1885', *Rural History* 11 (2000), pp. 37–55, gives full details of this period's anti-outrelief measures.

⁸¹ These points are developed further in Elizabeth T. Hurren, 'Welfare to work schemes and a crusade against out-relief in the Brixworth Union, Northamptonshire, 1880s', *Family and Community History* (forthcoming, 2001).

£6000 in the late 1860s to around £140 in 1895, with only one in every 126 residents claiming poor relief assistance.⁸²

All of these measures disguised the profound social cost of the crusade against out-relief in the Brixworth Union. When the process of poor law democratisation began to unfold in the 1890s, the labouring poor united to oust Pell's party from office. Many of the original trade union leaders in the district came forward to organize opposition after the annual rateable property qualification in guardians' elections was reduced from £25 to £5 per annum in 1893. These men formed a political pressure group, the Brixworth District Outdoor Relief Association (BDODRA) in March 1893 to secure the election of working men who promised to reintroduce out-relief. By 1895–6 over 60 per cent of the adult population in the district were paid up members of the pressure group. When, following the Local Government Act of 1894, property qualifications were abolished in guardians' elections, BDODRA members ousted Pell's party from office. In the April 1896 guardians' election they won 55 per cent of the available seats on the board of guardians, which gave them a large enough majority to bring in their own chairman of the board and to reintroduce out-relief provision permanently. This process of political change was the culmination of working peoples' determination to oppose the crusade against out-relief, which had begun with agricultural trade union combination in the early 1870s.

IV

In the period 1870–75, residents of the Brixworth Poor Law Union principally 'inhabited a world structured by their relationship to economic and social power'.⁸³ The poor needed customary supplements to their wages to avoid the workhouse: farmers exploited labour to make higher profits. There was a triangular matrix of social relations in this locality – landowners, farmers and labourers – with customary expectations governing everyday wage patterns, farming practices, charitable provision and poor relief expenditure in the mid-Victorian period.⁸⁴ Two vectors of change upset these traditional relationships. First, a crusade against out-relief was instigated by Pell, with the support of Spencer and his tenant farmers who sat as guardians and who dominated the Board, because of the impact of the Union Chargeability Act of 1865 and poorer farming profits in 1870–1. This policy change anticipated central government's official campaign to eradicate out-relief spending and destroyed a whole range of customary expectations. Second, the process of poor law change contributed to the advent of agricultural trade unionism because most labourers feared the financial constraints of such a radical retrenchment policy. It was unfortunate that they asked for wage increases at the end of an era of prosperity, as Dunbabin observes, because their demands seemed unreasonable in a hostile economic climate.⁸⁵ This convinced farmer guardians that their position as leaders of rural society was under threat and they took pre-emptive action, withdrawing out-relief funding to penalize paupers for union

⁸² Pell and MacKay, *Reminiscences*, pp. 356–7.

⁸³ S. Banks, 'Open and closed parishes in nineteenth-century England' (unpublished Ph.D. thesis, University of Reading 1982), p. 426, quoted in Alun Howkins, *Reshaping rural England. A social history, 1850–1925* (1991), p. 28.

⁸⁴ The notion of a triangular matrix of social relations was first discussed by Peter King in the introduction to Tim Hitchcock, Peter King and Pamela Sharpe (eds), *Chronicle of poverty. The voices and strategies of the English poor* (1997).

⁸⁵ Dunbabin, 'Revolt', pp. 68–96.

combination. This drove them into alliance with COS zealots, like Pell, Spencer and Bury who needed farmers' support for their retrenchment policy.

Few poor law historians have analysed the link between agricultural trade unionism and the crusade against out-relief. Brown and Horn's studies indicated that many guardians penalized labourers for NALU membership by withdrawing out-relief provision.⁸⁶ Farmers in the Brixworth Union were pragmatists, not ideologues, and Pell exploited their conservatism in three ways. At first he appealed to their economic interests by offering to introduce out-relief cost-saving measures at a time of falling profit margins. Then he inflamed their fears that their social position was under threat, by pointing out that union combination threatened their oligarchy. Finally, he convinced them to close ranks after the workhouse medical scandal to protect their reputations, even though some guardians were starting to favour a more moderate out-relief policy. This gave Pell enough time to assert his authority over the Brixworth Union board of guardians by creating a complex administrative structure to deter out-relief applications. For although Pell came to office in the early 1870s, farmer guardians let him consolidate his power, which paradoxically reduced their influence further. Pell used Spencer's reputation to convince guardians that out-relief levels should be reduced in 1870-1, but it was farmers' short-sighted action that gave him *de facto* power over the next twenty years or so. That process of poor law change was completed after guardians agreed to vindicate the doctor who was guilty of medical negligence and then voted in Bury as chairman of the Brixworth Union.

The growth of agricultural trade unionism and the two pauper deaths in the workhouse were important events in the formative process of the crusade against out-relief in the Brixworth Union. The pauper deaths, though unintended, were themselves one of a number of deterrents, which would later motivate the labouring poor to unite and overthrow Pell's retrenchment party once the poor law was democratized in the 1890s. Undoubtedly, the out-relief controversy contributed to the success of the NALU in the Brixworth Union and that, in turn, created an unprecedented climate of distrust. Class relations were tense, as farmers' reaction to union combination forced labourers to cross an important political threshold in this locality. Rural trade unionism seems to have heralded the start of more overt forms of political activity amongst the labouring poor, probably because by the close of the high farming era, as John Archer so aptly summarizes, 'illusion gave way to a pragmatic experience of pauperism'.⁸⁷ Once that political threshold was crossed there seems to have been no turning back because Pell's party refused to reintroduce out-relief, even after the onset of the agricultural crisis. In the 1870s many traditional poor relief claimants who joined local and national agricultural trade unions were not simply bargaining for 'a stake in the soil', but their very existence outside the workhouse. Consequently, agricultural trade unionism was a catalyst that accelerated the crusade against out-relief in the Brixworth Union and it politicized labourers to seek office, in order to control the poor relief system. In time democratisation would empower them to claim back their right to parish funding, which central government policy and the guardians' selfish economic and political motivations had tried to remove.

⁸⁶ Brown, *Meagre Harvest*, Horn, 'Agricultural labourers'.

⁸⁷ Archer, "By a Flash and a scare", p. 252.