

THE POOR LAW  
IN RURAL LANCASHIRE  
1820-50

A thesis submitted in partial fulfilment of the degree of Ph.D

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## ABSTRACT

This study is concerned with the implementation of the New Poor Law in the rural unions in Lancashire. It explores the effects of the legislation upon policies for poor relief and concludes that they can be most appropriately summarised as resulting in change. However, where attitudes towards the poor are concerned, there was continuity, for in both the pre- and post-1834 period, children, the infirm, the elderly, but never the able-bodied, were regarded with indulgence.

The prevailing view of Lancashire as a hostile county which resisted, occasionally violently, the introduction of the new law is not borne out by the rural region. Initial apprehension and prejudice was relatively slight. Nowhere was it orchestrated and the region was unionised, and the reform system put into operation, peaceably and without untoward incident. With only minor irritations, the central and local authorities sustained a harmonious working relationship throughout the period.

Consideration of the power structure suggests that the magistrates gained in power under the New Poor Law, either directly as ex-officio guardians, or indirectly through the influence upon members of the Board who were relatives, tenants or employees. Their power was moderated in degree according to the number of magistrates resident within a union.

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## ABBREVIATIONS USED IN FOOTNOTES

A/C	Assistant Commissioner
Ans. to Town / Rural Q. <i>x</i>	Answer(s) to Town / Rural Query <i>number(s)</i>
Cumbria RO	Cumbria Record Office
Eng. Hist. Rev	English History Review
Econ. Hist. Rev.	Economic History Review
fn	Footnote
Gdns. Mins.	Guardians' Minutes
Int. Rev. Soc. Hist	International Review of Social History
Lancs. CRO	Lancashire County Record Office
O/ss. A/cs.	Overseers' Accounts
PLB	Poor Law Board
PLC	Poor Law Commission(ers)
PP	Parliamentary Papers
PRO	Public Record Office
RC	Royal Commission
R/ps mgs.	Ratepayers' meetings
SV mins	Select Vestry Minutes
T.H.S.L.C	Transactions of the Historical Societies of Lancashire and Cheshire
T.L.C.A.S.	Transactions of the Lancashire and Cheshire Antiquarian Society

Both the microfilm version, and the printed E. A. and S. O. Checkland (eds.) version of the Poor Law Report of 1834 have been used. They are noted accordingly in the footnotes.

As there are often several separate dates in a single footnote, they have been printed in the condensed form, (e.g. 24/10/1846) as they would take up too much space if written out in full, (24 October 1846). Where a number of dates were relevant to a single incident, the whole period has been entered in the footnotes (e.g. May - Sep. 1837), or (May 1838) if the dates all occurred within the same month.



CUMBERLAND

Ulverston

WESTMORLAND

YORKSHIRE  
(West Riding)

MORECAMBE BAY

Lunesdale

Lancaster

Garstang

Clitheroe

Fylde

Preston

Burnley

Blackburn

Part of  
Todmorden

Haslingden

Chorley

Rochdale

Ormskirk

Bolton

Bury

Wigan

Oldham

Leigh

Barton  
-upon-  
Irwell

Ashton  
-under-  
Lync

Liverpool

West Derby

Prescot

Warrington

Salford

Prestwich

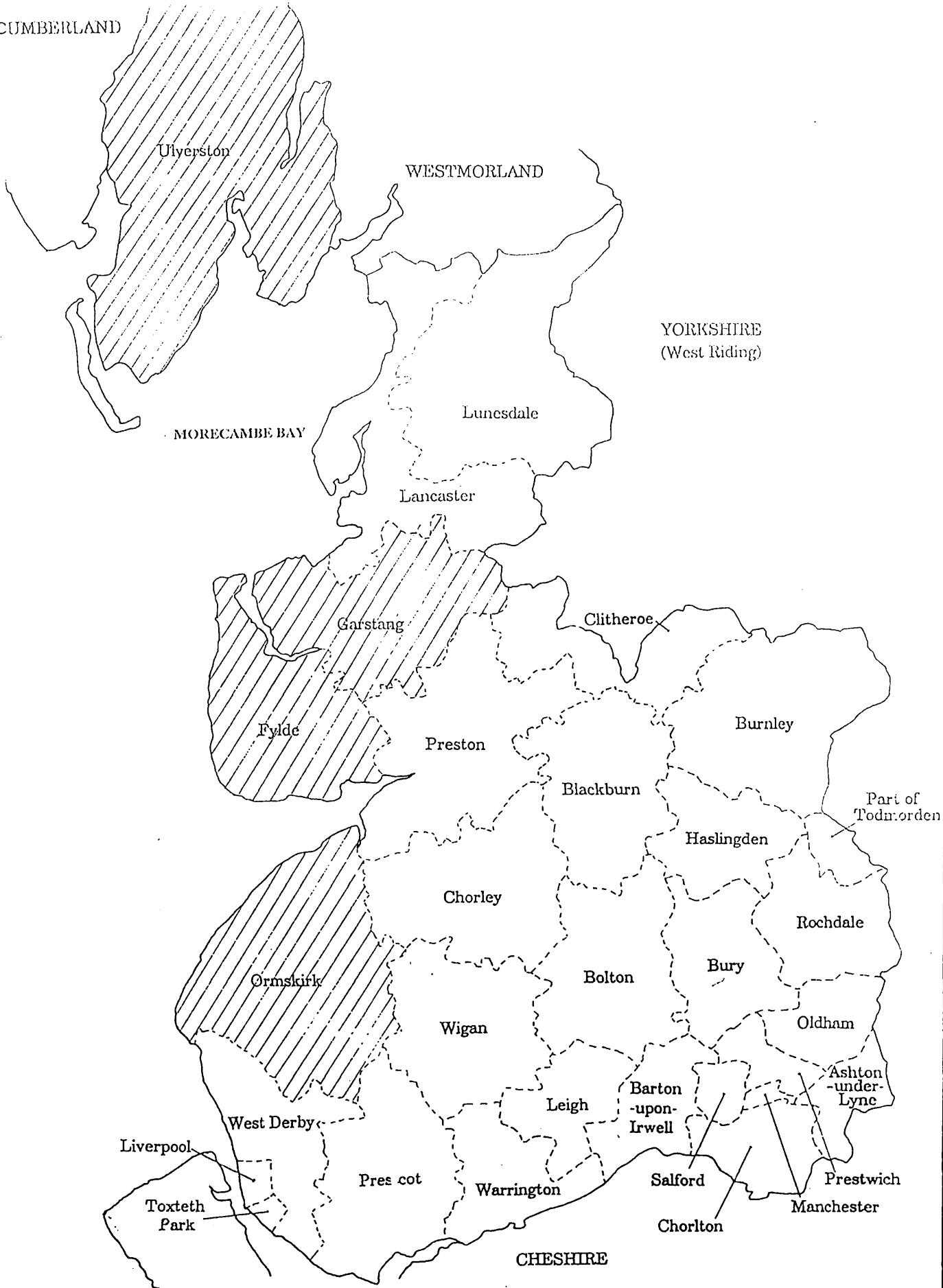
Toxteth  
Park

Chorlton

Manchester

CHEESHIRE

# THE RURAL UNIONS OF LANCASHIRE



## 1.....INTRODUCTION

The decisive step taken by Parliament in 1834 with the passing of the Poor Law Amendment Act was the culmination of years, even decades, of enquiry, debate, procrastination and statistical endeavour with regard to poverty and its control.

Although, legally, only an amendment of the Elizabethan Poor Laws the Act introduced a system sufficiently distinct from previous practices as to be commonly accepted as 'the New Poor Law'. The existing miscellany of methods of relief devised to suit individual circumstances, or even haphazardly arrived at, were to come to an end. Henceforth, a monitored national policy was to prevail with the declared intention of reducing pauperism and the poor rates.

Under the Old Poor Law relief had been customarily distributed by unpaid parish overseers under the official supervision of local justices. Overseers were variously chosen. Many townships retained the early practice of appointing in open vestry, 'one or two persons from among their number' to undertake the office, unpaid, for one year. Often this had devolved into the houserow system where substitutes were frequently accepted. However, to improve efficiency and reduce corrupt practices the parishes of some towns, and rather fewer rural areas, had obtained local acts permitting them to

combine for the purposes of poor relief.

The opportunity for larger-scale management of the poor through an incorporation of parishes became generally available with Gilbert's Act of 1782. Unlike private Acts which served individual circumstances, the public Act formally laid down rules of administration, which included the legal obligation to find work for the able-bodied unemployed, and to make their wages up if necessary. The practice of finding work for people had been taken up quite widely and was in direct opposition to New Poor Law policy of forcing all but the destitute to shift for themselves. Furthermore, existing Gilbert incorporations remained almost wholly outside the 1834 Poor Law Amendment Act unless two-thirds of their Guardians consented to voluntary disbandment.<sup>1</sup>

From 1818 and 1819 the permissive Sturges Bourne Acts enabled single parishes too, to obtain greater control over their officers and the distribution of relief through select vestries. These Acts further allowed any vestries, whether open or closed, to appoint paid assistant overseers. Nominally they were to assist the parish overseers but responsibility for relief frequently fell almost entirely into their hands. Some townships limited their vestries to certain people, while yet others experimented over the years with first one organization then another.<sup>2</sup> Variety had therefore been the essence of the Old Poor Law which Poynter states could only by courtesy be called a system, being rather a multitude of practices.<sup>3</sup> In direct contrast, uniformity was intended to be an important feature of the reforms introduced by the innovative Act of 1834.

This Act, its effects and its significance has attracted considerable interest from modern historians and has created a vast historiography. Every aspect of poor relief and

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<sup>1</sup> PP, 1836, XXIX, *Second Annual Report of the Poor Law Commission*, p.6

<sup>2</sup> See Chapter 4, *The Organization of the Old Poor Law*, e.g. Ormskirk, Tarleton and Colton.

<sup>3</sup> J. R. Poynter, *Society and Pauperism: English Ideas on Poor Relief, 1795-1834*, (London, 1969), p.1 2

its management, before as well as after 1834, has been examined, and a number of major debates have developed. Initial studies of the New Poor Law, such as those of Digby in East Anglia and Brundage in Northamptonshire, were concerned with the agricultural south and midlands - areas of recent enclosure, seasonal crops and extensive estates. In contrast, northern studies, for example those of Boyson, Edsall, and Proctor, have concentrated on the industrial regions with their high population density, urban characteristics and commercial interests.<sup>4</sup> These early studies, based on very different societies, have created a north /south divide, although regional diversity and local differences have long been recognized as a feature of the poor law. Poor relief in the south constituted a problem: in the north it was believed to be reasonably efficient and cheap, and therefore was less in need of reform - and the New Poor Law was resisted. These differences were commented upon at the time, and subsequently.<sup>5</sup> This study has not, however, pursued public response to the Act of 1834. There are three reasons for this. Firstly, there was no evidence of any reaction comparable to that in the urban unions. Secondly, none of the market centres of the four unions was sufficiently large to warrant a publication of its own, and newspapers are a main source of the activities of such organizations as the Anti-Poor Law Movement. News relating to the rural unions was selected by a local agent, then submitted to an urban newspaper, but items published appear to have been fortuitously included. Thirdly, the main focus on the *Guardians* has

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<sup>4</sup> A. Digby, *Pauper Palaces*, (London, 1978); A. Brundage, 'The landed interest and the New Poor Law: a reappraisal of the revolution in government', *Eng. Hist. Rev.*, vol. 87, 1972, pp.27-48; R. Boyson, 'The New Poor Law in North-East Lancashire, 1834-71,' *T.L.C.A.S.* vol. LXX, 1960, pp.35-56; N. C. Edsall, *The Anti-Poor Law Movement, 1834-1844*, (Manchester, 1971); W. Proctor, 'Poor Law Administration in Preston Union, 1838-1848', *T.H.S.L.C.*, vol. 117, 1965, pp.145-66.

<sup>5</sup> PP, 1834, XXVIII, Royal Commission on the Poor Laws, Appx. A., pt.I, Report from G. Henderson for the Co. Palatine of Lancaster, p.909A-911A; M. E. Rose, 'The Anti-Poor Law Movement in the North of England', *Northern History*, vol. 1 (1966) pp.72-73

been in relation to their implementation of the Act, their power and their persona, not their politics or their outside activities for which there appeared to be no sources.

Dangers inherent in selective representation of the poor law has been acknowledged by Apfel and Dunkley who emphasize the benefits to be derived from further studies in hitherto unresearched areas. Digby similarly appreciates the gap in present-day knowledge and has specifically pin-pointed the absence of information on the implementation of the New Poor Law in the rural areas of what was thought of as ‘the manufacturing north’, of which Lancashire is the archetypical example.<sup>6</sup>

The New Poor Law in Cumberland, Westmorland, Tyneside and the West Riding has been researched by Thompson, McCord and Rose, but nothing at all has been written about its introduction into agricultural Lancashire.<sup>7</sup> Yet in the days when perishable foods had to be produced locally, a great proportion of the workforce of Lancashire, the county with the second largest population in England, spent most waking hours in industrial production. Rural Lancashire therefore played an essential, if less newsworthy or flamboyant, part in the life of the county and in the sustenance of its workers.

In studying the introduction of the New Poor Law into the hitherto neglected agricultural districts of Lancashire, this thesis seeks to augment current knowledge and remedy the imbalance created by the existing concentration on the agricultural south and the industrial north. In so doing it will address some of the issues of historical debate.

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<sup>6</sup> W. Apfel, and P. Dunkley, ‘English Rural Society and the New Poor Law: Bedfordshire, 1834-47,’ *Social History*, 10, 1, Jan 1985, pp 67-68; A. Digby, ‘The Rural Poor Law’, in D. Fraser, ed., *The New Poor Law in the Nineteenth Century*, (London, 1976), p.165

<sup>7</sup> R. N. Thompson, ‘The New Poor Law in Cumberland and Westmorland, 1834-1871’, unpublished Ph.D. thesis, University of Newcastle, 1976; M. E. Rose, ‘The Administration of Poor Relief in the West Riding of Yorkshire c. 1820-1855’ unpublished Ph.D. thesis, University of Oxford, 1965; N. McCord, ‘The Implementation of the 1834 Poor Law Amendment Act on Tyneside’, *Int. Rev. Soc. Hist.*, 14, 1969, pp.90-108

These are presented in Chapter 2 in the course of a review of literature on the effects and significance of the Act of 1834.

Reactions and responses to the Act are outlined later in this Introduction. The response generated in the unions of rural Lancashire raises an interesting question. The region was quite different from both industrial Lancashire and the agricultural south, but it shared territorial propinquity with the former, which was also the market for its produce, and occupational interests and experiences with the latter. Whether Lancashire's agricultural unions appear to have been influenced by their southern counterparts, or whether their attitudes were peculiarly their own, and even different from each other, will be considered in the Conclusion.

Selection of the unions which met the agricultural criteria, is explained in Chapter 3, which also describes their social composition and the forms of husbandry in which they were engaged. To provide a basis for comparison with poor relief in the post-1834 period, Chapters 4 and 5 establish, as far as the documentation allows, their administration and relief practices under the Old Poor Law. Subsequent chapters analyse the regional implementation of the New Poor Law in terms of administration, relief policy and practice, the Guardians, and the relationship between local and central government. Associated with the different levels of command is the concept of power which will be addressed by paying particular attention to the membership and role of the newly-created Boards of Guardians.

As the primary objectives of this study are centred upon the introduction of the New Poor Law, only the early years of adjustment and accommodation will be considered. The study therefore terminates around the mid-century. By then most of England and

Wales had been unionized, and even the most recalcitrant unions, such as Rochdale and Oldham, were under at least the nominal control of the central authority. The rural unions of Ormskirk, Garstang, Fylde and Ulverston which form the subjects of this study, had been operative for between ten and fifteen years.

Management of the poor under the authorization of the Poor Law Commission began in Lancashire with the rural union of Ulverston on 26 August 1836, only two months after it had been declared. The other three rural unions were declared at the beginning of 1837, but only Ormskirk came reasonably quickly thereafter under the rules and regulations of the Poor Law Commission, assuming relief from 24 August 1837, a year later than Ulverston. It is probable that Garstang had only been formed quickly for Registration purposes, as elections for Guardians were far from complete at the initial meeting of the Board on 31st January 1837 and the union remained more or less in abeyance until it came under the rules and regulations of the Poor Law Commission in October, 1838 and assumed the administration of relief on Christmas Day, 1838, an interval of almost two years since the union was first declared. Occasional references in the Annual Reports of the Poor Law Commissioners indicate that Fylde followed a similar pattern to Garstang.

**Table 1.1      Dates for Declaration and Operation of the Unions**

<u>Union</u>	<u>Declared</u>	<u>Relief Assumed</u>	<u>By whom formed</u>
Ulverston	c. June 1837	26 Aug. 1836	A/C Voules
Ormskirk	31 Jan. 1837	24 Aug. 1837	A/C Power
Garstang	31 Jan. 1837	25 Dec. 1838	A/C Power
Fylde	31 Jan. 1837	25 Dec. 1838	A/C Power

Dates obtained from Guardians' minutes and Annual Reports of the Poor Law Commissioners

Problems attached to a historical study of this nature include the well-recognized difference of purpose for which documents were written, and patchy or incomplete sources, especially those connected with the Old Poor Law. Until the formation of the unions the township was the unit of administration for poor relief. There would thus have been a wide variety of former experiences within the townships of a union, and without records for every one of those townships the situation that had existed can only partially be established. Local information on the Old Poor Law has been heavily dependent upon the 'Answers to the Town / Rural Queries' obtained for the Royal Commission's Report of 1834. Though limited to four townships in the future Ulverston union, three in Ormskirk, two in Fylde and one in Garstang, the questions were comprehensive. However, answers varied with the respondents and the perceived relevance of the questions: some townships' answers were monosyllabic or left blank while others, such as those of Ormskirk township, were exceptionally detailed. The problem of small numbers of townships being unrepresentative of a whole union was overcome to some extent by the overseers' accounts and vestry minutes of additional townships, although even with these it has not been possible to effect comprehensive coverage. Parish records also served a secondary purpose in identifying some of the people who had been involved in poor relief before and after 1834

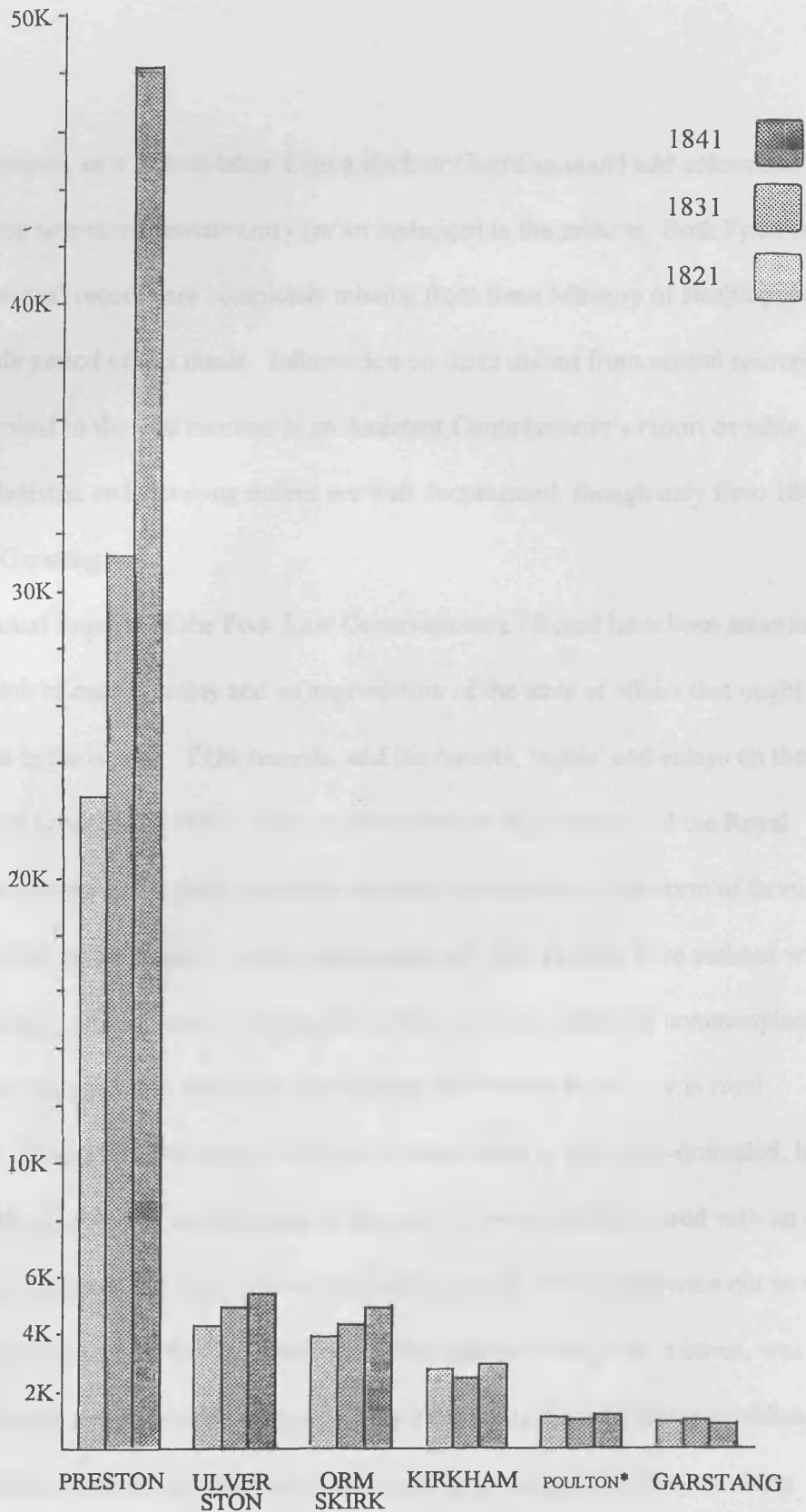
The minutes of the Boards of Guardians were basic to the analysis of the unions' management of the poor under the New Poor Law. Like log books and diaries, minutes vary in their expansiveness. The Garstang Clerk, for instance, was a young bookseller who occasionally provided glimpses of what had taken place supplementary to what had been more formally recorded. He also tended to give fairly detailed accounts of issues



that would have received the briefest mention in the Ormskirk minutes. The latter are altogether less revealing and less comprehensively kept, but they are continuous to 1851 whereas Garstang's minutes cease in August, 1849. Different again are the minutes of the Ulverston Union. These record in repetitive detail the everyday minutiae of each Board meeting, while always remaining utterly discreet, as befitted the legal calling of their Clerk. Fylde Union minutes are clear and businesslike but they are only extant from 1845, and the loss of the letter book to which they constantly refer is a further handicap. Especially regrettable is the non-survival of the minutes for Fylde's earliest years of operation. These are normally the most indicative of the way in which the Guardians organized themselves, their relationship with the central authority, their attitudes, and how quickly they did, or did not, settle to their prescribed duties.

In the absence of annual returns to Somerset House of Guardians and Paid Officers, union minutes were invaluable for identifying the Guardians, and additionally for evaluating their involvement in pauper management and their relationship with the central authority. The Ulverston clerks also detailed proposals and amendments, usually adding the way the voting was divided and very occasionally naming who voted for what: other union clerks often merely recorded the outcome, and sometimes not even that. Enumerators' schedules, directories, electoral lists, tithe awards, census returns and numerous parish and other records were additionally searched for information on the Guardians.

A further dimension was provided by the triangular correspondence of the Poor Law Commissioners (later Board) with both their Assistants and with the Guardians. For instance, an Assistant's terse comment on the reverse of a missive, or the odd letter from



\*Not a union centre, but referred to in text

### 3.1 THE POPULATIONS OF RURAL WEST LANCASHIRE MARKET CENTRES COMPARED WITH PRESTON

an outside source, or a private letter from a clerk or Guardian could add colour and understanding to a more prosaic entry (or an omission) in the minutes. Both Fylde and Ormskirk unions' records are completely missing from these Ministry of Health papers for the whole period of this thesis. Information on these unions from central sources is therefore limited to the odd mention in an Assistant Commissioner's report or table. Happily, Ulverston and Garstang unions are well documented, though only from 1844 in the case of Garstang.

The Annual Reports of the Poor Law Commissioners / Board have been essential for the expression of central policy and an appreciation of the state of affairs that ought to have existed in the unions. Tithe records, and the reports, 'notes' and essays on the agriculture of Lancashire (1815 - 1851) to the Board of Agriculture and the Royal Agricultural Society of England, provided detailed information on the form of farming which prevailed in the unions. Lastly, local studies of other regions have assisted with comparison and contrast, and in distinguishing the distinctive from the commonplace.

This study suggests that there was no rejection of the New Poor Law in rural Lancashire. Where hostility existed it was of a minor nature, was unco-ordinated, highly localized and short-lived. Introduction of the new law was initially viewed with an open mind in most quarters and even welcomed in some. Local landowners were not as all-embracingly dominant as has been maintained, but neither in fact, nor in intent, was control of policy as centralized as suggested by others. By the time it was established in rural Lancashire, pragmatic influences were recognized and a satisfactory working relationship evolved between the two authorities. Sudden change had not been necessary and nowhere was it enforced, but it took place by degrees as the implementation of the

law was consolidated, the central authority choosing to introduce the more controversial aspects into unions where it knew they would be acceptable.

## **2.....1834: BACKGROUND AND DEBATES**

This chapter reviews the existing historiography on major issues related to the Poor Law Amendment Act of 1834 which are to be discussed in this thesis. It begins with a brief explanation of the pressures for change, the government's response, and why new legislation was finally accomplished after the lengthy period of indecision. It then proceeds to examine some of the principal issues of historical debate. Though no doubt almost all contemporaries assumed that the Act of 1834 heralded a markedly different system of relief, with hindsight modern historians discuss whether the New Poor Law did in fact result in change or whether it continued along roughly the same lines as before. Some of their conclusions with regard to the concepts of continuity and change in relation to policy and personnel are considered. The chapter then ends with an assessment of the roles of the elected and the ex officio Guardians, their power and their persona.

### **The Old Poor Law: the quality of the evidence**

By the early 1830s poor rates were believed to have escalated without seeming to quell unrest or reduce the number of paupers. A national figure in excess of £4 million in 1802/3 had nearly doubled to £8 million by the peak year of 1818 and was still in touch

with the latter figure in 1832. The exact figures are 1802/3, £4,077,000; 1818, £7,870,000; and 1832, £7,046,000. In fact, because of a rising population, the per capita expenditure had actually dropped from a 13s.3d. peak in 1818 to 10s.2d. in 1832, the year the Royal Commission was appointed, but both the per capita and the total expenditure of 1832 were up on the previous year, thus appearing to signal the threat of worse to come.<sup>1</sup>

There was no body of reports, however, to publicize the contemporary situation but in any case, attitudes and beliefs acquired over time do not tend readily to adjust to items such as annual statistics, even if they were known and appreciated. Additionally, and importantly, both rates and assessments were calculated according to local circumstances and therefore varied considerably. Even within rural Lancashire, rates in 1831 ranged from 17/2d. per head in Ulverston to 2/4d. in Burscough; were around 9/- in Dalton, Church Coniston and Hawkshead; 7/3d. in Newton with Scales and Clifton with Salwick; and 4/5d. in Halsall, so averages and national figures had little relevance to the local ratepayer.<sup>2</sup>

The Government's response to the mounting alarm and the increasing pressure put upon it had been the setting up of a Royal Commission, announced by Lord Althorp in February 1832, to investigate into the administration and operation of the existing poor laws for the purpose of recommending a more efficient system. A number of Assistant Commissioners were appointed to seek out first-hand information in the provinces and their personal observations were supplemented by replies to lengthy questionnaires completed by various towns and rural parishes. It is not clear how the places were

<sup>1</sup> PP, 1909, XXXVII, Majority Report of the Poor Laws, 1909, vol. I, part III

<sup>2</sup> PP, 1834, Royal Commission on the Poor Laws, XXX-XXXIV, Appx. B1, Ans. to Rural Q. 'C', XXXV-XXXVI, Appx. B2, Ans. To Town Q. 'C'

chosen. S. and B. Webb allege that written answers were 'freely invited' but without indicating from whom. Checkland, using the terminology of the Royal Commission Report, states that questionnaires were 'circulated' and that a little over ten per cent of the parishes replied, while Midwinter believes that in Lancashire the questionnaires were more or less fortuitously issued and that sets of answers were provided by nineteen rural and seventeen urban townships, which involved roughly half the county's population at that time.<sup>3</sup>

It has recently been the fashion to consider these answers as being unreliable. Some historians believe respondents gave the answers they felt were required of them rather than the true facts, a seemingly unanswerable accusation where relevant poor law records have not survived. Less cynically, others think the questionnaires were not understood. There is some support for this view in that alterations were made to the rural questions, which were the first to be issued, after it was apparent from the earliest answers that some questions were imperfectly understood or that additional questions might be useful. However, the fact that the rural questionnaire was amended in the light of this feedback indicates a desire to obtain correct information and it would seem that the Commissioners accepted that the final version enabled this, or they would have amended it further. The same observations apply to the town questions which were prepared last and were not thought to need altering. The *quality* of the Answers was also raised by the Royal Commission, commenting on a proportion of opposing, varied and valueless answers which resulted in an 'utter want of any standard of references'. It would be realized today that standardized answers could not reasonably be expected

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<sup>3</sup> S & B. Webb, English Poor Law History: Part II: The Last Hundred Years (London, 1929), vol. I, p.52; S.G. & E.O.A. Checkland, ed., The Poor Law Report of 1834 (Pelican Edition, 1974), p. 30; E. Midwinter, Social Administration in Lancashire, 1830-1860. (Manchester, 1969) p.11

from open-ended, opinion-seeking questions, and also that the wording of some of the questions could be described as 'leading'.<sup>4</sup>

Midwinter believes the answers to the questions on the whole to be nearer the truth than is normally imagined because the respondents were unaware of the aims of the reformers. He also suggests that respondents were insufficiently intelligent to reply deviously: it was a case of 'earnest, not very bright overseers and churchwardens trying desperately to complete the universally difficult task of completing a Government form'. However, in defence of the parishes and their officers Williams asserts that they not only understood the questions, they also returned reasonably clear and unambiguous answers.<sup>5</sup> Williams's work is highly statistical and he therefore eschews open-ended questions. This may have influenced his verdict, but on the other hand Midwinter is rather too sweeping in his view of mentally-limited respondents. In the townships of the future rural unions of Lancashire, for example, Rev. Myles Sandys, Jnr., JP replied on behalf of the parish of Dalton; Rev. Richard Moore, incumbent, responded for Newton with Scales and Clifton with Salwick; Thomas Bell, gentleman of Garstang, provided the answers for his town in conjunction with the assistant overseer, and Rev. Joshua Thomas Horton, JP answered for Ormskirk. This last township allows an interesting comparison as a further set of answers was returned from two parish officers plus a ratepayer. The vicar's answers supply much more detail but though differences in attitude are discernible between the clerical observer and the officers with practical experience, there are no material discrepancies between the two

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<sup>4</sup> Checkland, Poor Law Report, pp.67-69

<sup>5</sup> Midwinter, Social Administration, p.11; K. Williams, From Pauperism to Poverty, (London, 1981), p.46.



returns. The duplication may have been accidental, or the vicar perhaps felt that his wider view would be helpful.<sup>6</sup>

Persons of the above standing would certainly find no difficulty in completing 'Government forms'. They would also almost certainly be aware of the purpose behind the questions but there seems no reason to suppose that they would desire to tailor their answers to 'please' the Commission. With the possible exception of the parish officer for Church Coniston (Ulverston Union) whose answers were brief, the overseers' answers also were well-considered and articulate.

### **The passage of the Poor Law Amendment Act**

The Royal Commission reported in 1834, and the Poor Law Amendment Bill embodying its recommendations received the royal assent on 14th August of the same year. Although almost every recommendation of the Report and nearly every one of the 109 sections of the Bill had been vigorously opposed in Parliament by one group or another, in the event the Bill quietly and quickly became law. Edsall attributes this to the fact that only two months elapsed between the publication of the Report and the presentation of the Bill. This gave insufficient time for a disparate opposition to unite to organize a concerted attack. It is also advanced as the reason why the Act varied so little from the recommendations of the Report on organization, but was so short on detail about relief.<sup>7</sup> An alternative theory is that with some deliberately clever wording of the Bill which made it difficult to attack, plus the tacit support of Sir Robert Peel, and the additional willingness to occasionally misrepresent the intentions of the bill,

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<sup>6</sup> PP, 1834, RC on the Poor Laws, XXX-XXXIV, Appx. B1, Ans. to Rural Qs; XXXV-XXXVI, Appx. B2, Ans. to Town Qs. See Table 4.1 for respondent-townships in the four rural unions.

<sup>7</sup> N. C. Edsall, The Anti-Poor Law Movement, 1834-1844, (Manchester, 1971), pp. 8-14

most members of Parliament were prepared to support the reform as being necessary in the interests of economy.<sup>8</sup> Other factors put forward to explain the Act's relatively easy passage are Benthamite philosophy, (Webbs) Benthamism allied to Ricardian theory, (Thompson) Tory landed interest, (Mandler) reduced pauperism leading to reduced unrest, (Knott), the Swing Riots, (Digby) middle-class ascendancy (Edsall), and county magistrates thankful for a lighter workload. (Roberts)<sup>9</sup> However, it is generally agreed that the major force was the acknowledgment by all parties that the cost of poor relief was too burdensome.

Continuous pressure upon the Government from Members of Parliament, who were themselves ratepayers, accentuated this fact. Poynter adds, however, that it was not solely a question of greed, and that natural concern at the expense of pauperism was accompanied by feelings of grave disquiet: rates ought not to be so volatile in a stable country.<sup>10</sup> The 1817 Select Committee on the Poor Laws had also been concerned that poor rates would bankrupt the country if they continued to rise.<sup>11</sup> A rider to the Act becoming law concerned the singular powers awarded to the Poor Law Commission. Roberts and Dunkley both imply that the ruling class were not only pleased to pass the problem of the poor to another body, they wished to ensure they had completely rid themselves of it.<sup>12</sup>

<sup>8</sup> J. Knott, Popular Opposition to the 1834 Poor Law, (London, 1986), pp. 55-56.

<sup>9</sup> S. and B. Webb, The Last Hundred Years, pp. 26-31; R. N Thompson, 'The New Poor Law in Cumberland and Westmorland, 1834-1871' unpublished Ph.D. thesis, University of Newcastle, 1976, p.93; P. Mandler, 'The Making of the New Poor Law *Redivivus*', Past and Present, 117, 1987, pp.132, 156-57; Knott, Popular Opposition, p.59; A. Digby, Pauper Palaces, (Cambridge, 1978), p.4; Edsall, Anti-Poor Law Movement p.1; D. Roberts, Victorian Origins of the British Welfare State, (Yale, U.S.A., 1960), p. 43

<sup>10</sup> J. R. Poynter, Society and Pauperism. (London, 1969), p. 17

<sup>11</sup> G. Nicholls, A History of the English Poor Law, 1715-1853, vol II, (London 1898), p. 172.

<sup>12</sup> Roberts, Victorian Origins, pp.44; P. Dunkley, The Crisis of the Old Poor Law in England, 1795-1834: an Interpretative Essay, (New York, 1982), p.4

## The formation of the unions

One of the first tasks the Commissioners undertook was the formation of the parishes into unions. This process, too, has aroused historical controversy. The organization recommended in the 1834 Report and acknowledged by the Poor Law Commissioners as their policy, was a cluster of townships surrounding a market centre to which they customarily resorted.<sup>13</sup> A maximum ten-mile radius was suggested, perhaps influenced by the precedent set under the provisions of Gilbert's Act of 1782 where no parish more than ten miles from the union workhouse could be included in the incorporation.<sup>14</sup> For topographical reasons, or because of the presence of an existing Gilbert or local act incorporation, it was not always possible to follow the classic pattern. However, the Webbs believe the unions' formation to have been arbitrary while Midwinter, with reference to Lancashire, believes that 'a hasty and over-eager approach' resulted in their being 'thrown together' and could see 'no rhyme or reason in these artificially built ad hoc entities'.<sup>15</sup>

Brundage has a different explanation. Extending a theme he developed during his research in Northamptonshire, he suggests that 'in Lancashire, as elsewhere, the major factor was probably estate boundaries'. This theory is considered in Chapter 4 in relation to the four rural unions of Lancashire. As it relates to other counties, Randell denies that the wishes of landowners were paramount in Somerset, and Dunkley names a number of other counties, including Cumberland, where the yeomanry were, or were likeliest to be, in the ascendant.<sup>16</sup>

<sup>13</sup> First Annual Report of the PLC, XXXV, 1835, p.19

<sup>14</sup> Nicholls, English Poor Law, p.84

<sup>15</sup> Webb, The Last Hundred Years, pp.113-115; Midwinter, Social Administration, pp18-20.

<sup>16</sup> A. Brundage, The Making of the New Poor Law: the politics of inquiry, enactment and implementation, (London 1978), p.150 and fn.24, and A.Brundage, 'The landed interest and the New Poor Law: a reply', Eng. Hist. Rev., 90, Apr. 1975, pp.350-51; P. W. Randell, 'Poor Law Relief in

## Relief policies: continuity and change

Continuity and change have been at the root of a number of debates upon various aspects of the administration of relief under the Old and the New Poor Law. These are principally connected with policy as it would be difficult to argue that the New Poor Law arrangement of unions and a three-tier management of relief, represented other than a radical change in organization. The Act of 1834 allowed the Commissioners to devise their own policy, but the Report of the Royal Commission had stressed that permanent improvement in pauper management necessitated a uniform approach. Henceforth applicants should be regarded as 'cases' and grants or refusals be awarded impersonally and with consistency. Even 'worthiness' and 'special circumstances' were to be proscribed as 'every violation of the general rule to meet a real case of unusual hardship lets in a whole class of fraudulent cases by which that rule must in time be destroyed'.<sup>17</sup>

However, the greatest evil of Old Poor Law policy in the opinion of the Royal Commission, was outdoor relief to the able-bodied. Such aid had taken many forms varying from resident employment by ratepayers to full-time paid employment, or to a single, casual payment without labour. But the outdoor relief which had earned the greatest opprobrium in the Report was the payment of descriptively designated 'partial relief' to the employed whose wages did not reach a minimum subsistence level. The latter was calculated according to the price of bread and the number of a man's dependents. Any shortfall was made up out of the rates. These 'classic' allowances were held to encourage employers to pay low wages while the published bread scales

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Somerset, with Particular Reference to the Wincanton Union, 1834-1900' unpublished M.Litt thesis, University of Lancaster, 1983, p.72; P. Dunkley, 'The Landed Interest and the New Poor Law: a critical note', *Eng. Hist. Rev.*, 88, Oct. 1973, p.841

<sup>17</sup> PP, 1834, XXVII, Report from the Commissioners for Inquiry into . . . the Poor Laws, pp.263, 293 18

tended to make relief a way of life rather than a fallback in adversity. They also encouraged labourers to remain in their parishes, immobilized, an interference with the supply and demand of labour abhorred by Chadwick and the economists.<sup>18</sup>

The Speenhamland version of such partial relief had been introduced by Berkshire magistrates in 1795 during the French Wars in order to assist agricultural labourers whose wages had not kept pace with rising prices, but both before and after the Wars there had been many variations. Knott quotes examples as far back as the seventeenth century, yet Hampson reports that a bread scale was not officially ordered for Cambridgeshire until 1821. For the subsequent eight years it was operated throughout the county, and was continued after 1829 by many parishes. She remarks upon the lateness of this decision when allowances were coming into disrepute elsewhere.<sup>19</sup>

The Cambridgeshire evidence runs counter to Blaug's argument that able-bodied relief in aid of wages was reduced to a rump of child allowances by 1832. Blaug's research has also been blisteringly attacked by Williams for 'massive errors of omission and commission'. Referring to Rural Query 24 on allowances, Williams says Blaug has used the composite form of the question prepared for the general public instead of the three separate wordings sent out by the Royal Commission to the respondent parishes and this makes a significant difference in the interpretation of the answers. Williams asserts that statistical evidence shows extensive assistance in aid of wages was still being given to the able-bodied in 1832. In contrast, Baugh feels that Speenhamland allowances were not particularly important at any time as they were only one of many remedies. Neither were they progressively malignant in the twenty years preceding the

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<sup>18</sup> S. E. Finer, The Life and Times of Sir Edwin Chadwick. (London, 1952), p.41

<sup>19</sup> Knott, Popular Opposition, p.17; E. M. Hampson, The Treatment of Poverty in Cambridgeshire 1597-1834, (Cambridge, 1934) p.271.

Royal Commission, nor responsible for the high cost of poor relief. Family allowances using scales was, however, a common post-war relief system.<sup>20</sup>

But what is an allowance? Unfortunately for modern research the term in the past appears to have been acknowledged conceptually rather than its having a precise meaning. This may have arisen because parishes under the Old Poor Law could adopt or devise whatever system of relief best suited them. On the other hand it is possible that contemporaries understood the nuances of the term and awarded it exact meaning according to the context and circumstances, knowledge now lost to present-day historians.

The confusion is compounded today. Sometimes the word is used loosely in its wide twentieth century interpretation. At other times it is used very specifically. Mackay in his five-point categorization of outdoor relief restricts the term to Speenhamland-type systems, namely, those awarding partial relief to the employed according to a published scale.<sup>21</sup> Knott, on the other hand, refers to 'the allowance system in all its forms' and includes therein the roundsman and labour rate systems. He also asserts that by the beginning of the nineteenth century it was the outworkers in decaying handicraft trades who had replaced agricultural labourers as benefiting most from the operation of the allowance system.<sup>22</sup> This is a premature assertion in relation to the North, where domestic workers connected with textile production, for instance, were certainly not outmoded by this time.

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<sup>20</sup> M. Blaug, 'The Poor Law Report Re-examined', *Journal of Economic History*, vol. 24, June 1964; Williams, *From Pauperism to Poverty*, pp. 49-51; D.A. Baugh, 'The Cost of Poor Relief in South East England, 1790-1834', *Econ. Hist. Rev.*, 28, Feb. 1975, p.67.

<sup>21</sup> T. Mackay, *The Hist of the English Poor Law*, Vol. III, 1834-1898, (London, 1899) pp.56-59

<sup>22</sup> Knott, *Popular Opposition*, pp.54, 171

Rose defines the term as applying only to payments 'in aid of wages' but Digby includes those 'in want of work' along with those 'in work' as properly coming within the scope of the term.<sup>23</sup> In some contexts, relief to other than the able-bodied has also been termed 'allowances', for example payments to widows by the parish or to mothers by putative fathers on account of illegitimate children. In short, the term has been used in so many different ways that it can present difficulties when comparing and contrasting one study with another.

This problem is not, of course, present where the comparison remains within the one study. Contrasting practices under the Old and New Poor Laws in East Anglia, Digby claims that farmer-Guardians as freely gave allowances after 1834 as farmer-vestrymen had done before 1834. This was achieved through exploitation of the permitted exceptions in the Prohibitory Orders, and the absence of watchful oversight due to the reduction in Assistant Commissioners to nine between 1842 and 1846.<sup>24</sup>

Nationally, Rose states that central authority not only failed to end outdoor relief to the able-bodied, it also failed to stamp out the allowance system. But accepting Blaug's thesis that fixed-scale, Speenhamland-type allowances had all but disappeared by 1834 he concludes that the allowances which survived were non-scale relief in aid of small, often irregular earnings rather than of regular wages.<sup>25</sup> But do the latter cases correctly qualify as allowances? Should they more properly be regarded as examples of casual outdoor relief - perhaps sometimes to the 'borderline' able-bodied, or to the non-settled, or perhaps to widows or other women, only fitfully employed and whose sex,

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<sup>23</sup> M. E. Rose, 'The Allowance System under the New Poor Law' *Econ. Hist. Rev.*, 19, Dec. 1966, p. 607; Digby, *Pauper Palaces*, p. 113; A. Digby, 'The Labour Market and the Continuity of Social Policy after 1834: the Case of the Eastern Counties', *Econ. Hist. Rev.*, 28, Feb. 1975, pp. 69, 72-74

<sup>24</sup> Digby, *Pauper Palaces*, pp. 110, 113

<sup>25</sup> Rose, 'The Allowance System under the New Poor Law', pp. 607, 609.

such as Williams would argue, excluded them from the 'able-bodied'?<sup>26</sup> Again, inconsistencies in interpretation of the term create difficulties in arriving at comprehensive conclusions.

Williams, who forcibly disagrees with Blaug over the paucity of wage-related allowances before 1834, just as virulently attacks Rose upon the grounds of unsubstantiated claims over their continuation after 1834. Using national statistics and keeping his criteria constant, Williams maintains that outdoor relief to the able-bodied was sharply curtailed after 1834. This therefore illustrates marked change. Apfel and Dunkley equally uncompromisingly support the thesis of change with regard to allowances in Bedfordshire.<sup>27</sup>

If Blaug were correct in his estimation that allowances in his 'Speenhamland' counties had all but ceased before the appointment of the Royal Commission, evidence of the operation of such allowances after 1834 would constitute 'change'. Some historians at present seem to be seeing them as evidence of 'continuity'. The conclusions drawn, of course, depend upon the basis taken for the comparison. The Report of the Royal Commission and contemporary debate and publications implied that allowances were prevalent and widespread. Blaug's modern theory that they had virtually ceased by 1834 has gained wide acceptance: Williams' more recent rejection of this theory appears less influential.

In any case, it is essential to bear in mind that unions were collections of townships all formerly going their own way, so that what was continuity for one township in a union under the New Poor Law could quite well have been a complete change for

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<sup>26</sup> Williams, *Pauperism to Poverty*, p86.

<sup>27</sup> *ibid.*, pp.34, 61; W. Apfel and P. Dunkley, 'English Rural Society and the New Poor Law: Bedfordshire, 1834-47,' *Social History*, 10, 1, Jan. 1985, p.68.



another. Unless, therefore, a comparison of 'allowance' practices under both Old and New Poor Laws is possible at the individual township level, any conclusion in relation to a union can, at best, only be an approximation based on probability.

Indoor relief concerns the function of the workhouse. By 1834 existing workhouses were haphazardly situated and formed a polyglot assortment used, it is said, as anything from almshouses for the elderly to dumping grounds for the dissolute.<sup>28</sup> Under the New Poor Law all the townships in a union were jointly responsible for providing, staffing and maintaining the necessary workhouse accommodation. The Report had recommended classification of inmates by age and sex so that the young, the old and the impotent could be treated differently from the able-bodied. For the latter it was to be 'an uninviting place of wholesome restraint' where the principle of less eligibility was specifically designed to eliminate applications for relief from all but the destitute.

The means by which less eligibility was achieved, and the allied question of cruelty in workhouses under New Poor Law has been the subject of continuing debate. Many modern historians understand a less eligible situation was achieved through mental distress engendered by monotony, discipline and loss of liberty, all of which obtained in the workhouse,<sup>29</sup> but Roberts in his investigation into the question of cruelty quotes many historians of the 1920s and 1930s who described workhouses as 'places of horror' (Polanyi), 'extraordinarily ruthless' (Rosenblatt) 'deprived of sufficient bedding, warmth and nourishment' (Halevy), and 'odious and cruel'. (G. D. H. Cole)<sup>30</sup>

<sup>28</sup> Midwinter, Social Administration, pp.52-54

<sup>29</sup> For example, Digby, 'The Rural Poor Law', p.162, in D.Fraser, (ed.), The New Poor law in the Nineteenth Century, (London, 1976); N. McCord, 'The Government of Tyneside, 1800-1850', Transactions of the Royal Historical Society, 5th Series, 20, 1970 p.100; 'Introduction', p.20, in Fraser, (ed.), The New Poor law in the Nineteenth Century

<sup>30</sup> Quoted in D. Roberts, 'How Cruel was the Victorian Poor Law?' Historical Journal, VI, 1963, p.100 23

The Webbs stated that the Poor Law Commissioners ‘strove incessantly’ to insist upon less eligibility ‘by giving less food, inferior clothing, worse accommodation, or shorter hours of sleep to inmates’ than those outside, but that by 1847 they had given up on this method and instead ‘sought to secure this less eligible state through monotonous toil, lack of all recreation, a total absence of any mental stimulation, and where possible, by confinement within the workhouse walls’.<sup>31</sup>

Roberts concludes that by and large post-1834 workhouses were not cruel in either practice or intent.<sup>32</sup> This view is not shared by Henriques. While denying sadistic cruelty she regards them as having been oppressively and insensitively administered, with heavy, repellent labour such as bone-crushing only reluctantly abandoned by the Commissioners.<sup>33</sup>

Assessing the practical imposition of New Poor Law policy in general, Rose’s summary of it as ‘but the old one writ large’ is graphically echoed by Midwinter, who declares ‘Those who had the misfortune to live - as paupers, officers or ratepayers - under both dispensations would probably have found it difficult to describe the difference between old and new.’ Digby, assessing the situation in ‘many parts of southern rural England’ and the Welsh countryside, also supports this thesis.<sup>34</sup> The inevitability of continuity where incorporations persisted is pointed out by Snell citing Norfolk and Suffolk as examples. He also concedes the possibility of a little administrative continuity elsewhere, but as the whole of his chapter on the poor law is

<sup>31</sup> S and B. Webb, English Poor Law Policy, (London, 1910), pp. 84.

<sup>32</sup> *ibid*, p.104-107

<sup>33</sup> U. Henriques, ‘How Cruel was the Victorian Poor Law?’, Historical Journal, XI, 2, (1968), p.365

<sup>34</sup> M. E. Rose, ‘The Anti-Poor Law Movement in the North of England’, Northern History, vol. 1, 1966, p.91; E. Midwinter, ‘State Intervention at the Local Level: the New Poor Law in Lancashire’, Historical Journal, X, 1, 1967, p.112; Digby, ‘The Labour Market’, p.158.

condemnatory of the New and almost eulogistic about the Old, it must be presumed that he reverts to the view of the earlier historians, such as the Webbs and Halevy, who believed the New Poor Law betokened change - for the worse.<sup>35</sup>

Though excluding value judgments, Apfel and Dunkley are agreed that there was distinct overall change. Writing in 1985 they point out that over the preceding twenty years the facile assumption that local administration automatically reflected changes in the policies of central government has now been over-corrected by a 'too strong denial of discontinuities'. In a footnote they cite Digby, Brundage, Rose, McCord, Roberts and Crowther who support the 'no change' thesis - although they do not distinguish between the various grounds leading to the individual assertions.<sup>36</sup>

Mandler is relatively neutral in his contribution to the debate. On balance he supports the notion of change, but adds that it was accomplished under landed auspices and was gradual and incremental. No finite date is mentioned but 'over the years' is implied. It therefore did not revolutionize the administration of poor relief.<sup>37</sup> Mandler's conclusions accentuate the importance of the time-scale over which comparisons are made.

A further relevant factor to take into account in any appraisal is the realistic expectations held by central authority. Parliament appreciated that conversion from the Old to the New Poor law would require a transitional period of indeterminate length, and accordingly dropped from the Bill a date by which all outdoor relief to the able-bodied must cease. The Poor Law Commissioners, and even the enthusiastic Chadwick, were also aware that the policy implicit in the Royal Commission Report

<sup>35</sup> K. D. M. Snell, *Annals of the Labouring Poor*, (Cambridge, 1985), pp.104-137.

<sup>36</sup> Apfel and Dunkley, 'Bedfordshire', p.37, fn.1, p.38.

<sup>37</sup> Mandler, 'New Poor Law *Redivivus*', p.132

was an ideal to work towards rather than an ambition to be achieved overnight. Indeed, the Remedial Measures written by Chadwick, had specifically suggested that the Central Board 'discontinue abusive practices and introduce improvements gradually, detail after detail, in district after district, and proceed with the aid of accumulating experience'.<sup>38</sup>

It was not merely poor relief organization and policy which were subject to change after 1834. Historians have debated the impact of the Act on personnel, both officers and those who wielded power. Salaried relieving officers, under the supervision and immediate orders of the Boards of Guardians, were to be responsible for distributing relief directly to the paupers in the various districts of each union. So the typically uncontrolled, unpaid position of parish overseer under the Old Poor Law now became that of an accountable, salaried 'public' servant, an undeniably significant change in role, even if it were less radical in the case of officers who had served under a select vestry.

However, Midwinter questions the issue of 'change' in relation to the occupants rather than the office. Citing northern examples he concludes that 'the purportedly new relieving officer was the assistant overseer with a fresh label' and he extends his observations to include the Guardians - 'over and over again the churchwardens and overseers of the parish became the Guardians of the union'.<sup>39</sup> There are many confirmatory examples of such continuity in various areas. For example, a relieving officer of Castle Ward Union, dismissed for drunkenness, had been 'a former overseer in a nearby district for 20 years'. The clerk and three relieving officers of Bath Union had been assistant overseers under the old system and many Bath Guardians had been churchwardens and overseers. Assistant Commissioner Power also referred to

<sup>38</sup> *Second Annual Report of the PLC, XXIX, 1836, p.6; Checkland, Poor Law Report, p. 419.*

<sup>39</sup> *Midwinter, Social Administration, pp.32, 44; Midwinter, 'State Intervention', p.102.*

Guardians in Lancashire and the West Riding who had been assistant overseers and were therefore disaffected towards change.<sup>40</sup>

Continuity of personnel would seem to have been almost inevitable, at least in the early years of operation. Former assistant overseers, being experienced and paid, were the likeliest to apply, and to be accepted, for the posts of relieving officers.

Additionally, the honorary offices of parish overseer and churchwarden were annually filled so it would be difficult for a fair proportion of the new Guardians *not* to have taken their turn at parish duties under the Old Poor Law. Equally, Guardians may have been members of select vestries in relevant parishes. It is not, of course, equally inevitable that they sought to continue an 'unreformed' policy, although Midwinter's whole thesis of 'more of the same' suggests this.<sup>41</sup>

Assistant Commissioners determined how many elected Guardians should represent each township in a union, a potential source of friction as no arbitrary ruling existed. In the North Riding it is believed the decision was based on the average annual rate.<sup>42</sup>

Assistant Commissioner Voules hinted that he was influenced by township populations.

Distance from the union centre was a further factor but, where necessary, individual circumstances took preference.<sup>43</sup> Parishes who believed themselves to be unjustifiably under-represented cited whichever criterion best supported their case, but it seems that only rarely did the Commissioners interfere in the number of Guardians allocated by an Assistant Commissioner.<sup>44</sup> Voting for Guardians was to be in plurality and by written

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<sup>40</sup> McCord, 'Tyneside', p.98; Second Annual Report of the PLC, 1836, Appx. C, No. 17, Report from Bath Union; PRO, MH32/63, Power to PLC, 21/10/37.

<sup>41</sup> Midwinter, *Social Administration*, pp.26, 30-32.

<sup>42</sup> R. P. Hastings, *More Essays in North Riding History*, 34, (N. Yorks CRO, 1984) p.41

<sup>43</sup> PRO, MH12/6320 Cranke to PLC, Voules to PLC, PLC to Cranke, August 1836.

<sup>44</sup> *ibid.*, Thompson, thesis, p.58.

vote. Midwinter considers this to have been a possible source of difficulty in times of partial literacy.<sup>45</sup> If this fear relates to the opportunity of a parish overseer to misrepresent an illiterate voter's wish the possibility was presumably virtually eliminated in the year 1837/38 when elections were uniformly organized and placed in the hands of registrars appointed under the Registration Act of 1836. The superintendent registrar was also usually the union clerk.

The plural voting system whereby Guardians were elected gave property owners one vote for the first £50 of annual land value, and a further vote for each additional £25 up to a maximum of six votes. Occupiers rated at under £200 were allowed one vote and a further vote for each extra £200 up to a maximum of three votes. Owner-occupiers qualified for votes on both counts. The occupiers' maximum votes were increased to six by Graham's Act of 1844 thereby advancing the ratio of votes of occupiers to owner-occupiers from 1 : 3 to 1 : 2.

Any person could be nominated for Guardian, either by himself or another, providing he was rated to the poor-rate in some parish in the union, could meet the annual rental qualification set by the Assistant Commissioner, and had not been dismissed from a union office in the past two years<sup>46</sup> The Poor Law Amendment Act prohibited the annual rental from being fixed above £40: £25 appears to have been a frequent choice for a rural union. Assistant Commissioner Earle regularly set £25 in Northamptonshire and Warwickshire, and Gateshead Union in the north-east is a further example of this amount.<sup>47</sup> However, in the four rural unions of Lancashire and in neighbouring

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<sup>45</sup> Midwinter, *Social Administration*, p. 27.

<sup>46</sup> *Second Annual Report of the PLC, 1836, Appx. A, No. 9, Form of Declaration of a Union.*

<sup>47</sup> A. Brundage, 'The landed interest and the New Poor Law: a reappraisal of the revolution in government', *Eng. Hist. Rev.*, 87, (Jan. 1972) p.44; McCord, 'Tyneside', p.97

Lancaster, the qualification was only £20. Presumably too few would qualify if the figure in these west Lancashire unions were set higher.

It was expected that Guardians would be ‘substantial persons’ able to act in an honorary capacity. This view was forcefully confirmed by the Banbury Board who regarded their position as one of ‘honorary distinction’ and begged that they be excluded should Guardians ever be paid.<sup>48</sup> A Guardian did not have to reside in a township he sought to represent, nor even own land there. The same person could also be elected by more than one township, presumably to assist those with few inhabitants. Over three thousand townships had a population of under fifty, and there were eight thousand with under one hundred.<sup>49</sup> However, dual Guardians could disadvantage the townships he represented in so far as he still counted as only one vote on the Board.<sup>50</sup>

## **Personnel and power**

The power inherent in the Guardians’ role was controversial from the outset. Those who opposed the Act of 1834 belittled their role as being passive administrators of centrally-issued orders. In contrast, proponents of the new law sought to encourage support by emphasizing the Guardians’ responsibility for decisions in an enlarged local field, for the Act of 1834 allowed them discretion on certain local matters subject to the sanction of the Poor Law Commissioners. The readiness with which the Boards of Guardians’ proposals were sanctioned was, of course, the unknown quantity at the time and could be a determining factor in the degree of freedom allowed the Guardians. Contemporary attitudes to their power are reflected in the contrasting views of modern

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<sup>48</sup> Second Annual Report of the PLC, 1836, Appx. C, No 9, Answer to memorial from Banbury Union.

<sup>49</sup> Roberts, *Victorian Origins*, p.46

<sup>50</sup> This ruling appears to have been poorly understood. See Chapter 9, Case Study.

historians. Brundage sees them, in Board assembled, as 'powerful, respectable, efficient new organs of local government'. Midwinter believes they were 'rubber-stamping, money-checking mechanisms', 'doing nothing and doing it very well'.<sup>51</sup>

A more moderately expressed view, and one intended as a general observation, but nevertheless seeming to be equally controversial, links the Guardians' role to the concept of power within the hierarchy. F. M. L. Thompson avers that as a result of their middle position the range of their power was limited from above by central control and from below by the medical officers and relieving officers who performed 'the real work of the administration'.<sup>52</sup> The circumscription of the Board of Guardians by paid officers is an unusual thesis for this early period. Historians have more frequently addressed the power position of the Guardians as it existed in relation to central authority and its contribution to the 'nineteenth century revolution in Government'.

A further question of power arises, specifically, with regard to ex officio Guardians. Their situation as magistrate, before and after the Poor Law Amendment Act, and subsequently their position on the Board of Guardians, have produced totally opposing arguments. A related discussion concerns their ability to influence others in the management of the poor.

Under the Act of 1834 the acquisition of a vote on the Board for all justices residing in the union was accompanied by a reduction in their magisterial duties in connection with paupers. Various earlier Acts concerning their obligations to the poor had been repealed by the Poor Law Amendment Act. They were now restricted to over-riding an overseer who had refused urgent relief to an applicant who had found himself to be

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<sup>51</sup> Brundage, The Making of the New Poor Law, p.159; Midwinter, Social Administration, p.361.

<sup>52</sup> F. M. L. Thompson, English Landed Society in the 19th Century, (London, 1963), p.289.



suddenly and urgently necessitous, an application which most usually concerned a non-settled person. The magistrate could then order the overseer to give relief in kind, but not in money. The Act also allowed two justices to order outdoor relief to be given to any adult person who from old age or infirmity was unable to work. In this case one of the justices must personally know, and certify, that the applicant was incapable of work, but it was solely the union Board of Guardians' prerogative to fix the amount.

Whatever powers were awarded to justices under the New Poor Law, Roberts believed they compared poorly with those they had previously enjoyed. He states emphatically that justices 'held almost autocratic power over poor relief' under the old system. Dunkley agrees, stating that they 'had a considerable and far-ranging authority that they were not averse to applying'. More specifically their power had lain in their 'invisible influence' both in their parish and upon the overseers.<sup>53</sup>

A contrary view is held by Brundage. He asserts that the New Poor Law represented a considerable accretion in the magistrates' former powers, which latterly had rested principally upon appeal. Now their automatic entitlement to a seat on the Board of Guardians gave them direct involvement in all aspects of poor relief. Brundage also takes up the question of influence, but upon tenants rather than parish officers. Emphasizing that justices and 'magnates' were one and the same he states that landowners could capitalize upon the tenant-landlord relationship to obtain the election of their nominees to the Board. When it came to voting on an issue at a Board meeting, even though the plural voting system did not apply there, the combination of justices, nominees and 'deference votes' was a potent force.<sup>54</sup>

<sup>53</sup> Roberts, *Victorian Origins*, p.9; P. Dunkley, 'Paternalism, the Magistracy and Poor Relief in England, 1795-1834', *International Review of Social History*, XXIV, 1979, p.385

<sup>54</sup> Brundage, 'The landed interest: ....a reappraisal', p.29

Thompson (F. M. L.) notes a similar influence of landlords upon their tenants in Parliamentary elections. Commenting upon the ‘astounding unanimity of voting’, he attributes it partly to prudence, but partly also to ‘accepted custom based on loyalty rather than fear’. English tenants, he advances, were often indifferent to choices of candidate and were content to vote in line with their landlord.<sup>55</sup>

One wonders if this willingness translated itself to local elections, and with what result where there was a variety of landowning patterns? Brundage found it to be so in Northamptonshire. He also cites the ‘overwhelming evidence’ of the influence of landed magnates in Walsh’s Shropshire study, and their influence on the process of union formation in parts of five other counties, including Lancashire.<sup>56</sup>

The ownership of land and the number of tenants within a single union, were determinants of magistrates’ influence, in whatever form, upon the administration of relief. Their potential influence would also tend to be affected by the number of them residing within a union. Countrywide the average ratio per union of ex officio to elected Guardians was one to five, but it was much higher, for instance, in the seven industrial unions of East Lancashire. In contrast, Oldham Union had only two justices in 1837 when the introduction of the New Poor Law was first attempted.<sup>57</sup>

Parliament also features in the conclusions of Mandler, but in this case with regard to the concerted influence of ‘the landed interest’ on national legislation. It is his thesis that they engineered the New Poor Law to reflect their own interests and to remain in

<sup>55</sup> Thompson, *English Landed Society*, pp.202, 204

<sup>56</sup> Vincent J. Walsh, ‘The administration of the Poor Laws in Shropshire, 1820 - 1855’ (Univ. of Pennsylvania, PhD. dissertation, 1970) p.328 ff, quoted in. A. Brundage, ‘The landed interest . . . . . : a reply’, *Eng. Hist. Rev.*, 90, (April 1975), p.350; also, Brundage, ‘a reply’, p.351

<sup>57</sup> R. Boyson, ‘The History of Poor Law Administration in North East Lancashire, 1834-1871’, unpublished M.A. thesis, University of Manchester, 1960, p.15.

control.<sup>58</sup> In this he indirectly supports the position taken by Brundage who believes that justices were delighted with their new authority and participated actively and powerfully in union matters.

Again Dunkley and Roberts take an opposing stand. While not quarrelling with the expression of self-interest by a landowning parliament, they claim instead that it was displayed in a determination to rid themselves of the judicial burden of pauper management to the Poor Law Commission.<sup>59</sup> Both also add that whatever power potentially lay in the role of the ex officio Guardian, it was not taken up. The latter's involvement in the new system was slight, and positions held by them as Chairmen were merely honorary. In contrast to the sustained participation of the Northamptonshire magnates, Boyson's research into seven East Lancashire unions caused him to echo the conclusion of Dunkley that attendances of ex officio Guardians were minimal after the first year.<sup>60</sup>

Poynter introduces the further variable of personality. He remarks that a justice's involvement depended upon his character, energy and ability rather than his legal powers.<sup>61</sup> He was referring to activity under the Old Poor Law but it was equally applicable to the New, except that in the latter case participation was not obligatory, so 'interest' and 'conscientiousness' may also have played a part. These attributes were also likely to have affected elected Guardians, but in their case involvement was expected. Their social and economic circumstances would also be likely to have an effect as, for instance, justices were not the only landowners of consequence.<sup>62</sup>

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<sup>58</sup> Mandler, 'New Poor Law *Redivivus*', pp.154-157.

<sup>59</sup> Dunkley, *The Crisis of the Old Poor Law*: p.4; Roberts, *Victorian Origins*, p.42.

<sup>60</sup> Boyson, thesis, p.15; Dunkley, 'The Crisis of the Old Poor Law', p.5.

<sup>61</sup> Poynter, *Society and Pauperism*, p.10

<sup>62</sup> For example, see Ulverston, Chapter 9

The manner of men who served as Guardians is an interesting and somewhat neglected aspect of the New Poor Law. Existing studies variously describe them as ‘well-to do farmers, land agents and other respectable locals’ (Brundage), ‘practical men, farmers and lesser landowners, or small tradesmen’ (Thompson), ‘substantial farmers’ if rural Guardians, ‘manufacturers and employers of men’ in urban areas, with a scattering of ‘local professional men and the better sort of shopkeeper’ making up the numbers in both (Edsall). In Bolton they were ‘manufacturers’ (Midwinter), and ‘altogether a mixed bag’ in Barton upon Irwell (Mullineux).<sup>63</sup>

However, occupation is not a unitary influence. Age may have disposed them to vote in certain ways, while religious, political or familial affiliations could have encouraged clique-voting. Also did temperament or other considerations cause some to lead, some to acquiesce, some to abstain, and others to oppose? As far as time and the documents allow, this study will delve a little more deeply than usual into the persona of the Boards of Guardians.

## Conclusion

The Act of 1834 was controversial at the time and has remained so since. Its implementation and significance have subsequently generated considerable, wide-ranging debate, to some aspects of which this thesis aims to contribute.

There is no consensus yet on most of the issues considered, and many of the conclusions drawn are radically opposed to one another. However, it has been recognized that national generalizations were premature, and research in recent years

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<sup>63</sup> Brundage, ‘The landed interest: . . . a Reply’, p.350; Thompson, thesis, p.118; Edsall, Anti-Poor Law, pp33, 36; Midwinter, Social Administration; C. E. Mullineux, Pauper versus Poorhouse: a Study of the Administration of the Poor Law in a Lancashire Parish, (Swinton and Pendlebury Library, 1966), p.24.

has appreciated the importance of local and regional factors. Differences in criteria may have influenced conclusions on some aspects of debate, and some significance may stem from whether or not they were drawn from local, regional or national enquiry. Variation in time constitutes a further differential.

Many of the issues have additionally coalesced under the broad consideration of 'continuity and change' in relation to the administration of relief under the Old Poor Law and under the New. Again, local and regional factors bear heavily upon any consideration of this issue. It is therefore important, before proceeding further, to understand something of the nature of the society which existed in rural Lancashire and into which the New Poor Law was introduced and from which the Guardians came.

### **3.....RURAL LANCASHIRE: THE STUDY AREA**

The four unions which form the subject of this study were largely agricultural, but this is a generic term which includes many forms of husbandry as well as the existence of scattered industrial and mining activity. In the first half of the nineteenth century the geographical factors of climate, soil-type and terrain dictated almost absolutely the forms of farming which could succeed in any given location. Yet within a region these conditions could vary considerably. Soil can vary radically even within a single field. This certainly applied in west Lancashire and, after an explanation below of the criteria by which the four unions were selected, an account of their union composition follows a description of their husbandry. Certain characteristics of rural Lancashire are then considered prior to comparing and contrasting differences between rural Lancashire and the south.

#### **Union boundaries and characteristics**

Without naming them, Inspector Austin said of Lancashire and the West Riding, 'there are very few agricultural unions in my district'.<sup>1</sup> How were these to be correctly identified?. In Lancashire there could scarcely be a rural area as large as a union

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<sup>1</sup> PRO, MH32/7, A/C Austin's Report to PLC on "Manufactures, Trade and Agriculture", 12/6/49

without some example of industry, nor yet an industrial union without some rural hinterland. In the end it seemed logical that agricultural unions could be determined with reference to their centres.

The Assistant Commissioners had been directed by the Poor Law Commission to form unions from a collection of parishes arranged around a central town to which they had normal recourse. Unions whose centres were market towns, as opposed to commercial, industrial or manufacturing towns, could therefore be deemed to be agricultural unions. The unions of Garstang, Fylde, Ormskirk and Ulverston met this criterion of an agricultural union and have been selected for study. Confirmation of the correctness of their rural definition lay in the small population of their market centres; their limited expansion, sometimes contraction, between 1821 and 1841 when urban townships were mushrooming; representation by few Guardians; and the fact that none of the four figured in the work of Edsall on industrial Lancashire.<sup>2</sup> In 1842 Fylde, Ormskirk and Garstang were placed in the bottom of four categories based on town population in Lancashire and the West Riding and were specifically referred to as 'agricultural unions' by Assistant Commissioner Power.<sup>3</sup> Ulverston was not in his district but on his population criterion it also would have been in the bottom category.

The four selected unions lie to the west of the Pennines and all include some part of the Irish Sea coastline. They severally are situated in the north, the south and the centre of western Lancashire in four of the county's six hundreds,<sup>4</sup> thus widening the range of influences upon them and being more representative of the county as a whole. Western Lancashire is not a specifically defined area nor is it exclusively rural. At the widest

<sup>2</sup> N. C. Edsall, *The Anti-Poor Law Movement, 1834-44*, (Manchester, 1971)

<sup>3</sup> Ninth Annual Report of the PLC, 1843, XXI, Power's report on his late district, pp.15-17.

<sup>4</sup> West Derby, Leyland, Amounderness, Lonsdale (North)

interpretation it includes the major port and commercial centre of Liverpool; the industrial complex of Wigan, Prescott and Warrington grouped upon the southern coalfields; the administrative centre and county town of Lancaster; and the large manufacturing town of Preston. A number of townships in the Lune valley complete the rural areas of west Lancashire, but they constituted the county's sole example of a Gilbert Incorporation, and as such were outside the jurisdiction of the Poor Law Board until 1869.

### *Ormskirk Union*

Ormskirk was the most southerly of the four unions, lying to the north west of the land between the Ribble and the Mersey rivers, but falling short of the south Lancashire coalfields and, through the deliberate intention of the Poor Law Commission, it did not encroach upon the environs of Liverpool.<sup>5</sup> The terrain was singularly flat with blowing sands along the coast line and an extensive area of marsh land and swampy lake at Martin Mere, but the area was termed 'the garden of Lancashire' and for the most part it was champaign country where almost anything would grow<sup>6</sup>.

With one or two exceptions the farms were small. Some were mixed dairy and arable with good yields of grain and there were a few small apple orchards. But it was above all a region where a variety of vegetables were cultivated and it was most particularly noted as excelling in potatoes and carrots.<sup>7</sup> Even smallholders and cottagers grew 'earlies' for the market,<sup>8</sup> and the reclaimed mosslands of Ormskirk were some of the

<sup>5</sup> Third Annual Report of the PLC, 1837, XXXI, p. 145

<sup>6</sup> G. Beesley, A Report of the State of Agriculture in Lancashire, (late entrant for Essay Competition of Royal Agriculture Society), (Preston, 1849), p. 14.

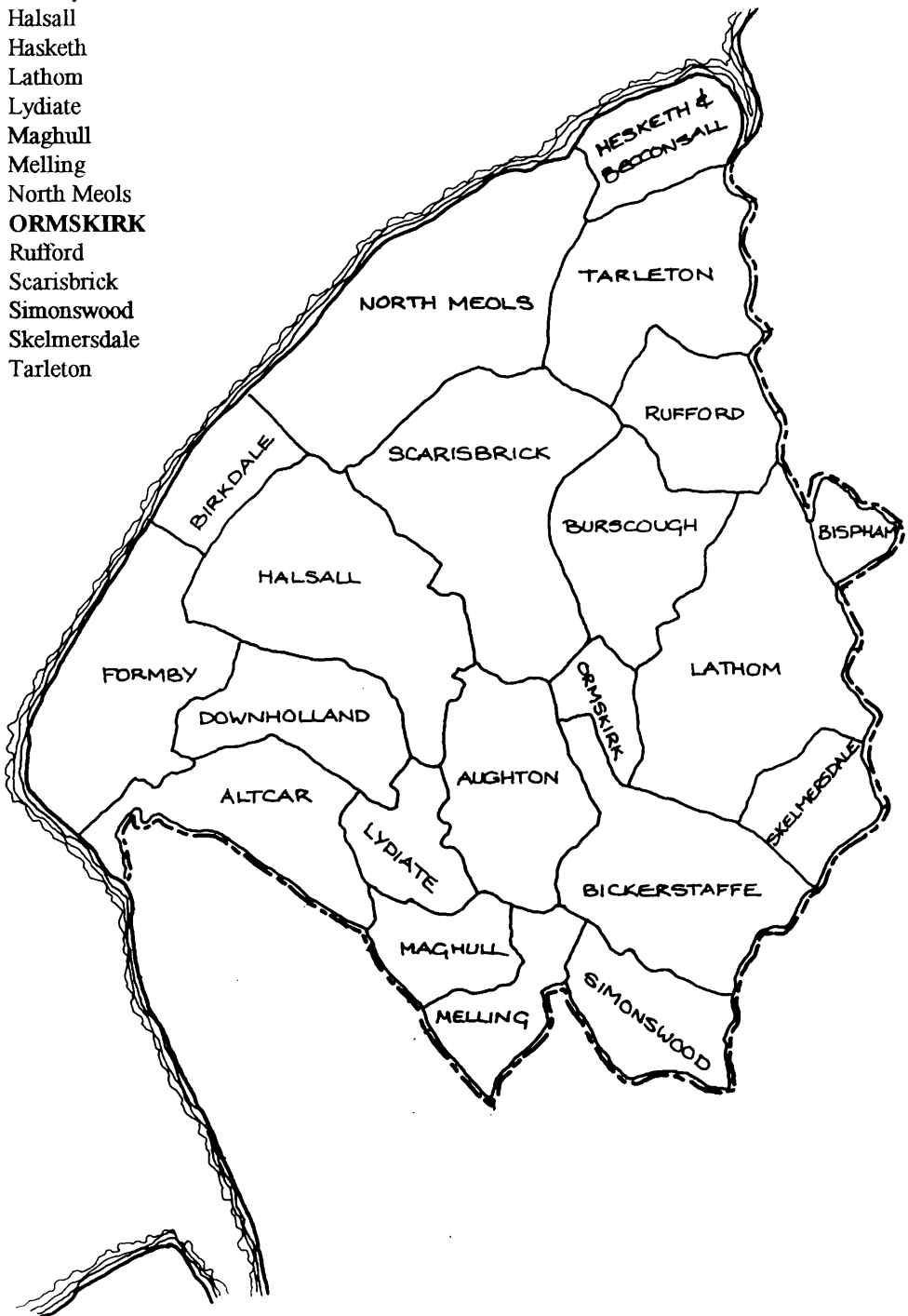
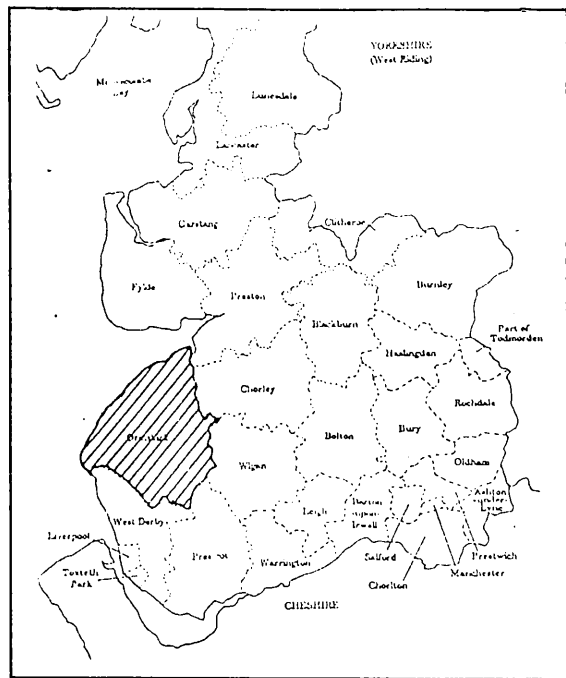
<sup>7</sup> E. Baines, History, Directory and Gazetteer of the County Palatine of Lancaster: with a Variety of Commercial and Statistical Information, vol. II, (Liverpool, 1825), p. 455.

<sup>8</sup> R.W. Dickson, General View of the Agriculture of Lancashire: with Observations on the Means of its Improvement, (London, 1815), p. 365



## 3.2 THE TOWNSHIPS OF ORMSKIRK UNION

Altcar  
 Aughton  
 Bickerstaffe  
 Birkdale  
 Bispham  
 Burscough  
 Downholland  
 Formby  
 Halsall  
 Hasketh  
 Lathom  
 Lydiate  
 Maghull  
 Melling  
 North Meols  
**ORMSKIRK**  
 Rufford  
 Scarisbrick  
 Simonswood  
 Skelmersdale  
 Tarleton



very few acreages which largely withstood the devastating potato blights of 1845 and subsequent years. Altogether it was an area where ‘cultivation is so complete that little remains to be desired in the way of generally established practices’, a rare accolade for Lancashire farming at that time.<sup>9</sup>

Industry was little evident within the union. The township of Skelmersdale was described as ‘an isolated mining village’, while in Ormskirk ‘the trade and the manufacture of the place are very circumscribed’. Nevertheless, in addition to several roperies and hat manufactories ‘the cotton business, which insinuates itself into every part of Lancashire, has got some footing here’. This took the form of a combined linen and cotton mill. Southport, with its exceptionally wide main street flanked by imposing buildings and gardens, and the attractions of sea-bathing, had been emerging as a fashionable resort since 1820.<sup>10</sup> Yet the railway did not come to Southport till 1851, and it had only reached the union’s centre at Ormskirk three years previously.

The union consisted of 21 townships, all in the hundred of West Derby except Tarleton, Rufford, and Hesketh with Beconsall which were in the hundred of Leyland. None of the townships warranted representation by more than one Guardian, other than Ormskirk itself which had three representatives, and North Meols, which included Southport, and had two Guardians. Ormskirk township’s population in 1821 was 3,838; in 1841 it had increased by 27% to 4,891. This was the highest growth rate of the four unions’ centres, but it compares poorly with the 104% increase to 50,131 over the same period in Preston, the nearest manufacturing town.

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<sup>9</sup> Beesley, *Agriculture in Lancashire*, pp.17, 22.

<sup>10</sup> Baines, *Directory and Gazetteer*, vol. II, pp.455, 460, 553

## *Fylde Union*

The term 'Fylde' denotes an indeterminate area of land in mid-west Lancashire. Its southerly and westerly boundaries terminate respectively at the northern bank of the River Ribble and the Irish Sea, but its northern and eastern boundaries are unspecified. However, any interpretation would most certainly include all the townships in Fylde Union; some of those in Garstang Union; and possibly one or two townships in the Lancaster Union.

Fylde Union formed an outcrop of the contiguous unions of Garstang and Preston. Being bounded on its remaining three sides by the Irish Sea and the estuaries of the Rivers Ribble and Wyre, its physical properties were similar to those of Ormskirk Union in that it was uncompromisingly flat, with areas of marshland, rabbit warrens and blowing sands along its long coastline, but also had a good proportion of rich, fertile soil.<sup>11</sup> Despite injudicious rotations, part of the area was one of three wheat-growing areas in the county. Nevertheless, Fylde farms were typically mixed arable and dairy and were generally larger than in the Ormskirk Union.<sup>12</sup> From the 1840s potatoes were increasingly grown, and the area had had the singular distinction, in the early century at least, of being Lancashire's only supplier of pigeons, poultry and eggs.<sup>13</sup>

The union had two old-established market towns, Poulton and Kirkham. However, Poulton's marketing function was very localized. It was a creek under the port of Preston and had also some engagement in the flax industry,<sup>14</sup> but it was in a

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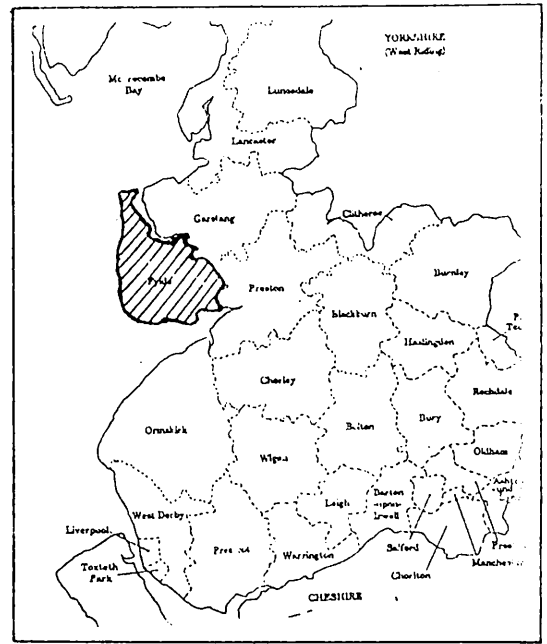
<sup>11</sup> W. Rothwell, Report of the Agriculture of the County of Lancaster, with observations on the means of its improvement: being a practical detail of the peculiarities of the county, and their advantages or disadvantages duly considered. (London, 1850), p. 33.

<sup>12</sup> Dickson, General View, p.23, 274-275; Beesley, Agriculture in Lancashire, p.14

<sup>13</sup> W. Marshall, The Review and Abstract of County Reports to the Board of Agriculture, vol. Northern, (first published, 1808, David and Charles reprint) p.270

<sup>14</sup> Baines, Directory and Gazetteer, vol. II, p.463

- Bispham with Norbreck
- Bryning with Kelmargh
- Carleton
- Clifton with Salwick
- Elswick
- Freckleton
- Greenhalgh with Thistleton
- Hardhorn with Newton
- KIRKHAM**
- Layton with Warbrick
- Lt. Eccleston with Larbreck
- Lytham
- Gt. & Lt. Marton
- Medlar with Wesham
- Newton with Scales
- Poulton le Fylde
- Ribby with Wray
- Gt. & Lt. Singelton
- Thornton & Fleetwood
- Treales, Roseacre, Wharles
- Warton
- Weeton with Preese
- Westby with Plumpton



**3.3 THE TOWNSHIPS OF FYLDE UNION**

geographical backwater and had not advanced with the times, a situation underlined by low population growth. In the twenty years from 1821 it had only increased by 11% to 1,128, and had fallen back slightly by 1851 when the population was 1,120. Kirkham increased during 1821 to 1841 at the even lower rate of 6% and its population fell back from 2,903 in 1841 to 2,799 ten years later. (See Appendix B.) However, it was larger and more centrally situated than Poulton and it had an established administrative function so it was chosen as the union centre. Kirkham's long-standing domestic production of linen had been converted into the factory production of sail cloth and some cotton by the mid-century,<sup>15</sup> but its industrial presence was small-scale compared with that of a 'manufacturing' town such as Preston or Blackburn.

The characteristic settlement pattern in the Fylde was one of dispersed dwellings. However, Lytham, Blackpool and Fleetwood on the coast were capitalizing on their locations and were in the process of becoming holiday townships. Their development was aided by the early introduction of rail transport into the area, eight or so years before it had arrived at Ormskirk. The Preston-Wyre Railway opened in 1840 thereby connecting Fleetwood to Preston, and thence with lines to London, Birmingham, Liverpool and Manchester. Later stations at Blackpool, Poulton, Kirkham and Lytham 'opened up' the region further, both for incoming passengers and outgoing produce.<sup>16</sup>

Fylde Union, like Garstang Union on its eastern border, was wholly in the hundred of Amounderness. It contained most of the parishes of Kirkham, Bispham, Lytham and Poulton-le-Fylde, together with a township from St. Michael's parish, which latter was

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<sup>15</sup> Mannex & Co., History, Topography, and Directory of Westmorland; and of the Hundred of Lonsdale and Amounderness in Lancashire, (Beverley, 1851), p.574.

<sup>16</sup> R. C. Watson and M. E. McClintock, Traditional Houses of the Fylde, (Lancaster, 1979), p.9; Mannex, Directory, 1851, pp.551, 592

spread across three unions. Of Fylde's 23 constituent townships only Poulton and Kirkham, with an extra representative each, were awarded more than a single Guardian.

### *Garstang Union*

Garstang Union had the smallest population, though certainly not the smallest acreage, of any of Lancashire's thirty unions. It was formed from the complete parish of Garstang and parts of three others, namely, Lancaster, Kirkham and St. Michael's. In addition, the three small townships of Forton, Holleth and Cleveley were partly in the parish of Cockerham in the union of Lancaster, but for poor law purposes they were wholly included in the union of Garstang. The resulting 23 townships varied in population from 50 inhabitants in Holleth in 1831, the highest number it was to achieve all the century, to Pilling with 1,127 in the same year. In size the townships varied from, say, the 500 acres of Garstang township to the 8,490 acres of Bleasdale.<sup>17</sup>

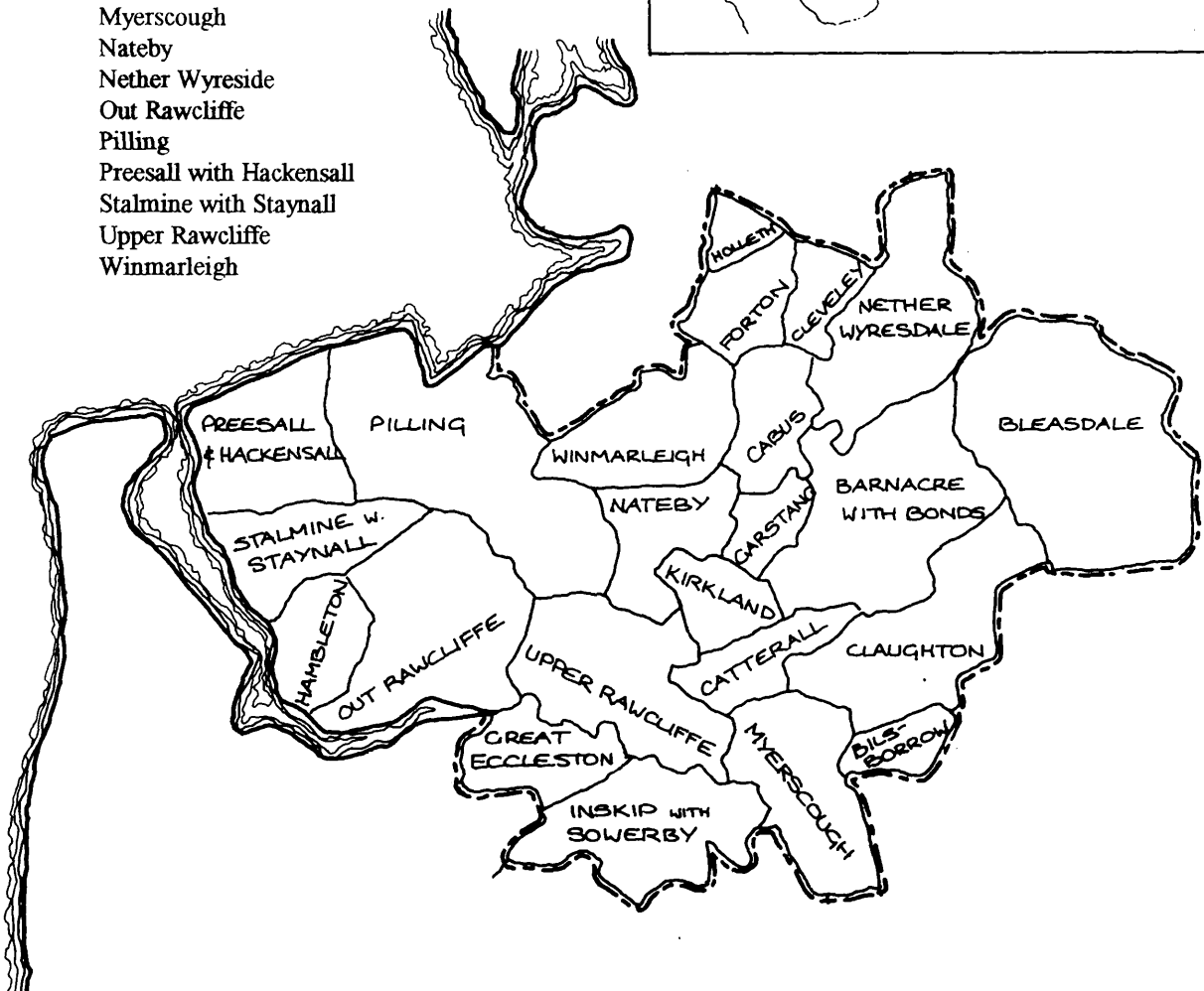
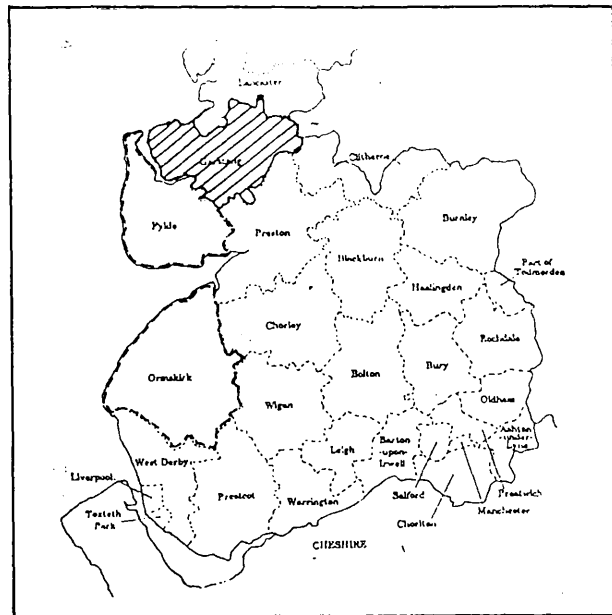
This union had perhaps the most incontrovertible claim for inclusion as a rural union of Lancashire. As in Fylde Union, many townships had not even a 'hamlet' centre but consisted only of 'scattered' or 'dispersed' dwellings. Additionally, even the population of the market town of Garstang never reached 1,000 throughout the period of this study: in the normal fast-growth period of 1821 - 1841 it actually suffered a 3% reduction, which had become a 10% drop by 1851. This was not atypical of other townships in the union.

Nevertheless, though having little regional importance Garstang township continued to serve a useful function as the local centre for trade and commerce. In this it was

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<sup>17</sup> PP Census of Great Britain, 1841, session 2, vol. II, Population statements. Reprinted in Vol. 3, (Irish University Press, 1871), p.140

Barnacre with Bonds  
 Bilsborrow  
 Bleasdale  
 Cabus  
 Catterall  
 Claughton  
 Cleveley  
 Forton  
**GARSTANG**  
 Gt. Eccleston  
 Hambleton  
 Holleth  
 Inskip with Sowerby  
 Kirkland  
 Myerscough  
 Nateby  
 Nether Wyreside  
 Out Rawcliffe  
 Pilling  
 Preesall with Hackensall  
 Stalmine with Staynall  
 Upper Rawcliffe  
 Winmarleigh



### 3.4 THE TOWNSHIPS OF GARSTANG UNION

aided by its weekly market for corn and provisions, with a cattle market once a fortnight from Lent to Holy Thursday and four cattle fairs during the year. It was also interestingly situated on the 'great western north road from London to Edinburgh' where it was equidistant by eleven miles from Preston to the south, and Lancaster to the north, with both of whom it shared long, common union boundaries.<sup>18</sup>

In 1825 growth seemed imminent as it 'derived considerable advantage from the never ceasing passage of travellers'.<sup>19</sup> It was also on the Preston to Lancaster and Kendal Canal which prospered with fly-boat passengers as well as freight, and was connected with the Leeds-Liverpool Canal. However, by 1835 the Commissioners for Municipal Corporations described it as 'a small town, the houses are of an inferior description, there are no manufactories, nor anything bespeaking prosperity. The trade of the town is said to be on the decrease and its general state declining.' In the same report, neighbouring Preston and Lancaster were respectively declared to be 'thriving' and 'very thriving', and Ashton under Lyne and Clitheroe, the other Lancashire towns visited, were also flourishing.<sup>20</sup> Perhaps the advent of the north-south railway in 1840 was heralded as a means of saving the town's fortunes. Unfortunately, the speeding up of travel and transport shrank distances and benefited Garstang's larger neighbours to the serious detriment of the township, for the Mannex Directory of 1851 describes Garstang as 'a clean and moderately built town' which 'previous to the introduction of the railways was a busy thoroughfare'.<sup>21</sup>

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<sup>18</sup> Mannex, *Directory*, p. 557.

<sup>19</sup> Baines, *Directory and Gazetteer*, vol. I, 1824, p.637

<sup>20</sup> PP, 1835, XXV, Appx. To First Report of the Commissioners on Municipal Corporations in Eng. and Wales, Part III, Northern and North Midland Circuits, pp 1521-1522.

<sup>21</sup> Mannex, *Directory*, p.557.



There was considerable diversity of terrain and agriculture within the union. It was physically divided into distinctive tracts of land by the 'great western north road' which traversed it just below the first risings of the high moorland to the north-east, and which set this area off from the flat, often low-lying plainland to the south and west. The high, rocky region was principally devoted to sheep farming. Farmers from the wildest parts of Bleasdale fells appear to have been the 'mountain men' of the area. They lived 'a very primitive life, spinning their own wool and making their own clothes. . . .their principal intercourse with others being on a market day, when they may be seen wending their way to the market town, with their butter and eggs in their small carts, or on their sure-footed, hardy ponies'.<sup>22</sup>

Parts of the more centrally situated terrain fell into the fertile plain shared by Fylde and Ormskirk unions, where wheat as well as oats could be grown. But cattle pasturing for purposes ranging from stock raising and fattening to dairying was the most common form of agriculture on the strong clayey-loams widely found in the region. Dickson records that Garstang supplied Liverpool with milk where it sold at up to twopence a quart higher than elsewhere.<sup>23</sup> Farms further afield, with less convenient roads and further distances to travel, converted their surplus milk into butter and cheese.

Towards the coast there was an area of 27 square miles of waterlogged marshland which intruded into a number of the union's townships. Wilson France, improving landowner, lord of the manor of Out Rawcliffe, and future Chairman of the Board of Guardians from 1843, had early pioneered and continued to prosecute, a system of drainage by turves in the reclamation of the Rawcliffe section of the Pilling mosses.

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<sup>22</sup> J. Binns, Notes on the Agriculture of Lancashire, with Suggestions for its Improvement, (Preston, 1851), pp.115, 117

<sup>23</sup> Dickson, General View, p.549.

However, other proprietors were less interested, so that large areas of mossland still remained undrained in 1849. When drained and treated, the marshland waste became highly productive and could support rotations which included potatoes, corn and grasses, and there was fierce competition for these newly-created farms.<sup>24</sup>

Fishing combined with small-scale farming occupied the families of the sandland which stretched for about two or three miles inland from the coast. Carrots, onions and the ubiquitous potato were their main crops and seaweed and mussels the principal fertilizers. Differently again, Forton and Cleveley, on the northern outskirts of the union, were in an area which specialized in horse breeding, while Great Eccleston, in the opposite direction, concentrated on rush gathering for the preparation of rush lights.<sup>25</sup>

Inevitably for Lancashire, there was an industrial presence. The odd textile mill or factory was set up, or went bankrupt, in isolated rural locations. One, at Dolphinholme on the perimeter of the union, was as likely to employ hands from the adjoining Lancaster Union as from Garstang. There was also a rural paper mill,<sup>26</sup> but there were no mines, no quarries and not even an emergent holiday trade.

### ***Ulverston Union***

The poor law union of Ulverston was co-extensive with Furness and Cartmel which comprised the hundred of Lonsdale North of the Sands, and was completely isolated by the sea from the remainder of the county. The area was altogether 'so different in face, soil and custom' that, as Rothwell put it in 1849, 'an inhabitant of south Lancashire

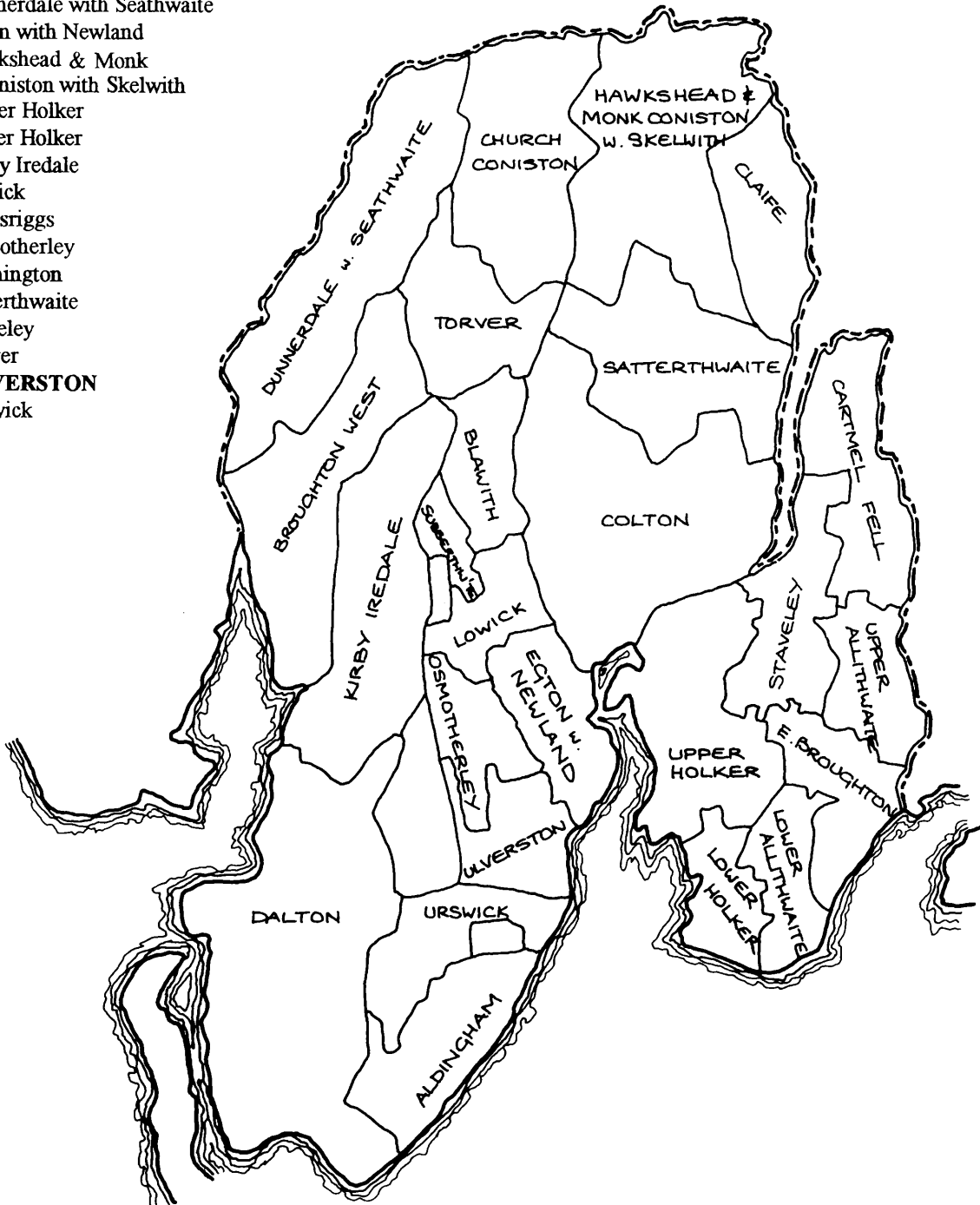
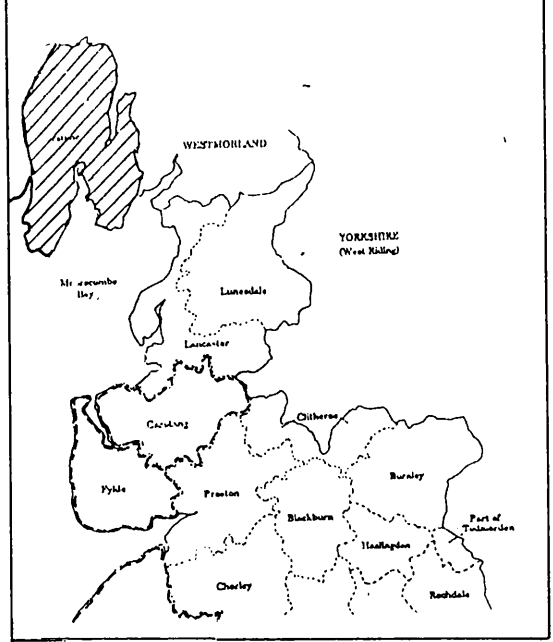
<sup>24</sup> Rothwell, Agriculture of the County of Lancaster, pp. 30-32, 140; Beesley, Agriculture in Lancashire, p. 22.

<sup>25</sup> Binns, Notes on the Agriculture of Lancashire, pp. 120, 126; Baines, Directory and Gazetteer, vol. II, p.629.

<sup>26</sup> O. Ashmore, Industrial Archaeology of Lancashire, (Newton Abbot, 1969), p.139

### 3.5 THE TOWNSHIPS OF ULVERSTON UNION

- Aldingham
- Lower Allithwaite
- Upper Allithwaite
- Blawith
- Broughton East
- Broughton West
- Cartmel Fell
- Church Coniston
- Claife
- Colton
- Dalton
- Dunnerdale with Seathwaite
- Egton with Newland
- Hawkshead & Monk  
Coniston with Skelwith
- Lower Holker
- Upper Holker
- Kirby Iredeale
- Lowick
- Mansriggs
- Osmotherley
- Pennington
- Satterthwaite
- Staveley
- Torver
- ULVERSTON**
- Urswick



could scarce believe he was in the same county'.<sup>27</sup> Indeed the natural affinity with the Lake Counties was recognized by the Poor Law Commission who included Furness and Cartmel in the district of the Assistant Commissioner for Cumberland and Westmorland.

Furness was an area which would shortly experience the meteoric rise of Barrow and the rapid expansion of its haematite extraction, but these were events for the ensuing decades and, during the period of this study, agriculture was by far the most important industry. Barrow had only 28 houses in 1843, a population of only 690 in 1851, and would not launch its first ship until 1852. Furness mines were small and primitive in the early decades of the century. Ore was raised by horse gin and miners were lowered into the pit in baskets; pit drainage was non-existent and mining ceased when the water table was reached. In comparison, steam engines 'of great power' were employed at most large Lancashire collieries by 1815.<sup>28</sup>

Until the completion of the Ulverston-Lancaster Railway as far as Carnforth in 1857, and late in relation to the rest of west Lancashire, the mountains and sea limited communication with the rest of the country. The turnpike road was so lengthy and so dusty that people and coach operators preferred to cross over to the rest of Lancashire via the sands at low tide.<sup>29</sup> As an illustration of this preference, a Special Meeting of the Ulverston Board of Guardians was unable to take place on the proposed date and time because the representatives from Cartmel would be unable to cross the sands

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<sup>27</sup> Rothwell, Agriculture of the County of Lancaster, p.6.

<sup>28</sup> W. B. Kendall, pamphlet, 'The Village of Barrow in the Parish of Dalton-in-Furness: Owners and Occupiers in 1843', with Notes by W. B. Kendal, 6 Jan. 1903 and supplementary notes by H. Gaythorne. (reprinted from the Annual Reports, Proceedings, etc., of the Barrow Naturalists' Field Club, XVII, (Barrow 1909), pp. 5, 181-191; J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), p.281; Dickson, General View, pp.67, 74

<sup>29</sup> Marshall, Furness, p.272.

then.<sup>30</sup> Goods were also exported and imported by boat from the several creeks and small ports along the indented coastline of which two, Rampside and Bardsea, were also watering places.<sup>31</sup>

About seven-eighths of the district of Furness consisted of lakes, woods, moors and mountains with various valleys intervening. The mountains and moors provided sound, hard sheep pasture. Most of the valleys were very narrow and used for pasture or meadow, but wherever they were of a suitable breadth and not too hilly, grain and potatoes were grown mainly for home use. On the lower heights the farmers of High Furness bred cattle and horses, raised calves, made cheese and burned limestone.<sup>32</sup>

Coppicing, in the thousands of acres of deciduous woods, for conversion into implement handles, baskets, bobbins and charcoal, provided further agricultural employment, while copper, stone, and the valuable blue and green slate were extracted from various parts of the mountains.<sup>33</sup>

In Low Furness, to the south, the land was mostly arable and 'fit for any crop'. It was one of the three areas along with the Fylde and the Lune valley, and the grain tract in the south west between the Mersey and the Ribble, which were the main wheat-producing areas of Lancashire. Cattle were principally limited to pastures on the banks of rivers and brooks. Towards the end of the 1840s iron ore was increasingly extracted in the Dalton to Pennington area to be shipped to Wales for smelting.<sup>34</sup>

<sup>30</sup> Lancs. CRO, PUJ/1/5, Ulverston Gdns' Mins., 4/11/1850.

<sup>31</sup> A. Harris, 'The Seaside Resorts of Westmorland and Lancashire North of the Sands in the Nineteenth Century', T.H.S.L.C., 115, 1963, p.148

<sup>32</sup> Rothwell, Agriculture of the County of Lancaster, pp.7-8; J.D. Marshall, 'The Lancashire Rural Labourer in the Early Nineteenth Century,' T.L.C.A.S., 71, 1961, fn. 73, p.111

<sup>33</sup> Rothwell, Agriculture of the County of Lancaster, p.8; Dickson, General View, pp. 39, 78-9; Baines, Directory and Gazetteer, 1, 1924, pp. 634 -35, 652.

<sup>34</sup> Rothwell, Agriculture of the County of Lancaster pp.6-7; Dickson, General View, pp.230-32.

The union's industry was concentrated at Upper Holker in Cartmel, where the township included two cotton mills and a gunpowder works, in addition to an iron mine. Farm land around Cartmel was excellent and under arable cultivation. The extensive tract of Cartmel Fell had recently been enclosed and partly planted up with trees. The mossy remainder was under mixed farming but with the emphasis on potatoes and grain crops. The southern portion also included several large estates including Holker Hall, the seat of the Earl of Burlington, extensive landowner within the union and elsewhere throughout England, and to be the long-standing, active chairman of the Board of Guardians from its inception.<sup>35</sup>

Ulverston Union consisted of 27 townships, the complete product of the multiple-township parishes of Cartmel, Ulverston, Kirkby Ireleth, and Hawkshead, and the single-township parishes of Colton, Pennington, Aldingham and Dalton, the old capital of Furness. Ulverston township's population of 4,876 in 1831 was the highest in the four rural unions of this study, and with an increase of 24% from 1821-1841 it most nearly matched that of the market town of Ormskirk. Though both populations and rates of increase of Ulverston and Ormskirk were insignificant when compared with those of industrial towns, they were at least buoyant, not nearing stagnation like Kirkham, or declining like Garstang. Ulverston Union also had a slightly more even spread of Guardians than the other three unions. The market centre itself had four representatives while six other townships had each two. The remaining twenty townships returned one Guardian each thus making a total of 36.

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<sup>35</sup> Rothwell, Agriculture of the County of Lancaster, p.9; Mannex, Directory, 1851, p.381

## General characteristics of rural Lancashire

Lancashire was overwhelmingly a county of small farms with much of the land devoted to pasture. Only 6.5 per cent of the farms were over a hundred acres and three quarters of them in 1851 were under fifty acres. Additionally, in parts of Fylde, Garstang, and Ulverston unions, holdings were fragmented and therefore especially inconvenient to work.<sup>36</sup> Neither was it an easy county in which to farm. Dubbed ‘the waterpot of England’, its climate and northerly position ‘made seed time and harvest more late, troublesome and precarious’ than in more fortunate southern counties.<sup>37</sup> Additionally those who farmed along the extensive coastal regions of west Lancashire lived under the constant hazard of the almost perpetually boisterous westerlies converting into damaging storm-force gales.

Contemporary agricultural reporters and essayists all lamented the backwardness of Lancashire’s husbandry. Fields were frequently small, ill-shaped, poorly hedged and, particularly in the Fylde district, ‘disfigured’ by marl pits. Rotations in arable farming were ‘defective and erroneous’, weeds were rampant because few farmers sowed in drills, many were still sowing broadcast in 1849; and fields were fallowed ‘in so slovenly a manner that farmers from elsewhere would deem them quite unfit for a crop of any kind’.<sup>38</sup>

Animal husbandry was equally retarded. Apart from ‘unnecessarily prodigious’ barns attached to small farmhouses, outbuildings were scarce and poor. ‘Cattle were left out,

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<sup>36</sup> Marshall, ‘Rural Labourer’, p.92; A. Mutch, ‘The “Farming Ladder” in North Lancashire, 1840-1914: Myth or Reality?’, *Northern History*, 27, 1991, p.169; J. K. Walton, *Lancashire: a Social History, 1558 - 1939*, (Manchester, 1987), p.121; Rothwell, *Agriculture of the County of Lancaster*, p. 7

<sup>37</sup> Beesley, *Agriculture in Lancashire*, p.4; Dickson, *General View*, p.30.

<sup>38</sup> Rothwell, *Agriculture of the County of Lancaster*, p.91. The prevalence of these pits can clearly be seen in the 1840s O.S. maps of the Fylde e.g. Sheet 60, 6” 1st Edition. Dickson, *General View*, pp.253, 288; Beesley, *Agriculture in Lancashire*, p.15

to range abroad in the fields all winter . . . exposed to wet and cold and up to their knees in slutch.’ Alternatively, some farmers still practised a method condemned years earlier, of crowding their cattle into dark, low-ceilinged cow houses ‘to be starved of both food and cold air’ with insufficient space for all to lie down.<sup>39</sup> It was a current, erroneous belief that ‘two cows half fed will give more milk than one well fed cow’. Calves, too, were ‘small, mis-shapen and stunted’ from only being allowed milk for a very short time, after which, on cheese-making farms, their only food was whey.<sup>40</sup>

If Lancashire’s small farmers were generally considered to be unenlightened, narrow and backward, larger landowners were accounted heavily responsible. They were investing their money and skill in manufacture instead of rescuing the county’s agriculture ‘from the degradation which oppressed it’.<sup>41</sup> Rich industrialists, on retiring, also chose to invest their money in land in counties other than Lancashire.<sup>42</sup> Rent levels had been retained over the past fifty years regardless of circumstance. Some still held farms ‘for lives’, but most were tenants-at-will. When leases were given, they were usually only for five to seven years and were often hedged about with ‘injurious restrictions’ or ‘foolish rotations’. Young tenants also tended to take on farms that were too big for them in order to ‘avoid later loss and vexation in moving’, and therefore a large number of farmers were under-capitalized. Without lease or security

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<sup>39</sup> Rothwell, Agriculture of the County of Lancaster p.145; Binns, Notes on Agriculture, p.26, 67; L. Rawstone, Some Remarks on Lancashire Farming, (London, 1843), pp.26-27; Dickson, General View, p.96

<sup>40</sup> Rothwell, Agriculture of the County of Lancaster, p.146; Binns, Notes on Agriculture, p.67

<sup>41</sup> Dickson, General View, pp.116, 664; Rawstone, Lancashire Farming, pp.6, 106

<sup>42</sup> W. J. Garnett, Prize Report, Journal of the Royal Agricultural Society, (London, 1849), p.6. W.J.Garnett’s father had been a Manchester industrialist. Unlike those Garnett criticized, the Garnetts retired into Lancashire where they bought two large estates, one at Quernmore near Lancaster, the other at Bleasdale in Garstang Union. These were farmed in an “improving” manner.



they were unable to raise a loan to help them in their difficulties, though Rothwell added that lenders were ever-ready to advance unsecured money to industry.<sup>43</sup>

Typical of the essayists' and reporters' opinions was Garnett's comment, 'whatever may be our character for skill in manufactures or success in commerce, we are sadly behind the rest of the world in agriculture'.<sup>44</sup> However, their worst criticisms were directed towards farming in the industrial regions: the picture they painted of agriculture within the four unions was not entirely black. Potatoes grown around Ormskirk were especially superior and those grown on the western mosslands withstood disease to a remarkable degree; the wheat-growing areas of the county were in western Lancashire (though yields were only half those in the rest of the kingdom); the north Fylde area was celebrated for its carriage horses and hunters, and for its excellent pigs; and Furness stock was 'equal, if not superior, to that of any other district in the country'.<sup>45</sup> Also, if the criticism of landed proprietors applied to any who lived in rural west Lancashire, there were also others, for example Clifton of Lytham, Wilson France of Rawcliffe, and the Heskeths of Rufford, who were engaged in extensive drainage schemes and conscientious land and stock improvement. Large, newly-created farms on the Clifton estate had been let on long leases to wealthy, 'improving' Lothian farmers, so that there was at least the prospect of emulation and raised standards. There was also great competition for reclaimed plots from the mosses.<sup>46</sup>

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<sup>43</sup> Binns, Notes on Agriculture, p.11; Dickson, General View, pp.136 -138, 274 -275; Rothwell, Agriculture of the County of Lancaster p.152.

<sup>44</sup> Garnett, Prize Report, p.1

<sup>45</sup> Rothwell, Agriculture of the County of Lancaster, p.43; Dickson, General View, p. 288; Beesley, Agriculture in Lancashire, p.51; Binns, Notes on Agriculture, pp.126, 155; Garnett, Prize Report, p.35

<sup>46</sup> Rothwell, Agriculture of the County of Lancaster, p.32.

The diversity of farming and agricultural occupation in rural Lancashire has been illustrated above in the individual descriptions of the four unions. Further differences existed, for instance in diet, where the further north the location the greater was the working class dependence on oatcake, porridge and herrings as opposed to wheaten bread and bacon.<sup>47</sup> Diverse also were the dwellings in the four unions which varied with the indigenous materials. In Ulverston Union they were constructed of stone with slate roofs; 'clat and clay' was the norm in the Fylde region, while brick prevailed in Ormskirk Union. Bricks provided sound accommodation but they were expensive and Marshall considers their cost was the probable reason for the serious overcrowding that existed within a ten or fifteen mile radius of Ormskirk.<sup>48</sup> Seemingly worse, and earning strong contemporary censure, were the structural limitations of the dwellings in Fylde and Garstang unions, which more resembled 'Irish cabins' than 'English cottages'. Commonly consisting of two rooms, they were of a 'mean appearance', had soil or clay floors, were open to the thatch, and had only a small hole in the clay walls to let in light. Much more fortunate were the labourers in Ulverston Union, whose durable stone and slate cottages had long replaced the 'mud hovels' which were standard in the Fylde plain.<sup>49</sup>

In some situations in Ulverston Union, labourers' cottages included the liberty of getting peats, a benefit thought worth about two or three pounds a year. A garden for vegetables or pigs was an added boon which accompanied many cottages in all four

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<sup>47</sup> Dickson, *General View*, pp.332-33; Rothwell, *Agriculture of the County of Lancaster*, p.128; Marshall, 'Rural Labourer', p.123.

<sup>48</sup> Dickson, *General View*, p.104; Marshall, 'Rural Labourer', pp.121-22, and fn. 109; Watson and McClintock, *Traditional Houses*, pp.15-16; Rothwell, *Agriculture of the County of Lancaster*, p.129

<sup>49</sup> Rothwell, *Agriculture of the County of Lancaster*, p.131; Binns, *Notes on Agriculture*, p.126; Marshall, 'Rural Labourer', p.122.

unions. In Quernmore, near Lancaster, labourers had small gardens and additionally received four loads of potatoes a year.<sup>50</sup> Such grants and concessions are a reminder of the difficulties inherent in comparing situations solely from raw wages, or in uniformly establishing 'less eligibility' in relation to the New Poor Law.

Differences in the quality of labourers' housing, and the value of perquisites, for those 'living-out', no doubt similarly existed with regard to bed, board and treatment for farm workers who lived with the farmer and his family. For except on the rare, estate farm such as the Heskeths' of Rufford, in Ormskirk Union, where all labourers lived independently, the northern custom of single employees 'living-in' still continued in the four unions. So, also, did the tradition of farmers contracting with labourers for a year's, or a half-year's, service.<sup>51</sup>

Assistant Commissioner Voules commented that where man and master lived and worked together, small farmers were only one step up the social ladder so labourers had every incentive to improve their position. Mutch finds the 'farming ladder' to apply particularly to the sons of small farmers who served their apprenticeship as a farm servant before returning to continue the family tenancy or strike out on their own. Such circumstances further encouraged the practice of staying on the land rather than emigrating to industry in the droves which Marshall notes was the exaggerated assumption of early nineteenth-century writers, and should more correctly be termed a seepage<sup>52</sup>

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<sup>50</sup> Marshall, 'Rural Labourer', pp.119-120; Dickson, General View, pp.104-105

<sup>51</sup> Marshall, 'Rural Labourer', p.117

<sup>52</sup> PRO, MH 32/73, A/C Voules to PLC, 21/6/1836; Mutch, 'Farming Ladder', p.178; Marshall, 'Rural Labourer', pp.90, 107.

Timmins supports this conclusion in relation to the rural Lancashire hand-loom weaver. The seeming reluctance of millowners and others to employ mature hand weavers was matched by the reluctance of rural weavers to move into the factories or the towns. They preferred to cling to a way of life familiar to their forebears, which depended upon the combined earnings of the family unit, either entirely from weaving, or from diverse sources traditionally including agricultural work in the summer. Some also turned to the higher-paid weaving of superior cloths, for which power looms were less suitable.<sup>53</sup> And there was work for them, even if in some cases the amounts dwindled more quickly than natural wastage warranted, and some weavers were forced to fall back on the parish from time to time.

Hand-weaving endured even into the 1860s, because entrepreneurs continued to find it a profitable enterprise, especially for those who dealt in the finer and fancier grades of cotton and the silks and mixture cloths. Horrocks and Co. of Preston had established an extensive 'putting-out' system in west Lancashire with warehouses at several places to serve as collection and distribution centres for the surrounding rural districts. One, at Kirkham, was still functioning in 1832, but by the end of the decade only the Ormskirk and Preston warehouses remained in use, the latter remaining convenient for the Kirkham and south Fylde area. Horrocks's continued to be involved in hand-weaving until the early 1850s. At Freckleton (Fylde Union) a sail and sackcloth concern was employing over two hundred hand-loom weavers in 1851, and as late as

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<sup>53</sup> G. Timmins, The Last Shift: the decline of Handloom Weaving in Nineteenth Century Lancashire, (Manchester, 1993), pp.161, 163-164, 166, 170, 186-187.

1868, in the same union, a weaving shop at Kirkham containing 26 hand-loom was auctioned as a going concern.<sup>54</sup>

Depending upon circumstances, it was therefore possible for the rural west Lancashire hand-loom weavers to subsist, or in some cases to make an adequate living, and hand-weavers in the four unions were never the grave burden that, by virtue of their numbers, they were in urban weaving districts such as Blackburn. Timmins' calculation of the distribution of hand-weavers in Lancashire around 1820 shows that, apart from two concentrations in the parishes of North Meols (Ormskirk Union) and Kirkham (Fylde Union), the parishes of west Lancashire were in the lowest of four numerical sub-divisions illustrating hand-weaver proportions.<sup>55</sup> Far more affecting, for instance, was the failure of a large printworks in Garstang Union which rendered six hundred people immediately unemployed.<sup>56</sup>

There were, of course, many in the four unions who were engaged in trades and occupations other than agricultural work or hand-weaving - and in the towns employment was on offer in a variety of fields in addition to textiles. But there were also opportunities of alternative employment in the countryside, in occupations such as small-scale mining, quarrying, carting, drainage schemes, railway construction, fishing, cockling, woodland industries, clock and watch making, the holiday trade and so forth. In consequence, Marshall believes those who did migrate were the young, single and independent people who were attracted by town life as well as its opportunities. Older

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<sup>54</sup> Timmins, *The Last Shift*, p. 160, 185-187, p. 173, quoting J. S. Lyons, 'Family Response to Economic Decline: handloom weavers in early nineteenth century', *Lancashire Research in Economic History*, 12, (1989), p. 76

<sup>55</sup> Timmins, *The Last Shift*, p.45, map 1.

<sup>56</sup> PP, 1834, XXXVIII, RC on the Poor Laws, Appx. A, pt. I, Report from G. Henderson on the County Palatine of Lancaster, p.924A.

people tended to choose to stay in the rural areas and, though somewhat scathing about their lack of ambition in not migrating to industry, and their willingness ‘to plod away their lives at the plough’s tail’, Garnett nevertheless believed Lancashire’s agricultural labourers were ‘better housed, better fed, better warmed, and better paid than in many parts of England where agricultural occupations are their only employment’.<sup>57</sup>

### **Comparison with southern agricultural districts**

When criticizing Lancashire farming, contemporary agricultural writers also compared it disadvantageously with the husbandry of the south. Their essays and reports included such statements as ‘the standard of farming (in Lancashire) is far below that in more southerly counties’ and ‘there is little land in Lancashire equal to a great portion of the southern or midland counties’.<sup>58</sup> Nevertheless, though the soil of the large farms in the south was in a better state and it was better farmed, the predominantly stock rearing and dairying of Lancashire had certain advantages over arable farming. It was less vulnerable to climatic and pestilential vicissitudes than the primarily grain-growing farms of the south. Neither was animal husbandry highly seasonal, nor affected by the introduction of machinery.

Lancashire farmers also enjoyed the advantage of an easily accessible and continuously expanding market in the nearby industrial towns, villages, and commercial centres of the county. And in so far as the farmers were less enlightened in the earlier decades of the century than their counterparts in the south, the prospect of ever-increasing demand was a potent incentive to adopt better practices in pursuit of increased yields. By the mid-century considerable advances had been made. Shorthorn

<sup>57</sup> Marshall, ‘Rural Labourer’, p.114; Garnett, Prize Essay, pp. 4, 45.

<sup>58</sup> Garnett, Prize Essay, p.3; Rothwell, Agriculture of the County of Lancaster, p.4

cattle had replaced longhorn breeds, and other farm animals were similarly superior; many drainage schemes were afoot; land was cleaner and better prepared before planting; and turnip crops equalled those in the best cultivated districts; while Lancashire potatoes 'excel in weight and quality every other part of Britain'.<sup>59</sup> Without the spur to improvement of the growing urban market, it is likely that such changes would have come more slowly.

Regional agricultural societies and local farmers' clubs were inaugurated and supported by the local gentry, but writers disagreed on their contribution to improved practices.<sup>60</sup> Even so, if these organizations did not attract membership from the smaller farmers, they must at least have stimulated interest in the keen and 'intelligent', and helped with the cross-fertilization of ideas. This knowledge would eventually filter downwards, by word of mouth and by practical examples of the resulting improvements to be seen in the fields, perhaps especially those of winning entrants in the societies' competitions.

Agricultural labourers, too, like their masters, gained from being part of an industrial county. Demands for labour tended to exceed supply in the manufacturing regions, and wages were high. This inevitably influenced rates paid to agricultural labourers, whose wages were thus 'among the highest in the kingdom', and substantially exceeded those paid to southern farm workers. Lancashire labourers also had greater security and stability through the northern practice of 'living-in' and hiring by the year or half-year, whereas in East Anglia day labour was the usual form of employment.<sup>61</sup>

<sup>59</sup> Rothwell, *Agriculture of the County of Lancaster*, pp.4-5.

<sup>60</sup> Dickson, *General View*, pp. 649-651; Rawstone, *Lancashire Farming*, pp.22, 107-108; Binns, *Notes on Agriculture*, pp.90-93; Garnett, *Prize Essay*, p.44; Beesley, *Agriculture in Lancashire*, p.47.

<sup>61</sup> Marshall, 'Rural Labourer', pp.97, 100 -105; A. Digby, *Pauper Palaces*, (London, 1978), p.22.

Understanding and appreciation of the other's position was a consequence of the slight difference in social position between farmer, husbandman and labourer on the small farms of the north, which working and eating together further reduced. The 'farming ladder' further discouraged polarization and encouraged a common interest in the industry. Such relationships and attitudes could not be easily fostered on the large farms in the south where access to farm ownership was limited, labour lived independently, and there was high unemployment.

A feature of Lancashire agriculture was the family farm. Usually fairly small holdings, they were nevertheless viable propositions because they could be managed entirely by the farmer and his family. In these circumstances, expenses were at their lowest, while commitment to the success of the farm and willingness to work long and hard in the joint interests of the family, were at their highest. However, farms of all sizes often needed help at harvest and planting times. In west Lancashire this was usually supplied locally by women and children; un- or under-employed able-bodied labour; and hand-loom weavers or other domestic workers who welcomed the chance to augment their income with the superior wages of agriculture. Beesley records that hand-weavers still regularly 'forsake the loom for the sickle and spade in the summer months, returning to weaving when the demand from agriculture was over'.<sup>62</sup> Therefore, unlike the situation in the south, supply and demand for labour in rural Lancashire was roughly balanced, with a local supply of casual labour to hand when required, from sources which at other times were domestically employed or engaged.

A similar supplementary income was not available to the large number of urban hand weavers concentrated in areas such as Blackburn and Salford and many could not

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<sup>62</sup> Beesley, Agriculture in Lancashire, p.28



support themselves and their families without assistance from the poor rates. Henderson stated that it had become the general practice in weaving districts to give an allowance to able-bodied weavers with more than two children under the age of ten years. Persons thus aided tended to be older weavers producing lowly-paid, coarse cloth, whose family could contribute little, if at all. They were 'in a state of great destitution; their houses bare of furniture; their children half-clad'. They were also 'stimulated beyond their powers' by the system operating in Lancashire where relief was calculated weekly on the amount it was believed a truly industrious applicant could have earned. There were no set scales for allowances as there were in the south, and there was also the material difference between the weaver and the seasonally-employed agricultural labourer, that the former had not lost the 'spur to exertion' which was the specially worrying 'side effect' of southern fixed-scale allowances. Neither had northern manufacturers combined to depress wages as had southern farmers: earnings had sunk through competition with steam power. It had not resulted in the evils associated with allowances in the south and Lancashire hand loom weavers therefore constituted a special case.<sup>63</sup>

## **Conclusion**

In terms of climate and terrain, rural Lancashire was at a distinct disadvantage when compared with the south. It was wetter, had lower temperatures, less sunshine higher winds, and a shorter growing season. Much of the land was either strong clay and difficult to work, or was moss, mountain or moorland with limited use. Nevertheless northern farming was advantaged by being a part of an industrial county. The

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<sup>63</sup> Henderson, Report, p.909A.

expanding market generated by its primarily textile and commercial nature caused under-production, rather than over-production, to exercise the minds of farmers, and led them to adopt better practices to improve output and stock, though competition with industry for capital loans was a handicap for farmers who were under-resourced. Urban Lancashire also offered opportunities to country people willing to migrate to the towns. Furthermore, certain urban areas, such as Preston, Lancaster and Liverpool, were within walking distance of parts of the four rural unions, and offered a variety of employment for any wishing to live at home but willing to commute daily or weekly.

In addition to offering employment, industry was responsible for the high wages paid to northern agricultural labourers relative to those in the south; and though the former's rates were reduced in wintertime, most of them were employed throughout the year. The northern practice of living-in and contracting for the year or half-year offered stability to both farmer and labourer, and shared interests of master and man was a consequence of the generally small farms of the north, a situation even further enhanced in the many family-farms. The southern experience of a surplus of landless labourers was therefore unknown in Lancashire, where in normal times the supply and demand for labour was roughly equal, and where casual labour was available in peak times from the Irish, the labourers' families, and from local domestic workers.

Rural Lancashire also differed from industrial and commercial Lancashire in relation to the endemic problem of hand-loom weavers, and to the additional mass unemployment of power-loom weavers in the cyclical slumps. With only the odd power-loom factory, rural Lancashire was little affected by the latter other than possibly by a shrunken market for its produce. Its relatively few but slowly dwindling numbers

of hand-loom weavers mostly managed to eke out a living in the traditional fashion of combining weaving with agriculture until, in 1851, Timmins states that there was only 'an insignificant number of hand weavers' left in Fylde, Garstang, and Ulverston unions.<sup>64</sup> The degree of significance would, of course, depend upon their distribution, and upon their numbers relative to the population of the townships they inhabited.

The four rural unions were therefore differently placed both from industrial and commercial Lancashire, and from the arable south. In a number of respects they were also very different from each other.

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<sup>64</sup> Timmins, The Last Shift, Appx. A2, p.224

#### **4.....THE ORGANIZATION OF THE OLD POOR LAW**

Before any contribution can be made to the ongoing historical debate on whether or not the introduction of the Poor Law Amendment Act of 1834 resulted in a distinct break with the administration of poor relief prior to that time, it is necessary to set out what is known about the Old Poor Law in rural Lancashire. Organization for relief, which includes workhouse accommodation, the intended lynch pin of the New Poor Law, will be considered in this chapter. The policies of the townships in the future four rural unions forms the substance of Chapter 5, but as organization and policy are inter-related, sometimes inextricably, conclusions drawn in either chapter may be applicable to both.

The period principally studied has been that from the Sturges Bourne Act of 1818 up to unionization as it is most pertinent for the consideration of issues criticized in the Royal Commission Report of 1834 and for eventual conclusions on aspects of continuity and change. Town and Rural questionnaires issued by the Royal Commission have formed a major source for the issues in both organization and policy. Local material and studies contributed further information, or aided clarity. But for the majority of townships not involved in the Royal Commission enquiry, information has

depended upon the survival of parish records such as overseers' accounts and vestry minutes. As these are frequently incomplete, sometimes in disjointed sequence and, being written for other purposes, often having only fortuitously useful references, they are a difficult source. Furthermore, recognition that practices varied from township to township increases the difficulties of generalizing from case studies. However, bearing these problems in mind, this chapter and the next seek to set out whatever can be gleaned about the townships of rural Lancashire under the Old Poor Law.

The forms of pauper management most castigated in the Report arose in those situations where responsibility for poor relief had fallen into the hands of either a corrupt overseer, or into a vestry so loosely controlled that, again, one or two individuals had the almost uninhibited spending of the poor rates. A restricted vestry, annually elected by the ratepayers, in control of a permanent overseer, was much preferred. The Report also condemned the misdirected benevolence with ratepayers' money of naive or timid justices who sought popularity and interfered too readily, and whose own lifestyle was so distant from the domestic economy of the applicant that they were unable to judge what was appropriate relief.<sup>1</sup> However, Henderson's report on Lancashire denied interference of any consequence by the magistrates and he commended the county's high proportion of select vestries and permanent overseers, which respectively amounted to 43% and 49% of townships.<sup>2</sup> The existence of select vestries, permanent overseers, the interference of justices, and indoor provision for

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<sup>1</sup> S.G and E.O.A. Checkland, (ed.), *The Poor Law Report of 1834*, (Pelican edition, 1973), pp.181, 191-92, 220-21

<sup>2</sup> Calculated from figures in PP, 1834, XXVIII, RC on the Poor Laws, Appx. A, Part I, Report from G. Henderson on the County Palatine of Lancaster, p.910A.

paupers, will be those organizational aspects principally looked at in the townships of the four rural unions.

Views on the reliability of the answers to the Town and Rural questionnaires and the motivation of the respondents were discussed in Chapter 2. As the means for checking the answers are not available, conclusions can only be subjective, but in relation to this thesis it was believed that the information contained within the answers of the relevant townships could be relied upon. A greater problem was the assessment of the overall situation in rural Lancashire from two sets of questions which laid different emphasis upon some aspects, and in other instances were quite dissimilar. For instance, rural respondents were questioned on employment opportunities and wage rates for different ages and sexes; the economic situation of an imaginary family; the position of cottagers; and labourers' attitudes to work. These subjects did not feature at all in the Town queries which, on the other hand, required answers to nine detailed questions on workhouses while the Rural questionnaire asked only if a workhouse were present, and the number of inmates if so. Furthermore, the construction of the questions - multi-part, subordinate clauses, and inviting opinion on hypothetical situations - did not assist with consistency of information, especially as respondents tended to answer only a part of a question. Nevertheless, answers were returned by three towns and seven rural townships, not counting the abandoned rural form from the Ulverston respondent who had already completed a Town questionnaire. A further seventeen townships featured in parish records and three more were mentioned in Henderson's report on Lancashire to the Royal Commission (*see Table 4.1 overleaf*)

**TABLE 4.1: SOURCES OF INFORMATION FOR THE ORGANIZATION OF POOR RELIEF IN 'UNION' TOWNSHIPS UNDER THE OLD POOR LAW**

'Union'	Tshps answering Town Queries	Tshps answering Rural Queries	Henderson's Report	Parish Records	Local Histories
<b>Ormskirk</b>	Ormskirk	Burscough		Aughton	
		Halsall		Maghull	
		North Meols		Simonswood	
				Tarleton	
<b>Fylde</b>		Newton w Scales*		Greenhalgh	
		Clifton w. Salwick*		Thistleton	
				Freckleton	
				Layton w. Warbreck	
				Bispham w. Norbreck	
		Poulton-le-Fylde			
<b>Garstang</b>	Garstang		Garstang	Barnacre w. Bonds	
			Catterall	Hambleton	
			Kirkland		
<b>Ulverston</b>	Ulverston	Ulverston +		Dalton	Pennington
		Dalton		Colton	
		Hawkshead		Lower Holker	
		Church Coniston		Upper Holker	
				Lower Allithwaite	
				Cartmel Fell	

\* Though Newton with Scales and Clifton with Salwick constituted a single township, the two 'places' had entirely separate organizations for the relief of the poor.

+ Ulverston was sent both a Town and a Rural questionnaire. The assistant overseer answered the Town queries in detail but the Rural questionnaire was only partially answered, then abandoned.

## Administration

### *Ulverston townships*

Before unionization and the election of the Ulverston Board of Guardians in 1836, the local government of Furness and Cartmel had altered little in substance since Tudor and Stuart times when it was shared between manorial and parochial authorities.

However, by the 1820s the avenues of command were considerably more complex and the parochial element had extended its duties from the merely church-centred matters, to involvement in the wider aspects of parish life such as education, highways and relief of the poor. These parochial ruling bodies consisted of a closed vestry of 'sidesmen', characteristically consisting of multiples of six, with 'four-and-twenty' predominating. They were oligarchic and self-perpetuating, and existed in one form or another in most of the parishes of Furness and Cartmel including the exceptionally large parishes of Dalton, Cartmel and Ulverston. These last named were subdivided into a number of parts called 'divisions', each contributing to the closed parish vestry but also enjoying varying degrees of independence in a local vestry. It is therefore difficult to determine to which form of vestry the records of vestry minutes refer. This is especially the case when some meetings of 'the inhabitants' of the township really meant 'the closed vestry', for the sidesmen regarded themselves as being 'the inhabitants'.<sup>3</sup>

Dalton was a parish with pronounced control by the four-and-twenty and it was exactly they who formed the select vestry for pauper management. 'We have a select vestry but not one under Mr. Bourne's Act' was the substance of Dalton's reply to Rural query 32 by their respondent, Myles Sandys, Jnr., JP. He was, not one of the

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<sup>3</sup> J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), pp.127-28.



four-and-twenty, and his view of Dalton's select vestry, when answering the question on the relative roles of the vestry and the overseers, is revealing:

There is in this parish a Select Vestry, not a Vestry under Mr. Sturges Bourne's Act, but a Vestry of Four and Twenty who elect each other and the election is for life. They make parish affairs, I believe, a sort of "close borough". The Vestry, I am inclined to think, decides everything in this parish. Such Vestries are very prevalent in this part of the country, and I consider them a great evil. The overseers, I understand, seldom or never interfere with the vestry (or sidesmen as they call themselves) and seldom attend their meetings. It would be very difficult for the annual overseers to interfere with the Four and Twenty who are the oldest and richest farmers in the parish, and have established themselves as paramount.<sup>4</sup>

Sandys' attitude towards the four-and-twenty is also interesting. Was it due purely to disapproval of the self-perpetuation of an oligarchic system, or was his resentment of the 'oldest and richest farmers' due to personal experience of them, perhaps in his capacity as a magistrate or as a landlord? Alternatively, as a member of an old-established, landowning family, was it a social class attitude fostered by the seeming usurpation by middle-class farmers of traditional upper-class power?

Four-and-twenties differed considerably in composition and local involvement. Cartmel's sidesmen, for instance, included justices and landowners of considerable magnitude and by the 1830s the Cartmel four-and-twenty had reverted largely to church-centred concerns. Administration of relief to the poor had become the individual responsibility of the 'divisions' of the parish, though with sidesmen well represented on their vestries.<sup>5</sup>

In certain respects, sole control by Dalton's four-and-twenty would have been approved by Sturges Bourne, himself a member of the efficient closed vestry of St. George's, Hanover Square. He had wanted relief to rest in the hands of the rich and

<sup>4</sup> PP, 1834, XXXII, RC on the Poor Laws, Appx B1, Ans. to Rural Q. 35

<sup>5</sup> Marshall, Furness, pp.127-29

powerful and in the Act of 1818 he deliberately introduced plural voting into the vestry with the intention of giving most say to those who had the largest stake in the parish. However, the Act of 1819 stated that *twenty* (not twenty-four) members, acting in association with the incumbent and the overseers and churchwardens, should be the maximum for a select vestry and, very importantly, that the vestrymen should be elected annually.<sup>6</sup>

The Select Vestries Act also acknowledged the contribution of permanent assistant overseers to efficiency and stability in the organization of poor relief, and their appointment was permitted in both open and select vestries. An assistant overseer was formally appointed by the four-and-twenty sidesmen of Dalton, but not till 1827. However, in one of the four districts for which the vestry appointed overseers, two of the four annual overseers had served longer than a single year, though none had much influence according to Myles Sandys. In Dalton it was the vestry which was permanent, not the overseer, at least till 1827.<sup>7</sup>

There was less permanency about the vestries of Colton. Before the Act of 1819, poor relief was under the overall rule of the 'general vestry' which met bi-monthly to hear claims, decide on policy, and appoint committees when required. Committees were engaged for particular tasks such as deliberating on the hours worked by apprentices at the Backbarrow manufactory and inspecting the workhouse on a fortnightly rota. There is also a suggestion that alternating committees, probably from each of the four divisions of Colton, met in-between times, or as necessary, to hear applications from the parish's paupers. In 1817 a general overseer was appointed solely

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<sup>6</sup> S. and B. Webb, English Local Government from the Revolution to the Municipal Corporations Act: the Parish and the County, (London, 1906), pp.153-56.

<sup>7</sup> Dalton-in-Furness District Local Board Accounts for y/e March 1882, pp.133, 179.

for poor law matters in all four divisions of the parish. Paid £21 per annum, he was to remain in office for the next twenty years until, upon the formation of the union, the duties contracted along with the salary, (to £16 a year), and a new person was appointed.<sup>8</sup>

It is probable that vagrants were a problem in Colton in 1818, as Rowland Penny, Jnr was requested to lodge wayfarers at his house and to allow a vagrant office, in the charge of the general overseer, to be set up on his premises. Mr. Penny was created superintendent of the lodging house and both he and the overseer were to be assisted by a committee. All were to have a pint of ale each at every meeting concerning vagrants.<sup>9</sup>

The option of a closed vestry permitted by the Act of 1819 was quickly taken up by Colton in September of that year. There is no information about the form or number of the select vestry, but a reference in 1822 to the workhouse master's continuation depending upon 'the satisfaction of a majority of the Sidesmen', suggests the possibility that, as in Dalton, the vestry and the sidesmen of the four-and-twenty were one and the same. However, regardless of its form, persons who signed as being present at select vestry meetings rarely exceeded eight, and could be as low as three, including any who may have been parish officers. The frequency of meetings, or at least the recording of them, soon fell back from fortnightly to an irregular pattern varying between four and ten weeks.

Between July and October, 1826, the three consecutive vestries which assembled for poor relief purposes consisted of 'the Sidesmen and parish officers'. However, two years later pauper management appears to have reverted to general, or open vestry rule,

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<sup>8</sup> Cumbria RO (Barrow), BPR/17/VI/1, Colton Vestry Mins. and O/ss. A/cs., 1810-1852, e.g. 3/9/1817, 26/1/1818, 2/3/1818.

<sup>9</sup> *ibid.*, 22/7/1818

as notices of meetings ‘to consider applications of the poor and any other parish business that may occur’ began to be addressed to ‘parishioners’. A workhouse committee was also mentioned in 1832.<sup>10</sup>

The Poor Law Amendment Act of 1834 perhaps prompted Colton to make its final change. This is observable from February, 1835, when the vestry is referred to as the ‘Chosen Committee and parish officers’. This body continued to be responsible for poor relief until the formation of Ulverston Union in August, 1836.<sup>11</sup> Again it is possible that ‘the Chosen’ were members of the four-and-twenty as there is one reference in this period to ‘the inhabitants’, a sometime synonym for ‘the Sidesmen’. But whatever form the vestry took, it is likely that at least some sidesmen would be among them. The salient point was the concentration in which they were present, and as the long-serving general overseer was also vestry clerk it would seem that he would not have varied the terms he used to describe the vestries, (‘select vestry’, ‘sidesmen’, ‘chosen committee’), unless there were material differences between them.

Church Coniston had neither an assistant overseer nor a select vestry when the town clerk responded to the Rural queries around 1832 and, in common with many other townships, there are no relevant parish records with which to augment this information. Though contiguously situated in the high fells of Furness, the township of Hawkshead with Monk Coniston and Skelwith, had both a select vestry and an assistant overseer. It was the latter who responded to the Rural questionnaire and expressed the contentment of the township with the arrangements.<sup>12</sup>

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<sup>10</sup> *ibid.*, 1/2/1832

<sup>11</sup> *ibid.*, e.g. 21/4/35, 1/7/35, 3/2/36.

<sup>12</sup> PP, 1834, XXXII, Royal Commission on the Poor Laws, Appx. B1, Ans. to Rural Q. 32

In the absence of relevant parish records, information on Ulverston under the Old Poor Law also relies heavily upon the answers to the Royal Commission's questionnaires. The responses were made by the assistant overseer, a tradesman, who had been appointed when Ulverston first formed its select vestry in 1819, and which was subsequently deemed 'of great utility'. The assistant overseer was solely responsible for administering to the poor although in conformity with the directions of the select vestry who examined his books monthly, 'thus keeping a strict watch over the parish purse'.<sup>13</sup>

The above townships and parishes were situated in Furness. The whole of Cartmel forms a single large parish with seven divisions, namely, Cartmel Fell, Staveley, East Broughton, Lower Holker, Upper Holker, Lower Allithwaite, and Upper Allithwaite. Flookburgh was the foremost village in the division of Lower Holker, and at a meeting in 1821 it was decided that Flookburgh should have a select vestry of thirteen. It was appointed then and there and included the vicar and at least six other sidesmen of the parish four-and-twenty.<sup>14</sup> The minutes of this vestry are too fragile to be produced so details of their activities are curtailed. However, more explicit accounting resulting from the 1818 Parish Vestry Act, and a more formal approach expected from a parish operating under the 1819 Select Vestry Act, is apparent in the overseers' accounts. From 1823 the improvement was no doubt additionally aided by the appointment of the vicar as permanent vestry clerk with an annual salary of £4.<sup>15</sup> Lower Holker had had a permanent overseer since at least 1811 but it was unanimously decided in 1817 to

<sup>13</sup> PP, 1834, XXXV, Royal Commission on the Poor Laws, Appx B2, Ans. to Town Qs 6-9.

<sup>14</sup> J. Stockdale, Annals of Cartmel, (Ulverston, 1872) p. 312. (Number of sidesmen ascertained by comparing lists of sidesmen at various dates with the vestrymen in 1821.

<sup>15</sup> Cumbria RO, (Kendal) WPR/79, Flookburgh O/ss. and Constables' A/c Book, 1800-1843, 28/6/1822

regularize the appointment and link it to the office of permanent paid constable. This dual role was undertaken for many years by a person of the same surname as the then overseer (perhaps his son) at a salary of ten guineas per year.<sup>16</sup>

In Lower Allithwaite, another of the seven divisions of the parish of Cartmel, overseers of the poor were appointed annually by houserow to serve for named estates, with the option to appoint a substitute.<sup>17</sup> Prior to the Vestry Acts the salary was two guineas per annum, but was raised to five guineas from 1818/19, with a further twelve shillings for entering the accounts. There is a gap in the records between 1821 and 1831 so it can only be said that when the records ended in the year 1831/32, the township had appointed two annual overseers and also an assistant overseer. There is no mention of a select vestry. However, Cartmel Fell, a further division of the parish, had such a vestry in at least 1835 - 1836.<sup>18</sup> Upper Holker division of Cartmel parish also had a select vestry at some time, but its only literal mention appears in the accounts for the year 1828/29. Too few vestrymen signed the accounts to allow any reliable conjecture on the period of the select vestry's operations to be made by a comparison of signatories.<sup>19</sup>

In what later became Ulverston Union, therefore, it appears that of the ten townships reviewed above, only one definitely, and two more possibly, did not have a select vestry, at least at some time. A fourth township (Colton) is something of an enigma. Beginning with general vestry meetings and committees, it then had a select vestry which was either inefficient or unsuccessful in that either the minutes, or the meetings,

<sup>16</sup> *ibid.*, 2/4/1818.

<sup>17</sup> Cumbria RO (Kendal), WPR/89/01, O/ss of the Poor A/c. Book, 1761 - 1832, e.g. 1812, 1813, 1818.

<sup>18</sup> Cumbria RO (Barrow) BT/HOS/2 Cartmel Fell O/ss. A/c. Book, 1831-1836, April quarter, 1835

<sup>19</sup> Lancs. CRO, PR 112, Upper Holker O/ss. and Constables' A/cs., 1732-1836.

were not kept up. A closed vestry of sidesmen and overseers took over, to be replaced for a short while with what appears to have been an open vestry, followed eventually by a 'chosen committee'. As the 'workhouse committee' listed 28 people, and the township had experimented with a number of organizations, one could speculate that poor relief was not an attractive engagement in Colton and it was difficult to obtain regular attendances by a sufficient number. Alternatively, it could be that Colton desired to involve, perhaps in turn, all four of its divisions and had experienced difficulties in the mechanics of such organization. All the other townships in Furness and Cartmel for whom there are records appear to have been under stable control, even though the vestries were not always as accountable as the Act of 1819 had wished.

### ***Ormskirk townships***

Two sets of answers, one by the vicar and future chairman, and the other by two parish officers and a ratepayer, all but one of them to be future Guardians, were completed for the Royal Commission's enquiry into poor relief. Though not differing in any essential, the comments of the parishioners sometimes provided an extra dimension to the clear and detailed information supplied by the vicar.

In 1832 or 1833 when the questionnaires were completed, the poor of Ormskirk were 'managed by the churchwardens, overseers and any others they call to their assistance, the resident minister attending'. This highly parochial organization was unusual for a town in the 1830s. Two annual overseers 'usually tradesmen, shopkeepers or others who were competent in business', served for one year only. They had no paid assistant overseer to help them but the deputy constable assisted, without extra pay, in the collection of rates. There had previously been an assistant overseer for many years,

‘but the present system was found to be equally efficient and there is no liability to loss of money’, and ‘a general parochial knowledge of the poor laws is generated by Vestry management.’ Thus spake the vicar-observer, but with more practical experience of the task the parish respondents, answering the same question, considered the lack of an assistant overseer placed too heavy a burden upon the annual parish officers and consequently ‘gentlemen were reluctant to serve’.<sup>20</sup>

Though less burdensome, a similar reluctance to attend vestry meetings was apparent in February 1819 when 23 inhabitants ‘consider the advantage of regular meetings and pledge themselves to attend on the first Sunday in the month after evening service unless prevented by sickness or other reasonable impediment.’ Yet the very first meeting thereafter only nine of the original 23 ‘pledgers’ attended, and even the vicar, Rev. Joshua Thomas Horton, was elected chairman in absentia. Still only ten were present the following month.<sup>21</sup>

Perhaps it was realized that a different arrangement was needed and on 28 May 1819 a select vestry of eighteen plus the ‘minister’ was appointed, though absenteeism caused only eight of them to be present at the time. The select vestry consisted to a great extent of the former ‘pledgers’.<sup>22</sup> After two years, select-vestry management was discontinued. There was a gap of three years, then a select vestry was again tried, this time for four years, but ‘the effects in both cases were bad, principally arising from a disposition to job, and from the responsibility of the officers for all the acts of their irresponsible advisers.’<sup>23</sup> The vicar who made this accusation was a person with long

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<sup>20</sup> *Ans. to Town Qs*, 5, 7, 8, 9.

<sup>21</sup> *Lancs. CRO, PR2815/1, Ormskirk Vestry Book, 1819-1824, Feb.-Apr. 1819.*

<sup>22</sup> *ibid.*, 28/5/1819

<sup>23</sup> *Ans. to Town Q.* 6



experience in the various forms of Ormskirk's poor law management. He was a magistrate, had frequently chaired meetings of the first select vestry, and no doubt the second one, for which there are no records. He was also directly involved in the last, unusually-parochial organization for poor relief, which was functioning in 1832 and which he described so approvingly in the answers to the Town queries.

The other three respondents from among the townships which were to become Ormskirk Union, were rural Burscough, Halsall and North Meols. All had assistant overseers, and the last two had select vestries. Halsall's select vestry dated from 1820, although it was a further three years before an assistant overseer was appointed. The third township, Burscough, had a 'committee' when the questionnaires were answered in 1832/3. All three had found their arrangements for pauper relief to have been beneficial.<sup>24</sup>

In addition to the above information from the Town and Rural answers, relevant parish records are extant for Aughton, Maghull, Simonswood and Tarleton. Aughton had a permanent paid overseer and a vestry clerk by at least the year 1817/18 when the two salaries totalled £20 10s. Both tasks were fulfilled by a schoolmaster until 1831, when a new assistant overseer took over. The salary was increased to thirty guineas in 1837 when he continued in that office upon the formation of the union and until district assistant overseers were appointed by the Guardians in 1840.<sup>25</sup>

There is no mention of a select vestry or a committee at Aughton, but there was considerable stability over the years in those who endorsed the Aughton overseers' accounts, possibly suggesting committee-type rule. Vestry meetings for the affairs of

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<sup>24</sup> Ans. to Rural Q. 32

<sup>25</sup> Lancs. CRO, PR 2095, Aughton O/ss A/cs., 1784-1838, e.g. 1818/19; PR 63, Aughton Vestry Mins., 1768-1904, 24/4/1832, 3/4/1833; PUS/1/1, Ormskirk Gdns. Mins., 2/4/1840.

the poor were held on the first Sunday of every month when attendances normally ranged from five to ten persons, an advance upon the minimum of three which constituted a quorum for a select vestry. Nevertheless special vestry meetings for matters of a general nature could attract up to 37 persons.<sup>26</sup> The township also had a parish garden and parish cottages which were let out at a nominal rent, presumably to paupers, or an economic rent to someone able to pay. For instance, in the year 1835/36 a woman rented a parish cottage for 2/6 a year, while a man paid £3 10s. for another such cottage.<sup>27</sup>

Maghull began paying an assistant overseer in the year 1818/19 when the figure was tentatively set at ten guineas. It was then successively reduced until from 1820/21 six guineas became the fixed figure for 'serving the office'. Simonswood had for some time customarily paid an overseer, for in 1816 a salary of five guineas 'for serving the office as usual' is entered in the overseers' accounts. By 1829 the salary had been increased to twelve guineas and Simonswood then retained the same assistant overseer at the same salary until district assistant overseers were appointed by the union in 1840.<sup>28</sup> Neither of the terms 'select vestry' or 'committee' appear in either Simonswood's or Maghull's records, but the latter end in 1823.

The records of Tarleton, on the other hand, are more informative, if sometimes confusing. A new book, 'Select Vestry Minutes / Orders Book' was begun in February 1822 and there is nothing to suggest in the overseers' accounts of an earlier date that a

<sup>26</sup> Lancs. CRO, PR 63, Aughton Vestry Mins., e.g. years 1834-1836, 17 Feb. 1835.

<sup>27</sup> Lancs. CRO, PR 60 Aughton O/ss. of the Poor Disbursements, 1831-1840, 29/12/1832; PR2095, Aughton O/ss. A/cs., 1784-1838, years 1831/32, 1835/36.

<sup>28</sup> Lancs. CRO, PR2814/4, Maghull O/ss A/cs., 1780-1823; PR 132, Simonswood O/ss. A/cs., 1817-1839, 25/3/1816, 1828/29-1838/39.

select vestry was appointed prior to 1822.<sup>29</sup> The book is somewhat inaccurately termed ‘Select Vestry Minutes Orders, 1822 - 1836’ as Tarleton did not have a select vestry for the whole of this period. From February 1822 to August 1824 the pages are dated and headed ‘Tarleton Select Vestry’ and always continue with the wording, ‘the overseer of the poor is ordered by us to . . . .’ However, with one exception, (the page dated 9 March 1824) all the headed pages from 13 January 1823 are left without further entry until they cease altogether in August, 1824. When there was an order, rarely were there more than three signatures, and frequently none, implying that attendance at the select vestry was very limited or matters pertaining to poor relief were written up elsewhere, possibly in the overseers’ accounts, which are lost between 1821 and 1825.

However, after a gap of about two and a half years, entries in the ‘Select Vestry’ book resumed on 6 February 1827 from when they were mostly headed ‘Tarleton Town's Meeting.’ Applications for relief were always heard at these approximately-monthly gatherings, even when items of more general interest to the township were also on the agenda. Then in November 1829 a decision to pay a town clerk was made ‘by order of the Committee’. There is no means of knowing how long the committee had existed, but there are two or three references to a committee in subsequent years. Finally, at a public meeting when unionization was less than a year away, Tarleton unanimously endorsed the re-introduction of a select vestry of seventeen.<sup>30</sup>

Both Tarleton and Ormskirk, like Colton of the Ulverston townships, had thus tried one method after another in the seventeen or so years between the Vestry Acts and re-organization under the New Poor Law. But whereas Tarleton, even though tardily,

<sup>29</sup> Lancs. CRO, PR3168/7/1, Tarleton O/ss. A/cs., 1776-1820; PR3168/5/1, Tarleton SV Orders, 1822-1836.

<sup>30</sup> Lancs. CRO, PR3168/5/1, Tarleton SV Orders, 1822-1836, e.g. 1/4/1834, 25/3/1836

followed the trend towards more formal organizations and returned to a select vestry from a period of township autonomy, Ormskirk went in the opposite direction and after two experiences of select vestry rule, reverted to the old parochial system of poor relief. The partial nature of some of the records for the other six townships only enable it to be said that two had long-standing select vestries, one had a committee, at least in the later years, and there is no appropriate information on the remaining three. However, almost all the six townships had permanent paid overseers, so the three 'unknowns' may also have had some form of a restricted vestry.

### *Fylde Townships*

Information on the operation of the Old Poor Law in the townships of Fylde Union is more limited than for Ormskirk and Ulverston unions as no town, and only one rural township, answered a Royal Commission questionnaire. However, four townships had relevant parish records for some of the years, and as Fylde is remarkable for the number of its townships which incorporate two or more 'places', information is thus provided on seven distinct organizations for poor relief under the Old Poor Law.

The respondent to the Rural questionnaire was the vicar of Newton with Scales which also incorporated the village of Clifton with Salwick. The two 'places' were different from each other in that Newton with Scales had numerous landowners while Clifton with Salwick was entirely owned by Mr. Clifton of Lytham, an 'improving' landowner of considerable consequence. (Lytham was also in the Fylde but it has no relevant records.) The two places were further dissimilar in that farming in Newton with Scales was mixed, whereas in Clifton with Salwick it was mainly arable. However, both were alike in having select vestries, 'and the poor are better provided for than

before they had such vestries' opined the vicar. The query about an assistant overseer remained unanswered in both cases.<sup>31</sup>

Freckleton's records are only extant for the period 1831-1834 when the township had a select vestry which met fortnightly as also did the select vestry of Poulton-le-Fylde, whose records of vestry minutes are not extant until 1836, when they had a select vestry and an assistant overseer with a salary of £12 per annum. The vestry met at the workhouse and, if 1837/38 is representative of other years, it consisted of twenty members with several different people chairing the meetings.<sup>32</sup> There is no evidence to support any conclusion about the form of pauper management in Layton with Warbreck, but from 1821 the township had a paid assistant overseer, described more formally as 'officer' when his wages were doubled to twelve guineas in 1824. As suggested in the Select Vestry Act, the overseers' accounts began to be signed as 'seen and allowed' from 1819, when, for instance, there were 24 signatories, though ten to twelve of mostly the same people was more normal in subsequent years.<sup>33</sup>

In 1827, at which date Old Poor Law records first become available, Bispham with Norbreck had a select vestry. It was a relatively inactive organization as sometimes there were no claims to consider, and there were frequently other occasions when only two persons attended, which did not constitute a quorum. Indeed, so exasperated was vestryman John Singleton at attending with continuous regularity only to find that the meeting had to be cancelled on account of absences, that in November, 1828 he wrote into the Vestry Book, 'I the undersigned do order viz. a more regular attendance of

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<sup>31</sup> Ans. to Rural Qs. 2, 3, 32

<sup>32</sup> Lancs. CRO, PR2969/1/1, Claims to Freckleton SV, 1831-1834; PR 2490, Poulton-le-Fylde SV Mins., 1836-1873, e.g. 7/2/1837, 14/4/1837

<sup>33</sup> Lancs CRO, PR2906/6/1, Layton with Warbreck O/ss. A/cs., 1818-1839

vestrymen.’ But even then, only three persons were present at the next meeting and four at the following one. Though henceforth there was a slight improvement overall, meetings without a quorum remained far from rare. At one such meeting two paupers were unable to have their claims heard, but as no applicants at all attended to make their claims at the subsequent vestry, their needs had either dissipated or been resolved in some other way.<sup>34</sup>

Evidence of a permanent assistant overseer is uncertain, but the records of Bispham with Norbreck provide interesting evidence of the depth of involvement asked of, or sought by, certain inhabitants of a small township. Thomas Smith frequently signed as vestryman; occasionally he was chairman. In 1827/28 he was appointed ‘surveyor of the highways’ and in 1830 appeared to have the combined duties of overseer and constable. Then in 1833 he was designated ‘a fit and proper person’, for unspecified duties but presumably those of an overseer, and was granted a salary of £10 with the rider that he should not lose more than £6 by managing a certain family, one member of which was later in the year to have such a bad fit that she fell into her looms and damaged them beyond using. In 1838 he became assessor and collector under the New Poor Law.<sup>35</sup>

Greenhalgh and Thistleton together constituted two places, or two ‘sides’ as they were termed, of a single township in the Fylde, and each administered its own poor relief until 1832 when they joined forces and the Greenhalgh overseer took over. Before then, they had each had a combined assistant overseer and constable, at a salary

<sup>34</sup> Lancs CRO, DDX/1/6, Bispham with Norbreck SV Book, 1827-1838.

<sup>35</sup> *ibid*, e.g. 10/7/1827, 18/9/1827, 9/12/1828, 26/10/1830, 12/2/1833, 30/3/38

of seven guineas in the case of Greenhalgh and half that amount in Thistleton.<sup>36</sup> There are no means of knowing what form their vestries took except that in the accounts of Greenhalgh there appears in 1822 an item 'Mr. Palmer for appointing the Vestry 6/-,' which suggests a select vestry.<sup>37</sup> The township may at that time have been encouraged to seek the firmer control of a select vestry because eleven people's taxes remained uncollected at the end of the previous year. As 'appointing a Vestry' is not referred to again, it is possible that the restricted vestry only existed for the one year and Greenhalgh then went back to open vestries. However with a population of only 254 in 1831 it is likelier that annual elections were ignored, and the vestry appointed in 1822 were few in number and continued as a self-electing committee in subsequent years. Thistleton's small population of 144 in 1831 would almost automatically restrict poor relief to the paid overseer, with oversight presumably by the parish officers or the leading inhabitants.<sup>38</sup>

On the above evidence Fylde was well represented by select vestries, (though almost in name only in one case), or by probable committees, which Henderson regarded as the next best organization.. Three 'places' definitely had assistant overseers, two may have done, and relevant information is unavailable for the remaining two. The Fylde also illustrates the position of townships with few inhabitants where a formal organization would be difficult to recruit and would probably be unnecessary.

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<sup>36</sup> Lancs CRO, PR 795, Greenhalgh O/ss. A/cs., 1781-1838, March 1822; PR 796, Thistleton O/ss. A/cs., 1741-1832, 31/3/1825.

<sup>37</sup> Lancs. CRO, PR 795, Greenhalgh O/ss. A/cs., 1781-1838, July quarter, 1822

<sup>38</sup> Only the total figure of 408 for both 'sides' of Greenhalgh with Thistleton is quoted for the 1831 population (1851 Census, Abstract of Returns, Population, Irish University Press, vol 7, Fylde Union, 483). However, on the front page of PR 796, Thistleton's population for 1831 is entered as 144. The population of Greenhalgh was therefore 264.

### *Garstang Townships*

Like Fylde, the townships of the Garstang district were situated in the middle of west Lancashire, but further inland and more directly between the industrial and commercial towns of Preston and Lancaster. Their only 'representative' in the Royal Commission's investigation into poor relief was the market centre itself. With a population of under 1,000 at each of the decennial censuses, 1801 - 1851, and the complete absence of industry, Garstang was a somewhat limited representative of urban activity.

Nevertheless it had been selected to receive a Town questionnaire, and the answers were submitted by a leading inhabitant in conjunction with the assistant overseer. These were amplified by assistant commissioner Henderson's report on the town, when he also referred to poor relief in the two adjacent townships of Kirkland and Catterall.

Informative parish records are also extant for Barnacre with Bonds and Hambleton.

All five of the above townships had select vestries which, at least in the cases of Garstang and Barnacre with Bonds, continued without break from 1821 until they were placed in the union in 1837.<sup>39</sup>

Prior to the election of the select vestry in Garstang, the poor's affairs of the township had from 1815 been officially managed by a committee of 'at least 12 respectable inhabitants and rate-payers, of whom the 3 assessors shall form part'. They were to meet 'monthly or oftener as occasion requires' and receive '6d. a piece' out of the poor rates for each attendance. If less than seven attended, the meeting was to be postponed.<sup>40</sup>

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<sup>39</sup> Henderson, Report, p. 924A; Lancs. CRO, Barnacre with Bonds SV Mins., PR 1336, 1821-1830, PR 1337, 1830-1837; DDX/386/3, Garstang Minute Book of the Select Vestry, General Vestry and other Ratepayers' meetings, 1815-1825; PR3013/1/1, Hambleton S V Mins., 1824-1825.

<sup>40</sup> Lancs. CRO, DDX/386/3, Garstang Minute Book, 1815-1825, 1815.



Under the Select Vestry Act of 1819 a quorum was only three, two not being churchwardens or overseers, so a minimum attendance of seven from a committee of twelve was an exceptionally high requirement regularly to achieve. Frequent failure to obtain the necessary numbers may therefore have been the reason for responsibility for relief falling to an overseer, who thereby was bereft of the moral support he needed in the form of the collective, impersonal authority of a committee. For Henderson referred to a period when the paid overseer ‘was a respectable man, but had not sufficient firmness to resist improper applications, or check the progress of pauperism’ so that by the year 1820/21 a debt of £300 had been accumulated and rates had become ‘a burthen which threatened ruin to many of the ratepayers’.<sup>41</sup> The laconic comment in the Garstang answer to Town query 6, ‘The increased numbers of the Select Vestry had better results’ supports Henderson’s belief in the superiority of select vestries, even over committees.<sup>42</sup>

The unchecked ‘progress of pauperism’ may have referred to claims from local inhabitants but it is likelier that vagrancy was at the root of the overseer’s ‘failure to resist improper applications’.<sup>43</sup> Colton had found it necessary to organize a vagrant office in 1818 (see above) and Garstang’s location on the ‘great western road north’ between Preston and Lancaster had resulted in a problem so pressing that by a resolution of the Committee in 1819, residents were to be requested to refuse aid to mendicants at their doors, and all beggars were to be taken up by the constable and prosecuted. No stranger was to stay in the town for longer than one night and lodging houses were not to take anyone in without a ticket from the overseer. A member of the

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<sup>41</sup> Henderson, Report, p. 924A.

<sup>42</sup> Ans. to Town Q. 6.

<sup>43</sup> Henderson, Report, p.924A

Committee was to visit lodging houses to see that they were complying with the order. The inability of Mr. Helme, a leading lodging-house keeper, to pay his rates later that year suggests that this resolution of the Committee was strictly enforced.<sup>44</sup> The restrictions on vagrants' lodgings probably led the vagrants instead to make insistent demands for money relief, which the 'respectable' but 'insufficiently firm' overseer was unable to withstand and which, in turn, contributed to the 'ruinous' increase in rates in 1820/21 to 6s. 6d. in the £ on the rack rent.<sup>45</sup> At that point the township decided to elect a select vestry.

Sixteen members, each of whom took his turn in chairing the fortnightly meetings, were elected to the vestry whose inaugural meeting was held on 3 July 1821. Under the vestry's authority, occupants of 'all the principal tenements of the town', two at a time in rotation, served the office of overseer, one acting as constable, the other managing the affairs of the poor. Both were paid 'small salaries', and between them, and at their own expense, they hired an assistant overseer.<sup>46</sup>

Barnacre with Bonds just came within the minimum of five vestrymen required by the Act of 1819, by electing six 'substantial householders or occupiers' to its first select vestry on the day after Boxing Day, 1821. Subsequently the number of vestrymen ranged between thirteen and nineteen in the years to 1837, when the township joined the union. From a survey of the names over the years, there was considerable stability in those who formed the select vestry; some families being particularly prominent. For example, Joseph Rowbotham was elected in 1823, Daniel in 1827 and William in

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<sup>44</sup> Lancs. CRO, DDX/386/3, Garstang SV Mins., 1815-1825, 10/1/1819, 1/6/1819; PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 27/12/1821 (The Barnacre with Bonds document supplied the evidence that 'Mr. Helme of Garstang' was a lodging-house keeper.)

<sup>45</sup> Henderson, Report, p. 924A

<sup>46</sup> Lancs. CRO, DDX/386/3, Garstang SV Mins., 1815-1825, 3/7/1821; Ans. to Town Qs. 7, 8, 9. 84

1831.<sup>47</sup> An open vestry was called to decide upon issues of general importance such as a family 'going into America', but the select vestry had sufficient power to instruct the overseer to rent a cottage in Barnacre on behalf of the township. Bonds had a similar township cottage. Some who attended open vestries were unable to sign their names but no select vestryman merely 'made his mark', though judging from the shaky and ill-formed signatures in the minute books a few were only just literate.<sup>48</sup>

From the beginning the number elected to the select vestry bore little resemblance to the number attending the fortnightly meetings, and following the introduction of a permanent assistant overseer in 1825 it was resolved to operate a rota system of three vestrymen. Those attending one meeting were to name those to attend the following fortnight, and so on. Absentees were to be fined 6d.<sup>49</sup> So, unlike at Garstang where 6d was a carrot for attendance, it was used as a stick at Barnacre with Bonds. An undated roster of groups of three is entered on the back page of the minute book for 1821-1830, also indicating those fined, but those signing the minutes in 1825/26 do not always conform with the names of those in the groups, so perhaps substitute vestrymen were allowed, or perhaps the groups were for another time.

There is no means of knowing at what date before 1830, when more than three were sometimes in attendance, the rota system terminated, but over the entire period of the select vestry's existence it was a rare day if seven vestrymen were present, and between two and four were the most frequent numbers through the years. Occasionally there

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<sup>47</sup> Lancs. CRO, PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 27/12/1821; PR 1337, Barnacre with Bonds SV Mins., 1830-1837

<sup>48</sup> Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1830-1837, 21/3/1833; PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 1/7/1823; PR 1327, Barnacre with Bonds O/ss. A/cs., 1766-1838, 1826/27

<sup>49</sup> Lancs. CRO, PR 1336, 23/6/1825. Barnacre with Bonds SV Mins., 1821-1830,

was only one vestryman apart from the assistant overseer.<sup>50</sup> The quorum of three set by the Select Vestry Act, of whom two at least were not to be parish officers, was thus frequently ignored, for the meetings went ahead regardless, unlike in the Fylde township of Bispham with Norbreck where they were cancelled.

Overseers were appointed annually by houserow. They either took their turn themselves, got a relative to do it for them, or paid some willing substitute.<sup>51</sup> When the permanent, paid assistant overseer was appointed by the vestry in 1825 at a salary of £9 9s. 0d. it was he that the annual overseers often elected to stand in their place, the vestry deciding what portion of the assistant overseer's salary the parish officers should contribute. For example 'Barnaby Bains agreed that he shall pay £1 10s' in April 1830: William Bee had contributed £4 in 1826/27 and John Swarbrick £1 in April 1831<sup>52</sup>

From the extant records for Hambleton it can only be said with certainty that the township had a select vestry from 1824 -1827 with different vestrymen chairing the fortnightly meetings. However, it is very probable that a restricted vestry had been elected before 1824 as the existing book, headed 'General Proceedings of the Select Vestry from April 1824', does not commence with the customary minute of a ratepayers' meeting voting for a select vestry; nor does it include the names of those elected, as do other townships' records.<sup>53</sup> It is possible that the change to a select vestry was first made in 1820 as a permanent overseer, the same person throughout, was in office from that year until 1833/4 when his accounts ended. It is also likely that

<sup>50</sup> For example, PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 5/1/26; PR 1337, Barnacre with Bonds SV Mins., 1830-1837, March 1830.

<sup>51</sup> Lancs. C.R.O., PR 1327, Barnacre with Bonds O/ss. A/c. Book, 1766-1838, e.g. years 1821/22 - 1838/39. Also, list at back of book, naming overseers, for which property, and names of any substitutes.

<sup>52</sup> Lancs. CRO, PR 1327, Barnacre with Bonds O/ss. A/c. Book, 1766-1838, 1826/1827; PR 1337, Barnacre with Bonds SV Mins., 1830-1837, 8/4/1830, 7/4/1831.

<sup>53</sup> Lancs. CRO, PR3013/1/1, Hambleton SV Mins., 1824-1827.

the select vestry was still in existence in 1831 as the overseers' accounts for that and the previous year are signed by exactly the same eight people, which implies a closed, rather than an open, vestry. No-one signed the following year, but in 1833/34 when the book closes, two justices signed as 'perused and allowed having first been verified on oath by the overseer'. This was then followed up by the instruction of one of the justices, a future chairman of the Board of Guardians, that 'in the future all charges unconnected with the relief and management of the poor will be kept out of this book' which suggests some tightening up of practices, perhaps prompted by publicity from the Royal Commission's enquiry into poor relief.<sup>54</sup>

The magistrate's directive appears to have been heeded, and from 1834 onwards a new book recorded the overseer's disbursements to paupers, and occasionally acknowledged the source of the 'orders'. Sometimes an award was attributed to 'the Vestry' but at other times named individuals were responsible, either alone or with 'others'.<sup>55</sup> There are no lists of Hambleton vestrymen or parish officers to assist in closer identification of the named persons or the type of vestry, but one or two similarly named persons, on the 1839 voters' list of fourteen, were property owners of consequence.<sup>56</sup> For instance, James Clifton rented out land as well as owning his 41 acre estate. Robert Sanderson owned the largest farm in the area and 'Mr. France', was likely to have been the justice, Lord of the Manor of nearby Out Rawcliffe, 'improving landlord', and future chairman of the Garstang Board of Guardians. It is possible that 'Mr. France's' award was the result of an appeal to Sessions. However, in naming him rather than stating 'per magistrates' order' as in other instances elsewhere, it reads as

<sup>54</sup> Lancs. CRO, PR3013/2/4, Hambleton O/ss. A/cs., 1820-1833

<sup>55</sup> Lancs. CRO, PR3013/2/14, Hambleton O/ss. Disbursements, 1834-1837. (two books)

<sup>56</sup> Lancs. CRO, PR3013/2/15, Hambleton Voters' list for 1839

though it was a private recommendation. Of course 'Mr France' may have been some similarly-named, but quite different, person from the magistrate. Rather strangely, the awards made by named persons were always to one of two identically-named paupers (perhaps father and son) who lived separately at two different addresses, and who also received other awards from the vestry.<sup>57</sup>

The apparent slackening of select vestry control from 1835 was possibly due to the expectation of re-organization as a result of the Poor Law Amendment Act, a change underlined by the resignation or death that same year of the long-serving overseer. The increase in calls on the poor rates from the normal 6 - 6½ books to 7-7½ books, caused by the large printworks closure in Catterall in 1830, had been halted and the lesser level had again been achieved. Regular attendance may therefore have seemed less important, and the tendency to relax once the emergency was over was thereby encouraged.<sup>58</sup>

Alternatively, as an annual salary of £2 12s 0d. for 'clerkmanship' was a new feature in the 1834 records, the entries of named persons may have been solely due to more detailed recording of an existing practice by the newly-acquired clerk.

## General characteristics

S. and B. Webb drew attention to the rapidity with which select vestries were established and their continuing increase in numbers. From the evidence available this would appear to have been the general experience in the townships of the four rural Lancashire unions. Quoting Hansard the Webbs stated that there were 'nearly 2,000 select vestries almost immediately upon the passing of the Act of 1819, and nearly

<sup>57</sup> Lancs. CRO, PR3013/2/14, Hambleton O/ss. Disbursements, (second book, 1837, various entries and list of payees at back.)

<sup>58</sup> Lancs. CRO, PR 3013/2/4, Table in Hambleton O/ss. A/cs., 1820-1833.

1,000 more within the next 10 years'.<sup>59</sup> However, a table in the Poor Law Report of 1834 shows that in later years there were just under 500 restricted vestries less in 1832 than there had been in 1827 when the total was 2,868. The lower figure was due to a slight fall in each of the intervening years.<sup>60</sup> The Report attributes this to 'a want of support from the parishioners, so that an efficient Select Vestry cannot be formed.' As there is uncertainty over when some of the townships of the four rural unions appointed select vestries it cannot be said whether or not they reflected either sets of the above figures. However, none of the figures points up the considerable fluidity of townships such as Colton, Ormskirk and Tarleton which changed backwards and forwards with their organizations. Each established and abandoned select vestries at least twice, and in-between tried different arrangements, which also differed from each other.

As far as the 31 townships discussed above can be considered representative of the overall organization for poor relief in rural Lancashire, the region was well endowed with select vestries. Unfortunately the records do not allow a count to be taken in 1832, presumably the year of Henderson's survey, nor in any other single year. It can only be said that at some time - in some cases all the time - during the period from 1820 to unionization, 22 of the 31 townships had a select vestry, which amounts to over 67%, and more than reflected Henderson's figure of 43% for the county as a whole. Almost certainly the county figure would be higher if the period of qualification were extended beyond one year, as in the above townships, but on the other hand, only three

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<sup>59</sup> S and B. Webb, The English Local Government from the Revolution to the Municipal Corporations Act: The Parish and the County, (London, 1906) p.157, fn. 1, quoting Hansard 10/7/1822 and 17/4/29. The Webbs also state that small rural vestries ignored both the 1818 and 1819 Acts. This is not entirely true of the small rural townships in west Lancashire.

<sup>60</sup> Checkland, (ed.) Poor Law Report, p. 202

of the remaining nine townships definitely did not have a select vestry so that there may well have been additional select vestries in the six rural townships where it was impossible to tell what organization prevailed. Far more than half the townships also had a permanent paid overseer, which again compares favourably with 49% for the county as a whole, and many of the townships had pre-empted the Act of 1819 which empowered them.

It is, however, unsafe to generalize from such a relatively small portion of the total townships. It may be that the remaining seventy or so for which there is no relevant information, did not have records because they were not well-organized. Open vestries would then be likely, with perhaps most decisions being taken informally and most being left to an overseer. While it would be unlikely that none of the townships had a select vestry, or at least a committee, the unknowns and variables are so great that no firmer generalization can be made other than the qualified and highly speculative one above, based on the 31 townships

There were also marked differences in the efficiency of the select vestries. Garstang had early corrected a damaging situation created by a weak overseer, and along with adjacent townships, later overcame the expense to the rates of the heavy loss of employment at the printworks. The firm control and organization of Dalton's restricted 'four-and-twenty' vestry also contrasted sharply with the almost moribund select vestry at Bispham with Norbreck which so exasperated the vestryman who attended regularly. The latter township was perhaps typical of many small townships where the appointment of a select vestry may have been over-ambitious, and possibly unnecessary. The township had only seventy houses in 1841. As a proportion of them would be occupied by widows, paupers, the elderly, and the infirm, in addition to the vicar



and/or a curate, and the churchwardens and overseers, it would not be easy to elect from the inhabitants of the remaining dwellings, a sufficient number of willing persons to maintain an active select vestry. Small townships with larger acreages would probably have had even greater difficulty in sustaining vestry attendance. Bispham with Norbreck was in effect an example of a select vestry that existed in theory rather than fact. The short-lived select vestries of Ormskirk, Tarleton and Colton were also obviously unsatisfactory.

So the superficial picture of efficient organizations with paid overseer needs to be qualified in certain respects. The lack of evidence on many townships may be indicative of poorer administration, and even among the select vestries there were considerable variations in practice and efficiency. Not all were 'elected' and attendance was often poor. Structures were occasionally changed. The Old Poor Law *may* have been efficient - there is no evidence that it failed - but it was certainly diverse, thus making it difficult to identify continuities and changes brought about by the Act of 1834.

## **Workhouse provision**

Henderson had not been concerned with indoor provision and workhouses were not mentioned in his Report on Lancashire. Also, only one question on workhouses was included in the Rural questionnaire which simply asked whether or not a township had a workhouse, and if so, the number, age and sex of its inmates. The eight questions on workhouses in the Town questionnaire, which additionally asked for details on their organization and running costs, illustrates a greater interest in, and expectation of, provision for indoor accommodation in towns.<sup>61</sup>

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<sup>61</sup> Rural Q. 22; Town Qs. 15-23.

Oxley stresses the difficulty of locating small workhouses which operated under the Old Poor Law.<sup>62</sup> However, in addition to parish records, local histories, and answers to the Royal Commission queries, entries in the Guardians' minutes connected with early re-organization can be useful for identifying those in existence when the Poor Law Amendment Act came into operation. When indoor accommodation was rationalized by Ulverston's Board of Guardians in 1836, three fair-sized workhouses, at Ulverston, Dalton, and Colton were retained for union use until the projected new one was ready. A similar decision concerning West Broughton's workhouse was quickly reversed. The union's temporary policy for workhouses involved the transfer of inmates, selected furniture and goods from smaller poorhouses at Hawkshead, Staveley, Church Coniston, Lowick, Egton with Newland, Kirkby, Urswick, Aldingham, Pennington, Lower Allithwaite, Lower Holker and West Broughton.<sup>63</sup> Fifteen of the 26 townships in Furness and Cartmel therefore had a workhouse in active use in the years preceding unionization, and some of them may have been 'parish' workhouses serving hamlets in one or more of the 'divisions' within the parishes.<sup>64</sup>

Perhaps because of its age, location or size, it was decided at a public vestry in 1823 to replace Colton's old rented workhouse with a new one that the township would own. Land was purchased at Backbarrow and the project financed with £10 shares subscribed to by 'proprietors'. Rather unusually, a woman with two children, then at Hawkshead workhouse, was appointed Governess at the yearly salary of £6 10s., plus a weekly allowance of tea, best flour, butter and sugar. However, the propriety of employing a woman as superintendent of the workhouse was re-considered in 1827, perhaps

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<sup>62</sup> G. W. Oxley, *Poor Relief in England and Wales, 1601-1834*, (Newton Abbot, 1974), p.85

<sup>63</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., Sept.-Nov. 1836.

<sup>64</sup> For example, the seven divisions of Cartmel parish.

prompted by her request for an increase in salary to £12, which coincided with an offer from a Mr. Browbank and wife to manage the workhouse for £8 per annum. It was decided to advertise the post, whereupon Mr. and Mrs. Browbank were appointed.<sup>65</sup>

The cost of building Dalton's new workhouse on Goose Green, the second of the temporarily-retained poorhouses, was raised in 1825/26 by a rate on owners or occupiers of lands, messuages, tenements and hereditaments within the divisions of the parish. Though not strictly related to poor relief but having some bearing upon it in view of its location and possible alternative purpose, it was decided at a special meeting of the Dalton four-and-twenty in August 1828 to erect a parish lockup in the workhouse yard, with walls two and a half feet thick.<sup>66</sup> There was also a lockup in the old Ulverston workhouse, and one was to be built in the new one, which was to generate ill feeling between the Watching and Lighting Committee and the Guardians, about access and who should hold the key.<sup>67</sup> In Dalton the lockup was primarily intended for 'notorious and disorderly persons, particularly in the time of harvest'. But no doubt they were used more generally, probably for recalcitrant inmates, or they at least served to discourage unacceptable behaviour.

The third workhouse to be temporarily retained was Neville Hall, the old manor house, in Ulverston township. It accommodated an average of 45 paupers during the period 1830-1832, with females predominating among the inmates, who were generally aged and infirm or children under ten. At least for the year 1834-35, a rent of £6 was paid for a weaving shed, and a further sum for a rented potato ground. These

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<sup>65</sup> Cumbria RO (Barrow), BPR/17/V11, Colton Vestry Mins., 1810-1839, June-July, 1823, 1/5/1824, Feb-May 1827

<sup>66</sup> Dalton-in-Furness District Local Board Abstract of Accounts for y/e March 1882. pp.132, 139.

<sup>67</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 1/3/38;

presumably contributed to the expenses of food and clothing in the house which amounted to 2/6d per head per week including establishment charges.<sup>68</sup>

Parish records concerning the operation of the old poor law in Hawkshead are for a period before 1820. Hawkshead had a rented poor house at Sand Ground in 1794 but it probably became defunct as 'in 1814 Robert Aitken proposed to take in paupers during the next twelve months and to find them victuals and lodging for 4/- per week per head.' This was expensive unless the value of money was very much lower in those times, or the small scale of the enterprise and the profit required of a private venture accounted for the figure. On the other hand, Church Coniston had a workhouse with five inmates of both sexes, ranging in age from 82 to 16, which it reckoned cost 1/9 per head around 1832, North Meols paid 1/7d to 2/4d per head per week at Ormskirk workhouse, while at Ulverston the costs including all establishment charges were calculated at 2/6d per head, though admittedly the last two were ventures on a larger scale.<sup>69</sup>

Whatever the situation in the years in between, Hawkshead was renting a poorhouse at £8 per annum in 1833, which housed five adults and seven children.<sup>70</sup> It is therefore not clear, exactly to which Hawkshead workhouses James Watson of Sawrey Cottage, near Hawkshead, was referring, in a letter to the Poor Law Commissioners in 1836, when he stated that:

A few years ago a poorhouse containing only six small rooms was built in this town with money borrowed for the purpose. It was not made legal but I understand it had the sanction of the proprietors and farmers generally.<sup>71</sup>

<sup>68</sup> Marshall, Furness, p. 139; PRO, MH12/6320, Asst. O/ss. Statement of A/cs for Ulverston, 1834/1835; Ans. to Town Qs. 15, 22.

<sup>69</sup> Cumbria RO (Barrow), WPR/83, Index Book 7, 12/5/1794; Ans to Rural Q. 22, Town Qs. 21,22;

<sup>70</sup> PRO, MH12/6320, Asst. O/ss'. Statement of A/cs. for Hawkshead and Monk Coniston with Skelwith, 1833/34; Ans. to Rural Q. 22

<sup>71</sup> MH12/6320, J. Watson to PLC, 9/7/36. (see Chapter 5 for further description of this workhouse) 94

Watson then went on to say that a union workhouse would be the only effective system and that he had explained the idea to some of the principal ratepayers who were quite willing to adopt the solution. Pennington, near Ulverston, had also acquired a poorhouse in 1832 where its management was let out to a contractor.<sup>72</sup>

The situation with regard to workhouses is a little confusing in the large parish and ‘peninsula’ of Cartmel. In 1814 the Cartmel four-and-twenty resolved to purchase a poorhouse for the use of all its seven divisions.<sup>73</sup> The venture was to be financed by a rate, assisted by any legacies which could be legally diverted to that purpose. Running expenses of the house were to be met by the divisions according to the use they made of it. To this end three persons were deputed to bid for Bank Top House with the field and school adjoining ‘if it can be purchased on fair terms’. Failing that, they were authorized to seek an alternative.<sup>74</sup>

The outcome of the proposal for a parish workhouse was not recorded in the Cartmel Vestry minutes and there is a five-year gap before the records are resumed in 1819 when a workhouse was not mentioned again. However, Stockdale, author, antiquarian, and sidesman of both Cartmel and Lower Holker, quoting the minutes of Lower Holker Select Vestry (now too fragile to be produced), states that Abbot Hall in Kents Bank, Lower Allithwaite, was the parish poorhouse in 1822. It appears that the latter was then selling up, as representatives from Lower Holker’s select vestry, which had given notice to Abbot Hall after using the poorhouse there from at least 1818, were to buy suitable furniture from the sales at Abbot Hall. Lower Holker had ‘taken up’

<sup>72</sup> A. Fell, A Furness Manor: Pennington and its Church, (Ulverston, 1929) p.282

<sup>73</sup> The seven divisions of Cartmel parish are Upper and Lower Holker, Upper and Lower Allithwaite, East Broughton, Cartmel Fell and Staveley.

<sup>74</sup> Cumbria RO (Kendal), WPR/89, Cartmel Vestry Mins., 1814-1835, 3/5/1814.

for a workhouse, 'the house at the bottom of Flookburgh belonging to Mr Stockdale'.<sup>75</sup>

The overseers accounts also show that many items suitable for setting up such an establishment were bought about this time, for example a broiling iron, hammers, cockle baskets, and wool, in addition to 'shop goods'.<sup>76</sup>

Lower Allithwaite, a neighbouring division of Lower Holker, had nine of its paupers housed in an un-named workhouse in 1818.<sup>77</sup> It is most likely that this would have been the parish workhouse at Kents Bank which was within its own division, but Stockdale states that a house near the church at Allithwaite was 'the poorhouse of Allithwaite township' up to the passing of the Poor Law Amendment Act.<sup>78</sup> Perhaps this workhouse too, was established when the parish workhouse at Kents Bank closed.

Under the heading 'Expenses in the Poorhouse', an item 'Mr. Hadwen's interest' regularly appears, which suggests that Allithwaite raised a loan with which to equip, or possibly to purchase, the poorhouse 'near Allithwaite church'. 'Rent and Pentions' (*sic*) is a further regular entry under 'Expenses in the poor house' and this, together with small sums for such items as 'shoes for the house', 'a pint of rum in the poorhouse', and 'making and mending in the house' - but never any amounts for provisions - indicates that the township's poorhouse operated as a form of sheltered accommodation where the paupers bought their own food rather than receiving the more usual 'bed and board'.<sup>79</sup>

<sup>75</sup> Stockdale, Annals of Cartmel, pp.312-13

<sup>76</sup> Cumbria RO (Kendal), WPR/79, Flookburgh O/ss. and Constables' A/c. Book, 1811-1844, Jun-Aug 1822.

<sup>77</sup> Cumbria RO (Kendal), WPR89/01, Lower Allithwaite O/ss. A/cs., 1761-1832 (with parts missing), 1818

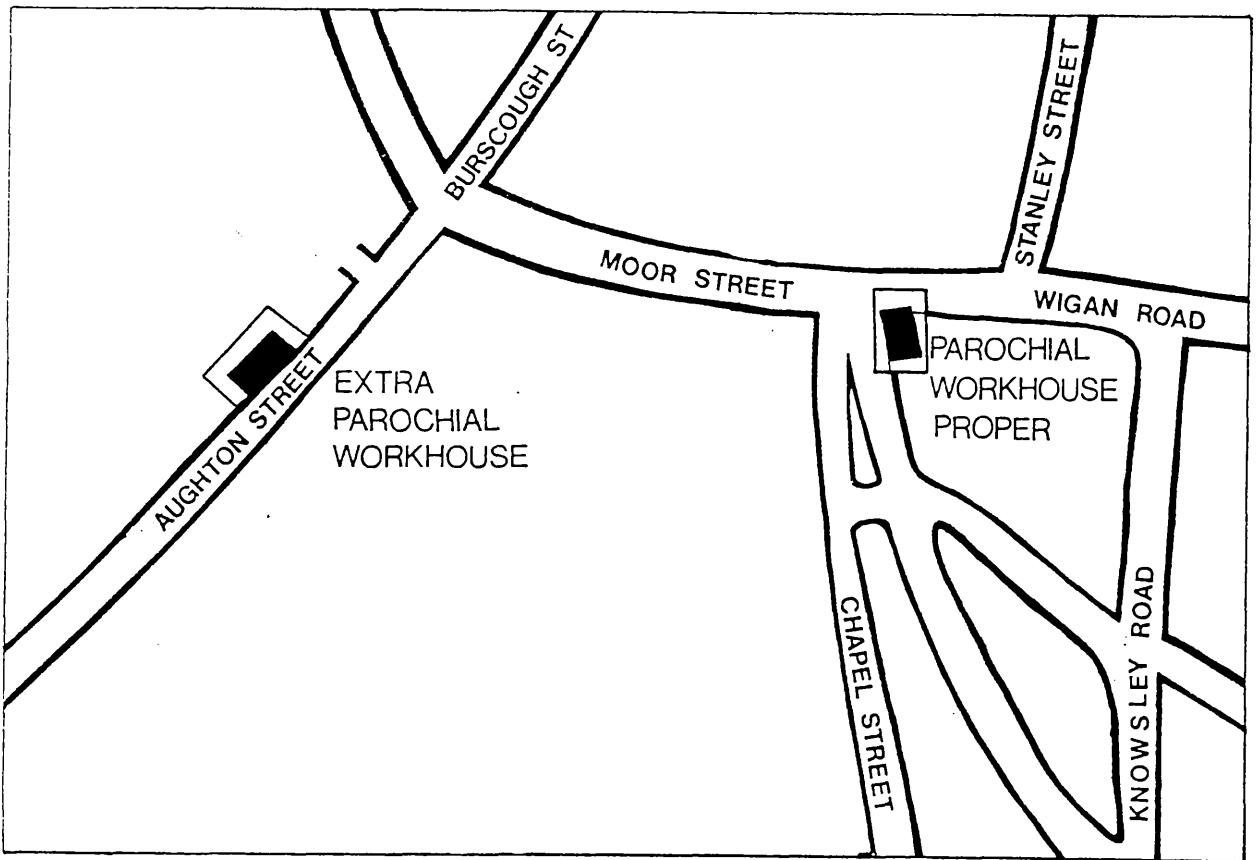
<sup>78</sup> Stockdale, Annals of Cartmel, p.198

<sup>79</sup> Cumbria RO (Kendal), WPR89/01, Lower Allithwaite O/ss. A/cs., 1761-1832, various entries, 1816-1821

Pre-1834 workhouse accommodation in Ormskirk Union's townships was even more widely available than in Furness and Cartmel but it was organized differently. Within the four streets of the market centre there were two large workhouses. The one in Moor Street belonged to Ormskirk itself, but the workhouse in Aughton Street had 'no legal or rational connection' with the township. It was regarded as a 'nuisance' and its presence was resented.<sup>80</sup>

#### 4.2 The Two Workhouses in Ormskirk - pre 1834

*Source - from the Local history section of Ormskirk Reference Library*



<sup>80</sup> Ans. to Town Q.15.

Between them the two institutions catered for 32 townships, some from as far afield as Bootle, near Liverpool, all of which had shares in one or other of the two workhouses. One or two townships even shared one share. Of the 21 townships in the future union of Ormskirk, eleven had shares in the Aughton Street workhouse in 1817 while eight had shares in the town's workhouse.<sup>81</sup> Only two townships, Bispham and Hesketh with Beconsall, did not participate in either. Bispham's population was only 254 in 1831 and Hesketh with Beconsall was a closed parish entirely owned by the Heskeths.

It is probable that Simonswood withdrew sometime before 1837 as its name did not figure on the request to the Poor Law Commission for consent of sale. Neither was a workhouse mentioned in its overseers' accounts.<sup>82</sup> Tarleton had a share in the 'nuisance' workhouse at Ormskirk until 1833 when the overseer was ordered to prospect an accommodation with Hutton, near Preston, or one of the adjoining workhouses. An arrangement was accordingly made with Penwortham whereby Tarleton took a share in the workhouse and paid so much a head for each inmate 'she saw fit to send' there. Though they would shortly be in a different union, both Hutton and Penwortham were nearer to Tarleton than was Ormskirk: they may also have been cheaper. The Governor of the Ormskirk workhouse was requested to cancel Tarleton's 'share' and to allow the transfer of her inmates. So satisfied were Tarleton with the change that the following year they rewarded the Governor of Penwortham with £1 for

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<sup>81</sup> Oxley, *thesis*, pp.436-37. Aughton Street Workhouse shareholders were Bickerstaffe, Burscough, Downholland, Halsall, Latham, Lydiate, Maghull, Melling, Scarisbrick, Simonswood and Tarleton. Moor Street Workhouse shareholders were Altcar, Aughton, Birkdale, Formby, North Meols, Ormskirk, Rufford, and Skelmersdale.

<sup>82</sup> Lancs. CRO, PR 445, Various Papers re Aughton Street Workhouse, 1732-1839; PR 132, Simonswood O/ss. A/cs., 1817-1842



‘services to the paupers of Tarleton’.<sup>83</sup> In view of their attitudes to relief at the time one wonders if this was a euphemism for ‘services to the ratepayers’.

Quite a different situation seems to have existed in the Fylde and Garstang districts where, from the limited extant records, workhouses appear to have been used very sparingly. Provision for the poor in their own townships seems to have been principally ‘town cottage houses’, presumably let rent-free, or nearly so, to a poor family.<sup>84</sup>

Freckleton also had a ‘town workshop’ for weavers, Greenhalgh a ‘smiths shop’ and Thistleton had ‘gardens’.<sup>85</sup>

Neither Clifton nor Salwick had workhouses when they submitted their answers to the Rural queries. However, Bispham with Norbreck, and Freckleton, each had a lone entry in the early 1830s concerning inmates of a poorhouse, but neither named which one.<sup>86</sup> Both Greenhalgh and Thistleton supported paupers in workhouses, but Greenhalgh far more consistently than Thistleton. Greenhalgh utilized Brindle workhouse from 1821 - 1826. For a brief period it patronized workhouses at Woodplumpton and Poulton-le-Fylde, two or three miles in different directions across the fields, before finally transferring its inmates to Cloughton workhouse in 1827. Thistleton paid rent to Brindle workhouse in 1823, and had inmates in Eccleston workhouse in 1826 and 1827 (presumably Great Eccleston, within a mile or two of

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<sup>83</sup> Lancs. CRO, PR3168/5/1, Tarleton SV Orders and Town’s meeting Mins., 1822-1836, May-Oct. 1833, 6/5/1834

<sup>84</sup> Lancs. CRO, DDX/1/6, Bispham with Norbreck SV Mins., 1827-1838, 31/5/1836, 18/6/1836; PR2906/6/1, Layton with Warbreck, O/ss A/cs., 1818-1825, 1822-1823, 1822, 1824; PR 795, Greenhalgh O/ss. A/cs., 1781-1838, various dates; PR 796, Thistleton O/ss. A/cs., 1741-1832, various dates.

<sup>85</sup> Lancs. CRO, PR2969/1/1, Claims made to Freckleton SV, 1831-1834, 14/11/1831; PR 796, Thistleton O/ss. A/cs., 1739-1831, 1823, 1824; PR 795, Greenhalgh O/ss. A/cs., 1781-1838, first quarter, 1837.

<sup>86</sup> Lancs. CRO, DDX/1/6 Bispham with Norbreck SV Mins., 1827-1838, 6/2/1830; Freckleton, PR 2969/1/1, Claims made to Freckleton SV, 1831-1834, 13/6/1831

Thistleton, rather than Eccleston many miles distant near Wigan). In 1831, the year which preceded the amalgamation of Greenhalgh and Thistleton and the termination of Thistleton's accounts, the latter paid several considerable sums to Claughton workhouse.<sup>87</sup>

A workhouse is mentioned at Poulton where it was the regular venue of vestry meetings, and an old workhouse must have existed at Kirkham as it was replaced in 1845 with a new one for the union.<sup>88</sup> However, on the whole it seems that Fylde townships used workhouses sparingly and when they did, they were mostly situated in townships other than their own.

This might also be said of the townships in Garstang Union. Between the beginning of the nineteenth century and the advent of the union there had only been four detectable workhouses. A small workhouse at Winmarleigh in 1803 had disappeared without trace before unionization, and another at Myerscough was sold in 1839.<sup>89</sup> A third workhouse was converted in 1824 from 'four cottages in good repair' bought in 1813 by the township of Great Eccleston, but they were re-converted to cottages in 1833.<sup>90</sup> The fourth workhouse, at Claughton, had been built in 1795, and with an annual expenditure of over £211 in 1801, and a population of only 784, it seems that from the outset it was visualized as an enterprise offering accommodation to other townships.<sup>91</sup>

Both Garstang and Barnacre with Bonds sent paupers to Claughton as well as outside the district, to Alston and Brindle workhouses respectively. Entries in their

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<sup>87</sup> Lancs. CRO, PR 795, Greenhalgh O/ss. A/cs, 1781-1838, *passim*; PR 796, Thistleton O/ss. A/cs, 1741-1832, *passim*.

<sup>88</sup> Lancs. CRO, PR 2490, Poulton-le-Fylde SV Min. book, 1836-1873; PUF/1/3, Fylde Gdns.' Mins., 6/5/45.

<sup>89</sup> PP, 1803-04, XIII, Abstract of Returns relative to the Expense and Maintenance of the Poor, 1802/3; PUY/1/1 Garstang Gdns. Mins., 24/10/1839.

<sup>90</sup> PRO, MH12/5825, Request for PLB sanction of sale of property, 12/7/1848

<sup>91</sup> PP, 1803-04, XIII, . . . Expense and Maintenance of the Poor; 1801 census, Population figures. 100

vestry minutes strongly suggest that families with either one or both parents were sent to the further workhouses while 'single' people went to nearby Claughton. If possible inmates destined for the latter took in with them a bed and bedding: 'Betty Collage to be removed from William Helm's, Garstang to Claughton workhouse with her bed, bedstocks and clothes and the overseer to buy her a sheet.'<sup>92</sup> The pensions of paupers from Barnacre with Bonds seem also to have continued even while they were inmates of the workhouse at Claughton, though paid in lump sums at irregular intervals, presumably depending upon the poor rates in hand. Money for certain payments seems also to have been advanced on occasions by private people, possibly putative fathers or contributing relatives. Such forms of payments suggest that either the accommodation was self-catering, or the inmates paid the master. A similar sort of arrangement existed in Rochdale workhouse<sup>93</sup>, and perhaps in Lower Allithwaite above. However, after 1825 the system changed. Claughton began to charge rent to subscribing townships, generally about £1 11 0d per annum plus additional maintenance money.<sup>94</sup> A new workhouse master was appointed in early 1826 and there are suggestions that the expense of keeping the inmates was farmed to him, as amounts paid on behalf of certain paupers were occasionally entered in his name. It was also the practice for him personally to buy the workhouse food on the open market.<sup>95</sup>

The realization that demand for accommodation had outstripped supply seems to have become apparent to Claughton about 1825 when there is every indication that their workhouse was enlarged. From that year onwards all mention of other

<sup>92</sup> Lancs. CRO, PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 27/12/1821

<sup>93</sup> R. Boyson, 'The New Poor Law in North East Lancashire, 1830-71' in T.L.C.A.S. vol. LXX (1960) p.50.

<sup>94</sup> Lancs. CRO, PR 1334, Barnacre with Bonds, A/cs. of O/ss. of the Poor, 1833-1837, PR 1335, O/ss. A/cs., 1838

<sup>95</sup> PRO, MH12/5825, 24/3/45; PUY/1/1, Garstang Gdns. Mins., 20/12/38

workhouses drops out of the records of both Garstang and Barnacre with Bonds, and also Layton with Warbreck and Greenhalgh in the Fylde. There is other evidence to support the view that Claughton was enlarged about 1825. The ground plan of the workhouse on the Claughton tithe map (undated) shows an elongated shape staggered into two parts, which it is impossible to conceive as being the original design.<sup>96</sup> (see map, Chapter 8). A window in the internal wall between the Matron's bedroom and that of her cousin, the Master, was explained by the Matron as having once been an outside window at the gable end which had been left when an addition had been made to the House. Lastly, a debt on the workhouse had still a number of years to run in 1849. Had it related to the original expenditure it would surely have been wiped off by that time.<sup>97</sup>

Hambleton did not have a workhouse and made very little use of one. A family 'consented' to go to the workhouse in 1824, location not recorded, but that is the only mention of such an institution until twelve years later when a rent of £1 11s. 6d. per year began to be paid to Claughton workhouse.<sup>98</sup>

Workhouse provision in the townships of the future four unions again illustrates that variety was the essence of yet another aspect of the Old Poor Law. It is said that this has become a cliché and that there were many common features which have not been given due weight.<sup>99</sup> Certainly the law of probability would ensure that given a large enough number of townships the variables would coalesce into a number of similar features. However, in the relatively few workhouses in the four rural unions for which

<sup>96</sup> see plan of workhouse, Chapter 8.

<sup>97</sup> PRO, MH12/5826, Correspondence, PLC and Garstang Union, 1846-1850, 4/5/46

<sup>98</sup> Lancs. CRO, PR3013/2/14, loose sheet in Hambleton O/ss Disbursements, 11/5/1836

<sup>99</sup> Knott, Popular Opposition, p.28

there are records, most were differently sized, differently run, differently financed, differently owned, accommodated different categories of people, and were differently scattered throughout the union districts. Considering this last point alone, workhouse provision for the townships of the future Ormskirk Union was almost universal and was concentrated in the two large workhouses within the one town. Ulverston townships had many poorhouses between them, but most were small and they were scattered throughout Furness and Cartmel. In Fylde and Garstang, workhouses were few, but when such accommodation was deemed necessary, they patronized large, commercially-run houses, even though located outside the area. If seeking similarities it could thus be said that Ulverston and Ormskirk were alike in being workhouse-oriented while Fylde, similarly to Garstang, were not.

Generally speaking it would appear that the demand for workhouse accommodation in many small townships could not justify investment in individual premises. Joint provision therefore developed where a number of townships took shares in a large venture, as at Ormskirk; or one township, on a profit-making basis, provided a workhouse service for others as at Cloughton and Brindle. Presumably the varied system within rural Lancashire worked satisfactorily.

### **The power of magistrates**

The Poor Law Report of 1834 acknowledged the 'general integrity' of the magistracy and that their 'so extensive and so uncontrolled' powers had been exercised with good intentions and devoid of self-interest. Nevertheless it considered that the magistrates' 'interference' with regard to poor relief had often had mischievous results.<sup>100</sup>

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<sup>100</sup> Checkland (ed.), Poor Law Report, pp.240-41

In 1815, 55 George III cap.137 allowed any justice to order relief to a pauper for up to three months, provided that his/her relief did not exceed 3/- a week after one month. Relief could be extended to six months, with further extensions by two justices.<sup>101</sup> Through the Act of 1819 the period of the magistrates' orders was reduced to one month, and claims were limited to appeals from paupers who had been refused relief or granted inadequate aid. Appeals had to be heard by two justices, although one justice could initiate the action by summoning the overseer concerned to appear before the justices and state his case. Only one justice was also needed to grant an order for relief in his own home to 'an industrious person' in 'urgent necessity', the definition of which was determined by the magistrate himself. The term of the order lasted officially until the next meeting of the select vestry, or for fourteen days, or until the next petty sessions if there were no select vestry.<sup>102</sup>

However, according to the Report of 1834 the law in practice still allowed considerable discretion to magistrates, including arbitrary decisions by a justice acting singly in his own house, a verdict which Dunkley, without reason to be biased, echoes in his conclusion that the justices' prerogatives were not materially altered by the Vestry Acts.<sup>103</sup> Included in the Poor Law Report were accounts of wily paupers who, unrestricted in their choice of a magistrate to whom to appeal, selected the known tender-hearted or gullible. But particularly denounced in the Report, were the overly-generous orders of magistrates, which it partly attributed to the justices' social position. They were unable to appreciate the living standards of the lower classes or to question

<sup>101</sup> G. Nicholls, A History of the English Poor Law, vol. II, 1714-1853, (London, 1898), p.153

<sup>102</sup> *ibid.*, p.182

<sup>103</sup> Checkland (ed.) Poor Law Report. Evidence from the districts of Mr. Majendie and Mr. Power, pp.226-28; P. Dunkley, 'The Landed Interest and the New Poor Law: a critical note.' Eng. Hist. Rev., 88, Oct. 1973, p.837.

the nature of pauperism and relief, and they misapprehended the consequences of their benevolence. Neither did they have the time or the resources to enquire closely into a claim.<sup>104</sup>

Criticisms levelled against the magistrates were not seen to apply in Lancashire where Assistant Commissioner Henderson's inquiry led him to conclude that 'the magistrates interfere little with questions of relief in Lancashire, and usually decline to order relief at home when the overseers offer admission to the workhouse.' Almost inevitably in such a large county there were one or two examples of mischievous practice and Henderson quoted the observation of 'an eminent magistrate' that some petty sessions heard applications as though they were claims rather than appeals.<sup>105</sup> The magistrates' decisions being final, this would mean that the Vestry and overseers had been usurped, a misuse of power which the Act of 1834 legislated against.

Henderson also noted in the answers to the Royal Commission questionnaires that 'in one or two places the overseers are occasionally thwarted in correct plans of management' by magistrates who believed that distinctions should not be made against paupers on the score of misconduct.<sup>106</sup> Such magistrates were unusually forward-looking. They were anticipating a basic precept of the New Poor Law that need, not character, must be the criterion for granting aid, though discrimination in favour of the worthy had been approved in the 1817 inquiry into poor relief and had been specifically

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<sup>104</sup> Checkland (ed.), *Poor Law Report*, pp. 221, 226-31, 241

<sup>105</sup> Henderson, Report, pp.910A-911A

<sup>106</sup> Henderson's report reads ' . . . and a few places might be mentioned where the overseers are occasionally thwarted in correct plans of management by the notions which some magistrates entertain and act upon with respect to relief, especially in their not allowing distinctions to be made on the score of misconduct.' (p.910A)

endorsed in the Act of 1819. The latter stated:

in each case (the vestry) shall take into consideration the character and conduct of the poor person to be relieved, and shall be at liberty to distinguish in the relief to be granted between the deserving and the idle, extravagant, or profligate poor.<sup>107</sup>

This attitude seems also to have been a widely-held, entrenched belief, and one which the central authority under New Poor Law was to find difficult to eradicate.

Notwithstanding the occasional examples of justiciar mischief, Henderson remarked that the instances were 'exceptions from the general line of conduct pursued by the magistrates' and added approvingly that nowhere had they sanctioned a fixed scale of relief, nor attempted to control the parochial authorities in the amount to be granted in the first instance.<sup>108</sup>

In the queries referred to by Henderson above, evidence of magistrates' interference, and opinion on a reduction of their powers, was sought from both towns and rural townships. Firstly, they were directly asked if relief in their vestry was given as a result of the advice or order of the magistrates, or under the opinion that the magistrates would make an order for it if application were made to them. Two further questions sought their opinions. One asked the long- and short-term consequences of making it illegal for magistrates to countermand a 'workhouse only' order and substitute outdoor relief: the other enquired about the immediate and ultimate result if all rights of appeal to magistrates were lost and vestry decisions were final.<sup>109</sup>

Garstang was an example par excellence of a town which confirmed Henderson's conclusion of minimal interference. The respondents, who were a gentleman and the assistant overseer, implied that the select vestry acted entirely divorced from either

<sup>107</sup> Nicholls, *English Poor Law*, p.181.

<sup>108</sup> Henderson, Report, pp. 910A-911A.

<sup>109</sup> Rural Qs. 44, 45; Town Qs. 47, 48.



interference or influence of the magistrates. They also stated positively that appeals to magistrates could be discontinued as the select vestry could quite safely be left as the final arbiter of pauper claims, adding that the latter would then be 'even more cautious than they now are in refusing relief'. Thus favouring the total elimination of magistrates' involvement they seemingly thought it unnecessary to answer the question concerning partial reduction of magistrates' powers, and it was left blank.<sup>110</sup>

Ormskirk's two sets of respondents, the vicar-magistrate on the one hand, a churchwarden, an overseer and a ratepayer on the other, were slightly inconsistent in these answers. The vicar-magistrate began by stating that few, if any, able-bodied paupers took their claims to a magistrate. However, when giving their reaction to the abolition of all magistrates' powers on appeal, the three parishioners obliquely and succinctly remarked only, 'the magistrates have not interfered much lately'. This implies that in the recent past there *had* been some interference, presumably as a result of appeals as the vicar replied to the hypothetical question that he was aware of the vestries' and officers' hostility to appeals but he did not advocate a change in the system other than that an order to the workhouse should not be negated 'by any superior authority'.<sup>111</sup> Perhaps he was concerned about the small amounts of relief given.

Halsall, another township within the future Ormskirk Union, was almost certainly influenced by a magistrate, though in a perfectly legitimate way. The overseer-respondent affirmed that the select vestry exercised their own judgment in relief matters, but added that for some years a magistrate had attended Halsall's vestry. His signature in the vestry minutes reveal that the magistrate in question was Rev. George

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<sup>110</sup> Ans. to Town Qs. 31, 47, 48.

<sup>111</sup> Ans. to Town Qs. 31, 47.

Holden, JP, and that he attended quite regularly between 1823 and 1830 as instructed by the Sturges Bourne Acts.<sup>112</sup> The Parish Vestry Act of 1818 laid down that meetings should be chaired by the vicar, or the same elected substitute in his absence, while the Select Vestry Act of 1819 stated that the vicar should be a member of a select vestry.<sup>113</sup> The vicar of Ormskirk was Rev. Joshua Thomas Horton, JP, who was directly involved in the administration of poor relief in Ormskirk. The two vicars were probably friends as well as colleagues on the Bench as it appears from the signatures in the vestry minutes, that they also shared the chairmanship of Halsall Select Vestry, as the attendances of the one frequently coincided with the absences of the other.<sup>114</sup>

The Halsall overseer-respondent remembered only one case since 1820 when magistrates interfered when relief had been denied by the select vestry. He was presumably referring to official action by magistrates, not informal influence by the chairman, which could not justly count as interference. The overseer, perhaps diplomatically, expressed no view on the question of magistrates' powers with regard to a workhouse order, and he avoided a direct response to the proposal that vestries' decisions should be final.<sup>115</sup>

The two remaining respondents of the future Ormskirk Union seem hardly to have experienced magisterial interference. In Burscough the overseers and the committee exercised their own judgment on applications, '... (the magistrates) rarely interfere, and when they do, only by way of recommendation'. The North Meols respondent stated categorically that the magistrates 'never interfere'. He repeated the

<sup>112</sup> Lancs. CRO, PR 268, Halsall Vestry Book, 1820-1837

<sup>113</sup> Nicholls, *English Poor Law*, pp.180-81

<sup>114</sup> Ans. to Rural Qs. 43, 44; Lancs. CRO, PR 268 Halsall Vestry Book, 1820-1837

<sup>115</sup> Ans. to Rural Qs. 43, 44.

pronouncement in the question about reducing magistrates' powers, thus indicating that North Meols would be unaffected in any case; then concluded that there was nothing more to be said and left blank the further question about magistrates.<sup>116</sup>

Fylde's lone respondent to the Royal Commission, the vicar of Newton with Scales and Clifton with Salwick, answered the questions in general terms. He thought they would only make an order for relief if it were proved that an able-bodied man could not find employment or he and his family could not earn enough to keep themselves.<sup>117</sup> He was singularly against them losing this power. 'No appeal' to the magistrates would be 'a great evil: the poor would then be entirely at the mercy of the ratepayers.'<sup>118</sup>

However, as magistrates in his area 'never order relief when the workhouse is refused', the loss or retention of that particular power would not make any difference locally. In any case he was persuaded that townships only sent paupers to the workhouse if they could not be managed elsewhere, 'they generally being satisfied with less in their own townships than it would cost the parish if they were sent to the workhouse'.<sup>119</sup> It is not clear if he was expressing his own view or the general view of the vestries.

The Ulverston respondent's answers to the Royal Commission queries gave the most direct indication of magisterial interference. An assistant overseer for many years, he freely admitted that relief was 'sometimes given as a result of the magistrates but more frequently in anticipation of a magistrate's order' and added, 'applicants generally get more by a magistrate's order than the Vestry are inclined to give.' He particularly

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<sup>116</sup> *ibid.*

<sup>117</sup> Ans. to Rural Q. 43. The last part of his answer suggests a possible system of allowances to employed able-bodied, yet to the specific query about allowances, (Rural Q. 24) he stated that able-bodied hand weavers were relieved from time to time with varying amounts according to the work done, but he denied regular relief to them, even on the score of their having 4 children.

<sup>118</sup> Ans. to Rural Q. 44

<sup>119</sup> Ans. to Rural Q. 45.

resented interference by magistrates when the vestry's order had been based on circumstances and the applicant's character. 'As soon as the idle and vicious pauper finds his wishes not complied with he hurries to a magistrate who has the overseer summonsed, to be told that the poor must not starve and he must give them meat, money, or labour.' In such cases, the overseer added with some honesty, if he ascertained that the applicant 'wanted to be admitted to the workhouse he kept him out, and so contrariwise'. The power of magistrates to thwart overseers in their 'correct plans of management' was recognized.<sup>120</sup> Perhaps less perceived, was the ability of the vestry and/or the overseer, in turn to foil the magistrates, as in the above example.

Ulverston's susceptibility to suffering undue expense at the hands of the 'idle, vicious, and undeserving' was again a concern of the respondent when considering the hypothetical proposal that appeals to magistrates be discontinued. He felt the vestry ought to be best able to judge the real wants of the applicants and their decision ought to be final.<sup>121</sup> Yet, despite his antipathy to those whom he considered obtained undeserved relief, he answered thoughtfully on the opinion-seeking question of magistrates' powers and workhouse orders, simultaneously displaying a mixture of sensitivity and his tradesman's business acumen.

It is not easy to determine what the effect would be. On the one hand the objection to enter a workhouse, which very generally prevails, would often operate so as to prevent applications from persons who, if they could receive relief at their own homes, would no doubt form a charge upon the rates. And on the other hand, there are cases where, in addition to its being a hardship to reduce the applicant to the alternative of entering a workhouse or relinquishing his claims to parochial assistance, it would be impolitic in the parish to impose the alternative inasmuch as by doing so he who, if his spirit had not been broken by the humiliation of having been compelled to become the inmate of a workhouse, might have retained sufficient self-respect to induce him to strive

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<sup>120</sup> Ans. to Town Qs. 29, 31.

<sup>121</sup> Ans. to Town Q. 47.

for himself after his temporary difficulties were removed, (otherwise he) might, and in all probability would, be rendered a lasting charge. On the whole it would seem to be desirable that magistrates should possess the power. If exercised with discretion and caution, it would be decidedly beneficial, and it is to be presumed that they would exercise it with caution and discretion.<sup>122</sup>

The magistrate-respondent for Dalton, with its vestry of the four-and-twenty 'oldest and richest farmers', which he implied was a law unto itself, and of which he was not a member, unsurprisingly stated that magisterial interference did not prevail there. This would seem to be an accurate reply. Between 1831 and 1836 the very full accounts of the overseer record only three entries as 'per magistrates' order', and one of the three was for a woman who lived away, so the magistrate involved would not be local. The third order was issued long after the magistrate had completed the questionnaire in which the further questions on magistrates' powers were left unanswered.<sup>123</sup>

Hawkshead's select vestry also had complete and final control of poor relief, and believed the system worked well. They had little confidence in justices' decisions as, 'not living near (they) cannot be well enough acquainted with cases to enable them to decide regularly; and in times of pressure of business they are careless in these matters.' Lack of time for thorough consideration of appeals was usually associated with urban districts. This answer indicates that it could also apply in rural districts. Church Coniston had nothing to say on the subject.

Clearly, therefore, there were differences in the degree of interference experienced from magistrates in some townships of the future four rural unions. On the one hand vestries such as Garstang's operated pauper relief entirely independently and appear to have been almost oblivious of magisterial potential for interference. Ulverston's

<sup>122</sup> Ans. to Town Q. 48

<sup>123</sup> Ans. to Rural Q. 35; Cumbria RO (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 29/2/1831, 14/1/1833, 13/10/1836

vestry, on the other hand, was undoubtedly affected and operated partially under their overt and covert influence.

The degree of interference was not regionally dictated. Dalton and Hawkshead in the north, alongside most-affected Ulverston, were as untroubled by magistrates as 'centrally-situated' Garstang, or North Meols in the south. However, the availability of magistrates may have been a strong factor in the degree of interference. Large parts of Lancashire had few resident justices. They were said to interfere little and this would seem to be true in this study. Among townships free from interference, Garstang had only three magistrates within the entire length and breadth of her territory in the pre-1834 period. They lived several miles away from the market centre, two of them remotely situated out on the moss, so that even the resident poor, let alone vagrants, might well be discouraged from undertaking what could prove to be a long, fruitless journey, especially as there was no precedent for an optimistic outcome. Dalton, by implication, was beyond the magistrates control, while extensive high ground and the lack of a resident magistrate insulated Hawkshead and Church Coniston from interference. North Meols was another peripheral area, and also one whose vestry seems to have followed a firm, independent, and stern but consistent, line. Claimants would know exactly what they could expect and would therefore not feel aggrieved, and be disposed to appeal, through dashed expectations.

Quite different circumstances prevailed in Ulverston. A return of magistrates and union officers for 1843/1844 shows that fifteen magistrates lived in Furness and Cartmel, and at least one magistrate lived in the town itself.<sup>124</sup> If it were he who was

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<sup>124</sup> Lancs. CRO, PUU/13/2, Ulverston Union, Return of magistrates and salaried officers for 1843/44, 12

disposed to interfere he would be readily accessible, and as an active future vice-chairman of the union he obviously had a personal interest in poor relief.

The difference in availability of magistrates could constitute a general difference between urban and rural unions. Paupers could choose to whom they appealed but the option would probably have more meaning in, say, an industrial or commercial town of large population where there were likelier to be more resident magistrates in the vicinity, than in the northern rural townships of scattered dwellings, or at best one or two separated hamlets, with few magistrates. The nucleated villages of the south with resident, paternalistic squire would be different again.

## **Conclusion**

As far as can be deduced from the townships for which there are records, rural Lancashire upheld Henderson's conclusion that the county was well-endowed with select vestries or committees, and with overseers in paid, permanent positions. Though their efficiency varied, this no doubt reflected the wider situation in both the county and the country at large, so that, for the times, the administration of relief in rural Lancashire could be considered to be creditably organized.

The county's rural region was also well-endowed with workhouses, though overall they were situated irregularly and there was great diversity in their size and management. Many were small, but others were large, and a good number of townships thus had experience of inter-township co-operation in their functioning, even though it was not within the clearly defined boundaries proposed for the New Poor Law.

Actual or influential magisterial interference in the administration of poor relief was

also minimal in virtually all the townships within the rural region. Ulverston was the exception. There, the attitudes of the magistrates had a bearing upon amounts awarded in vestry decisions, though the overseer implied that even a direct order from the magistrates as a result of an appeal from a claimant, could be slightly modified in certain circumstances.

The interference of magistrates seems always to have been assumed by the investigators/reformers as being injurious to 'correct plans of management'. However, the magistrates cited by Henderson, who believed that need should outweigh worthiness when awarding relief, were actually supporting rather than thwarting the application of reformed ideas. Other interference by some magistrates may have been equally helpful. A further form of interference, not always evident or considered and almost certainly immeasurable, was that of magistrates who were members of a select vestry, as in Halsall and Ormskirk.

Generally speaking, then, the administration of relief in rural Lancashire was creditably organized for the times, but there was no uniformity and no real accountability, and if reforms were to be introduced nationwide, the individual arrangements made by townships would have to end and a new form of collective provision be established.



## **5.....RELIEF POLICIES UNDER THE OLD POOR LAW**

Administration of relief under the Old Poor Law included responsibility for an extensive range of services. Demands for these were not constant, nor were they always predictable. For instance, the numbers of able-bodied in need would be affected by the state of the harvest or the industrial trade cycle, and ill health was influenced by epidemics as well as age. Rather more calculable were the requirements of the non-able-bodied. But in the absence of legal directives to follow any particular course, policies for relief inevitably varied widely. Furthermore, in the same way that it seems the populations of many rural townships were too small to warrant a formal organization for poor relief, or its practical functioning if one were appointed, so equally would the number of claims be insufficient for an established policy to have evolved. In townships of 'scattered dwellings' or one or two dispersed hamlets it is probable that requests for assistance would be decided informally on an ad hoc basis in full knowledge of the claimant and his need.

Local happenings could affect townships of all sizes, but their effects would be more noticeable in the larger places. Examples of eventualities discernible in the parish records of the four rural unions of Lancashire were an inundation of vagrants at

Garstang and Barnacre-with-Bonds in 1819; Ormskirk's serious financial position in 1820 and her inability to pay the township's commitments; the stopping of Backbarrow mill which necessitated emergency measures at Colton in 1828; the collapse of the Catterall printworks in 1830; and a bad outbreak of cholera in Dalton in 1832 when in addition to sickness and death, bedding and clothing had to be burnt.

Basic to the relief of the poor of a township whatever its organisation or policy, however, were pensions or 'weekly payments' to the helpless, namely regular amounts paid to those incapable of supporting themselves. As today, these were paid to the infirm of any age, to the elderly, and to parents on behalf of children. A reminder of the effect of children upon the poor rates is provided by an 1822 list of Colton outdoor paupers which showed that 21 of them had between three and seven children each.<sup>1</sup> And at Ormskirk, of their 25 to thirty regular weekly payments, ten were to the old and infirm while the remainder were to widows with families with young children. In the workhouse, eight out of ten of the township's 'own' inmates were also children.<sup>2</sup> It was appreciated that all a pauper's needs could not be met solely from a fixed weekly allowance and they were required additionally to petition the vestries for extra essentials such as clothing, clogs, bedding, firing, funeral expenses and so forth as occasion demanded. Determination upon these requests formed a regular part of the vestries' meetings. Indeed so much was consideration of the needs of the non-abled an inevitable part of pauper management, and those needs so moderate that they were hardly mentioned in either the Poor Law Commissioners' Report or the Poor Law Amendment Act.<sup>3</sup> One or two details aside, they were not visualized as objects

<sup>1</sup> Cumbria RO (Barrow), BPR 17/VI/ 1, Colton Vestry Mins., 1810-1839, Dec. 1822

<sup>2</sup> Ans. to Town Qs. 15, 25

<sup>3</sup> S. E. Finer, The Life and Times of Sir Edwin Chadwick, (London, 1952), p.72.

requiring reform. If anything it was believed their lot would be bettered by the policies of the future under the New Poor Law.

## **The able-bodied**

The principal target for reform in the Report of 1834 was that other large section of the public, the able-bodied, and most particularly the practice of supplementing the wages of the employed able-bodied. The worst forms of such relief were the allowances of Speenhamland-type systems where aid was calculated according to a fixed scale. To determine the current extent of such schemes, Rural queries 24 and 25 asked if any able-bodied labourers in the employment of individuals were receiving allowances or regular relief either on their own account or that of their families, and what scale, if any, was used. All the seven rural respondents of west Lancashire stated unequivocally, either literally or in effect, that 'no work done for individuals was paid for by the parish'. It is interesting to note that four of the townships answered in identical words although they were not exactly those used in the questions. It suggests familiarity with the subject of allowances of the 'classic' type and recognition of the question's relationship to them.

Again there were important differences between the Town and Rural questions. The latter referred solely to able-bodied *employed labourers*. The parallel Town query (No. 30) was broadened to include mechanics, manufacturers and servants, and left open their employed or unemployed state. Only a later Town query (No 32) enquiring about bread scales, limited the answer to the 'wholly employed'. In consequence neither Town nor Rural queries were particularly relevant to agricultural Lancashire. Rural questions were restricted to labourers, thereby ignoring the hand-loom weaver who by

1832 was a largely northern phenomenon, while Town questions were inappropriate to small, rural market centres.

In the town of Ulverston, for instance, agricultural labourers were the section of the population most in need. Their annual earnings averaged roughly 8/- per week compared with the also-needy weavers' weekly average of 9/-.<sup>4</sup> Whether or not it was due to the influence or interference of magistrates to which the respondent had referred in an earlier question, it was the township's practice of 'ever dealing the most liberally' with industrious workers with young children, who earned less than 10/- per week.<sup>5</sup> However, as Ulverston had earlier stated specifically that it 'did not give relief permanently, but only occasionally as circumstances may require', it must be assumed that the labourers were only relieved temporarily when on short time or laid off, and that at other times their wages exceeded the 10/- 'cut-off' point. This conclusion differs from that of Marshall who believes that Ulverston was one of the few townships in the north to pay 'relief in aid of wages', but again it depends upon one's criterion for 'allowances'.<sup>6</sup> (See Chapter 2).

Garstang's respondent began by stating that no regular relief was given to any able-bodied men. Neither did employed persons receive relief at Ormskirk, where the vicar added that if relief were ever accorded to an *unemployed* able-bodied person it would only be extended 'to temporary necessity'. In short, all town and country respondents firmly denied the payment of classic allowances. However, probably because of the confusion over wording which had not been tailored to meet their particular circumstances, and perhaps being moved to answer to the letter as well as what they

<sup>4</sup> Calculated from Ulverston Ans. to Town Q. 37

<sup>5</sup> Ans. to Town Q. 31

<sup>6</sup> J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), pp.139-40

understood to be the spirit of the enquiry, a number of respondents then went on to explain the odd exception they made, or would countenance making. Most constituted temporary relief, though Garstang paid regular relief to a person ‘in peculiar circumstances’ and to four weavers with families in Wigan. Widowers in ‘peculiar circumstances’ were occasionally relieved in Halsall, and a man's two children were maintained in the poorhouse by Hawkshead. And though in Ormskirk in the 1830s both regular *and* casual relief to the able-bodied was virtually non-existent, their parish records reveal that there had been two cases much earlier. In 1819 a miller in Preston ‘being in full work’, and a man ‘having constant work by his spade’, were both in receipt of ‘weekly allowances’, although their entries in the records were occasioned by their being reduced.<sup>7</sup>

Certain cases involving temporary help to hand-loom weavers were also among the ‘exceptions’ mentioned. Henderson had reported that aid in Lancashire was frequently given to hand-loom weavers with more than two children under ten years of age, but such aid appears not to have been given easily in rural Lancashire. In Newton with Scales, for instance, even hand-loom weavers with four children might be refused relief as, the respondent stated, there were others in similar circumstances who were managing to support themselves independently.<sup>8</sup> Barnacre with Bonds was equally severe. A hand-loom weaver living in Preston with a wife and four children under seven years of age could earn enough for food but could not pay his rent or clothe his children who were ‘starving’. (Used here in the northern sense - to denote cold, not

<sup>7</sup> Ans. to Town Q.30, Rural Q.24. Lancs. CRO, PR2815/1, Ormskirk Vestry Book, 1818-1823, 27/5/1819.

<sup>8</sup> Ans. to Rural Q. 24.

hunger.) His wife had presented herself at the vestry, which involved a round trip of 22 miles, but had been refused assistance. The weaver wrote thus to the vestry:

Certainly every feeling of humanity is entirely fled from amongst you when you could think of sending a woman that belonged to you a journey of 11 miles with a farthing after travelling the same distance to look for relief. . .<sup>9</sup>

Tarleton vestry perhaps cleverly avoided the 'taint' of paying an allowance of any kind, by granting £1 in a lump sum, to a man with three children who had sought an extra 1/- a week to his regular weekly earnings of 6/-.<sup>10</sup> This was an unusual step and an unusually large grant for this township. One hopes that he had the strength of will to ration the money out, for the tenor of relief grants in Tarleton made it unlikely that he would receive anything further for some considerable time.

Classic allowances referred to the able-bodied *employed*: roundsman-type systems applied to the able *unemployed*. Though less vigorously, these also were vilified by the Royal Commission, but again they were associated with the south rather than the north. Only rural townships were asked if presently or in the past they had operated such systems. All seven respondents of townships in the future rural unions of Lancashire answered in the negative. However there were three definite examples of such a procedure in townships which had not been selected to receive questionnaires. By a resolution of the vestry in Barnacre with Bonds in 1830, John Sellers was 'to go from house to house to work for meat except in Haytime and Harvest and those who have him at those times to pay to the overseer 2/- per week and to John Sellers one'. It is not possible to tell for how long the arrangement continued but six years on the overseer had to buy the poor man clothing throughout and get his shirt washed and

<sup>9</sup> Lancs. CRO, PR 1349, Barnacre with Bonds Miscellaneous Letters, 1807-1826, 15/10/22

<sup>10</sup> Lancs. CRO, PR3168/5/1, Tarleton SV Mins., 1822-1836, 6/1/35

mended before he was in a fit state once again to 'work in rotation throughout the township according in proportion of rate for every 5s. of tax per day'.<sup>11</sup>

Hambleton vestry was not unanimously in favour of adopting a roundsman system, perhaps because in their case it was proposed to apply it generally rather than to an individual, but it was passed by a majority of votes that 'the poor of the township shall be employed by means of the taxpayers finding 1 day's work per week for every 15/- he pays to a poor rate at 6d in the £'. However, as there is no evidence of an increase in claims for relief prior to this resolution, nor a noticeable reduction in poor rates after it, it was perhaps instituted as a means of eschewing the granting of relief without work. The third example occurred in the Fylde where the vicar of Newton with Scales, denying their use in his own township, gratuitously added that in Thornton Mr. Fleetwood-Hesketh had apportioned labourers amongst occupiers 'according to the extent of occupation'.<sup>12</sup>

In a time when the normal working day was from dawn to dusk on at least six days of the week, work bore a fundamental relationship to a person's situation with regard to the poor rates, namely, whether he was a ratepayer or a recipient 'on the parish'. At a purely commercial level it was the vestry's task to give aid to the pauper while keeping the burden of the rates as low as possible for the contributors. Having all capable of work in paid employment was the best way of squaring the circle.

The ideal solution was the one where people found work for themselves even allowing for a little help from the vestry when necessary. 'Highly meritorious' was Henderson's verdict on the exertions towards this end of the vestries of Garstang and

<sup>11</sup> Ans. to Rural Q. 27; Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1833-1837, 25/2/30, 5/2/36

<sup>12</sup> Lancs. CRO, PR3013/1/1, Hambleton SV Mins., 1824-1827, 10/10/26; Ans. to Rural Q.28.

the adjacent townships when the local printworks failed in 1830. Six hundred people had been thrown out of work thus gravely affecting the townships around. 'Money was advanced by the vestries to the printers to go in search of employment, their families were supported in their absence, and when situations were procured by them, their goods and families were carted at the expense of the township to Blackburn, Preston or Burnley.' The entry '£6 when he goes to Preston to live' in Barnacre with Bonds' parish records illustrates such 'encouragement'.<sup>13</sup> Unassociated with the printworks in this case, Hambleton had earlier provided women with certificates, presumably admitting liability should they become chargeable, and thereby eased the way for them to travel in search of work.<sup>14</sup>

Finding work for them rather than encouraging them to find it for themselves was decried by the Report of 1834 as damaging to self-reliance. However, with responsibilities to ratepayers as well as claimants, many vestries thought it made good sense to take an active part in securing them employment through the personal participation of the overseer, or sometimes a vestryman. Such assistance was extended most particularly to women and children, some of whom had previously had 'living-in' situations and for whom unemployment might mean homelessness.

At Barnacre with Bonds a woman's son stayed at the overseer's until he had a place found for him, while a woman at Ormskirk was placed in the workhouse until the overseer could find her 'a position in service'. The Garstang overseer was 'to do his endeavours' to provide a situation for two females, and to obtain employment for a

<sup>13</sup> PP, 1834, XXVIII, RC on the Poor Laws, Appx. A, pt. I, Report from G. Henderson, p.924A; Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1833-1837, 22/4/30

<sup>14</sup> Lancs. CRO, PR3013/1/1, Hambleton SV Mins., 1824-1827, 1/2/1825, 28/2/1826, 26/9/1826



further two 'at Catterall, Preston or elsewhere, to bat cotton'.<sup>15</sup> It would be heartening to believe that naming the nearer townships first was deliberate and was devised in the interests of the women remaining near home, rather than the convenience of the overseer, or the cost.

Freckleton is a good example of a township whose vestry regularly received requests for employment and which used a combination of methods. Those 'in want of work' were usually granted small sums of temporary relief to tide them over until they could obtain employment for themselves, but for some it was ordered that they should be found work by a named person, usually a vestryman. The remainder were directed to the surveyor of the highways, or occasionally onto the marsh 'a-coppicing'.<sup>16</sup>

Sending paupers to the surveyors to earn money breaking stones or working 'in the roads' was commonly practiced, as for instance at Bispham with Norbreck, and women were put to stonebreaking in Tarleton.<sup>17</sup> It was the sole remedy in Ulverston where they did not find work for the able-bodied 'except by recommending them to the surveyor of the roads, but the overseer at the same time advises that their wages be rather less than they would otherwise obtain that it may be an inducement to look out for work elsewhere' - an early form of 'less eligibility' and a sentiment endorsed in the Remedial Measures. Road work was also a task whereby the generally unemployable might make a contribution to their township for the relief they received. Labour of this nature was also to be favoured by the Poor Law Commissioners. They believed work

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<sup>15</sup> Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1833-1837, 12/8/30; PR2815/1, Ormskirk Vestry Book, 1819-1824, 2/1/1820; DDX/386/3, Garstang Minute book of Select Vestry, General Vestry and other Ratepayers' Meetings, 1815-1825, 6/6/1815.

<sup>16</sup> Lancs. CRO, PR2969/1/1, Notebook of Applications to the SV for relief, Freckleton, 1831-1834.

<sup>17</sup> Lancs. CRO, DDX/1/6, Bispham with Norbreck SV Mins., 1827-1838, e.g. 15/1/33; PR3168/5/1, Tarleton SV Mins., 1822-1836, Apr. 1836;

for paupers should be useful: inventing pointless work built up resentment in paupers and sympathy in the general public.<sup>18</sup>

Yet another aspect of work in which vestries were involved was providing paupers with tools which enabled them to earn a living, or at least contributed towards them so doing. Spinning or hand-loom weaving, combined with husbandry, had been a standard way of life in many parts of Lancashire. Though spinning at home had mostly fallen away by the 1820s, and hand-loom weaving was rapidly becoming outmoded, a good number of people still earned something by it. The vicar of Newton with Scales said there was no need for anyone to be out of work in his hundred as weaving was so widespread.<sup>19</sup> Vestry belief in the advantages of providing the means to weave is notable in most of the rural townships, not just those in the hundred of Amounderness where it was most prevalent. Even in times of stringency and retrenchment requests for weaving requisites were almost always granted, and looms were bought in, hired out, lent out, contributed towards, or paid outright for, by vestries through their overseers.<sup>20</sup> One man was even granted the building of a five yards square weaving shop attached to his house in Tarleton.<sup>21</sup>

However, it is apparent that some vestries were also alive to the contracting opportunities in weaving but granted claims for requisites in the spirit that there were no immediate alternatives, and to earn something was better than nothing: it was also better for the recipients to be occupied. Some townships voluntarily updated the

<sup>18</sup> Ulverston Ans. to Town Q.34; S. G. & E. O. A. Checkland, (ed.), Poor Law Report of 1834 (Pelican Edition, 1974), pp. 337-38.

<sup>19</sup> Ans. to Rural Q.6. The contraction of the putting out system was about to accelerate rapidly in rural Lancashire, though a limited amount of hand-weaving was to continue into the 1860s.

<sup>20</sup> For example, Dalton [Ulverston], Barnacre with Bonds [Garstang], Maghull, Tarleton, Halsall [Ormskirck], Freckleton [Fylde].

<sup>21</sup> Lancs. CRO, PR3168/5/1, Tarleton SV Mins., 1822-1836, Feb. 1834.

weavers' equipment to a more lucrative form. Freckleton, for instance, ordered a man's sacking looms to be replaced by cotton looms when he had only asked for temporary relief, also granted, and Dalton exchanged a man's standard looms for ones capable of producing broad work.<sup>22</sup> Other townships, though continuing into the 1830s to grant claims from existing weavers, were not willing to see younger ones take up the trade. Ormskirk vestry from 1820 ruled that 'in future no countenance or assistance would be given to the practice of binding out poor children apprentices to weavers' and Tarleton refused a request for a shuttle from an applicant who was 'a large, healthy, young woman' presumably on the grounds that she could turn to something else, though one wonders what her size had to do with it.<sup>23</sup>

Shuttles and looms were not the only work-related items granted. Perhaps even commoner were requests for the wherewithal of husbandry, for example seed potatoes, meal for pigs, spades and occasionally grain. The answers to the Royal Commission questionnaires show that a high proportion of the cottages had gardens, and cottagers in places such as Hambleton rented mossland, although the vestry ruled in 1824 that it would pay no more moss rents. Some requests were peculiar to particular areas. Barnacre with Bonds' parish records feature sedges and yards of rush, and in Dalton 'frocks to go to get cockles on the sand'. These two townships also granted the hire of mangles for taking in washing. Bispham with Norbreck even granted a cow, and

<sup>22</sup> Lancs. CRO, PR2969/1/1, Claims made to Freckleton SV, 1831-1834, 30/5/1831; Cumbria RO (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 11/4/1833.

<sup>23</sup> Lancs. CRO, PR2815/1, Ormskirk Vestry Book, 1819-1824, 5/4/1820; PR3168/5/1, Tarleton SV Mins., 1822-1836, 5/11/1833.

Poulton vestry first allowed a man's ass cart to be repaired, then subsequently to be replaced.<sup>24</sup>

Under the freedom of the Old Poor Law it was possible for paupers to strike deals with the vestry. The provision of the means to self-sufficiency would have been applauded by the central authorities but on the other hand there was no place for individuality in New Poor Law policy, so such accommodations as the one below would not be sanctioned.

Alice Balderstone proposes to give up her present weekly allowance of 4s. per week if the town will furnish her with a few items of wearing apparel for herself and children and also with a chaff bed and bolster, pair of blankets, sheets and cover, with these articles found her she can get 1s. 6d. a piece for three girls for lodging and cooking their victuals at Roach Bridge.<sup>25</sup>

Dalton overcame behavioural problems with an obviously difficult female pauper by paying her a 'bonus' of a few shillings a year 'for good behaviour'.<sup>26</sup>

A measure of which the Commission *did* approve and which was recommended in the Remedial Measures was that of empowering parishes to treat as a loan any relief afforded to an able-bodied man or his family, 'in or out of the workhouse, or otherwise incurred on their account and to recover the loan by attachment to his wages'.<sup>27</sup> Loans seem not to have featured in Ulverston's townships, and only infrequently in Ormskirk, but they were extensively used in the Garstang townships of Barnacre with Bonds and Hambleton. In addition to a number of loans of a few shillings, sometimes to 'wives',

<sup>24</sup> Lancs. CRO, PR3013/1/1, Hambleton SV Mins., 1824-1827, 27/4/24; PR 1334, Barnacre with Bonds O/ss. A/cs., 1833-1837, e.g. 1833, 1834; PR 1337, Barnacre with Bonds SV Mins., 1833-1837, 17/5/32; Cumbria RO, (Barrow), Dalton O/ss. A/cs., BPR/1/07/1/3, 10/12/1831, 13/2/1832, 1/10/35; Lancs. CRO, DDX/1/6, Bispham with Norbreck SV Mins., Feb. 1830; PR 2490, Poulton SV Mins. Book, May-Jun. 1837.

<sup>25</sup> Lancs. CRO, DDX/3863, Garstang Vestry Mins., 1815-1825, 6/6/1815

<sup>26</sup> Cumbria RO, (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 30/4/1831

<sup>27</sup> PP, 1834, XXVII, Report of H.M. Commission for Inquiring into the Administration and Practical Operation of the Poor Laws. p.331

there were examples of loans for 'in kind' relief. An able-bodied man was loaned the price of ten baskets of coal, to be 'stopped out of work where he is employed', and a man obviously desperate for two shirts had to repay their cost at 3d per week.

However, loans were not only granted on the basis of relief to be repaid by a certain date, or advances on wages or pensions to be repaid weekly 'till the money is run up' - some loans could be construed as deals. A pauper requiring 10/- for some purpose had 1/- a week deducted from his weekly pay for ten weeks, and thereafter his pension was to be reduced to 1/6d per week. As the lump sum enabled him to manage for ten weeks on a reduced pension, the lesser amount could therefore be made permanent. Another deal involved a loan of £1 10s for a mangle, presumably so she could earn money from washing, which was to be stopped at 1/6d per week out of the woman's existing pension. Ormskirk's example of a loan, of £3, was expressed in terms of a money-lending service as it depended upon 'satisfactory security'. As such it was even further removed from the basic perception of poor relief in the Report and under the New Poor Law.<sup>28</sup>

## **The provision of shelter: rents**

Apart from the desirability of a means of ensuring an adequate income, a universal requirement was the provision of shelter, and from a perusal of the townships' accounts most vestries in rural Lancashire had fallen into the practice of paying all or part of the rents of some paupers' cottages. Oxley believes rents began to be paid in order to avert the potential blackmail of landlords that otherwise the tenant would be sold up and

<sup>28</sup> Lancs. CRO, Barnacre with Bonds SV Mins., PR 1336, 1821-1830, 11/12/22, PR 1337, Barnacre with Bonds SV Mins., 1833-1837, 17/5/1832, 2/10/1834; PR3013/1/1, Hambleton SV Mins., 1824-1827, 20/12/1825; PR2815/1, Ormskirk Vestry Book, 1818-1823, 9/4/1820.

become a permanent burden on the parish, and that very careful management was necessary to avoid this situation. The Royal Commission Report was antipathetic to the payment of rents by the parish because it maintained that they constituted allowances, a view which was appreciated but disregarded by Dalton, North Meols and Newton with Scales as witness their answers to the Rural query 24. This question asked if allowances were made to the able-bodied either on their own or on account of their family. The three townships denied any form of regular allowance but voluntarily included extra information on occasional help with rent. The attitude to rents of the other townships cannot be known but payment of them was widespread. As an illustration of the scale and extent of rent paying, in 1818 they accounted for one third of Greenhalgh's total expenditure on poor relief.<sup>29</sup>

As the years advanced towards unionization, however, there was a marked trend in the townships in rural Lancashire towards restricting, or ceasing, rent payments. The reasons for this are not clear. It could be that the select vestries, which had been widely instituted, provided the better management Oxley said was necessary to avoid paupers being sold up by their landlords, and which had made the township reluctant to act when a vestry was 'open'. Alternatively, it was perhaps realized that granting rents had got out of hand, or some had been granted to the able-bodied, possibly with several children, and cutting back on rents was a part of the general hardening of attitude to the able-bodied. Yet again, it was perhaps realized that rents granted annually were not as easy to vary as weekly pensions, especially as they seem to have been paid annually

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<sup>29</sup> G. W. Oxley, 'The Permanent Poor in South West Lancashire under the Old Poor Law' in J. R. Harris (ed.) Liverpool and Merseyside: Essays in the Economic and Social History of the Port and its Hinterland, (London,, 1969); Ans. to Rural Q.24; Lancs. CRO, PR 795, Greenhalgh O/ss. A/cs., 1808-1837, 2nd Quarter, 1817

directly to the landlord. Once granted they would tend to be renewed more or less automatically, and if a landlord made any change in a rent charge, it was likelier to be increased than reduced.

Whatever the reason, in Furness and Cartmel, for example, Dalton had begun cutting back on rents from 1827 and only part-paying others, although the fact that in 1830 the vestry still granted 110 rents, most commonly of two guineas, indicates the scale of this form of relief. The number had fallen to 89 in 1832, of which 27 were part-payments only and included one which was accompanied by the condition that the woman did not lodge vagrants. Colton vestry, placed an upper limit of a guinea on the amount they would pay in 1818 and in many cases paid only half that amount by 1824, with hardly any at all by 1830. Upper Holker which paid 28 rents in 1832 had ceased by March 1835.<sup>30</sup>

In some respects leading the field, Ormskirk vestry announced as early as 1819 that it was not their policy to grant rents and confirmed this decision the following year by decreeing that none was to be paid in future either. Garstang gave similar notice for the year 1822. It did not completely observe the resolution in subsequent years, but nearly so. Around 1819 both townships had had special problems which would force economies upon them. Ormskirk was in difficulties over uncollected rates and Garstang was inundated with vagrants, both townships probably suffering as a result of the 1817-1819 depression.<sup>31</sup>

<sup>30</sup> Cumbria RO, (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 1830-31, 1832-33; Dalton-in-Furness District Local Board Abstract of Accounts, 1882, 7/4/1832; BPR/17/VI/1, Colton O/ss. A/cs., 1810-1839, Jan. 1818, Apr. 1824, 1830s; Lancs. CRO, PR 112, Upper Holker O/ss. A/cs., 1732-1836, Mar. 1832, Mar. 1835

<sup>31</sup> Lancs. CRO, PR2815/1 Ormskirk Vestry Book., 1819-1924, 24/10/1819, 9/4/1820; DDX/386/3, Garstang Minute Book of SV meetings etc., 1815-1825, Jan.-Jun. 1819, 3/7/1821, 1822-1825

Perhaps the keenest line of all was taken by Tarleton vestry. In 1827 some rents were refused outright and others henceforth only part-paid. Then in 1833 owners of certain cottages in Omskirk were informed that Tarleton's paupers were giving them up. The vestry also asked landlords of paupers' cottages within Tarleton itself to reduce the burden of rents upon the township. Having thus obtained lower rentals, the paupers were told the following year that henceforth they must take responsibility for their own rents or quit their cottages, whereupon the township would remove them to the workhouse.<sup>32</sup>

Halsall, amongst others, used a less drastic method of reducing the burden of rents, while at the same time avoiding the additional expense of the workhouse to the ratepayers and upset to the paupers. The vestry billeted one or two pensioners in the cottage of another pauper. North Meols' figures illustrate the saving from such a policy. Where two or three paupers lived together they were each paid 40/- to 50/- per annum, namely under 1/- a week, as against the 2/- to 2/6 per week allowed to a single cottager.<sup>33</sup>

There are many examples in one form or another of the reciprocal use of paupers. For instance, a mother and her illegitimate, but filiated, baby who had been receiving a rent allowance, were sent to live with a married couple, also paupers. The allowances were adjusted, the young mother earned an extra shilling or two for knitting socks for the male householder who was 'poorly' and had hurt his hand. After a while, probably when the baby was weaned, his wife or daughter, or a female with the same surname, was paid 6d a week to look after the baby, presumably while the mother went out to

<sup>32</sup> Lancs. CRO, PR3168/5/1, Tarleton Vestry Book, 1822-1836, May 1833, Mar. 1834

<sup>33</sup> Lancs. CRO, PR 268, Halsall Vestry Minutes, 1820-1827, 9/4/26, 16/7/1826; North Meols, Ans. to Rural Q.25



work. More straightforward examples concern male paupers in tasks such as delving and setting female pensioners' gardens.<sup>34</sup>

## Children

The provision of accommodation was a major concern in relief policies concerned with children. Boarding them out was a common practice. People were paid a small amount to foster children who often seem to have had one parent living but who was perhaps working, or would have been prevented from so doing by having to stay at home to care for the child. Perhaps this was a better solution than an institution, but it was one which was so unpalatable to some mothers that threats and cajoling had to be resorted to, to get them to agree.

The overseer take Thomasin Graston with her two children to Brindle workhouse except she will deliver up her eldest child.. If she deliver up the child resolved to be barded in the town. The overseer to relieve her with 3s. till he has time to take her to Brindle.<sup>35</sup>

The vicar of Newton with Scales understood the anguish involved in such a proposition. Commenting upon a 'poor foundling' system where a pauper's children were taken by the parish and fed and employed by them during the day, the vicar condemned the proposal, and added that taking their children off them would not 'be submitted to by the poor, who are with difficulty induced to part with children even when they know it would be to their and his advantage'. The vestry of Colton was less sensitive. At a general Meeting in 1817 it was decreed that 'Every person applying for parochial relief that has children at home at 7 years of age and upwards to be taken from them and sent to the Backbarrow Manufactory.' Ormskirk was less severe in its policies for children,

<sup>34</sup> Lancs. CRO, PR3013/2/14, Hambleton O/ss. Disbursements for Poor Relief, Jan.-July 1834; PR 2095, Aughton O/ss. A/cs., 1784-1838, 1821-1822.

<sup>35</sup> Lancs. CRO, PR 1336, Barnacre with Bonds SV Mins., 1821-1830, 1821.

or had less employment for them, but there, child allowances were not reduced (to 1/-) until the child reached the age of nine.<sup>36</sup>

Sometimes young children were placed in private homes where they presumably acted as young 'helpers', it being agreed that the householder should receive a weekly sum from the vestry, but the recipient had to clothe the child. The precariousness of such a solution is exemplified by a case in Barnacre with Bonds. James McKie, a farmer of consequence, a prominent vestryman, and a future Guardian, was granted 1/6d. a week for the year for a pauper child taken by him. However, she was so poorly clad a few months later that it was actually recorded in the vestry minutes 'James McKie to clothe Alice Burns child to the satisfaction of the township or else deliver her up.' Two years earlier he had been paid 2/- a week for her, with the township additionally allowing her a pair of shoes and paying her school wage.<sup>37</sup>

Apprenticeship of a more definite nature, with signed indentures, was a solution for older children. The trades to which they were apprenticed are infrequently stated, but they included dressmaking for girls and joinery, blacksmithing, cordwaining and ships' carpentering for boys. Children over ten at Colton were made 'apprentices' at the nearby mill at Backbarrow, when the boys were to have a shirt and the girls a bonnet 'and each child to have 2/-'.<sup>38</sup> This could denote a softening of vestry policy, or it could represent an inducement on the part of the owners of a country mill with a limited

<sup>36</sup> Ans. to Rural Q.42; Cumbria RO (Barrow), BPR/17VI/1, Colton Vestry Mins., 1810-1839, 26/1/1818; Lancs. CRO, PR2815/1 Ormskirk Vestry Book, 1819-1924, 27/5/1819.

<sup>37</sup> Lancs. CRO., PR 1337, Barnacre with Bonds SV Mins., 6/3/1834, 18/2/1836, 1/9/1836

<sup>38</sup> Lancs. CRO., PR 268, Halsall Vestry Mins., 1820-1827, 20/7/1823; Cumbria RO (Kendal), WPR 79, Flookburgh O/ss. and Constables A/c. Book, 1800-1843, 1821-1822; Cumbria RO (Barrow), BPR17/VI/1, Colton Journal of Occurrences, 1810-1839, Nov. 1822

workforce, to encourage the seven-year-olds, directed earlier to the factory, to stay on now that they were older and more useful.

In some places, particularly in Furness and Cartmel, it was the custom to ballot apprentices. Ratepayers who were to receive an apprentice in Dalton were given £2 fee for taking him, but were fined £10 if they refused. In the year 1831/32 Dalton rates were thus augmented by £40. Lower Allithwaite operated a similar system and Hawkshead had been forced to resort to compulsory apprenticeships in view of the unemployability and poor attitude to work of the young paupers in the workhouse. (See quotation below) It is also noticeable in a number of townships that people took as apprentices, or were paid a weekly sum for 'boarding', young relatives or children with the same surname.<sup>39</sup>

## Miscellaneous benefits

Outdoor relief took many forms. The commonest was payment by money which could be granted either long-term, as in the case of 'pensions' to the elderly, the infirm, and widows with families of young children; short-term, during temporary adversity such as illness or an accident; or a single, casual payment to meet a sudden need such as a funeral. Relief could also take the form of goods, such as clothing, clogs, coals or bedding, or a service such as medical attendance, or an amalgam of any of these forms. Sometimes first one form of relief then another was given by a vestry, as in the example

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<sup>39</sup> Cumbria RO (Kendal), WPR89/01, Lower Allithwaite O/ss. A/cs., 1761-1832, 1816-1817; Cumbria RO (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 1831-1832; Lancs. CRO, PR 2490, Poulton-le-Fylde SV Min. Book, 18/12/1838.

of William Wilson, of Barnacre with Bonds, adjoining Garstang, during the period 1830-1835.<sup>40</sup>

Wilson was an intermittent pauper, possibly a weaver/labourer. He was awarded small amounts of casual relief at infrequent intervals over the five years. Occasionally he was refused. In 1833 he had a spell in the workhouse, after which he went to Preston, presumably under the township's scheme, praised by Henderson, to encourage the unemployed to seek work in an industrial town.<sup>41</sup> When successful, family and furniture were sent on to them at the township's expense. Wilson subsequently got into debt and his furniture was seized. The vestry lent him £1 to 'loose his furniture', and also granted him 1/- a week for three weeks.

In his Report on Lancashire, Henderson described the serious poverty of many weavers in Preston, and Wilson seems to have been no exception.<sup>42</sup> He was in such a poor state that the overseer was 'to get him two shirts', and three months later he was given a few shillings while his wife who 'lay sick' was allowed a singlet. Three further grants of a few shillings each were made at intervals, then obviously back in Barnacre, he was loaned 10/- 'until he has served his haytime month at Mr. McKie's'.

A child of Wilson's applied for relief which resulted in the overseer going to see her father, outcome unstated. Three months later he received a casual grant of 'no more than 2/-', but by this time the Act of 1834 had been passed and, though not yet in a union, the vestry was influenced by the recommendation of relief in kind and Wilson was next relieved with '30lbs. of meal' and '60lbs. of potatoes'. When Wilson's mother

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<sup>40</sup> The incidents concerning William Wilson are interspersed throughout the minutes of Barnacre with Bonds' Select Vestry (PR 1337, 1830-1837) during the period 1830-1835.

<sup>41</sup> Henderson, *Report*, p.924A

<sup>42</sup> *ibid.*, p.909A

later applied for relief for her granddaughter it was refused on account of 'Wilson being an outdoor pauper' (see below). In this brief account Wilson received 'casual' awards; was sometimes refused; had a regular pension for a short time; was an inmate in the workhouse; probably was helped to find work in an industrial town, had been granted clothes; been advanced two loans; had his seized furniture freed; and finally was relieved 'in kind'.

The case of Wilson raises other issues connected with poor relief under the Old Poor Law. Firstly it introduces the question of the criteria which influenced vestries when considering claims. Wilson and his family clearly found survival difficult. The rather meagre aid awarded him may merely have reflected the policy of that township, but it is likely that this was moderated by the vestry's assessment of his worthiness. Barnacre with Bonds was not a respondent in the Royal Commission questionnaires, but all ten of the townships in rural Lancashire who made returns, answered categorically that they considered the circumstances of every claim and the character of the claimant.<sup>43</sup> It is therefore highly likely that this was a generally-held sentiment. Ormskirk provides a further typical example of such discrimination. No relief exceeding 2/- was to be granted to any one person unless of extreme age or infirmity *and good character* (my emphasis), and a man's allowance was reduced from 2/- to 1/- 'he having been seen drunk in the street'. At Ulverston, if the applicant were unknown or it was a first claim, the overseer astutely made enquiries about the pauper's needs and character from employers and neighbours.<sup>44</sup>

<sup>43</sup> Ans. to Town Q. 29, Rural Q.26

<sup>44</sup> Lancs. CRO, PR 2815/1, Ormskirk Vestry Book, 1819-1924, 7/5/20, 27/5/19; Ulverston, Ans. To Town Q.27

Chadwick, however, sought a bureaucracy where rules were observed consistently and dispassionately and the Remedial Measures recommended that there be no exceptions to the general rule as thereby the rule was eventually destroyed, and that destitution be the only criterion with respect to aid for the able-bodied.<sup>45</sup> The directive not to discriminate in favour of worthiness but to award relief only on the basis of need was to be stressed repeatedly by the Poor Law Commissioners.

Secondly, under the Old Poor Law, the common, non-monetary relief was firing, bedding, clothing and footwear, including endless clogs and clogging, but rarely food. Money awards were presumed to provide food. However, until relief to the able-bodied could be restricted to the workhouse, the Remedial Measures suggested that 'relief in kind should be gradually substituted for money'.<sup>46</sup> As Power remarked that in-kind relief had scarcely got a hold anywhere in Lancashire, his interpretation of this term must have been the narrow one it came to have under the New Poor Law, namely, basic items of food such as bread, meal and potatoes. The semi-bulk award of meal and potatoes to Wilson, several years before Barnacre with Bonds became part of an operative union, thus illustrates the willingness of the township to adopt the more stringent measures recommended by Chadwick and to pre-empt the directives of the central authority under the New Poor Law. Similar awards of food introduced around this time were noticeable in a number of the other townships.

Thirdly, the refusal of relief for Wilson's daughter on the grounds that he was an outdoor pauper was most likely to be connected with medical relief. The applicant in this case was Wilson's mother, and it is noticeable that when women applied for casual

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<sup>45</sup> PP, 1834, XXVII Report of H.M. Commission for Inquiry into the Administration and Practical Operation of the Poor Laws, pp.263-64

<sup>46</sup> *ibid.*, p.298

relief for a child it was mostly because the child was sick. There may have been some form of special nourishment such as spirits or meat available in Cloughton workhouse, to which Barnacre-with-Bonds subscribed, or even medical attention, but the remark that relief for the child was unavailable because her father was an outdoor pauper suggests that it was not available for other than inmates. If this were the case, the township could be considered to be operating a form of less eligibility in reverse.

Some expenditure on medical relief is apparent in a number of the rural townships' records, but it was of relatively small significance. Doctors' services, when called upon, were paid 'per case' and only if previously sanctioned by the vestry or the overseer. Power's reply to an enquiry from Chadwick on medical relief in his area stated that prior to the formation of unions 'medical attendance on paupers was an insignificant proportion of poor relief' which he attributed to 'a very close spirit of economy on the part of the assistant overseers and vestries, and a great degree of hardihood and independence in the majority of the people'.<sup>47</sup> There was, however, the odd surprisingly-generous exception. Poulton vestry granted expensive medical treatment to a pauper who had a diseased leg. It was 'Ordered that he be sent to the Old Field Lane Doctor, Manchester and that he be allowed Two Pounds towards the Expense.' He was allowed further pounds at each of the next four meetings of the vestry. The man must have made a satisfactory recovery for the next entry concerning him reads 'William Porter now in the workhouse applies for assistance in order to enable him to furnish a house wishing to leave the workhouse. Allowed 50/-', followed at the next meeting by 'William Porter applied for further allowance in order to enable him to

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<sup>47</sup> PRO, MH32/63, Power to Chadwick, 9/3/1839

purchase another Bed. Allowed 8/-.<sup>48</sup> Either Porter had a very large family in the workhouse so that it was worth gambling on curing his leg in order that he could become self-supporting, or he was considered very worthy, or both. It was not likely that the vestry would feel free to spend such sums from the poor rates without some special justification.

Not direct poor relief, but a common expenditure financed from the poor rates was the control of pests, either by appointing an exterminator or paying a bounty for heads or eggs. Examples of townships involved in this widespread practice were Cartmel, which paid for quartered foxes' heads, Halsall paid for sparrows, unspecified birds were the target in Tarleton, with birds' eggs as well as heads in Greenhalgh. Moles seem to have been an especially common pest, and certain Barnacre with Bonds vestrymen guaranteed a molecatcher a salary of £8 per annum for 21 years from the rates.<sup>49</sup>

The benefits from this policy would vary with the size of the holding. A ratepayer with much land under cultivation would gain more than a pauper with his garden, even if the latter's children also earned bounty money for turning in the dead pests. The benefits would also seem to vary with the pest targeted. One can appreciate the general gain from a reduction in birds or moles but poachers and sportsmen would seem to be those advantaged by a reduction in foxes. Shooting rabbits, hares, pheasants and the occasional woodcock was a favourite leisure pursuit of the gentry, and the diaries of the Earl of Burlington are full of entries concerning this sport, though not fox hunting.<sup>50</sup>

<sup>48</sup> Lancs. CRO, PR 2490, Poulton-le-Fylde SV Min. Book, 1836-1873, Jul.-Aug. 1836, Feb. 1837

<sup>49</sup> For example, Lancs. CRO, PR3168/7/60, Tarleton O/ss. A/cs., 1825-1831, 1825, 1826.; PR3168/5/1, Tarleton SV Orders, 1822-1836, Feb. 1833; PR 795, Greenhalgh O/ss. A/cs., 1781-1838, 1820; PR 1349, Barnacre with Bonds, misc. letters, 1807-1827, 2/2/1819; PR 268, Halsall Vestry Mins., 1820-1837, Mar. 1827; Cumbria RO (Kendal), WPR 89, Cartmel Vestry and Parish Meetings' Mins., 1798-1891, 23/4/1821.

<sup>50</sup> Cumbria RO (Barrow), BMF, Diaries of William Cavendish, 7th Duke of Devonshire, 1838-1875, e.g. 1839



The overseers' accounts of Flookburgh, Lower Holker, serve well to illustrate the variety of other uses to which some poor rates were put. In amongst legitimate relief items such as 'a young boy, 2 meals, victuals and lodging, 1/4', '4 sailors relieved, 2/-', and all the usual awards of money, grants of clothing, payments of rent, and expenses of the poorhouse, appear also 'a lock for the handcuffs, 1/3', and '£7 towards the lockup', 'work done at the chapel, £5 4s 0d', 'repairing surplices and prayer book, 2/-', and '£4 rent for the schoolmaster's house'.<sup>51</sup> In rural mid-Lancashire, Poulton-le-Fylde's select vestry contributed towards lighting the town and preserving peace in it by putting paid constables on duty when needed. Hambleton's overseers' accounts for 1824 included an item 'Sundries Payments' which totalled between £114 and £115 against a little over £197 for 'Expenses of the Poor'.<sup>52</sup> The sundries' payments could have been for anything, and of course conceal corruption. These examples incidentally illustrate the difficulties in comparing the cost of poor relief from raw figures of township poor rates under the Old Law. Under the New Poor Law, items extraneous to poor relief were not allowed to be funded from the poor rates.

### **Indoor relief: the role of the workhouse**

A further service provided by some townships, though paupers would rarely regard it in that light, was indoor accommodation in a poorhouse. The Royal Commission's questions connected with workhouse policy were asked only of the Towns and were answered only by Ormskirk and Ulverston as the Garstang respondent stated bluntly that the township did not have a parish workhouse and left further questions

<sup>51</sup> Cumbria RO (Kendal), Flookburgh O/ss. A/c. Book, 1800-1843, 1812, Jun. 1818, Sep.-Dec. 1821, May 1822, 1831, 1835.

<sup>52</sup> Lancs. CRO, PR 2490, Poulton-le-Fylde SV Min. Book, 1836-1873, 7/11/1837. 8/5/1838; PR3013/2/4, Hambleton O/ss. A/cs., 1820-1833, 1824.

unanswered. Information on rural poorhouses relies heavily on gleanings from parish records.

The letter to the Poor Law Commissioners from ratepayer Watson, partially quoted in Chapter 4, provides a description of Hawkshead workhouse in the mid-1830s.

A pauper and his wife are constituted housekeepers with a weekly allowance for each pauper ordered to be supported in it, chiefly women lying in of Bastards, persons claiming relief (until work could be found for them) and families who declared themselves either unable to find a house or pay rent.

Neither system nor discipline could be thought of within it, therefore the threat of being ordered into the workhouse has been utterly ineffectual to deter applicants for relief. In addition to money raised for the building this House, several house rents are paid to an extent in the whole of about 15 per cent of the total.

The house now contains families in no rational view entitled to parish relief, half a dozen children of an age to be employed usefully, are utterly idle and so badly brought up that no-one will take them into service. Compulsory apprenticeships are now here resorted to and a woman who lay in of her third bastard child some months ago cannot be got rid of because no work can be found for her in this country in winter.<sup>53</sup>

The above account illustrates most of the criticisms made of parish poorhouses under the Old Poor Law and confirms the conclusion of Poynter that in the pre-1834 period they 'tended to become unsupervised asylums for a mixed population of the impotent, the vicious and, unfortunately, children'.<sup>54</sup> The use of a single example may be doing the other poorhouses a disservice but there is no other account available that might adjust such a presentation. Such information as exists principally concerns the policies of the townships which used the larger workhouses in the four rural unions.

In Ormskirk's own workhouse in Moor Street in which sixteen other townships had shares it was the policy to have it serve 'solely as an asylum for the aged, infirm and otherwise helpless persons', such as children. However the respondent regretted that

<sup>53</sup> PRO, MH12/6320, J. Watson to PLC, 9/7/1836

<sup>54</sup> J. R. Poynter, *Society and Pauperism: English Ideas on Poor Relief, 1795-1834*, (London, 1969), p.16.

where so many townships, each differently governed, were united in a single endeavour, it was impossible to prevent 'the reception of improper persons, particularly females pregnant with bastard children, and of other loose but able-bodied persons'.<sup>55</sup> It seems that such females were also regarded by Poulton-le-Fylde as 'improper persons' for an application for an order into the workhouse on the ground of pregnancy, was refused. The sexes were kept separate at Ormskirk: at Ulverston also, but not married couples. Child inmates at the former were, in turn, separated from the adults 'for reasons painful enough to mention but which may easily be conceived where the upgrown inmates of workhouses are principally persons who have been addicted to pauperism during their entire lives'. In 1832, eight of Ormskirk's 'own' inmates were children, the other two being aged or infirm.<sup>56</sup>

Burscough and Halsall were two of fourteen townships which had shares in the Aughton Street workhouse with which Ormskirk township had no connection, and by the nature of their inmates, an average of two or three elderly from Halsall and five or six elderly or children from Burscough, they too believed that a workhouse should properly be an asylum for the helpless.<sup>57</sup> Nevertheless, with a large number of participant townships from a wide catchment area, Aughton Street workhouse would experience the same difficulty as Moor Street workhouse in restricting entries to certain categories of paupers.

In complete contrast, however, to those who regarded poorhouses as almshouses, North Meols, tending to be individualistic in a number of its answers, admirably exemplified Chadwick's proposal for the development of workhouses under the New

<sup>55</sup> Ans. to Town Qs. 15, 16, 22

<sup>56</sup> Lancs. C.R.O., PR 2490, Poulton-le-Fylde SV Min. Book, 1836-1873, 7/6/1836; Ans. to Town Q. 19

<sup>57</sup> Ans. to Town Q.15, Ans. to Rural Q. 22

Poor Law. North Meols was already using the threat of the workhouse for able-bodied claimants. ‘Good for nothing fellows’ who applied for relief were offered only that alternative. ‘They think it a prison and refuse to go.’ On the other hand the respondent tender-heartedly added ‘We avoid sending old and infirm people (to the workhouse) because it would grieve them.’ As a result of both these policies, and also the fact that the vestry refused to accept bastard children as a charge upon the rates unless orphaned, North Meols had no people of any description in the workhouse when it completed the town questionnaire.<sup>58</sup>

Instances abound in vestry minutes of reductions in weekly pay being accompanied by ‘or the workhouse if not content’. From a scrutiny of the vestry minutes, such threats seem to have been mainly, though not exclusively, directed towards women. If the present tendency of women to live longer than men were operative in those times also, this may have accounted for the bias. Alternatively, it may have been connected with cost. The alternative offer to women was particularly noticeable in Barnacre with Bonds, which did not have its own workhouse, but subscribed to the commercially-run establishment at Claughton. There the rent was £1 11s. 6d a year plus maintenance, which from the available evidence, appears to have been about 5/6d a week.<sup>59</sup> If this were the customary payment the vestry no doubt relied upon female attachment to ‘home’, and their aversion to ‘the workhouse’, to induce them to accept the alternative of a reduced weekly payment. Possibly the vestry were less sure that this tactic would work with men. It would be interesting to know what proportion of pensioners in any township took up the workhouse alternative when faced with a choice between that and

<sup>58</sup> Ans. to Rural Qs. 22, 25, 41, 47, 48.

<sup>59</sup> Lancs. CRO, PR 1334, Barnacre with Bonds O/ss. A/cs., 1833-1837, amounts paid for Betty Walker, 23/4/1835-9/7/1835, and Agnes Johnson, 9/11/1836-18/1/1837.

a cut in their weekly pay. However, there were some people, at least in Ulverston, who *wanted* to go into the workhouse, for the Ulverston overseer stated that when ordered by the magistrates to relieve a pauper who had appealed, if the applicant 'wanted to be admitted to the workhouse, he kept him out, and so contrariwise'.<sup>60</sup>

The difficulty in Ormskirk's shared workhouses of adhering to a consistent policy over the nature of the intake was repeated over a policy for inmates' work. Previous attempts to introduce employment had failed 'owing to the various habits of the paupers'. At Ulverston the situation was quite different. Although the inmates had been described as elderly, infirm or young children, they swept and cleaned the streets of the town twice a week and in-between times they broke stones, to the tune of 300 loads per year, which were donated to the surveyors of the highways. Stonebreaking 'by the people now in the workhouse' was also practised in Lower Holker's poorhouse and contributed in a small way to its income.<sup>61</sup> Prior to introducing stonebreaking at Lower Holker, the vestry had set up looms for them to weave wool, perhaps for bedding and other internal use, and they also went cockling. At Dalton they gathered ling. Inmates of Ulverston, Dalton and Hawkshead, for example, also grew vegetables and reared pigs, thus making a small contribution to establishment charges from the sale of produce, meat or piglets surplus to the requirements of the house. Occasional sums of money were also earned by inmates who were hired out, perhaps as a nurse or to help with the harvest, or to meet some emergency or temporary need.<sup>62</sup>

<sup>60</sup> Ans. to Town Q.29.

<sup>61</sup> Ans. to Town Qs. 16, 17; Cumbria RO (Kendal), Flookburgh O/ss. A/cs., 1811-1844, 1832.

<sup>62</sup> For example, Cumbria RO (Kendal), WPR 79, Flookburgh O/ss. A/cs., 1811-1844, e.g. 15/12/1821, 18/1/1822, 28/6/1822, 18/1/1823, 30/1/1823, 1832. Cumbria RO (Barrow), BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836, 1831; PRO, MH12/6320, Statement of A/cs. for Hawkshead and Monk Coniston with Skelwith, 1833-1834.

No other vestry, though, seems to have gone to the lengths of Colton in forcing gainful employment upon its inmates. 'And it was fixed that some of the ablest (*sic*) people of the workhouse was to be hired out to any farmers who may choose to take them at the lowest rate.' Two years later specified inmates were directed to go to work for named employers 'tomorrow, or be turned out of the workhouse', and three women *were* turned out of the workhouse within the space of a fortnight. Having got people employed they were, for example, given 'a bed and bedding plus this week's wages which is 9/- to go out of the workhouse'. Throughout the years, inducements of all sorts continued to be given to people of both sexes to quit the workhouse. In fact it seems bribery to encourage them to leave was used at least as often as threats to discourage them from entering.<sup>63</sup>

However, even Colton was disposed to be a little indulgent towards the elderly. In 1818 it had imposed the rule 'no tea drinking', but the elderly, the sick and women lying-in were exempted. Aged females in Ulverston workhouse were given 6d a week for tea, but at Moor Street workhouse at Ormskirk 'some indulgence was allowed old persons and such as have confirmed habits of smoking and snuff taking'. 'Old people when above 60 years of age' at Dalton workhouse were given 6d a week, sex and purpose not specified. One workhouse gave 6d a week for 'extra meals'.<sup>64</sup>

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<sup>63</sup> Cumbria RO (Barrow), BPR 17/VI/1, Colton O/ss. A/cs. and Vestry Mins., 1810-1839, 4/12/16; 1818 *passim*.

<sup>64</sup> Cumbria RO (Barrow), BPR/17/VI/1, Colton Journal of Occurrences, 1810-1839, 26/1/1818; BPR/1/07/1/3, Dalton O/ss. A/cs., 1831-1836; Ulverston, Ormskirk, Ans. to Town Q.18. North Meols Ans. to Rural Q.41.

## Conclusion

Though variety between and within the townships is a fundamental factor in assessing the operation of the Old Poor Law in rural Lancashire, there are nevertheless a number of shared features which can be considered in terms of the criticisms and recommendations of the Royal Commission Report.

In the country as a whole one could concede that accusations of laxity in the management of poor relief could justifiably be made for it would no doubt be easier for an unpaid, temporary, loosely-controlled overseer serving part-time and perhaps unwillingly, to continue what had gone before. However, in Chapter 4 it was noted that a number of townships in rural Lancashire had pre-empted the Act of 1819 which allowed overseers to be paid and for them to be permanent appointments. As the 1820s advanced the permanent overseers were upgraded to Assistant Overseers and this became the almost universal situation, together with a high proportion of Select vestries and Committees. The efficiency of one or two of these organizations may have been questionable, but similar gradations of competency would no doubt be found elsewhere in the country.

Returns and available parish records show that no classic allowances were paid in the rural region, and the three instances of a roundsman-type system seem either to have been experimental or for one particular case. Throughout the region the work ethic was firmly internalized. There was no question of the able-bodied, interpreted in the broadest terms, being supported other than temporarily in case of illness or injury or some exceptional circumstance. Even hand-loom weavers were only sparingly aided after industriousness and need had been established - and even then, not regularly, never lightly, and less generously than in industrial Lancashire.

The organization of poor relief and policies for the able-bodied had therefore avoided the evils most worrying to the Royal Commission. But in the matter of workhouses rural Lancashire did diverge from the precepts of the New Poor Law. Though Ormskirk's townships shared in one or other of two large workhouses, and had therefore had some experience of inter-township co-operation and a degree of formal organization, which was to become standard under the New Poor Law, there similarity ended. With the singular exception of North Meols, none of the rural workhouses, large or small, throughout the region, was contemplated for the accommodation of the able-bodied. Instead they were utilized as asylums for the non-able-bodied for whom there was no other solution. A further divergence from New Poor Law principle was the distinction made between the worthy and the 'good-for-nothing', and the account taken of circumstances, when need was to be the sole criterion under the New Poor Law.

There was, however, among all the townships in the pre-1834 period, a common tendency towards tightening up on the distribution of relief, though even when similar means were used, such as reducing pensions and cutting back on rents, an overall appraisal of the records reveals that there still remained distinctions in the degree and manner in which these policies were achieved. Tarleton, Dalton, North Meols and Halsall serve briefly to illustrate these differences.

Tarleton's hard line, which began in 1822 with the reduction or termination of pensions, became stringently applied from 1830 onwards, perhaps prompted by over £117 of uncollected leys in the balance sheet for the year 1829/30.<sup>65</sup> Claims were

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<sup>65</sup> Lancs. CRO, PR3168/7/60, Tarleton O/ss. A/cs., 1825-1831, Apr. 1830; PR 3168/5/1, Tarleton SV Orders, 1822-1836, Oct. 1833, 7/10/1834, Nov. 1834, Apr. 1836.



increasingly refused, even for items connected with weaving. Women were put to work on the roads. Travellers granted 6d in other townships were only allowed 1d or 2d in Tarleton. From 1833 and the deliberate change from Ormskirk to the presumably cheaper Penwortham workhouse, reductions in pensions accompanied by 'the workhouse if dis-satisfied' became standard. One pensioner in dread of the workhouse voluntarily offered to renounce her rent allowance and she also proposed a reduction in her weekly pay to 2/-. In response to this gesture, she lost her rent allowance and was offered only 1/6d a week, or the usual alternative. One or two examples indicate the tone of the township's management of the poor. An application for clothing for a son was refused, 'the parents to give the boy up to the township or keep him for nothing'. A request for aid with a funeral earned the response, 'He has taken all the old man's goods and now wants funeral expenses', which were refused. It could almost be said that reductions and refusals of rent and pensions typify the Tarleton records and anything less than the direst casual need seems to have been refused relief.

Dalton, followed a stern line but the records convey the impression that it was pursued with consistency and 'fairness' and the vestry had an open mind. North Meols was a 'maverick' township in that the threat of the workhouse was reserved for the able-bodied. Their policy of never sending the elderly to the workhouse 'because it would grieve them', was carried forward into the New Poor Law, yet it never granted aid to a bastard child unless it was an orphan. Halsall was different again. Entries in the accounts, which included 'for clothes for Mary Spence *to keep her warm*' and '£2 from the township towards carrying her to her own township *to her own friends* (my emphases) had a gentler ring to them than would be found in most other townships'

minutes. The directive, 'the overseer to attend at the workhouse (in Aughton Street, Ormskirk) to see the situation of the paupers' also implies an interest in their welfare and that it was not just a matter of dumping them there and then forgetting them.<sup>66</sup>

Even within a common determination to keep poor rates down, therefore, there were differences between the townships. Individualism and their freedom to follow any or no policy was at all times a feature of the Old Poor Law. Nevertheless, nowhere were there apparent serious abuses in rural Lancashire.

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<sup>66</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 27/6/1838; PR 268, Halsall Vestry Mins., 1820-1837, 20/7/1823, 23/10/1826, 22/4/1827

## 6.....THE IMPLEMENTATION OF THE UNIONS

During the 1830s there was a general opposition to legislation which had the effect of gradually transferring power from local to central control. Nevertheless, the Act of 1834 was passed in Parliament with very little dissent, indicating that Members of Parliament on balance considered that its advantages outweighed its disadvantages. This was not how it was perceived in parts of the north where a strong Anti-Poor Law Association flourished in Lancashire and the West Riding.<sup>1</sup>

The timing of the introduction of the New Poor Law into industrial Lancashire was, as it happened, particularly unfortunate. Chadwick had wished unionization to begin in the North where he expected opposition but thought advantage should be taken of its present buoyant economy to minimize it: the New Poor Law would always be welcomed in the south. However, he had been disregarded by the Commissioners who felt it would be politically impossible to ignore the pressing needs of the heavily pauperized south and midlands and the clamour for its implementation from the resident grandees.<sup>2</sup>

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<sup>1</sup> N. C. Edsall, The Anti-Poor Law Movement, 1833-44, (Manchester, 1971); J. Knott, Popular Opposition to the 1834 Poor Law, (London, 1986); M. E. Rose, 'The Anti-Poor Law Movement in the North of England', Northern History, 1, 1966.

<sup>2</sup> S. E. Finer, The Life and Times of Sir Edwin Chadwick, (London, 1952), p.115; A. Brundage, The Making of the New Poor Law, (London 1978), p.149

Assistant Commissioner Power did not arrive to unionize the West Riding, and the remainder of Lancashire other than Furness and Cartmel, until the winter of 1836/37, by which time the textile industry was moving into recession. In addition to there being large numbers of unemployed in Lancashire at the time, compulsory registration introduced by the Registration Act of 1836, to come into force in 1837, was to be the responsibility of the unions. Power had therefore either to unionize his area with all speed, or arrange temporary registration areas to be followed later by permanent poor relief unions. He chose the former solution as being the more sensible. Temporary organizations, shortly to be replaced, would be unsettling for the communities and would hinder him in the formation of permanent unions. It would also delay the introduction of the Poor Law Amendment Act into the region. Instead he suggested to the Commissioners that registration be left to local interests while he set about the determination of union boundaries for the whole of his district rather than considering them in the usual piecemeal way. The various unions could then elect their Guardians who would appoint officials to exercise their functions under the Registration Act. Further activity would be suspended until some future date when the Poor Law Commissioners re-activated them to authorize the administration of poor relief. In this way his district would more quickly and effectively come under the superintendence of the Commission; consideration of averages would be staggered enabling him more freely to attend early meetings of each Board; and the break between declaration and full operation would allow Boards of Guardians more time to consider the best means of providing workhouse accommodation. He expected, unrealistically as it turned out, that all unions would be well and permanently provided for in this respect before

March 1838.<sup>3</sup>

It has been implied that longer consultation would better have aided acceptance of the New Poor Law, and that some other Assistant Commissioner might have introduced the new system more peaceably and more effectively than Power, whose ‘arrogant’ and ‘dedicated, stiff and humourless’ personality was an unfortunate combination for dealing with the northern mind.<sup>4</sup> Perhaps, alternatively, it would have been better if the introduction of the new system of relief had begun in the north as Chadwick had wished, but this is conjecture from hind-sight: at the time the strength of northern opposition had not been indicated.

Apart from the proposal in Parliament that the north should be excluded from the operation of the New Poor Law, initial opposition had originally been low-key.<sup>5</sup> But out of Parliament anti-poor law feeling had subsequently grown in proportion and organization. Newspapers report that opposition in the textile regions was obdurate, sometimes protracted, and occasionally violent.<sup>6</sup> Perhaps the passage of time before the Act of 1834 had become a threatening reality with the arrival of Power in the winter of 1836/37, had lulled northerners into a sense of false security which made their subsequent dashed hopes, allied to angry misgivings, even harder to bear. Alternatively, the cumulative effect over time of objections outlined above, fuelled by frightening press and pamphlet accounts of experiences under the New Law, may have roused some moderates to active protest. Whatever the attitude in the interim period, the

<sup>3</sup> PRO, MH32/63, Power’s Report to PLC, 25/11/1836.

<sup>4</sup> J. Cole, *Down Poorhouse Lane*, (Littleborough, 1994), p.12; Knott, *Popular Opposition*, p.90

<sup>5</sup> Edsall, *Anti-Poor Law Movement*, pp.8,9

<sup>6</sup> *ibid.*, *passim*.

depressed state of trade now gave poor law reform immediate relevance to large numbers of people, and became a catalyst for active opposition.

Southern ratepayers, suffering under burdensome rates, welcomed the New Poor Law and, except for the occasional outburst by the working class, and a temporary delay in Devon, it was introduced relatively quietly.<sup>7</sup> Or that is the picture which, along with the strength of northern opposition, had become the accepted version. However, this has now been questioned. Midwinter has warned against overstating the violence in Lancashire, and Brundage wishes to correct the belief that northern opposition constituted a setback in the successful implementation of the New Poor Law.<sup>8</sup> This suggested revision of the northern experience has been matched by assertions that, in contrast, the extent and strength of southern resistance has been considerably underplayed.<sup>9</sup>

In outlining the implementation of the four rural unions of Lancashire this chapter will consider what evidence there is of hostility to the Act of 1834, and whether it confirms the prevalent view of Lancashire, based on incomplete evidence, that it was fiercely hostile to the introduction of the new system, or it accords more with the suggested revision of the northern experience. It also deals with the establishment of formal procedures and appointments and will consider the degree of concerted opposition to certain administrative features such as the appointment of district officers, the election of Guardians and the administration of relief by the full Board rather than

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<sup>7</sup> *ibid.*, Chapter 2.

<sup>8</sup> E. Midwinter, Social Administration in Lancashire, 1830-1860, (Manchester, 1969), p.24; Brundage, The Making of the New Poor Law, p.148

<sup>9</sup> A. Digby, 'The Rural Poor Law' p.152, in D. Fraser (ed.) The New Poor Law in the Nineteenth Century, (London, 1976); W. Apfel, and P. Dunkley, 'English Rural Society and the New Poor Law: Bedfordshire, 1834-47, Social History, 10, 1, Jan. 1985, p.53; M.E. Rose, 'The Anti-Poor Law Agitation,' p.81, in J. T. Ward (ed.), Popular Movements c. 1830-1850', (London 1970)

by separate committees. A secondary purpose of the chapter is to supply background information which will promote understanding of issues and actions when considered out of context in subsequent chapters on New Poor Law policies, workhouse provision, the Guardians, and relationships with the central authorities.

The Guardians' minutes and the correspondence with Somerset House form the principal sources but as there are no surviving records of correspondence with the central authority for Ormskirk Union or Fylde Union, and Fylde Guardians' minutes are, additionally, not extant until 1845, it has not been possible to consider the formation of Fylde Union.

## **The formation of the unions**

To carry the Act into effect the Commissioners were to appoint nine Assistants. By the end of 1834 they had been selected, and were engaged in the south and midlands upon their initial task of arranging parishes into the unions which, henceforth, were the units of administration. It soon became apparent that further recruitment was necessary and with Treasury sanction the Assistants' numbers were augmented to fifteen, then 21 by 1836 when they were preparing to move into the north.<sup>10</sup>

The formation of the four rural unions of Lancashire involved two different Assistant Commissioners. Furness and Cartmel, which became the Ulverston Union, were in the territory of William James Voules along with Cumberland and Westmorland, whereas the rest of Lancashire, together with the West Riding, were the responsibility of Assistant Commissioner Alfred Power. It was Voules' first appointment with the Poor Law Commission: Power had already formed unions in Essex, Cambridgeshire and part

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<sup>10</sup> Second Annual Report of the PLC, XXIX, 1836, p.21

of Herefordshire, and before that had been an Assistant Commissioner in the Royal Commission enquiry into the poor laws.

There are no personal details available on Voules but all the Assistant Poor Law Commissioners had been selected on merit from over 2000 applications, and dozens of candidates had been interviewed. Nassau Senior had insisted that the Poor Law Commission, assisted by himself and Chadwick, should select men who possessed 'diligence, impartiality, decision, discretion, knowledge of human nature . . . invention and resource', and would be conciliatory yet persistent where they deemed success attainable. In 1840 he expressed himself as agreeably surprised at the success of their choices.<sup>11</sup> There are those today who dispute such laudatory comment, at least as it applied to Assistant Commissioner Power, nevertheless, whatever responsibility his approach bore for the hostility directed towards him in some industrial parts of his area, he intimated to the Commissioners that he did not expect active animosity in the formation of the rural unions of Ormskirk, Fylde or Garstang.<sup>12</sup> Nor did he encounter any.

When creating unions it was normal practice for an Assistant Commissioner to concentrate upon one union at a time. He decided upon its boundaries, and the distribution and property qualification of its Guardians. This was followed by calculation of the poor rate averages for the constituent townships whereupon the union was officially declared and came under the rules and regulations of the Poor Law Commissioners prior to being authorized to administer relief to the poor.

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<sup>11</sup> D. Roberts, *Victorian Origins of the British Welfare State*, (Yale, U.S.A., 1960), p.164, quoting *Quarterly Review*, 53, April 1835, p.284. and *Chadwick Papers, Senior to Melbourne*, June 1830, Senior to Home Secretary, 1840.

<sup>12</sup> PRO, MH32/63, Power to PLC, 26/4/1838



Voules followed this procedure when creating Ulverston Union. Supplied with introductory letters to leading people, he had first arrived in his area in Spring 1836.<sup>13</sup> He reported his satisfaction with the reception he had received, and that ‘all difficulties vanish before conciliatory deportment and prompt, patient and minute explanation of the principles of the law’. He also stated that he did not know ‘of a single unconverted opponent’, although this was an observation he was to amend upon wider acquaintanceship with some parts of Furness and Cartmel<sup>14</sup>

Prompted by the Poor Law Commission, who had received an anxious request from the magistrates of Ulverston Petty Sessions that the district be put ‘completely under the New Poor Law with as little delay as possible’. Voules arrived in North Lonsdale in mid-May, 1836. He quickly held a ‘numerous meeting attended by magistrates and many of the influential gentlemen of the neighbourhood’ who were ‘entirely satisfied with his masterly exposition’ of the benefits of the new system. However, this was not the universal response of Furness and Cartmel ‘for there was much prejudice against the proposed changes . . . throughout the district’ and further public and private meetings followed. A correspondent to the Poor Law Commissioners and a future Guardian for Cartmel Fell, wrote of Hawkshead, ‘the aborigines here are a somewhat peculiar race and it requires some Jack to manage their prejudices’. This applied even more directly to Urswick of which, even when the union was on the verge of becoming operative, Voules informed the Commissioners that ‘the inhabitants of Urswick are terribly

<sup>13</sup> Thompson, R. N., ‘The New Poor Law in Cumberland and Westmorland, 1834-1871’, unpublished Ph.D. thesis, University of Newcastle, 1976, p.48

<sup>14</sup> PRO, MH32/73, Voules to PLC, 17 Apr., 2 May, 1836,

opposed to the measure'.<sup>15</sup> There was therefore evidence of some hostility, particularly on the part of Urswick, but it amounted to very little overall.

Furness and Cartmel, which constituted the hundred of Lonsdale North of the Sands, was set off by mountains and sea from Cumbria and the rest of Lancashire. It formed a natural geographical entity and was owned by several large, and many small, landowners. It is therefore difficult to understand Brundage's suggestion that 'considerable gerrymandering' had contributed to Voules' proposal that the whole of Furness and Cartmel should form one union, centred on the main town of Ulverston. (see below) The inhabitants in general approved of Voules' decision and the union was quickly declared by the Poor Law Commission, the whole being accomplished in about three months.<sup>16</sup> Ulverston Union had therefore assumed relief of the poor before Power had arrived in the rest of the county.

However, once arrived, Power set about the task of quickly forming his area into unions to accommodate the requirements of the Registration Act, and Ormskirk, Fylde and Garstang among others were declared unions by January, 1837.<sup>17</sup> But whereas only about seven months elapsed between Ormskirk's inception and its coming under the orders of the Poor Law Commission, Garstang Board was not authorized to administer relief until Christmas Day, 1838, almost two years after it had been declared. It had not even come under the rules and regulations of the Board until 10 October 1838. As

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<sup>15</sup> PRO, MH12/6320, Yarker to PLC, 12/5/1836, June 1836; MH12/6320, Watson to PLC, 9/7/1836; MH12/6320, Voules to PLC, June, 1836

<sup>16</sup> PRO, MH12/6320, Voules to PLC, 25/7/1836; Lancs. CRO, PUU/1/1, Ulverston Gdns' Mins., 26/8/1836

<sup>17</sup> PRO, MH33/5 Index, Power's correspondence with PLC, 28/12/1836

predicted, Power was able to attend a number of early meetings of the Ormskirk Board: he was less attentive at Garstang.<sup>18</sup>

Garstang Union was not as originally conceived by Assistant Commissioner Power. In a preliminary submission to the Commissioners he had proposed that the union should consist of 28 townships with a total population of 15,318 people inhabiting 73,830 acres. Its population and number of townships would thus have exceeded neighbouring Fylde in which there was the ancient, though small and relatively isolated, village of Poulton, as well as the market town and union centre of Kirkham. Garstang had no township of any consequence, other than its market centre, whose inhabitants of less than a thousand, numbered well below half those in Kirkham. This factor possibly influenced an adjustment which made Garstang the smallest union in the county with a total population of 11,918 in 1831, though still with a large acreage of 60,000. Fylde was increased to 23 townships from a proposed 21, and Lancaster Union almost doubled in size.<sup>19</sup>

There is no explanation to account for this revision in any correspondence with the Poor Law Commission or with Assistant Commissioner Power. However, the least likely reason is that 'local magnates' had been at work and that 'gerrymandering' had taken place in the configuration of Garstang and several other north Lancashire unions including Ulverston, as Brundage believes.<sup>20</sup> Barely a month elapsed between Power's original proposals and the declaration of the unions in their final form. Representations

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<sup>18</sup> PRO, MH32/63, Power to PLC, 12/4/1839; Lancs. CRO, PR 444, Miscellaneous documents, official declaration of Ormskirk Union; PUS/1/1, Ormskirk Gdns. Mins., 1837-1838; PUY/1/1, Garstang Gdns. Mins., 1839-1840

<sup>19</sup> PRO, MH32/63, Power to PLC, 29/11/1836

<sup>20</sup> Brundage, *Making of the New Poor Law*, pp.150/151 and fn. 24. In 'The landed interest and the New Poor Law: a reply', *Eng. Hist. Rev.*, 90, April 1975, pp.350-351, Brundage also writes of five counties, in addition to Lancashire, in which unions were formed to suit the magnates.

from, and consultations with, the many landowners affected would have had to be made, and considered, with inordinate despatch. The situation in rural Lancashire was also different from that in Northamptonshire and East Anglia. Lancashire's magnates did not have vast, nucleated estates within the county: their considerable landholdings were scattered both throughout the county and the country. Furthermore, Power had announced in advance that it was his intention to consider his entire area when determining and creating unions, and the resulting physical divisions bear witness to this. The boundary between the adjoining Fylde and Garstang Unions formed an almost geometrical transverse line between the Lune and Ribble estuaries with the sea completing the perimeter of Fylde. The Poor Law Commissioners had ruled that Ormskirk had not to obtrude upon Liverpool,<sup>21</sup> while the disposition of mountains and sea dictated Ulverston's formation by Voules. So with the possible exception of the odd peripheral township which could have been awarded to either one rural union or its neighbour, the townships of the unions appear to have been virtually self-selected. The suspicion that gerrymandering had gone on at Lancaster is more understandable, though presumably mistaken, as that union's peculiar shape resulted from having to fit around Caton Incorporation, Lancashire's sole Gilbert union and one which refused to disband until well into the sixties. Midwinter's comment that the unions were 'speedily thrown together' and that, the Furness district excepted, there often seemed to be no geographical rhyme or reason for the artificial ad hoc entities, also seems inappropriate in rural Lancashire.<sup>22</sup>

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<sup>21</sup> Third Annual Report of the PLC, XXXI, 1837, p. 25.

<sup>22</sup> Midwinter, Social Administration, pp.18-19

Opposition to the New Poor Law from the rural unions within Power's area was restricted to one or two separated townships. In Garstang Union, Bleasdale, Bilsborrow and Nether Wyresdale in addition to Barnacre with Bonds did not return a Guardian until the Board was about to administer poor relief. As no documentary evidence has been found to provide an explanation one can only speculate upon the motives of the 'recalcitrant' townships. Bleasdale was the most remote of the townships and its scanty population of principally hill farmers occupied the largest acreage in the union. No doubt used to being in control and fending for themselves, they may not immediately have seen themselves as part of a larger community and as participants in co-operative decision making. The township's per capita expenditure on poor relief at 5/- per head was also well below the union average of 6/11d. and they may have feared that this would increase in a union.<sup>23</sup>

At Bilsborrow the amount expended on the poor in 1836 at 3/4d per head was one of the lowest in all the 23 townships of the union. so it, too, might believe that membership of a union might destroy this comfortable position.<sup>24</sup> Its population in 1831 was only 199 so it might also have felt that it had no need of a formal organization for poor relief, or even that it was difficult to find someone willing to serve as Guardian. Lastly, it adjoined Preston Union and was on the main route to the manufacturing centre with its far greater opportunities of employment. Bilsborrow may therefore have felt it had a greater affinity with industrial Preston than with the small, more northerly market centre of Garstang. For even when Bilsborrow elected a Guardian he attended only one Board meeting in the first half year, and was present on

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<sup>23</sup> Figures calculated from Parliamentary Returns of Expenditure on Relief of the Poor in 1836 (entered in Garstang Gdns. Mins., PUY/1/1, p.8), and the population in 1831.

<sup>24</sup> *ibid.*

only three occasions in the following twelve months. The township's record of attendances improved a little in subsequent years but was never good.

Barnacre was also an area of pastureland and scattered dwellings, but Bonds was the immediate neighbour of the union centre and contained the residence of the union clerk. Nevertheless, at a public meeting of ratepayers on 20 January 1837, a few days before a preliminary meeting of the union Board, Barnacre with Bonds had uncompromisingly 'agreed that no Guardian be elected'.<sup>25</sup> The township was presumably satisfied with its existing select vestry rule and perhaps had no wish to lose its independent identity. A Guardian *was* elected to the Garstang Board at the end of 1838, when the union was at last authorized to administer poor relief, but his attendance was poor, and no Guardian at all was returned for the first few months of the following year, 1839. However, from mid 1839 onwards, the Guardian for Barnacre with Bonds attended as conscientiously as anyone.<sup>26</sup>

Like Bilsborrow, Nether Wyresdale was on the periphery of the union, but in the opposite direction, towards Lancaster. It was another large pasture region but was one of the few townships to have a cotton mill. Perhaps it saw itself as different from the other townships in the union and it had little contact with Garstang and so preferred to remain independent. Alternatively it could simply have disliked change or merely been apathetic. Whatever the reasons, none of the opposition cited amounts to more than token resistance. It was certainly not widespread, principled, or organized opposition as found in parts of the textile districts.

<sup>25</sup> Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1830-1837, 20/1/1837

<sup>26</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., return of elected Guardians and entries of those present.

## **Administrative machinery and operation**

### ***The management of meetings***

The inaugural meetings of the unions began the setting up of the machinery for the future administration of poor relief. The officials of each union, namely the chairman and vice-chairman, were elected, and the clerk was appointed, normally a formality as it was apparent that these had been decided upon by prior decision. Shortly afterwards the union was divided into districts for the appointment of the appropriate officers, such as registrars and relieving officers, followed by a review of all existing paupers in receipt of relief from any of the townships of the union.

Only at Ulverston, at the opening meeting, was a vote necessary to decide between two applicants for the post of union clerk. Ulverston was also different in that a number of by-laws were adopted at that first meeting 'to insure regularity and order in the proceedings' of Board meetings. The by-laws were comprehensive and laid down that any Guardian wishing to speak should stand up and address the Chair. In the event of two Guardians rising simultaneously the chairman was to decide who should have priority. At all other times Guardians were to observe strict silence and attend to the matter under discussion. The number of times a Guardian might speak on an issue was also laid down. All motions were to be submitted in writing to the Board by the mover, and if seconded they were to be discussed and a decision taken by open vote. Two weeks written notice was required for any motion to rescind a resolution already adopted and all Guardians and the Assistant Commissioner were to be given advance notification of the proposal. A previous resolution could only be altered or rescinded if consented to by a greater number of Guardians than had passed the original

resolution.<sup>27</sup>

It is recorded in the minutes that for a number of meetings the by-laws were read out immediately prior to the minutes, and those laws which it is at all possible to verify appear to have been strictly observed even when, in a motion to rescind a previous resolution on the site, the Board was thereby placed in an almost irreconcilable position (see Chapter 9) Later minutes indicate that the rule with regard to rescissions remained, even when the by-laws were subsequently amended in a manner not recorded. It was also then resolved that a copy must 'lay on the table' at every meeting, they were referred to from time to time, and they were still being unanimously re-adopted, for example, for the year 1845/1846.<sup>28</sup>

Ulverston also appears to have been exceptional in that it followed a strict agenda. Items brought forward, correspondence, committee reports, and motions were dealt with until 3 o'clock whereupon any unfinished business was left to the following week. At that time applications for relief were heard and the six relieving officers came before the Board with the one living nearest being heard last. As one officer reported, the next one must familiarize himself with the medical reports. In order to qualify for their quarter's pay, relieving officers had also to sign each week to say that they had relieved at his/her home, every pauper on their list, and name any exceptions. It was even entered in the minutes when several named Guardians arrived late, though this may have been because it was the occasion of an important vote.<sup>29</sup>

The formality at Ulverston apparently contrasted sharply with Board meetings at Garstang, also held on market days, and it is interesting to note that the following

<sup>27</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 26/8/1836.

<sup>28</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/3, 27/5/1841, PUU/1/4, 10/4/1845,

<sup>29</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 3/11/1836, PUU/1/5, 6/5/1847, 30/11/1848



comment of a Guardian could be written into the minutes. He was comparing the situation at a Special Meeting held at the workhouse with that of ordinary Board meetings, which were held in a room at a local inn. 'The members present manifested the greatest attention towards the object for which they had met and . . . there was no going out or coming in or leaving as is so frequently practised at the Board.'<sup>30</sup> Perhaps the free and easiness was somewhat exaggerated, however, for when meetings changed from weekly to fortnightly it appears that there was an attempt to hold informal meetings in-between - but not for long. Unlike those suspected by Winifred Proctor to have taken place in Preston Union,<sup>31</sup> they were quickly nipped in the bud. 'It appears that owing to some mistake meetings have been held and cheques signed at such meetings which were irregular and illegal in as much as such meetings were not duly convened . . . and this Board now strongly expresses its disapprobation of such meetings and directs that they shall be discontinued.'<sup>32</sup> It appears that they were. In both rural unions for which records are extant, therefore, formal business arrangements were soon put in place.

### *The role of committees*

Almost inevitably, some of the tasks which required execution outside the Board Room had to be delegated to committees of Guardians, and they were a feature, to a greater or lesser degree, of most unions' government. Ad hoc committees were appointed for a specific purpose such as determining districts, finding a site for a workhouse, enquiring into the reaction of townships over certain issues, or as a deputation to a

<sup>30</sup> Lancs. CRO, PUY/1/2 Garstang Gdns. Mins., 25/7/1844.

<sup>31</sup> W. Proctor, 'Poor Law Administration in Preston Union, 1838-1848', *T.H.S.L.C.*, vol. 117, 1965, p.163.

<sup>32</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 6/8/40

landowner. Others were permanent institutions, though with changing membership, such as workhouse visiting committees.

Committees were not much in evidence at Ormskirk, Fylde or Garstang but at Ulverston they were an integral part of union organization. The sharp contrast in the use of committees within the four rural unions is probably due to the composition of their Boards. A considerable number of Ulverston's Guardians were gentlemen, solicitors, clerics and the like, who had authority and administrative experience, and the time to devote to the business of the union in addition to Board meetings. The Guardians of the other three unions were mostly farmers with less time to spare and perhaps less inclination for such work. Ulverston's standing committees undertook, for example, weekly inspections of the workhouse, monitored schooling and industrial training, supervised building construction, deliberated over tenders and samples, scrutinized bills prior to payment, performed regular quality controls to ensure that supplies matched samples, checked the quantities of deliveries, and purchased scarce commodities such as potatoes in the worst of the potato blight. One can see that such organisation could lead to fragmentation of control, but it seems definitely not to have developed in Ulverston. Committees were always appointed by the Board and they were instructed when to meet and at what date they had to report back on their progress and their recommendations. The Visiting Committee inspected the workhouse and reported back, weekly on a rota system. All reports were discussed by the full Board, and only the latter could pass resolutions on the matters at issue. The committees appear to have performed their tasks conscientiously, and when it was reported one week that the Visiting Committee had been unable to make its customary

visit to the workhouse, a Guardian immediately left the Board to make the inspection there and then.<sup>33</sup> The committees were also extremely diligent. A supplier had 1/6d. deducted from his bill because it had been observed that a pauper's coffin was too thin, while goods from dried peas to red flannel were immediately returned to the contractors if they were inferior to the samples, or short in weight. Should these not quickly be made good the items were obtained from another source and the contractor charged with any difference in price.<sup>34</sup>

But the most potentially fragmentary committees were those connected with separately hearing claims for poor relief. Midwinter states that administration of both indoor and outdoor relief in Lancashire was controlled by sub-committees, each consisting of the townships concerned and thereby retaining supervision of actual relief. Boyson also states of the seven north-eastern unions, that only in Haslingden and Clitheroe were cases heard by the full Board, and even in those two unions, each week applicants were taken in a definite order according to settlement, with local Guardians normally only attending to hear claims relevant to their own district.<sup>35</sup> In contrast, in the four rural unions, only Garstang Guardians separated to hear claims. In October, 1841, the Garstang Board had agreed that after completing the general business of the meeting, they should split up so that 'for the purposes of relief the Guardians do hear the same within their respective Relieving Officer's district and be divided into two Boards for that purpose'.<sup>36</sup> As Board meetings were held at a local inn it is likely that

<sup>33</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 4/5/1848

<sup>34</sup> Lancs. CRO, Ulverston Gdns.' Mins., many examples, PUU/1/1-5, *passim*.

<sup>35</sup> E. C. Midwinter, 'State Intervention at the Local Level: the New Poor Law in Lancashire', *Historical Journal*, vol. X, 1, 1967, p.108; R. Boyson, 'The New Poor Law in North-East Lancashire, 1834-37', *T.L.C.A.S.*, vol. LXX, 1960, p.37.

<sup>36</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 28/10/1841.

the two groups still remained under the same roof and in communication with each other if necessary.

However, on 18 April 1843 the Garstang Board took advantage of the 7th section of the 5th and 6th Victoria c.57 to apply for the sanctioning of a separate, local district committee for four townships out on the moss (Preesall with Hackensall, Stalmine with Staynall, Hambleton and Out Rawcliffe) to receive and examine applications for relief and to report to the Guardians thereon. The law had been primarily intended to assist certain towns whose Boards had sometimes to sit for many hours hearing claims from large numbers of paupers. However, Section 7 allowed a separate district to be formed whenever the whole of any parish was situated at a greater distance than four miles from the place of meeting of the Board of Guardians. Garstang argued the case for its rural self on the grounds of the 'expenche and great inconvenience' of attending Board meetings, to Guardians and paupers who lived furthest away. The townships in question were eight to twelve miles away from Garstang as the crow flies, with much of the terrain being low-lying marshland. Paupers had to walk long distances over difficult ground to present their case to the Board, or to obtain some item of clothing, and they then had to walk back again. In a personal letter to the Poor Law Commissioners, the ex officio chairman described meeting with a woman on Rawcliffe Moss who on a hot day was having to walk twenty miles round trip for a petticoat. Though it was a measure not normally favoured by the Commissioners, the request for a district committee was granted and henceforth it met at Hambleton School on the Tuesdays which preceded the Thursday fortnightly, full-Board meetings at Garstang. A schoolmaster was subsequently paid £5 per annum by the ratepayers for acting as

committee clerk and keeping a clothes store at the school for the convenience of paupers in the district.<sup>37</sup>

One of the persuasions which had been advanced by the Garstang Board in its bid for a district committee, was that two ex officio Guardians resided in the 'splinter' district and could therefore be present at meetings. This enabled the Commissioners to make three a quorum and so prevent the hearings degenerating, as they may have feared, into 'a nod or a nay' from the odd Guardian or justice. However, if the documentation for 1847/48 can be considered typical, the four elected Guardians were quite regular in their attendances.<sup>38</sup> The exact attendance figures out of a possible 27 were 19, 22, 17 and 21. But the two ex officio Guardians who lived in the area, and whose implied presence had been used as an inducement, put in only one attendance between them during the whole year. Nevertheless, having a separate relief committee seems not to have been destructive, especially as attendances at the full Board meetings increased over the years, (see Chapter 9).

Hearing claims separately was a widely held practice in industrial Lancashire, but there is no evidence that it was so in any of the four rural unions other than Garstang, and it is perhaps strange that the one with the least population and the smallest acreage should be the one to have requested permission for a separate district relief committee. Justification on the grounds of expense and distance to travel, could apply at least as appropriately to the other unions, and most particularly to Ulverston. It may be that, in the latter union, there was no nucleus of townships on the outskirts which desired to

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<sup>37</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 11/5/43; PRO, MH12/5825, T. R. W. France to PLC, 12/4/45; Boyson, 'The New Poor Law in North East Lancashire', p.37

<sup>38</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins. Return of District Relief Committee attendances, 1847/48. (Loose document)

function separately. In any case, perhaps travelling established roads to Ulverston town was as easy as covering shorter distances across-country, and more attractive as Board meetings were held on market days. There was also a high incidence of Guardians on the Ulverston Board who represented multiple townships, or who did not live in the townships they represented, or who also owned land elsewhere and would therefore have a personal interest in the business of other districts. (see Chapter 9) Lastly, and perhaps most significantly, such a proposal would be quite uncharacteristic of the Ulverston Board and would have been unlikely to be countenanced by a majority had it been proposed.

**Table 6.1: Populations and Acreages of the Four Unions**

UNION	ACREAGE	POPULATION, 1841
Fylde	76,397	20,940
Garstang	62,617	13,007
Ormskirk	111,968	43,975
Ulverston	135,043	26,747

*Source: 1841 census of G.B., sess.2, vol. II.*

### ***The appointment of district overseers***

The Poor Law Commissioners' reservations over district relief committees was not extended to district assistant overseers, whom the central authority keenly desired the unions to appoint. They were seen as being more efficient than *township* overseers and, very importantly, *district* overseers were appointed by, and responsible to, the Guardians, not the vestries. However, there was no law to compel townships to

abandon their overseers in favour of the Commissioners' preferred district officers: so their appointment had to be sought by other means.

Shortly after Ulverston Union became operative, and possibly prompted by Voules, the Commissioners requested the Board to consider the proposal that collectors of rates and assistant overseers be appointed for the union. Ulverston typically appointed a committee to investigate the expediency of such a policy, the number of officers that would be required, and whether or not their duties should include those of both collectors and overseers. They reported in favour of the proposal and recommended four districts. All the townships with the exception of Dalton, Aldingham, and Urswick, assented to the appointment of combined 'district collectors and overseers', but with the wish that existing township churchwardens and overseers be given first chance of the appointments.<sup>39</sup>

Dalton had a strong 'four-and-twenty' which, in the form of the vestry, had administered poor relief prior to unionization. They also appointed all the parish officers, a control they presumably did not want to lose as it encroached upon church matters, in which they were also heavily involved. Otherwise, Dalton appears to have been a co-operative township, which even voted in favour of the controversial union workhouse at Ulverston, when Dalton itself had only about ten years previously built a large new one. Smaller Urswick, on the other hand, with a population of under 800 from 1821 to 1841, was to prove 'ever-difficult'. Aldingham, a single-township parish, is rarely mentioned in union records, but as the third member of the Dalton district the township had perhaps little option but to follow the other two.

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<sup>39</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., May 1837.

Colton, which also had a four-and-twenty, subsequently announced that it, too, would retain its own officers, perhaps because Voules intimated that the Poor Law Commission would be unlikely to sanction the election of Colton's constable as district overseer because he had recently been fined for neglect of duty. The four dissenting townships each kept their individual officers (although, unexpectedly, Colton's constable was not among them), while three district officers were appointed for the rest of the union.<sup>40</sup> This slightly mixed arrangement continued throughout the period of this thesis.

Garstang's Guardians had been prompted to consider the appointment of district assistant overseers when they came under the rules and regulations of the Commissioners, but they preferred to keep their existing township officers. Power felt that, unaided, he would be unable to persuade them from this view, and he therefore proposed to seek the assistance of Garstang's ex officio Guardians, who were 'almost universally in favour of district overseers from their experience of the manner in which some of the separate overseers conduct their business'. He also requested forms from the Poor Law Commissioners, devised and printed in such a way that when he lay them before the Board, it would appear that the appointment of district overseers was an Order, and that it was only necessary for the union to fill in the blanks with the necessary local detail. 'Generally I feel that I shall be able to effect my object by those means', Power confided to the Commissioners.<sup>41</sup>

Like the Poor Law Commissioners, Power saw the retention of township overseers as one of the great impediments to the acceptance of the New Poor Law. He believed

<sup>40</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 25/5/1837, 13/7/1837

<sup>41</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 6/12/1838, 21/3/1839; PRO, MH32/63, Power to PLC, 22/2/1839.



they came into frequent contact with ratepayers in a number of ways and, not wanting to lose their jobs, they spread propaganda against the New Poor Law at every opportunity. Power also explained to the Commissioners that ratepayers in the small townships were particularly averse to losing their own overseer. 'They cannot bear to see a stranger come into the township to take away their money' and they valued the 'irregular indulgence' allowed them of paying the township overseer 'at their own convenience'. Furthermore, 'having been at war so long with neighbours over settlement, it appears impossible to them that anybody but their own overseer can feel any regard for the interests of their township'. So strongly were these views held that Power even confessed defeat when presenting the argument 'that carries most weight', namely, that *a few* district assistant overseers would be cheaper, as well as better, than *many* township overseers. 'Only let us have our own overseers and we will undertake they shall do it for the same', they answered. Power explained to the Commissioners that this meant that it would be done 'inefficiently, be open to mistakes and be no cheaper as the reduced salaries will be made up from the highway rate or voluntary contributions from rate-payers'.<sup>42</sup>

However, Power's ploy worked at Garstang exactly as he had planned. On the day fixed for re-considering district overseers, three ex officio Guardians were present at the Board meeting. One of the magistrates proposed that 'assistant overseers should be appointed pursuant to the warrant of the Poor Law Commissioners', namely district assistant overseers as opposed to parish officers. A second magistrate also proposed that the districts, number of overseers, and salaries, be adopted 'according to the warrant'. Both motions were seconded by ebullient, elected Guardian Mr. Crook, and

<sup>42</sup> PRO, MH32/63, Power to PLC, 22/2/1839

were voted through. As a result, within a fortnight, four district assistant overseers replaced the 23 township officers. The circumstances under which Fylde Union appointed similar district overseers is unknown, but both Garstang and Fylde were cited in the Annual Report of the Commissioners for that year, as being two out of six named unions in Lancashire which had made such appointments - with 'advantageously' implied.<sup>43</sup>

It is highly likely that, in the year prior to this, Power had also sought the assistance of ex officio Guardians at Ormskirk Union as four magistrates, including Lord Skelmersdale and Sir Thomas Hesketh, who were making their first, and last, visit to the Board, were in attendance when the subject of district officers was first raised. If that were the purpose they were insufficiently persuasive as the Ormskirk Board decided against district overseers and instead recommended each township to nominate an assistant overseer 'to perform all the duties of overseers save relieving the poor'. Each township was also to suggest a salary for its own overseer. These varied between two guineas and £45.<sup>44</sup>

Twelve months later Power again encouraged consideration of district overseers at Ormskirk, but again the Guardians rejected them, though it was agreed that the salaries that had previously been suggested for the parish overseers were now 'too great an expense', and most of them were to be reviewed downwards. It was perhaps Ormskirk as well as Garstang, and possibly others, that Power had in mind when commenting upon the Guardians' negative reaction to his efforts to tempt them with the thought of

<sup>43</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 4/4/1839, 18/4/1839; Fifth Annual Report of the PLC, 1839, pp.30/31.

<sup>44</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 8/3/1838, 22/3/1838.

the financial saving in having just a few district officers.<sup>45</sup> A further year passed before, in March, 1840, no doubt encouraged by his success at Garstang the previous year, Power tried a similar ruse on Ormskirk. Once again the scheme worked. Attending an almost one hundred per cent Board meeting of Ormskirk's elected Guardians, he 'presented the order of the 10th instant forming this union into districts and ordering the appointment of three district overseers'. After hearing Mr. Power's statements and explanations it was unanimously resolved, and diplomatically worded, that 'the Board is perfectly satisfied with the present system and will part with the same with very great regret, but in order to give the new system a trial' such officers will be advertized for by means of handbills to be circulated throughout the union.<sup>46</sup> No ex officio Guardians were present on this occasion, but then they rarely were at Ormskirk. It is perhaps noteworthy that the ex officio chairman was also absent on this *and* the other occasions in the three years when assistant overseers were discussed. He had been the vicar-respondent to the Royal Commission questionnaire for Ormskirk township who spoke highly of parish administration of relief under parish officers supervised by himself, but who had been outspoken about the jobbing that had taken place under the two periods of select vestry administration. His absence may have been coincidental, or he perhaps preferred to abstain from the discussion. But whatever the reason there is never any suggestion that he was against the New Poor Law per se. Indeed his role as chairman of the Board suggests that he strongly supported it.

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<sup>45</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 14/3/1839; PRO, MH32/63, Power to PLC, 22/2/1839

<sup>46</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 12/3/1840.

## Conclusion

There was, then, no principled opposition to either the organization or policy of the New Poor Law in the four rural unions. Such pockets as there were, were short-lived, and seem to have derived mainly from conservative preference for old, familiar ways. There was the early refusal of Barnacre with Bonds to elect a Guardian, and what may have been an omission rather than a refusal on the part of the three other Garstang Union townships, but such responses petered out once the union had become fully operative. Though Urswick had initially been described as ‘terribly opposed’, Voules shortly afterwards could say of the union as a whole that ‘the inhabitants generally are not only reconciled to the change but are anxious for its adoption’.<sup>47</sup> However, Urswick never seems to have been a happy member of the union, and her various Guardians seem to have been either uninterested or disposed to object. The objections do not follow any discernible pattern, except, perhaps, fear of expense.

Information on the early implementation of the Ormskirk Union was sparse, perhaps because there was no opposition to record to either the organization or policy of the New Poor Law. The ratepayers and the Guardians were prepared to give the new law a fair trial which resulted, after three years’ experience of it, in their being:

well-satisfied with the introduction of the poor law into the union, well-satisfied ..... with its results and hoping with some confidence that its operations may continue to be attended with the same quietness, good order and success.<sup>48</sup>

Their Chairman, vicar of Ormskirk and son in law of powerful landowner, Sir Thomas Dalrymple Hesketh, Bart., of Rufford, was both influential and experienced in poor law matters under the Old Poor Law. The Guardians were reluctant for a time to dispense

<sup>47</sup> PRO, MH12/6320, Voules to PLC, Aug, 1836

<sup>48</sup> Lancs. CRO, PR 444, Ormskirk Board of Guardians Report to Ratepayers, 25/3/1841

with their township assistant overseers, but this hardly constituted hostility as there was no law or ruling which stated that they must do so. Alternatively, it could be seen as creditable that, satisfied as they declared themselves to be with the existing township system, they were nevertheless willing to change to district officers. The separate district relief office of Garstang Union was also achieved for pragmatic purposes rather than as the result of hostility, a circumstance borne out by steadily increasing attendance at the full Board meetings of the union.

The Act was thus introduced relatively painlessly in rural Lancashire, eased by the role of landed magistrates in some areas, and the preconceptions on the benefits of the New Poor Law of some Guardians, and the open-mindedness of others, which together outweighed any residual hostility. The lack of anything approaching violence or of other than isolated, rather low-key hostility, must also diminish the accepted view of obstreperous Lancashire and strengthen the plea for its revision.

## **7.....OUTDOOR RELIEF UNDER THE NEW POOR LAW**

The extent and nature of outdoor relief under the New Poor Law is another area of considerable debate. Most attention has been paid to the able-bodied, but concentrating on them alone distorts the picture of the functions of the New Poor Law and the varied types of outdoor relief adopted. A broader view of relief policies is therefore necessary in order to judge the extent of change, and the possible hardening of attitude associated with the New Poor Law.

In the past historians have viewed indoor and outdoor relief as mutually exclusive, but detailed study of relief under the New Poor Law in the four rural unions of Lancashire, reveals that there was considerable interconnectedness and overlap between the two. Some policies were shared, for instance the central authority directives on apprenticeship, which applied universally to pauper children wherever they were domiciled. Medical aid was a further example of shared relief. The medical officer who visited the workhouse also had as his patients the outdoor poor of his district. And when Ulverston's medical officers were instructed by the Board of Guardians to treat their indigent patients as they did their private patients there was no differentiation between indoor and outdoor paupers in the admonition. Vagrants also defied

categorization. Even when the Poor Law Commission began in 1842 to formulate a general policy for their relief, many unions with unsuitable workhouse premises or sites were unable to pursue their recommendations.. A vagrant or poor wayfarer might therefore be relieved with a ticket for a common lodging house; be accommodated with the other inmates of the union workhouse; be kept separately from them and the opposite sex, in a vagrants' ward; spend the night in a union 'trampers' house', or be refused relief of any sort whether indoor or outdoor. All these means of relief were present or attempted at one time or another in the four rural unions. So was the travelling wayfarer an indoor or an outdoor pauper if he were fed and accommodated in the workhouse for just a single night? Which appellation applied if the vagrant department were located in a private cottage where the occupier was paid by the union to superintend her establishment? And how is the vagrant classed who spent a night in a common lodging house, but at the ratepayers' expense on a ticket from the relieving officer?

There were, additionally, no indestructible barriers which divided the independent worker from either the indoor or outdoor pauper, and many working people experienced all three forms of existence in a normal lifetime of varied fortune. Sickness, accident, unemployment, a young family, old age and other vicissitudes put independence at risk. Depending upon union policy at the time the unfortunate could become indoor or outdoor recipients of relief: outdoor paupers who became orphaned, and deserted wives and children, were likely to see the inside of a workhouse. A change of season, a good harvest, an upsurge in the trade cycle, the extension of a road or railway, an apprenticeship, a position as a servant, the apprehension of the deserter,

a maintenance order, and so forth, offered re-entrance to the outside world and possibly independence. Pauperism was therefore a fluid situation and frequently could not be compartmentalized. And as the records frequently do not indicate whether an entry refers to an indoor or outdoor pauper, the distinctions are further blurred.

Outdoor relief was also a more diffuse form of support than indoor relief. The purpose of a workhouse, whatever its physical form in the fifteen or so years before and after the Poor Law Amendment Act, was to offer shelter, and most usually succour, to the indigent: and there were limitations to the ways in which this could be achieved. Outdoor relief, on the other hand, could vary significantly, and it is with some of the major forms of such relief in the four rural unions of Lancashire that this chapter is concerned. According to the Poor Law Commission, ‘causeless diversity’ characterized the policies of townships under the Old Poor Law, but when they were constrained to act together as a union a common policy had to be achieved.<sup>1</sup> Outdoor relief here, therefore, tends to be viewed from the perspective of the administrators rather than the more usual one of the paupers, a bias emphasized by the use of the Guardians’ minutes as the principal source.

### **The formulation of a common relief policy**

An early opportunity to establish a joint policy was present in the opening period of union operation, during the Guardians’ review of pauper relief inherited from the constituent townships. Inevitably overseers and vestries, even when they were select vestries, had varied in both generosity and vigilance. The initial review therefore served the dual purpose of confirming that existing paupers were still in genuine need, and

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<sup>1</sup> Eighth Annual Report of the PLC, 1842, p.22



enabling the Guardians to work out common guidelines for future relief . These objectives were achieved slightly differently by the four unions.

The Ulverston Board decided to sit daily until the cases of all paupers residing within the union were ‘gone through and investigated’. Overseers were to give notice to paupers residing out of the union, that all relief would be discontinued in one month.<sup>2</sup> One can imagine the distress this would cause genuine paupers unless the overseers were also instructed to explain that the notice would only become a reality to those who could no longer establish need. Before the month was up, the Ulverston Guardians resolved that:

The pensions of paupers residing out of the union are to be continued on production of a certificate from 2 magistrates as directed by the 27th Section of the Poor Law Amendment Act in regard to paupers residing in the union or upon a statement by any Guardian of his own knowledge that the pauper is a proper and deserving object according to the 5th rule as to relief of the Poor Law Commissioners.<sup>3</sup>

Power, in a long communication to the Commissioners on relief to fit northern circumstances, referred to rule 5 as being ‘extremely difficult to read and explain’. The Ulverston Board included several active ex officio Guardians and at least two attorneys, which perhaps explains their ability to cope with, and resolve upon, a judicious blend of Rule 5 from the Commissioners and the 27th Section of the Act. Thus they were able to utilize magistrates within and without the union, in their dual role of justices and Guardians, to vet their inherited non-able-bodied paupers when presented, if resident, by relieving officers, and by overseers if not. Mackay believes Section 27 to have been

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<sup>2</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 6/10/1836.

<sup>3</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 27/10/1836.

a dead letter: Ulverston was therefore either an odd exception, or it used the law in an unusual way.<sup>4</sup>

Section 27 on the role of magistrates clearly caused considerable initial confusion all round. It allowed ‘any two magistrates to order relief to any adult person who from old age or infirmity of body be wholly unable to work, without requiring that such person shall reside in any workhouse: providing always that one of such justices shall certify of his own knowledge that such person is wholly unable to work’. Under 36 Geo. cap 23 of the Old Poor Law, magistrates had been empowered to countermand an order for relief indoors by ordering outdoor relief to any necessitous, industrious person who refused to reside in a poorhouse.

In Assistant Commissioner Weale’s correspondence with the Poor Law Commission in answer to queries from Bath Union it is clear that Weale believed Section 27 perpetuated the pre-1834 situation where magistrates could only order outdoor relief on appeal from a pauper who had been offered the workhouse. The Poor Law Commissioners’ interpretation was rather different - and somewhat confusing. They stated that the pauper must have made an application for relief through the Relieving Officer but ‘it was not necessary for the Guardians first to have offered the workhouse’. They also stated that the 27th Section ‘cannot be supposed to give the justices the power to originate an order for relief, or to control the Guardians or overseers in that respect, beyond the mere discretion that the relief, if the party be an object for relief, shall be given out of a workhouse, supposing the applicant to fall under the class contemplated by Section 27’, namely the old and infirm. If a union were under an

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<sup>4</sup> Occupations of solicitors obtained from back-projection from lists of Guardians. PRO, MH 32/63, Power to PLC, 29/12/1836; T. Mackay, The History of the English Poor Law, Vol. III, 1834-1898, (London, 1899) p.147.

Outdoor Relief Prohibitory Order, which Ulverston was not, Section 27 involved further complications over precedences of Section 27 and the rulings of the Commission.<sup>5</sup>

Ormskirk utilized its highly paid relieving officer. Alone among the four unions, Ormskirk Guardians had chosen to appoint a single officer whose salary of £150 per annum was easily the highest in any of the rural unions, and had attracted fifty applications from a wide area. Township overseers had to report to him on non-resident paupers while he was responsible for ascertaining the circumstances of those within the union.<sup>6</sup> The full Board of Guardians made their final judgements based upon the relieving officer's reports and the representations of any paupers who wished to attend the Board in person. Under the foregoing different methods, Ormskirk's review of relief took a few months to complete, Garstang's took a few weeks, while the Ulverston Guardians' review of all but the elderly and infirm pensioners, was completed in a few days.

Complete details of the Ulverston and Ormskirk reviews are not recorded in either of their minutes, and Fylde poor law records are not extant until 1845. However, the review of cases by the Garstang Guardians took place at their normal weekly Board meetings, and their decisions were recorded in full.<sup>7</sup> They afford insight into the judgements made during one union's investigation into its inherited cases, and it was obvious that townships had differed considerably in generosity under the Old Poor Law, for the Guardians increased some pensions, reduced or discontinued others, and left a

<sup>5</sup> Second Annual Report of the PLC, 1836, Appx. C, No. 7. Correspondence re Section 27, W. Sutcliffe to Weale, Weale to PLC, PLC to Weale. pp.525-528

<sup>6</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., Aug.-Sep. 1837

<sup>7</sup> This review is recorded in PUY/1/1, Garstang Gdns. Mins., 7/2/1839 - 28/3/1839

number of them unaltered. One day, five paupers had their allowances increased, the two from Hambleton being almost doubled from 3/- to 5/- per week. This suggests excessive parsimony on the part of the townships concerned as it seems too great a number of cases in one week for all of them to be attributable to suddenly worsened circumstances. On the other hand, a weekly allowance of 4/6d. to a 38 year old pauper in sparsely populated Nether Wyresdale was considered overly generous, and it was forthwith discontinued on the grounds that 'he keeps a cow'. And neither the gamekeeper of a leading landowner, Mr. Hornby of St. Michaels, nor an elderly couple whose family earned 17/6d. a week in the 'factory' village of Calder Vale, were considered 'objects for relief'. It was also asked why a Nateby woman 'receives so great an allowance out of the poor's rate'? The answer was not recorded.

Immediate relief usually took the form of a single grant of money, food, clothing or bedding while long-term relief consisted of a weekly pension. However, endless permutations of such relief were granted. Some examples from the initial review in early 1839 included '1/- and nothing more' to one person; a windle of potatoes, some bedding and some clothes for a man, his wife and seven children who had 'already been given 1/- relief'; and a woolcomber with a wife and eight children aged from one to fifteen years were 'to have 10/- by three payments of 2/- if he continues out of health, and the remaining 5/- (*sic*) in necessary clothing for the children'. An 82 year old male was designated 'able-bodied' and was to 'attend the next meeting of the Guardians'. However, the 3/6d. pension of an 86 year old man was to continue 'but the relieving officer to enquire after relatives believed to be affluent'. A daughter was discovered in Liverpool, and though she did her best to avoid supporting her father, then in the

workhouse, she was unable to establish inability to pay before the magistrates.

Pensions awarded to elderly couples seem normally to have varied between 3/6d. and 5/6d. a week, presumably depending upon whether or not they lived independently or with others.

Non-resident families if living in a textile town seem at best to have received only token relief from Garstang Union, presumably because opportunities of work were considered to be greater there than in the union. A widower with nine children at Dolphinholme mill village was totally refused aid as it was judged he could maintain them, although a widower with three children, living in a union township and therefore unlikely to be a textile worker, was given a small weekly allowance.

Of the eighteen cases involving admission to the workhouse, five would seem to have been offered the choice of the house or the continuation of an existing allowance. In ten further cases the workhouse was the sole form of relief offered, but most of these claimants were either incapacitated, for example, with a diseased eye, young (aged nine years), elderly, (aged 93 or 81), or mothers on the verge of giving birth, for Guardians had to concern themselves with a whole range of social ills connected with poverty. However, there was no obvious reason given in two of the cases, and the tenth was merely entered as 'a singleman'. The remaining three of the eighteen cases could be interpreted as threats, perhaps to the shiftless, as the alternative was a weekly pension of only 1/-.

The cases recorded by Garstang's clerk draw attention to the complexity of the Guardians' task. For, over and above differences in the stark facts of claimants' circumstances, (the number of parents, the construction of the family, their ages, and

the occupation of the claimant), were variables such as the physical and mental health of a family, whether they lived alone or with others, or had relatives they could call on, and whether or not they had a garden in which to grow vegetables. There were also intangible influences such as the character, ability, resourcefulness, and luck, of the claimant. The Poor Law Commission had stated that need, not worthiness, must be the only criterion when considering relief to a pauper, but Guardians were free to determine the degree and type of such aid and it was then that the influences outlined above came into play and presumably accounted for the seemingly patternless and inconsistent awards of the Garstang Guardians' review.

A minor illustration of a case, where Guardians were seemingly influenced by local knowledge of particular circumstances, concerns one of the five persons above who had been offered the workhouse or the continuation of an existing pension by the Garstang Board - apparently an 'either/or' situation. However, parish records reveal that the pauper concerned had formerly alternated spells in the workhouse with a period outside.<sup>8</sup> So in this case at least, 'the workhouse or a small pension' was not forcing upon the pauper the choice of a single alternative. Instead, it was a dual award which allowed the continuation of an established practice, presumably because it most sensibly met the circumstances. This last underlines the difficulties of interpreting the operation of the poor law from simplified accounts; and the assessment, from such diversity, of the question of continuity and change.

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<sup>8</sup> Lancs. CRO, Barnacre with Bonds, PR 1334, O/ss A/cs, 1833-1837, (Agnes Johnson, 1337), PR 1335, O/ss A/cs, 1838, (1838), PR 1327, O/ss A/cs, 1766-1838, (Feb 1838-Jan. 1839)

## **Bastardy and maintenance payments**

Similar considerations and complications apply to bastardy and maintenance payments. Before 1834 the father of an illegitimate baby had been held primarily responsible for the child's maintenance. Under the Poor Law Amendment Act the first charge for the child's support was upon the mother, and her township of settlement if she were unable to meet this obligation. In the latter eventuality the township could apply to Quarter Sessions for a bastardy order against the putative father. Township overseers were technically responsible for applying for these and other maintenance orders and for proceeding against defaulters, but the decisions were made by the union, influenced by the attitude of the township concerned.

In assessing whether or not to proceed against a putative father, a Board had to take a number of considerations into account in their calculations. Firstly, as a result of the bastardy clauses in the Poor Law Amendment Act, actions against putative fathers had to be taken to Quarter Sessions with its heavy legal expenses, costs connected with witnesses and possibly tracing the man if he had left the area. Monetary gains depended upon the strength of the case; the circumstances of the father and his ability and willingness to pay, for putative fathers could not be imprisoned for non-payment or arrears; the figure it was likely the magistrates would award; and the important fact that putative fathers had only to maintain an illegitimate child until it attained seven years of age. Calculations were further complicated by the circumstances of the mother and her ability to support the child. Finally, imponderables such as the life expectancy of the child in an age of high mortality rates for children under five and even higher for children under two, and possibly the health of the mother, may have been influential, as also might the attitudes of the Guardians to bastardy and to burdens on the rates.

These were complex considerations and it is not surprising that, in a part of the county where bastardy rates were high, illegitimacy and affiliations took up so much time at Board meetings.

To obviate indecision or disagreement over which cases should be pursued and which should not, the Ormskirk Guardians resolved that 'in order to provide uniformity of practice in the working of the Poor Law, all townships in the union are to transact their parochial business at the Petty Sessions'. The magistrates of Leyland hundred and Kirkdale division were to be informed of the resolution and their co-operation requested in carrying the practice out.<sup>9</sup> All putative fathers, deserters and defaulters connected with Ormskirk Union were henceforth systematically taken before the magistrates.

In complete contrast, the Ulverston Board deliberated individually over each bastardy case and voted on whether or not to proceed. Frequently it was decided not to filiate for the Board calculated that even if successful it would take two years to recover the costs of the prosecution from an order of 1/8d per week. This figure was presumably the amount normally ordered at Ulverston Sessions. The Poor Law Report had quoted 2/- as usual in rural areas but in Cumbria 1/3d. to 1/9d. was the norm.<sup>10</sup>

The existing law on bastardy was altered in the Second Amendment Act of 1844. From then, neither Guardians nor overseers could interfere in the prosecution of putative fathers, nor in their payments. The woman, not the Guardians, had to take out affiliation orders; and before the magistrates at Petty Sessions, not Quarter Sessions as

<sup>9</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 9/3/1838

<sup>10</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 17/1/1839; R. N. Thompson, 'The New Poor Law in Cumberland and Westmorland, 1834-1871' unpublished Ph.D.thesis, University of Newcastle, 1976, p.37



formerly. Mothers were also to receive any money granted. This led to the situation, complained of by the Ulverston Guardians, where putative fathers came to the workhouse to pay the mothers, who then retained the money 'though they were maintained at the expense of the ratepayers'. In those circumstances the Board was instructed by the Poor Law Board to immediately retrieve the maintenance money from the mothers, but on no account to receive it directly from the fathers, as such interference was deemed a criminal act.<sup>11</sup>

Maintenance orders also embraced prosecutions, but against the heads of families, both male or female, who in any way neglected to maintain their dependents. The resolution of Ormskirk with respect to the Petty Sessions, which it is not recorded that the other unions copied, does appear to have succeeded in its objective. Putative fathers of chargeable bastards, husbands who ran off leaving their wives and / or families destitute, and mothers who absconded leaving their children chargeable, were all automatically summonsed before the magistrates both for an order against them and for non-payment if they defaulted. However, all four unions seemed equally keen to proceed against defaulters and went to considerable lengths to apprehend absconders. Fylde Union regarded them severely and always used the term 'apprehend and punish' in their minutes instead of the other unions' 'proceed against'. In Fylde also, those who 'neglected to maintain' were sometimes sent to prison for one, sometimes two, months.<sup>12</sup>

Relatives of persons who became chargeable were often sought for at least a contribution towards the cost of the pauper's maintenance. At Garstang this included a

<sup>11</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 13/12/1849, 27/12/1849.

<sup>12</sup> Lancs. CRO, PUF/1/3. PUF/1/4, Fylde Gdns. Mins., e.g. 8/5/1849, 5/6/1849, 17/7/1849.

woman working in another town who was to 'give cause why she was not paying to the support of her husband', and in Fylde, a grandfather was with difficulty made responsible for the maintenance of his grandchildren, though he refused to accept liability for their mother, his daughter-in-law, 'she being rather untowardly'.<sup>13</sup> But most cases concerned offspring who were not contributing to the maintenance of elderly parents and it questions the folklore that in the past 'people took care of their own'. No doubt many did quietly help necessitous members of the family, but the minutes of all the unions reveal that there was a goodly number who seemed only able to do so when pressured by the Guardians to 'shew cause'. A request for proof of inability to pay may have been the automatic policy of unions where there was the prospect of a contribution: an attempt on the part of the offspring to avoid responsibility may not necessarily have preceded the request. However, in a report to the Poor Law Commissioners, Power commented upon a disposition on the part of many children to place the burden of supporting their elderly parents upon others. Indeed, he counselled the Poor Law Commission against enforcing indoor relief for the able-bodied in Lancashire, but instead believed the workhouse test of destitution would be 'best used against the aged and infirm as dissimulation and fraud was constantly practised by relatives of elderly paupers at the expense of the poor rates'. It is impossible to know if Power's remark was exaggerated or not as it applied to rural Lancashire. There were certainly many cases when the Guardians took up the ability of offspring to contribute to the support of parents, and in 1823 the annual report of the Ormskirk vestry had stated 'we cannot but observe with extreme pain, upon the almost total disregard of

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<sup>13</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 5/2/1846; PUF/1/3, Fylde Gdns. Mins., Jan.-Mar, 1849.

children in comparatively affluent circumstances, have for their parents when reduced to pauperism . . . . and the names of the parties are given below' - which they were.<sup>14</sup>

Without knowledge of the circumstances it cannot be known whether the Ormskirk Guardians policy of kinship responsibility was justly, or harshly, applied.

### **Outdoor relief: cash, loans, in-kind**

Within the diversity of policies for outdoor relief under the Old Poor Law , cash payments to the able-bodied in money or in-kind were the over-riding concern of the Royal Commission inquiry, and a workhouse system was the recommended remedy. Where indoor relief for the able-bodied pauper was not possible, for instance before a system of union workhouses had been put in place, or it was not deemed expedient to restrict their relief solely to the workhouse as was to be the case in Lancashire, the Poor Law Commission stated that outdoor relief should be dependent upon task work, for which the 'remuneration shall be less than the ordinary wages of the independent labourer' and a portion of it should be in-kind. This was but one of a number of communications from the central authority which from time to time recommended or directed this form of relief, in varying proportions. For example, in the temporary orders issued to certain large towns from 1835 onwards: 'at least one third to the able-bodied. . .in loaves of bread' was specified. At other times it was at least one half, as in the Labour Test Orders issued to certain northern unions and a 'proportion according to circumstances' in the early advisory document.<sup>15</sup>

<sup>14</sup> PRO, MH32/63, Power to PLC, 21/10/37; Lancs. CRO, PR2815/1 Ormskirk Vestry Book, 1819-1924, 24/3/1823

<sup>15</sup> Second Annual Report of the PLC, 1836, Appx .A.No.1, pp.45-48; S. and B. Webb, English Poor Law Policy, (London, 1910), p.25; Eighth Annual Report of the PLC, 1842, General Outdoor Labour Test, Appx. A. No.11.

The term 'in-kind' took on a narrower interpretation under the New Poor Law. It was not a term which had featured in the records of the rural townships in the 1820s and early 1830s, but the Royal Commission Report of 1834 referred to in-kind relief under the Old Poor Law as being most usually payment of 'house-room', of which it disapproved, with clothes, fuel and food being awarded in descending order of frequency. However, the Poor Law Commission subsequently directed the discontinuance of rent payments to the able-bodied, and clothing and bedding appear to have become regarded as occasional aid. Rather strangely, fuel, which was a popular form of relief in a number of the townships of rural Lancashire in the 1820s, is never mentioned in the Guardians' minutes. Food became the post-1834 synonym for in-kind relief and in this form it was favoured by the central authority because it did not fluctuate in value like money, and the whole family benefited from it, not mainly the claimant if he were irresponsible.<sup>16</sup>

Awards of food met with varying enthusiasm from those responsible for the administration of relief. They were not popular in Cumbria according to Thompson, and in north east Lancashire Boyson stated that in-kind used to be the practice, but it declined under the New Poor Law.<sup>17</sup> A similar situation existed in Garstang. Hambleton, in the 1820s, was regularly and continuously giving a few shillings-worth at a time, of meal, potatoes, or bread, and in the mid-1830s the select vestry of Barnacre with Bonds, which had presumably heeded the Royal Commission's recommendation of relief in food, began awarding potatoes and meal in 'loads' or 'scores of lbs.'.

<sup>16</sup> S. G. & E. O. A. Checkland, (ed.) Poor Law Report of 1834, (Pelican Edition, 1974), p.82; First Annual Report of the PLC, 1835, p.8.

<sup>17</sup> Thompson, 'The New Poor Law in Cumberland and Westmorland, 1834-1871' Ph.D. thesis, p.140; R. Boyson, 'The New Poor Law in North-East Lancashire, 1834-71', T.L.C.A.S. vol. LXX, 1960, p.41.

However, apart from the odd exception entered in the Guardians' minutes, the Garstang Union did not adopt an in-kind policy, and in 1848 specifically stated so on a return to the Poor Law Board. Nor was relief in kind current practice in Fylde in 1845, when the union records begin. However, when inundated with Irish vagrants and harassed with fever cases in 1847, Fylde resolved that 'relief in bread be given in part where it is practicable within the union'. Up to twelve hundredweight's of flour were baked weekly into 6d and 1/- loaves. The amount had dropped to four hundredweight's by March 1848, after which bread was no longer recorded. It was in this period too that Fylde decided to relieve paupers, other than vagrants, with materials for clothing and bedding, later the made up articles, instead of money with which to purchase the same.<sup>18</sup>

In contrast to Garstang and Fylde policy, from the first year of operation (1836) and continuously throughout the period of this thesis, in-kind relief in food was adopted as standard practice by Ulverston Board of Guardians. Six district relief stations were set up from which flour and meal, augmented by patna rice and dried peas during the potato blight, were regularly available to out-paupers at most hours of most days. After a few weeks, however, it was resolved that 'aged paupers residing some distance from the pay stations were to have their pensions paid all in money', presumably because the food proved too heavy and cumbersome for old people to carry over a distance. The entry implies that the elderly living nearer to the stations, and younger paupers

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<sup>18</sup> Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 1830-1837, 14/5/1835, 28/5/1835; PR3013/1/1, Hambleton SV Mins, 1824-1827, *passim*; PRO, MH32/7, Return to PLB, 1848; Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., Nov.1847 - Mar.1848.

wherever they lived, continued to receive part of their relief in-kind, and the relief stations certainly continued.<sup>19</sup>

There is no evidence of an in-kind relief policy in the Ormskirk minutes, but from 1842 the union was under an Outdoor Relief Prohibitory Order, the only union in Lancashire to be so.<sup>20</sup> Relief of any kind to the able-bodied out of the workhouse, was therefore not permitted except in exceptional circumstances. Ormskirk thrice applied to the Poor Law Commission for temporary suspension from the Outdoor Relief Prohibitory Order, in 1844, 1846 and 1847, but there is no indication of a positive response.<sup>21</sup> Able-bodied 'exceptions' continued to be recorded in the minutes, as stipulated in the Order. A table of 'Orders in Force at the end of 1847' includes that of Ormskirk, and two requests to the Poor Law Board for the sanction of loans in 1849 and 1850 to able-bodied paupers 'within the Prohibitory Order', confirm that the Order still applied.<sup>22</sup> However, entries in the minutes for 1847-1850 designate certain recipients of outdoor relief as able-bodied, but without adding the usual 'sanction of the Poor Law Commissioners / Board to be obtained'. It is therefore possible that some relaxation in the terms of the Order *had* been accorded the union in the troublous times of 1847 and a record of 'exceptions allowed' temporarily sufficed. On the other hand, the union clerk was not always consistent when writing up the minutes. For instance, the annual list of elected Guardians was sometimes omitted, and an entry concerning an apprenticeship stated 'grant of the *usual* clothing' (my emphasis) when

<sup>19</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 10/11/1836, 29/12/1836

<sup>20</sup> Eleventh Annual Report of the PLC, 1845, Appx. A, No.1; S. & B Webb, English Poor Law Policy, (London, 1910), Table of Orders issued, p.334; Lancs. CRO, PUS//1/2, Ormskirk Gdns. Mins., 18/1/1842. The exact date of issue is not recorded.

<sup>21</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., June 1844, Jan. 1846, Jan. 1847,

<sup>22</sup> S. and B. Webb, Poor Law Policy, Appx. A, p.334; Lancs. CRO, PUS/1/3, Ormskirk Gdns. Mins., April 1849, April 1850.

clothing for apprentices had never previously been mentioned. Either reason, or both, could therefore be responsible for the difference in the entries concerning the Prohibitory Order.

Digby claims that by constant use of the 'accident, or sickness of self or family' exception, with 'deliberate' implied, the Prohibitory Order was more or less ignored in the East Anglian unions.<sup>23</sup> This does not appear to have been the case in Ormskirk. To begin with, the medical justification had to be entered in the minutes where sanction was sought on these grounds. On occasions Ormskirk's doctors were harangued by the Board for late presentation of their weekly lists. One doctor, who shortly afterwards died, must have been on his death-bed at the time. Deception would therefore have required collusion with the medical officers.. The relieving officer would also have needed to be party to the deception, and the union clerk, who was responsible for making the entry in the minutes, plus all the Guardians present when the minutes were read over. It is also possible that the auditor could have detected illegal awards.. Finally, the outdoor relief given to an able-bodied person was at most for two weeks, and there is no evidence of a second application on sickness grounds in Ormskirk's 29 cases between April, 1843 and December, 1849, the last sickness-related entry. Any further relief required was presumably obtained from family or friends, from a charity, possibly a loan, or in the workhouse - or the applicant returned to work regardless. An analysis of the 'sicknesses' cited include, debility, wife's haemorrhage, daughter feverish, influenza, weak, carbuncle, cough, wife's epilepsy, cold, sick of dyspepsia and unable to work, inflammation of the eyes, rheumatism, injured hip, wife's confinement,

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<sup>23</sup> A. Digby, 'The Labour Market and the Continuity of Social Policy after 1834: the Case of the Eastern Counties', *Econ. Hist. Rev.*, 28, Feb. 1975, p.73

catarrh and abscess, scald, and typhus fever of wife and two children. There were also two non-committal entries which may have concealed a 'delicate condition' or resulted from the failure of the medical officer to present his report on time. Judged by today's medical knowledge and drugs some of the complaints appear trivial but may have had far greater significance 150 years ago. Dyspepsia, for instance, may have described something more serious than indigestion and a cold could be life-threatening to a consumptive. Some descriptions may have covered the doctor's ignorance; others are recognizably serious. In short, the applicants were ill, the exceptions were genuine, and the Guardians were not influenced to cheat. Why should they wish to? What had they to gain?

Circumstances in other unions too, were likely similarly to have dictated their use, or non-use, of in-kind relief. Garstang had the smallest population of any union in Lancashire, and a large proportion of the union's paupers were living out of the union in the industrial towns. Resident able-bodied paupers would be too few to warrant established relief stations, and the union's local, small-scale purchasing policy would make an alternative organization impracticable.

Though small, Fylde, with the facilities of a new workhouse, could bake bread when inundated with vagrants, but as the number of loaves fell away quickly, it would seem this form of relief was not popular with wayfarers and their numbers, too, quickly decreased. Ulverston, on the other hand, was a large union, well-organized and strongly-controlled. As a small illustration, one of the relief station 'proprietors' wanted to limit the hours during which he had to supply paupers, from 'all day, any day' to some more socially acceptable times. He was immediately and very firmly



refused, and the matter was never raised again.<sup>24</sup>

Granting assistance in the form of a loan was a way of discouraging requests for outright relief, while at the same time encouraging self-reliance. Under the Old Poor Law relief by loan had been practised by Barnacre with Bonds, under all manner of circumstances, but the vestries in the townships of other unions had made little, if any, use of the system. However, under the New Poor Law relief by loan was practised by all four of the rural unions, if with different enthusiasm. The freedom to adopt or reject this measure is underlined in Boyson's study of the New Poor Law in north-east Lancashire where Bolton and Blackburn did not make loans at all, Burnley made them from the beginning, and Clitheroe and Haslingden began loans in 1850.<sup>25</sup>

Loans to the able-bodied had been recommended in the Remedial Measures of the Royal Commission Report and had been taken up in the Poor Law Amendment Act where, under the rules, regulations and orders of the Poor Law Commission, relief could be considered as by way of loan, and loans could be recovered from persons aged between 21 and sixty by attachment of wages. (Sections 58 and 59) Even so, the Commissioners appear to have entertained an ambivalent attitude to loans, for in 1847 when Garstang sought their approval on the advice of the district auditor, who himself saw no reason why non-payment of loans could not be pursued in the County Court, the Commissioners answered that they 'greatly doubt if relief granted under the Poor Law Amendment Act can be considered as a loan which can be recovered', and they suggested that Garstang took judgment of court thereon. Mr. Batty Addison, a barrister and pro-New Poor Law chairman of Preston Union, was consulted. Addison is quoted

<sup>24</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 23/2/1837

<sup>25</sup> R. Boyson, 'The History of Poor Law Administration in North East Lancashire, 1834-1871,' unpublished MA thesis, University of Manchester, 1960.

as holding the general view that relief should be given sparingly 'as it was merely a loan'. His ruling in the Garstang query is not recorded, but it was presumably in the affirmative as loans at Garstang continued until the end of the minutes in 1849.<sup>26</sup>

The Commissioners' attitude is even more inconsistent in view of the circular issued in February 1839 when they voluntarily drew attention to the clauses in the Act of 1834 which decreed that relief to a man's wife or family could be regarded as relief to the man by way of loan even if such relief had not been contracted by him, and that if able-bodied and aged between 21 and sixty, such a loan could be recovered through attachment of wages. The provision applied equally to a widow. On this basis the Commissioners initiated the suggestion that these clauses could apply in cases of desertion and that by attachment of wages unions could also be recompensed for the cost of discovering and proceeding against absconders. The Commissioners also announced their willingness to issue the necessary permission to any union wishing to apply these provisions.<sup>27</sup>

Ormskirk lost no time in applying for the regulation to be extended to them, meanwhile anticipating the authorization by lending an unemployed man 12/- to bury his child. Relief as a loan had also been awarded on several previous occasions, including money to furnish a cottage, and two 5/- tickets for in-kind relief. In May 1839 the loan system was carried even further when the Guardians resolved that henceforth *all* outdoor relief in the union should be deemed to be a loan. Also, 'on each new applicant receiving relief, an inventory of his or her goods shall be taken, and he or she shall be formally required to surrender them to the union for the township to which the pauper

<sup>26</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., June - July 1847; W. Proctor, 'Poor Law Administration in Preston Union, 1838 - 1848.' T.H.S.L.C., vol.117, 1965, p.152.

<sup>27</sup> Fifth Annual Report of the Poor Law Commissioners, 1839, Appx. A. No 6.

belongs'. The furniture of paupers on outdoor relief had already been stamped with 'ORMSKIRK UNION'. The above practices and resolutions suggest that even existing recipients of regular pensions were regarded as recoverable to the extent that their possessions were forfeitable, presumably at death or on permanent entry into the workhouse, though the union was also apparently open to negotiation as it had allowed a son to buy, for 30/-, a life interest in a hut in which his pauper mother lived, the money to be allowed to her township, North Meols.<sup>28</sup>

The loan system was also used as a means whereby unions could set up, or maintain, persons in business, a practice which had been disapproved of in the Report of 1834, perhaps especially because under the Old Poor Law such aid was given outright with no mention of recovery. By loans, Ormskirk Union enabled a man to have his donkey cart repaired (£3); the wife of a man with a large family all living out of the union to start a greengrocery business (£8); and a fisherman to have a boat repaired which had been broken up by sea and storms (£9). As these all involved able-bodied persons, and Ormskirk had been issued with a Prohibitory Order, the Board had to seek the sanction of the Poor Law Commission for this outdoor aid.<sup>29</sup> A loan of a slightly different character, though for a large amount, concerned a woman with six children who had been deserted by her husband. 'She being of good character and likely to be able to support herself and children if thus assisted', was loaned £3 5s 0d with which to retrieve her furniture which had been taken under distress for rent. The husband, as could be expected at Ormskirk, was to be prosecuted.<sup>30</sup>

<sup>28</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 23/11/1837, 1/2/1838, 28/11/1838, 21/2/1839, 30/5/1839, 21/1/1841

<sup>29</sup> Lancs. CRO, Ormskirk Gdns. Mins., PUS/1/2, 2/2/1843, May 1844, PUS/1/3, 18/4/1850

<sup>30</sup> Lancs. CRO, Ormskirk Gdns. Mins., PUS/1/2, , 9/1/1845;

There is a possibility that Ormskirk's policy of considering all outdoor relief as having an element of loan about it was relaxed in 1846 and 1847, probably as a result of the potato famine. At different times in those years a number of persons were named, for whom all relief accorded to them 'shall be by loan only'. This implies that others were receiving relief outright. Perhaps the 'named persons' were considered unworthy of the same concession - the above example of the woman and her furniture clearly demonstrating that the Guardians were still influenced by 'good character'. The Poor Law Board were aware of the temptation to unions to intentionally discourage claimants through a policy of relief by loan but stated that they must be regarded solely as a means of saving the rates. The Board described an example where a loan was appropriate. It involved a mentally deficient person with a regular and sufficient income who was occasionally destitute through inability to manage his expenditure, a circumstance which appears far removed from the rural unions' normal use of loans.<sup>31</sup>

Fylde minutes are not extant for 1839 and Garstang had only just become operative when the above Poor Law Commission's circular was issued offering to sanction the recovery of relief, though loans later became an integral part of Garstang's relief policies. Neither is it recorded that Ulverston responded to the offer. Nevertheless, a general policy of relief by loan varying from a shilling or two to a pound or two was Ulverston Guardians' constant practice throughout the period of this thesis, sometimes granting as many as three or four per week. In fact, a scrutiny of the minutes from 1836-1851 did not reveal any other form of monetary outdoor relief, other than pensions. After a time Ulverston also began to require security, which usually took the form of a legacy, a pension, property, or a guarantor. A woman who applied to borrow

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<sup>31</sup> Official Circular, No. 25, 1849, p.71 cited in S and B. Webb, Poor Law Policy, p.143, fn. 6

9/9d. for bedding was refused because she had no surety but a man was lent 28/- when he contracted to repay 2/- per week out of the earnings of his child.<sup>32</sup>

It was the central authority's view that whatever was granted on loan should always be strictly recovered in due time. Ormskirk, which automatically took all such business before the magistrates, had now the additional permission of the central authority. Now and again union officers were first directed vigorously to pursue outstanding debts, but otherwise Ormskirk's hard line continued and, for example, a man was jailed for non-payment of 4/- that had been allowed to his wife and children. On the other hand, Ulverston's reluctance to resort to the Courts in filiation cases seems to have continued into loans and non-payment of maintenance. Instead payments were retrieved through incentive bonuses to the assistant overseers/collectors who were at first paid poundage on money collected in and later, when paid a regular salary, they could retain 10% of all money recovered.<sup>33</sup>

Although the means of recovery are stated, neither Ormskirk nor Ulverston indicate the 'due date' at which such loans were to be repaid. However, Garstang minutes illustrate that feature, at least as it applied to that union. The times varied with the amount and the circumstances, and were roughly between two months and a year. For instance, in 1847 a pauper of Upper Rawcliffe was lent £1 to be repaid in two months, whereas a Preesall man in April of the same year was granted £1 on account of insufficiency of earnings and allowed to the end of the year to clear the debt.<sup>34</sup> That was the theory, the practice could be very different: Thomas Wilkinson of Out

<sup>32</sup> Lancs. CRO, PUU/1/5, 29/6/1848, 23/11/1848

<sup>33</sup> S and B. Webb, Poor Law Policy, p.143; Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 9/9/1841; PUU/1/1, Ulverston Gdns. Mins., 5/7/38.

<sup>34</sup> Lancs. CRO, Garstang Gdns. Mins., PUY/1/1, 1/4/47; PUY/1/2, 30/11/47.

Rawcliffe illustrates the slowness of some recoveries. Wilkinson was granted £3 5s 0d in February, 1844 to be repaid in twelve months. He was taken before the magistrates in Petty Sessions seventeen months later and ordered to repay 2/- per week to the Fylde Relieving Officer, in whose union he now lived. Five months after that, the Garstang Guardians acquiesced in his request that repayments should be suspended until next summer. When Fylde was approached it turned out that he had resumed payments, but at only 1/- per week.<sup>35</sup> Though very slow, the recovery rate from Wilkinson was better than that of a Bleasdale man who had not repaid any part of his £2 loan in over two years.<sup>36</sup> It was perhaps these cases of outstanding sizeable amounts which caused the Guardians to seek the advice of the district auditor, and then the Poor Law Commissioners with their consequent strange reply.

Loans for bedding and clothing seem to have been the only form of direct loans practised by Fylde with no details about repayments but, as stated in the section on bastardy and maintenance payments above, Fylde did not hesitate to exact repayment through the Courts from those whose deserted or neglected families had been relieved on the poor rates.<sup>37</sup> Alternately, a father who absconded leaving his three children without support was confined in the workhouse when caught and his case was dealt with only 'when the Board decided to attend to the matter'. He subsequently undertook to leave 3/- a week in his employer's hands towards his children's support.<sup>38</sup>

Comparing the prevalence of a policy of loans under the Old and New Poor Laws it would appear that there had been a noticeable increase in all of the unions involved.

<sup>35</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 23/2/1844, 10/7/1845, 11/12/1845, 23/7/1846.

<sup>36</sup> *ibid*, 20/3/1845, 27/5/1847.

<sup>37</sup> Lancs. CRO, Fylde Gdns. Mins., e.g. PUF/1/3, 8/9/1846, PUF/1/4, 9/5/1848, 25/9/1849

<sup>38</sup> Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., 30/12/1845

Garstang Union, whose township of Barnacre with Bonds could, in the pre-1834 period, almost have been seen as an instigator of the system, adhered to the principle under the New Poor Law, but not always successfully. Ormskirk and Ulverston enthusiastically took up the system recommended by the Royal Commission and included in the Act of 1834 and seem to have utilized it to their advantage. The vacillation of the central authority which swung from cupidity against absconders to leniency with other paupers may have had some connection with the definition of outdoor relief, for it is a moot point whether or not aid granted with the intention of being recovered does constitute relief. Overall, there is certainly little to suggest that outdoor relief was awarded generously and without conditions to the able-bodied, or even the impotent poor.

## **Vagrancy**

The Report of 1834 had not felt that the wandering poor warranted treatment in any way different from that afforded other able-bodied paupers, and vagrants had not featured in the Poor Law Amendment Act. It was left to the central authority to frame any regulations thought necessary for their relief. In the early years they had sanctioned various unions' proposals, ranging from admission to the workhouse by ticket from any ratepayer, to the establishment of a separate vagrant ward.<sup>39</sup> However, by 1841 the numbers of wandering persons had noticeably increased and the Poor Law Commissioners appreciated that vagrants were developing into a class distinct from other paupers and also became aware of the potential for vagrancy to become a difficult problem to solve.

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<sup>39</sup> S. and B. Webb, Poor Law Policy, p.33

Vagrants as a class were a heterogeneous collection of people. They included thieves, rogues, habitual tramps, professional beggars, the simple-minded, and persons travelling about genuinely seeking work but open to be 'surprised by sickness'. They also included the Scotch and Irish who were without settlements in England. The situation was further complicated by the fact that some unions were completely unaffected by vagrants while others, especially 'the Metropolis' were bedevilled by them. What policy could the central authority devise which would take account of all these differences and deal justly with each?

In compliance with the law it had repeatedly reminded Guardians of their obligation to relieve destitution regardless of place or settlement, but as the years passed the central authority gradually acknowledged that in so doing it had set up an organization for relief which had tended to encourage unscrupulous wayfarers to obtain undeserved lodging and even clothing. In February 1841 unions were circularized for their views on the Commissioners' proposed measures for making casual relief less attractive. These principally included the retention of vagrants to complete a task of work in return for the food and lodging they had received. The Guardians were also solicited for further suggestions.<sup>40</sup> The legislation which followed, 5 & 6 Vict. c.57 s.5, permitted unions to detain casual wayfarers given temporary relief in the workhouse, for up to four hours and in their Annual Report of 1844 the Commissioners claimed that the reduction in the number of tramps was due to this measure. However, a measure on paper is not necessarily a measure as practised, especially if it is permissive, and four years later it

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<sup>40</sup> Eighth Annual Report of the PLC, 1842, p.25; Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 25/2/1841



was more realistically observed by the Poor Law Board, that as a task of work was only occasionally enforced, it exercised no general influence as a test.<sup>41</sup>

The quandary with regard to the Irish had been outlined by the Commissioners in their Annual Reports. Any single mode of action, such as passing them back to Ireland, would advantage those who had earned good money in England, for example harvest workers or railway navvies, who would be pleased to be returned to Ireland at no expense to themselves. On the other hand another class of Irish would 'submit to any extremity of misery rather than return to their own country'. And if forced to do so, the process of removal was defective as they were landed at random in Ireland. This could devastate the destitute who found themselves a long way from home and sometimes they were even returned to England where the Irish had no means of appeal against removal, although it was pointed out that Ireland did not remove the English. The Commissioners also commented upon the unseemly alacrity with which, at the county's expense, and therefore ratepayers in general, some unions gained immediate removal orders regardless of how trifling the relief or however temporary the chargeability.<sup>42</sup>

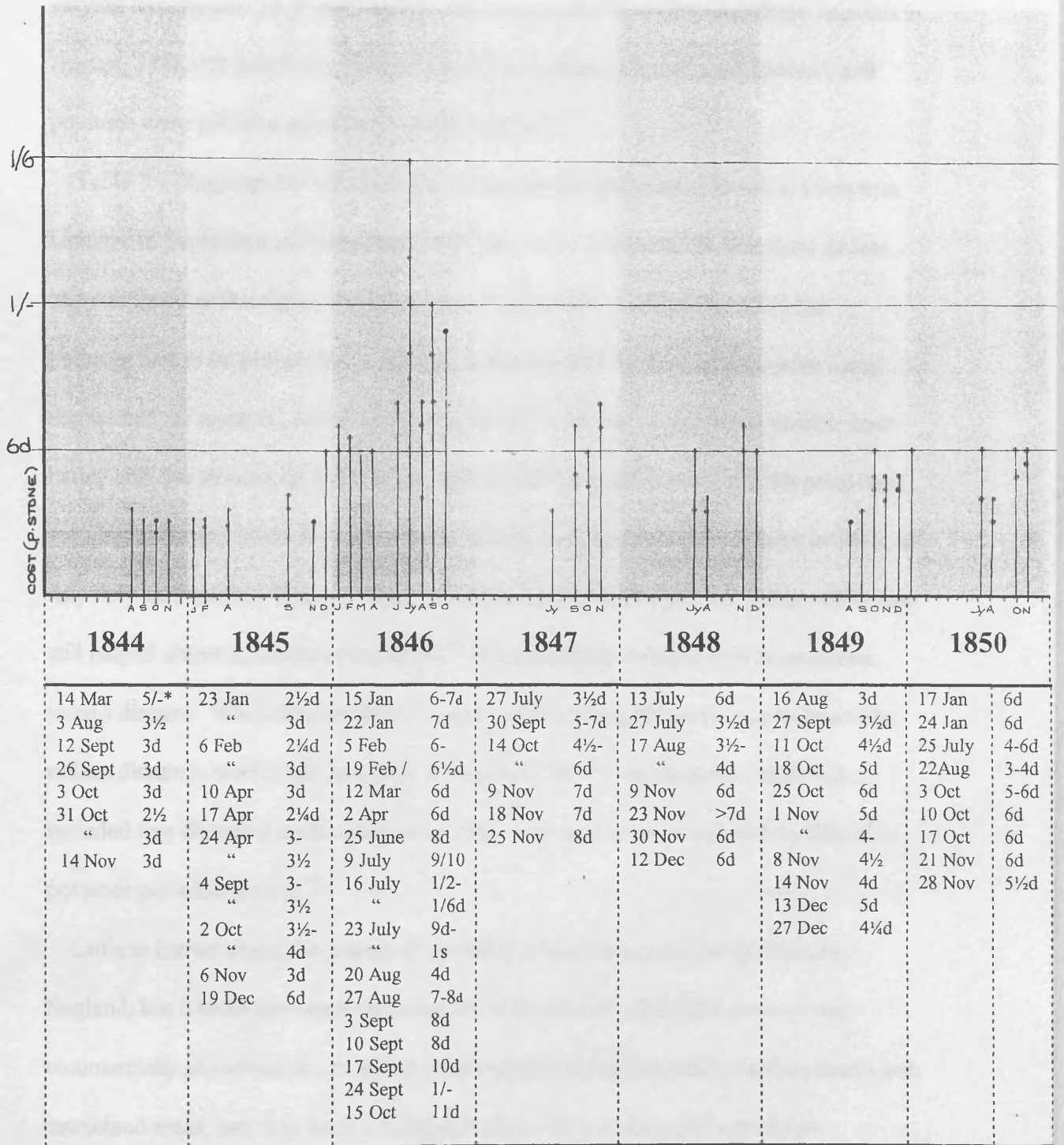
This tolerant attitude towards deserving Irish paupers continued into the early period of the Irish potato famine. But it was not just in Ireland that potatoes were grown, or failed. Crops had begun to be afflicted by disease in the autumn of 1845. In England, as in Ireland, there was also a general failure of the potato crop in 1846, and it was sufficiently serious in England for the Poor Law Commissioners to issue circulars to the unions on extracting farina from bad potatoes and suggesting the expediency of

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<sup>41</sup> Tenth Annual Report of the PLC, 1844, pp.13-14; Minutes of the PLB, 4 August 1848, quoted in M.E. Rose, *The English Poor Law, 1780-1930*, (Newton Abbot, 1971), p.208.

<sup>42</sup> Seventh Annual Report of the PLC, 1841, p.49; Eighth Annual Report of the PLC, 1842, pp.25, 44-45.

### 7.1 Fluctuations in Potato Prices during the period 1844-50 Ulverston Union



\* Price per bushell. All other prices relate to cost per stone.

Figures extracted from the Board of Guardians Minutes, Ulverston Union

substitutions for potatoes in the workhouse dietaries. The disease continued with varying ferocity into 1849 and beyond. An entry in the Ulverston Guardians' minutes in August, 1848 still noted that 'potatoes in all districts are affected with disease', and potatoes were still 6d a stone in November, 1850.<sup>43</sup>

Table 7.1 illustrates the effects of the disease on the prices of potatoes in Ulverston Union. In September to November, 1844 they were purchased at 3d a stone or less, and continued at that figure for some time afterwards, but in October 1845 the potatoes had to be peeled due to disease, and by the end of the year they were being augmented, or replaced, in the workhouse dietary with peas, carrots and turnips, later barley and rice as some of the root vegetables also became diseased and the price went very high. Though 8d to 1/- a stone for potatoes, was the more normal price in 1846, in July they had reached 1/6d per stone. Even from August 1847 to November, 1850 they still ranged above and below 6d a stone.<sup>44</sup> The Guardians did their best to re-instate potato dinners. When they could be bought for 6d a stone, inmates were to have two potato dinners a week; only one meal if they were 7d.<sup>45</sup> The dietary in 1839 had included five dinners a week where meat, fish or bacon was accompanied by 2lbs of potatoes per adult person.<sup>46</sup>

Little is known about the impact of the potato famine on poor law policies in England, but it must have been an extremely difficult time. Potatoes were grown commercially at various places within rural Lancashire, but especially on the coastal and marshland areas, and they were a basic part of the diets of the rural workforce.

<sup>43</sup> Twelfth Annual Report of the PLC, 1846, p.6; Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 30/8/1849, Nov. 1850

<sup>44</sup> Lancs. CRO, PUU/1/4, PUU/1/5, Ulverston Gdns. Mins., Sep. 1844 - Nov. 1850, *passim*

<sup>45</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 5/8/1847, 23/11/47.

<sup>46</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 21/2/1839

Agricultural labourers, many handloom weavers, and others who grew potatoes for their own use, were doubly affected. Their diets were seriously depleted by the loss of their own crops and the high prices of alternative grains and pulses - up 50% in 1847 according to the Commissioners. Furthermore, Liverpool was the principal port of entry for the large numbers of Irish who regularly came over to England as seasonal workers, but who now poured in, starving, sick and destitute with the seeds of fever within them. Between 13 January 1847 and 20 April 1847, 133 069 persons from Ireland arrived at Liverpool, which was then so full with the large numbers congregated there that many quit Liverpool nearly on arrival. The rural unions were also affected by circumstances in industrial Lancashire. Employment in railway construction was minimized and there was a 'diminution in manufacturing prosperity'. The workhouses of such towns as Wigan and Preston were full and the poor of Ormskirk and Garstang in particular, who had gone to work in the textile towns, were now threatened by pauperism.<sup>47</sup>

Badgered by unions requesting it to be made more difficult for vagrants to obtain relief, the Poor Law Commissioners nevertheless stated in 1846 that any law would be inoperative if it were ahead of public opinion: and they cited magistrates who were reluctant to convict for begging and for which the police had difficulty in obtaining evidence.<sup>48</sup> In 1842 some magistrates had been similarly reluctant to convict travellers accused of misbehaviour by wilfully damaging their clothes in order to obtain

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<sup>47</sup> Thirteenth Annual Report of the PLC, May 1847, pp.4-9, 171; Fourteenth Annual Report of the PLC, Dec. 1847, p.3.

<sup>48</sup> Twelfth Annual Report of the PLC, 1846, pp. 19-20.

replacements from the workhouse store and others would not accept that a night's board and lodging constituted maintenance.<sup>49</sup>

However, the escalated ingression of the starving Irish and the spread of typhus, brought about a lessening of tolerance with the Irish and a noticeable hardening of the central authority's attitude to vagrants in general. In 1847 the Poor Law Commission stated 'We adhere to the opinion, which we have always expressed, namely that to such persons, being able-bodied and not affected by sickness, or apparently in urgent destitution . . . . relief may be properly refused, or, if given, always on condition of work under proper supervision.'<sup>50</sup> Even so, evidence from the Annual Reports and entries in the Guardians' minutes suggest that the option to refuse relief was far less firmly and frequently stated by the central authority than the obligation to relieve destitution. The Commissioners did appreciate the difficulty of steering between promoting habitual vagrants and neglecting relief where essential but had no advice to offer on how to determine if strangers who represented themselves as destitute were really so, a difficulty which increased with their numbers.<sup>51</sup>

In December, 1847 the Poor Law Board replaced the Poor Law Commission. Unhampered by past policy or fears of unpopularity, they took a determinedly stern stand on vagrancy. Mr. Buller, the President of the Board, believed that 'diminishing the risks and privations of a vagrant life by providing free board and lodging must operate as a temptation to resort to it', and that 'the increase in vagrants was in some measure attributable to a want of due care on the part of the union authorities'. He expressed these sentiments in a minute to the Boards of Guardians, reminding them of

<sup>49</sup> Eighth Annual Report of the PLC, 1842, p.25.

<sup>50</sup> Fourteenth Annual Report of the PLC, Dec.1847, p.3

<sup>51</sup> Tenth Annual Report of the PLC, 1844, p.9.

their responsibilities to 'intrust the business of administering relief to officers who could repel the impostor'. Though representing that it was only advice and not to be applied against real destitution the Guardians were asked to 'repress the growing evil of mendicancy and to be more vigilant', and in guarding 'from the grasp of imposture that fund which should be sacred to the necessities of the poor' they were assured they would have the determined support of the Poor Law Board.<sup>52</sup>

Under 11 and 12 Vict, cap 110, vagrants applying for admission to a workhouse could be searched. Any money found on them was to go to the common fund of the union and they could be punished as 'idle and disorderly persons'. Also, before this Act, only relief in a workhouse was a common charge, relief outside was at the expense of the township where they stayed, or where the relieving officer lived. Townships which were the mecca of vagrants were therefore grateful for the provision in the same Act, which made relief to a 'destitute wayfarer, or wanderer or foundling' a union charge, though outlying townships unaffected by vagrants would no doubt be disgruntled at having to contribute. No card-playing or dice, and no smoking were already rules for inmates in the workhouse, and cold baths on admission was a further suggestion of Assistant Commissioner Hawley. During the 1840s unions had also been increasingly urged to provide special receiving and vagrant wards for vagrants within the workhouse. From an initial policy of treating vagrants as ordinary inmates, a course of action developed which was increasingly designed to deal differently with them and to keep them as separate as possible from all other paupers in the interests of preventing the spread of disease and forestalling moral contamination.<sup>53</sup>

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<sup>52</sup> First Annual Report of the PLB, 1848, p.5, and Minute from Mr. Buller, Appx. A, No.7

<sup>53</sup> First Annual Report of the PLB, 1848, p.5; Eighth Annual Report of the PLC, Appx. A, No.4, Workhouse Rules; Lancs. CRO, PUU/1/5 Ulverston Gdns. Mins., 6/4/1848, 4/5/1848

All four unions were seriously affected by vagrancy from 1847 but Ormskirk was the main target for travelling wayfarers due to its proximity to Liverpool, its relatively thriving market-garden economy, and its location en route to the cotton and commercial centres of north Lancashire. Already in 1839 the Guardians were deliberating upon measures with which to suppress the disorderly lodging houses they believed exacerbated the problem. As a result, the union set up three vagrant offices, at Ormskirk, North Meols and Tarleton, in the charge, respectively, of the deputy constable and two township assistant overseers. Disappointingly for the union it proved an ineffectual and expensive venture which was discontinued at the end of 1840, and measures were taken to hand over the vagrancy department to the local police.<sup>54</sup>

The Commissioners' request for suggestions on ways of diminishing vagrancy was not pertinent to the unions of Garstang or Ulverston, for whom it was not a problem in 1841, and they had no ideas to contribute. However the difficulty was immediate in Ormskirk, and at that particular time the Guardians were incensed by a man who for some months had lodged two habitual beggars and then had turned them out as a charge on the ratepayers, when 'they were unable to go their rounds' and no longer served his interests. Ormskirk's suggestion to the Commissioners was an entreaty for the restoration of an earlier act (17 Geo III c3 s22) which inflicted 'penalties for harbouring of vagrants and not informing the Constable, so far as that law relates to the punishment of persons bringing a charge on townships'.<sup>55</sup>

In 1844, and so before the potato famine, Ormskirk Guardians had succumbed to pressure from the Poor Law Commissioners to provide a vagrant ward. For this

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<sup>54</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 18/3/1839, Sept.-Oct. 1839, 9/7/1840

<sup>55</sup> *ibid.*, 25/2/1841

purpose they took on a cottage which was contiguous with the workhouse. Separate wards for men and women vagrants were arranged and the occupier, a woman who had previously sold table beer, was instead engaged to manage the vagrant department. Overall superintendence was then transferred from the police to the workhouse master. In this way, the Board of Guardians stated, the vagrant house was as much under the control of the master as a separate ward on the workhouse site would be. And as it was impossible to provide anything better within the workhouse boundaries the Guardians respectfully requested that the Poor Law Commission would allow the present arrangements to continue. The response was not recorded but five months later the Poor Law Commission complained to the Guardians about ‘the present inadequacies and unfitness of accommodation of vagrants and travelling poor’.<sup>56</sup>

The Guardians had cast about for a better solution and eventually proposed, with central authority approval, to take a seven-year lease on the adjoining Lathom-owned land and property on which stood the existing vagrant house. This they proposed to alter ‘as cheaply as may be, and to give a task of work to the able-bodied as required by the Poor Law Commissioner’s Order’. But the years of diseased potato crops had begun and external events began to take over.<sup>57</sup>

The proposed alterations for the improvement of the Ormskirk vagrant house adjoining the workhouse, and the introduction of a task of work, stood in abeyance owing to the ‘lamentable increase in fever’. Its occurrence in Ormskirk necessitated the immediate provision of a fever ward - at the sole expense of Ormskirk, as an amendment was passed ‘that the other townships do not contribute’. This underlines the

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<sup>56</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 1/2/1844, 3/10/1844, 27/2/1845, 17/7/1845

<sup>57</sup> *ibid.*, 15/1/1846, 15/10/1846



disparity in the cost of vagrancy even between neighbouring townships until the Act of 1848 made it a charge upon the whole union. A well was sunk and a shed erected 'in the field', presumably on the adjoining Lathom land, and the vagrant department was taken over for a 'house of recovery'. The occupier who had abandoned her beer sales on managing the vagrant wards now lost her employment and became chargeable, whereupon her two sons were proceeded against for her maintenance.<sup>58</sup>

As the year advanced, the fever shed, house of recovery and the workhouse were swamped with sick patients and destitute Irish often shuttling between one and the other. But by the end of 1847 the fever had abated and the fever shed soon stood empty. It is not clear how the above buildings were then organized or used, but cheques for rent and salaries related to the vagrant wards were still being paid in 1851 when a new keeper was appointed, and the fever ward was kept manned, though one wonders in what state as the keeper had repeatedly but unsuccessfully been asked to get rid of the chickens he kept there.<sup>59</sup>

The basic form of relief for vagrants in all four unions was accommodation in a lodging house: it was the sole method in the unions of Fylde and Garstang. And in informing the Poor Law Commissioners that 'casual persons are relieved in a Lodging House by tickets, the Poorhouse being deficient in accommodation for their reception and affording at present no means of setting them on work' the Ormskirk Guardians encapsulated the crux of the matter.<sup>60</sup> Many unions had neither space in the workhouse, nor the resources for setting and supervising their work, and could not

<sup>58</sup> Fourteenth Annual Report of the PLC, Dec. 1847, p.5; Lancs. CRO, PUS/1/3, Ormskirk Gdns. Mins., 22/4/1847, May-June 1847, 8/7/1847.

<sup>59</sup> Lancs. CRO, PUS/1/3, Ormskirk Gdns. Mins., 15/7/1847, 12/8/1847, 10/4/1851.

<sup>60</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 13/6/1844

thereby contribute to the discouragement of vagrancy. Of the four rural unions only Ulverston was able even to attempt the accommodation of vagrants in the workhouse - probably because the latter was the largest, and the only absolutely new one. It was also the furthest away from Liverpool, not on a main route, and relatively isolated from the rest of the county. It was therefore less likely than the other unions to be a venue for Irish wayfarers and the number of applicants were thus considerably fewer.

In July 1847 the Poor Law Commissioners pressed the Ulverston Guardians to institute separate vagrant wards in the workhouse. However, they replied that 'it was not thought expedient under the peculiar circumstances of the union', and they were more economically relieved 'under the present system'. The 'circumstances' were not detailed in the minutes but may have been connected with a scarcity of vagrants.

Bradford had been excused on that ground and the Poor Law Commission had earlier stated that the 'peculiarities of a district could require a deviation from the prevalent system'. For whatever reason, Ulverston's explanation was accepted and the matter was allowed to rest. The 'present system' was not enlarged upon, either. Perhaps the few vagrants were accommodated in the workhouse amongst the normal inmates, for the minutes record that Assistant Commissioner Hawley on visiting the workhouse remarked that it was very desirable that vagrants be kept separate from ordinary inmates when both were at work.<sup>61</sup>

Whatever the previous method, from September 1847 vagrants were relieved with a ticket for food and a night's accommodation in a lodging house, until in April 1848 the more aggressive policy of the Poor Law Board outlined above, met with a co-operative

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<sup>61</sup> Lancs. CRO,PUU/1/5, Ulverston Gdns. Mins., July 1847, 23/9/1847; S. and B. Webb, Poor Law Policy, p.35; Eighth Annual Report of the PLC, 1842, p.22.

response from the Ulverston Guardians who resolved that ‘except in cases of extreme urgency, Relieving Officers were only to give relief to vagrants by an order to the workhouse’. Vagrant wards had presumably now been arranged as the Assistant Commissioner on his inspection confined himself to recommending cold baths on admission, a suggestion forthwith adopted. Half a dozen coarse flannel shirts were also procured, for even though bathed the master declared that he ‘cannot keep the beds clean if they sleep in their own linen’. They were also searched, and the master ensured that they performed a reasonable quantity of work before they left.<sup>62</sup>

After about nine months, the Poor Law Board expressed themselves as dissatisfied with the existing arrangements and requested that separate *receiving* wards for vagrants now be established. This seems to have been too much for the Guardians to contemplate and the Board was informed that it was impractical. At the same time it was resolved to revert to relief by ticket for a private lodging house, with the police continuing to search any vagrants sent to them by the relieving officer, a policy of which the Poor Law Board approved. This system continued until the end of the period.<sup>63</sup>

Fylde’s acquaintance with vagrants began a month or two before Assistant Commissioner Austin warned them in a letter in July 1847 that Liverpool was removing Irish paupers back to Ireland on a large scale, and that relieving officers of other unions might find themselves with an increased demand from Irish vagrants. In March 1847 Poulton complained that trampers entering Fleetwood were being passed by the overseers of Thornton into Poulton. Like Ulverston, Fylde was in a backwater away from a main travellers’ route. However Fleetwood had a well-established trade with

<sup>62</sup> Lancs. CRO, PUS/1/5, Ulverston Gdns. Mins., 23/9/1847, 6/4/1848, 18/4/1848

<sup>63</sup> *ibid.*, Mar.-Apr. 1849.

Ireland and the Irish, either voluntarily or on being removed, entered and left the union through this port.<sup>64</sup>

An idea of the state of some private lodging houses can be gained from the fact that one in the Garstang Union was 'so filthy and unwholesome as to be a public nuisance and injurious to health' and two of them in Fylde's principal market centre of Kirkham, were found unfit to inhabit by the medical officers on the Sanitary Committee. Upon this latter disclosure, the Guardians of Fylde planned to furnish the Old Mill in Kirkham as a union 'tramp house', but were foiled when neighbouring tenants objected and caused the landlord to refuse to let it. Sick wayfarers were accommodated in the workhouse but otherwise relief by lodging house continued until 1852, slightly beyond the period of this thesis. Tramps and vagrants were henceforth admitted to the workhouse where bathing and a task of work before leaving the workhouse was imposed. Stonebreaking was suggested, or work according to age, sex and strength.<sup>65</sup> As previously stated, Fylde correspondence with the central authority is missing, along with the Guardians' minutes prior to 1845. However, the existing minutes give the impression that the union escaped being completely overcome by either vagrants or fever, and that this may have been due in part to the firm and decisive action on the part of the Guardians.

If the number of vagrants relieved in a week in February are typical, then Garstang was scarcely troubled by vagrants until February 1847. Thereafter their numbers increased inordinately as shown in Table 7.2 below.

<sup>64</sup> Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., 9/3/47, 27/7/47

<sup>65</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 26/4/1849; Fylde Gdns. Mins., PUF/1/3, June 1847, PUF/1/4, 2/7/1852

**Table 7.2: Return of paupers relieved in Garstang Union on the 6th week of the qtr/e Lady Day, 1846-1850**

1846	1847	1848	1849	1850
3	18	36	114	112

*Source: PRO MH12/5826, Garstang correspondence with central authority, 1850*

In June 1844 the union workhouse was limited to 57 old and infirm paupers, so from then onwards, outdoor relief was the union's only option. The market-centre of Garstang was situated on the main north-south route between Preston and Lancaster and was the only place in the union even approximating to a town. Its population of less than a thousand therefore bore the brunt of the cost of vagrancy until September 1848 when it became a common charge. An enquiry into the death of an Irishwoman illustrates the plight of a vagrant and the attitude of Garstang's ratepayers.<sup>66</sup>

Mary Kennedy, sick and heavily pregnant, made cushions and caps which she and her common law husband travelled the country selling. When she became ill she was 'forced to leave' a Garstang lodging house by the keeper, his wife and the overseer, which last was quoted as saying, 'Let her die. I'd rather bury her than relieve her.. She dragged herself to a cottage further up the road by 'holding on to the walls' while her husband first obtained a Medical Order from the Relieving Officer, then an order for the workhouse from the Guardians at their Board meeting in the Royal Oak. The medical officer thought the woman was exhausted but not in any danger. On the husband's return he 'found her shrunk down on the cottage floor'. He got her into the open cart of the postboy and never saw her alive again. The postboy said she laid moaning in the bottom of the cart for the two miles or so journey to the workhouse and seemed in

<sup>66</sup> PRO, MH12/5826, Case of Mary Kennedy, 4/4/1848

great pain. A stillborn child was born to her the following evening and the next day she died 'of puerperal fever operating on an exhausted frame'. The doctor thought she was probably not properly treated at the workhouse and should not have been turned out of the lodging house.

The relieving officer referred to the previous case of Bridget O'Donnell, a destitute Irishwoman and child, to whom he had given a conditional order for the workhouse after she had been granted a night's lodging by the overseer of Garstang.<sup>67</sup> Shortly after she arrived at the workhouse 'two influential ratepayers' induced the matron to discharge her. The Officer stated that he had granted relief to 'this poor woman . . . contrary to the wishes of many of the township's ratepayers' who agreed among themselves that 'in future all cases of vagrants or mendicants requiring relief on account of the township of Garstang should be attended to by the annually appointed overseers and that the Relieving officer should not afford any relief in such cases unless they was (*sic*) reported to him by the overseers and their instructions to the case was given'. The Board of Guardians concurred when this determination was reported to them, influenced by the fact that the Relieving Officer did not live in Garstang but in a neighbouring township of Cabus. The latter's authority, and to a certain extent the Guardians, had thus been illegally usurped by the parish overseers.

At the inquest the jury found that the deceased had died by visitation from God but they considered the conduct of the officers was very reprehensible. On the further evidence of their investigation the Poor Law Board quickly corrected the irregular situation with regard to parish overseers. The relieving officer and the Guardians were reminded of their duties and responsibilities, which could not be deputed to anyone else.

<sup>67</sup> PRO, MH12/5826, Case of Bridget O'Donnell, 17/4/47

The central authority also emphasized that it was the Guardians' obligation to inform the irate ratepayers and overseers of Garstang of the legal position.<sup>68</sup> But with vagrancy fast rising the ratepayers later wrote to the Board arguing the case that vagrants should be the concern of their parish overseers and requesting the powers of the relieving officer to be transferred to them. As was customary the Poor Law Board sent copies of the correspondence to the Guardians who again informed the overseers of the legal position, and perhaps to discourage them from pursuing the matter they informed them that overseers could not be reimbursed for any relief granted to casuals and wayfarers other than 'in sudden and urgent necessity'. But unrelieved vagrants begged and it was perhaps preferable to the ratepayers to have them relieved by the overseer with 6d, the cost of a lodging in Garstang than have them begging if refused by the relieving officer. In March, 1849 the overseer of Garstang was again relieving 'a greatly increased number of vagrants'. (see Table 7.2 above) To lessen the growing evil of vagrancy the Guardians recommended that all vagrants found begging be taken up and taken before a magistrate.<sup>69</sup> This was apparently no solution either, whether because of sheer numbers or because the magistrates were reluctant to prosecute for begging as stated above by the Poor Law Commissioners, because the number relieved in a week in February 1850 still remained at the very high figure of 112.

In 1848 Ulverston Guardians also had difficulties with the parish overseers of two of its townships, West Broughton and Church Coniston. They had similarly been relieving 'a great number of vagrants', without regard to urgency and without reporting it to the relieving officers, and the newly appointed overseer of West Broughton

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<sup>68</sup> PRO, MH12/5826, Sundry correspondence between Garstang Union and the PLB, Apr.-May 1848

<sup>69</sup> PRO, MH12/5826, Case of Mary Kennedy, 4/4/1848; Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 21/12/48, 15/3/1849

insisted that he would continue to do so. There is no indication why the overseers rebelled on this issue or whether vagrants fared better or worse by it. The table below indicates that neither township was in a particularly heavily affected area.

**Table 7. 3: Number of Vagrants relieved in 3 week periods, Dec. 1847, 1848**

Period	W.B	Cart	Colt	Dalt	Hawk	Ulv	Total
3 weeks to 22/12/47	9	27	-	-	5	15	56
3 weeks to 26/1/48	19	93	1	-	11	20	144

*Source: Ulverston Union. Board of Guardians' minutes, 27 January 1848*

Relieving officers were firmly instructed to relieve every vagrant personally in future. Overseers were sent copies of the central authority order which appear to have been noted for the rebellion died down.<sup>70</sup> This incident may have influenced the Guardians to co-operate with the Poor Law Board and relieve vagrants solely in the workhouse (see above).

Removing the Irish was another solution to vagrancy, but strangely not one Garstang seems to have undertaken. In view of their treatment of the two women described above, they perhaps thought it was more effective to harry them on to the next union. And though not the peak period of the invasion, nevertheless, Ulverston had not removed any Irish or Scotch in the 22 months between August 1845 and June 1847. The only active mention of removal was a threat made by the Board to two Scotch and one Irish vagrant in the sick ward. They were warned that they would be removed if they were still there in a fortnight. The two Scots left in time but the Irishwoman remained a further three weeks until her examination by a magistrate encouraged her

<sup>70</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., Mar.-June 1848



departure.<sup>71</sup> Neither Fylde nor Ormskirk showed a similar tolerance. ‘To discourage vagrancy and begging’ the Fylde Guardians ordered that ‘as many as possible of the Irish wandering and begging poor that become chargeable shall be removed’ and the police officer was further told to take no notice of those the relieving officer decided not to relieve. Removal of the chargeable was still Fylde policy in 1850 as it had been in Ormskirk since 1839. Ormskirk’s bald statement in 1849, ‘Immediate measures to be taken to remove to Ireland all Irish who are removable and become chargeable’ was merely a re-affirmation of current practice.<sup>72</sup>

The attitude to vagrants in the four unions was principally related to the Irish, and their varying degrees of concern were influenced by their proximity to Liverpool and the major routes. Ormskirk was early affected and it attempted to comply with central authority suggestions for setting up an organization which put vagrants under the control of the union. When the problem escalated rapidly with the potato famine, all four unions became severely affected, though Ulverston relatively less than the others. The policies the Guardians adopted were harsher than those at first contemplated by the central authority, with public opinion and the magistracy in mind, but from the evidence in the union documents they reflected the attitudes of the four unions’ ratepayers and the local magistrates.

## Medical provision

Medical aid as a form of outdoor relief is less considered in debates about the impact of the New Poor Law. Yet it was clearly a significant element of expenditure, and in

<sup>71</sup> *ibid.*, 17/6/1847, Nov.-Dec. 1850.

<sup>72</sup> Lancs. CRO, Fylde Gdns. Mins., PUF/1/3, 18/5/1847, PUF/1/4, 19/6/1849; 18/6/1850; Ormskirk Gdns. Mins., e.g. PUS/1/1, 19/12/1839, PUS/1/3, 7/6/1849.

establishing comprehensive medical relief the central authority effected a distinct improvement in the quality of life of paupers, an aspect which tends to be overlooked in the texts. Also seldom mentioned by historians in the context of poor relief, were the benefits to the public at large. Medical research and its practice were encouraged by the immediate increase in patients and by the promotion of medicine to a profession, the resulting advances in medical knowledge in turn benefitting patients. The serious effects of a possible downward spiral into poverty through ill-health were also lessened; and the public in general directly gained from the control of smallpox through free vaccination for all, pauper and non-pauper alike.

Flinn, one of the few historians to refer to it, acknowledges the 'remarkable expansion' in medical relief in the early years of the New Poor Law, but says it was a 'spontaneous development in which neither legislators nor central administrators played a part. It was an accident of history' in response to a pressing need. Somewhat grudging credit is given to the Act of 1834 which created the unions whose 'new flexibility and enhanced financial strength', Flinn assumes, 'was responsible for releasing the potential'.<sup>73</sup> This seems a rather unjust diminution of the central authority's role in the provision of medical relief. It is also a little reserved in acknowledging the willingness with which such unions as Ulverston, Ormskirk, and Fylde, as far as one can tell, responded to central authority recommendations, but Flinn was speaking generally, as were the Poor Law Commission when they expressed disappointment that their

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<sup>73</sup> M. W. Flinn, 'Medical Services under the New Poor Law' in D. Fraser (ed.) The New Poor Law in the Nineteenth Century, (London, 1976), pp.48-49.

suggestions for improvements in medical relief had not been more widely adopted and they were therefore introducing a General Medical Order.<sup>74</sup>

Medical relief for paupers had been only scantily provided in Lancashire in the pre-1834 period, according to Assistant Commissioner Power, a judgment borne out by the parish records of the four rural unions.<sup>75</sup> Among the poor of those times, illnesses of every sort were mainly self-treated with herbs and home remedies. Most localities normally had members who were reputed for their skill in such things as bone-setting and midwifery, but nevertheless, recovery must mainly have relied upon faith and a strong constitution.

Aware of the connection between poverty, and sickness and accident, the Poor Law Commissioners were determined to break the link by making professional medical attention freely available to every pauper. Upon each union becoming operative the Guardians organized medical districts and appointed medical officers. From time to time the Poor Law Commissioners had, without much response, advocated measures for improving the standard of service, such as encouraging the establishment of medical clubs in 1836 and vaccination stations in 1840. However, the poor response resulted, in 1842, in the General Medical Order designed to regularize provision and raise the level of medical care. Briefly, the Order imposed limits of 15,000 acres on the size of a district and 15,000 on its population. It also enjoined minimum qualifications for medical officers and ended the system of hiring by tender, both of which stipulations represented victory for the professional Associations of Apothecaries, Physicians and Surgeons whose pressure the Commissioners had earlier withstood. Salaries were now

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<sup>74</sup> Eighth Annual Report of the PLC, 1841, Circular letter accompanying General Medical Order, 1842, Appx. A, No. 6.

<sup>75</sup> PRO, MH32/63, Power's Report to PLC, 21/10/1837

to be decided upon by Boards of Guardians and to be regarded as a permanent emolument to be upheld through the years, with medical officers engaged long-term. Officers were also to receive additional payments for surgical and midwifery cases at rates fixed by the Poor Law Commission.<sup>76</sup>

The Commissioners were aware that the rates, particularly for surgical cases, 'exceed that normally given for similar services by farmers and middle condition people in some parts of the country', but they held that a uniform scale of payment was necessary and they believed 'the amounts fixed were not unreasonably high where the proper number of attendances was given and the limb was set properly'. Somewhat strangely the Poor Law Commissioners added that in any case the number of fractures and dislocations was not large among the poorer classes. Where practicable, paupers requiring operations should be sent to a public hospital, subscriptions to which the Commissioners would readily sanction.<sup>77</sup>

The introduction of a medical service was achieved slightly differently in the four rural unions. Medical and registration districts in Ulverston were synonymous, and five of the six medical officers were also appointed registrars, thereby enhancing salaries which ranged, by tender, between £24 and £35. Two doctors shared the sixth district where, probably to avoid choosing between them, the Post Office keeper was appointed registrar instead - an unfortunate choice as only a few weeks later he had to be taken to an asylum. The Registrar General also rejected another of the medical officers 'for lack

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<sup>76</sup> Second Annual Report of the PLC, 1836, Correspondence with Society of Apothecaries, pp514-516; Eighth Annual Report of the PLC, 1842, General Medical Order of 12/3/1842, pp.129-142.

<sup>77</sup> Eighth Annual Report of the PLC, 1842, p.2

of qualifications' - presumably because he was not a householder, which registrars had to be.<sup>78</sup>

As far as can be ascertained, Ulverston was the only one of the four unions to resolve positively and immediately on the Poor Law Commission's suggestion that medical clubs should be established in the districts. Backbarrow Sick Club where members were charged ½d. per person per week was presumably instituted under this resolution as the minutes record the dissatisfaction felt by a sick member who was denied poor relief granted to a non-member in similar circumstances. Backbarrow was also the 'industrial zone' of the union with an iron works and a cotton mill owned respectively by an ex officio Guardian and an elected Guardian who became a future vice-chairman. Ulverston's resolution to institute sick clubs was to their credit, as a return to the Poor Law Commissioners on action taken in this matter shows that only a very small proportion of all unions complied.<sup>79</sup>

Medical and registration districts at Ormskirk were not synchronized, as at Ulverston, nor were appointments of registrars and medical officers combined. Instead, the Guardians created five medical districts with one of them, Ormskirk district, disproportionately large. It included the workhouse, the market centre, and more townships than in any of the other four districts. The Guardians also broke with the usual tendering system of the time, and fixed the salary at the high figure of £120, which was nationally advertized in publications which included the *Lancet* as well as the Preston and Manchester press. Dr. Peter McMaster was chosen from a large number of applicants. A tender system was retained for the smaller districts and two medical

<sup>78</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., Sep.- Oct. 1836

<sup>79</sup> Second Annual Report of the PLC, 1836, Instructional letter, pp50/51, Table of unions with medical clubs, pp.499-509; Lancs. CRO, PUU/1/4, Ulverston Gdns. Mins., 20/11/1845

officers were appointed at salaries of £20 and £35. The remaining two districts were paid 'per case' until the Guardians became aware that one doctor's charges exceeded those for his private patients. An annual tender was then invited for each of the remaining two un-contracted districts. Though three other doctors applied for one of the districts, McMaster successfully applied for both of them, and thereby advanced his salary by £10 and £25 to £155 per annum, a far higher figure than any other medical officer was paid in any of the four rural unions.<sup>80</sup>

Fylde Union illustrates a basically stable situation with regard to medical provision. For the most part the union's six medical officers served continuously from 1845, at which date the minutes become available, to 1851 when the period covered by this study ends. Renewal of contracts was publicized annually by handbills, but only as a formality because applications received from other doctors were disregarded and the serving officers were re-elected. Two of the officers, respectively of Poulton and Lytham districts, were also content to continue from 1845 to 1851 at the same salaries, but those of the others were increased on request, though to a figure lower than that applied for. The qualifications of the medical officer for Blackpool district, did not comply strictly with the four modes outlined in the General Medical Order of 1842 but they were accepted by the Poor Law Commissioners when he was appointed in 1845 and he was still in office in 1851.<sup>81</sup>

Garstang Union was a very different story, though it began well by advertizing for medical officers even before the union had quite become operative. It was divided into three districts, namely St. Michaels, Stalmine, and Garstang, which last included the

<sup>80</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., July-Aug, 1838, 25/10/1838, Aug. 1840.

<sup>81</sup> Lancs. CRO, Fylde Gdns. Mins., PUF/1/3, (Mar. 1845 - Mar.1848); PUY/1/4, (Apr. 48- Mar.1852), 1845-1851, *passim*

union workhouse at Claughton. The number of districts reflected the existing spread of doctors, as two of them, the older Smith and a younger Clarkson, lived in Garstang, upon which their practices would be based. The third doctor lived at Stalmine, a completely different geographical area consisting of mossland and coastal region. Until the time of the General Medical Order there were, in effect, only two medical districts, as Garstang-based Smith and Clarkson, made themselves jointly responsible for the two districts of Garstang and St. Michaels. Salaries, though ostensibly submitted by tender, were no doubt mutually agreed between the Guardians and the three local, and sole, applicants. Birch received £30 for Stalmine district, while £60 for the large combined district was shared between Clarkson and Smith, in the ratio of 3 : 1 respectively.<sup>82</sup>

The organization thus created was satisfactory in theory but fragile in fact. Any adverse eventuality, such as an epidemic or the protracted illness of a doctor, or his death, would be difficult to absorb for within the whole union there were no other contenders for the posts. Neither was it a union which attracted new members of the profession. Unlike industrial and commercial Lancashire its population growth was slow and to a large extent was scattered over moor and marsh. It did not exude wealth nor betoken future expansion. In short the difficulties were inherent in the area, which had all the economic disadvantages of a small rural union, a fact freely acknowledged by Assistant Commissioner Austin in his report on the situation to the Poor Law Commissioners.<sup>83</sup> Worst of all from the Guardians point of view, was the resignation of a doctor, for then he retained the private practice that was necessary for the provision of a decent living for any incoming medical man. In many respects, therefore, a medical

<sup>82</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., Dec. 1838

<sup>83</sup> PRO, MH12/5825, Austin to PLC, 2/12/46.

officer who compulsorily 'resigned' as a result of gross negligence posed a greater problem for the Guardians than one who died, retired, or moved out of the union. All these eventualities were experienced by the Garstang Guardians and will be presented in detail below.

Vaccination was one of the issues featured. The Commissioners were anxious that this preventive measure should be quickly established as it was to be freely available to all persons, pauper or otherwise, who had not already had cowpox or smallpox. However, it is perhaps not altogether surprising that the beleaguered Garstang Guardians did not heed the recommendation in 1840 for the measure to be instituted - nor the Commissioners' reminders over the next two years. When pressed hard in 1843 they testily replied that the provision was included in the medical officers' salaries. This was considered unsatisfactory and they were informed that vaccination was envisaged as a regularly organized service. Even so, it was 1846 before the Guardians at last entered into vaccination contracts with the medical officers, and then one of the three doctors refused to participate unless his basic medical salary was raised. The subject of vaccination thereafter disappears from the minutes. There are no details for Fylde Union whose arrangements were no doubt made before the records begin.

On the other hand, Ormskirk's bitter experience of the disease, which had raged in Tarleton and all along the coast in 1839, made them 'exceedingly desirous to carry out the object of the statute'. During the outbreak, the Board had ruled that all paupers with children who were not naturally immunized through having had either of the two forms of the disease, must allow them to be vaccinated. Any who would not, would lose their relief, and this actually happened to one woman. The Board had also gone to



some lengths to get paupers' cottages whitewashed. The Ormskirk Board therefore responded immediately to the Commissioners' suggestion in 1840, that vaccination stations should be set up. Contracts at 1/6d. per successful case, as suggested by the central authority, were offered throughout the union and were taken up by three current medical officers, one former officer and two other doctors. Between them they had to provide a monthly service at eight vaccination stations.<sup>84</sup>

Vaccination was equally readily taken up in September, 1840 by Ulverston Union where, however, all medical men were solicited to tender rather than be offered the Commission's recommended fee. One medical officer, Dr. Postlethwaite, offered to vaccinate at no charge, but on the Poor Law Commissioner's insistence that there could be no contract without remuneration, the nominal sum of £1 was added to his salary. Others varied a little in their tenders while a former officer who had earlier resigned when his wages were withheld for dissimulation and neglect in March 1838, now unsuccessfully tried through vaccination, to force his re-engagement as a medical officer. The ploy did not succeed, however, and he was appointed only as a vaccinator at 1/6d. per successful case.<sup>85</sup>

Heeding the Commissioners' prompting with regard to sustaining the momentum in vaccinations when the public's initial enthusiasm had waned, the Guardians of Ulverston had 500 circulars printed in September 1842 for distribution by registrars to parents of children. The clergy were also respectfully requested to publicize the benefits of vaccination and the dangers in not doing so. In 1846 it was resolved that Registrars' must forward weekly returns of births to the medical officers to prompt them to

<sup>84</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 18/4/39, 16/5/39, Feb. 1840, Oct. 1840

<sup>85</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., Sep. - Oct, 1840

approach the parents. With the exception of Garstang, it seems the rural unions' vaccination service was very creditable as, for instance, the medical officers of Lancaster Union had only to offer vaccination twice in each half-year in the townships of their districts.<sup>86</sup>

The General Medical Order was the next hurdle for the rural unions. Although issued in March, 1842, the contracts of the medical officers in the four rural unions had already been agreed for that year so that, in common with many other unions throughout the country, it did not become operative until March, 1843. This was no doubt a relief to the Guardians of Ulverston Union where a severe recession in the iron trade in 1841 still lingered on. It had resulted in their attempting unprecedented economies, although compared with their proposals for such officers as the chaplain and the porter, the medical officers were let off lightly. When their contracts had been renewed in 1841, they included the proviso that though they would be paid for non-pauper vaccination at the formerly agreed rates, all paupers must be vaccinated gratuitously. However, on the complaint of one of the officers to the Poor Law Commissioners, the Guardians were obliged to return to the original agreements and pay for all successful cases. The following year, immediately prior to the issuing of the General Medical Order, it was proposed that the salaries of the medical officers in all but Colton district should be reduced by £4 or £5, but the motion was defeated on the casting vote of the chairman, the Earl of Burlington.<sup>87</sup>

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<sup>86</sup> Lancs. CRO, PUU/1/4, Ulverston Gdns. Mins., 5/3/1846; PUL/1/1, Lancaster Gdns. Mins., 20/2/1841

<sup>87</sup> Eighth Annual Report of the PLC, 1842, pp.129-135; Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 13/5/41, 24/2/1842

Yet though the Ulverston Guardians obviously felt themselves beset by economic difficulties, they did ask the Commissioners if they wished them to negate the new contracts they had very recently made with the medical officers, so that they could observe the new Order immediately. The Commissioners reply that existing contracts must run was no doubt a relief to the Guardians, who were also to be exercised with additional problems. During the winter of 1842 / 43 the workhouse was swamped with cases of fever. Extra beds had to be ordered and the Poor Law Commission permitted rooms normally used for other purposes to be converted into sick rooms. It also advanced, from 300 to 350, the maximum number the workhouse was licensed to accommodate. Serious attention was paid to means of enlarging sick provision so as to include specialist and convalescent wards, but before they crystallized the emergency was over. The Commissioners urged the Ulverston Board to think of possible future demand and to continue with the proposed extensive alterations, but in February 1843 not a single pauper remained in an infirmary which could accommodate twenty patients. The recession had not completely evaporated, and so the Guardians were not disposed to commit themselves to expense in order to satisfy a hypothetical situation.<sup>88</sup>

When the existing contracts expired in March, 1843, permanent future salaries for the medical officers, as opposed to the former method of tendering, were calculated by the Guardians on the basis of each officer's present salary and the average annual number of special surgical and midwifery cases he had claimed for in the previous three years. It was necessary on this score to remind the Commissioners that the relatively high salaries for the districts of Hawkshead and West Broughton had been fixed in the past in anticipation of the large number of casualties likely to arise from the mines and

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<sup>88</sup> *ibid.*, Nov. 1842 - Feb. 1843

slate quarries in those districts, a situation which refutes the Commissioners' comment upon the stipulations of the General Medical Order that the poorer classes only infrequently suffered fractures and dislocations. One would think that the poorer classes were the most likely, and the wealthier classes the least likely, to suffer such injuries. The salaries accepted by the medical officers ranged between £35 and £65 per annum plus the fixed payments for surgical and midwifery cases.<sup>89</sup>

Ulverston's only conflict with the Order was in determining the extent of the districts. They far exceeded the acreage permitted in the General Order, but the Guardians explained that it was impractical to alter them in consequence of their mountainous nature, and they also pointed out that the population was far below the allowed maximum. The Commissioners accepted the explanation and approved the medical contracts, along with the substitution of 1/- per successful vaccination case for Dr. Postlethwaite's former nominal £1 per year.<sup>90</sup>

Like Ulverston, Ormskirk Union's medical practitioners conformed to the standards expressed in the General Medical Order, but the excessive acreage of the Ormskirk medical district did not, and so the Poor Law Commission in 1843 would not confirm the appointment of McMaster, the medical officer for that district. One wonders what would have been their reaction had McMaster still retained all three of the districts for which he was responsible in 1840. The Guardians sought to resist the pressure to alter their existing arrangements, with which they were well satisfied, but they succumbed when the Poor Law Commissioners' suggested reorganization met with the approval of all the medical officers involved. Parts of Ormskirk district were henceforth attached to

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<sup>89</sup> *ibid.*, Feb.- Mar. 1843

<sup>90</sup> *ibid.*, Feb. - Apr. 1843

two of the smaller districts with salaries adjusted according to population. No doubt the officers of the smaller districts were pleased with a regular increased salary and McMaster had by then worked up a remunerative private practice. Unfortunately he was one of two medical officers of the union to die in 1847 during the fever epidemic. McMaster's death was almost certainly due to the disease as the Guardians presented his widow with £30 for his 'extraordinary service'.<sup>91</sup>

As in Ormskirk and Ulverston, the General Medical Order did not become effective in Garstang until March, 1843, but thereafter the similarities with the first two unions ceased. There was no easily resolvable single issue, such as an over-large district, for Garstang to overcome. Instead the Guardians were to be continually harassed by the stipulations of the Order, and in Stalmine district in particular, it was hardly ever possible despite all stratagems, to arrive at a solution acceptable to the central authority and satisfactory to the union and the district's inhabitants. In fact the problem was still unresolved in 1849 when the minutes end. An idea of what the provision of medical relief in Garstang, and probably many other small rural unions, entailed; and a brief indication of the extent of the union's difficulties, is illustrated by the fact that between March, 1841 and December, 1843 medical matters accounted for 37 entries in the minutes of a union which met only fortnightly. A little of the convoluted saga of events is presented below.<sup>92</sup>

The Garstang Guardians were obviously among those 'farmers and middle condition people' referred to by the Commissioners in their comments on the Medical Order, who

<sup>91</sup> Lancs. CRO, Ormskirk Gdns. Mins., PUS/1/2, Nov. - Dec. 1843, PUS/1/3, 3/6/1847, 25/11/1847

<sup>92</sup> Because of the frequency of medical entries in the Garstang Guardians' Minutes, individual dates will not be given as footnotes. They are indicated in the text. Individual entries are to be found in Lancs. CRO, Garstang Gdns. Mins., PUY/1/1 (Dec. 1838 - Jul. 1844) and PUY/1/2, (Aug. 1844 - Aug. 1849) at which date the records end.

considered the fixed extra payments for surgical and midwifery cases to be excessive. It is also likely that they were unimpressed by the Commissioners' argument, firstly that a uniform scale of payment was necessary, and secondly that if it were, the payments must be far beyond those customarily made 'in some parts of the country', for instance, in the area of Garstang Union..

In the two districts of Garstang and St. Michaels, assigned jointly to Medical Officer Smith and his colleague Clarkson, the Guardians fixed a joint salary of £55, £5 less than formerly, but with 'extra payments' of 10/- per midwifery case, as stipulated in the Commission's Order. However, for protracted labour and surgical cases, 'reasonable charges' were substituted for those fixed by the Commissioners. Smith and Clarkson refused these terms, so the districts were split into two again and salaries of £40 and £20, but still with 'reasonable charges' as above, not the fixed charges of the Medical Order, were advertized in the press, though without response.. Assistant Commissioner Clements next assisted in a re-arrangement of the districts so that they were more equal in size and more evenly positioned in relation to Garstang town. This resulted in equal salaries of £30, and presumably the approved payments for surgical and midwifery cases, not the 'reasonable charges' proposed by the Guardians. Clements also implied that the medical officer of St. Michaels would be allowed to live in Garstang, it having been said that it was 'the only place a professional man would choose to reside'. This time both Smith and Clarkson applied, the only ones to do so, and both were appointed by the Guardians and approved by the Commissioners.

Difficulties with the district of Stalmine were greater and had already begun well before the complications of the Medical Order. The first medical officer, appointed in

December 1838, was William Birch, who was charged with negligence in a confinement in 1840 and who died in December 1841. Dr. Elletson from Fylde Union then replaced him, but in May 1842 he too was charged with neglect. The Guardians reprimanded him and judged his conduct so reprehensible that, ever money-conscious, they believed he should pay the costs of the claimant. Elletson's qualifications were 'not agreeable to the General Medical Order' but must have been sufficiently near for him to be accepted by the Poor Law Commission, and being the sole applicant, his appointment continued. However, only a week or two later, in August 1843, he was charged a second time with another case of neglect. Once again the Guardians rebuked him, and then, additionally angered with his conduct towards themselves, they reported him to the Commissioners. At the same time they also asked them to investigate a charge against Mr. Smith, medical officer of St. Michaels district, who was subsequently found guilty of causing death by neglect.

At contract-renewal time in March 1844 the Guardians decided to advertize the posts in all three districts, whereupon they re-engaged Mr. Clarkson, but not Smith or Elletson. Mr. Bell replaced Smith at St. Michaels and 27-year-old Robert Roe Birch, who had been in practice for eighteen months and was very probably the son of the deceased William Birch, the first medical officer for Stalmine, replaced Elletson at Stalmine.<sup>93</sup> Mr Elletson, who was also registrar, later removed back to Fylde Union where he became the medical officer for Fleetwood district and served without blemish until he 'met his death' while out rook shooting in 1847.<sup>94</sup> Bell's qualifications were limited but accepted, presumably on the grounds that he had been in practice for 25

<sup>93</sup> Personal information on doctors available from doctors' certificates held in PRO, MH12/5825.

<sup>94</sup> Lancs. CRO, PUF/1/1, Fylde Gdns. Mins., 18/5/1847

years: Birch, when eventually induced to present his credentials, was completely unacceptable to the Poor Law Commission as he had only a Scottish diploma and 'had attended lectures', place not specified.

Re-advertizing of the Stalmine district vacancy in July 1844 resulted in the appointment of Joseph Magee from Fleetwood in Fylde Union. He was acceptably qualified and he agreed to move into the district, but he did not do so. He continued to live 'across the water', the broad estuary of the River Wyre, so that 'paupers, even if given an order for medical attention do not go to him as it costs 6d to cross the ferry and they are uncertain that he will, in any case, attend to them'. The bridge over the river was also ten miles from Fleetwood on the far side, and several miles away from most townships on the Garstang Union side. Magee was seen in the district so rarely that a clergyman of the area 'didn't know who he was' and another respectable resident of the village had asked if there were a medical officer at all. On top of everything he 'took himself off to Ireland' for many weeks. 'I fear he is too fine a gentleman for us' concluded Garstang's vice-chairman in a letter to the Commissioners.<sup>95</sup> The Guardians unanimously replaced him in 1846 by a doctor, Hall, but *he* resigned shortly afterwards. A re-organization of all the districts followed, with the new posts being advertized. Hall again applied, but this time for St. Michaels, a district nearer to Garstang township, and for which he was then appointed.

After their experiences with Magee and Hall the Guardians would have liked to appoint young Birch as permanent medical officer for Stalmine, regardless of his lack of 'the necessary strict qualifications'. He practised locally and had re-applied, and they claimed that 'he is much employed and approved of by the poor of those townships'.

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<sup>95</sup> PRO, MH12/5825, Gardner to PLC, 30/6/1845



They also referred the Commissioners to one of their own Annual Reports on qualifications. However, the Commissioners flatly refused to countenance him and instead pressed for suitably-qualified Magee. The Guardians considered Magee's conduct 'thoroughly objectionable' and just as adamantly refused him on the grounds that he had an accommodation address only in Stalmine and actually lived in Fleetwood. Moreover 'the paupers dislike him and wont avail themselves of his services. He also attends to them very infrequently.' In the absence of any other, the Guardians then appointed Birch explaining to the Poor Law Commissioners that they had 'made the best arrangement from what was possible' and when the Commissioners 'regret that they have not done better' the Guardians countered with 'His practice is so widespread and he is so well thought of that no other doctor will reside within the district.'<sup>96</sup>

All was not quiescent in the other two districts either. Demands from the officers for salary increases were a regular occurrence, backed up by threats of resignation which they knew the Guardians could ill afford to provoke, and in which Birch also participated as he was paid only half the figure offered for a qualified replacement. The Guardians continued to advertize the post but were unable to obtain a qualified alternative to Birch. Then in April, 1848 Birch was seriously ill and likely to die. Medical Officer Hall, of St Michaels district, was approached but did not respond until after some re-jigging of the district, when he recommended a friend from Hartlepool called Richardson, who agreed to take the post. He was not correctly qualified but the Guardians pointed out to the Commissioners that they had been trying for two or three years, without success, to obtain a fully qualified medical officer.

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<sup>96</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 1/10/1846, 10/12/1846

At the beginning of August, 1848, Richardson wrote from Hartlepool to say that he was 'going to the Continent for a few days', which in fact became a few weeks. He eventually took up the post at Stalmine in November, but in under three months Medical Officer Hall stated that Richardson was unable to carry out his duties competently 'on account of precariousness of health', and that he (Hall) would undertake them pro temp. Richardson informed the Commissioners that he 'found the district unsuitable to my constitution, being near the sea'. It is probable that he was consumptive. Some re-distribution of the districts took place prior to the renewal of contracts in March 1849. Clarkson, who was already medical officer for the workhouse and for the largest district, took on even more. However, Smith, who had earlier been found guilty by the central authority of neglect causing death, offered himself for his original district and was appointed for the time being by the Guardians, in view of their concern for the health of Clarkson and his very extensive area. This was the status quo in August 1849 when the minutes end: Garstang was still bedevilled by lack of qualified personnel in the implementation of its policy for medical relief.

One of the values of a medical officer to his pauper patients was his ability to order them wine and extra nourishment. At times when there was no doctor, or he was an absentee, this benefit was also lost. To compensate affected paupers, the Garstang Guardians passed a unanimous resolution that tickets for butcher's meat would be given to known sick paupers on outdoor relief, and that these would be honoured at a shop in each of the three districts. Wine 'and other necessaries' were regarded as legitimate relief for sick persons by the Ulverston Guardians, though the medical officers had to record on their weekly reports the amount of wine they had ordered. The Ormskirk

Board were less generous. It had been resolved the previous year to compile a list of any charities relevant to the townships in the union, and to note the trustees. If wine were thought necessary the doctor was to give the patient a certificate 'and charity will no doubt provide it'. However, when informed by a medical officer that his patient 'would be likelier to go sooner off the books if allowed the means of an improved diet', the Guardians allowed him 7/- in-kind, and an additional 2/- for four weeks 'if necessary'. Fylde also granted 'extras' by way of relief. They only questioned Medical Officer Nelson's liberal orders for his patients of 'wine, porter and spiritous liquors'. His equally generous ordering of meat seems to have been accepted without demur.<sup>97</sup>

Some of Dr. Nelson's patients must therefore have been distressed when, in 1849, an accusation of neglect was levelled against him. It was alleged that his failure to personally visit a sick boy had resulted in the boy's death. The mother gave evidence that Nelson had sent an emetic the first day and on the second day 'the doctor said he would like to see her son, but he was going off from home by the 12 o'clock train'. (It was then about 11 a.m.) He gave her two blisters to put on either side of her son's throat but the boy died before the doctor arrived the following day. Though Nelson had satisfactorily attended her family on various occasions both before, and since the boy's death, and was to do so again, the Guardians considered the case to be unsatisfactory and reported it to the Poor Law Board who gave the matter very dilatory attention. Their literal conclusion is not recorded, but in the end, Dr. Nelson resigned,

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<sup>97</sup> Lancs. CRO, PUY//1/2, Garstang Gdns. Mins., 18/2/1847; PUU/1/1, Ulverston Gdns. Mins., 11/1/1838; PUS/1/1, Ormskirk Gdns. Mins., 11/2/1838, 13/9/1838, 21/11/1839; Fylde Gdns. Mins., PUF/1/3, 4/5/1847, PUF/1/4, 16/1/1849

and from the manner of the entry it suggests that he was prompted to do so by the Poor Law Board.<sup>98</sup>

No-one applied for the post in the March 1850 renewal of contracts, so the district was temporarily split between the Blackpool and Kirkham districts, whose medical officers were respectively paid an additional £8 and £15. There were no applications the following year either, so the post was advertized more widely in the press. This time Dr. Nelson applied and was the only person to do so. He was thereupon re-appointed with the concurrence of the Poor Law Board. As suggested, perhaps many of his pauper patients were pleased, and even the mother of the dead boy stated that she had made use of his services since the death of her son.

This was the only case of neglect to be brought in Fylde Union . There had been none in Ormskirk, but the several cases in Garstang have been outlined above. Ulverston Guardians investigated one complaint, which did not result in a fatality and which elsewhere might have been overlooked, but Ulverston's medical officers were typically firmly-controlled by the Guardians. Years before a similar proviso was included in the General Medical Order of 1842, Ulverston's medical officers had been directed to name stand-ins who would attend to urgent cases in their absence, and the Guardians themselves judged their suitability. One officer was plainly told that the substitute he had named 'was not a proper person to be entrusted with the care of the poor'. More than once they were instructed to attend to the needs of pauper patients as they did their private patients. All outdoor patients were to be visited at least once a week - and the workhouse was to be at least once a day. This instruction preceded, and so was relevant to, the case of neglect mentioned above. A boy with an incurable,

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<sup>98</sup> Lancs. CRO, PUF//1/4, Fylde Gdns. Mins., 22/5/1849, 19/6/1849, Feb. 1850

hereditary disease had not been visited by the officer for five weeks. The latter explained that medical care could do nothing for the boy and that the parents were aware of this, and on a majority vote the Guardians decided not to reprimand him.<sup>99</sup>

Control of the medical care afforded Ulverston's outdoor paupers was additionally a responsibility of the relieving officers, although they were firmly reminded that it was not their task to decide whether or not a pauper required medical aid, but merely his inability to pay for it. However, they were to record any complaints against the medical officers and report the matter to the Guardians, and they were also to check that the medical tickets they issued to paupers had been honoured. This evidence of the role of relieving officers is interesting. It turns on its head the widespread situation described by Flinn, who quotes a 'seasoned campaigner for reform', where relieving officers judged who should see a doctor and who should not. In that account the relieving officer assumed unauthorized powers and came between doctor and patients. An Ulverston relieving officer, on the other hand, was to keep strictly within his duties which, however, included ensuring the patient received due care from the doctor. There is no indication of the role of relieving officers with regard to medical relief in the other three unions, but no such officer in any of the unions was accused of neglect on this score, as one might expect had Flinn's situation obtained.<sup>100</sup>

Medical officers at Ulverston who had complaints made against them were likely to have a quarter's salary withheld, and relieving officers were systematically consulted before the renewal of medical contracts. How different were the power relationships

<sup>99</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 20/4/1837, 8/3/1838; PUU/1/2, 8/10/1840; PUU/1/3, 13/5/1841

<sup>100</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 8/10/1838, e.g. 8/3/1838; PUU/1/3, 13/5/1841; Flinn, 'Medical Services', p.49.

between the medical officers and the Guardians of Ulverston, compared with those of Garstang Union where the shortage of doctors gave the latter the upper hand, at least in forcing salary increases.

Yet if the medical officers of Ulverston Union were carefully instructed in what was expected of them, the doctors were always consulted on medically-oriented matters, and their advice was taken - occasionally even above that of the Assistant Commissioner/Inspector. Dr. Postlethwaite, the medical officer for the workhouse and for Ulverston district, was particularly deferred to. He was made the responsible authority for the careful investigation of current practice for the care of sick paupers in the workhouse, and his recommendations were acted upon. One such example was the provision of matting, which was purchased for the sick wards on the recommendation of the Assistant Commissioner, but which was taken up again on the advice of the medical officer, as he stated that floors should be left uncovered in the interests of health. A second example concerned picking cotton by children under nine after school. The Assistant Commissioner had pronounced it beneficial but it was stopped when Postlethwaite disapproved of it, and on his recommendation the children were limited to a maximum of two hours cotton-picking on Saturdays.

Reflective of the times, an enquiry revealed that two workhouse nurses and the matron could not read, and one nurse, who had a bad memory and was incompetent through age, was replaced. The investigation for improving the standard of medical care and tightening up on lax practices in the workhouse sick wards had been forced by a lone Guardian, Mr. Watson, who did not esteem the medical officer as highly as the rest of the Board. He accused Postlethwaite's 'friends' of covering up for him by refusing

to hold an enquiry into the death of an inmate, from which Watson inferred that ‘his conduct will not bear investigation’. Watson also asked, ‘Where did the medicine come from that Medical Officer Postlethwaite says he did not send?’ The question was rhetorical as far as the minutes are concerned, but the system for collecting medicines from the doctor and for giving them to the patients was more strictly organized as a result of the review of present practices.<sup>101</sup>

The above account of medical relief in the four rural unions exposes differences between the unions due to individual circumstances. The two unions with the largest populations, namely, Ulverston and Ormskirk, experienced little difficulty in meeting the conditions required by the General Medical Order and in supporting the central authority’s plans for extending provision, for example, vaccination and subscribing to beds in public institutions such as the Manchester and Liverpool Infirmaries, the Liverpool Asylum for the Blind and the Liverpool Deaf and Dumb Institute.<sup>102</sup>

But the most noticeable difference was between the smaller unions of Fylde and Garstang. The two unions shared a similar location, fairly similar terrain, and were not too divergent in population. Yet Fylde was as remarkable as the larger unions for the stability of its medical organization, while Garstang barely managed to provide a service at the beginning, and the situation deteriorated rather than improved with time. However, Fylde had two old-established market towns, both larger than Garstang township, and its population was seasonally swelled by visitors of the non-pauper class to the seaside towns of Blackpool, Fleetwood and Lytham - potential private patients in close proximity, so that time was not consumed travelling between one and another. It

<sup>101</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, May-Jun. 1838; PUU/1/3, 26/5/42, 27/4/43

<sup>102</sup> Lancs. CRO, Ormskirk Gdns. Mins., e.g. PUS/1/1, 17/1/1839; PUS/1/2, 6/5/1841, 24/10/1844. 240

had a sufficient number of doctors at the outset, they were content to remain there, and it had attracted others. Unhappily for Garstang it did not share these fortunate circumstances.

In none of the rural unions was medical relief provided 'on the cheap'. Whereas Lancashire's average expenditure on medical relief was 1d per annum per head of the population, Fylde and Ormskirk spent 1½d per head, a fifty per cent increase on the average. Medical relief cost Garstang a further farthing per head, amounting to a penny three farthings, while Ulverston at 2½d per head spent two and a half times the Lancashire average.<sup>103</sup> On the whole, therefore, the introduction of medical relief into the four unions was beneficial and must have been welcomed by paupers, in marked contrast to the Guardians' policies on vagrancy and outdoor relief.

## Conclusion

Outdoor relief was not a soft option: it was not generous or given freely and it was hedged round with stipulations and tightly controlled. In Ulverston it was partly in-kind and Ormskirk Union imposed numerous conditions. Pensioners had to make over their possessions and any property to the union; paupers with families had to have their children vaccinated and send them to Sunday School, later day school, and both generations had regularly to attend a place of worship on Sunday. None was to systematically beg. Where appropriate paupers had to allow their children to be apprenticed - at age seven in the early days at Ulverston. More unusually, an Ormskirk woman was to 'find a more proper place to live than her daughter's', which was perhaps a bawdy house, or she would be denied relief other than in the workhouse.

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<sup>103</sup> Ninth Annual Report of the PLC, 1843, Power's Report on Medical Relief in Lancashire, p.15. 241



Fylde refused relief to people who kept a dog, and everywhere those who got drunk had their relief reduced, or even stopped, though presumably only for a time - or they were instead sent to the workhouse, as the central authority forbade the denial of relief on the basis of unworthiness

Medical relief was an obvious example of the wider range of relief available in rural Lancashire under the New Poor Law, as such attention was rare in the pre-1834 period in other than particular cases. Payment of rents, formerly so prevalent but dwindling by the 1830s, were categorically discontinued at Ormskirk and Ulverston and are not mentioned at Fylde or Garstang. Pensions and casual relief remained, but single grants of money or goods were often supplanted by a loan system for the feckless or less than poverty-stricken. Help with clothing and bedding also remained, though firing seems to have disappeared. But more important than details of the forms outdoor relief took is the difference in its administration.. Though there was still scope for individuality of policy, outdoor relief under the New Poor Law was practised against a background of rules and regulations by officers who had stated duties and were far more accountable than formerly. On the whole outdoor relief was less readily granted, more strictly controlled, more impersonal, but it included a greater range of social benefits.

## 8.....THE WORKHOUSE UNDER THE NEW POOR LAW

The workhouse was at the heart of the New Poor Law. It was its physical symbol, and no doubt seemed to the New Poor Law Commissioners, the item which lent itself most readily to uniformity of administration and control. At the time of the Royal Commission the poorhouses of rural Lancashire, like those in the south east,<sup>1</sup> had been used as almshouses, almost exclusively housing the aged and infirm, and the young, either orphaned or with their single mothers. Under the New Poor Law, these were, in theory, to be joined by the destitute able-bodied.

Influenced by the professed intention of the Poor Law Commission that the condition of the able-bodied inmate should be less eligible than that of the independent labourer outside, two interlinked historical debates have arisen. One concern is the means by which less eligibility was to be achieved. Historians writing before the 1960s, such as the Webbs, Trevelyan, Cole, and Halevy<sup>2</sup> believed it to have been realized through physical cruelty, and that workhouses were 'odious'. More recent interpretations of cruelty relate it to the psychological distress occasioned by 'labour, discipline, and restraint'. Indeed the Poor Law Report had acknowledged that subjecting the able-

<sup>1</sup> G. Boyer, *An Economic History of the English Poor Law, 1750-1850*, (Cambridge, 1990), p.23.

<sup>2</sup> Quoted in D. Roberts, 'How Cruel was the Victorian Poor Law?' *Historical Journal*, vi, 1963, p.100. 243

bodied inmate to such a system was the only tolerable expedient which would outweigh the advantages of the superior diet and bodily comfort and care experienced in a well-run workhouse.<sup>3</sup>

On the broader question of how cruel in general was the Victorian workhouse, Roberts considers that ostensible physical cruelties were exaggerated and instances where it occurred were perpetrated by officers without the approval of the Poor Law Commissioners. Henriques approaches cruelty from a psychological viewpoint. She believes workhouses were quietly oppressive, principally as a result of insensitivity. Crowther's summation of the debate concludes that popular historians have overplayed cruelty, yet the verdict of academic historians that cruelty was by accident is too dismissive.<sup>4</sup>

Studies specifically on workhouses have tended to be on a broad canvas over an indeterminate or lengthy timescale. For instance, Crowther's study spans a hundred years and she acknowledges that in utilizing a small sample from endless records she does not know if the former is typical or not.<sup>5</sup> This thesis is concerned only with four unions over a period of approximately fifteen years. An attempt to assess cruelty would require detailed information on highly localized living conditions and the quality of life of paupers existing outside the workhouse as well as the daily life of inmates. The four rural unions of Lancashire were not the subject of media accusations, investigations or denials in which, though it was difficult to distinguish true from false, much information was made public. Rather did the four rural unions suffer from a

<sup>3</sup> Second Annual Report of the PLC, XXIX, 1836, p.5

<sup>4</sup> Roberts, 'Victorian Poor Law', p.103; U. Henriques, 'How Cruel was the Victorian Poor Law?' Historiical Journal XI, 2, 1968, p.365; M. A. Crowther, The Workhouse System, 1834-1929, (London, 1981) p.33

<sup>5</sup> Crowther, The Workhouse System, p.6

blanket of silence. Even if available, it would be beyond the scope of this thesis to pursue it. However, some of the aspects which have been influential in the conclusions of others will be considered, including that of relative costs. This chapter will also briefly address the question of continuity and change, although it remains difficult to arrive at a conclusive assessment because the evidence is not directly comparable.

### **Workhouse provision**

Though policies to be followed in workhouse administration were theoretically devised and regulated by the Poor Law Commission, Boards of Guardians were frequently more constrained by what already existed. The location of the union workhouse played a part. When it was situated in a market town, and near at hand to the mainstream activity, a visiting committee would be likelier to fulfil its duties; inmates might attend township schools and churches, and could be more easily visited by friends and relatives. What went on in a workhouse would therefore be more open to public knowledge.

Digby found that south eastern workhouses were placed either at the very edge of a union centre, or 'deep in the countryside'. She attributed this to an ambivalent attitude resulting from a combination of civic pride and feelings of 'not in my backyard'.<sup>6</sup> One wonders if this is the only explanation. A new classified workhouse with ancillary buildings, exercise yards, privies, and the ubiquitous garden, would require a site of anything from between two and five acres - the actual size of plots sought at Ulverston and eventually Garstang. It is unlikely that such an amount of land would be left undeveloped in a union centre, or would perhaps be affordable on the poor rates if it

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<sup>6</sup> A. Digby, Pauper Palaces, (London, 1978), p.69

were. Rural Lancashire seems also to have had a further serious handicap in that land for sale was in short supply. Farm holdings were fragmented and those in Garstang, for instance, indicate a complicated structure where some land was owned, some rented, and some even sub-tenanted or sub-let. This was the case even among well-do-do persons and large-scale farmers, including some Guardians, who would surely have bought rather than rented had it been possible. Ormskirk also could not buy further land for expansion of the workhouse's facilities, and at Ulverston, over six months diligent search for a green-field site on which to build a registry office was unsuccessful, and an existing building had instead to be leased.<sup>7</sup>

Ashforth states that, despite the Poor Law Commissioners' exhortations to build new workhouses, none was built in the West Riding during the 1840s, and adds that the general response in Lancashire was equally poor.<sup>8</sup> Rural Lancashire therefore set a good example for the rest of the county, in both workhouse location and new structure. Though having four large workhouses in operation amid a host of smaller ones, Ulverston decided from the outset to build anew. Within six years of the union's inauguration Fylde also opened a completely new workhouse at Kirkham, which Poor Law Inspector Farnall regarded as 'one of the best description he had ever seen'. He also described the union as 'in very good condition . . . the management and position of this union is better than the average number of unions in this district'.<sup>9</sup>

Ormskirk purchased the larger of the two workhouses within the town, and immediately set about having it altered and extended to accord with the Commission's

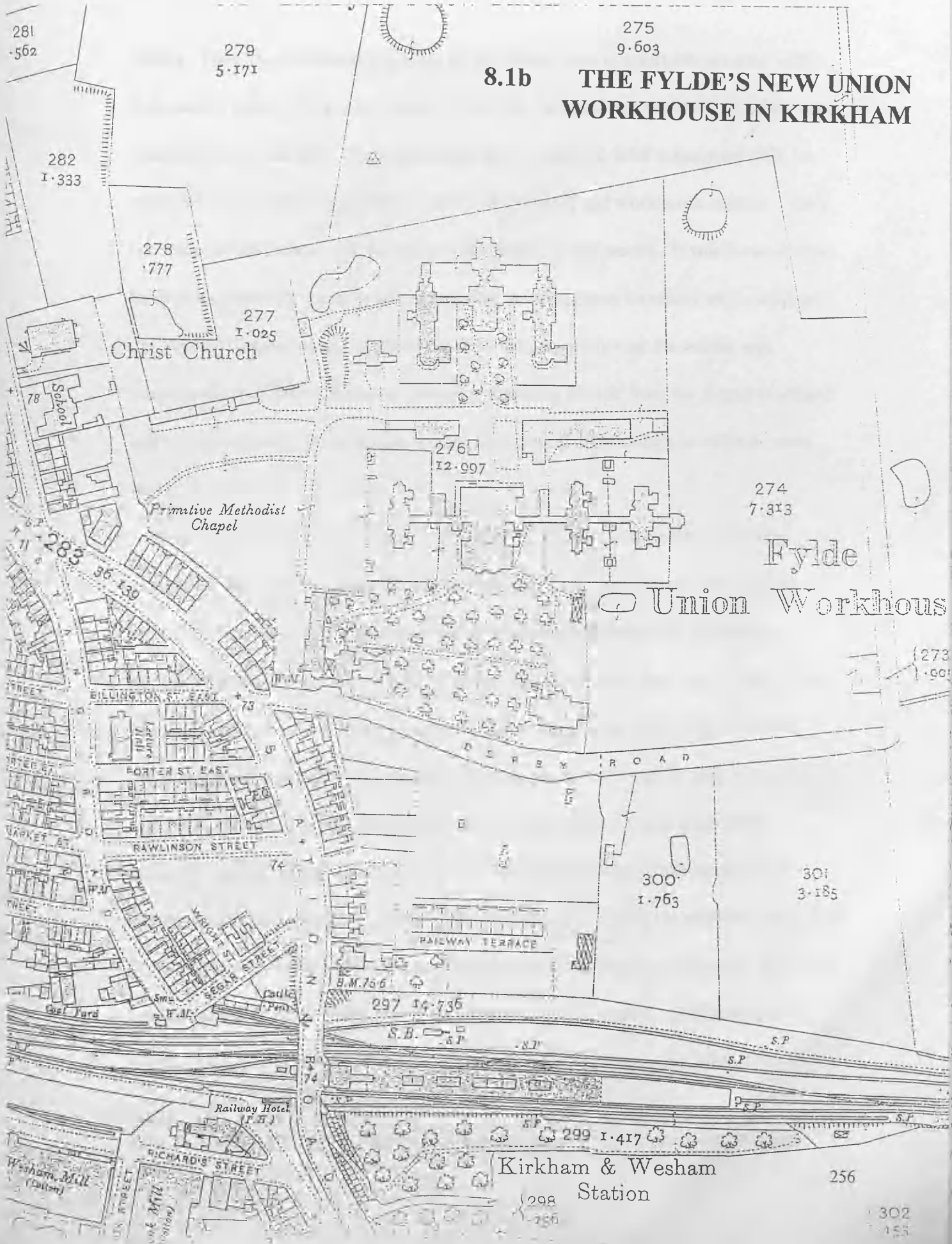
<sup>7</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., Oct. 1836 - May 1837.

<sup>8</sup> D. Ashforth, 'The Urban Poor Law' in D. Fraser (ed.), The New Poor Law in the Nineteenth Century, (London, 1976), p.133

<sup>9</sup> Lancs. CRO, Fylde Gdns. Mins., PUF/1/3, April 1845; PUF/1/4, 13/7/1852

### 8.1a LOCATION OF OLD AND NEW FYLDE UNION WORKHOUSES





**8.1b THE FYLDE'S NEW UNION WORKHOUSE IN KIRKHAM**

Fylde  
Union Workhouses

Kirkham & Wesham  
Station

256

302  
155

wishes. Thus, the workhouses of three of the unions were comfortably situated within their market towns; they were entirely, or largely, new and custom-built, and they were classified by sex and age. They also could, and mostly did, fulfil subsequent calls for specialist facilities such as reception wards, fever wards and workhouse schools. Only Garstang's rented union workhouse spoiled this exemplary record. It was located three miles from Garstang, 'deep in the countryside' on Claughton townland, and whereas if the Visiting Committee at Ulverston missed a single weekly visit the matter was immediately rectified by a leading Guardian absenting himself from the Board to inspect and report forthwith, it was almost as rare an occasion if Garstang's workhouse were visited at all.<sup>10</sup>

Even more crucial to workhouse policy was the size and shape of the site itself. This factor was to pose difficulties for Ormskirk in the later 1840s as Irish vagrancy increased with the potato famine and central authority's demands for workhouse accommodation became more sophisticated. When Liverpool, particularly affected by Irish vagrants, pursued a policy from July, 1847, of removing them back to Ireland, vagrancy became an even more pressing problem for nearby Ormskirk, also enduring an outbreak of fever. The site had insufficient room to enable the provision of the necessary vagrant and fever wards. At the time of Ormskirk's purchase of Moor Street workhouse, adjacent land owned by Lathom township was available for sale. The Board of Guardians had wished to purchase it in order to 'square off the site' but could not obtain the sanction of the Poor Law Commission. The latter must subsequently have regretted their refusal of this purchase, for when the above extensions were

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<sup>10</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 4/5/1848; PUY/1/1-2, Garstang Gdns. Mins., *passim*; PRO, MH12/5826, A/C Austin's report on Garstang workhouse, 12/2/1847, Mainwaring's report, 23/10/1849



## 8.2 THE UNION WORKHOUSE IN ORMSKIRK



required the necessary land was not for sale. After years of protracted and intermittent negotiations it was eventually available on a long lease of 75 years, but then the Guardians quietly changed their minds and instead bought a different, two-acre plot on which to build a completely new workhouse.<sup>11</sup>

Garstang's problems were far greater and merit extended exposition. When authorized to administer relief to the poor at the end of 1838, Garstang had had no choice among existing workhouses - the poorhouse at Claughton was the only one apart from a small one at Myerscough. From the outset, the former was never even passingly satisfactory. Apart from the refusal of the landlord (Claughton township) to contribute to the expense of alterations, and the grudging disinclination of the tenant (Garstang Union) to expend money on property it did not own, or indeed, to spend money per se, the limitations of the site and the existing structure presented insurmountable difficulties and precluded any worthwhile improvement.

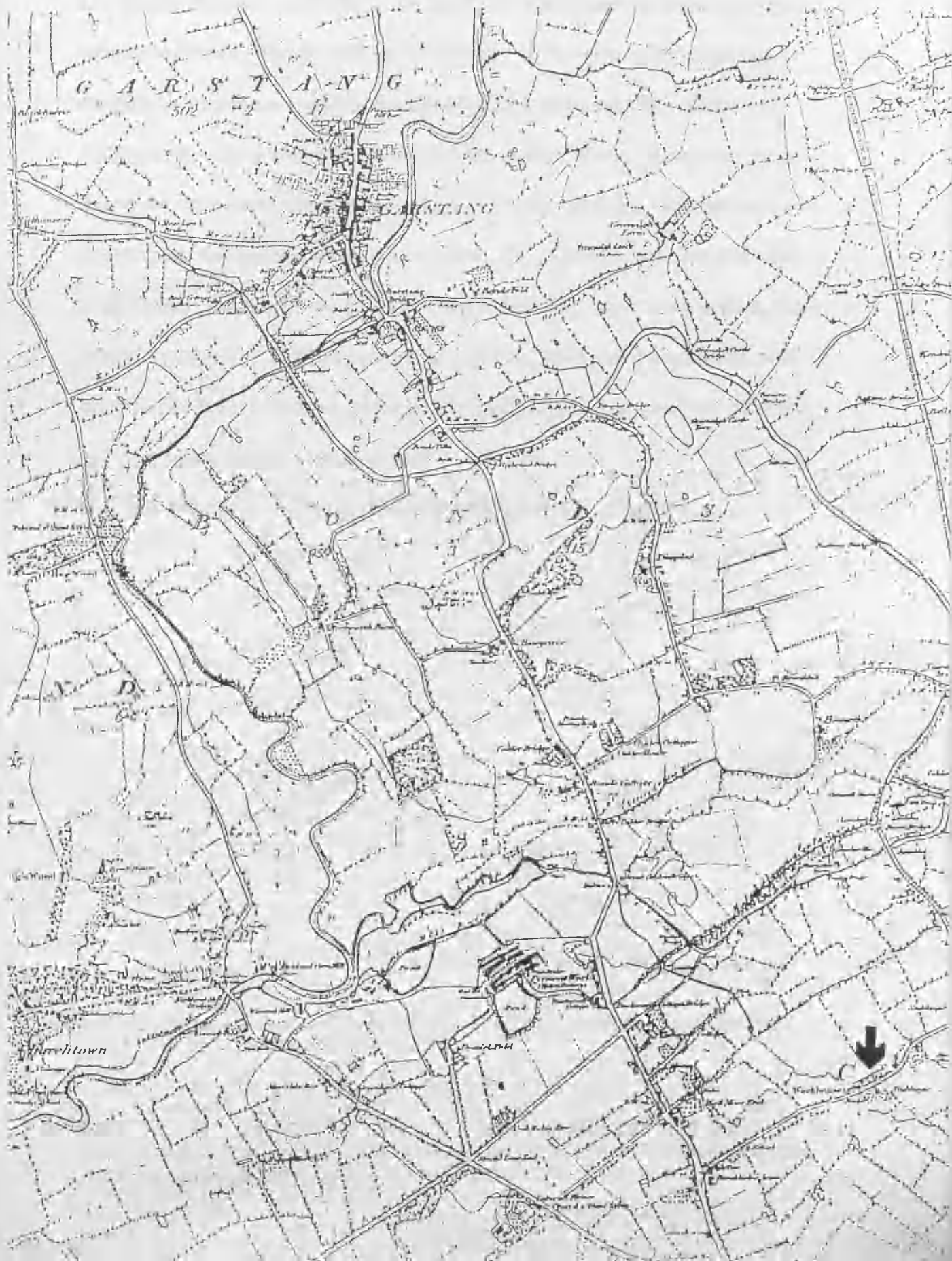
Built in 1795 and enlarged in the 1820s, Claughton workhouse almost certainly had puddled clay walls superimposed upon a timber frame. 'Clat and clay' walls were typical of the area at that time underlined by the fact that thirty hundredweight's of lime were needed for repairs to the workhouse in 1843. Dickson in 1815 had also found that 'many cottages in this area are clat and clay roofed with thatch'.<sup>12</sup> The rooms were small with low ceilings and clay floors, and the only entrance to some rooms was through another; sometimes it was necessary to go through two rooms to enter a third.

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<sup>11</sup> Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., Circular re Irish, 27/7/1847; PUS/1/3, Ormskirk Gdns. Mins., especially Apr. 1847 - Feb. 1848, 22/5/1851.

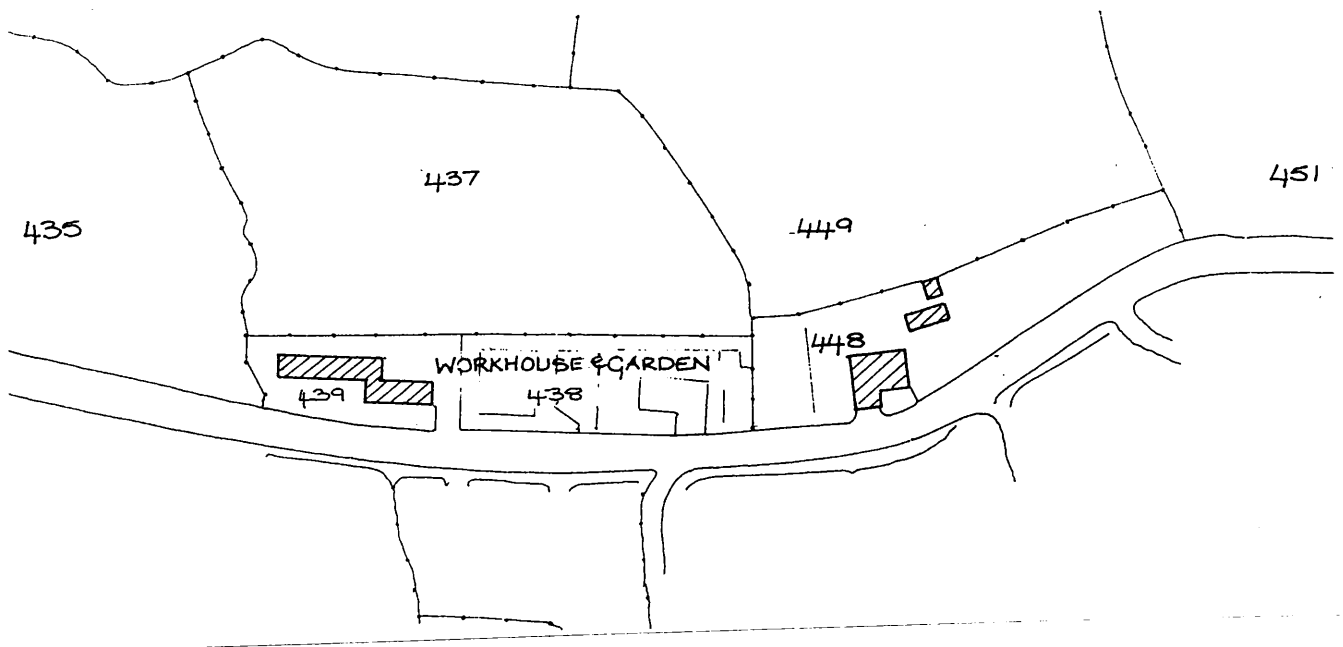
<sup>12</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 16/2/1843; R. C. Watson & M. E. McClintock, Traditional Houses of the Fylde, (Lancaster, 1979), p.15; R. W. Dickson, General View of the Agriculture of Lancashire, (London, 1815), p.104. Mr. Bradley of Walton-le-Dale also remembers that, when installing electricity in the 1920s, to the workhouse which eventually succeeded the one at Claughton, all the internal walls were still left unlined.

### 8.3 SITE OF GARSTANG UNION WORKHOUSE AT CLAUGHTON



The master's bedroom could only be reached by passing through the bedroom of his cousin, the Matron. Neither of them was married. Most rooms lacked fireplaces - desirable for ventilation as well as warmth when windows were small and few were made to open. The privies were shared and were without doors. There was only one dining room and a common day room which, for instance, the men occupied exclusively in 1843 when the workhouse was overcrowded. The women were all crowded into a small kitchen. There were no special rooms for the sick or dead, or for washing either laundry or persons; no refinements such as receiving, fever and vagrant wards, while airing yards were non-existent - although this hardly mattered when access to the lane, and the country outside, was unrestricted.<sup>13</sup>

#### 8.4 Site plan of Garstang Union Workhouse at Cloughton



KEY 448 - House, garden & fold; 435,437,449 - Pasture; 451 - Wheat/oats; in the ownership / occupancy of Robert Smith  
 Source: *Cloughton Tithe Award & Plan 1838*

<sup>13</sup> PRO, MH12/5825, various letters, reports, on Cloughton Workhouse, 20/4/1844, 24/8/1844, 27/1/45, 12/2/1847, Lunacy Commissioners' Report, 1848; J. Binns, *Notes on the Agriculture of Lancashire with Suggestions for its Improvement*, (Preston 1851), pp.24-25

Perhaps the situation did not seem so daunting in 1839 when the union took over the workhouse, for though it had accommodated the paupers of a number of townships there were then only 39 inmates of which ten were from townships in other unions. The latter were allowed to stay on for a while as ‘boarders’ at a quarterly charge of around £2.<sup>14</sup> It is unlikely that the Guardians foresaw a situation where the average weekly number in 1843 would have increased to 117. It was becoming overcrowded in 1841, but after a little alteration the Garstang Board had blithely claimed in 1842 that they could house 120 paupers, a figure refuted by Assistant Commissioner Mott who was ‘not satisfied as to the numbers’. In December, 1842 he reported the workhouse to be ‘highly discreditable’ and operating to the ‘entire neglect of our regulations for its government’.<sup>15</sup> Mott's Report is missing from the Ministry of Health records, but it is frequently quoted from, or referred to, so that the gist of its contents is quite clear. The purchase and alteration of the existing house, or the erection of a new one, was a matter of great urgency, at least to the Poor Law Commission.

Costs were explored and Fylde and Lancaster workhouses were viewed for ideas by representative Guardians. The recriminations of the Poor Law Commission, together with calculations for an Exchequer loan to build a new workhouse of £3,000 at 4% interest, the principal to be paid off over twenty years, were then put to the ratepayers and their views sought. This exercise resulted in a decision to purchase and alter the present Claughton workhouse, but nothing came of even that. It is possible that Garstang Guardians considered the asking price was too high, but the entries in the

<sup>14</sup> PRO, MH12/5825, John Ray to PLC, 24/3/1845; Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 2/1/1840, 2/2/1843; charge for paupers calculated from quarterly accounts in PUY/1/1.

<sup>15</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 9/12/41, 22/12/42, 3/1/1843, Feb.-May 1843; PRO, MH12/5825, Return of Average weekly numbers in workhouse, 1841-1844; MH32/57, Mott to PLC, 20/6/42, 28/11/42

usually frank Guardians' minutes suggest that Claughton township declined to sell. Claughton was largely, but not exclusively, owned by the Catholic family of Fitzherbert-Brockholes. They were extensive landowners, for example in Poulton-le-Fylde, but their family seat and estate of 363 acres was in the township of Claughton, and it was always the head of the family who spoke and negotiated on behalf of the township. Through him it had been arranged that the township should be 'compensated' annually with £40 for the union's use of the workhouse. He was not involved in any way in the administration of the poor law or local government. The Poor Law Commission continued to press for improvement until finally a professional architect extinguished all hope. Without additional land almost nothing was possible, and the farmer-owner of land adjacent to the workhouse site had spurned the architect's approach to buy the necessary land from him.<sup>16</sup>

Assistant Commissioner Clements seized upon this predicament to frighten the Guardians into voting for a new workhouse. At a Board meeting with all the ex officios present, Clements announced that he intended to recommend that Garstang's workhouse be shut down.<sup>17</sup> Clements wrote to the Commission:

They do not attempt to dispute the state of things described in Mr. Mott's report, or the fact alleged by an ex officio Guardian . . . that the workhouse was notorious in the country as a house of ill-fame. The only reason for not applying a remedy to these evils is an unwillingness to incur expense.

Clements reported that after his announcement:

they at once began to consider whether it would be more expensive to remain without a workhouse, or to build a new one.<sup>18</sup>

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<sup>16</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 7/9/1843

<sup>17</sup> *ibid.*, 18/4//1844

<sup>18</sup> PRO, MH12/5825, Clements to PLC, 20/4/44

However, from endorsements on the back of Clements' recommendation it is clear that the Commissioners did not feel they could risk closing the workhouse down. Instead they would limit the workhouse according to his judgement.<sup>19</sup> The classificatory order was issued in June, 1844. It limited inmates to 56 who must all be infirm or over 60. No children were to be admitted even if accompanying infirm mothers. An exasperated Clements had written on the back of a copy draft of the limitation, 'strict enforcement is the only way to induce the Guardians to build a proper workhouse' - but again he was ignored and an 'exceptions' clause was included.<sup>20</sup>

Clements must perhaps bear a small portion of the blame for the Board not proceeding with a new workhouse. Though he had personally arranged one of the dates, he twice sent his apologies for non-attendance at the Garstang Board's fortnightly meetings when this matter was on the agenda. Formal discussion of the proposal to build anew was thereby postponed for six weeks, a situation hardly encouraging to the irresolute, and the proposal was lost by thirteen votes to six. The delay may also have allowed the lobby for continuing to rent the old house, to gain strength. The Commissioners asked the Board to re-consider, but Fitzherbert-Brockholes, who had at the start informed the Board, through the Guardian for Claughton, that he believed he could produce a plan for alterations which would be acceptable to the Poor Law Commissioners, again repeated this assertion. It was no doubt in the interests of Claughton to have the workhouse continue to be rented by the union, for otherwise the township would have a white elephant on their hands. They may also still have been in debt for money borrowed when the workhouse was extended

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<sup>19</sup> *ibid.*, (note written on reverse)

<sup>20</sup> PRO, MH12/5825, Clements to C. Lewis, 12/5/1844 (written on back of copy draft of Limitation Order)

in the 1820s. Fitzherbert-Brockholes also offered to make land on the opposite side of the road from the workhouse, available for cultivation by the inmates. The plan was not acceptable to the Commissioners, but then what could be other than a fresh start?<sup>21</sup>

A descriptive list of inmates at the time the restriction was imposed in June, 1844 indicates the difficulty in administering the workhouse ‘according to the Poor Law Commission's regulations’. Within its walls were infants, orphans, pregnant women, the able-bodied of both sexes, families, single persons, the lame, the sick, the blind, the consumptive and the insane: and all ranging in age from a few weeks to 83 years.<sup>22</sup> As it turned out, far from causing the union additional expense the classificatory order advantaged it. On the grounds of less work, the salaries of the master and matron were reduced by nearly 25%, though representations to Mr. Fitzherbert-Brockholes for a reduction in rent were refused.<sup>23</sup> And henceforth little was required of the Board by the central authorities, as it was recognized that little was possible. The ‘limited categories’ saved them from having to provide what Crowther terms ‘the frills’, for example a vagrant ward, a school, a porter's lodge and so forth.

The reduced purchases now required by the workhouse also came well below the £50 minimum set by the Commissioners for compulsory tender. Literally buying ‘on the market’ contributed to a low per capita cost for provisions and necessaries of 1/11d, and 1/8½d. per week for the quarters ending, respectively, June and December 1849. The difference in the quarters’ costs would no doubt be due to differences in the price of new and old potatoes, with some probably still affected by residual disease. Costs

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<sup>21</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., May -Oct. 1843

<sup>22</sup> *ibid.*, 18/6/1844

<sup>23</sup> PRO, MH12/5825, Ray to PLC, 24/3/1845; Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 6/3/1845, 31/10/1845;



before the potato famine would be likely to have been less.<sup>24</sup> Strangely too, the reduction in the cost of the numbers on indoor relief as a result of the Limitation Order, was not matched by a corresponding rise in the total of outdoor relief. In fact, both figures fell for the two quarters after the Limitation Order was imposed.<sup>25</sup> A possible explanation is that former inmates were boarded out cheaply with outdoor paupers, and perhaps more work became available at the same time, perhaps with the growth of Blackpool, or the industrial upturn from 1843 to 1845, so that there were fewer requiring relief.

The Guardians utilized the 'exceptions' clause, but not excessively, and mostly for short-term cases. The building was re-organized as far as was possible, preceded of course by the usual haggle with Fitzherbert-Brockholes over who would pay for what. On paper there were separate day rooms, sick rooms and dining rooms. Outside, two airing yards had been devised, and the privies had been divided and had doors. But adverse reports from Assistant Commissioners continued. In 1845:

the state of the men's room was more offensive than anything I can describe. . . . no attention paid to the preservation of cleanliness amongst inmates either as regards their persons or their clothes. . . . The master was out, as he had been when I visited the house previously, so that I never saw that officer. . . . The master's bedroom was used as a general store for the various household supplies which were mixed up with his clothes in curious confusion . . . an open inside window communicated with the matron's bedroom. . . . knocked my hat off against a goodly row of bacon, which amongst other things garnished this curiously arranged room.<sup>26</sup>

Perhaps the Guardians gradually became worn down by these criticisms, or the unions' obligations under the Removal of Nuisances Act, 1846, and the formation of

<sup>24</sup> PRO, MH12/5825, Garstang returns to PLC, 4/8/1849, 25/1/1850.

<sup>25</sup> Lancs. CRO, Garstang Gdns. Mins., PUY/1/1, PUY/1/2. Totals for comparison of the four quarters of 1844 calculated from entries of fortnightly figures spent on outdoor relief, also amounts consumed fortnightly in the workhouse.

<sup>26</sup> PRO, MH12/5825, Clements Report on Garstang workhouse, 27/1/1845

sanitary committees under the Board of Health in 1848, increased consciousness of their own disgraceful 'nuisance', or they were influenced by increasing worries about Irish vagrants. For whatever the reason, on 28 September 1848 the Board at last decided to build a new workhouse to accommodate 150 inmates. A deputation of leading Guardians was to approach four landowners and ascertain the price of two to five acre sites. A written offer of land to lease was received from the absentee lord of the manor of Garstang, but leased land was not acceptable to the Poor Law Board. There is no recorded response from anyone else.<sup>27</sup> And thereafter there is complete silence on the subject. It is never again mentioned during the period of this thesis, in either the guardians minutes or the Ministry of Health correspondence. It is possible that a site was too dear to be approved by the necessary majority on the Board but it is as likely that no-one was willing to sell. As stated above, even large landowners often rented parts of their land. Also, although some of the Board were substantial landowners, there is no evidence that they volunteered to sell land for a workhouse.

So the workhouse continued its disgraceful existence which, from the following report in 1850, may at least have pleased the inmates.

The workhouse is in a generally disorderly and improper condition. . . extremely dirty . . . and I found a frying pan hanging up in the men's Day Room. . . used by inmates to cook any little matter of food which they happened to obtain out of the house. One of the inmates had in his possession several pieces of bacon weighing as much as five pounds locked up in a fishing basket and another had some slices of bacon and two small eels which he seemed about to cook . . . The master was not at home last visit. . . Not at home this time either, and he had not returned during my visit of 4 hours.<sup>28</sup>

Garstang, therefore, clearly failed to implement the recommendations of the Poor Law Commissioners in respect of workhouse provision. This may have been partly due to

<sup>27</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., Sep.-Nov. 1848

<sup>28</sup> PRO, MH12/5826, Mainwaring's Report on Garstang workhouse, 28/5/1850.

tardiness on the part of the Guardians, but the practical problems of obtaining a site must not be underestimated, nor the expense of building to a small number of ratepayers. Raising £3000 at 4% to house 150 inmates, plus the cost of the site, would represent considerably more of an expense to a small number of ratepayers, than would a workhouse of double the size, which would not cost twice the price, to three or four times as many ratepayers. The difference would be even greater to a Garstang ratepayer who was used to a rented, if greatly unsuitable, alternative costing only £40 per annum.

### **Setting the poor to work**

Certainly the male non-able-bodied inmates of Garstang workhouse were untroubled by 'labour, discipline and restraint'. The master seemed regularly absent, perhaps having taken an additional job in view of his salary cut, and the day-to-day running of the establishment was supervised by the matron and performed by the female inmates. There seemed little in the way of policy to trouble the Guardians, who in an emergency and if room were available, used Fylde's workhouse at Kirkham, a permission reluctantly granted at 2/9d to 3/- per head.<sup>29</sup> The freedom in Garstang's restricted workhouse was not evident in the firmly organized workhouses of the other three unions.

Work was a feature of less eligibility, but it was also a customary part of the lives of the working classes as well as being an integral part of the daily running of a workhouse, which included the feeding of its inmates and the outdoor work involved in growing fruit and vegetables in the garden and the rearing and fattening of piglets. It would have been unthinkable to ratepayers and paupers alike if these domestic chores

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<sup>29</sup> Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., 28/7/1846

had not been performed by the inmates according to age, sex and strength. However, there was a second aspect to work which had not escaped the administrators of poor relief, namely that pauper labour might earn money to set against the expenses of the house, paupers were occasionally hired out until the central authority became aware of it and forbade it. It amounted to only a few shillings on occasions in Ulverston but in Garstang Union casual work for manufacturers or farmers had been the customary employment for able-bodied inmates for almost first five years, ending with the Poor Law Commission's request for information on work in August 1843. There had been no work for them in the house according to the union's reply. Money earned by the inmates was paid to their townships via the master and the assistant overseers, the whole amounting to over £50 a year. The Board was informed that this practice was against the law whereupon they agreed to stop hiring out the able-bodied and instead turned to stonebreaking.<sup>30</sup>

In Lancashire, textile work was viewed as an option, and Garstang bought sixteen pairs of second hand looms in 1842 for its workhouse at Claughton. 'Soap' and 'candles for weavers' appears regularly in the minutes, but there are no entries connected with sales of textiles so their output was presumably used in the house or for outdoor relief. Ulverston always had the profitable Kendal workhouse manufactory as an example, and at one point it was resolved that their union would be run along the lines (unspecified) of Kendal Union. The establishment of its own manufactory was considered in 1843 when the workhouse was full to capacity, but abandoned as uneconomic. Instead the opening of a tailoring department, to make clothes for inmates

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<sup>30</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., e.g. 20/7/1837, 24/8/1837; PUY/1/1, Garstang Gdns. Mins., 13/7/1843, July-Oct. 1843

## 8.5 ULVERSTON UNION WORKHOUSE



and outdoor paupers, provided further occupation for a while until ample stocks were built up.<sup>31</sup>

Several years earlier, in 1837, Backbarrow cotton mills, in which one of the proprietors, Thomas Ainsworth, Jnr. Esq., was a leading Guardian and a future second vice-chairman of the Ulverston Board, offered employment for about twelve pauper boys or girls above the age of thirteen, or young women between fifteen and twenty-five. It seems that these vacancies were mainly filled by workhouse youngsters who, before the new workhouse was ready for occupation, were transferred to Colton workhouse, which was close to Backbarrow and one of the three temporarily retained. In 1841 the Board of Guardians resolved that all workhouse children above the age limited by the Act of Parliament should be sent either to the cotton factory or to learn some useful trade, 'in order to emancipate themselves from their unfortunate situation as paupers'.<sup>32</sup> The Board of Guardians had also accepted the Backbarrow Company's offer in 1837 to supply the workhouse regularly each week with 400 lbs. of waste cotton, to be picked clean by the inmates at 1d per clean lb. All ages were set to this task as 32 unoccupied able-bodied females and twelve able-bodied males were so employed in February, 1840. Child half-timers alternated the work with school, though under nines were limited to two hours picking on Saturdays after a complaint of misuse of children by an adult inmate prompted the Board to consult the medical officer and immediately accept his advice, even though Assistant Commissioner Hawley had said such work was 'morally and physically to their advantage'.<sup>33</sup>

<sup>31</sup> Lancs. CRO., PUY/1/1, Garstang Gdns. Mins., 13/10/1842, 30/3/1843; PUU/1/3-4, Ulverston Gdns. Mins., Jan.-Oct., 1843

<sup>32</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, Jan.-Feb. 1837, PUU/1/2, 28/1/1841

<sup>33</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, Apr.-May, 1837, PUU/1/2, 27/2/1840, PUU/1/3, 3/2/1842, 19/5/1842.

Referring to Macclesfield Union, Roberts states that sending workhouse children to mill work violated the New Poor Law and was a practice which, like all relief in aid of wages, depressed the wages of independent workers. The truth may be a little less simple. Firstly, there is no evidence that mill wages were thereby reduced to independent workers in Backbarrow. Secondly, there was no surfeit of workers to hand whose wages could be affected in country mills such as this.. A sufficient workforce had been created in the past by importing child workers into Backbarrow and accommodating them in apprentice houses. Lastly, Assistant Commissioner Mott approved the job proposals of the labour committee of the Ulverston Guardians, including mill work for children, providing only that wages were applied to the funds of the union and inmates were not employed to the prejudice of independent labour.<sup>34</sup>

The labour committee, formed in 1841 at the instigation of the Assistant Commissioner, also proposed that those inmates who were not capable of anything more profitable or useful should continue to sweep and cleanse the streets of Ulverston and to gather in the manure for sale, or to 'hack and collect whins for the boiling plate'.<sup>35</sup> As with Garstang's outside employment of the able-bodied, the Poor Law Commission objected to Ulverston's paupers sweeping the streets, or any other occupation which took place outside the workhouse grounds. However, under the Old Poor Law as well as the New, street sweeping and cleansing had long been a task for Ulverston's non-able-bodied inmates and on this occasion the Board, unlike Garstang,

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<sup>34</sup> D. Roberts, Victorian Origins of the British Welfare State, (Yale, USA, 1960), p.312; J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), p.51; Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 6/5/1841

<sup>35</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 28/1/1841. Whins are a form of gorse which burns well.

were unco-operative and voted to continue.<sup>36</sup> On the other hand Ulverston street sweepers were not the able-bodied. One lone Guardian in 1839 had proposed that the practice cease, but he was unable to even get a seconder. However, when the town later requested that cleansing should be completed before the shops opened, the Guardians refused on the grounds that it was contrary to the Poor Law Commissioners' rules to have paupers set to work before 6 a.m. The practice only ended for inmates in 1846 when it was taken over by the surveyor of the highways, there being insufficient paupers in the house to sweep the streets clean. Perhaps it then became a task of work in return for casual outdoor relief.<sup>37</sup>

But by and large the above work could be completed by women, the young, and the old and infirm. Labour specifically for the able-bodied male was now needed to uphold the principle of less eligibility. Ever since the Andover case, such work has tended to be associated with cruelty. However, bone-crushing seems never to have been even contemplated in rural Lancashire. Stone-breaking was the chosen form of able-bodied labour in at least three of the four unions, namely Ulverston, Fylde and Garstang. The minutes of the Ormskirk Board of Guardians do not record labour-related decisions other than the construction of a work yard in 1847, presumably for vagrants' task work.<sup>38</sup>

At Ulverston this task was highly organized and continuous. A compound was specially sited within the workhouse grounds so that dust and grit did not enter the house, and a separate pile of stones was provided in one of the yards for the vagrants' tasks of work. The minutes record that two named inmates had each to break two tubs

<sup>36</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 15/6/1843

<sup>37</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 10/1/1839, PUU/1/4, 24/7/1845, 26/3/1846.

<sup>38</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 18/3/1847



of stones per day, so it would seem that at Ulverston at least, stone-breaking was not mere token labour.<sup>39</sup> It might also have been profitable. A tub of stones fetched between 4d and 6d at Ulverston. If the tub held about one cwt - the likely amount for lifting and carting - and a load of unbroken stones cost 3/6d. (as they did at Fylde), a man breaking two tubs per day for six days would earn for the workhouse 4/- to 6/- a week, less about 2/- for the cost of the stones. This would more than repay his keep, reckoned at around 1/9d. per head at Ulverston. It also obliged the surveyor of the highways and others who provided a ready market for the result of their labours.

Possibly because of the site limitations at Claughton workhouse, but more probably because Garstang's success in hiring out the able-bodied to employers, stonebreaking was only fitfully imposed in the union as, for instance, when the inmates had attracted attention to themselves. In 1842 ten male inmates complained about the quality and quantity of the food - 'even though they did not work', the clerk wrote. A week or so later, perhaps thinking that it would be better if the complainants were occupied, 'a boat-load of stones was provided for the able-bodied to break', and arrangements were made with a person to act as workmaster. There seems no particular reason why, after the Limitation Order of 1844, a boatload of stones was laid down at the canal-side to be broken by those aged and infirm inmates able to work.<sup>40</sup> At Fylde, stonebreaking was first mentioned in 1848 when vagrancy became a serious problem. The 'number of days' in the workhouse had climbed to between 1200 and 1400 instead of the more normal 700 to 800 of 1845. In late 1847, the union had leased two fields, and employed a labour master to supervise the digging over and sowing of oats as a labour

<sup>39</sup> Lancs. CRO, PUJ/1/5, Ulverston Gdns. Mins., 18/10/1849

<sup>40</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., Jun.-July 1842, 26/11/1846.

test. Though parish farms had been recommended by the 1817 Committee on the Poor Laws, and allowed by the Select Vestry Act of 1819, even small undertakings of a farming character were 'open to serious objection' by the Poor Law Board, on the grounds that they competed with independent labour. However, the general depression in manufacturing districts in 1848, and the enormous increase in vagrancy, had influenced the Poor Law Board to sanction a few instances of such undertakings as a temporary measure, among them that of Fylde Union.<sup>41</sup>

Field work and dairy work seem to have been acceptable as industrial training for the young, and in 1849 school inspector Browne glowingly recommended it for Ulverston's young inmates. Browne's compelling concern, however, was that whatever work was devised it should not involve the children mixing with adult paupers. So adamant was he on this point that he considered this separation of even greater importance than the industrial training he was keen to promote. Poor Law Inspector Hawley endorsed the benefits of spade cultivation for older boys, whereupon the Board of Guardians leased a four acre field for this purpose. However, Thomas Ainsworth Jnr, proprietor of Backbarrow Mill, and Montague Ainslie, iron-master and ex officio Guardian, had voted against the acquisition of the field on the grounds that 'it would be unjust to the independent labourer to introduce any systematic plan of industrial training into the workhouse.' This argument, initially that of the central authority, was defeated by 22 votes to two. The following week Backbarrow Mill informed the Board of vacancies for the 'four strongest boys in the workhouse above fourteen years old' for whom the pay would be 5/6d. per week each. Ainsworth and Ainslie followed this up with the proposal that the relieving officers enquire in their districts if any situations could be got

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<sup>41</sup> First Annual Report of the Poor Law Board, XXXV, 1848, p.3.

for the able-bodied men and the remaining boys in the workhouse above thirteen years. It would seem that Ainsworth did not wish the field project to succeed, perhaps because he customarily supported the central authority and was unaware of their recent change of policy, or because he genuinely thought it was better for the boys to obtain employment directly and 'learn on the job'. Both proposals were passed by the Board who also granted the 'four strongest boys' a suit of clothing each.<sup>42</sup>

Aspects of work are well -recorded in the Ulverston Board of Guardians' minutes and their efforts in 1841 to organize work for inmates 'to deter the idle and profligate from throwing themselves upon the ratepayers for their support', clearly illustrate the union's sympathy with the less eligibility principle of the Poor Law Commission.

Although both before and after the Poor Law Amendment Act administrators were aware that most paupers preferred to live independently rather than in the workhouse, under the Old Poor Law some townships of the Ulverston Union had considered it necessary to guard against malingers who regarded the workhouse as an easier option. For instance, Colton had forced inmates to seek work and had then discharged them when successful, and Ulverston's assistant overseer had deliberately thwarted paupers he considered malingers who wished to enter the workhouse. Ulverston Union retained this attitude and appointed a labour committee to establish employment in the workhouse and cause them 'to naturally think that if they are obliged to labour they might as well be master of their own resources'.<sup>43</sup>

'Restraint' and 'discipline' were the other factors associated with less eligibility. Restraint was probably operative in all workhouses except that of the Garstang Union

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<sup>42</sup> Lancs. CRO, PUJ/1/5, Ulverston Gdns. Mins., 10/5/1849, 6/6/1850, 12/12/1850, March 1851

<sup>43</sup> Lancs. CRO, PUJ/1/2, Ulverston Gdns. Mins., 28/1/1841

at Cloughton. The Poor Law Commission requested unions to keep the able-bodied within the workhouse walls, but only Ulverston specifically passed and recorded such a resolution. And when oakum picking and rope chopping were introduced for a time for a few of the able-bodied, the labour committee organized rooms within the workhouse building for the activities. Able-bodied inmates were taken off outside jobs, and when it was thought that some stonebreakers had gone outside the gates the latter were fitted with a swivel bar and lock. The Admission and Discharge Books showed later that others had been regularly going out and returning to the workhouse once or twice a week. A shed was specially erected for them away from the normal compound wherein their stonebreaking was henceforth to take place.<sup>44</sup> This stern regard of the able-bodied at Ulverston was extended to women. All mothers of bastard children were only relieved in the workhouse, even though they normally lived outside the union.<sup>45</sup> Discipline, and the accompanying loss of individuality and free will is everywhere apparent in the very nature of workhouse routine and its rigid timetable. This would particularly affect the able-bodied male who, as the head of his household, would be accustomed to laying down the law rather than succumbing to it, and if unmarried he would be accustomed to a great deal of freedom outside working hours.

### **Children and the impotent poor**

Children, comprising the orphaned, the deserted, the offspring of single or widowed mothers, and members of the family of destitute able-bodied fathers, together formed

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<sup>44</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 14/3/1839, 8/3/1839, PUU/1/4, 1/7/1843, PUU/1/5, 21/8/47

<sup>45</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/2, 4/4/1840, PUU/1/3, 19/8/1841

something approaching half the workhouse population.<sup>46</sup> Ulverston's inmates in November, 1840 numbered 174, of which fifty were children over the age of nine, and twenty-five were under nine.<sup>47</sup> It was the wish of the central authority that pauper children should not sink into institutionalized pauperism but should be prepared for employment. Unions were therefore circularized on the benefits of a basic education and on industrial training.

Fylde no doubt spoke for all the unions except Garstang when stating that there were sufficient local schools to which the children might be sent, and Fylde, resisting pressure from the school inspector to establish its own school, continued to send them outside. At first Garstang's child inmates attended only the Sunday Schools attached to their places of worship, until in May 1842 they all attended a Dame's school where in 1844 'a great want of books' was reported and was remedied by the clerk. Ormskirk had its own school in the workhouse by 1842 but Ulverston had a mixed system for a time. Some children, perhaps the younger ones or the girls, were taught in the house by a schoolmistress, until overcrowding in late 1842 caused the Poor Law Commission to allow rooms used for other purposes to be used as bedrooms: the schoolroom was later used for tailoring. From 1844 care was taken that the schools attended were of the correct denomination, until at the end of 1846 it was decided to establish a school within the house and the 'normal schools', the teacher-training establishments of the day, were combed for a qualified school master and mistress.<sup>48</sup>

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<sup>46</sup> S & B. Webb, *English Poor Law Policy*, (London, 1910) p.45, fn.1, quoting returns from all unions, Midsummer 1838.

<sup>47</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 26/11/1840

<sup>48</sup> Lancs. CRO, PUF/1/4, Fylde Gdns. Mins., 11/1/1848, 3/6/1851; PUY/1/1, Garstang Gdns. Mins., 9/12/1841, 12/5/1842, 30/5/1844; PUS/1/2, Ormskirk Gdns. Mins., 21/7/1842; PUU/1/4, Ulverston Gdns. Mins., 4/7/1844, 19/11/1846.

Ulverston did not subscribe to the view of Harriet Martineau, educationist, in her famous pronouncement, 'I do not allow of writing.' Like the Poor Law Commission they obviously valued education for the enhancement of a child's future prospects, and the master of the National School was early requested to attend the Board whereupon he was told to pay more attention to writing. The relevant committee provided paper and pens, not merely slates and slate pencils, and had copy books made up for all children whether at school in or out of the house. A school inspector noted of the eventual school within the workhouse, that some of the boys could do higher-level Arithmetic, and Geography was included in the curriculum by 1848. At a more mundane, but a practical level, school children of both sexes were instructed in knitting, and girls in sewing. Training in practical skills such as shoemaking or tailoring was Ulverston policy, but it seems to have foundered from time to time, perhaps through shortage of inmates who could instruct in suitable skills, or a fluid child population. Nevertheless, Ulverston's training and education programme was very creditable, especially when education for all children was not made compulsory until 1876.<sup>49</sup>

The health and welfare of children was not ignored, either. Expressly 'for the good of their health' the children of Ulverston workhouse were taken out on walks by the master; later, the school day included a daily walk accompanied by the teachers. A psychologically pleasanter form of exercise and obtaining fresh air was available at Ormskirk, where a field was rented for their recreation and to which the children were taken between four and six o'clock on four days a week. A Guardian later successfully

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<sup>49</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/2, 14/11/1839, 27/2/1840, 4/6/1840, PUU/1/3, 3/2/1842, PUU/1/5, 27/7/1848.

requested that the aged should be treated as 'special cases' and allowed to share in this privilege.<sup>50</sup>

The welfare of the young was perhaps less certainly regarded over the issue of apprenticing, a practice not encouraged by the central authority, but one which it appreciated would continue in districts where it prevailed. Rural Lancashire was one of those districts and children of all ages were apprenticed in the early years, for instance a boy of eight to a shoemaker<sup>51</sup> In 1844 the Commissioners issued a General Order and apprenticeship became the responsibility of the Guardians. Compulsory apprenticeship by ratepayers was abolished and no child must be apprenticed below the age of nine, nor without their consent if they were fourteen or above, and none for longer than eight years. Masters had to be housekeepers or carrying on business on their own account and enquiries were to be made of their suitability. Premiums of part-money and part-clothes could be paid for children between the ages of nine and fourteen or if physically handicapped, but beyond that age no premiums of money or clothing were to accompany them - raised to age sixteen the following year.<sup>52</sup> Ulverston appears to have observed the Order, both as to vetting masters, interviewing the children concerned, and keeping in touch with apprentices through the relieving officers. Twelve henceforth seems to have been the minimum age for Ulverston apprenticeships, with no premiums paid other than two suits of clothing, even when the odd apprenticeship was lost for that reason. Ulverston also decided to give two suits of clothing to girls going into service on hearing that one girl left her position for an insufficient change of clothes. Clothes seem

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<sup>50</sup> Lancs. CRO, Ulverston Gdns. Mins., 18/11/1847; PUS/1/2, Ormskirk Gdns. Mins., April 1841, 2/6/1842

<sup>51</sup> Eleventh Annual Report of the PLC, XXVII, 1845, p.16; Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 16/2/1837

<sup>52</sup> G. Nicholls, A History of the English Poor Law, vol.II, 1714-1853, (London, 1898), p.360

to be the only provision with apprentices in Ormskirk, and so are presumably the item indicated under 'usual terms'. Ages are not mentioned. However, premiums of from £3 to £10, with or without provision of clothes, accompanied cases mentioned by Fylde, where ages, when given, varied between twelve and seventeen.<sup>53</sup>

## **Workhouse regime and discipline**

Workhouse regime and the maintenance of discipline within the workhouse introduces the question of cruelty. Though there is no evidence in the four unions of physical cruelty by officers of the workhouse, who are the perpetrators in the historical debate, judged by today's standards workhouse clothing was a possible source of psychological distress. The Poor Law Commission ruled that inmates should be provided with all necessary garments on entry and their own clothes be cleansed and kept for their discharge. Workhouse clothing was to be stamped with the union's name, presumably because an inmate could only be charged with absconding if in union clothing. The type of clothing provided was left to the Guardians' discretion. A uniform was proposed by Ormskirk, though there is no indication of its form or even if the proposal were adopted. Ulverston's clothing provision included velveteen badges until in 1840 it was proposed that these be discontinued on outdoor garments. There was some discussion on whether or not this should be dependent upon the character and behaviour of each inmate. The decision was not recorded. After Garstang's inmates were restricted to the

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<sup>53</sup> Appropriate Guardians' minutes 1845-1850 (PUU, Ulverston; PUF, Fylde; PUS, Ormskirk) Specific incidents quoted, PUU/1/5, Ulverston Gdns. Mins., March 1845, 4/12/1845.



old and the infirm it seems that they were either dressed in their own clothes, if fit, or in the cast-off clothing of the Guardians if not.<sup>54</sup>

In Ulverston, also, all men were to have their hair cut short as soon as possible after entry. This was no doubt resolved in the interests of hygiene but it would instantly mark them out. Extreme proposals for mothers of illegitimate children, including distinctive dress, were put forward by the Guardian for West Broughton in Ulverston Union. He also proposed that they should eat alone, be kept severely separate from uninitiated females, and perform the most degrading jobs. Though sympathy was expressed with his intention to repress bastardy, the Ulverston Board instead resolved strictly to observe the Poor Law Commission's rules and regulations.<sup>55</sup> The central authority disapproved of unchaste women being forced to wear distinctive dress:

The workhouse is not intended to serve any penal or remuneratory purpose; and it ought not to be used for punishing the dissolute or rewarding the well-conducted pauper.<sup>56</sup>

However, the separation of husbands and wives in the classified workhouses is the form of cruelty Henriques views with most severity. The First Annual Report of the Poor Law Commissioners took pains to establish that separation was a part of normal life for others such as sailors and soldiers and that married couples would mostly require only a short stay in the workhouse.<sup>57</sup> In Fylde, Ormskirk and Ulverston workhouses, large, single-sex dormitories were the norm and separation was the operative policy. Indeed one wonders how it could be reasonably expected to be

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<sup>54</sup> First Annual Report of the PLC, XXXV, 1835, pp.96-99; Eighth Annual Report of the PLC, XIX, 1842, p.116; Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 12/7/1838; PUU/1/2, Ulverston Gdns. Mins., 2/4/40; PUY/1/1, Garstang Gdns. Mins., 7/9/1843

<sup>55</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 7/2/1839, July 1840.

<sup>56</sup> PRO, MH10/4, 9/3/1839, quoted in Crowther, *The Workhouse*, p.195

<sup>57</sup> Henriques, 'How Cruel was the Victorian Poor Law', p.367; First Annual Report of the PLC, XXXV, 1835, pp31-32

otherwise. Apart from being more expensive to have a number of small rooms and less easy to maintain, it would have been very difficult organisationally and often wasteful of resources in view of the constantly changing demand of a dynamic population. The central authority ruling in 1848 that over-sixties could sleep together was readily observed by Fylde, for one, but the fact that the Poor Law Board had preceded their ruling with a survey, and Ulverston Union had only one resident couple who were over-sixty, suggests that this was not a burdensome provision.<sup>58</sup>

To set against accusations of insensitivity and psychological cruelty in workhouses, there were many examples of kindness or thoughtfulness shown by the Boards of Guardians, whose attitudes, as well as their policies, would be influential in setting the overall 'tone' of the institution. The mill children at Ulverston, for instance, were allowed an extra meal of bread and milk, though the central authority would not additionally sanction it for adult mill workers, while school children under nine were given an extra two ounces of oatcake on their return from school. The aged of Ulverston had 'their little indulgence' of an additional meal of tea with bread in the afternoon, though the Guardians had subsequently to argue, successfully, for this to be kept as a separate meal rather than being part of another. 'Armed chairs to enable them to sit more easily and comfortable' were ordered for aged and infirm inmates by the Fylde Guardians, and for a time a Fylde inmate was to be financially supported at the seaside 'for the benefit of his health'.<sup>59</sup>

Kindness associated with humouring the elderly was also evident. At Ulverston, for instance, an elderly inmate complained of neglect. The medical officer explained to the

<sup>58</sup> Lancs. CRO, PUF/1/4, Fylde Gdns. Mins., 5/12/1848; PUU/1/5, Ulverston Gdns. Mins., 15/7/1847.

<sup>59</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 15/6/1837, April 1837, PUU/1/2, 15/10/1840; PUF/1/4, Fylde Gdns. Mins., 15/7/1845, 25/3/1851.

Board that the man's case did not warrant daily inspection, but the Board asked the officer, nevertheless, to indulge the old man and see him daily 'to pacify him'. In another instance when some old men complained of the uncleanly habits of a bedridden pauper, all who were dis-satisfied were to have their beds removed to the room above.<sup>60</sup> Old men were to get more bed clothes and a fire in their sleeping room in cold weather, small dining tables were to be provided in the sick rooms, and a pan was to be provided for warming sick paupers food at night.<sup>61</sup> For protection against the cold, grey woollen shawls were ordered in 1849 for both aged and able-bodied women, and grey woollen capes for girls. Warm capes for girls *had* been considered in 1844, but unanimously rejected then, presumably on the grounds that they would thus be better clothed than many independent girls.<sup>62</sup> The later reversal indicates a notable change in attitude.

In addition to the kindnesses above, the various Boards often showed thoughtfulness, for instance, in allowing visitors to attend the lectures and services held in Ormskirk workhouse. By this means inmates would have an opportunity of seeing friends, acquaintances or relatives. Care was also taken at Ormskirk that a passage was specially constructed so that dead bodies for the mortuary would not have to go through the children's yard. It would also seem to have been a kindness, though perhaps not seen as such by the youngsters concerned, that the children of able-bodied men who temporarily left the workhouse to find work, were allowed to remain in the house until their fathers were successful, and the children of a man without home and with vagrant habits were taken into the workhouse because they would be better cared for there. Also, the fact that a young Fylde girl was first allowed one month's trial as a

<sup>60</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/4, 24/12/1846, PUU/1/5, 17/1/1850

<sup>61</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 23/12/1841, 23/2/1843, 1/6/1843.

<sup>62</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/4, 11/1/1844, PUU/1/5, 8/3/1849

servant at a house in Liverpool ‘to see if she likes the position’ indicates a caring attitude akin to the requirement of the Ormskirk Guardians that applicants for a post as assistant matron with responsibility for children, must be a ‘matronly woman over thirty’ and have testimonials as to temper.<sup>63</sup>

The attitudes of the Boards towards children and the elderly were thus patently different from those held towards able-bodied adults. Though policies for all would seem harsh by today’s standards at least those directed towards the young and the aged and infirm were leavened with a degree of kindness, and concern that children, aided by education and training should escape ‘hereditary pauperism’.<sup>64</sup>

## Conclusion

Workhouse policy in the four unions highlights the difference between that operative in Garstang on the one hand and those in Ormskirk, Fylde and Ulverston on the other. Inevitably each union was influenced by what already existed, and by the workhouse site, which affected Ormskirk as well as Garstang, though to a lesser extent. Garstang was additionally the smallest of the unions; the least engaged in any industry; and almost certainly the least prosperous. From June 1844 when Garstang's workhouse became restricted, it no longer bore any resemblance to a union workhouse. It had no comparable policy, and in form and purpose it had more or less reverted to an asylum, though still with some control from the central authority.

In relation to continuity and change as it applied to the other three unions, Fylde, which had made only limited use of a workhouse under the Old Poor Law, now had

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<sup>63</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/2, 17/1/1839; Ormskirk Gdns. Mins., PUS/1/1, 3/3/1841, PUS/1/2, 21/10/1841, 11/5/1843, 13/7/1843; Fylde Gdns. Mins., PUF/1/3, 5/10/1847

<sup>64</sup> F. Duke, ‘Pauper Education’ in D. Fraser (ed.), *The New Poor Law in the Nineteenth Century*, (London, 1976), p.67.

easy access to such accommodation. For the many townships in Furness and Cartmel with experience of small poorhouses, accommodation had become very different.. The most distinct change, however, was in policies. The able-bodied now joined the young, sick, elderly, homeless, and the unmarried pregnant in buildings which, both from their size and administration, became firmly controlled and organized institutions as opposed to informal asylums in a variety of forms, as formerly.

On the whole, excluding Garstang, the Boards of Guardians of the rural unions appear to have broadly complied with New Poor Law policy as determined by the Poor Law Commission and Board. Ulverston vigorously pursued most of their policies, though on health matters it took note of the medical officer in preference to the Assistant Commissioner. Discipline, control, routine, and loss of freedom were undeniable if inevitable in all three workhouses. On the other hand, there was no evidence of deliberate cruelty; the garrulous or the otherwise lonely had someone to talk to, and in being provided for, all experienced a form of security and relief from worry. Whether these factors outweighed the disadvantages could only be a personal decision at the time: it cannot be judged today as knowledge of the alternatives can only be guessed at.

When reviewing aspects of outdoor relief under the New Poor Law, account was taken of the influences which played upon the Guardians in their deliberations and decisions. Considering both indoor and outdoor relief, a related issue presents itself, namely, the relative costs of the two forms of relief. Many historians consider financial considerations predominated with Boards of Guardians and on this score it has become almost universally accepted that outdoor relief was less expensive than indoor relief,

and that Guardians were therefore reluctant to send paupers to the workhouse, a factor which would contribute to the low ratio of inmates to outdoor paupers. Mackinnon estimates that workhouse accommodation was fifty per cent per head higher than outdoor relief, and even more when workhouse salaries, repairs, furniture and so forth were included.<sup>65</sup>

The difficulty for historians of distinguishing categorically between indoor and outdoor paupers must be reiterated. It is also probable that distinction between the two states was sometimes difficult for unions, and that therefore statistical returns to the Commissioners on indoor and outdoor paupers, might well have included anomalies. For instance, to problems in categorizing vagrants there could have been similar difficulties with paupers in asylums, private and county, or in public hospitals, or institutions for the disabled, some of whom were transferred from the workhouse and others from outside.

However, there are more substantial arguments for doubting the assertion of historians that outdoor relief was cheaper, and that the Guardians chose it for that reason. Firstly, given that unions had compulsorily to provide workhouse accommodation, the costs of the structure, upkeep and officers' salaries remained, irrespective of inmates, and can therefore be discounted, leaving only food, clothing and necessaries as reckonable items for indoor relief. The cost of these varied in the four unions. In Garstang it was 1/8½d per head per week for the quarter ending Christmas, 1849, and in Ulverston, 1/8d. - 1/9d. per week in April, 1844, and 1/7¼d for the quarter ending October 1844.<sup>66</sup> It is not always possible to tell if clothing and

<sup>65</sup> Mackinnon, (1987), quoted in Boyer, *An Economic History* p.202.

<sup>66</sup> PRO, MH12/5826, Garstang union clerk to PLB q/e 5/9/1849; PUU/1/4, Ulverston Gdns. Mins., 25/4/1844, 3/10/1844

necessaries were included in the figures, but necessaries amounted to very little and stocks of clothing were also kept for, and issued to, outdoor paupers, also at unknown cost. In fact, as Ulverston inmates were employed in making clothes for all forms of paupers, which were distributed from the workhouse, it is unlikely that the costs could be calculated separately. In any case, apart from the initial outlay, the subsequent cost of workhouse clothing could hardly have amounted to much for some time in at least two of the workhouses. Ulverston's workhouse clothing was mended from old garments and Garstang's inmates were given the old clothes of the Guardians. Furthermore, supplementary claims were allowed for clothing for the outside poor.

Table 8.1 indicates the cost of indoor relief in Ormskirk Union during the last week in January and the first two weeks in February for the four years, 1839 - 1842. There is no indication why the last week in January, 1842 was so relatively expensive. It was entirely due to the unusually high cost of that week as the number of inmates was almost the lowest of the figures. Overall the weekly costs are a penny or two higher than at Garstang or Ulverston.

**Table 8.6: Ormskirk Workhouse - Weekly Cost of Consumables per Inmate**

WEEK	1839	1840	1841	1842
Last week in Jan.	1s. 11½d	1s. 8½d.	1s. 9½d.	2s. 6½d.
First week in Feb.	1s. 11½d.	1s. 9d.	1s. 10d.	2s. 0d.
Second week in Feb.	2s. 0d.	1s. 9½d.	1s. 10½d.	1s. 11½d.

*Source: Ormskirk Guardians' Minutes, 1839-1842. Figures calculated from weekly totals for items consumed, (almost always between £9 and £10) and the 'number of days' in the workhouse each week (roughly between 650 and 800 days).*

It can also be argued that the earnings of the indoor paupers could be set against the cost of consumable items, for though they were credited to the Establishment account,

they still represented a saving to the ratepayers as a direct result of the paupers. At Garstang inmates were hired out for the five years to 1843 'at whatever job they were best at' thereby amassing £50 1s 3½d. in the year 1843. Stonebreaking contributed sizeable injections throughout the years to the accounts at Ulverston, and an able-bodied inmate could, at the least, cover the cost of his keep. Also in that union, approximately £1 2s 6d per week was earned from cotton picking,<sup>67</sup> and a further small amount by oakum pickers. The pay of the children and young persons in the Backbarrow cotton factory was a further contribution. All four unions also raised money from the sale of produce, fat pigs, and manure, with Ulverston regularly augmenting income from the latter with street-scrappings. Earnings and money from sales are recorded irregularly in the minutes so that calculations over a fixed period of time are not possible. However, they serve to indicate that the accounts relative to inmates were not entirely outgoings.

Only from 1847 and the Irish invasion could there have been much of a contribution from outdoor paupers to the cost of their relief. In that year Fylde first organized work for the unemployed able-bodied in the 'workhouse farming field', where it would seem to have been difficult to calculate the proportionate contributions to union income of indoor and outdoor paupers. Ulverston came under an Outdoor Labour Test Order from 1847 and imposed stonebreaking. Ormskirk was under the Outdoor Relief Prohibitory Order from 1842, and there is no record of work for outdoor paupers at Garstang, where it seems it was the policy for them to be found employment or for them to be encouraged to seek it elsewhere.

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<sup>67</sup> Calculated from the estimated weights and the rate of pay when the project was first broached and considered by the Guardians.



Unfortunately there are no hard and fast figures for an exact comparison of the costs of indoor and outdoor relief in the rural unions. There are no extant accounts of relieving officers, and entries in the minutes do not indicate the number of persons involved in an award, nor the period of its duration. Without numbers of persons, figures of total expenditure on indoor and outdoor relief are equally unhelpful. However, taking examples which almost certainly refer to single persons, 2/- seems the most usual minimum amount of weekly outdoor relief. For instance, North Meols memorialized the Guardians of Ormskirk to allow four paupers destined for the workhouse by resolution of the Board, to instead be given weekly allowances of 2/- with an extra 9d for one 'so long as she needs attendance'.<sup>68</sup> An Ormskirk child formerly maintained out of the union at 3/- per week was transferred to a home within the union where she was boarded for 2/6d per week, and Ulverston Guardians were not persuaded by cheapness to allow a child in the workhouse to return to a Lancaster woman who stated that she would maintain her for an allowance of 1/6d. per week. There were also several examples in the initial review of Garstang Union where elderly women, were to receive pensions of at least 2/- a week.<sup>69</sup> Set against the figures of the cost per head in the workhouses, even without the contribution from their labours and from sales of manure and so forth, these examples of outdoor relief do not suggest significant overall savings.

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<sup>68</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 27/6/1838. When answering the Royal Commission's Rural Queries, the North Meols respondent had stated that they did not send old people to the workhouse because it would grieve them (Ans. To Rural Q. 41) He also remarked that 2/- to 2/6 a week was the amount given to the aged. (Ans. to Rural Q. 25)

<sup>69</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., 27/6/1838; PUU/1/5, Ulverston Gdns. Mins., 30/5/1850; PUY/1/1, Garstang Gdns. Mins., Jan.-Mar. 1839.

However, it would seem that there are too many variables for it to be possible to prove the point either way. The price of workhouse food could vary with the season, with the year, whether purchased on the open market or by tender, and how carefully deliveries were checked. Quantities consumed could alter with the ages of the inmates, and amounts earned by their labour is unquantifiable. Outdoor relief is equally nebulous, and relative costs even further beyond comparison when complicated by a loan system. What proportion of these was for the true relief of poverty rather than advances for business purposes or on expectations such as inheritances and Government pensions? What proportion was ever repaid? If the relief of poverty remains the issue, there seems little difference between the cost of indoor and outdoor relief, and certainly not the fifty per cent or over disparity mentioned by Mackinnon above.

There was, therefore, no economic reason for the Guardians in the four rural unions to eschew the workhouse, nor any proof that they did so on those grounds. At the times when there were insufficient able-bodied females in the workhouse to undertake all the domestic chores, rather might the Guardians have preferred to award indoor relief to a few hapless physically-active women claimants.<sup>70</sup> Yet it was resolved that the places should be advertized. There is also the thought that as the ratepayers had to support the workhouse and its staff in any case, it may have seemed expedient to the Guardians to put both to creditable use. Indeed a letter to the Commissioners from the ratepayers of a parish in Easington Union, whose Guardians were giving outdoor relief to a mother of an illegitimate child, expressed the opinion that:

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<sup>70</sup> Lancs. CRO, e.g. PUU/1/1, Ulverston Gdns. Mins., 7/2/1838; PUF/1/4, Fylde Gdns. Mins., 30/7/1850

unless relief was given in the workhouse in such a case they would fail to derive the benefit which they might expect to receive in return for the expense they had incurred in contributing to its erection.<sup>71</sup>

One also wonders, if workhouses were so expensive and economic reasons predominated, why were they so full in times of recession and economic distress? Ratepayers would then also be struggling and least able to pay for a dearer form of relief.

As far as the rural unions of Lancashire are concerned, the Boards of Guardians were naturally conscious of the cost to the ratepayers of relief in general, and did their best to provide the most suitable assistance of whatever sort at as low a cost as possible consonant with their feelings of humanity. It is also believed that people were not sent lightly to the workhouse because the Guardians were aware that there was a great dislike of them, and that long-term residence would unfit the active for any other existence. On the whole they were judged as repositories for those for whom there was no sensible alternative. Indoor relief also served idiosyncratic purposes such as retribution for a father who deserted his children, advancing the cases of mothers of bastard children in claims against putative fathers, as a threat to enforce a certain form of behaviour, and, in the case of Garstang, earning a little for the union by boarding paupers from other unions at above-cost rates. It is not believed that cost seriously entered into it, possibly because there was no great differential.

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<sup>71</sup> Eighth Annual Report of the PLC, XIX, 1842, p.6

## 9.....THE GUARDIANS: SOCIAL COMPOSITION & POWER

Interest in the new Boards of Guardians forms part of a wide ranging controversy on 'the revolution in Government' and the transference of power to central authority. As it relates to the New Poor Law, Brundage and Dunkley are two leading protagonists in a debate centred around comparisons of the power of large landowners before and after the Poor Law Amendment Act. Brundage, with Northamptonshire as his example, maintains that under the New Poor Law magnates as justices acquired enhanced powers through their positions as ex officio Guardians, their minority on the Board was amply augmented by the appointment of their tenants or a tractable Guardian elected through deference votes, and local power was definitely *not* lost to central authority. However, Dunkley considers Northamptonshire to have been atypical in terms of its disposition of magnates and their zeal in poor law administration. In many other counties large landed proprietors were few and generally uninterested, whereupon 'yeomen' took control.<sup>1</sup> In Bedfordshire, for instance, three-quarters of the Boards of Guardians were farmers. Farmer-Guardians also dominated poor relief in Norfolk and in Cumbria, with a

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<sup>1</sup> A. Brundage, 'The landed interest and the New Poor Law: a reappraisal of the revolution in government', *Econ. Hist. Rev.*, LXXXVII, Jan. 1972, pp. 27-29, 47-48; P. Dunkley, 'The landed interest and the New Poor Law: a critical note,' *Econ. Hist. Rev.*, LXXXVIII, Oct. 1973, p.841.

leavening of small landowners in the latter.<sup>2</sup> Even so, Brundage's later research leads him to believe that there were many other places, including parts of Lancashire, where Boards were similarly controlled to those in Northamptonshire.<sup>3</sup>

This chapter does not purport to contrast the pre-and post-1834 powers of a particular class in society, but it does aim to present an analysis of four Boards of Guardians, elected and ex officio, in the decade or so after the introduction of the New Poor Law into rural Lancashire. In so doing it seeks to throw light upon a hitherto unconsidered agricultural area and to draw attention to aspects which may modify existing views on where the power lay in any Board. For power is a complex force. The persona of the chairmen or even the ratio of magnates to yeomen and farmers, is too crude a measure of power, as indeed is the pursuit of any one theme in isolation. Each factor assists understanding but power is derived from many sources. Within any Board there will be power associated with the office, for example the chairman, or the ex officio Guardians as justices; the influence of wealth and social standing; the sway of landlords over tenants; and authority earned from long service and consistent attendance. Unquantifiable power is created from interaction in religious, professional and political associations, kinship networks, and informal social relationships. Power is also dynamic and subject to change over time, for instance through annual elections, or local circumstances such as a trade recession or an influx of vagrants. Longtown Board in Cumbria illustrates the effects of change as well as one or two of the other points

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<sup>2</sup> W. Apfel and P. Dunkley, 'English rural society and the New Poor Law: Bedfordshire, 1834-47' Social History, vol. 10, no.1, Jan. 1985, p.49; A. Digby, Pauper Palaces, (London, 1978), p.226; R. N. Thompson, 'The Working of the Poor Law Amendment Act in Cumbria, 1836-1871', Northern History, XV, 1979, p.118

<sup>3</sup> A. Brundage, The making of the New Poor Law. The politics of inquiry, enactment and implementation, 1832-39, (London, 1978), pp.148-150.

made above. When Sir James Graham was chairman of the Board it had quite a different outlook from that which followed his resignation. Then it became exclusively farmers and yeoman, with not a single attendance from an ex officio Guardian from 1844-46. During that time it was described by the Assistant Commissioner as being ‘unfit to manage’.<sup>4</sup>

An exact analysis of power is self-evidently impossible: it can only be assessed in terms of probabilities indicated by the data. Some of the major indicators will be discussed below in terms of the ex officio Guardians, the officials of the Board (chairmen and vice-chairmen) and the elected Guardians of the four rural unions: less obvious aspects will be illustrated in a case study. As relevant poll books have not survived, exact political affiliations are unknown so political dissension can only be referred to in general terms.

## **Membership qualifications**

Clearly there were apprehensions about the possible effect of change on local power relations and at the first Board meeting of Ormskirk Union, one of the earliest in Lancashire to be empowered to administer relief, Assistant Commissioner Power suggested that they should prepare a letter explaining the exact nature of the changes brought about by the Poor Law Amendment Act . The Board adopted his recommendation and a thousand printed copies were distributed among the inhabitants of the union. The letter expressed the hope that ‘As much apprehension is known to exist upon this subject. you will take advantage of the information now afforded you to correct by any convenient means within your power, any wrong impressions which may

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<sup>4</sup> R. N. Thompson, ‘The New Poor Law in Cumberland and Westmorland, 1834-1871’ unpublished Ph.D. thesis, University of Newcastle, 1976.

exist among your poorer neighbours as to the actual state of the Law.’<sup>5</sup> In attempting to assuage fear by dispelling ignorance, it stressed the continuation of local responsibility for determining ‘in every case’ the nature, amount, and period of relief, though it also pointed out that this would be carried out by Guardians of the whole union acting together at a Board meeting and not by an individual Guardian for a single township.<sup>6</sup> The broadening of control from the single township to corporate action by a less immediately local collection of townships may, of course, have been one of the initial worries.

The composition of Boards of Guardians was written into the Act of 1834 which, however, left determination on the form of elections to the Poor Law Commissioners. Every county justice resident within a union was automatically an *ex officio* Guardian and entitled to a seat on the Board ‘if he thinks fit’, phraseology which in itself emphasized its optional nature. Elected Guardians could nominate themselves, or be nominated by another, providing they were rated to the poor rates within the union, had not been dismissed from any township or union office during the two years prior to the elections, and met the property qualification fixed by the Poor Law Commission within a national maximum of £40 assessed annual rental. In Norfolk unions the figure was £35 or £40, but £25 was the amount Assistant Commissioner Earle usually set in Northamptonshire. It was also the figure set in Gateshead union in the north east and Honiton in Devon.<sup>7</sup> However, in the four rural unions of Lancashire it was only £20.<sup>8</sup>

<sup>5</sup> Lancs. CRO, PUU/1/1, Ormskirk Gdns. Mins., 24/8/1837.

<sup>6</sup> *ibid.*; PR 444, Miscellaneous Bickerstaffe documents, copy of letter of August 1837.

<sup>7</sup> Second Annual Report of the PLC, 1836, Declaration of Honiton Union, Appx. A, No.9; N. McCord, ‘The Implementation of the 1834 Poor Law Amendment Act on Tyneside’, *Int. Rev. Soc. Hist.*, 14, 1969, p.97; Brundage, ‘The landed interest . . . a reappraisal’ p.44.

<sup>8</sup> PRO MH12/5825 authorization of second Guardian for Pilling, 29/11/1844; PR 138, Wm. Grayson papers, Simonswood; Preston Chronicle, 8/12/1838

Brundage cites two Northamptonshire examples where the property qualification limited the number of acceptable persons to 2% of the population and to an average of eight to ten qualified persons per parish.<sup>9</sup> A Guardian's qualification could be scattered throughout the townships of the union and he did not have to live in or pay rates to a township he represented. The necessity for such freedom is apparent when townships such as Holleth in Garstang Union never had more than fifty inhabitants, at least in the period of this thesis. And remembering that the property qualification was £20, Cabus had only six, Holleth three, and Cleveley two ratepayers in the £10 to £50 assessment bracket though they may, of course, have also had property in another union township. In contrast, Pilling in the same union had forty ratepayers in this bracket.<sup>10</sup> With reference to the property qualification, one wonders if it was everywhere faithfully observed. Power regretted that large numbers of Guardians were former paid assistant overseers, 'sent by small towns to oppose the law rather than to assist it'.<sup>11</sup> If Guardians of this class were legitimately elected it would seem either that their union had a low property qualification or the qualification was a far less drastic social filter than Brundage found in Northamptonshire.

Guardians were elected by both owners and occupiers of property within a union, with owner-occupiers qualifying on both counts. Owners had one vote on a valuation up to £50 and a further vote for every additional £25 up to a maximum of six votes. Occupiers at first had a three-vote maximum calculated at one vote for every £200 annual assessment for rates, but their entitlement was later increased to six votes by Graham's Act of 1844. Occupiers must also have paid poor rates for at least one whole

<sup>9</sup> Brundage, 'The landed interest . . . a reappraisal', p.44

<sup>10</sup> PRO, MH12/5826, Garstang Union: persons rated between £10 and £50, year 1849.

<sup>11</sup> PRO, MH32/63, Power to PLC, 13/12/1837



year and, except for calls made during the six months prior to the election, must not have been in arrears. Rather strangely, the arrears restriction did not apply to a person nominated for Guardian.<sup>12</sup>

Plural voting had first been introduced in the Parish Vestry Act of 1818. It was in line with the thinking of the times that those who had most stake in the country should have most say, but it is a policy criticized by modern historians who have written on the Poor Law, for advantaging candidates favoured by ‘men of property’, especially owners. Although this was a distinct possibility it was not an inevitable outcome. Prestigious voters could be outnumbered by lowlier householders in towns and also in rural parishes with multiple ownership. In Preston township, the manufacturing neighbour of the unions of Fylde and Garstang, two lawyers, a doctor and a partner in the largest mill in the town were examples of social leaders who were never successful in their candidature. Instead the township’s six Guardians were all lesser manufacturers and tradesmen, and they took the lead in a union where ‘country gentlemen’ were mockingly referred to by the ex officio Guardians as ‘great lumbering fellows’. Proctor in her study of the union comments that ‘being for the most part farmers, they naturally knew more about cows and crops than about public administration’.<sup>13</sup>

Condemnation of the voting system also implies a surplus of candidates competing for positions, but an election was only necessary where nominations exceeded the Guardians allotted to a township. In most townships of the four rural unions of Lancashire, elections were infrequently contested, so the voting system was largely

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<sup>12</sup> PRO, MH12/5825, Query and answer, 15/3/1844

<sup>13</sup> H. N. B. Morgan, ‘Social and Political leadership in Preston, 1820-1860’, unpublished M. Phil thesis, University of Lancaster, 1980.; W. Proctor, ‘Poor Law Administration in Preston Union, 1838-1848’ in *T.H.S.L.C.*, vol.117, 1965, p.149.

irrelevant, and in some townships the problem tended more towards a dearth rather than an excess of aspirant Guardians. For example, in 1845 Garstang township was unable to return the second Guardian it was entitled to as only one person would allow himself to be nominated. The Poor Law Commission informed the Board that in default, one or other of the previous year's Guardians could continue to serve for a further year, but the retiring Guardians expressed their determination to have nothing further to do with the job and the position remained unfilled until the next elections. For various reasons, townships in Ulverston also occasionally failed to return a Guardian.

'No return' was sometimes due to negligence, rather than intention. For instance, in the elections of March, 1841 two Ulverston townships mistook the final date for nominations, and Fylde, with its stable Board, sometimes forgot when a Guardian had already 'continued' for a second year, and could not serve a third year without formal re-election. The Boards of Ulverston and Fylde then applied to the commissioners to allow late elections in the tardy townships, sometimes for the same Guardian to serve a further two years in Fylde Union.<sup>14</sup>

However, one or two townships in the rural unions were rather more alert and enthusiastic. Only three out of the 46 townships in Fylde and Garstang Unions had two representatives; the rest had only one. The three townships of Lytham, Thornton, and Layton with Warbreck, in Fylde Union, and Pilling in Garstang Union, aspired to the granting of a second Guardian. Pilling was a long, straggling township with convoluted boundaries, two miles from the market centre at one end and about twelve miles away at the other. It also had the largest population of any township in the union and

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<sup>14</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., Apr. 1845, Apr. 1846; PUU/1/3, Ulverston Gdns. Mins., e.g. Apr. 1840, Apr. 1841; PUF/1/3, Fylde Gdns. Mins., e.g. Apr. 1846, Apr. 1847.

contributed the most in rates. The Poor Law Commission believed it was unsettling to increase a township's representation and it might activate jealousy if the existing balance of a Board were tampered with. Nevertheless, in 1844 they reluctantly acceded to Pilling's request for a second Guardian.<sup>15</sup> They were more successfully discouraging in Fylde Union where, in 1847, the union clerk recorded that:

. . . after considering the circumstances and the points put forward by the Poor Law Commission the Board has decided to rescind the request for extra Guardians . . . in order to preserve the unanimity, urbanity, and kindness amongst the Guardians which have always prevailed at the Board, as well as to retain the balance of power in the union.

This was resolved at an ordinarily-attended Board meeting with the three aspirant townships' Guardians present, but apparently offering no objection.<sup>16</sup>

Proctor found that 'feelings often rose to fever pitch' when the results of the annual Guardians' elections were declared in Preston, but only in Ulverston did any elections in the four unions appear to have generated much excitement, and there it took the quieter form of objections on mainly technical grounds. In the four years 1837-1840, thirteen newly-elected Guardians were challenged, on charges which included rates not being paid for the minimum whole year, the candidate being assessed at less than £20, rates being remitted by an employer, voting papers not being left at certain houses or not being left for the full 24 hours, and voters being influenced by parish officers.

(Assistant Commissioner Power similarly accused parish officers of using undue influence on people they called upon, but against the New Poor Law, not a candidate for election.)<sup>17</sup>

<sup>15</sup> PRO, MH12/5825, sundry correspondence, Sep.-Nov. 1844

<sup>16</sup> Lancs. CRO, PUF/1/3, Fylde Gdns. Mins., 12/1/1847

<sup>17</sup> Lancs. CRO, PUU/1/1-2, Ulverston Gdns. Mins., Apr. 1837-1840; PRO, MH32/64, Power to Lord John Russell, 17/12/1838.

Only one of the objections succeeded, the rest were either withdrawn or judged invalid. A later, single incident in 1849 concerned the election of a doctor. This was challenged on the grounds that he had been dismissed from his post as a medical officer. The Poor Law Board, to whom the objection was referred, replied that he had not been dismissed, he had merely not been able to continue for want of the correct qualifications.<sup>18</sup> Though elections were held in eight of Ulverston's townships in 1842, they appear to have been quietly achieved, and in succeeding years only the market centre and the occasional other township were contested.

Guardians could also represent more than one township at a time, a proviso not restricted to rural unions as seems generally believed.<sup>19</sup> Dual representation took place to some extent in all four of the rural Lancashire unions but especially in Ulverston. However dual representation was a disadvantage when it came to voting on the Board, for each Guardian was only allowed to count as a single vote. This fact was established and confirmed in the course of correspondence between an Ulverston correspondent, Assistant Commissioner Voules, and the Poor Law Commissioners,<sup>20</sup> but one wonders if it were observed in all unions. Indeed, did they all know about it and, if so, did they always remember or heed a ruling which could not be checked unless the way the Guardians voted was consistently recorded, which was rarely the case.

Perhaps the motive behind a township's willingness to share a Guardian stemmed from the difficulties of attending meetings, an apt reason in Ulverston union, the eighth

<sup>18</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., Apr. 1849

<sup>19</sup> 1834, 4 & 5 Wm. IV, c.77, Section 17; Second Annual Report of the PLC, 1836, Order for the election of Guardians, Appx. A. No. 9.

<sup>20</sup> PRO, MH12/6320, Watson to Voules / PLC, 27/8/1836, Voules to Watson, 3/9/1836, PLC to Watson, 8/9/1836

largest union in acreage in England and Wales, and one where the dual-representatives tended to live centrally or have business connections there. Dual representation itself raises questions of worth. How well did a Guardian serve the interests of a township he neither lived in nor paid rates to? Or was dual representation an easy way out for an uninterested township? On the other hand, was not such participation better than none, or very little, by an absentee local representative?

Boyson suggests it was a case of one Guardian representing two townships 'to save expense where they were illegally paid'.<sup>21</sup> The position of Guardian was intended to be honorary, no doubt a purpose of the property qualification, but some townships in Garstang and Ormskirk Unions did pay their Guardians an annual fee, or so much for each attendance.<sup>22</sup> There is no evidence that this practice occurred in Ulverston, where most dual representation was to be found. This may have been due to the good social standing of most Guardians ( Table 9.4 ), or merely because it was not recorded.

Assistant Commissioner Power believed many Guardians had been former assistant overseers.<sup>23</sup> In the four unions, as far as can be ascertained from extant parish records, assistant overseers seemed more interested in becoming paid union officers rather than Guardians, and even one or two Guardians resigned to take up such posts. However, as parish constables, surveyors, and assistant overseers were appointed by the vestries, not the union, and all continued to be paid under the new poor law, some townships were equally willing to pay their representatives on the Board of Guardians. Coming

<sup>21</sup> R. Boyson, 'The History of Poor Law Administration in North East Lancashire, 1834-1871', unpublished M.A. thesis, University of Manchester, 1960, p.7

<sup>22</sup> Lancs. CRO, PR 1335, Barnacre with Bonds O/ss. A/c. Book, 1838, and Incidental expenses, 1839-1868, e.g. 1842-1846, varying from £2 per annum to 2/- per visit; PR 132, Simonswood O/ss. A/cs., 1817-1839, e.g. £10 in 1839; PR2596/2, Bispham (Ormskirk) Town's Book, 1839-1894, amounts varying between £5 - £1 10s. years 1839-1850.

<sup>23</sup> PRO, MH32/63, Power to PLC, 13/12/1837

from some voluntary rate or township account, the payments would be out of sight of the union audits and of the Poor Law Commissioners.

## **Ex officio Guardians and chairmen**

Who then were the Guardians in the four rural unions of Lancashire and what can be gleaned of their power? Nassau Senior claimed that ‘magistrates will necessarily be . . . the most important members of the Boards of Guardians . . .’<sup>24</sup> and Brundage and Dunkley concern themselves principally with ex officio Guardians.

At least at the outset, chairmen of the Boards were commonly ex officio Guardians,<sup>25</sup> a custom followed by the four rural unions. The position of chairman was one to which power was automatically attached though the degree would vary with the holder’s personality and firmness. By the manner in which he introduced an issue, and through odd interjections thereafter, he could indicate the attitude he held, thereby influencing those who deferred to him and waverers who had no clear views of their own. He controlled the time allowed for discussion, and when the vote was taken, and in the event of a tie he had the casting vote. These powers were transferred to a vice-chairman when he deputized for the chairman. At other times he was conceded power as an authoritative figure in his own right, and increasingly as time passed, through the experience he had gained from consistent attendance and long service. Usually less socially distant than the chairman he was also likelier to be consulted on poor relief matters by the rest of the Guardians. It is also noteworthy that no attempts were made

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<sup>24</sup> Quoted in Brundage, ‘The landed interest: a reappraisal’, p.29.

<sup>25</sup> e.g. N. McCord, ‘The Implementation of the 1834 Poor Law Amendment Act on Tyneside,’ *Int Rev Soc. Hist.*, 14, 1969, “all in the north-east” p. 97; Brundage, ‘The landed interest: a reappraisal, pp.45-46;

**Tables 9.1 ATTENDANCES OF CHAIRMAN AND VICE-CHAIRMEN**

G - Guardian X = Ex Officio Guardian El = Elected Guardian % - percentage attendances

9.1A ULVERSTON										
Year	Mtgs	G	Chairman	%	G	Vice Chmn 1	%	G	Vice Chmn 2	%
1836/37	32	X	Earl of Burlington	13	X	Col.Braddyll	13			
1837/38	52	X	Earl of Burlington	21	X	Wm Gale	85			
1838/39	52	X	Earl of Burlington	0	X	Wm Gale	75			
1839/40	52	X	Earl of Burlington	17	X	Wm Gale	81			
1840/41	51	X	Earl of Burlington	2	X	Wm Gale	86			
1841/42	52	X	Earl of Burlington	40	X	Wm Gale	71			
1842/43	52	X	Earl of Burlington	48	X	Wm Gale	83			
1843/44	52	X	Earl of Burlington	35	X	Wm Gale	85			
1844/45	54	X	Earl of Burlington	33	X	Wm Gale	78			
1845/46	53	X	Earl of Burlington	42	X	Wm Gale	66			
1846/47	53	X	Earl of Burlington	38	X	Wm Gale	83			
1847/48	53	X	Earl of Burlington	45	X	Wm Gale	72			
1848/49	51	X	Earl of Burlington	47	X	Wm Gale	14	X	Thos.Ainsworth	90
1849/50	51	X	Earl of Burlington	47	X	Wm Gale	45	X	Thos.Ainsworth	90
1850/51	54	X	Earl of Burlington	61	X	Wm Gale	52	X	Thos.Ainsworth	85

9.1B FYLDE										
Year	Mtgs	G	Chairman	%	G	Vice Chmn 1	%	G	Vice Chmn 2	%
1845/46	26	X	Wm Birley	55	El	Robt Walker	88			
1846/47	27	X	Wm Birley	5	El	Robt Walker	74			
1847/48	33*	X	Wm Birley	21	El	Robt Walker	76	El	John Poole	85
1848/49	27	X	Wm Birley	11	El	Robt Walker	93	El	John Poole	81
1849/50	26	El	Chas Birley	81	El	Robt Walker	77	El	John Poole	92
1850/51	26	El	Chas Birley	92	El	Robt Walker	65	El	John Poole	88
(* - Weekly meetings for a time in 1847)										





in the four unions to replace either chairmen or vice-chairmen, even in Ulverston where, as will be seen in the case study, there was considerable in-fighting in the early years.

Tables 9.1 show who the officials of the four rural unions were, whether they were elected or ex officio Guardians, and their percentage attendances. Second vice-chairmen were also appointed by Fylde in 1847/48 and by Ulverston and Garstang the following year, but never by Ormskirk. There were thus nine different chairmen and twelve vice-chairmen, in the period to 1851 for which there are records. Most of the chairmen were ex officio Guardians while most vice-chairmen were elected Guardians. Ulverston was exceptional in that all its officials, all of the time, were ex officio Guardians: at Garstang they were mostly so, but elected Guardians predominated at Fylde and Ormskirk.

Brundage found that in the Northampton area chairmen and vice-chairmen, and indeed any Guardians, elected or ex officio, were actively involved. Dunkley maintains that the former were only honorary appointees.<sup>26</sup> Their engagement in the four rural unions can be ascertained from their attendances - or up to a point it can, for it will be seen that absences were not necessarily deliberate, though this is an assumption of those historians who equate attendance with interest and involvement. Nearly all the vice-chairmen in the four unions attended either very well or excellently. An exception for one year was William Gale, vice-chairman of Ulverston, who over the first eleven years had on average a yearly attendance of well over 75%. Gale knew in advance in 1848//49 that he would be unable to attend many Board meetings that year.<sup>27</sup> He had also had foreknowledge of a three month compulsory absence in 1841/42. The reasons

<sup>26</sup> Brundage, 'The landed interest: a reappraisal', p.46; P. Dunkley, 'The landed interest: a critical note', pp.838, 840; W. Apfel and P.Dunkley, 'New Poor Law: Bedfordshire', p.57

<sup>27</sup> The source of this, and much of the ensuing information, is the Boards of Guardians' minutes.

were not recorded but both times he offered to resign. However, the Board would not hear of it, a decision helped in the longer absence in 1848/49 by Ainsworth, an elected Guardian of long standing and constant attendance, who had been sworn in as a magistrate the previous year. He now became second vice-chairman, continuing with his high level of involvement, and Gale returned more nearly to normal the following two years.

In two of the first four years of the Earl of Burlington's extensive service as chairman of the Ulverston Board, it might have seemed that his was an honorary appointment. Holker Hall, which was to become his family seat, was undergoing extensive alterations for much of that time and he lived out of the county, often travelling extensively abroad. Then in 1840 he was shocked and deeply saddened by his wife's death.<sup>28</sup> However, from 1841, the Earl attended very creditably, especially as it seemed he was away from home every year during the spring and early summer months. This was the time of the London season, and perhaps a time for taking the waters, visiting relatives, a family holiday, viewing his other estates or attending to his business ventures in other parts of England. At other times of the year he consistently attended the most humdrum of meetings, not merely those with a special purpose.

The social round of the high-born was one reason for absence: illness and poor health, which affected all levels of society, was another. The attendances of William Birley, chairman of the Fylde Board were weak in 1846/47, and in 1848/49 he was taken ill at a Board meeting, was obliged to go home, and never attended again. His nephew, an elected Guardian, replaced him the following year, after another ex officio Guardian had been proposed but declined to stand. The attendances of chairman

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<sup>28</sup> J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), p.185

Joshua Thomas Horton, vicar of Ormskirk, and long associated with the administration of relief under both the Old and the New Poor Laws, only fell away in the year which preceded his death, and his successor, Rev William Docker also died in office, though he attended exemplarily to the end.<sup>29</sup>

Removal out of the union and the upheaval that preceded it, inevitably affected attendance. For instance, the original vice-chairman of Garstang resigned mid-term, prior to moving out of the union altogether. He was succeeded by elected Guardian John Gardner, initially clerk to the union and superintendent registrar, landowner, gentleman, attorney, one of three lords of the manor of Pilling, a county coroner, clerk to the magistrates, perpetual sidesman of the parish church, and an undoubted mainstay of the union. Gardner normally attended in excess of 90% of Board meetings, and one year he had 100% attendance.

However, not all absences were legitimate and of the twelve vice-chairmen, there were two whose appointments might be considered honorary. A third, the vice chairman of Ormskirk for 1844/45 is a complete enigma. The records do not indicate any particular reason for choosing him. He was a newly-elected Guardian who had never served before and never served after that one year, but having attended 25 meetings while in office it was hardly an honorary appointment. However, one of the two who do seem to fit that term was ex officio Guardian W. J. Garnett of Bleasdale. He took over an estate in Garstang union, bought by his father William in the early 1840s, and thereafter attended the odd meeting. In 1848 he was appointed second-vice- chairman to John Gardner. As stated above, Gardner was an exemplary vice-

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<sup>29</sup> R.C.Shaw, *Kirkham in Amounderness*, (Preston, 1949), p.696, Lancs. CRO, PUF/1/4, Fylde Gdns. Mins., 24/4/49; PUS/1/3, Ormskirk Gdns. Mins., 19/7/1849

chairman who did not need a deputy - and judging from Garnett's annual total of three attendances, he did not get one. The other appointment that could perhaps be considered a matter of form rather than utility was Col. Braddyll's brief vice-chairmanship in the opening year of Ulverston union. His was a family of great wealth, but he had spent such enormous sums trying to locate mineral wealth, especially in the north east, that he was compelled to sell up his estates. Ironically, shortly afterwards, haematite ore was discovered in abundance on land he had formerly owned in Ulverston union.<sup>30</sup> His total of four attendances could constitute an unintentional honorary appointment for it may not have been known at the time that Braddyll was in financial difficulties and would therefore have more on his mind than the poor law. He eventually departed from the union.

Apart from the last two cases the officials of the four rural unions seem to have been pragmatic appointments. Though in some cases deference or expediency may have caused persons of standing to have been chosen, it was sensible to have such persons to control meetings of disparate Guardians, some of whom represented townships which may have been at loggerheads under the Old Poor Law while others might be inexperienced in Board procedure or management. And in accepting office, those concerned took their obligations seriously in the four rural unions which appear to have been well-served by them.

There were, of course, ex officio Guardians additional to those who were chairmen or vice-chairmen. To what extent did they take up their seats on the Boards? A scrutiny of the annual lists of acting county magistrates indicated that there was a far greater number of magistrates resident in the Ulverston and Ormskirk Unions than in Garstang

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<sup>30</sup> Park, Some Ulverston Records, (Ulverston, 1932), p.30

or Fylde, and that Ormskirk had a greater number of titled magistrates than any of the other three unions. However, because of deaths, new appointments, and removals and arrivals, the numbers of magistrates in a union were constantly changing, so it has only been possible to consider those who each year attended the Boards. The fluidity of the magistracy, and therefore the number of *ex officio* Guardians entitled at any time to attend the Board, prompts the question, on what number of *ex officio* Guardians did the Poor Law Commissioners base the figure which, together with the constant number of elected Guardians, represented 'the majority of the Board' whose consent was necessary for a new workhouse? Did they include those who *might* attend but so far had not done so, or a magistrate who had attended only once in several years, or only those who had attended sometime in the year that the motion to build was debated, or perhaps only those present at the time?

Table 9.2 indicates the number of *ex officio* Guardians in each of the four unions who attended at least one meeting in each year for which there are records. Table 9.1 gave the percentage attendances of the chairmen and vice-chairmen of the unions. Table 9.3 illustrates the degree to which the *ex officio* Guardians attended who were not chairmen or vice-chairmen. Their attendances have been broken down into five groups. The first column indicates those who paid an odd visit only. The other columns are based on the readily recognizable proportions of a fifth, a third and a half. By and large, few in any union attended more than 50% of the meetings, although for a number of years the attendances of one Reverend *ex officio* Guardian in Ulverston hovered just below, and once just above, the 75% mark. Nevertheless, the majority of *ex officio* Guardians attended less than 20% of the time and quite a few obviously paid only a token visit.

**Table 9.2 NUMBER OF EX OFFICIO GUARDIANS WHO ATTENDED THE BOARD IN EACH UNION**

Ch & VC - Chairman & Vice-Chairman: Other - Other ex officio Guardians

Year	ULVERSTON			ORMSKIRK			GARSTANG			FYLDE		
	Ch & VC	Other	Total	Ch & VC	Other	Total	Ch & VC	Other	Total	Ch & VC	Other	Total
1837/38	2	8	10	1	6	7						
1838/39	2	6	8	1	2	3						
1839/40	2	9	11	1	1	2	2	2	4			
1840/41	2	8	10	1	1	2	2	2	4			
1841/42	2	6	8	1	1	2	2	3	5			
1842/43	2	8	10	1	0	1	2	3	5			
1843/44	2	4	6	1	0	1	1	2	3			
1844/45	2	5	7	0	1	1	1	2	3			
1845/46	2	7	9	0	2	2	1	2	3	1	1	2
1846/47	2	6	8	0	3	3	1	3	4	1	2	3
1847/48	2	6	8	0	2	2	1	3	4	1	1	2
1848/49	3	6	9	0	5	5	2	2	4	1	3	4
1849/50	3	7	10	0	4	4				0	2	2
1850/51	3	4	7	0	4	4				0	2	2

Constructed from the minutes of the Boards of Guardians

**Tables 9.3: ATTENDANCES OF EX OFFICIO GUARDIANS OTHER THAN CHAIRMEN AND VICE-CHAIRMEN**

9.3A ULVERSTON						
Year	< 5%	5-19%	20-32%	33-49%	50%+	Total
1837/38	4	2	1		1	8
1838/39		3		3		6
1839/40	3	4	1		1	9
1840/41	3	3	2			8
1841/42	2	1	1	2		6
1842/43	2	3	2		1	8
1843/44	1	1		1	1	4
1844/45	1	2	1		1	5
1845/46	2	2	1	1	1	7
1846/47	2	2			2	6
1846/47	1	2	1	1	1	6
1848/49	2	1	2		1	6
1849/50	4	1	1		1	7
1850/51	1	1	1		1	4

**Table 9.3 (cont) : ATTENDANCES OF EX OFFICIO GUARDIANS  
OTHER THAN CHAIRMEN AND VICE-CHAIRMEN**

9.3B FYLDE						
Year	< 5%	5-19%	20-32%	33-49%	50%+	Total
1845/46				1		1
1846/47	1				1	2
1847/48			1			1
1848/49	1		1	1		3
1849/50		2				2
1850/51	1	1				2

9.3C ORMSKIRK						
Year	< 5%	5-19%	20-32%	33-49%	50%+	Total
1837/38	4	1			1	6
1838/39	1	1				2
1839/40	1					1
1840/41	1					1
1841/42	1					1
1842/43						0
1843/44						0
1844/45		1				1
1845/46	1	1				2
1846/47	3					3
1847/48		1			1	2
1848/49	1	4				5
1849/50	3	1				4
1850/51		4				4

9.3D GARSTANG						
Year	< 5%	5-19%	20-32%	33-49%	50%+	Total
1839/40		1	1			2
1840/41	1		1			2
1841/42		1	1	1		3
1842/43	1	1		1		3
1843/44		1		1		2
1844/45			2			2
1845/46		2				2
1846/47		3				3
1847/48		3				3
1848/49		2				2

Clearly there was a strong magisterial presence on the Ulverston Board both in raw numbers and in the quality of their attendance. On the other hand, the considerable number of magistrates resident in Ormskirk union largely left the operation of poor relief to the elected Guardians. The situations in both these unions were compounded by the exclusive use in Ulverston of a magisterial chairman and vice-chairmen and their almost complete absence in Ormskirk. The apparent marked difference between these two unions may have been due to the fact that, except for the Earl of Burlington, chairman of Ulverston, a number of Ormskirk magistrates were of a higher social standing than those in Ulverston and may have seen themselves as ‘county’ rather than ‘local’. But there is a further reason. The chairman of Ormskirk Board of Guardians, Rev. Joshua Thomas Horton, was the son-in-law of magistrate, Sir Thomas Dalrymple Hesketh, Bart, of Rufford, and he had been presented to his living by the Earl of Derby. Furthermore, the vice-chairman of the Ormskirk Board, Edward Boyer, was a landed proprietor and agent to Thomas Scarisbrick, Esq., of Scarisbrick Hall, and his older brother was land agent to E.B. Wilbraham, Esq, of Lathom House, MP for South Lancashire.<sup>31</sup> There was therefore no need for the magistrates to attend the Ormskirk Board of Guardians in person as they already had a singular, indirect presence on the Board, and no doubt a number of the Guardians were their tenants. Boyer, too, became a magistrate in November 1844 and thereafter rarely attended Board meetings but the initial seven years of the union when he was vice-chairman were no doubt formative

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<sup>31</sup> E. Baines, History, Directory and Gazetteer of the County Palatine of Lancaster: with a Variety of Commercial and Statistical Information, vol II, (Liverpool, 1825), p.706; HO 107/2197, Census returns, 1851; Archdeaconry of Chester Wills, E. Boyer of Scarisbrick, July 1853;., Burke’s Landed Gentry, 1894, I, A-K, Rev. J.T. Horton , p.993



ones, and possibly other Guardians of like mind continued to influence future development.<sup>32</sup>

Garstang, with between three and five resident magistrates, had the least number of potential ex officio Guardians. One resident justice, Rev. James Pedder, landowner and vicar of Garstang, never attended at all, although his father, whom he succeeded in 1835, had been a member of the select vestry and had been involved in poor relief under the Old Poor Law. However, the chairman was always an ex officio Guardian, and his attendances together with those of ordinary ex officio Guardians suggest, as the most appropriate conclusion, that in Garstang union magistrates kept a demonstrably watchful eye on the administration of poor relief. In the short time for which there are records for Fylde this would seem to describe the situation there too. The Fylde chairman was not always an ex officio Guardian but the attendance rate of the one or two other justices who attended was quite high.

In view of the dissimilarities between the four unions it is difficult to assess the power of ex officio Guardians in terms of the Brundage/Dunkley debate on the participation of magistrates. Garstang and Fylde are too small and have too few magistrates attending to sway the argument vitally. However in Garstang certainly, and Fylde probably, magistrates were more involved than they had been under the Old Poor Law. That would certainly seem also to be the case in Ulverston union where, in the 1832/33 Royal Commission enquiry into the poor laws, Myles Sandys, JP had criticized the over-weaning power of the 'rich farmers' of the Dalton twenty-four, which operated to the frustration of the justices (see Chapter 6). The influence of the justices of all four unions when attending the Board, or otherwise, and of elected

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<sup>32</sup> Lancs. CRO, PUS/1/1-2, Ormskirk Gdns. Mins., 1837-1851; QSZ/16, West Derby magistrates

Guardians who may be their ‘placemen’, cannot be measured. There is also the added factor that rarer visits for key issues might have counted for more than a greater attendance for non-controversial meetings. On balance, however, Brundage’s thesis that justices had greater involvement and influence under the New Poor Law seems rather more appropriate in rural Lancashire to 1850 than Dunkley’s view that they did not. This would be particularly the case when allowing for the almost certain influence of the Ormskirk gentry.

It is interesting, also, that the presence of *ex officio* Guardians on the Boards of the four rural unions of Lancashire compares very favourably with the number of *ex officio* Guardians attending the Boards of the twelve unions of Northamptonshire, a county associated with high justiciar involvement.<sup>33</sup> The exact year to which the Northamptonshire figures refer is not exactly clear, but they represented initial attendance.

Ormskirk’s high early attendance of seven magistrates including the chairman, to twenty-four elected Guardians, was very high but it was not sustained, a feature found in other studies, including Dunkley’s. A similar situation may, of course, also have occurred in Northamptonshire if subsequent years were tabled. However, selecting Garstang as an ‘average’ representative of the four rural unions over the years, (not merely the first year), the ratio of *ex officio* Guardians (including the chairman) to elected Guardians was roughly 1 : 6. Even in the initial year, half of the twelve unions of Northamptonshire could not equal that figure. In three of them the ratio was 1 : 15 or 1 : 13. Even more noteworthy, in the first full year of operation Ulverston was close to Brackley, which at 1 : 3 had Northamptonshire’s best initial-year ratio of *ex officios* to elected Guardians; and Ulverston’s ratio was almost exactly 1 : 3 in the subsequent

<sup>33</sup> Second Annual Report of the PLC, 1836, Appx. B, No. 15, Table in A/C Earle’s Report,

years of 1839/40 and 1849/50. Ulverston also easily bettered the 2 : 9 ratios of Hardingstone and Peterborough, Northamptonshire's two 'next best' unions. However, without much more detail the comparisons can only be mildly indicative.

Before turning to a consideration of the elected Guardians, one or two instances are helpful in appreciating the power of magistrates as *ex officio* Guardians. In April 1841, Myerscough township in Garstang union did not make a return as the 'ratepayers of Myerscough have refused to act as Guardian unless allowed 2s. for attending each Board meeting'.<sup>34</sup> The Poor Law Commissioners were informed of the situation and a warrant for an election was requested 'as arrangements would be made to ensure a return'. In the event, a farmer of standing who had been a Guardian though not in the preceding year, was promptly returned. How was this representation 'ensured'? It is possible that the Guardian was surreptitiously paid, but two *ex officio* Guardians, including the chairman, resided in Myerscough, and both were well-disposed towards the New Poor Law which disapproved of payments to Guardians. Furthermore, had the rebellious 'ratepayers' anticipated a sympathetic response to their demand it is likely that they would have quietly approached one or other of the two justices. It is also to be doubted that the Board would have drawn the Commissioners' attention to the 'rebellion' had they condoned their payment. It seems far likelier that the 'arrangements to be made' described the use of the chairman's quietly persuasive or quietly threatening influence on his fellow ratepayers.

Another possible example of justiciar influence was concerned with the different interests of two unions. Garstang paupers had always been encouraged to seek work in the nearby manufacturing town of Preston, and the former had gained considerably by

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<sup>34</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., April 1841.

the Non-Removal Act of 1846. However, Preston in 1847 was suffering from a series of adverse circumstances including Irish vagrancy, an industrial recession, increased population, and the consequences of the above Act, all of which had greatly increased the union's workload.<sup>35</sup> To avoid acquiring yet more work and more paupers for whom it might be responsible in five years' time, the Preston Board of Guardians resolved that no additional non-resident paupers should, meantime, be relieved by Preston's relieving officers. They must remain the responsibility of Garstang. However, the Poor Law Commission pointed out that if Garstang relieving officers spent time in Preston relieving Garstang paupers they were neglecting the paupers resident in their own union. It was in any case Preston's obligation to relieve the former and the Commissioners wished the Garstang Board to inform them of any neglect to relieve Garstang paupers on Preston's part.

It was at this point that T. R.W. France, the ex officio chairman of Garstang Guardians, intimated that he would have a quiet word about the Preston situation with their chairman, Battye-Addison, a fellow-magistrate and a strong supporter of the New Poor Law. France did speak to Battye-Addison who felt that there had been a misunderstanding that could soon be put right, but neither he, nor Battye-Addison, nor the Poor Law Commissioners prevailed as Preston Board remained adamant, and Garstang, probably appreciating their difficulties, quietly continued to send two relieving officers alternately to Preston to relieve Garstang's paupers. As far as can be ascertained, Garstang did not report Preston's non-compliance as directed by the Commissioners, and Preston did compromise slightly in providing Garstang's officers

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<sup>35</sup> W. Proctor, 'Poor Law Administration in Preston Union, 1838-1848', *T.H.S.L.C.*, vol. 117, 1965, pp.163-165.

with relieving facilities, though at a cost of 1/- a week. The 'quiet word' to his associate did not succeed in this case, although it may have resulted in the above provision of an office, but it does not deny the existence of such an undeclared avenue of communication.<sup>36</sup>

A different form of power concerned the nomination of the Earl of Burlington's bailiff and agent, Robinson, as Guardian for Lower Holker. He was duly elected but then was successfully challenged on the grounds that he did not meet the property qualification, and that the Earl paid his rates. Another person was elected in his place, but it would seem that a little re-arrangement took place so that the agent correctly qualified the following year. Then, and for many years thereafter, the agent was the Guardian for Lower Holker, the township in which the Earl also had his residence. At first this would appear to be a typical example of a 'placeman' election, and to a certain extent it was, but the agent did actually live in the township and among the ratepayers he represented, even though most of them would be the Earl's tenants. And had Robinson not been elected it is very likely that one of the Earl's tenants would in any case have been Guardian, either way adding more weight to an aspect of Brundage's thesis.

While reflecting upon the power of *ex officio* Guardians it is perhaps relevant to be reminded of their life-style. The following entries concerning two Ulverston justices were recorded in the enumerators' schedules for 1851. Besides a wife, a son, and two elderly unmarried visitors, the household of J. P. Machell, 'Landed Proprietor and Deputy Lieutenant' of Penny Bridge Hall in the parish of Egton with Newland, included

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<sup>36</sup> PRO, MH12/5826, Clerk to PLC, 15/11/1847; Lancs. CRO, Garstang Gdns. Mins., 1/5/1845, Sep.-Dec. 1847.

a butler, a footman, a coachman, a groom, a cook housekeeper, a lady's maid, two housemaids, a dairy maid, a kitchen maid and a gamekeeper. Machell was then aged eighty: when younger, in the early 1840s, he had been an excellently-attending ex officio Guardian. 'Deputy Lieutenant' James Clarke of Summer Hill , aged 41, was a more recently appointed magistrate. He had a young wife and four young children, and his domestic staff consisted of a housekeeper, a cook nurse, a butler, a coachman, a gardener and wife, and three house servants. In the middle decades of the nineteenth century such people would have the automatic power of money, class and position even if they were 'armed with no controlling power, their influence... derived from, and in proportion to, their moral worth, their judgement, and their capacity for business'. And it was the view of Assistant Commissioner Earle that 'this influence is more readily acknowledged, and more beneficially exerted, than when they sat as judges to hear appeals . . .'<sup>37</sup>

### **Elected Guardians: social background and attendance**

The living standards of the elected Guardians were mostly less elevated than those of the ex officio Guardians and they did not have the automatic power of the magistracy and of the qualifications and attributes which had gained their appointments as justices. So what can be determined about the elected Guardians who formed the bulk of the union Boards? The principal determinants will be discussed below as they applied to the four rural unions, followed by more particular influences which could affect the dynamics of a Board.

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<sup>37</sup> Second Annual Report of the PLC, 1836, A/C Earle's Report on the effect of the Poor Law Amendment Act, Appx. B. No. 15.

Occupation is a useful indication of social class, and therefore status and power. However, correct identification of over 110 constantly changing Guardians amounting to about 400 different persons presents major problems of record linkage compounded by the fact that Guardians did not necessarily live in the townships they represented. Also, in those times children were customarily named after parents or relatives so that the Christian names John, Richard, Thomas or William recurred constantly, with Robert, Joseph, and occasionally James, trailing behind in popularity. Old testament names provided some variety in Furness and Cartmel but there family surnames such as Postlethwaite were rife. There were examples in all four unions of at least one pair of Guardians with identical first and second names serving at the same time. In addition there were three Parkinsons on the Garstang Board in 1839/40 and four Postlethwaites on the Ulverston Board in 1836/37. Furthermore, John Postlethwaite was the union clerk, another John Postlethwaite became a medical officer, a William Postlethwaite was a Guardian and another William Postlethwaite was the treasurer. There were also four Atkinsons on the Ulverston Board in 1841/42. However, it is unsafe to assume that any of these were related, though, of course, some may have been.

The sources used have therefore been largely limited to the Guardians' minutes. Information in even these was subject to the idiosyncrasies of the clerk so that Guardians' occupations, which were recorded from the year 1843/44 in Ulverston, only began to be recorded in 1848/49 in Fylde. They were only recorded for the year 1842/43 in Ormskirk, and for two years in Garstang, and in all three cases the Guardians were overwhelmingly 'farmers'. For example, in Garstang Union in 1846/47, 88% of them were farmers, the only exceptions being two innkeepers and a sole

‘gentleman’ who was the long-serving vice-chairman. In 1847/48 a plumber, and a butcher replaced one of the innkeepers as exceptions to the otherwise solely ‘farmer’ Board, though it is highly likely that the plumber, butcher, and innkeepers also farmed. In Ormskirk in 1842/43 the exclusiveness of a farmer/yeoman Board was mitigated by three tradesmen, a cleric, and two gentlemen, one of which, as in Garstang, was the vice-chairman. The construction of occupation tables has therefore been restricted to the Boards of Ulverston and Fylde, and they have been drawn up to indicate the numbers in each union of ‘farmers’ (encompassing yeomen and husbandmen) and ‘gentlemen’ (those engaged in the professions or living on unearned income), as such groups are distinctively placed on the social scale and would be likely to have different life-styles and attitudes. As a further indication of the composition of each Board the numbers of ex officio Guardians who attended at least 20% of meetings have additionally been included.

Before discussing the composition of the two Boards it is pertinent to consider the terms ‘yeoman’ and ‘farmer’. Marshall in his study of Furness and Cartmel wrote that the word ‘yeoman’, was capable of several applications, but that the compilers of nineteenth century directories, such as Parson and White in 1829, employed the term as signifying an owner-occupier engaged in agriculture.<sup>38</sup> However, it is difficult to say just how the distinction applied, for example, in parts of Garstang union. From the schedules and rating assessments of three sample Garstang townships, Barnacre with Bonds, Claughton and Preesall, it seems that any spare capital was invested in land whenever and wherever it became available, and whether or not the buyer had a personal use for it. The situation therefore arose where a farmer would principally be

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<sup>38</sup> Marshall, Furness, p.72



the tenant of others - and it was not unusual to be occupying land of more than one owner or in more than one place, while he also owned land which he partially or wholly let out. Rothwell also records that there was keen competition for the reclaimed mossland, and that considerable amounts of it were newly rated from 1845.<sup>39</sup> It would therefore be difficult to establish the landholding pattern or financial standing of any Garstang Guardian, even if all acres had a similar value.

The general use of the terms 'farmer' and 'yeoman' also conceal wide differences in wealth. West Lancashire was an area of mostly small farms. Rothwell considered that three quarters of Lancashire farmers were short of capital, and Voules remarked of his area that many farmers were only one step above their labourers. On the other hand there were the 'rich farmers' who were 'sidesmen' of Dalton (Ulverston Union) and who were a law unto themselves, and farmers of 200 acres like Guardian John Walsh of Thornton (Fylde Union), who employed one living-out labourer, six living-in farm servants and two house servants to serve him and his wife, two young children and his mother.<sup>40</sup>

Furthermore, the appellation 'farmer' not only concealed the extent and the different forms of agriculture, it also hid other occupations. For the early nineteenth century was the age of dual occupations before specialization took over. In Garstang, for example, there are instances of 'farmer'- Guardians being described alternatively as 'butcher', 'wheelwright', 'sawyer', 'corn dealer' and 'paper manufacturer', and the

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<sup>39</sup>Lancs. CRO, PR 1340, Barnacre with Bonds Rating Assessment, 1834-1846; DRB 1/45 Claughton (Amounderness) Tithe award and plan, 1838; Preesall with Hackensall, Tithe award and plan, 1830; W. Rothwell, Report of the Agriculture of the County of Lancaster, (London, 1850), p.47

<sup>40</sup> *ibid.*, p.152; PRO, MH32/73, Voules to PLC, 17/4/1836; PP, 1834, RC on the Poor Laws, Appx. B1. Ans. to Rural Qs. 3, 35. See also Chapter 4; E.Sadek, 'Thornton-le-Fylde in 1851', unpublished dissertation, Diploma in Local History, 1984, p.47.

brother of a 'yeoman'-Guardian with whom he was in partnership in a cotton mill was described in the 1851 census schedules as 'cotton manufacturer and farmer of 260 acres'. Farmers who kept inns seem alone in that their non-agricultural pursuit took precedence in the naming process. All 'innkeeper'-Guardians in Garstang, for instance, occupied what appear to have been sizeable farms, and Thomas Crook (described below) on surrendering his inn to a similarly named relative, was immediately designated 'yeoman'. The possibility of dual occupation of farmers and yeomen must therefore be borne in mind but cannot be universally established: nor can their wealth in land or money, any more than can the financial position of the gentry.

A distinct difference is immediately apparent in Tables 9.4 between the social construction of the Fylde and Ulverston Boards. 'Farmers' completely outnumbered 'gentlemen' in Fylde, even if ex officio Guardians were added to the latter. A similar situation existed in Garstang and Ormskirk, judging from occasions when occupations were given. However, at Ulverston the two groups were roughly even, with the Board becoming decidedly gentry-dominated if the strong ex officio presence were included.

The social composition of a Board is an interesting comment upon a union but, as previously stated, comparison of numbers is a crude measure. To begin with it presupposes that all meetings were of equal importance and that all the elected Guardians attended similarly and voted with their 'group'. A comparison of attendances between the two groups is a refinement which has not been pursued with reference to Fylde union, as 'farmers' so greatly outnumbered 'gentlemen' that differing rates of annual attendance could not materially alter their relative strengths. However, numbers of 'farmers' and 'gentlemen' were more nearly equal in Ulverston, and

**Tables 9.4 OCCUPATIONS OF ELECTED GUARDIANS - FYLDE & ULVERSTON**

<b>9.4A ULVERSTON</b>										
The discrepancy in numbers is due to Guardians not being returned by some townships Ulverston had been allocated 35 Guardians but dual representation usually accounted for a lesser number of actual representatives										
<b>FARMERS</b>	41/42	42/43	43/44	44/45	45/46	46/47	47/48	48/49	49/50	50/51
Husb'man	1	1								
Farmer	4	5	6	5	6	5	5	6	7	9
Yeoman	7	8	7	7	6	8	6	10	8	6
Miller	1	2	2	2	2	2	1	1	3	1
Maltster		2			1	1	1			
Bobbin Mfr	1	1	1	1	1	1	1	1	1	
Woodmng'r							1	1		1
Other				1						
<b>Total</b>	<b>14</b>	<b>19</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>17</b>	<b>15</b>	<b>19</b>	<b>19</b>	<b>17</b>
<b>GENTLEMEN</b>										
Reverend	2	2	3	2	4	3	3	3	2	2
Gentleman	9	7	12	13	7	11	9	8	7	10
Merchant	1	1	2	3	2	1	1	1	2	1
Solicitor		3		1	3	1	4	4	3	2
Land agent	2	1			1		1	1	1	2
Esquire	2	1		1						2
Other			1						1	
<b>Total</b>	<b>16</b>	<b>15</b>	<b>18</b>	<b>20</b>	<b>17</b>	<b>16</b>	<b>18</b>	<b>17</b>	<b>16</b>	<b>19</b>
<b>EX OFFICIOS</b>										
with 20%+ attce	5	5	4	4	5	4	5	5	5	5
<b>GENTLEMEN AND EX OFFICIOS</b>										
	<b>21</b>	<b>20</b>	<b>22</b>	<b>24</b>	<b>22</b>	<b>20</b>	<b>23</b>	<b>22</b>	<b>21</b>	<b>24</b>

In Table 9.4A above the bobbin manufacturer was placed in the farmers group because that is how he was described when he continued as a Guardian but had ceased manufacturing. The 'other' in this group was a draper. Solicitors have been placed with the 'gentlemen' because one or two of them (for example Woodburn Postlethwaite of Ulverston) were alternatively designated as such in the minutes. Ulverston records indicate a 'gentleman' - life style for solicitors and that some were landowners, mortgage holders, and men of property.—'Others' in this group included a doctor and a mining adventurer. It is believed that their attitudes would align more closely with the 'gentlemen' than the 'farmers', but as the mining adventurer only attended twice his contribution is of small moment in any case.

Table 9.4 (cont.) -OCCUPATIONS OF ELECTED GUARDIANS - FYLDE & ULVERSTON

9.4B FYLDE							
FARMERS	48/49	49/50	50/51		48/49	49/50	50/51
Husb'man	2	1	1				
Farmer	12	13	11				
Yeoman	5	6	6				
Innkeeper	1	1	1				
				<b>Total</b>	<b>20</b>	<b>21</b>	<b>19</b>
GENTLEMEN							
Gentleman	3	2	4				
Manufacturer	1						
Merchant	1	2	2				
				<b>Total</b>	<b>5</b>	<b>4</b>	<b>6</b>
<b>EX OFFICIOS</b>		5+ attces*		<b>Total</b>	<b>2</b>		
<b>GENTLEMEN AND EX OFFICIOS</b>				<b>Total</b>	<b>7</b>	<b>4</b>	<b>6</b>

\* Board meetings held fortnightly.  
Discrepancies in totals due to some townships not returning Guardians.

Table 9.5 ULVERSTON BOARD OF GUARDIANS 1841-51 - ATTENDANCES OF OCCUPATIONAL/STATUS GROUPS

FARMERS										
	41/42	42/43	43/44	44/45	45/46	46/47	47/48	48/49	49/50	50/51
Husb'man	7	4								
Farmer	59	118	94	61	69	38	54	45	61	78
Yeoman	122	143	36	87	70	55	70	65	121	109
Miller	4	18	2	2	18	17	0	9	10	2
Maltster		15			20	13	2			
Bobbin Mfr	11	0	8	1	3	2	2	0	1	
Woodmngr							4	0		0
Other				0						
<b>Total</b>	<b>203</b>	<b>298</b>	<b>140</b>	<b>151</b>	<b>180</b>	<b>125</b>	<b>132</b>	<b>119</b>	<b>193</b>	<b>189</b>
GENTLEMEN										
Reverend	51	36	55	5	78	60	51	32	30	5
Gentleman	292	163	200	266	142	154	94	135	123	157
Merchant	5	13	19	23	5	3	1	1	5	1
Solicitor		79		15	27	17	12	9	15	2
Land agent	50	7			0		2	1	1	47
Esquire	73	44		20						23
Other	2		0						13	
<b>Total</b>	<b>473</b>	<b>342</b>	<b>274</b>	<b>329</b>	<b>252</b>	<b>234</b>	<b>160</b>	<b>178</b>	<b>187</b>	<b>235</b>

Table 9.5 shows that the far greater total of actual attendances of gentlemen-Guardians each year, emphasized that group's potential ascendancy over the 'farmers'. For instance, in the year 1844/45 the six highest attenders were all 'gentlemen'. The inclusion of attendances by ex officio Guardians and the ex officio chairman and vice-chairmen further enhanced the differential.

Reviewing the Boards of all four rural unions, what evidence is there of a positive attitude to the new positions of power and a desire to be involved in the administration of poor relief under the New Poor Law? Was an appointment as Guardian sought after and welcomed or accepted reluctantly? The question is inevitably rhetorical, but as Guardians could only operate collectively as members of the Board, and not individually or for a single township, their overall attendance at meetings would seem to reflect interest, or the lack of it, and it is an aspect which allows comparison with other unions. For instance, Boyson found that in the seven unions in north east Lancashire attendances fell away markedly after the first year of operation and Midwinter commented upon the 'incredible absenteeism' of Lancashire unions and the 'chronic lack of attendances. . . . throughout much of the county and over a period of some years'. Even for the first full year, Haslingden's attendance was only 22%, but then Haslingden tended to be a 'reluctant' union.<sup>41</sup>

Tables 9.6 provide an overview of the average annual attendances in Lancashire's four rural unions to 1851. From them it can be seen that in Ormskirk attendances fluctuated without observable trend in odd years, but there was little difference between the first and last years (1837/38, 1850/51) and overall attendance was fairly constant.

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<sup>41</sup> R. Boyson, *Poor Law Administration in North East Lancashire*, thesis, p.7; Midwinter, E. *Social Administration in Lancashire, 1830-1860*. (Manchester, 1969), p.35, Haslingden percentage attendance calculated from figures given in Midwinter, pp35-36.

**Tables 9.6 GUARDIANS - AVERAGE YEARLY ATTENDANCES**

If a township did not return a Guardian no 'possible attendances' have been included. If a Guardian were returned by a township, or he were 'continued', his possible attendances have been included even if he never put in an appearance. 'Special meetings' have been excluded unless they were specifically called for the whole Board. Percentage attendances correct to the nearest whole number.

<b>9.6A. ULVERSTON GUARDIANS</b>						
<b>Year</b>	<b>Guardians</b>	<b>Actual attces</b>	<b>Poss. attces</b>	<b>No. Gdns.</b>	<b>Meetings</b>	<b>% attces</b>
<b>1836/37</b>	All Guardians	578	1449	45	32	<b>40</b>
	elected Gdns only	505	1152	36	32	<b>44</b>
<b>1837/38</b>	All Guardians	868	2392	46	52	<b>36</b>
	elected Gdns only	747	1872	36	52	<b>40</b>
<b>1838/39</b>	All Guardians	777	2184	42	52	<b>36</b>
	elected Gdns only	653	1820	35	52	<b>36</b>
<b>1839/40</b>	All Guardians	739	2392	46	52	<b>31</b>
	elected Gdns only	619	1872	36	52	<b>33</b>
<b>1840/41</b>	All Guardians	733	2392	46	52	<b>31</b>
	elected Gdns only	637	1872	36	52	<b>34</b>
<b>1841/42</b>	All Guardians	860	2288	44	52	<b>38</b>
	elected Gdns only	746	1872	36	52	<b>40</b>
<b>1842/43</b>	All Guardians	782	2236	43	52	<b>35</b>
	elected Gdns only	640	1716	33	52	<b>37</b>
<b>1843/44</b>	All Guardians	572	2028	39	52	<b>28</b>
	elected Gdns only	449	1716	33	52	<b>26</b>
<b>1844/45</b>	All Guardians	600	2268	42	54	<b>26</b>
	elected Gdns only	480	1944	36	54	<b>25</b>
<b>1845/46</b>	All Guardians	573	2184	42	52	<b>26</b>
	elected Gdns only	432	1716	33	52	<b>25</b>
<b>1846/47</b>	All Guardians	513	2132	41	52	<b>24</b>
	elected Gdns only	349	1716	33	52	<b>20</b>
<b>1847/48</b>	All Guardians	436	2279	43	53	<b>19</b>
	elected Gdns only	292	1855	35	53	<b>16</b>
<b>1848/49</b>	All Guardians	378	2193	43	51	<b>17</b>
	elected Gdns only	285	1836	36	51	<b>16</b>
<b>1849/50</b>	All Guardians	534	2295	45	51	<b>23</b>
	elected Gdns only	380	1785	35	51	<b>21</b>
<b>1850/51</b>	All Guardians	570	2322	43	54	<b>25</b>
	elected Gdns only	408	1944	36	54	<b>21</b>

<b>9.6B. FYLDE GUARDIANS</b> (NB meetings normally held fortnightly but weekly meetings held for a time during the Irish potato famine and the accompanying vagrancy crisis)						
<b>Year</b>	<b>Guardians</b>	<b>Actual attces</b>	<b>Poss. attces</b>	<b>No. Gdns.</b>	<b>Meetings</b>	<b>% attces</b>
<b>1845/46</b>	All Guardians	339	702	27	26	<b>48</b>
	elected Gdns only	313	650	25	26	<b>48</b>
<b>1846/47</b>	All Guardians	367	729	27	27	<b>50</b>
	elected Gdns only	337	675	25	27	<b>50</b>
<b>1847/48</b>	All Guardians	451	891	27	33	<b>51</b>
	elected Gdns only	437	825	25	33	<b>53</b>
<b>1848/49</b>	All Guardians	395	754	29	26	<b>52</b>
	elected Gdns only	375	650	25	26	<b>58</b>
<b>1849/50</b>	All Guardians	355	754	29	26	<b>47</b>
	elected Gdns only	349	650	25	26	<b>54</b>
<b>1850/51</b>	All Guardians	352	702	27	26	<b>50</b>
	elected Gdns only	347	650	25	26	<b>53</b>

<b>9.6C ORMSKIRK GUARDIANS</b>						
<b>Year</b>	<b>Guardians</b>	<b>Actual attces</b>	<b>Poss. attces</b>	<b>No. Gdns.</b>	<b>Meetings</b>	<b>% attces</b>
<b>1837/38</b>	All Guardians	426	1085	31	35	<b>39</b>
	elected Gdns only	378	840	24	35	<b>45</b>
<b>1838/39</b>	All Guardians	667	1404	27	52	<b>48</b>
	elected Gdns only	621	1248	24	52	<b>50</b>
<b>1839/40</b>	All Guardians	636	1352	26	52	<b>47</b>
	elected Gdns only	602	1248	24	52	<b>48</b>
<b>1840/41</b>	All Guardians	514	1352	26	52	<b>38</b>
	elected Gdns only	486	1248	24	52	<b>39</b>
<b>1841/42</b>	All Guardians	506	1352	26	52	<b>37</b>
	elected Gdns only	472	1248	24	52	<b>38</b>
<b>1842/43</b>	All Guardians	562	1272	24	53	<b>44</b>
	elected Gdns only	530	1219	23	53	<b>43</b>
<b>1843/44</b>	All Guardians	513	1300	25	52	<b>39</b>
	elected Gdns only	474	1248	24	52	<b>38</b>
<b>1844/45</b>	All Guardians	501	1350	25	54	<b>37</b>
	elected Gdns only	496	1296	24	54	<b>38</b>
<b>1845/46</b>	All Guardians	450	1431	27	53	<b>31</b>
	elected Gdns only	446	1325	15	53	<b>34</b>

(Ormskirk Guardians cont.)

Year	Guardians	Actual attces	Poss attces	No. Gdns	Meetings	% attces
1846/47	All Guardians	448	1350	27	50	33
	elected Gdns only	445	1200	24	50	37
1847/48	All Guardians	523	1430	26	55	37
	elected Gdns only	487	1320	24	55	37
1848/49	All Guardians	528	1456	28	52	36
	elected Gdns only	510	1248	24	52	41
1849/50	All Guardians	554	1508	29	52	37
	elected Gdns only	544	1300	25	52	42
1850/51	All Guardians	601	1479	29	51	41
	elected Gdns only	584	1275	25	51	46

**9.6D. GARSTANG GUARDIANS**

Year	Guardians	Actual attces	Poss attces	No. Gdns	Meetings	% attces
1839/40	All Guardians	631	1484	28	53	43
	elected Gdns only	553	1272	24	53	43
1840/41	All Guardians	510	952	28	34	54
	elected Gdns only	476	816	24	34	58
1841/42	All Guardians	469	754	29	26	62
	elected Gdns only	416	624	24	26	67
1842/43	All Guardians	477	783	29	27	61
	elected Gdns only	440	648	24	27	68
1843/44	All Guardians	449	756	27	28	59
	elected Gdns only	418	672	24	28	62
1844/45	All Guardians	428	756	27	28	57
	elected Gdns only	398	672	24	28	59
1845/46	All Guardians	407	728	28	26	56
	elected Gdns only	388	650	25	26	60
1846/47	All Guardians	480	754	29	26	64
	elected Gdns only	457	650	25	26	70
1847/48	All Guardians	489	783	29	27	62
	elected Gdns only	471	675	25	27	70
1848/49	All Guardians	454	754	29	26	60
	elected Gdns only	429	650	25	26	66
1849/50	All Guardians	163	243	27	9	67
	elected Gdns only	151	225	25	9	67



During the six years of Fylde records the average attendance slightly increased.

However, Garstang was the most remarkable union in that there was a highly evident advance in attendance over the period. In a union with few resident magistrates this was inevitably due to the elected Guardians. The increase was even more striking because in August 1843 the Poor Law Commissioners had sanctioned a district relief committee of four Guardians to serve the far end of the union. This 'splinter' Board met at Hambleton on the Tuesday preceding the Thursday full-Board meetings at Garstang which, from 1843 onwards, were only usually attended by one of the four 'Hambleton' Guardians.

Several years after the district relief committee was instituted, and therefore not in the first flush of enthusiasm, the four Guardians attended at Hambleton, 19, 17, 22 and 21 times respectively. These figures have *not* been included in the calculations of average annual attendances of the union. Had they been, the increase in Garstang's attendance would have been even higher. And though it would be easier to obtain high attendance figures when meeting fortnightly, as at Fylde and Garstang, than where meetings were held weekly as at Ormskirk and Ulverston, the frequency of meetings would not account for the comparative increases within the one union of Garstang.

Of the four rural unions, the marked falling-off in attendance reported by Boyson and Midwinter in many Lancashire unions is only reflected in Ulverston., where there was an obvious deterioration in the average attendance over the years. However, whereas from 1836/37 to 1842/43 inclusion of ex officio attendances *depressed* the average attendance figures, from 1843/44 continuously to 1851, the latter's attendances *reduced* the rate of fall. The power of the ex officio Guardians attributable to their votes and

the influence of their presence thus increased, while that of the elected Guardians decreased.

A closer examination of individual attendances, of elected Guardians affords insight into the above trends. In conformity with Table 9.3 concerning the attendances of the ex officio Guardians, Tables 9.7 (A-D) indicate the number of elected Guardians who attended under 5% of the time, namely, paying the odd visit or none at all, or up to a fifth, a third, a half, three quarters, or over three quarters of the year's Board meetings. Ulverston's perceptible drift towards poorer attendance from 1839/40 was reversed in 1841/42 when the recession in the iron industry was at its height, but resumed with economic recovery. In 1842/43 three townships did not return a representative and from then onwards non-representation remained a feature, and an escalating number of Guardians never, or barely ever, attended a Board meeting. It at first seems strange that the years from 1847 when the north west was so exercised with the problem of Irish vagrancy, should mark an even steeper slide down the path of poor attendance in Ulverston. However, at least in December 1847 and January 1848 only Cartmel was noticeably affected by vagrants(see Table 7.2) and the Guardians replied in 1849 to Hawley's request for information for his report on trade and industry, that trade was 'thriving' and the condition of the labourers was 'very good in all respects'.<sup>42</sup> In the year 1848/9, thirteen Guardians, eleven of them farmers or yeomen, never put in even one attendance all the year through. By that time it could be said that local control of Ulverston's poor relief was in the hands of an oligarchy, and the only Guardians who attended over 50% of the weekly Board meetings were a gentleman, a Roman Catholic minister, a farmer, and a yeoman, plus, four ex officio Guardians, namely the chairman

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<sup>42</sup> Lancs. CRO, Ulverston Gdns. Mins., 14/6/1849

**Tables 9.7 ELECTED GUARDIANS - ATTENDANCES AT BOARD MEETINGS**

<b>9.7A ULVERSTON (36 Guardians)</b>							
<b>Year</b>	<b>n/r</b>	<b>&lt; 5%</b>	<b>5%-19%</b>	<b>20%-32%</b>	<b>33%-49%</b>	<b>50%-74%</b>	<b>75%+</b>
1837/38		0	8	6	12	6	4
1838/39		2	9	8	7	6	4
1839/40		1	12	6	8	8	1
1840/41		1	13	7	5	5	5
1841/42		2	10	5	3	10	6
1842/43	3	2	9	6	4	6	6
1843/44	2	6	12	6	4	4	2
1844/45		8	15	3	2	5	3
1845/46	2	8	10	4	5	4	2
1846/47	3	7	15	3	5	1	2
1846/47	1	16	9	4	2	3	1
1848/49		19	9	3	0	2	3
1849/50	1	12	10	6	1	3	3
1850/51		14	7	6	4	3	2

<b>9. 7B FYLDE (25 Guardians)</b>							
<b>Year</b>	<b>n/r</b>	<b>&lt; 5%</b>	<b>5%-19%</b>	<b>20%-32%</b>	<b>33%-49%</b>	<b>50%-74%</b>	<b>75%+</b>
1845/46		1	2	5	4	6	7
1846/47		0	2	8	5	3	7
1846/47		0	2	6	3	8	6
1848/49		0	3	2	6	7	7
1849/50		0	6	2	2	8	7
1850/51		1	3	4	3	6	8

**Table 9.7 (CONT) - ELECTED GUARDIANS - ATTENDANCES AT BOARD MEETINGS**

<b>9. 7C ORMSKIRK (24 Guardians)</b>							
<b>Year</b>	<b>n/r</b>	<b>&lt; 5%</b>	<b>5%-19%</b>	<b>20%-32%</b>	<b>33%-49%</b>	<b>50%-74%</b>	<b>75%+</b>
1837/38		1	3	2	8	10	0
1838/39		1	0	6	3	11	3
1839/40		1	1	3	7	10	2
1840/41		2	5	2	6	8	1
1841/42		1	5	2	9	6	1
1842/43	1	1	2	4	8	6	2
1843/44		1	7	2	7	5	2
1844/45		0	6	1	12	3	2
1845/46		3	5	6	5	3	3
1846/47		2	4	6	7	0	5
1846/47		3	4	4	7	2	4
1848/49		3	4	1	8	3	5
1849/50	2	0	6	4	7	3	5
1850/51		0	5	5	6	3	6

<b>9. 7D GARSTANG (25/26 Guardians)</b>							
<b>Year</b>	<b>n/r</b>	<b>&lt; 5%</b>	<b>5%-19%</b>	<b>20%-32%</b>	<b>33%-49%</b>	<b>50%-74%</b>	<b>75%+</b>
1839/40		1	3	2	8	9	1
1840/41		1	2	3	1	10	7
1841/42		0	0	4	2	6	12
1842/43	1	0	2	1	1	7	12
1843/44		1	2	1	2	7	11
1844/45		0	3	2	4	4	11
1845/46	1	1	2	3	2	6	10
1846/47		0	2	0	2	8	12
1846/47		1	1	2	1	7	13
1848/49	1	1	2	1	2	5	14

and the two vice-chairmen, and a fourth ex officio Guardian who was a vicar of the Established Church. These same eight Guardians sustained their high attendances, occasionally with dual representation, until 1850/51 when the Roman Catholic minister left the Board and an agent and another 'gentleman' joined their ranks.

Trends are not as observable where relatively small numbers are involved, for instance, 24 Guardians at Ormskirk as opposed to 35 at Ulverston, but the situation at a specific period can be distinguished. So whereas the iron recession raised attendance at Ulverston, Irish vagrancy and the potato blight achieved this result at Ormskirk, while a temporary increase in meetings, from fortnightly to weekly, was Fylde Union's response to the Irish potato famine. Then, and at all times, the personnel of the Fylde Board was noticeably stable, as also were their attendances. The effects of local circumstances upon attendance in Garstang Union appear most noticeable from 1842 - 1844 when protracted discussions, inspections, consultations and planning took place with regard to a new workhouse. Ex officio attendances also increased at that time, although the small number of resident justices living within the union, five at most, must be remembered. When a new workhouse was not secured the justices fell back again into relaxed supervision. The general substantial increase in attendance was mainly due to further improvement by Guardians who were already attending well, so that, for all but the opening year of 1839/40 and the year 1844/45, approximately four-fifths of the union's elected Guardians were present at 50% or more meetings, and in the last three years approximately half of the Guardians attended at least 75% of them.

Age is an instructive attribute when attempting to discover what manner of men the elected Guardians were who had the opportunity to participate in the new task of

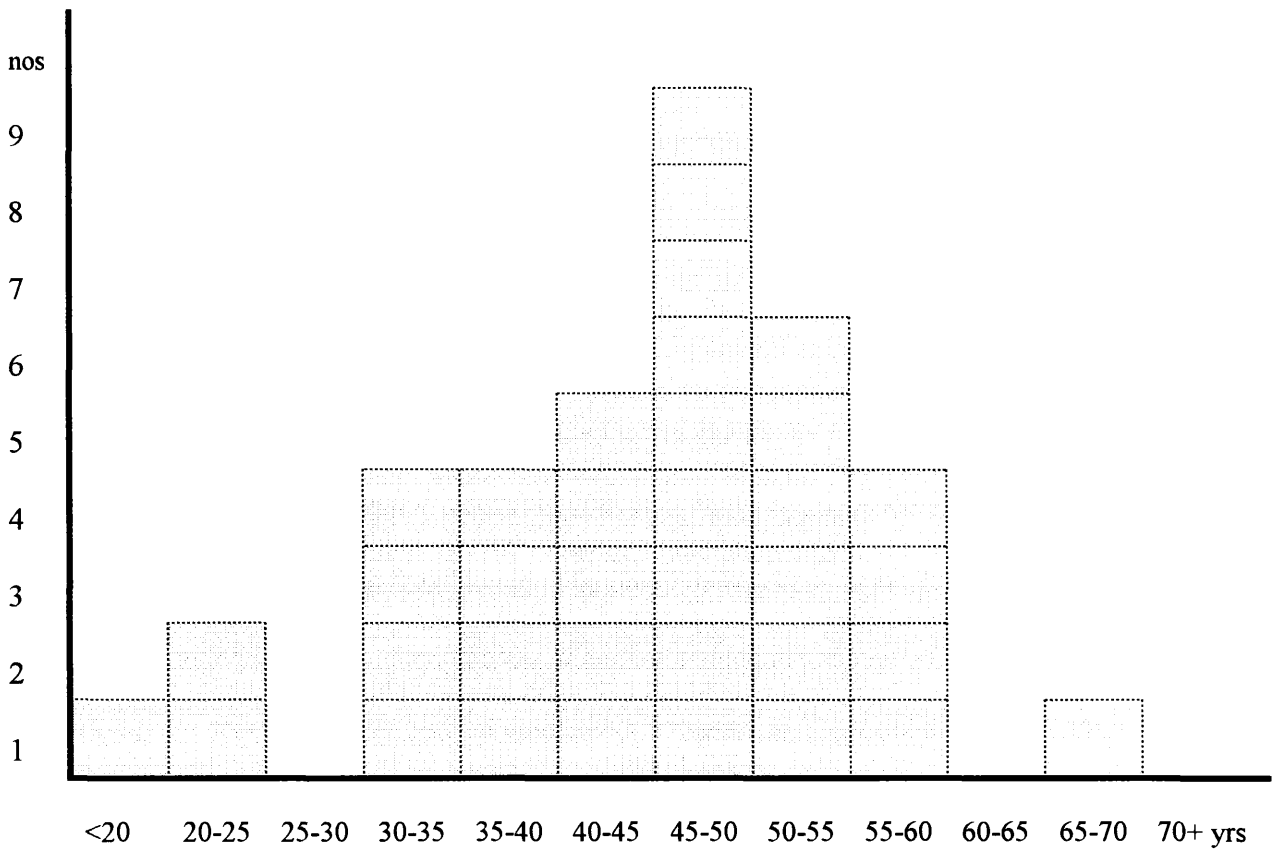
democratic government. As no poor law documents record the ages of Guardians, research on this subject, in view of the genealogical difficulties outlined above, has been limited to a case study of Garstang Union. This involved searches of parish records, directories, and census returns for 1841 and 1851, from which 36 of the 106 different Guardians who served at some time between the years 1837-50 were, it is believed, correctly traced. Their ages when first elected were calculated from the enumerators' returns. As ages in the 1841 census were only expressed to the nearest five years they cannot all be completely accurate. However the majority of ages were obtained from the later census.

As a result of rapid growth it was nationally a young population, and that of Garstang was no exception. In 1851 there were roughly as many people under twenty as between the ages of 20 - 59. In the latter age group, those aged between 20 - 39 were in the ratio of 12 : 7 with those aged 40 - 59.<sup>43</sup> Did the Guardians reflect the population statistics within the union so that the largest number of them fell in the 20 - 39 age group, and if so could this be more narrowly defined?

Table 9.8 indicates the number of Guardians who fell within each of the 5-year age groups. It shows that the modal age for becoming a Guardian was between 45 and 50 and that they did not, therefore, reflect population statistics. Far more Guardians were over forty rather than under forty. If the number of years they served were added to these ages, the bias towards the older end would be even more pronounced. Positions as Guardians in Garstang union were therefore occupied by the fewer, older people when family needs were less pressing, their way in life had been established, and they could be more easily spared from farm, business, or daily pursuits.

<sup>43</sup> PP, 1851-53, LXXXVI, Census of GB, 1851, part I, vol II, Population Tables.

**Table 9.8: Ages of Garstang Guardians in their first year of office**



If engaged in agriculture, older farmers would be likely to employ labourers or have sons and daughters they could leave in charge, for it was customary in those times for offspring, regardless of age, to live under the parental roof until marriage, and often thereafter. There is also some evidence that the position of Guardian was regarded as a family appointment in one or two instances as different Christian names are recorded at different times. Perhaps this practice, and the age factor, explain why there do not seem to have been wholesale absences at harvesting, lambing or calving times. In a family, deference was accorded to age. Perhaps a little of it also carried over into meetings, thus endowing the Board with the power of gerontocracy.

John Gardner, solicitor, gentleman, joint lord of the manor of Pilling, clerk to the magistrates, a county coroner and long-standing vice-chairman of Garstang Union, is a good example of this situation. He was aged 71 in 1851, and was a widower living in very comfortable circumstances, whose household consisted solely of an elderly housekeeper, and an unmarried son of mature years. Other than the pull of home and hearth he had no domestic distractions and his attendance at Board meetings was excellent.

The above describes the situation in Garstang. It cannot, of course, be generalized to apply to the other unions, but it would seem to be a likely situation in unions where most Guardians had to earn their living. The position may have been different in unions such as Ulverston where representatives of earned and unearned income were more nearly equal. Even so, in the case of gentlemen, a regular and sustained desire to serve the community in the administration of poor relief would seem to fall more naturally into the province of older, rather than younger, gentlemen. A noticeable exception was the Earl of Burlington who was only 28 in 1836 when he first began his long years of service as chairman of the Ulverston Board.

In addition to social class, attendance, and age as principal means of inquiry into the dynamics of a Board, there were other more particular factors which could endow power disproportionately in an outwardly-appearing democratic organization of equals. One such factor, suggested by Poynter, concerned the influence of an individual with a forceful personality and drive.<sup>44</sup>

Thomas Crook, innkeeper-cum-yeoman, Guardian of Inskip with Sowerby (Garstang) is an excellent example. He was a good attender over many years and

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<sup>44</sup> J. R. Poynter, Society and Pauperism: English Ideas on Poor Relief, 1795-1834, (London, 1969) 313



throughout was one of the most active members of the Board. Indeed a summary of Lancashire's farmers during the Great Depression as being 'boisterous, enterprising, temperamentally energetic, and zealous'<sup>45</sup> would seem to be an entirely appropriate description of Mr. Crook in an earlier decade. He proposed, seconded, initiated, questioned, scrutinized, inspected, supported and was altogether the complete opposite of what has perhaps become too readily the stereotype of the apathetic, or obstructive, Lancashire Guardian. His ebullience contrasts sharply with others who were recorded as present but for whom there is no record of active participation, and who may therefore, perhaps unjustly, be regarded as passive attenders. Crook's name came to the fore during an attempt at analysing the proposers and seconders of motions and amendments, in order to determine if there were any discernible cliques or alliances. The project had to be abandoned when it became obvious that it was patternless: the supporter of a Guardian one week was just as likely to oppose him the next, and a proposal by an ex officio Guardian fared no differently.

It is probable that domination by some Guardians, though not necessarily the lively and active, may have been feared, as shortly after Garstang union became operative, an elected Guardian proposed that voting should be by ballot. However, the motion was lost and was never raised again. Voting at Garstang therefore remained, as in the other three rural unions, always by 'show of hands'. Where voting figures are given on occasions at Garstang and Ulverston, they rarely add up to the number of Guardians marked present. This may sometimes have been due to the 'coming in and going out' of Guardians referred to by a Garstang Guardian.<sup>46</sup> but such informality would hardly

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<sup>45</sup> TW Fletcher, 'Lancashire Livestock Farming during the Great Depression', Agricultural History Review, vol. IX, 1961 p.39

<sup>46</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 9/2/1838, 25/7/1844

seem possible in the structured and closely controlled meetings at Ulverston. Almost certainly the regular discrepancy in votes at the latter meetings was the result of abstentions. Sometimes the clerk recorded their number. Abstaining could result from indecision or indifference, but it could also occur as a result of discretion being the better part of valour or possibly, especially if the abstainers are powerful people, it could be a tactical ploy.

Guardians did not normally seem reluctant to oppose each other, as, for example when James McKie, leading farmer and member of the select vestry, had not clothed a pauper child in return for the weekly sum he was paid for her. A few months later the minutes recorded, ‘James McKie to clothe Alice Burns child to the satisfaction of the township or else deliver her up.’ There was no mincing of words or any attempt to have it deleted, or even to provide some explanation by McKie. Later in the 1840s when the unions were responsible for forming Sanitary Committees to detect and prosecute nuisances, the Guardians did not balk at naming prominent people, including Guardians, who were committing offences.<sup>47</sup>

## **Representation and power: townships, ratepayers, and officials**

According to Brundage, the legislature of the New Poor Law had deliberately given landed proprietors the opportunity of disproportionate voting power on the Board.<sup>48</sup> Citing a letter from Assistant Commissioner Gulson to Commissioner Nicholls, Brundage states that the ruling, which did not require a Guardian to live in, or pay rates to, a township he represented, was devised to facilitate representation of small

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<sup>47</sup> Lancs. CRO, PR 1337, Barnacre with Bonds SV Mins., 18/2/1836; PUY/1/2, Garstang Gdns. Mins., 19/7/1849.

<sup>48</sup> Brundage, ‘The landed interest . . . a reappraisal’ p.33.

townships by landed proprietors or their placemen, and that this goal was intentionally further aided by allowing one person to represent more than one township. In this way the landowner needed to find fewer persons to fill the positions of Guardian. This interpretation seems to be based upon the fallacy that dual representatives had a vote for each of the townships they represented. This was definitely not so as Voules made clear, and the Poor Law Commissioners confirmed. Voules explained that ‘an unscrupulous person could get himself elected for several townships and outvote the rest if given more than one vote’.<sup>49</sup> There was, however, possible gain in that it did remove a vote which could otherwise have been hostile.

The belief that landed proprietors were *intentionally* advantaged by the legislature seems unnecessarily cynical. Is it naive to accept that dual representation, and also the ruling that ownership of land anywhere in the union satisfied a Guardian’s qualification, were both made in the interests of common sense and to facilitate the maximum involvement of all townships in the administration of poor relief under the New Poor Law? Many small townships would otherwise have been unable to return a suitably qualified Guardian, and peripheral townships or those with a geographical handicap, would not have had the option of returning a representative more accessibly resident to Board and Committee meetings in the union centre.

Satterthwaite in High Furness is an example of a township which appears to have been aided by the option of dual representation. For three consecutive years Satterthwaite did not elect a Guardian at all but subsequently was dually represented by an existing Ulverston-resident Guardian, one of the highest attending and most involved

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<sup>49</sup> See footnote 20 above.

members on the Board.<sup>50</sup> At least then Satterthwaite had an avenue of communication with the administrators of the poor law. On the other hand some townships seem merely to have been indifferent. Apart from one year's 'no return', and the election for a single year in the mid-1840s of a person who paid the Board only one solitary visit, Torver was content to be represented for thirteen years by the same Guardian whose record during that time was 9, 11, 8, 3, 3, 5, 0, 1, 2, 0, 0, 1, 0 attendances per year. Birkdale in Ormskirk Union; Bispham in Fylde; and Stalmine and Preesall in Garstang were other townships with consistently poor attendances, although the two Garstang townships were situated far out on the moss and regularly attended Hambleton District Relief Committee meetings..

These examples of poor attendance introduce the aspect of township influence. From the low attendance figures of the Torver Guardian above, its remote situation in High Furness, its population of slightly under 200 in 1841 and 1851, and its principle occupations of slate quarrying and woodland coppicing, it could be that Torver felt it had little affinity with the townships of Low Furness and Cartmel and therefore little interest in union matters. In contrast, townships wishing to be actively participant in the union might pressure their representative to attend, at least on occasions they deemed important. Urswick is an example of a forceful, unco-operative, township whose presence was felt by the Board through the generally obstructive policy of its Guardian, be he farmer or gentleman. In any case, townships whose Guardians attended became relatively more dominant merely by virtue of the absences of the representatives of uninterested townships and their lost votes.

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<sup>50</sup> Samuel Bates of Hoad Cottage, Ulverston, retired Army officer and 'gentleman' see R' Casson, A Few Furness Worthies, (Ulverston, 1889), p.91

The spokesmen for townships would be the leading inhabitants or landowners, but the ratepayers of a township were normally more numerous, and were a further potential source of power, both upon their own representative and upon the Board when in concert with ratepayers in general. The Garstang Board was particularly aware of ratepayers, and they were kept informed of important issues such as the Assistant Commissioners' adverse report on the workhouse and the cost of a new one. Their suggestions for indoor accommodation were actively solicited, and a proposed petition against the New Poor Law, first suggested by another union, depended solely upon the response to it of Garstang's ratepayers. In contrast, they are very rarely mentioned in the Ulverston minutes, and then only incidentally and not as a force. Ratepayers are almost never mentioned in the Ormskirk or Fylde minutes. There is so little change on the Board of Fylde Union, where existing medical officers were always re-appointed despite applications from other doctors, that it suggests ratepayers felt the administration of poor relief was in good hands and they had no wish to interfere.<sup>51</sup>

Relieving officers and medical officers, are claimed by Thompson to have been a potent source of power. Such officers could have had a certain degree of power in connection with paupers and, where relevant, Guardians might ask for their views as workers with experience in the field, but there is no evidence in the four rural unions that they had any degree of the policy-making, or decision-taking powers, associated with Boards of Guardians. In fact in Ulverston Union, for example, every opportunity was taken to remind them that they were servants of the paupers, let alone the union. Before receiving their quarterly salary relieving officers had to sign that they had visited

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<sup>51</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 2/2/1843; PUU/1/1, Ulverston Gdns. Mins., 8/12/1836

every pauper on their list every week, and give details of any exception. They had also to check that the medical officers honoured the tickets given to paupers for medical aid, and to report any complaints to the Board. Of the union officers, clerks would seem the likeliest to have a limited power over the Board in the form of advisory influence.

This would vary from union to union, but in Ulverston and Garstang it would be slight as both their clerks were young and inexperienced, and Garstang's clerk was a bookseller not a solicitor.<sup>52</sup>

In the section on ex officio Guardians, reasons for unavoidable absence were considered, and the section closed with a brief look at their life style. It would seem appropriate to end this section with a brief consideration of what was involved in the Guardians getting themselves to Board meetings in order to exercise their power. All four of the unions had townships which exceeded the recommended maximum of ten miles from the union centre. Guardians living in these perimeter townships therefore had a round trip of upwards of twenty miles to travel each time they attended a Board meeting. Others had correspondingly less, but still lengthy, journeys. There were also physical difficulties to be overcome within the unions, for instance the mountain tracks of High Furness; the bogs and floods of Ormskirk, and the extensive Garstang mosses; the sand-blown wastes of Fylde; the bleak moorland of Bleasdale, and the quicksand to be avoided and tides to be assessed when crossing the sands from Cartmel to Ulverston. Indeed, the half-yearly revision of Cartmel paupers had to be postponed for two weeks 'owing to the time of the crossing of the Sands not being suitable for the Guardians of the district to attend'.<sup>53</sup> When one considers weather conditions which included ice,

<sup>52</sup> F. M. L. Thompson, English Landed Society in the 19th Century, (London, 1963), p.289; Lancs. CRO, Ulverston Gdns. Mins., e.g. 13/5/1841, 30/1/1851

<sup>53</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 11/4/50

snow, fog, drenching mists, torrential rain, and gales, the last two very common in this ‘waterpot of England’, the mode of transport, and the time consumed, one can appreciate that the attendance of some Guardians required a fair degree of stamina, interest, determination and conscientiousness.

### **Ulverston - a case study in power relations**

The constituent sections of Boards of Guardians , namely the chairmen and vice-chairmen, the ex officio Guardians, and the elected Guardians, have been considered above and their strengths discussed in terms of mediating factors such as attendance rates and the ratio of certain groups on the Board. Authority dependent upon long and consistent attendance was touched upon together with the possibility of deference accorded to wealth, status, and perhaps age; and also the differing contributions of active and passive participation. The powers of townships, ratepayers and officers of the union were also briefly considered..

However, to appreciate the complexity of power and the interplay of the above factors, and also to gain insight into the rarely-considered powers of business, familial and personal connections of the Guardians, it is necessary to consider specific instances of decision taking, and this can only be done by reference to individual Boards.

Ulverston union, which encompassed the whole of Furness and Cartmel, has been selected for such a sample study because the various forms of Guardians were well represented,<sup>54</sup> and proposers and seconders of motions, with voting numbers, were often recorded, thus assisting efforts to identify participants in the selected incidents.

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<sup>54</sup> The 34 elected Guardians were fairly evenly divided between “farmers” and “gentlemen” with never less than six and up to eleven magistrates, including the chairman and vice-chairmen, attending in varying degrees each year.

As one of the earliest unions to be formed in the North it was incidentally something of a pioneer, which adds to its interest.

Prejudice against the proposed changes under the New Poor Law was known to exist before the union became operative in August 1836, and the township of Urswick was described by the Assistant Commissioner as ‘terribly opposed to the measure’.<sup>55</sup> Such feelings were clearly one aspect of the contentious issues which have been selected for this short study, namely, the choice of union clerk, the new workhouse and its site, and economies which incorporated an attack on the union auditor. To assist understanding of the disjointed extracts, the leading characters in the incidents are Montagu Ainslie, ex officio Guardian and large-scale iron-ore merchant; Woodburn Postlethwaite, elected Guardian, often for multiple townships, solicitor and gentleman of Ulverston; Henry Remington, elected Guardian, gentleman and solicitor in Ulverston for thirteen years; Thomas Ainsworth, Esquire, proprietor of Backbarrow cotton mills, initially an elected Guardian but a magistrate and second vice-chairman from 1847; R. F. Yarker, clerk to Ulverston magistrates, gentleman and solicitor in Ulverston for nine years and subsequently to be in partnership with young John Postlethwaite, (unrelated to Woodburn Postlethwaite as far as is known), the first union clerk.

All the elected Guardians, eight ex officio Guardians and Assistant Commissioner Voules attended the inaugural meeting on 26 August 1836 at which there is evidence of power behind the scenes, most probably resulting from prior consultations of the Assistant Commissioner with the Earl of Burlington, other magistrates, and leading ratepayers. The Assistant Commissioners who unionized Ireland were specifically told by the Poor Law Commissioners to use their influence and pay their ‘early and best

<sup>55</sup> PRO, MH12/6320, Voules to PLC, Aug. 1836



attention<sup>7</sup> to procuring the selection of the best men to fill the positions of chairmen and vice-chairmen,<sup>56</sup> and it is likely that similar advice had been given to new Assistant Commissioners such as Voules. In addition to the immediate and uncontested return of the Earl of Burlington as chairman, and Colonel Braddyll as vice-chairman, the decision to build a new workhouse appears to have been a *fait accompli* as the only reference to it in the minutes was the appointment of a committee to select suitable sites. The committee comprised a magistrate, an Esquire, a Reverend, a gentleman, and a fifth Guardian of unidentified status.

A set of by-laws appear similarly to have been previously discussed and they too were adopted 'to insure regularity and order in the proceedings of the Board' (see Appendix for by-laws). They were to be read over immediately after the minutes of each meeting, and included rules on the prior notice of motions and the number of times Guardians could speak on an issue under consideration. But the most telling clause in the by-laws was the one which stated that a resolution could only be rescinded by a greater number of Guardians than those who had passed the original motion. In view of the political dissension known to exist in some quarters, its inclusion was probably an astute move to prevent a group of Guardians hostile to some resolution from tactically biding their time until they judged the attendance at a meeting would favour the reversal of an earlier resolution they had unsuccessfully opposed. Attendances varied from week to week in both numbers and personnel and some Guardians assembled mainly for important motions, and even then the minutes contain references to Guardians being 'away from home' or 'unable to attend'. Even though a motion had to be pre-registered, probable absences could be anticipated and opposing forces mustered.

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<sup>56</sup> Fifth Annual Report of the PLC, 1839, p.45.

However, though the by-law could handicap rescissions, it could not prevent original resolutions being passed by a small number when attendance was low. A rescission would in that case be relatively easy if the time factor were not important.

Nevertheless, the minutes indicate that rescissions were not made lightly.

Feelings of strangeness and uncertainty may have contributed to the easy passage of some items at the inaugural meeting. Also, many Guardians, in the early days, were unaccustomed to democratic principles or to taking a wider, regional view. If the age range at Ulverston were similar to that at Garstang, many were older people and therefore likely to be set in their ways and not immediately receptive to change. Any who were members of the powerful, parochial four-and-twenties were accustomed to power and getting their own way, but others would be inexperienced and perhaps a little overwhelmed. Deference might at that time have been at its height, or some Guardians may more readily have been pawns in someone else's power struggle.

However, not every resolution even at the inaugural meeting had been predetermined. The appointment of the union clerk, for which there were two candidates, remained to be resolved. Brundage states that clerks were inevitably attorneys, election agents or the like who were selected for their services to the dominant figures on the Board of Guardians.<sup>57</sup> From this standpoint, and also logically, it would be expected that R. F. Yarker would be appointed. In addition to his qualifications, he had been in correspondence with the Poor Law Commission as magistrates' clerk, and had been instrumental in the Assistant Commissioners' arrival to unionize the area. He was also the person favoured by Voules. However, to the chagrin of a number of Guardians who subsequently wrote to the central authorities

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<sup>57</sup> Brundage, The Making of the New Poor Law, p.152

about their disquiet, and to the concern of Assistant Commissioner Voules himself, the post went on a majority of two votes, to 23-year old, John Postlethwaite of Dalton, a solicitor not yet in practice.<sup>58</sup>

The forces connected with this choice are revealing. Voules informed the Poor Law Commissioner in advance of the inaugural meeting that he had learned that opposition to the Poor Law Amendment Act was likely to influence the selection of the clerk, and afterwards he reported 'I fear that much of the party spirit is mixed up with the election.' This view was echoed by ex officio Guardian Rev. Graham who informed the Commissioners that Voules had urged the Guardians prior to the vote, to 'cast off the shackles of party and prejudice and look only to the interests of the union and the nation'.<sup>59</sup>

In addition to party politics, and prejudice against change, the power of local connections was indicated in another letter, this time from elected Guardian Bradshaw. He stated that Guardian Henry Remington, another Ulverston solicitor, was the patron of young Postlethwaite whom he intended to take into partnership, and that Remington secured votes for Postlethwaite from three Guardians who were in thrall to him or his relatives. Remington held a mortgage on the estate of one of them, George Jackson, who had told Bradshaw that 'Mr Yarker was undoubtedly the fittest person but he must vote according to Mr. Remington's wish.' A second Guardian, Henry Pullein, was similarly obligated to fall in with Remington's wish, and the third, Henry Thompson, who also admitted Yarker's superiority, was curate to Remington's brother and so had

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<sup>58</sup> PRO, MH12/6320, Yarker to PLC, 12/5/1836, Voules to PLC, Sundry letters from Guardians / ratepayers to PLC, Voting list, August 1836;

<sup>59</sup> PRO, MH12/6320, Voules to PLC, 26/8/1836, Rev. Chas Graham to PLC, 27/8/1836.

also voted for Postlethwaite for reasons of expediency.<sup>60</sup> It is, of course, possible that the three Guardians were insincere when professing that given free choice they would have voted for Yarker. It is also possible that Remington sought support for Postlethwaite for reasons other than a desire to further the interests of his protégé. He could, for instance, have disapproved of Yarker, or envied him professionally, or they may have been politically or religiously opposed. But the fact that the Assistant Commissioner had pre-knowledge of a conspiracy against Yarker, and the measured tone of the Rev. Charles Graham, JP's letter attributing the coup to party politics, give credence to the utterances of Bradshaw and the other Guardians who wrote in a similar vein. Graham did not name 'the seconder' when expressing incredulity at his behaviour, 'The very person who seconded him said he was not personally acquainted with him, and that he could not say he was the most fitting person, and that he felt obliged to speak as to the ability of Mr Yarker, but he did second !!(sic)'<sup>61</sup>

Bradshaw also held that Remington 'procured himself to be appointed Guardian for a township twelve miles distant where he hasn't an inch of property and where he is generally disliked'.<sup>62</sup> It suggests that the correspondent may not have been entirely familiar with the property ruling for election to Guardian but if the portrayal is accurate, it supports Brundage's thesis, though *not* his avowal that this was the express purpose of the ruling, on the power of landed proprietors to gain positions on the Board - apparently despite the low regard of the township's inhabitants for the would-be representative.<sup>63</sup> 'Undue influence' was mentioned by Watson, yet another

<sup>60</sup> PRO, MH12/6320, Bradshaw to PLC, (letter 2957B), 26/8/1836

<sup>61</sup> PRO, MH12/6320 Rev. Chas Graham to PLC, 27/8/1836

<sup>62</sup> PRO, MH12/6320, Bradshaw to PLC, (letter 2957B), 26/8/1836

<sup>63</sup> Brundage, "The landed interest . . . a reappraisal" pp.28-30

correspondent though not a Guardian until the following year, and it was held to be so blatant with respect to Jackson (one of the three ‘influenced’ Guardians referred to in Bradshaw’s letter above) that the correspondent felt the latter’s vote might be rejected. The letter was principally concerned with seeking confirmation from the Commissioners of Voules’ announcement, immediately prior to the vote for clerk, that dual representation conferred only one vote upon the representative. This had clearly been a great surprise to the Board and it directly affected the dual Guardian Atkinson, who could only register the one vote for Yarker. The correspondent reasoned that, if Voules’ stipulation were inaccurate and Atkinson’s vote counted as two, and Jackson’s vote were nullified on account of ‘undue influence’, the votes would be equal and Lord Burlington’s casting vote would become available for Yarker. Voules also enquired ‘how far your Board will interfere to prevent the ejection of a talented and experienced officer in favour of one who is wholly untried, and except from written testimonials, almost wholly unknown’. However, the Board replied that if the gentleman elected by the majority of the Guardians were competent and of good character they would not interfere.<sup>64</sup>

There is evidence of one further aspect of power, namely that wielded by status and the proprietorship of land, for the Earl of Burlington was one of the largest landowners in Furness and Cartmel.<sup>65</sup> Ex officio Guardian Graham’s final comment in his letter was ‘The Earl of Burlington was in the chair and gave his vote to Mr. Yarker. Had it only been known before then his Lordship would attend, the result of the election for the

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<sup>64</sup> PRO, MH12/6320 Watson to Voules and to the PLC, 27/8/1836, Voules to PLC, 26/8/1836, PLC to Voules, Sept. 1836

<sup>65</sup> Marshall, Furness, p.10

clerkship would have been very different.’<sup>66</sup> (The extensive alterations at Holker Hall had only recently been completed.) Should this be interpreted that the Earl’s known presence would have caused those of his tenants who voted for Postlethwaite to vote differently, or that deference would have overcome other considerations and they would have followed the Earl in voting for Yarker, or that one or two additional magistrates sympathetic to Yarker would have been present? Whatever the interpretation it suggests that lobbying for Postlethwaite had been more successful than had been anticipated, and the ‘one man one vote’ rule had not been appreciated.

A copy of the votes cast is inserted in the correspondence with the central authority and it was obviously open to the chairman to vote. This seems to have been an occasional practice over the years and the vice-chairman regularly voted when he was ‘acting chairman’. If the list is accurate there were five abstentions. Occupations were not given in 1836 but from back projection of later lists it is apparent that voting was *not* divided along ‘farmers’ and ‘gentlemen’ lines. There was also a highly visible split in the ranks of the ex officio Guardians with five voting for Yarker and three for Postlethwaite. Even if they voted according to political persuasion which overcame loyalty to Yarker as magistrates’ clerk, one would not have expected to see that while vice-chairman Col. Braddyll, JP voted for Yarker, his magistrate son voted for Postlethwaite.<sup>67</sup>

Although there seems to have been a considerable amount of wealth among the voters on both sides, a further influence hinted at in one of the letters was ‘opposition to the preponderance of wealth and intelligence’ which predisposed some to support

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<sup>66</sup> PRO, MH12/6320 Rev. Chas Graham to PLC, 27/8/1836

<sup>67</sup> PRO, MH12/6320, Voting list for the two candidates.

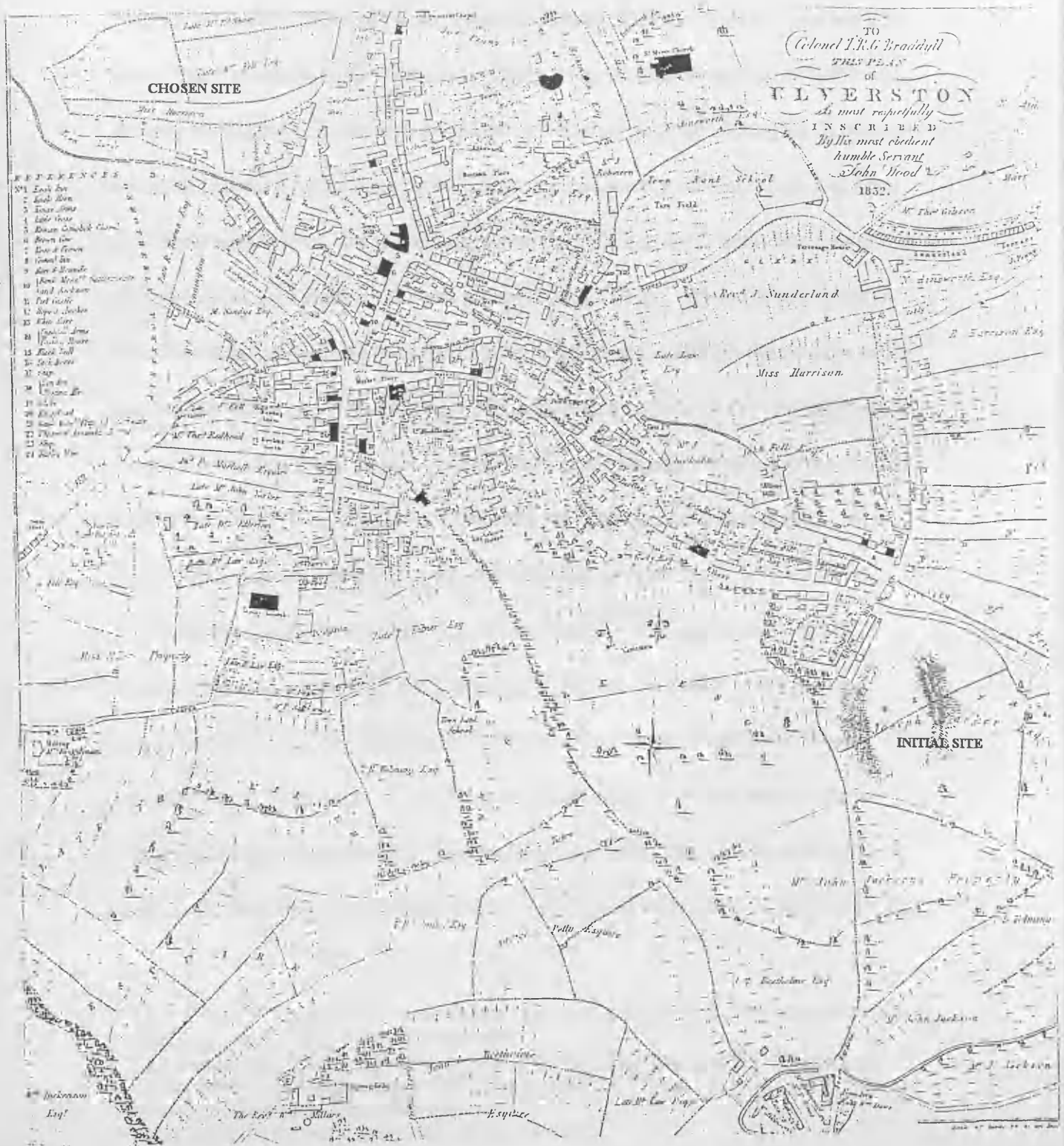
Postlethwaite. The power of kinship networks is a further possibility. Although the surname Postlethwaite was widespread and need not signify relationship, three of the four Guardians named Postlethwaite voted for the young John Postlethwaite as union clerk, while the fourth abstained. (Woodburn Postlethwaite had not yet become a Guardian) One of them was also called John, and represented Dalton, the township of the young Postlethwaite. He only attended extremely sparsely after the election, so was very likely his father or a near relative. The following year only one Postlethwaite (Robert, an Esquire) was re-elected, which suggests that the others had achieved their objective and no longer had a purpose in being Guardians. Remington was a Guardian for only one more year, this time for a different township, but he only attended three times. As a corollary to the incident, Postlethwaite, the new union clerk, rather surprisingly went into practice in Dalton, in partnership with former rival Yarker instead of patron Remington. Assistant Voules 'procured' for Yarker a compensatory post as union auditor, but at a salary of fifteen guineas instead of the proposed twenty guineas. The amount was reduced to the lower figure on an amendment by two Guardians who had voted against Yarker as clerk. One was a Guardian for Ulverston and possibly a banker and merchant, the other was a leading yeoman of Urswick.<sup>68</sup>

Hostility towards Yarker did not seem to have been appeased by his defeat over the clerkship. A further incident affecting him concerned the site for the new workhouse, which was also tied up with hostility to the workhouse itself. The scarcity of land for sale has been previously mentioned, and so the Workhouse Site committee only obtained three offers, from which they recommended the Elfaw site of Yarker. Their

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<sup>68</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., Sep.-Dec. 1836; PRO, MH12/6320. Voules to PLC, 8/9/1836

### 9.9 MAP SHOWING THE INITIAL SITE & THE ONE UPON WHICH THE WORKHOUSE WAS SUBSEQUENTLY BUILT





recommendation was passed by the Board but it caused so much subsequent antagonism, dissension, and oratory, that the selection of Yarker's site was eventually rescinded, seemingly as a gesture to open government, but most likely in order to make progress on getting the workhouse project underway. Perhaps Yarker's site had not been a good choice, and the Board was rightly doing its duty in seeking a 'better and cheaper alternative'. However, available sites remained few and although a fourth one was added to the original three, the alternative subsequently chosen, which had been previously passed over, may have been better than Yarker's site, but it was dearer, not cheaper, and it was smaller.<sup>69</sup> It was situated in the Gill and was in the possession of Miss Harrison, with a small proportion from Mr. Jackson, although the trustees of the late William Fell received the majority of the money, presumably as principal owners. Some of it was copyhold tenure, of which the Commissioners did not approve, so the Earl of Derby as lord of the manor of Bolton and Adgarley, was approached and granted the union the enfranchisement in return for the legal costs.<sup>70</sup>

It is impossible to detect where hostility to the site ended and hostility to the workhouse began. A variety of ruses was instigated to put a stop to the project altogether. The Guardian for Urswick early on moved unsuccessfully to delay its construction for three years.<sup>71</sup> But the most determined move was made by two Esquires, James Pennington of Colton and Robert Postlethwaite of West Broughton, (the one Postlethwaite who was serving a second year), who called for an Extraordinary

<sup>69</sup> Lancs CRO, PUU/1/1, 2/3/1837, Yarker's Elfaw site was 2 acres for £400, Miss Harrison's site in the Gill was £425 for 1 acre 3 rods and 26 perches..

<sup>70</sup> This is rather different from the statement in A. Brundage, The Making of the New Poor Law, (London, 1978), p.150 that the Earl of Derby gave the workhouse site to the union; Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., Mar.-Nov. 1837.

<sup>71</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 15/9/1836

General Meeting, ostensibly to give Guardians the opportunity of dissenting or assenting to the erection of a new workhouse but, as the clerk informed the Poor Law Commissioners, in reality to destroy the project. However, the clerk collected at their homes the necessary number of Guardians' signatures to legalize assent for a new workhouse. These he forwarded post-haste to the Poor Law Commission, undated as an extra safeguard in case signing at home was dubious. He explained the situation to the Commissioners and requested them to send a letter by return so that it could be presented at the Extraordinary Meeting, thus verifying the Commissioners' receipt of the necessary signatures for requesting the building of a new workhouse, and the Commissioners' authorization of it.<sup>72</sup>

And so it came to pass. The vice-chairman pointed out to the two Esquires the purposelessness of putting the motion to the Board when the necessary majority consent had been obtained and lodged with the Poor Law Commissioners, and they accordingly withdrew their motion. It is not likely that the clerk obtained the signatures without the explicit direction of the vice-chairman, the Earl of Burlington being in London at the time, but the method may have been suggested by the young clerk. It would also indicate to the supporters of Yarker that the union had nevertheless gained a loyal officer in the young Postlethwaite, who by this time may, in any case, have already been in partnership with Yarker. It also illustrates that both sides were capable of cupidity, though on the whole the minutes record much more of the scheming of the opposition.<sup>73</sup>

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<sup>72</sup> PRO, MH12/6320, Clerk to PLC, 19/11/1835

<sup>73</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 24/11/1836; PRO, MH12/6320, Clerk to PLC, 19/11/1836, Burlington to PLC, undated.

This was not the end of the matter. Other measures were taken to delay progress at every stage. There seem to have been no identifiably clear cut opponents; sometimes one person put the motion, sometimes another, and sometimes it seems the intention was, ostensibly at least, economy rather than hostility. One successful bid was made to alter the planned structure of the workhouse but the Assistant Commissioner eventually stepped in and compelled them to revert to the original plan, thereby also putting a stop to the projected delay. An incident prior to Voules interference, illustrates the fallibility of representatives, and perhaps explains some of the abstentions which were standard in Ulverston. Plainly believing that some Guardians had voted lightly, a concerned Guardian revealed how minor were the savings which so materially altered the workhouse edifice and he moved to rescind the resolutions for the alterations on the grounds that some Guardians may have been unaware of how little was thus saved. He was successful in some of the elements but was defeated by the rescission rule. However, Voules put a stop to further vacillating by announcing that the plan originally passed must be adhered to. Earlier, the Poor Law Commissioners had added yet another twist in the saga of the workhouse site. They objected to the customary tenure of the site finally chosen stating that its purchase would be costly and protracted, and suggested that the Board find another alternative. The Guardians could not face such a task and refused, though assuring the Commissioners that they were mistaken in their predictions, as indeed, in the event, they were.<sup>74</sup>

The final incidents in this case study are associated with action taken during the iron recession whose effects were beginning to be felt in the union by the autumn of 1840. It is possible that they also overlapped with earlier difficulties which may have been

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<sup>74</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, for example, Mar. 1837, Oct.-Nov. 1837

experienced in the textile industry, of which there were several examples in Ulverston and Backbarrow.

The opening move of a serious and protracted drive to reduce union expenditure was made by ex officio Guardian Ainslie, the iron-ore merchant whose firm also leased mines in other parts of the north west.<sup>75</sup> He sought to transfer to the relieving officers, the duties of assistant overseers /collectors and, after testing the reaction of the Board to this proposition, he eventually moved to rescind the resolution which had appointed collectors. His motion was passed by a majority, but fewer Guardians were in favour than had originally voted for their appointment, so the original resolution stood.<sup>76</sup>

Guardians generally were aware of the difficulties of the times and were seeking savings in the cost of direct relief. They unanimously resolved that no outdoor paupers receiving a pension should be granted clothes, and that all indoor paupers who were able to maintain themselves should leave the workhouse. Those who were 'good for nothing better' were to continue to sweep the streets, collect manure and gather whins while children over the ages to which the Factory Acts applied were either to work in the cotton mills or be put to some trade 'to emancipate them from poverty'.<sup>77</sup>

Woodburn Postlethwaite had been a triple Guardian in the year 1839/40 and he was a dual Guardian in 1841/42, but he had not been returned in the intervening year when Ainslie had sought to reduce union expenditure. However, on rejoining the Board in 1841, Postlethwaite orchestrated a ferocious and sustained attack upon the salaries of the chaplain and the porter, and the income of the union auditor, R. F. Yarker. The attempt to reduce the salaries of the chaplain and porter is discussed in the next chapter

<sup>75</sup> Marshall, *Furness*, p.194

<sup>76</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., Sep.-Oct. 1840

<sup>77</sup> *ibid.*, 10/9/1840, 28/1/1841.

so suffice here to say that between July and November, 1841 the minutes record that Woodburn Postlethwaite and his supporters tried with great persistence to dispense with the porter and to halve the existing £60 salary of the chaplain. In the end the latter was reduced to £45, and a pauper inmate, at 2/6 per week ‘with food but not clothing’, replaced the porter who had been paid £20 per annum.

However, his most sustained and virulent attack was reserved for Yarker whose auditor’s salary of fifteen guineas, Postlethwaite claimed, in fact amounted to £50. As a result of Postlethwaite’s defamatory remarks at two Board meetings, Yarker was desired to attend to answer the charges made in his absence. He did this so effectively that Ainsworth proposed ‘Every Guardian who considered the charges unfounded and calumnious should record their disapprobation of the practice of indulging in rash and unfounded charges by registering their signatures in the minutes.’ Present that day were 22 elected Guardians, two ex officio Guardians and the chairman, the Earl of Burlington, who remained neutral. Both ex officio Guardians signed, one of them Ainslie who had earlier proposed economies by combining some officers’ duties, and twelve of the elected Guardians, all Esquires, Reverends or ‘gentlemen’. Those who did *not* sign were all ‘farmers’.<sup>78</sup>

Completely undeterred, Woodburn Postlethwaite broadened his attack to include Yarker’s emoluments from the union over three and a half years of operation as ‘auditor and magistrates’ clerk’, and as ‘attorney on his own account and in co-partnership with Mr. John Postlethwaite the late clerk to the Board in litigation’. The latter had resigned the clerkship about eighteen months previously, in April 1840. Woodburn Postlethwaite was granted the investigative committee he requested to look

<sup>78</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 26/8/1841

into accounts and determine the sums of money received by Yarker. The committee consisted exclusively of yeomen and one husbandman.<sup>79</sup> A Reverend-Guardian proposed that Ainsworth and two more gentlemen should be added to the committee, but they declined. It is not clear why this particular issue should have crystallized into a contest of strength between, on the one hand, ‘farmers’ led by solicitor Woodburn Postlethwaite, and ‘gentlemen’ who supported Yarker, on the other. Farming does not seem to have been more vulnerable than usual. Some of the yeomen may have had small pits on their land, or made money carting, and had therefore been affected by the recession in the iron trade. Perhaps prices for farm produce had been adversely affected. This year, the Guardian for hostile Urswick was a gentleman, and though seeming traditionally belligerent, he was absent during much of the time, so he was unlikely to have stirred up trouble, even assuming he was sufficiently influential to do so. Political divisions could surely not have fallen so neatly into occupational groups, and if it were motivated by ‘opposition to the preponderance of wealth and intelligence’, there were also wealthy yeomen, and why was solicitor Woodburn Postlethwaite their leader? Solicitors appear to have owned, or been mortgagors on, substantial amounts of land. It could be, of course, that they thoroughly disliked Yarker, or resented him and young Postlethwaite profiting from their positions. Certainly the minutes include entries where the clerk had been paid for legal work in the early days of supposedly ‘out-of-pocket expenses’ only, but when Voules queried one of these payments the Board cited five exceptions in the Commissioners’ regulations of August 1836 which established that he was entitled to payment.<sup>80</sup>

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<sup>79</sup> *ibid.*, Oct. - Nov. 1841

<sup>80</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins., 22/6/1837.

The investigatory committee's eventual report included accounts which allegedly showed that over the three and a half years Yarker had received £235 10s 10d as 'auditor and magistrates' clerk' and £147 15s 9d in solicitors' fees on his own account and that of his partner, the erstwhile union clerk, a considerable portion being from individual townships. The committee therefore were 'unanimously of the opinion that the clerk to the magistrates is an unfit and improper person to be auditor of the union'. Assistant Commissioner Mott informed the committee that parish expenditure was beyond the jurisdiction of the union, a fact later confirmed by the Poor Law Commission which simultaneously enquired by what means the committee intended to compel parish officers to attend and give evidence on parish matters if they did not wish to do so. Postlethwaite unsuccessfully tried to engineer the Board into taking over the investigation but instead it was resolved by a narrow majority, and through abstentions, that the report was to 'lay on the table', namely, to effectively be ignored on the grounds stated by the Poor Law Commission. Postlethwaite was loath to let the matter drop and he and a reduced committee of the same people persisted with their investigation for some time, but with no recorded result. However, the Earl of Burlington's diary is circumspectly revealing. He recorded 'much stormy discussion about the auditor. Both sides very angry and both partly right and partly wrong.'<sup>81</sup>

Yarker was prevented from completing the audit on time because 'he had been impeded by the intemperate and offensive interference of Mr. Postlethwaite', but he took no further action. Reasons for this could be legion and include the fact that defamation of character was commonplace while legal action against it was rare, or

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<sup>81</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 14/10/1841, 28/10/1841; Cumbria RO (Barrow), BMF, Diaries of William Cavendish, 7th Duke of Devonshire, vol. III, Apr. 1840-July 1842, (Chatsworth, Derbyshire), 16/10/1841.

costly, or both; or that the accusation was cleverly worded to criticize the dual role of ‘magistrates’ clerk and union auditor’, not Yarker personally, though it seems to have been intentionally a slur against Yarker. At heart, he perhaps also agreed with the Earl’s conclusion. In any case, he continued as union auditor and in 1845 became District Auditor for West Cumberland, which included Ulverston, whereupon his salary advanced to £110 per annum. He was fortunate in that, being auditor for Bootle Union as well as Ulverston, he was automatically appointed for the district. Auditors of only *one* union, had to compete for the district post on the votes of the union chairmen and vice-chairmen. Postlethwaite remained hostile to Yarker and on the latter’s promotion he moved that the union should enquire of the Poor Law Commission if a magistrates’ clerk to Petty Sessions was eligible to be an auditor. However, no-one would second his motion.<sup>82</sup>

Ainslie, the instigator of a reduction in the union’s expenditure, more or less retired from the scene during Postlethwaite’s campaign, perhaps because he did not approve of the latter’s methods or aims. Ainslie had signed his ‘disapprobation’ of Postlethwaite’s accusation against Yarker and he had opposed the cut in the chaplain’s salary. However, when these issues had at last been resolved or terminated, Ainslie again took up the drive for economy.<sup>83</sup> He and Woodburn Postlethwaite now became allies in an attack upon the whole Establishment, and they were successful, perhaps because the iron recession was now biting harder or affecting an increasing number of people including gentlemen investors, but also because the combined power of Ainslie and Woodburn Postlethwaite was formidable. Assistant overseers cum collectors were to

<sup>82</sup> Lancs. CRO, PUU/1/4, Ulverston Gdns. Mins., 17/7/1845

<sup>83</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., 27/1/1842



be abolished and their tasks performed by unpaid parish overseers. Registrars were to be discontinued and their appointments taken over by relieving officers; and the salaries of the workhouse master and matron were to be reduced by £10 each, and those of the medical officers by £5 each, though this last failed on the casting vote of the chairman, the Earl of Burlington.<sup>84</sup>

Some of the above economies in Establishment charges instigated by Ainslie and/or Postlethwaite did not come about either. Registrars do not seem to have been replaced, probably because the Registrar General would not consent to the change. Nor were the collectors replaced, probably because parish overseers were less than willing to take on such an onerous, unpaid task, made even worse by the difficulties of getting in the rates during a recession. The master's and matron's salaries *were* reduced, eventually resulting in their resignation, although another couple were obtained at the reduced figure, Postlethwaite successfully foiling an attempt to restore the salary to its former level.<sup>85</sup>

The Earl at this time was concerned that orderly conduct at meetings should prevail. In his diary he had written, 'We had a very stormy and disagreeable meeting at the Board of Guardians today but proceedings are becoming very irregular, and I must endeavour to restore more order.' At his instigation a committee was set up to review all the by-laws. Postlethwaite had earlier questioned their applicability to present Guardians, and he and Ainslie had attempted to reduce the effectiveness of the rescission by-law in order to achieve the above economies, though to give Postlethwaite and Ainslie their due they did not attempt a severe change. Only minimal changes were

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<sup>84</sup> *ibid.*, Jan.-Feb. 1842

<sup>85</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., Feb.-Aug. 1842, 1/12/1842

recommended by the review committee, and the by-laws seem to have been approved by common consent with renewed determination that they should be observed. The Earl could then write:

I was at the Board of Guardians, a full meeting but unusually quiet and orderly owing to the absence of Mr. Woodburn Postlethwaite. We adopted a set of by laws which will be useful in preserving something like order in future. The last meeting I hear was very stormy and a resolution was carried to dispense with a Chaplain which of course the Commissioners will not sanction.<sup>86</sup>

Ainslie again retired from the forefront, but Woodburn Postlethwaite continued along the same negative lines but less effectively even though he was now firmly in the ascendant. His accomplice was now usually yeoman-Guardian John Rigg. Ainsworth, inevitably found himself on the opposite side to Postlethwaite but his situation at that time was hopeless. Adverse economic circumstances when combined with the drive and persistence of Postlethwaite, caused all but the most tenacious supporters of the New Poor Law, or the exceptionally altruistic, or those unaffected by the recession, to favour reduced poor rates. Both Guardians continued to vote according to their views and character, with Ainsworth trying to defend the progress previously made, and Postlethwaite trying to subvert it.

Gradually, as the economy picked up, union decision-making became less confrontational and intense. By 1843, the recession was in retreat. Woodburn Postlethwaite's absences from Board meetings increased dramatically, and though he continued to be a Guardian his yearly attendance was continually below 20%. Except for a few stalwarts, the attendances of Guardians in general also fell away, and by the later 1840s Ainsworth, who had always attended excellently, had become one of a small coterie of Guardians who were, in effect, the Ulverston Board of Guardians.

<sup>86</sup> William Cavendish, Diaries, vol III, 21/10/1841, 25/11/1841

## Conclusion

The above incidents are highly selective and taken out of context cannot, and do not, convey an accurate picture of the Ulverston union and its Board of Guardians.

However, their purpose was to serve as sources which illustrate aspects of power of a less-considered nature, and incidentally to answer, if possible, questions raised in the course of this chapter. One available answer concerns the behaviour of Guardians as social groups - ex officio Guardians, 'farmers', or 'gentlemen'. The extracts reveal that on occasional issues, such as the campaign against Yarker as auditor, the Guardians acted solely as group forces, but most of the time they voted unpredictably. Tendencies were apparent, such as voting in favour or against a proposal with clear relevance to the New Poor Law. This is normally assumed to be a party political stance, but it might alternatively derive from a personal or township basis. But on more informal issues, as noticed in Garstang union, support could change from one proposal to the next.<sup>87</sup> In part this was no doubt due to changes in Guardians at the annual elections, for example, because a personal goal had been achieved, as witness Remington and the Postlethwaites after the election of the Ulverston Clerk, but particularly to weekly changes in those attending meetings. Unpredictability might also be the result of a tendency of the times, again evident in Garstang, where attacks were fearlessly made and received without umbrage being taken. In the Ulverston Union, Ainslie, as proprietor of an iron works, had taken Ainsworth, a cotton-mill proprietor, to court for reducing his supply of water. Yet at the same time, or very shortly afterwards, Ainslie was supporting Ainsworth in his proposals for the union. And even Woodburn

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<sup>87</sup> Lancs. CRO, PUY/1/1-2, *passim*.

Postlethwaite, who exemplified the power of a forceful character, voted for Ainsworth for 'second vice-chairman' in a later year.<sup>88</sup>

The effects of local circumstances clearly affected allegiances and attitudes, and therefore the power structure. In normal times, all ex officio Guardians had a noticeable tendency to propose high salaries or to vote against reductions, yet Ainslie, strongly supported in his initial move by fellow ex officio Guardian Sawrey and later in alliance with Woodburn Postlethwaite, was foremost in the reduction or termination of salaries during the iron recession. Changes in the power structure were also plainly visible at this time with the reversal in the relative positions of leading, elected Guardians Postlethwaite and Ainsworth. Yet, the passage of time saw Ainsworth's situation reverse once again and yet another power structure was brought about in the form of an oligarchy.

Political affiliations, resistance to change, social class, 'opposition to the preponderance of wealth and intelligence', most probably kinship networks, and just possibly age which engendered sympathy for a young or older candidate, were influential in the election of the union clerk, which incident also illustrated the power of landlord over tenant, mortgagor over mortgagee, and employer over employee. However, it was not possible to focus with any precision on the relationship of the Guardians to each other familiarly, and certainly not in their religious or local groups. Yet the Guardians lived in a face to face community and no amount of formal analysis can really determine the secret connections and the features that motivated a person.

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<sup>88</sup> Park, Some Ulverston Records, p.1; Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins., 20/4/1848

The many questions left unanswered hint at their importance and further work could perhaps focus on in depth studies of local networks allied to the voting patterns.

The case study did not shed light on the intention of the legislature, nor did it provide answers to questions which concerned the increase or decrease of power as debated by Brundage and Dunkley. It did, however, illustrate that diversity in implementation of the poor law reflected local circumstances, even within the one union.

## **10...THE CENTRAL AUTHORITY AND ITS RELATIONSHIP WITH THE GUARDIANS**

Organized hostility to the New Poor Law has been featured by many historians but such opposition in Lancashire was principally to be found in the textile towns and villages south of the Ribble.<sup>1</sup> The formation of the four rural unions in Lancashire indicated that the active existence of even unorganized opposition appears to have been slight to the west and north of the Ribble and that it quickly dissipated upon the unions becoming operative. But what thereafter was the attitude within these four unions to the new system and to the central authority which controlled it?

Rose considers that the northern Boards of Guardians in the Anti-Poor Law Movement had forced the Poor Law Commission to proceed with caution and to make concessions to the local authorities, thus creating the conditions under which resistance to centralization might be made effective.<sup>2</sup> In Norfolk the rural Boards had gained 'practical freedom in their administration of relief', according to Digby, but in Lancashire, Midwinter states that 'over and over again the Boards of Guardians

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<sup>1</sup> Particularly, N. C. Edsall, *The Anti-Poor Law movement 1834-44*, (Manchester 1971); M. E. Rose, 'The Anti-Poor Law Movement in the North of England', *Northern History*, 1, 1966, pp.70-91; J. Knott, *Popular Opposition to the 1834 Poor Law*, (London 1986)

<sup>2</sup> Rose, 'Anti-Poor Law Movement', pp.90/91

degenerated into dull, rubber-stamping money-checking mechanisms'.<sup>3</sup> A different time-scale, in addition to a different area and different types of unions, could account for these two opposing positions but most unions would fall at some point along a continuum between the two extremes. For example, a union might feel in general sympathy with the policies and aims of the central authority but quibble over minor points such as the salary of an officer. Another union, slightly less enamoured of the New Poor Law, might adopt a pragmatic stance where it went along with directives and orders but without enthusiasm. A less amenable union could be so concerned about cost that it opposed measures whenever the least expense was at issue. Finally, and falling just short of the total opposition of unions such as Oldham and Rochdale who for some time refused to operate under the central authority, a slightly less hostile union might function but mostly in their own way and with little reference to the Commissioners.

Boards of Guardians were also dynamic in that townships' representatives were annually elected. The composition of the Boards, and their beliefs, could thus change significantly. Local eventualities could also influence attitudes. The central authority was not immutable either: Commissioners changed, and so did the power accorded to their Assistant Commissioners and the Commission's Secretaries. Established bureaucracies are unaffected by changes since it is the positions, not the occupants, to which power is attached. However, the hierarchical structure created by the Poor Law Amendment Act was a bureaucracy only in its infancy. There were no behaviour patterns to follow, nor tried and tested policies to inherit. Personalities were therefore

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<sup>3</sup> A. Digby, 'The Rural Poor Law' in D. Fraser, (ed.) The New Poor Law in the Nineteenth Century, p.163; E. Midwinter, Social Administration in Lancashire, 1830-1860, Poor Law, Public Health and Police, (Manchester 1969), p.36

influential, and the enmity between Chadwick and George Lewis, for instance, affected the whole office and its administration.<sup>4</sup>

With these complexities in mind it is the purpose of this chapter to consider the relationship which existed between the ‘central authority’ in its various forms and the Boards of Guardians of the four rural unions. Some of the incidents have been touched upon in earlier chapters, though for a different purpose. Here they will be used to illustrate the relationship between the upper levels of authority and the ‘new executive’, the Guardians.<sup>5</sup> The principal sources are the triangular correspondence between the unions, the Assistant Commissioners and the Poor Law Commission / Board, and the minutes of the Guardians.

### **The changing nature of the central authority**

The ‘central authority’ has tended to be regarded as a unitary body in some studies, but this is an over-simplification. Roberts describes central policy-making in the early period as involving three contending forces. These were the Assistant Commissioners with their strong convictions and considerable freedom; the knowledge and fervency of undiplomatic Chadwick; and the temperaments of the three Commissioners, Frankland Lewis, Nicholls and Le Fevre.<sup>6</sup>

Chadwick’s superior grasp of detail and his firm adherence to the logic of the New Poor Law coloured the policy for the first few years. He attended Board meetings, took the minutes, wrote many of the Poor Law Commission Reports, consulted with the Assistant Commissioners, educated the well-meaning but nervous and inexperienced

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<sup>4</sup> S. E. Finer, *The Life and Times of Sir Edwin Chadwick*. (London 1962), p.193.

<sup>5</sup> MH32/63, Power to PLC, 21/10/37

<sup>6</sup> D. Roberts, *Victorian Origins of the British Welfare State*, (Yale 1960), pp.236-37.



Lefevre (the Commissioner responsible for the unions in the north), was mutually supportive of Commissioner Nicholls, and fought imperious and hostile Frankland Lewis.<sup>7</sup> Yet, by the time George Lewis succeeded his father as Commissioner in 1839, Chadwick's power was distinctly on the wane, even though Finer reckons he still retained the loyalty of at least half of the Assistant Commissioners.<sup>8</sup> Included among these were Power and Clements, both at different periods Assistant Commissioners in Lancashire. But for months at a time Chadwick perforce turned to other activities such as sanitation and the rural constabulary.<sup>9</sup>

Within the Poor Law Commission, Lewis, Jnr. abhorred Chadwick even more than Lewis, Snr. had done, and he planned Chadwick's exclusion from poor law matters to the extent that he prevented him from taking the minutes of meetings and he transferred him to a room on another floor, off a staircase separated from the offices of the Commissioners. Commissioner Nicholls, Chadwick's ally, had been transferred to Ireland in 1838 to introduce the Irish Poor Law, and in 1841 the Tories were returned to Parliament, whereupon Chadwick's implacable enemy, Sir James Graham, was appointed Home Secretary. Chadwick thus lost almost all parliamentary influence. When, in October 1841, Lewis's close friend, former Assistant Commissioner Head, replaced the retired Commissioner Lefevre, the control of the office became a personal affair between very good friends. Chadwick's exclusion was absolute and permanent and he withdrew completely from Poor Law decisions which were now taken during informal chats between Lewis and Head with the approval of Graham.<sup>10</sup>

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<sup>7</sup> *ibid.*, pp.237-39

<sup>8</sup> Finer, Edwin Chadwick, p.194

<sup>9</sup> Roberts, Victorian Origins, p.239

<sup>10</sup> Finer, Edwin Chadwick, pp. 207, 243

In 1845 Assistant Commissioner Tufnell wrote that, since Lewis and Head had been in charge not ‘a single paper has been issued from the office setting forth the correct principles of poor law administration’. ‘Prudence and practicability’ were the words by which Lewis justified his policy: according to Finer it was viewed by Chadwick and the die-hard Assistant Commissioners as ‘retreat, cowardice and flinching’.<sup>11</sup>

Further change took place in December, 1847 when the Poor Law Board, with a president responsible to Parliament, replaced the Commission. Roberts considers that there was a complete re-organization, formal meetings were held, policies were worked out more routinely, reports of the inspectors were consulted, and Nicholls, now their experienced secretary, was listened to.<sup>12</sup> Their task, in any case, was rather different from that of the earlier central authority. Many difficulties had been ironed out and the Board’s principal efforts now lay in consolidation. The form of the central authority had thus undergone significant changes in the first fifteen or so years of its operation.

The situation of the Assistants had also changed. Before 1840 the Commissioners depended on them for feedback and guidance on a multitude of questions, and the Outdoor Prohibitory Order was never imposed without the approval of the Assistant Commissioner for the area. In contrast, Lewis and Head even failed to inform them of Orders sent to local Guardians. The Assistant Commissioners were given scant regard and thus became alienated and demoralized until, with the advent of the Poor Law Board in December, 1847, they became Inspectors, their numbers were increased from nine to thirteen and they were once again valued.<sup>13</sup>

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<sup>11</sup> *ibid.*, p.244, quoting Tufnell’s letter to Chadwick, 1845, p.245

<sup>12</sup> Roberts, *Victorian Origins*, pp.237, 241

<sup>13</sup> *ibid.*, pp.238-40; First Annual Report of the PLB, 1848, p.1.

Correspondence from the unions was often dealt with within the week, but an image of Somerset House as being ruthlessly efficient, even after the advent of the Poor Law Board, was not always tenable. For example, Ormskirk Guardians approved of an increase in the salary of their treasurer and wrote to Assistant Commissioner Mott for his consent.. He requested them to wait a further week as he had referred the matter to the Commissioners, who would inform the Guardians of their decision. Three weeks later the Board had still received no word from them, so they raised the salary anyway.<sup>14</sup> A far more glaring example occurred in Fylde Union during the time of the Poor Law Board. In reporting a case of alleged neglect on the part of one of their medical officers, the clerk enclosed all the documentation connected with the case. Hearing nothing for several weeks, he wrote to ask for their decision only to discover that the papers had been lost, and copies were requested. The Assistant Commissioner then investigated the matter, but the Commission neglected to inform the union of the findings, so that yet again the clerk had to enquire what progress had been made. Seven months after the case was first reported the Guardians were informed that the Commissioners had recommended the medical officer to resign, which he did.<sup>15</sup>

The central authority could also show poor judgement and insensitivity. They antagonised Ulverston Union by criticizing their indoor provision for vagrants, the only one of the four rural unions to have co-operated with central authority requests in this respect. By demanding yet further separate provision when the union was already under strain for accommodation they instead caused the union to revert to granting

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<sup>14</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 30/6/1842

<sup>15</sup> Lancs. CRO, PUF/1/4, Fylde Gdns. Mins, July 1849-Feb. 1850. Also see Chapter 7, case of Dr. Nelson, Medical Relief section.

relief at a common lodging house.<sup>16</sup> Ulverston Guardians were also greatly incensed when the Commissioners departed from their custom of sending the union copies of letters of complaint, and instead entered into private and undisclosed correspondence with a disgruntled medical officer engaged in current dispute with the Ulverston Board. As the officer had not fulfilled his duties for some considerable time, and he had also removed out of his medical district, the Guardians considered that he had resigned. Nevertheless, the Poor Law Board would not sanction his replacement, thus showing partiality towards the medical officer without ever having consulted the Guardians. The ‘Chairman for the Day’ was the second vice-chairman, a magistrate, and a staunch supporter of the New Poor Law and the central authority. Nevertheless he personally signed a letter expressing the union’s indignation at their discourteous treatment by the Poor Law Board. It also stated that ‘to restore the confidence and good faith which has subsisted between the Board at Somerset House and the Ulverston Union, some explanation should be mutually exchanged upon the subject’ and suggested a near-immediate visit from the Poor Law Inspector. Instead, the Poor Law Board expressed their regret that the Ulverston Guardians had misconstrued their intention and they now consented to a replacement. The Board were partially mollified, but nevertheless passed the unanimous resolution that ‘in future the Poor Law Board should be respectfully requested to forward to the Ulverston Board, copies of any letters addressed by Somerset House to any union officer which related to business being conducted between that officer and the Guardians’.<sup>17</sup>

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<sup>16</sup> Lancs. CRO, PUU/1/5, Ulverston Gdns. Mins, 27/1/1848

<sup>17</sup> *ibid.*, Dec. 1849-Feb. 1850

Though the Commissioners' own guidelines for relieving officers directed them to be respectful when speaking to paupers because they were quick to take offence, and Power had cautioned the Commissioners about the character of the northern people who had 'a greater impatience of restraint and extraneous interference here than prevails perhaps in any other part of the kingdom', they seem to have forgotten this advice in the above incident.<sup>18</sup> It would in any case seem to have been a thoughtless way of dealing with a union which at the time was controlled by firm supporters of the New Poor Law, and at all times had been a union which observed strict protocol in its exchanges with Somerset House. However, in general, the central authority desired to be on good terms with the Boards of Guardians whom it usually addressed tactfully and diplomatically.

Good judgement was also displayed by central authority in the form of Assistant Commissioner Power who recommended the distribution of 2,000 leaflets among Ormskirk ratepayers assuring them that decisions on all aspects of poor relief still remained with local representatives, the only difference being that the Guardians were to act collectively, not individually.<sup>19</sup> This approach may even have contributed to the co-operative attitude that seems always to have existed between Ormskirk Union and the central authority.

Inconsistency in central authority reactions must often have made it difficult for the Guardians to anticipate the authority's likely response. The salaries of paid officers were the responsibility of the Commissioners and on the whole it was their aim to raise their general level. After the death of the Garstang Clerk in 1842, they therefore

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<sup>18</sup> Third Annual Report of the PLC, 1837, Appx. A, No. 1; MH32/63, Power to PLC, 21/10/1837

<sup>19</sup> Lancs. CRO, Ormskirk Gdns. Mins, 24/8/37

disapproved of the Guardians' proposal to lower the salary from £80 to £60, but had no firm grounds for insisting when there were nine applicants for the post at the lower figure.<sup>20</sup> On the other hand, the Commissioners themselves could be shrewd to the point of meanness, for example, in proposing that a Garstang business-man, on becoming union treasurer, should forego the salary of £10 per annum because they believed him, wrongly, to be the clerk's father.<sup>21</sup> And when Garstang Guardians had earlier been willing to accept their auditor's request for a raise in salary from £10 to £20, the Commissioners would only sanction a £5 increase - this despite central authority's own recommendation that an auditor's salary should be between £20 and £30.<sup>22</sup>

If Guardians could be confused by the Commissioners' responses, one wonders how informed the Commissioners were about the decisions of the Boards of Guardians. When, in the case above, the auditor's salary was limited to £15, the Guardians made him an *ex gratia* payment of £10 'for services rendered'. On another occasion, when the £40 joint salary of the master and matron had henceforth to be split, the Commissioners fixed the matron's share at £15. The Garstang Board had requested approval of £12, and despite the Commissioners' directive, this was the amount they quietly continued to pay her, with the justification that it was 'the figure to which she had consented and it being more than she had ever had before'.<sup>23</sup>

Follow-up visits from Assistant Commissioners to see if directives were being observed were scarcely possible. In 1841 the duties of their Assistants - then twelve in

<sup>20</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins, Oct. -Nov. 1842

<sup>21</sup> PRO, MH12/5825, PLC to A/C Austin with scribbled answer on reverse. 8/5/1844

<sup>22</sup> Third Annual Report of the PLC, 1837, Appx A, No.1; Lancs. CRO, PUY/1/1, Garstang Gdns. Mins, Nov.-Dec. 1839.

<sup>23</sup> Lancs. CRO, PUY/1/ 2 Garstang Gdns. Mins, 15/5/1845

number - were described in the Poor Law Commissioners' Seventh Annual Report. Their tasks included the calculation of averages, attending Board meetings, closely inspecting and reporting on workhouses, observing the general administration of relief, enquiring into cases of reported injustice, investigating alleged misconduct of union officers, collecting diffuse information on particular aspects of relief and on such items as the state of pauperism and the condition of the industrious classes, for Parliament as well as Somerset House. It was also hoped that the Assistant Commissioners could visit each union every six months.<sup>24</sup> This was an even less practicable proposition from 1842 when their numbers were down to nine, and the minutes show that even an annual visit was not always possible. The scope of their reports, too, must have been limited when the Assistant Inspector's union visit also required a detailed inspection of the workhouse. After the opening year or so of operation, the Commissioners had therefore to rely on the union clerk for the greater part of their knowledge of a union's activities.

Furthermore, even in possession of a steady flow of information, it is unlikely that the storage and retrieval system of the day permitted a detailed, on-going record of each union. For instance, the Garstang master had never been seen by the Assistant Commissioners on their visits to the workhouse, nor was he present when the matron was illegally induced by 'two influential ratepayers' to discharge a vagrant woman, which resulted in an inquest followed by a Poor Law investigation. On another occasion he did not attend an audit of the workhouse. Among the reasons given at different times to account for the Master's absences were, 'unable to leave his room with typhus', 'indigestion for three months, a doctor's letter saying 'he had been in poor

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<sup>24</sup> Seventh Annual Report of the PLC, 1841, Duties of Asst. Commissioners; Eighth Annual Report of the PLC, 1842, p.45

health but was now fit', 'gone to Preston for medical advice, and 'gone for a walk for his health'. To the last, the Assistant Commissioner added in his report, 'but had not returned during my visit of four hours during which time the inmates dined', (when masters were supposed to be on hand). Another time the Assistant Commissioner stated, 'the master was not at home last visit - not at home this time either'.<sup>25</sup> Spread over the years as the statements and comments were in this example, it would seem the master was either a very sick man or he had outside interests. In any case, it is probable that his repeated absences would only be remarked by the Poor Law Commissioners / Board if the information were deliberately sought. For various reasons, therefore, Somerset House could only have been partially cognizant of what went on in a union, and would often have to hope or assume that the directives they issued were being observed.

## **The role of Assistant Commissioners**

It was the emissaries of the central authority in the form of the Assistant Commissioners who were the figures of authority with whom the Guardians had the greatest contact in the early years, and who were likeliest to have coloured a union's response to the new system. Their influence was particularly strong in the period which included the formation of the unions. Ultimately the Assistant Commissioners acted as a blend of agent, adviser, and inspector, but in the early stages they had also to reassure the Guardians in their operation under the New Poor Law

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<sup>25</sup> PRO, MH12/5825, A/C Clements' Reports on the workhouse, 24/8/1844, 27/1/1845; MH12/5826, Deposition, case of Bridget O'Donnell. 17/4/1847, J. Ray to PLC, 26/3/49, 7/6/1850, A/C Mainwaring's Reports on the workhouse, 23/10/1849, 28/5/1850.



The degree of support thought necessary to extend to the new Boards of Guardians seems to have varied considerably. The Boards of Essex, Cambridgeshire and part of Hertfordshire were left to bring the new law into operation ‘almost unassisted’ according to Alfred Power, then their Assistant Commissioner but later transferred to Lancashire and the West Riding. Weale, on the other hand, attended Bath Union meetings ‘often and with so much good effect’.<sup>26</sup> The different patterns of treatment accorded the unions probably reflected a mixture of factors such as the temperament of the Assistant Commissioner, the number of unions in his district, their turbulence or placidity, and the perceived competence of the Boards. Certainly Voules and Power, who formed the four rural unions of Lancashire, though at different times and having different problems to contend with, both followed the main tenets of the New Poor Law, but had different emphases, styles and personalities (see Chapter 6).

Though no details are available, it was almost certainly due to the influence and authority of Voules that the Ulverston Board operated according to by-laws designed to aid those unfamiliar with formal meetings, and to discourage tactical manoeuvring. They had clearly been prepared in advance and were adopted at the beginning of the first meeting. In future they were to be read over immediately after the minutes ‘as directed by the Poor Law Commission’. By-laws seem to have been a feature of Voules’ unions. Kendal and Penrith in Westmorland, for instance, also operated under them, but none of the three rural unions in Power’s area did, nor does it seem to have been suggested that they should.<sup>27</sup>

<sup>26</sup> Second Annual Report of the PLC, 1836, Report of A/C Power, Appx B, No.4, Report of chairman of Bath Union, Appx. C, No.18.

<sup>27</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins, 11/11/1841

Voules also helped to reduce tension between the Guardians of the Ulverston Board when Yarker failed in his bid for the position of union clerk. He secured for him the compensatory appointment as auditor, a move for which he was commended by the Poor Law Commission, and which underlines the freedom allowed Assistants in those times. A little later he firmly put a stop to the wrangling and the delay in the construction of the new Ulverston workhouse, brought about through ‘serious mutilation’ of the original design in order to effect a small saving. He stated that he would recommend the Commissioners to desire the Guardians to revert to the original plans and specifications, whereupon the ‘spoiling’ resolution was withdrawn, a reaction which incidentally illustrates acknowledgement of the power of the Commission.<sup>28</sup> A less understandable reaction resulted from the impasse the Board found themselves into through a combination of resolutions and rescissions connected with the workhouse site. It was proposed that the Board should refer the whole matter to the Commissioners for their advice, but this was defeated on the casting vote of the vice-chairman, himself a justice, who supported the remainder of the justices and several elected Guardians who had voted against the motion.<sup>29</sup> Perhaps it was a question of pride and their not wanting to seem incapable of management, although the difficulty would seem to have been the unforeseeable result of the by-laws and two incompatible resolutions. Possibly the justices were responsible for compiling the by-laws containing the rescission law which in this case contributed to the difficulty.

Voules’ influence also seems evident in the early introduction of *district* assistant overseers to all but one or two townships in the Ulverston Union. This was a generally

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<sup>28</sup> PRO, MH12/6320, A/C Voules to PLC, 8/9/1836; Lancs. CRO, PUU/1/1 Ulverston Gdns. Mins, 26/8/1836, Nov.-Dec. 1836

<sup>29</sup> Lancs. CRO, PUU/1/1, Ulverston Gdns. Mins, 5/1/1837

contentious issue but, with a slight compromise, it was quickly and painlessly brought about in Ulverston<sup>30</sup> (see Chapter 6). It might even be said of Voules that had he not been transferred to Ireland in August, 1838, economies made in the Ulverston Union during the severe iron recession of 1840-1842, might have been curtailed, and the temporary move away from a relatively model organization, which strongly reflected the aims of the central authority, might have been less pronounced.

During this difficult period the union had, sequentially, three different Assistant Commissioners (Walsham, Power and Mott) which additionally involved placement in first one and then another territory, both different from the lakeland area to which Ulverston was geographically attached and had originally been placed in. After Voules left to go to Ireland, Ulverston and most of Cumbria was for a time included in Walsham's north-east England district. Apart from a visit he made with Voules before the latter left, Walsham visited Ulverston only once when he recommended double rations for the officers of the workhouse. Though dubious of its wisdom the Board took up his recommendation but abandoned it after a few weeks trial, as being difficult to organize, and in any case unnecessary as the 'existing dietary allows a sufficiency of wholesome food', and no extras were to be allowed for anyone.<sup>31</sup>

Power, into whose territory Ulverston was transferred in 1840, and who was then also responsible for the whole of Lancashire, part of the West Riding, Cheshire and Derbyshire, Bootle in Cumberland and Kendal in Westmorland, was requested by Ulverston to calculate new averages for the townships. He calculated them differently from their expectations, and inadequately in the Guardians' view as Establishment

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<sup>30</sup> *ibid.*, May 1837

<sup>31</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins, Nov.-Dec. 1838

charges were not included. It was thought that this omission would be misleading to the ratepayers. He also made an error in one township's figures. Power corrected the error and suggested that a memorandum could be added to the averages to indicate Establishment charges. The Guardians reluctantly assented, but they remained far from pleased with him and markedly refrained from sending the customary letter of thanks and good wishes when he was transferred to the south at the end of October.<sup>32</sup>

Assistant Commissioner Mott was more attentive and visited the Board twice in 1841 - and *did* receive a letter of appreciation when his services terminated in December, 1842. However, in 1842 Ulverston was again returned to the area which included Cumberland and Westmorland where W. H. T. Hawley was the Assistant Commissioner (later Inspector) and he was still in the district in March, 1851 when he was succeeded by Inspector Hurst. The Ulverston Board appear to have built up an amicable, if formal, relationship with Hawley, no doubt aided by improving economic circumstances.

Letters of appreciation from the unions appear to have been commonly sent by the Boards of Guardians upon the departure of an Assistant Commissioner. The gist of them was recorded in the minutes, which indicate that Ormskirk in particular, a union not given to effusive entries, nevertheless enjoyed a warm relationship with the Assistant Commissioners.<sup>33</sup> Communication with the latter contrasted sharply with an angry letter to the Committee of Council for Education, a copy of which was sent to the Poor Law Commission. The Inspector of workhouse schools, T.R. Browne, had praised the pupils improved progress and wrongly attributed it to the chaplain, the incensed

<sup>32</sup> Seventh Annual Report of the PLC, 1841, District 10, pp.462-63 ; Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins, 21/5/1840, 30/7/1840, 6/8/1840, 29/10/1840

<sup>33</sup> Lancs. CRO, Ormskirk Gdns. Mins, e.g. letter to Mott, PUS/1/2, 1/12/1842

Ormskirk Board significantly adding in their letter of complaint, 'with whom he was staying'. The Guardians pointed out that the children's progress was solely due to the efforts of the schoolmistress and her stepfather, the workhouse master. They also pertinently queried the ability of the Inspector to judge the level of improvement he had wrongly attributed to the chaplain, when it was the first time the Inspector had visited the school.<sup>34</sup>

The appointment of district assistant overseers, which had quickly been achieved in Ulverston (see above), and was an important objective of the Commissioners, was a course endorsed by Power who believed them to be superior in every way. Township assistant overseers were in frequent contact with ratepayers and, not wanting to lose their salaries, spread propaganda against the New Poor Law as they went about. From a mixture of loyalty, convenience and familiarity the township officers were popular with ratepayers, and the Commission had no legal power or entitlement to enforce their replacement with union district overseers.<sup>35</sup> However, Power may have relied on uncertainty about this last point among Guardians when perpetrating the ruse by which he achieved the introduction of district assistant overseers into the Garstang Union in 1839, their first full year of operation, and into Ormskirk Union in 1840 (see Chapter 6). He required, and obtained, the co-operation of the Commissioners to make the appointment of district overseers seem an official directive. The same ploy may or may not have been necessary in Fylde Union which, along with Garstang, were specifically mentioned in the Commissioners' Annual Report, as unions which had appointed district overseers.<sup>36</sup>

<sup>34</sup> Lancs. CRO, PUS/1/3, Ormskirk Gdns. Mins, May 1848.

<sup>35</sup> PRO, MH32/63, A/C Power to PLC, 22/2/1839

<sup>36</sup> Fifth Annual Report of the PLC, 1839, pp.30-31

The Commissioners' response to Power was very different from that of Lewis and Head to Assistant Commissioner Clements' later plea in 1844 for similar co-operation in his extended tussle with the Garstang Board over a new workhouse. Perhaps it was not forthcoming because Lewis and Head felt the Commission's legal powerlessness to command new workhouses was too well known. However, they were equally unco-operative when Clements asked them at least to issue the Order restricting Garstang's workhouse to 57 elderly and infirm inmates 'without exceptions', as strict enforcement was the only way to achieve a new workhouse. His plea was again ignored, thus incidentally supporting the view of Roberts that the relationship of the Assistants with their Commissioners was poor in the time of Lewis and Head.<sup>37</sup>

However, though unwilling to accommodate Clements, the central authority was capable of hoodwinking a union on its own account. In the course of the economy drive during the Ulverston iron recession a majority on the Board of Guardians had voted to replace the salaried workhouse porter with a pauper. The Commissioners expressed shock, and they inveighed against the proposal as being fraught with danger, and would not sanction it. However, upon the Board enquiring of neighbouring unions, it transpired that Kendal, Penrith, Whitehaven and Cockermonth, all had pauper porters, and though Lancaster claimed to have appointed an independent porter in 1845, their records show that he was only paid with 'a rent-free house, firing and candles'.<sup>38</sup> The Commissioners then admitted that 'they were aware that most unions in Lancashire have employed a pauper, but as the Ulverston Guardians had adopted a better practice the Commissioners were unwilling that they should revert to the former

<sup>37</sup> PRO, MH12/5825, Correspondence, A/C Clements with PLC and C.Lewis, Apr.-May, 1844.

<sup>38</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins, 8/7/1841, 16/9/1841; PUL/6/1, Returns of Lancaster Guardians and Union Officers, 1840-1853, e.g. 16/8/1845

defective arrangement'. This would be considered a fair enough justification by those who approved of the Poor Law Amendment Act but the Commissioners probably lost credibility with those less committed. A pauper appointment was sanctioned for Ulverston, but capitulation was not quite total. It was granted temporarily with the proviso that if circumstances arose where a more efficient porter was required they would appoint one with a salary, and that meanwhile the sanction was dependent upon a three monthly report from the Guardians on the pauper's satisfactory conduct, and that no irregularity or inconvenience had arisen.<sup>39</sup>

The issue of medical districts and officers provides a further example of dissimulation, this time by the early Commissioners and Secretary Chadwick. It also illustrates how policies changed under different personalities at Somerset House: the one resisted the representations of medical representatives, the other succumbed, perhaps persuaded that thereby the quality of service would improve. In 1836 the Society of Apothecaries complained that the size of many medical districts was excessive. The Commissioners published the correspondence in their Annual Report, where they also justified the size by stating that the districts had been formed by Boards of Guardians competent to judge wisely in the light of local knowledge. However, this was only part of the truth. Finer claims that their size reflected the deliberate policy of Commissioners Frankland Lewis, Nicholls, Lefevre, and Secretary Chadwick, who had secretly directed the Assistant Commissioners to recommend large districts to the Guardians so that fewer doctors would be needed, and increased competition would encourage new, young doctors to settle in the countryside. Finer adds that Chadwick had a low opinion of medical skill and believed in the economy of prevention rather

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<sup>39</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins, Oct -Nov. 1841.

than cure. He and the Commissioners resolutely ignored pressure by the medical associations for smaller districts, and fixed-salaries instead of appointment by tender, which the medical profession considered demeaning. However, with Chadwick gone and Commissioners Lewis and Head in charge, they confessed that they were unable to withstand the pressure of the medical profession as their predecessors had done. They issued the General Medical Order of 1842 and thus gave the doctors the conditions they had been seeking.<sup>40</sup>

## Differential treatment of unions

Whereas uniformity had been the original ideal of the new system some of the above incidents indicate that the central authority had developed a practice of treating unions differently. When the sole relieving officer of Garstang resigned in February, 1841, the Board enquired if the Commissioners would allow the district assistant overseers to take on his duties providing they were paid for so doing. The Commissioners:

saw a great objection to the proposal . . . which would introduce a system of relief altogether different from that established in other unions, but before they decide finally they request to be informed of the reasons for making the recommendations.<sup>41</sup>

The Board immediately replied, in almost penitent fashion, that they now saw great inefficiency in the proposed system and begged to withdraw the suggestion. Yet Thompson referred to the arrangement as being a widespread practice and cited three unions in Cumbria, (East Ward, Longtown and Carlisle), where it prevailed. Assistant overseers and relieving officers were also one and the same in Burnley and

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<sup>40</sup> Second Annual Report of the PLC, 1836, Appx. C, No.4, Report pp.22-24; Finer, Chadwick, pp.158, 245.

<sup>41</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins, 11/2/1841



Haslingden.<sup>42</sup> The seemingly ready appeal of this arrangement to Guardians leads one to suspect that it was also practised elsewhere than in the north-west, and if so one wonders to what extent the central authority had abandoned, or had not achieved, its cherished pursuit of district assistant overseers.

A further example of different treatment concerns the easy sanctioning of an offshoot district relief committee, this time to the advantage of the small, rural union of Garstang. Such fragmentary moves were normally discouraged, although a section of the 1842 Poor Law Amendment Act permitted such committees in large, urban unions where excessive time was sometimes necessary for the whole Board to hear all the claims. Garstang hardly qualified either as a large union or on the number of claims to be heard at any meeting. Nevertheless Poor Law Commissioners Lewis and Head considered the union's request, on the grounds of inconvenience, was a case for invoking the provisions of the 7th Section of 5 and 6 Victoria, cap 57, which allowed any townships wholly situated more than four miles from the meeting place of the Board of Guardians to form themselves into a separate relief committee.<sup>43</sup>

Yet another example of differences concerns the chaplains of Ormskirk and Ulverston. The salary of the latter was a heated issue along with that of the Ulverston porter, and the emoluments of the union auditor. A faction in the Ulverston Guardians was intent on halving the chaplain's current salary of £60 per annum, or dispensing with his services altogether. They obtained the necessary resolutions but were eventually defeated in both aims by the outright refusal of the central authority to

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<sup>42</sup> R. N. Thompson, 'The New Poor Law in Cumberland and Westmorland, 1834-1871' unpublished Ph.D. thesis, University of Newcastle, 1976, pp.244-46; Midwinter, *Social Administration*, p. 41

<sup>43</sup> R. Boyson, 'The History of Poor Law Administration in North East Lancashire, 1834-1871,' unpublished MA thesis, University of Manchester, 1960, p.145; Lancs. CRO, PUY/1/1, Garstang Gdns. Mins, 11/5/1843

sanction either of them. The dissimilarity of treatment in unions arises from the fact that the chaplain's salary at Ormskirk, also a rural union with a roughly comparable population and size of workhouse, had been sanctioned at £25, which was even less than the proposed £30 halved-salary at Ulverston. It is possible, of course, that their duties were different. The Ulverston chaplain, for instance, regularly visited the four departments of the workhouse for a scriptural reading and lecture as well as reading evening prayers and preaching a sermon midweek. Ormskirk's chaplain may have had lighter duties. Different again, the neighbouring union of Lancaster, with a much larger population, did not employ a chaplain at all. Its Board informed the local clergy that it expected them to attend weekly and gratis to the spiritual needs of the inmates. One vicar was happy to do so and the others consented until a chaplain was appointed, 'which they hope will be soon'. They would be disappointed, as one had still not been appointed ten years later.<sup>44</sup>

The attack on the salary of the chaplain was remarkable for the persistence and tactical manoeuvring of a small group of Guardians led by Woodburn Postlethwaite, and by the equally determined stand of the central authority. Postlethwaite first sought to reduce the chaplain's salary, and then to eliminate it. In this he was aided by the small attendances at the Ulverston Board, and by abstentions. However, Chadwick informed the Board that only the Commissioners could dismiss a paid officer, and this they refused to do. They would countenance a salary of £45 in view of the union's economic difficulties due to the iron recession but suggested that the Board consider whether upon his salary being reduced the chaplain would reduce his services. A

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<sup>44</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins, 18/8/1841, Nov. 1841; PUL/1/1, Lancaster Gdns. Mins, 17/4/1841; PUS/1/1, Ormskirk Gdns. Mins, 13/8/1840; PUL/6/1, Returns of Guardians and paid Officers, 1841-1851

sufficient number of Guardians forthwith passed the chaplain's salary at the £45 figure, and so it remained despite a much later attempt of Woodburn Postlethwaite to again reduce it, but for which he could not get a seconder.<sup>45</sup>

The incident was also notable for the personal intercession of Chadwick at the late date of November, 1841 when Lewis and Head were directing the office at Somerset House. Chadwick may have been approached by the Earl of Burlington, Ulverston Chairman, Whig, fellow Utilitarian, and a 'profoundly religious' man.<sup>46</sup> Perhaps the prospective loss of religious solace to the inmates, and concern that a central authority ruling should not be flouted, caused him to seek authoritative interference. Or, as Utilitarians, he and Chadwick may have been politically known to each other, because the Earl later featured in a list of Members of Parliament due to attend a meeting to promote Chadwick's claim to be appointed a Commissioner on the Board of Health.<sup>47</sup>

Differences between unions and salaries did not prevail, however, in the 1842 General Medical Order, when extra payments for midwifery and surgical cases were fixed. These amounts were to apply in all unions throughout England and Wales, and they did not balk at imposing figures which they admitted were higher than people were accustomed to paying in some areas, such as rural Lancashire.

However, the prime example of different treatment for different unions must be the issuing of an Outdoor Prohibitory Order to Ormskirk as it was the only union in Lancashire, throughout the period of this thesis, to be so issued. The clerk does not record the actual imposition of the Order, and the Ministry of Health records are not

<sup>45</sup> Lancs. CRO, Ulverston Gdns. Mins, PUU/1/3, Aug.-Nov. 1841, PUU/1/4, 23/10/1846

<sup>46</sup> J. D. Marshall, Furness and the Industrial Revolution, (Barrow-in-Furness, 1958), p.225

<sup>47</sup> Finer, Edwin Chadwick, p.287

extant, but it occurred some time before 18 August 1842 and included 'exceptions clauses', because at that date the Ormskirk Guardians sought 'confirmation of an allowance . . . it being in contravention of the Prohibitory Order'.<sup>48</sup> There is no record of the Guardians' reaction to the Order but it seems to have been received quietly and without dissension, and there were no requests to have it removed as there were when it was imposed in some of the Cumbrian unions.<sup>49</sup> Neither did the Guardians appear to have misused the exceptions clauses as Digby states occurred in a large part of south-east England and the midlands. Rather do the minutes imply that, in the early days at least, they agonized over whether or not any articles in the clauses applied, for instance in the case of a woman (living out of the union) with three children under eight, but whose eldest boy earned 4/- a week. With an allowance of 4/- she could just manage to keep them all. Further examples of cases where sanctions were sought include a grant of 4/- to a woman and her family 'put out of work by Wigan rioters'; permission to allow a family with a lunatic who wished to remain together outside the workhouse, to do so; and 5/- a week for two weeks to a handloom weaver with three young children whose potatoes were rotten with the blight, and alternative foods were expensive.<sup>50</sup> Such examples indicate a pragmatic policy where it appeared sensible to give outdoor relief rather than temporarily uproot the people in question, or disrupt the workhouse in the case of the lunatic. Ormskirk did request a temporary suspension on three occasions of particular strain over vagrants, but the minutes do not suggest that

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<sup>48</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 18/8/1842; Eleventh Annual Report of the PLC, 1845, Appx A., No.1

<sup>49</sup> Thompson, *thesis*, pp.135-158

<sup>50</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 23/3/1843, 18/8/1842, 25/1/1844, 14/1/1847

they were granted, and the Order was still firmly in place at the end of 1847 and for years thereafter.<sup>51</sup>

## Local factors and eventualities

Though complete and uniform imposition of the New Poor Law was the ultimate goal of the central authority, they early acknowledged that the individual circumstances of unions must be taken into account.<sup>52</sup> Normally supportive of the central authority and willing to fall in with its requests, the Ulverston Board became very money-conscious during a severe recession in the iron industry. Predominantly rural and pre-dating its rapid expansion in the metal trade and the development of Barrow, a number of Guardians and /or the townships they represented seem to have been personally affected by the recession. Certainly two of the ex officio Guardians were iron merchants, and a third, the initial vice-chairman, was forced to sell up after suffering severe losses in personally-financed mining ventures on his estates.<sup>53</sup> Four elected Guardians were also described as iron merchants or venturers, though two were alternatively described as ‘gentlemen’ and a third as ‘farmer’.<sup>54</sup> One of the sureties for the treasurer was a member of the Ulverston Mining Company and it seems highly likely that others on the Board had connections with the industry through investment, family or leasing land, or had a supplementary interest from coppice wood, transportation, or other ancillary enterprise connected with the rather primitive industry of that time. Even in 1839 Furness haematite ore was only ‘raised by a few miserable horse-gins’.<sup>55</sup> Whatever the

<sup>51</sup> *ibid.*, Jun. 1844, Jan. 1846, Jan. 1847; S and B. Webb, English Poor Law Policy, Appx. A, No.1, Table of Orders in force. The Prohibitory Order was still in force in Ormskirk in 1871, but then it was accompanied by a Labour Test Order.

<sup>52</sup> Eighth Annual Report of the PLC, 1842, p. 22

<sup>53</sup> Marshall, Furness, p.155

<sup>54</sup> Lancs. CRO, PUU/1/1-6, Ulverston Gdns. Mins., lists of elected Guardians, March /April each year.

<sup>55</sup> Marshall, Furness, pp.193, 38-39, 191-196.

reason, during the iron recession a sufficient number of Guardians switched from supporting the New Poor Law to supporting economies of any description, thereby swelling the small minority of the disaffected. Taking into account those who abstained, the balance of the Board was thus tipped in the latter's favour for a time.

Of shorter duration, an outbreak of fever at Ulverston filled the workhouse infirmary to overflowing. The Board agreed to a sophisticated plan to extend accommodation for the sick, but before the plan could be put into execution the epidemic was over and infirmary was empty. Even so, the central authority pressed the Board to build the new wing so that they would be ready for any similar eventuality, but the Guardians felt that a hypothetical future emergency was insufficient justification for the expense in a recession. On the other hand, an extensive outbreak of smallpox in the Ormskirk Union pre-disposed their Guardians to comply immediately when a vaccination service was proposed by the Commissioners. Garstang, unable to attract doctors for medical care in general was further harassed over vaccination. The Commissioners continued to insist and the Guardians to be unsuccessful: the experiences and circumstances of the three unions resulted in different responses.<sup>56</sup>

The retention by Garstang of the 'disgraceful', rented Claughton workhouse, was another local circumstance and one which strained the patience of Assistant Commissioner Clements. He bitterly blamed the Garstang Board for their unwillingness to spend money. That was not the whole of the story, but money did have to be taken into account when every expense had to be met by local people. Garstang had a small population and few wealthy ratepayers. Land holdings were small, and many farmers

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<sup>56</sup> Lancs. CRO, PUU/1/3, Ulverston Gdns. Mins., July, 1842-Jan. 1843; PUS/1/1, Ormskirk Gdns. Mins., 27/12/1838, 18/4/1839, Oct. 1840

were over-stretched. There was little industry within the union and even in 1851 its solitary market town had under 1,000 inhabitants and ‘little bespeaking prosperity’.<sup>57</sup> The cost of building a new workhouse therefore represented a greater expense upon the income of the average Garstang ratepayer than would a larger workhouse in a union where economies of scale operated and there were a greater number of ratepayers, with a higher proportion of the wealthy, to share the cost. The interest alone, at 4 % on the estimated cost of £3000 for a new workhouse, would have been three times the annual rent of £40 per annum for the existing workhouse, plus repayments and a further £400 to £500 for a site.<sup>58</sup>

Furthermore, though probably not foreseen at the time, the Classification Order of 1844 which limited Garstang’s workhouse to 57 old and infirm inmates, absolved the ratepayers from future expense, in that additions such as a school, or receiving wards for vagrants, were inappropriate and did not have to be provided. The Garstang Board was also able to revert to cheaper purchasing at the local market as their monthly orders fell well under the £50 minimum beyond which tendering became compulsory. The relationship between the union and central authority would not be improved by these circumstances, Nevertheless Garstang could not be branded as unco-operative because, despite the financial saving from its inadequate workhouse, the Guardians did vote in 1848 to build a new house, even though it later transpired that they were unable to do so.<sup>59</sup>

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<sup>57</sup> W. Rothwell, Report of the Agriculture of the County of Lancaster, (Royal Agricultural Society of England, 1849), p.146; PP, 1835, XXV, Report from Commission on Municipal Corporations in England and Wales, Northern Circuit, p.1521

<sup>58</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 18/5/1843

<sup>59</sup> Lancs. CRO, PUY/1/2, Garstang Gdns. Mins., 28/9/1848

Ormskirk was in a much more favourable position. Assistant Commissioner Power had judged the already functioning workhouse in Ormskirk capable, with some extension, of accommodating all likely paupers. Local circumstances did come into it when demands for provision later became increasingly complex and the Ormskirk site proved too limited for them to be effected. However, though the Ormskirk Guardians were principally farmers, as at Garstang, the union had a greater population, a larger market centre, and its market-garden agriculture for nearby Liverpool was more lucrative than the mainly pasture farming of Garstang. The superior circumstances of Ormskirk Union enabled the Board of Guardians, after spending £1,925 on alterations and only a relatively short time of making do, to decide in 1851 to build a new workhouse to accommodate 200 at a cost of around £3000, on a site ‘above two large acres’, recently purchased for £500.<sup>60</sup> The decision was taken without any apparent suggestion that it would impoverish the ratepayers, though Ormskirk had participated keenly in the county-wide movement organized by Rochdale Union to control and reduce county expenditure (see below).

Garstang provides yet another example of local factors making it difficult to comply with central authority recommendations. The Commissioners desired Guardians to hold Board meetings in the union workhouse, or some other suitable place, but not in public houses or tavern. This dictum was ignored by Garstang, because the decrepit workhouse referred to above was two to three miles distant from Garstang town, and had no spare room anyway. The earliest Board meetings were held in the tiny Town Hall, judged ‘very much out of repair’ in 1835 by the Commissioners for Municipal

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<sup>60</sup> Fifth Annual Report of the PLC, 1839, Appx. D, No. 4; Seventh Annual Report of the PLC, 1841, Appx. E, No. 4; Lancs. CRO, PUS/1/3, Ormskirk Gdns. Mins., May-Jun. 1851.



Boroughs, but as the charge was five guineas per annum without heat or cleaning, and the landlord of the principal coaching inn offered a room at three guineas including both, the cheaper alternative was gladly accepted.<sup>61</sup>

## Consistency and pragmatism

Inconsistency in the treatment of unions was carried forward into inconsistent restrictions on union administrators. Guardians and paid officers were not allowed to be suppliers to the union. An ironmonger of Garstang had obviously been unaware of this ruling when elected to the Board and wished to resign on discovering it. However, the Commissioners would not accept his resignation, and to his credit he continued to attend Board meetings. It is possible that he also continued to supply in some undisclosed manner, although with the workhouse limited to 57 elderly paupers, and the master buying cheaply on the market, custom from the workhouse might not have been too great a loss. In Garstang, also, the treasurer was a leading grocer, but all supplies of this nature were always obtained from a firm in Preston, never from the treasurer, and there is no evidence that this arrangement was ever broken.<sup>62</sup>

Ulverston may have been less vigilant in its observation of the rule, which would be surprising in view of its highly controlled administration and an auditor who was a magistrate's clerk. The leading bankers, who were also timber merchants and ship builders, supplied £671 worth of wood for the new workhouse when one of them appears to have been a Guardian. Two other Guardians each supplied a small quantity of potatoes and another one supplied a little milk, while a few shillings were paid for

<sup>61</sup> Third Annual Report of the PLC, 1837, Appx. A, No. 1; PP, 1835, XXV, Report of the Commission on Municipal Boroughs in England and Wales, p.1520; Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., 15/11/1838

<sup>62</sup> Lancs. CRO, PUY/1/1, Garstang Gdns. Mins., Apr. - May 1844

firewood to the estate of the Earl of Burlington.<sup>63</sup> These apparent lapses could be explained in a number of ways. Presentation or payment of invoices was quite often delayed, sometimes for a year or two, so the delivery could have been made in a period when the supplier was *not* a Guardian. The Earl of Burlington's estate was so vast and its ramifications so diverse that a small amount of firewood could have been sold without his knowledge and without the vendor knowing of the rule. Petty and Postlethwaite's enterprises were also diverse so that a Guardian connected with banking could be seen as unconnected with the ship building or sawyer aspects of the firm. Perhaps, in any case, they were the only firm capable of fulfilling such a large order. Lastly, it is always possible that the Guardians and the suppliers were identically-named, but different, people. To emphasize this possibility, the Ulverston accounts' ledger for December, 1836 reads as though a boiler, bread, flour, bed ticking, and ironmongery, were all supplied by Thomas Coward. (It was presumably a different Thomas Coward who was a schoolmaster and became workhouse porter.) Even in the days of non-specialization it seems a wide variety of stock for one shopkeeper to have carried.<sup>64</sup> Nevertheless, it does seem to have been a rule that was elsewhere often disregarded or overcome. For instance, a relieving officer in Bootle, Cumbria, was a butcher. When challenged on this score by Assistant Commissioner Hawley after five years of dual occupation, the officer put his business into his daughter's name. On her marriage it was transferred to the son. Hawley saw this as a continuing subterfuge but he and the Commissioners agreed that they could not do other than accept the situation.<sup>65</sup> A slightly similar but far briefer situation had existed in Ormskirk when a supplier of beds

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<sup>63</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 11/1/1838, PUU/1/2, 26/3/1840

<sup>64</sup> Lancs. CRO, PUU/2/1, Ulverston Account Book, 1836, Dec. 1836.

<sup>65</sup> Thompson, *thesis* pp. 241/2

became a Guardian before the order had been entirely completed. In this case, the remainder of the beds were invoiced in the name of his son, who may or may not have been legitimately in the business.<sup>66</sup>

The basic rule that an officer of the union could not profit from his position other than by his salary, initially applied also to union clerks. In the Annual Report of the Poor Law Commissioners in 1837, it was laid down that if a clerk were a solicitor he would be required to transact the professional business of the union without extra payment other than out of pocket expenses. However, the Commissioners stated that solicitor-clerks were to be paid ‘reasonable charges’ for professional work for either the union or a township.<sup>67</sup> One can see how difficult it would be to determine the boundaries of union and non-union work and it caused endless trouble at Ulverston where the clerk and the auditor, both solicitors, had also become partners in a private solicitors’ practice. A difficult ethical situation in itself, it was particularly so when an audit involved decisions on a lucrative grey area of ‘extra-union’ work and what constituted ‘reasonable charges’. To avoid controversy, the Ulverston Guardians resolved by a majority of one, at a well-attended Board meeting, that the ruling on payment for ‘extra-union’ work would not apply under the existing partnership. Nevertheless, the minutes show that the ruling did apply, presumably because it would have been illegal for it not to have done so. However, the clerk later voluntarily resigned.<sup>68</sup>

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<sup>66</sup> Lancs. CRO, PUS/1/2, Ormskirk Gdns. Mins., 31/3/1842

<sup>67</sup> Third Annual Report of the PLC, 1837 p.28; Seventh Annual Report of the PLC, 1841; Lancs. CRO, PUU/1/2, Gdns. Mins., 7/2/1839

<sup>68</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 23/4/1840

## Formal opposition

Bending an inconvenient rule was one thing, outright defiance of the central authority was quite another. In 1840, in the Lancashire unions of Bolton, Bury, Ashton and Rochdale, for instance, relief of the poor was still being administered by parochial authorities as the Poor Law Commission had not yet deemed it wise to forcibly impose the revised system upon them.<sup>69</sup> Early opposition to the introduction of the new system in rural Lancashire has been found to have been slight and short-lived, but actual experience of the revised system could have built up hostility since then. However, there is no evidence of this having been the case, though the *Urswick Guardian* when present retained a negative attitude to all motions, even trivial or purely local ones, as well as those connected with the new law.

Urswick's attitude to the new administration could have been influenced by central authority's seemingly poor handling of two queries from the township. The first was written before Voules arrival, and the other before the union became operative. The overseer had been notified by the justices that he was not to give relief in money, and that bastard children on relief were to be taken to the workhouse. As Urswick had only a very small workhouse he sought guidance on how some non-residents, and the elderly and the bastard children living with relatives, were to be relieved. If the abrupt reply scribbled onto the original letter were not worded a little more diplomatically when despatched, its tone could have offended the township. The reply was also unhelpful as it maintained that the Commissioners could not sanction pecuniary relief to paupers or bastard children out of the workhouse. It also contradicted an early directive sent to township overseers by Chadwick in which they were instructed to continue to relieve as

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<sup>69</sup> Sixth Annual Report of the PLC, 1840, pp.6-7.

customarily, though instituting good practices such as payment in-kind where practicable.<sup>70</sup> A clue to the continued negative attitude of Urswick may alternatively have been connected with expense, as the overseer's letter portrays an exceptionally penny-pinching township. For example:

The relations of some would keep some children rather than let them go to the workhouse and therefore we should get quit of them, and others would keep there (sic) children perhaps for less than we could maintain them at the workhouse. I should think we could get some kept for 1s. per week out of the workhouse, perhaps less.<sup>71</sup>

A letter from the assistant overseer of Colton, also in Ulverston Union, similarly queried the profitability of discontinuing all out-pensions, as most of them were 'small weekly pittances payable to mothers of bastard children which, with their own industry, just enabled them to procure a livelihood and . . . if taken off they must fly to the workhouse'. Colton were advised to await the arrival of the Assistant Commissioner who, in view of the large number the Colton workhouse could accommodate, upheld the previous directive forwarded by the justices.<sup>72</sup>

The second letter from Urswick queried the number of Guardians awarded to the townships in the union. It gave four examples which indicated that if the allocation were based on acreage or rates, Urswick and Dalton had been unjustly treated. Voules explanation to the Commissioners of his assignment of Guardians is enlightening. Firstly he quoted population figures, which in no way supported his case, and added somewhat weakly that 'a line had to be drawn somewhere'. Secondly, he wrote of distances from Ulverston, which again had no bearing upon the matter, as none of the

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<sup>70</sup> PRO, MH12/6320, G. Simpson to PLC, 20/4/1836; Circular, PLC to townships, 11/9/1834; Circular, Chadwick to townships, 8/11/1834

<sup>71</sup> PRO, MH12/6320, G. Simpson to PLC, 20/4/

<sup>72</sup> PRO, MH12/6320, W. Penny to PLC, 13/4/1836; Voules to PLC, 18/5/1836

townships he quoted, including Urswick, was more than three or four miles away from Ulverston. However, he tellingly added a third reason, namely, that Urswick was only interested in getting further representation so that it could spoil the new system rather than assist it. In their reply to the township the Commissioners converted his explanation into ‘the number of Guardians was fixed by the Assistant Commissioner after due consideration of the circumstances of each parish and with a view to the well-working of the union generally’. They also added that they saw no inconvenience arising from having only one Guardian as ‘a union can only act as a Board for all the townships it comprised, not individually for the particular townships for which they may have been elected’.<sup>73</sup> One imagines that this reply did not advance the cause of the New Poor Law in Urswick.

However, hostility on a larger scale than a single township would be necessary to count as opposition to the New Poor Law and to the central authority. One indication of hostility could be the petitions to Parliament. Memorialising was in some respects viewed as a legitimate means of lobbying for change, in the absence of other forms of making collective representation. Initiators of a petition would circulate copies to whomsoever they wished - to a few, many, or all, other unions - with a request for their support in presenting a similar missive to County or to Parliament, as appropriate.

Memorials received by the four rural unions were often entered in the minutes together with the name of the originator, its purpose, and most often the decision the Board came to about it. Fylde Union ‘filed’ those it did not act upon, while at Ulverston Board meetings they were ‘laid on the table’. From the petitions recorded in

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<sup>73</sup> PRO, MH12/6320, W. Cranke to PLC, 19/8/1836, Voules to PLC, August 1836, PLC to Cranke, 31/8/1836.

the four sets of Guardians' minutes, it seems that only the odd one or two were against the New Poor Law or the central authority per se. Most of them were against certain aspects such as the bastardy clauses in the Poor Law Amendment Act, the vagrancy laws, or the removal and settlement laws. A large proportion were county issues concerning the rates, especially the cost of the County Constabulary introduced in 1839. (See Appendix for list of petitions recorded in the various minutes.) A county-wide organization of unions initiated by Rochdale Union at the end of 1848 began a sustained campaign against Lancashire rates, culminating in 1851 in a petition to Parliament to enact a law authorizing County Boards of Finance. Ormskirk and Fylde both supported the various stages of this movement which constituted their only dalliance with petitions other than one by Ormskirk in March 1840 against the bastardy clauses. Garstang's minutes terminated in August 1849 but apart from sending a representative to the initial meeting on county expenditure in 1848 the union had not participated further, while Ulverston had declined from the outset to become involved and held to this position despite repeated reminders and notices from Rochdale.<sup>74</sup>

Virtually all the petitions had a financial base, such as the cost of taking putative fathers to Quarter Sessions and the lack of redress if the father neglected to pay on an order. Two memorials with respect to the bastardy clauses were the only ones on any issue presented, or participated in, by Ulverston, and one of these was with reluctance. It was proposed by a vicar-Guardian who attacked the clauses because of the ease with which the guilty father could evade paying, and the effect this might have in encouraging seduction and general demoralization. A counter proposal argued that,

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<sup>74</sup> Lancs. CRO, PUS/1/1, Ormskirk Gdns. Mins., petition re bastardy, 26/3/1840. Rochdale movement against county rates, see Guardians' minutes, 1848-1851, especially Fylde and Ormskirk.

although as individuals they would rejoice in the mitigation of seduction, the moral issue was not the proper concern of the Guardians. In any case Boards ought only to memorialize from practical experience, and Ulverston's books for the two completed years of union operation showed that the number of chargeable bastard children had more than halved from 157 at Christmas 1836, to 68 at Christmas 1838, and that there had been an equally great decrease (from 29 to 12 in the period June 1836 to June 1838) in the number of yearly births of bastard children who were *not* chargeable. Expense to the ratepayers could be controlled by judiciously considering cases where maintenance orders should be sought at Quarter Sessions, and exposure of indecency and immorality would tend to multiply if applications and appeals were heard at petty sessions. Despite these arguments, the motion obtained a majority and the petition was signed on behalf of the union.<sup>75</sup>

No details are given of the petition initiated by Reith Union for an alteration in the settlement laws and parish appeals which Garstang supported in February, 1846. However it may have been connected with 8 and 9 Vict. cap.117 for the removal of Irish and Scotch. The only other petition supported by Garstang, originated with Wakefield Union in January 1844 and prayed to be released from the New Poor Law. Garstang Union's attitude to the New Poor Law at the time, both Guardians and ratepayers alike, was probably influenced by Clements harassment of them over the issue of a new workhouse. As was the custom in Garstang, ratepayers were kept informed of important business in the union's affairs and their views were noted. They had been consulted about the workhouse and the Board now issued petition forms for ratepayers who wished to sign, the response to which would guide the Board. Not all

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<sup>75</sup> Lancs. CRO, PUU/1/2, Ulverston Gdns. Mins., 17/1/1839



the townships co-operated, but most did, and their forms were forwarded in the name of the union.<sup>76</sup> None of the other unions, including Garstang, took notice of any similar petitions at other times, even those from the ‘neighbouring’ unions of Lancaster and Kendal. The former memorialized Parliament, in June 1841, that the number of Assistant Commissioners be immediately reduced and that they be removed altogether upon the completion of unionization in England and Wales. Kendal, in June 1848, ostensibly motivated by the Poor Law Board’s insistence on a new system of book-keeping and accounts, requested an end to the powers of the central authority, but Thompson adds that Kendal Guardians had been festering for some time on several scores of what they considered to be ‘excessive interference’.<sup>77</sup>

Even if Garstang’s one attempt to lobby Parliament counted as hostility to the New Poor Law there is plenty of evidence that the other three unions were not of a similar mind. As stated, they had steadfastly ignored all petitions of that nature. But more concretely, the preamble to Ulverston’s petition against the bastardy clauses began with, ‘The New Poor Law is working beneficially in most other respects’ although it could not take this view with respect to the operation of the bastardy clauses, and throughout the minutes entries occur which signal the union’s general desire to observe central direction. The Board’s Standing Order Book was to record all resolutions, ‘but none that conflict with rulings of the central authority’ unless and until it had been sanctioned. On the grounds that it was ‘contrary to the orders of the Poor Law Commission’ Ulverston also refused to pay, at Kendal’s request and expense, 1/6d. a week to a Kendal bastard child living in Ulverston. Lastly, even during the iron

<sup>76</sup> Lancs. CRO, Garstang Gdns. Mins., PUY/1/1, Jan. - Feb. 1844, PUY/1/2, Feb. 1846

<sup>77</sup> Lancs. CRO, PUL/1/1, Lancaster Gdns. Mins., 1/5/1841; PUU/1/5, Ulverston Gdns. Mins., 23/6/1848; Thompson, thesis, p. 428-429.

recession there was always a core of Guardians who uncompromisingly supported the New Poor Law. One of them, Thomas Ainsworth, Jnr., an elected Guardian but later a magistrate, proposed that the union should operate what amounted to a voluntary Outdoor Relief Prohibitory Order. The motion was seconded by another fervent supporter of the New Poor Law, but it did not get a majority.<sup>78</sup>

On the other hand, the Ulverston Board took the advice of their medical officer on health matters above that of the Assistant Commissioner. The former had spoken against the advisability of matting in the workhouse infirmary when it had been recommended by the latter, and the pronouncement of the medical officer that children under nine should not be set to pick cotton in the interval between school, and should only pick it for a maximum of two hours on Saturdays, was acted upon when the Assistant Commissioner had approved this work as being both beneficial and good training. Compliance with central authority was also less evident when the Guardians persisted in elderly inmates continuing with their Old Poor Law service of regular street sweeping for the ratepayers, despite the disapproval of the Poor Law Commission who were against inmates working outside the workhouse. However, when the inhabitants of Ulverston later asked if the streets could be swept twice a week, and be completed before the shops opened, the Board answered in the affirmative with regard to the frequency of the sweeping but not to the time, because it was ‘contrary to the orders of the Poor Law Commission’ for inmates to work before six a.m.<sup>79</sup>

Perhaps the evidence of support for the New Poor Law was even more striking at Ormskirk. The Board’s Report to the Ratepayers on its first three years of operation

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<sup>78</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/1, 25/11/1837, PUU/1/2, 17/1/1839, 8/2/1839, PUU/1/4, 27/2/1845

<sup>79</sup> Lancs. CRO, Ulverston Gdns. Mins., PUU/1/3, 26/5/1842, 27/4/1843, 1/6/1843, PUU/1/4, 24/7/1845

could almost have been commissioned by the central authority as an advertisement for the New Poor Law. After presenting the financial savings of £19 4s. per cent per annum even during ‘a period of distress and want of work’, while at the same time citing improvements in medical care and the health of the children in the house, ‘neither from the deserving poor, nor from their neighbours, are there any complaints of too sparing a Relief’. The Report concluded:

On the whole the Board close their Report well satisfied with the introduction of the Poor Law into the Union: well satisfied as they hope the public will be, with its results, and hoping with some confidence, that its operations may continue to be attended with the same quietness, good order and success.<sup>80</sup>

Even allowing for the fact that they wished to present a good report for the ratepayers, its mode of expression indicates that the Board did sincerely believe in the benefits of the New Poor Law.

## Conclusion

Many of the above examples illustrate that both the Poor Law Commissioners and the Boards of Guardians were influenced by different priorities and that to some extent it dictated the relationship between them. The central authority had to think nationally, take a long-term view, satisfy Parliament and the ruling classes, and be aware of public opinion. For instance, when bombarded with requests from unions for alterations in the vagrancy laws, the Commissioners stated ‘We cannot get ahead of public opinion, and magistrates are reluctant to prosecute for begging’.

Boards of Guardians took a shorter-term view, thought locally, and were constantly aware of the ratepayers. As the central authority had insufficient powers to ride rough-

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<sup>80</sup> Lancs. CRO, PR 444, Bickerstaffe. Various papers 1837-1845, Ormskirk Union, Report to the Ratepayers, 1841.

shod over Boards of Guardians, including those which proved difficult or obstructive, they had instead to gain their co-operation. To achieve this it was necessary to take into account the pressures upon the Guardians deriving from local eventualities and the circumstances of a particular union. There are many indications that they acted upon this realization, as in the relaxation of orders in difficult times, compromises over salaries, and their declaration that they were not necessarily tied to seeking uniformity in their policies.<sup>81</sup> There were no obvious examples of the widespread refusal of local Guardians to implement the policies of the New Poor Law or to adopt the new structure - unlike in industrial Lancashire..

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<sup>81</sup> Eighth Annual Report of the PLC, 1842, p.22.

## 11.....CONCLUSION

One of the concerns of this study has been the manner in which the New Poor Law was received in rural Lancashire. The prevailing view is that Lancashire was hostile, occasionally violent, and that widespread, organized resistance in the Anti-Poor Law Associations delayed its introduction. It also prevented the important measure which prohibited outdoor relief to the able-bodied from being issued to any Lancashire union, and that Rochdale and Oldham successfully resisted the introduction of the reforms for a number of years.

This does not describe the situation in rural Lancashire. Ulverston was the first union to be created in either industrial or rural Lancashire, and though some initial prejudice against, and apprehension about, the new law preceded the arrival of the Assistant Commissioner, the union was quickly formed and became operative without any untoward incident. Administration of poor relief by the other three unions followed during the next two years, with only token resistance in four Garstang townships which decided not to elect a Guardian when the union was first declared. However, by the time the union became operative the Guardians were all in place. There may have been some popular unrecorded opposition from ratepayers, but if there were it was not

orchestrated.

A principal reason for organized resistance in industrial Lancashire was the fact that the county was already operating a relief policy similar to that to be imposed, and therefore legislation was not viewed as necessary in this part of the kingdom, rather was it regarded as an unwarranted intrusion by central government. Conversely, its peaceful acceptance into the rural region may have stemmed from the reasoning that, as New Poor Law policy was similar to their current practice, it was pointless to fuss about what amounted to the legitimisation of existing local relief. Furthermore as there is no knowledge of what form the administration of relief took in the unrecorded townships of rural Lancashire, it could be that some deficiencies in existing practices were recognized, and reform was welcomed, or at least accepted.

With the possible exception of Urswick, which has eluded conclusions about the reasons for its hostility, there is also scant evidence of principled and sustained opposition to central control, which was another major motivation of the Anti-Poor Law Movement. In fact, some of the letters from correspondents in Ulverston townships which predate union administration, (the only one of the four unions with extant correspondence for that time) indicated approval rather than the reverse, and that the prospect of a little extra control and inspection would be considered an asset.<sup>1</sup>

Lancashire was also fortunate in avoiding the particular difficulties associated with paupers in the south. Power, contrasting the situations in the two areas, stated that in the north 'so many pay rates; so few receive relief'.<sup>2</sup> The rural region of Lancashire also avoided the mass un- or under- employment associated with cyclical booms and

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<sup>1</sup> PRO, MH12/6320, for example, Thos. Briggs to PLC, 28/12/1834, Chas. Watson to PLC, 9/10/1834, Taylor to PLC, 24/10/1835, Barber to PLC, 16/6/1836, Jas. Watson to PLC, 9/7/1836.

<sup>2</sup> PRO, MH32/63, Power to Lord John Russell, 17/12/1838

slumps in industry and the imbalance of supply and demand. Yet at other times rural Lancashire was able to take advantage of employment opportunities in the industrial and commercial region. Even hand-loom weavers, either on account of their numbers or the necessity to aid them, were not nearly the problem they were in the rest of Lancashire.

It was not merely fortunate circumstances which, in retrospect and from outside observation, kept poor relief in manageable proportions in rural Lancashire. There is ample evidence that stern measures were taken to reduce the rates in the townships of the four unions in the fifteen or so years which preceded the introduction of the New Poor Law. The cessation of some regular payments and the reduction of others is particularly apparent with the adoption of a restricted vestry following the Act of 1819. There also seems to have been further tightening up around 1827, when rents in particular began to be attacked, and a further marked turning of the screw in the early thirties, perhaps in response to the publicity surrounding the Royal Commission enquiry. However, the evidence in the Guardians' minutes illustrates that even further tightening up took place, and was therefore presumably considered necessary by the Boards, during their initial reviews of paupers at the commencement of operation as unions. These may, of course, have concerned paupers from townships without surviving records which may have been a little less vigilant or severe.

Interference from magistrates under the Old Poor Law was minimal, but in one township at least, (Halsall) there was legitimate influence from justices who were members of the select vestry. It could be coincidental, or the influence have been more marked because the magistrates concerned were vicars, but though the overall policies

were as stern as elsewhere, they were more caringly applied - for example, 'clothes to keep her warm', and '£2 to carry her to her friends'. One wonders how frequently justices were active members of select vestries in the kingdom at large, and if there were any discernible effects.

A further concern of this thesis has been the question of continuity and change in relation to the operation of the New and Old Poor Laws. 'More of the same' summarizes the conclusions of most historians in terms of relief policies and the social composition of those who managed the Poor Law: far fewer opt for 'change'. It has been stated earlier in this study that comparison of policy under the Old and New Poor Laws could, in view of the freedom which existed prior to the Act of 1834, amount to continuity with what had gone before for some townships, yet represent complete change for others. A similarly difficult situation arises when assessing more than one union, and the difficulty is further compounded when the policy of the central authority changed over time. Uniformity of policy and practice was originally an important feature of the New Poor Law, but by 1842 the Annual Report of the Poor Law Commissioners states that:

It is the Poor Law Commission's principle to establish a uniform system of management for the majority of the unions, but to introduce peculiar regulations in those unions whose circumstances require a departure, constantly or temporarily, from the prevalent practice . . . . In fact, uniformity of principle is incompatible with uniformity in the administrative details unless (which is impossible) local circumstances are everywhere identical.<sup>3</sup>

The resolute pursuit of uniformity by the central authority had, therefore, been relaxed and it had become an ideal rather than a basic precept. Pragmatism now operated at Somerset House as well as in the local boardroom of the Guardians.

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<sup>3</sup> Eighth Annual Report of the PLC, 1842, p.22



To give the Commissioners their due, northern hostility had caused Lord John Russell to counsel a pause in the drive to unionize Lancashire and the West Riding, and to allow Huddersfield a further twelve months freedom. In 1839, Sir James Graham, chairman of Longtown Union for four years, had stated that it would be impossible to issue a Prohibitory Order when the distress among hand-loom weavers was so great, and Assistant Commissioner Hawley in the north-east had requested them to delay issuing orders affecting the able-bodied in Gateshead until the local employment position improved. Assistant Commissioner Power informed them of the peculiarities of the northern character which had ‘a greater impatience of restraint and extraneous interference . . . than in any other part of the kingdom’, and repeatedly advised the Commissioners to proceed with caution; not to restrict relief of the able-bodied to the workhouse; to let unions more recently brought into operation first make further progress; and to await voluntary discipline by the Guardians rather than imposing it immediately. It would have been politically impossible and pragmatically foolish for the Commissioners to ignore all these representations. Even Chadwick had reported to Lord John Russell in 1836 that ‘only by successive changes of detail’ could the new poor law succeed.<sup>4</sup> We should not expect to find dramatic, uniform, wholesale change in many aspects of the system, therefore, and it would be misleading to assume variety of practice represented a failure of government control or determined opposition to centralization.

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<sup>4</sup> Russell to PLC, 26/6/1837 cited in A Brundage, The Making of the New Poor Law: the Politics of inquiry, enactment and implementation, (London, 1978), p.154; R. N. Thompson, ‘The New Poor Law in Cumberland and Westmorland, 1834-1871’ unpublished Ph.D. thesis, University of Newcastle, 1976, p.125; N. McCord, ‘The Implementation of the 1834 PLAA on Tyneside’, International Review of Social History, 14, 1969, p.103; PRO, for example, MH32/63, Power to PLC, 21/10/1837, 17/12/1838, qtrly. report, Dec. 1838; Chadwick to Russell, 3/7/1836, quoted in D. Roberts, Victorian Origins of the British Welfare State, (Yale University Press, 1960), p.238

If the workhouse were the symbol of success in relation to the New Poor Law, as Williams believes, with two new workhouses in operation in the early years in the unions of Ulverston and Fylde, and a third at Ormskirk extensively altered and extended and a new replacement begun in 1851, it could be said that the New Poor Law had been successfully introduced into rural Lancashire and that change had been wrought. For though Ormskirk townships had previously had experience of co-operative management of large workhouses, they had been used as almshouses and had operated without the control that would exist under the reformed system. Only Garstang spoiled the unions' good record on this front. Its old rented house was so unsuitable that the Commissioners had restricted it to 57 elderly and infirm inmates, thus constituting continuation with the old system in many respects for Garstang, although it was still under regular inspection, and therefore pressure, from the central authority.

Outdoor relief was even more varied and less conducive to a clear decision on continuity and change. Uniquely in Lancashire, Ormskirk Union was issued with an Outdoor Relief Prohibitory Order sometime in 1841 or 1842. Fylde, at its own request, was issued with a Labour Test Order in 1847: Garstang was left undisturbed by either. Ulverston voluntarily applied a strict rule where those not in the workhouse were relieved in-kind. Thus, in relation to policy for the able-bodied, Ormskirk experienced complete change, Garstang no change, and Fylde and Ulverston partial change.

Three-tier organization was undoubtedly a change: continuity or change of personnel is more difficult to assess, particularly from incomplete evidence. One or two permanent, paid township overseers noted in the parish records, became union officers,

but others did not even apply. With the appointments of the overseers changing from part-time to full-time appointments, they thereby gained in status but lost in freedom from control. Two schoolmasters became Garstang's relieving officers while the sole, highly-paid relieving officer at Ormskirk was an outside appointment. Doctors, whose employment in treating paupers had been negligible under the Old Poor Law, were engaged as medical officers to treat every sick pauper in their districts, (at a salary of £150 per annum for the Ormskirk District) thus signifying change for pauper and medical officer alike. As far as can be told, in none of the four unions did paid township overseers become Guardians. A number of former vestrymen must almost inevitably have done so, but in all the unions it is noteworthy that there was an exceptionally high rate of change in Guardians elected the first year compared with subsequent years. On balance, therefore, there was possibly more change than continuity in the faces which administered relief of the poor under the New Poor Law. It is impossible to pass judgement on their types.<sup>5</sup>

Impressionistic evidence also concerns policy attitudes. Sympathy for the elderly and a strict regard for the able-bodied is observable under both laws. Relief for the latter had never been easily gained. It had always been thought that those who could work should do so, though it had seemed sensible, not 'spoiling' them, to find situations for them if they had not secured employment for themselves. It is also likely that some of those for whom work was found were the disabled. Perhaps the reformers feared 'finding work' might lead to 'inventing work' and thus to the evils of contrived solutions. Whichever the reason, the freedom of administrators to improvise and to

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<sup>5</sup> E. Midwinter, 'State Intervention at the Local Level: the New Poor Law in Lancashire', Historical Journal, X, I, 1967, pp.112.

arrange ad hoc solutions to one-off problems, was a casualty of bureaucracy under the New Poor Law.

The third concern of this study was the nature of power, which entailed a study of the power of magistrates and the relative strengths of central and local government. Evidence from rural Lancashire supports Henderson's verdict that magisterial interference in the county was slight under the Old Poor Law. Conversely, all the indications point to their influence being considerably enhanced by the Act of 1834, either directly as ex officio Guardians on the Board, where Ulverston is the most notable example, or by indirectly influencing relatives, employees and tenants as on the Ormskirk Board, though it is not believed that this anywhere included the manipulation of union boundaries as also believed by Brundage.<sup>6</sup>

In rural Lancashire their power was also almost entirely wrought in favour of the central authority and the New Poor Law. Sometimes their influence was directly invoked, for instance by Power, to achieve his desired appointment of union-controlled district overseers in Garstang and in Ormskirk, instead of the perfectly legitimate township officers. Though not immediately successful in Ormskirk as in Garstang, the influence of magistrates may have operated behind the scenes to cause the subsequent, somewhat surprising, capitulation of Ormskirk's Board of, almost exclusively, elected Guardians.

With reference to the relative powers of central and local authorities, great pains were taken by the central authority to assure public opinion that there was no intention of interfering with local powers of self-government. These were typically expressed in

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<sup>6</sup> Brundage, The Making of the New Poor Law, pp.150/151 and fn.24.

the Commissioners' report on the further amendment of the poor law in 1839, which stated that they had:

ever sought to exercise their powers in such a manner as to avoid all unnecessary interference with the Boards of Guardians . . . and that they have abstained carefully from doing anything which might extinguish the spirit of local independence and self-government, which, when guided by enlightened discretion, they consider the characteristic excellence of the English people.<sup>7</sup>

Their relative powers were fluid in the period of this study, especially when the policy of the central authority, which had begun authoritatively and firmly, changed with the emasculation of Chadwick, the fears and uncertainties of leading politicians about northern opposition, and the Commission's change to the rule of Lewis and Head, who, for instance, confessed to being unable to withstand 'the clamour' of the doctors as their predecessors had succeeded in doing.<sup>8</sup> Economies in the number of Assistant Commissioners in the field reduced central supervision of the unions to a token amount, and bureaucratic rules almost inevitably allowed exceptions like Garstang to circumvent their intention by using legal loopholes, as for instance in buying on the market instead of by tender.

Relationships between central and local administrations also changed with time. At first, contact was more frequent and more personal, and perhaps there was a feeling of common interest in a shared venture. As time passed, greater confidence on the part of Guardians and the distancing of the central authority with the further bureaucratisation of the Poor Law Board, increased the potential power of the Guardians at that time, but relations between the rural Guardians and the central authority were never hostile,

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<sup>7</sup> quoted in G. Nicholls, *A History of the English Poor Law, 1715-1853*, II, (London, 1898), p.340

<sup>8</sup> Lewis to Grote, quoted in S. E. Finer, *The Life and Times of Sir Edwin Chadwick*, (London, 1952), p.245

and only minor irritations emerged. Nevertheless, the New Poor Law was the law of the land, the central authority could play a waiting game, and in rural Lancashire this was clearly their approach. Having introduced the essentials of the new system into the region, they gradually extended its more complete operation by issuing unpopular orders piecemeal into the unions they knew would accept them, such as the Prohibitory Order to Ormskirk, and gradually nudging and badgering a less responsive union like Garstang.

Central authority also seemed to fight much harder to avoid losing ground gained, than ever they did to gain ground in the first place. Although only a minor incident, the case of Ulverston's porter is instructive. Ulverston had voluntarily employed an independent porter, but when they were suffering a long recession in the iron industry a majority of the Guardians wanted to economize with a cheaper pauper alternative. The Commissioners fought hard not to give way and only sanctioned it when they were forced to admit that they had already frequently sanctioned paupers as porters in neighbouring regions.

To sum up, rural Lancashire accepted the new poor law relatively quietly because it was in sympathy with its aim to reduce pauperism and the rates, and also with the means by which this was to be achieved. There is no evidence of major power struggles either at the time or subsequently, and the two authorities remained generally in tune - lack of means rather than obstructiveness motivated the slower response of Garstang. Overall, the magistrates of the region gained in power, but only in degree according to their existing concentration. At the one extreme there was Garstang with few magistrates, the meetings mostly chaired by an efficient, conscientious, but elected,

Guardian, and a Board almost exclusively of small farmers, though even so, not devoid of some magisterial oversight. The other extreme was Ulverston, with many magistrates, a permanent, involved, ex officio chairman and two excellently-attending, ex officio vice-chairmen, with good support from other ex officio Guardians and a Board of elected Guardians of gentlemen and well-placed farmers.

Bearing in mind the two extremes of Ulverston and Garstang, with further variations in the unions of Ormskirk and Fylde, and also the differences in their Orders from the central authority, it is difficult to decide whether continuity or change symbolized the overall experience of relief in rural Lancashire. When considered alongside the establishment of large workhouses, as opposed to almshouses, pauper education, vaccination for all, and the free medical service, which even Garstang tried its best to provide, there is distinct evidence of change. However, if the criteria to be applied related only to *attitudes* in the pre- and post-1834 period, the assessment would be continuation, for under both the Old and New Poor Laws, indulgence was accorded to the elderly, the children and the unavoidably handicapped., and under neither Laws was it shown to the able-bodied.

## **APPENDICES**



## APPENDIX A

### ULVERSTON UNION: BY-LAWS, 1836.

#### 1. By-law.

a) A Guardian wishing to speak shall stand up and address the Chairman - at all other times he shall observe strict silence and attend to the matter under discussion. If two Guardians stand to speak at the same time, the Chairman to decide who shall have priority.

b) All motions to be submitted in writing to the Board by the mover. If seconded they shall be discussed and a decision taken by open vote.

c) No Guardian, other than the mover, shall speak more than twice on the business in question unless personally called upon to explain whereupon he should confine himself to an explanation only. The mover can speak twice on his motion and once in reply.

d) No resolution adopted by the Board can be rescinded without two weeks written notice, to be entered in the minutes and all Guardians and the Assistant Commissioner to be notified and no motion shall be altered or rescinded except by a greater number of Guardians consenting than passed the original resolution.

#### 2. By-law.

The Chairman and the Vice-Chairman shall be automatically members of all committees of the Board unless expressly excepted.

## APPENDIX B

### POPULATION OF TOWNSHIPS IN ORMSKIRK UNION, 1811-1851, AND NUMBER OF GUARDIANS

<b>TOWNSHIP</b>	<b>1811</b>	<b>1821</b>	<b>1831</b>	<b>1841</b>	<b>1851</b>	<b>GDNS</b>
Altcar	408	499	505	490	501	1
Aughton	1032	1279	1462	1560	1655	1
Bickerstaffe	911	1212	1309	1579	1667	1
Birkdale	391	414	518	557	625	1
Bispham	242	254	256	306	270	1
Burscough	1492	1755	2244	2228	2480	1
Downholland	552	629	704	740	756	1
Formby	1101	1257	1312	1446	1594	1
Halsall	781	970	1169	1218	1194	1
Hesketh	347	476	523	553	692	1
Lathom	2514	2987	3272	3262	3291	1
Lydiate	614	691	770	848	842	1
Maghull	599	720	957	1032	1056	1
Melling	471	528	559	607	662	1
North Meols	2496	2763	5132	7774	8694	2
Ormskirk	3064	3838	4251	4891	6183	3
Rufford	998	1073	869	866	861	1
Scarisbrick	1386	1584	1783	1957	2109	1
Simonswood	364	390	411	493	470	1
Skelmersdale	501	602	676	691	760	1
Tarleton	1281	1616	1886	1877	1945	1
<b>TOTAL</b>	<b>23356</b>	<b>27358</b>	<b>32399</b>	<b>36816</b>	<b>40158</b>	<b>24</b>

Figures extracted from Population Tables, 1851 Census, Division VIII, North West Counties and Minutes of the Ormskirk Board of Guardians.

**POPULATION OF TOWNSHIPS IN FYLDE UNION, 1811-1851, AND  
NUMBER OF GUARDIANS.**

<b>TOWNSHIP</b>	<b>1811</b>	<b>1821</b>	<b>1831</b>	<b>1841</b>	<b>1851</b>	<b>GDNS</b>
Bispham w Norbreck	297	323	313	371	293	1
Bryning w Kellmargh	131	145	164	152	126	1
Carleton	308	356	319	378	400	1
Clifton w Salwick	575	608	508	538	471	1
Elswick	256	290	327	303	307	1
Freckleton	701	875	909	995	968	1
Greenhalgh w Thistleton	403	419	408	371	362	1
Hardhorn w Newton	324	392	409	358	386	1
<b>KIRKHAM</b>	<b>2214</b>	<b>2735</b>	<b>2469</b>	<b>2903</b>	<b>2799</b>	<b>2</b>
Layton w Warbrick	580	749	943	1968	2564	1
Lt.Eccleston w Larbreck	199	224	230	199	215	1
Lytham	1150	1292	1523	2082	2698	1
Marton, Gt. & Lt. *	1093	1397	1487	1542	1650	1
Medlar w Wesham	230	215	242	209	176	1
Newton w Scales	336	380	381	324	299	1
Poulton le Fylde	926	1011	1025	1128	1120	1
Ribby w Wray	398	500	482	442	406	1
Singleton, Gt. & Lt.	396	501	499	391	293	1
Thornton & Fleetwood	739	875	842	3847	4134	1
Treales, Roseacre, Wharles	671	760	756	709	696	1
Warton	445	468	531	522	473	1
Weeton w Preese	508	473	477	545	465	1
Westby w Plumpton	692	771	686	643	707	1
<b>TOTAL</b>	<b>15383</b>	<b>17580</b>	<b>17761</b>	<b>22761</b>	<b>23859</b>	<b>24</b>

\* separate townships from 1841: figures above are for combined populations.

Figures extracted from Population Tables, 1851 Census, Division VIII, North West Counties and Minutes of the Fylde Board of Guardians.

**POPULATION OF TOWNSHIPS IN GARSTANG UNION, 1811-1851, AND  
NUMBER OF GUARDIANS.**

<b>TOWNSHIP</b>	<b>1811</b>	<b>1821</b>	<b>1831</b>	<b>1841</b>	<b>1851</b>	<b>GDNS</b>
Barnacre w Bonds	497	548	519	628	875	1
Bilsborrow	178	209	199	157	152	1
Bleasdale	225	212	236	249	295	1
Cabus	253	277	267	253	238	1
Catterall	546	704	457	1102	1036	1
Cloughton	735	943	842	772	641	1
Clevey	113	148	140	124	73	1
Forton	482	587	662	679	582	1
<b>GARSTANG</b>	<b>790</b>	<b>936</b>	<b>929</b>	<b>909</b>	<b>839</b>	<b>2</b>
Great Eccleston	540	648	624	661	631	1
Hambleton	273	338	334	349	346	1
Holleth	38	43	50	35	28	1
Inskip w Sowerby	647	739	798	735	680	1
Kirkland	451	511	458	408	429	1
Myerscough	459	557	510	504	459	1
Nateby	296	406	232	341	325	1
Nether Wyresdale	713	800	770	762	704	1
Out Rawcliffe	484	598	575	728	791	1
Pilling *	840	1043	1127	1232	1281	1
Preesall w Hackensall	589	700	745	947	823	1
Stalmine w Staynall	438	507	504	504	508	1
Upper Rawcliffe	617	643	665	671	697	1
Winmarleigh	264	248	275	257	262	1
<b>TOTAL</b>	<b>12279</b>	<b>14166</b>	<b>13749</b>	<b>14848</b>	<b>14546</b>	<b>24</b>

Two Guardians from year 1845-46.

Figures extracted from Population Tables, 1851 Census, Division VIII, North West Counties and Minutes of the Garstang Board of Guardians.

**POPULATION OF TOWNSHIPS IN ULVERSTON UNION, 1811-1851, AND  
NUMBER OF GUARDIANS.**

<b>TOWNSHIP</b>	<b>1811</b>	<b>1821</b>	<b>1831</b>	<b>1841</b>	<b>1851</b>	<b>GDNS</b>
Aldingham	696	760	884	907	968	2
Allithwaite Lower	686	839	838	807	888	1
Allithwaite Upper	567	771	759	740	746	1
Blawith	170	190	171	173	229	1
Broughton East	353	381	416	458	470	1
Broughton West	966	1253	1375	1250	1297	2
Cartmel Fell	280	371	347	356	351	1
Church Coniston	460	566	587	1148	1287	1
Claife	350	452	463	541	540	1
Colton	1524	1627	1786	1983	2008	2
Dalton	2074	2446	2697	3231	4683	2
Dunnerdale w Seathwaite*	349	351	338	354	321	1
Egton w Newland	869	910	987	1024	1222	1
Hawkshead w Monk Coniston & Skelwith	1062	1255	1194	1362	1271	2
Holker Lower	931	1091	1021	1070	1225	1
Holker Upper	835	1120	1095	1114	1134	1
Kirkby Iredale	1079	1343	1521	1809	1748	2
Lowick	373	378	371	374	411	1
Mansriggs	64	62	69	63	64	1
Osmotherley	237	264	293	298	325	1
Pennington	271	284	355	388	489	1
Satterthwaite	298	307	403	420	471	1
Staveley	287	359	326	382	399	1
Subberthwaite	112	154	163	147	150	1
Torver	204	263	224	199	193	1
ULVERSTON	3378	4315	4876	5352	6742	4
Urswick	590	787	752	761	891	1
<b>TOTAL</b>	<b>20876</b>	<b>24720</b>	<b>26142</b>	<b>28552</b>	<b>32374</b>	<b>36</b>

\* separate townships from 1821: figures above are for combined populations.

Figures extracted from Population Tables, 1851 Census, Division VIII, North West Counties and Minutes of the Ulverston Board of Guardians.

**APPENDIX C****DIETARY - ULVERSTON UNION - FEBRUARY, 1839**

	BREAKFAST	DINNER	SUPPER
SUNDAY	milk porridge, 3 ozs. oatmeal in 1 pt. milk	5 ozs. stewed meat, 2 lbs. potatoes	water porridge, 5ozs oatmeal in water + ½pt. milk or 1oz treacle
MONDAY	water porridge with milk or treacle. (as Sunday supper)	5 ozs. bacon or fish, 2lbs. potatoes	milk porridge. (as Sunday breakfast)
TUESDAY	as Sunday	2 ozs. meat in 1½ pts soup + 6ozs. oatcakes	as Sunday
WEDNESDAY	as Monday	as Monday	as Monday
THURSDAY	as Sunday	3½ ozs. rice or barley, unboiled, in ¼ pt. milk	as Sunday
FRIDAY	as Sunday	3 ozs. stewed meat, 2 lbs. potatoes	as Sunday
SATURDAY	as Sunday	5 ozs. bacon or fish, 2 lbs. potatoes	2 ozs. cheese + 6 ozs. oatcake

The 5 ozs. of meat on Sundays to be weighed out after cooking, and the bones in the meat cooked for that day's dinner to be well-broken and added to the soup for Tuesday.

The paupers may be allowed bread with their porridge at breakfast and supper by using a portion of the meal allowed for porridge for making the bread

Old people of 60 and upwards, 1 oz. tea and 7 ozs. sugar per week and 4 ozs. household bread in addition

Children under 9 - porridge and dinner in proportion to their respective years

Sick - whatsoever ordered by the Doctor.

Source: PUU/1/1, *Ulverston Guardians' Minutes*, 28/2/1839

**ULVERSTON UNION - OCTOBER, 1846****Revised Dietary as a result of the potato famine-**

SUNDAY	Milk porridge	Barley soup made with 2 'houghs'	Thick water porridge and ½pt milk or 1oz. treacle
SATURDAY	as Sunday	Pea soup made with 2 cows' heads	as Sunday
MONDAY	as Sunday	Pea soup made with 2 cows' heads	as Sunday
TUESDAY	as Sunday	Rice milk with oatcakes and treacle	as Sunday
WEDNESDAY	as Sunday	Pea soup made with 2 cows' heads	as Sunday
THURSDAY	as Sunday	Barley soup made with 2 'houghs'	as Sunday
FRIDAY	as Sunday	Rice milk with oatcakes and treacle	as Sunday

Potatoes were to be bought by the committee as and when available and affordable

Source: PUU/1/4, *Ulverston Guardians' Minutes*, 15/10/1846

## APPENDIX D

PETITIONS RECEIVED BY THE FOUR RURAL UNIONS

<u>REC'D BY</u>	<u>DATE</u>	<u>SENT BY</u>	<u>PURPOSE</u>	<u>TO</u>	<u>ACTION</u>
Ulverston	21/02/39	W.Derby	No details		None
Ulverston	28/02/39	St.Thomas	Law of Settlement	Parl	None
Ulverston	04/02/41	Middleton	Against Constabulary	County	None
Ulverston	18/02/41	Ulverston	For sep. N.Lonsdale Police Div'n	JPs	Initiated
Ulverston	21/10/41	W.Derby	Amend Bastardy law		None
Ulverston	07/04/42	Wisbech	Bastardy clauses		None
Ulverston	21/04/42	Salford	Bastardy clauses	Ld Stanley	Supported
Ulverston	16/02/43	Wirral	Repeal of Registration Act		None
Ulverston	04/01/44	Wakefield	Repeal of Poor Law Union	Parl	None
Ulverston	11/01/44	W.Derby	County rates	County	Supported
Ulverston	15/02/44	Bury	Bastardy clauses	Parl	None
Ulverston	22/02/44	Bradford	Repeal of Poor Law Commission	Parl	None
Ulverston	23/02/44	Bradford	Bastardy laws	Parl	None
Ulverston	14/03/44	Todmorden	Assessment of Railways	Bd.Trade	None
Ulverston	04/04/44	Gt.Boughton	Punishment of mothers of B/Cs	Parl	None
Ulverston	16/05/44	Devizes	Freedom from law re MOs		None
Ulverston	25/07/44	W.D or Pr	County rates	County	None
Ulverston	27/02/45	Blything	Settlement		None
Ulverston	10/04/45	Liverpool	Parochial Settlement Bill		None
Ulverston	17/04/45	Glanford	Parochial Settlement Bill		None
Ulverston	19/02/46	Reith	Settlement law		None
Ulverston	05/03/46	Bury	Settlement and Removal		None
Ulverston	04/06/46	Chesterfield	Compuls'y County Lunatic Asylum		None
Ulverston	24/12/46	Norwich	Settlement law for National P.Rate		None
Ulverston	25/02/47	Staines	Ireland to support own paupers		None
Ulverston	11/03/47	Chesterfield	Abolish settlement law		None
Ulverston	23/12/47	Lancaster	County rates	County	None
Ulverston	15/06/48	Kendal	PLBs new bookkeeping system	Parl	None
Ulverston	27/07/48	Clerkenwell	Removal of Irish paupers		None
Ulverston	03/08/48	Aston	against Bill to alter poor rate charges	Parl	None

Ulverston	04/08/48 Aston	against infant-poor Education Dists		None
Ulverston	24/08/48 Bath	against PLB certs for vagrants		None
Ulverston	28/09/48 Chorley	reduction of Constabulary Force	JPs	None
Ulverston	14/12/48 Rochdale	Organizing Co-wide pressure against Co. Rates		None
Ulverston	08/02/49 Cheltenham	Suppression of Vagrancy	Parl	None
Ulverston	25/03/49 Bath	Organ'n, for suppression Vagrancy	Parl	None
Ulverston	07/03/50 St.Pancras	Window tax	Parl	None
Ulverston	30/01/51 Newport	Co.Police rate to be resp'y of Gdns	Parl	None
Ormskirk	12/03/40 Ormskirk	Bastardy, one particular case	Parl	Initiated
Ormskirk	18/06/40 Ormskirk	County Constabulary	Parl	Initiated
Ormskirk	17/12/40 Blackburn	County Constabulary		Supported
Ormskirk	30/06/42 Ormskirk	Bastardy laws		Aband'ned
Ormskirk	23/12/47 Lancaster	County rates	JPs	Supported
Ormskirk	20/07/48 W.Derby	New valuation for County Rates	County	None
Ormskirk	21/07/48 W.Derby	County Sessions to be at Preston		None
Ormskirk	21/12/48 Rochdale	County rate		None
Ormskirk	14/02/50 Rochdale	Co. Finance Bds requested	Parl	Supported
Ormskirk	14/11/50 Rochdale?	County expenditure	Sir.G.Grey	Supported
Ormskirk	13/03/51 Rochdale?	County expenditure	Parl?	Supported
Garstang	10/12/40 Blackburn	Abolition of County Constabulary		None
Garstang	11/01/44 Wakefield	Release from operation of NPL	Parl	Supported
Garstang	03/10/44 Bradfield	Complain of conduct of PLC	Parl?	None
Garstang	19/02/46 Reith	Alter'n in Sett Law & prsh appeals	Parl	Supported
Garstang	09/12/47 Lancaster	Alter'n in laws re County rates		None
Garstang	21/12/48 Rochdale	seek deput'n for Co Org'z'n		Attend
Garstang	15/02/49 Warwick	Abolish law sett, intro national rate	Parl	None
Garstang	29/03/49 Bath	Organization re vagrancy		None
Garstang	02/08/49 Warrington	Irish immigration	Parl	Enquired
Fylde	08/04/45 Blything	Sir Jas Graham's Settle't Bill	Parl	None
Fylde	08/04/45 Caister	Sir Jas Graham's Settle't Bill	Parl	None
Fylde	08/04/45 Blackburn	PLC Order re non-Res & non-Sett	Parl	None
Fylde	08/04/45 Salford	PLC Order re non-Res & non-Sett	Parl	None



Fylde	08/04/45	Wigan	PLC Order re non-Res & non-Sett	Parl	None
Fylde	08/04/45	Preston	PLC Order re non-Res & non-Sett	Parl	None
Fylde	03/06/45	Fylde	Rural Police Force	Co.JPs	Initiated
Fylde	24/02/46	Reith	Settlement law	Parl	None
Fylde	26/01/47	Howden	Irish paupers	Parl	None
Fylde	09/02/47	Rye	against new Removal laws	Parl	None
Fylde	09/02/47	Basford	against new Removal laws	Parl	None
Fylde	09/03/47	Bury	Irish poor	Parl	None
Fylde	09/03/47	Staines	State of the poor laws	Parl	None
Fylde	09/03/47	Chesterfield	State of the poor laws	Parl	None
Fylde	07/12/47	Lancaster	County rates	JPs	Supported
Fylde	18/07/48	Kendal	Recent regulations of Poor Law Bd	Parl	None
Fylde	07/08/48	Aston	Impending changes re removal	Parl	None
Fylde	12/09/48	Chorley	County rates, espec County Constab		see 1845
Fylde	19/12/48	Rochdale	Organ'z'n re County rates		Supported
Fylde	16/01/49	Rochdale	Organ'z'n re County rates		Supported
Fylde	27/02/49	Rochdale	Organ'z'n re County rates		Supported
Fylde	13/03/49	Rochdale	Petition organized	Parl	Supported
Fylde	27/03/49	Rochdale	Delegates for Finance Comm		Supported
Fylde	27/03/49	Bath	Not stated		None
Fylde	27/03/49	Chelsea	Not stated		None
Fylde	31/07/49	Warrington	Immigration of Irish paupers	Privy C. Tr.	None
Fylde	12/02/50	Carlisle	Rating of Small Tenements		None
Fylde	05/11/50	Rochdale	I'view with Sir Geo re'memorial		Supported
Fylde	17/12/50	Rochdale	Petit'n re Fin'ce and Admin Bds	Home Sec	Supported
Fylde	14/01/51	Rochdale	Act for better regul'n / control expenditure		Supported
Fylde	14/01/51	Cardiff	Industrial Train'g for Paup Children	Pres. PLB	None

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